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271	18467, 20110, 24756
274	△2256
275	14782, 18007, 18797, 24756, 46118

Note: Symbol (△) refers to 1976 page numbers

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TITLE 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

Page

1.13 (d) effective date confirmed 25003
1.36 (f)(1) revised 17553
(d) removed; (f)(3) revised 42005
2.9 (b) and (c) revised 51998
2.56B Added ..... △2815
2.66 (d) added ..... △2817
2.68 Interpretation 42006
2.79 Added 41767
Reconsideration granted 51033
(h)(1) amended 54776
2.83 Added 49572
Reconsideration granted 56886
2 Appendix C added ..... △3092
3.108 Revised 16301
Corrected ..... △3270
3.142 (a)(42) revised; (a)(48) removed 37033
Technical correction 43488
(a)(38) revised ..... △3270
3.170 (a)(27) added; correction 20270
(a)(28) added 27647
(a)(29) added 43894
(a)(27) revised 58632
3.201—3.211 (Subpart C) Redesignated from 3.735–1—3.735–11 (Subpart C) and revised 29275
3.221—3.232 (Subpart D) Redesignated from 3.735–21—3.735–32 (Subpart D) and revised 29280
3.241—3.246 (Subpart E) Added 29286
3.735–1—3.735–11 (Subpart C) Redesignated as 3.201—3.211 (Subpart C) and revised 29275
3.735–21—3.735–32 (Subpart D) Redesignated as 3.221—3.232 (Subpart D) and revised 29280
3b Added 44288
35.1 (d) redesignated as (e); new (d) added; eff. 3–1–76 56425
Rehearing granted ..... △3848
35.12 (b)(5) added 48674
35.13 (b)(4)(ii) revised; (b)(4)(iii) amended 48674
(b)(4)(iii) amended ..... △3849
101 General Instruction 18 added 26983
Balance sheet accounts:
190 amended 26984
281—283 Introductory text revised 26984
281 amended 26983, 26984
282 amended 26983, 26984
283 revised 26984
Rehearing denied ..... △3849
104 General Instruction 16 added 26985
Balance sheet accounts:
190 amended 26985
281—283 Introductory text revised 26986
281 amended 26985, 26986
282 amended 26985, 26986
283 revised 26986
Rehearing denied ..... △3849
141 Rehearing denied ..... △3849
141.1 Annual report schedule 26990, 49573
(d) amended 57451
141.2 Annual report schedule 49573
141.56 Revised ..... △3270
141.300 Revised 37033
Technical correction 43488
141.301 Removed 37033
Technical correction 43488
154.38 (d)(4)(v) and (d)(5)(ii)(e) revised 43891
154.63 (c)(4) revised 43892
157.40 (c), (e), and (f) revised; (i) added 41772
Rehearing granted 51034
201 General Instruction 18 added 26987
Balance sheet accounts:
166 amended 26508
190 amended 26987
281—283 Introductory text revised 26984
281 amended 26987, 26988
282 amended 26987, 26988
283 revised 26988
Rehearing denied ..... △3849
204 General Instruction 16 added 26989
Balance sheet accounts:
190 amended 26989
281—283 Introductory text revised 26984
281 amended 26989
282 amended 26989, 26990
283 revised 26990
Rehearing denied ..... △3849
260 Petition and motion denied 58632
Rehearing denied ..... △3849
260.11 Revised 43894
260.21 Added 58632
260.1 Annual report schedule 26990, 49573
260.2 Annual report schedule 49573
260.13 Effective date postponed 17554
Effective date added 37034
Filing time extended 51999
260.15 Added 27647

Note: Symbol (△) refers to 1976 page numbers

(CHANGES APRIL 1, 1975 THROUGH JANUARY 30, 1976)

Chapter II—Tennessee Valley Authority

Page

301.2 Added 14749
301.11—301.24 (Subpart B) Added 45313

Chapter III—Delaware River Basin Commission

401.71—401.89 (Subpart F) Correctly designated as 401.91—401.109 (Subpart G) 17987
401.81—401.87 (Subpart F) Effective status confirmed 17987
401.91—401.109 (Subpart G) Correctly designated from 401.71—401.89 (Subpart F) and amended 17987
401.91—401.94 (Subpart G) Correctly redesignated as 401.111—401.114 (Subpart H) 17987
401.111—401.114 (Subpart H) Correctly redesignated from 401.91—401.94 (Subpart G) 17987

Chapter VI—Water Resources Council

701.300—701.313 (Subpart E) Added 45676
706 Added 32818

Title 18—*Proposed Rules:*

Ch. 1 15402
1 20827
2 ..... 16220, 22006, 22557, 24542, 25691, 26568, 29304, 32140, 33998, 37056
3 ..... 18796, 20108, 21492, 26569 ..... △3096, 4605
3b 36546
35 ..... 14606, 23768, 26702, 32763, 42029 ..... △3746, 4605
101 ..... 14606, 23322, 27492, 33999 ..... △4605
104 ..... 14606, 23322, 27492, 33999 ..... △4605
141 ..... 15402, 16684, 20108, 23322, 27492, 29305, 33999, 54828
154 ..... 14606, 18467, 19661, 22006, 24031, 24542, 25691, 26568, 32140, 33998, 37056, 41537, 44582, 44850 ..... △3096, 4605
157 ..... 22006, 24542, 25691, 26568, 32140, 33998, 37056, 41539
161 20827
201 ..... 14606, 23322, 27492, 33999, 37056, 41539, 44582, 44850 ..... △4605
204 ..... 14606, 23322, 27492, 33999 ..... △4605
260 ..... △4605
..... 16684, 18796, 21492, 23322, 26569, 27492, 31634, 33999, 37056, 41539, 44582, 44850 ..... △3096, 4605
301 39374
701 ..... 39438 ..... △1921
901 44836

TITLE 19—CUSTOMS DUTIES

Chapter I—United States Customs Service, Department of the Treasury

1.2 (c) table amended 19194, 24356, 26026, 26027
Technical correction 27934
1.5 Revised 27934
4.12 (a)(5) revised 55838
4.20 (c) table amended 21027
4.21 (b)(14) removed 21027
(b)(17) added 34586
4.22 Amended 44542
4.61 (b)(11) revised; footnote removed 24518
4.65a Added 24518
4.80a (d) revised 31928
4.81 (g) amended 58852
4.81a (a) amended 58852
4.93 (b)(1) and (2) amended 21028
(b)(1) amended 23846
4.94 (b) amended 32742
6.1 (a) revised 15387
6.2 (d)(1) and (3)(ii) amended 15387
(a) amended; (b) revised 33203
6.14 Added 33204
6.25 Added 15387
10 Authority citation revised 43021
10.2 Removed 43021
10.11—10.24 Heading and text added 43021
10.20 Corrected 45163
10.53 (b) amended 36116, 51420
10.59 (f) amended 31752, 31753, 47761
10.66 (a)(3) and (c) revised 44319
10.151—10.153 Undesignated center heading revised 31753
10.152 Heading revised; text amended 31753
10.153 (b), (d)(2) and (3), and (f) revised 31753
10.171—10.178 Revised; undesignated center heading added 60047
12.1 (b) revised 32321
12.2 Removed 32321
12.3 Revised 32321

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	Page
12.6 Added	36767
12.110—12.117 Added	32321
22.20a Amended	14749
24.4 (f) (1) revised; (h) (1) amended	51420
24.14 (a) and (b) amended	24519
111.19 (b) revised	31754
112.11 (a) (4) (iii) revised	41084
113.26 (a) amended	14750
123.4 (b) revised	19813
127.4 Added	28790
127.14 (a) revised	28790
133.3 (b) revised	28790
133.5 (d) revised	28791
133.6 (b) revised	28791
133.7 (a) (3) revised	28791
133.13 (b) revised	28791
133.33 (b) revised	28791
133.35 (b) (2) revised	28791
133.36 (b) revised	28791
133.37 (a) (3) revised	28791
141.61 (c) removed	36116
(f) (1) revised	57796
141.89 Amended	44129
143.21 (i) added	44542
143.23 Introductory text revised	19813
145.2 (c) revised	59725
145.32 Revised	31753
146.21 (c) (2) revised	36116
148.87 (b) amended	41084
151.11 Amended	27444
151.46 Revised	27022
151.64 Revised	23458
151.71 (b) revised	23458
151.72 (b) revised	23458
152.14 Removed	31928
152.15 Removed	31928
152.16 Amended	31928
153.43 Amended	14591, 20617, 53384
Amended	△2820
159.47 (f) table amended	21719, 21720, 55638, 55639
(f) table amended	△1273–1275, 1468, 1588, 1589, 1742
159.56 Removed	31928
161.2 (a) (3) removed	△2383
162.2 Amended	21932
171.1 (a) (1) revised	43894
171.12 (b) amended	43488
172.22 (a) amended	43026
174.24 (b) and (c) amended; (d) added	31928
177 Added	31929

Chapter II—United States International Trade Commission

	Page
201.00 Added	53384
Correctly designated	55838
201.20 (a) revised	31211
201.22—201.32 (Subpart D) Added	47976

Title 19—*Proposed Rules:*

1	37043, 47795, 48139, 53261, 59212, 59745
4	19830, 24527, 33038
10	32751, 50045
12	25595, 41118, 54002, 59745
	△1498
24	28807
103	51201
112	15389
113	15389, 51445, 54004
133	17151
141	17151, 23874, 45825, 56674
142	45825, 56674, 58150
143	45825, 56674
144	54575
152	58850
153	30825, 43226
158	58150
159	45825, 56674
162	48690
175	30825, 43226
177	58470
201	23478, 40050, 40173, 48700, 54265, 56936
206	34005
207	34005
210	40173, 48700

TITLE 20—EMPLOYEES' BENEFITS

Chapter I—Office of Workers' Compensation Programs, Department of Labor

10.20 (c) revised	△2
10.100 (b) corrected	14750
10.123 Corrected	14750

Chapter II—Railroad Retirement Board

200.1 (a) revised	41084
260.1 Revised	41085
260.2 (a), (b) and (d) revised	41085
330.1 Revised	50257
330.4 Revised	50257
330.5 Revised	50258
330.6 Added	50258
395.4 Revised	26673, 52844
395.5 (b) (2) and (3) revised	26673
(b) (2) revised	52844

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	Page
395.6 (b) (2), (3), and (c) (4) revised	26674
(b) (2) (ii) revised; (b) (3) removed	52844
395.7 (a) (2) and (b) (2) revised	26674

Chapter III—Social Security Administration, Department of Health, Education, and Welfare

401.1 Revised	27649
401.3 Introductory text, (u), and (v) revised; (o) and (t) removed	27649
401.4 (f) revised	27650
404.305 Revised	31774
404.305a Added	31774
404.313 (a) (3) revised	31775
404.328 (a) revised	31775
404.329 (a) (4) and (6), and (c) (4) revised	31775
404.330 (a) and (b) revised	31775
404.331 (a) (3) through (7), and (c) (1) revised	31776
404.332 (a) (3) and (5), and (b) (2) revised	31776
404.333 Revised	31776
404.335 (a) (6) revised	31777
404.336 (a) (9) and (d) (9) revised	31777
404.350 (a) revised	31777
404.351 (a) and (c) revised	31777
404.352 Revised	31778
404.353 (d) revised	31778
404.366—404.373 Revised	24357
404.401—404.467 (Subpart E) Heading revised	30813
404.401 Revised	30813
404.402 Revised	30813
404.403 (a) revised	30814
404.405 (j) through (p) added	30814
404.409 Revised	30815
404.410—404.413 Added	30815
404.429 (c) (1) revised	42863
404.430 Revised	42864
(c) corrected	45805
404.905 (n) revised	53384
404.906 (c) revised	53384
(j) added	53385
404.915 Revised	53386
404.916 Revised	53386
404.916a—404.916f Added	53386
404.940 Revised	53386
404.1015 (a) revised	23286
404.1015a Added	23286
404.1016 (a) revised	23288
404.1026 (e) added	23288
404.1049 Added	42864
404.1053 (c) (5) revised; (c) (6) amended	29071
404.1068 (b) and (c) revised	42864
(b) (1) (i) (A) through (I) correctly redesignated as (a) through (i)	45805
404.1101 (e) added	29072
404.1501—404.1539 (Subpart P) Appendix amended	30263
404.1506 (d) added	30263
404.1534 (b), (c), and (d) revised	31781
405.102 Revised	24357
405.103 Revised	24358
405.104 Revised	24358
405.105 Added	24359
405.106 Added	24359
405.116 (g) revised	17747
405.120 (a) (1) amended; (d) revised	23289
405.126 Revised	43896
405.127 Revised	43897
405.128 Revised	43898
Corrected	46309
405.128a Added	43898
405.201—405.252 (Subpart B) Appendix added	17747
405.205 Revised	18165
405.210 Revised	18166
405.213 Text designated as (a); (b) added	18166
405.214 (d) added	18166
405.217 (b) introductory text and (c) (1) revised; (g) through (i) added	43211
405.221 (e) added	18166
405.222 (c) revised	43212
405.223 (e) added	18166
(c) revised	43212
405.230 (a) (2) and (5) revised	44321
405.231 (g) and (h) revised	17747
(l) revised; (m) added	44321
405.232 (e) revised; (j) added	44321
405.236 (b) revised	44321
405.239 Revised	44322
405.250 (b) (3) revised	44322
405.250a Added	44322
405.251 (b) (4) (ii) and (iii) revised; (b) (4) (iv) added	△1492
405.310 Introductory text, (m) and (n) added	24360
405.315a Added	36314
405.315b Added	36315
405.350 Revised	△1492
405.352 Introductory text revised	△1493
405.355 Revised	△1493

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Title 20, Chapter III—Continued

		Page
405.402	(c) introductory text revised	32743
	(c) (9) added	33440
405.415	(k) added	32743
405.419	(e) added	32743
405.429	(b) (3) added	32743
405.430	(a), (c) (1), (d) (1) and (2), and heading of (e) (1) revised	22540
405.433	Added; eff. 4-26-76	34513
405.435	Added	32743
405.454	(j) added	29816
405.460	(e) revised	32744
405.465	Added	33440
405.468	Added	33443
405.502	(a) revised	25447
405.504	(a) revised	25447
405.521	(d) redesignated as (d) (1); (d) (2) and (3) added	33443
405.607	(a) (3) revised; (a) (4) added	△1493
405.614	(a) (4) and (c) revised; (a) (5) added	36315
405.705	(e) added	53386
405.716	Revised	53387
405.717	Revised	53387
405.718—405.718e	Added	53387
405.730	Revised	53387
405.902	(b) introductory text and (b) (1) and (2) revised; example 4 added	18166
405.1021	(i) (3) removed; (j) added	24324
405.1022	(b) revised	26656
405.1035	Effective date postponed	14591
	(e) (6) (ii) amended	14592
	(e) and (f) effective date postponed	28052, 33033, 42006
405.1121	Introductory text and (f) revised	24325
405.1137	Effective date postponed	14591
	(d) (2) amended	14592
405.1221	(i) added	24325
	(a) and (h) revised	56661
405.1501—405.1595	(Subpart O) Heading revised	36315
405.1501	Heading, (a) and (b) revised; (f) added	36315
405.1502	(e) added	36316
405.1503	Revised	36316
405.1504	Revised	36316
405.1505	Introductory text and (k) added	36316
405.1519	Revised	36316
405.1530	Revised	36316
405.1531	Revised	36316
405.1532	Revised	36316
405.1534	Revised	36316
405.1536	Revised	36317
405.1537	Revised	36317
405.1542	(a) revised	36317
405.1543	Revised	36317
405.1545	Revised	36317
405.1550	Revised	36317
405.1551	Revised	36317
405.1552	Revised	36318
405.1553	(a) and (c) revised	36318
405.1554	Revised	36318
405.1563	Revised	36318
405.1567	Revised	36318
405.1569	Revised	36318
405.1572	Revised	36318
405.1590	Revised	36318
405.1634	Revised	44322
405.1675	(a) (1) revised	△1493
405.1890	Added	32744
405.1901	(b) revised	24326
405.1913	Added	30818
405.2001—405.2012	(Subpart T) Added	28018
405.2001	Added	28018
	(b) (4) and (5) (i) and (ii) corrected	29706
405.2005	(a) (3) (i) corrected	29706
410.510	(d) revised	56887
410.615	(i) added	53387
410.628	Revised	53387
410.629	Revised	53388
410.629a—410.629f	Added	53388
410.655	Revised	53388
416.501—416.507	(Subpart E) Heading revised	47763
416.533	Added	47763
416.535	Added	47763
416.536—416.538	Added	47763
416.542	Added	47763
416.543	Added	47763
416.550	Added	47763
416.551	Added	47763
416.552	Added	47763
416.553	Added	47764
416.554	Added	47764
416.555	Added	47764
416.558	Added	47764
416.560	Added	47764
416.570	Added	47764
416.901—416.985	(Subpart I) Heading revised	31781
416.901—416.939	Added	31781
	Appendix added	31786
416.981—416.985	Added	51625

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416.1101—416.1190	(Subpart K) Heading revised	48913
416.1101-416.1180	Added	48913
416.1201—416.1266	(Subpart L) Heading revised	48915
416.1201—416.1202	Added	48915
416.1205—416.1261	Added	48916
416.1264—416.1266	Added	48918
416.1336	(c) revised	47488
416.1403	(a) (3) and (4) redesignated as (a) (4) and (5); new (a) (3) added	53384
	(b) revised (to be corrected)	53384, 53388
	(b) revised	△4256
416.1408—416.1423	Added	47489
416.1422	Revised	53388
416.1423	Revised	53389
416.1424—416.1424e	Added	53389
416.1425	(a) revised	47490
416.1426	Revised	47490
416.1427	(a) (3) revised	47490
416.1458	Revised	53389
416.1475—416.1487	Added	23846
416.1483	(b) and (c) revised	47490
416.1510	Heading and (d) revised; (e) added	34335
422.210	Revised	53389
422.401	Revised	27650
422.402	Revised	27650
422.426	(a) revised	27650
422.430	(b) (19) revised	27650
422.433	Added	27650
422.434	Added	27651
422.435	Added	27651
450	Added	42865
450.103	Corrected	44812

Chapter V—Employment and Training Administration, Department of Labor

	Chapter heading revised	57766
601.5	(f) added	52000
602.10b	(a) (1) revised	34337
614.19	Interpretation	20270
616.6	(e) interpretation	20270
617	Removed	△3079
618	Revised	57767
619	Revised	51600
619.15	(b) corrected	53390

Chapter VIII—Joint Board for the Enrollment of Actuaries

	Chapter established	18776
900	Added	18776
901	Added	38147
	Revised	△2081
902	Added	38149
	Revised	△2083
903	Added	△1493

Title 20—*Proposed Rules:*

200	36262, 45736
401	17849, 28810, 30493, 33828
404	26532, 28095, 29301, 52408, 52738, 55362
405	14934, 16673, 17151, 23878, 23974, 24529, 24530, 25938, 26535, 26540, 27782, 28810, 30493, 31795, 31802, 33828, 40171, 40537, 40850, 51055, 51474, 56458
	△1499
410	45190, 51475, 52408, 55362
	△1762
416	19831, 21986, 28095, 33222, 48937, 52408, 52742, 54005
422	17849, 55362
	△1601
450	△1603
601	43744
602	27050
	△776
605	△4702
614	△2828
620	△3095
625	56931
650	19481
741	39887
901	20326, 38171, 50110
902	20326, 38171, 50110
903	39387, 45113

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

1	Comment time extended	26027
1.1a	Revised*	22984
	Effective date stayed	31606
1.1c	(a) (14) added	57453
1.3	Revised	28585
1.8	(f) added	△1165
1.8b	(t) added	57454
1.8d	(f) revised*	22984
	(c) (4) added	26265
	(f) effective date stayed	31606
1.9	(c) (2) and (3) revised	23996
1.10	Revised	△1165
	(b) (15) corrected	△2636
1.10b	Added	△1166
2	Revised	22984
	Comment time extended	26027
	Stay of regulations	32750, 33063
	Restored to prior status	40520
	Effective date stayed	31606, 32750, 33063

*Restored to prior status September 3, 1975 (40 FR 40520)

Note: Symbol (△) refers to 1976 page numbers

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Title 21, Chapter I—Continued

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2.23 (b) effective date stayed ... 31235
2.116 Corrected ... 31754
2.120 (a)(22) added ... △2383
2.121 (k) and (l) revised ... △1891
(m) added ... △2636
2.159 (e) corrected ... 31754
2.160 (g) corrected ... 31754
2.312 (a) corrected ... 31754
2.330 (b)(2)(ii) effective date stayed ... 31235
2.335 (c)(1) corrected ... 31754
2.340 (c)(20) revised ... 29817
3.17 (d) removed; (i) revised ... 57453
3.80 Removed ... 43971
3.82 Removed ... 26266
4.20 (c) revised; (d) added ... 55840
4.21 (c) added ... 55841
4.40 (d) added ... 55841
4.80 (d) added ... 55841
4.82 (b)(4) added ... 55841
4.83 Text designated as (a); (b) and (c) added ... 55841
4.119 Added ... 55841
5 Added* ... 23028
Comment time extended ... 26027
Contents list corrected ... 31754
Effective date stayed ... 31606
5.115 Corrected ... 31754
6.1 (a)(3) added ... 16662
6.4 (a)(2) amended* ... 23035
Comment time extended ... 26027
(a)(2) effective date stayed ... 31606
7 Added ... 55841
8 Comment time extended ... 26027
Certain sections (p. 23035) effective date stayed ... 31606
8.12 Revised* ... 23035
8.13 Removed* ... 23035
8.14 Removed* ... 23035
8.18 Revised* ... 23035
8.19 Revised* ... 23035
8.20 Removed* ... 23035
8.21 Removed* ... 23035
8.27 (b) amended* ... 23035
8.28 (b) revised* ... 23035
8.33 (a) amended* ... 23035
8.501 Time extended ... 15088
(b) table amended ... 18167
(g) amended ... 15088, 29817
Introductory text revised; (a) and (b) tables amended ... 44812
(a), (b), (c), (e), (f), and (g) closing date postponed ... △754
8.510 (d), (e) and (h)(1) amended; (i) added ... 44813
8.4070 (c) revised ... 18167
(c)(2) removed ... 44543

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TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

6.14 (a) and (b) revised 48503
6a Added 45606
Heading corrected 47419
6a.3 Corrected 51194
8 Added 28606
15 Added 50027
21.1 Table amended 39859
22.1 (a) CFR correction 36116
41.6 (b) revised 33444
Technical correction 36116
42.91 (a)(15) revised 42532

Chapter II—Agency for International Development, Department of State

201.11 (b)(4) amended 34113
205 Heading and text revised 31754
214 Revised 33205
214.11 (c) revised 54777
214.13 (b)(8) revised 54778
214.33 (a)(2) revised 54778
214.37 Revised 54778
215 Added 45679

Chapter V—United States Information Agency

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505 Added 49278

Chapter VI—United States Arms Control and Disarmament Agency

602 Heading and text revised 56661

Chapter VII—Overseas Private Investment Corporation

707 Added 46284

Chapter XI—International Boundary and Water Commission, United States and Mexico, United States Section

Chapter established 32116
1100 Added 32116

Title 22—*Proposed Rules:*

6 36366
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15 36824
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1.25 Removed (provisions recodified in Part 646 Subpart B) 16057
1.29 Removed 24519
140.900—140.922 (Subpart I) Added 16057
Appendix A amended 29712
140.922 (a), (b) and (c) redesignated as (b), (c) and (d); new (a) added 29712
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160.201—160.204 (Subpart B) Added 29817
230 Added 28053
230.103 Amended ..... △3080

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230.113 (f)(6) through (11) redesignated as (f)(7) through (12); new (f)(6) added	△3080
230.201—230.209 (Subpart B) Added	50712
260 Revised	58633
420.203 (a)(4) revised	17554
420.205 (a) and (b) amended	17554
420.206 (a) revised	17554
420.300—420.312 (Subpart C) Added	53726
450 Added	38151
450.100—450.122 (Subpart A) Added	42977
450.104 Amended	57799
450.300—450.320 (Subpart C) Added	42982
450.304 Amended	57799
460 Added	44322
470 Revised	42344
625.3 (a)(11) and (12) added	53728
630.102—630.116 (Subpart A) Added	57801
630.301—630.306 (Subpart C) Appendix A revised	55640
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630.302 ((e) amended	55639
630.304 (b) and (c)(9) amended; (d) revised	55639
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630.306 (b) amended	55640
630.702 Corrected	17554
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633.202 (b) amended	49084
633.204 (b) amended	49084
633.207 (b) and (e) amended	49084
633.211 Heading and text revised	49084
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635.103 Amended	14906
635.104 (a) amended	14906
635.107 (e) amended	14906
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635.110 (c) amended	14906
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635.124 (a)(1) amended	14906
635.202 Amended	14906
635.205 (a)(1) amended	14906
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635.301—635.309 (Subpart C) Revised	17251
635.307 (b)(3) revised	25585
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640.11 (a) amended	53728
640.13 (b) amended	53729
640.15 (a) amended; (b) revised	53729
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646.200—646.220 (Subpart B) Added	16059
646.216 (e)(2)(ii) revised	29712
646.220 (b)(2) corrected	29712, 31211
652.3—652.6 Redesignated as 652.4—652.6 and 652.9, respectively (see redesignation table); new 652.3 added	53730
652.7 Added	53730
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655.701—655.707 (Subpart G) Added	20078
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658.7 Added	41775
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710.206 (b) amended	29073
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712.204 (c) revised	33445
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712.804 (d)(4) corrected	55643
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750.155 Amended	21934
750.701—750.713 (Subpart G) Added	42844
750.705 (c) corrected	49777
771.22 Added	60052
820 Added	16301
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820.11 (k) added	△3080
820.17 Redesignated as 820.19 and revised; new 820.17 added	△3080
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16 Added	39729
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17.24 Heading and text amended	28599
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17.27 Amended	28599
17.28 Amended	28599
17.30 Amended	28599
17.31 Amended	28599
17.33 Amended	28599
25 Added	43026
25.5 (c) corrected	48919
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42.20 (s) corrected	36772
42.55 (d)(3) and (e)(3) corrected; (f)(3) and (4) and (g)(2) amended; (i) revised	36772
42.70 (b) amended	36772
42.85 (b)(3) amended; (e)(2) corrected	36772
42.135 (h) corrected	36773
42.220—42.290 (Subpart F) CFR correction	36768
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58 Revised	29992
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58.30 (a)(6) and (b) amended	22253
58.31 (b)(1) amended	22253
82 Added	22449
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82.2 (a), (g) and (h) revised	47792
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82.4 (b) amended	26509
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82.6 (b)(6) revised	47793
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82.7 (a) amended; (d) revised	47793
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82.8 (a) and (c) revised	47793
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82 Appendix A added	30480
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160 Revised	20079
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110.5 (g) and (h) revised	20079
110.25 (a) amended	20079
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200.58 Revised	39859
200.112 (b) and (c) revised; (d) removed	39860
200.115 (a)(2) revised	39860
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200.600—200.640 (Subpart M) Appendix amended	20080
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403.5—403.6 (Subpart B) Revised 20081
425.22 (a) and (b)(3) revised; (d) added 52845
426 Added 31874
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570.300—570.306 (Subpart D) Revised ..... △4133
570.300 (a) revised 15090, 16663
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860 Added 33446
860.401—860.409 (Subpart D) Added 44324
866 Added 33402
866.1—866.6 (Subpart A) Added 33403
866.50—866.59 (Subpart B) Added 33406
880 Added; redesignated from Part 1273 and revised 15580, 18684
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1700.30 (e) and (f) added 14753
1710.25 (d) added 56908
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2205.73 Corrected 28609
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2.10—2.20 (Subpart B) Added; incorporates provisions of former Subparts B, C, and D 20626
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43k.5 (a) revised 19012
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TITLE 26—INTERNAL REVENUE

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1.44—1.44–5 Added	55850
1.44–2 (a) corrected	58138
1.44–4 (a)(3) corrected	58138
1.72–4 (b)(2) revised	16663
1.72–15 (a) and (d) revised; (f) amended; (i) added	16664
1.101–2 (a)(2) revised	16666
1.103–8 (f)(2)(ii)(*a*) amended; (*d*) revised; (*e*) and (*f*) removed	26028
1.105–4 (a)(2)(i) and (3)(i) revised	16666
1.105–6 Added	16666
1.115–1 (a)(4) revised	49321
1.162–21 (b)(1)(ii) and (2) revised	29290
1.170A–12 Added	34337
1.243 Amended	42744
1.243–5 (d)(2) revised	42745
1.250 Added	26029
1.250–1 Added	26029
1.281—1.281–4 Undesignated heading and sections added	23732
1.341 Amended	29839
1.341–6 (b)(2)(iv) revised	29840
1.451–3 Revised	△2637
1.451–5 (c)(1)(i) amended; (b), (c)(1)(ii), (2) and (3), (d), (e) and (f) revised; (g) added	△2641
1.471–10 Added	△2642
1.482–2 (a)(2) revised	△1280
1.483–1 (c)(2), (d)(1) and (2), and (g)(1) and (4)(iii)(b) revised	△1281
(c)(3), (d)(4), (e)(3), (f)(5), and (g)(2) amended	△1281
(c)(4), and (g)(6), (7), and (8) added	△1281
(g)(2) table IV corrected	△2642
1.508–1 (b)(4) revised	△1063
1.512(a)–1 Revised	58639
1.513 Amended	58642
Historical note revised	60053
1.513–1 (a), (b) and (f) revised	58642
1.513–2 (c) revised	58643
1.514(b) Amended	49322
1.514(b)–(1) (d)(4)(i) revised	49322
1.535 Amended	42744
1.535–3 (b)(2) and (3), and (c) revised	42744
1.642(c)–0 Added	23739
1.642(c)–1—1.642(c)–4 Revised	23739
1.642(c)–1 (a)(1) and (3) corrected	24361
1.642(c)–2 (b)(3)(ii) and (4)(iii), and (c)(1) corrected	24361
1.642(c)–3 (b)(1) and (c) corrected	24361
1.642(c)–4 Corrected	24362
1.642(c)–5 (a)(5)(vi) revised; (d) removed	23742
1.643(a)–3 (c) revised	23742
1.643(a)–7 Revised	23742
1.673(a)–1 (a)(2) revised	23742
1.673(b) Amended	23743
1.673(b)–1 Heading revised; (d) added	23743
1.817–2 (b)(1)(i)(c) revised	29840
1.861 (a)(1)(A) through (C), (a)(2)(B), (C), and 3(C)(ii) and historical note revised; (a)(1)(D) through (H) and (a)(2)(D) and (e) through (e) added	45428
1.861–2 Revised	45429
(d) corrected	48508

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1.861–3 (a)(3) revised; (b) redesignated (c) and revised; new (b) and (d) added	45432
(a)(3) corrected	48508
1.861–4 (a) and (b) revised; (d) added	45433
(a)(4) corrected	48508
1.861–5 Revised	45434
1.861–8 (b) revised	45434
1.862–1 (a) revised	45434
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1.863–6 Revised	45435
1.864–2 (b)(2)(ii) and (iv) revised	45435
1.881 Amended	50260
1.881–1 (c) revised	50260
1.895 Text and historical note revised	45435
1.895–1 Revised	45435
(e) corrected	48508
1.902–1 (c) revised	45436
1.902–3 (d)(1) added	45436
1.931 Amended	50260
1.931–1 Heading and (a)(1) revised	50260
1.932 Amended	50260
1.932–1 (a)(1) and (b) revised	50260
1.935 Added	50261
1.935–1 Added	50261
1.994 Added	29827
1.994–1 Added	29827
1.994–2 Added	29836
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1.1221 Amended	29840
1.1221–1 (c) revised	29840
1.1231 Amended	29841
1.1231–1 Amended	29841
1.1232–1 (c)(3) revised	27936
1.1232–3A (f)(1) revised	27936
1.1402(c)–2 (a)(2) and (b) revised	50945
1.1441–1 Revised	50263
1.1441–3 (c)(1) revised	45436
1.1441–4 (i) added	45436
1.1442 Amended	50264
1.1551 Amended	42745
1.1551–1 (a) amended	42745
1.6014–2 (c)(3)(vi) and (vii) revised; (c)(3)(viii) and (ix) added	55856
1.6091–1 (b)(16) added	50264
1.6091–4 (c) added	50264
1.6654 Amended	49322
1.6654–1 (a)(2) amended	49322
1.6655 Amended	49322
1.6655–1 (a)(2) amended	49322
1.6655–5 (a)(2) revised	49322
3 Revised	△4258
8.1 Added	58853
9.1 Added	25472
10.2 Added	17554
(c)(1)(ii)(A)(2) corrected	25590
11.401(a)–11 Added	45810
(e)(2) and (f) corrected	49326
11.401(a)–14 Added	47107
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11.401(a)–15 Added	48345
11.401(a)–19 Added	51421
11.401(b)–1 Added	44544
11.401(d)(1)–1 Added	48509
11.408 (a)(2)–1 Added	53580
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11.411(a)–1 Added	51421
11.411(a)–2 Added	51422
11.411(a)–3 Added	51422
11.411(a)–4 Added	51423
11.411(a)–5 Added	51424
11.411(a)–6 Added	51425
11.411(a)–7 Added	51426
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11.411(a)(10)(B)–1 Added	17556
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11.411(d)–2 Added	51434
11.411(d)–3 Added	51435
11.414(c)–1 Added	51435
11.414(c)–2 Added	51436
11.414(c)–3 Added	51437
11.414(c)–4 Added	51438
11.414(c)–5 Added	51440
11.7476–1 Added	24002
(b)(1) amended	24521
11.7476–2 Added	24003
11.7476–3 Added	29535
17.1 Added	26028
20.2031–11 Removed	34340
20.2039–2 (b) CFR correction	36328
20.6161–1 Amended	49323
20.6163 Amended	49323
20.6163–1 (d) amended	49323
20.6166 Amended	49323
20.6166–1 (f) amended	49323
20.6601 Amended	49323
24.1 Added	58853
25.2512–10 Removed	34340
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31.3121(a)(1) Revised	30948
31.3121(a)(1)–1 (a)(1), (a)(3) introductory text, and (b)(1) revised	30948
31.3121(a)(9) Revised	30957
31.3121(a)(9)–1 (a) revised; (a)(1) corrected	30957, 32831
31.3121(a)(11) Revised	42350
31.3121(a)(11)–1 Added	42350
31.3121(a)(12) Revised	30949
31.3121(a)(13) Added	30949
31.3121(a)(13)–1 Added	30949
31.3121(a)(14) Added	30950
31.3121(a)(14)–1 Heading added; Text added	30950, 30957
31.3121(a)(15) Added	30950
31.3121(a)(15)–1 Heading added; Text added	30950, 30957
31.3121(b)(3) Revised	30950
31.3121(b)(3)–1 (a) and (b) revised	30950
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31.3121(b)(6)–1 (c)(4)(ii) revised	30957
31.3121(b)(7) Amended	30957
31.3121(b)(7)–1 (e) added	30958
31.3121(b)(10) Heading revised; text amended	30958
31.3121(b)(10)–1 (b) revised	30958
31.3121(b)(10)–2 Heading, (a), (b), and (c) revised	30958
31.3122 Revised	30951
31.3125 Revised	30951
31.3306(b)–1 (a)(1) and (b) revised; (j) introductory text amended	42350
31.3306(b)(8) Revised	42350
31.3306(b)(9) Added	42350
31.3306(b)(9)–1 Added	42351
31.3306(b)(10) Added	30951
31.3306(b)(10)–1 Added	30951
31.3402(a)–2 (a) revised	17840
31.6011(a)–1 (a)(3)(ii) amended	17144
CFR correction	48346
(c) amended	△1903
31.6011(a)–2 (a)(1) and (b)(2) heading revised; (a)(2) and (b)(2)(i) and (ii) amended	△1903
31.6011(a)–4 (b) revised	17144
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31.6011(a)–5 (b) heading and (b)(2) revised	17144
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31.6011(a)–6 (a)(2)(i) amended	△1904
31.6011(a)–7 (a) and (b)(1) amended	△1904
31.6011(a)–9 Added	17145
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31.6051 (a) and note revised; (e) added	30952
31.6051–1 (a)(3), (b)(1) introductory text, (c)(2) and (3), and (d)(1) and (2)(i) revised	17145
(a)(1)(i)(f) amended; (b)(3) removed	17145
(f) redesignated as (g); new (f) added	17145
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(f) and (g) redesignated as (g) and (h); new (f) added	30952
31.6051–2 Added	17145
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31.6053–2 (b) and (c) revised	17145
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31.6071(a)–1 (a)(3)(i) heading and (a)(3)(ii) revised	17146
CFR correction	48346
31.6081(a)–1 (a)(3) revised	17146
31.6413(c) Amended	30953
31.6413(c)–1 (a)(1)(i), (2), (5), (6) revised; (c) added	30954
53.6001—53.7101–1 (Subpart J) Added	29843
54 Added	50841
Subchapter E (Parts 170–299) Recodified as Subchapter M of Title 27	16835
170—299 Recodified as 27 CFR Parts 170–299	16835
301.6051 Amended	30955
301.6096 Amended	55856
301.6096–1 (b) revised	55856
301.6104–1 (d), (e)(1) and (3), and (f) amended	15090
301.6104–2 (b) revised; (c)(1) and (4) amended	15090
301.6163 Amended	49323
301.6166 Amended	49323
301.6332 Amended	49323
301.6332–1 (b)(1) revised	49324
301.6413 Amended	30955
301.6504 Amended	49324
301.6601 Amended	49324
301.6601–1 (a), (b) heading, (c)(1), and (e)(1) and (2) revised; (b)(1) and (c)(2)(i) amended; (b)(2) removed	49324
301.6602 Revised	49324
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301.6688–1 Added	50264
301.6863–1 (b) amended	49325
301.7426 Amended	49325
301.7622–1 Revised	23743
301.7654 Revised	50264
301.7654–1 Added	50265
301.7701 Amended	50266
420.6103(g)–3 Added	30959
601.201 (o) revised	32323

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1.170—1.300	20633
1.401—1.500	17576, 18798, 22548, 28101, 31238, 43034, 43735, 45828, 45838, 46314, 47138, 48361, 48514, 48517, 48690, 49343, 51445, 51467, 52417, 52418, 53593, 58471
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1.501—1.640	25476
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1.641—1.850	18798, 28101, 34128, 45442, 51445, 58471, 58860
1.851—1.1200	14767, 17576, 26040, 27483, 27484, 29296, 29971, 30971, 53035
1.1201—end	17576, 17588, 18798, 24011, 24527, 26040, 27943, 28101, 29553, 29874, 34352, 36366, 45832
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TITLE 27—ALCOHOL, TOBACCO PRODUCTS, AND FIREARMS

Chapter I—Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury

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4.74 Revised	△1063
6.28 Revised	55856
18 Added; redesignated from Part 198 and revised	△2642
Subchapter M (Parts 170—299) established; recodified from Subchapter E of Title 26	16835
170—299 Added; recodified from 26 CFR Parts 170–299	16835
178.11 Amended	19201
178.126a Added	19202
194.24 (c)(1)(i) and (ii) revised	56887
194.38 Center heading and section added; text includes provisions from former § 194.73	56887
194.73 Removed; provisions transferred to new sections 194.38 and 194.264	56887
194.110 Revised	30113
194.138 Revised	56887
194.151 (a) revised	56887
194.251 Revised	56888
194.264 Added; text includes provisions from former § 194.73	56888
198 Redesignated as Part 18 and revised	△2642
240.17 Removed	20627
240.19 Revised	20627
240.41 Removed	20627
240.542 Revised	20627
240.543 Revised	20627
245 Technical correction	45920
245.116 Revised	47490

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TITLE 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

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0.1 Amended	42745, 58643
0.6 Added	42745
0.7 Amended	42746
0.17 Removed	42746
0.18 Amended	33214
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0.27 Amended	42746
0.39—0.39c (Subpart G–2) Revised	58643
0.40—0.43 (Subpart H) Revised	36118
0.50—0.52 (Subpart J) Appendix added	44326
0.55—0.64 (Subpart K) Appendix added	36564
0.76 (g) revised	58644
0.85 Introductory text revised	42746
0.95—0.99 (Subpart Q) Appendix revised	△3289
0.150 Revised	58644
0.179—0.179a (Subpart Z–1) Added	53390
2 Revised	41331
4 Revised	△3853
4a Revised	△3855
16.7 (b) through (f) redesignated as (c) through (g); new (b) added; (c), (f), and (g) amended	33214
16.8 (b) amended	33214
16.40—16.57 (Subpart D) Added	50642
16.48 (b) corrected	52007
20.20 (b) and (c) hearing	52846
20.21 (b), (c), and (d) hearing	52846
Introductory text amended	59204
50.13 Added	34114
55 Added	46080

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19	50453
20	49789
22	44034
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TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

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5.1 (b) amended	30481
5.2 (c) revised; (d) amended	30481
5.5 (a) (3) (ii) amended; (a) (4) revised	30481
5.6 (a) (2) and (3), (b) (1) and (2), (c) (1), (2), and (3), and (d) revised	30481
5.11 (b) revised	30482
5.15 Added	30483
5.16 Added	30483
5.17 Added	30483
5a Removed	30483
8 Revised	59726
56 Revised; effective 3–16–76	43170
57 Removed	43170
58 Removed	43170
94.3 Amended	28981, 47723
Revised	50812
97.101—97.198 (Subpart B) Revised	47724
97.161 (b) (3) and (f) (7) added; (f) (8) (i) amended	58854
97.201—97.292 (Subpart C) Revised	28982
97a Added	50813

Chapter I—National Labor Relations Board

102.117 (e) through (k) added	48330
(e), (f), (g), (h) and (j) (1) and (3) revised	△1478
102.118 (a) existing text redesignated as (a) (1); (a) (2) added	50662
102.136 (Subpart R) Added	59728

Chapter II—Office of the Assistant Secretary for Labor-Management Relations, Department of Labor

202.1 (f) revised	50715
202.2 Heading and (h) revised	50715
202.20 (f) revised	50716
204.3 Effective date established	58855

Chapter IV—Office of Labor-Management Standards Enforcement

402.1 Amended	58856
402.3 Amended	58856
402.4 Revised	58856
403.4 (b) amended	58856
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570.35a Revised	40801
(a), (b) (2), (b) (4) (i), and (c) (3) corrected	44130
579.2 Corrected	53237
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604.1 Revised	36564
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615.1 Revised	58142
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687.1 Revised	58143
687.2 Revised	58143
727.2a Removed	28064
727.3 Corrected	28064
870.10 (b), (c), and (d) revised; (e) and (f) removed	52610

Chapter XII—Federal Mediation and Conciliation Service

1410 Added	47418

Chapter XIV—Equal Employment Opportunity Commission

1611 Added	45108

Chapter XVII—Occupational Safety and Health Administration, Department of Labor

1902.30—1902.53 (Subpart D) Added	54782
1902.37 (b) (10) and (14) corrected	58143
1910.184 (e) (9) (i) corrected	31598
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1952.11 Added	58451
1952.104 Added	44133
1952.109 (b) added	52368
1952.114 Added	△1904
1952.122 Revised	44134
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1952.124 Revised	59345
1952.162 Revised	50717
1952.163 Revised	36566
1952.164 Added	40157
Text redesignated as (a); (b) added	40157
1952.172 Revised	△1905
1952.173 (h) revised	40156
1952.174 (d) through (h) revised	40156
(i) added	54426
1952.180—1952.183 (Subpart L) Removed	27655
1952.194 (b) revised	49574
1952.224 Added	36567
1952.242 Revised	40158
1952.264 (c) added	44132
1952.302 Revised	44131
1952.313 (c) and (d) revised	28792
1952.330—1952.333 (Subpart AA) Removed	33972
1952.360—1952.363 (Subpart DD) Added	57459
1953 Determination (Oregon plan)	57804
1953.23 (a) revised	48679

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2300.2 (b) amended	54568
2300.3 Amended	54568
2300.4 (b) amended; (c) and (e) revised; (d) removed; (f) added	54568
2300.5 (a), (b) and (e) amended	54568
2300.6 (a) and (c) amended	54568
2300.7 (a), (c), (d) and (e) amended	54568
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Chapter XXV—Office of Employee Benefits Security, Department of Labor

Subchapter A established	△1906
2509 Added; incorporates sections redesignated from Parts 2555 and 2556 (see table)	△1906
2509.75–10 Added	△3289
2509.76–1 Added	△3290
Subchapter B established	34531
2510 Added	34531
2510.3–21 Added	50843

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2510.3–37 Added 52008
Subchapter C established 34533, 41654
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2530 Added 41661
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2550.407c–3 Added 43726
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Chapter XXVI—Pension Benefit Guaranty Corporation

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2603.28 Revised 43213
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2605.3 (b) corrected 47765
2606 Added 42878
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TITLE 30—MINERAL RESOURCES

Chapter I—Mining Enforcement and Safety Administration, Department of the Interior

77 Technical correction 44813
77.215 (h), (i), and (j) added 41776
77.215–1—77.215–4 Added 41776
77.216 Revised 41776
77.216–1—77.216–5 Added 41777
77.217 Added 41778

Chapter II—Geological Survey, Department of the Interior

250.34 Revised 51200

Chapter IV—Federal Metal and Non-Metallic Mine Safety Board of Review

400 Removed 46309

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55 ..... 44272, 51202
56 ..... 44272, 51202
57 ..... 44272, 51202
211 ..... 41122, 46315, 51646
216 ..... 41122, 51646
250 ..... 30119, 42559, 43036, 58862
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TITLE 31—MONEY AND FINANCE: TREASURY

Subtitle A—Office of the Secretary of the Treasury

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1.1—1.6 (Subpart A) Appendix D amended 49090
1.20—1.36 (Subpart C) Added 45684
Appendixes A–L added 45711
1 Appendixes C, D, and K revised; Appendix G amended 29290
9 Authority citation revised 50717
9.2 Revised 50717
9.3 (b) revised 50717
9.5 (a) revised 50717
9.6 Revised 50717
9.7 (b), (c), (d), and (f)(5) revised 50717
9.9 Revised 50718

Chapter I—Monetary Offices, Department of the Treasury

51 Table of contents revised 51035
Various sections redesignated 51036
Revised 53355
Technical correction 54241
51.3 (a) amended 51036
51.5 Amended 51036
51.10 (b) amended 51036
51.11 (b) amended 51036
51.12 Amended 51036
51.21 (formerly 51.20(e)) Amended 51036
51.23 (formerly 51.22) (a) and (b) revised 51036
51.25 (formerly 51.24) (a) revised 51036
51.27 (formerly 51.26) (h) revised 51037
51.40—51.75 (Subparts E and F) redesignated as F and G; new Subpart E added 50029
51.41 (formerly 51.31) Heading revised 51037
51.43 (formerly 51.34) Amended 51037
51.50—51.62 (new Subpart E) Added 50029
51.71 (formerly 51.41) (c) amended 51037
51.86 (formerly 51.56) (d) amended 51037
51.87 (formerly 51.57) (d) revised 51037
51.94 (formerly 51.64) (b) amended 51037
51.98 (formerly 51.68) (a) amended 51037
81 Nomenclature change 32121
93 Nomenclature change 32121
128.31 Heading and text revised 46102
128.32 Heading and text revised 46102
128.33 Heading and text revised 46102
128.34 Heading and text revised 46102

Chapter II—Fiscal Service, Department of the Treasury

210 Added 47492
214.6 (a) (2) and (4) and (b) (2) revised 59595
224.1 Amended 51194
224.5 Heading and text revised 51194
224.6 Removed; new 224.6 added (redesignated) 51194
224.7 Redesignated as 224.6 and revised; new 224.7 added (redesignated) 51194
224.8 Redesignated as 224.7 and amended 51195
306 Text of applicable forms amended 47979
315 Text of applicable forms amended 47979
316.8 (a) (3) and (4) revised; tables added 59292
332.8 (a) (2) and (3) revised; tables added 59300
341 Text of applicable forms amended 47979
345.1 (b) revised 29846
345.2 Revised 29846
345.5 Redesignated as 345.6; new 345.5 added 29846
345.6 Redesignated from 345.5 29846
346 Text of applicable forms amended 47979
347 Added 29846
Technical correction 30640
348 Added 29847

Chapter V—Office of Foreign Assets Control, Department of the Treasury

515.412 Removed 47108
515.541 Removed 47108
515.559 Added 47108

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1 37602
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51 30974
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TITLE 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

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166.11 (d) added	44135
197 Added	42187
286a Added	55518
286b Added	55526
286c Added	55535
286d Added	55535
286e Added	55535
287a Added	55535
290a Added	55538
291a Added	55543
292a Added	44489
295c Added	55543
298a Added	55546
299a Added	44294

Chapter V—Department of the Army

505 Added	55552
505.9 Corrected	△1286
577.64 (l) revised	58290
641.33 Revised	27937
641.82 Revised	27937
641.83 Revised	27937
641.104 Introductory text revised	27937
(c) (5) and (6) revised	54568
641.105 Revised	27937
641.109 Revised	27938
Introductory text revised; (c) removed	54569
641.132 Introductory text of (a), (a) (5), and (b) revised	27938
650 Added	55962

Chapter VI—Department of the Navy

701.51—701.59 (Subpart E) Added	36325
706.2 Table one revised	31601
Amended	33034

Chapter VII—Department of the Air Force

806b Added	55580
820 Revised	△1906

Chapter XII—Defense Supply Agency

1285 Appendix A corrected	53999

Chapter XIV—The Renegotiation Board

1453.3 (d) (2) amended	51413
1460.5 (c) revised	46102

Chapter XVI—Selective Service System

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1608 Revised	44496
1622.2 Correctly revised	45436

Chapter XVII—Office of Emergency Preparedness

Chapter heading revised	53011
1712 Removed	38599

Chapter XVII—Selective Service System (Clemency Program)

1700 Redesignated from 2 CFR Part 200	53011

Chapter XVIII—Defense Civil Preparedness Agency

1801.9 (a) amended	30114
1807.9 (b) amended	30114
1808.1 Amended	42736
1808.3 (a) revised	42736
1808.4 Revised	42736
1808.5 Revised	42738
1808.6 (a) (2) revised	42738
1808.7 Revised	42738
1810.7 Revised	36328
1812.13 Amended	30114
1814 Added	46056

Chapter XIX—Central Intelligence Agency

1901 Added	45322

Chapter XXI—National Security Council

2102 Added	47746

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286b	37590
286c	37582
286d	37498
286e	37600
287a	37502
290a	37504
291a	37525
292a	37509, 44516
295c	37522
298a	37516
299a	37579
505	37547
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Chapter VI—Domestic and International Business Administration, Department of Commerce

DPS Reg. 1 Amended	43489

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Ch. X	50047

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

2 Heading and text revised	49326
3.15–10 (b) revised	45167
3.15–15 Revised	45168
3.15–25 Revised	45168
3.15–50 Removed	45168
3.15–55 (b) revised	45168
3.15–57 (b) revised	45168
3.15–60 (b) revised	45168
3.15–65 Removed	45168
3.85–10 Revised	28451
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3.85–55 Removed	28451
3.85–60 Removed	28451
3.85–65 Removed	28451
100.05 (b) removed	49327
110.87 (b) amended	51637
(b) amended	△2086
110.214 (a) (2) removed; (a) (1) (ii) and (3) (i) revised	30641
117.115 (c) (1) revised	31938
117.160 (h) added	△2385
(h) effective date corrected	△3857
117.161 Added	△2385
Effective date corrected	△3857
117.166 Added	△2385
Effective date corrected	△3857
117.190 (f) (1) through (6) revised	51637
117.215 (j) (6) added	49327
117.225 (f) (2) revised	58857
117.245 (h) (28) revised	32328
(i) (20–b) added	41524
(f) (28b) removed; (i) (2–c) added	43213
(h) (8) revised	51637
117.290 Revised	33449
117.360 Removed	33450
117.434 Revised	32328
117.446b Revised	△754
117.485 Revised	32329
117.540 (c) redesignated as (d); new (c) added	△2385
117.740 (a) (5) notes added	51195
117.762 Added	66430
117.784 (d) (1) revised	42189
117.810 (f) (9) revised	54242
(f) (8) removed	△2385
127.100 Added	△2086
127.101 Added	33034
127.102 Added	37036
Removed	45168
127.305 (a) (3) added	30961
127.321 Added	27939
127.322 Added	30641, 31652
Removed	31652
127.333 Added	37037
Removed	45169
127.334 Added	△755
127.503 Added	32831
127.504 Added	47108
127.801 Added	33972
128.801.1—128.801.41 (Subpart C) Added	56431
Subchapter NN established	52553
148 Added	52553
148.109 (g), (u) (4), and (z) (1) (ii) corrected	58144
148.205 (a) corrected	58143
148 Appendix A corrected	58143
149 Added	52565
150 Added	52572
150.117 (f) removed	58143
150.207 (c) (4) (iv) corrected	58143
(b) (3) corrected	58144
150.425 (a) corrected	58144
150.509 Table corrected	58144
151.35 (c) and (d) (2) revised	48283
155.470 Revised	42190
157 Added	48283
157.03 (aa) added	△1482
157.08 (a) (4) added	△1482
157.09 (b) corrected	49328

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	(d) revised; (e), (f), and (g) added	△1482
157	Appendix A corrected	49328
157.24	(c) added	△1482
183.3	Revised	43856
183.25	(b)(1) revised	43856
183.33	(a) revised	33973
	(b)(1) revised	43857
	(a) formula corrected	51440
183.35	(b)(1) revised	43857
183.37	(b)(1) revised	43857
183.53	(a) revised	43857

Chapter II—Corps of Engineers, Department of the Army

203	Added	39978
204.162	Removed	48511
205.80	(c)(9) removed	48511
207.16b	(a)(3) revised	47495
207.300	Revised	32121
207.425	Revised	57358
207.441	(d) and (e) removed	△3291
209.120	Revised	31322
209.400	Removed	52527
220.1	(d) corrected	36774
252	Added	31718
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275	Added	51160
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291	Added	52521
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384	Added	51132
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TITLE 34—GOVERNMENT MANAGEMENT

Chapter II—Office of Federal Management Policy, General Services Administration

		Page
232	Appendix C amended	32329
233	Appendix A amended	30263
235	Added	△755
236	Added	48346
256	Appendix M amended (Standard Form 424)	54373
256.4	Revised	51038
256.5	(c) and (d) revised	51038

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TITLE 35—PANAMA CANAL

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5.26	(a) amended	58290, 58291
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5.28	(a) amended	52368
5.42	(a) amended	52369
5.61	Amended	58291, 58292
5.62	(a) amended	58292
10	Added	44498
51.121—51.124	(Subpart B) Heading revised	46310
51.122	(c) and (d) revised	46310
51.123	Revised	46310
51.124	Revised	46310
67.358	(b), (c) and (g) revised	30818
135.82	Amended	54242
135.83	Amended	54242
135.85	Revised	54242
135.86	Removed	54242
135.113	Undesignated center heading and section added	54242
135.142	Amended	54242
135.175	Amended	54242
135.183	Added	54242
135.211	Amended	54243
135.271	Amended	54243
135.273	Amended	54243
135.274	(c) revised	54243
135.281	Revised	54243
135.282	Revised	54243
135.285	Heading and (a) revised	54243
135.286	Removed	54243
135.287	Revised	54243
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135.327	Revised	54243
135.351	Undesignated center heading revised; section removed	54243
135.352	Amended	54243
135.353	Amended	54243
135.354	Revised	54243
135.381	Undesignated center heading and section removed	54243
135.383	Removed	54243
135.390	Undesignated center heading and section added	54243
135.391	Added	54243
135.412	Amended	54244
135.511	Revised	54244
253.4	(d) added	42996

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TITLE 36—PARKS, FORESTS, AND PUBLIC PROPERTY

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2.6	Revised	△4537
7.5	(d) added	31938
7.8	(e)(1) added	59728
7.13	(l)(1)(iv) revised; (l)(1)(v) added	54244
7.58	(a)(5) revised	56888
60	Added	△1592

Chapter II—Forest Service, Department of Agriculture

212.8	Revised	52611
231.10	Revised	31222

Chapter VI—American Revolution Bicentennial Administration

601	Heading revised	29536
	Text redesignated as 601.1—601.12 (Subpart A)	29536
601.1—601.12	(Subpart A) Redesignated from Part 601	29536
601.13—601.19	(Subpart B) Added	29536
605	Added	29539
606	Added	32745
606.101	Revised	△1286
606.105	Removed	△1286

Chapter VII—Library of Congress

703	Added	△2230

Chapter IX—Pennsylvania Avenue Development Corporation

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	Chapter added	41524
901	Added	41524
903	Revised	44754

Chapter X—Commission of Fine Arts

	Chapter added	40802
1000	Added	40802
1002	Added	52369
1002.2	(c)(1)(v)(C) added	△2385

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2	28088, 36378, 50277, 57694
7	33222, 41138, 42464, 45845, 54428, 59600
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50	58651
60	39875
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TITLE 37—PATENTS, TRADEMARKS, AND COPYRIGHTS

Chapter I—Patent and Trademark Office, Department of Commerce

1.12	Revised	△757
1.21	(e), (j), (k), (q) and (u) revised; (l) and (m) removed	57358
1.25	(a) revised	57359
1.136	(b) revised	△757
1.155	Revised	44813
1.165	(b) revised	57359
1.197	(b) revised	△757
1.244	(c) revised	△758
1.256	(b) revised	△758
1.304	Revised	△758
1.316	(b) revised	44814
1.317	Revised	44814
2.6	(a), (d) and (e) revised; (f) added	57359
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2.14	(c) revised	△758
2.15	Revised	△758
2.18	Revised	△758
2.19	Revised	△758
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2.99	(a) and (b) revised	△759
2.101	Revised	△759
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2.113 Heading and (b) revised	△760
2.119 (a) and (b) revised	△760
2.120 (c) revised	△760
2.123 (e)(2) revised; (g)(3) added	△760
2.127 (b) revised	△760
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2.144 Revised	△760
2.145 (a), (b), and (d) revised	△761
2.161 Revised	△761
2.162 Revised	△761
2.172 Revised	△761
2.183 (a), (b), and (c) revised	△761
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0.735–21 (h), (i), (j), (k), (l) and (o) revised; (p) added	46286
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0.735–23 Introductory text and (a) revised	46287
1.575 Added	56434
1.576—1.584 Center heading and sections added	33944
1.576 (h), (i) and (j) added	58644
1.579 (d) revised	△3857
2.74 Revised	54244
2.97 Added	31755
3.5 (e)(1) and (3) revised; (e)(4) added	54245
3.54 (a)(3)(vii) revised	48680
3.157 (b)(2) and (3) revised	56434
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3.204 (b)(1) revised	53581
3.205 (a) introductory text, (a)(1), (b), and (c) revised	53581
3.206 Introductory text revised	53581
3.207 Cross reference revised	53581
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3.209 Introductory text revised	53581
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3.454 (a) revised	36329
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3.557 (a), (b), and (d) revised	45170
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3.700 Introductory text, (a)(1)(i) and (2), and (b) revised	59346
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3.805 (d), (e), (f), and cross reference revised	54245
3.806 (a) introductory text revised	54245
3.807 Introductory text, (a), and (b) revised	54245
3.808 Introductory texts of Section and of (b)(1) and (e) revised	37037
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3.810 (a)(2) revised	37038
(a) introductory text revised	54246
3.850 (a) revised	36329
3.852 (a)(2) and (3) and (b) introductory text and (2) revised	36329
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21.4005 (a)(1) and (2) revised	31759
21.4009 (a), (c), (d), (f) through (i) and cross reference revised	42879
21.4135 (e), (o), (p)(1), (s) and (v)(2) revised	33824
21.4136 (a), (b), and (c) revised	31760
21.4137 (a), (b), and (g)(2) and (3)(iii) revised	31760
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21.4145 (a), (b)(1) and (2), and (d) revised	31761
21.4153 (c)(3) revised	31761
(c)(4) removed; (d)(3) revised	42880
21.4200 (e) and (f) added	31762
21.4202 (c)(1) revised	31762
(c)(2) revised	42880
21.4203 (b)(3) revised	31762
(c) and (d)(2) revised	33824
21.4205 (c)(1) and (4) revised	31762
21.4206 Introductory text, (a) and (b) revised	31762
21.4208 (a) revised	31762
21.4230 (c) revised	31762
21.4233 Introductory text and (d) revised	31762
21.4236 (c) and (d) revised	31763
21.4251 (g) revised	31763
21.4252 (b) introductory text, (b)(4), (e), (f)(1) and (2), (g), and (h) revised	31763
21.4253 (a)(1), (b), (d), (e) and (f) revised	33825
21.4256 Revised	42880
21.4264 Heading, (a)(2), (b) introductory text and (b)(3) revised	31763
21.4270 (a) footnote 8 added	31763
21.4275 (c)(1) revised	42880
21.4276 (a), (b)(2), (d) and (e)(5) revised	42881
21.4277 Revised	33825
21.4278 (a) revised	42881
21.4500—21.4506 (Subpart F) Added	31764
36.4203 Revised	34588
36.4212 (a)(2) and (3) revised	42190
(a)(2) and (3) revised	△1913
36.4301 (a), (b), (i), (j), (n), (r), (aa), (dd), (ff), (hh), and (ii) revised	34589
(c), (d), (k), (l), (m), and (y) removed	34589
36.4302 (a), (b), (c), (g), and (h) revised	34589
36.4306 (a) introductory text and (c) revised	34589
36.4307 (a) and (b) revised	34590
36.4308 (e) removed	34590
36.4309 (a) revised	34590
36.4311 (a) revised	42190
(a) revised	△1913
36.4312 (a), (c), and (d) revised	34590
36.4313 (c) and (e) revised	34591
36.4320 (h)(7) and (10) revised	34591
36.4321 (c) revised	34591
36.4329 Revised	34591
36.4330 (a) revised	34591
36.4331 (a), (b), (c), (d), (e), (g), and (i) revised	34591
36.4335 Introductory text and (a) revised	34592
36.4336 (a) introductory text, (a)(3), and (b) revised	34592
36.4337 Removed	34593
36.4338 (a) revised	34593
36.4339 Revised	34593
36.4340 (a) revised	34593
36.4341 Revised	34593
36.4342 (b) and (c) revised	34593
36.4343 (a) and (b) revised	34593
36.4344 Removed	34593
36.4346 Removed	34593
36.4348 Removed	34593
36.4349 Removed	34593
36.4351—36.4353 Revised	34593
36.4354 Removed	34594
36.4355 (a) and (b) revised	34594
36.4358 Heading, introductory text, (c) and (d) revised; (b) removed; (f) added	34594
36.4361 (a), (b), (d), and (e) revised	34594
36.4362 Revised	34595
36.4363 (a), (c), and (d) revised	34595
36.4364 (c)(1), (2), and (4), (d) introductory text, and (e) revised	34595
36.4365 Section and preceding center heading removed	34595
36.4390—36.4393 Undesignated center heading revised	34595
36.4390 Revised	34595
36.4391 Introductory texts of (b) and (c) revised	34595
36.4392 Amended	34596
36.4393 (a), (b), (f), (g), and (h) revised	34596
36.4503 (a) revised	42190
(a) revised	△1913

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1	51204, 53598
3	37059, 41540, 42578, 45853, 45854, 48143, 49580, 50111, 56936
	△4300
4	30502
	△4023
13	31960
18	37059

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TITLE 39—POSTAL SERVICE

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42.3 Revised	57212
42.6 (a)(3) amended	57212
43.3 Added	57212
Corrected	57670
44.3 (a) revised	57212
45.2 Revised	57212
47.2 Revised	57212
111.3 Amended	31602, 31766, 37209
PSM amendment described	42542, 57213
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180.1001 (d) and (e) amended	57216
225 Revised	△3470
261 Added	45721
261.1 Corrected	48511
262 Added	45722
263 Revised	45722
264 Added	45723
266 Added	45723
266.5 (a)(2)(viii) corrected	48512
267 Added	45726
267.4 (b)(1) corrected	48512
268 Added	45726
447.91 (jj) added	45726
601.105 Amended	47109
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762 Added	52371

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3002.2 (b) amended	28793
3002.4 Revised	43033
3002.7 Removed; new 3002.7 redesignated from 3002.9	43033
3002.8 Removed; new 3002.8 redesignated from 3002.10	43033
3002.9—3002.12 redesignated as 3002.7—3002.10	
3003 Added	38154

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43	43232, 43930
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268	39805
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762	36146
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TITLE 40—PROTECTION OF ENVIRONMENT

Chapter I—Environmental Protection Agency

16 Added	53582
35.200—35.236 (Subpart A) Revised	55322
35.600—35.630 Added	△2912
35.936—35.937-12 Added	58603
35.938—35.939 Removed; new 35.938—35.939 added	58603, 58609
35.965 Added	58613
35.1050—35.1080 (Subpart F) Removed	55322
35 Appendix D added	58613
51.1 (z), (aa), (bb), (cc), (dd), and (ee) added	46247
51.16 (a) amended	36333
51.19 (e) added	46247
51 Appendix L amended	36333
Appendix P added	46247
52.21 (d)(1) introductory text amended; (d)(1)(xix) added; (d)(2)(i) corrected; (d)(5) clarified	42012
52.22 (b)(16) revised	28065
(a) amended	40160
52.50 (c)(2) revised	39505
52.73 (b) added	55327
52.111 Suspended indefinitely	29714
52.120 (c) revised	41948
52.129 (c)(8), (d)(11), and (g) added; (c)(4) and (d)(4) revised	50268
52.134 Amendment corrected	52847
52.139 Suspended indefinitely	29714
52.143 Added	41948
52.178 (b) added	55328
52.181 Added	41948
52.220 (c)(8) revised	29713
(c)(1) amended	41948
(c)(3) correctly designated	57359
52.224 (a) and (b) revised	55328
52.233 (f)(11), (g)(8), and (j) added; (f)(4) and (g)(4) revised	50269
52.240 (f)(1) table amended	29713
52.251 Suspended indefinitely	29714
52.254 (i)(5)(i) corrected	33034

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52.267	Added	41948
	(a)(1)(ii) corrected	59728
52.269	Redesignated as 52.270	42012
52.270	Added; redesignated	42012
52.376	Removed	55328
52.377	Removed	55328
52.431	Added	41949
52.493	Suspended indefinitely	29714
52.497	Added	41949
52.520	(c) amended	41949
	(c) revised	49328
52.525	(b) revised	55328
52.529	Added	41949
52.570	(c)(4) amended	41949, 42351, 45818
52.576	(a) table amended	42352
52.580	Revised	41949
52.582	Removed	45818
52.590	(c)(2) amended	29541
52.624	(b) revised	55329
52.670	(c)(2) revised	33215, 51196, 53588
52.676	(a) revised; (b) added	53588
52.680	Footnote (d) revised; footnote (e) added	53590
	Amended	53590
52.770	(d)(2) added	50033
	(c)(5) revised	55329
52.771	Existing text designated as (a); (b) added	50033
52.774	Removed	55329
52.775	(b) removed	55329
52.776	(c) added	50033
52.780	(d)(11) and (g) added; (d)(4) revised	50270
52.781	(e) added	50033
52.792	Added	50033
52.794	(a) correctly designated	△3475
52.825	(c) table amended	33453, 43214
52.876	(c)(1) and (2) tables amended	30962
	(c)(2) revised	42190
	(c)(1) table amended	43216
52.883	Added	41950
52.920	(c)(2) amended	41950
52.927	(c) added	29541
	(b) added	40160
	Technical correction	42357
52.929	Added	41950
52.982	(b) revised	55329
52.985	Redesignated as 52.986	42012
52.986	Added; redesignated	42012
52.1070	(c)(4) added	56889
52.1080	(b)(1), (2) (i) and (vii) and (3) (iv) and (v) revised	56889
52.1103	Suspended indefinitely	29714
52.1113	(b) revised	55329
52.1115	Added	41950
52.1117	Added	56889
52.1120	(c) amended	56890
52.1124	Corrected	47495
52.1130	(b) removed	55329
52.1135	(m) amended	39863
52.1156	(b) revised	55329
52.1157	(a)(3)(ii) and (4)(ii) corrected	33973
52.1161	Redesignated as 52.1165	42012
52.1165	Added; redesignated	42012
52.1176	(b)(8) and (e) added; (b)(4) revised	50270
52.1224	(b) revised	55330
52.1270	(c)(2) amended	42354
52.1274	(a) table amended	42355
52.1277	(b) added	55330
52.1320	(c)(1) amended	41950
52.1324	(b) revised	55330
52.1338	Added	41950
52.1370	(d) added	43217
52.1378	(b) added	55331
52.1383	Added	43217
52.1420	(c) amended	41779
52.1423	(b) revised	55331
52.1425	Removed	41779
52.1428	Removed	41779
52.1429	(f) removed	55331
52.1431	Table amended	41779
52.1432	Removed	41779
52.1473	(b) revised	55331
52.1478	(b)(7) and (c) added; (b)(4) revised	50271
52.1479	(c) removed	55331
52.1483	Added	41950
52.1520	(d) amended	53999
	(d) amended	△3085
52.1574	(b) added	55331
52.1577	(e) added	30962
52.1588	Suspended indefinitely	29714
52.1590	Revised	△3476
52.1602	Added	41951
52.1623	(b) added	55332
52.1670	(c)(3) revised	41951, 42543, 50718
	(c)(5) correctly designated as (c)(4)	46310
52.1680	Removed	42543
52.1685	(b) added	55332
52.1688	Added	41951
	(a)(10)(ii) corrected	45817
	(a)(1)(ii) and (a)(6)(ii) corrected	59729
52.1770	(c) amended	41780
52.1774	(a) table amended	41780
52.1820	(c) added	59438
52.1823	Table amended	59438

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52.1825	(b) added	55332
52.1830	Added	59438
52.1883	(b) revised	41952
52.1926	(b) added	55333
52.1970	(c)(2) and (3) revised	33216
	(c)(2) revised	48680
52.1975	(c)(3), (4), and (5) removed; (c)(6) revised	33216
52.2020	(c)(2) revised	41788
	(c)(4) added	54000
52.2024	(b) added	55333
52.2025	Revised	55333
52.2330	(c)(1)(iv) revised	56891
52.2040	Suspended indefinitely	29714
52.2056	Added	41952
52.2070	(d) amended (two documents)	51044
	(c) amended	△2232
52.2073	(b) revised	△2232
52.2075	(a) and (b) revised	△2232
52.2224	(c)(2) added	36335
	(c)(1) corrected	△1913
52.2232	Added	41953
52.2287	(c)(1) through (4) suspended until 3-1-76 or final amendments	47765
52.2320	(c) revised	54788
52.2324	Removed	54788
52.2325	(c) and (d) added	54788
52.2370	(c) amended	△3086
52.2374	(b) revised	55333
52.2420	(c)(2) amended	41953
52.2435	(g) added	33450
52.2443	Suspended indefinitely	29714
52.2449	Added	41953
	(a)(1) corrected	45817
52.2470	(c)(2) revised	50267
52.2474	Added	55334
52.2520	(c)(2) added	41953
	(c) revised	52374
	(c)(2) revised	52375
52.2525	Removed	52375
52.2526	Added	41953
52.2573	(b) revised	55334
52.2627	(a) table corrected	33034
52.2720	(c) revised	39862, 42194
	(c)(3) revised	59204
52.2724	Corrected to read: 52.-2730	32329
52.2725	(b) added	55334
52.2729	Added	42194
52.2730	Correctly designated	32329
52.2770	(c)(3) added	42013
52.2775	(a) through (d) removed; (e) through (i) added	42013
55.01	(b)(1) revised; (b)(2) removed; (b)(3) through (b)(5) redesignated as (b)(2) through (b)(4)	58645
55.02	(j) added	58645
55.04	(a)(1)(i) and (2)(i)(C), (e) and (n) amended; (q) added	58645
60	Authority citation revised	53346
	Technical correction	59204
60.1	Revised	53346
60.2	(r) revised; (x), (y), and (z) added	46254
	(d) and (h) revised; (aa) and (bb) added	58418
60.4	(b) amended	42194, 45170, 48347
	(b)(G) revised	50719
	(b)(U) revised	59729
	(b) amended	△1914
	(b)(WW) revised	△4264
60.5	Revised	58418
60.7	(a)(5) added; (b), (c), and (d) revised	46254
	(a)(1) and (2) revised; (a)(3), (a)(4), and (e) added	58418
60.13	Added	46255
	(c)(2)(iii) corrected; (g)(1) and (g)(1)(i) through (ix) correctly designated as (i) and (i)(1) through (9)	59205
60.14	Added	58419
60.15	Added	58420
60.20—60.29	(Subpart B) Added	53346
60.42	(a)(2) amended	46256
60.45	(a) through (g) revised	46256
	(f)(4) corrected	59205
60.46	Revised	46258
60.62	(d) removed	46258
60.72	(a)(2) amended	46258
60.73	(a), (b), (c), and (e) revised	46258
60.83	(a)(2) amended	46258
60.84	(a), (b), (c), and (e) revised	46258
60.92	(a)(2) amended	46259
60.102	(a)(2) amended	46259
60.105	(a), (b), and (e) revised	46259
60.122	(c) removed	46259
60.132	(c) removed	46259
60.152	(a)(2) amended	46259
60.160—60.166	(Subpart P) Added	△2338
60.170—60.176	(Subpart Q) Added	△2340
60.180—60.186	(Subpart R) Added	△2340
60.190—60.195	(Subpart S) Added	△3828

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60.210—60.214 (Subpart U) Added	33155
60.220—60.224 (Subpart V) Added	33155
60.230—60.234 (Subpart W) Added	33156
60.240—60.244 (Subpart X) Added	33156
60.250—60.254 (Subpart Y) Added	△2234
60.270—60.275 (Subpart AA) Added	43853
60 Appendix A amended	33157
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61 Authority citation revised	48299
61.04 (b) amended	42195, 45171, 48348
(b)(G) revised	50719
(b)(WW) revised	58646
(b)(U) revised	59729
(b) amended	△1914
(b)(WW) amended	△4264
61.14 (c) revised; (d) added	48299
61.17 Added	48299
61.21 (j) revised; (k) through (w) added	48299
61.22 (c) and (e) amended; (b), (d), (f), and (g) revised; (h) through (l) added	48299
61.23 Amended	48302
61.24 (c) revised and redesignated as (e); new (c) and (d) added	48302
61.25 Added	48202
61.50 Revised	48302
61.51 (l) and (m) added	48302
61.52 Revised	48302
61.53 (d) added	48302
61.54 Added	48303
61.55 Added	48303
61 Appendix A revised	48303
Appendix B amended	48310
79 Revised	52011
80.7 Added	36336
80.21 Text designated as (a); (b) added	29292
80.301—80.332 (Subpart D) Added	39965
80 Appendix C heading amended	38156
85.075–10 (b) revised	33973
85.076–30 (a)(3) redesignated as (a)(4); new (a)(3) added; (b)(2) revised	58647
85.076–35 (a)(4)(v) and (c) revised	58647
86.077–30 (a)(7) added	58647
86.077–35 (c) added	58647
85.275–10 (b) revised	33973
85.774–10 (b) revised	33973
85.1803 (c) revised	28067
86.177–6 (a)(2) revised	33974
86.777–6 (b) revised	33974
125.12 (h)(1) revised	29849
125.24 Revised	29849
125.28 Added	29850
126 Removed	55336
130 Revised	55336
131 Revised	55344
140 Revised	△4453
141 Added	59570
141.40 (Subpart E) Added	59588
141 Appendix A added	59574
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142 Added	△2918
149 Added	58293
162 Technical correction	33974
162.1—162.23 (Subpart A) Revised	28268
162.10 (h)(1) corrected	32329
(h)(1)(iv) amended	36571
162.11 (a)(3) corrected	32329
(c)(1)(iii)(C) amended; (c)(1)(iii)(D) added	42746
162.41—162.47 Added	41788
162.100—162.125 Removed	28267
180 List of abbreviations	△4537
180.108 Amended	46310
180.142 (f) added	58295
180.204 Amended	49575
180.205 Amended	31237, 43727
180.207 Amended	28065
180.215 Amended	43727
180.246 Amended	42357
180.253 Amended	51044
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180.254 Amended	29714, 51044
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180.259 Amended	32746
180.261 Amended	△762
180.262 Corrected	29547
180.275 Amended	29715
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180.288 Revised	33453
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180.320 Added	59730
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180.332 Amended	55350
180.339 Amended	51045
180.341 Revised	29715
180.346 Amended	33453, 48681
180.347 Revised	34340
180.348 Amended	31237
180.352 Revised	△2823
180.361 Added	29850
180.362 Added	33035
180.363 Added	58648
180.364 Added	58648
180.1001 (c), (d), and (e) tables amended	28066, 40161, 48681
180.1028 Revised	43728
180.1035 Added	31236
201 Added	△2194
204 Added	△2172
229 Added	30114
230 Added	41293
247 Added	△2357
406.15 Comments requested	37038
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406.16 Comments requested	37038
Revised	52016
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407.60—407.62 (Subpart F) Added	49229
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407.70—407.72 (Subpart G) Added	49231
Comment time extended	57216
407.80—407.82 (Subpart H) Added	49234
Comment time extended	57216
408.10—408.140 (Subparts A—N) Revised	55780
408.150—408.336 (Subparts O—AG) Added	55781
409.13 (a) introductory text revised	36337
413 Comment time extended	29075, 29076
414 Revised	△908
414.22 (b) amended; (e) added	56436
(a) amended; (c) and (d) added	56441
414.23 (a) amended; (c) and (d) added	56441
414.25 (a) amended	56441
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414.32 (a) and (b) amended	56441
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415.230—415.242 (Subparts W and X) Comment time extended	29850
415.270—415.312 (Subparts AA, AB, AC, AD, and AE) Comment time extended	29850
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415.470—415.472 (Subpart AU) Comment time extended	29850
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415.530—415.532 (Subpart BA) Comment time extended	29850
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418.32 (a) and (b) revised	36338
418.33 Suspended indefinitely	36399
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418.51 (b), (c), (d), and (e) added	△2387
418.52 Amended	△2387
418.53 Revised	△2387
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421.11 (d) and (e) added	48348
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435 Added	42549
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436 Added	48657
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443 Added	31191
446 Added	31725
447 Added	31727

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105–64 Added 52800
105–735.222 Added 39505

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114–38.607 Revised 30483
114–40 Removed 52847
114–40.307 (Subpart 114–40.3) Removed 52847
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114.40.5001—114–40.5006 (Subpart 114–40.50) Removed 52847
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114–43.000 Revised 33217
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114–43.301 Revised 55857
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114–52.103 Revised 30483
114–52.206 (a) (2) revised 30483
114–52.207 Redesignated as 114–52.208; new 114–52.207 added 30484
114–52.208 Redesignated as 114–52.209; new 114–52.208 redesignated from 114–52.207 30484
114–52.209 Redesignated as 114–52.210 and revised; new 114–52.209 redesignated from 114–52.208 30484
114–52.210 Redesignated from 114–52.209 and revised 30484
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114–60.501 (a), (b), and (c) revised; (d) removed 42746
114–60.1000—114–60.1005 (Subpart 114–60.10) Added 55858

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TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

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36.101—36.121 (Subpart H) Added 53143
36.201—36.237 (Subpart I) Added 53147
51a.124—51a.127 Redesignated as 51a.134—51a.137 54103
51a.128—51a.132 Redesignated as 51a.138—51a.142; new 51a.128—51a.132 added 54103
51a.133 Redesignated as 51a.143 54103
51a.201—51a.317 (Subparts B and C) Removed 54107
51o Added 59347
52e Added 49090
53.111 (f) (1) revised; (i) and (j) redesignated as (j) and (k); new (i) added 46203
57.2301—57.2314 (Subpart X) Added 56665
110.801—110.808 (Subpart H) Added 50213

Chapter II—Children's Bureau, Social and Rehabilitation Service, Department of Health, Education, and Welfare

203 Removed 54107

Chapter III—Saint Elizabeths Hospital, Department of Health, Education, and Welfare

306 Added 47765

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TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

2.79 b(11), (12), and (13), and (c) (3) added 54790
2 Appendix A amended 57671
4.1 (4) amended 46311
4.500 (b) revised 46311
4.650—4.666 Undesignated center heading revised 46311
4.651 Introductory text and (a) revised 46311
20 Appendix C revised 58295
22.3 Revised 53591
22 Appendix A removed 53591

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2096.0–3 (b) removed ..... △1598
2096.1–1 (b) removed ..... △1598
2096.1–2 (a) (2), (3), (4), and (5) removed ..... △1598
2610 Removed ..... △1598
2741.2 (d) revised ..... △1598
3300.1 Revised 45171
3302.1 Revised 45171
3302.3 Added 45171
3302.3–1—3302.3–4 Added 45171
3302.3–2 (a) amended 52847
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3302.4 (c) and (d) added 45172
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715 Revoked in part by PLO 5565 59347
960 Revoked in part by PLO 5544 51038
1245 Revoked in part by PLO 5552 58144
2789 Revoked by PLO 5551 58144
4392 Revoked in part by PLO 5560 58648
5169 Amended by PLO 5556 58146
5170 Amended by PLO 5557 58146
5176 Amended by PLO 5555 58145
5179 Amended by PLO 5556 58146
5180 *See* PLO 5553 58145
5184 Amended by PLO 5550 56667
5187 Revoked in part by PLO 5550 56667
5252 *See* PLO 5561 58857
5353 Revoked in part by PLOs 5551, 5552, 5553 58144
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Subtitle A—Department of Health, Education, and Welfare, General Administration

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17 Added	△3
46.206 (a)(2) revised	51638

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102.3 Amended	57762
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102.40 (b–1) added; (c) amended	57762
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102.60 (a)(2) revised	57763
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121.102 (b) removed	△1395
122 Added	47768
130.22 (a) removed; (b) and (c) revised	△1395
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177.42 (d) removed; (e) redesignated as (d)	△4500
177.44 (a) through (f) redesignated as (1) through (6); undesignated paragraph redesignated as (a); (b) added	△4500
177.49 (b) revised	△4500
177.52 Added	△4500
180 Revised	△1877

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205.50 Revised	52375
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233.100 (a)(5)(ii) revised	50273
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249.10 (b)(16) added; (c) amended	△2198
249.20 Revised	52020
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402 Removed	54699
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1006 Added	45300
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1061.40–1—1061.40–9 (Subpart) Added	52377
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1076.5–1—1076.5–11 (Subpart) Added	45436
1076.20–1—1076.20–4 (Subpart) Added	50273
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(The items in this list were editorially compiled as an aid to FEDERAL REGISTER users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.)

Rules Going Into Effect Today

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USDA/AMS—General specifications for dairy plants approved for USDA inspection and grading service. 47910; 10–10–75

—Handling of filberts grown in Oregon and Washington. 53227; 11–17–75

DOT/CG-Regulated Navigation Areas; Mooring Barges on the Mississippi River. 56430; 12–3–75

EPA—Tolerances for zinc phosphide. 55857; 12–2–75

FMC—Filing of tariffs by common carriers. 51440; 11–5–75

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list of cfr parts affected

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A Cumulative List of CFR Sections Affected is published separately at the end of each month. The guide lists the parts and sections affected by documents published since the revision date of each title.

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7 CFR
910 1
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663 6

14 CFR
71 (2 documents) 2, 300
73 300
75 300

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230 10

20 CFR
10 2

33 CFR
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117 10

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49 CFR
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1033 4

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501 4

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1–747	2

Table of Effective Dates and Time Periods—January 1976

This table is for use in computing dates certain in connection with documents which are published in the FEDERAL REGISTER subject to advance notice requirements or which impose time limits on public response.

Federal Agencies using this table in calculating time requirements for submissions must allow sufficient extra time for FEDERAL REGISTER scheduling procedures.

In computing dates certain, the day after publication counts as one. All succeeding days are counted except that when a date certain falls on a weekend or holiday, it is moved forward to the next Federal business day. (See 1 CFR 18.17)

A new table will be published monthly in the first issue of each month.

Dates of FR publication	15 days after publication	30 days after publication	45 days after publication	60 days after publication	90 days after publication
January 2	January 19	February 2	February 17	March 2	April 1
January 5	January 20	February 4	February 19	March 5	April 5
January 6	January 21	February 5	February 20	March 8	April 5
January 7	January 22	February 6	February 23	March 8	April 6
January 8	January 23	February 9	February 23	March 8	April 7
January 9	January 26	February 9	February 23	March 9	April 8
January 12	January 27	February 11	February 26	March 12	April 12
January 13	January 28	February 12	February 27	March 15	April 12
January 14	January 29	February 13	March 1	March 15	April 13
January 15	January 30	February 17	March 1	March 15	April 14
January 16	February 2	February 17	March 1	March 16	April 15
January 19	February 3	February 18	March 4	March 19	April 19
January 20	February 4	February 19	March 5	March 22	April 19
January 21	February 5	February 20	March 8	March 22	April 20
January 22	February 6	February 23	March 8	March 22	April 21
January 23	February 9	February 23	March 8	March 23	April 22
January 26	February 10	February 25	March 11	March 26	April 26
January 27	February 11	February 26	March 12	March 29	April 26
January 28	February 12	February 27	March 15	March 29	April 27
January 29	February 13	March 1	March 15	March 29	April 28
January 30	February 17	March 1	March 15	March 30	April 29

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rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 1—General Provisions

CHAPTER I—ADMINISTRATIVE COMMITTEE OF THE FEDERAL REGISTER

CFR CHECKLIST

1975 Issuances

This checklist, prepared by the Office of the Federal Register, is published in the first issue of each month. It is arranged in the order of CFR titles, and shows the revision date and price of the volumes of the Code of Federal Regulations issued to date for 1975. New units issued during the month are announced on the back cover of the daily FEDERAL REGISTER as they become available.

The rate for subscription service to all revised volumes issued for 1976 will be $350 domestic, $75 additional for foreign mailing.

Order from Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

CFR Unit (Rev. as of Jan. 1, 1975):

Title	Price
1	$1.45
2	.70
3A 1974 Compilation	2.75
4	2.70
5	4.35
6 [Reserved]	
7 Parts:	
0–45	6.15
46–51	4.10
52	6.15
53–209	6.10
210–699	5.65
700–749	4.25
750–899	2.95
900–944	4.50
945–980	2.30
981–999	2.55
1000–1059	4.35
1060–1119	4.80
1120–1199	3.75
1200–1499	4.05
1500–end	6.30
8	2.45
9	6.25
10 Parts:	
0–199	4.90
200–end	3.00
11	1.35
12 Parts:	
1–299	6.35
300–end	6.40
13	3.60
14 Parts:	
1–59	5.65
60–199	6.10
200–end	7.15
15	4.50
16 Parts:	
0–149	6.05
150–end	5.50
Finding Aids	4.05
CFR Unit (Rev. as of April 1, 1975):	
17	$6.30
18 Parts:	
1–149	4.65
150–end	4.65
19	5.40
20 Parts:	
1–399	2.45
400–end	9.70
21 Parts:	
1–9	2.10
10–199	6.75
200–299	1.60
300–499	5.80
500–599	3.60
600–1299	2.95
1300–end	1.90
22	4.75
23	3.55
24 Parts:	
0–499	5.80
500–end	5.45
25	4.40
26 Parts:	
1 (§§ 1.0–1—1.169)	5.90
1 (§§ 1.170–1.300)	3.65
1 (§§ 1.301–1.400)	2.90
1 (§§ 1.401–1.500)	3.45
1 (§§ 1.501–1.640)	4.00
1 (§§ 1.641–1.850)	4.40
1 (§§ 1.851–1.1200)	5.80
1 (§ 1.1201–end)	6.90
2–29	3.40
30–39	3.40
40–299	5.25
300–499	3.55
500–599 (Retain CFR Vol. Rev. 4–1–74)	3.15
600–end	1.70
27 (Rev. May 1, 1975)	7.70
CFR Unit (Rev. as of July 1, 1975):	
28	$2.70
29 Parts:	
0–499	5.90
500–1899	8.15
1900–1919	7.35
1920–end	3.50
30	5.80
31	4.90
32 Parts:	
40–399	5.99
400–589	4.90
590–699	2.35
700–799	7.55
800–999	5.35
1000–1399	2.05
1400–1599	3.65
1600–end	1.80
32A	2.85
33 Parts:	
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200–end	4.60
34	1.70
35	3.90
36	7.55
37	2.10
38	7.10
39	3.10
40 Parts:	
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70–99	4.15
100–end	8.35
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3–6	6.05
7	1.80
8	1.80
10–17	3.85
18 (Retain CFR Vol. Rev. 7–1–74)	7.60
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101–end	6.20
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42	$5.15
43 Parts:	
1–999	$2.90
45 Parts:	
1–99	3.25
200–499	3.55
46 Parts:	
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30–40	2.15
70–89	2.05
90–109	1.95
110–139	1.90
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150–165	3.75
166–199	2.60
200–end	6.50
47 Parts:	
20–69	5.25
70–79	4.60
49 Parts:	
1–99	1.85
1000–1199	3.55
1300–end	2.95
50	4.15

Title 7—Agriculture

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Lemon Regulation 20]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period Jan. 4–10, 1976. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons,

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lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.320 **Lemon Regulation 20.**

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons continues easy this week because of the holiday. Average f.o.b. price was $5.80 per carton the week ended December 27, 1975, compared to $5.41 per carton the previous week. Track and rolling supplies at 160 cars were down 20 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantity of lemons which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 29, 1975.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period January 4, 1976, through January 10, 1976, is hereby fixed at 190,000 cartons.

(2) As used in this section, "handled", and "carton(s)" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: December 30, 1975.

DAVID A. PATTON,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.75-35239 Filed 12-30-75;11:41 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 75-EA-85]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Alteration of Control Zone

The Federal Aviation Administration is amending section 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Aberdeen, Md., Control Zone (40 FR 354).

The hours of the control zone are being reduced to a period of 8½ hours from 16 hours.

Since the amendment is less restrictive in nature, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In view of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as follows:

1. Amend § 71.171 of Part 71 Federal Aviation Regulations by deleting in the description of the Aberdeen, Md. control zone, "0600 to 2200" and by substituting "0800 to 1630" in lieu thereof.

(Sec. 307(a) of the Federal Aviation Act of 1958 [72 Stat. 749; 49 U.S.C. 1348] and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on December 12, 1975.

L. J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc.75-33236 Filed 12-31-75;8:45 am]

Title 20—Employees' Benefits

CHAPTER I—OFFICE OF WORKERS' COMPENSATION PROGRAMS, DEPARTMENT OF LABOR

PART 10—CLAIMS FOR COMPENSATION UNDER THE FEDERAL EMPLOYEES' COMPENSATION ACT, AS AMENDED

General Provisions

On February 14, 1975, rules and regulations governing the administration and enforcement of the Federal Employees' Compensation Act (FECA) as amended and extended, 5 U.S.C. 8101 *et seq.*, were published in the FEDERAL REGISTER at 40 FR 6877, as Part 10 of Title 20, Code of Federal Regulations. The Office of Workers' Compensation Programs, after consultation with the Office of the Federal Register, has determined that it would be appropriate to amend section 10.20(c) of Part 10 to provide that copies of forms enumerated in section 10.20(b) will be available for inspection at the Office of Workers' Compensation Programs instead of at the Office of the Federal Register.

Because this amendment is technical in nature and does not materially affect the rights of any member of the public, it is not necessary to provide for notice, public participation, and delayed effective date in accordance with 5 U.S.C. 553. Therefore, the amendment to 20 CFR 10.20(c) contained in this document is effective immediately.

Paragraph (c) of § 10.20 is revised to read as follows:

§ 10.20 **Forms.**

* * * * *

(c) Copies of the forms enumerated in this paragraph are available for public inspection at the Office of Workers' Compensation Programs, Employment Standards Administration, U.S. Department of Labor, Washington, D.C. 20211.

Signed at Washington, D.C. this 24th day of December, 1975.

HERBERT A. DOYLE, JR.,
Director, Office of Workers' Compensation Programs.

[FR Doc.75-35233 Filed 12-31-75;8:45 am]

Title 45—Public Welfare

SUBTITLE A—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 17—RELEASE OF ADVERSE INFORMATION TO NEWS MEDIA

Policies

Pursuant to the Administrative Conference of the United States Recommendation 73-1 (1 CFR 305.73-1), a notice of proposed rulemaking which set forth the general policy of the Department of Health, Education, and Welfare with respect to release of adverse information to the news media was published in the FEDERAL REGISTER on August 9, 1974 (39 FR 28643). The Department endorses the recommendation of the Administrative Conference of the United States that agencies should adopt rules governing release of adverse information that seek to balance the public interest and the rights of those identified in the information released.

The principal operating components of the Department may, where appropriate, propose rules particularly fitting the circumstances of the matters of particular concern to them governing publicity. It is, however, Department policy to avoid issuance of statements by an agency or its personnel which invite public attention to an agency's action which may adversely affect persons or organizations where a reasonable and *equally* effective alternative is available. The Department also realizes that when it is necessary to warn of a danger to public health or safety, the balance between the need to serve the public interest adequately and to observe the rights of persons or organizations affected may appropriately be weighted in favor of the public interest.

Interested persons were invited to submit written comments to the proposed rules and comments were received from two organizations. Significant comments are summarized as follows:

1. Comment—The proposed regulation will discourage announcement of known health hazards and deprive the Food and Drug Administration of its most effective enforcement measure.

Response—The Secretary does not agree that the regulation will have an adverse impact on any enforcement activity. The regulation specifically permits release of adverse information when necessary to protect public health or safety. The Food and Drug Administration or any other principal operating component may also publish rules not inconsistent with this regulation addressing its particular problems.

2. Comment—The basic policy statement of section 17.2 is too restrictive in that it applies only to formal press releases, while informal statements may have as detrimental effect as a formal press release.

Response—The Secretary does not agree that the language of section 17.2 is restricted to formal press releases. The words "all adverse information" refer to both formal press releases and other statements given to news media by any agency personnel.

3. Comment—In view of the Constitutional implications, it is questionable that "substantial economic harm" justifies release of adverse information in cases of pending criminal action.

Response—The Secretary believes that in an appropriate case in which he determined that failure to release information would cause severe economic injury, it would be Constitutionally permissible to release adverse information.

4. Comment—Section 17.6 should require a specific time period for "advance notice."

Response—Section 17.6 provides that, if practical, advance notice *shall* be given; the Secretary, however, does not believe a specific time period should be indicated for use in all cases. Moreover, once it is determined that a release is necessary to safeguard public health or safety, such a determination requires that the release be issued as soon as possible.

5. Comment—In case of a misstatement of fact, the basic policy of the Department would be best served if the news media were to be informed by the most expeditious means possible rather than by the means by which the misstatement was circulated.

Response—The Secretary has determined that the issuance of a retraction or correction in the same manner to all the media outlets that received the original information is an adequate form of dissemination.

During the comment period, it was determined that issuance of a correction should also be made when the issuing agency or the Department determines that release was misleading, even if not a misstatement of fact. Accordingly, section 17.7 has been amended to provide for corrections or retractions under such circumstances. Also, due to an internal change in nomenclature, "component agencies" of the Department are now referred to as "principal operating components" and the regulation has been amended where appropriate to reflect this change.

These regulations are effective immediately.

Date: December 24, 1975.

DAVID MATHEWS,
Secretary.

A new Part 17 is added to Title 45 of the Code of Federal Regulations reading as follows:

Sec.
17.1 Definition.
17.2 Basic policy.
17.3 Precautions to be taken.
17.4 Regulatory investigations and trial-type proceedings.
17.5 Context to be reflected.
17.6 Advance notice.
17.7 Retractions or corrections.

AUTHORITY: 5 U.S.C. 301.

§ 17.1 **Definition.**

Adverse information released by an agency means any statement or release by the Department or any principal operating component made to the news media inviting public attention to an action or a finding by the Department or principal operating component of the Department which may adversely affect persons or organizations identified therein. This part does not apply to nor is it affected by any disclosure of records to the public in response to requests made under the Freedom of Information Act (Pub. L. 90–23). The criteria for such disclosures are set forth in the Department's Public Information Regulation (45 CFR Part 5).

§ 17.2 **Basic policy.**

All adverse information release to news media shall be factual in content and accurate in description. Disparaging terminology not essential to the content and purpose of the publicity shall be avoided.

§ 17.3 **Precautions to be taken.**

The issuing organization shall take reasonable precautions to assure that information released is accurate and that its release fulfills an authorized purpose

§ 17.4 **Regulatory investigations and trial-type proceedings.**

Adverse information relating to regulatory investigations of specifically identified persons or organizations or to pending agency trial-type proceedings shall be released only in limited circumstances in accordance with the criteria outlined below:

(a) Where the Department or a principal operating component determines that there is a significant risk that the public health or safety may be impaired or substantial economic harm may occur unless the public is notified immediately, it may release information to news media as one of the means of notifying the affected public speedily and accurately. However, where the Department or principal operating component determines that public harm can be avoided by immediate discontinuance of an offending practice, a respondent shall be allowed an opportunity, where feasible, to cease the practice (pending a legal test) in lieu of release of adverse information by the agency.

(b) Where it is required in order to bring notice of pending agency adjudication to persons likely to desire to participate therein or likely to be affected by that or a related adjudication, the Department or principal operating component shall rely on the news media to the extent necessary to provide such notice even though it may be adverse to a respondent.

§ 17.5 **Context to be reflected.**

The authority for and the character of the information shall be made clear. Where appropriate, the release shall explain the nature of any studies performed, the sources of relevant data, the areas in which administrative findings of fact were made, and whether the information is based on allegations subject to subsequent adjudication.

§ 17.6 **Advance notice.**

Any respondent or prospective respondent in an agency proceeding shall, if practicable and consistent with the nature of the proceeding, be given advance notice of information to be released about the proceeding and a reasonable opportunity to prepare in advance a response to the information released.

§ 17.7 **Retractions or corrections.**

Where the Assistant Secretary for Public Affairs finds that information released by the Department was misleading or a misstatement of fact and any person named therein requests a retraction or correction, the Department shall issue a retraction or correction in the same manner to all of the media outlets that received the original information (or as many of them as is feasible). Where information shown to be misleading or misstatement of fact has been released by a

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principal operating component of the Department and any person named therein requests a retraction or correction, the agency head shall issue a retraction or correction in the same manner to all of the media outlets that received the original information (or as many of them as is feasible).

[FR Doc.75-35212 Filed 12-31-75;8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 71-13; Notice 11]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Motor Vehicle Brake Fluids Correction

In FR Doc. 75-32880 appearing at page 56928, in the issue of Friday, December 5, 1975, in S5.2.1, on page 56929 change the volume figure in line 3 to "177 milliliters".

(Sec. 103, 112, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1401, 1407); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on December 24, 1975.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

[FR Doc.75-35209 Filed 12-31-75;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

[Sixth Revised Service Order No. 1043]

PART 1033—CAR SERVICE

Regulations for Return of Hopper Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 24th day of December, 1975.

It appearing, That an acute shortage of hopper cars exists in certain sections of the country; that shippers are being deprived of hopper cars required for loading coal, resulting in an emergency, forcing curtailment of their operations, and thus creating great economic loss and reduced employment of their personnel; that coal stockpiles of several utility companies are being depleted; that hopper cars, after being unloaded, are being appropriated and being retained in services for which they have not been designated by the car owners; that present regulations and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of hopper cars are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less thirty days' notice.

It is ordered, That:

§ 1033.1043 Regulations for return of hopper cars.

(a) Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Exclude from all loading and return to owner empty, either via the reverse of the service route or direct, as agreed to by the owner, all hopper cars owned by the following railroads:

The Baltimore and Ohio Railroad Company, Reporting Marks: B&O.
Bessemer and Lake Erie Railroad Company, Reporting Marks: B&LE.
The Chesapeake and Ohio Railway Company, Reporting Marks: C&O.
Louisville and Nashville Railroad Company, Reporting Marks: L&N-NC-MON.
Norfolk and Western Railway Company, Reporting Marks: N&W-NKP-P&WV-VGN-WAB.
Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees, Reporting Marks: PRR-PC-NYC-NH-BA-BWC-P&E-TOC.
The Pittsburgh and Lake Erie Railroad Company, Reporting Marks: P&LE.

(2) Carriers named in paragraph (1) above are prohibited from loading all hopper cars foreign to their lines and must return such cars to the owner, either via the reverse of the service route or direct, as agreed to by the owner.

(3) [Removed] [1]

(b) For the purpose of improving car utilization and the efficiency of railroad operations, or alleviating inequities or hardships, modifications may be authorized by the Chief Transportation Officer of the car owner, or by the Director or Assistant to the Director, Bureau of Operations, Interstate Commerce Commission. Modifications authorized by the car owner must be confirmed in writing to W. H. Van Slyke, Chairman, Car Service Division, Association of American Railroads, Washington, D.C., for submission to, and approval by the Director or Assistant to the Director.

(c) No common carrier by railroad subject to the Interstate Commerce Act shall accept from shipper any loaded hopper car, described in this order, contrary to the provisions of the order.

(d) The term hopper cars, as used in this order, means freight cars having a mechanical designation listed under the heading "Class 'H'—Hopper Car Type" in the Official Railway Equipment Register, I.C.C. R.E.R. No. 397 issued by W. J. Trezise, or reissues thereof.

(e) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(f) *Effective date.* This order shall become effective at 11:59 p.m., December 31, 1975.

(g) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., June 30, 1976, unless otherwise modified, changed or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15 and 17(2). Interprets or applies Secs. 1(10-17), 15(4), and 17(2), 49 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-35224 Filed 12-31-75;8:45 am]

[1] Former paragraph (3) eliminated. Penn Central Transportation Company and The Pittsburgh and Lake Erie Railroad Company no longer considered as one railroad.

Title 50—Wildlife and Fisheries

CHAPTER V—MARINE MAMMAL COMMISSION

PART 501—IMPLEMENTATION OF THE PRIVACY ACT OF 1974

Procedures for Inquiries—Amendment

On October 21, 1975, the Marine Mammal Commission adopted rules which established procedures for consideration of requests under the Privacy Act, 5 U.S.C. 552a, for access to, and correction or amendment of records pertaining to individuals (40 FR 49276). The Commission is amending the rules to clarify certain provisions, thereby facilitating the processing of requests, and to add a new section governing fees for providing copies of documents.

Section 501.4 is amended to include, following the first sentence, a statement of the title and address of the person (the Privacy Officer) from whom individuals may obtain assistance in preparing requests and appeals under the Act. The Section is further amended by adding, following the recommended certification, a sentence which makes clear that requests submitted by mail need not be accompanied by the certificate when the information desired either (1) is nonsensitive, or (2) would be required to be furnished under the Freedom of Information Act.

Sections 501.5(c), 501.5(d) and 501.7 (b) are amended to allow 30 days (excluding Saturdays, Sundays and holidays) for the following actions to be taken: (1) notification to an individual by the Privacy Officer that a request for access has been initially denied; (2) notificaiton that access has again been denied following appeal to the Director; and (3) determination by the Privacy Officer to grant or deny a requested amendment or correction of a record. The rules, as previously adopted, allowed a "reasonable time" for these actions to be taken.

Section 501.8(a) required the submission of appeals thereunder to be made within 30 days following denial of a request for amendment or correction of a record. The thirty-day requirement is eliminated, and in its place, a suggestion that appeals be submitted within 90 days is added.

Sentence three of Section 501.8(d) is amended to specify that all prior, as well as subsequent, users of a record shall be provided copies of any statement of disagreement submitted by a person whose requested correction or amendment has been denied.

A new Section 501.9 is added. The Section prescribes a standard fee to be charged for copies of records requested by individuals to whom those records pertain. A fee will not be charged when the Commission provides copies incident to granting access to records, and the fee may be waived by the Privacy Officer whenever the total charge is less than a prescribed amount.

Inasmuch as these amendments serve to clarify and enhance existing procedures under which persons may obtain access to, and amendment or correction of records maintained by the Commission, notice and public procedure thereon are unnecessary, and good cause exists for making the amendments effective in less than 30 days. The amendments shall be effective on the date of publication.

JOHN R. TWISS, Jr.,
Executive Director.

DECEMBER 23, 1975.

50 CFR Part 501 is hereby amended by revising §§ 501.4, 501.5 (c) and (d), 501.7 (b), 501.8(a) and 501.8(d), and by adding a new Section 501.9 as follows:

(Sec. 3, Privacy Act of 1974 (5 U.S.C. 552a (f)))

§ 501.4 Requests for access—times, places and requirements for identification of individuals.

Requests for access to a system of records pertaining to any individual may be made by that individual by mail addressed to the Privacy Officer, or by submitting a written request in person at the Commission offices located at 1625 I Street, NW., Room 307, Washington, D.C. 20006, between the hours of 9 a.m. and 5 p.m. on any working day. Assistance in gaining access under this section, securing an amendment or correction under Section 501.6, or preparing an appeal under §§ 501.5(d) and 501.8 shall be provided by the Privacy Officer on request directed to the Commission office. An individual appearing in person at the Commission offices will be granted immediate access to any records to which that individual is entitled under the Act upon satisfactory proof of identity by means of a document bearing the individual's photograph or signature. For requests made by mail, identification of the individual shall be adequate if established by means of submitting a certificate of a notary public, or equivalent officer empowered to administer oaths, substantially in accord with the following:

City of _____ County of _____:
ss (Name of individual) who affixed (his) (her) signature below in my presence, came before me, a (Title), in the aforesaid County and State, this ____ day of _____, 19__, and established (his) (her) identity to my satisfaction.
My Commission expires _____

The certificate shall not be required, however, for written requests pertaining to non-sensitive information or to information which would be required to be made available under the Freedom of Information Act. The Privacy Officer shall determine the adequacy of any proof of identity offered by an individual.

§ 501.5 Disclosure of requested information.

* * * * *

(c) If the Privacy Officer initially determines to deny access to all or any portion of a record, notice of denial shall be given to the individual in writing, within 30 days (excluding Saturdays, Sundays and holidays) after acknowledgement is given, and shall include the following:

(1) The precise record to which access is being denied;

(2) The reason for denial, including a citation to the appropriate provisions of the Act and of these Rules;

(3) A statement that the denial may be appealed to the Director;

(4) A statement of what steps must be taken to perfect an appeal to the Director; and,

(5) A statement that the individual has a right to judicial review under 5 U.S.C. 552a(g)(1) of any final denial issued by the Director.

(d) Administrative appeal of an initial denial, in whole or in part, of any request for access to a record, shall be available. An individual may appeal by submitting to the Director a written request for reconsideration stating therein specific reasons for reversal which address directly the reasons for denial stated in the initial notice of denial. If access is denied on appeal, a final notice of denial shall be sent to the individual within 30 days (excluding Saturdays, Sundays and holidays), and shall state with particularity the grounds for rejecting all reasons for reversal submitted by the individual. The denial shall then be deemed final for purposes of obtaining judicial review.

§ 501.7 Agency review of requests for amendment or correction of a record.

* * * * *

(b) Within 30 days (excluding Saturdays, Sundays and holidays) after arriving at a decision on a request, the Privacy Officer shall either:

(1) Make the requested amendment or correction, in whole or in part, and advise the individual in writing of such action; or,

(2) Advise the individual in writing that the request has been initially denied, in whole or in part, stating, with respect to those portions denied;

(i) The date of the denial;

(ii) The reasons for the denial, including a citation to an appropriate section of the Act and these Rules; and,

(iii) The right of the individual to prosecute an appeal and to obtain judicial review should a final denial result from the appeal.

§ 501.8 Appeal of initial denial of a request for amendment or correction.

(a) The initial denial of a request for amendment or correction may be appealed by submitting to the Director the following appeal papers:

(1) A copy of the original request for amendment or correction;

(2) A copy of the initial denial; and

(3) A precise statement of the reasons for the individual's belief that the denial is in error, referring specifically to the criteria contained in § 501.7(c)(1-8).

The appeal must be signed by the individual. While these papers normally will constitute the entire Record on Appeal, the Director may add additional information, from sources other than the individual, where necessary to facilitate a final determination. Any such additional information added to the record shall promptly be disclosed to the individual to the greatest extent possible, and an opportunity for comment thereon shall be afforded prior to the final determination. Appeals should be submitted to the Director within 90 days after the date of the initial denial.

* * * * * *

(d) If the appeal is denied, the final determination shall state, with particularity, the reasons for denial, including a citation to an appropriate section of the Act and of these Rules. The final determination shall be forwarded promptly to the individual, together with a notice which shall inform the individual of his or her right to submit to the Privacy Officer, for inclusion in the record, a concise statement of grounds for disagreement with the final determination. Receipt of any such statement shall be acknowledged by the Privacy Officer, and all subsequent and prior users of the record shall be provided copies of the statement. The notice shall also inform the individual of his or her right, under 5 U.S.C. 552a(g)(1), to obtain judicial review of the final determination.

§ 501.9 Fees.

A fee of $0.10 shall be charged for each copy of each page of a record made, by photocopy or similar process, at the request of an individual. No fee shall be charged for copies made at the initiative of the Commission incident to granting access to a record. A total copying fee of $2.00 or less may be waived by the Privacy Officer, but fees for all requests made contemporaneously by an individual shall be aggregated to determine the total fee.

[FR Doc.75-35167 Filed 12-31-75;8:45 am]

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proposed rules

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

DEPARTMENT OF AGRICULTURE

Soil Conservation Service

[7 CFR Part 663]

WELLTON-MOHAWK IRRIGATION IMPROVEMENT PROGRAM

Regulations for Implementation

Notice is hereby given that the Soil Conservation Service, U.S. Department of Agriculture, has under consideration the promulgation of regulations for implementing an irrigation improvement program under the authority of Section 101(k) of the Colorado River Basin Salinity Control Act (Public Law 93-320) as agreed to by a Memorandum of Understanding effective November 27, 1974, between the U.S. Department of the Interior and the U.S. Department of Agriculture. The regulations outline policies and procedures for extending technical and cost-sharing assistance through contracts with owners and operators of irrigable land in the Wellton-Mohawk Division of the Gila Project in Arizona for installation of conservation measures to improve irrigation efficiencies and reduce return flows.

The Soil Conservation Service invites those who desire to submit written comments concerning preparation of final regulations and guidelines to do so addressing them to the Administrator, Soil Conservation Service, U.S. Department of Agriculture, Room 5105A, South Building, 14th and Independence Avenue, S.W., Washington, D.C. 20250.

Comments should be received by February 2, 1976 to allow time for consideration and possible inclusion in the final regulations. Copies of comments received will be available for examination by interested persons at the above address during regular business hours (8:15 a.m.-4:45 p.m.).

The proposed regulations follow.

Dated: December 23, 1975.

(Catalog of Federal Domestic Assistance Program No. 10.902 National Archives Reference Services)

NORMAN A. BERG,
Acting Administrator.

Part 663 is added to Title 7 as follows:

PART 663 WELLTON MOHAWK IRRIGATION IMPROVEMENT PROGRAM

Subpart A—General Provisions

Sec.
663.1 Purpose.
663.2 Definitions.
663.3 Administration.
663.4 Program applicability.
663.5 Cooperator eligibility.
663.6 Conservation plan of operations.
663.7 Contracts.
663.8 Conservation practice maintenance.
663.9 Eligible conservation practices.

Subpart B—Cost-Share Payments

663.10 Cost-share payments.
663.11 Materials and services.
663.12 Manner and time of cost-share payments.

Subpart C—Miscellaneous

663.13 Transfer of units of land under existing contracts.
663.14 Conservation practice or components carried out with state or federal aid.
663.15 Successors-in-interest.
663.16 Actions that tend to defeat the purposes of a contract.
663.17 Appeals.
663.18 Contract violations.
663.19 Contract violations procedure.
663.20 Assignments.
663.21 Filing of false claims.
663.22 Compliance with regulatory measures.
663.23 Access to land under contract and program records.
663.24 State conservationist approval of program determinations.

AUTHORITY: Pub. L. 93-320, 88 Stat. 266 (43 U.S.C. 1571 et seq.); § 601 Pub. L. 72-212, 47 Stat. 417 (31 U.S.C. 686).

Subpart A—General Provisions

§ 663.1 Purpose.

The Wellton-Mohawk Irrigation Improvement Program provides for cost sharing and technical assistance through contracts with land-owners and operators for irrigation system improvement in the Wellton-Mohawk Irrigation and Drainage District (WMIDD), Arizona, to increase irrigation efficiencies and reduce return flows.

§ 663.2 Definitions.

The terms defined herein shall have the following meaning in this Part and in all contracts, forms, documents, instructions and procedures in connection therewith, unless the context or subject matter requires otherwise. Words in the singular form shall be considered to impart the plural, and vice versa, as the case may demand.

Administrator. The Administrator of the Soil Conservation Service (SCS), United States Department of Agriculture.

Area conservationist. The person who directs SCS activities in an administrative area as described in Sec. 600.5 of this Chapter.

Average cost. The constructed cost approved by the state conservationist, which is based on actual installation costs and cost estimates considered necessary to carry out a conservation practice in the WMIDD.

Component. An essential part and clearly identifiable segment of a conservation practice.

Conservation irrigation system plan (CIP). A map or drawing and specifications which show the necessary existing and planned field layout, facilities, and structures for efficient application and distribution of irrigation water.

Conservation plan of operations (CPO). The written document which serves as the basis for entering into a contract for this program. It incorporates a time schedule for installation of soil and water conservation practices for irrigation system improvement to increase irrigation efficiencies and reduce return flows.

Conservation practice. A specific measure applied to land and water according to standards and specifications. It is a part of a CPO to protect, improve, and properly use soil, water, and related resources to increase irrigation water efficiencies.

Conservation treatment unit. A field or fields in a specific land use requiring a particular type of management and use of related conservation practices.

Contracting officer (CO). The SCS employee authorized and responsible for signing and administering Wellton-Mohawk Irrigation Improvement Program contracts on behalf of the Soil Conservation Service.

Cooperator. An individual, person, partnership, firm, joint-stock company, corporation, association, trust, estate, or other legal entity, who owns or operates eligible land and who has entered into a contract under this program.

Cost. The amount actually paid or engaged to be paid by the cooperator for equipment use, materials, and services for carrying out a conservation practice or component of a practice, or if the cooperator uses his own forces in carrying out a practice or a component, the constructed value of his own labor, his own equipment use and the materials he produced and used.

District conservationist. The person who directs SCS activities in a field office.

Natural Resource Conservation District (NRCD). The Wellton-Mohawk Valley Natural Resource Conservation District established under state law, with which the Secretary of Agriculture cooperates pursuant to the Soil Conservation Act of 1935.

Project leader (PL). The SCS employee designated to direct the onsite SCS administrative and technical responsibilities under the Wellton-Mohawk Irrigation Improvement Program.

State conservationist. The person who is responsible for administering the SCS activities in a state.

Wellton-Mohawk Irrigation Improvement Program (WMIP). The cost sharing and technical assistance available under the cited authority and as specified in the memorandum of agreement, effective December 6, 1974, between the Bureau of Reclamation, USDI, and the Soil Conservation Service, USDA.

§ 663.3 Administration.

(a) SCS is responsible for program administration.

(b) The program shall be carried out in close cooperation with interested federal and state agencies, and local governmental units.

§ 663.4 Program applicability.

The program is applicable to land within the WMIDD which is (a) privately owned, (b) nonfederally owned public land included in a cooperator's eligible land unit, and (c) federally owned land when needed to install conservation practices which directly conserve or benefit a nearby or adjoining cooperator's eligible land unit. The program is not applicable to land which will be withdrawn from irrigation under Section 101 (f) (2) of the Act.

§ 663.5 Cooperator eligibility.

Any landowner or operator who has control of eligible land and develops an acceptable CPO for his land unit.

§ 663.6 Conservation plan of operations.

(a) The state conservationist is authorized to prescribe minimum requirements for the cooperator's CPO. Each CPO must be approved by the PL and the DC is responsible for reviewing it with the NRCD.

(b) SCS will provide technical assistance to the cooperator to help him develop and carry out his CPO.

(c) SCS may also utilize the services of private firms and individuals, state and federal agencies in discharging its responsibility for technical assistance.

§ 663.7 Contracts.

(a) In order for a landowner or operator to participate in the program, he must enter into a contract with the SCS under which he agrees to accomplish his CPO. He must present satisfactory evidence to the PL that he has control of the unit of land for the contract period.

(b) The period of a contract shall extend at least 2 years beyond the year of the scheduled installation of the last cost-shared conservation practice.

(c) The CO having determined that the CPO is adequate for a contract shall execute the contract on behalf of SCS. It is the responsibility of the cooperator who signs a contract to keep the CO currently informed of his mailing address.

(d) If, during the contract period, all or part of any cooperator's right and interest in a unit of land is transferred by sale or otherwise, his successor, as transferee, may upon his request be substituted under the contract for the right transferred by executing a form prescribed by the Administrator.

(e) Contracts previously entered into with a cooperator may be terminated upon mutual agreement of the cooperator and the CO if is it determined to be in the public interest.

(f) Requirements of contracts previously entered into with a cooperator may be revised or modified by the CO.

(g) The CO may find that a conservation practice or component has been carried out in accordance with applicable program provisions but, due to conditions beyond the control of the cooperator, has failed to achieve the desired results or has subsequently deteriorated during the contract period. In such cases, the CO may agree to modify the contract to authorize cost-share payments for again carrying out the practice or component or an approved alternative.

§ 663.8 Conservation practice maintenance.

Each cooperator shall agree to maintain conservation practices on the unit of land as specified in the contract for the contract period. Failure to maintain the specified conservation practices for the required period shall be considered a contract violation.

§ 663.9 Eligible conservation practices.

(a) The state conservationist shall develop and maintain a list of conservation practices eligible for inclusion in contracts under this program. Practice installation shall comply with contract standards and specifications maintained in the office of the SCS project leader.

(b) The federal cost-share rate for installing any eligible conservation practice is 75 percent.

(c) Average costs shall be determined annually from the cost data collected on a continuing basis.

(d) Average costs that will apply for the following year shall be approved by the state conservationist not later than December 31. Changes in average costs may be approved at any time by the state conservationist.

Subpart B—Cost-Share Payments

§ 663.10 Cost-share payments.

(a) Cost-share payments shall be made at 75% of the average costs or the actual installation cost not to exceed the average costs. If the average cost applicable at the time of initial action to carry out a conservation practice or component is less than the average cost set in the contract, payment shall be made on the basis of the lower average cost. If the approved average cost in effect at the time of the initial action to carry out a practice or component is in excess of the average cost set out in the contract, payment may be made on the basis of the higher average cost provided funds are available.

(b) Cost-share payment is made for carrying out a conservation practice or component upon presentation of an application for payment by a cooperator on which he certifies that the practice or component was carried out in accordance with specifications and provisions of the contract. Payment is further conditioned upon approval by the PL that the practice was carried out in accordance with specifications and that the cooperator is in compliance with all provisions of the contract. The PL shall submit to the SCS state office the application for payment when all required certifications are completed.

(c) A cooperator is not eligible to receive cost-share payments under this program for a conservation practice or component for which he receives cost sharing under another current program.

§ 663.11 Materials and services.

(a) Cooperators shall obtain or contract for materials and services needed to install conservation practices under this program.

(b) Materials or services found to be of lower quality than specified may be accepted by the cooperator and cost-share payment may be made if the materials or services will satisfactorily serve the purpose for which they were procured. A deduction must be made from the cost-share payment equal to the difference between the price of the materials or services of the quality specified and the value of the materials or services furnished to the cooperator. The PL shall determine if the materials or services will serve the purpose and will also determine the value of the lower quality materials or services which are to be accepted.

§ 663.12 Manner and time of cost-share payments.

A cooperator may apply for cost-share payments due him as soon as practicable after the extent of performance is determined. The application shall be made on the prescribed form and shall be filed with the PL. The PL may assist in preparing the application, however, the cooperator is responsible for establishing his claim for payment. The application shall be filed by June 30 of the year following the calendar year in which a practice or component was carried out, except that with respect to any application filed after that date the state conservationist may authorize cost-share payment to be made if in his judgment such action is warranted by the circumstances of the particular case. An application for cost-share payment shall specify the proportion of each cooperator's contribution to carrying out the conservation practice or component. The furnishing of land or the right to use water will not be considered as a contribution for carrying out any practice or component.

Subpart C—Miscellaneous

§ 663.13 Transfer of units of land under existing contracts.

The Administrator shall prescribe the procedure for combining, dividing, or deleting land under contract.

§ 663.14 Conservation practice or component carried out with state or federal aid.

The total cost-share which would otherwise be due for any conservation practice or component carried out under WMP shall be reduced by the percentage of the total cost which the PL determines was furnished by the state or subdivision thereof, or other federal agency.

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§ 663.15 Successors-in-interest.

(a) If during the contract period all or part of the right and interest of any cooperator signatory to the contract in the land under contract is transferred by sale or otherwise, the contract shall terminate as to such cooperator with respect to the acreage which has been transferred. In the event of such termination, the cooperator whose right and interest is transferred shall forfeit all rights to further cost-share payments made to him under the contract with respect to the acreage which has been transferred. All cost-share payments made to him under the contract shall be refunded with respect to such acreage unless the transferee who acquires his right and interest in such acreage is or becomes a party to a contract which will assume all obligations of the cooperator under the contract.

(b) The contract shall remain in full force and effect in accordance with the original terms and conditions of the contract with respect to the right and interest remaining in the cooperator. The contract shall be modified by the CO and the cooperator signatory to the contract to reflect the changes brought about by any transfer.

(c) Except as this subpart may require otherwise, the transfer of all or part of the land under contract by any cooperator signatory to the contract shall not affect the rights and obligations of all other cooperators signatory to the contract.

§ 663.16 Actions that tend to defeat the purposes of a contract.

(a) A cooperator knowingly or negligently destroys or breaks up a conservation practice installed under the contract, unless prior approval in writing is given by the CO, shall be in violation of the contract.

(b) Adoption and installation of any measure by a cooperator on a unit of land while he has control thereof during the life of the contract which tends to defeat the program purpose shall constitute a violation of the contract.

§ 663.17 Appeals.

(a) Any dispute concerning a question of fact arising under a contract, except contract violations, which is not disposed of by written agreement after a reasonable time shall be referred to the state conservationist for a decision. The state conservationist shall notify the cooperator in writing that the matter will be considered on a date specified in the notice, which date shall be not less than 30 days subsequent to receiving the notice. If the cooperator files a request for such an opportunity within 15 days from receiving such notice, the cooperator will be afforded the opportunity to appear and present his views orally and to offer relevant evidence in support of his position. If the cooperator does not request an opportunity to appear and to present relevant evidence, the state conservationist shall promptly proceed to consider the matter on the basis of such information as may be available to him, including statements or briefs of the authorized representatives of the Administrator whose actions are in dispute. The state conservationist shall notify the cooperator of his decision in writing by mailing or delivery of the decision.

(b) Any cooperator adversely affected by a decision of the state conservationist may appeal to the Administrator. A cooperator who wishes to take such action must file his appeal and any briefs or statements in the office of the Administrator within 30 days from receiving notice of the decision of the state conservationist. The state conservationist may file a brief or statement in the office of the Administrator within 15 days after the cooperator's brief or statement is received there. Such an appeal shall be limited to the issues or disputes and records before the state conservationist. The state conservationist shall submit the record before him, which will include his decision, to the Administrator. The Administrator upon receipt of the record, will make a decision from which there shall be no further appeal. The cooperator shall be notified of this decision in writing.

(c) Whenever the regulations in this section require the filing of a document, it is considered filed when received in the office of the individual concerned.

§ 663.18 Contract violations.

(a) *Contract to be terminated.* The cooperator shall agree by signing a contract to forfeit all rights to further cost-share payments under the contract and to refund all cost-share payments received thereunder, if the Administrator determines that there has been a violation of the contract during the time the cooperator has control of the land under contract and that the violation is of such a nature as to warrant termination of the contract.

(b) *Contract not terminated.* The cooperator shall agree by signing a contract, to make refunds of cost-share payments received under the contract or to accept payment adjustments if the Administrator determines that there has been a violation of the contract during the time the cooperator has control of the land under contract and that such violation is of such a nature as not to warrant termination of the contract. Payment adjustments may include decreasing the rate of a cost-share or deleting from the contract a cost-share commitment or withholding cost-share payments earned but not paid.

§ 663.19 Contract violation procedures.

(a) *General.* This section prescribes the regulations for determining whether a violation of contract has occurred and for the effect and result of such violation. The Administrator reserves the right upon notice to modify, amend, revise, or supplement any of the provisions of this section at any time. Such action does not adversely affect any cooperator where determination or decision has been made and the cooperator has been officially notified thereof before such action is taken. No cost-share payment shall be made pending the determination or decision as to whether a contract violation has occurred.

(b) *Determination by contracting officer.* If the CO receives information indicating that a violation of a contract may have occurred but determines, without the issuance of a notice as provided in this section, with the approval of the State conservationist, that no violation has occurred, or that the violation does not call for any forfeiture, refund, or payment adjustment, no further action shall be taken. If all of the cooperators subject to a forfeiture, refund, payment adjustment, or termination agree in writing to accept such forfeiture, refund, payment adjustment, or termination, no further proceeding under this section shall be undertaken. The CO and the state conservationist shall give approval to this agreement. The agreement shall specify what occurs to the contract.

(c) *Notice of alleged violation.* If the state conservationist believes, on information submitted by the CO or otherwise, that a violation of a contract has occurred which would call for a forfeiture, refund, payment adjustment or termination under the provisions of this section, written notice thereof shall be given to each cooperator signatory to the contract.

(1) Delivery of notice to a cooperator may be shown by:

(i) a written statement by an authorized representative of the Administrator that the notice was personally delivered to the cooperator;

(ii) a written statement by a cooperator acknowledging receipt of the notice; or

(iii) a post office return receipt showing that the notice was delivered at the last address of the cooperator or showing that the notice could not be delivered to the cooperator at his last address because he had moved without a forwarding address, or because the cooperator refused to accept delivery at his last address, or because the last address does not exist. A cooperator will be considered to have received the notice at the time of personal receipt, at the time of the delivery of a registered or certified letter, or at the time of the return of an undelivered registered or certified letter.

(2) The notice shall set forth the nature of the alleged violation and shall inform the coopreator that he will be given the opportunity to appear at a hearing before a person designated by the state conservationist to conduct a hearing if he files a written request for such hearing in the SCS project office not later than 30 days after the time he received the notice. The cooperator shall be notified in writing by the hearing officer of the time, date, and place set for the hearing. When practicable, the hearing will be held in Yuma county. If the cooperator does not file written request for a hearing, or does not appear at the appointed time, or is not represented at a hearing so requested, he shall have no further right to a hearing before a hearing officer. A hearing officer already appointed may, however, permit the cooperator to appear before him. A request filed by any cooperator with the SCS project office shall be considered to be the request of all cooperators signatory to the contract.

(d) *Hearing.* The hearing shall be public and held at the time and place and on the date set forth in the notice of the hearing to the cooperator. The hearing shall be conducted in the manner considered most likely to obtain the facts relevant to the alleged violation. The hearing officer shall have full authority to confine the presentation of facts and evidence to pertinent matters and to exclude irrelevant, immaterial or unduly repetitious evidence, information or questions. In so doing, the hearing officer shall not be bound by the strict rules of evidence as required in courts of law. Witnesses may be sworn at the discretion of the hearing officer.

(1) The cooperator, or his representative, shall be given a full opportunity to present facts and infromation relevant to the alleged violation and may present oral or documentary evidence, statements and evidence may be submitted at the hearing by the United States. Individuals not otherwise represented at the hearing to give information or evidence may, in the discretion of the hearing officer, be requested or permitted to give information or evidence. The hearing officer may permit witnesses to be cross-examined, including those individuals called by him.

(2) The hearing officer shall provide for making a record at the hearing that will enable him to make a summary of the testimony received if the cooperator and the state conservationist agree. If the state conservationist feels that the nature of the case is such as to make a transcript desirable or if the cooperator requests such a transcript a reasonable period prior to the time that the hearing begins, a transcript of the hearing shall be made. If a transcript is desired only by a cooperator, he will be required to provide for its preparation and for the payment of expense thereof. If a transcript is desired by both the state conservationist and the cooperator, the cooperator will be required to pay only the expense of a copy of the transcript. The remainder of the expense will be paid by the United States.

(3) If, at the time scheduled for the hearing, the cooperator is absent and no appearance is made on his behalf, the hearing officer shall close the hearing after a lapse of such a period of time as he may consider proper and reasonable. He may, however, accept information and evidence submitted by other present for the hearing.

(4) In every case where a cooperator is sent a notice of an alleged violation pursuant to paragraph (c) of this section, except where the cooperator agrees to the forfeiture, refund, payment adjustment or termination as provided in paragraph (b) of this section, the hearing officer shall furnish the state conservationist with a written report setting forth his findings, conclusions and recommendations. The report shall include the summary of testimony or transcript made of any hearing before the hearing officer and all other information which would be of aid to the state conservationist in reaching his determination.

(e) *Determination by state conservationist.* The state conservationist shall make a determination on the basis of the hearing officer's report and any other information available to him as to whether a violation of the contract has occurred, the amount of the forfeiture, refund or payment adjustment. The determination of the state conservationist shall specifically state whether the violation is of such a nature as to warrant termination of the contract or that the violation does not warrant termination of the contract. Each cooperator who signed the contract shall be notified in writing of the determination reached by the state conservationist. The state conservationist may authorize or require the reopening of any hearing before a hearing officer for any reason at any time prior to his determination.

(f) *Appeal to the Administrator.* Any cooperator adversely affected by a determination of the state conservationist shall have the right of appeal to the Administrator. A cooperator who wishes to appeal to the Administrator must file his appeal in the office of the Administrator. This appeal and any briefs or statements must be received within 30 days after the cooperator has received notice of the determination of the state conservationist. The state conservationist may file a brief or statement in the office of the Administrator within 15 days after the cooperator's brief or statement is received there. The appeal shall be limited to the record and issues made before the state conservationist which records shall be submitted to the Administrator by the state conservationist. The Administrator will make his decision from which there shall be no further appeal. The decision will be based upon the record before him and the issues presented by the appeal and the cooperator shall be notified in writing.

(1) If the determination or decision is that the violation is of such a nature as to warrant termination of the contract, the determination or decision shall state that the contract is terminated and that all rights to further cost-share payments or grants under the contract are forfeited and that all cost-share payments or grants received under the contract shall be refunded. The determination or decision will state the amount of the refund and how payment may be accomplished.

(2) If the determination or decision is that the violation is of such a nature as not to warrant termination of the contract, the cooperator may be required to make a refund of cost-share payments or to accept payment adjustments. The determination or decision shall state the extent of refunds of cost-share payments or payment adjustments. In arriving at the extent of a refund of cost-share payments or payment adjustments under this section the following will be considered:

(i) the extent of the violation;

(ii) whether the violation was deliberate or the result of negligence or was due to circumstances beyond the control of the cooperator;

(iii) the effect on the program if no refund or payment or adjustment is required;

(iv) the extent to which the cooperator benefited by the violation;

(v) the effect of the violation on the contract as a whole; and

(vi) other pertinent considerations including the appropriateness and reasonableness of the refund or payment adjustment.

§ 663.20 Assignments.

Assignments by any cooperator who may be entitled to any cost-share payment under the program are prohibited unless made in accordance with the provisions of Section 203, Title 31, U.S.C., and any amendments thereto, and Section 15, Title 41, U.S.C., and any amendments thereto.

§ 663.21 Filing of false claims.

No cooperator shall file a claim for a cost-share payment to which he knows he is not entitled under the provisions of the program, including claim for a cost-share payment for conservation practices not carried out or for eligible practices carried out in such a manner that they do not meet the required specifications therefor, and the filing of any such claim shall constitute a violation of the contract.

§ 663.22 Compliance with regulatory measures.

Cooperators who carry out conservation practices shall be responsible for obtaining the authorities, rights, easements or other approvals necessary to the carrying out and maintenance of the conservation practices in keeping with applicable laws and regulations. Cooperators shall save the United States harmless from any infringements upon the rights of others or from any failure to comply with applicable laws or regulations.

§ 663.23 Access to land under contract and program records.

Any authorized representative of the Administrator, for the purpose of ascertaining the accuracy of any of the representations made in or in connection with or leading up to any contract entered into hereunder and the entering into any contract or the performance of the terms and conditions of such contract, shall have the right to enter the land under contract at any reasonable time in order to measure the acreage, to render technical assistance, to inspect the work undertaken under any contract, and to examine any program records pertaining to the land under contract. The cooperator shall furnish such information relating to the land under contract as may be requested by authorized representatives of the Administrator.

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§ 663.24 State conservationist approval of program determinations.

The state conservationist, upon his own initiative, may revise or require revision of any determination made by the CO or the PL in connection with the WMP except that the state conservationist may not make a revision of any executed contract other than as may specifically be authorized herein.

[FR Doc.75-35181 Filed 12-31-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 82]

[CGD 75-235]

BOUNDARY LINES OF INLAND WATERS

Proposed Demarcation Line, at San Carlos Bay, Florida

The Coast Guard is considering amending the line of demarcation for inland waters that extends from Estero Island to Sanibel Island Light at the entrance to San Carlos Bay, Florida.

Interested persons may participate in this proposed rulemaking by submitting written data, views, or arguments concerning the proposal to Commandant (G-CMC/81), U.S. Coast Guard, Washington, D.C. 20590. Each person submitting comments should include his name and address and organization, if any, identify the notice number (CGD 75-235), and give reasons for any recommended change in the proposal. Copies of all written comments received will be available for examination in Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street SW., Washington, D.C.

All comments received on or before February 18, 1976, will be fully considered before final action is taken on this proposal.

This document proposes to change the line of demarcation described in 33 CFR 82.65. The existing demarcation line extends from the northwesternmost point of Estero Island to Caloosa Lighted Bell Buoy 2; thence to Sanibel Island Light.

The proposed demarcation line is to be moved shoreward to coincide with the proposed changes to the aids to navigation. In February 1976, Caloosa Lighted Bell Buoy 2 will be removed, San Carlos Bay Light 1 will be established shoreward of the former Caloosa Lighted Bell Buoy 2 position, and San Carlos Bay Approach Light 4 will be renamed San Carlos Bay Light 2. The proposed demarcation line will pass through San Carlos Bay Light 1 and San Carlos Bay Light 2, the outermost aids to navigation. This is consistent with the general rules for inland waters as stated in 33 CFR 82.2. By moving the line to pass through these aids to navigation it will be easier to determine where the inland rules of the road apply when entering or leaving San Carlos Bay.

In consideration of the foregoing, it is proposed that Chapter I of Title 33 of the Code of Federal Regulations be amended by revising § 82.65 to read as follows:

§ 82.65 San Carlos Bay and tributaries.

A line drawn from the northwesternmost point of Estero Island to San Carlos Bay Light 2; thence to San Carlos Bay Light 1; thence to Sanibel Island Light.

(Sec. 2, 28 Stat. 672, as amended (33 U.S.C. 151); Sec. 6(b)(1), Pub. L. 89-670, 80 Stat. 937 (49 U.S.C. 1655(b)(1)); 49 CFR 1.46(b))

Dated: December 24, 1975.

R. I. PRICE,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.75-35220 Filed 12-31-75;8:45 am]

[33 CFR Part 117]

[CGD 75 241]

DRAWBRIDGE OPERATION REGULATIONS

Shrewsbury River, N.J.

At the request of the New Jersey Department of Transportation, the Coast Guard is considering revising the regulations for the Route 36 highway drawbridge across the Shrewsbury River near Highland Beach, N.J., to allow the draw to remain closed on Saturdays, Sundays, and holidays from Memorial Day through Labor Day from 10 a.m. to 7 p.m. except that the draw shall open on the hour and one half hour during this period. This change is being considered in an effort to partially alleviate the traffic congestion that builds up going to and coming from Gateway National Park.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Third Coast Guard District, Governors Island, N.Y., N.Y. 10004. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Third Coast Guard District.

The Commander, Third Coast Guard District, will forward any comments received before February 20, 1976, with his recommendations to the Chief, Office of Marine Environment and Systems, who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by revising § 117.215(j) by adding a new subparagraph (2-a) immediately after subparagraph (2) to read as follows:

§ 117.215 Navigable streams flowing into Raritan Bay (except Raritan River and Arthur Kill), the Shrewsbury River and its tributaries, and all inlets on the Atlantic Ocean including their tributaries and canals between Sandy Hook and Bay Head, N.J.; bridges.

* * * * *

(j) * * *

(2-a) Shrewsbury River, Route 36 bridge near Highland Beach. The draw shall open on signal except that from Memorial Day through Labor Day on Saturdays, Sundays, and holidays from 10 a.m. to 7 p.m., the draw need open only on the hour and one half hour if any vessels are waiting to pass.

* * * * *

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4))

Dated: December 24, 1975.

R. I. PRICE,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.75-35219 Filed 12-31-75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 230]

[Release No. 33-5660; File No. S7-607]

OIL AND GAS RIGHTS

Proposed Amendment to Limitations on Offerors of Fractional Undivided Interests

The Securities and Exchange Commission today announced a proposed amendment to Rule 306 (17 CFR 230.306) under Regulation B (17 CFR 230.300-230.346) under the Securities Act of 1933 to require interests exempt under that regulation to be offered or sold only by brokers or dealers registered as such pursuant to Section 15 of the Securities Exchange Act of 1934. The Commission believes that this requirement will help eliminate certain selling abuses, generally by persons who had not registered as brokers or dealers, in offerings under Regulation B. The extensive Commission and NASD regulations establishing standards with respect to training, experience and other qualifications of registered brokers and dealers together with the suitability and fair-dealing restrictions on their sales activities should help to reduce the prevalence of abusive practices.

The proposed amendment would require that the offeror be a registered broker or dealer; but the issuer need not be a registered broker or dealer if all offers and sales of interests created by the issuer for purposes of an offering pursuant to Regulation B are made exclusively by a person so registered. Thus, an issuer need not register as a broker or dealer if the issuer utilizes the services of a registered broker or dealer.

The Commission hereby proposes to amend Rule 306 pursuant to Sections 3(b) and 19(a) of the Act, as amended. All interested persons are invited to submit their views and comments on this amendment to George A. Fitzsimmons, Secretary, SEC, Washington, D.C. 20549 on or before January 31, 1976. Such communication should refer to File No. S7-607. All such communications will be available for public inspection. The text of the proposed amendment to Rule 306 follows.

(Secs. 3(b), 19(a), 48 Stat. 75, 85; Sec. 209, 48 Stat. 908; 59 Stat. 167; 84 Stat. 1480; 15 U.S.C. 77c(b), 77s(a))

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 23, 1975.

Rule 306 is proposed to be amended to read as follows:

§ 230.306 Limitations on offeror.

* * * * *

(b) No exemption shall be available under Regulation B unless the offeror is a broker or dealer registered as such pursuant to Section 15 of the Securities Exchange Act of 1934, as amended; provided that the issuer need not be a registered broker or dealer if all offers and sales of interests created by the issuer for purposes of an offering pursuant to this Regulation B are made exclusively by a registered broker or dealer.

NOTE: See Rule 300(a)(7) for the definition of the term "offeror."

* * * * *

[FR Doc.75-35218 Filed 12-31-75;8:45 am]

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notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Interior DES 75–62]

COLORADO

Public Hearings

On December 16, 1975, there was published in the FEDERAL REGISTER (40 FR 58326) Notice of Availability of Draft Environmental Statement (Int. DES 75–62) on oil shale development in southwestern Colorado as proposed by The Colony Development Operation. Notice was also given about times and locations of public hearings to be held on the draft environmental statement.

The purpose of this Notice is to specify:

(1) The manner in which statements will be received, both oral and written;

(2) The cut-off date by which witnesses wishing to testify orally must make their requests; and

(3) Special provisions and conditions governing these particular hearings.

Written comments on the draft environmental statement may be delivered by mail to the State Director, Bureau of Land Management, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202, prior to close of business on Friday, February 13, 1976; or personally delivered to the Bureau of Land Management at the above address during regular hours of business up to and including February 13, 1976; or submitted to the presiding officer at either of the three public hearings to be conducted on January 27, 28, or 29, 1976.

Oral testimony of ten minutes maximum duration will be accepted from each witness at the hearings in lieu of written comments or in addition to any written comments submitted by such witness. Complete texts of prepared speeches may be filed with the presiding officer at the hearing whether or not the speaker has been able to finish with oral delivery in the allotted ten minutes.

Written requests to testify orally should be received by the Colorado State Director, Bureau of Land Management, at the above address prior to close of business on January 22, 1976. Requests should be signed by the prospective witness, and should state the place and approximate time preference for giving oral testimony. The cut-off date is necessary so that a witness list can be made available on the day before the first scheduled public hearing.

These hearings will consist of both afternoon and evening sessions. At each session, speakers will be heard, if present, in their established order of precedence. After the last listed witness present for a session has been heard, the presiding officer will consider the request of any other person present and wishing to testify. Only one witness will be allowed to represent the viewpoints of a single organization at each of the three hearings. However, any witness will be permitted to give germane testimony if offered as the views or opinion of a private citizen.

DALE R. ANDRUS,
State Director.

[FR Doc.75–35182 Filed 12–31–75;8:45 am]

GRAND JUNCTION DISTRICT ADVISORY BOARD

Meeting

Notice is hereby given that the Grand Junction District, Bureau of Land Management Multiple Use Advisory Board will meet February 19, 1976.

The meeting will begin at 9 a.m., February 19, 1976, in the Pioneer Room of the Mesa Federal Savings and Loan Building, 6th & Rood, Grand Junction, Colorado.

The agenda for the meeting will include a discussion of the Board's charter, organization of the Board and election of officers, a summary presentation of Bureau programs and responsibilities, and a discussion of the major resource programs of the district for the purpose of receiving Advisory Board recommendations.

The meeting is open to the public. Interested persons may make brief oral presentations to the Board or file written statements. Persons who wish to make oral statements should notify the Grand Junction District Manager, P.O. Box 1509, Grand Junction, Colorado 81501 (Phone 303/242–8515) prior to the meeting.

DALE R. ANDRUS,
State Director.

[FR Doc.75–35183 Filed 12–31–75;8:45 am]

PHOENIX DISTRICT MULTIPLE USE ADVISORY BOARD

Meeting

The Phoenix District Multiple Use Advisory Board will meet at 9:30 A.M. on January 8, 1976, in the Phoenix District Office, 2929 West Clarendon Avenue, Phoenix, Arizona. The agenda will include election of officers and a presentation by BLM on purposes, functions and duties of the new Multiple Use Advisory Board. The scope of the District's resource programs will also be a part of the presentation.

Selected issues now facing the District in Livestock Forage Management, Minerals, Recreation, Land Use Planning, Local Government, Public Utilities, Wildlife, and Wild Horses and Burros will be presented for the Board's recommendations.

The meeting will be open to the public to the limits of available space. Time will be available for a limited number of statements by members of the public. Those wishing to make oral statements should so inform the Phoenix District Manager prior to the meeting. Any person may also submit a written statement. These may be directed to the BLM Phoenix District Manager, 2929 West Clarendon Avenue, Phoenix, Arizona 85017.

Dated: December 2, 1975.

FRANKLIN C. HAGER,
Acting District Manager.

[FR Doc.75–35170 Filed 12–31–75;8:45 am]

Fish and Wildlife Service

ALASKA

Notice of Application for Pipeline Right-of-Way

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by Public Law 93–153, approved November 16, 1973, (87 Stat. 576), Nikiski Alaska Pipeline Company has applied for a fifty (50) foot wide permanent pipeline right-of-way across the following lands:

Kenai National Moose Range lands commonly known as Point Possession and more specifically Sections 17 and 20, T11N, R6W, Seward Meridian.

The pipeline will convey refined petroleum products across approximately one (1) mile of the Kenai National Moose Range, Kenai Peninsula Borough, Alaska.

The purpose of this notice is to inform the public that the United States Fish and Wildlife Service will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the Area Director, U.S. Fish and Wildlife Service, 813 "D" Street, Anchorage, Alaska 99501.

GORDON W. WATSON,
Area Director,
U.S. Fish and Wildlife Service.

DECEMBER 24, 1975.

[FR Doc.75–35184 Filed 12–31–75;8:45 am]

Geological Survey

OUTER CONTINENTAL SHELF ROYALTY OIL

Delay in Disposition of Gulf of Mexico

By FEDERAL REGISTER notice of November 14, 1975, it was announced that new contracts for royalty oil produced from Federal oil and gas leases on the Outer Continental Shelf would be issued to small refiners for royalty oil available after February 1, 1976. It has now been determined that in order to provide the most equitable distribution of the available royalty oil a further definition of the allocation procedures should be made. Accordingly, existing contracts will be extended until May 1, 1976. During this period of time, by subsequent FEDERAL REGISTER notice, the method of allocation will be published and comments on the proposed procedures solicited.

In addition, the period in which small refiners may submit an application to purchase royalty oil has been extended through January 15, 1976. Applications submitted in response to the November 14, 1975, notice will be processed again, but such applications may be amended by the applicant as appropriate. Applications received later than January 15 will not be considered.

Applications for the purchase of royalty oil from leases in the Gulf of Mexico OCS should be submitted to the Oil and Gas Supervisor—Production Control, United States Geological Survey, P.O. Box 7944, Metairie, Louisiana 70011. Applications for the purchase of royalty oil from leases in the Pacific OCS should be submitted to the Oil and Gas Supervisor, United States Geological Survey, 7744 Federal Building, 300 N. Los Angeles Street, Los Angeles, California 90012.

W. A. RADLINSKI,
Acting Director.

[FR Doc.75–35223 Filed 12–31–75;8:45 am]

Office of the Secretary

COMMITTEE ON FUTURE ENERGY PROSPECTS NATIONAL PETROLEUM COUNCIL

Notice of Meeting

Notice is hereby given for the following meeting:

The National Petroleum Council's Committee on Future Energy Prospects will meet on Wednesday, January 28, 1976, at 10 a.m. in the Mount Vernon Room of the Madison Hotel, 15th and M Streets NW., Washington, D.C.

The agenda includes the following items for discussion:

1. Review a proposed study outline.
2. Timetable and procedures for completing the assignment of the Committee.
3. Any other matters pertinent to the overall assignment of the Committee.

The purpose of the National Petroleum Council is to provide to the Secretary of the Interior, upon request, advice, information, and recommendations upon any matter relating to petroleum or the petroleum industry.

The meeting will be open to the public to the extent that space and facilities permit. Any member of the public may file a written statement with the Council either before or after the meeting. Interested persons who wish to speak at the meeting must apply to the Council and obtain approval in accordance with its established procedures.

Further information about the meeting may be obtained from Ben Tafoya, Office of the Assistant Secretary—Energy and Minerals, Department of the Interior, Washington, D.C. (telephone: 343–6226).

Dated: December 23, 1975.

WILLIAM L. FISHER,
Deputy Assistant Secretary of the Interior.

[FR Doc.75–35208 Filed 12–31–75;8:45 am]

LIVESTOCK GRAZING ON PUBLIC LANDS

Schedule of Fees, 1976

Pursuant to the authority vested in the Secretary of the Interior, notice is hereby given of the schedule of fees for the 1976 fee year beginning March 1, 1976, and ending February 28, 1977, for livestock grazing on the public lands.

For the purpose of establishing charges, one animal unit month (AUM) shall be considered equivalent to grazing use by one cow, five sheep, or one horse for one month. The charge for one horse is at twice the rate for one cow.

Bills shall be issued in accordance with the rates prescribed in this notice.

INSIDE STATUTORY GRAZING DISTRICTS

Pursuant to departmental regulations (43 CFR 4115.2–1(k)) as amended January 16, 1975 (40 FR 2812), fees within districts, except as otherwise provided herein, shall be $1.51 per AUM of which 75.5 cents is the grazing use fee and 75.5 cents is the range improvement fee.

Exceptions to the above rates are hereby set as follows for certain LU project lands (national grasslands) in order to continue the basis of fees that has heretofore been established:

Arizona. For the San Simon project (Cienega area) transferred to the Department by Executive Order 10322, the fees shall be $1.88 per AUM of which 75.5 cents is the grazing use fee and $1.125 is the range improvement fee.

Colorado. For the Great Divide project transferred to the Department by Executive Order 10046, the fees shall be $1.62 per AUM of which 75.5 cents is the grazing use fee and 86.5 cents is the range improvement fee.

Montana. For all LU lands within districts transferred to the Department by Executive Order 10787, the fees shall be $1.62 per AUM of which 75.5 cents is the grazing use fee and 86.5 cents is the range improvement fee.

New Mexico. For the Hope Land project transferred to the Department by Executive Order 10787, the fees shall be $1.58 per AUM of which 75.5 cents is the grazing use fee and 83.5 cents is the range improvement fee. For the San Simon project (Cienega area) transferred to the Department by Executive Order 10322, the fees shall be $1.88 per AUM of which 75.5 cents is the grazing use fee and $1.125 is the range improvement fee.

OUTSIDE STATUTORY GRAZING DISTRICTS (EXCLUSIVE OF ALASKA)

Pursuant to departmental regulations (43 CFR 4125.1–1(m)), the rate for grazing leases except as otherwise provided herein, shall be $1.51 per AUM of which 25 percent is the range improvement fee.

Exceptions to the above rate are hereby set as follows for certain LU project lands and for all O&C and intermingled public domain lands in western Oregon in order to continue the basis of fees that has heretofore been established:

Montana. For those Milk River Land project lands outside districts transferred to the Department by Executive Order 10787, the fee shall be $1.62 per AUM of which 25 percent is the range improvement fee.

Wyoming. For the northeast Wyoming project transferred to the Department by Executive Order 10046 and amended by Executive Order 10175, the fee shall be $1.62 per AUM of which 25 percent is the range improvement fee.

New Mexico. For those Hope Land project lands transferred to the Department by Executive Order 10787, the fee shall be $1.58 per AUM of which 25 percent is the range improvement fee.

Western Oregon. For western Oregon the fee shall be $1.62 per AUM.

JACK O. HORTON,
Assistant Secretary of the Interior.
DECEMBER 29, 1975.

[FR Doc.75–35225 Filed 12–31–75;8:45 am]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. Ex. 75–7; Notice 4]

RITE-WAY INC. OF INDIANA

Petition for Temporary Exemption From Federal Motor Vehicle Safety Standard

Rite-Way Inc. of Indiana, of Fort Wayne, Indiana, has been granted an extension of its temporary exemption from Motor Vehicle Safety Standard No. 121, *Air Brake Systems* (49 CFR 571.121), on the basis that compliance would cause it substantial economic hardship. Notice of its initial petition was published on February 13, 1975 (40 FR 6703). The Administrator granted Rite-Way an exemption on March 24, 1975 (40 FR 13023), to expire September 1, 1975. Rite-Way petitioned for an extension of this exemption until March 1, 1976, and a notice requesting public comment appeared in the FEDERAL REGISTER on September 30, 1975 (40 FR 44859).

Rite-Way manufactured 70 motor vehicles (ready-mix trucks) in 1974. The company is a wholly owned subsidiary of Moran Tank Company, which acquired it in 1972, when Rite-Way was operating under the Federal Bankruptcy Act. Shortages of parts and the state of the economy forced Rite-Way to file for reorganization under Chapter XI of the Act in November 1974. The company

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stated that efforts to interest suppliers in providing prototype components to a small-volume producer resulted in delays to programs intended to implement Standard No. 121. The company's financial state caused it to close its truck manufacturing facility in Natches, Mississippi, leaving it with an inventory of parts worth almost $85,000 that have been obsoleted by the advent of Standard No. 121. The exemption period would allow it to exhaust the inventory and phase in the new standard on an orderly basis. The company had a net income of $125,000 in the fiscal year ending July 31, 1974. Between then and November 25, 1974, the company had a net loss of $250,000. The company intends to conform by the end of the requested exemption period.

In granting the original exemption, the Administrator found persuasive the comment by Oshkosh Truck Corporation that it was "capable of supplying Rite-Way with steering driving axles on completed chassis to satisfy their production requirements." Rite-Way has examined this possibility and informed NHTSA that its unique front discharge mixer is not adaptable to the Oshkosh chassis which is designed for a conventional rear discharge mixer, except at a cost the company terms "prohibitive." Rite-Way anticipated that its supplier will provide it with a prototype conforming axle in October 1975. It estimated that its engineering and test program will require 4 months to complete after receipt of the conforming axle. The company emphasized the financial constraints placed upon it because of its operation under Chapter XI.

Oshkosh Truck Corporation submitted a comment opposing the petition. Rite-Way's request was supported by the American-Coleman Company. No other comments were submitted. Oshkosh stated that it introduced a line of mixer chassis for front discharge mixers in April 1975 that will be used for mixers "manufactured by Challenge Cook, GMC, Jager, Rocket, and other mixer manufacturers," and "would be satisfactory for use with the Rite-Way mixer." American-Coleman supported the petition on the basis that Rite-Way "makes a very fine product" and that, in a survey it took Rite-Way "vehicles on the whole average over 80% of their time off-road. . . ."

As the NHTSA understands it, Rite-Way manufactures a completed motor vehicle, not just a mixer unit. The fact that Oshkosh produces a chassis upon which the Rite-Way front discharge mixer may be mounted does not appear truly responsive to the petitioner's problems. The cost of purchasing chassis from a competitor until it could meet Standard No. 121 with its own would be an added, currently unanticipated, expenditure. Since Rite-Way is operating under Chapter XI of the Bankruptcy Act, this expenditure might result in an inability to meet monthly payments on the plan of arrangement that has been agreed upon by its unsecured creditors, causing default, then liquidation. Use of the Oshkosh chassis would also appear to disallow disposition in production of the company's inventory of non-complying parts, resulting in a write-off that would also not be favorably looked upon by the company's creditors. Rite-Way's petition indicates, however, that if all goes well it will have completed successful testing of a conforming configuration by around March 1, 1976. It thus appears that a relatively short-term exemption, until June 1, 1976, would allow Rite-Way the time needed to introduce vehicles that conform to Standard No. 121, even if it does not wholly alleviate the inventory problem. Rite-Way's production is small (70 units a year) and its products' use of the roads apparently infrequent, so that this extension of its exemption should have little impact upon motor vehicle safety.

For the above reasons the Administrator has determined that compliance would cause the petitioner substantial economic hardship, and that a temporary exemption is in the public interest and consistent with the objectives of the National Traffic and Motor Vehicle Safety Act. Accordingly, NHTSA Exemption No. 75–7, from 49 CFR 571.121 Motor Vehicle Safety Standard No. 121, *Air Brake Systems*, is hereby extended until June 1, 1976.

(Sec. 3, Pub. L. 92–546, 86 Stat. 1159 (15 USC 1410); delegation of authority at 49 CFR 1.51)

Issued on December 23, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.75–35210 Filed 12–31–75;8:45 am]

FEDERAL RESERVE SYSTEM

AMERICAN BANCORP.

Acquisition of Bank

American Bancorporation, Columbus, Ohio, has amended its application dated April 30, 1974 (39 FR 21089) for the Board's approval under § 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire up to 91 per cent of the voting shares of The Eastern Ohio Bank, Union Township, Ohio (formerly The Morristown Bank). The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. 1842(c)). The application was previously amended; and notice of receipt of those amendments affording opportunity for interested persons to submit comments and views was duly given (40 FR 55719).

The application, as amended, may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Cleveland. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than January 15, 1976.

Board of Governors of the Federal Reserve System, December 29, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75–35187 Filed 12–31–75;8:45 am]

AMERICAN BANCORP.

Acquisition of Bank

American Bancorporation, Columbus, Ohio, has applied for the Board's approval under § 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 50 per cent and more (to a total of 77 per cent) of the voting shares of The American Bank of Central Ohio, Harrisburg, Ohio. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. 1842(c)).

Notice of the subject application was published in the FEDERAL REGISTER on September 27, 1973 (38 F.R. 27550). Additionally, in accordance with section 3(b) of the Act (12 U.S.C. 1842(b)), notice of receipt of subject application was duly given to the Superintendent of Banks of the State of Ohio. Within the time prescribed by law, the Superintendent submitted to the Board in writing his statement expressing disapproval of the application. Accordingly the Board, on October 25, 1973, ordered that a hearing be held on subject application pursuant to section 3(b) of the Act (38 F.R. 29650). The hearing thus ordered by the Board was commenced, but later terminated by consent of the parties—the Superintendent having preserved his right to submit written comments for the record. The application was previously amended; and notice of receipt of those amendments affording opportunity for interested persons to submit comments and views was duly given (39 F.R. 6562), (40 F.R. 52666).

Notice is hereby given that Applicant has amended subject application once again. These new amendments have been received by the Board and the application, as amended, may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Cleveland. Any person wishing to comment on the amended application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than January 15, 1976.

Board of Governors of the Federal Reserve System, December 29, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75–35188 Filed 12–31–75;8:45 am]

NORTHWEST OHIO BANCSHARES, INC.

Acquisition of Bank

Northwest Ohio Bancshares, Inc., Toledo, Ohio, has applied for the Board's approval under § 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of The Liberty State Savings Bank, Liberty Center, Ohio. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Cleveland. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than January 13, 1976.

Board of Governors of the Federal Reserve System, December 22, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75–35213 Filed 12–31–75;8:45 am]

NATIONAL SCIENCE FOUNDATION

POSTDOCTORAL ENERGY-RELATED FELLOWSHIPS EVALUATION SUBPANEL

Meeting

In accordance with the Federal Advisory Committee Act, P.L. 92–463, the National Science Foundation announces the following meeting:

Name: Postdoctoral Energy-Related Fellowships Evaluation Subpanel of the Advisory Panel for Science Education Projects.
Date: January 20–23, 1976.
Time: 3:30 p.m. on January 20; 9 a.m. on January 21–23.
Place: Joseph Henry Building, 21 & Pennsylvania Avenue, NW, Washington, D.C.
Type of meeting: Closed.
Contact Person: Dr. Hall Taylor, Program Manager, Postdoctoral Energy-Related Fellowships Program, Rm. 476, 5225 Wisconsin Avenue, NW., Washington, D.C. 20550.
Purpose of Advisory Panel: To provide advice and recommendations concerning applications for support in the Postdoctoral Energy-Related Fellowships Program.
Agenda: To review and evaluate specific applications as part of the selection process for awards.
Reason for Closing: The applications being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications. These matters are within the exemptions of 5 U.S.C. 552(b), (4), (5) and (6).
Authority to Close Meeting: The determination made on February 21, 1975, by the Director of the National Science Foundation pursuant to provisions of Section 10(d) of Public Law 92–463.

GAIL A. MCHENRY,
Acting Committee Management Officer.

[FR Doc.75–35185 Filed 12–31–75;8:45 am]

TASK GROUP NO. 12, ADVISORY COMMITTEE FOR RESEARCH

Meeting

In accordance with the Federal Advisory Committee Act, P.L. 92–463, the National Science Foundation announces the following meeting:

Name: Task Group #12, Advisory Committee for Research.
Date: January 19 and 20, 1976.
Time: 9:00 a.m. both days.
Place: Room 517, National Science Foundation, 1800 G Street, NW., Washington, D.C.
Type of meeting: Open.
Contact Person: Mr. Leonard F. Gardner, Executive Secretary, Advisory Committee for Research, Room 230, 1900 G Street, NW., Washington, D.C. 20550, telephone, 202/632–4278. Anyone planning to attend the meeting should inform Mr. Gardner prior to the meeting.
Purpose of Task Groups: To provide advice and recommendations on specific topics of interest to the full committee concerning research activities and potential in the United States and problems in the administration of research support. Task Group #12 will present its report to the committee's plenary session (tentatively scheduled for March 1976).
Agenda: To review and discuss the final report on the Evaluation of Three of the Biome Studies Programs funded under the Foundation's International Biological Program.

GAIL A. MCHENRY,
Acting Committee Management Officer.

[FR Doc.75–35186 Filed 12–31–75;8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

[N–AR 76–1]

ACCIDENT REPORT; SAFETY RECOMMENDATIONS AND RESPONSES

Availability and Receipt

Highway Accident Report. The National Transportation Safety Board has released its report concerning a series of collisions involving some 60 automobiles and 24 commercial trucks. The collisions occurred in fog on the Los Angeles freeway near Corona, California, February 28, 1975. The report, No. NTSB–HAR–75–7 released December 23, indicates that the probable cause of the collisions was the penetration of vehicles into fog at speeds which were too high for the visibility conditions. The Safety Board further found that the drivers had no advance information to warm them of the fog's severity and that a reduced speed limit had not been posted. As a result of the investigation of this accident, the Board issued on December 2 seven safety recommendations—Nos. H–75–32 through H–75–36 to the National Highway Traffic Safety Administration and Nos. H–75–37 and H–75–38 to the Business and Transportation Agency of California. (See 40 FR 57726.)

Safety Recommendations. On May 13, 1975, while a Rohr Industries' prototype bus was being road tested near Phoenix, Arizona, a fire which apparently started in the rear engine compartment of the bus spread to the passenger compartment. The bus was destroyed. After investigating the accident, the Safety Board recommended that the Urban Mass Transportation Administration burn one or more of the prototype buses to establish the rate at which nonlife-supporting environments develop in the bus' passenger compartment. The recommended fire test should simulate actual traffic accident involvement, and all combustible materials should be pretested to determine their ability to meet Federal Motor Vehicle Safety Standard 302, "Flammability of Interior Materials," according to the Board. (Recommendation H–75–39.) The Board recommended that the National Highway Traffic Safety Administration develop Federal Motor Vehicle Safety Standards to:

(1) Require that all trucks and buses are designed so that one person could gain access to the engine and related components within 1 minute without the assistance of power-assist mechanisms;

(2) Prohibit the use in the engine compartment of rear-engine buses of any fluid, except for those essential to propulsion, with an autoignition temperature less than the surface temperatures of the operating engine components;

(3) Require that all buses with propulsion engines mounted to the rear of the driver's seat be equipped with a fire alarm or automatic fire suppression system in the engine compartment;

(4) Require that all buses be equipped with a fire wall of noncombustible material between the passenger and the engine compartments which will provide sufficient fire protection for occupants to assure their successful evacuation;

(5) Limit the quantity of combustible materials permitted in engine compartments of rear engine buses. (Recommendations H–75–40 through H–75–44.) The Board further recommended to the Bureau of Motor Carrier Safety that 49 CFR 393.95, "Emergency Equipment on All Power Units," be amended to require that all extinguishers be equipped with a flexible hose between the extinguishing medium's container and the outlet nozzle, of sufficient length to improve efficiency in fighting fires that are not directly accessible. (Recommendation H–75–45.) Finally, the Board recommended that the National Association of Motor Bus Owners and the American Trucking Associations, Inc., encourage member companies to train their drivers to fight actual motor vehicle fires using vehicles which have been scrapped or have been classified as obsolete. (Recommendation H–75–46.) The four recommendation letters were issued December 23.

Responses to Safety Recommendations. Recently received were the following letters from addressees of earlier Safety Board recommendations:

From the Federal Aviation Administration re recommendations A–75–74 through 77 (40 FR 42247), letter dated December 4, 1975. Responsive to recommendation A–75–74, FAA concurs with the Board in that the VOR/DME Runway 12, Jeppesen, and National Ocean Survey (NOS) charts in use at Dulles Airport on December 1, 1974, were properly constructed and met the standards specified in the FAA Form 8260–5, but FAA states, "There are recognized differences between the styles and format of the Jeppesen & Company charts and those prepared by Government charting agencies, namely NOS and the Defense Mapping Agency Aerospace Center. We do not have any evidence that these differences have contributed to any confusion of hazardous condition or led to misunderstanding between pilot and air

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traffic controller." Re A–75–75, FAA will consider revising Advisory Circular AC 211.2, Recommended Standards for IFR Aeronautical Charts. Commenting on A–75–76, FAA states, "In many instances, charting specifications represent the preferences of cartographers, pilots, pilot groups, airlines, and airline groups. Complete agreement is, in our view, not possible nor necessary." Concerning A–75–77, FAA does not agree that the IACC–4 Manual should be established as a mandatory reference in the development or revision of an instrument approach procedure, stating, "The greatest value of the IACC–4 Manual to the FAA field specialist is its use as a reference document when reviewing completed instrument approach charts."

From the Federal Aviation Administration re recommendation A–75–50, letter dated December 5. FAA advises that Airworthiness Directive AD–75–24–22, Amendment 39–2422, was issued with an effective date of November 21, 1975. A copy of the AD is attached to the letter. (See 40 FR 25861 for report of issuance of the recommendation.)

From the U.S. Civil Service Commission re recommendation H–75–27, (40 FR 51692), letter dated December 10. CSC encloses a copy of the Civil Service Commission Bulletin, No. 930–18, bringing to the attention of the heads of departments and agencies the importance of enforcing physical standards for Motor Vehicle Operators. The Bulletin is dated November 28, 1975.

The accident report and the recommendation letters are available to the general public; single copies may be obtained without charge. A $4.00 user-service charge will be made for each recommendation response letter, in addition to a charge of 10¢ per page for reproduction. All requests must be in writing, identified by report and/or recommendation number and date of publication of this FEDERAL REGISTER notice. Address inquiries to: Publications Unit, National Transportation Safety Board, Washington, D.C. 20594.

Multiple copies of reports may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

(Secs. 304(a)(2) and 307 of the Independent Safety Board Act of 1974 (Pub. L. 93–633, 88 Stat. 2169, 2172 (49 U.S.C. 1903, 1906)))

MARGARET L. FISHER,
Federal Register Liaison Officer.

DECEMBER 29, 1975.

[FR Doc.75–35222 Filed 12–31–75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–321]

GEORGIA POWER CO. AND OGLETHORPE ELECTRIC MEMBERSHIP CORP.

Notice of Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 26 to Facility Operating License No. DPR–57 issued to Georgia Power Company, Oglethorpe Electric Membership Corporation which revised Technical Specifications for operation of the Edwin I. Hatch Nuclear Plant, Unit 1, located in Appling County, Georgia. The amendment is effective as of its date of issuance.

The amendment revises the exposure period of thermoluminescent dosimeters used to measure external radiation in regimes II and III from eight and four weeks respectively to thirteen weeks. The amendment also clarifies the reporting of radioactive effluent releases from the facility.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated October 10, 1975, and (2) Amendment No. 26 to License No. DPR–57 with Change No. 25. Both of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Appling County Public Library, Parker Street, Baxley, Georgia.

Dated at Bethesda, Maryland, this 22d day of December, 1975.

For the Nuclear Regulatory Commission.

GEORGE W. KNIGHTON,
Chief, Environmental Projects Branch 1, Division of Reactor Licensing.

[FR Doc.75–35241 Filed 12–31–75;8:45 am]

POSTAL RATE COMMISSION

[Docket No. R 76–1]

POSTAL RATES AND FEES

Changes, 1975

DECEMBER 23, 1975.

Notice is hereby given that on December 19, 1975, the United States Postal Service filed in Docket No. R76–2 a Request for a recommended decision on changes in rates of postage and fees for postal services, pursuant to section 3622 of the Postal Reorganization Act (39 U.S.C. 3622).

The proposed changes in rates of postage and fees for postal services of this Request are identical in every respect with the Request filed with the Commission on September 18, 1975 (40 FR 44044 *et seq.*, September 24, 1975). In Order No. 106, issued today, the Commission has ruled that this latest Request, which reflects the fact that the Board of Governors has considered the specific rates and fees connected with the Request, will be treated as the "first amendment" to the filing made on September 18, 1975, Docket No. R76–1.

[SEAL] JAMES R. LINDSAY,
Secretary.

[FR Doc.75–35171 Filed 12–31–75;8:45]

[Docket No. R76–1]

POSTAL RATES AND FEES

Changes, 1975

DECEMBER 23, 1975.

Notice is hereby given that on December 23, 1975, the Presiding Officer approved the following order reinstituting consideration of the request for a recommended decision and amending the procedural schedule.

[SEAL] JAMES R. LINDSAY,
Secretary.

PRESIDING OFFICER'S ORDER REINSTITUTING CONSIDERATION OF REQUEST FOR RECOMMENDED DECISION AND AMENDING PROCEDURAL SCHEDULE

Following the decision of the United States District Court for the District of Columbia in *Associated Third Class Mail Users v. United States Postal Service, et al.*, D.D.C. Civil Action No. 75–1809 (December 16, 1975), consideration of the request for recommended decision pending in this docket was suspended by order of the Presiding Officer. In that same order the procedural schedule in Docket No. R76–1 was likewise suspended, but the parties were advised that any resumed proceedings would continue to be conducted on an expedited schedule. *See* Order of Presiding Officer dated December 17, 1975.

On December 19, 1975, the United States Postal Service filed a document consisting of a literal reproduction of its original request and supporting materials, altered only by the addition of a statement that the Governors of the Postal Service had considered the specific rates and underlying data and documentation. This action was undertaken in order to comply with the District Court decision cited above. When filed, the document was assigned the docket number R76–2. However, in view of its substantive identity with the original request in Docket No. R76–1, the Commission, by an order being issued today, has determined to treat it as the "First Amendment" to Docket No. R76–1 and to terminate Docket No. R76–2.

The December 19 filing states, in pertinent part:

"Pursuant to chapter 36 of title 39, United States Code, the United States Postal Service has determined that changes in rates of postage and fees for postal services would be in the public interest and in accordance with the policies of that title. Accordingly, the Postal Service requests the Postal Rate Commission to make and submit to the Governors of the Postal Service a recommended decision on changes in rates of postage and fees for postal services.

"This request is submitted pursuant to the direction of the Board of Governors of the United States Postal Service, following consideration by the Board of the specific proposed rates and fees shown on the attached schedule A, together with supporting data and documentation. * * *"

Thus it appears that the Governors have now taken the action necessary to a valid request for a recommended decision by this Commission. Inasmuch as the obstacle to Commission consideration of the request which the District Court found has now been removed, it becomes appropriate to resume consideration of Docket No. R76–1.[1]

By our Order No. 102, issued November 24, 1975, we directed that, if the issue of jurisdiction over special service fees was resolved by the District Court in favor of the existence of jurisdiction, the Service would within five days thereafter file evidence supporting the fees described in Attachment I to its September 18 filing. The Court has now so resolved the jurisdictional issue, and the Postal Service should therefore provide the evidence referred to.

When proceedings were suspended by the Presiding Officer's order of December 17, it was uncertain how long a time would elapse before they could be resumed. In view of the fact that less than a week has passed since the suspension, there would appear to be no necessity to change the dates set forth in Order No. 94, or subsequent procedural orders, with two exceptions: (1) the deadline for the filing of evidence by the participants (currently fixed at December 29, 1975) will be extended to January 7, 1976; and (2) the response to the Third Notice of Inquiry, otherwise due on December 22, 1975, will be due on January 7, 1976, and reply comments on January 30, 1976. The new deadline for direct evidence will still permit all such evidence to be filed before cross-examination begins. All other dates, including the January 5, 1976, prehearing conference, remain as specified in Order No. 94 or subsequent scheduling orders.

It is ordered that:

(A) Consideration of the Request for Recommended Decision in Docket No. R76–1, as amended, is reinstituted, and the order suspending consideration issued December 17, 1975 is vacated.

(B) The procedural dates specified in Order No. 94, as supplemented or modified by subsequent procedural orders, are reinstated; *Provided*, that the testimony and exhibits heretofore required to be filed on or before December 29, 1975, shall instead be filed on or before January 7, 1976; and the response to the Third Notice of Inquiry, heretofore required to be filed on or before December 22, 1975, shall instead be filed on or before January 7, 1976, with reply comments thereon to be filed on or before January 30, 1976.

CLYDE S. DUPONT,
Chairman,
Presiding Officer.

[FR Doc.75–35172 Filed 12–31–75;8:45 am]

[Docket Nos. R76–1, R76–2; Order 106]

POSTAL RATE AND FEE CHANGES, 1975

Order Reassigning Docket Number and Terminating Docket

DECEMBER 23, 1975.

On December 17, 1975, following entry of summary judgment for plaintiff in *Associated Third Class Mail Users v. United States Postal Service, et al.*, D.D.C. Civil Action No. 75–1809, consideration of the United States Postal Service's request for a recommended decision on rates and fees was suspended by order of the Presiding Officer in Docket No. R76–1. Thereafter, while simultaneously seeking appellate review, and a stay, of the District Court's decision, the Postal Service also filed with the Commission, on December 19, 1975, a renewed request for a recommended decision. This request was assigned Docket No. R76–2.[2]

Upon examination of the December 19 filing, it appears that it is an identical and complete copy of the voluminous request in Docket No. R76–1, originally filed on September 18, 1975,[3] with the addition of a statement that

> This request is submitted pursuant to the direction of the Board of Governors of the United States Postal Service, following consideration by the Board of the specific proposed rates and fees shown on the attached schedule A, together with supporting data and documentation. This action by the Board was taken in accordance with the opinion of December 16, 1975 of the United States District Court for the District of Columbia in the case of *Associated Third Class Mail Users, et al. v. United States Postal Service, et al.* (Civil Action No. 75–1809, Sirica, J.) * * *

For our purposes, therefore, the December 19 filing is essentially an amendment to the original request filed on September 18. While it is clear that the filing could properly be treated as a new, independent request for a recommended decision, we believe that under these circumstances, it will be more efficient administratively to treat it formally as the "First Amendment" to the request in Docket No. R76–1 than to continue it as a separate docket. Accordingly, we are hereby designating the December 19 filing as the First Amendment to Docket No. R76–1 and terminating Docket No. R76–2. By so doing, we are dealing with the form rather than the substance of the December 19 request. We are not thereby affecting its viability as an independent request, if the ultimate judicial decision is that the September request was invalid. It should be clear, therefore, that this procedural action is not a rejection of the December 19 request, but rather an administrative determination which will aid the expeditious disposition of the Service's rate request. We will thus avoid another redundant cycle of pleadings and discovery.

We intimate no views as to the effect of this filing on the proper date for initiation of temporary rates. Effectuation of temporary rates is not a matter requiring Commission action. Appropriate disposition of the filing (i.e., a recommended decision by the Commission on permanent mail rates and fees) does not depend on the resolution of this question, which in any event involves matters not subject to our jurisdiction.

The Commission orders:

(A) The filing made by the Postal Service on December 19, 1975, and heretofore designated as Docket No. R76–2, is hereby redesignated as the First Amendment to Docket No. R76–1 and shall be treated for all purposes before the Postal Rate Commission as a subsequently-filed part of that Docket.

(B) Docket No. R76–2 is hereby terminated.

By the Commission.[4]

[SEAL] JAMES R. LINDSAY,
Secretary.

[FR Doc.75–35173 Filed 12–31–75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500–1]

CANADIAN JAVELIN, LTD.

Notice of Suspension of Trading

DECEMBER 24, 1975.

The common stock of Canadian Javelin, Ltd. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Canadian Javelin, Ltd. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from December 25, 1975, through January 3, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75–35215 Filed 12–31–75;8:45 am]

[File No. 500–1]

CONTINENTAL VENDING MACHINE CORP.

Notice of Suspension of Trading

DECEMBER 24, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Vending Machine Corporation being traded otherwise than

[1] We do not address the issue of temporary rates, which—while passed upon in the District Court decision—is outside the Commission's jurisdiction. Thus the resumption of proceedings in Docket No. R76–1, as amended, does not imply any view as to the date on which the Postal Service may lawfully impose temporary rates.

[2] The filing was actually delivered by Postal Service counsel shortly after the official closing of our offices on December 19. However, since a good faith effort was made to deliver it before closing, and responsible Commission personnel were present to receive it, we believe it proper to treat the filing as made on the day of actual delivery. *See* Yohalem v. Washington Metropolitan Area Transit Commission, 412 F. 2d 1134 (D.C. Cir., 1969).

[3] This request was filed with the Commission pursuant to the provisions of the Postal Reorganization Act of 1970, 39 U.S.C. 101, 3622(a).

[4] Commissioner Saponaro *dissenting*, prepared a separate statement filed as part of the original document.

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on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 26, 1975, through January 4, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.75-35216 Filed 12-31-75;8:45 am]

[File No. 500-1]

TRANSJERSEY BANCORP

Notice of Suspension of Trading

DECEMBER 23, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Transjersey Bancorp being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 24, 1975, through January 2, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.75-35217 Filed 12-31-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

LENDING INSTITUTIONS PARTICIPATING WITH SBA

Maximum Interest Rates

Notice is given that the Small Business Administration ("SBA") has established the maximum rates of interest that lending institutions participating with SBA may charge on loans approved by SBA on or after January 1, 1976, under Section 7 of the Small Business Act, as amended, and Section 502 of the Small Business Investment Act, as amended.

Effective January 1, 1976, the maximum rate of interest acceptable to SBA on a guaranteed loan or guaranteed revolving line of credit shall be ten and three-fourth percent (10¾%) a year, and the maximum rate on an immediate participation loan shall be nine and three-fourth percent (9¾%) a year. These maximum interest rates are unchanged from those published in the FEDERAL REGISTER on October 10, 1975 (40 F.R. 47842), and shall remain in effect until notification of a change is issued by SBA.

The "SBA Optional Peg Rate" for the quarter-year beginning January 1, 1976, will be eight and one-eighth percent (8⅛%) a year. This is an optional "peg" rate for use in connection with fluctuating interest rate loans made in participation with SBA.

This notice is issued under 13 CFR 120.3(b) (2) (iv).
(Catalog of Federal Domestic Assistance Programs:

No. 59.012	Small Business Loans
No. 59.013	State and Local Development Company Loans
No. 59.014	Coal Mine Health and Safety Loans
No. 59.017	Meat and Poultry Inspection Loans (Consumer Protection Loans)
No. 59.018	Occupational Safety and Health Loans
No. 59.001	Displaced Business Loans
No. 59.008	Economic Opportunity Loans for Small Business)

Dated: December 24, 1975.

LOUIS P. LAUN, *Acting Administrator.*

[FR Doc.75-35174 Filed 12-31-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 942]

ASSIGNMENT OF HEARINGS

DECEMBER 29, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 12826 (Sub-No. 2), Travel Conventions International, Inc., now being assigned February 19, 1976 (2 days), at Portland, Oregon, in a hearing room to be later designated.

W-1289 (Sub-No. 1), RAZ Inland Navigation Co., Inc., now being assigned February 23, 1976 (1 week), at Portland, Oregon; in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-35228 Filed 12-31-75;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

DECEMBER 29, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination* Rules (49 CFR 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before January 12, 1976. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 70015 (Sub-No. E1), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between points in Ohio, on the one hand, and, on the other, points in Missouri on and south of a line beginning at the Mississippi River and extending along U.S. Highway 60 to Springfield, Mo., thence along U.S. Highway 66 to the Missouri-Kansas State line. The purpose of this filing is to eliminate the gateway of Indianapolis, Indiana and Cairo, Illinois.

No. MC 70015 (Sub-No. E3), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between Anderson, Ind., and points within a 50 mile radius thereof, on the one hand, and, on the other, points in Hancock, Marshall, Brooke, and Ohio Counties, W. Va. The purpose of this filing is to eliminate the gateway of Steubenville, Ohio.

No. MC 70015 (Sub-No. E4), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between points in Illinois on and north of U.S. Highway 36, on the one hand, and, on the other, points in West Virginia on, north and east of U.S. Highway 250. The purpose of this filing is to eliminate the gateways of Indianapolis, Indiana and Steubenville, Ohio.

No. MC 70015 (Sub-No. E5), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between points in Kentucky on and west of a line beginning at the Indiana-Kentucky State line and extending along U.S. Highway 421 to junction U.S. Highway 27, thence along U.S. Highway 27 to Danville, Kentucky, thence along U.S. Highway 150 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Tennessee-Kentucky State line, on the one hand, and, on the other, points in Michigan. The purpose of this filing is to eliminate the gateway of Indianapolis, Inc.

No. MC 70015 (Sub-No. E9), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between points in Ohio, on the one hand, and, on the other, points in Missouri on and south of a line beginning at the Mississippi River and extending along Missouri Highway 34 to junction U.S. Highway 60, thence along U.S. Highway 60 to Interstate Highway 44, thence along Interstate Highway 44 to the Kansas-Ohio State line. The purpose of this filing is to eliminate the gateway of Indianapolis, Ind., and Cairo, Ill.

No. MC 70015 (Sub-No. E11), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between points in Kentucky on the one hand, and, on the other, Chicago, Ill. The purpose of this filing is to eliminate the gateway of Indianapolis, Ind.

No. MC 70015 (Sub-No. E13), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between Kentucky on the one hand, and, on the other, Chicago, Ill. The purpose of this filing is to eliminate the gateway of Indianapolis, Ind.

No. MC 70015 (Sub-No. E15), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between points in Illinois on and south of U.S. Highway 40, on the one hand, and, on the other, points in Michigan. The purpose of this filing is to eliminate the gateway of Indianapolis, Ind.

No. MC 70015 (Sub-No. E16), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between points in Pennsylvania on and south of U.S. Highway 22 on the one hand, and, on the other, Chicago, Ill. The purpose of this filing is to eliminate the gateways of Steubenville, Ohio and Indianapolis, Ind.

No. MC 70015 (Sub-No. E19), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between points in Ohio on and north of Interstate Highway 70, on the one hand, and, on the other, points in Kentucky bounded on and west of a line beginning at the Kentucky-Indiana State line and extending along Kentucky Highway 69 to junction with the Bowling Green Expressway to Interstate Highway 65, and thence along Interstate Highway 65 to the Tennessee-Kentucky State line. The purpose of this filing is to eliminate the gateway of Indianapolis, Ind.

No. MC 70015 (Sub-No. E21), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between Martins Ferry, Ohio on the one hand, and, on the other, St. Joseph, Michigan. The purpose of this filing is to eliminate the gateway of Indianapolis, Ind.

No. MC 70015 (Sub-No. E23), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between points in Lake and Cook Counties, Illinois on the one hand, and, on the other, points in Butler, Stoddard, Mississippi, New Madrid, Dunklin, and Pemescott Counties, Missouri. The purpose of this filing is to eliminate the gateway of Indianapolis, Ind., and Cairo, Ill.

No. MC 70015 (Sub-No. E24), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between points in Ohio, on the one hand, and, on the other, points in Illinois on and south of Illinois Highway 9. The purpose of this filing is to eliminate the gateway of Indianapolis, Ind.

No. MC 70015 (Sub-No. E25), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between points in Ohio on and south of U.S. Highway 30 on the one hand, and, on the other, points in Illinois on and south of U.S. Highway 24. The purpose of this filing is to eliminate the gateway of Indianapolis, Ind.

No. MC 70015 (Sub-No. E26), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between points in Ohio on and south of Interstate Highway 70 on the one hand, and, on the other, points in Illinois. The purpose of this filing is to eliminate the gateway of Indianapolis, Ind.

No. MC 70015 (Sub-No. E31), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between points in Pennsylvania on and north of a line beginning at the Pennsylvania-Ohio State line and extending along Interstate Highway 70 to junction

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Interstate Highway 76, thence along Interstate Highway 76 to the Pennsylvania-New Jersey State line (except points in Erie, County, Pa.), on the one hand, and, on the other, points in Kentucky on and west of Interstate Highway 65. The purpose of this filing is to eliminate the gateways of Steubenville, Ohio and Indianapolis, Ind.

No. MC 70015 (Sub-No. E28), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between points in Lake and Cook Counties, Illinois on the one hand, and, on the other, points in that part of Tennessee bounded on the west by U.S. Highway 41 and Alternate U.S. Highway 41 (formerly U.S. Highway 41W), and on the east by a line beginning at the Tennessee-Georgia State line and extending along U.S. Highway 11 to junction unnumbered highway (formerly portion U.S. Highway 11), thence along unnumbered highway through Athens, Tenn., to junction U.S. Highway 11, thence along U.S. Highway 11 to junction U.S. Highway 11W, thence along U.S. Highway 11W to Kingsport, Tenn., thence along unnumbered highway (formerly portion U.S. Highway 11W) through Blountville, Tenn., to the Tennessee-Virginia State line. The purpose of this filing is to eliminate the gateways of Indianapolis, Ind., and Louisville, Ky.

No. MC 70015 (Sub-No. E36), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, between Anderson, Ind., and points with a 50 mile radius thereof, on the one hand, and, on the other, points in Missouri on and south of a line beginning at the Mississippi River and extending along U.S. Highway 60 to junction U.S. Highway 66, thence along U.S. Highway 66 to the Kansas-Missouri State line. The purpose of this filing is to eliminate the gateway of Cairo, Illinois.

No. MC 70015 (Sub-No. E38), filed June 6, 1974. Applicant: JIFFY VANS MOVING AND STORAGE, 6575 E. Pleasant Run Parkway S. Dr., Indianapolis, Ind. 46219. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, points in Ohio on and south of U.S. Highway 35 on the one hand, and, on the other, points in Illinois on and south of U.S. Highway 24. The purpose of this filing is to eliminate the gateway of Indianapolis, Ind.

No. MC 92983 (Sub-No. E26), filed June 4, 1974. Applicant: AMERICAN BULK TRANSPORT CO., 818 Grand Ave., PO Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Crude cottonseed and soybean oils*, in bulk, in tank vehicles, from Coffeyville, Topeka, Emporia, and Kansas City, Kans., to Champaign, Ill.; (B) *Crude cottonseed and soybean oils* (except when used as a feed ingredient), in bulk, in tank vehicles, (1) from Coffeyville, Kans., to points in Illinois located in, south, and east of Pike, Brown, Schuyler, Fulton, Knox, Henry, Whiteside, Carroll, and Jo Daviess Counties (except Jacksonville and Champaign), and to points in Ohio, (2) from Topeka and Kansas City, Kans., to points in Illinois located in, south, and west of Jersey, Greene, Scott, Morgan, Cass, Mason, Tazewell, Peoria, Stark, Bureau, Lee, Ogle, and Winnebago Counties (except Champaign), and to points in Ohio, and (3) from Emporia, Kans., to points in Illinois located in, south, and east of Calhoun, Greene, Scott, Morgan, Cass, Mason, Tazewell, Peoria, Stark, Bureau, Lee, Ogle, and Stephenson Counties (except Champaign and Jacksonville) and to points in Ohio; (C) *Acids* and *liquid chemicals* (except those derived from petroleum and petroleum products), in bulk, in tank vehicles, from Olathe, Kans., to points in Texas (except Harris, Jefferson, and Orange Counties); (D) *Liquid chemicals*, in bulk, in tank or hopper vehicles, from Olathe, Kans., to points in Rhode Island; (E) *Such fats and oils and blends and products* thereof (as are embraced within chemicals) (except those derived from petroleum, soap products, and paint), in bulk, in tank vehicles, from Olathe, Kans., to points in Florida; (F) *Acids* and *chemicals*, in bulk, in tank or hopper vehicles, from Olathe, Kans., to points in Michigan (except Ontonagon and Gogebic Counties).

(G) *Arsenic acid*, in bulk, in tank vehicles and *agricultural insecticide*, in bulk, in hopper vehicles, from Olathe, Kans., to points in Alabama (except Bay Minette); (H) *Acids* and *chemicals*, in bulk, in tank or hopper vehicles, (1) from Olathe, Kans., to points in Minnesota located in and east of St. Louis and Carlton Counties and points located on and east of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 63 to unnumbered highway, thence along unnumbered highway through Theilman and Plainview to the western boundary of Winona County, thence along the western boundary of Winona County to Fillmore County, thence along the northern and western boundary of Winona County to the Minnesota-Iowa State line, and to points in Wisconsin located on and east of a line beginning at Danbury located on the St. Croix River and extending along Wisconsin Highway 35 to junction Wisconsin Highway 46, thence along Wisconsin Highway 46 to junction U.S. Highway 63, thence along U.S. Highway 63 to the Minnesota-Wisconsin State line, and (2) from Olathe, Kans., to points in Mississippi and Tennessee; (I) *Acids* and *chemicals* (except cryogenic liquids), in bulk, in tank or hopper vehicles, from Olathe, Kans., to points in Minnesota located in, north, and west of Nobles, Murray Redwood, Renville, Meeker, Stearns, Benton, Millelacs, Aitkin, St. Louis, Lake, and Cook Counties; (J) *Liquid chemicals*, in bulk, in tank or hopper vehicles, from Olathe, Kans., to points in Texas located in and south of Cochran, Hockley, Lynn, Garza, Kent, Fisher, Jones, Shackelford, Stephens, Palo Pinto, Tarrent, Dallas, Rockwall, Kaufman, Van Zandt, Rains, Wood, Camp, Titus, Morris, and Bowie Counties and those portions of Lubbock County on and west of U.S. Highway 87 including the Lubbock commercial zone; (K) *Corn syrup* and *liquid sugar*, in bulk, in tank vehicles, from Ottawa, Kans., to Cedar Rapids, Iowa, and Roby, Ind.; (L) *Sugar* and *syrup*, in bulk, in tank vehicles, from Ottawa, Kans., to points in California, Washington, and Oregon; (M) *Beverages* and *spirits* (except spirits classified as chemicals to Lockland, Ohio), in bulk, in tank vehicles, from Atchison, Kans., to Louisville, Ky., and Kings Mills and Lockland, Ohio.

(N) *Chemicals* (except liquid chemicals and petroleum chemicals), in bulk, in tank vehicles, from points in Kansas located in and north of Miami, Douglas, Shawnee, Pottawatomie, Marshall, and Washington Counties to Dallas, Tex.; (O) *Chemicals* (except liquid chemicals, petroleum chemicals, and dry phosphate, from Lawrence, Kans.), in bulk, in tank vehicles, (1) from points in Kansas located in, west, and south of Linn, Anderson, Coffey, Lyon, Morris, Marion, Saline, Lincoln, Russell, Rooks, Graham, Sheridan, Thomas, and Rawlins Counties (except Wichita), to points in Massachusetts located in and east of Middlesex, Norfolk, and Bristol Counties, and (2) from points in Kansas located in and south of Sherman, Logan, Gove, Ness, Rush, Pawnee, Stafford, Reno, Sedgwick, Cowley, and Chautauqua Counties (except Wichita), to points in Massachusetts; (P) *Chemicals* (except liquid chemicals and petroleum chemicals), in bulk, in tank vehicles, from points in Kansas to points in Ohio, North Carolina, and South Carolina; (Q) *Chemicals* (except liquid chemicals, petroleum chemicals, and dry phosphate, from Lawrence, Kans.), in bulk, in tank vehicles, (1) from points in Kansas (except Crawford, Neosho, Wilson, Cherokee, Labette, Montgomery, and Chautauqua Counties and except Olathe and Wichita), to points in Kentucky, and (2) from points in Kansas (except Olathe and Wichita), to points in Kentucky located in and east of Daviess, Ohio, Butler, Warren, and Allen Counties; (R) *Chemicals* (except liquid chemicals and petroleum chemicals), in bulk, in tank vehicles, from points in Kansas to points in Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Virginia, and West Virginia.

(S) *Chemicals* (except liquid chemicals, petroleum chemicals, and dry phosphate, from Lawrence, Kans.), in bulk, in tank vehicles, (1) from points in Kansas located in and east of Leavenworth, Douglas, Osage, Lyon, Chase, Butler, Sedgwick, Sumner, and Harper Counties (except Olathe and Wichita), to points in Minnesota, (2) from points in Kansas located in and south of Atchison, Jackson, Pottawatomie, Riley, Geary, Dickinson, Ottawa, Lincoln, Russell, Ellis, Ness, Lane, Scott, Wichita, and Greeley Counties (except Olathe and Wichita), to points in Minnesota located in and east of Faribault, Blue Earth, Nicollet, Sibley, McLeod, Wright, Stearns, Morrison, Cass, Hubbard, Beltrami, and Lake of the Woods Counties, (3) from points in Kansas located in and east of Brown, Jackson, Shawnee, Osage, Coffey, Greenwood, Elk, and Chautauqua Counties (except Olathe), to points in Wyoming, (4) from points in Kansas located in and east of Nemaha, Pottawatomie, Wabaunsee, Morris, Chase, Butler, and Cowley Counties (except Olathe), to points in Wyoming located in and west of Sheridan, Big Horn, Washakie, Fremont, Lincoln, and Uinta Counties, (5) from points in Kansas located in and east of Marshall, Riley, Geary, Morris, Chase, Butler, and Cowley Counties (except Olathe) to points in Idaho, (6) from points in Kansas located in and east of Washington, Clay, Dickinson, Marion, Harvey, Sedgwick, and Sumner Counties (except Olathe and Wichita), to points in Idaho located in and north of Canyon, Ada, Boise, Valley, and Lemhi Counties, (7) from points in Kansas located in and east of Brown, Jackson, Shawnee, Wabaunsee, Lyon, Chase, Butler, and Cowley Counties (except Olathe), to points in Montana, (8) from points in Kansas located in and east of Washington, Clay, Ottawa, Saline, McPherson, Reno, Kingman, and Harper Counties (except Olathe and Wichita), to points in Montana located in and west of Ravalli, Granite, Deer Lodge, Silver Bow, Jefferson, Lewis and Clark, Cascade, Chouteau, and Hill Counties, (9) from points in Kansas located in and east of Leavenworth, Douglas, Franklin, Anderson, Woodson, Wilson, Montgomery, and Chautauqua Counties (except Olathe), to points in South Dakota, (10) from points in Kansas located in and east of Atchison, Jefferson, Shawnee, Osage, Lyon, Greenwood, Elk, and Cowley Counties (except Olathe), to points in South Dakota located in and west of Brown, Faulk, Potter, Sully, Hughes, Stanley, Jones, Jackson, Washabaugh, and Shannon Counties, (11) from points in Kansas located in and east of Atchison, Jefferson, Shawnee, Osage, Lyon, Chase, Butler, Sedgewick, Sumner, and Harper Counties (except Olathe and Wichita), to points in North Dakota.

(12) from points in Kansas located in and east of Washington, Clay, Dickinson, Saline, McPherson, Reno, Kingman, and Harper Counties (except Olathe and Wichita), to points in Oregon, (13) from points in Kansas located in and east of Republic, Cloud, Ottawa, Lincoln, Ellsworth, Rice, Stafford, Pratt, and Barber Counties (except Olathe and Wichita), to points in Oregon located in and west of Multinomah, Clackamas, Marion, Linn, Lane, Douglas, and Coos Counties, (14) from points in Kansas located in and east of Republic, Cloud, Clay, Dickinson, Morris, Chase, Greenwood, Wilson, and Montgomery Counties (except Olathe), to points in Arizona, (15) from points in Kansas located in and east of Marshall, Riley, Geary, Morris, Chase, Butler, and Cowley Counties (except Olathe), to points in Nevada, (16) from points in Kansas located in and east of Marshall, Pottawatomie, Wabaunsee, Lyon, Coffey, Woodson, Wilson, and Montgomery Counties (except Olathe), to points in Utah, (17) from points in Kansas located in and east of Republic, Cloud, Ottawa, Saline, Marion, Butler, Elk, and Chautauqua Counties (except Olathe), to points in California, (18) from points in Kansas located in and east of Nemaha, Jackson, Shawnee, Douglas, Franklin, Anderson, Bourbon, Crawford, and Cherokee Counties (except Olathe), to points in New Mexico, (19) from points in Kansas located in and east of Marshall, Riley, Wabaunsee, Lyon, Coffey, Woodson, Neosho, and Labette Counties (except Olathe), to points in New Mexico located in and south of McKinley, Valencia, Socorro, Otero, and Eddy Counties, (20) from points in Kansas (except Crawford, Neosho, Wilson, Cherokee, Labette, Montgomery, and Chautauqua Counties and except Olathe and Wichita), to points in Illinois, (21) from points in Kansas (except Olathe and Wichita), to points in Illinois located in and north of Madison, Bond, Fayette, Clay, Richland, and Lawrence Counties, (22) from points in Kansas located in and east of Wyandotte, Johnson, Douglas, Osage, Lyon, Greenwood, Butler, and Cowley Counties (except Olathe), to points in Iowa, (23) from points in Kansas located in and south of Wallace, Logan, Gove, Trego, Ellis, Russell, Lincoln, Ottawa, Clay, Riley, Pottawatomie, Shawnee, Jefferson, and Leavenworth Counties (except Olathe and Wichita), to points in Iowa located in and east of Worth, Cerro Gordo, Franklin, Hardin, Marshall, Jasper, Marion, Monroe, and Appanoose Counties.

(24) From points in Kansas (except Olathe and Wichita), to points in Iowa located in and east of Winneshiek, Clayton, Delaware, Jones, Cedar, and Muscatine Counties, (25) from points in Kansas located in and east of Wyandotte, Johnson, Miami, Anderson, Allen, Neosho, and Montgomery Counties to points in Nebraska, (26) from points in Kansas located in and east of Nemaha, Jackson, Jefferson, Douglas, and Miami Counties (except Olathe), to points in Oklahoma, (27) from points in Kansas located in and east of Nemaha, Jackson, Shawnee, Douglas, Franklin, Anderson, Allen, Bourbon, Crawford, and Cherokee Counties (except Olathe), to points in Colorado located in and west of Weld, Adams, Arapahoe, Douglas, El Paso, Pueblo, and Las Animas Counties, (28) from points in Kansas located in and north of Miami, Franklin, Osage, Lyon, Chase, Marion, McPherson, Rice, Barton, Pawnee, Hodgeman, Finney, Kearney, and Hamilton Counties (except Olathe), to points in Arkansas, and (29) from points in Kansas located in, north, and west of Linn, Anderson, Woodson, Greenwood, Butler, Sedgwick, Kingman, Pratt, Kiowa, and Commanche Counties (except Olathe and Wichita), to points in Arkansas located in and east of Randolph, Lawrence, Jackson, Woodruff, Prairie, Arkansas, Jefferson, Cleveland, Bradley, and Union Counties.

(T) *Dry caustic soda*, in bulk, in tank vehicles, from points in Kansas located in and north of Bourbon, Anderson, Franklin, Osage, Wabaunsee, Geary, Clay, Cloud, and Jewell Counties to Houston, Tex.; (U) *Chemicals* (except liquid chemicals, petroleum chemicals, and dry phosphate, from Lawrence, Kans.), in bulk, in tank or hopper vehicles, (1) from points in Kansas (except Olathe and Wichita), to points in Michigan (except Gogebic, Ontonagon, Houghton, Keweenaw, Baraga, and Iron Counties), (2) from points in Kansas located in and south of Stanton, Grant, Haskell, Gray, Ford, Kiowa, Pratt, Kingman, Sedgwick, Cowley, Elk, Wilson, Neosho, and Crawford Counties (except Wichita), to points in Michigan, (3) from points in Kansas located in and south of Crawford, Neosho, Wilson, Elk, Butler, Harvey, Reno, Pratt, Edwards, Ford, Meade, Seward, and Stevens Counties (except Wichita), to points in Wisconsin, (4) from points in Kansas located in, north, and west of Miami, Franklin, Coffey, Lyon, Chase, Butler, Sedgwick, Kingman, and Barber Counties (except Olathe and Wichita), to points in Tennessee, (5) from points in Kansas (except Crawford, Neosho, Cherokee, Labette, Montgomery, and Chautauqua Counties except Olathe and Wichita), to points in Tennessee located in and east of Claiborne, Union, Anderson, Roane, Meigs, and Hamilton Counties, (6) from points in Kansas located in, north, and west of Linn, Anderson, Coffey, Lyon, Chase, Marion, Harvey, Reno, Pratt, Kiowa, Ford, Gray, and Seward Counties (except Olathe), to points in Mississippi, (7) from points in Kansas located in and north and west of Bourbon, Allen, Woodson, Greenwood, Butler, Sedgwick, Kingman, and Barber Counties (except Olathe and Wichita), to points in Mississippi located in and south of Lowndes, Noxubee, Kemper, Neshoba, Scott, Smith, Simpson, Lawrence, and Pike Counties, (8) from points in Kansas located in and north of Greeley, Wichita, Scott, Lane, Ness, Rush, Barton, Rice, McPherson, Marion, Chase, Lyon, Coffey, Anderson, and Linn Counties (except Olathe), to points in Louisiana, (9) from points in Kansas located in and north of Bourbon, Allen, Woodson, Greenwood, Chase, Marion, Harvey, Reno, Stafford, Edwards, Hodgeman, Finney, Kearney, and Hamilton Counties

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(except Olathe), to points in Louisiana located in and east of East Feliciana, East Baton Rouge, West Baton Rouge, Iberville, Assumption, St. Martin, and St. Mary Parishes, (10) from points in Kansas located in and east of Republic, Cloud, Ottawa, Lincoln, Ellsworth, Rice, Stafford, Pratt, and Barber Counties to points in Washington, and (11) from points in Kansas (except Olathe and Wichita), to points in Indiana and Georgia.

(V) *Chemicals* (except liquid chemicals and petroleum chemicals), in bulk, in tank vehicles, from points in Kansas to points in Connecticut; (W) *Alcoholic beverages* and *spirits*, in bulk, in tank vehicles, from Atchison, Kans., to points in Maryland; (X) *Beverages* and *spirits*, in bulk, in tank vehicles, (1) from Atchison, Kans., to points in Iowa located in Dubuque, Jackson, Clinton, and Scott Counties and that part of Muscatine County on and east of Iowa Highway 38 and to points in Indiana located in and north of Newton, Jasper, Cass, Miami, Grant, Blackford, and Jay Counties and that part or White and Carroll Counties on and north of Indiana Highway 18, and (2) from Atchison, Kans., to points in Connecticut, Massachusetts, and Pennsylvania; and (Y) *Blood meal, bone meal, feather meal, fish meal, meat meal,* and *tallow* and *blends* of these commodities when intended for use as animal or poultry feed, in bulk, in tank vehicles, from Kansas City, Kans., to points in Illinois located on and north of a line beginning at the Mississippi River at Oquawka, Ill., along Illinois Highway 164 to junction U.S. Highway 150, thence along U.S. Highway 150 to the western boundary of Peoria County, thence along the western and northern boundaries of Peoria County, thence continuing along the southern boundary of Marshall County to its junction with the western boundary of Livingston County, thence along the western and southern boundaries of Livingston County to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Indiana State line.

The purpose of this filing is to eliminate the gateways of: (A) St. Louis, Mo.; (B) points that are in both the St. Louis, Mo., and Dupo, Ill., commercial zones; (C) Lawrence, Kans.; (D) Muscatine, Iowa; (E) those points in Arkansas that are in the Memphis, Tenn., commercial zone; (F) plant site of Blockson Chemical Co., at or near Joliet, Ill.; (G) those points in Arkansas that are in the Memphis, Tenn., commercial zone; (H) (1) plant site of Iowa-Guttenberg Terminal, Inc., located approximately 2 miles south of Guttenberg, Iowa; (H) (2) Saginaw, Mo., and points within 15 miles thereof; (I) Fremont, Nebr.; (J) Springfield, Mo.; (K) Kansas City, Mo.; (L) Colorado; (M) Platte County, Mo.; (N) Kansas City, Mo.; (O) Kansas City, Mo., and Tulsa, Okla., (P), (Q), (R), (S) (1) & (2), Kansas City, Mo.; (S) (3)–(13), Kansas City, Kans., Kansas City, Mo., commercial zone; (S) (14)–(19), Kansas City, Mo.; (S) (20)–(29), those points that are in the Olathe, Kans., and Kansas City, Kans., Kansas City, Mo., commercial zones; (T) those points that are in the Olathe, Kans., and Kansas City, Mo., commercial zones, and Tulsa, Okla.; (U) (1) and (2), those points that are in the Olathe, Kans., and Kansas City, Mo., commercial zones, and the plant site of Blockson Chemical Co., near Joliet, Ill.; (U) (1) and (2), those points that are in Olathe, Kans., and Kansas City, Mo., commercial zones, and the plant site of Iowa-Guttenberg Terminal located approximately two miles south of Guttenberg, Iowa; (U) (4)–(7), those points that are in the Olathe, Kans., and Kansas City, Mo., commercial zones and Saginaw, Mo., and points within fifteen miles thereof; (U) (8)–(11), and (V), Kansas City, Mo.; (W), Kentucky (except Louisville and points in its commercial zone); (X) (1), points in Illinois that are in the Muscatine, Iowa, commercial zone; (X) (2), Pekin, Ill.; and (Y), the plant site of Protein Blenders near Iowa City, Iowa.

No. MC 95876 (Sub-No. E67), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. N., St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk), when moving as contractors' and construction equipment and materials, between points in that part of Illinois on, north and east of a line beginning at the Illinois-Indiana State line extending along U.S. Highway 30 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Illinois-Wisconsin State line, on the one hand, and, on the other, points in that part of Minnesota on and north of U.S. Highway 14. The purpose of this filing is to eliminate the gateways of Jefferson, Waukesha or Walworth Counties, Wis.

No. MC 95876 (Sub-No. E68), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. N., St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk), when moving as contractors' and construction equipment and materials, or as commodities requiring specialized handling or rigging because of size or weight, between points in North Dakota and South Dakota, on the one hand, and, on the other, Chicago, Ill. The purpose of this filing is to eliminate the gateway of points in Minnesota and points in Jefferson County, Wis.

No. MC 95876 (Sub-No. E69), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. N., St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk), when moving as contractors' and construction equipment and materials, or as commodities requiring specialized handling or rigging because of size or weight, between points in North Dakota and that part of South Dakota on, north and west of a line beginning at the South Dakota-Minnesota State line extending along U.S. Highway 16 to junction South Dakota Highway 47, thence along South Dakota Highway 47 to the South Dakota-Nebraska State line, on the one hand, and, on the other, points in that part of Illinois on, north and east of a line beginning at the Illinois-Indiana State line extending along U.S. Highway 30 to junction Illinois Highway 26, thence along Illinois Highway 26 to the Illinois-Wisconsin State line. The purpose of this filing is to eliminate the gateway of points in Minnesota and points in Jefferson County, Wis.

No. MC 95876 (Sub-No. E70), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. N., St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk), when moving as contractors' and construction equipment and materials, or as commodities requiring specialized handling or rigging because of size or weight, between Noyes and International Falls, Minn., on the one hand, and, on the other, points in that part of Illinois on and north of U.S. Highway 30. The purpose of this filing is to eliminate the gateway of Jefferson County, Wis.

No. MC 95876 (Sub-No. E71), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. N., St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk), when moving as contractors' and construction equipment and materials, between points in Minnesota on the one hand, and, on the other, points in that part of Illinois on, east and north of a line beginning at the Wisconsin-Illinois State line extending along U.S. Highway 51 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Illinois-Indiana State line. The purpose of this filing is to eliminate the gateway of Jefferson, Waukesha or Walworth Counties, Wis.

No. MC 95876 (Sub-No. E73), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. N., St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk), when moving as contractors' and construction equipment and materials, and as wood shavings, in bales, bags and by-products

thereof, in bundles, bales and bags, from points in that part of Illinois on, east, and north of a line beginning at the Wisconsin-Illinois State line extending along U.S. Highway 51 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Illinois-Indiana State line, to points in North Dakota and points in that part of South Dakota on and north of a line beginning at the South Dakota-Minnesota State line extending along U.S. Highway 12 to junction South Dakota Highway 20, thence along South Dakota Highway 20 to the Wyoming-South Dakota State line. The purpose of this filing is to eliminate the gateways of Jefferson County, Wis., and Otter-Tail County, Minn.

No. MC 95876 (Sub-No. E74), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. N., St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk) when moving as contractors' and construction equipment and materials and as iron and steel pipe and fittings and accessories therefore (except oilfield pipe and articles described in *Mercer Extension-Oilfield Commodities*, and except commodities which because of size or weight require the use of special equipment), from points in that part of Illinois on, east, and north of a line beginning at the Wisconsin-Illinois State line extending along U.S. Highway 51 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Illinois-Indiana State line, to points in North Dakota and points in that part of South Dakota on, north and west of a line beginning at the Minnesota-South Dakota State line extending along U.S. Highway 83, thence along U.S. Highway 83 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction South Dakota Highway 79, thence along South Dakota Highway 79 to junction U.S. Highway 385, thence along U.S. Highway 385 to the Nebraska-South Dakota State line. The purpose of this filing is to eliminate the gateway of points in Jefferson County, Wis., and Savage, Minn.

No. MC 95876 (Sub-No. E77), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. N., St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk) when moving as contractors' and construction equipment and materials, or as commodities requiring specialized handling or rigging because of size or weight, between Fargo, N. Dak., on the one hand, and, on the other, points in Illinois on, east and north of a line beginning at the Illinois-Wisconsin State line extending along U.S. Highway 51 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Indiana-Illinois State line. The purpose of this filing is to eliminate the gateway of points within 20 miles of Fergus Falls, Minn. (not including Fergus Falls and points on U.S. Highways 52 and 59 and Minnesota Highway 210), and Jefferson County, Wis.

No. MC 95875 (Sub-No. E80), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. N., St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk) when moving as contractors' or construction equipment and materials, and as wood fencing, wood posts, wood rails and accessories used in the installation of the aforementioned commodities, from points in that part of Illinois on, east and north of a line beginning at the Illinois-Indiana State line extending along U.S. Highway 30 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Illinois-Wisconsin State line, to points in that part of North Dakota on and north of Interstate Highway 94, points in that part of Montana on, north and west of a line beginning at the North Dakota-Montana State line extending along U.S. Highway 10 to junction U.S. Highway 310, thence along U.S. Highway 310 to the North Dakota-Wyoming State line. The purpose of this filing is to eliminate the gateways of Walworth, Waukesha or Jefferson Counties, Wis., and Beltrami County, Minn.

No. MC 95876 (Sub-No. E84), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. N., St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk), when moving as granite, marble, slate and stone, from points in Elbert County, Ga., to points in that part of Illinois on and north of a line beginning at the Iowa-Illinois State line extending along U.S. Highway 30 to junction U.S. Highway 34, thence along U.S. Highway 34 to Lake Michigan. The purpose of this filing is to eliminate the gateway of Walworth County, Wis.

No. MC 95876 (Sub-No. E85), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. N., St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk), when moving as iron and steel articles, and as contractors' and construction equipment, materials or as commodities requiring specialized handling or rigging because of size or weight, from Duluth, Minn., to points in that part of Illinois on, north and east of a line beginning at the Illinois-Indiana State line extending along U.S. Highway 30, thence along Illinois Highway 26 to the Illinois-Wisconsin State line. The purpose of this filing is to eliminate the gateways of points in Minnesota and Jefferson, Walworth or Waukesha Counties, Wis.

No. MC 95876 (Sub-No. E86), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. N., St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk), when moving as iron and steel articles, from Dover, Ohio, and Pittsburgh, Pa., to points in that part of Illinois on, north and west of a line beginning at the Illinois-Iowa State line extending along U.S. Highway 30 to junction Illinois Highway 57, thence along Illinois Highway 47 to the Illinois-Wisconsin State line. The purpose of this filing is to eliminate the gateway of points in Walworth County, Wis.

No. MC 95876 (Sub-No. E87), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, (except cement and commodities in bulk), when moving as equipment, materials and supplies used in the quarrying, fabricating, manufacturing and installation of granite, marble, slate and stone (except commodities which because of size or weight require the use of special equipment, and commodities in bulk), between points in that part of Illinois on, north and east of a line beginning at the Illinois-Indiana State line, thence along U.S. Highway 30 to junction U.S. Highway 51 to the Illinois-Wisconsin State line, on the one hand, and, on the other, points in the Upper Peninsula of Michigan, Washington, Oregon, California, Montana, Nevada, Idaho, Utah, Wyoming, Arizona, Colorado, New Mexico, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, Florida, North Dakota, that part of South Dakota on, north, and west of a line beginning at the South Dakota-Minnesota State line, thence along U.S. Highway 16 to junction U.S. Highway 81 to the South Dakota-Nebraska State line; that part of Nebraska on and west of U.S. Highway 83; that part of Kansas on and west of a line beginning at the Kansas-Nebraska State line, thence along U.S. Highway 83 to junction U.S. Highway 54 to the Kansas-Oklahoma State line; that part of Oklahoma on and west of U.S. Highway 54; that part of Texas on, west and south of a line beginning at the Texas-Oklahoma State line.

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Thence along U.S. Highway 54 to its junction with U.S. Highway 87, to its junction with U.S. Highway 80, to its junction with U.S. Highway 84 to the Louisiana-Texas State line; that part of Louisiana on and south of U.S. Highway 84; that part of Mississippi on and south of U.S. Highway 84, that part of Alabama on and south of a line beginning at the Alabama-Mississippi State line, thence along U.S. Highway 84 to its junction with Interstate Highway 65, thence along Interstate Highway 65 to its junction with Interstate Highway 85, thence along Interstate Highway 85 to the Georgia-Alabama State line; that part of Georgia on and south of Interstate Highway 855; that part of South Carolina on and south of Interstate Highway 85; that part of North Carolina on and south of a line beginning at the North Carolina-South Carolina State line, thence along Interstate Highway 85 to junction U.S. Highway 52, thence along U.S. Highway 52 to its junction with U.S. Highway 158, thence along U.S. Highway 158 to its junction with U.S. Highway 29, thence along U.S. Highway 29 to the Virginia-North Carolina State line; that part of Virginia on and east of a line beginning at the North Carolina-Virginia State line, thence along U.S. Highway 29 to its junction with U.S. Highway 211, thence along U.S. Highway 211 to its junction with U.S. Highway 15, thence along U.S. Highway 15 to the Maryland-Virginia State line; that part of Maryland on and east of U.S. Highway 15; that part of Pennsylvania on and east of a line beginning at the Pennsylvania-Maryland State line, thence along U.S. Highway 15 to its junction with Pennsylvania Highway 147, thence along Pennsylvania Highway 147 to its junction with U.S. Highway 200, thence along U.S. Highway 200 to the New York-Pennsylvania State line; that part of New York on and east of a line beginning at the New York-Pennsylvania State line, thence along U.S. Highway 11 to its junction with New York Highway 57, thence along New York Highway 57 to Lake Ontario. The purpose of this filing is to eliminate the gateway of points in Jefferson, Walworth or Waukesha Counties, Wis.

No. MC 95876 (Sub-No. E88), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk), when moving as equipment, materials and supplies used in the quarrying, fabricating, manufacturing and installation of granite, marble, slate and stone (except commodities which because of size or weight require the use of special equipment, and commodities in bulk), between points in that part of Illinois on and north of U.S. Highway 30, on the one hand, and, on the other, points in Montana, Idaho, Washington, Oregon, California, Nevada, Utah, Arizona; points in that part of North Dakota on and west of a line beginning at the United States-Canadian International Boundary line, thence along U.S. Highway 83 to junction North Dakota Highway 6 to the North Dakota-South Dakota State line; that part of Wyoming on, west and north of a line beginning at the Wyoming-Colorado State line, thence along Wyoming Highway 789 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 187, thence along U.S. Highway 187 to junction Wyoming Highway 28, thence along Wyoming Highway 28 to junction Wyoming Highway 789, thence along Wyoming Highway 789 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction U.S. Highway 14, thence along U.S. Highway 14 to the Wyoming-South Dakota State line; that part of Colorado on and west of a line beginning at the Colorado-New Mexico State line, thence along U.S. Highway 285 to the junction with U.S. Highway 24, thence along U.S. Highway 24 to junction Colorado Highway 131, thence along Colorado Highway 131 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction Colorado Highway 789, thence along Colorado Highway 789 to the Wyoming-Colorado State line; that part of New Mexico on, south and west of a line beginning at the New Mexico-Texas State line, thence along U.S. Highway 54, to junction U.S. Highway 84, thence along U.S. Highway 84 to junction U.S. Highway 285.

Thence along U.S. Highway 285 to the Colorado-New Mexico State line; that part of Texas on, south, and west of a line beginning at the New Mexico-Texas State line, thence along U.S. Highway 66 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to its junction with U.S. Highway 84, that part of Mississippi, on and south of U.S. Highway 84; that part of Alabama on and south of a line beginning at the Alabama-Mississippi State line, thence along U.S. Highway 84 to its junction with Interstate Highway 65, thence along Interstate Highway 65 to its junction with Interstate Highway 85, thence along Interstate Highway 85 to the Georgia-Alabama State line; that part of Georgia on and south of Interstate Highway 85; that part of South Carolina on and south of Interstate Highway 85; that part of North Carolina on and south of a line beginning at the North Carolina-South Carolina State line, thence along Interstate Highway 85 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to its junction with U.S. Highway 158, thence along US. Highway 158 to its junction with U.S. Highway 29, thence along U.S. Highway 29 to the Virginia-North Carolina State line; that part of Virginia on and east of a line beginning at the Virginia-North Carolina State line, thence along U.S. Highway 29 to its junction with U.S. Highway 211, thence along U.S. Highway 211 to its junction with U.S. Highway 15, thence along U.S. Highway 15 to the Maryland-Virginia State line; that part of Maryland, on and east of U.S. Highway 15; that part of Pennsylvania on and east of a line beginning at the Pennsylvania-Maryland State line.

Thence along U.S. Highway 15 to its junction with Pennsylvania Highway 147, thence along Pennsylvania Highway 147 to its junction with U.S. Highway 220, thence along U.S. Highway 220 to the New York-Pennsylvania State line; that part of New York on and east of a line beginning at the New York-Pennsylvania State line, thence along U.S. Highway 11 to its junction with New York Highway 57, thence along New York Highway 57 to Lake Ontario; and points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, the District of Columbia and Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of points in Jefferson, Walworth or Waukesha Counties, Wis.

No. MC 95876 (Sub-No. E89), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk), when moving as stone sawing wire and wire rope, from Asheville, N.C., to points in that part of Illinois on and north of a line beginning at the Iowa-Illinois State line, thence along U.S. Highway 30 to its junction with U.S. Highway 34, thence along U.S. Highway 34 to Lake Michigan. The purpose of this filing is to eliminate the gateway of Walworth County, Wis.

No. MC 103993 (Sub-No. E77), filed May 24, 1974. Applicant: MORGAN DRIVE-AWAY, INC., 2800 W. Lexington Ave., Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings*, complete, knocked down, or in sections, and *equipment and materials* incidental to the erection and completion of such buildings when shipped therewith, and *rejected shipments* of such buildings and *commodities and equipment* incidental to the handling of such commodities, from points in the Lower Peninsula of Michigan, Illinois, Indiana, Kentucky, Tennessee, Florida, Georgia, Alabama, Mississippi (except points in Claiborne, Jefferson, Adams, Franklin, Wilkinson, and Amite Counties), and Wisconsin in, south and east of Forest, Langlade, Marathon, Wood, Monroe, and LaCrosse Counties, to points in Idaho. The purpose of this filing is to eliminate the gateway of Monticello, Iowa.

No. MC 103993 (Sub-No. E78), filed May 24, 1974. Applicant: MORGAN DRIVE-AWAY, INC., 2800 W. Lexington

Ave., Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings*, complete, knocked down, or in sections, and *equipment and materials* incidental to the erection and completion of such buildings when shipped therewith, and *rejected shipments* of such buildings and *commodities and equipment* incidental to the handling of such commodities, from points in Ohio on and west of a line beginning at Cleveland extending along Interstate Highway 77 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Ohio-Kentucky State line, to points in Pennsylvania on and east of U.S. Highway 220. The purpose of this filing is to eliminate the gateway of Youngstown, Ohio.

No. MC 103993 (Sub-No. E79), filed May 24, 1974. Applicant: MORGAN DRIVE-AWAY, INC., 2800 W. Lexington Ave., Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings*, complete, knocked down, or in sections and *equipment and materials* incidental to the erection and completion of such buildings when shipped therewith, and *rejected shipments* of such buildings and *commodities and equipment* incidental to the handling of such commodities (1) from points in Ohio on and north of US Highway 22 to points in Delaware, New Jersey, District of Columbia, and points in Maryland on and east of U.S. Highway 15; (2) from points in Ohio on and north and west of U.S. Highway 62, to points in Delaware, Maryland, New Jersey and the District of Columbia; and (3) from points in Ohio (except points in Lawrence and Gallia Counties), to points in New Jersey and Delaware. The purpose of this filing is to eliminate the gateway of Youngstown, Ohio.

No. MC 103993 (Sub-No. E80), filed May 24, 1974. Applicant: MORGAN DRIVE-AWAY, INC., 2800 W. Lexington Ave., Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings*, complete, knocked down, or in sections, and *equipment and materials* incidental to the erection and completion of such buildings when shipped therewith, and *rejected shipments* of such buildings and *commodities and equipment* incidental to the handling of such commodities, (1) from points in Ohio to points in Idaho, Utah, New Mexico, and that part of Colorado on and west of a line beginning at the Colorado-Nebraska State line extending along Interstate Highway 805 to junction Interstate Highway 25, thence along Interstate Highway 25 to the Colorado-New Mexico State line; (2) from points in West Virginia to points in Idaho, Utah, Colorado, and New Mexico (except points on and south of U.S. Highway 62–180). The purpose of this filing is to eliminate the gateway of the plantsite of Schols Homes, Inc., at or near Toledo, Ohio.

No. MC 106401 (Sub-No. E17), (Correction), filed May 13, 1974, published in the Federal Register June 2, 1975. Applicant: JOHNSON MOTOR LINES, INC., P.O. Box 10877, Charlotte, N.C. Applicant's representative: Thomas G. Sloan (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, . . . The purpose of this filing is to eliminate the gateway of Graniteville, S.C. The purpose of this partial correction is to correct the "E" number, previously published as E19. The remainder of this letter-notice remains as previously published.

No. MC 106401 (Sub-No. E22), (Correction), filed May 13, 1974, republished in the Federal Register March 20, 1975. Applicant: JOHNSON MOTOR LINES, INC., P.O. Box 10877, Charlotte, N.C. 28234. Applicant's representative: Thomas G. Sloan (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, . . . thence along U.S. Highway 522 to Selinsgrove, Pa., thence along U.S. Highway 11 to the Pennsylvania-New York State line, on the one hand, and, on the other, points in that part of Georgia and South Carolina on a line beginning at Atlanta, Ga., thence along U.S. Highway 29 to Lyman, S.C., thence along Alternate U.S. Highway 29 to the South Carolina-North Carolina State line, points in that part of Georgia and South Carolina on a line beginning at Lawrenceville, Ga., thence along Georgia Highway 20 to junction U.S. Highway 23, . . . The purpose of this filing is to eliminate the gateways of Nicholson, Pa., Newark, N.J., and Pineville, N.C. The purpose of this partial correction is to correct the territorial description above. The remainder of this letter-notice remains as previously published.

No. MC 106401 (Sub-No. E27), (correction), filed May 13, 1974, republished in the Federal Register April 7, 1975. Applicant: JOHNSON MOTOR LINES, INC., P.O. Box 10877, Charlotte, N.C. 28234. Applicant's representative: Thomas G. Sloan (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), from points in Alamance, Burke, . . . points on U.S. Highway 70 between Durham and junction U.S. Highway 54 (formerly unnumbered North Carolina Highway); points on North Carolina Highway 54 between junction U.S. Highway 70 and the Durham-Wake County line; points on U.S. Highway 29 between Greensboro and the Guilford-Rockingham County line; points on U.S. Highway 70 between Salisbury and Hickory; points on U.S. Highway 321 between Hickory and junction of Alternate U.S. Highway 321; and points on Alternate U.S. Highway 321 between junction of U.S. Highway 321 to Valmead; to points in Russell County, Ala. The purpose of this filing is to eliminate the gateways of Graniteville, S.C., and Columbus, Ga. The purpose of this partial correction is to correct the highway descriptions. The remainder of this letter-notice remains as previously published.

No. MC 107012 (Sub-No. E51), filed June 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801, Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Store fixtures*, uncrated, (1) from Chicago, Ill., to points in Arizona, Louisiana, and Texas; (Greene County, Ark.*); and (2) from Oklahoma City, Okla., to Chicago, Ill. (Sedgwick County, Kans.*). The purpose of this filing is to eliminate the gateways indicated by the asterisks above.

No. MC 107403 (Sub-No. E137), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Owosso, Township, and Mosherville, Mich., points in Wayne County, Mich., to points in Connecticut, Pennsylvania, Florida, Georgia, Rhode Island, Maryland, South Carolina, Massachusetts, New Hampshire, Virginia, and North Carolina. The purpose of this filing is to eliminate the gateways of Toledo, Ohio; Moraca, Pa.; and Congo, W. Va.

No. MC 107403 (Sub-No. E249), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities*, in bulk, from points in Pennsylvania, within 150 miles of Monongahela, Pa., to points in Ohio (except Muskingum, Guernsey, Belmont, Morgan, Noble, Monroe, Washington, Meigs, Gallia, and Lawrence. The purpose of this filing is to eliminate the gateway of Pataskala, Ohio.

No. MC 107515 (Sub-No. E378), filed January 27, 1975. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from points in California to New Orleans and Chalmette, La. The purpose of this filing is to eliminate the gateway of Crossroads, Miss.

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No. MC 112304 (Sub-No. E1) (Correction), filed May 14, 1974, published in the FEDERAL REGISTER September 26, 1975. Applicant: ACE DORAN HAULING & RIGGING CO., 1601 Blue Rock, Cincinnati, Ohio 45223. Applicant's representative: A. Charles Tell, Suite 1800, 100 E. Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (I) *Commodities*, which because of size or weight require special handling and the use of special equipment; (B) between points in the Lower Peninsula of Michigan on and east of a line beginning at Lake Michigan and extending Interstate Highway 75 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Michigan-Indiana State line, on the one hand, and, on the other, points in Illinois (Ohio) *; (E) between points in Kentucky on and west of U.S. Highway 127, on the one hand, and, on the other, points in Virginia north and west of a line beginning at the West Virginia-Virginia State line and extending along U.S. Highway 60 to junction U.S. Highway 29, thence along U.S. Highway 29 to the Virginia-District of Columbia Boundary line (Clarksburg, W. Va., and points within 50 miles of Clarksburg) *; (F) between points in the Lower Peninsula of Michigan on and bounded by a line beginning at Clare, Mich., and extending along U.S. Highway 10 to junction Michigan Highway 25, thence along Michigan Highway 25 to junction U.S. Highway 25, thence along U.S. Highway 25 to junction Michigan Highway 29, thence along Michigan Highway 29 to junction U.S. Highway 25, thence along U.S. Highway 25 to the Michigan-Ohio State line to junction U.S. Highway 27, . . . thence along Interstate Highway 94 to junction U.S. Highway 53, thence along U.S. Highway 53 to junction U.S. Highway 8, thence along U.S. Highway 8 to the Wisconsin-Minnesota State line (Ohio) *.

(H) Between points in West Virginia on, west, and north of a line, . . . and extending along U.S. Highway 15 to junction Interstate Highway 76, thence along Interstate Highway 76 to junction Interstate Highway 276, thence along Interstate Highway 276 to junction U.S. Highway 1, thence along U.S. Highway 1 to the Pennsylvania-New Jersey State line (Ohio) *; (I) between points in Pennsylvania on and west of a line beginning at Lake Erie and extending along U.S. Highway 19 to junction Interstate Highway 79, thence along Interstate Highway 79 to junction U.S. Highway 19, thence along U.S. Highway 19 to the Pennsylvania-West Virginia State line, on the one hand, and, on the other, points in New Jersey and points in New York on and east of Interstate Highway 81 (except Onandago and Oswego Counties) (Ohio) *; (II) *Iron and steel articles*, which because of size or weight requires the use of special equipment; (B) (2) from points in that portion of Pennsylvania on and north of Interstate Highway 90; (3) from points in Ohio on and north of a line beginning at the Ohio-Pennsylvania State line and extending along Interstate Highway 90 to junction Interstate Highway 271, thence along Interstate Highway 271 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line points in that portion of the Lower Peninsula of Michigan on and east of a line beginning at Lake Michigan and extending along Interstate Highway 75 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line to points in that portion of Tennessee on and west of Interstate Highway 65 from the Kentucky-Tennessee State line to the Tennessee-Alabama State line (Oakland or Wayne Counties, Mich.) *; (III) *Aluminum products*, which because of size or weight require the use of special equipment, from points in Indiana on and east of a line beginning at the Indiana-Michigan State line and extending along Indiana Highway 327 to junction Interstate Highway 69, thence along Interstate Highway 69 to junction Indiana Highway 3, . . . to points in Missouri, Arkansas, Kansas, Colorado, Oklahoma, Texas, and New Mexico (Murphysboro, Ill.) *.

(IV) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith; (A) between points in the Lower Peninsula of Michigan on and east of a line beginning at Lake Michigan and extending along Interstate Highway 75 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Michigan-Indiana State line, on the one hand, and, on the other, points in Illinois (Ohio) *; (B) . . . thence along Illinois Highway 125 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Missouri State line, and points in Wisconsin (Ohio) *; (D) between points in the Lower Peninsula of Michigan on and bounded by a line beginning at Clare, Mich., and extending along U.S. Highway 10 to junction U.S. Highway 25, thence along U.S. Highway 25 to junction Michigan Highway 25, thence along Michigan Highway 25 to junction Michigan Highway 29, thence along Michigan Highway 29 to junction U.S. Highway 25, thence along U.S. Highway 25 to the Michigan-Ohio State line, to junction U.S. Highway 27, thence along U.S. Highway 27 to the point of beginning, on the one hand, and, on the other, points in Wisconsin on and south of a line beginning at Lake Michigan and extending along U.S. Highway 18 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction Interstate Highway 94, thence along Interstate Highway 94 to junction U.S. Highway 53, thence along U.S. Highway 53 to junction U.S. Highway 8, thence along U.S. Highway 8 to the Wisconsin-Minnesota State line (Ohio) *; (E) between points in Indiana on and east of a line beginning at the Indiana-Michigan State line and extending along Indiana Highway 327 to junction Interstate Highway 69, thence along Interstate Highway 69 to junction Indiana Highway 3, thence along Indiana Highway 3 to junction U.S. Highway 421, thence along U.S. Highway 421 to the Indiana-Kentucky State line, on the one hand, and, on the other, points in Illinois and Wisconsin (Ohio) *.

(V) *Uncrated new office and institutional furniture, fixtures*, and *equipment, uncrated cooling or freezing boxes* and *refrigerators*, and *uncrated new store fixtures* and *equipment*, which, because of size or weight, require the use of special equipment, between points in Kentucky on and west of a line beginning at the Kentucky-Ohio State line and extending along U.S. Highway 27 to junction Interstate Highway 75, thence along Interstate Highway 75 to the Kentucky-Tennessee State line, on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, Rhode Island, and Vermont (Norwood, Ohio) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this partial correction is to correct the territorial descriptions above. The remainder of this letter-notice remains as previously published.

No. MC 113843 (Sub-No. E826), filed May 19, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer St., Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and berries*, and *frozen fruit and berry concentrates*, from those points in Pennsylvania on and west of U.S. Highway 15 and on, north and east of a line beginning at the Pennsylvania-New York State line and extending along Pennsylvania Highway 449 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Pennsylvania Highway 144, thence along Pennsylvania Highway 144 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Pennsylvania Highway 34, thence along Pennsylvania Highway 34 to junction U.S. Highway 15, thence along U.S. Highway 15 to those points in Arkansas on, south, and west of a line beginning at the Arkansas-Louisiana State line and extending along U.S. Highway 71 to junction Interstate Highway 40, thence along Interstate Highway 40 to the Arkansas-Oklahoma State line. The purpose of this filing is to eliminate the gateways of Geneva, Westfiled, and Penn Yan, N.Y.

No. MC 115703 (Sub-No. E12), filed April 7, 1974. Applicant: KREITZ MOTOR EXPRESS, INC., P.O. Box 375, Wyomissing, Pa. 19610. Applicant's representative: James Alan Vites (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *Machinery*, (a) between points in Delaware on and north of Delaware Highway 8, on the one hand, and, on the other, points in that part of Virginia on and west of a line beginning at the West Virginia-Virginia State line extending along Interstate Highway 81 to Lexington, thence along U.S. Highway 501 to Lynchburg, thence along U.S. Highway 29 to the Virginia-North Carolina State line; (b) between points in Maryland on and east of U.S. Highway 15 and on and north of U.S. Highway 50, on the one hand, and, on the other, points in that part of New Jersey on and north of a line beginning at the Pennsylvania-New Jersey State line extending along U.S. Highway 22 through Somerville, thence along New Jersey Highway 28 to Elizabeth; (3) between points in Massachusetts on and east of a line beginning at the New Hampshire-Massachusetts State line extending along Massachusetts Highway 13 to junction Massachusetts Highway 12, thence along Massachusetts Highway 12 to the Connecticut-Massachusetts State line, on the one hand, and, on the other points in New York on and west of a line beginning at Lake Ontario extending along New York Highway 425 through Buffalo to U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-New York State line; (d) between points in New Jersey on and north of U.S. Highway 22, on the one hand, and, on the other, points in New York on, west and north of a line beginning at Lake Erie extending along New York Highway 17 to junction New York Highway 96, thence along New York Highway 96 to junction New York Highway 13, thence along New York Highway 13 to junction Interstate Highway 81, thence along Interstate Highway 81 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction New York Highway 30, thence along New York Highway 30 to the United States-Canada International Boundary line;

(e) between points in New Jersey south of U.S Highway 22, on the one hand, and, on the other, points in New York on, west and north of a line beginning at the New York-Pennsylvania State line extending along Interstate Highway 81 to junction New York Highway 12, thence along New York Highway 12 to junction New York Highway 28, thence along New York Highway 28 to junction New York Highway 30, thence along New York Highway 30 to the United States-Canada International Boundary line; (f) between points in New York on and east of Interstate Highway 81, on the one hand, and, on the other, points in Ohio; (g) between points in Ohio on and north of a line beginning at Steubenville extending along U.S. Highway 22 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Ohio Highway 229, thence along Ohio Highway 229 to junction U.S. Highway 23, thence along U.S. Highway 23 to Marion, thence along U.S. Highway 30 to junction U.S. Highway 224, thence along U.S. Highway 224 to the Ohio-Indiana State line, on the one hand, and, on the other, points in North Carolina on and east of a line beginning at the North Carolina-Virginia State line, extending along Interstate Highway 95 to junction U.S. Highway 117, thence along U.S. Highway 117 to junction North Carolina Highway 403, thence along North Carolina Highway 403 to junction U.S. Highway 701, thence along U.S. Highway 701 to the North Carolina-South Carolina State line; and

(h) between points in North Carolina on and east of a line beginning at the North Carolina-Virginia State line extending along Interstate Highway 85 to junction U.S. Highway 1, thence along U.S. Highway 1 to the North Carolina-South Carolina State line, on the one hand, and, on the other, points in West Virginia on and north of a line beginning at the Ohio-West Virginia State line extending along West Virginia Highway 7 to junction West Virginia Highway 69, thence along West Virginia Highway 69 to the West Virginia-Pennsylvania State line. The purpose of this filing is to eliminate the gateways of (a) through (g) Berks and/or Luzerne and/or York Counties, Pa.; and (h) York County, Pa.

No. MC 115841 (Sub-No. E183), (Correction), filed May 22, 1974, published in the Federal Register September 4, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from Pittsburgh, Pa., to points in Florida on and east of Florida Highway 85. The purpose of this filing is to eliminate the gateways of Nashville, Tenn., and Atlanta, Ga. The purpose of this correction is to clarify the origin point.

No. MC 115841 (Sub-No. E258), (Correction), filed May 22, 1975, published in the FEDERAL REGISTER September 23, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, P.O. Box 10327, Birmingham, Ala. 35201. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Atlanta, Ga., to points in Arkansas, Iowa, points in Mississippi on, north and west of a line beginning at the Mississippi-Alabama State line extending along U.S. Highway 72 to junction Mississippi Highway 7, thence along Mississippi Highway 7 to junction Mississippi Highway 6, thence along Mississippi Highway 6 to junction U.S. Highway 61, thence along U.S. Highway 61 to junction Mississippi Highway 322, thence along Mississippi Highway 322 to the Mississippi-Arkansas State line, points in Louisiana on and south of Interstate Highway 10 and on and west of Louisiana Highway 1, points in Missouri, Oklahoma, Texas, and those in Kansas and Nebraska on and east of U.S. Highway 81. The purpose of this filing is to eliminate the gateways of Birmingham, Ala., and points in Tennessee west of the Tennessee River. The purpose of this correction is to include Louisiana in the destination authority.

No. MC 117416 (Sub-No. E2), filed May 23, 1974. Applicant: NEWMAN AND PEMBERTON CORP., 2007 University Ave., NW., Knoxville, Tenn. 37921. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned foodstuffs* (except frozen or in bulk), from Akron, Ohio, to points in Arkansas, Louisiana, Mississippi, Alabama (except points in Autaugua, Bibb, Blount, Calhoun, Chilton, Clay, Coosa, Cullman, Etowah, Fayette, Jefferson, Marshall, Morgan, Perry, St. Clair, Shelby, Talladega, Talapoosa, Tuscaloosa, Walker and Winston Counties), Georgia, and Florida, and points in Kentucky, Tennessee, North Carolina, and South Carolina on and west of a line beginning at the Ohio-Kentucky State line extending along Interstate Highway 75 to junction U.S. Highway 25E, near Corbin, Ky., thence along U.S. Highway 25E to Newport, Tenn., thence along U.S. Highway 25 to the South Carolina-Georgia State line (except points in Boone, Campbell, and Kenton Counties, Ky., and points in the commercial zones of Louisville and Ashland, Ky.); (2) *Canned foodstuffs* (except frozen or in bulk), from Cleveland, Ohio, to points in Arkansas, Louisiana, Mississippi, Alabama (except points in Autaugua, Bibb, Blount, Calhoun, Chilton, Clay, Coosa, Cullman, Etowah, Fayette, Jefferson, Marshall, Morgan, Perry, St. Clair, Shelby, Talladega, Talapoosa, Tuscaloosa, Walker and Winston Counties), Georgia and Florida, and points in Kentucky, Tennessee, North Carolina and South Carolina on and west of a line beginning at the Ohio-Kentucky State line extending along Interstate Highway 75 to junction U.S. Highway 25E near Corbin, Ky., thence along U.S. Highway 25E to Newport, Tenn., thence along U.S. Highway 25 to the South Carolina-Georgia State line (except points in Campbell, Boone, and Kenton Counties, Ky., and points in the commercial zones of Louisville and Ashland, Ky.); (3) *Canned foodstuffs* (except frozen or in bulk), from Fremont, Ohio, to points in Arkansas, Louisiana, Tennessee, Mississippi, Alabama (except points in Autaugua, Bibb, Blount, Calhoun, Chilton, Clay, Coosa, Cullman, Etowah, Fayette, Jefferson, Marshall, Morgan, Perry, St. Clair, Shelby, Talladega, Talapoosa, Tuscaloosa, Walker and Winston Counties), Georgia, Florida, and South Carolina, and points in Kentucky, Virginia, and North Carolina on, west and south of a line beginning at the Ohio-Kentucky State line extending along Interstate Highway 75 to junction U.S. Highway 421, thence along U.S.

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Highway 421 to the Atlantic Ocean (except points in Boone, Campbell and Kenton Counties, Ky., and points in the commercial zones of Louisville and Ashland, Ky.); (4) *Canned foodstuffs* (except frozen or in bulk), from Norwalk, Ohio, to points in Arkansas, Louisiana, Mississippi, Alabama (except points in Autaugua, Bibb, Blount, Calhoun, Chilton, Clay, Coosa, Cullman, Towah, Fayette, Jefferson, Marshall, Morgan, Perry, St. Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston Counties), Georgia, Florida and South Carolina, and points in Kentucky, Tennessee and North Carolina on, west and south of a line beginning at the Ohio-Kentucky State line extending along U.S. Highway 25 to junction U.S. Highway 25E near Corbin, Ky., thence along U.S. Highway 25E to junction U.S. Highway 25 near Newport, Tenn., thence along U.S. Highway 25 to the North Carolina-South Carolina State line (except points in Boone, Campbell and Kenton Counties, Ky., and points in the commercial zones of Louisville and Ashland, Ky.); (5) *Processed foodstuffs* which are canned (except fresh or cured meats, dairy products, frozen commodities, or commodities in bulk), from Akron, Cleveland, Fremont and Norwalk, Ohio, to points in Autaugua, Bibb, Blount, Calhoun, Chilton, Clay, Coosa, Etowah, Fayette, Jefferson, Marshall, Morgan, Perry, St. Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker and Winston Counties, Ala. The purpose of this filing is to eliminate the gateways of points in Indiana (except Franklin, Indianapolis, and New Albany) on, east and south of a line beginning at the Kentucky-Indiana State line extending north along Indiana Highway 135 to Indianapolis, Ind., thence along U.S. Highway 31 to junction Indiana Highway 26, thence along Indiana Highway 26 to the Indiana-Ohio State line, in (1), (2), (3), and (4) above; and the above-described points in Indiana, and Tellico Plains, Tenn., in (5) above.

No. MC 124078 (Sub-No. E81), filed August 11, 1975. Applicant: SCHWERMAN TRUCKING CO., P.O. Box 1601, Milwaukee, Wis. 53201, Applicant's representative: James R. Carroll (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid chemicals*, in bulk, in tank vehicles, from Riceboro, Ga., to points in North Dakota, South Dakota, Nebraska, Wyoming, and points in Colorado in, north, and west of Costilla, Huerfano, Pueblo, Crowley, and Kiowa Counties; (2) *Liquid chemicals*, in bulk, in tank vehicles, from Riceboro, Ga., to points in Michigan; (3) *Liquid chemicals*, in bulk, in tank vehicles, from Riceboro, Ga., to points in Illinois (except points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone), Minnesota, and Ohio; (4) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and east of Ware, Charlton, Pierce, Wayne, Long, Liberty, Bryan, and Effingham Counties, to points in Illinois (except points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone); (5) *Liquid chemicals*, in bulk, in tank vehicles, from Charleston, S.C., to points in Kentucky in and west of Allen, Warren, Edmonson, Grayson, Breckinridge, and Meade Counties, points in Posey, Vanderburgh, Warrick, Gibson, Pike, Knox, Daviess, Sullivan, Greene, Vigo, Clay, Parke, Fountain, and Warren Counties, Ind.; points in Tennessee in and west of Lincoln, Marshall, Williamson, Davidson, and Robertson Counties; and points in Mississippi, Arkansas, Missouri (except points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone), Iowa, Wisconsin, and Texas (except Houston, Tex., and points in Jefferson, Chambers, Galveston, Brazoria, Matagorda, Wharton, Montgomery, Grimes, Walker, San Jacinto, Liberty, and Hardin Counties); (6) *Liquid chemicals*, in bulk, in tank vehicles, from Charleston, S.C., to points in Illinois (except points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone), and Minnesota.

(7) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Appling County, Ga., to points in Maryland, Vermont, New Hampshire, West Virginia, New York, Delaware, Rhode Island, Indiana, Wisconsin, Iowa, Missouri (except points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone), Arkansas, Texas (except Houston, Tex., and points in Jefferson, Chambers, Galveston, Brazoria, Matagorda, Wharton, Montgomery, Grimes, Walker, San Jacinto, Liberty, and Hardin Counties), and points Tennessee in and east of Blount, Knox, Union, and Campbell Counties: (8) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Chatham County, Ga., to points in Maryland, Vermont, New Hampshire, West Virginia, New York, Delaware, Rhode Island, Tennessee, Kentucky, Indiana, Wisconsin, Iowa, Missouri (except points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone), Arkansas, Mississippi, and Texas (except Houston, Tex., and points in Jefferson, Chambers, Galveston, Brazoria, Matagorda, Wharton, Montgomery, Grimes, Walker, San Jacinto, Liberty, and Hardin Counties); (9) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Glynn County, Ga., to points in Tennessee, Kentucky, Indiana, Wisconsin, Iowa, Missouri (except points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone), Maryland, Vermont, New Hampshire, West Virginia, New York, Delaware, Rhode Island, Arkansas, Mississippi, and Texas (except Houston, Tex., and points in Jefferson, Chambers, Galveston, Brazoria, Matagorda, Wharton, Montgomery, Grimes, Walker, San Jacinto, Liberty, and Hardin Counties); (10) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Wayne County, Ga., to points in New Hampshire, Vermont, New York, West Virginia, Maryland, Delaware, Rhode Island, Wisconsin, Indiana, Kentucky, Tennessee, Mississippi, Iowa, Missouri (except points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone), Arkansas, and Texas (except Houston, Tex., and points in Jefferson, Chambers, Galveston, Brazoria, Matagorda, Wharton, Montgomery, Grimes, Walker, San Jacinto, Liberty, and Hardin Counties).

(11) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Lowndes County, Ga., to points in New Hampshire, Vermont, New York, West Virginia, Maryland, Delaware, Rhode Island, Wisconsin, Iowa, points in Indiana on and north of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 40 to Indianapolis, thence along U.S. Highway 36 to the Indiana-Illinois State line, and points in Missouri in and north of Bates, Henry, Pettis, Cooper, Moniteau, Cole, Callaway, Montgomery, Warren, and St. Charles Counties (except points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone); (12) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Telfair County, Ga., to points in Maryland, Vermont, New Hampshire, New York, Delaware, Rhode Island, Wisconsin, Iowa, Missouri (except points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone); points in Tennessee in and west of Fayette, Haywood, Crockett, Dyer, and Obion Counties; points in West Virginia in and north of Greenbrier, Summers, Raleigh, Wyoming, and Mingo Counties; points in Ballard, McCracken, Livingston, Crittenden, Union, Webster, Henderson, Daviess, Hancock, Breckinridge, Meade, Jefferson, Oldham, Shelby, Franklin, Henry, Trimble, Carroll, Owen, Scott, Gallatin, Grant, Harrison, Boone, Kenton, Campbell, Pendleton, Bracken, Robertson, and Mason Counties, Ky.; and points in Texas in, west, and south of Sherman, Moore, Potter, Carson, Armstrong, Briscoe, Motley, Dickens, King, Stonewall, Jones, Taylor, Runnels, Concho, McCulloch, Mason, Gillespie, Kendall, Bexar, Atascosa, Live Oak, Bee, and San Patricio Counties, Tex.; (13) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in, south, and east of Seminole, Decatur, Mitchell, Worth, Turner, Wilcox, Dodge, Laurens, Johnson, Emanuel, Jenkins, and Screven Counties, to points in New York.

(14) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and south of Muscogee, Talbot, Taylor, Crawford, Bibb, Twiggs, Wilkinson, Johnson, Emanuel, Jenkins, and Screven Counties to points in Vermont; (15) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and south of Muscogee, Talbot, Taylor, Crawford, Bibb, Twiggs, Wilkinson, Johnson, Emanuel, Jenkins, and Screven Counties, to points in New Hampshire; (16) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and south of Muscogee, Talbot, Taylor, Crawford, Bibb, Twiggs, Wilkinson, Johnson, Emanuel, Jenkins, and Screven Counties, to points in Rhode Island; (17) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and south of Muscogee, Talbot, Taylor, Crawford, Bibb, Twiggs, Wilkinson, Johnson, Emanuel, Jenkins, and Screven Counties, to points in Delaware; (18) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and south of Seminole, Decatur, Mitchell, Worth, Turner, Wilcox, Dodge, Wheeler, Montgomery, Toombs, Tattnall, Evans, Bulloch, and Effingham Counties, to points in Maryland; (19) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in, south, and east of Grady, Colquitt, Thomas, Cook, Berrien, Coffee, Bacon, Appling, Wayne, Long, Liberty, Bryan, and Chatham Counties, to points in West Virginia; (20) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Chatham County, Ga., to points in Ohio on and north of Ohio Highway 81 and on and west of Interstate Highway 75; (21) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and east of Clinch, Ware, Pierce, Wayne, Long, Liberty, Bryan, and Chatham Counties, to points in Michigan; (22) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Appling County, Ga., to points in Michigan; (23) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Lowndes County, Ga., to points in the Upper Peninsula of Michigan; (24) *Liquid chemical naval stores*, in bulk, in tank vehicles, from Nocatee, Fla., to points in Delaware, Rhode Island, Wisconsin, Indiana, Kentucky, New Hampshire, Vermont, New York, West Virginia, Maryland, Iowa, points in Tennessee (except points in Shelby, Fayette, Haywood, Tipton, and Lauderdale Counties), and points in El Paso, Hudspeth, Culberson, Reeves, Loving, Jeff Davis, Presidio, Brewster, Dallam, Hartley, Oldham, Deaf Smith, Parmer, Castro, Swisher, Briscoe, Armstrong, Randall, Potter, Carson, Hutchinson, Moore, Sherman, and Hansford Counties, Tex.

(25) *Liquid chemical naval stores*, in bulk, in tank vehicles, from Andalusia, Ala., to points in Delaware, Rhode Island, New Hampshire, Vermont, points in New York in and east of Chemung, Schuyler, Yates, Ontario, and Wayne Counties, and points in Maryland in and east of Baltimore, Anne Arundel, Prince Georges, and Charles Counties; (26) *Liquid alum*, in bulk in tank vehicles, from Fernandina Beach, Fla., to points in Delaware, Rhode Island, Wisconsin, Indiana, Kentucky, Tennessee, New Hampshire, Vermont, New York, West Virginia, Maryland, Mississippi, Iowa, Arkansas, Missouri (except points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone), and Texas (except Houston, Tex., and points in Jefferson, Chambers, Galveston, Brazoria, Montagorda, Wharton, Fort Bend, Colorado, Austin, Harris, Waller, Washington, Montgomery, Grimes, Walker, San Jacinto, Liberty, and Hardin Counties); (27) *Nitrogen fertilizer solutions*, liquid, in bulk, in tank vehicles, from Wilmington, N.C., and points within 25 miles thereof, to points in Mississippi, Arkansas, points in Missouri in, west, and north of Lincoln, Montgomery, Warren, Franklin, Washington, Iron, Wayne, Stoddard, and Dunklin Counties, and points in Texas (except Houston, Tex., and points in Jefferson, Chambers, Galveston, Brazoria, Montagorda, Wharton, Fort Bend, Colorado, Austin, Harris, Waller, Washington, Montgomery, Grimes, Walker, San Jacinto, Liberty, and Hardin Counties); (28) *Nitrogen solutions*, liquid, in bulk, in tank vehicles, from Wilmington, N.C., and points within ten miles thereof, to points in Mississippi, Arkansas, points in Missouri in, north, and west of Lincoln, Montgomery, Warren, Franklin, Washington, Iron, Wayne, Stoddard, and Dunklin Counties, and points in Texas (except Houston, Tex., and points in Jefferson, Chambers, Galveston, Brazoria, Montagorda, Wharton, Fort Bend, Colorado, Austin, Harris, Waller, Washington, Montgomery, Grimes, Walker, San Jacinto, Liberty, and Hardin Counties); (29) *Liquid fertilizer solutions* (except nitrogen fertilizer solutions), in bulk, in tank vehicles, from the site of the Allied Chemical Corporation storage and distribution terminal in Bainbridge, Ga., to points in New Hampshire, Vermont, New York, West Virginia, Maryland, Delaware, Rhode Island, and points in Douglas, Bayfield, Ashland, Iron, Burnett, Washburn, and Sawyer Counties, Wis.

(30) *Liquid animal feed* and *liquid animal feed supplements*, which are chemicals, in bulk, in tank vehicles, from Bainbridge, Ga., to points in New Hampshire, Vermont, New York, West Virginia, Maryland, Delaware, Rhode Island, and points in Douglas, Bayfield, Ashland, Iron, Burnett, Washburn, and Sawyer Counties, Wis.; (31) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia, in, east, and south of Lowndes, Cook, Berrien, Irwin, Ben Hill, Telfair, Wheeler, Treutlen, Emanuel, Jenkins, and Screven Counties, to points in Minnesota; (32) *Liquid chemical naval stores* (except petroleum products and fertilizers), in bulk, in tank vehicles, from points in Georgia, in, south, and east of Lowndes, Cook, Berrien, Irwin, Ben Hill, Telfair, Dodge, Laurens, Johnson, Emanuel, Jenkins, and Screven Counties, to points in North Dakota; (33) *Liquid chemical naval stores* (except petroleum products and fertilizers), in bulk, in tank vehicles, from points in Georgia in, south, and east of Lowndes, Cook, Berrien, Irwin, Ben Hill, Telfair, Dodge, Laurens, Johnson, Emanuel, Jenkins, and Screven Counties, to points in South Dakota; (34) *Liquid chemical naval stores* (except petroleum products and fertilizers), in bulk, in tank vehicles, from points in Georgia in, south, and east of Lowndes, Cook, Berrien, Irwin, Ben Hill, Telfair, Dodge, Laurens, Johnson, Emanuel, Jenkins, and Screven Counties, to points in Wyoming; (35) *Liquid chemical naval stores* (except petroleum products and fertilizers), in bulk, in tank vehicles, from points in Georgia in, south, and east of Camden, Glynn, McIntosh, Liberty, Bryan, and Chatham Counties, to points in Nebraska; (36) *Liquid chemical naval stores* (except petroleum products and fertilisers), in bulk, in tank vehicles, from points in Georgia in, south, and east of Lowndes, Lanier, Atkinson, Coffee, Jeff Davis, Toombs, Emanuel, Jenkins, and Screven Counties, to points in Nebraska in, north, and west of Cheyenne, Garden, Grant, Cherry, Brown, Rock, Holt, Knox, and Cedar Counties; (37) *Liquid chemical naval stores* (except petroleum products and fertilizers), in bulk, in tank vehicles, from points in Camden, Glynn, McIntosh, Liberty, Bryan, and Chatham Counties, Ga., to points in Colorado on and north of U.S. Highway 24; (38) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and east of Camden, Glynn, Wayne, Long, Liberty, Bryan, and Chatham, Counties, to points in Kentucky; (39) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and east of Camden, Glynn, Wayne, Long, Liberty, Bryan, and Chatham Counties, to points in Tennessee.

(40) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and east of Ware, Chariton, Pierce, Wayne, Long, Liberty, Bryan, and Chatham Counties, to points in Indiana; (41) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and east of Lowndes, Lanier, Atkinson, Ware, Pierce, Wayne, Long, Liberty, Bryan, and Chatham Counties, to points in Wisconsin; (42) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and east of Lowndes, Lanier, Atkinson, Coffee, Jeff Davis, Toombs, Tattnall, Candler, Bulloch, and Screven Counties, to points in Iowa; (43) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Glynn, Camden, and McIntosh Counties, Ga., to points in Ohio in and west of Scioto, Jackson, Vinton, Hocking, Perry, Muskingum, Guernsey, Harrison, Jefferson, Columbiana, Mahoning, Trumbull, and Ashtabula Counties; (44) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and east of Ware, Charlton, Pierce, Bacon, Appling, Tattnall, Candler, Bulloch, and Screven Counties, to points in Missouri (except points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone); (45) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and east of Ware, Charlton, Pierce, Bacon, Appling, Tattnall, Evans, Bulloch, and Screven Counties, to points in Arkansas; and (46) *Liquid chemical naval stores*, in bulk, in tank vehicles, from points in Georgia in and east of Ware, Charlton, Pierce, Bacon, Appling, Tattnall, Evans, Bulloch, and Screven Counties, to points in Texas (except points in Jefferson, Chambers, Galveston, Brazoria, Matagorda, Wharton, Montgomery, Grimes, Walker, San Jacinto, Liberty, and Hardin Counties, and Houston, Tex.). The purpose of this filing is to eliminate the gateways of: in (1) above, the Port Neal Industrial Complex, and Big Soo Terminal and the plant site of, and warehouses, and storage facilities utilized by Terra Chemicals International, Inc., American Cyanamid Company, and Monsanto Company, located in Woodbury County, Iowa; in (4) through (46) above, Riceboro, Ga.; in

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(3), (4), (6), (20), (21), (22), (23), (31)–(37), and (43) above, the plant site of the Velsicol Chemical Corporation and the Woodward Iron Company at or near Chattanooga, Tenn.; in (24) and (25) above, Savannah, Ga.; in (2) above, points in Maury County, Tenn.; in (27) above, Charleston, S.C.; and in (32)–(37) above, the facilities of the Philadelphia Quartz Company at or near LaSalle, Ill.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-35227 Filed 12-31-75;8:45 am]

[Notice No. 160]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

DECEMBER 24, 1975.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to Sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 C.F.R. Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before January 13, 1976. Pursuant to Section 17(8) of the Interstate Commerce Act, that filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-76020. By order of December 24, 1975, the Motor Carrier Board approved the transfer to Victor Transport Ltee, St-Victor, Comte de Beauce, Quebec, Canada, of the operating rights in Certificate No. MC 135351 (Sub-No. 1) issued December 2, 1971, to Grondin Transport, Inc., St. Frederic, Beauce County, Quebec, Canada, authorizing the transportation of asbestos, from ports of entry on the United States-Canada Boundary Line located in Maine, New Hampshire, Vermont and Rouses Point, N.Y., to points in Massachusetts, Connecticut, and Rhode Island. Frank J. Weiner, 15 Court Square, Boston, Mass. 02108, Attorney for applicants.

No. MC 76272. By order of December 24, 1975, the Motor Carrier Board approved the transfer to Don's Moving & Storage, Inc., Schenectady, New York, of Certificate No. MC 7921 issued September 10, 1975, to Barbara Overbaugh, Catskill, New York, authorizing the transportation of household goods, between specified points in New York, on the one hand, and, on the other, points in Connecticut, Massachusetts, New Jersey, New York and Pennsylvania. Neil D. Breslin, 1111 Twin Towers, 99 Washington Avenue, Albany, New York 12210, Attorney for Applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-35226 Filed 12-31-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket Nos. E-8250 *et al.*]

ARKANSAS POWER & LIGHT CO.

Order Establishing Date for Initial Conference

DECEMBER 19, 1975.

Docket No. E-8250 *et al.* concerns a rate increase filing made by Arkansas Power & Light Company (AP&L) on May 31, 1973. On May 16, 1975, the Commission, upon a motion by Staff, divided the proceeding into two phases. All elements of Phase I have been completed except the briefing.

On September 8, 1975, AP&L filed a second rate increase in Docket No. ER76-110 affecting the same customers as in Docket No. E-8250.

By motion filed November 26, 1975 certain intervenors in both cases[1] requested that an expedited procedural schedule be adopted to permit speedy resolution of Phase II in Docket No. E-8250, and that an Administrative Law Judge be assigned to this docket. The motion also requested that a hearing be convened in ER76-110 for the purposes of establishing appropriate procedures in that docket.

Staff counsel in Docket No. E-8250 responded on December 2, 1975, concurring in Intervenor's motion.

On the same day, December 2, 1975, Staff counsel in ER76-110 filed a motion to extend procedural dates in that Docket as follows:

Service of Staff Testimony, March 16, 1976.
Service of Intervenor's Testimony, March 30, 1976.
Service of Applicants' Rebuttal, April 13, 1976.
Hearing, April 27, 1976.

We have addressed this December 2, 1975, motion by staff in ER76-110 in another Order. With regard to Intervenor's motion concerning procedural dates in Phase II of E-8250, *et al.*, our review indicates that the public interest will best be served by establishing procedural dates. However, in order to reduce the administrative burden on the Commission, and in an effort to accommodate the Chief Administrative Law Judge we will establish only a date for an initial conference between the parties and the Presiding Administrative Law Judge who shall be empowered to establish further procedural dates and to rule upon all pending motions subject to review by the Commission.

The Commission finds: The setting of procedural dates will be in the public interest and dates should be set.

The Commission orders: (A) The Chief Administrative Law Judge shall designate an Administrative Law Judge to preside over an initial conference of the parties.

(B) The Presiding Administrative Law Judge shall establish procedural dates and rule upon all pending motions subject to review by the Commission.

(C) The initial conference shall take place in a Hearing Room at the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C., at 10 a.m., January 5, 1976.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-35202 Filed 12-31-75;8:45 am]

[1] The Conway Corporation, Benton Municipal Light and Water works, Hope Water & Light Commission, City of North Little Rock, City of Osceola, City of Prescott, City of West Memphis, Farmers Electric Cooperative Corporation, and Mississippi County Electric Cooperative, Inc., Arkansas [Intervenors].

[Docket No. RI74-144]

AZTEC OIL & GAS CO.

Proposed Settlement Agreement

DECEMBER 29, 1975.

Take notice that on December 22, 1975, Aztec Oil & Gas Company (Aztec) tendered for filing its proposed settlement agreement for prompt work-off of a refund amount in the subject docket of $380,000, presently effective subject to refund and pending hearing dates now established, by a three-year drilling program of $3,500,000, to be expended in excess of current levels of drilling. Approval by order is requested, on or before January 31, 1976.

Aztec stated that a copy of the proposed settlement agreement has been provided to all parties in pending Docket No. RI74-144, and that this notice is necessary because the subject docket has not at this time proceeded to hearing by assignment to an Administrative Law Judge. Aztec has previously submitted its settlement proposal in outline draft form, to all parties to the subject docket, and expedited action is requested on the subject proposal.

Any person desiring to be heard or to protest said proposed settlement agreement should file comments with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before January 8, 1976. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this agreement are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-35204 Filed 12-31-75;8:45 am]

[Docket No. RP74-90]

CASCADE NATURAL GAS CORP.

Notice of Compliance Filing

DECEMBER 18, 1975.

Take notice that on December 12, 1975, Cascade Natural Gas Corporation (Cascade) tendered for filing Eighth Revised Sheet No. 2 and Second Revised Sheet No. 3 to its FPC Gas Rate Schedule No. 1 governing sales to Mountain Fuel Supply Company. Cascade proposes that such tariff sheets become effective January 1, 1976, unless there is an application for rehearing filed on or before such date with respect to the Commission's Order Approving Settlement, issued in this docket on December 2, 1975.

Cascade states that the tariff sheets have been tendered in order to comply with Article I of the Stipulation and Agreement in this docket which was approved by the December 2, 1975, order referred to above. The purpose of such sheets is to file rates which will recover for Cascade the settlement cost of service as approved by the Commission. More specifically, the tariff sheets reflect a reduction of 2.4 cents per Mcf in the Base Tariff Rate and the Rate After Current Adjustment shown on the currently-effective Seventh Revised Sheet No. 2.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 2, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-35198 Filed 12-31-75;8:45 am]

[Docket No. ER76-837]

CONNECTICUT LIGHT AND POWER CO., ET AL.

Termination

DECEMBER 17, 1975.

Take notice that on December 5, 1975, The Connecticut Light and Power Company (CL&P), The Hartford Electric Light Company (HELCO) and Western Massachusetts Electric Company (WMECO) filed with the Commission a notice that the following rate schedules, effective November 5, 1973, were terminated in accordance with their terms on May 6, 1974:

Rate Schedule FPC No. CL&P 69;
Rate Schedule FPC No. HELCO 53; and
Rate Schedule FPC No. WMECO 72.

CL&P, HELCO and WMECO state that notice of the proposed termination has been served upon the Public Service Company of New Hampshire.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 2, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-35192 Filed 12-31-75;8:45 am]

[Docket No. E-7172]

DEPARTMENT OF THE INTERIOR, SOUTHWESTERN POWER ADMINISTRATION

Notice of Request for Extension of Approval and Confirmation of Rates

DECEMBER 17, 1975.

Take notice that on December 2, 1975, the Department of the Interior, on behalf of the Southwestern Power Administration (SPA), filed with the Commission a Request for Extension of Confirmation and Approval of the following Rate Schedules:

Rate Schedule P-1 (Firm Power)
Rate Schedule P-2 (Revised) (Peaking Power)
Rate Schedule EE (Excess Energy)
Rate Schedule IC (Interuptible Capacity)
Contract No. Ispa-856 (with Oklahoma Gas and Electric Company and Public Service Company of Oklahoma)
Contract No. 14-02-001-964 (with Tex-La Electric Cooperative, Inc.)

SPA is requesting that the Commission extend for a maximum period of six months to May 31, 1976, its confirmation and approval of the SPA Rate Schedules set forth above.

The Federal Power Commission by orders dated July 3, 1975, in Docket No. E-7172 extended confirmation and approval of the above SPA rate schedules for a six month period ending November 30, 1975. The Commission was advised in SPA's April 3, 1975, letter request for the six month extension that Federal court decisions concerning previous Commission approved rate increases involving approximately $3,700,000 in annual revenue were pending and that in the event any one of the cases was decided within the six-month extension period, the repayment studies would be adjusted accordingly.

The Supreme Court denied Associated Electric Cooperative's Petition for Certiorari on October 6, 1975, and the case will now be heard by the District Court on a narrow issue of fact. According to SPA, this development will have a major impact on SPA's revenues, and SPA's repayment study is being revised.

Studies completed by SPA disclose that revenues derived under these rate schedules will not be adequate to fulfill SPA's repayment obligation during the payout period as required under Section 5 of the Flood Control Act of 1944. The extension requested will provide time during which SPA will make revisions to its rate and repayment study, and conduct hearings on the rate and repayment study prepared in support of the proposed rates.

Any person desiring to be heard or to make any protest with reference to said application should, on or before January 2, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-35193 Filed 12-31-75;8:45 am]

[Docket No. RP73-104 (DCA76-1A)]

EASTERN SHORE NATURAL GAS CO.

Notice of Curtailment Credits

DECEMBER 18, 1975.

Take notice that Eastern Shore Natural Gas Company (Eastern Shore) on December 11, 1975, tendered for filing Revised Fifteenth Revised Sheet No. 3A and Revised Fifteenth Revised PGA-1 to its FPC Gas Tariff, Original Volume No. 1, to be effective December 1, 1975. The aforementioned revised tariff sheets reflect curtailment credits since Transcontinental Gas Pipe Line Corporation's (Transco) adjustments were effectuated. The calculation of the $.038 increase in commodity or delivery charges of Eastern Shore's Rate Schedules CD-1, CD-E, G-1, PS-1 and E-1 remains the same as filed on November 6, 1975, under Fifteenth Revised Sheet No. 3A.

Copies of the filing have been mailed to each of the Company's jurisdictional customers and to interested State Commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 6, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-35100 Filed 12-31-75;8:45 am]

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[Docket No. CP76-169]

GEORGE J. DESPOT AND C. B. GAS GATHERING CO.

Notice of Application

DECEMBER 18, 1975.

Take notice that on November 3, 1975, George J. Despot (Despot), 705 Beck Building, Shreveport, Louisiana 71101, and C. B. Gas Gathering Company (C. B.), P.O. Box 1873, Corpus Christi, Texas 78403, jointly Applicants, filed in Docket No. CP76-169 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon the sales for resale of natural gas in interstate commerce so that such sales can be continued by Despot Exploration, Inc. (Despot Exploration), as successor in interest to Despot, under a small producer certificate, all as more fully set forth in the application on file with the Commission and open to public inspection.

Despot proposes to abandon the sale of natural gas being made pursuant to a small producer certificate in Docket No. CS72-728 to C. B. from the Veltin Field, St. Landry Parish, Louisiana. The indicated last effective rate is 17.25 cents per Mcf of natural gas at 15.025 psia. The application states that Despot cannot economically develop additional gas at the present contract price for the sales to C.B.; and, therefore, Despot Exploration desires to make sales directly to Florida Gas Transmission Corporation (Florida Gas) through the gathering system that sales are being made to Florida Gas. Despot, by the development of gas production would be enabled to maintain leases which would otherwise be depleted and would provide additional gas for the interstate market, it is alleged.

C. B. proposes to abandon the sales of natural gas to Florida Gas from the North Edna Field, Jefferson Davis Parish, the Lottie Field, Pointe Coupee Parish, the South Bayou Mallet Field, Acadia Parish and the Veltin Field. St. Landry Parish, Louisiana, being made pursuant to C.P.'s FPC Gas Tariff, Original Volume No. 2, at 18.5 cents per Mcf of natural gas at 15.025 psia. The stated reasons for the proposed abandonment are: (1) that there has been a depletion of all sources of supply except minimal volumes of gas available from the Despot well in the Veltin Field, which well shall be depleted in the near future; (2) that Despot Exploration now owns the leases and the gathering system through which sales are made to Florida Gas, and (3) that additional development is necessary to maintain production and Despot Exploration has negotiated a contract with Florida Gas for sales under Despot's small producer certificate. Despot Exploration would sell previously dedicated gas at 18.5 cents per Mcf and would charge and collect 75 cents per Mcf of gas not previously sold in interstate commerce.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 5, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonments are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procdeure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-35200 Filed 12-31-75;8:45 am]

[Docket No. CI76-270]

MAPCO, INC.

Notice of Withdrawal

DECEMBER 17, 1975.

On December 3, 1975, MAPCO Inc. filed a motion to withdraw its application for Certificate of Public Convenience and Necessity filed on November 7, 1975, in the above-designated proceeding.

Notice is hereby given that pursuant to Section 1.11(d) of the Commission's Rules and Regulations, the withdrawal of the above application shall become effective on January 2, 1976.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-35194 Filed 12-31-75;8:45 am]

[Docket No. CP76-167]

MONTANA-DAKOTA UTILITIES CO.

Notice of Application

DECEMBER 17, 1975.

Take notice that on November 20, 1975, Montana-Dakota Utilities Co. (Applicant), 400 North Fourth Street, Bismarck, North Dakota 58501, filed in Docket No. CP76-167 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities for the purpose of providing natural gas service to residential and small commercial customers from the transmission mains of Applicant's system and for the delivery of natural gas to Wyoming Gas Company (Wyoming) for resale and distribution, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant proposes to construct and operate 81 direct sale taps for deliveries to consumers and one tap for the delivery of gas to Wyoming as follows:

Customer name	Location	Estimated annual gas required (thousand cubic feet)	Estimated maximum day demand (thousand cubic feet)	End use of gas
Richard Brusseau	Pembina County, N. Dak.	300	3	Residential and farm shop heating.
Joe Hall	Walsh County, N. Dak.	240	2	Residential heating.
(a) Zion Lutheran Church and church parsonage.	do	400	3	Commercial heating.
(b) J. Midgarden (serve from same tap as church).	do	250	2	Residential heating.
(a) Peavey Co.	Barnes County, N. Dak.	5,000	50	Commercial heating and feed processing.
(b) International Multi-Foods (serve from same tap as Peavey Co.).	do	1,000	10	Commercial heating.
John Zoller	Stutsman County, N. Dak.	240	2	Residential heating.
(a) Seventh Day Adventist School	Burleigh County, N. Dak.	15,000	120	Commercial cooking and heating.
(b) There are 3 farm residences and 2 mobile homes that would also be served from the same tap.	do	900	9	Residential heating.
(c) KFYR radio tower building would also be served from the same tap.	do	400	4	Commercial heating.
Al Kovash Development, a subdivision providing for 30 residences ultimately.	Morton County, N. Dak.	8,250	66	28 residential heating.
West Acres Development, a subdivision providing for 14 residences ultimately.	do	2,500	28	14 residential heating.
Ray Erhardt	do	200	2	Residential heating.
Tom Embe	do	400	4	Residential heating and shop heating (honey processing).
Krein Standard Station	do	800	5	Commercial heating.

Customer name	Location	Estimated annual gas required (thousand cubic feet)	Estimated maximum day demand (thousand cubic feet)	End use of gas
Victor Kopp	Stark County, N. Dak.	150	3	Residential heating.
Oscar Schaible	Hettinger County, N. Dak.	250	3	Do.
Mr. Wagner	Stark County, N. Dak.	100	2	Do.
Mike Herberbols	do	225	3	Do.
Terry Wagner	do	225	3	Do.
Western Ranches, a subdivision providing for 3 residences immediately on this tap.	do	750	9	Residential heating (3 immediately).
Western Ranches, a subdivision providing for an additional 3 residences immediately on this tap. The ultimate for both taps is 30 residences.	do	6,750	54	Residential heating (3 immediately and 27 ultimate).
(a) Walter Richards	do	250	3	Residential heating.
(b) Walter Richards, Jr. (serve from same tap as Walter Richards).	do	200	2	Do.
William Richards	do	350	3	Residence and mobile home heating.
William Sawicki	McLean County, N. Dak.	200	2	Residential heating.
O. Enerkson	do	350	3	Residential and farm shop heating.
Roland Weir	do	200	2	Residential heating.
Great Plains Supply Co.	do	400	4	Commercial heating.
George Andersen	do	200	2	Residential heating.
Clark and David Robinson	do	900	9	2 residential heating and farm shop.
Hilbert Barts	do	200	2	Residential heating.
Evander Johnson	do	200	2	Do.
Herr Construction Co.	do	400	4	Commercial heating.
James Morris	do	200	2	Residential heating.
Shearer & Rierson	Ward County, N. Dak.	400	4	2 residential heating.
Minot Air Force Base Golf Club	do	1,900	15	Commercial cooking and heating.
(a) Tollefsen Furniture Warehouse	do	1,500	10	Commercial heating.
(b) Kingel Dairy Farm (serve from same tap as Tollefsen Furniture).	do	600	5	Do.
(a) Rolling Hills, Rim Rock, and Weringer's Additions, subdivisions providing for 27 residences.	do	5,400	54	Residential heating.
(b) Green Thumb Greenhouse (serve from same tap as Rolling Hills Addition).	do	950	8	Commercial heating.
John Cotton	Williams County, North Dakota.	200	2	Residential heating.
Lester Beard and Walter Rassier	do	470	4	1 residential and 1 mobile home heating.
Larry Slingsby	do	300	2	Residential heating
Andrew Chandler Mobile Home Court.	do	5,000	50	25 residential mobile home heating.
Owen and Torgerson Development	do	1,250	10	2 commercial heating.
Torgerson Housing Development, a subdivision providing for 7 residences.	do	1,540	15	7 residential heating.
George Stensland	Roosevelt County, Mont.	200	2	Residential heating.
Warren Evans	do	250	2	Do.
A. T. Stalney	do	250	2	Do.
Gene Haynes	do	200	2	Do.
Malta Honey Co.	Phillips County, Mont.	2,250	35	Commercial heating and food processing.
Lee Robinson Automobile and Implement Dealer.	do	750	7	Commercial heating and cooling.
George Cornfield	Dawson County, Mont.	200	2	Residential heating.
Thomas Wyman	Richland County, Mont.	600	6	2 residential heating.
Walter Prevost	do	200	2	Residential heating.
Matt Brown	Dawson County, Mont.	150	2	Do.
Tom Kalisch	do	200	2	Do.
Alvin Schmidt	do	200	2	Do.
John Whiteman, Jr	do	150	2	Do.
Fred Unruh	Prairie County, Mont.	200	2	Do.
B. Lindstrom	Golden Valley County, N. Dak.	200	2	Do.
M. O. Cartwright	McKenzie County, N. Dak.	200	2	Do.
Matt Koch	do	200	2	Do.

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Customer name	Location	Estimated annual gas required (Thousand cubic feet)	Estimated maximum day demand (Thousand cubic feet)		End use of gas
Gary White	Bowman County, N. Dak.	180	2		Do.
Eunice Klewin	do	200	2		Do.
William Gillin	Rosebud County, Mont.	250	3		Residential and farm shop heating.
Joseph Fries	do	200	2		Residential heating.
Frances Brewer	do	200	2		Do.
David Nelbauer	Yellowstone County, Mont.	140	2		Do.
Robert Phillips	Carbon County, Mont.	180	2		Do.
Jerry Barnes	Big Horn County, Mont.	220	2		Do.
Henry Yalowizer	do	160	2		Do.
Mary Steinmetz	do	160	2		Do.
Gene Maher	do	160	2		Do.
KHDN Radio	do	300	2		Commerical heating.
May Childs	do	160	2		Residential heating.
(a) Don Weglin	Washakie County, Wyo.	180	2		Do.
(b) Henry Stanley (serve from same tap as Don Weglin).	do	180	2		Do.
Vincent Hayes	Hot Springs County, Wyo.	180	2		Do.
James Weeks	Butte County, S. Dak.	200	2		Do.
Shorty Nelson	Lawrence County, S. Dak.	500	3		2 residential heating.
Mountain Side Mobile Homes sales office and 41 mobile homes,	do	6,300	63		1 commercial heating and 41 residential heating.
Sturgis Industrial Park	Meade County, S. Dak.	10,000	100		Area under development for small commercial use. Gas to be used for heating.
Pleasant Valley Development Corp	do	50,000	600		Motel, restaurant, golf course, and 120 residential building sites. Gas to be used for cooking and heating.
Slaughter Electric Co	Pennington County, S. Dak.	600	7		Commercial heating.
Donald Vetsch	do	12,000	130		80 unit residential mobile home court heating.
KNS Trailer Court	do	8,100	81		54 unit residential mobile home court heating.
Norman Wiederich	do	200	2		Residential heating.
Wyoming Gas Co	Big Horn County, Wyo.	500	5		Do.
Total annual requirement		163,690			
Total maximum day requirement			1,702		

Applicant stated that it is continuing to add residential and small commercial customers, those with requirements of less than 36,000 Mcf per year, to its distribution system. Applicant further states that it is neogtiating with large commercial customers in its service area for conversion to alternative fuels. It is alleged by Applicant that at this time it is not experiencing a supply shortage and has the capacity to provide the additional firm sales proposed herein. The sales by Applicant and by Wyoming would be in Applicant's and Wyoming's franchised distribution areas, it is stated.

The estimated total cost of the proposed facilities is stated by Applicant to be approximately $217,300 of which $38,900 is said to be for transmission facilities and $178,400 for distribution facilities. The funds for the proposed construction would be generated internally.

Applicant states that it would charge the customers to be served by the facilities the appropriate rates as determined by the regulatory agencies of the respective states and would charge Wyoming according to Applicant's FPC Gas Tariff Original Volume No. 4.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 6, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-35195 Filed 12-31-75;8:45 am]

[Docket No. ES76-29]

PACIFIC POWER & LIGHT CO.

Notice of Application

DECEMBER 17, 1975.

Take notice that on December 4, 1975, Pacific Power & Light Company (Applicant), a Maine corporation, qualified to transact business in the states of Oregon, Wyoming, California, Montana, and Idaho, with its principal business office at Portland, Oregon, filed an application with the Federal Power Commission, pursuant to Section 204 of the Federal Power Act, seeking an order authorizing it to issue $75,000,000 in principal amount of its First Mortgage Bonds (New Bonds).

The New Bonds are to be issued under and pursuant to Applicant's presently existing Mortgage and Deed of Trust, dated as of July 1, 1947, to Morgan Guaranty Trust Company of New York and R. E. Sparrow, as Trustees, as supplemented and as proposed to be supplemented by a Twenty-ninth Supplemental Indenture. The New Bonds will bear interest from January 1, 1976, at a rate per annum to be fixed and will mature on such date or dates as may be determined by Applicant's Board of Directors.

Applicant proposes to sell the New Bonds at competitive bidding in accordance with the applicable requirements of Section 34.1a of the Commission's Regulations.

Proceeds from the issuance and sale of the New Bonds will be used to repay short-term notes prior to or as they mature. If the sale of the Wyodak Project by Applicant and Black Hills Power and Light Company in a transaction for which certain approvals will be sought from the Commission in a separate application occurs prior to the sale of the New Bonds, a portion of the proceeds from the sale will be used to repay short-term notes and the balance will be used to finance, in part, Applicant's 1976 construction program, presently estimated at $277,494,000.

Any person desiring to be heard or to make any protest with reference to said application should, on or before January 5, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-35201 Filed 12-31-75;8:45 am]

[Docket Nos. RP72-156, RP73-64 and RP-75-19 (PGA 76-1, DCA76-1, AP76-1)]

TEXAS GAS TRANSMISSION CORP.

Notice of Proposed Changes in FPC Gas Tariff

DECEMBER 19, 1975.

Take notice that Texas Gas Transmission Corporation (Texas Gas), on December 15, 1975, tendered for filing as part of its FPC Gas Tariffs, the following sheets:

Third Revised Volume No. 1:
Fifth Substitute Twelfth Revised Sheet No. 7
Original Volume No. 2:
Third Substitute Seventh Revised Sheet No. 333
Third Substitute Sixth Revised Sheet No. 362
Third Substitute Seventh Revised Sheet No. 363
Third Substitute Sixth Revised Sheet No. 365

Texas Gas states that these sheets are being issued pursuant to the purchased gas cost adjustment provision of Texas Gas' FPC Gas Tariff, Third Revised Volume No. 1, to the demand charge adjustment recovery provision of Texas Gas' FPC Gas Tariff, Third Revised Volume No. 1, and pursuant to the provisions of Articles V and VII of the Stipulation and Agreement approved by Commission Order issued October 6, 1975, in Docket No. RP75-19. Texas Gas states that these changes reflect a cost of gas adjustment to track increased purchased gas costs and to recover the balance in Account No. 191—"Unrecovered Purchased Gas Costs", the recovery of demand charge credits, and the increases in costs associated with advance payments and offshore transportation. Texas Gas requested a proposed effective date of February 1, 1976, for this filing.

Texas Gas states that copies of the filing were served upon the company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8, 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 5, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-35203 Filed 12-31-75;8:45 am]

[Docket No. ID-1719]

PATRICK J. CHAMBERS

Notice of Application

DECEMBER 18, 1975.

Take notice that on December 1, 1975, Patrick J. Chambers (Applicant) filed an application with the Federal Power Commission. Pursuant to Section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Treasurer, Orange and Rockland Utilities, Inc., Public Utility
Treasurer, Rockland Electric Company, Public Utility
Treasurer, Pike County Light & Power Company, Public Utility

Orange and Rockland Utilities, Inc. (formerly Rockland Light and Power Company) has its principal place of business at Spring Valley, New York. The Company is engaged in the generation, distribution and sale of electric current in Rockland County and portions of Orange County and the easterly portion of Sullivan County, all in the state of New York, and owns and operates facilities for the transmission of electric energy across the New Jersey and Pennsylvania state lines to its wholly-owned subsidiary companies, Pike County Light & Power Company, Milford, Pennsylvania; and Rockland Electric Company, Ramsey, New Jersey. The Company also distributes natural gas in parts of the territory.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 5, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-35191 Filed 12-31-75;8:45 am]

[Docket No. RP75-75]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Presiding Administrative Law Judge's Certification of Proposed Settlement Agreement

DECEMBER 16, 1975.

Take notice that on December 4, 1975, Presiding Administrative Law Judge Stephen L. Grossman certified to the Commission a proposed settlement agreement (Agreement) in the above-referenced docket. Judge Grossman states that he was advised at a prehearing conference on December 2, 1975, that the Agreement represents a negotiated settlement of all issues in the proceeding except the following:

1. The propriety of rate base and amortization treatment for costs related to certain unsuccessful supplemental gas projects.
2. The propriety and extent of inclusion in rate base of certain advance payments.
3. The propriety of inclusion in rate base of certain unrecoverable advance payments.
4. The propriety of inclusion in cost of service of amounts reflecting carrying charges under an advance payment agreement with Louisiana Land and Exploration Company.
5. The propriety of inclusion in cost of service of compression charges which are paid to certain producers.
6. Rate design for sales and transportation.

Judge Grossman states that these six issues are reserved subject to terms and conditions set forth in the Agreement. He states further that he was advised that all parties to the proceeding, including the Commission's Staff, "basically concur in the proposed Agreement."

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, DC. 20426, in accordance with Setcions 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protects should be filed on or before January 2, 1976. Any responses to such petitions, protests or comments should be filed on or before January 9, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-35191 Filed 12-31-75;8:45 am]

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[Docket No. ER76-336]

WESTERN MASSACHUSETTS ELECTRIC CO.

Notice of Termination

DECEMBER 17, 1975.

Take notice that on December 5, 1975, Western Massachusetts Electric Company (WMECO) filed with the Commission a notice that the following rate schedule, effective January 1, 1974, was terminated in accordance with its terms on April 30, 1974:

Rate Schedule FPC No. WMECO 96

WMECO states that notice of the proposed termination has been served upon the Montaup Electric Company.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE, Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 2, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants patries to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-35197 Filed 12-31-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

ADVISORY COUNCIL ON WOMEN'S EDUCATIONAL PROGRAMS

Public Meetings

Notice of public meetings of the Advisory Council on Women's Educational Programs.

Notice is hereby given, pursuant to Pub. L. 92-463, that the next meeting of the Information Resources Committee of the Advisory Council on Women's Educational Programs will be held from 7 p.m. to 10 p.m. on January 15, 1976, at the Holiday Inn, D/FW North at Highway 114 and Ester Road in Irving, Texas and that the next meeting of the Council's Program Committee will be held from 8:30 a.m. to 12:30 p.m. on January 16, 1976, at the same address, and that a joint meeting of both committees will follow from 1 p.m. to 4:30 p.m.

The Advisory Council on Women's Educational Programs is established pursuant to Pub. L. 93-380 Section 408(f)(1). The Council is mandated to (a) advise the Commissioner with respect to general policy matters relating to the administration of the Women's Educational Equity Act of 1974; (b) advise and make recommendations to the Assistant Secretary concerning the improvement of educational equity for women; (c) make recommendations to the Commissioner with respect to the allocation of any funds pursuant to Section 408 of Pub. L. 93-380, including criteria developed to insure an appropriate distribution of approved programs and projects throughout the Nation; and (d) develop criteria for the establishment of program priorities.

The meetings of both committees shall be open to the public. The agenda for each of the committees will include discussions and planning for the Council's information gathering project on the education of rural women.

Records will be kept of all Council proceedings and will be available at the Council offices at Suite 821, 1832 M Street NW., Washington, D.C.

Signed at Washington, D.C. on December 22, 1975.

JOY R. SIMONSON,
Executive Director.

[FR Doc.75-35211 Filed 12-31-75;8:45 am]

NATIONAL ADVISORY COUNCIL ON VOCATIONAL EDUCATION

Meeting

Notice of Public Meeting of the National Advisory Council on Vocational Education.

Notice is hereby given, pursuant to Pub. L. 92-463, that the next meeting of the National Advisory Council on Vocational Education will be held on January 15, 1976, from 9:00 a.m. to 5:00 p.m., Eastern Standard Time, and on January 16, 1976, from 9:00 a.m. to 5:00 p.m., Eastern Standard Time, at the L'Enfant Plaza, Renoir Room 1, Washington, D.C.

The National Advisory Council on Vocational Education is established under Section 104 of the Vocational Education Amendments of 1968 (20 U.S.C. 1244). The Council is directed to advise the Commissioner of Education concerning the administration of, preparation of general regulations for, and operation of, vocational education programs, supported with assistance under the act; review the administration and operation of vocational education programs under the act; including the effectiveness of such programs in meeting the purposes for which they are established and operated, make recommendations with respect thereto, and make annual reports of its findings and recommendations to the Secretary of HEW for transmittal to the Congress; and conduct independent evaluation of programs carried out under the act and publish and distribute the results thereof.

The meeting of the Council shall be open to the public. The proposed agenda includes:

January 15, 1976, 9:00 a.m. to 5:00 p.m.: Presentation by White House Staff. Discussion of Council Priorities. Committee Meetings.

January 16, 1976, 9:00 a.m. to 5:00 p.m.: Committee Reports. General Council Business.

Records shall be kept of all Council proceedings and shall be available for public inspection at the office of the Council's Executive Director, located in Suite 412, 425 13th Street NW., Washington, D.C. 20004.

Signed at Washington, D.C., on December 30, 1976.

REGINALD E. PETTY,
Executive Director.

[FR Doc.75-35243 Filed 12-31-75;8:45 am]

Food and Drug Administration

MEDICAL RADIATION ADVISORY COMMITTEE, SUBCOMMITTEE ON THE DIVISION OF TRAINING AND MEDICAL APPLICATIONS

Meeting

This notice announces a forthcoming public advisory committee meeting of the Food and Drug Administration. It also sets out a summary of the procedures governing the committee meeting and the methods by which interested persons may participate in the open public hearings conducted by the committee. The notice is issued under section 10(a) (1) and (2) of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)). The following advisory committee meeting is announced:

Committee name	Date, time, place	Type of meeting and contact person
1. Subcommittee on the Division of Training and Medical Applications of the Medical Radiation Advisory Committee.	January 27-28, 9 a.m., Room T-416, 12720 Twinbrook Parkway, Rockville, Md.	Open public hearing/open committee discussion Jan. 27, 9 a.m. to 4 p.m., Jan. 28, 9 a.m. to 2 p.m: Mark Barnett (HFX-440), 12720 Twinbrook Parkway, Rockville, Md. 20852, 301-443-2845.

Function of the committee. Advises on the formulation of policy and development of a coordinated program related to the application of ionizing radiation in the healing arts.

Agenda—Open public hearing/open committee discusssion. During this portion any interested person may present data, information, or views, orally or in writing on issues pending before the committee. This meeting will include discusssion of the education of physicians and x-ray technologists in medical radiation protection; education of consumers in medical radiation protection; and x-ray quality assurance activities.

Agenda items are subject to change as priorities dictate.

Dated: December 24, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.75-35176 Filed 12-31-75;8:45 am]

PANEL ON REVIEW OF ANTIPERSPIRANT DRUG PRODUCTS

Meeting Change

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), the Food and Drug Administration announced in a notice published in the FEDERAL REGISTER of December 17, 1975 (40 FR 58479), public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a) (1) and (2) of the act.

Notice is hereby given that the open session of the meeting of the Panel on Review of Antiperspirant Drug Products is extended from 9 a.m. to 2 p.m. on January 22.

Dated: December 24, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.75-35175 Filed 12-31-75;8:45 am]

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FRIDAY, JANUARY 2, 1976



PART II:
SECTION 1

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

■

14 CFR PARTS 71, 73, AND 75

Compilation of Regulations

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Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 75-WA-24]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 73—SPECIAL USE AIRSPACE

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Compilation of Regulations

The purpose of this compilation is to combine all amendments and pending amendments issued in 1975 to Parts 71, 73 and 75 of the Federal Aviation Regulations which have been published by the Administrator of the Federal Aviation Administration in the FEDERAL REGISTER prior to December 4, 1975. Pending amendments are listed below the appropriate sections and include the effective dates and FEDERAL REGISTER citations.

Minor editorial corrections have been included to clarify existing airspace descriptions; however, no substantive changes or revision of airspace designations have been effected thereby. Therefore, compliance with the notice and public procedure requirements of 5 U.S.C. 553 are unnecessary and for that reason this docket may be made effective immediately.

In consideration thereof, this action is effective 0901 GMT, December 4, 1975.

(Sec. 307(a), 313(a), Federal Aviation Act of 1958; (49 U.S.C. 1348(a), 1354); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c))

Issued in Washington, D.C., on December 4, 1975.

WILLIAM E. BROADWATER,
Chief, Airspace and Air Traffic Rules Division.

[FR Doc.75-34219 Filed 1-31-75;8:45 am]

TITLE 14 - AERONAUTICS AND SPACE
CHAPTER I - FEDERAL AVIATION ADMINISTRATION
SUBCHAPTER E - AIRSPACE
PARTS 71, 73, 75
DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS, SPECIAL USE AIRSPACE, JET ROUTES, AREA HIGH ROUTES

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SUBPART A - GENERAL

§ 71.1 Applicability.

(a) The airspace assignments described in Subparts B and C are designated as Federal airways.

(b) The airspace assignments described in Subparts B through I are designated as control areas, the continental control area, control zones, transition areas, positive control areas, and reporting points, as described in the appropriate subpart.

(c) The airspace assignments described in Subpart K of this part are designated as terminal control areas.

(d) The airspace assignments described in Subpart J are designated as area low routes.

§ 71.3 Classification of Federal Airways.

Federal airways are classified as follows:

(a) Colored Federal airways:

(1) Green Federal airways.

(2) Amber Federal airways.

(3) Red Federal airways.

(4) Blue Federal airways.

(b) VOR Federal airways.

§ 71.5 Extent of Federal airways.

(a) Each Federal airway is based on a centerline that extends from one navigational aid or intersection to another navigational aid (or through several navigational aids or intersections) specified for that airway.

(b) Unless otherwise specified in Subpart B or C -

(1) Each Federal airway includes the airspace within parallel boundary lines 4 miles each side of the centerline. Where an airway changes direction, it includes that airspace enclosed by extending the boundary lines of the airway segments until they meet.

(2) Where the changeover point for an airway segment is more than 51 miles from either of the navigational aids defining that segment, and -

(i) The changeover point is midway between the navigational aids, the airway includes the airspace between lines diverging at angles of 4.5° from the centerline at each navigational aid and extending until they intersect opposite the changeover point; or

(ii) The changeover point is not midway between the navigational aids, the airway includes the airspace between lines diverging at angles of 4.5° from the centerline at the navigational aid more distant from the changeover point, and extending until they intersect with the bisector of the angle of the centerlines at the changeover point; and between lines connecting these points of intersection and the navigational aid nearer to the changeover point.

(3) Where an airway terminates at a point or intersection more than 51 miles from the closest associated navigational aid it includes the additional airspace within lines diverging at angles of 4.5° from the centerline extending from the associated navigational aid to a line perpendicular to the centerline at the termination point.

(4) Where an airway terminates, it includes the airspace within a circle centered at the specified navigational aid or intersection having a diameter equal to the airway width at that point. However, an airway does not extend beyond the domestic/oceanic control area boundary.

(c) Unless otherwise specified in Subpart B or C -

(1) Each Federal airway includes that airspace extending upward from 1,200 feet above the surface of the earth to, but not including, 18,000 feet MSL, except that Federal airways for Hawaii have no upper limits. Variations of the lower limits of an airway are expressed in digits representing hundreds of feet above the surface (AGL) or mean sea level (MSL) and, unless otherwise specified, apply to the segment of an airway between adjoining navigational aids or intersections; and

(2) The airspace of a Federal airway within the lateral limits of a transition area has a floor coincident with the floor of the transition area.

(d) One or more alternate airways may be designated between specified navigational aids or intersections along each VOR Federal airway described in Subpart C. Unless otherwise specified, the centerline of an alternate VOR Federal airway and the centerline of the corresponding segment of the main VOR Federal airway are separated by 15°.

(e) A Federal airway does not include the airspace of a prohibited area.

§ 71.6 Extent of area low routes.

(a) Each area low route is based on a centerline that extends from one waypoint to another waypoint (or through several waypoints) specified for that area low route. An area low route does not include the airspace of a prohibited area. All mileages specified in connection with area low routes are nautical miles.

(b) Unless otherwise specified in Subpart J, the following apply:

(1) Except as provided in subparagraph (2) of this paragraph, each area low route includes, and is limited to, that airspace within parallel boundary lines 4 or more miles on each side of the route centerline as described in the middle column of the following table, plus that additional airspace outside of those parallel lines and within lines drawn outward from those parallel lines at angles of 3.25°, beginning at the distance from the tangent point specified in the right-hand column of the following table:

Miles from reference facility to tangent point	Miles from centerline to parallel lines	Miles from tangent point along parallel lines to vortices of 3.25° angles
Less than 17	4	51.
17 to, but not including 27	4	50.
27 to, but not including 33	4	49.
33 to, but not including 38	4	48.
38 to, but not including 43	4	47.
43 to, but not including 47	4	46.
47 to, but not including 51	4	45.
51 to, but not including 55	4	44.
55 to, but not including 58	4	43.
58 to, but not including 61	4	42.
61 to, but not including 63	4	41.
63 to, but not including 66	4	40.
66 to, but not including 68	4	39.
68 to, but not including 70	4	38.
70 to, but not including 72	4	37.
72 to, but not including 74	4	36.
74 to, but not including 76	4	35.
76 to, but not including 78	4	34.
78 to, but not including 79	4	33.
79 to, but not including 81	4	32.
81 to, but not including 83	4	31.
83 to, but not including 84	4	30.
84 to, but not including 86	4	29.
86 to, but not including 87	4	28.
87 to, but not including 88	4	27.
88 to, but not including 89	4	26.
89 to, but not including 91	4	25.
91 to, but not including 92	4	24.
92 to, but not including 93	4	23.
93 to, but not including 94	4	22.
94 to, but not including 95	4	21.
95 to, but not including 96	4	19.
96 to, but not including 97	4	18.
97 to, but not including 98	4	17.
98 to, but not including 99	4	15.
99 to, but not including 100	4	13.
100 to, but not including 101	4	11.
101 to, but not including 102	4	8.
102 to, but not including 105	4	0 (i.e., at tangent point).
105 to, but not including 115	4.25	0 (i.e., at tangent point).
115 to, but not including 125	4.50	0 (i.e., at tangent point).
125 to, but not including 135	4.75	0 (i.e., at tangent point).
135 to, but not including 145	5.00	0 (i.e., at tangent point).
145 to, but not including 150	5.25	

(2) Each area low route, whose centerline is at least 2 miles, and not more than 3 miles from the reference facility, includes, in addition to the airspace specified in subparagraph (1) of this paragraph, that airspace on the reference facility side of the centerline that is within lines connecting the point that is 4.9 miles from the tangent point on a perpendicular line from the centerline through the reference facility, thence to the edges of the boundary lines described in subparagraph (1) of this paragraph, intersecting those boundary lines at angles of 5.15°.

(3) Where an area low route changes direction, it includes that airspace enclosed by extending the boundary lines of the route segments until they meet.

(4) Where the widths of adjoining route segments are unequal, the following apply:

(i) If the tangent point of the narrower segment is on the route centerline, the width of the narrower segment includes that additional airspace within lines from the lateral extremity of the wider segment where the route segments join, thence toward the tangent point of the narrower route segment, until intersecting the boundary of the narrower segment.

(ii) If the tangent point of the narrower segment is on the route centerline extended, the width of the narrower segment includes that additional airspace within lines from the lateral extremity of the wider segment where the route segments join, thence toward the tangent point until reaching the point where the narrower segment terminates or changes direction, or until intersecting the boundary of the narrower segment.

(5) Where an area low route terminates, it includes that airspace within a circle whose center is the terminating waypoint, and whose diameter is equal to the route segment width at that waypoint, except that an area low route does not extend beyond the domestic/oceanic control area boundary.

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(6) Each area low route includes that airspace extending upward from 1,200 feet above the surface of the earth to, but not including, 18,000 feet MSL, except that area low routes for Hawaii have no upper limits. Variations of the lower limits of an area low route are expressed in digits representing hundreds of feet above the surface (AGL) or mean sea level (MSL) and, unless otherwise specified, apply to the route segment between adjoining waypoints used in the description of the route.

(7) The airspace of an area low route within the lateral limits of a transition area has a floor coincident with the floor of the transition area.

§ 71.7 Control areas.
Control areas consist of the airspace designated in Subparts B, C, E, and J, but do not include the continental control area. Unless otherwise designated, control areas include the airspace between a segment of a main VOR Federal Airway and its associated alternate segments with the vertical extent of the area corresponding to the vertical extent of the related segment of the main airway.

§ 71.9 Continental Control Area
The Continental Control Area consists of the airspace of the 48 contiguous States, the District of Columbia and Alaska, excluding the Alaska peninsula west of longitude 160°00'00" W., at and above 14,500 feet M.S.L., but does not include -
(a) The airspace less than 1,500 feet above the surface of the earth; or
(b) Prohibited and restricted areas, other than restricted areas listed in Subpart D of this part.

AMENDMENTS 7/28/75 40 F. R. 27015 (Changed)

§71.11 Control Zones
The control zones listed in Subpart F of this part consist of controlled airspace which extends upward from the surface of the earth and terminates at the base of the continental control area. Control zones that do not underlie the continental control area have no upper limit. A control zone may include one or more airports and is normally a circular area with a radius of 5 miles and any extensions necessary to include instrument approach and departure paths.

§71.12 Terminal Control Areas
The terminal control areas listed in Subpart K of this part consist of controlled airspace extending upward from the surface or higher to specified altitudes, within which all aircraft are subject to operating rules and pilot and equipment requirements specified in Part 91 of this chapter. Each such location is designated as a Group I, Group II, or Group III terminal control area, and includes at least one primary airport around which the terminal control area is located.

§ 71.13 Transition Areas.
The transition areas listed in Subpart G consist of controlled airspace extending upward from 700 feet or more above the surface of the earth when designated in conjunction with an airport for which an approved instrument approach procedure has been prescribed; or from 1,200 feet or more above the surface of the earth when designated in conjunction with airway route structures or segments. Unless otherwise specified, transition areas terminate at the base of the overlying controlled airspace.

§ 71.15 Positive Control Areas.
The positive control areas listed in Subpart H consist of controlled airspace within which there is positive control of aircraft.

§ 71.17 Reporting Points.
(a) The reporting points listed in Subpart I consist of geographic locations, in relation to which the position of an aircraft must be reported in accordance with §91.125.
(b) Unless otherwise designated, each reporting point applies to all directions of flight. In any case where a geographic location is designated as a reporting point for less than all airways passing through that point, or for a particular direction of flight along an airway only, it is so indicated by including the airways or direction of flight in the designation of geographical location.
(c) Unless otherwise specified, place names appearing in the reporting point descriptions indicate VOR or VORTAC facilities identified by those names.

§ 71.19 Bearings: Radials: Miles.
(a) All bearings and radials in this Part are true, and are applied from point of origin.
(b) Except as otherwise specified and except that mileages for Federal airways are stated as nautical miles, all mileages in this Part are stated as statute miles.

SUBPART B - COLORED FEDERAL AIRWAYS

§ 71.101 Designation.

The airspace assignments described in this subpart are designated as Colored Federal Airways.

§71.103 Green Federal Airways.

G-7 From Fort Davis, Alaska, RBN, Norton Bay, Alaska, RBN; 46 miles, 57 miles, 55 MSL, Bishop, Alaska, MDB; INT Bishop MDB 099° and Chena, Alaska, RBN 269° bearings; Chena RBN.

AMENDMENTS 10/9/75 40 F. R. 17007 (Changed)

G-8 From Shemya, Alaska, RBN, 20 AGL Adak, Alaska, RBN; 20 AGL Nikolski, Alaska, RBN; 20 AGL Driftwood Bay, Alaska, RBN; 20 AGL INT Cold Bay, Alaska, LOM 253° and Cape Sarichef, Alaska, NDB 344° bearings; 20 AGL Cold Bay LOM; King Salmon, Alaska, LOM; Big Mountain, Alaska, RBN; Kachemak, Alaska, RBN; Wildwood, Alaska, RBN; INT of a bearing of 034° from Wildwood RBN and a bearing of 266° from Campbell Lake, Alaska, RBN; Campbell Lake RBN; INT Campbell Lake RBN 026° and Skwentna, Alaska, RBN 111° bearings; Glenallen, Alaska, RBN; INT Glenallen RBN 052° and Nabesna, Alaska, RBN 252° bearings; Nabesna RBN.

AMENDMENTS 2/27/75 39 F. R. 44196 (Changed)

G-9 From Oscarville, Alaska, RBN 36 miles, 125 miles, 86 MSL, Sparrevohn, Alaska, RBN; 24 miles, 29 miles, 83 MSL, 14 miles, 10,800 MSL, 42 miles, 12,800 MSL, to Campbell Lake, Alaska, RBN.

G-11 From INT Cold Bay, Alaska, LOM 041° and Port Moller, Alaska, NDB 313° bearings, 20 AGL via Port Heiden, Alaska, RBN; 174 Miles 85 MSL, 37 miles 20 AGL, to Woody Island, Alaska, RBN.

AMENDMENTS 2/27/75 39 F. R. 44196 (Changed)

AMBER FEDERAL AIRWAYS

§71.105 Amber Federal Airways.

A-1 From Sandspit, British Columbia, Canada, RBN via Sitka, Alaska, RBN; 31 miles 12 AGL, 50 miles 48 MSL, 112 miles 20 MSL, Ocean Cape, Alaska, RBN; INT Ocean Cape RBN 283° and Hinchinbrook, Alaska, RBN 106° bearings; Hinchinbrook RBN; INT Hinchinbrook RBN 286° and Campbell Lake, Alaska, RBN 122° bearings; Campbell Lake RBN; Skwentna, Alaska, RBN; Puntilla Lake, Alaska, RBN; Farewell, Alaska, RBN; Takotna River, Alaska, RBN; 24 miles 12 AGL, 53 miles, 55 MSL, 46 miles 40 MSL, North River, Alaska, RBN; 52 miles 12 AGL, 51 miles 25 MSL, to Fort Davis, Alaska, RBN. The airspace within Canada is excluded.

A-2 From Burwash, Yukon Territory, Canada, RR, 88 miles; 40 miles, Nabesna, Alaska, RBN; Delta Junction, Alaska, RBN; Chena, Alaska, RBN; Evansville, Alaska, NDB; 69 miles 12 AGL, 102 miles 95 MSL, 117 miles 12 AGL, to Browerville, Alaska, RBN. The airspace within Canada is excluded.

AMENDMENTS 10/9/75 40 F. R. 17007 (Changed)
AMENDMENTS 12/4/75 40 F. R. 43885 (Changed)

A-3 From Evansville, Alaska, NDB, to Put River, Alaska, NDB.

AMENDMENTS 10/9/75 40 F. R. 17007 (Changed)
AMENDMENTS 10/9/75 40 F. R. 17549 (Rewritten)

A-4 From Evansville, Alaska, NDB via Umiat, Alaska, NDB to Put River, Alaska, NDB.

AMENDMENTS 10/9/75 40 F. R. 17549 (Added)

A-6 From Chandalar Lake, Alaska, NDB via Umiat, Alaska, NDB to Browerville, Alaska, NDB.

AMENDMENTS 10/9/75 40 F. R. 17549 (Added)

A-10 From the Pennfield Ridge, New Brunswick, Canada, RBN to the Forest City, New Brunswick, Canada, RBN, excluding the portion within Canada.

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RED FEDERAL AIRWAYS

A-15 From Ethelda, British Columbia, Canada, NDB via Nichols, Alaska, NDB; 41 miles 12 AGL, 42 miles 52 MSL, 32 miles 12 AGL Petersburg, Alaska, NDB; Coghlan Island, Alaska, RBN; Haines, Alaska, RBN; Burwash, Yukon Territory, Canada, RR; Nabesna, Alaska, RBN; Delta Junction, Alaska, RBN; Chena, Alaska, RBN; Chandalar Lake, Alaska, NDB; Put River, Alaska, NDB; Oliktok, Alaska, RBN. The airspace within Canada is excluded (Joins Canadian high level airway No. 502).

AMENDMENTS 8/14/75 40 F. R. 25441 (Changed)
AMENDMENTS 10/9/75 40 F. R. 17549 (Changed)

§71.107 Red Federal Airways.

R-27 From Summit, Alaska, RBN; Julius, Alaska, RBN; Chena, Alaska, RBN.

R-39 From Oscarville, Alaska, RBN; Aniak, Alaska, RBN; 25 miles, 89 miles, 55 MSL, Takotna River, Alaska, RBN; 28 miles, 64 miles, 45 MSL, Minchumina, Alaska, RBN; Julius, Alaska, RBN; Chena, Alaska, RBN.

R-40 From Woody Island, Alaska, RBN; 27 miles, 24 miles, 35 MSL, 29 miles, 55 MSL, Kachemak, Alaska, RBN; to Campbell Lake, Alaska, RBN.

R-50 From Bishop, Alaska, NDB via Bear Creek, Alaska, NDB; to Chena, Alaska, NDB.

AMENDMENTS 10/9/75 40 F. R. 17007 (Rewritten)

R-75 From Vancouver, British Columbia, Canada, RBN via White Rock, British Columbia, Canada, RBN; Abbotsford, British Columbia, Canada, RBN; Cultus Lake, British Columbia, Canada, RBN; to Princeton, British Columbia, Canada, RBN, excluding the portion within Canada.

R-99 From Big Mountain, Alaska, RBN Iliamna, Alaska, RBN; INT Iliamna RBN 145° and Big Mountain RBN 080° bearings.

R-103 From Wildwood, Alaska, NDB, via INT Wildwood NDB 112° and Campbell Lake, Alaska, NDB 208° bearings; 49 miles 12 AGL, 58 miles 85 MSL, 39 miles 12 AGL, Wessels, Alaska, NDB.

AMENDMENTS 10/9/75 40 F. R. 17007 (Rewritten)

BLUE FEDERAL AIRWAYS

§71.109 Blue Federal Airways.

B-12 From Takotna River, Alaska, NDB, 24 miles 12 AGL, 54 miles 55 MSL, 35 miles 12 AGL, via Bishop, Alaska, NDB; 68 miles 12 AGL, 88 miles 55 MSL, 37 miles 12 AGL, to Hotham, Alaska, NDB.

AMENDMENTS 10/9/75 40 F. R. 17007 (Rewritten)

B-25 From INT Hinchinbrook, Alaska, NDB 206° and Wessels, Alaska, NDB 296° bearing via Hinchinbrook NDB; 38 miles 12 AGL, 12 miles 95 MSL, 60 miles 12 AGL Glenallen NDB; Delta Junction, Alaska, NDB.

AMENDMENTS 1/2/75 39 F. R. 37055 (Rewritten)

B-26 From Campbell Lake, Alaska, NDB, via Peters Creek, Alaska, NDB; Summit, Alaska, NDB; INT Summit NDB 007° and Chena, Alaska, NDB 218° bearings; Chena NDB; Yukon River, Alaska, NDB; 86 miles 12 AGL, 75 miles 115 MSL, 56 miles 12 AGL, to Barter Island, Alaska, NDB.

AMENDMENTS 10/9/75 40 F. R. 17007 (Rewritten)

B-27 From Woody Island, Alaska, RBN, 45 miles 12 AGL, 68 miles 95 MSL, King Salmon, Alaska, LOM; 53 miles, 84 miles, 70 MSL, Oscarville, Alaska, RBN; 46 miles, 173 miles, 30 MSL, Fort Davis, Alaska, RBN; 35 miles, 89 miles, 55 MSL, Hotham, Alaska, NDB.

AMENDMENTS 2/27/75 39 F. R. 44196 (Changed)
AMENDMENTS 10/9/75 40 F. R. 17007 (Changed)

B-28 From Prince Rupert, B. C., Canada, NDB, via Nichols, Alaska, NDB; 42 miles 12 AGL, 99 miles 55 MSL, 29 miles 12 AGL to Sitka, Alaska, NDB. The airspace within Canada is excluded.

AMENDMENTS 10/9/75 40 F. R. 17007 (Added)

B-37 From Petersburg, Alaska, NDB, via Elephant, Alaska, NDB; Cape Spencer, Alaska, NDB, to INT Cape Spencer, NDB 273° and Ocean Cape, Alaska, NDB 139° bearings.

AMENDMENTS 10/9/75 40 F. R. 17007 (Added)

B-38 From Sitka, Alaska, NDB, via Elephant, Alaska, NDB; Haines, Alaska, NDB, to Whitehorse, Y. T., Canada, RR. The airspace within Canada is excluded.

AMENDMENTS 8/14/75 40 F. R. 25441 (Changed)
AMENDMENTS 10/9/75 40 F. R. 17007 (Rewritten)

B-40 From the Haines, Alaska RBN, Robinson, Yukon Territory, Canada, RBN, excluding the portion within Canada.

B-79 From Sandspit, B. C., Canada, NDB, to Nichols, Alaska, NDB. The airspace within Canada is excluded.

AMENDMENTS 10/9/75 40 F. R. 17007 (Rewritten)

SUBPART C - VOR FEDERAL AIRWAYS

§ 71.121 Designation

The airspace assignments described in this subpart are designated as VOR Federal airways. Unless otherwise specified, place names appearing in the descriptions indicate VOR or VORTAC navigational facilities identified by those names.

§71.123 Domestic VOR Federal Airways.

V-1 From Jacksonville, Fla., via Charleston, S. C.; Myrtle Beach, S. C.; INT Myrtle Beach 031° and Kinston, N. C., 214° radials; Kinston, including an east alternate from Myrtle Beach to Kinston via Wilmington, N. C.; Cofield, N. C.; Norfolk, Va.;
including an east alternate segment from Kinston to Norfolk via the intersection of Kinston 050° and Norfolk 209° radials;
Cape Charles, Va.; INT Cape Charles 006° and Salisbury, Md., 206° radials; Salisbury; Waterloo, Del.; INT Waterloo 024° and Coyle, N. J., 216° radials; to coyle, excluding the airspace below 2,000 feet MSL outside the United States between Starfish INT and Charleston, S. C. The portion within R-5002 is excluded.

AMENDMENTS 10/9/75 40 F. R. 34097 (Changed)

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V-2 From Seattle, Wash., Ellensburg, Wash., including a south alternate via INT Seattle 123° and Ellensburg 274° radials; Moses Lake, Wash.; Spokane, Wash., including a north alternate from Seattle to Spokane via Wenatchee, Wash., and Ephrata, Wash.; Mullan Pass, Idaho, including a north alternate via INT Spokane 073° and Mullan Pass 291° radials, and also a south alternate, via INT Spokane 109° and Mullan Pass 260° radials; 5 miles, 53 miles, 91 MSL, Missoula, Mont.; 6 miles, 84 MSL, Drummond, Mont.; 11 miles, 84 MSL, Helena, Mont.; INT Helena 119° and Bozeman, Mont., 338° radials; Bozeman; INT Bozeman 128° and Livingston, Mont., 261° radials; Livingston; 11 miles, 25 miles, 85 MSL, Billings, Mont., including an N alternate from Helena, 21 miles, 10 miles 105 MSL, 115 MSL INT Helena 089° and Billings 301° radials, 35 miles 100 MSL, to Billings, excluding the airspace between the main and this N alternate; 19 miles, 79 miles, 49 MSL, Miles City, Mont., including an N alternate from Billings, 19 miles, 49 MSL INT Billings 057° and Miles City 269° radials, 42 miles, 49 MSL, to Miles City; 24 miles, 90 miles, 55 MSL, Dickinson, N. Dak.; 10 miles, 60 miles, 38 MSL, Bismarck, N. Dak., including an N alternate from Dickinson, 10 miles 38 MSL INT Dickinson 078° and Bismarck 290° radials, 28 miles, 38 MSL, to Bismarck; 14 miles, 62 miles, 34 MSL Jamestown, N. Dak., including an N alternate from Bismarck 14 miles, 65 miles, 34 MSL, Jamestown; 7 miles, 43 miles, 28 MSL, Fargo, N. Dak., including an N alternate from Jamestown 7 miles, 46 miles, 28 MSL, Fargo; Alexandria, Minn., including a N alternate, Minneapolis, Minn.; Nodine, Minn., including a N alternate; Lone Rock, Wis., including a south alternate via INT Nodine 150° and Lone Rock 286° radials; Madison, Wis.; Milwaukee, Wis.; Muskegon, Mich., including a S alternate via INT Milwaukee 102° and Muskegon 252° radials; Lansing, Mich., including a S alternate from Muskegon to Lansing via INT Muskegon 154° and Grand Rapids, Mich., 284° radials and Grand Rapids (7 miles wide, 3 miles north and 4 miles south of centerline Grand Rapids to Lansing; Salem, Mich., including a N alternate via INT Lansing 091° and Salem 306° radials; INT Salem 083° and Aylmer, Ont., Canada 260° radials; Aylmer; INT Aylmer 087° and Buffalo, N. Y., 250° radials; Buffalo; Rochester, N. Y., including a north alternate via INT of Buffalo 045° and Rochester 273° radials; Syracuse, N. Y., including a N alternate via INT Rochester 064° and Syracuse 283° radials; Utica, N. Y.; Albany, N. Y.; INT Albany 094° and Gardner, Mass., 284° radials; Gardner; Boston, Mass. The airspace within Canada is excluded.

V-3 From Key West, Fla., INT Key West 086° and Miami, Fla., 205° radials; INT Miami 205° and Biscayne Bay, Fla., 262° radials; Biscayne Bay; Palm Beach, Fla., including an E alternate via INT Biscayne Bay 021° and Palm Beach 166° radials; Vero Beach, Fla., including an E alternate via INT Palm Beach 358° and Vero Beach 143° radials; Ormond Beach, Fla.; INT Ormond Beach 334° and Jacksonville, Fla., 159° radials; Jacksonville; Brunswick, GA.; Savannah, GA.; Vance, S. C.; Florence, S. C.; Pinehurst, N. C.; Raleigh, N. C., including an E alternate from Florence to Raleigh via Fayetteville, N. C., excluding the airspace between the main and this alternate airway; INT Raleigh 018° and Flat Rock, Va., 214° radials; Flat Rock; Gordonsville, Va.; Linden, Va.; Front Royal, Va.; Martinsburg, W. Va.; Westminster, Md.; Modena, Pa.; Solberg, N. J.; Carmel, N. Y.; Hartford, Conn.; INT Hartford 044° and Boston, Mass., 251° radials; Boston; INT Boston 015° and Pease, N. H. 185° radials; Pease; INT Pease 004° and Augusta, Maine, 228° radials; Augusta; Bangor, Maine; INT Bangor 039° and Houlton, Maine, 203° radials; Houlton; Presque Isle, Maine. The portion outside the United States has no upper limit except that the portion of the E alternate between Jacksonville and Savannah extends up to but does not include 18,000 feet MSL. The airspace within R-2902A and R-2902B is excluded.

V-4 From Neah Bay, Wash., RBN, Port Angeles, Wash.; INT Port Angeles 090° and Seattle, Wash., 329° radials; Seattle; Yakima, Wash., including a south alternate from Seattle to Yakima via INT Seattle 163° and Olympia, Wash., 084° radials and INT Olympia 084° and Yakima 305° radials, excluding the airspace between the main and this alternate airway; Pendleton, Oreg.; Baker, Oreg; Boise, Idaho, including a south alternate; INT Boise 130° and Burley, Idaho, 292° radials; Burley, including a north alternate from Boise 25 miles, 25 miles 90 MSL, 95 MSL INT Pocatello, Idaho, 286° and Burley 323° radials, Burley, excluding the airspace between the main and this alternate airway; Malad City, Idaho; 35 miles, 58 miles, 115 MSL, Rock Springs, Wyo., including an S alternate from Malad City, 20 miles, 68 miles 115 MSL, via Fort Bridger, Wyo., to Rock Springs, excluding the airspace between the main and this S alternate; 20 miles, 39 miles, 95 MSL, Cherokee, Wyo.; Laramie, Wyo.; Denver, Colo., including a north alternate from Laramie to Denver via Gill, Colo.; INT Denver 103° and Thurman, Colo., 274° radials; Thurman, Colo.; including a north alternate via INT Denver 088° and Thurman 292° radials; 50 miles, 65 MSL, Goodland, Kans.; Hill City, Kans.; INT Hill City 097° and Salina, Kans., 284° radials; Salina, including a S alternate via Hays, Kansas.; Topeka, Kans., including a N alternate from the INT of Salina 080° and Manhattan, Kans., 213° radials to Topeka via Manhattan and the INT of Manhattan 078° and Topeka 293° radials; Kansas City, Mo., including a S alternate via INT Topeka 099° and Kansas City 231° radials; Hallsville, Mo.; St. Louis, Mo.; Troy, Ill.; Centralia, Ill.; Evansville, Ind., including a S alternate; Louisville, Ky., including a N alternate via INT Evansville 068° and Louisville 280° radials; Lexington, Ky., including a N alternate via INT Louisville 081° and Lexington 303° radials and also a S alternate via INT Louisville 114° and Lexington 251° radials; Newcombe, Ky.; Charleston, W. Va.; Elkins, W. Va., including a S alternate via INT Charleston 083° and Elkins 228° radials; Kessel, W. Va.; Front Royal, Va.; to Armel, Va. The airspace within R-6705 is excluded.

AMENDMENTS 1/2/75 39 F. R. 38637 (Changed)
AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-5 From Jacksonville, Fla.; INT Jacksonville 319° and Alma, Ga., 148° radials; Alma; Dublin, Ga., Athens, Ga.; INT Athens 340° and Anderson, S. C., 274° radials; INT Anderson 274° and Chattanooga, Tenn., 127° radials; Chattanooga; Nashville, Tenn., including an east alternate via INT Chattanooga 332° and Nashville 117° radials; Bowling Green, Ky.; New Hope, Ky., including an east alternate from Nashville to New Hope via INT Nashville 034° and New Hope 202° radials; Louisville, Ky.; Cincinnati, Ohio; Appleton; Ohio; Mansfield, Ohio; Cleveland, Ohio; London, Ont., Canada. The airspace within Canada is excluded.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-6 From Oakland, Calif.; INT Oakland 039° and Sacramento, Calif., 212° radials; Sacramento, including a south alternate via INT Oakland 077° and Sacramento 194° radials; Lake Tahoe, Calif.; Reno, Nev., including a N alternate from Sacramento to Reno via INT Sacramento 038° and Reno 257° radials; Lovelock, Nev., including a south alternate from Reno to Lovelock via Hazen, Nev.; Battle Mountain, Nev., including a north alternate; INT Battle Mountain 062° and Wells, Nev., 256° radials; Wells; 5 miles, 40 miles, 98 MSL, 85 MSL Lucin, Utah; 43 miles, 85 MSL, Ogden, Utah; 11 miles, 50 miles, 105 MSL, Fort Bridger, Wyo.; Rock Springs, Wyo.; 20 miles, 39 miles 95 MSL, Cherokee, Wyo.; 30 miles, 27 miles 95 MSL, Medicine Bow, Wyo.; INT Medicine Bow 106° and Sidney, Nebr., 291° radials; Sidney, North Platte, Nebr.; Grand Island, Nebr.; Omaha, Nebr.; Des Moines, Iowa, including a S alternate; Iowa City, Iowa, including a S alternate via INT Des Moines 112° and Iowa City 252° radials; Davenport, Iowa; INT Davenport 087° and DuPage, Ill., 255° radials; to DuPage. From INT Chicago Heights, Ill., 358° and South Bend, Ind., 271° radials; South Bend, Ind.; INT South Bend 092° and Waterville, Ohio, 288° radials; Waterville; Cleveland, Ohio, including a S alternate via INT Waterville 108° and Cleveland 252° radials; Youngstown, Ohio, including a north alternate via INT Cleveland 081° and Youngstown 285° radials; Clarion, Pa.; Philipsburg, Pa.; Selinsgrove, Pa.; Allentown, Pa., excluding the portion within R-4803 and R-4813

AMENDMENTS 1/30/75 39 F. R. 41518 (Changed)
AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

V-7 From Miami, Fla.; via INT of Miami 279° and Fort Myers, Fla., 121° radials; Fort Myers, including an east alternate from Miami via INT of Miami 316° and Fort Myers 096° radials to Fort Myers; Lakeland, Fla.; Cross City, Fla.; Greenville, Fla.; Dothan, Ala., including a W alternate from Cross City to Dothan via INT Cross City 287° and Marianna, Fla., 141° radials and Marianna; INT Dothan 333° and Montgomery, Ala., 129° radials; Montgomery; INT Montgomery 308° and Birmingham, Ala., 177° radials; Birmingham; including an east alternate via INT of Montgomery 357° and Birmingham 139° radials; Muscle Shoals, Ala., including an E alternate via INT of Birmingham 358° and Muscle Shoals 122° radials and also a W alternate via Birmingham 300° and Muscle Shoals 178° radials; Graham, Tenn.; Nashville, Tenn.; Central City, Ky.; including an east alternate; Evansville, Ind.; INT Evansville 015° and Lewis, Ind., 198° radials; Lewis; Terre Haute, Ind., including a W alternate from Evansville to Terre Haute via INT Evansville 360° and Terre Haute 217° radials; Lafayette, Ind.; Chicago Heights, Ill.; INT Chicago Heights 358° and Green Bay, WI., 166° radials, including an east alternate via INT Chicago Heights 013° and Milwaukee, WI., 137° radials to the INT Milwaukee 137° and Chicago-O'Hare 019° radials; Green Bay, WI.; Menominee, MI.; Marquette, Mich.; including an east alternate via Escanaba, Mich. The airspace below 2,000 feet MSL outside the United States is excluded. The portion outside the United States has no upper limit.

AMENDMENTS 8/14/75 40 F. R. 25204 (Changed)

V-8 From INT Seal Beach, Calif., 266° and Los Angeles, Calif., 236° radials; Seal Beach; Ontario, Calif.; 35 miles, 7 miles wide (3 miles SE and 4 miles NW of centerline) Hector, Calif.; Goffs, Calif.; INT Goffs 033° and Morman Mesa, Nev., 196° radials; Morman Mesa, including a N alternate from Seal Beach to Morman Mesa via Pomona, Calif., Daggett, Calif., and Las Vegas, Nev.; Bryce Canyon, Utah, Hanksville, Utah, including a south alternate; Grand Junction, Colo., including a south alternate via INT of Hanksville 087° and Grand Junction 232° radials and also a north alternate from Bryce Canyon to Grand Junction via INT Bryce Canyon 048° and Grand Junction 250° radials; 33 miles, 130 MSL Kremmling, Colo., including a south alternate from Grand Junction 33 miles, 21 miles, 127 MSL, 120 MSL INT Grand Junction 074° and Kremmling 228° radials, 28 miles, 120 MSL, 130 MSL to Kremmling; 9 miles 130 MSL, 29 miles 144 MSL, 11 miles 127 MSL, Denver, Colo.; Akron, Colo.; including a south alternate via Denver, 103° and Akron 241° radials; Hayes Center, Nebr., including a north alternate via INT Akron 063° and Hayes Center 276° radials and also a south alternate via INT Akron 094° and Hayes Center 246° radials; Grand Island, Nebr., including a N alternate via INT Hayes Center 050 and Grand Island 273° radials, and also a S alternate; Omaha, Nebr.; Des Moines, Iowa; Iowa City, Iowa; to Davenport, Iowa. From Chicago Heights, Ill.; via Goshen, Ind.; Findlay, Ohio; Mansfield, Ohio; Briggs, Ohio; Bellaire, Ohio; INT Bellaire 107° and Grantsville, Md., 285° radials; Grantsville; Martinsburg, W. Va.; to Washington, D. C., including a north alternate from Grantsville to the INT of Hagerstown, Md., 157° and the Martinsburg 130° radials via Hagerstown. The portion outside the United States has no upper limit.

AMENDMENTS 1/2/75 39 F. R. 38637 (Changed)
AMENDMENTS 1/30/75 39 F. R. 41518 (Changed)
AMENDMENTS 4/24/75 40 F. R. 4300 (Changed)

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V-9 From Leesville, La., via INT Leesville, 333° and New Orleans, La., 181° radials; New Orleans; McComb, Miss., including an E alternate from New Orleans to McComb via Picayune, Miss.; Jackson, Miss., including an E alternate and also a W alternate via INT McComb 348° and Jackson 109° radials; Greenwood, Miss., including an E alternate and also a W alternate; Memphis, Tenn., including an E alterante and also a W alternate; Malden, Mo., including a W alternate; Farmington, Mo.; St. Louis, Mo.; Capital, Ill.; Pontiac, Ill.; INT Pontiac 008° and Joliet, Ill., 316° radials; INT Rockford, Ill., 136° and Milwaukee, Wis., 209° radials; Milwaukee; Oshkosh, Wis.; Green Bay, Wis.; Iron Mountain, Mich., including an east alternate from Green Bay to Iron Mountain via Menominee, Mich.; Houghton, Mich.; including an E alternate via Marquette, Mich.
AMENDMENTS 1/30/75 39 F. R. 41838 (Changed)
AMENDMENTS 4/24/75 40 F. R. 4300 (Changed)
AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-10 From Pueblo, Colo., 18 miles, 48 miles, 60 MSL, Lamar, Colo.; Garden City, Kans.; Dodge City, Kans.; Hutchinson, Kans., including a N alternate via INT Dodge City 060° and Hutchinson 296° radials excluding the airspace between the main and alternate airway; Emporia, Kans.; Blue Springs, Mo., including a N alternate via INT Emporia 050° and Topeka, Kans., 099° radials; Kirksville, Mo., including a N alternate via INT Blue Springs 016° and Kansas City, Mo., 060° radials; Burlington, Iowa; Bradford, Ill.; to Chicago, O'Hare, Ill. From INT Chicago Heights, Ill., 358° and South Bend, Ind., 271° radials; South Bend; Litchfield, Mich.; Carleton, Mich.; INT Jefferson, Ohio, 279° and Youngstown, Ohio, 320° radials; Youngstown; INT Youngstown 118° and Clarion, Pa., 222° radials; Revloc, Pa. The airspace within Canada is excluded.
AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-11 From Brookley, AL.; Greene County, MS., including a west alternate from Brookley via Mobile, AL., to Greene County; Laurel, Miss.; including an east alternate from the INT of Mobile 356° and Greene County 142° radials via the INT of Mobile 356° and Laurel 109° radials to Laurel; Jackson, MS. From Memphis, Tenn., Dyersburg, Tenn., including a W alternate via INT Memphis 001° and Dyersburg 235° radials, and an E alternate via the INT Memphis 045° and Dyersburg 182° radials; Cunningham, Ky.; including an E alternate and a W alternate via INT Dyersburg 006° and Cunningham 224° radials; Evansville, Ind., including an east alternate; Indianapolis, Ind., including an E alternate from Evansville to Indianapolis via INT Evansville 046° and Bloomington, Ind., 205° radials, Bloomington, INT of Bloomington 025° and Indianapolis 185° radials; Marion, Ind.; Fort Wayne, Ind.; Salem, Mich.; 6-miles wide to INT Salem 052° and Windsor, Ont., Canada 335° radials.
AMENDMENTS 3/27/75 40 F. R. 4905 (Changed)

V-12 From Gaviota, Calif., Santa Barbara, Calif.; INT Santa Barbara 109° and Fillmore, Calif., 268° radials; Fillmore; Palmdale, Calif.; 38 miles, 6 miles wide, Hector, Calif.; 12 miles, 38 miles, 85 MSL, 14 miles, 75 MSL, Needles, Calif.; 45 miles, 34 miles, 95 MSL, Prescott, Ariz.; Winslow, Ariz.; 30 mi. 88 MSL Zuni, N. Mex.; Albuquerque, N. Mex., including a south alternate via INT Zuni 104° and Albuquerque 253° radials; Otto, N. Mex.; Anton Chico, N. Mex., including a S alternate from Albuquerque to Anton Chico via INT Albuquerque 103° and Anton Chico 249° radials; Tucumcari, N. Mex.; Amarillo, Tex., including a south alternate and also a north alternate via INT Tucumcari 071° and Amarillo 286° radials; Gage, Okla., including a north alternate from Amarillo to Gage via Borger, Tex., and INT Borger 061° and Gage 249° radials, and also a south alternate via INT Amarillo 072° and Gage 215° radials; Anthony, Kans.; Wichita, Kans.; Emporia, Kans.; Blue Springs, Mo.; Columbia, Mo., Maryland Heights, Mo., including a S alternate from INT Macon, Mo., 202° and Columbia 273° radials to INT Hallsville, Mo., 134° and Columbia 102° radials via Jefferson City, Mo.; Troy, Ill.; Bible Grove, Ill.; Lewis, Ind.; Shelbyville, Ind.; Richmond, Ind.; Dayton, Ohio; Appleton, Ohio, including a N alternate from Dayton to Appleton via INT Dayton 068° and Rosewood, Ohio, 083° radials; Newcomerstown, Ohio; Allegheny, Pa.; Johnstown, Pa.; Harrisburg, Pa., including a S alternate from Johnstown to Harrisburg via St. Thomas, Pa.
AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-13 From McAllen, Tex., via Harlingen, Tex.; INT Harlingen 033° and Corpus Christi, Tex., 178° radials; 27 miles standard width, 37 miles 7 miles wide (3 miles E and 4 miles W of centerline), Corpus Christi; including a W alternate from Harlingen via INT Harlingen 008°and Corpus Christi 193° radials; 34 miles standard width, 37 miles 7 miles wide (4 miles E and 3 miles W of centerline). Corpus Christi; INT Corpus Christi 039° and Palacios, Tex., 241° radials; Palacios; Humble, Tex., Lufkin, Tex.; including an east alternate from Humble via Daisetta, Tex., to Lufkin; Shreveport, La., including an E alternate; Texarkana, Ark., including a W alternate via INT Shreveport 275° and Texarkana 184° radials; Rich Mountain, Okla.; Fort Smith, Ark.; INT Fort Smith 006° and Fayetteville, Ark., 190° radials; Fayetteville, including a W alternate from Rich Mountain to Fayetteville via INT Rich Mountain 006° and Fayetteville 205° radials; Neosho, Mo.; Butler, Mo.; Blue Springs, Mo.; INT Blue Springs 347° and St. Joseph, Mo., 132° radials; Lamoni, Iowa, Des Moines, Iowa, including a W alternate; Mason City, Iowa, including a W alternate from Des Moines to Mason City via Fort Dodge, Iowa, excluding the airspace between the main and this W alternate; Farmington, Minn.; Grantsburg, Wis., including a W alternate from Mason City to Grantsburg via INT Mason City 349° and Minneapolis, Minn., 188° radials and Minneapolis, excluding the airspace between the main and W alternate; Duluth, Minn., including an E alternate; 36 miles, 35 MSL Thunder Bay, Ontario, Canada. The airspace outside the United States is excluded.
AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-14 From Roswell, N. Mex., via Lubbock, Tex.; Childress, Tex., including a S alternate via INT Lubbock 086° and Childress 229° radials; Hobart, Okla.; Oklahoma City, Okla., including a S alternate via INT Hobart 076° and Oklahoma City 202° radials; Tulsa, Okla., including a N alternate via INT Oklahoma City 037° and Tulsa 261° radials, and also a S alternate via INT Oklahoma City 079° and Tulsa 228° radials; Neosho, Mo., including a N alternate and also a S alternate via INT Tulsa 087° and Neosho 223° radials; Springfield, Mo., including a S alternate via INT Neosho 074° and Springfield 210° radials; Vichy, Mo., including a N alternate; St. Louis, Mo., including a N alternate; Vandalia, Ill.; Terre Haute, Ind.; Indianapolis, Ind., including a S alternate via INT of Terre Haute 079° and Indianapolis 230° radials; Muncie, Ind.; Findlay, Ohio; Cleveland, Ohio; Jefferson, Ohio, Erie, Pa., including a N alternate from Cleveland to Erie via INT Cleveland 049° and Jefferson 279° radials; Dunkirk, N. Y.; Buffalo, N. Y. including a N alternate from Erie to Buffalo via INT Erie 043° and Buffalo 250° radials; Geneseo, N. Y., Georgetown, N. Y.; INT Georgetown 093° and Albany, N. Y. 270° radials; Albany; INT Albany 094° and Gardner, Mass., 284° radials; Gardner; INT Gardner 128° and Boston, Mass., 251° radials; Boston. The airspace within R-5207 and Canada is excluded.
AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-15 From Scholes, Tex., via Hobby, Tex.; Humble, Tex.; Navasota, Tex.; College Station, Tex., including a west alternate from Hobby to College Station via INT Hobby 290° and College Station 151° radials; Waco, Tex., including a W alternate via INT College Station 307° and Waco 173° radials; Scurry, Tex.; Blue Ridge, Tex., including an east alternate via INT Scurry 023° and Blue Ridge 153° radials; Ardmore, Okla.; Okmulgee, Okla., including an E alternate; INT Okmulgee 048° and Neosho, Mo., 223° radials; Neosho. From St. Joseph, Mo., via INT St. Joseph 343° and Neola, Iowa, 197° radials; Neola; INT Neola 322° and Sioux City, Iowa, 139° radials; Sioux City; INT Sioux City 340° and Sioux Falls, S. Dak., 169° radials; Sioux Falls, including an E alternate; Huron, S. Dak., including a west alternate from Sioux Falls to Huron via Mitchell, S. Dak.; Aberdeen, S. Dak., including a W alternate; 18 miles, 89 miles, 42 MSL, Bismarck, N. Dak.; Minot, N. Dak.
AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-16 From Los Angeles, Calif., Ontario, Calif.; Palm Springs, Calif.; Blythe, Calif.; 21 miles, 60 miles, 55 MSL, Buckeye, Ariz.; Phoenix, Ariz.; INT Phoenix 161° and Casa Grande, Ariz., 108° radials; Tucson, Ariz.; Cochise, Ariz., including a S alternate via INT Tucson 122° and Cochise 257° radials; Columbus, N. Mex.; El Paso, Tex., including a N alternate via INT Columbus 075° and El Paso 286° radial; Salt Flat, Tex.; Wink, Tex.; Wink 066° and Big Spring, Tex., 260° radials; Big Spring, including a S alternate from Wink to Big Spring via Midland, Tex.; Abilene, Tex.; Millsap, Tex.; Acton, Tex.; Scurry, Tex., including a south alternate; Quitman, Tex.; Texarkana, Ark., Pine Bluff, Ark.; Memphis, Tenn., including a S alternate; Jacks Creek, Tenn., including a N alternate via INT Memphis 045° and Jacks Creek 260° radials; Graham, Tenn., including a S alternate from Memphis to Graham via INT Memphis 078° and Graham 238° radial; Nashville, Tenn., including a north alternate from Jacks Creek to Nashville via INT Jacks Creek 049° and Nashville 286° radials; INT Nashville 102° and Hinch Mountain, Tenn., 285° radials; Hinch Mountain; including a north alternate via INT Nashville 085° and Hinch Mountain 301° radials; Knoxville,Tenn., including a S alternate via INT Hinch Mountain 100° and Knoxville 243° radials; Holston Mountain, Tenn., including a S alternate from Knoxville to Holston Mountain via Snowbird, Tenn.; Pulaski, Va., including a N alternate from Knoxville to Pulaski via INT Knoxville 080° and Blackford, Va., 248° radials and Blackford; Roanoke, Va.; Lynchburg, Va.; including a S alternate via INT Pulaski 094° and Lynchburg 253° radials; Flat Rock, Va.; Richmond, Va.; INT Richmond 039° and Patuxent, Md., 228° radials; Patuxent; Kenton, Del.; Millville, N. J.; Coyle, N. J.; Kennedy, N. Y.; Deer Park, N. Y.; Riverhead, N. Y.; Norwich, Conn.; Boston, Mass. The airspace within Mexico and the airspace below 2,000 feet MSL outside the United States is excluded.
AMENDMENTS 8/14/75 40 F. R. 25204 (Changed)

V-17 From Brownsville, Tex., via Harlingen, Tex.; McAllen, Tex.; 29 miles 12 AGL, 34 miles 25 MSL, 37 miles 12 AGL; Laredo, Tex.; Cotulla, Tex.; INT Cotulla 041° and San Antonio, Tex., 202° radials; San Antonio, including a E alternate via INT Cotulla 041° and San Antonio 183° radials to San Antonio via INT San Antonio 042° and Austin, Tex., 229° radials; Austin, including an east alternate via INT San Antonio 087° and Austin 173° radials; and also including a west alternate via INT San Antonio 002° and Austin 244° radials; Waco, Tex., including an east alternate via INT Austin 041° and Waco 173° radials; Acton, Tex.; Bridgeport, Tex.; Duncan, Okla. INT Duncan 011° and Oklahoma City, Okla., 180° radials; Oklahoma City; Gage, Okla., including a W alternate via INT Oklahoma City 282° and Gage 153° radials; Gardner City, Kans., including a W alternate from Gage to Garden City via Liberal, Kans.; Goodland, Kans.

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V-18 From Millsap, Tex.; via greater Southwest, Tex.; INT Greater Southwest 090° and Quitman, Tex., 260° radials; Quitman; Shreveport, La., including a S alternate via INT Quitman 109° and Shreveport 246° radials; Monroe, La., including a N alternate and also a S alternate; Jackson, Miss., including a N alternate and also a S alternate; Meridian, Miss., including a S alternate; Tuscaloosa, Ala.; Birmingham, Ala.; Talladega, Ala.; Atlanta, Ga.; INT Atlanta 089° and Augusta, Ga., 278° radials; Augusta, including a north alternate from Birmingham to Augusta via Rome, Ga., INT Rome 060° and Anderson, S. C., 274° radials; INT Anderson 274° and Athens, Ga., 340° radials; Athens, and INT Athens 109° and Augusta 294° radials; INT Augusta 103° and Charleston, S. C., 296° radials; Charleston, including a S alternate from Augusta to Charleston via INT Augusta 148° and Allendale, S. C., 273° radials, and Allendale, excluding the airspace within R-6004.

AMENDMENTS 1/2/75 39 F. R. 39261 (Changed)
AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-19 From Newman, Tex., via INT Newman 286° and Truth or Consequences, N. Mex., 159° radials; Truth or Consequences; INT Truth or Consequences 028° and Socorro, N. Mex., 189° radials; Socorro; Albuquerque, N. Mex., including a W alternate via INT Socorro 343° and Albuquerque 199° radials, and also an E alternate via INT Socorro 015° and Albuquerque 160° radials; INT Albuquerque 036° and Santa Fe, NM., 245° radials; Santa Fe, including a west alternate via INT Albuquerque 019° and Santa Fe 268° radials; Las Vegas, N. Mex.; Cimarron, N. Mex., Pueblo, Colo., including an E alternate via INT Cimarron 053° and Pueblo 176° radials; Kiowa, Colo., including an east alternate; Denver; Cheyenne, Wyo.; Casper, Wyo., including an E alternate from Cheyenne to Casper via INT Cheyenne 002° and Douglas, Wyo., 152° radials and Douglas; 5 miles, 45 miles 71 MSL, Crazy Woman, Wyo.; Sheridan, Wyo., including an E alternate; 21 miles, 35 miles 75 MSL, Billings, Mont., including an E alternate from Sheridan 21 miles, 38 miles, 75 MSL, to Billings; 38 miles, 72 MSL INT Billings 347° and Lewistown, Mont., 104° radials; Lewistown; Great Falls, Mont., including a W alternate via INT Lewistown 274° and Great Falls 122° radials.

PENDING AMENDMENT
In V-19 "Kiowa, Colo., including an east alternate;" is deleted and "Kiowa, Colo.;" is substituted therefor.
AMENDMENTS 1/29/76 40 F. R. 55829 (Changed)

V-20 From Reynosa, Mex., via McAllen, Tex.; INT McAllen 038° and Corpus Christi, Tex., 178° radials; 10 miles 8 miles wide, 37 miles 7 miles wide (3 miles E and 4 miles W of Centerline), Corpus Christi; INT Corpus Christi 054° and Palacios, Tex., 226° radials; Palacios; Hobby, Tex.; Beaumont, Tex.; Lake Charles, La.; including a north alternate via INT Beaumont 056° and Lake Charles 272° radials; Lafayette, La., including a N alternate via INT Lake Charles 064° and Lafayette 285° radials; New Orleans, La., including a S alternate from Lafayette to New Orleans via Tibby, La.; INT New Orleans 070° and Gulfport, Miss., 247° radials; Gulfport; Mobile, Ala., including a N alternate from New Orleans to Mobile via Picayune, Miss., excluding the airspace between the main and this N alternate; INT Mobile 048° and Monroeville, Ala., 231° radials; Monroeville, including a S alternate via INT Mobile 063° and Monroeville 216° radials; Montgomery, Ala.; Tuskegee, Ala.; Columbus, Ga.; INT Columbus 068° and Athens, Ga., 195° radials; Athens; Anderson, S. C.; Spartanburg, S. C., including a north alternate from Montgomery to Spartanburg via INT Montgomery 029° and Chattanooga, Tenn., 189° radials; INT Chattanooga 189° and Rome, Ga., 252° radials; Rome; INT Rome 060° and Toccoa, Ga., 258° radials, and Toccoa; Greensboro, N. C.; South Boston, Va.; INT of Mobile 048° and Monroeville, Ala., 231° radials; Monroeville, including Richmond, Va.; INT Richmond 039° and Brooke, Va., 132° radials; INT Patuxent, Md., 228° and Nottingham, Md., 174° radials; Nottingham. The airspace on the main airway above 14,000 feet MSL from McAllen to 49 miles northeast and the airspace within Mexico is excluded.

AMENDMENTS 3/27/75 40 F. R. 4121 (Changed)
AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-21 From INT Seal Beach, Calif., 250° and Los Angeles, Calif., 207° radials; Seal Beach; Ontario, Calif.; 35 miles, 7 miles wide (3 miles SE and 4 miles NW of centerline), Hector, Calif.; Boulder City, Nev., including a W alternate from INT Hector 226° and Daggett, Calif., 187° radials to INT Daggett 062° and Hector 047° radials via Daggett; Morman Mesa, Nev.; 30 miles, 52 miles, 95 MSL Milford, Utah, including an E alternate via INT of Morman Mesa 059° and Cedar City, Utah, 197° radials to Cedar City, to Milford, excluding the airspace between the man and this E alternate airway; Delta, Utah; Fairfield, Utah; Salt Lake City, Utah; Ogden, Utah; Malad City, Idaho; Pocatello, Idaho; Idaho Falls, Idaho; INT of Idaho Falls, 030° and DuBois, Idaho, 157° radials; DuBois; Dillon, Mont.; Whitehall, Mont.; Helena, Mont.; Great Falls, Mont.; Cut Bank, Mont., including a W alternate Helena direct Cut Bank; INT Cut Bank 348° radial and the United States/Canadian border.

V-23 From Mission Bay, Calif., Oceanside, Calif.; 24 miles, 6 miles wide, Seal Beach, Calif.; 6 miles wide, INT Seal Beach 287° and Los Angeles, Calif., 138° radials; Los Angeles; Gorman, Calif., Bakersfield, Calif.; Fresno, Calif.; 53 miles, 6 miles wide, Linden, Calif.; Sacramento, Calif., including a W alternate from Fresno to Sacramento via Los Banos, Calif., and Stockton, Calif.; INT Sacramento 346° and Red Bluff, Calif., 158° radials; Red Bluff; 58 miles, 95 MSL Fort Jones, Calif.; Medford, Oreg., including an east alternate via INT Fort Jones 041° and Medford 157° radials; Eugene, Oreg.; Portland, Oreg., including an east alternate and including a west alternate from Fort Jones to Portland via INT Fort Jones 340° and Roseburg, Oreg., 174° radials, Roseburg, INT Roseburg 355° and Corvallis, Oreg., 195° radials, Corvallis, and Newberg, Oreg.; 20 miles, 45 MSL INT Portland 350° and Seattle, Wash., 197° radials; 21 miles, 45 MSL, Seattle, including an east alternate from Portland to Seattle via direct radials; Paine, Wash.; Bellingham, Wash.; via INT Bellingham 290° radial to the United States/Canadian border.

AMENDMENTS 8/14/75 40 F. R. 26020 (Changed)

V-24 From Aberdeen, S. Dak., Watertown, S. Dak., including a N alternate; Redwood Falls, Minn.; Rochester, Minn.; Lone Rock, Wis., including a S alternate from Rochester to Lone Rock via Waukon, Iowa.

V-25 From Mission Bay, Calif.; Los Angeles, Calif., including an E alternate from INT Los Angeles 138° and Seal Beach, Calif., 186° radials, via Seal Beach, 6 miles wide, to INT Seal Beach 287° and Los Angeles 138° radials; INT Los Angeles 261° and Ventura, Calif., 144° radials; 6 miles wide, Ventura; 6 miles wide, INT Ventura 331° and Santa Barbara, Calif., 109° radials; Santa Barbara; Paso Robles, Calif., Salinas, Calif., including an E alternate via INT Paso Robles 342° and Salinas 131° radials; INT Salinas 310° and Woodside, Calif., 158° radials; Woodside; San Francisco, Calif.; INT San Francisco 304° and Point Reyes, Calif., 161° radials; Point Reyes; INT Point Reyes 352° and Ukiah, Calif., 147° radials; 28 miles, 24 miles, 85 MSL, 18 miles, 75 MSL, Red Bluff, Calif.; 53 miles, 95 MSL INT Red Bluff 015° and Klamath Falls, Oreg., 181 radials; 19 miles, 95 MSL, Klamath Falls; 21 miles, 77 miles, 90 MSL, Redmond, Oreg.; The Dalles, Oreg.; Yakima, Wash., including an east alternate via INT The Dalles 051° and Yakima 183° radials; Ellensburg, Wash., including a west alternate via INT Yakima 306° and Ellensburg 191° radials; Wenatchee, Wash. The airspace below 2,000 feet MSL outside the United States and the airspace more than 3 miles NE of the airway centerline between Seal Beach and INT of Seal Beach 287° and Los Angeles 138° radials is excluded. The airspace within R-2511, R-2520, and W-289 is excluded. The airspace within R-2519 more than 3 statute miles west of the airway centerline, and the airspace within R-2519 below 5,000 feet MSL is excluded. The portion outside the United States has no upper limit.

AMENDMENTS 8/14/75 40 F. R. 26020 (Changed)

V-26 From Hayden, Colo., via INT Hayden 310° and Cherokee, Wyo., 191° radials; Cherokee; 37 miles, 52 miles, 111 MSL, Casper, Wyo.; 14 miles, 25 miles 75 MSL, 92 miles 90 MSL, Rapid City, S. Dak.; 43 miles, 35 MSL Philip, S. Dak.; 56 miles, 35 MSL, Pierre, S. Dak., including a north alternate; 28 miles, 41 miles, 35 MSL, Huron, S. Dak.; Redwood Falls, Minn., including a S alternate; Flying Cloud, Minn.; INT Flying Cloud 081° and Eau Claire, Wis., 271° radials; Eau Claire, including a south alternate from Redwood Falls to Eau Claire via Farmington, Minn.; Wausau, Wis.; Green Bay, Wis.; INT Green Bay 116° and White Cloud, Mich., 302° radials; White Cloud; Lansing, Mich.; Salem, Mich.; INT Salem 139° and Cleveland, Ohio, 309° radials; Cleveland. The airspace within Canada is excluded.

AMENDMENTS 12/4/75 40 F. R. 47104 (Changed)

V-27 From Mission Bay, Calif., INT Mission Bay 319° and Santa Catalina, Calif., 099° radials; Santa Catalina; 6 miles wide, Ventura, Calif.; 6 miles wide, INT Ventura 331° and Fillmore, Calif., 268° radials; INT Fillmore 268° and Gaviota, Calif., 143° radials; Gaviota; San Luis Obispo, Calif.; INT San Luis Obispo 308° and Big Sur, Calif., 157° radials; Big Sur; INT Big Sur 325° and Point Reyes, Calif., 161° radials; Point Reyes; INT Point Reyes 352° and Ukiah, CA., 147° radials; Ukiah; Fortuna, CA., including a west alternate from Ukiah 17 miles, 77 miles, 53 MSL, Fortuna, excluding the airspace between the main and the west alternate; Crescent City, CA., including a west alternate from Fortuna to Crescent City, excluding the airspace between the main and the west alternate; 31 miles, 32 miles, 50 MSL, North Bend, Oreg.; Newport, Oreg.; 39 miles, 30 miles, 45 MSL, Astoria, Oreg.; including an east alternate via INT of Newport 016° and Astoria 197° radials; Hoquiam, Wash., including a west alternate via INT Astoria 309° and Hoquiam 182° radials; Seattle, Wash., including an east alternate from Astoria to Seattle via Olympia, Wash., and INT Olympia 010° and Seattle 240° radials. The airspace below 2,000 feet MSL outside the United States between San Diego and Santa Catalina, the airspace within R-2516, R-2520, and W-289, the airspace within R-2519 more than 3 statute miles west of the airway centerline, and the airspace within R-2519 below 5,000 feet MSL, is excluded. The portion outside the United States has no upper limit.

AMENDMENTS 8/14/75 40 F. R. 26020 (Changed)

V-28 From Oakland, Calif., INT Oakland 077° and Linden, Calif., 246° radials; Linden; INT Linden 046° and Reno, Nev., 208° radials; Reno.

V-29 From Snow Hill, Md., Salisbury, Md.; Kenton, Del., including a West alternate via INT Salisbury 340° and Kenton 217° radials; New Castle, Del.; Modena, Pa.; Pottstown, Pa.; East Texas, Pa.; Wilkes-Barre, Pa.; Binghamton, N. Y.; Syracuse, N. Y.; Watertown, N. Y.; INT Watertown 033° and Massena, N. Y., 241° radials; Massena. The airspace within R-4006 is excluded.

V-30 From Milwaukee, Wis., INT Milwaukee 102° and Pullman, Mich., 303° radials; Pullman, including a S alternate via INT Milwaukee 121° and Pullman 282° radials; Litchfield, Mich.; Waterville, Ohio; Cleveland, Ohio; Akron, Ohio; Clarion, Pa.; Philipsburg, Pa.; Selinsgrove, Pa.; East Texas, Pa.; INT East Texas 103° and Solberg, N. J., 256° radials; Solberg.

V-31 From INT Patuxent River, Md., 036° and Nottingham, Md., 128° radials; Nottingham. From Baltimore, Md.; Harrisburg, Pa.; Selinsgrove, Pa.; Williamsport, Pa.; Elmira, N. Y.; INT Elmira 357° and Rochester, N. Y., 125° radials; Rochester.

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V-32 From Battle Mountain, Nev.; Elko, Nev.; Bonneville, Utah, including a north alternate from Elko to Bonneville via Wells, Nev.; 37 miles, 85 MSL, Salt Lake City, Utah; 17 miles, 45 miles, 105 MSL, Fort Bridger, Wyo.

V-33 From Cofield, N. C.; INT Cofield 007° and Harcum, Va., 187° radials; Harcum; INT Harcum 003° and Nottingham, Md., 174° radials; Nottingham. From Baltimore, Md., Harrisburg, Pa.; Philipsburg, Pa.; Keating, Pa.; Bradford, Pa.; Buffalo, N. Y.

V-34 From Kleinburg, Ont., INT Kleinburg 113° and Rochester, N. Y., 309° radials; Rochester, including a south alternate via INT of Kleinburg 133° and Rochester 289° radials; Ithaca, N. Y.; Hancock, N. Y.; Carmel, N. Y.; INT Carmel 093° and Riverhead, N. Y., 046° radials. The airspace within Canada and R-5207 is excluded.

V-35 From Key West, Fla., INT Key West 086° and Bimini, Bahamas, 215° radials; INT Bimini 215° and Miami, Fla., 147° radials; Miami; INT
of Miami 279° and Fort Myers, FL., 137° radials; Fort Myers, including a west alternate from the INT of Miami 147° and Biscayne Bay, Fl. 262° radials, via INT of the Biscayne Bay 262° and Fort Myers 137° radials, to the INT of the Miami 279° and Fort Myers 137° radials; St. Petersburg, Fla., including a W alternate; INT St. Petersburg 350° and
Cross City, Fla., 168° radials; Cross City, including an E alternate via Gainesville, Fla., and also a W alternate via INT St. Petersburg 316° and Cross City 185° radials; Greenville, Fla.; Albany, Ga.; Macon, Ga.; including a west alternate via INT Albany 013° and Macon 240° radials; INT Macon 005° and Athens, Ga., 195° radials; Athens; Anderson, Sugarloaf Mountain, N. C.; Holston Mountain,
Tenn., including a west alternate via INT Sugarloaf Mountain 301° and Holston Mountain 209° radials; Blackford, Va.; Charleston, W. Va., including an E
alternate via Bluefield, W. Va.; INT Charleston 051° and Elkins, W. Va., 264° radials; Clarksburg, W. Va.; Morgantown, W. Va.; Indian Head, Pa.; Johnstown, Pa., including a west alternate from Morgantown to Johnstown via INT Morgantown 010° and Johnstown 260° radials; Tyrone, Pa.; Philipsburg, Pa.; Stonyfork, Pa.; Elmira,
N. Y.; Syracuse, N. Y. The airspace below 2,000 feet MSL outside the United States is excluded. The portion outside the United States has no upper limit.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed) Corr: 40 F. R. 51622

V-36 From Toronto, Ont., via INT Toronto 141° and Buffalo, N. Y., 312° radials; Buffalo, including a S alternate via INT Toronto 172° and Buffalo 294° radials, excluding the airspace between the main and this S alternate; Elmira, N. Y.; Lake Henry, Pa.; INT Lake Henry 136° and Sparta, N. J., 290° radials; Sparta; Kennedy, N. Y. The airspace within Canada is excluded.

V-37 From Savannah, Ga., Allendale, S. C.; Columbia, S. C.; Fort Mill, S. C.; Pulaski, Va., Elkins, W. Va.; Morgantown, W. Va.; INT Morgantown
336° and Ellwood City, Pa., 177° radials; Ellwood City; Erie, Pa.; to Ash, Ont., Canada. The airspace within Canada is excluded.

AMENDMENTS 4/24/75 40 F. R. 8327 (Changed)

V-38 From Iowa City, Iowa, Moline, Ill.; Joliet, Ill.; INT Joliet 173° and Peotone, Ill., 281° radials; Peotone; including a S alternate from Moline to Peotone via INT Moline 082° and Peotone 281° radials; Fort Wayne, Ind.; Findlay, Ohio; INT
Findlay 131° and Appleton, Ohio, 312° radials; Appleton; Zanesville, Ohio; Parkersburg, W. Va.; Elins, W. Va.; Gordonsville, Va.; Richmond, Va.; Harcum, Va.; Cape Charles, Va.

AMENDMENTS 4/24/75 40 F. R. 4300 (Changed)

V-39 From Myrtle Beach, S. C., 27 MSL Fayetteville, N. C., excluding the airspace at and above 6,000 feet MSL. From Pinehurst, N. C., South Boston, Va.; Gordonsville, Va.; Linden, Va.; including an E alternate via Casanova, Va.; Front Royal, Va.; Martinsburg, W. Va.; Lancaster, Pa.; to East Texas, Pa. From Chester, Mass.; Gardner, Mass.; Concord, N. H.; INT Concord 052° and Augusta, Maine, 228° radials; Augusta; Millinocket, Maine; Presque Isle, Maine; Mont Joli, Quebec, Canada, excluding the portion within Canada.

AMENDMENTS 8/14/75 40 F. R. 18549 (Changed)

V-40 From Cleveland, Ohio, Briggs, Ohio; INT Briggs 077° and Youngstown, Ohio, 177° radials.

V-41 From INT Briggs, Ohio, 077° and Youngstown, Ohio, 177° radials; Youngstown.

V-42 From Flint, Mich.; via INT Flint 133° and Windsor, Ont., 320° radials; Windsor; Cleveland, Ohio; Akron, Ohio, including an E alternate from Windsor, Ont., Canada, to Akron via INT Windsor 134° and Akron 312° radials. The airspace within Canada is excluded.

V-43 From Appleton, Ohio, via Tiverton, Ohio; Briggs, Ohio; Youngstown, Ohio; including a west alternate from Tiverton via INT Tiverton 040° and Akron, Ohio, 233° radials; Akron to Youngstown; including an E alternate from Briggs via INT Briggs 057° and Youngstown 177° radials to Youngstown; to Erie, Pa.

V-44 From Maryland Heights, Mo.; Centralia, Ill.; Samsville, Ill.; Nabb, Ind.; Falmouth, Ky.; York, Ky.; Parkersburg, W. Va.; Morgantown, W. Va.; Martinsburg, W. Va.; Baltimore, Md.; INT Baltimore 094° and Kenton, Del., 262° radials; Kenton; INT Kenton 086° and Atlantic City, N. J., 236° radials; Atlantic City; INT Atlantic City 048° and Deer Park, N. Y., 209° radials; Deer Park. The airspace within R-4001 and the airspace below 2,000 feet MSL outside the United States is excluded. The airspace within R-5002 more than 3 nmi W of the airway centerline above 9,000 feet MSL is excluded.

V-45 From New Bern, N. C., Kinston, N. C.; Raleigh-Durham, N. C.; INT Raleigh-Durham 275° and Greensboro, N. C., 105° radials; Greensboro; INT Greensboro 334° and
Hickory, N. C., 049° radials; Pulaski, Va.; Bluefield, W. Va.; Charleston, W. Va. From INT Waterville, Ohio, 085° and Cleveland, Ohio, 335° radials; Waterville;
Jackson, Mich.; Lansing, Mich.; Saginaw, Mich.; Alpena, Mich., including a west alternate via INT Saginaw 353° and Alpena 232° radials; Saulte Ste. Marie, Mich. The airspace within R-5002 is excluded.

V-46 From Deer Park, N. Y., Riverhead, N. Y.; Hampton, N. Y.; INT Hampton 083° and Nantucket, Mass., 255° radials; Nantucket. The airspace below 2,000 feet MSL outside the United States is excluded.

V-47 From Little Rock, Ark.; via Walnut Ridge, Ark.; Malden, Mo.; Cunningham, Ky.; Evansville, Ind.; Nabb, Ind.; Cincinnati, Ohio; Rosewood, Ohio; Findlay, Ohio, including a W alternate
via INT Rosewood 309° and Findlay, Ohio, 218° radials; Waterville, Ohio; INT Waterville 353° and Salem, Mich., 197° radials; Salem; to the INT Salem 021° and Flint, Mich., 088° radials.

AMENDMENTS 3/27/75 40 F. R. 4905 (Changed)

V-48 From Ottumwa, Iowa, Burlington, Iowa; Peoria, Ill.; Pontiac, Ill.

V-49 From Birmingham, Ala.; Decatur, Ala.;
including an east alternate via INT Birmingham 013° and Decatur 130° radials and a west alternate via INT Birmingham 335° and Decatur 205° radials; Graham, Tenn.; INT Graham 006° and Bowling Green, Ky., 230° radials; Bowling Green, including an east alternate from Decatur to Bowling Green via Nashville, Tenn.; Mystic, Ky.; Nabb, Ind.

V-50 From Pawnee City, Nebr.,
via St. Joseph, Mo.; including a S alternate from Pawnee City to St. Joseph via INT Pawnee City 122° and Kansas City, Mo., 310° radials, and INT Kansas City 310° and St. Joseph 178° radials; Kirksville, Mo.; Quincy, Ill.; Capital, Ill.; Decatur, Ill.;
Terre Haute, Ind.; Indianapolis, Ind.; Dayton, Ohio, including a N alternate from Indianapolis to Dayton via Muncie, Ind.

AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-51 From Key West, Fla., INT Miami, Fla., 222° and Biscayne Bay, Fla. 262° radials; Biscayne Bay; Miami; INT of Miami 343° and Pahokee, Fla., 169° radials; Pahokee; INT Pahokee 009° and Vero Beach, Fla., 193° radials; Vero Beach, including an east alternate
from Biscayne Bay to Vero Beach via INT Biscayne Bay 348° and Vero Beach 178° radials; Ormond Beach, Fla.; INT Ormond Beach 344° and Jacksonville, Fla., 186° radials; Jacksonville; INT Jacksonville 319° and Alma, Ga., 148° radials; Alma, including an E alternate; Dublin, Ga.; Athens, Ga.; INT Athens, Ga., 340° and Harris, Ga., 148° radials; Harris; Hinch Mountain, Tenn., including a west alternate from the INT Anderson, S. C., 274° and Athens 340° radials to Hinch Mountain via INT Anderson 274° and Hinch Mountain 160° radials; Livingston, Tenn.; Louisville, Ky., including an E alternate and also a W alternate from Livingston to Louisville via INT Livingston 333° and New Hope, Ky., 165° radials and New Hope; Nabb, Ind.; Shelbyville, Ind.; INT Shelbyville 313° and Lafayette, Ind., 136° radials; Lafayette; Chicago Heights, Ill. The airspace within R-2902A and R-2902B is excluded.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-52 From Des Moines, Iowa; Ottumwa, Iowa; Quincy, Ill.; St. Louis, Mo.; Troy, Ill.; INT Troy 099° and Evansville, Ind., 311° radials; Evansville, Ind.

V-53 From Charleston, S. C., INT Charleston 296° and Columbia, S. C., 153° radials; Columbia; Spartanburg, S. C.; Sugarloaf Mountain, N. C.; Holston Mountain, Tenn.; Whitesburg, Ky.; Lexington, Ky.; Louisville, Ky.; INT Louisville 333° and Indianapolis, Ind., 170° radials; Indianapolis; INT Indianapolis 312° and Lafayette, Ind., 159° radials; Lafayette; INT Lafayette 313° and Peotone, Ill., 152° radials; to Peotone.
The airspace within R-3401B is excluded.

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V-54 From Waco, Tex., Scurry, Tex.; Quitman, Tex.; Texarkana, Ark.; INT Texarkana 052° and Little Rock, Ark., 235° True radials; Little Rock, including a N alternate via INT Texarkana 037° and Hot Springs, Ark., 225° radials and Hot Springs; Memphis, Tenn., including a N alternate; Muscle Shoals, Ala., including a N alternate via INT Memphis 078° and Muscle Shoals 293° radials and also a S alternate via Holly Springs, Miss., and INT Holly Springs 099° and Muscle Shoals 255° radials; Huntsville, Ala., including a N alternate via INT Muscle Shoals 067° and Huntsville 282° radials; Chattanooga, Tenn., including a N alternate; Harris, Ga.; Spartanburg, S. C., Fort Mill, S. C.

AMENDMENTS 8/14/75 40 F. R. 25204 (Changed)

V-55 From Dayton, Ohio; Fort Wayne, Ind.; Goshen, Ind.; South Bend, Ind.; Keeler, Mich.; Pullman, Mich.; Muskegon, Mich.; INT Muskegon 327° and Green Bay, Wis., 116° radials; Green Bay; Stevens Point, Wis.; INT Stevens Point 281° and Eau Claire, Wis., 107° radials; Eau Claire; Grantsburg, Wis.; Brainerd, Minn.; Park Rapids, Minn.; Grand Forks, N. Dak.

AMENDMENTS 12/4/75 40 F. R. 47481 (Changed)

V-56 From Meridian, Miss., Kewanee, Miss.; Cahaba, Ala.; Montgomery, Ala.; Tuskegee, Ala.; Columbus, Ga., including a south alternate from Montgomery to Columbus via INT Montgomery 090° and Columbus 219° radials; INT Columbus 087° and Macon, Ga., 266° radials; Macon; Augusta, Ga.; Columbia, S. C., including a south alternate via INT of Augusta 103° and Columbia 236° radials; Florence S. C.; Fayetteville, N. C., 41 miles 15 MSL, INT Fayetteville 098° and New Bern, N. C., 256° radials; New Bern.

AMENDMENTS 1/30/75 39 F. R. 40847 (Changed)
AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-57 From Lexington, Ky., to Falmouth, Ky.

V-58 From Philipsburg, Pa.; Williamsport, Pa.; INT Williamsport 079° and Lake Henry, Pa., 265° radials; Lake Henry; INT Lake Henry 078° and Kingston, N. Y., 274° radials; Kingston; INT Kingston 100° and Hartford, Conn., 268° radials; Hartford; INT Hartford 130° and Providence, R. I., 212° radials.

AMENDMENTS 8/14/75 40 F. R. 18549 (Changed)

V-59 From Pulaski, Va., Beckley, W. Va.; Parkersburg, W. Va.; Newcomerstown, Ohio; Briggs, Ohio.

V-60 From Albuquerque, N. Mex., via Otto, N. Mex., including a S alternate via INT Albuquerque 103° and Otto 253° radials; Las Vegas, N. Mex.

V-62 From Gallup, N. Mex.; INT Gallup 089° and Santa Fe, N. Mex., 268° radials; Santa Fe; Anton Chico, N. Mex.; Texico, N. Mex.; Lubbock, Tex.; Abilene, Tex.; INT Abilene 096° and Acton, Tex., 264° radials; Acton.

V-63 From Blue Ridge, Tex., via McAlester, Okla.; Fayetteville, Ark., Springfield, Mo.; Hallsville, Mo.; Quincy, Ill.; Burlington, Iowa; Moline, Ill.; Davenport, Iowa; Rockford, Ill.; Janesville, Wis.; Milwaukee, Wis.; Oshkosh, Wis.; Stevens Point, Wis.; Wausau, Wis.; Rhinelander, Wis., to Houghton, Mich.

AMENDMENTS 1/30/75 39 F. R. 41518 (Changed)
AMENDMENTS 1/30/75 39 F. R. 41838 (Changed)

V-64 From Los Angeles, Calif., 7 miles wide (3 miles E and 4 miles W of centerline) INT Los Angeles 185° and Seal Beach, Calif., 266° radials; Seal Beach; Thermal, Calif.; Blythe, Calif. The portion outside the United States has no upper limit.

V-65 From the INT Kansas City, Mo., 310° and St. Joseph, Mo., 178° radials; St. Joseph; Lamoni, Iowa.

AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-66 From Mission Bay, Calif., Imperial, Calif.; 13 miles, 24 miles, 25 MSL, Yuma, Ariz.; 12 miles, 35 MSL INT Yuma 089° and Gila Bend, Ariz. 261° radials; 46 miles, 35 MSL, Gila Bend; Tucson, Ariz.; Douglas, Ariz.; INT Douglas 064° and Columbus, N. Mex., 277° radials; Columbus; El Paso, Tex., including a N alternate via INT Columbus 075° and El Paso 286° radials; 6 mi. wide, INT El Paso 109° and Hudspeth 287° radials; 6 mi. wide, Hudspeth; Pecos, Tex.; Midland, Tex.; Hyman, Tex.; INT Hyman 074° and Abilene, Tex., 261° radials; Abilene; INT Abilene 086° and Bridgeport, Tex., 248° radials; Bridgeport; Blue Ridge, Tex., including a north alternate via INT Bridgeport 089° and Blue Ridge 285° radials; Sulphur Springs, Tex.; Texarkana, Ark., including a north alternate via INT Sulphur Springs 060° and Texarkana 272° radials, and also a south alternate via INT Sulphur Springs 090° and Texarkana 240° radials. From Tuscaloosa, Ala., Brookwood, Ala.; LaGrange, Ga.; INT LaGrange 120° and Columbus, Ga., 068° radials; INT Columbus 068° and Athens, Ga., 195° radials; Athens; Fort Mill, S. C.; Raleigh-Durham, N. C., including a south alternate from Athens, Ga., to Raleigh-Durham via INT Athens 092° and Greenwood, S. C., 240° radials, Greenwood and Pinehurst, N. C.; Franklin, Va.; INT Franklin 087° and Norfolk, Va., 226° radials; Norfolk, excluding the airspace above 13,000 feet MSL from the INT of Tucson, Ariz., 122° and Cochise, Ariz., 257° radials to the INT of Douglas, Ariz., 064° and Columbus, NM., 277° radials.

AMENDMENTS 8/14/75 40 F. R. 26020 (Changed)
AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-67 From Cunningham, Ky.; Marion, Ill.; Centralia, Ill.; INT Centralia 010° and Vandalia, Ill., 162° radials; Vandalia; Capital, Ill.; Burlington, Iowa; Iowa City, Iowa; Cedar Rapids, Iowa; Waterloo, Iowa; Rochester, Minn., including an east alternate.

V-68 From Albuquerque, N. Mex., via INT Albuquerque 120° and Corona, N. Mex., 311° radials; Corona, including a W alternate via INT Albuquerque 103° and Corona 328° radials and also a S alternate via INT Albuquerque 160° and Corona 278° radials; 41 mi. 85 MSL, Roswell, N. Mex., including an N alternate 85 MSL INT Corona 124° and Roswell 335° radials, Roswell; Hobbs, N. Mex., including a S alternate; INT Hobbs 120° and Midland, Tex., 312° radials; Midland, including a S alternate via INT Hobbs 136° and Midland 283° radials; San Angelo, Tex., including a S alterante via INT Midland 128° and San Angelo 278° radials; Junction, Tex., including a S alternate via INT San Angelo 181° and Junction 310° radials; San Antonio, Tex., including a south alternate via INT Junction 144° and San Antonio 290° radials.

V-69 From Shreveport, La., via INT Shreveport 084° and El Dorado, Ark., 218° radials; El Dorado, including a W alternate via INT Shreveport 084° and El Dorado 233° radials; Pine Bluff, Ark.; INT Pine Bluff 040° and Walnut Ridge, Ark., 187° radials; Walnut Ridge; Farmington, Mo., Troy, Ill.; Capital, Ill.; Pontiac, Ill.; Joliet, Ill.; Kedzie, Ill., RBN.

AMENDMENTS 1/2/75 39 F. R. 39261 (Changed)
AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-70 From Corpus Christi, Tex., via INT Corpus Christi 054° and Palacios, Tex., 226° radials, Palacios; Scholes, Tex.; Sabine Pass, Tex.; Lake Charles, La.; Lafayette, La.; Baton Rouge, La., including a W alternate via INT Lafayette 012° and Baton Rouge 264° radials; Picayune, Miss.; Greene County, Miss.; Monroeville, Ala.; INT Monroeville 073° and Eufaula, Ala., 258° radials; Eufaula; Vienna, Ga.; to Allendale, S. C. The portion of this airway above 9,000 feet MSL between the INT of Vienna 066° and Dublin, Ga., 122° radials and the INT of Allendale 247° and Augusta, Ga., 148° radials is excluded.

AMENDMENTS 6/19/75 40 F. R. 16650 (Changed)
AMENDMENTS 6/19/75 40 F. R. 16651 (Changed) Corr: 40 F. R. 19809

V-71 From Baton Rouge, La., via Natchez, Miss., including an E alternate via INT Baton Rouge 026° and Natchez 156° radials; Monroe, La., including a W alternate and also an E alternate via INT Natchez 341° and Monroe 105° radials; El Dorado, Ark.; Hot Springs, Ark.; INT Hot Springs 358° and Harrison, Ark., 176° radials; Harrison; Springfield, Mo., including a W alternate from Hot Springs to Springfield via Fayetteville, Ark., excluding the airspace between the main and this W alternate; Butler, Mo.; Topeka, Kans.; Pawnee City, Nebr.; INT Pawnee City 334° and Lincoln, Nebr., 146° radials; Lincoln; Columbus, Nebr.

AMENDMENTS 1/2/75 39 F. R. 39261 (Changed)
AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-72 From Fayetteville, Ark., Dogwood, Mo.; Naples, Mo.; Farmington, Mo.; Centralia, Ill.; Bible Grove, Ill.; Mattoon, Ill.; to Bloomington, Ill. From Rosewood, Ohio, Mansfield, Ohio; INT Mansfield 098° and Akron, Ohio, 233° radials; Akron; Youngstown, Ohio; Tidioute, Pa.; Bradford, Pa.; INT Bradford 078° and Elmira, N. Y., 252° radials; Elmira; Binghamton, N. Y., Rockdale, N. Y.; Albany, N. Y.; Cambridge, N. Y.; INT Cambridge 063° and Keene, N. H., 336° radials.

AMENDMENTS 12/4/75 40 F. R. 46304 (Changed)

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V-73 From Wichita, Kans., Hutchinson, Kans.; INT Hutchinson 025° and Salina, Kans., 184° radials; Salina, including an east alternate from Wichita to Salina via INT Wichita 356° and Salina 169° radials.

V-74 From Garden City, Kans.; Dodge City, Kans.; Anthony, Kans.; Pioneer, Okla., including a north alternate via INT Anthony 097° and Pioneer 334° radials; Tulsa, Okla., including a N alternate via INT Pioneer 094° and Tulsa 319° radials; Fort Smith, Ark., including a N alternate via INT Tulsa 087° and Fort Smith 318° radials and a S alternate from Pioneer to Fort Smith via Okmulgee, Okla.;
6 miles, 7 miles wide (4 miles north and 3 miles south of centerline)
Little Rock, Ark., including a N alternate and also a S alternate via INT Fort Smith 133° and Little Rock 278° radials; Pine Bluff, Ark., including a N alternate via INT Little Rock 137° and Pine Bluff 006° radials.
AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-75 From Morgantown, W. Va.; Bellaire, Ohio; Briggs, Ohio; Cleveland, Ohio.

V-76 From Lubbock, Tex., via INT Lubbock 188° and Big Spring, Tex., 286° radials; Big Spring, including a N alternate from Lubbock direct to Big Spring, excluding the airspace between the main and this N alternate; Hyman, Tex.; San Angelo, Tex.; Llano, Tex.;
Austin, Tex., including a south alternate via INT Llano 134° and Austin 279° radials; and also a north alternate via INT Llano 096° and Austin 314° radials; Industry, Tex., including a north alternate via INT Austin 090° and Industry 308° radials;
INT Industry 101° and Hobby, Tex., 290° radials; Hobby, including a S alternate from Industry to Hobby via Eagle Lake, Tex.

V-77 From San Angelo, Tex., via Abilene, Tex.; Wichita Falls, Tex., including an E alternate; INT Wichita Falls 028° and Oklahoma City, Okla., 202° radials; Oklahoma City, including an E alternate from Wichita Falls to Oklahoma City via INT Wichita Falls 047° and Duncan, Okla., 248° radials, Duncan, INT Duncan 011° and Oklahoma City 180° radials; Pioneer, OK., including an E alternate via INT Oklahoma City 037° and Pioneer 186° radials; Wichita, Kans.; INT Wichita 037° and Topeka, Kans., 236° radials; Topeka; St. Joseph, Mo.; Lamoni, Iowa; Des Moines, Iowa; Newton, Iowa; Waterloo, Iowa; to Waukon, Iowa.

AMENDMENTS 6/19/75 40 F. R. 17549 (Changed)
AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-78 From Huron, S. Dak., Watertown, S. Dak., including a S alternate; Darwin, Minn.; Minneapolis, Minn.; Eau Claire, Wis.; Rhinelander, Wis.; Iron Mountain, Mich.; Escanaba, Mich.; Schoolcraft County, Mich.; Pellston, Mich.; to Alpena, Mich.

V-80 From Akron, Colo., North Platte, Nebr.

V-81 From Midland, Tex., via Lubbock, Tex.; Plainview, Tex.; Amarillo, Tex., including an east alternate via INT Plainview 025° and Amarillo 163° radials; Dalhart, Tex., including a west alternate via INT Amarillo 301° and Dalhart 157° radials; Tobe, Colo.; Pueblo, Colo.; Colorado Springs, Colo.; Denver, Colo.

V-82 From Baudette, Minn., Bemidji, Minn.; Brainard, Minn.; Minneapolis, Minn.; Farmington, Minn.; Rochester, Minn.; Modine, Minn.; Dells, Wis.; INT Dells 097° and Timmerman, Wis., 322° radials; 6 mi. wide Timmerman.

AMENDMENTS 12/4/75 40 F. R. 47481 (Changed)

V-83 From Carlsbad, N. Mex., via Roswell, N. Mex.; 40 miles, 85 MSL Corona, N. Mex., including an E alternate INT Roswell 335° and Corona 124° radials, 85 MSL Corona; Otto, NM., Santa Fe, NM., including an east alternate via INT Otto 019° and Santa Fe 117° radials; Taos, NM.;
Alamosa, Colo.; INT Alamosa 074° and Pueblo, Colo., 191° radials; Pueblo; Colorado Springs; Colo.; Kiowa, Colo.
PENDING AMENDMENT
In V-83 "Colorado Springs;" is deleted and "INT Pueblo 004° and Colorado Springs, Colo., 153° radials; Colorado Springs," is substituted therefor.

AMENDMENTS 1/29/76 40 F. R. 55829 (Changed)

V-84 From Northbrook, Ill.; Pullman, Mich.; Lansing, Mich.; Flint, Mich.; Peck, Mich.; London, Ont., Canada; Buffalo, N. Y.; Geneseo, N. Y.; INT Geneseo 091° and Syracuse, N. Y., 242° radials; Syracuse. The airspace within Canada is excluded.
AMENDMENTS 4/24/75 40 F. R. 4300 (Changed)

V-85 From Medicine Bow, Wyo., via Casper, Wyo., including a west alternate via INT Medicine Bow 338° and Casper 216° radials; 29 miles, 48 miles 77 MSL, to Riverton, Wyo.

V-86 From Butte, Mont., Whitehall, Mont.; Bozeman, Mont.; INT Bozeman 128° and Livingston, Mont., 261° radials; Livingston; 11 miles, 25 miles, 65 MSL, Billings, Mont.; 32 miles, 35 miles, 75 MSL, Sheridan, Wyo.; 20 miles, 45 miles, 70 MSL, 63 miles, 80 MSL, Rapid City, S. Dak.

V-87 From San Francisco, CA., INT San Francisco 359° and Napa, CA., 182° radials; Napa; INT Napa 004° and Maxwell, Calif., 188° radials; Maxwell; Red Bluff, Calif.

V-88 From Tulso, Okla., INT Tulsa 044° and Springfield, Mo., 261° radials; Springfield; Vichy, Mo., including a south alternate from INT Springfield 058° and Forney (AAF), Mo., 266° radials; Forney (AAF), INT Forney (AAF) 046° and Vichy 216° radials; INT Vichy 091° and St. Louis, Mo., 171° radials, excluding that portion within R-4501A.

V-89 From INT Denver, Colo., 207° and Kiowa, Colo., 246° radials; Denver; Cheyenne, Wyo., including an east alternate from Denver to Cheyenne via Gill, Colo., and INT Gill 003° and Cheyenne 131° radials; Chadron, including an E alternate from Cheyenne to Chadron via Scottsbluff, Nebr.

V-90 From Litchfield, Mich., via INT Litchfield 081° and Windsor, Ont., Canada, 265° radials; Windsor; INT Windsor 083° and Dunkirk, N. Y., 266° radials; Dunkirk, including a N alternate from INT Windsor 083° and Dunkirk 266° radials to Dunkirk via Aylmer, Ont. The airspace within Canada is excluded.

V-91 From Riverhead, N. Y., INT Riverhead 344° and Pawling, N. Y., 139° radials; Pawling; INT Pawling 342° and Albany, N. Y., 181° radials; Albany;
Glens Falls, N. Y.; INT Glens Falls 032° and Burlington, Vt., 187° radials; Burlington; Plattsburgh, N. Y.; St. Eustache, Quebec, Canada. The airspace within Canada is excluded.

V-92 From Joliet, IL., Chicago Heights, IL.; Goshen, IN.; Waterville, OH.; Mansfield, OH.; Tiverton, OH.; Newcomerstown, OH.; Bellaire, OH.; INT Bellaire 107° and Grantsville 285° radials; Grantsville; Front Royal, VA.

V-93 From Patuxent River, Md., INT Patuxent 013° and Baltimore, Md., 122° radials; Baltimore; Lancaster, Pa.; including an E alternate via the INT of Baltimore 034° and Lancaster 181° radials;
Wilkes-Barre, Pa.; Lake Henry, Pa.; Pawling, N. Y.; Chester, Mass.; Keene, N. H.; Concord, N. H.; Kennebunk, Maine; INT Kennebunk 048° and Bangor, Maine, 220° radials; Bangor; Princeton, Maine; INT Princeton 087° radial and the United States/Canadian border.

V-94 From Blythe, CA.; INT Blythe 094° and Gila Bend, AZ., 299° radials; Gila Bend; Casa Grande, AZ.; 55 miles, 74 miles, 95 MSL, San Simon, AZ.; Deming, NM.;
Newman, Tex., including a S alternate via INT Deming 119° and Newman 271° radials; Salt Flat, Tex., including a north alternate via INT Newman 091° and Salt Flat 312° radials; Wink, Tex.; Midland, Tex.; Hyman, Tex.; Tuscola, Tex.; Acton, Tex.; Scurry, Tex.; Gregg County, Tex.; Elm Grove, La.; Monroe, La.; Greenville, Miss., including a W alternate; INT Greenville 036° and Memphis, Tenn., 208° radials; to Memphis. The airspace within R-5103A is excluded.
AMENDMENTS 1/2/75 39 F. R. 39261 (Changed)

V-95 From Gila Bend, Ariz., INT Gila Bend 096° and Phoenix, Ariz., 204° radials; Phoenix; 49 miles, 40 miles, 95 MSL, Winslow, Ariz., including a west alternate from Phoenix, INT Phoenix 006° and Winslow 224° radials; 52 miles, 95 MSL, Winslow; 66 miles, 30 miles, 125 MSL, Farmington, N. Mex. From Gunnison, Colo., 15 miles, 125 MSL, 12 miles, 145 MSL, 22 miles, 157 MSL, 23 miles, 135 MSL, 9 miles, 128 MSL, Kiowa, Colo.

V-96 From Indianapolis, Ind., Kokomo, Ind.; Fort Wayne, Ind.; Waterville, Ohio; Windsor, Ontario, Canada, excluding the portion within Canada.

V-97 From Miami, Fla.; La Belle, Fla.; St. Petersburg, Fla.; Tallahassee, Fla., including a west alternate from St. Petersburg to INT St. Petersburg 331° and Cross City, Fla., 201° radials via INT St. Petersburg 316° and Cross City 201° radials; Albany, Ga.; Atlanta, Ga.; INT Atlanta 001° and Knoxville, Tenn., 197° radials; Knoxville; London, Ky., including an E alternate via INT Knoxville 013° and London 141° radials;
Lexington, Ky.; Cincinnati, Ohio, including a W alternate via INT Lexington 327° and Cincinnati 192° radials, and also an E alternate from London to Cincinnati via INT London 004° and Lexington 107° radials and Falmouth, Ky.; Shelbyville, Ind., INT Shelbyville 313° and Lafayette, Ind., 136° radials; Lafayette, including a W alternate from Shelbyville to Lafayette via Indianapolis, Ind., and INT Indianapolis 344° and Shelbyville 313° radials and INT Shelbyville 313° and Lafayette 136° radials; to Chicago Heights, Ill. From Chicago-O'Hare, Ill.; INT Chicago-O'Hare 316° and Janesville, Wis., 112° radials; Janesville; INT Janesville 294° and Lone Rock, Wis., 147° radials; Lone Rock; Modine, Minn.; Minneapolis, Minn. The airspace below 2,000 feet MSL outside the United States is excluded.
AMENDMENTS 4/24/75 40 F. R. 4300 (Changed)
AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

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V-98 From INT Litchfield, Mich., 126° and Carleton, Mich., 249° radials; Carleton; Windsor, Ont., Canada; London, Ontario, Canada; Toronto, Ontario, Canada; Stirling, Ontario, Canada; Massena, N. Y.; St. Jean, Quebec, Canada. The airspace within Canada is excluded.

V-99 From Bridgeport, Conn.; to Hartford, Conn.

V-100 From Medicine Bow, Wyo., Scottsbluff, Nebr.; Alliance, Nebr.; Ainsworth, Nebr.; O'Neill, Nebr.; Sioux City, Iowa; Fort Dodge, Iowa; Waterloo, Iowa; Dubuque, Iowa; Rockford, Ill.; INT Rockford 082° and Northbrook, Ill., 290° radials; Northbrook; INT Northbrook 095° and Keeler, Mich., 271° radials; Keeler; Litchfield, Mich.; Carleton, Mich.

AMENDMENTS 4/24/75 40 F. R. 4300 (Changed)

V-101 From Gill, Colo., via Hayden, Colo.; Vernal, Utah; 25 miles, 25 miles 120 MSL, 22 miles 145 MSL, 20 miles 125 MSL, Salt Lake City, Utah; Ogden, Utah; 61 miles, 26 miles, 109 MSL, Burley, Idaho; INT Burley 344° and Pocatello, Idaho, 286° radials.

AMENDMENTS 2/27/75 40 F. R. 1038 (Changed)
AMENDMENTS 12/4/75 40 F. R. 47104 (Changed)

V-102 From Salt Flat, TX., via Carlsbad, NM., including a south alternate via INT Salt Flat 085° and Carlsbad 220° radials; Hobbs, NM.; Lubbock, TX.; Guthrie, TX.; Wichita Falls, Tex., including a S alternate via INT Guthrie 103° and Wichita Falls 247° radials.

V-103 From Greensboro, N. C., Roanoke, Va.; Elkins, W. Va.; Clarksburg, W. Va.; Bellaire, Ohio; INT Bellaire 327° and Akron, Ohio, 181° radials; Akron, Ohio; INT Akron 312° and Windsor, Ontario, Canada 134° radials; INT Windsor 134° and Salem, Mich., 117° radials; Salem. The airspace within Canada is excluded.

V-104 From Ottawa, Ontario, Canada, INT Ottawa 095° and Massena, N. Y., 330° radials; Massena; Plattsburgh, N. Y. The airspace within Canada is excluded.

V-105 From Tucson, AZ., INT Tucson 298° and Casa Grande, AZ., 145° radials; Casa Grande; Phoenix, AZ.; Prescott, Ariz.; 25 miles, 22 miles, 85 MSL, Boulder City, Nev.; Las Vegas, Nev., including an E alternate from Prescott, 25 miles, 85 MSL INT Prescott 319° and Peach Springs, Ariz., 134° radials, 8 miles, 85 MSL, Peach Springs, INT Peach Springs 308° and Las Vegas 081° radials, to Las Vegas; INT Las Vegas 266° and Beatty, Nev., 142° radials; 17 miles, 105 MSL Beatty; 105 MSL Coaldale, Nev.; 82 miles 110 MSL, to Reno, Nev., including an east alternate from Coaldale, 110 MSL via Mina, Nev., 110 MSL INT Mina 300° and Reno 135° radials, Reno.

V-106 From Johnstown, Pa.; INT Johnstown 068° and Selinsgrove, Pa., 259° radials; Selinsgrove; INT Selinsgrove 067° and Wilkes-Barre, Pa., 237° radials; Wilkes-Barre; Lake Henry, Pa., Pawling, N. Y.; Barnes, Mass.; Gardner, Mass.; Manchester, N. H.; Kennebunk, Maine.

V-107 From Los Angeles, Calif., INT Los Angeles 061° and Santa Monica, Calif., 093° radials; Santa Monica; INT Santa Monica 276° and Fillmore, Calif., 163° radials; Fillmore; Avenal, Calif.; Los Banos, Calif.; Oakland, Calif., including an E alternate via INT Los Banos 317° and Oakland 110° radials; Point Reyes, Calif.; INT Point Reyes 306° and Ukiah, Calif., 172° radials. The portion outside the United States has no upper limit.

AMENDMENTS 12/4/75 40 F. R. 44126 (Changed)
AMENDMENTS 12/4/75 40 F. R. 50025 (Changed)

V-108 From San Francisco, Calif., INT San Francisco 304° and Sausalito, Calif., 232° radials; Sausalito; INT Sausalito 052° and Linden, Calif., 269° radials; Linden. From Colorado Springs, Colo.; Hugo, Colo., including a south alternate via INT Colorado Springs 153° and Hugo 249° radials; 74 miles, 85 MSL, Goodland, Kans.; Hill City, Kans.

PENDING AMENDMENT

In V-108; all before "From Colorado Springs, Colo." is deleted and "From Santa Rosa, Calif., via Napa, Calif.; INT Napa 131° and Concord, Calif., 276° radials; 7 miles wide (4 miles N and 3 miles S of centerline), Concord; Linden, Calif." is substituted therefor.

AMENDMENTS 1/29/76 40 F. R. 53232 (Changed)

PENDING AMENDMENT

In V-108 "Hugo, Colo., including a south alternate via INT Colorado Springs 153° and Hugo 249° radials;" is deleted and "Hugo, Colo.;" is substituted therefor.

AMENDMENTS 1/29/76 40 F. R. 55829 (Changed)

V-109 From Los Banos, CA., Stockton, CA.; INT Stockton 267° and Oakland, CA., 077° radials; Oakland.

V-110 From Deming, N. Mex., Truth or Consequences, N. Mex.

V-111 From Big Sur, Calif., Salinas, Calif.; INT Salinas 026° and Los Banos, Calif., 317° radials.

V-112 From Astoria, Oreg., 44 miles; 15 miles, 6-mile wide, Portland, Oreg.; The Dalles, Oreg.; INT of The Dalles 101° and Pendleton, Oreg., 254° radials; Pendleton; 53 miles, 28 miles, 45 MSL, Spokane, Wash., including a W alternate from Pendleton via Pasco, Wash., 35 miles, 35 MSL INT Pasco 035° and Spokane 221° radials; 6 miles 35 MSL, to Spokane, and an east alternate from Pendleton via INT Pendleton 090° and Walla Walla, Wash., 215° radials, Walla Walla, 22 miles, 48 miles, 45 MSL, to Spokane; 47 miles, 105 MSL Cranbrook, British Columbia, Canada, excluding the portion within Canada.

V-113 From San Luis Obispo, Calif., Paso Robles, Calif.; Priest, Calif.; Los Banos, Calif.; Stockton, Calif.; Linden, Calif.; INT Linden 046° and Reno, Nev. 208° radials; Reno; 42 miles, 24 miles, 115 MSL, 95 MSL Sod House, Nev.; 67 miles, 95 MSL, 85 MSL Rome, Oreg.; 61 miles, 85 MSL, Boise, Idaho; Salmon, Idaho; to Butte, Mont.

AMENDMENTS 12/4/75 40 F. R. 45804 (Changed)

V-114 From Amarillo, Tex., via Childress, Tex., including a S alternate; Wichita Falls, Tex., including a S alternate via INT Childress 120° and Wichita Falls 262° radials; INT Wichita Falls 117° and Blue Ridge, Tex., 285° radials; Blue Ridge; Quitman, Tex.; Gregg County, Tex.; Alexandria, La., including a north alternate from Gregg County to Alexandria via Shreveport, La., and INT Shreveport 176° and Alexandria 302° radials; INT Baton Rouge, LA., 307° and Lafayette, LA., 042° radials; 7 miles wide (3 miles north and 4 miles south of centerline) Baton Rouge; New Orleans, LA., including a north alternate from Alexandria to New Orleans via INT Alexandria 109° and New Orleans 312° radials, excluding the portion within R-3801B, R-3801C and R-3801D.

V-115 From Crestview, Fla., INT Crestview 001° and Montgomery, Ala., 204° radials; Montgomery; INT Montgomery 308° and Birmingham, Ala., 177° radials; Birmingham; Chattanooga, Tenn., including an E alternate via INT Birmingham 097° and Gadsden, Ala., 233° radials, Gadsden and INT Gadsden 042° and Chattanooga 214° radials; Knoxville, Tenn., including a West alternate via INT Chattanooga 028° and Knoxville 243° radials; Whitesburg, Ky.; Charleston, W. Va.; Parkersburg, W. Va.; Newcomerstown, Ohio; INT Newcomerstown 038° and Franklin, Pa., 239° radials; Franklin; Tidioute, Pa.; Jamestown, N. Y.; Buffalo, N. Y.

V-116 From INT Kansas City, Mo., 076° and Blue Springs 016° radials via Macon, Mo.; Quincy, Ill.; Peoria, Ill.; to Joliet, Ill. From INT Keeler, Mich., 256° and Knox, Ind., 335° radials; Keeler; Jackson, Mich.; INT Jackson 084° and Salem, Mich., 254° radials; Salem; Windsor, Ontario, Canada; INT Windsor 100° and Erie, Pa., 275° radials; Erie; Bradford, Pa.; Stonyfork, Pa.; Lake Henry, Pa.; INT Lake Henry 109° and Deer Park, N. Y., 296° radials; Deer Park. The airspace within Canada is excluded.

AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-117 From Parkersburg, W. Va.; Bellaire, Ohio; INT Bellaire 044° and Newcomerstown, Ohio, 099° radials.

V-118 From Medicine Bow, Wyo., 23 miles 85 MSL, Laramie, Wyo.; Cheyenne, Wyo.

V-119 From Newcombe, Ky., Henderson, W. Va.; Parkersburg, W. Va.; INT Parkersburg 067° and Indian Head, Pa., 254° radials; Indian Head; Clarion, Pa.; Bradford, Pa.; Wellsville, N. Y.; Geneseo, N. Y.; Rochester, N. Y.

V-120 From Mullan Pass, Idaho, 5 miles, 55 miles, 90 MSL, 43 miles, 125 MSL, Great Falls, Mont., Lewistown, Mont., including a N alternate INT Great Falls 074° and Lewistown 308° radials; 41 miles, 72 miles, 85 MSL, Miles City, Mont., 48 miles, 109 miles, 90 MSL, 38 MSL Dupree, S. Dak.; 80 miles, 38 MSL, Pierre, S. Dak.; Mitchell, S. Dak.; Sioux Falls, S. Dak.; Mason City, Iowa; to Waterloo, Iowa, including a north alternate.

V-121 From Medford, Oreg., INT Medford 352° and Roseburg, Oreg., 127° radials; Roseburg; North Bend, Oreg.; Eugene, Oreg.; Redmond, Oreg.; including a N alternate via Eugene 089° and Redmond 281° radials; Kimberly, Oreg.; Baker, Oreg.; McCall, Idaho; Salmon, Idaho; to Dillon, Mont.

AMENDMENTS 12/4/75 40 F. R. 45804 (Changed)

V-122 From Crescent City, Calif., Medford, Oreg.; 22 miles, 75 MSL INT Medford 117° and Klamath Falls, Oreg., 282° true radials; 6 miles, 75 MSL Klamath Falls; 21 miles, 90 MSL Lakeview, Oreg.; to Rome, Oreg.

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V-123 From INT Washington, D. C., 065° and Baltimore, Md., 197° radials; via INT Washington, D. C., 065° and Woodstown, N. J., 230° radials; Woodstown; INT Woodstown 043° and Robbinsville, N. J., 239° radials; Robbinsville; INT Robbinsville 044° and LaGuardia, N. Y., 209° radials; LaGuardia; INT LaGuardia 034° and Carmel, N. Y., 188° radials; Carmel.

AMENDMENTS 1/30/75 39 F. R. 40848 (Changed)

V-124 From Blue Ridge, Tex., via Paris, Tex.; Hot Springs, Ark.; Little Rock, Ark.; Memphis, Tenn.

V-126 From Chicago Heights, Ill., Goshen, Ind.; Waterville, Ohio; Cleveland, Ohio; Jefferson, Ohio; Erie, Pa.; Bradford, Pa.; Stonyfork, Pa.; Lake Henry, Pa.; Huguenot, N. Y.

V-127 From Capital, Ill., INT Capital 013° and Bradford, Ill., 159° radials; Bradford; Polo, Ill.; Rockford, Ill.; including an E alternate from Bradford to Rockford via INT Bradford 033° and Rockford 136° radials.

AMENDMENTS 4/24/75 40 F. R. 4300 (Changed)

V-128 From Peotone, Ill., via INT
Peotone 152° and Indianapolis, Ind., 312° radials; Indianapolis; INT Indianapolis 137° and Cincinnati, Ohio, 290° radials; Cincinnati; York, Ky.; Charleston, W. Va.; Casanova, Va.

V-129 From Capital, Ill., Peoria, Ill.; Davenport, Iowa; Dubuque, Iowa; INT Dubuque 348° and Nodine, Minn., 150° radials, Nodine, including a W alternate from Dubuque to Nodine via Waukon, Iowa; Eau Claire, Wis.; Duluth, Minn.; Hibbing, Minn., including an E alternate; International Falls, Minn., including a W alternate from Hibbing, INT Hibbing 325° and International Falls 182° radials to International Falls; INT International Falls 335° radial and the United States/Canadian border.

AMENDMENTS 1/30/75 39 F. R. 41518 (Changed)
AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)
AMENDMENTS 12/4/75 40 F. R. 47481 (Changed)

V-130 From Albany, N. Y., via Hartford, Conn.; Norwich, Conn.; Martha's Vineyard, Mass.; to Hyannis, Mass.

AMENDMENTS 6/19/75 40 F. R. 14299 (Rewritten)

V-131 From McAlester, Okla., via Okmulgee, Okla.; Tulsa, Okla.; Chanute, Kans.; Topeka, Kans.

V-132 From Cheyenne, Wyo.; Akron, Colo.; 17 miles, 49 miles, 50 MSL, Goodland, Kans.; 50 miles, 97 miles, 65 MSL, Hutchinson, Kans.; INT Hutchinson 078° and Chanute, Kans., 294° radials; Chanute; INT Chanute 100° and Springfield, Mo., 276° radials; Springfield; INT Springfield 058° and Forney, Mo., 266°; Forney; INT Forney 086° and Maples, Mo., 052° radials, excluding that portion within R-4501A.

V-133 From Fort Mill, S. C., Barretts Mountain, N. C.; Charleston, W. Va.; Zanesville, Ohio; Tiverton, Ohio; Mansfield,
Ohio; INT Mansfield 346° and Salem, Mich., 139° radials; Salem; Flint, Mich.; Saginaw, Mich.;
Traverse City, Mich., Escanaba, Mich.; Marquette, Mich.; Houghton, Mich.; 10 miles, 26 MSL Thunder Bay, Ontario, Canada. The airspace within Canada is excluded.

V-134 From Fairfield, Utah, via Carbon, Utah; Grand Junction, Colo.; 33 miles 12 AGL, 21 miles 127 MSL, 16 miles 120 MSL, 123 miles 12 AGL to Denver, Colo.; including a south alternate from INT Kremmling, Colo. 135° and Denver 257° radials via INT Kremmling 135° and Denver 232° radials to Denver.

AMENDMENTS 6/19/75 40 F. R. 20269 (Changed)

V-135 From Yuma, Ariz., Blythe, Calif.; Parker, Calif.; 5 miles, 24 miles, 55 MSL, Needles, Calif.; Goffs, Calif.; 84 miles, 105 MSL Beatty, Nev.; 105 MSL INT Beatty 326° and Tonopah, Nev., 198° radials; to Tonopah, excluding the airspace above 9,000 feet MSL between Yuma and Parker. The airspace within R-4807 is excluded.

V-136 From Pulaski, Va., INT Pulaski 094° and South Boston, Va., 295° radials; South Boston; Raleigh-Durham, N. C.

V-137 From Imperial, Calif., INT Imperial 350° and Thermal, Calif., 122° radials; Thermal; Palm Springs, CA.; Palmdale, CA.; Gorman, CA.; Avenal, CA.; Priest, CA.; Salinas, CA., excluding the airspace above 7,000 feet MSL, between Imperial and the intersection of the Thermal 122° and the Julian, CA., 055° radials. The airspace within R-2521 is excluded.

V-138 From Riverton, Wyo., 35 mi. 80 mi. 107 MSL, 16 mi. 85 MSL, via Medicine Bow; Cheyenne, Wyo., including a N alternate via INT Medicine Bow 106° and Cheyenne 330° radials; Sidney, Nebr. From Grand Island, Nebr., 1200 feet AGL INT of Grand Island 099° and Lincoln, Nebr., 267° true radials; 1,200 feet AGL Lincoln; 1,200 feet AGL INT of Lincoln 040° and Neola, Iowa, 253° true radials; Neola; Fort Dodge, Iowa; Mason City, Iowa; to Waukon, Iowa.

AMENDMENTS 6/19/75 40 F. R. 17549 (Changed)

V-139 From Florence, S. C., via Wilmington, N. C.; New Bern, N. C.; Cofield, N. C.; INT Cofield 077° and Norfolk, Va., 209° radials;
Norfolk; Cape Charles, Va.; Snow Hill, Md.; Sea Isle, N. J.; INT Sea Isle 050° and Hampton, N. Y., 223° radials; Hampton; INT Hampton 059° and Providence, R. I., 212° radials; Providence; 6 miles wide, Whitman, Mass.; INT Whitman 041° and Manchester, N. H., 130° radials; Kennebunk, Maine. The
airspace below 2,000 feet MSL outside
the United States, the airspace below 3,000 feet MSL between the Kennedy, N. Y., 087° and 141° radials, and the airspace within R-6604 are excluded.

AMENDMENTS 3/27/75 40 F. R. 6203 (Changed)
AMENDMENTS 4/15/75 40 F. R. 17549 (Changed)
AMENDMENTS 12/4/75 40 F. R. 43885 (Changed)

V-140 From Amarillo, Tex., via Sayre, Okla., including a N alternate via INT Amarillo 072° and Sayre 288° radials; Kingfisher, Okla.; INT Kingfisher 072° and Tulsa, Okla., 261° radials; Tulsa; Fayetteville, Ark., including a N alternate via INT Tulsa 059° and Fayetteville 284° radials; Harrison, Ark., Walnut Ridge, Ark.; Dyersburg, Tenn.; Nashville, Tenn., Livingston, Tenn., including a south alternate
via INT Nashville 085° and Livingston 232° radials; London, Ky., including a north alternate from Nashville to London via INT Nashville 049° and London 258° radials; Whitesburg, Ky., Bluefield
W. Va.; INT of Bluefield 071° and Montebello, Va., 250° radials; Montebello; to Casanova, Va.

V-141 From Nantucket, Mass., Hyannis, Mass.; Boston, Mass.; INT Boston 015° and Manchester, N. H. 117° radials; Manchester; Concord, N. H.; Lebanon, N. H.; Burlington, Vt.; to Massena, N. Y.

AMENDMENTS 4/24/75 40 F. R. 4409 (Changed)

V-142 From INT Atlanta, Ga., 128° and Augusta, Ga., 263° radials; to Augusta.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-143 From Fort Mill, S. C., Greensboro, N. C.; Lynchburg, Va.; Montebello, Va.; Front Royal, Va.; Martinsburg, W. Va.; Lancaster, Pa.; including an S alternate via Westminster, Md.; Pottstown, Pa.; Yardley, Pa.

V-144 From Peotone, Ill., via Fort Wayne,
Ind.; Findlay, Ohio; INT Findlay 131° and Appleton, Ohio, 312° radials; Appleton; Zanesville, Ohio; Morgantown, W. Va.; Kessel, W. Va.; to Linden, Va.

V-145 From Utica, N. Y., INT Utica 303° and Watertown, N. Y., 171° radials; Watertown; INT Watertown 350° radial and the United States/Canadian border.

V-146 From Putnam, Conn.; Providence, R. I.; Martha's Vineyard, Mass.; Nantucket, Mass.

AMENDMENTS 8/14/75 40 F. R. 18549 (Changed)

V-147 From INT New Castle, Del., 058° and Pottstown, Pa., 143° radials; Pottstown; East Texas, Pa.; Wilkes-Barre, Pa.; Elmira, N. Y.; Geneseo, N. Y.; Rochester, N. Y.

V-148 From Kiowa, Colo.; Thurman, Colo.; 65 MSL INT
Thurman 067° and Hayes Center, Nebr., 246° radials; Hayes Center, Nebr.; North Platte, Nebr.; O'Neill, Nebr.; Sioux Falls, S. Dak.; Redwood Falls, Minn., including a S alternate, Minneapolis, Minn.

AMENDMENTS 8/14/75 40 F. R. 23457 (Changed)
AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

V-149 From INT Allentown, Pa. 147° and Solberg, N. J., 227° radials; Allentown, Pa.; Lake Henry, Pa.

V-150 From San Francisco, Calif., INT San Francisco 304° and Sausalito, Calif., 232° radials; Sausalito; Sacramento, Calif.

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V-151 From Providence, R. I., Gardner, Mass.; Keene, N. H.; Lebanon, N. H., including a W alternate via INT Keene 336° and Lebanon 214° radials; Montpelier, Vt., including an E alternate via Lebanon 005° and Montpelier 112° radials; Burlington, Vt.

V-152 From St. Petersburg, Fla., Orlando, Fla., including a N alternate via INT St. Petersburg 040° and Orlando 258° radials, and also a S alternate via Lakeland, Fla.; Ormond Beach, Fla., including a S alternate via INT Orlando 049° and Ormond Beach 161° radials.

V-153 From INT Sparta, N. J., 194° and Stillwater, N. J., 110° radials; Stillwater; Lake Henry, Pa.; Hancock, N. Y.; Georgetown, N. Y.; Syracuse, N. Y.

V-154 From Macon, Ga.; via Dublin, Ga.; INT of Dublin 122° and Savannah, Ga., 279° radials; to Savannah.

AMENDMENTS 6/19/75 40 F. R. 16650 (Rewritten)

V-155 From Columbus, Ga., via Augusta, Ga.; Chesterfield, S. C.; Pinehurst, N. C.; Raleigh-Durham, N. C.; Lawrenceville, Va.;
INT Lawrenceville 034° and Flat Rock, Va., 171° radials; Flat Rock; to Brooke, Va. The airspace within R-6602 is excluded.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-156 From Cedar Rapids, Iowa, via Moline, Ill.; Bradford, Ill.; Peotone, Ill.; INT Peotone 098° and Knox, Ind.; 238° radials; Knox; South Bend, Ind.; to Kalamazoo, Mich.

AMENDMENTS 12/4/75 40 F. R. 42342 (Changed)
AMENDMENTS 12/4/75 40 F. R. 46304 (Changed)

V-157 From Key West, Fla., Miami, Fla.; La Belle, Fla., including a W alternate from INT Miami 222° and Fort Myers, Fla., 137° radials to La Belle via INT Fort Myers 137° and La Belle 162° radials; Lakeland, Fla.; Ocala, Fla.; Gainesville, Fla.; Taylor, Fla.; Waycross, Ga.; Alma, Ga.; Allendale, S. C.; Vance, S. C.; Florence, S. C. From Kinston, N. C., Rocky Mount, N. C.; Lawrenceville, Va.; Richmond, Va.; INT Richmond 039° and Patuxent, Md., 228° radials; Patuxent; Kenton, Del.; New Castle, Del.; Robbinsville, N. J.; Colts Neck, N. J.; to Kingston, N. Y. The airspace within R-6602 is excluded.

V-158 From Waterloo, Iowa, Dubuque, Iowa; Polo, Ill. The airspace within R-3302 is excluded.

V-159 From Miami, Fla., INT Miami 343° and Palm Beach, Fla., 222° radials; Palm Beach; INT Palm Beach 326° and Vero Beach, Fla., 178° radials; Vero Beach; Orlando, Fla., including an E alternate via INT Vero Beach 341° and Orlando 123° radials; Ocala, Fla.
Cross City, Fla.; Greenville, Fla.; including an east alternate from Ocala to Greenville via Gainesville, Fla., excluding that airspace above 7,000 feet MSL between Gainesville and Greenville;
Albany, Ga.; Eufaula, Ala.; Tuskegee, Ala.; Birmingham, Ala.; Hamilton, Ala.; Holly Springs, Miss., including an east alternate from Birmingham to Holly Springs via INT
Birmingham 313° and Holly Springs 099° radials; Memphis, Tenn., including a west alternate from Hamilton to Memphis via INT Hamilton 273° and Memphis 136° radials; Walnut Ridge, Ark.; Dogwood, Mo.; Springfield, Mo.; Blue Springs, Mo.; INT Blue Springs 347° and St. Joseph, Mo., 132° radials; St. Joseph; INT St. Joseph 328° and Omaha, Nebr., 155° radials; Omaha;
Sioux City, Iowa, including a west alternate via INT Omaha
320° and Sioux City 174° radials; Yankton, S. Dak.; Mitchell, S. Dak.

AMENDMENTS 8/14/75 40 F. R. 25204 (Changed)
AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-160 From Denver, Colo.; INT Denver 045° and Sidney, Nebr., 230° radials; Sidney.

V-161 From Bridgeport, Tex., via Ardmore, Okla.;
Okmulgee, Okla.; Tulsa, Okla.; Oswego, Kans.; Butler, Mo.; Blue Springs, Mo.; INT Blue Springs 016° and Lamoni, Iowa, 174° radials; Lamoni; Des Moines, Iowa; Mason City, Iowa; Rochester, Minn., including a W alternate via INT Mason City 023° and Rochester 243° radials; INT Rochester
356° and Minneapolis, Minn., 118° radials; Minneapolis; Brainerd, Minn.; Grand
Rapids, Minn.; International Falls, Minn.; to Winnipeg, Manitoba, Canada, excluding the portion within Canada.

AMENDMENTS 12/4/75 40 F. R. 47481 (Changed)

V-162 From INT Clarksburg, W. Va., 135° and Elkins, W. Va., 092° radials; Clarksburg. From INT Martinsburg, W. Va., 130° and Harrisburg, Pa., 204° radials; via Harrisburg;
East Texas, PA., including a S alternate via INT Harrisburg 087° and East Texas 225° radials; Allentown, PA.; Huguenot, NY.; INT Huguenot 032° and Pawling, NY., 259° radials to Pawling. The airspace within R-5802 is excluded.

V-163 From Matamoros, Mex., via Brownsville, Tex.; INT of
Brownsville 358° and Corpus Christi, Tex., 178° radials; 27 miles standard width, 37 miles 7 miles wide (3 miles E and 4 miles W of centerline), Corpus Christi; including a W alternate from Brownsville via INT of Brownsville 338° and Corpus Christi 193° radials; 34 miles standard width, 37 miles 7 miles wide (4 miles E and 3 miles W of centerline), to Corpus Christi;
Three Rivers, Tex., including a west alternate via INT Corpus Christi 296° and Three Rivers 165° radials; INT Three Rivers 345° and San Antonio 168° radials; San Antonio, including a west alternate; INT San Antonio 002° and Lometa, Tex., 173° radials; Lometa, including a W alternate from San Antonio to Lometa via INT San Antonio 334° and Llano, Tex., 180° radails and Llano; Millsap, Tex., including an E alternate from Lometa to Millsap via Acton, Tex.; Bridgeport, Tex.; Ardmore, Okla.; INT
Ardmore 342° and Oklahoma City, Okla., 154° radials; to Oklahoma City, including a W alternate via INT Ardmore 327° and Oklahoma City 180° radials.
The airspace within Mexico is excluded.

V-164 From Buffalo, N. Y., Wellsville, N. Y.; Stonyfork, Pa.; Williamsport, Pa.; INT Williamsport 129° and East Texas, Pa., 315° radials; East Texas.

V-165 From Mission Bay, Calif., INT Mission Bay 270° and Oceanside, Calif., 177° radials; Oceanside; 24 miles, 6 miles wide, Seal Beach, Calif.; 6 miles wide, INT Seal Beach 287° and Los Angeles, Calif., 138° radials; Los Angeles; INT Los Angeles 357° and Lake Hughes, Calif., 154° radials; Lake Hughes; INT Lake Hughes 344° and Bakersfield, Calif., 137° radials; Bakersfield; Porterville, Calif.; INT Porterville 339° and Fresno, Calif., 140° radials; Fresno; 68 miles, 50 miles, 131 MSL, Reno, Nev.; 40 miles, 7 miles, 115 MSL, 87 miles, 135 MSL, Lakeview, Oreg.; 5 miles, 72 miles, 90 MSL, Redmond, Oreg.; 16 miles, 19 miles, 95 MSL, 24 miles, 75 MSL, 12 miles, 65 MSL, Newberg, Oreg.; 32 miles, 45 MSL INT Newberg 355° and Olympia, Wash., 195° radials; Olympia;
INT Olympia 010° and Seattle, Wash., 249° radials; Seattle.
AMENDMENTS 8/14/75 40 F. R. 26020 (Changed)

V-166 From Parkersburg, W. Va., Clarksburg, W. Va.; Kessel, W. Va.; Martinsburg, W. Va.; Westminster, Md.; New Castle, Del.; Woodstown, N. J.; Sea Isle, N. J.

V-167 From Hancock, N. Y.; INT Hancock 120° and Kingston, N. Y., 274° radials; Kingston; INT Kingston 100° and Hartford, Conn., 268° radials; Hartford; INT
Hartford 081° and Providence, R. I., 270° radials; Providence; INT Providence 101° and Hyannis, Mass., 224° radials; Hyannis. The airspace below 2,000 feet MSL outside the United States is excluded.

V-168 From Birmingham, Ala., to INT Birmingham 113° and Talladega, Ala., 179° radials; LaGrange, Ga.

V-169 From Tobe, Colo., 69 MSL Hugo, Colo.; 38 miles, 67 MSL, Thurman, Colo.; Akron, Colo.; Sidney, Nebr.; Scottsbluff, Nebr.; Chadron, Nebr.; Rapid City, S. Dak.; Dupree, S. Dak.; Bismarck, N. Dak. The airspace within R-4701 is excluded.

V-170 From Aberdeen, S. Dak., Sioux Falls, S. Dak.; Worthington, Minn.; Fairmont, Minn.; including a N alternate via INT Worthington 064° and Fairmont 285° radials; Rochester, Minn.; Nodine, Minn.,
Dells, Wis.; INT Dells 097° and Milwaukee, Wis., 307° radials; Milwaukee;
INT Milwaukee 102° and Pullman, Mich., 303° radials; Pullman; Salem, Mich. From Erie, Pa., Bradford, Pa.; Slate Run, Pa.; Selinsgrove, Pa.; Ravine, Pa.; INT Ravine 125° and Modena, Pa., 318° radials; Modena. The airspace within R-5802 is excluded.
AMENDMENTS 4/24/75 40 F. R. 8796 (Changed)

V-171 From Louisville, Ky., Lewis, Ind., including an E alternate from Louisville to Lewis via INT Louisville 312° and Bloomington 153° radials, and Bloomington; Danville, Ill.; Peotone, Ill.; INT Peotone 281° and Joliet, Ill., 173° radials; Joliet.; Rockford, Ill.;
Lone Rock, Wis.; Nodine, Minn.; INT Nodine 298° and Farmington, Minn., 124° radials; Farmington; Darwin, Minn.; Alexandria, Minn.; INT Alexandria 321° and Grand Forks, N. Dak., 152° radials; Grand Forks; Roseau, Minn.
AMENDMENTS 4/24/75 40 F. R. 4300 (Changed)

V-172 From Denver, Colo., INT Denver 061° and Hayes Center, Nebr., 276° radials; INT Hayes Center 276° and North Platte, Nebr. 245° radials; North Platte; INT North Platte 073° and Wolbach, Nebr., 266° radials; Wolbach; Neola, Iowa; Newton, Iowa; Cedar Rapids, Iowa; Polo, Ill.; INT Polo 088° and DuPage, Ill., 283° radials; DuPage; Chicago-O'Hare, Ill.; INT Chicago-O'Hare
091° and South Bend, Ind., 290° radials; South Bend.

AMENDMENTS 4/24/75 40 F. R. 4300 (Changed)

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V-173 From Capital, IL., via INT Capital 058° and Peotone, IL., 218° radials; INT Peotone 218° and Roberts, IL., 008° radials; INT Roberts 008° and Joliet, IL., 067° radials; Kedzie, IL., RBN.

V-174 From York, Ky., Henderson, W. Va.; Elkins, W. Va.; Linden, Va.; INT Linden 104° and Casanova, Va., 348° radials.

V-175 From Malden, Mo.; Vichy, Mo.; Hallsville, Mo., including a west alternate via INT Vichy 321° and Hallsville 183° radials; Macon, Mo.; Kirksville, Mo.; Des Moines, Iowa; Sioux City, Iowa; Worthington, Minn.; Redwood Falls, Minn.; Alexandria, Minn.; Park Rapids, Minn.; Bemidji, Minn.; Roseau, Minn.

AMENDMENTS 1/2/75 39 F. R. 39261 (Changed)
AMENDMENTS 3/27/75 40 F. R. 3760 (Changed)

V-176 From Pontiac, Mich., to INT Pontiac 100° and Windsor, Ontario, Canada, 057° radials, excluding the portion within Canada.

V-177 From DuPage, Ill., via Janesville, Wis.; Madison, Wis.; Stevens Point, Wis., including a west alternate via Dells, Wis.; Wausau, Wis.; Duluth, Minn., including a west alternate via Hayward, Wis.; to Ely, Minn., excluding the airspace 10,000 feet MSL and above Duluth to Ely.

AMENDMENTS 6/19/75 40 F. R. 17549 (Changed)
AMENDMENTS 12/4/75 40 F. R. 47481 (Changed)

V-178 From Vichy, Mo.; Farmington, Mo.; Cape Girardeau, Mo.; Cunningham, Ky.; including a north alternate from Farmington to Cunningham via INT Farmington 115° and Cunningham 306° radials; and also a south alternate from Farmington to Cunningham via INT Farmington 145° and Cunningham 276° radials; Central City, Ky.; New Hope, Ky.; Lexington, Ky.; Bluefield, W. Va.

AMENDMENTS 3/27/75 40 F. R. 4905 (Rewritten) Corr: 40 F. R. 7082

V-179 From Dublin, Ga., to INT Dublin 309° and Augusta, Ga., 263° radials.

AMENDMENTS 6/19/75 40 F. R. 16650 (Rewritten) Corr: 40 F. R. 18414
AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-180 From International Falls, Minn., to Dryden, Ontario, Canada, MDB, excluding that airspace within Canada.

AMENDMENTS 8/14/75 40 F. R. 24181 (Added)

V-181 From Kirksville, Mo., Lamoni, Iowa; Omaha, Nebr.; Norfolk, Nebr.; Yankton, S. Dak.; Sioux Falls, S. Dak., including a W alternate via INT Yankton 016° and Sioux Falls 230° radials; Watertown, S. Dak., including an east alternate; 34 miles, 24 miles, 34 MSL, Fargo, N. Dak., including an east alternate; Grand Forks, N. Dak., including an east alternate via INT Fargo 004° and Grand Forks 152° radials; Pembina, N. Dak.; INT Pembina 358° radial and the United States/Canadian border.

V-182 From Portland, Oreg., The Dalles, Oreg.; Baker, Oreg.

V-183 From Santa Barbara, Calif., Bakersfield, Calif.

V-184 From Erie, Pa., Tidioute, Pa.; INT Tidioute 154° and Philipsburg, Pa., 296° radials; Philipsburg; Harrisburg, Pa.; INT Harrisburg 132° and Modena, Pa., 274° radials; Modena; INT Modena 120° radial and Philadelphia, Pa., International Airport ILS localizer 256° course; Woodstown, N. J.; Millville, N. J.; Atlantic City, N. J.

V-185 From Savannah, Ga.; Augusta, Ga.; Greenwood, S. C.; Sugarloaf Mountain, N. C.; Snowbird, Tenn.; INT Snowbird 301° and Knoxville, Tenn., 069° radials; Knoxville, including an E alternate from Sugarloaf Mountain to Knoxville via INT Sugarloaf Mountain 329° and Knoxville 069° radials. The airspace within R-6004 is excluded.

V-186 From Fillmore, Calif., Van Nuys, Calif.; Ontario, Calif.

V-187 From Albuquerque, N. Mex., via Farmington, N. Mex.; including an E alternate via INT Albuquerque 345° and Farmington 138° radials; 50 miles, 62 miles 115 MSL, Grand Junction, Colo., including a west alternate from Farmington, Cortez, Colo., Dove Creek, Colo., 17 miles, 28 miles 115 MSL, to Grand Junction, excluding the airspace between the main and west alternate; 75 miles, 50 miles, 112 MSL, Rock Springs, Wyo., including a west alternate from Grand Junction 45 miles 103 MSL, 14 miles 85 MSL, Vernal, Utah, 20 miles, 110 MSL, Rock Springs, excluding the airspace between the main and this west alternate; 20 miles, 37 miles 95 MSL, INT Rock Springs 026° and Riverton, Wyo., 180° radials; Riverton; Boysen Reservoir, Wyo.; 9 miles, 78 miles, 105 MSL, Billings, Mont., including a west alternate from Boysen Reservoir, 9 miles, 56 miles, 91 MSL, via Cody, Wyo., Billings, excluding the airspace between the main and this west alternate; 40 miles, 75 MSL INT Billings 317° and Great Falls, MT., 122° radials; Great Falls; Missoula, MT.; Lewiston, ID.; Pasco, WA.

V-188 From Carleton, Mich., Jefferson, Ohio; Tidioute, Pa.; Slate Run, Pa.; Williamsport, Pa.; Wilkes-Barre, Pa.; INT Wilkes-Barre 094° and Sparta, N. J., 290° radials; Sparta. The airspace within Canada is excluded.

V-189 From Rocky Mount, N. C., Franklin, Va.; Hopewell, Va.

V-190 From Phoenix, Ariz., 54 miles, 19 miles, 95 MSL, 50 miles, 115 MSL St. Johns, Ariz., including a north alternate via INT Phoenix 051° and St. Johns 263° radials; Albuquerque, N. Mex., including a south alternate via INT St. Johns 088° and Albuquerque 229° radials; Las Vegas, N. Mex.; 19 mi., 72 mi. 90 MSL, Dalhart, TX.; 14 mi., 36 mi. 60 MSL, Gage, OK.; INT Gate 059° and Pioneer, OK., 280° radials; Pioneer; INT Pioneer 094° and Bartlesville, OK., 256° radials; Bartlesville; INT Bartlesville 075° and Oswego, Kans., 233° radials; Oswego; INT Oswego 085° and Springfield, Mo., 261° radials; Springfield; Maples, Mo.; Farmington, Mo., Marion, Ill.; Evansville, Ind.

V-191 From Troy, Ill.; Decatur, Ill.; Roberts, Ill.; INT Roberts 008° and Joliet, Ill., 067° radials; Northbrook, Ill.; INT Northbrook 332° and Milwaukee, Wis., 182° radials; Milwaukee; Oshkosh, Wis.; Rhinelander, Wis.; Ironwood, Mich.; including an east alternate; to Duluth, Minn.

AMENDMENTS 1/30/75 39 F. R. 41838 (Changed)

V-192 From Champaign, Ill.; Terre Haute, Ind.

V-193 From INT Pullman, Mich., 243° and South Bend, Ind., 310° radials; Pullman; INT Pullman 029° and White Cloud, Mich., 168° radials; White Cloud; Traverse City, Mich., including a W alternate via Manistee, Mich.; Pellston, Mich.; Sault Ste. Marie, Mich.

V-194 From Lafayette, La., via Baton Rouge, La.; McComb, Miss.; INT McComb 055° and Meridian, Miss., 221° radials; Meridian. From Liberty, N. C., via Raleigh-Durham, N. C.; Rocky Mount, N. C.; Cofield, N. C.; Norfolk, Va., INT Norfolk 001° and Harcum, Va., 075° radials; INT Harcum 075° and Snow Hill 211° radials.

V-195 From Oakland, Calif., INT Oakland 004° and Williams, Calif., 191° radials; Williams; INT Williams 002° and Red Bluff, Calif., 158° radials; Red Bluff; Fortuna, Calif.

V-196 From Utica, N. Y., Saranac Lake, N. Y.; Plattsburgh, N. Y.

V-197 From Ontario, Calif.; Pomona, Calif.; Palmdale, Calif.; INT Palmdale 314° and Bakersfield, Calif., 137° radials; Bakersfield, excluding the airspace more than 3 miles northeast of the centerline from Palmdale to 30 miles northwest.

V-198 From San Simon, Ariz., Columbus, N. Mex.; El Paso, Tex., 6 mi. wide, INT El Paso 109° and Hudspeth, Tex., 287° radials; 6 mi. wide, Hudspeth; 29 mi., 38 mi. 82 MSL, INT Hudspeth 109° and Fort Stockton, Tex., 284° radials; 18 mi. 82 MSL, Fort Stockton; 20 mi., 116 mi. 55 MSL, Junction, Tex.; San Antonio, Tex.; Eagle Lake, Tex.; Hobby, Tex.; INT Hobby 090° and Sabine Pass, Tex., 265° radials; Sabine Pass; White Lake, La.; Tibby, La.; Harvey, La., 69 miles, 33 miles, 25 MSL, Brookley; INT Brookley 056° and Crestview 268° radials; Crestview; Marianna, Fla.; Tallahassee, Fla.; Greenville, Fla.; Taylor, Fla.; to Jacksonville, Fla.

V-199 From San Francisco, Calif. INT San Francisco 304° and Ukiah, Calif., 172° radials; Ukiah; 17 miles, 23 miles 85 MSL, 18 miles 75 MSL, Red Bluff, Calif. The portion outside the United States has no upper limit.

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V-200 From Ukiah, Calif., Williams, Calif.; Reno, Nev. From Fairfield, Utah, 10 miles, 35 miles 125 MSL, Myton, Utah; 30 miles 79 MSL, 31 miles, 98 MSL Meeker, Colo.; 37 miles, 26 miles, 140 MSL, 130 MSL, Kremmling, Colo., including an N alternate via Hayden, Colo.; 9 miles, 130 MSL, 29 miles, 144 MSL, 11 miles, 127 MSL, Denver, Colo.

AMENDMENTS 12/4/75 40 F. R. 47104 (Changed)

V-201 From INT Los Angeles, Calif., 207° and Long Beach, Calif., 250° radials; Los Angeles; Palmdale, Calif. The portion outside the United States has no upper limit.

V-202 From Cochise, Ariz., via San Simon, Ariz.; Silver City, N. Mex.; Truth or Consequences, N. Mex.

V-203 From Norwich, Conn., Chester, Mass.; INT Chester 293° and Albany, N. Y., 139° radials; Albany; Saranac Lake, N. Y.; Massena, N. Y.; St. Eustache, Quebec, Canada. The airspace within Canada is excluded.

V-204 From Hoquiam, Wash., Olympia, Wash.; INT Olympia 114° and Yakima, Wash., 271° radials; Yakima.

V-205 From Sparta, N. J.; INT Sparta 023° and Pawling, N. Y., 238° radials; Pawling; INT Pawling 078° and Boston, Mass., 251° radials; to Boston.

V-206 From Blue Springs, Mo., via Kirksville, Mo.; to Ottumwa, Iowa.

AMENDMENTS 12/4/75 40 F. R. 45803 (Rewritten)

V-207 From Denver, Colo., Gill, Colo.; including a W alternate via INT Denver 359° and Gill 224° radials; to Scottsbluff, Nebr.

V-208 From Los Angeles, Calif., 7 miles wide (3 miles E and 4 miles W of centerline) INT Los Angeles 185° and Santa Catalina, Calif., 355° radials; 7 miles wide (3 miles E and 4 miles W of centerline) Santa Catalina; Oceanside, Calif.; Julian, Calif.; Thermal, Calif. Twentynine Palms, Calif.; 20 miles, 24 miles 73 MSL, Needles, Calif.; Peach Springs, Ariz. From Myton, Utah, 79 MSL, via Vernal, Utah, 25 miles, 105 MSL, Cherokee, Wyo. The airspace within R-2503 and the airspace below 2,000 feet MSL outside the United States is excluded. The portion outside the United States has no upper limit.

V-209 From Mobile, Ala., INT Mobile 356° and Hattiesburg, Miss., 080° radials; 10 mi.; 6 mi. wide Kewanee, Miss.; 7 mi. wide (4 mi. on N, 3 mi. on S and within 4.5° of centerline) Brookwood, Ala.; Birmingham, Ala.

V-210 From Los Angeles, Calif., INT Los Angeles 083° and Pomona, Calif., 240° radials; Pomona; INT Daggett, Calif., 229° and Hector, Calif., 263° radials; Hector; Goffs, Calif.; 13 miles, 23 miles 71 MSL, 85 MSL, Peach Springs, Ariz.; Grand Canyon, Ariz.; Tuba City, Ariz.; 10 mi. 90 MSL, 91 mi. 105 MSL, Farmington, N. Mex.; Alamosa, Colo., including a south alternate via INT Farmington 086° and Alamosa 232° radials; INT Alamosa 074° and Lamar, Colo., 250° radials; 40 miles, 51 miles, 65 MSL, Lamar; 13 miles, 79 miles, 55 MSL, Liberal, Kans.; INT Liberal 137° and Oklahoma City, Okla., 282° radials; Oklahoma City; INT Oklahoma City 109° and Okmulgee, Okla., 241° radials; Okmulgee. From Indianapolis, Ind., Muncie, Ind.; Rosewood, Ohio; Tiverton, Ohio; Briggs, Ohio; INT Briggs 044° and Akron, Ohio, 088° radials; INT Akron 088° and Youngstown, Ohio, 116° radials; INT Youngstown 116° and Clarion, Pa., 222° radials; Revloc, Pa.; INT Revloc 096° and Harrisburg, Pa., 289° radials; Harrisburg; Lancaster, Pa.; INT Lancaster 095° and Yardley, Pa., 255° radials; to Yardley.

AMENDMENTS 6/19/75 40 F. R. 17837 (Changed) F. R. Correction 40 F. R. 19444

V-211 From INT Alamosa, Colo., 232° and Durango, Colo., 110° radials via Durango; INT of Durango 286° and Cortez, Colo., 115° radials; Cortez, Colo., excluding the airspace below 1,200 feet above the surface.

V-212 From San Antonio, Tex., via INT San Antonio 089° and Industry, Tex., 233° radials; Industry; Navasota, Tex.; Lufkin, Tex.; Alexandria, La.; McComb, Miss.

V-213 From Myrtle Beach, S. C., via Wilmington, N. C.; INT Wilmington 352° and Rocky Mount, N. C., 191° radials; Rocky Mount; Hopewell, Va.; INT Hopewell 019° and Brooke, Va., 132° radials; Patuxent River, Md.; Kenton, Del.; Woodstown, N. J.; INT Woodstown 043° and Robbinsville, N. J. 239° radials; Robbinsville.

AMENDMENTS 10/9/75 40 F. R. 34087 (Changed)

V-214 From Kokomo, Ind., via Marion, Ind.; Muncie, Ind.; Richmond, Ind.; INT Richmond 097° and Appleton, Ohio, 236° radials; INT Appleton 236° and Zanesville, Ohio, 274° radials; Zanesville; Bellaire, Ohio; INT Bellaire, 108° and Indian Head, Pa., 254° radials; Indian Head; Martinsburg, W. Va.

V-215 From INT Muskegon, Mich., 208° and Pullman, Mich., 261° radials; Muskegon; White Cloud, Mich.; to Gaylord, Mich.

V-216 From Lamar, Colo., Hill City, Kans.; Mankato, Kans.; Pawnee City, Nebr.; Lamoni, Iowa; Ottumwa, Iowa; Iowa City, Iowa; INT Iowa City 062° and Janesville, Wis., 240° radials; Janesville; INT Janesville 076° and Muskegon, Mich., 252° radials; Muskegon; Saginaw, Mich.; Peck, Mich., including a southern alternate via INT Saginaw 131° and Peck 270° radials; Kleinburg, Ont., Canada. The airspace within Canada is excluded.

V-217 From Chicago-O'Hare, IL.; INT Chicago-O'Hare 019° and Milwaukee, WI., 137° radials; INT Chicago Heights, Ill., 358° and Milwaukee 121° radials; Milwaukee; Green Bay, Wis.; Rhinelander, Wis.; Duluth, Minn.

V-218 From Grand Rapids, Minn., via Minneapolis, Minn.; Waukon, Iowa; to Rockford, Ill. From Keeler, Mich., via Lansing, Mich.; Pontiac, Mich.; to INT Pontiac 112° and Windsor, Ont., Canada, 320° radials.

V-219 From Hayes Center, Nebr., INT Hayes Center 059° and Wolbach, Nebr., 251° radials; Wolbach; Norfolk, Nebr.; Sioux City, Iowa; Fairmont, Minn.; Mankato, Minn.; Farmington, Minn.

V-220 From Kremmling, Colo., 12 miles, 130 MSL, 32 miles, 147 MSL, 8 miles, 115 MSL INT Kremmling 081° and Denver, Colo., 334° radials; Akron, Colo., INT Akron 094° and McCook, Nebr., 264° radials; McCook; INT McCook 072° and Grand Island, Nebr., 241° radials; Kearney, Nebr.; Hastings, Nebr.; Columbus, Nebr.

V-221 From Bible Grove, Ill., via INT Bible Grove 087° and Bloomington, Ind., 253° radials; Bloomington; Shelbyville, Ind.; Muncie, Ind.; Fort Wayne, Ind.; Litchfield, Mich.; Jackson, Mich.; INT Jackson 084° and Salem, Mich., 254° radials; Salem; INT Salem 083° and Erie, Pa., 290° radials; Erie. The airspace within Canada is excluded.

V-222 From El Paso, Tex., via Salt Flat, Tex.; Fort Stockton, Tex.; 20 miles, 116 miles, 55 MSL, Junction, Tex.; INT Junction 112° and San Antonio, Tex., 334° radials; San Antonio; INT San Antonio 074° and Industry, Tex., 284° radials; Industry; INT Industry 101° and Humble 259° radials; Humble; Beaumont, Tex.; Lake Charles, La.; McComb, Miss.; Hattisburg, Miss.; Monroeville, Ala.; Montgomery, Ala.; LaGrange, Ga.; to INT LaGrange 048° and Columbus, Ga., 010° radials. From INT Toccoa, Ga., 222° and Harris, Ga., 187° radials via Toccoa; Sugarloaf Mountain, N. C.; Barretts Mountain, N. C.; Lynchburg, Va.; INT Lynchburg 058° and Brooke, Va., 230° radials; Brooke; to INT Brooke 045° and Richmond, Va., 008° radials; including an N alternate from Lynchburg via Gordonsville, Va.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-223 From Flat Rock, Va.; to INT Flat Rock 005° and Brooke, Va., 300° radials.

V-224 From Marquette, Mich.; to Schoolcraft County, Mich.

V-225 From Key West, Fla., 30 miles, 72 miles, 17 AGL, Fort Myers, Fla., including an E alternate from Key West, 30 miles, 77 miles 17 AGL to Fort Myers; La Belle, Fla.; Vero Beach, Fla. The portion of V-225 E alternate outside the United States has no upper limit.

V-226 From INT Franklin, Pa., 175° and Clarion, Pa., 222° radials; Clarion, Pa.; Keating, Pa.; Williamsport, Pa., Wilkes-Barre, Pa.; Stillwater, N. J.; INT Stillwater 110° and Sparta, N. J., 194° radials.

V-227 From Lafayette, Ind., via Roberts, Ill.; Pontiac, Ill.; INT Pontiac 332° and Rockford, Ill., 179° radials; to Rockford.

AMENDMENTS 4/24/75 40 F. R. 4300 (Changed)

V-228 From Northbrook, Ill., INT Northbrook 111° and South Bend, Ind., 290° radials; South Bend, including a N alternate via INT Northbrook 085° and South Bend 310° radials.

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V-229 From Atlantic City, N. J., via INT Atlantic City 048° and Kennedy, N. Y., 195° radials; Kennedy; Madison, Conn.; Hartford, Conn.; INT Hartford 044° and Gardner, Mass., 195° radials; Gardner, excluding that airspace above 7,000 feet MSL between INT Atlantic City 048° and Kennedy 195° radials to Kennedy. The airspace below 2,000 feet MSL outside the United States is excluded.
AMENDMENTS 6/19/75 40 F. R. 17837 (Rewritten)
AMENDMENTS 12/4/75 40 F. R. 46097 (Changed)

V-230 From INT Big Sur, Calif., 325° and Salinas, Calif., 281° radials; Salinas; Los Banos, Calif., including a south alternate via INT Salinas, Calif., 100° and Los Banos, Calif., 245° radials; Fresno, Calif.; Friant, Calif.; INT Friant 040° and Bishop, Calif., 338° radials; to Bishop. The portion outside the United States has no upper limit.
AMENDMENTS 12/4/75 40 F. R. 45804 (Changed)

V-231 From Burley, Idaho, via Salmon, Idaho; Missoula, Mont.; to Kalispell, Mont.
AMENDMENTS 12/4/75 40 F. R. 45804 (Rewritten)

V-232 From INT of the Cleveland, Ohio, 024° and the Chardon, Ohio, 281° radials, via Chardon; Franklin, Pa.; Keating, Pa.; Milton, Pa.; to INT Milton 099° and Stillwater, N. J., 172° radials.

V-233 From Capital, IL., via Roberts, IL.; Knox, IN.; Goshen, IN.; Litchfield, MI.; Lansing, MI.; Mount Pleasant, Mich.; INT Mount Pleasant 351° and Gaylord, Mich., 207° radials; Gaylord; to Pellston, Mich.; including a west alternate from Mount Pleasant to Pellston via Traverse City, Mich.

V-234 From Anton Chico, N. Mex.; INT Anton Chico 067° and Dalhart, Tex., 243° radials; Dalhart; Liberal, Kans.; 32 miles, 74 miles, 65 MSL, Hutchinson, Kans.; Emporia, Kans.; Butler, Mo.; Vichy, Mo.; INT Vichy 091° and Centralia, Ill., 253° radials; Centralia.

V-235 From Fairfield, Utah, 10 miles, 15 miles, 135 MSL, 46 miles, 125 MSL, Fort Bridger. From Rock Springs, Wyo., 20 miles, 41 miles, 95 MSL, 37 miles, 107 MSL, to Casper, Wyo.

V-236 From INT Bonneville, Utah, 084° and Ogden, Utah, 235° radials; Ogden.

V-237 From Needles, Calif., 25 miles, 24 miles 71 MSL, Boulder City, Nev.; INT Boulder City 347° and Las Vegas, Nev., 081° radials; Las Vegas.

V-238 From Maples, Mo.; Troy, Ill.

V-239 From Forney, Mo., INT Forney 358° and Hallsville, Mo., 183° radials; Hallsville.

V-240 From New Orleans, La., via INT New Orleans 085° and Harvey, La., 065° radials; INT Brookley, Ala., 246° and Mobile, Ala., 224° radials; to Mobile.

V-241 From Mobile, Ala., via Crestview, Fla.; INT Crestview 076° and Dothan, Ala., 232° radials; Dothan; Eufaula, Ala.; Columbus, Ga.; to the INT Columbus 010° and LaGrange, Ga., 048° radials; including a west alternate from Dothan via INT Dothan 002° and LaGrange 191° radials, and LaGrange.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-242 From International Falls, Minn., to Atikokan, Ontario, Canada, NDB, excluding that airspace within Canada.

AMENDMENTS 8/14/75 40 F. R. 24181 (Added)

V-243 From Jacksonville, FL., INT Jacksonville 319° and Waycross, GA., 126° radials; Waycross; Vienna, GA., including an E alternate via Alma, Ga., and INT Alma 320° and Vienna 104° radials; LaGrange; INT LaGrange 342° and Chattanooga, Tenn., 189° radials; Chattanooga; Bowling Green, Ky.; Lewis, Ind.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-244 From Oakland, CA., INT Oakland 077° and Stockton, CA., 267° radials; Stockton, including a S alternate INT Oakland 110° and Stockton 246° radials; 76 miles, 51 miles 145 MSL, Coaldale, Nev.; Tonopah, Nev.; 40 miles 115 MSL Wilson Creek, Nev.; 28 miles 115 MSL, Milford, Utah; Hanksville, Utah; 63 miles, 13 miles 140 MSL, 36 miles 115 MSL, Montrose, Colo.; Gunnison, Colo.; 33 miles, 122 MSL, 27 miles, 156 MSL, Pueblo, Colo.; 18 miles, 48 miles, 60 MSL, Lamar, Colo.; 20 miles, 116 miles 65 MSL, Hays, Kans.; Salina, Kans. The airspace within R-2531 is excluded.

V-245 From Alexandria, La., via Natchez, Miss.; Jackson, Miss.; Columbus, Miss., excluding the airspace at and above 8,000 feet MSL from Jackson to Columbus.

V-246 From Nodine, Minn., INT Nodine 055° and Stevens Point, Wis., 255° radials; to Stevens Point.

V-247 From Douglas, Wyo., 90 miles 75 MSL, to Crazy Woman, Wyo.

V-248 From Paso Robles, Calif., Avenal, Calif.; Bakersfield, Calif.

V-249 From Sparta, N. J., INT Sparta, N. J., 023° and DeLancey, N. Y., 131° radials; DeLancey; Utica, N. Y.

V-250 From O'Neill, Nebr.; Yankton, S. Dak.; Worthington, Minn.; Mankato, Minn.

V-251 From Decatur, Ill., via Champaign, Ill.; Danville, Ill.; Lafayette, Ind.

V-252 From Buffalo, N. Y., Geneseo, N. Y.; Binghamton, N. Y.; Huguenot, N. Y.

V-253 From Fairfield, Utah, INT Fairfield 326° and Salt Lake City, 265° radials; 24 miles, 85 MSL Bonneville; 5 miles, 85 MSL, 90 MSL Lucin, Utah; 14 miles, 90 MSL 19 miles, 105 MSL, Twin Falls, Idaho; Boise, Idaho; 42 miles; 99 MSL McCall, Idaho; 11 miles 99 MSL, 33 miles 115 MSL, Lewiston, Idaho; Pullman, Wash.; Spokane, Wash.

V-255 From Garden City, Kans., to Hays, Kansas.

V-256 From Pioneer, Okla., to Hutchinson, Kans.

AMENDMENTS 12/4/75 40 F. R. 45803 (Added)

V-257 From Phoenix, Ariz., Prescott, Ariz.; INT Prescott 003° and Grand Canyon, Ariz., 211° radials; Grand Canyon; 38 miles 12 AGL, 40 miles 125 MSL, 26 miles 12 AGL, Bryce Canyon, Utah; INT Bryce Canyon 338° and Delta, Utah, 186° radials, Delta; 39 miles, 105 MSL INT Delta 004° and Malad City, Idaho, 179° radials; 20 miles, 118 MSL, Malad City; Pocatello, Idaho; DuBois, Idaho; Dillon, Mont.; Butte, Mont.; 22 miles, 85 MSL INT Butte 002° and Helena, Mont., 272° radials; INT Helena 272° and Great Falls, Mont., 222° radials; Great Falls; 73 miles, 56 MSL, Havre, Mont. The airspace within R-6401 and R-6403 is excluded.

V-258 From Charleston, W. Va., Beckley, W. Va.; INT Beckley 125° and Roanoke, Va., 288° radials; Roanoke; INT Roanoke 145° and Danville, Va., 320° radials; Danville.

V-259 From Fort Mill, S. C., Holston Mountain, Tenn.

V-260 From Charleston, W. Va., Rainelle, W. Va.; Roanoke, Va., Lynchburg, Va.; Flat Rock, Va.; Richmond, Va.; Hopewell, Va.; INT Hopewell 128° and Norfolk, Va., 296° radials; Norfolk,

V-261 From Wichita, Kans., via INT Wichita 022° and Manhattan, Kans., 213° radials; to Manhattan.

AMENDMENTS 12/4/75 40 F. R. 45803 (Added)

V-262 Fort Peoria, Ill., Bradford, Ill.; Joliet, Ill.; Kedzie, Ill., RBN.

V-263 From Cimarron, N. Mex., Tobe, Colo., 54 miles, 60 MSL, Lamar, Colo.; 17 miles, 63 MSL Hugo, Colo.; Gill, Colo. From Pierre, S. Dak., Aberdeen, S. Dak.

V-264 From Los Angeles, Calif., INT Los Angeles 061° and Pomona, Calif., 269° radials; 6 miles wide, Pomona; Twentynine Palms, Calif., including a S alternate from Los Angeles to Twentynine Palms via Ontario, Calif., and Palm Springs, Calif.; 17 miles, 28 miles 55 MSL, Parker, Calif. From Prescott, Ariz.; Winslow, Ariz.; St. Johns, Ariz.; 55 miles, 25 miles, 115 MSL, Socorro, N. Mex.; Corona, N. Mex.; 16 miles, 35 miles 105 MSL, Tucumcari, N. Mex.

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V-265 From INT Washington, D. C., 043° and Westminster, Md., 179° radials; via Westminster; Harrisburg, Pa.; Phillipsburg, Pa.; Keating, N. Y.; Bradford, Pa.; Jamestown, N. Y.; Dunkirk, N. Y.

V-266 From Barretts Mountain, N. C., South Boston, Va.; Lawrenceville, Va.; Franklin, Va.; INT Franklin 087° and Norfolk Va., 226° radials; Norfolk.

V-267 From Biscayne Bay, Fla., Miami, Fla.; INT of Miami 343° and Pahokee, Fla., 169° radials; Pahokee; Orlando, Fla.; including an east alternate from Miami to Orlando via Palm Beach, Fla., and INT Palm Beach 326° and Orlando 162° radials; Jacksonville, Fla., including an E alternate from Orlando to INT Ormond Beach, Fla., 308° and Jacksonville 174° radials via Ormond Beach; INT Jacksonville 334° and Dublin, Ga., 151° radials; Dublin; Athens, Ga.; INT Athens 340° and Harris, Ga., 148° radials; Harris; Knoxville, Tenn.

AMENDMENTS 6/19/75 40 F. R. 16650 (Changed)
AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-268 From INT Grantsville, Md., 086° and Martinsburg, W. Va., 297° radials; Hagerstown, Md.; Westminster, Md.; Baltimore, Md.; INT Baltimore 094° and Kenton, Del., 262° radials; Kenton; Kenton 086° and Sea Isle, N. J., 050° radials. The airspace within R-4001 and the airpace below 2,000 feet MSL outside the United States is excluded.

V-269 From Ely, Nev., 125 MSL INT Ely 007° and Bonneville, Utah, 272° radials; Wells, Nev.; Twin Falls, Idaho; Burley, Idaho; Pocatello, Idaho; to Salmon, Idaho.

AMENDMENTS 1/30/75 39 F. R. 40581 (Rewritten)
AMENDMENTS 12/4/75 40 F. R. 48118 (Changed)

V-270 From Erie, Pa., Jamestown, N. Y.; Wellsville, N. Y.; Elmira, N. Y.; Binghamton, N. Y.; DeLancey, N. Y.; Chester, Mass.

V-271 From Muskegon, Mich., Manistee, Mich.; to Escanaba, Mich.

V-272 From Dalhart, Tex., via Borger, Tex.; Sayre, Okla.; Oklahoma City, Okla., including a N alternate via INT Sayre 070° and Oklahoma City 282° radials and also a S alternate via INT Sayre 101° and Oklahoma City 242° radials; to McAlester, Okla.

V-273 From INT Sparta, N. J., 133° and Solberg, N. J., 051° radials; Sparta; INT Sparta 331° and Hancock, N. Y., 148° radials; Hancock; Georgetown, N. Y.; 6 mi. wide, Syracuse, N. Y.

V-274 From Pullman, Mich., Grand Rapids, Mich.; Saginaw, Mich.

V-275 From Cincinnati, Ohio, INT Cincinnati 006° and Dayton, Ohio, 207° radials; Dayton, including a W alternate from Cincinnati to Dayton via INT Cincinnati 336° and Richmond, Ind., 190° radials, and Richmond; INT Dayton 011° and Salem, Mich., 197° radials; Salem.

V-276 From Erie, Pa., via Franklin, Pa.; Clarion, Pa.; Tyrone, Pa.; INT Tyrone 096° and Ravine, Pa., 279° radials Ravine; Yardley, Pa.; Robbinsville, N. J.; INT Robbinsville 112° and Sea Isle, N. J., 050° radials. The airspace below 2,000 feet MSL outisde the United States is excluded.

V-277 From Rosewood, Ohio, Fort Wayne, Ind.; Keeler, Mich.

V-278 From Texico, N. Mex., via Plainview, Tex.; Guthrie, Tex.; Bridgeport, Tex.; Blue Ridge, Tex.; Paris, Tex.; Texarkana, Ark.; Monticello, Ark.; Greenville, Miss.; Greenwood, Miss.; Columbus, Miss.; Birmingham, Ala., including a S alternate
from Columbus to Birmingham via INT Columbus 082° and Tuscaloosa, Ala., 304° radials, and Tuscaloosa, excluding the airspace between the main and this alternate airway.

V-279 From the Columbus, Ohio, RBN, INT Findlay, Ohio, 146° and Rosewood, Ohio, 045° radials; 7 miles wide (4 miles northeast and 3 miles southwest of the centerline) to Findlay.

V-280 From Ciudad Juarez, Mex., via El Paso, Tex.; INT El Paso 070° and Pinon, N. Mex., 219° radials; Pinon; Roswell, N. Mex.; INT
Roswell 063° and Texico, N. Mex., 216° radials; Texico, including a south alternate via INT Roswell 080° and Texico 216° radials; INT Texico 021° and Amarillo, Tex., 252° radials; Amarillo, including a south alternate from Texico to Amarillo via INT Texico 044° and Amarillo 252° radials; Gage, Okla.; INT Gage 025° and Hutchinson, Kans., 234° radials; Hutchinson;
INT Hutchinson 062° and Topeka, Kans., 236° radials; to Topeka. The airspace within Mexico is excluded.

AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-282 From Saranac Lake, N. Y., St. Eustache, Quebec, Canada. The airspace within Canada is excluded.

V-285 From Indianapolis, Ind., via Kokomo, Ind.; including an E alternate via INT Indianapolis 038° and Kokomo 182° radials; Goshen, Ind.; INT of the Goshen 038° and the Kalamazoo, Mich., 191° radials; Kalamazoo; INT Kalamazoo 014° and Grand Rapids,
Mich., 167° radials; Grand Rapids; to White Cloud, Mich.

AMENDMENTS 12/4/75 40 F. R. 42342 (Changed) Corr: 40 F. R. 44808

V-286 From INT Linden, Va., 273° and Casanova, Va., 284° radials via Casanova; INT Casanova 142° and Brooke, Va., 300° radials; Brooke; to Cape Charles, Va.

V-287 From Medford, Oreg., North Bend, Oreg.; Newberg, Oreg., including a west alternate from North Bend to Newberg via Newport, Oreg., and including an east alternate from Medford to the INT Corvallis, Oreg., 353° and Newberg 204° radials via Roseburg, Oreg., INT Roseburg 003° and Eugene, Oreg., 187° radials, Eugene, and Corvallis; Portland, Oreg.,
including an east alternate via INT Newberg 069° and Portland 196° radials; 20 miles, 51 miles, 46 MSL, Olympia, Wash.; INT Olympia 010° and Seattle, Wash., 329° radials; INT Seattle 329° and Port Angeles, Wash., 090° radials; Port Angeles, Neah Bay, Wash., RBN. The airspace within Canada is excluded.

V-288 From Lucin, Utah, 50 miles, 85 MSL, INT Lucin 080° and Fort Bridger, Wyo., 278° radials; 17 miles, 50 miles, 105 MSL, Fort Bridger.

V-289 From Beaumont, Tex., via INT Beaumont 323° and Lufkin, Tex., 161° radials; Lufkin, including an E alternate; Gregg County, Tex.; Texarkana, Ark.; Fort Smith, Ark.; Harrison, Ark.; Dogwood, Mo.; Forney, Mo.; INT 046° and Vichy, Mo., 216° radials; to Vichy.

AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-290 From Rainelle, W. Va., Montebello, Va.; Flat Rock, Va. From Franklin, Va., Elizabeth City, N. C.

V-291 From Albuquerque, N. Mex.; Gallup, N. Mex., including a north alternate via INT Albuquerque 303° and Gallup 089° radials; Winslow, Ariz.; Flagstaff, Ariz.; including a N alternate from Winslow to Flagstaff via INT Winslow 292° and Flagstaff 063° radials.

V-292 From Sparta, N. J.; INT Sparta 082° and Carmel, N. Y., 232° radials; Carmel; Hartford, Conn.; Putnam, Conn.; INT Putnam 043° and Boston, Mass., 251° radials; Boston.

V-293 From Bryce Canyon, Utah; Cedar City, Utah; 37 miles, 108 MSL Wilson Creek, Nev.; 5 miles, 108 MSL, 37 miles, 115 MSL, Ely, Nev.; 125 MSL Elko, Nev.;
28 miles, 57 miles, 99 MSL, Twin Falls, Idaho; 37 miles, 33 miles, 87 MSL, 76 miles, 113 MSL, 99 MSL McCall, Idaho.

V-294 From Des Moines, Iowa, INT Des Moines 086° and Cedar Rapids, Iowa, 238° radials; Cedar Rapids; to Davenport, Iowa.

AMENDMENTS 1/30/75 39 F. R. 41518 (Changed)

V-295 From Biscayne Bay, Fla., INT Biscayne Bay 021° and Vero Beach, Fla., 143° radials; Vero Beach, INT Vero Beach, 296° and Orlando, Fla., 162° radials; Orlando; INT Orlando 283° and Ocala, Fla., 156° radials; Ocala; Cross City, Fla.; to Tallahassee, Fla. The portion outside the United States has no upper limit.

V-296 From Fort Mill, S. C.; 27 MSL INT Fort Mill 093° and Fayetteville, N. C., 267° radials; 27 MSL Fayetteville; Wilmington, N. C.

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V-297 From Johnstown, Pa.; INT Johnstown 315° and Clarion, Pa., 222° radials; INT Clarion 269° and Youngstown, Ohio, 116° radials; Akron, Ohio; INT Akron 298° and Carleton, Mich., 120° radials; Carleton; INT Carleton 334° and Saginaw, Mich., 182° radials; Saginaw; INT
Saginaw 353° and Pellston, Mich., 164° radials; Pellston. The airspace within Canada is excluded.

V-298 From Yakima, Wash., INT Yakima 129° and Pasco, Wash., 276° radials; Pasco; Pendleton, Oreg., 74 miles, 43 miles 115 MSL, 99 MSL via McCall, Idaho; 41 mi. 99 MSL, 89 mi. 145 MSL, Dubois, Idaho; 68 mi., 130 MSL Dunoir, Wyo.; 62 miles 135 MSL, Boysen Reservoir, Wyo.; 9 miles, 34 miles 105 MSL, Casper, Wyo., including a south alternate from Dunoir 43 miles 130 MSL, 15 miles 110 MSL, via Riverton, Wyo., 19 miles, 48 miles 77 MSL, to Casper, excluding the airspace between the main and this south alternate. The airspace within R-6715 is excluded.
NOTE: Delete exclusion on next change.

V-299 From Los Angeles, Calif., INT Los Angeles 291° and Fillmore, Calif., 163° radials; Ventura, Calif.; Fillmore; to Gorman, Calif. The airspace within R-2519 more than 3 statute miles W of Ventura 155° and 331° radials, the airspace within R-2519 below 5,000 feet MSL, and the airspace within R-2520 is excluded. The portion outside the United States has no upper limit.

AMENDMENTS 12/4/75 40 F. R. 44126 (Changed)
AMENDMENTS 12/4/75 40 F. R. 50025 (Changed)

V-300 From Victoria, British Columbia, Canada, RR to Vancouver, British Columbia, Canada. From Thunder Bay, Ontario, Canada, Sault Ste. Marie, Mich.; Wiarton, Ontario, Canada, including a N alternate. From Sherbrooke, Quebec, Canada, 86 miles 52 MSL, Millincoket, Maine; Fredericton, New Brunswick, Canada. The airspace within Canada is excluded.

V-301 From Point Reyes, Calif., Santa Rosa, Calif.; Williams, Calif.

V-302 From Augusta, Maine, INT Augusta 123° and Bangor, Maine, 192° radials.

V-303 From Hot Springs, Ark., Fort Smith, Ark.

V-304 From Amarillo, Tex., via Borger, Tex.; Liberal, Kans., including a W alternate via INT Borger 354° and Liberal 234° radials; 15 miles, 79 miles 55 MSL, Lamar, Colo.

V-305 From El Dorado, Ark., Little Rock, Ark.

V-306 From Junction, Tex., via INT Junction 099° and Austin, Tex., 279° radials; Austin; Navasota, Tex.; INT Navasota 084° and Daisetta, Tex., 283° radials; Daisetta; including a south alternate from Navasota via Humble, Tex.; to Daisetta; Lake Charles, La., including a south alternate
from Daisetta to Lake Charles via Beaumont.

V-307 From Neosho, Mo., via Oswego, Kans.; Chanute, Kans.; Emporia, Kans.; INT of Emporia 336° and Pawnee City, Nebr., 193° radials;
Pawnee City; Omaha, Nebr., including a west alternate via INT Pawnee 003° and Omaha 226° radials.

AMENDMENTS 12/4/75 40 F. R. 45803 (Changed)

V-308 From INT Kenton, Del., 217° and Sea Isle, N. J., 256° radials, via Sea Isle; INT Sea Isle 050° and Hampton, N. Y. 223° radials; Hampton;
INT Hampton 059° and Norwich, Conn., 177° radials; Norwich; Putnam, Conn.; INT Putnam 043° and Boston, Mass., 251° radials; Boston. The airspace below 2,000 feet MSL that lies outside the United States and the airspace below 3,000 feet MSL between Kennedy, N. Y., 087° and 141° radials is excluded.

V-309 From Charleston, W. Va.; INT Charleston 034° and Morgantown, W. Va., 284° radials; Bellaire, Ohio.

V-310 From Louisville, Ky., London, Ky.; Holston Mountain, Tenn.; INT Holston Mountain 104° and Greensboro, N. C., 280° radials; Greensboro; INT Greensboro 105° and Raleigh-Durham, N. C., 275° radials; Raleigh-Durham; Rocky Mount, N. C.; Elizabeth City, N. C.

V-311 From the INT of Harris, Ga., 187° and Toccoa, Ga., 222° radials via INT Toccoa 222° and Anderson, S. C., 274° radials; Anderson; Greenwood; S. C.; Columbia, S. C.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-312 From Woodstown, NJ., INT Woodstown 065° and Coyle, NJ., 264° radials; Coyle; INT Coyle 090° and Sea Isle, NJ., 060° radials. The airspace within R-5002, the airspace below 2,000 feet MSL outside the United States, and the airspace above 8,000 feet MSL between Woodstown and Coyle is excluded.

V-313 From Malden, Mo., Cape Girardeau, Mo.; Centralia, Ill.; Decatur, Ill.; Pontiac, Ill.

V-314 From Quebec, Province of Quebec, Canada, 99 miles 55 MSL, Millinocket, Maine; Princeton, Maine; St. John, New Brunswick, Canada. The airspace within Canada is excluded.

V-315 From Paris, Tex., Rich Mountain, Okla.

V-316 From Ironwood, Mich.; Marquette, Mich.; 15 miles, 100 miles 40 MSL, Sault Ste. Marie, Mich.; Sudbury, Ontario, Canada. The airspace within Canada is excluded.

V-318 From Quebec, Province of Quebec, Canada, 81 miles 65 MSL, 26 miles 85 MSL, Houlton, Maine. The airspace within Canada is excluded.

V-319 From Boysen Reservoir, Wyo., Worland, Wyo.; Cody, Wyo.

V-320 From Peck, Mich., Toronto, Ont., Canada. The airspace within Canada is excluded.

V-321 From Columbus, Ga., via LaGrange, Ga.; INT LaGrange 342° and Gadsden, Ala., 124° radials; Gadsden; INT Gadsden 333° and Huntsville, Ala., 149° radials; Huntsville.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)
PENDING AMENDMENT
In V-321 "From Columbus, Ga., via LaGrange, Ga.;" is deleted and "From Albany, Ga., via Columbus, Ga.; LaGrange, Ga.;" is substituted therefor.

AMENDMENTS 1/29/76 40 F. R. 54425 (Changed)

V-322 From Concord, N. H., INT Concord, 022° and Berlin, N. H., 161° radials; Berlin, N. H.; Sherbrooke, Quebec, Canada. The airspace within Canada is excluded.

V-323 From Eufaula, Ala., via Macon, Ga.; INT Macon 341° and Dublin, Ga., 309° radials; to INT Dublin 309° and Augusta, Ga., 263° radials.

AMENDMENTS 6/19/75 40 F. R. 16650 (Rewritten)
AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-325 From Columbia, S. C.; Athens, Ga.; INT Athens 288°
and Toccoa, Ga., 222° radials to INT Toccoa 222°and Harris, Ga., 187° radials. From INT Gadsden, Ala., 091° and Rome, Ga., 133° radials via Gadsden; Muscle Shoals, Ala., including an
E alternate via INT Gadsden 318° and Decatur, Ala., 130° radials, and Decatur.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-326 From Fillmore, Calif., INT Fillmore 163° and Van Nuys, Calif., 270° radials; Van Nuys.

V-327 From Phoenix, Ariz.; Flagstaff, Ariz.

V-328 From Jackson, Wyo., via Big Piney, Wyo.; 53 miles 95 MSL, Rock Springs, Wyo.; Hayden, Colo.; to Kremmling, Colo.

AMENDMENTS 12/4/75 40 F. R. 45804 (Changed)
AMENDMENTS 12/4/75 40 F. R. 47104 (Changed)

V-329 From INT Crestview, Fla., 091° and Eglin, Fla., 003° radials, INT Eglin 003° and Montgomery, Ala., 188° radials; Montgomery.

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V-330 From INT Boise, Idaho, 130° and Mountain Home, Idaho, 084° radials; INT Mountain Home 084° and Burley, Idaho, 323° radials. From Idaho Falls, Idaho, Jackson, Wyo.

V-331 From Whitesburg, Ky., Newcombe, Ky.

V-333 From INT Rome, Ga., 133° and Gadsden, Ala., 091° radials via Rome; Chattanooga, Tenn.; Hinch Mountain, Tenn.; Lexington, Ky.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-334 From San Jose, CA., INT San Jose 022° and Sacramento, CA., 194° radials; Sacramento.

V-335 From St. Louis, Mo.; INT St. Louis 171° and Marion, Ill., 290° radials; Marion.

V-336 From Ellensburg, Wash., to Ephrata, Wash.

V-337 From INT Briggs, Ohio, 077° and Youngstown, Ohio, 177° radials; Akron, Ohio; INT Akron 328° and Windsor, Ontario, Canada, 118° radials; Windsor; 20 miles 7 miles wide (3 miles east and 4 miles west of centerline), INT Windsor 335°
and Saginaw, Mich., 131° radials; Saginaw; Mount Pleasant Mich.; White Cloud, Mich., excluding the portion within Canada.

V-339 From Whitesburg, Ky., Falmouth, Ky.

V-340 From Fort Wayne, Ind., to Richmond, Ind.

AMENDMENTS 12/4/75 40 F. R. 42180 (Added)

V-341 From Cedar Rapids, Iowa, Dubuque, Iowa; Madison, Wis.; INT Madison 042° and Oshkosh, Wis., 208° radials; to Oshkosh.

V-342 From Vancouver, British Columbia, Canada, INT Vancouver 090° and Princeton, British Columbia, Canada, 244° radials; Princeton, excluding the airspace within Canada.

V-343 From Dubois, Idaho, Bozeman, Mont., 51 miles, 34 miles, 103 MSL, 84 MSL Drummond, Mont.

V-345 From Dells, Wis., INT Dells 321° and Eau Claire, Wis., 134° radials; to Eau Calire.

V-346 From St. Georges, Quebec, Canada, to Millinocket, ME., excluding the portion within Canada.

V-347 From Ironwood, Mich., to Houghton, Mich.

V-349 From Bellingham, WA., to Williams Lake, British Columbia, Canada. The airspace within Canada is excluded.

V-351 From Vancouver, British Columbia, Canada, INT Vancouver 090° and Princeton, British Columbia, Canada, 231° radials; Carmi, British Columbia, Canada, excluding the airspace within Canada.

V-352 From St. Georges, Quebec, Canada, to Houlton, ME., excluding the portion within Canada.

V-353 From Jackson, Mich., via INT Jackson 029° and Flint, Mich., 228° radials; to Flint.

V-356 From Bridgeport, Tex.; Wichita Falls, Tex.

V-357 From Baker, Oreg., via Walla Walla, Wash.; Moses Lake, Wash.; INT of Moses Lake 271° and Wenatchee, Wash., 132° radials; to Wenatchee; including a N alternate from Moses Lake via Ephrata, Wash., to Wenatchee.

AMENDMENTS 8/14/75 40 F. R. 26504 (Rewritten)

V-358 From Waco, Tex., via Greater Southwest, Tex.; to Ardmore, Okla.

V-359 From Nuevo Laredo, Mex., to Laredo, Tex., excluding the airspace within Mexico.

V-360 From Sault Ste. Marie, Mich., via Sault Ste. Marie 110° Radial to INT of Sault Ste. Marie 110° and Midland 313° radials; Midland. The airspace within Canada is excluded.

AMENDMENTS 8/14/75 40 F. R. 25441 (Added)

V-368 From Burley, Idaho, via INT Burley 042° and Idaho Falls, Idaho, 248° radials; Idaho Falls; to INT Idaho Falls 030° and Dubois, Idaho, 100° radials.

V-371 From Lafayette, Ind., to Knox, Ind.

V-375 From Roanoke, Va., via Gordonsville, Va.; including a N alternate via the INT Roanoke 035° and Montebello, Va., 250° and Montebello, Va.; to INT Gordonsville 034° and Casanova, Va., 142° radials.

V-376 From Richmond, Va.; to INT Richmond 009° and Nottingham, Md., 238° radials. The airspace within R-6612 is excluded.

V-377 From Keasel, W. Va., via INT Keasel 065° and Hagerstown, Md., 267° radials; Hagerstown; to Harrisburg, Pa.

V-378 From Baltimore, Md., via INT Baltimore 034° and Modena, Pa., 238° radials; to Modena.

V-379 From Nottingham, Md.; to Kenton, Del.

V-420 From Green Bay, Wis.; Traverse City, Mich.; Gaylord, Mich.; to Alpena, Mich.

V-421 From Zuni, N. Mex., via Gallup, N. Mex.; Farmington, N. Mex.; Durango, Colo.; Gunnison, Colo.

V-422 From Chicago Heights, Ill., INT Chicago Heights 117° and Knox, Ind., 276° radials; Knox; Wolflake, Ind.; INT Wolflake 096° and Findlay, Ohio, 289° radials; Findlay.

V-423 From Williamsport, Pa., Binghamton, N. Y.; Ithaca, N. Y.; INT Ithaca 357° and Syracuse, N. Y., 210° radials; Syracuse.

V-424 From Blue Springs, Mo., to Macon, Mo.

AMENDMENTS 12/4/75 40 F. R. 45803 (Rewritten)

V-425 From Brookley, Ala., INT Brookley 357° and Mobile, Ala., 048° radials.

V-426 From St. Louis, Mo., to INT of St. Louis 062° radial and Troy, Ill., direct radial to Decatur, Ill.

V-428 From Elmira, N. Y., Ithaca, N. Y.; Georgetown, N. Y.; Utica, N. Y.

V-429 From Cape Girardeau, Mo., Marion, Ill.; INT Marion 011° and Bible Grove, Ill., 207° radials; Bible Grove; Mattoon, Ill.; Champaign, Ill.; Roberts, Ill.; Joliet, Ill.; INT Joliet 351° and Chicago-O'Hare, Ill., 237° radials; Chicago-O'Hare.

AMENDMENTS 4/24/75 40 F. R. 4300 (Changed)

V-430 From Cut Bank, Mont., 10 miles, 74 miles 55 MSL, Havre, Mont.; 14 miles, 100 miles 50 MSL, Glasgow, Mont.; INT Glasgow 100° and Williston, N. Dak., 263° radials, 22 miles, 33 miles 55 MSL, Williston; Minot, N. Dak.; Devils Lake, N. Dak.; Grand Forks, N. Dak.; Bemidji, Minn., including a north alternate via Thief River Falls, Minn.; Grand Rapids, Minn.; Duluth, Minn., including a N alternate from Grand Rapids, to Duluth via Hibbing, Minn., excluding the airspace between the main and this N alternate airway; Ironwood, Mich.; Iron Mountain, Mich.; to Escanaba, Mich.

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V-431 From Boston, Mass., INT Boston 015° and Gardner, Mass., 097° radials; Gardner, Keene, N. H., Glens Falls, N. Y.; INT Glens Falls 286° and Albany, N. Y., 350° radials.

V-432 From Thermal, Calif., Parker, Calif.

V-433 From INT Washington, D. C., 065° and Baltimore, Md., 197° radials; via INT Washington, D. C., 065° and New Castle, Del., 222° radials; New Castle; Yardley, Pa.; INT Yardley 059° and La Guardia, N. Y., 231° radials;
La Guardia; INT La Guardia 049° and Bridgeport, Conn., 015° radials; INT Bridgeport 015° and Hartford, Conn., 268° radials.

AMENDMENTS 1/30/75 39 F. R. 40848 (Changed)
AMENDMENTS 8/14/75 40 F. R. 18549 (Changed)

V-434 From Ottumwa, Iowa, Moline, Ill.; Peoria, Ill.; Champaign, Ill.; Indianapolis, Ind.

V-435 From Rosewood, Ohio, via INT Rosewood 041° and Cleveland, Ohio, 252° radials; to Cleveland.

V-437 From Ormond Beach, Fla., 37 miles, 76 miles 75 MSL, Savannah, Ga.; Charleston, S. C.; Florence, S. C.

V-439 From Dickinson, N. Dak., 13 miles, 62 miles, 40 MSL, Williston, N. Dak.

V-441 From St. Petersburg, Fla., INT St. Petersburg 010° and Ocala, Fla., 213° radials; Ocala, including an E alternate via INT St. Petersburg 040° and Ocala 171° radials.

V-442 From Hector, Calif., 12 miles, 38 miles 85 MSL, 14 miles 75 MSL, INT Needles, Calif., 272° and Goffs, Calif., 163° radials; INT Goffs 163° and Parker, Calif., 333° radials; Parker.

V-443 From INT Newcomerstown, Ohio, 099° and Bellaire, Ohio, 044° radials; Newcomerstown, Ohio, Tiverton, Ohio; Cleveland, Ohio, including an E alternate via INT Tiverton 028° and Cleveland 138° radials; INT Cleveland 049° and Aylmer, Ont., Canada, 205° radials; Aylmer. The airspace within Canada is excluded.

V-445 From La Guardia, N. Y., INT La Guardia 034° and Hartford, Conn., 245° radials.

V-446 From Troy, Ill., INT Troy 099° and Centralia, Ill., 056° radials; Samsville, Ill.

V-447 From Montpelier, Vt., INT Montpelier 020° and Sherbrooke, Quebec, Canada, 217° radials; Sherbrooke. The airspace within Canada is excluded.

V-448 From Portland, Oreg., Yakima, Wash., including a south alternate; Moses Lake, Wash., including a south alternate via the INT of the Yakima 129° and Ephrata, Wash., 203° radials to the INT of the Ephrata 203° and Moses Lake 231° radials; Spokane, Wash., 45 miles, 21 miles 75 MSL, 20 miles 80 MSL, Kalispell, Mont.

AMENDMENTS 8/14/75 40 F. R. 26504 (Changed)

V-449 From Lake Henry, Pa.; DeLancey, N. Y.; Albany, N. Y.

V-450 From Green Bay, Wis.; Muskegon, Mich.; INT Muskegon 094° and Flint, Mich., 280° radials; Flint; INT Flint 088° and Peck, Mich., 237° radials.

V-451 From INT Whitman, Mass., 177° and Providence, R. I., 118° radials, Whitman; Boston, Mass.

V-452 From Newport, Oreg.; Eugene, Oreg., via Klamath Falls, Oreg.; to Reno, Nev.

V-454 From Brookley, Ala.; Monroeville, Ala.; INT Monroeville 073° and Eufaula, Ala., 258° radials; INT Eufaula 258° and
Columbus, Ga., 219° radials; Columbus; INT Columbus 068° and Athens, Ga., 195° radials; INT Athens 195° and Greenwood, S. C., 240° radials; Greenwood. Fort Mill, S. C.; Liberty, N. C.; Lawrenceville, Va.; Hopewell, Va.

AMENDMENTS 3/27/75 40 F. R. 4121 (Changed)
AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-455 From New Orleans, La., via Picayune, Miss.; Hattiesburg, Miss., including an E alternate from New Orleans to Hattiesburg via INT New Orleans 070° and Gulfport, Miss., 247° radials, Gulfport, INT Gulfport 344° and Hattiesburg 171° radials, and also a W alternate from New Orleans to Hattiesburg via INT New Orleans 357° and Hattiesburg 221° radials; 6 mi. wide, Meridian, including a W alternate via INT Hattiesburg 010° and Meridian 221° radials.

V-458 From Santa Catalina, Calif., via Oceanside, Calif., Julian, Calif.; INT Julian 130° and Imperial, Calif., 272° radials; Imperial; 13 miles, 24 miles, 25 MSL, Yuma, Ariz., excluding the airspace within R-2503 and below 2,000 feet MSL outside the United States. The portion outside the United States has no upper limit.

V-459 From Seal Beach, Calif., Lake Hughes, Calif.; Porterville, Calif., Friant, Calif.; INT Friant 319° and Linden, Calif., 124° radials; Linden.

V-460 From Julian, Calif., INT Julian 055° and Blythe, Calif., 272° radials; Blythe.

V-461 From Gila Bend, Ariz., Buckeye, Ariz.

V-463 From INT Harris, Ga., 187° and Toccoa, Ga., 222° radials; to Harris, Ga.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

V-464 From Dunkirk, N. Y., Geneseo, N. Y.

V-465 From Elko, Nev., Wells, Nev.; 12 miles; 30 miles, 115 MSL, 20 miles, 90 MSL, 36 miles, 115 MSL, 24 miles, 95 MSL, Malad City, Idaho; 39 miles, 53 miles 124 MSL, Jackson, Wyo.; Dunoir, Wyo.; 14 miles, 45 miles, 137 MSL, Billings, Mont., From Miles City, Mont., Williston, N. Dak., including an E alternate.

V-467 From INT Kenton, Del., 217° and Sea Isle, N. J., 256° radials; INT Sea Isle 256° and Millville, N. J., 216° radials; Millville; INT Millville 037° and LaGuardia, N. Y., 209° radials; LaGuardia; Hartford, Conn.

V-469 From Danville, Va., via Lynchburg, Va.; INT Lynchburg 347° and Elkins, W. Va., 142° radials; to Elkins.

V-471 From INT Princeton, Maine, 208° and Bangor, Maine, 132° radials; Bangor; Millinocket, Maine; Houlton, Maine; INT Houlton 085° and the United States/Canadian border.

V-472 From Elizabeth City, N. C., via INT Elizabeth City 243° and Kinston, N. C., 029° radials; Kinston.

V-474 From INT Morgantown, W. Va., 010° and Johnstown, Pa., 260° radials; Indian Head, Pa.; St. Thomas, Pa.; INT St. Thomas 088° and Modena, Pa., 274° radials; Modena; INT Modena 095° and Woodstown, N. J., 043 radials.

V-475 From La Guardia, N. Y.; INT La Guardia 049° and Madison, Conn., 269° radials; Madison; Norwich, Conn.; Providence, R. I.; INT Providence 013° and Boston, Mass., 223° radials; Boston.

V-477 From Humble, Tex., via Leona, Tex.; including a west alternate via Navasota, Tex.; Scurry, Tex., including a W alternate via INT Leona 330° and Scurry 182° radials.

V-478 From Falmouth, Ky., Newcombe, Ky.; Beckley, W. Va.

V-483 From Carmel, N. Y.; DeLancey, N. Y.; Rockdale, N. Y.; INT Rockdale 325° and Syracuse, N. Y. 100° radials; Syracuse.

V-484 From INT Twin Falls, Idaho, 007° and Burley, Idaho, 323° radials, Twin Falls, 49 miles, 34 miles 114 MSL, Salt Lake City, Utah; 25 miles, 31 miles, 126 MSL, Myton, Utah; 14 miles, 79 MSL, 33 miles, 100 MSL, Grand Junction, Colo.; Gunnison, Colo., including a south alternate from Grand Junction to Gunnison via Montrose, Colo.; 13 miles, 112 MSL, 131 MSL INT Gunnison 110° and Alamosa, Colo., 338° radials; Alamosa.

V-485 From Ventura, Calif., 6 miles wide, INT Ventura 331° and Fellows, Calif., 142° radials; Fellows; Priest, Calif.; INT of Priest 322° and San Jose, Calif., 139° radials; San Jose. The airspace within W-289 and R-2520, the airspace within R-2519 more than 3 statute miles W of the airway centerline and the airspace within R-2519 below 5,000 feet MSL is excluded.

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V-487 From INT LaGuardia, N. Y., 034° and Carmel, N. Y., 188° radials; Carmel; Pawling, N. Y.; Cambridge, N. Y.; INT Cambridge 002° and Glens Falls, N. Y., 032° radials; Burlington, Vt.; INT Burlington 350° and St. Jean, Quebec, Canada, 156° radials; St. Jean. The airspace within Canada is excluded.

V-489 From Sparta, N. J.; INT Sparta 023° and Kingston 238° radials; Kingston, N. Y.; Albany, N. Y.; Glens Falls, N. Y.; Plattsburgh, N. Y.

V-490 From Utica, N. Y., Cambridge, N. Y.; Manchester, N. H.; INT Manchester 117° and Boston, Mass., 018° radials.

V-492 From St. Petersburg, Fla., La Belle, Fla.; INT La Belle 101° and Palm Beach, Fla., 272° radials; Palm Beach, including a north alternate from La Belle to Palm Beach via INT La Belle 043° and Palm Beach 298° radials.

V-493 From Livingston, Tenn., Lexington, Ky.; York, Ky.; Appleton, Ohio; Waterville, Ohio; Carleton, Mich.; INT Carleton 334° and Mt. Pleasant, Mich., 142° radials; to Mt. Pleasant.

V-494 From Ukiah, Calif., INT Ukiah 147° and Santa Rosa, Calif., 325° radials; Santa Rosa; Sacramento, Calif.; INT Sacramento 038° and Lake Tahoe, Calif., 249° radials; Lake Tahoe; INT Lake Tahoe 078° and Hazen, Nev., 244° radials; Hazen.

V-496 From Utica, N. Y., via Glens Falls, N. Y.; Lebanon, N. H.; to Kennebunk, Maine.

AMENDMENTS 4/24/75 40 F. R. 4409 (Changed)

V-497 From Kimberly, Oreg., 49 miles, 65 MSL, The Dallas, Oreg.

V-499 From Lancaster, Pa., to Binghamton, N. Y.

V-500 From Portland, Oreg., Newberg, Oreg.; 41 miles, 70 MSL Kimberly, Oreg.; 30 miles, 71 miles, 105 MSL, Boise, Idaho; 25 miles, 25 miles, 90 MSL, 26 miles, 95 MSL 22 miles, 25 miles, 70 MSL, Pocatello, Idaho.

V-501 From Martinsburg, W. Va., via Hagerstown, Md.; St. Thomas, Pa.; Philipsburg, Pa. From Wellsville, N. Y.; INT Elmira, N. Y., 337° and Geneseo, N. Y., 091° radials.

V-516 From Liberal, KS., Anthony, KS.; Pioneer, OK.; Oswego, KS.

V-518 From Fillmore, Calif., INT Fillmore 102° and Ventura, Calif., 061° radials; INT Ventura 061° and Palmdale, Calif., 233° radials; Palmdale.

V-520 From Portland, Oreg., via The Dallas, Oreg.; Pasco, Wash.; Walla Walla, Wash.; to Lewiston, Idaho; Salmon, Idaho; Dubois, Idaho; to Jackson, Wyo.

AMENDMENTS 12/4/75 40 F. R. 45804 (Changed) Corr: 40 F. R. 51622

V-524 From Laramie, Wyo., INT Laramie 069° and Scottsbluff, Nebr., 254° radials; Scottsbluff; North Platte, Nebr.

AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

V-530 From Texico, N. Mex., Childress, Tex.

V-536 From North Bend, Oreg., INT North Bend 023° and Corvallis, Oreg., 235° radials; Corvallis; Redmond, Oreg., 32 miles, 58 miles, 71 MSL, Pendleton, Oreg.; Walla Walla, Wash.; Pullman, Wash.; 27 miles, 85 MSL Mullan Pass, Idaho; 5 miles, 34 miles, 95 MSL Kalispell, Mont.; 20 miles, 41 miles, 115 MSL, Great Falls, Mont.

V-538 From Twentynine Palms, Calif., INT Twentynine Palms 043° and Goffs, Calif., 200° radials; 23 miles 95 MSL, 21 miles 75 MSL, Goffs; Las Vegas, Nev. The airspace within R-2501E is excluded.

§71.123 Alaskan VOR Federal Airways.

V-307 From Sandspit, B. C., Canada, to Annette Island, Alaska. The airspace within Canada is excluded.

AMENDMENTS 10/9/75 40 F. R. 17007 (Rewritten)

V-308 From Prince Rupert, British Columbia, Canada RBN, Annette Island, Alaska. The airspace within Canada is excluded.

V-311 From Annette Island, Alaska, 42 miles 12 AGL, 99 miles 55 MSL, 31 miles 12 AGL, to Biorka Island, Alaska.

AMENDMENTS 10/9/75 40 F. R. 17007 (Added)

V-317 From Bethelda, British Columbia, Canada, NDB via Annette Island, Alaska, including a W alternate via INT Sandspit, British Columbia, Canada, 039° and Annette Island 167° radials; 42 miles 12 AGL, 42 miles 52 MSL, 15 miles 12 AGL Level Island, Alaska, including a W alternate via INT Annette Island 311° and Level Island 164° radials; Sisters Island, Alaska; to INT Sisters Island 272° and Yakutat, Alaska, 139° radials. The airspace within Canada is excluded.

AMENDMENTS 8/14/75 40 F. R. 25441 (Changed)
AMENDMENTS 10/9/75 40 F. R. 17007 (Changed)

V-319 From INT Sisters Island, Alaska, 272° and Yakutat, Alaska, 139° radials; 86 miles 20 MSL, 20 miles 12 AGL via Yakutat; Johnstone Point, Alaska; INT Johnstone Point 286° and Anchorage, Alaska, 117° radials; Anchorage; including a south alternate from Johnstone Point to Anchorage via INT Johnstone Point 271° and Anchorage 130° radials.

AMENDMENTS 10/9/75 40 F. R. 17007 (Added)

V-321 From Cape Newenham, Alaska, NDB via King Salmon, Alaska; to Homer, Alaska.

AMENDMENTS 10/9/75 40 F. R. 17007 Added)
AMENDMENTS 10/9/75 40 F. R. 34087 (Rewritten)

V-347 From Fairbanks, Alaska, Chandalar Lake, Alaska, RBN.

V-427 From King Salmon, Alaska, 103 miles 12 AGL, 29 miles 135 MSL, to INT King Salmon 042° and Anchorage, Alaska, 246° radials.

AMENDMENTS 10/9/75 40 F. R. 17007 (Rewritten)

V-428 From Biorka Island, Alaska, via Sisters Island, Alaska; Haines, Alaska, RBN; to Whitehorse, Yukon Territory, Canada. The airspace within Canada is excluded.

V-435 From Homer, Alaska, to Kenai, Alaska.
AMENDMENTS 10/9/75 40 F. R. 17007 (Added)

V-436 From INT King Salmon, Alaska, 068° and Kenai, Alaska, 217° radials; via Kenai; Anchorage, Alaska; Talkeetna, Alaska; Nenana, Alaska; Chandalar Lake, Alaska, RBN; to Deadhorse, Alaska.

AMENDMENTS 1/2/75 39 F. R. 36111 (Changed)
AMENDMENTS 10/9/75 40 F. R. 17007 (Changed)

V-438 From Kodiak, Alaska, 27 miles, 24 miles, 35 MSL, 29 miles, 55 MSL, Homer, Alaska, including a west alternate from Kodiak 27 miles, 24 miles, 35 MSL, 33 miles, 56 MSL, to Homer; INT Homer 027° and Anchorage, Alaska, 198° radials; Anchorage; Big Lake, Alaska; Fairbanks, Alaska; 54 miles, 31 miles, 65 MSL, Fort Yukon, Alaska, including an east alternate from Fairbanks 54 miles, 34 miles, 65 MSL, to Fort Yukon and a west alternate; 89 miles, 52 miles 95 MSL, 27 miles 75 MSL Deadhorse, Alaska; to Barrow, Alaska.

AMENDMENTS 1/2/75 39 F. R. 36111 (Changed)
AMENDMENTS 12/4/75 40 F. R. 43885 (Changed)

V-440 From Seattle, Wash., Victoria, British Columbia, Canada. From Sandspit, British Columbia; 83 miles; 115 miles, 35 MSL, Biorka Island, Alaska; 31 miles, 50 miles 48 MSL, 108 miles, 20 MSL, Yakutat, Alaska; 50 miles, 105 miles, 75 MSL, Middleton Island, Alaska; 56 miles, 48 miles, 80 MSL, Anchorage, Alaska, including a south alternate from Middleton Island, 56 miles, 85 MSL INT Middleton Island 298° and Anchorage 163° radials; to Anchorage, excluding the airspace between the main and this south alternate; McGrath, Alaska; 23 miles, 54 miles, 55 MSL, 46 miles, 40 MSL, Unalakleet, Alaska; 52 miles, 51 miles, 25 MSL, Nome, Alaska. The airspace within Canada is excluded.

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V-444 From Barrow, Alaska, 117 miles 12 AGL, 102 miles 95 MSL, 69 miles 12 AGL, Evansville, Alaska, NDB; Fairbanks, Alaska, including a south alternate via INT Bettles 155° and Fairbanks 307° radials; Big Delta, Alaska; Northway, Alaska; Burwash, Yukon Territory, Canada. The airspace within Canada is excluded.

AMENDMENTS 12/4/75 40 F. R. 43885 (Changed)

V-452 From Nome, Alaska, via Moses Point, Alaska; 47 miles, 57 miles, 55 MSL, Galena, Alaska; Nenana, Alaska.

V-453 From King Salmon, Alaska, Dillingham, Alaska, including a south alternate; 38 miles, 60 MSL INT Dillingham 308° and Bethel, Alaska, 143° radials; 50 miles, 60 MSL, Bethel.

V-456 From Cold Bay, Alaska, 20 AGL King Salmon, Alaska, 053° 93 miles, 9 miles 125 MSL; INT King Salmon 053° and Kenai, Alaska, 239° radials, 46 miles 125 MSL, 10 miles 115 MSL, Kenai; Anchorage, Alaska; Big Lake, Alaska; Gulkana, Alaska; Northway, Alaska.

V-462 From Cape Newenham, Alaska, NDB via Dillingham, Alaska; 35 miles, 45 MSL, 42 miles 100 MSL, 85 miles 135 MSL, 15 miles 120 MSL, 15 miles 105 MSL, to Anchorage, Alaska.

AMENDMENTS 10/9/75 40 F. R. 34087 (Changed)

V-473 From Level Island, Alaska, to Biorka Island, Alaska, via INT Level Island 277° and Biorka Island 127° radials.

V-480 From Bethel, Alaska, 105 miles, 89 miles, 55 MSL, McGrath, Alaska, 28 miles, 64 miles, 45 MSL, Nenana, Alaska; Fairbanks, Alaska.

V-481 From Johnstone Point, Alaska, via Gulkana, Alaska, including an E alternate; Big Delta, Alaska; to Fort Yukon, Alaska.

AMENDMENTS 1/2/75 39 F. R. 36111 (Rewritten)

V-488 From Galena, Alaska, INT Galena 074° and Tanana, Alaska, 260° radials; Tanana, including a south alternate; Fairbanks, Alaska.

V-498 From McGrath, Alaska, 24 miles, 54 miles, 55 MSL, Galena, Alaska; 68 miles, 88 miles, 55 MSL, Kotzebue, Alaska.

V-504 From Nenana, Alaska; via Evansville, Alaska, NDB; to Deadhorse, Alaska.

AMENDMENTS 1/2/75 39 F. R. 36111 (Rewritten)
AMENDMENTS 10/9/75 40 F. R. 17007 (Changed)

V-506 From INT Kodiak, Alaska, 107° radial and northwest boundary Anchorage Oceanic Control Area at latitude 57°28" N., longitude 150°32" W.; 37 miles, 20 MSL, Kodiak; 45 miles, 68 miles, 95 MSL; King Salmon, Alaska; 51 miles, 84 miles, 70 MSL, Bethel, Alaska; 47 miles, 173 miles, 30 MSL, Nome, Alaska; 35 miles 12 AGL, 90 miles 55 MSL, 35 miles 12 AGL, Hotham, Alaska, NDB, including a west alternate; 69 miles 12 AGL, 129 miles 95 MSL, 98 miles 12 AGL, Barrow, Alaska.

AMENDMENTS 12/4/75 40 F. R. 43885 (Changed)

V-508 From Middleton Island, Alaska, 56 miles, 58 miles, 85 MSL, Kenai, Alaska.

V-510 From McGrath, Alaska, INT McGrath 123° and Big Lake, Alaska, 294° radials; Big Lake.

V-515 From Gulkana, Alaska, via INT Gulkana 011° and Big Delta 139° radials; to Big Delta.

AMENDMENTS 1/2/75 39 F. R. 36111 (Added)
AMENDMENTS 8/14/75 40 F. R. 23724 (Changed)

§71.127 Hawaiian VOR Federal Airways.

V-1 HAWAII From INT Upolu Point, Hawaii, 093° and Hilo, Hawaii 336° radials, INT Upolu Point 093° and Hilo 013° radials; Hilo.

V-2 HAWAII From South Kauai, Hawaii, Lihue, Hawaii, INT Lihue 130° and Honolulu, Hawaii, 269° radials; Honolulu; Lanai, Hawaii, including a south alternate; INT Lanai 107° and Upolu Point, Hawaii, 305° radials; Upolu Point; INT Upolu Point 093° and Hilo, Hawaii, 336° radials; Hilo. The airspace within R-3104 is excluded.

V-3 Hawaii From INT Kamuela, Hawaii, 245° and Upolu Point, Hawaii, 211° radials, Kamuela; INT Kamuela 068° and Hilo, Hawaii, 336° radials.

V-4 HAWAII From INT Lihue, Hawaii, 186° and Koko Head, Hawaii, 254° radials, 54 miles, 35 MSL, Koko Head; 15 miles, 25 MSL INT Koko Head 065° and Upolu Point, Hawaii, 002° radials.

V-5 Hawaii From Kona, Hawaii, INT Kona 338° and Maui, Hawaii, 179° radials, including a west alternate via INT Kona 323° and Maui 179° radials.

V-6 HAWAII From INT Molokai, Hawaii, 067° and Maui, Hawaii 331° radials, Maui; INT Maui 080° and Hilo, Hawaii, 336° radials; Hilo.

V-7 HAWAII From Kona, Hawaii, INT Kona 323° and Lanai, Hawaii, 140° radials; Lanai; Molokai, Hawaii.

V-8 HAWAII From INT Honolulu, Hawaii, 179° and Molokai, Hawaii, 262° radials, Molokai; 30 miles, 23 MSL INT Molokai 067° and Upolu Point, Hawaii, 010° radials.

V-9 HAWAII From INT Lanai, Hawaii, 223° and Honolulu, Hawaii, 179° radials, 78 mi. 35 MSL, Honolulu. The airspace above FL-300 within W-321B is excluded.

V-11 HAWAII From INT Kona, Hawaii, 323° and Upolu Point, Hawaii 211° radials; Upolu Point; INT Upolu Point 349° and Maui, Hawaii, 080° radials; Maui; INT Maui 331° and Molokai, Hawaii, 091° radials; Molokai; INT Molokai 262° and Honolulu, Hawaii, 179° radials.

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V-12 HAWAII From INT Lihue, Hawaii, 195° and Honolulu, Hawaii, 269° radials, 38 miles, 35 MSL, Honolulu; Koko Head, Hawaii, 14 miles, 25 MSL INT Koko Head 050° and Maui, Hawaii, 012° radials.

V-13 HAWAII From Lihue, Hawaii, INT Lihue 145° and Honolulu, Hawaii, 269° radials; INT South Kauai, Hawaii, 133° and Koko Head, Hawaii 254° radials; Koko Head, 14 miles, 25 MSL, INT Koko Head 050° and Molokai 015° radial and the Honolulu FIR/Oceanic CTA.

V-14 HAWAII From INT South Kauai, Hawaii, 271° radial and longitude 161°20'00" W.; 50 MSL longitude 159°42'00" W.; South Kauai; INT South Kauai 133° and Koko Head, Hawaii, 254° radials; Koko Head.

V-15 HAWAII From INT South Kauai, Hawaii, 288° radial and longitude 161°15'00" W.; 50 MSL longitude 159°42'00" W.; South Kauai; Honolulu, Hawaii; Koko Head, Hawaii; Molokai, Hawaii, Maui, Hawaii; INT Maui 095° and Hilo, Hawaii, 336° radials; Hilo; to INT Hilo 099° radial and the Honolulu FIR/Oceanic CTA.

V-16 HAWAII From Honolulu, Hawaii, INT Honolulu 179° and Lanai, Hawaii, 285° radial; Lanai; Upolu Point, Hawaii; INT Upolu Point 108° and Hilo, Hawaii, 013° radials; Hilo.

V-17 HAWAII From INT Lanai, Hawaii, 118° and Maui, Hawaii, 201° radials; Maui.

V-19 HAWAII From Hilo, Hawaii, to INT Hilo 013° and Maui, Hawaii, 086° radials.

V-20 HAWAII From Honolulu, Hawaii, INT Honolulu 134° and Kona, Hawaii, 308° radials; Kona.

V-21 HAWAII From INT Honolulu, Hawaii, 179° and Lanai, Hawaii, 285° radials; Lanai; INT Lanai 107° and Hilo, Hawaii, 013° radials; to INT Upolu Point 093° radial and the Honolulu FIR/Oceanic CTA.

V-22 Hawaii From Maui, Hawaii, INT Maui 095° and Hilo, Hawaii, 321° radials; Hilo; to INT Hilo 078° radial and the Honolulu FIR/Oceanic CTA.

V-23 HAWAII From Upolu Point, Hawaii; INT Upolu Point 277° and Honolulu, Hawaii, 134° radials.

V-24 HAWAII From Lanai, Hawaii; Maui, Hawaii; to INT Maui 086° radial and the Honolulu FIR/Oceanic CTA.

V-25 HAWAII From Hilo, Hawaii, to INT Hilo 356° radial and the Honolulu FIR/Oceanic CTA.

SUBPART D — CONTINENTAL CONTROL AREA

§ 71.151 Restricted areas included.

The airspace of the following restricted areas at or above 14,500 feet MSL and 1500 feet or more above the surface of the earth is continental control area:

R-2102	Fort McClellan, Ala.			
R-2103	Fort Rucker, Ala.			
R-2104A	Huntsville, Ala.			
R-2202A	Big Delta, Alaska			
R-2203A	Eagle River, Alaska			
R-2203B	Eagle River, Alaska			
R-2205A	Yukon, Alaska			
R-2211	Blair Lakes, Alaska			
R-2301	Ajo, Arizona.			
R-2303A	Fort Huachuca, Arizona.			
R-2303B	Fort Huachuca, Arizona.			
R-2304	Gila Bend, Arizona.			
R-2305	Gila Bend, Arizona.			
R-2306A	Yuma West, Ariz.			
R-2306B	Yuma West, Ariz.			
R-2306C	Yuma West, Ariz.			
R-2307	Yuma, Arizona			
R-2308A	Yuma East, Ariz.			
R-2308B	Yuma East, Ariz.			
R-2401	Fort Chaffee, Ark.			
R-2402	Fort Chaffee, Ark.			
R-2403A	Little Rock, Ark.			
R-2403B	Little Rock, Ark.			
R-2501N	Bullion Mountains, Calif.			
R-2501S	Bullion Mountains, Calif.			
R-2501E	Bullion Mountains, Calif.			
R-2502E	Fort Irwin, Calif.	AMENDMENTS	12/2/75	40 F. R. 55829 (Added)
R-2502N	Fort Irwin, Calif.	AMENDMENTS	12/2/75	40 F. R. 55829 (Added)
R-2503	Camp Pendleton, Calif.			
R-2504	Camp Roberts, Calif.	AMENDMENTS	12/4/75	40 F. R. 46097 (Added)
R-2505	China Lake, Calif.			
R-2507	Chocolate Mountains, Calif.			
R-2508	California Complex.			
R-2509	Cuddeback Dry Lake, Calif.			
R-2510	El Centro, Calif.			
R-2512	Holtville, Calif.			
R-2513	Hunter-Liggett, Calif.			
R-2515	Muroc Lake, Calif.			
R-2519	Point Mugu, California			
R-2521	Salton Sea, Calif.			
R-2524	Trona, Calif.			
R-2534A	Point Arguello, Calif.			
R-2534B	Point Arguello, Calif.			
R-2601	Fort Carson, Colo.			
R-2602	Fort Carson, Colo.			
R-2901A	Avon Park, Fla.			
R-2901B	Avon Park, Fla.			
R-2902A	Cape Kennedy, Fla.			
R-2903B	Stevens Lake, Fla.			
R-2907	Lake George, Fla.			
R-2910	Pinecastle, Fla.			
R-2914A	Valparaiso, Fla.	AMENDMENTS	10/9/75	40 F. R. 37030 (Added)
R-2914B	Valparaiso, Fla.	AMENDMENTS	10/9/75	40 F. R. 37030 (Added)
R-2915A	Eglin AFB, Fla.			
R-2915B	Eglin AFB, Fla.			
R-2915C	Eglin AFB, Fla.	AMENDMENTS	10/9/75	40 F. R. 37030 (Added)
R-2918	Valparaiso, Fla.	AMENDMENTS	10/9/75	40 F. R. 37030 (Added)
R-2919A	Valparaiso, Fla.	AMENDMENTS	10/9/75	40 F. R. 37030 (Added)
R-2919B	Valparaiso, Fla.	AMENDMENTS	10/9/75	40 F. R. 37030 (Added)
R-3002F	Fort Benning, Ga.	AMENDMENTS	12/4/75	40 F. R. 39495 (Added)
R-3004	Fort Gordon, Ga.			
R-3005A	Fort Stewart, Ga.			
R-3005B	Fort Stewart, Ga.			
R-3202	Saylor Creek, Idaho	AMENDMENTS	6/19/75	40 F. R. 18978 (Changed)
R-3401A	Atterbury Reserve Forces Training Area, Ind.			
R-3403	Jefferson Proving Ground, Ind.	AMENDMENTS	1/6/75	40 F. R. 1038 (Added)
R-3601A	Brookville, Kans.			
R-3602	Manhattan, Kans.			
R-3702	Fort Campbell, Ky.			
R-3703	Fort Campbell, Ky.			
R-3704	Fort Knox, Ky.			

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R-3801D Camp Claiborne, La.
R-3803 Fort Polk. La.
R-3804A Fort Polk. La.
R-3804C Fort Polk, La.
R-4001A Aberdeen, Md. AMENDMENTS 12/2/75 40 F. R. 55829 (Added)
R-4001B Aberdeen, Md. AMENDMENTS 12/2/75 40 F. R. 55829 (Added)
R-4002 Bloodsworth Island, Md.
R-4005 Patuxent River, Md.
R-4006 Patuxent River, Md.
R-4105 No Man's Land Island, Mass.
R-4201 Camp Grayling, Mich.
R-4207 Upper Lake Huron, Mich.
R-4301 Camp Ripley, Minn.
R-4305 Lake Superior, Minn.
R-4401 Camp Shelby, Miss.
R-4501A Fort Leonard Wood West, Mo.
R-4803 Fallon, Nev.
R-4804 Twin Peaks, Nev.
R-4806 Las Vegas, Nev.
R-4810 Desert Mountains, Nevada
R-4812 Sand Springs, Nev.
R-4813 Carson Sink, Nev.
R-4816N Dixie Valley, Nev.
R-4816S Dixie Valley, Nev.
R-5103 McGregor, N. Mex.
R-5104A Melrose, N. Mex.
R-5104B Melrose, N. Mex.
R-5107A White Sands Proving Grounds, N. Mex.
R-5107C White Sands Proving Grounds, N. Mex.
R-5107D White Sands Proving Grounds, N. Mex.
R-5107E White Sands Proving Grounds, N. Mex.
R-5107F White Sands Proving Grounds, N. Mex.
R-5107G White Sands Proving Grounds, N. Mex.
R-5109A White Sands, N. Mex.
R-5109B White Sands, N. Mex.
R-5111A Elephant Butte, N. Mex. (East)
R-5111B Elephant Butte, N. Mex. (West)
R-5113 Socorro, N. Mex.
R-5201 Camp Drum, N. Y.
R-5203 Oswego, N. Y.
R-5306A Cherry Point, N. C.
R-5306B Cherry Point, N. C.
R-5306C Cherry Point, N. C.
R-5306D Cherry Point, N. C.
R-5306E Cherry Point, N. C.
R-5311B Fort Bragg, N. C.
R-5313 Long Shoal Point, N. C. AMENDMENTS 12/2/75 40 F. R. 55829 (Added)
R-5314 Dare County, N. C.
R-5502 La Carne. Ohio
R-5503 Wilmington, Ohio
R-5504 Wilmington, Ohio
R-5601B Fort Sill, Okla.
R-5601C Fort Sill, Okla.
R-5601D Fort Sill, Okla. AMENDMENTS 12/2/75 40 F. R. 55829 (Added)
R-5701 Boardman. Oreg.
R-6001 Fort Jackson, S. C.
R-6302A Fort Hood. Texas
R-6302B Fort Hood. Texas
R-6302C Fort Hood. Texas
R-6402 Dugway Proving Ground, Dugway, Utah
R-6404A Hill AFB Rangs South, Utah
R-6404B Hill AFB Range North, Utah
R-6404C Hill AFB Range East, Utah
R-6405 Wendover, Utah
R-6406 Wendover, Utah
R-6407 Dugway Proving Ground, Dugway, Utah
R-6413 Green River, Utah
R-6602 Camp Pickett, Va.
R-6604 Chincoteague Inlet, Va.
R-6606 Pendleton, Va.
R-6609 Tangier Island, Va.
R-6611 Dahlgren Complex. Va.
R-6613 Dahlgren Complex, Va.
R-6713C Whidbey Island, Wash AMENDMENTS 10/9/75 40 F. R. 33655 (Added)
R-6714A Yakima, Wash. AMENDMENTS 12/2/75 40 F. R. 55829 (Added)
R-6714B Yakima, Wash. AMENDMENTS 12/2/75 40 F. R. 55829 (Added)
R-6901 Camp McCoy, Wis.
R-6903 Sheboygan, Wis.
R-6904 Volk Field, Wis.
R-7001 Guernsey, Wyo.

SUBPART E - CONTROL AREAS AND CONTROL AREA EXTENSIONS

§ 71.161 Designation of control areas associated with jet routes outside the continental control area.

Unless otherwise specified, the airspace centered on each of the following jet route segments has a vertical extent identical to that of a Jet Route and a lateral extent identical to that of a Federal airway and is designated as a control area. Unless otherwise specified, the place names appearing in the descriptions indicate VOR or VORTAC facilities identified by those names.

Jet Route No. 37 From Hobby, Tex., to INT of Hobby 090° and New Orleans, La., 257° radials.

J-41 From Key West, Fla., to Tallahassee, Fla.

Jet Route No. 42 Robbinsville, N. J., to Hampton, N. Y.

J-43 From St. Petersburg, Fla., to Tallahassee, Fla.

Jet Route No. 53 from Key West, Fla., to Miami, Fla.

Jet Route No. 55 from Sea Isle, N. J., to Putnam, Conn.

Jet Route No. 58 from New Orleans, La., to Sarasota, Fla.

Jet Route No. 62 From Nantucket, Mass., to the INT of the Nantucket 089° radial and the western boundary of the New York Oceanic Control Area.

Jet Route No. 63 From Kennedy, N. Y., to TUNNA INT.

Jet Route No. 79 From Ormond Beach, Fla., to Charleston, S. C.

Jet Route No. 86 From Humble, Tex., to Sarasota, Fla.

Jet Route No. 97 From Nantucket, Mass., to the INT of the Nantucket 157° radial and the western boundary of the New York Oceanic Control Area.

Jet Route No. 103 From Ormond Beach, Fla., to Savannah, Ga.

Jet Route No. 111 From Nome, Alaska, to SNOUT INT.

Jet Route No. 115, King Salmon, Alaska, to 160° W.

Jet Route No. 121: Norfolk, Va., to Hampton, N. Y.; Providence, R. I., to INT of Providence 045° and Boston, Mass., 066° radials.

Jet Route No. 122, from Galena, Alaska, to Nome, Alaska.

Jet Route No. 123, From INT of Kodiak, Alaska, 107° radial and the NW boundary Anchorage Oceanic Control Area at latitude 57°28' N., longitude 150°32' W., to Kotzebue, Alaska.

Jet Route No. 125, From Kodiak, Alaska, to Anchorage, Alaska.

Jet Route No. 129, Nome, Alaska, to Kotzebue, Alaska.

Jet Route No. 133, From Annette Island, Alaska, to Anchorage, Alaska.

Jet Route No. 150 From Robbinsville, N. J., via Hampton, N. Y.; Hyannis, Mass.; to the INT of Hyannis 068° and Boston, Mass., 097° radials. AMENDMENTS 1/30/75 39 F. R. 41520 (Rewritten)

Jet Route No. 153 From Sea Isle, N. J., to SHADS INT.

Jet Route No. 174 From Hampton, N. Y., via Hyannis, Mass., to HERIN INT.

Jet Route No. 501, from Oakland, Calif., to Anchorage, Alaska.

Jet Route No. 502, from the United States/Canadian border to Annette Island, AK.

Jet Route No. 573 from Providence, R. I., to Kennebunk, Maine

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§ 71.163 Designation of additional control areas.

Unless otherwise specified, each control area designated below has a lateral extent identical to that of a Federal airway and extends upward from 700 feet (until designated from 1,200 feet or more) above the surface of the earth, except that the airspace of a control area within the lateral limits of a transition area has a floor coincident with the floor of the transition area.

Control 1141

That airspace within tangent lines from the circumference of a 5-mile radius circle centered at latitude 42° 23'23" N., longitude 70°59'10" W., to a 15-mile radius circle centered on the midway point of a direct line between latitude 42°23'23" N., longitude 70°59'10" W., and the Yarmouth, Nova Scotia, Canada, RBN to a 5-mile radius circle centered on the Yarmouth RBN and that airspace from 18,000 feet MSL to flight level 280 inclusive bounded by a line from: latitude 42°33'35" N., longitude 70°03'45" W.; thence to latitude 42°42' 30" N., longitude 69°30'00" W.; thence to latitude 42°39'00" N., longitude 69°30'00" W.; thence to latitude 42° 28'00" N., longitude 70°03'45" W.; thence to point of beginning; and that airspace extending upward from 2,000 feet MSL bounded by a line from: latitude 42°33'38" N., longitude 70°03'48" W.; thence to latitude 42° 23'48" N., longitude 70°03'45" W.; latitude 42°25'15" N., longitude 70°30'00" W.; latitude 42°26'15" N., longitude 70°30'00" W.; thence to the point of beginning; excluding the portion under the jurisdiction of Canada, the portion within the confines of Federal airways and the Boston, Mass., transition area, the portion below 2,000 feet MSL west of the 69°30'00" W., meridian of longitude and the portion below 5,500 feet MSL east of the 69°30'00" W., meridian of longitude.

Control 1142

That airspace within tangent lines drawn from the circumference of a 5-mile radius circle centered at latitude 42°21'30" N., longitude 70°41'25" W., to a 15-mile radius circle centered at latitude 42°02'00" N., longitude 68°00'00" W., and that airspace within lines drawn from latitude 42°16'00" N., longitude 68°00'00" W., thence to latitude 42°14'00" N., longitude 67°00'00" W., thence to latitude 41°52'00" N., longitude 67°00'00" W., thence to latitude 41°46'00" N., longitude 68°00'00" W., thence to latitude 42°16'00" N., longitude 68°00'00" W., excluding the portion within the Boston Transition area, the airspace below 5,500 feet MSL E of longitude 68°00'00" W., and the airspace below 2,000 feet MSL W of longitude 68°00'00" W., except that airspace within the confines of Federal airways.

Control 1143

That airspace within tangent lines drawn from the circumference of a 5-mile radius circle centered on the Nantucket, Mass., RBN to a 15-mile radius circle centered at the midway point on a direct line between the Nantucket RBN and the Yarmouth, Nova Scotia, Canada, RBN to a 5-mile radius circle centered on the Yarmouth RBN excluding that portion below 2,000 feet except that airspace within the confines of Federal airways.

Control 1144

That airspace in the vicinity of Nantucket, Mass., within an area bounded by a line beginning at latitude 41°06'00" N., longitude 70°09'10" W., to latitude 41°25'35" N., longitude 70°09'35" W., to latitude 41°26'00" N., longitude 69°15'00" W., to latitude 41°46'00" N., longitude 68°00'00" W., to latitude 41°06'00" N., longitude 68°00'00" W., to the point of beginning, excluding the portion below 2,000 feet MSL except that airspace which lies within the confines of Federal airways.

Control 1145

That airspace within tangent lines drawn from the circumference of a 5-mile radius circle centered on the Nantucket, Mass., RBN to a 15-mile radius circle centered on the INT of a rhumb line between the Nantucket RBN and the Kindley AFB, Bermuda RBN and the W boundary of the New York Oceanic Control Area, excluding the portion below 2,000 feet except that airspace within the confines of Federal airway.

Control 1146

That airspace within a 5 NM radius circle centered on the Nantucket, Mass., RBN and that airspace bounded by a line drawn from the tangent of the 5 NM radius circle centered on Nantucket RBN to latitude 42°05'20" N., longitude 68°00'00" W., thence to latitude 42°19'00" N., longitude 68°00'00" W., thence to latitude 43°00'00" N., longitude 67°00'00" W., thence to latitude 41°52'00" N., longitude 67°00'00" W., thence to latitude 41°46'00" N., longitude 68°00'00" W., thence to the tangent of the 5 NM radius circle centered on the Nantucket RBN excluding that airspace outside the United States below 2,000 feet MSL W of longitude 68°00'00" W., and below 5,500 feet MSL E of longitude 68°00'00" W.

Control 1147

That airspace within tangent lines drawn from the circumference of a 5-mile radius circle centered at Lat. 40°18'30" N, Long. 73°45'00" W, to the circumference of a 15-mile radius circle centered at the INT of the 137° bearing from the Newark, N. J., RBN and the W boundary of the New York Oceanic Control Area, and that airspace bounded by a line beginning at latitude 40°02'15" N., longitude 73°13'45" W.; to latitude 40°05'45" N., longitude 73°09'15" W.; to latitude 39°26'35" N., longitude 72°24'25" W.; to the point of beginning. That airspace below 2,000 feet outside the confines of Federal airways is excluded.

Control 1148

That airspace within tangent lines drawn from the circumference of 5-mile radius circles centered on the Rainbow, N. J., RBN and at the INT of Rainbow RBN 135° bearing and the Atlantic Ocean-U. S. Coastline to a 15-mile radius circle centered on the INT of Rainbow RBN 135° bearing and the west boundary of the New York Oceanic Control area at latitude 37°43'00" N., longitude 73°00'00" W., and that airspace which is within 5 miles southwest of and parallel to the Sea Isle, N. J., VORTAC 134° radial, extending from Sea Isle to a point 40 miles southeast of Sea Isle. That airspace below 2,000 feet outside the United States is excluded.

Control 1149

That airspace within tangent lines drawn from the circumference of a 5-mile radius circle centered on the Norfolk, Va., VORTAC 088° radial at Long. 75° 32' 00" W. to the circumference of a 15-mile radius circle centered on the Norfolk, Va., VORTAC 088° radial on the west boundary of the New York Oceanic Control Area at Lat. 36° 57' 30" N., Long. 73° 00' 00" W., excluding the portion below 2,000 feet MSL outside the United States.

Control 1154

That airspace extending upward from 5,000' MSL bounded on the east by VOR Federal airway No. 199; on the south by a line extending from latitude 38°03'25" N., longitude 123°11'45" W.; to latitude 38°00'00" N., longitude 123°23'00" W.; to latitude 37°50'00" N., longitude 124°24'30" W.; to latitude 37°40'00" N., longitude 125°23'30" W.; on the west by the Oakland Oceanic Control Area; and on the north by a line extending from latitude 38°50'00" N., longitude 126°11'05" W.; to latitude 38°52'00" N., longitude 125°52'30" W.; to latitude 39°00'00" N., longitude 123°56'30" W.; to latitude 39°02'55" N., longitude 123°22'00" W.

Control 1155

That airspace extending upward from 5,000 feet MSL within 5 miles each side of the San Luis Obispo, Calif., VORTAC 242° radial, including the additional airspace within lines diverging at angles of 5° from the centerline at the VORTAC, extending from the U. S. coastline to the Oakland Oceanic CTA/FIR boundary.

Control 1156

That airspace extending upward from 5,000 feet MSL within 5 miles each side of the Mission Bay, Calif., VORTAC 262° radial, including the additional airspace within lines diverging at angles of 5° from the centerline at the VORTAC, extending from the VORTAC to its intersection with Control 1177.

AMENDMENTS 8/14/75 40 F. R. 26020 (Changed)

Control 1160

That airspace within 5 miles either side of a line extending from the Kennedy, N. Y., VORTAC via the INT of the Kennedy VORTAC 080° and the Nantucket, Mass., VORTAC 255° radials, to the Nantucket VORTAC and within lines diverging from the Kennedy VORTAC to points of tangency to a 9.5-mile radius circle centered at the INT of the Kennedy VORTAC 080° and the Nantucket VORTAC 255° radials; within the circumference of the circle and within lines tangent to that circle converging to the Nantucket VORTAC, excluding the airspace below 2,000 feet MSL outside the United States.

Control 1173

That airspace W of San Francisco, Calif., bounded by a line extending from latitude 37°40'00" N., longitude 125°23'30" W., to latitude 37°50'00" N., longitude 124°24'30" W., to latitude 38°00'00" N., longitude 123°23'00" W., to latitude 38°03'25" N., longitude 123°11'45" W., thence via the W edge of V-199 and V-27 to latitude 37°09'20" N., longitude 122°34'50" W., to latitude 36°16'00" N., longitude 124°26'00" W., to the point of beginning, excluding the portion below 2,500 feet MSL. The portion within W-513 is excluded between the hours of 0800 and 2000 p.s.t., Monday through Friday, and below 3,000 feet MSL within W-513 between the hours of 2000 and 0800 p.s.t., Monday through Friday.

Control 1176

That airspace extending upward from 2,000 feet MSL, within lines 5 miles each side of the Santa Barbara, Calif., VORTAC 247° radial, including the additional airspace between lines beginning adjacent to the VORTAC and diverging at angles of 5° from the parallel lines, extending from the VORTAC to the east boundary of the Oakland Oceanic Control Area, exdluding the portion east of longitude 120°30'00" W.

Control 1177

That airspace SW of Los Angeles, Calif., bounded by a line beginning at Lat. 33°25'50" N, Long. 118°28' 50" W. thence to Lat. 33°19'00" N. Long. 118°21'45" W. thence to Lat. 32°44'30" N, Long. 119°07'00" W, thence to Lat. 31°41'00" N, Long. 120°15'00" W, thence to Lat. 31°18'40" N, Long. 121°11'30" W, thence to Lat. 31°54'00" N, Long. 121°34'30" W, thence to Lat. 32°10'45" N, Long. 120°16'15" W, thence to Lat. 32° 52'15" N. Long. 119°12'30" W. thence to point of beginning excluding the airspace below 5,000 feet MSL.

Control 1181

That airspace within tangent lines drawn from the circumference of a 5-mile radius circle centered on the Weeksville, N.C., RBN to a 10-mile radius circle centered on the INT of the 133° bearing from the Weeksville RBN and the W boundary of the New York Oceanic Control Area, excluding the portion below 2,000 feet which extends outside the United States.

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Control 1217
That airspace within tangent lines drawn from the circumference of a 5 mile-radius circle centered on the Woody Island, Alaska, RBN to the circumference of a 10-mile radius circle centered at the INT of the 107° bearing from the Woody Island RBN with the NW boundary of the Anchorage Oceanic Control Area. The airspace below 2,000 feet MSL outside the United States is excluded.

Control 1218
That airspace within tangent lines drawn from the circumference of a 5-mile radius circle centered on the Kachemak, Alaska, RBN to the circumference of a 10-mile radius circle centered at the INT of the 118° bearing from the Kachemak RBN with the NW boundary of the Anchorage Oceanic Control Area.

Control 1234
That airspace extending upward from 2,000 feet above the surface within an area bounded by a line beginning at: latitude 58°07'00" N., longitude 160°00'00" W.; to latitude 53°30'00" N., longitude 160°00'00" W.; to latitude 51°24'00" N., longitude 167°49'00" W.; to latitude 50°08'00" N., longitude 176°34'00" W.; to latitude 51°05'00" N., longitude 173°44'00" E.; to latitude 51°30'00" N., longitude 170°00'00" E.; to latitude 54°40'40" N., longitude 170°00'00" E.; to latitude 54°49'00" N., longitude 170°12'30" E.; to latitude 54°23'00" N., longitude 174°30'00" E.; to latitude 53°36'00" N., longitude 176°47'00" W.; to latitude 54°33'00" N., longitude 169°58'00" W.; to latitude 56°39'00" N., longitude 164°25'00" W.; to latitude 57°46'00" N., longitude 161°46'00" W.; thence to point of beginning. The portion within R-2204 is excluded.

Control 1235
That airspace extending upward from 14,500 feet MSL to FL 450 within the area bounded by a line beginning at latitude 53°30'00" N., longitude 160°00'00" W.; to latitude 56°00'00" N., longitude 153°00'00" W.; to latitude 59°09'00" N., longitude 147°18'00" W.; thence clockwise via the arc of a 172-mile radius circle centered on the Anchorage, Alaska, VORTAC to latitude 58°50'00" N., longitude 151°58'00" W.; thence clockwise via the arc of a 172-mile radius circle centered on the King Salmon, Alaska, VORTAC to longitude 160°00'00" W.; thence to point of beginning, excluding the portion that lies within the Continental Control Area, Control 1217, Control 1218, Federal airways and the Kodiak, Alaska, transition area.

Control 1236
That airspace extending upward from 14,500 feet MSL to FL 450 within the area bounded by a line beginning at: latitude 60°00'00" N., longitude 170°00'00" W.; to latitude 61°00'00" N., longitude 165°00'00" W.; to latitude 60°00'00" N., longitude 164°00'00" W.; to latitude 60°00'00" N., longitude 160°00'00" W.; to latitude 57°00'00" N., longitude 160°00'00" W.; to latitude 60°00'00" N., longitude 168°00'00" W.; thence to the point of beginning, excluding the portion that lies within the Continental Control Area, Control 1234, Control 1483 and Control 1400.

Control 1238
That airspace extending upward from 14,500 feet MSL to FL 450 within an area bounded by a line beginning at latitude 60°57'00" N., longitude 165°17'00" W.; along the northern boundary of Control 1236 to latitude 60°17'00" N., longitude 168°42'00" W.; thence to latitude 62°35'00" N., longitude 175°00'00" W.; thence to latitude 65°00'00" N., longitude 168°58'23" W.; thence to latitude 68°00'00" N., longitude 168°58'23" W.; along the southern boundary of Control 1485 to latitude 68°00'00" N., longitude 165°30'00" W.; thence by a line 3 nautical miles from and parallel to the shoreline to the point of beginning, excluding that portion that lies within Continental Control Area, control areas, and transition areas at Nome and Kotzebue, Alaska.

AMENDMENTS 6/19/75 40 F. R. 16651 (Added)

Control 1310
That airspace within 4 nautical miles each side of a direct line extending from the Anchorage, Alaska, VORTAC to the Middleton Island, Alaska, VORTAC, including the additional airspace between lines diverging at 4.5° angles from the centerline, extending SE from the Anchorage VORTAC and NW from the Middleton Island VORTAC and which terminate at the intersecting points midway between Anchorage and Middleton Island; thence within 16 miles each each side of a line extending from the Wessels, Alaska, RBN to the Sandspit, British Columbia, Canada, RBN; including that airspace between lines diverging at 5° angles from the centerline, extending southeast from the Wessels, Alaska, RBN and northwest from the Sandspit RBN, and which terminate at the intersecting points midway between Wessels and Sandspit, excluding the portion within Canada, and the airspace below 2,000 feet MSL outside the United States.

Control 1316
That airspace within 5 miles each side of the Los Angeles, Calif., VOR 264° radial extending from the VOR to the Oakland Oceanic Control Area boundary and between lines diverging at an angle of 5° from the 264° radial extending from the Los Angeles VOR to the Oakland Oceanic Control Area boundary, excluding the airspace below 5,000 feet MSL within W-289.

Control 1400
That airspace within 5 miles each side of the 262° bearing from King Salmon, Alaska, LOM extending from the LOM to the Anchorage CTA/FIR boundary, and between lines diverging at an angle of 5° from the King Salmon LOM 262° bearing extending from the LOM to the Anchorage CTA/FIR boundary, excluding the airspace below 2,000 feet MSL outside the United States.

AMENDMENTS 2/27/75 39 F. R. 44196 (Rewritten)

Control 1401
That airspace within 5 miles each side of the 246° bearing from the King Salmon, Alaska, LOM extending from the LOM to long. 160°00'00" W., and between lines diverging at an angle of 5° from the King Salmon, LOM 246° bearing extending from the LOM to long. 160°00'00" W., excluding the airspace below 2,000 feet MSL outside the United States.

AMENDMENTS 2/27/75 39 F. R. 44196 (Rewritten)

Control 1415
That airspace within parallel boundary lines 4 nmi each side of the Fortuna, Calif., VOR 270° radial including the additional airspace within lines diverging at angles of 4.5° from the centerline extending to the E boundary of the Oakland Oceanic Control Area, excluding the portion below 5,000 feet MSL W of longitude 124°30'00" W.

Control 1416
That airspace within 5 miles each side of the Fortuna, Calif., VORTAC 326° radial and the additional area between lines diverging at angles of 5° each side of the 326° radial, extending from the VORTAC to the Gateway Hemlock INT, excluding the airspace below 5,000 feet MSL which lies outside the continental limits of the United States.

Control 1418
That airspace extending upward from 2,000 feet MSL centered on the Hoquiam, Wash., VORTAC 232° radial, 10 nmi in width at the VORTAC with each edge diverging at an angle of 5° with the centerline, extending from the VORTAC to the E boundary of the Oakland Oceanic Control Area and excluding the portion within W-460.

Control 1419
That airspace extending upward from 2,000 feet MSL within lines 5 miles each side of the Newport, Oreg., VORTAC 237° radial, including the additional airspace between lines beginning adjacent to the VORTAC and diverging at angles of 5° from the parallel lines, extending from the VORTAC to the E boundary of the Oakland Oceanic control area, excluding the portion within the Newport, Oreg., transition area.

Control 1445
That airspace S of the United States-Canadian border and the Vancouver Flight Information Region within lines tangent to the circumference of a 5-mile radius circle centered on the Neah Bay, Wash., RBN and the circumference of a 15-mile radius circle centered at Lat. 48°40'00" N, Long. 125°17'30" W, excluding the portion below 5,000 feet MSL. The portion within W-601 is excluded.

Control 1483
That airspace within 5 miles each side of the 237° bearing from the Oscarville, Alaska, RBN; extending from the
RBN to the E boundary of the Anchorage Oceanic Control Area, and between lines diverging at a 5° angle from the 237° bearing extending from the Oscarville RBN to the E boundary of the Anchorage Oceanic Control area and excluding the airspace below 2,000 feet MSL outside the United States.

Control 1485
That airspace extending upward from FL-230 bounded by a line beginning at latitude 68°00'00" N., longitude 168°58'23" W.; to latitude 72°00'00" N., longitude 158°00'00" W.; to latitude 72°00'00" N., longitude 141°00'00" W.; to latitude 68°00'00" N., longitude 141°00'00" W.; to the point of beginning.

Control 1486
That airspace within 5 miles each side of the Ukiah, Calif., VOR 300° radial and the additional area between lines diverging at angles of 5° either side of the 300° radial extending from the VOR to the eastern boundary of the Seattle Oceanic Control Area; excluding the airspace below 5,000 feet MSL which lies outside the continental limits of the United States.

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Control 1487
That airspace extending upward from 14,500 feet MSL; to FL 450, within the area bounded by a line beginning at latitude 59°08'30" N., longitude 147°16'00" W., counterclockwise via the arc of a 172-mile radius centered on the Anchorage VORTAC to latitude 60°14'10" N., longitude 145°29'30" W., thence southeastward 3 nmi from and parallel to the U. S. coastline to latitude 54°40'00" N., longitude 132°56'00" W., thence to latitude 54°14'00" N., longitude 134°57'00" W., thence along the eastern boundary of the Anchorage Oceanic control area to the point of beginning. The portion within Control 1310 and the portion within Canada is excluded.

Barnegat, N. J.
That airspace extending upward from 2,000 feet MSL bounded on the northeast by the southwest boundary of Control 1147, on the southeast by the New York Oceanic CTA/FIR, on the southwest by the northeast boundary of Control 1148, on the northwest by the east boundary of Victor Airway 139, on the north by latitude 39° 44'00" N.

Bethany Beach, Del.
That airspace extending upward from 2,000 feet MSL bounded on the west by a line 3 nautical miles east of and parallel to the U. S. shoreline; on the northeast by the southwest boundary of Control 1148; and on the south by latitude 38°00'00" N.

Bozeman, Mont.
From Bozeman, Mont., VOR, 10,700 MSL Livingston, Mont., VORTAC.

Brownsville/Barter Island, Alaska
From the Brownsville, Alaska, RBN, 12 AGL Lonely, Alaska, RBN; 12 AGL Oliktok, Alaska, RBN; 12 AGL Put River, Alaska, RBN; 12 AGL Barter Island, Alaska, RBN.

Brunswick, Maine
That airspace extending upward from 2,000 feet MSL W of longitude 69°30'00" W. and from 5,500 feet MSL E of longitude 69°30'00" W., bounded on the W and N by the Portland, Maine,and the Bangor, Maine, transition areas; on the E by the W boundary of the Moncton Flight Information Region; on the S by the N boundary of Control 1141; and on the SW between latitude 42°40'10" N., longitude 70°30'00" W., and latitude 42°45'00" N., longitude 70°37'00" W., by a line 3 nautical miles from and parallel to the U. S. shoreline.

Gulf of Mexico
That airspace extending upward from 1,200 feet MSL bounded by a line beginning at a point 3 nautical miles offshore at latitude 25°58'30" N., longitude 97°05'20" W., thence northward 3 nautical miles from and parallel to the shoreline to latitude 27°32'00" N., longitude 82°48'00" W., to latitude 27°43'00" N., longitude 83°45'30" W., to latitude 27°35'00" N., longitude 83°45'00" W., thence west along the north boundary of the Miami and Houston Oceanic Control Area to latitude 26°00'00" N., longitude 96°00'00" W., to point of beginning; excluding that airspace east of Corpus Christi, Tex., beginning at a point 3 nautical miles offshore at latitude 27°49'00" N., thence to latitude 27°45'30" N., longitude 96°51'00" W., to latitude 27°28'20" N., longitude 96°45'30" W., to latitude 27°14'30" N., longitude 96°55'30" W., to latitude 27°23'00" N., longitude 97° 08'00" W., to a point 3 nautical miles offshore at latitude 27°11'20" N.

Hog Island, Va.
That airspace extending upward from 2,000 feet MSL bounded on the north by latitude 38°00'00" N.; on the northeast by the southwest edge of Control 1148; on the east by the New York Oceanic CTA/FIR; on the south by the north edge of Control 1149; on the west by longitude 75°30'00" W., and on the northwest by a line 3 nautical miles southeast of and parallel to the shoreline to the point of beginning.

Kirksville, Mo.
From Kirksville, Mo., VORTAC 12 AGL to Moline, Ill., VORTAC, and from Kirksville VORTAC 45 MSL to St. Louis, Mo., VORTAC.

Nantucket, Mass.
That airspace extending upward from 2,000 feet MSL bounded on the north by a line extending from lat. 41° 06'00" N., long. 69°55'30" W., easterly to 41°06'00" N., long. 68°00'00" W.; on the east by a line extending from lat. 41°06'00" N., long. 68°00'00" W., southerly to lat. 41°00'00" N., long. 68°00'00" W.; on the southeast by a line extending from lat. 41°00'00" N., long. 68°00'00" W. southwesterly to lat. 39°53'30" N., long. 68°57'00" W.; on the southwest by a line extending from lat. 39°53'30" N., long. 68°57'00" W. northwesterly to point of beginning.

Narragansett, R. I.
That airspace extending upward from 3,000 feet MSL bounded on the north by the south boundary of Control 1169; on the east by the southwest boundary of Control 1148, on the south by the New York Oceanic CTA/FIR, on the southwest by the northeast boundary of Control 1147, on the west by longitude 72°30'00" W., excluding those portions within the Fire Island, N. Y., South Island, N. Y., and Nantucket, Mass., transition areas.

Omak, Wash.
That airspace extending upward from 5500 feet MSL within 5 miles each side of a line extending from the Omak RBN to the Ephrata VOR; that airspace extending upward from 8500 feet MSL bounded on the north by the U.S./Canadian border, on the east by longitude 119°00' W., on the south by latitude 48°00' N., and on the west by a line from latitude 48°00' N., longitude 120°30' W.; to latitude 49°00' N., longitude 120°00' W., excluding that airspace below 1200 feet AGL.

AMENDMENTS 12/4/75 40 F. R. 44127 (Rewritten)

Ottumwa, Iowa
From the Ottumwa, Iowa, VORTAC 12 AGL 26 miles, 50 MSL to Kansas City, Mo., VORTAC.

Patchogue, N. Y.
That airspace extending upward from 3,000 feet MSL bounded on the north by the south boundary of Control 1169, on the east by longitude 72°30'00" W., on the southwest by the northeast boundary of Control 1147; on the northwest by the east boundary of Victor Airway 139 excluding those portions within the Fire Island, N. Y., and South Island, N. Y., transition areas.

Pendleton, Va.
That airspace extending upward from 2,000 feet MSL bounded on the north by the south edge of Control 1149; on the east and southeast by the New York Oceanic CTA/FIR; on the southwest by the northeast edge of Control 1181; and on the west by longitude 78°30'00" W.

Rattlesnake, Wyo.
That airspace extending upward from 8,500 feet MSL bounded on the north by V-298S, on the east by Casper, Wyo., 1,200-foot transition area, on the south and southwest by a line 4 NM south and southwest and parallel to the Casper ILS west course and Riverton, Wyo., VOR 099° radial and on the west by the Riverton, Wyo., 1,200-foot transition area.

San Francisco, California
That airspace extending upward from 5,000 feet MSL bounded on the north by the Seattle ARTCC flight advisory area, on the east by the west edge of V-27W and V-199 to a point 3 nautical miles offshore, then via a line 3 nautical miles west of and parallel to the shoreline,on the south by the Santa Barbara Control Area and on the west by the Oakland Oceanic CTA/FIR boundary.

Santa Barbara, Calif.
That airspace extending upward from 5,000 feet MSL bounded on the northwest by a line extending from lat. 34° 30'00" N., long. 123°15'00" W., to lat. 35°26'30" N., long. 121°03'40" W., on the northeast by a line 3 nautical miles southwest of and parallel to the shoreline, on the southeast by a line 5 nautical miles southeast of and parallel to the Santa Catalina 048° and 228° true radials and the northwest boundary of Warning Area W-291, and on the southwest by the Oakland Oceanic CTA/FIR boundary.

Sault Ste. Marie, Mich.
That airspace extending upward from 1,200 feet AGL within 4 nautical miles each side of a direct line extending from the Thunder Bay, Ontario, Canada, RBN to the Sault Ste. Marie, Mich., RBN, including the additional airspace between lines diverging at 4.5° from the centerline at the Thunder Bay and Sault Ste. Marie RBNS and extending until they meet. Also that airspace extending upward from 1,200 feet AGL in an area bounded by a line beginning at lat. 46°48'45" N., long. 84° 33'00" W., to lat. 46°33'00" N., long. 85°01'40" W., to lat. 47°00'00" N., long. 86°25'30" W., to lat. 47°19' 40" N., long. 86°10'10" W., thence to the point of beginning. The airspace within Canada is excluded.

Sidney, Mont.
That airspace extending upward from 1,200 feet AGL within 4 nautical miles each side of a direct line extending from latitude 47°41'00" N., longitude 104°06'15" W., to latitude 48°06'45" N., longitude 105°36'00" W.

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South Atlantic
That airspace extending upward from 2,000 feet MSL, bounded on the south by latitude 24°00'00" N., and 27°00'00" N.; on the west and northwest by Control 1233, by a line from latitude 24°34'30" N., longitude 80°50'15" W., to latitude 24°45'45" N., longitude 80°48'15" W., and by a line 3 NM from and parallel to the shoreline; and on the northeast and east by Control 1181 and the New York and Miami Oceanic CTA/FIR.

AMENDMENTS 12/4/75 40 F. R. 43487 (Added)

South Florida
That airspace extending upward from 2,000 feet MSL bounded by a line beginning at lat. 27°32'00" N., long. 82° 48'00" W., thence southward 3 nautical miles from and parallel to the shoreline to lat. 24°45'40" N., long. 80° 48'20" W.; to lat. 24°00'00" N., long. 80°56'30" W.; to lat. 24°00'00" N., long. 83°10'00" W.; to lat. 27°35' 00" N., long. 83°45'00" W.; to lat. 27°43'00" N., long. 83°45'00" W.; thence to point of beginning.

AMENDMENTS 10/9/75 40 F. R. 36108 (Added)

Zuni, N. Mex.
From the Zuni, N. Mex., VORTAC 12,500 feet MSL to INT of Zuni VORTAC 228° and St. Johns, Ariz., VORTAC 247° radials.

71.165 Designation of control area extensions.
Unless otherwise specified, each control area extension designated below extends upward from 700 feet above the surface of the earth, except that the airspace of a control area extension within the lateral limits of a transition area has a floor coincident with that of the transition area.

Eniwetok Island
That airspace extending upward from 700 feet above the surface within a 50-nmi radius of the Eniwetok RBN (Lat. 11°21'00" N., Long. 162°20'00" E).

SUBPART F - CONTROL ZONES

§ 71.171 Designation.
The parts of airspace described below are designated as control zones.

Abbotsford, British Columbia, Canada
That airspace bounded on the north by lat. 49°05'15" N., on the east by long. 122°15'40" W., on the south by lat. 48°57'30" N., and on the west by long. 122°33'45" W., excluding the portion outside the United States.

Aberdeen, Md.
Within a 5-mile radius of the center, lat. 39°28'00" N., long. 76°10'00" W. of Phillips AAF; within 3 miles each side of the 029° bearing from the Aberdeen RBN, extending from the 5-mile radius zone to 8.5 miles northeast of the RBN. This control zone is effective from 0600 to 2200, hours, local time, Monday through Friday, excluding Federal legal holidays.

Aberdeen, SD.
Within a 5-mile radius of Aberdeen Municipal Airport (latitude 45°27'00" N., longitude 98°25'00" W.) and within 3 miles each side of the Aberdeen VORTAC 131° radial, extending from the 5-mile radius zone to 8 miles southeast of the VORTAC; within 2 miles each side of the Aberdeen VORTAC 312° radial, extending from the 5-mile radius zone to 9 miles northwest of the VORTAC.

Abilene, TX. (Municipal Airport)
Within a 5-mile radius of Abilene Municipal Airport (latitude 32°24'42" N., longitude 99°40'53" W.); within 2.5 miles west and 3 miles east of the Abilene ILS localizer north course, extending from the 5-mile radius zone to 6.5 miles north of the airport; within 2.5 miles west and 3 miles east of the Abilene ILS localizer south course extending from the 5-mile radius zone to 7.5 miles south of the airport; and within 2 miles each side of the Abilene VORTAC 112° radial, extending from the 5-mile radius zone to the VORTAC, excluding the portion within the Abilene, TX. (Dyess AFB), control zone.

Abilene, Tex. (Dyess AFB)
That airspace within a 5-mile radius of Dyess AFB (latitude 32°25'10" N., longitude 99°51'15" W.); within 2 miles each side of the Dyess ILS localizer S course, extending from the 5-mile radius zone to 7.5 miles S of the OM; within 2 miles each side of the Tuscola VOR 350° radial, extending from the 5-mile radius zone to 2 miles N of the VOR; and within 2 miles each side of the Abilene VORTAC 353° radial, extending from the 5-mile radius zone to 8 miles N of the VORTAC.

Adak, Alaska
Within a 5-mile radius of the NS Adak Airport (latitude 51°52'30" N., longitude 176°38'54" W.); within 2 miles each side of the 054° bearing from the Adak RBN, extending from the 5-mile radius zone to 8 miles northeast of the RBN, and within 2 miles each side of the Navy Adak TACAN 067° radial, extending from the 5-mile radius zone to 8 miles northeast of the TACAN.

Akron, Colo.
Within a 5-mile radius of Akron-Washington County Airport (latitude 40°10'30" N., longitude 103°12'48" W.) and within 4 miles each side of the Akron VORTAC 123° radial, extending from the 5-mile radius zone to 11 miles southeast of the VORTAC.

Akron, Ohio (Akron-Canton Airport)
Within a 5.5-mile radius of the center, lat. 40°54'56" N., long. 81°26'32" W. of Akron-Canton Airport, Akron, Ohio, excluding the portion subtended by a chord drawn between the points of INT of the 5.5-mile radius zone with the Akron, Ohio (Akron Municipal Airport), control zone.

Akron, Ohio (Akron Municipal Airport)
Within a 5.5-mile radius of the center, lat. 41°02'18" N., long. 81°28'01" W. of Akron Municipal Airport, Akron, Ohio, excluding the portion subtended by a chord drawn between the points of INT of the 5.5-mile radius zone with the Akron, Ohio (Akron-Canton Airport), control zone.

Alameda, Calif.
Within a 5-mile radius of NAS Alameda (Lat. 37°47'10" N, Long. 122°19'00" W), excluding the portion subtended by a chord drawn between the points of INT of this radius with the radius of the Oakland, Calif., control zone.

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Alamogordo, N. Mex.
Within a 5-mile radius of the Holloman Air Force Base Airport (latitude 32°51'04" N., longitude 106°06'05" W.); within 2 miles each side of the Holloman VOR 015° radial extending from the 5-mile radius zone to 8 miles north of the VOR; within 2 miles each side of the extended centerline of Runway 3 extending from the 5-mile radius zone to 4.5 miles northeast of the northeast end of Runway 3; within 2 miles each side of the extended centerline of Runway 15 extending from the 5-mile radius zone to 4.5 miles south of the south end of Runway 15; within 2 miles each side of the extended centerline of Runway 21 extending from the 5-mile radius zone to 4.5 miles southwest of the southwest end of Runway 21; within 2 miles each side of the Holloman TACAN 349° radial extending from the 5-mile radius zone to 17.5 miles north of the TACAN; and within 2 miles each side of the VOR 350° radial extending from the 5-mile radius zone to 8 miles north of the VOR; excluding that portion within a 2-mile radius of the Alamogordo Municipal Airport (latitude 32°50'27" N., longitude 105°59'17" W.) and within a 2-mile radius of the Midway Airport (latitude 32°52'04" N., longitude 105°59'26" W.). The portion of this control zone within R-5107D extends upward to 22,000 feet MSL.
This control zone will be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Alamosa, Colo.
Within a 5-mile radius of Alamosa Municipal Airport (latitude 37°26'15" N., longitude 105°51'40" W.); within 3.5 miles each side of the Alamosa VORTAC 127° and 335° radials extending from the 5-mile radius zone to 11.5 miles southeast of the VORTAC; within 3 miles each side of the 013° bearing from the Frontier Airlines NDB (latitude 37°26'36" N., longitude 105°51'12" W.) extending from the 5-mile radius zone to 10 miles northeast of the NDB; and within 2 miles each side of the Alamosa VORTAC 186° radial extending from the VORTAC to 10 miles south of the VORTAC. This control zone is effective during the specific dates and times established in advance by a notice to Airmen. The effective date and time will thereafter be continuously published in the Airmen's Information Manual.

Albany, Ga. (Albany-Dougherty County Airport)
Within a 5-mile radius of Albany-Dougherty County Airport (lat. 31°32'07" N., long. 84°11'41" W.); within 2.5 miles each side of Albany VORTAC 143° radial, extending from the 5-mile radius zone to 1 mile southeast of the VORTAC.

Albany, N. Y.
Within a 5-mile radius of the center 42°44'40" N., 73°48'15" W. of Albany County Airport, Albany, N. Y.; within 3.5 miles each side of the Albany VORTAC 354° radial extending from the 5-mile radius zone to 11.5 miles north of the VORTAC; within 4 miles each side of the Albany VORTAC 072° radial, extending from the 5-mile radius zone to 15 miles east of the VORTAC; and within 3 miles each side of the Albany VORTAC 182° radial extending from the 5-mile radius zone to 11.5 miles south of the VORTAC.

AMENDMENTS 6/19/75 40 F. R. 18977 (Changed)

Albuquerque, N. Mex.
Within a 5-mile radius of Albuquerque International Airport (latitude 35°02'42" N., longitude 106°36'02" W.); within 2 miles each side of the extended centerline of Runway 35, extending from the 5-mile radius zone to 7 miles north of the north end of Runway 35; within 2 miles each side of the extended centerline of Runway 17, extending from the 5-mile radius zone to 5 miles south of the south end of Runway 17; and within 2 miles each side of the Albuquerque VORTAC 090° radial, extending from the 5-mile radius zone to the VORTAC.

Alexandria, La. (England AFB)
That airspace within a 5-mile radius of England AFB (latitude 31°19'40" N., longitude 92°33'05" W.); within 2 miles each side of the 318° bearing from the England RBN, extending from the 5-mile radius zone to the RBN; within 2 miles each side of the Alexandria VORTAC 151° and 331° radials, extending from the 5-mile radius zone to 1.5 miles southeast of the VORTAC; within 2 miles each side of the Alexandria VORTAC 327° radial, extending from the 5-mile radius zone to 11.5 miles northwest of the VORTAC; within 2 miles each side of the extended centerline of Runway 14, extending from the 5-mile radius zone to 6 miles northwest of the airport; within 2 miles each side of the extended centerline of Runway 18, extending from the 5-mile radius zone to 5.5 miles north of the airport; and within 2 miles each side of the extended centerline of Runway 36, extending from the 5-mile radius zone to 6.5 miles south of the airport.
This control zone will be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Alexandria, La. (Esler Regional Airport)
Within a 5-mile radius of Esler Regional Airport (latitude 31°23'45" N., longitude 92°17'40" W.), and within 3 miles each side of the Esler VOR 338° radial extending from the 5-mile radius zone to 8.5 miles north of the VOR.

Alexandria, Minn.
Within a 5-mile radius of Alexandria Municipal Airport (latitude 45°52'00" N., longitude 95°23'40" W.); and within 2 miles each side of the Alexandria VORTAC 231° radial, extending from the 5-mile radius zone to 2 miles southwest of the VORTAC.

Alice, Tex.
That airspace within a 5-mile radius of the Alice International Airport (latitude 27°44'30" N., longitude 98°01'40" W.); within 2 miles each side of the Alice VOR 153° radial, extending from the 5-mile radius zone to 8 miles southeast of the VOR; within 2 miles each side of the Alice VOR 270° radial, extending from the 5-mile radius zone to 8 miles west of the VOR; and within 2 miles each side of the 134° bearing from latitude 27°44'20" N., longitude 98°01'46" W., extending from the 5-mile radius zone to 8 miles southeast of latitude 27°44'20" N., longitude 98°01'46" W.

Allentown, Pa.
Within a 5.5-mile radius of the center, 40°39'16" N., 75°26'11" W. of Allentown-Bethlehem-Easton Airport, Allentown, Pa., extending clockwise from a 042° bearing to a 103° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 103° bearing to a 209° bearing from the airport; within a 5.5-mile radius of the center of the airport, extending clockwise from a 209° bearing to a 291° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 291° bearing to a 042° bearing from the airport; within a 1.5-mile radius of the center, 40°34'13" N., 75° 29'19" W. of Allentown-Queen City Municipal Airport, Allentown, Pa.; within 2 miles each side of the Allentown-Bethlehem-Easton Airport localizer southwest course extending from the localizer to 1 mile northeast of the OM; within 3.5 miles each side of the Allentown VORTAC 178° and 358° radials, extending from 1 mile south to 5 miles north of the VORTAC.

AMENDMENTS 8/14/75 40 F. R. 22249 (Changed)

Alliance, Nebr.
Within a 5-mile radius of Alliance Municipal Airport (latitude 42°02'45" N., longitude 102°48'30" W.); within 2½ miles each side of the Alliance VOR 304° radial, extending from the 5-mile radius zone to 6 miles northwest of the VOR; within 2½ miles each side of the Alliance VOR 150° radial, extending from the 5-mile radius zone to 6 miles southeast of the VOR; and within 3 miles each side of the 142° bearing from Alliance Municipal Airport, extending from the 5-mile radius zone to 9 miles southeast of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Alma, Ga.
Within a 5-mile radius of Bacon County Airport (lat. 31°32'17" N., long. 82°30'33" W.); within 3 miles each side of Alma VORTAC 146° radial, extending from the 5-mile radius zone to 8.5 miles southeast and northwest of the VORTAC. This control zone is effective from 0600 to 2200 hours, local time, daily.

AMENDMENTS 7/3/75 40 F. R. 29551 (Changed)

Alpena, Mich.
That airspace within a 5-mile radius of Phelps-Collins Airport, Alpena, Mich. (latitude 45°04'50" N., longitude 83°33'35" W.); within 3 miles each side of the 360° bearing from the Alpena RBN, extending from the 5-mile radius to 8 miles north of the Alpena RBN; within 3 miles each side of the Alpena VORTAC 346° radial, extending from the 5-mile radius to 7½ miles north of the VORTAC; within 3 miles each side of the Alpena VORTAC 305° radial, extending from the 5-mile radius to 7 miles northwest of the VORTAC; and within 3 miles each side of the Alpena VORTAC 188° radial, extending from the 5-mile radius to 7 miles south of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Alton, Ill.
Within a 5-mile radius of Civic Memorial Airport (latitude 38°53'30" N., longitude 90°03'00" W.); within 2½ miles each side of the 104° bearing from Civic Memorial Airport, extending from the 5-mile radius zone to 5½ miles east of the airport; and within 3 miles each side of the 009° bearing from Civic Memorial Airport; extending from the 5-mile radius zone to 7 miles north of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Altus, Okla.
Within a 5-mile radius of the Altus AFB (latitude 34°39'40" N., longitude 99°16'30" W.); within 2 miles each side of the Altus AFB ILS localizer S course, extending from the 5-mile radius zone to 9.8 miles S of the 5-mile radius; and within 2 miles each side of the Altus AFB TACAN 185° radial, extending from the 5-mile radius zone to 9 miles S of the TACAN, excluding that airspace within a 1½-mile radius of the Altus, Okla., Municipal Airport (latitude 34°41'57" N., longitude 99°20'21" W.).
AMENDMENTS 11/3/75 40 F. R. 51033 (Rewritten)

Amarillo, Tex.
That airspace within a 5-mile radius of the Amarillo Air Terminal (latitude 35°13'10" N., longitude 101°42'40" W.); within 2 miles each side of the Amarillo VORTAC 221° radial, extending from the 5-mile radius zone to the VORTAC; and within 2 miles each side of the extended centerline of the Amarillo AFB/Air Terminal Runway 21, extending from the 5-mile radius zone to 4.5 miles SW of the lift-off end of the runway.

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Anaheim, Calif. (Disneyland Heliport)
Within a 3-mile radius of Disneyland Heliport (latitude 33° 48' 40" N., longitude 117° 55' 30" W.), excluding that airspace within the Fullerton and Long Beach, Calif., airport control zones. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time thereafter will be continuously published in the Airman's Information Manual.

Anchorage, Alaska (Anchorage International Airport)
Within a 5-mile radius of the Anchorage International Airport (latitude 61°10'16" N., longitude 149°58'48" W.); within 2.5 miles each side of the Campbell Lake RBN 209° bearing extending from the 5-mile radius zone to 8.8 miles southwest of the RBN; within 2 miles each side of the Anchorage VORTAC 079° radial extending from the 5-mile radius zone to the VORTAC; and within 2 miles each side of the Anchorage ILS localizer west course extending from the 5-mile radius zone to the OM; excluding the portion within the Anchorage (Merrill Field/Elmendorf AFB) control zone.

Anchorage, Alaska (Bryant AAF)
Within a 3-mile radius of Bryant AAF (latitude 61°16'N., longitude 149°40' W.), excluding the portion west of longitude 149°43' W. This control zone is effective from 0700 to 2100 hours, local time, daily.

Anchorage, Alaska (Merrill Field/Elmendorf AFB)
Within a 3-mile radius of Merrill Field (latitude 61°13' N., longitude 149°51' W.); within a 5-mile radius of Elmendorf AFB (latitude 61°15' N., longitude 149°49' W.); within 2 miles each side of the Elmendorf ILS localizer W course extending from the 5-mile radius zone to the OM, excluding the portion within the Anchorage (Bryant AAF) Control Zone.

Anderson, Ind.
Within a 5-mile radius of Anderson Municipal Airport (lat. 40°08'30" N., long. 85°36'55" W.) and within 3.5 miles either side of the 298° bearing from Anderson Municipal Airport, extending from the 5-mile radius to 7.5 miles northwest of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Anderson, S. C.
Within a 5-mile radius of Anderson County Airport (latitude 34°29'40" N., longitude 82°42'30" W.); within 1.5 miles each side of Anderson VORTAC 039° radial, extending from the 5-mile radius zone to 1.5 miles northeast of the VORTAC.

Aniak, Alaska
Within a 5-mile radius of the Aniak Airport (latitude 61°35' N., longitude 159°32' W.); and within 2 miles each side of the 230° and 140° bearings from the Aniak RBN, extending from the 5-mile radius zone to 14 miles SW and 8 miles SE of the RBN. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Flight Information Publication Supplement Alaska.

Ann Arbor, Mich.
Within a 5-mile radius of the Ann Arbor, Mich. Airport (latitude 42°13'22" N., longitude 83°44'40" W.); excluding that portion which overlies the Detroit, Mich., Willow Run Airport control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Annette Island, Alaska
Within a 5-mile radius of the Annette Island Airport (latitude 55°02'34" N., longitude 131°34'14" W.); within 3 miles each side of the Annette Island VORTAC 170° radial, extending from the 5-mile radius zone to 12 miles south of the VORTAC, and within 2 miles each side of the Annette Island VORTAC 311° radial, extending from the 5-mile radius zone to 8 miles northwest of the VORTAC.

Anniston, Ala.
Within a 5-mile radius of Anniston-Calhoun County Airport (latitude 33°35'23" N., longitude 85°51'20" W.); within 1 mile each side of the ILS localizer SW course, extending from the 5-mile radius zone to the OM.

AMENDMENTS 1/9/75 40 F. R. 3210K (Changed)

Appleton, Wis.
Within a 5-mile radius of Outagamie County Airport (latitude 44°15'35" N., longitude 88°31'15" W.); and within 2½ miles each side of the 135°, 285° and 016° bearings from Outagamie County Airport, extending from the 5-mile radius zone to 5½ miles southeast, west, and north of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Arcata, Calif.
Within a 5-mile radius of Arcata Airport (latitude 40°58'45" N., longitude 124°06'25" W.); and within 2 miles each side of the 219° bearing from the Arcata RBN, extending from the 5-mile radius zone to 8 miles SW of the RBN.

Ardmore, Okla.
Within a 5-mile radius of Ardmore Municipal Airport (latitude 34°18'00" N., longitude 97°00'50" W), within 2 miles either side of the Ardmore VOR 053° radial extending from the 5-mile radius zone to the VOR, and within 2 miles either side of the 085° bearing from the Springton RBN extending from the 5-mile radius zone to the RBN. This control zone is effective during the specific dates and times established in advance by a Notice to Airman. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Asheville, N. C.
Within a 5-mile radius of Asheville Municipal Airport (lat. 35°26'04" N., long. 82°32'25" W.); within 2.5 miles each side of the 340° bearing from Broad River RBN, extending from the 5-mile radius zone to 2 miles north of the RBN; within 2 miles each side of Runway 16/34 extended centerlines, extending from the 5-mile radius zone to the Broad River and Biltmore RBNs.

Aspen, Colo.
Within a 5-mile radius of the Aspen-Pitkin County (Sardy Field) Airport (lat. 39°13'30" N., long. 106° 52'09" W.); within 3 miles each side of the 316° bearing from the Aspen Airport, extending from the 5-mile radius to 8.5 miles northwest of the Aspen Airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airman. The effective dates and times will thereafter be continuously published in the Airman's Information Manual.

Astoria, Oreg.
Within a 5-mile radius of Clatsop County Airport, Astoria, Oreg. (latitude 46°09'25" N., longitude 123°52'38" W.), within 2 miles each side of the Astoria VOR 268° radial, extending from the 5-mile radius zone to 8 miles W of the VOR, and within 4.5 miles each side of the Astoria VOR 309° radial, extending from the 5-mile radius zone to 16 miles NW of the VOR.

Athens, Ga.
Within a 5-mile radius of Athens Municipal Airport (lat. 33°56'54" N., long. 83°19'37" W.); within 3 miles each side of Athens VORTAC 076° and 192° radials, extending from the 5-mile radius zone to 8.5 miles east and south of the VORTAC.

PENDING AMENDMENT
Athens, Ga., control zone is amended as follows: "192°" is deleted and "195°" is substituted.

AMENDMENTS 1/29/76 40 F. R. 49095 (Changed)

Atlanta, Ga.
Within a 5-mile radius of The William B. Hartsfield Atlanta International Airport (lat. 33°38'31" N., long. 84°25'34" W.); within 2 miles each side of the Rex VORTAC 264° and 271° radials, extending from the 5-mile radius zone to 1 mile west of the VORTAC; within 2 miles each side of Atlanta ILS Runway 9R localiser west course, extending from the 5-mile radius zone to the LOM; within 2 miles each side of Atlanta ILS Runway 8 localizer west course, extending from the 5-mile radius zone to the LOM.

AMENDMENTS 12/4/75 40 F. R. 42340 (Rewritten)

Atlanta, Ga. (Charlie Brown County Airport)
Within a 5-mile radius of Charlie Brown County Airport (latitude 33°46'35" N., longitude 84°31'15" W.); within 2.5 miles each side of the 276° bearing from Bankhead RBN, extending from the 5-mile radius zone to 7.5 miles west of the RBN.

AMENDMENTS 12/4/75 40 F. R. 42340 (Changed); Corr: 40 F. R. 45158

Atlanta, Ga. (Dobbins AFB/NAS Atlanta)
Within a 5-mile radius of Dobbins AFB/NAS Atlanta (latitude 33°54'54" N., longitude 84°30'59" W.); within 2 miles each side of the 105° bearing from Lost Mountain RBN, extending from the 5-mile radius zone to 1 mile southeast of the RBN; within 1.5 miles each side of Norcross VORTAC 268° radial, extending from the 5-mile radius zone to 30 miles west of the VORTAC; within 2 miles each side of Runway 29 extended centerline, extending from the 5-mile radius zone to 6 miles east of the runway end; within 1.5 miles each side of Dobbins TACAN 301° radial, extending from the 5-mile radius zone to 7 miles northwest of the TACAN; excluding the portion within Atlanta, Ga. (Charlie Brown County Airport) control zone. This control zone is effective from 0700 to 2300 hours, local time, daily.

AMENDMENTS 1/15/75 40 F. R. 3760 (Changed)
AMENDMENTS 12/4/75 40 F. R. 42340 (Changed) Corr: 40 F. R. 46306

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Atlantic City, N. J.
Within a 5-mile radius of the center latitude 39°27'22" N., longitude 74°34'41" W. of NAFEC Atlantic City Airport, Atlantic City, N. J.; within 3 miles each side of the Atlantic City VORTAC 303° radial, extending from the 5-mile radius zone to 8.5 miles northwest of the VORTAC; within a 3-mile radius of the center latitude 39°21'35" N., longitude 74°27'28" W. of Atlantic City Municipal-Bader Field, Atlantic City, N J.; within 2 miles each side of the Atlantic City VORTAC 136° radial, extending from the VORTAC to the 3-mile radius zone and within 1.5 miles each side of a 283° bearing from a point latitude 39°21'43" N., longitude 74°27'46" W., extending from said point to 5.5 miles west.

Augusta, Ga.
Within a 5-mile radius of Bush Field (latitude 33°22'10" N., longitude 81°57'55" W.); within 2 miles each side of Augusta ILS localizer south course, extending from the 5-mile radius zone to 0.5 miles north of the LOM; within a 5-mile radius of Daniel Field (latitude 33°27'55" N., longitude 82°02'25" W.); within 2 miles each side of Augusta VORTAC 135° radial, extending from the 5-mile radius zone to 2 miles southeast of the VORTAC.

Augusta, Maine
Within a 5-mile radius of the center (44°19'15" N., 69°47'45" W.), of Augusta State Airport, Augusta, Maine; within 3.5 miles each side of the Capital City, Maine RBN (44°20'18" N., 69°48'42" W.) 333° bearing, extending from the 5-mile radius zone to 10.5 miles northwest of the RBN and within 3.5 miles each side of the Augusta VORTAC 328° radial, extending from the 5-mile radius zone to 10.5 miles northwest of the VORTAC.

Aurora, Illinois
That airspace within a 5-mile radius of the Aurora Municipal Airport (latitude 41°46'20" N., longitude 88° 28'20" W.) and within 1½ miles either side of the DuPage VOR 217° radial extending from the 5-mile radius to 7½ miles NE of the Aurora Airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 1/30/75 39 F. R. 43296 (Added)

Austin, Tex. (Robert Mueller Municipal Airport)
Within a 5-mile radius of Robert Mueller Municipal Airport (latitude 30°17'55" N., longitude 97°42'00" W.); within 1.5 miles each side of the Austin VORTAC 304° radial extending from the 5-mile radius zone to 6 miles northwest of the Austin VORTAC; and within 1.5 miles each side of the Austin VORTAC 329° radial extending from the 5-mile radius zone to 6 miles northwest of the Austin VORTAC.

Austin, Tex. (Bergstrom AFB)
Within a 5-mile radius of Bergstrom AFB (latitude 30°11'45" N., longitude 97°40'35" W.); within 2 miles each side of the Bergstrom ILS localizer S course, extending from the 5-mile radius zone to the LOM, excluding that portion within the Austin, Tex. (Robert Mueller Municipal Airport) control zone.

Baker, Oreg.
Within a 5-mile radius of Baker Municipal Airport (latitude 44°50'25" N., longitude 117°48'35" W.), and within 3 miles each side of the Baker VORTAC 318° radial, extending from the 5-mile radius zone to 8 miles northwest of the VORTAC. This control zone is effective during specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Bakersfield, CA.
Within a 5-mile radius of Meadows Field, Bakersfield, CA. (latitude 35°25'40" N., longitude 119°03'05" W.), within 1 mile each side of the Bakersfield ILS localizer northwest course, extending from the 5-mile radius zone to 11.5 miles northwest of the Bakersfield LOM and within 2 miles each side of the Bakersfield ILS localizer southeast course, extending from the 5-mile radius zone to the Bakersfield LOM.

Baltimore, Md.
Within a 5-mile radius of the center 39°10'26" N., 76°40'12" W. of Baltimore Washington International Airport, Baltimore, Md.; within a 5.5-mile radius of the center of the airport, extending clockwise from a 200° bearing to a 304° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 304° bearing to a 125° bearing from the airport; within 3.5 miles each side of the Baltimore Washington International Airport ILS localizer west course, extending from the 5-mile radius to 9 miles west of the localizer; within 3.5 miles each side of the centerline of Baltimore Washington International Airport runway 10, extended to 8.5 miles east of the end of the runway; within 2 miles each side of the Baltimore Washington International Airport ILS localizer southeast course, extending from the localizer to 4.5 miles southeast of the localizer; within 2 miles each side of the Baltimore VORTAC 314° radial, extending from the VORTAC to 10.5 miles northwest of the VORTAC.

Bangor, Maine
Within a 5-mile radius of the center, lat. 44°48'28" N., long. 68°49'41" W. of Bangor International Airport, Bangor, Maine; within 2.5 miles each side of the Bangor, Maine, VORTAC 318° radial, extending from the 5-mile radius zone to 8 miles northwest of the VORTAC; within a 1-mile radius of the center, lat. 44°53'56" N., long. 69°01'12" W. of Levant Private Landing Area, West Levant, Maine; within 3.5 miles each side of the Bangor ILS localizer southeast course, extending from the 5-mile radius zone to 11.5 miles southeast of the OM.

Bartlesville, Okla.
Within a 5-mile radius of the Phillips Airport (latitude 36°45'46" N., longitude 96°00'38" W.), excluding the area north of latitude 36°46'00" N., and east of longitude 95°58'30" W. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Baton Rouge, La.
Within a 5-mile radius of Ryan Airport (latitude 30°31'55" N., longitude 91°09'00" W.), within 1 mile each side of the Baton Rouge ILS localizer southeast course extending from the 5-mile radius zone to 6.5 miles southeast of Ryan Airport, and within 2 miles each side of the Baton Rouge VORTAC 071° radial extending from the 5-mile radius zone to 1 mile east of the VORTAC.

Battle Creek, Mich.
Within a 5-mile radius of Kellogg Field (latitude 42°18'31" N., longitude 85°14'57" W.) within 2 miles each side of the Battle Creek VORTAC 050°, 117° and 215° radials extending from the 5-mile radius zone to 8 miles NE, SE and SW of the VORTAC; and within 2 miles each side of the Kellogg Field ILS localizer SW course extending from the 5-mile radius zone to 5 miles SW of the approach end of runway 4. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Beaufort, S. C.
Within a 5-mile radius of Beaufort MCAS (lat. 32°28'40" N., long. 80°43'20" W.); within 3.5 miles each side of Beaufort MCAS TACAN 037° radial, extending from the 5-mile radius zone to 8.5 miles northeast of the TACAN; within 2.5 miles each side of the 042° bearing from Beaufort MCAS RBN, extending from the 5-mile radius zone to 8.5 miles northeast of the RBN. This control zone is effective from 0700 to 2300 hours, local time, daily.

Beaumont, Tex.
Within a 7-mile radius of Jefferson County Airport (latitude 29°57'05" N., longitude 94°01'10" W.).

Beckley, W. Va.
Within a 6.5-mile radius of the center, lat. 37°46'54" N., long. 81°07'27" W. of Raleigh County Memorial Airport, Beckley, W. Va., and within 3 miles each side of the Beckley VOR 284° radial extending from the 6.5-mile radius zone to 8.5 miles west of the VOR.

Bedford, Mass.
Within a 5-mile radius of Hanscom Airport (latitude 42°28'04" N., longitude 71°17'23" W.); within 2 miles each side of the Bedford ILS localizer W course extending from the 5-mile radius zone to 8 miles W of the LOM; within 2 miles each side of the extended centerline of Runway 23 extending from the 5-mile radius zone to 6 miles SW of the lift-off end of the runway; within 2 miles each side of the extended centerline of Runway 5 extending from the 5-mile radius zone to 6 miles NE of the lift-off end of the runway; and within a 1-mile radius of Erickson Airport (latitude 42°27'50" N., longitude 71°31'00" W.). This control zone is effective from 0700 to 2300 hours, local time, daily or during the specific dates and times established by a Notice to Airmen which thereafter will be continuously published in the Airman's Information Manual.

Beeville, Tex.
That airspace within a 5-mile radius of NAAS Chase Field, Beeville, Tex. (latitude 28°21'50" N., longitude 97°39'40" W.); within 2 miles each side of the NAAS Chase TACAN 129° and 321° radials extending from the 5-mile radius zone to 7 miles SE and NW of the TACAN.

Belleville, Ill.
Within a 5-mile radius of Scott AFB, Belleville, Ill. (latitude 38°32'30" N., longitude 89°51'05" W.), and within 2 miles each side of the 317° bearing from the Belleville RBN, extending from the 5-mile radius zone to 5.5 miles SE of the SE end of Scott AFB Runway 31.

Bellingham, Wash.
Within a 5-mile radius of Bellingham International Airport (latitude 48°47'40" N., longitude 122°32'13" W.); within 2 miles each side of the Bellingham VORTAC 169° radial extending north from the 5-mile radius zone to 3 miles south of the VORTAC.

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Bemidji, Minn.
Within a 5-mile radius of Bemidji Municipal Airport (latitude 47°30'30" N., longitude 94°55'55" W.); within 1½ miles each side of the Bemidji VORTAC 138° radial, extending from the 5-mile radius zone to the VORTAC; and within 3½ miles each side of the 262° bearing from Bemidji Municipal Airport, extending from the 5-mile radius zone to 8 miles west of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Benton Harbor, Mich.
Within a 5-mile radius of Ross Field (latitude 42°07'40" N., longitude 86°25'40" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Bethel, Alaska
Within a 5-mile radius of the Bethel Airport (latitude 60°46'54" N., longitude 161°50'05" W.); within 3 miles each side of the Bethel compass locator (ET) 023° bearing, extending from the 5-mile radius zone to 8.5 miles northeast of the compass locator; within 3 miles each side of the Bethel VORTAC 007° radial, extending from the 5-mile radius zone to 8.5 miles north of the VORTAC; and within 3 miles each side of the Bethel VORTAC 214° radial, extending from the 5-mile radius zone to 9 miles southwest of the VORTAC.

Bettles, Alaska
Within a 5-mile radius of the Bettles Airport (latitude 66°54'57" N., longitude 151°31'31" W.); within 4 miles each side of the Evansville NDB 214° bearing extending from the 5-mile radius zone to 8.5 miles southwest of the NDB; and within 3 miles each side of the Bettles VORTAC 227° radial extending from the 5-mile radius zone to 9.5 miles southwest of the VORTAC.

AMENDMENTS 10/9/75 40 F. R. 17836 (Changed)

Beverly, Mass. (Beverly Municipal Airport)
Within a 5-mile radius of Beverly Municipal Airport (latitude 42°35'06" N., longitude 70°55'06" W.), and within 3.5 miles each side of the 333° bearing from the Topsfield RBN, extending 8 miles northwest of the NDB. This control zone is effective from 0700 to 1900 hours, local time, daily or during the specific dates and times established by a Notice to Airmen which, thereafter, will be continuously published in the Airmen's Information Manual.

AMENDMENTS 1/13/75 40 F. R. 2421 (Added)

Big Delta, AK.
That airspace within a 5-mile radius of the Allen AAF, Fort Greeley, AK., (latitude 63°59'37" N., longitude 145°43'08" W.) and within 4.5 miles each side of the Big Delta VORTAC 040° radial extending from the 5-mile radius zone to 11 miles northeast. This control zone is effective from 0600 to 2200 hours local time daily, or during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Flight Information Publication Supplement Alaska.

Big Spring, Tex.
That airspace within a 5-mile radius of Webb AFB, Big Spring, Tex. (latitude 32°12'51" N., longitude 101° 31'24" W.); within a 5-mile radius of Howard County Airport, Big Spring, Tex. (latitude 32°18'05" N., longitude 101°26'20" W.); within 2 miles each side of the Big Spring VORTAC 190° radial extending from the Webb AFB 5-mile radius zone to 1 mile S of the VORTAC; within 2 miles each side of the Big Spring VORTAC 151° radial extending from the Howard County Airport 5-mile radius zone to the VORTAC; within 3 miles each side of the Webb VORTAC 007° radial extending from the Webb AFB 5-mile radius zone to 8 miles N of the VORTAC; and within 3 miles each side of the Webb VORTAC 177° radial extending from the Webb AFB 5-mile radius zone to 8 miles S of the VORTAC. This control zone will be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Billings, Mont.
Within a 5-mile radius of Logan Field Airport (latitude 45°48'25" N., longitude 108°31'55" W.); within 4 miles each side of the Billings ILS west localizer course extending from the 5-mile radius zone to 8 miles west of the OM; within 3.5 miles each side of the Billings VORTAC 267° radial extending from the 5-mile radius zone to 8 miles west of the VORTAC; within 2 miles each side of the Billings VORTAC 095° radial extending from the 5-mile radius zone to 12 miles east of the VORTAC; and within 2 miles each side of the Billings ILS east localizer course extending from the 5-mile radius zone to Lockwood NDB.

Biloxi, Miss.
Within a 5-mile radius of Keesler AFB (lat. 30°24'30" N., long. 88°55'28" W.); within 3 miles each side of the 036° bearing from Keesler RBN, extending from the 5-mile radius zone to 8.5 miles northeast of the RBN; within 1.5 miles each side of Keesler TACAN 050° and 200° radials, extending from the 5-mile radius zone to 7 miles northeast and southwest of the TACAN; excluding the portion west of long. 89°00'00" W.
This control zone is effective from 0600 to 2300 hours, local time, daily.

Binghamton, N.Y.
Within a 5-mile radius of the center of Broome County Airport, Binghamton, N.Y., 42°12'35" N., 75°58'46" W.; within 2 miles each side of the Binghamton VOR 066° radial extending from the 5-mile radius zone to the VOR and within 2 miles each side of the airport ILS localizer SE course extending from the 5-mile radius zone to 2 miles SE of the OM.

Birmingham, Ala.
Within a 5-mile radius of Birmingham Municipal Airport (latitude 33°33'50" N., longitude 86°45'30" W.); within 2 miles each side of Birmingham ILS localizer southwest course, extending from the 5-mile radius zone to 1 mile northeast of the OM; within 3 miles each side of the 056° and 236° bearings from Roebuck RBN, extending from the 5-mile radius zone to 8.5 miles northeast of the RBN.

Bismarck, N. Dak.
Within a 5½-mile radius of Bismarck Municipal Airport (latitude 46°46'40" N., longitude 100°45'05" W.); and within 2 miles each side of the Bismarck ILS localizer southeast course, extending from the 5½-mile radius zone to 1 mile northwest of the OM.

Bloomington, Ill.
Within a 5-mile radius of Bloomington Normal Airport (latitude 40°28'55" N., longitude 88°55'40" W.); and within 2½ miles each side of the Bloomington VOR 043°, 103°, and 319° radials, extending from the 5-mile radius zone to 6½ miles northeast, east and northwest of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Bloomington, Ind.
Within a 5-mile radius of Monroe County Airport (latitude 39°08'35" N., longitude 86°37'00" W.); within 3 miles each side of the Bloomington VORTAC 181° radial, extending from the 5-mile radius zone to 10½ miles south of the VORTAC; within 3 miles each side of the Bloomington VORTAC 062° radial, extending from the 5-mile radius zone to 11 miles northeast of the VORTAC; within 3 miles each side of the Bloomington VORTAC 341° radial; extending from the 5-mile radius zone to 10½ miles north of the VORTAC; and within 3 miles each side of the Bloomington VORTAC 236° radial, extending from the 5-mile radius zone to 9½ miles southwest of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Bluefield, WV.
Within a 5.5-mile radius of the center, lat. 37°17'45" N., long. 81°12'29" W., of Mercer County Airport, Bluefield, WV.; within a 7.5-mile radius of the center of the airport, extending clockwise from a 079° bearing from the airport to a 125° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 170° bearing from the airport to a 230° bearing from the airport; within 3 miles each side of the Bluefield VORTAC 047° radial, extending from the 5.5-mile radius zone to 9.5 miles northeast of the VORTAC and within 4.5 miles each side of the Bluefield VORTAC 224° radial, extending from the 5.5-mile radius zone to 17 miles southwest of the VORTAC.

Blythe, Calif.
Within a 5-mile radius of Blythe Airport (Lat. 33°37'15" N, Long. 114°43'00" W).

Blytheville, Ark.
Within a 5-mile radius of Blytheville AFB (latitude 35°57'50" N., longitude 89°56'40" W.), within 3 miles each side of the Blytheville VOR 357° radial extending from the 5-mile radius zone to 8.5 miles north of the VOR, and within 1.5 miles each side of the Blytheville TACAN 185° radial extending from the 5-mile radius zone to 5.5 miles south of the TACAN.

Boise, Idaho
Within a 5-mile radius of the Boise Air Terminal (latitude 43°33'55" N., longitude 116°13'30" W.); within 2 miles each side of the Boise VORTAC 304° radial, extending from the 5-mile radius zone to 12 miles northwest of the VORTAC; within 2 miles each side of the Boise VORTAC 319° radial extending from the 5-mile radius zone to 12 miles northwest of the VORTAC, within 5 miles each side of the Boise VORTAC 114° radial, extending from the 5-mile radius area to 12 miles southeast of the VORTAC; and within 2 miles west and 5 miles east of the Boise VORTAC 179° radial extending from the 5-mile radius area to 7 miles south of the VORTAC.

AMENDMENTS 8/14/75 40 F. R. 23274 (Rewritten)

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Boston, Mass.
Within an 8-mile radius of the Logan International Airport (latitude 42°21'55" N., longitude 71°00'05" W.).

Bowling Green, Ky.
Within a 5-mile radius of Bowling Green-Warren County Airport (lat. 36°57'47" N., long. 86°25'07" W.); within 4.5 miles each side of Bowling Green VORTAC 206° radial, extending from the 5-mile radius zone to 10 miles southwest of the VORTAC.

Bozeman, Mont.
Within a 7-mile radius of Gallatin Field (latitude 45°46'50" N., longitude 111°09'20" W.).

Bradford, Pa.
Within a 5-mile radius of the center 41°48'09" N., 78°38'27" W. of Bradford Regional Airport, Bradford, Pa.; within 3.5 miles each side of the Bradford, Pa., VORTAC 139° radial, extending from the VORTAC to 10 miles southeast of the VORTAC.

Brainerd, Minn.
Within a 5-mile radius of Brainerd-Crow Wing County Airport latitude 46°23'55" N., longitude 94°08'15" W.; within 2½ miles each side of the 043° bearing from the Brainerd-Crow Wing County Airport extending from the 5-mile radius zone to 5½ miles northeast of the airport; and within 2½ miles each side of the 313° bearing from the Brainerd-Crow Wing County Airport extending from the 5-mile radius zone to 5½ miles northwest of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Bremerton, Wash.
Within a 5-mile radius of Kitsap County Airport (latitude 47°29'35" N., longitude 122°45'35"W.), within 3 miles each side of the 209° bearing from the Kitsap RBN (latitude 47°29'48" N., longitude 122°45'36" W.) extending from the 5-mile radius to 8 miles SW of the RBN, and within 2 miles each side of the 028° bearing from the Kitsap RBN extending from the 5-mile radius zone to 7 miles northeast of the RBN. This control zone will be effective during the times established in advance by a Notice to Airmen and continuously published in the Airman's Information Manual.

Bridgeport, Conn.
That airspace within a 5.5-mile radius of the center, latitude 41°09'48" N., longitude 73°07'34" W. of the Igor I. Sikorsky Memorial Airport, Bridgeport, Conn., extending clockwise from a 008° bearing to a 058° bearing from the airport; within a 5-mile radius of the center of the airport, extending clockwise from a 058° bearing to a 276° bearing from the airport; within a 5.5-mile radius of the airport extending clockwise from a 276° bearing to a 311° bearing from the airport and within a 6-mile radius of the center of the airport extending clockwise from a 311° bearing to a 008° bearing from the airport. This control zone is effective from 0700 to 2300 hours, local time, daily or during the specific dates and times established in advance by a Notice to Airmen which thereafter will be continuously published in the Airman's Information Manual.

Brookings, S. Dak.
That airspace within a 5-mile radius of Brookings, S. Dak., Municipal Airport (latitude 44°18'12" N., longitude 96°48'40" W.); within 2.5 miles each side of the Brookings VOR 316° radial extending from the 5-mile radius zone to 7 miles northwest of the VOR and within 2.5 miles each side of the Brookings VOR 118° radial extending from the 5-mile radius zone to 8.5 miles southeast of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airman's Information Manual.

Broomfield, Colo.
That airspace within a 5-mile radius of Jeffco Airport (latitude 39°54'30" N., longitude 105°06'50" W.). This control zone shall be effective during the specific dates and/or times established in advance by a Notice to Airmen and continuously published in the Airman's Information Manual.

Brownsville, Tex.
That airspace overlying the United States within a 5-mile radius of Brownsville International Airport (latitude 25°54'25" N., longitude 97°25'25" W.), within 2 miles each side of the Brownsville VORTAC 071° radial extending from the 5-mile radius zone to 8 miles east of the VORTAC, and within 2 miles each side of the Brownsville ILS localizer northwest course extending from the 5-mile radius zone to the OM.

Brunswick, Ga. (Malcolm-McKinnon Airport)
Within a 5-mile radius of Malcolm-McKinnon Airport (latitude 31°09'05" N., longitude 81°23'20" W.); within 1.5 miles each side of the Brunswick VOR 022° radial, extending from the 5-mile radius zone to the VOR, excluding the portion within a 1.5-mile radius of Brunswick Municipal Airport (latitude 31°11'10" N., longitude 81°28'50" W.).

Brunswick, ME.
Within a 5-mile radius of NAS Brunswick (latitude 43°53'35" N., longitude 69°56'20" W.); within 2 miles each side of the Navy Brunswick VOR 166° radial, extending from the 5-mile radius zone to 8 miles south of the VOR; within 2 miles each side of the 166° bearing of the Navy Brunswick UHF RBN (latitude 43°53'42" N., longitude 69°56'49" W.), extending from the 5-mile radius zone to 8 miles south of the RBN; within 2 miles each side of the Navy Brunswick TACAN 008° radial, extending from the 5-mile radius zone to 8 miles north of the TACAN, excluding that airspace within a 1-mile radius of Topsham Airport, Topsham, ME., (latitude 43°56'55" N., longitude 69°59'50" W.).

Buffalo, N. Y.
Within a 5-mile radius of the center, 42°56'20" N., 78°43'50" W., of Greater Buffalo International Airport, Buffalo, N. Y.; within 2 miles each side of the Greater Buffalo International Airport northeast localizer course extending from the 5-mile radius zone to the OM; within 2 miles each side of the Greater Buffalo International Airport southwest localizer course extending from the 5-mile radius zone to the OM; and within 2 miles each side of the Buffalo VORTAC 096° radial extending from the 5-mile radius zone to 6 miles east of the VORTAC excluding the portion within a 1-mile radius of Buffalo Airpark, 42°51'45" N., 78°43'00" W.

Burbank, Calif.
Within a 5-mile radius of Hollywood-Burbank Airport, Calif. (latitude 34°12'15" N., longitude 118°21'30" W.), excluding the portion west of a line from latitude 34°16'00" N., longitude 118°25'55" W., to latitude 34°09'25" N., longitude 118°25'40" W., and the portion within a 1-mile radius of Whiteman Airpark, Pocoima, Calif. (latitude 34°15'35" N., longitude 118°24'45" W.).

Burley, Idaho
Within a 5-mile radius of Burley Municipal Airport (latitude 42°32'30" N., longitude 113°46'20" W.); within 3.5 miles each side of the Burley VORTAC 121° radial, extending from the 5-mile radius zone to 17.5 miles southeast of the VORTAC; within 3 miles each side of the Burley VORTAC 323° radial, extending from the 5-mile radius zone to 6 miles northwest of the VORTAC; within 3 miles each side of the Burley VORTAC 301° radial, extending from the 5-mile radius zone to 8.5 miles northwest of the VORTAC; and within 1.5 miles each side of the 036° bearing from the Burley Municipal Airport extending from the 5-mile radius zone to 8 miles northeast of the airport.

Burlington, Iowa
Within a 5-mile radius of Burlington Municipal Airport (latitude 40°46'55" N., longitude 91°07'40" W.); within 3 miles each side of the 293° radial of the Burlington VORTAC extending from the 5-mile radius zone to 2 miles northwest of the VORTAC.

Burlington, Vt.
Within a 7-mile radius of the center, 44°28'17" N., 73°09'13" W., of the Burlington International Airport, Burlington, Vermont.

AMENDMENTS 1/2/75 39 F. R. 39717 (Rewritten)

Butte, MT.
Within a 5-mile radius of the Silver Bow County Airport, Butte, MT. (latitude 45°57'15" N., longitude 112° 29'50" W.) and within 2 miles each side of the Butte VORTAC 115° radial extending from the 5-mile radius zone to the VORTAC.

Calverton, N. Y.
Within a 5-mile radius of Peconic River Plant (Grumman) Airport, Calverton, N. Y. This control zone shall be effective from 0800 to 1730 hours, local time, Monday through Friday.

AMENDMENTS 8/14/75 40 F. R. 22127 (Changed)

Camp Douglas, Wis.
Within a 5-mile radius of Volk Field, Camp Douglas, Wis. (latitude43°56'25" N., longitude 90°15'20" W.). and within 2 miles each side of the Volk Field VORTAC 092° radial extending from the 5-mile radius zone to 12 miles E of the VORTAC. This control zone shall be effective during the specific dates and/or time established by a Notice to Airmen and continuously published in the Airman's Information Manual.

Camp Pendleton, Calif.
Within a 3-mile radius of Camp Pendleton, MCALF (latitude 33°18'04" N., longitude 117°21'06" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

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Camp Springs, Md.
Within a 5-mile radius of the center, 38°48'39" N., 76°52'02" W. of Andrews AFB, Camp Springs, Md.; within 2.5 miles each side of the Andrews VORTAC 360° radial, extending from the VORTAC to 7.5 miles north of the VORTAC; within 2.5 miles each side of the Andrews VORTAC 180° radial, extending from the VORTAC to 7 miles south of the VORTAC, excluding the portion within a 1-mile radius of the center 38°44'58" N., 76°55'58" W. of Hyde Field, Clinton, Md., excluding the west portion subtended by a chord drawn between the points of intersection of the 5-mile radius zone with the Washington, D. C., control zone.

AMENDMENTS 3/27/75 40 F. R. 4297 (Rewritten)

Cape Girardeau, Mo.
Within a 5-mile radius of Cape Girardeau Municipal Airport (latitude 37°13'30" N., longitude 89°34'10" W.), within 2½ miles each side of the Cape Girardeau VOR 194°, 036° and 279° radials, extending from the 5-mile radius to 6½ miles south-northeast and west of the VOR.

Carbondale, Ill.
Within a 5-mile radius of the Southern Illinois Airport (latitude 37°46'45" N., longitude 89°15'00" W.). This control zone is effective during specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 8/14/75 40 F. R. 22249 (Rewritten)

Carlsbad, N. Mex.
Within a 5-mile radius of Cavern City Air Terminal (latitude 32°20'20" N., longitude 104°15'45" W.), and within 3.5 miles each side of the Carlsbad VOR 337° and 157° radials extending from the 5-mile radius zone to 10 miles southeast of the VOR.

Casper, Wyo.
Within a 5-mile radius of Casper Air Terminal (latitude 42°54'25" N., longitude 106°27'50" W.); within 2 miles each side of the Casper VORTAC 216° radial, extending from the 5-mile radius zone to 26 miles southwest of the VORTAC; within 3 miles each side of the ILS localizer west course, extending from the 5-mile radius zone to 10 miles west of the OM; within 4 miles each side of the Casper 216° radial, extending from the 5-mile radius zone to the VORTAC.

Cedar City, Utah
Within a 5-mile radius of Cedar City Municipal Airport (latitude 37°42'05" N., longitude 113°05'52" W.) and within 2 miles on each side of the Cedar City VOR 195° radial extending from the 5-mile radius zone to the VOR.

Cedar Rapids, Iowa
Within a 5-mile radius of Cedar Rapids Municipal Airport (latitude 41°53'05" N., longitude 91°42'35" W.); within 3 miles each side of the Cedar Rapids VORTAC 094° radial, extending from the 5-mile radius zone to 10 miles east of the VORTAC; and within 3 miles each side of the Cedar Rapids VORTAC 264° radial, extending from the 5-mile radius zone to 9 miles west of the VORTAC.

Chadron, Nebr.
Within a 5-mile radius of Chadron Municipal Airport (lat. 42°50'00" N., long. 103°05'50" W.); and within 2 miles each side of the 010° bearing from the Chadron Municipal Airport, extending from the 5-mile radius zone to 8 miles north of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Chamblee, Ga.
Within a 5-mile radius of De Kalb-Peachtree Airport (latitude 33°52'30" N., longitude 84°18'10" W.); within 1.5 miles each side of Norcross VORTAC 242° radial, extending from the 5-mile radius zone to 1 mile southwest of the VORTAC. This control zone is effective from 0700 to 2300 hours, local time, daily.

Champaign, Ill.
Within a 5-mile radius of the University of Illinois-Willard Airport (latitude 40°02'25" N., longitude 88°16'35" W.); within 2 miles each side of the Champaign VORTAC 123°, 237° and 328° radials, extending from the 5-mile radius zone to 12 miles southeast, southwest, and northwest of the VORTAC; and within 2 miles each side of the University of Illinois-Willard Airport ILS localizer southeast course, extending from the 5-mile radius zone to the OM.

Chandler, Ariz.
Within a 5-mile radius of Williams AFB (latitude 33°18'30" N., longitude 111°39'27" W.), within 3 miles each side of the Chandler VORTAC 130° radial, extending from the 5-mile radius zone to 9 miles SE of the VORTAC, within 2 miles each side of the Chandler VORTAC 319° radial, extending from the 5-mile radius zone to 9 miles NW of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Chantilly, Va.
Within a 5.5-mile radius of the center, 38°56'40" N., 77°27'24" W., of Dulles International Airport; within a 6-mile radius of the center of the airport extending clockwise from a 063° bearing to a 160° bearing from the airport; within 2.5 miles each side of the Dulles International Airport runway 1R ILS localizer course, extending from the 5.5-mile radius zone to 0.5 miles north of the OM; within 2 miles each side of the extended centerline of Dulles International Airport runway 30, extending from the west end of runway 30 to 5.5 miles west and within 3.5 miles each side of the Dulles International Airport runway 19R ILS localizer course, extending from the 5.5-mile radius zone to 10 miles north of the OM.

Chanute, Kans.
Within a 5-mile radius of Chanute Martin Johnson Airport (latitude 37°40'05" N., longitude 95°29'10" W.).

Charleston, S. C.
Within a 5-mile radius of Charleston AFB/Municipal Airport (lat. 32°53'55" N., long. 80°02'20" W.); within 3.5 miles each side of Charleston VORTAC 018° and 332° radials, extending from the 5-mile radius zone to 10 miles north and northwest of the VORTAC; within 2.5 miles each side of Charleston VORTAC 135° radial, extending from the 5-mile radius zone to 5.5 miles southeast of the VORTAC; within 3.5 miles each side of Charleston VORTAC 211° radial, extending from the 5-mile radius zone to 10.5 miles southwest of the VORTAC.

Charleston, W. Va.
Within a 5.5-mile radius of the center, 38°22'22" N., 81°35'35" W., of Kanawha Airport, Charleston, W. Va.; within a 6-mile radius of the center of the Kanawha Airport, extending clockwise from a 319° bearing to a 229° bearing from the airport; within 2 miles each side of the extended centerline of Runway 5, extending from the 5.5-mile radius to 6.5 miles northeast of the lift-off end of Runway 5; within 1.5 miles each side of the extended centerline of Runway 14, extending from the 5.5-mile radius to 6.5 miles southeast of the lift-off end of Runway 14; within 2 miles each side of the Charleston VORTAC 081° radial, extending from the 5.5-mile radius to 2 miles east of the VORTAC; within 2 miles each side of the extended centerline of Runway 23 extending from the 5.5-mile radius to 6.5 miles southwest of the lift-off end of Runway 23 and within 2 miles each side of the extended centerline of Runway 32, extending from the 5.5-mile radius to 6.5 miles northwest of the lift-off end of Runway 32.

Charlotte, N. C.
Within a 5-mile radius of Douglas Municipal Airport (latitude 35°12'53" N., longitude 80°56'18" W.); within 3 miles each side of Charlotte VORTAC 003° radial, extending from the 5-mile radius zone to 8.5 miles north of the VORTAC; within 2 miles each side of Charlotte VORTAC 058° radial, extending from the 5-mile radius zone to 6 miles northeast of the VORTAC; within 2 miles each side of Charlotte VORTAC 223° radial, extending from the 5-mile radius zone to 6.5 miles southwest of the VORTAC; within 2 miles each side of Charlotte ILS localizer southwest course, extending from the 5-mile radius zone to 1 mile northeast of the OM.

Charlotte Amalie, St. Thomas, V. I. (Harry S. Truman Airport)
Within a 6-mile radius of Harry S. Truman Airport (lat. 18°20'26" N., long. 64°58'11" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the FAA publication International NOTAMS.

Charlottesville, VA.
Within a 5-mile radius of the center, lat. 38°08'25" N., long. 78°27'00" W., of Charlottesville-Albemarle Airport, Charlottesville, VA., and within 2.5 miles each side of the 022° bearing from the Charlottesville RBN, extending from the 5-mile radius zone to 2 miles north of the RBN.

Chattanooga, Tenn.
Within a 5-mile radius of Lovell Field (latitude 35°02'05" N., longitude 85°12'10" W.); within 2 miles each side of Chattanooga ILS localizer north course, extending from the 5-mile radius zone to 2.5 miles southwest of Daisy RBN; within 1 mile each side of Chattanooga ILS localizer south course, extending from the 5-mile radius zone to 0.5 mile north of Chattanooga VORTAC 263° radial.

Cherry Point MCAS, N. C.
The airspace within a 5-mile radius of Cherry Point MCAS (latitude 34°54'30" N., longitude 76°53'00" W.); within 1.5 miles each side of the 316° bearing from Cherry Point RBN, extending from the 5-mile radius zone to 1.5 miles northwest of the RBN.

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Chesterfield (Spirit of St. Louis), Mo.
Within a 5-mile radius of Spirit of St. Louis Airport (latitude 38°39'35" N., longitude 90°38'45" W.); within 3½ miles each side of the Maryland Heights, Mo., VORTAC 310° radial, extending from the VORTAC to 9½ miles northwest of the VORTAC; and within 5 miles each side of the Maryland Heights VORTAC 241° radial, extending from the VORTAC to 14½ miles SW of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Cheyenne, Wyo.
Within a 5-mile radius of Cheyenne Municipal Airport (latitude 41°09'20" N., longitude 104°48'30" W.) and within 2 miles each side of the Cheyenne ILS localizer E course, extending from the 5-mile radius zone to the OM.

Chicago, Ill. (Midway Airport)
Within a 5-mile radius of Chicago Midway Airport (latitude 41°47'04" N., longitude 87°45'12" W.); and within 2 miles each side of the Chicago Midway ILS localizer SE course extending from the 5-mile radius zone to 8 miles SE of the Kedzie RBN; and within 2 miles each side of the Chicago Midway ILS localizer NW course extending from the 5-mile radius zone to the OM.

Chicago, Ill. (Meigs Airport)
Within a 3-mile radius of Meigs Airport (latitude 41°51'30" N., longitude 87°36'30" W.) from 0600 to 2400 hours, local time, daily.

Chicago, Ill. (O'Hare International Airport)
Within a 5-mile radius of O'Hare International Airport (latitude 41°58'57" N., longitude 87°54'25" W.); within 2 miles each side of the O'Hare International Airport runway 14R and 14L ILS localizer courses, extending from the 5-mile radius zone to 7 miles northwest of the airport; and within 2 miles each side of the O'Hare International Airport runway 32R and 32L ILS localizer courses, extending from the 5-mile radius zone to 7 miles southeast of the airport.

Chico, Calif.
Within a 5-mile radius of Chico Municipal Airport (latitude 39°47'45" N., longitude 121°51'25" W.) and within 3 miles each side of the Chico VOR 316° radial, extending from the 5-mile radius zone to 8 miles northwest of the VOR, excluding the portion within a 1-mile radius of Ranchaero Airport, Chico, Calif. (latitude 39°43'10" N., longitude 121°52'10" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.
AMENDMENTS 10/9/75 40 F. R. 29273 (Changed)

Childress, Tex.
Within a 5-mile radius of the Childress Municipal Airport (latitude 34°25'55" N., longitude 100°17'45" W.) and within 2 miles each side of the Childress VOR 182° radial, extending from the 5-mile radius zone to 8 miles S of the VOR.

China Lake, Calif.
Within a 5-mile radius of NAF China Lake (latitude 35°41'15" N., longitude 117°41'35" W.) and within 2 miles each side of the NAF China Lake TACAN 350° and 148° radials extending from the 5-mile radius zone to 8 miles N and SE of the TACAN.

Chincoteague, Va.
Within a 5-mile radius of NASA Wallops Station Airport, Chincoteague, Va. (latitude 37°56'15" N., longitude 75°28'15" W.) and within 2 miles each side of the Snow Hill, Md., VOR 181° radial, extending from the 5-mile radius zone to 2.5 miles south of the VOR. This control zone is effective from 0730 to 1730 hours, local time, Monday through Friday, excluding Federal legal holidays.

Chino, Calif.
Within a 3-mile radius of Chino, Calif., Airport (lat. 33°58'30" N., long. 117°38'10" W.) and within 1.5 miles each side of the Ontario, Calif., VORTAC 303° radial, extending from the 3-mile radius area to 1 mile northwest of the VORTAC. This control zone shall be effective during the specific dates and times published in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Christiansted, St. Croix, V. I.
Within a 5-mile radius of Alexander Hamilton Airport (lat. 17°42'13" N., long. 64°47'54" W.); within 3 miles each side of St. Croix VOR 068° and 248° radials, extending from the 5-mile radius zone to 8.5 miles east of the VOR. This control zone is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the FAA publication, International NOTAMs.
AMENDMENTS 4/24/75 40 F. R. 8327 (Rewritten)

Cincinnati, Ohio
Within a 5-mile radius of Cincinnati Municipal-Lunken Field Airport (latitude 39°06'14" N., longitude 84°25'18" W.) within 2 miles each side of Runway 20L ILS localizer northeast course, extending from the 5-mile radius zone to 6.5 miles northeast of the airport; and within 1.5 miles each side of the 227° bearing from Lunken RBN, extending from the 5-mile radius zone to the RBN.

Clarksburg, WV.
Within a 5.5-mile radius of the center, lat. 39°17'44" N., long. 80°13'46" W. of Benedum Airport; within 3 miles each side of the Clarksburg VOR 219° radial, extending from the 5.5-mile radius zone to 8.5 miles southwest of the VOR; and within 2.5 miles each side of the Benedum Airport ILS localizer northeast course, extending from the 5.5-mile radius zone to 1 mile southwest of the OM. This control zone is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be published continuously in the Airman's Information Manual.

Cleveland, Ohio (Burke-Lakefront Airport)
Within a 5-mile radius of the Burke-Lakefront Airport (latitude 41°31'02" N., longitude 81°41'04" W.); within 2 miles each side of the Burke-Lakefront ILS localizer northeast course, extending from the 5-mile radius zone to the OM, excluding the portion overlying the Cleveland, Ohio (Cleveland-Hopkins International Airport) control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Cleveland, Ohio (Cleveland-Hopkins International Airport)
Within a 5-mile radius of the Cleveland-Hopkins International Airport (latitude 41°24'37" N., longitude longitude 81°50'56" W.).

Cleveland, Ohio (Cuyahoga County Airport)
Within a 5-mile radius of the Cuyahoga County Airport (latitude 41°34'00" N., longitude 81°29'30" W.); within 2½ miles each side of the 050° bearing from the Cuyahoga County RBN extending from the 5-mile radius zone to 5 miles northeast of the RBN, excluding the portion within the Cleveland, Ohio (Burke-Lakefront Airport) control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will, thereafter, be continuously published in the Airman's Information Manual.

Clinton, Okla. (Clinton-Sherman Airport)
Within a 5-mile radius of Clinton-Sherman Airport (latitude 35°20'25" N., longtiude 99°12'00" W.), and within 2 miles each side of the extended centerline of Clinton-Sherman Runways 17 and 35 extending from 7 miles north to 6 miles south of the ends of the runways. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Clovis, N. Mex.
Within a 6-mile radius of Cannon AFB, N. Mex. (latitude 34°23'01" N., longitude 103°18'58" W.); within 2 miles each side of the Cannon AFB TACAN 040° radial extending from the 6-mile radius zone to 9.5 miles northeast of the TACAN; within 2 miles each side of a 045° bearing from latitude 34°18'45" N., longitude 103°24'32" W., extending from the 6-mile radius zone to latitude 34°18'45" N., longitude 103°24'32" W.; within 2 miles each side of the Cannon AFB TACAN 230° radial extending from the 6-mile radius zone to 9.5 miles southwest of the TACAN, and within 2 miles each side of the Cannon AFB TACAN 232° radial extending from the 6-mile radius zone to 7 miles southwest of the TACAN. This control zone will be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Cocoa (Patrick AFB), FL.
Within a 5-mile radius of Patrick AFB (lat. 28°14'21" N., long. 80°36'28" W.). This control zone is effective from 0700 to 2300 hours, local time, daily.

AMENDMENTS 6/4/75 40 F. R. 24996 (Changed) Corr: 40 F. R. 29551

Cody, Wyo.
Within a 5-mile radius of the Cody Municipal Airport, Cody, Wyo. (latitude 44°31'08" N., longitude 109°01'25" W.), and within 2.5 miles each side of the Cody, Wyo., VOR 202° radial, extending from the 5-mile radius zone to the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

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Cold Bay, Alaska
Within a 5-mile radius of the Cold Bay Airport (lat. 55°12'08" N., long. 162°43'28" W.); within 3 miles each side of the 339° bearing from the Cold Bay LOM, extending from the 5-mile radius zone to 10.5 miles north of the LOM, and within 5 miles west and 2.5 miles east of the Cold Bay VORTAC 150° radial, extending from the 5-mile radius zone to 18 miles south of the VORTAC.

AMENDMENTS 2/27/75 39 F. R. 44196 (Rewritten)

College Station, Tex.
Within a 5-mile radius of Easterwood Field, College Station, Tex. (latitude 30°35'00" N., longitude 96°22'00" W.), within 2 miles each side of the College Station VOR 287° radial extending from the 5-mile radius zone to 8 miles west of the VOR, within 2 miles each side of the College Station VOR 307° radial extending from the 5-mile radius zone to 9 miles northwest of the VOR, and within 2 miles each side of the College Station VOR 107° radial extending from the 5-mile radius zone to 10 miles east of the VOR.

Colorado Springs, CO.
Within a 6-mile radius of Peterson Field, Colorado Springs, CO. (latitude 38°48'35" N., longitude 104°42' 20" W.); within 2 miles each side of the Colorado Springs ILS localizer north course, extending from the 6-mile radius zone to 7 miles north of the localizer, within 2 miles each side of the Colorado Springs VORTAC 205° radial extending from the 6-mile radius zone to the VORTAC.

Colorado Springs, Colo.
Within a 3-mile radius of USAF Academy Airstrip (latitude 38°58'15" N., longitude 104°49'00" W.). This control zone is effective from sunrise to 30 minutes after sunset.

Columbia, Mo. (Regional Airport)
Within a 5-mile radius of Columbia Regional Airport (latitude 38°48'49" N., longitude 92°13'12" W.).

Columbia, S. C.
Within a 5-mile radius of Columbia Metropolitan Airport (lat. 33°56'25.9" N., long. 81°07'11.2" W.); within 2 miles each side of Columbia ILS localizer west course, extending from the 5-mile radius zone to 1.5 miles east of the LOM.

Columbus, Ga. (Columbus Metropolitan Airport)
Within a 5-mile radius of Columbus Metropolitan Airport (lat. 32°30'55"N., long. 84°56'25" W.); within 1.5 miles each side of Columbus ILS localizer northeast course, extending from the 5-mile radius zone to the intersection of the Columbus VOR 102° radial; within 1.5 miles each side of Columbus VOR 149° radial, extending from the 5-mile radius zone to 1 mile southeast of the VOR; within 2 miles each side of Runway 5 extended centerline, extending from the 5-mile radius zone to 6 miles southwest of the runway end; within 2 miles each side of Runway 12 extended centerline, extending from the 5-mile radius zone to 6 miles northwest of the runway end.

Columbus, Ga. (Lawson AAF)
Within a 5-mile radius of Lawson AAF (lat. 32°20'20" N., long. 84°59'35" W.); within 2 miles each side of the 213° bearing from Lawson RBN, extending from the 5-mile radius zone to 6.5 miles southwest of the RBN; within 2 miles each side of Lawson VOR 339° radial, extending from the 5-mile radius zone to 1 mile south of the Columbus LOM; excluding the portion within Columbus Metropolitan Airport control zone.

Columbus, Miss.
Within a 5-mile radius of Columbus AFB, Miss. (latitude 33°38'38" N., longitude 88°26'39" W.); within 1.5 miles each side of the ILS localizer northwest course, extending from the 5-mile radius zone to 1.5 miles southeast of the LOM; within 1.5 miles each side of the Caledonia TACAN 141° and 312° radials, extending from the 5-mile radius zone to 6.5 miles southeast and northwest of the TACAN.

Columbus, Nebr.
Within a 5-mile radius of the Columbus Municipal Airport (latitude 41°26'50" N., longitude 97°20'25" W.), and within 2 miles each side of the Columbus VOR 340° and 141° radials, extending from the 5-mile radius zone to 8 miles N and SE of the VOR, and within 2 miles each side of the 330° bearing from the Columbus RBN, extending from the 5-mile radius zone to 8 miles NW of the RBN. This control zone shall be effective during the times established by a Notice to Airmen and continuously published in the Airman's Information Manual.

Columbus, OH. (Bolton Field)
Within a 3-mile radius of Bolton Field (latitude 39°54'07" N., longitude 83°08'12" W.) and 2 miles either side of the 213° bearing from the airport extending from the 3-mile radius to 4 miles southwest of the airport excluding a 1-mile radius of Columbus Southwest Airport (latitude 39°54'45" N., longitude 83°11'00" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will, therefore, be continuously published in the Airman's Information Manual.

Columbus, Ohio (Lockbourne AFB)
Within a 5.5-mile radius of the center, lat. 39°49'00" N., long. 82°56'00" W. of Lockbourne AFB, Columbus, Ohio; within 1.5 miles each side of the Lockbourne TACAN 042° radial, extending from the 5.5-mile radius zone to 7 miles northeast of the TACAN; within 1.5 miles each side of the Lockbourne TACAN 229° radial, extending from the 5.5-mile radius zone to 6 miles southwest of the TACAN; within a 1.5-mile radius of center, lat. 39°53' 11" N., long. 82°57'53" W. of South Columbus Airport, Columbus, Ohio.

Columbus, Ohio (Ohio State University Airport)
Within a 5-mile radius of the Ohio State University Airport (latitude 40°04'40" N., longitude 83°04'30" W.); within 3 miles each side of the 273° and 090° bearings from the airport extending from the 5-mile radius zone to 8½ miles west and east of the airport, excluding that portion within the Columbus, Ohio (Port Columbus International Airport) control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Columbus, Ohio (Port Columbus International Airport)
Within a 6-mile radius of the center lat. 39°59'41" N., long. 82°53'06" W. of Port Columbus International Airport, Columbus, Ohio; within 2 miles each side of the 094° bearing from the Grandview LOM, extending from the 6-mile radius zone to 2 miles east of the Grandview LOM and within a 1-mile radius of the center, lat. 39° 55'00" N., long. 82°54'00" W. of Price Field, Columbus, Ohio, excluding the portion that coincides with the Columbus, Ohio (Lockbourne AFB), control zone.

Concord, Calif.
Within a 3-mile radius of Buchanan Field, Concord, Calif. (latitude 37°59'20" N., longitude 122°03'30" W.). within 2 miles each side of the Concord VOR 188° radial extending from the 3-mile radius zone to the VOR, effective from 0700 to 2300 hours, local time daily.

Concord, N. H.
Within a 5-mile radius of the center, 43°12'16" N., 71°30'07" W., of Concord Municipal Airport, Concord, New Hampshire; within 1.5 miles each side of the 337° bearing from the Epson, New Hampshire, NDB, 43°07'05" N., 71° 27'13" W., extending from the 5-mile radius zone to the Epson NDB.

Cordova, Alaska
Within a 5-mile radius of the Cordova (mile 13) airport, latitude 60°29'33" N., longitude 145°28'36" W.; within 2 miles each side of the 233° bearing from the Cordova (CDV) NDB extending from the 5-mile radius zone to the intersection of the 233° bearing from the Cordova (CDV) NDB and the Hinchinbrook, Alaska, RBN 106° bearing and within
2 miles each side of the Cordova localizer east course extending from the 5-mile radius zone to 10 miles east of the localizer.

Corpus Christi, Tex.
Within a 5-mile radius of the Corpus Christi International Airport (latitude 27°46'20" N., longitude 97°30'20" W.); within 2 miles each side of the Corpus Christi VORTAC 202° radial, extending from the 5-mile radius zone to the VORTAC; and within 2 miles each side of the Corpus Christi ILS localizer NW course, extending from the 5-mile radius zone to the OM.

Corpus Christi, Tex. (NALF Cabaniss Field)
Within a 5-mile radius of NALF Cabaniss Field (latitude 27°42'06" N., longitude 97°26'17" W.) excluding that airspace designated as the Corpus Christi (CRP) and Navy Corpus Christi (NGP) control zones. This control zone will be effective during the specific dates and times established in advance by a notice to airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.
Effective hours, local time, will be: 0600-2200 Monday through Friday.

Corpus Christi NAS, Tex.
Within a 5-mile radius of NAS Corpus Christi (latitude 27°41'30" N., longitude 97°17'15" W.); within 2 miles each side of the Navy Corpus VOR 010° radial, extending from the 5-mile radius zone to the VOR; within 2 miles each side of the Navy Corpus RBN 315° bearing extending from the 5-mile radius zone to the RBN;
within 2 miles each side of the Navy Corpus TACAN 326° radial, extending from the 5-mile radius zone to 6 miles northwest of the TACAN; and within 2 miles each side of the Navy Corpus TACAN 119° radial, extending from the 5-mile radius zone to 6 miles southeast of the TACAN.

Cortez, Colo.
Within a 5-mile radius of Cortez-Montezuma County Airport, Cortez, Colo., (latitude 37°18'15" N., longitude 108°37'35" W.) and within 3 miles each side of the Cortez VOR 210° and 004° radials, extending from the 5-mile radius zone to 8 miles north of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

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Corvallis, Oreg.
Within a 5-mile radius of Corvallis Municipal Airport (latitude 44°29'50" N., longitude 123°17'10" W.), within 3 miles each side of the Corvallis VOR 090° radial, extending from the 5-mile radius zone to 8 miles east of the VOR and within 3.5 miles each side of the Corvallis VOR 180° radial extending from the 5-mile radius zone to 10 miles south of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Cotulla, Tex.
That airspace within a 3-mile radius of Cotulla Municipal Airport (latitude 28°27'15" N., longitude 99° 13'05" W.) and within 2 miles each side of the Cotulla VOR 266° radial extending from the 3-mile radius zone to 11 miles west of the VOR.

Covington, Ky.
Within a 5-mile radius of Greater Cincinnati Airport (lat. 39°02'56" N., long. 84°39'41" W.); within 1.5 miles each side of Runway 36 ILS localizer south course, extending from the 5-mile radius zone to the LOM.
AMENDMENTS 12/24/74 40 F. R. 1038 (Changed)
AMENDMENTS 2/27/75 40 F. R. 6772 (Changed)

Crescent City, Calif.
Within a 5-mile radius of Jack McNamara Field, Crescent City (lat. 41°46'50" N., long. 124°14'00" W.), within 3 miles each side of the Crescent City VORTAC 325° radial, extending from the 5-mile radius zone to 8 miles northwest of the VORTAC and within 1.5 miles each side of the Crescent City VORTAC 180° radial, extending from the 5-mile radius zone to 5.5 miles south of the VORTAC.
This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Crestview, Fla.
Within a 5-mile radius of Bob Sikes Airport (lat. 30°46'47" N., long. 86°31'21" W.); within 1.5 miles each side of Crestview VORTAC 109° radial, extending from the 5-mile radius zone to 0.5-mile east of the VORTAC.

Crossville, Tenn.
Within a 5-mile radius of the Crossville Memorial Airport (latitude 35°57'05" N., longitude 85°05'05" W.) and within 2 miles each side of the Hinch Mountain VORTAC 334° radial extending from the 5-mile radius zone to 1.5 miles northwest of the VORTAC.

Cut Bank, Mont.
Within a 5-mile radius of Cut Bank Airport (latitude 48°36'41" N., longitude 112°22'45" W.); within 3½ miles each side of the Cut Bank VORTAC 150° radial extending from the 5-mile radius zone to 10 miles southeast of the VORTAC.

Dalhart, Tex.
That airspace within a 5-mile radius of Dalhart Municipal Airport latitude 36°01'10" N., longitude 102°33'10" W.).

Dallas, Tex. (Addison Airport)
That airspace within a 5-mile radius of Addison Airport (latitude 32°58'05" N., longitude 96°50'05" W.); and within 2 miles each side of the Addison VOR 334° radial, extending from the 5-mile radius zone to 6 miles NW of the VOR; excluding the portion S of a line from latitude 32°59'30" N., longitude 96°55'30" W., through latitude 32°58'30" N., longitude 96°51'30" W., to latitude 32°54'00" N., longitude 96°46'30" W.
This control zone is effective from 0600 to 2200 hours, local time, daily.

Dallas, Tex. (Love Field)
That airspace bounded by a line beginning at latitude 32°53'15" N., longitude 96°59'35" W.; thence northeast to latitude 32°56'30" N.; thence clockwise along the arc of a 5-mile radius circle centered at Addison Airport (latitude 32°58'05" N., longitude 96°50'05" W.) to latitude 32°59'30" N., longitude 96°55'30" W., through latitude 32°56'30" N., longitude 96°51'30" W., and continuing southeast along a line to latitude 32°54'00" N., longitude 96°46'30" W. until interception of the arc of a 5-mile radius circle centered at Addison Airport, southeast of Addison Airport; then clockwise along the arc of the 5-mile radius centered at Addison Airport to interception with and then clockwise along the arc of a 5-mile radius circle centered at Love Field (latitude 32°51'00" N., longitude 96°50'50" W.) to longitude 96°49'30" W., southeast of Love Field; thence south along longitude 96°49'30" W. to and counterclockwise along the arc of a 5-mile radius circle centered at Redbird Airport (latitude 32°40'50" N., longitude 96°52'00" W.) until interception with and then northeast along a line drawn between latitude 32°39'35" N. longitude 96°54'15" W., and longitude 96°53'30" W. and the arc of a 5-mile radius circle centered at Love Field, southwest of Love Field; thence clockwise along the arc of a 5-mile radius circle centered at Love Field to latitude 32°49'40" N., west of Love Field, to point of beginning; within 2 miles each side of the Love Field runway 31L ILS localizer southeast course, extending from the Love Field 5-mile radius zone to the OM; and excluding that airspace within the Dallas-Fort Worth, Tex. (Regional Airport), control zone.

Dallas, Tex. (NAS Dallas)
Within a 6-mile radius of NAS Dallas (lat. 32°44'00" N., long. 96°58'05" W.); within a 5-mile radius of Redbird Airport (lat. 32°40'50" N., long. 96°52'00" W.); excluding the portion within the Dallas-Fort Worth, Tex. (Regional Airport), and Dallas, Tex. (Love Field), control zones; and excluding the portion east of a line from latitude 32°37'00" N., longitude 96°56'00" W., to latitude 32°39'35" N., longitude 96°54'15" W., to latitude 32°48'00" N., longitude 96°53'45" W.

Dallas, Tex. (Redbird Airport)
That airspace within a 5-mile radius of Redbird Airport (latitude 32°40'50" N., longitude 96°52'00" W.); and within 3.5 miles each side of the 165° bearing from the Redbird RBN extending from the 5-mile radius zone to 10 miles south of the RBN; excluding the portion west of a line from latitude 32°37'00" N., longitude 96° 56'00" W., to latitude 32°39'35" N., longitude 96°54'15" W., to latitude 32°48'00" N., longitude 96°53'49" W.
This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 10/9/75 40 F. R. 29550 (Changed)

Dallas-Fort Worth, Tex., Regional Airport
Within a 5-mile radius of Dallas/Fort Worth Regional Airport (lat. 32°53'53" N., long. 97°02'24" W.); within 2.5 miles west and 3.5 miles east of the runway 17R/35L ILS localizer courses extending from the 5-mile radius zone to the OMs, and within 2.5 miles each side of the runway 31 ILS localizer course extending from the 5-mile radius zone to the OM.

Danbury, Conn.
Within a 5-mile radius of the center latitude 41°22'15" N., longitude 73°29'00" W., of the Danbury Airport, Danbury, Conn., and within 2 miles each side of the Carmel VORTAC 038° radial extending from the 5-mile radius area to the Carmel VORTAC. This control zone is effective from 0800 to 2000 hours local time daily or during the specific dates and times established in advance by a Notice to Airmen which thereafter will be continuously published in the Airmen's Information Manual.

Danville, Ill.
That airspace within a 5-mile radius of Vermillion County Airport (lat. 40°11'54" N., long. 87°33'49" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Danville, Va.
Within a 5-mile radius of the center, lat. 36°34'30" N., long. 79°20'11" W., of Danville Municipal Airport, Danville, Va.; within 3 miles each side of the Danville, Va., VOR 044° radial, extending from the 5-mile radius zone to 8.5 miles northeast of the VOR; within 3 miles each side of the Danville, Va., VOR 206° radial, extending from the 5-mile radius zone to 8.5 miles southwest of the VOR; within 1.5 miles each side of a 017° bearing from a point 36°34'48" N., 79°20'08" W., extending from said point to 5 miles north.
This control zone is effective from 0600 to 2200 hours, local time, daily.

AMENDMENTS 3/27/75 40 F. R. 3575 (Changed)

Davenport, Iowa
Within a 5-mile radius of Davenport Municipal Airport (latitude 41°36'40" N., longitude 90°35'20" W.); within 3 miles each side of the 224° bearing from the Cody RBN, extending from the 5-mile radius zone to 6½ miles southwest of the RBN; and within 2 miles each side of the Davenport VOR 220° radial, extending from the 5-mile radius zone to 1 mile southwest of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 1/30/75 39 F. R. 41517 (Rewritten)

Dayton, Ohio (James M. Cox-Dayton Municipal)
Within a 5-mile radius of the center, 39°53'57" N., 84°12'45" W. of James M. Cox-Dayton Municipal Airport, Dayton, Ohio, excluding that airspace within a 1-mile radius of the center, 39°54'52" N., 84°18'45" W. of Studebaker Farms Airport, Union, Ohio.

Dayton, OH, (Wright-Patterson AFB)
Within a 5-mile radius of Wright-Patterson AFB (latitude 39°49'25" N., longitude 84°02'55" W.); within a 6-mile radius of the Springfield Municipal Airport (latitude 39°50'22" N., longitude 83°50'21" W.); within 3 miles each side of the 055° bearing from the airport extending from the 6-mile radius zone to 9 miles northeast and within 3 miles each side of the 243° bearing from the airport extending from the 6-mile radius zone to 8.5 miles southwest.

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Daytona Beach, Fla.
Within a 5-mile radius of Daytona Beach Regional Airport (lat. 29°10'40" N., long. 81°03'23" W.); within a 5-mile radius of Municipal Airport, Ormond Beach, Fla. (lat. 29°18'00" N., long. 81°06'40" W.); within 5 miles each side Ormond Beach VORTAC 256° radial, extending from the 5-mile radius zone to 8.5 miles west of the VORTAC.

Deadhorse, Alaska
Within a 5-mile radius of the Deadhorse Airport (latitude 70°11'40" N., longitude 148°28'05" W.); within a 5-mile radius of the Prudhoe Bay Airport (latitude 70°15'05" N., longitude 148°20'13" W.); within 3.5 miles each side of the Deadhorse VOR 255° radial extending from the 5-mile radius zone to 9.5 miles W of the VOR; within 3.5 miles each side of the Deadhorse VOR 081° radial extending from the 5-mile radius zone to 8.5 miles E of the VOR; within 3 miles each side of the Prudhoe Bay NDB 075° bearing extending from the 5-mile radius zone to 8.5 miles E of the NDB; and within 3 miles each side of the Prudhoe Bay NDB 259° bearing extending from the 5-mile radius zone to 8.5 miles W of the NDB.

Decatur, Ill.
Within a 5-mile radius of Decatur Airport (latitude 39°50'05" N., longitude 88°51'50" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airmen's Information Manual.

Del Rio, Tex.
Within a 5-mile radius of Laughlin AFB (latitude 29°21'35" N., longitude 100°46'35" W.) within 3 miles each side of the Laughlin VORTAC 305° radial extending from the 5-mile radius zone to 7 miles northwest of the VORTAC; within 3 miles each side of the Laughlin VORTAC 315° radial extending from the 5-mile radius zone to 14 miles northwest of the VORTAC; within 3 miles each side of the Laughlin VORTAC 148° radial extending from the 5-mile radius zone to 12 miles southeast of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Deming, N. Mex.
Within a 5-mile radius of Deming Municipal Airport (lat. 32°15'40" N., long. 107°43'10" W.).

Denver, Colo.
Within a 9-mile radius of Stapleton International Airport (latitude 39°46'30" N., longitude 104°52'40" W.), within a 9-mile radius of Buckley ANGB Airport (latitude 39°42'05" N., longitude 104°45'10" W.), and within 4 miles each side of the Buckley ANGB VOR 152° radial extending from the 9-mile radius zone to 14 miles southeast of the VOR, excluding the portion within a 1-mile radius of Skyline Airport (latitude 39°46'37" N., longitude 104°36'57" W.).

Des Moines, Iowa
Within a 5-mile radius of Des Moines Municipal Airport (latitude 41°32'10" N., longitude 93°39'27" W.); and within 1 mile each side of the Des Moines ILS localizer northwest course, extending from the 5-mile radius zone to 11½ miles northwest of the OM.

Detroit, Mich. (Metropolitan Wayne County Airport)
Within a 5-mile radius of Detroit Metropolitan Wayne County Airport (latitude 42°13'07" N., longitude 83°20'55" W.); within 2 miles each side of the Detroit Metropolitan Wayne County Airport ILS localizer southwest course, extending from the 5-mile radius zone to the OM; within 2 miles each side of the Detroit Metropolitan Wayne County Airport ILS localizer northeast course, extending from the 5-mile radius zone to the OM; and within 2 miles each side of the Detroit Metropolitan Wayne County Airport ILS east course, extending from the 5-mile radius zone to the OM, excluding the portion west of a line between the points of intersection of the 5-mile radius zone and the Detroit, Mich. (Willow Run) control zone.

Detroit, Mich. (Willow Run Airport)
Within a 5-mile radius of Willow Run Airport (latitude 42°14'05" N., longitude 83°31'45" W.), within 2 miles each side of the Willow Run VOR 237° radial, extending from the 5-mile radius zone to 8 miles SW of the VOR, within 2 miles each side of the Willow Run Airport ILS localizer SW course, extending from the 5-mile radius zone to the OM, excluding the portion subtended by a chord drawn between the points of INT of the 5-mile radius zone with the Detroit, Mich. (Metropolitan Wayne County Airport) control zone.

Detroit, Mich.
Within a 5-mile radius of the Detroit City Airport (latitude 42°24'35" N., longitude 83°00'35" W.), within 2 miles each side of the Detroit City Airport ILS localizer NW course extending from the 5-mile radius zone to 6 miles NW of the approach end of the Detroit City Airport Runway 15; and within 2 miles each side of the Windsor, Ontario, Canada VOR 320° radial extending from the 5-mile radius zone to the United States/Canadian border.

Devils Lake, N. Dak.
Within a 5-mile radius of the Devils Lake Municipal Airport (latitude 48°08'55" N., longitude 98°54' 30" W.); within 3½ miles each side of the Devils Lake VORTAC 134° radial extending from the 5-mile radius zone to 10 miles southeast of the VORTAC; within 3½ miles each side of the Devils Lake VORTAC 324° radial extending from the 5-mile radius zone to 10 miles northwest of the VORTAC; and within 3 nautical miles each side of the 026° bearing from the Devils Lake Municipal Airport extending from the 5-mile radius zone to 7 miles northeast of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Dickinson, N. Dak.
Within a 5-mile radius of Dickinson Municipal Airport (latitude 46°47'51" N., longitude 102°47'49" W.) and within 3 miles each side of the Dickinson VORTAC 013° radial extending from the 5-mile radius area to 8 miles north of the VORTAC.

Dillingham, Alaska
Within a 5-mile radius of the Dillingham Airport (latitude 59°02'30" N., longitude 158°30'28" W.); within 2 miles each side of the Dillingham VORTAC 025° radial extending from the 5-mile radius zone to 13.5 miles northeast of the Dillingham VORTAC and within 2 miles each side of the Dillingham VORTAC 206° radial extending from the 5-mile radius zone to 9 miles southwest of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the U. S. Government Flight Information Publication, Supplement Alaska.

Dodge City, Kans.
Within a 5-mile radius of Dodge City Municipal Airport (latitude 37°45'42" N., longitude 99°57'51" W.).

Dothan, Ala.
Within a 5-mile radius of Dothan Airport (latitude 31°19'10" N., longitude 85°27'30" W.); within 4.5 miles each side of Dothan VORTAC 157° radial, extending from the 5-mile radius zone to 10.5 miles SE of the VORTAC; within 3.5 miles each side of Dothan VORTAC 331° radial, extending from the 5-mile radius zone to 7.5 miles NW of the VORTAC.

Douglas, Ariz.
Within a 5-mile radius of Bisbee-Douglas International Airport (latitude 31°28'00" N., longitude 109°36' 10" W.) and within 2 miles each side of the Douglas VORTAC 333° radial, extending from the 5-mile radius zone to 11.5 miles northwest of the VORTAC.

Dover, Del.
Within a 5-mile radius of the center, lat. 39°07'30" N., long. 75°28'00" W. of Dover AFB, Dover, Del.; within 3 miles each side of the Dover TACAN 178° radial, extending from the 5-mile radius zone to 6.5 miles south of the TACAN; within 3 miles each side of the Dover TACAN 012° radial, extending from the 5-mile radius zone to 6.5 miles north of the TACAN; within 3 miles each side of the Dover TACAN 132° radial, extending from the 5-mile radius zone to 6.5 miles southeast of the TACAN.

Du Bois, Pa.
Within a 5-mile radius of the center, 41°10'42" N., 78°53'50" W., of Du Bois-Jefferson County Airport, Du Bois, Pa.; within 3 miles each side of the Du Bois-Jefferson County Airport ILS localizer northeast course, extending from the 5-mile radius zone to 8.5 miles northeast of the OM; and within 2.5 miles each side of the Clarion, Pa., VORTAC 086° radial, extending from the 5-mile radius zone to 23 miles east of the Clarion, Pa., VORTAC.

Dubuque, Iowa
Within a 5-mile radius of Dubuque Municipal Airport (latitude 42°24'10" N., longitude 90°42'25" W.); within 3 miles each side of the Dubuque VORTAC 321° radial, extending from the 5-mile radius zone to 8 miles northwest of the VORTAC; and within 3 miles each side of the Dubuque VORTAC 126° radial, extending from the 5-mile radius zone to 8 miles southeast of the VORTAC; within 3 miles each side of the Dubuque VORTAC 182° radial, extending from the 5-mile radius zone to 8 miles south of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 4/24/75 40 F. R. 10170 (Rewritten)

Duluth, Minn.
Within a 6.5-mile radius of Duluth International Airport (latitude 46°50'30" N., longitude 92°11'25" W.); and within 3 miles each side of the Duluth VORTAC 197° radial extending from the 6.5-mile radius zone to 11 miles south of the VORTAC.

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Durango, Colo.
Within a 5-mile radius of La Plata Field (latitude 37°09'12" N., longitude 107°55'04" W.) and within 3 miles each side of the Durango VOR 224° radial, extending from the 5-mile radius zone to 8 miles southwest of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Dyersburg, Tenn.
Within a 5-mile radius of the Dyersburg Municipal Airport (latitude 36°00'00" N., longitude 89°24'20" W.); within 1.5 miles each side of the Dyersburg VORTAC 258° radial, extending from the 5-mile radius zone to the VORTAC, effective from 0600 to 2200 hours local time daily.

Eagle, Colo.
That airspace within a 3.5-mile radius of the Eagle County Airport (latitude 39°38'18" N., longitude 106° 54'51" W.) and within 3 miles north and 2.5 miles south of the 093° bearing from the Eagle, Colo., RBN (latitude 39°38'37" N., longitude 106°54'36" W.), extending from the 3.5-mile radius zone to 6 miles east of the RBN.

Eastover, S. C.
Within a 5-mile radius of McEntire ANGB (lat. 33°56'26" N., long. 80°48'14" W.); within 2 miles each side of McEntire ANG TACAN 138° radial, extending from the 5-mile radius zone to 7 miles southeast of the TACAN.

East St. Louis, Ill.
Within a 5-mile radius of the Bi State Parks Airport (latitude 38°34'30" N., longitude 90°10'00" W.) and within 3 miles each side of the 129° bearing from the airport extending from the 5-mile radius area to 8 miles southeast. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Eau Claire, Wis.
Within a 5-mile radius of Eau Claire Municipal Airport (latitude 44°51'50" N., longitude 91°29'10" W.); within 2½ miles each side of the 304° bearing from Eau Claire Municipal Airport extending from the 5-mile radius zone to 5½ miles northwest of the airport; within 2½ miles each side of the 041° bearing from the Eau Claire Municipal Airport, extending from the 5-mile radius zone to 5½ miles northeast of the airport; and within 2½ miles each side of the 274° bearing from the Eau Claire Municipal Airport, extending from the 5-mile radius zone to 5½ miles west of the airport.

Edwards AFB, Calif.
Within an 8-mile radius of Edwards AFB (latitude 34°54'20" N., longitude 117°52'55" W.).

Eglin AFB, Fla.
Within a 5-mile radius of Eglin AFB (lat. 30°29'07" N., long. 86°31'35" W.); within 1 mile each side of the ILS localizer southeast course, extending from the 5-mile radius zone to 4.5 miles southeast of the runway end; within
a 3-mile radius of Destin-Fort Walton Beach Airport (lat. 30°23'57" N., long. 86°28'47" W.); within 2 miles each side of the extended centerline of runway 14/32, extending from the 3-mile radius zone to 4 miles southeast of the airport.

AMENDMENTS 3/27/75 40 F. R. 14740 (Changed)

Eglin AF Aux No. 3 (Duke Field), Fla.
Within a 5-mile radius of Eglin AF Aux No. 3 (Duke Field); (latitude 30°39'01" N., longitude 86°31'25" W.). The portion within a 5-mile radius of Bob Sikes Airport (latitude 30°46'47" N., longitude 86°31'21" W.) is excluded. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 3/10/75 40 F. R. 10170 (Changed)
AMENDMENTS 7/3/75 40 F. R. 29551 (Changed)

Eglin AF Aux No. 9 (Hurlburt Field), Fla.
Within a 5-mile radius of Eglin AF Aux No. 9 (Hurlburt Field) (lat. 30°25'42" N., long. 86°41'05" W.); within 2 miles each side of the Eglin VOR 285° radial, extending from the 5-mile radius zone to 1 mile west of the VOR; excluding the portion within Eglin AFB control zone.

El Centro, Calif.
Within a 5-mile radius of NAF El Centro (latitude 32°49'20" N., longitude 115°40'15" W.); within a 5-mile radius of Imperial County Airport, El Centro, Calif. (latitude 32°50'10" N., longitude 115°34'30" W.); within 2 miles each side of the Imperial VORTAC 297° radial, extending from the NAF El Centro 5-mile radius zone to the VORTAC, and within 2 miles each side of the Imperial VORTAC 327° radial, extending from the Imperial County 5-mile radius zone to the VORTAC.

El Dorado, Ark.
That airspace within a 5-mile radius of Goodwin Airport, El Dorado, Ark. (latitude 33°13'05" N., longitude 92°48'45" W.).

Elizabeth City, N. C.
Within a 5-mile radius of CGAS Elizabeth City (latitude 36°15'35" N., longitude 76°10'20" W.); within 3 miles each side of Elizabeth City VOR 188° radial, extending from the 5-mile radius zone to 10 miles south of the VOR; within 2.5 miles each side of Elizabeth City VOR 357° radial, extending from the 5-mile radius zone to 8.5 miles north of the VOR. This control zone is effective from 0700 to 2200 hours, local time, daily.

AMENDMENTS 6/18/75 40 F. R. 31597 (Changed)

Elkhart, Ind.
Within a 5-mile radius of the Elkhart Municipal Airport (latitude 41°43'11" N., longitude 85°59'41" W.), within 2 miles each side of the 264° bearing from the airport extending from the 5-mile radius zone to 8 miles west, excluding that airspace within a 1-mile radius of the Mishawaka Pilots Club Airport (latitude 41°39' 25" N., longitude 86°02'05" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Elkins, W. Va.
Within a 5-mile radius of the center, lat. 38°53'20" N., long. 79°51'24" W. of Elkins-Randolph County-Jennings Randolph Field,
Elkins, W. Va., and within 3 miles each side of the 011° bearing from the Randolph County RBN, extending from the 5-mile radius zone to 8.5 miles north of the RBN. This control zone is effective from sunrise to sunset, daily.

Elko, Nev.
Within a 5-mile radius of Elko Municipal Airport (Lat. 40°49'35" N, Long. 115°47'20" W).

Elmira, N.Y.
Within a 5-mile radius of the center of Chemung County Airport, Elmira, N.Y., 42°09'37" N., 76°53'35" W.; within 2 miles each side of the Elmira VOR 057° radial extending from the 5-mile radius zone to the VOR; within 2 miles each side of the airport ILS localizer NE course extending from the 5-mile radius zone to 2 miles NE of the OM; within 2 miles each side of the centerline of Runway 1 extended northerly from the 5-mile radius zone for 3 miles; within 2 miles each side of the centerline of Runway 10 extended easterly from the 5-mile radius zone for 1 mile; within 2 miles each side of the centerline of Runway 19 extended southerly from the 5-mile radius zone for 2 miles and within 2 miles each side of the centerline of Runway 28 extended westerly from the 5-mile radius zone for 4 miles.

El Monte, Calif.
Within a 3-mile radius of El Monte Airport (latitude 34°05'05" N., longitude 118°02'00" W.) and within 2 miles each side of the Pomona VORTAC 271° radial, extending from the 3-mile radius zone to 8 miles west of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

El Paso, Tex.
That airspace bounded by a line beginning at latitude 31°45'45" N., longitude 106°27'43" W.; thence clockwise along the arc of a 6-mile radius circle centered at the El Paso International Airport (latitude 31°48'35" N., longitude 106°22'55" W.) to latitude 31°49'46" N., longitude 106°28'34" W.; thence clockwise along the arc of a 6-mile radius circle centered at latitude 31°50'55" N., longitude 106°22'45" W.; to latitude 31°55'12" N., longitude 106°26'00" W.; to latitude 31°56'20" N., longitude 106°26'00" W.; thence clockwise along the arc of a 7-mile radius circle centered at latitude 31°50'55" N., longitude 106°22'45" W.; to latitude 31°47'30" N., longitude 106°16'45" W.; thence clockwise along the arc of a 6-mile radius circle centered at the El Paso International Airport; to latitude 31°43'15" N., longitude 106°22'20" W.; thence via the United States/Mexican border to point of beginning.

AMENDMENTS 1/30/75 39 F. R. 41066 (Rewritten)

V 41 1
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El Toro, CA.
Within a 5-mile radius of MCAS El Toro (latitude 33°40'34" N., longitude 117°43'50" W.); within 3.5 miles west and 3 miles east of the El Toro VOR 175° radial extending from the 5-mile radius zone to 12 miles south of the VOR, excluding the portions within the Santa Ana, CA. (Orange County), and Santa Ana (MCAS), CA., control zones. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Emporia, Kansas
Within a 5-mile radius of the Emporia Kansas Municipal Airport (latitude 38°20'00" N., longitude 96°11'15" W.); and 1.5 miles either side of the 010° bearing from the airport extending from the 5-mile radius to 6 miles north.

Enid, Okla.
That airspace within a 5-mile radius of Vance AFB (latitude 36°20'20" N., longitude 97°55'00" W.); and within 2 miles west and 3 miles east of the Vance AFB ILS localizer south course extending from the 5-mile radius zone to the OM; and within 2 miles each side of the Vance AFB VORTAC 188° radial, extending from the 5-mile radius zone to 8 miles south of the VORTAC; and within 2 miles each side of the Vance AFB VORTAC 345° radial, extending from the 5-mile radius zone to 5.5 miles north of the VORTAC; and within 2 miles west and 3 miles east of the Vance AFB 17R/35L runway centerline, extending from the 5-mile radius zone to 6.5 miles north of Vance AFB; and within a 5-mile radius of Enid Woodring Municipal Airport (latitude 36°22'45" N., longitude 97°47'30" W.) and within 2 miles each side of the Woodring VOR 355° radial, extending from the 5-mile radius zone to 8 miles north of the VOR; and within 2 miles each side of the Woodring VOR 185° radial, extending from the 5-mile radius zone to 8 miles south of the VOR. This control zone is effective during the dates and times published in the Airman's Information Manual.

Ephrata, Wash.
Within a 5-mile radius of Ephrata Municipal Airport (latitude 47°18'27" N., longitude 119°30'38" W.) and within 3 miles each side of the Ephrata VORTAC 043° and 223° radials, extending from the 5-mile radius zone to 8 miles northeast of the VORTAC. This control zone is effective during specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continously published in the Airman's Information Manual.

Erie, Pa.
Within a 5-mile radius of the center, lat. 42°04'53" N., long. 80°10'43" W. of Erie International Airport, Erie, Pa.; within a 6-mile radius area of the center of the airport, extending clockwise from a 060° bearing to a 235° bearing from the airport; within a 9.5 mile radius of the center of the airport, extending clockwise from a 090° bearing to a 175° bearing from the airport; within 3.5 miles each side of the Erie ILS localizer NE course extending from the 5-mile radius area to 8 miles NE of the OM.

Escanaba, Mich.
Within a 5-mile radius of Delta County Airport (latitude 45°43'25" N., longitude 87°05'56" W.); within 3 miles each side of the Escanaba VORTAC 007°, 101°, and 266° radials, extending from the 5-mile radius zone to 8 miles north, east and west of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 6/19/75 40 F. R. 17986 (Rewritten) Corr: 40 F. R. 22126

Eugene, Oreg.
Within a 5-mile radius of Mahlon-Sweet Field (latitude 44°07'25" N., longitude 123°13'05" W.), within 3 miles each side of the Eugene VORTAC 008° radial, extending from the 5-mile radius zone to 8 miles north of the VORTAC, and within 2.5 miles each side of the Eugene VORTAC 172° radial, extending from the 5-mile radius zone to 9 miles south of the VORTAC. This control zone is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 5/25/75 40 F. R. 24721 (Changed)

Evansville, Ind.
Within a 5-mile radius of Dress Memorial Airport (latitude 38°02'15" N., longitude 87°32'00" W.); and within 2 miles each side of the Evansville ILS localizer northeast course, extending from the 5-mile radius zone to 1 mile southwest of the OM.

Everett, Wash.
Within a 5-mile radius of the Snohomish County Airport (Paine Field), Wash. (latitude 47°54'40" N., longitude 122°16'50" W.), and within 3 miles each side of the Paine VOR 356° radial, extending from the 5-mile radius zone to 8 miles north of the VOR. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Fairbanks, Alaska (Eielson AFB)
Within a 5-mile radius of Eielson AFB (latitude 64°39'55" N., longitude 147°05'55" W.); within 2 miles each side of the Eielson localizer S course extending from the 5-mile radius zone to the Eielson outer marker; and within 2 miles SW and 3 miles NE of the Eielson TACAN 324° radial extending from the Eielson 5-mile radius zone to 6 miles NW of the TACAN.

Fairbanks, Alaska (Fairbanks International/Fort Wainwright AAF)
Within a 5-mile radius of Fairbanks International Airport (latitude 64°49'09" N., longitude 147°51'14" W.); within a 5-mile radius of Fort Wainwright AAF (latitude 64°50'13" N., longitude 147°36'52" W.); within 2 miles each side of the Fairbanks localizer NE course, extending from the Fairbanks 5-mile radius zone to the outer marker; within 2 miles each side of the Fairbanks localizer SW course, extending from the Fairbanks 5-mile radius zone to 5 miles SW of the localizer antenna (latitude 64°48'11" N., longitude 147°53'01" W.); and within 2 miles each side of the Chena, Alaska, RBN 089° bearing, extending from the Fort Wainwright 5-mile radius zone to 5 miles E of the RBN.

Fairfield, Calif.
Within a 5-mile radius of Travis AFB, Fairfield, Calif. (latitude 38°15'45" N., longitude 121°55'35" W.), and within 2 miles each side of the Travis VOR 229° radial, extending from the 5-mile radius zone NE to the VOR and 18 miles SW of the VOR.

Fairmont, Minn.
Within a 5-mile radius of Fairmont Municipal Airport (latitude 43°38'41" N., longitude 94°25'04" W.); within 2½ miles each side of the 132° bearing from the Fairmont Municipal Airport, extending from the 5-mile radius zone to 6½ miles southeast of the airport, and within 2½ miles each side of the 319° bearing from the Fairmont Municipal Airport, extending from the 5-mile radius zone to 6½ miles northwest of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Fallon, Nev.
Within a 5-mile radius of NAAS Fallon (latitude 39°25'10" N., longitude 118°42'00" W.); within 2 miles each side of the NAAS Fallon TACAN 139° radial, extending from the 5-mile radius zone to 8 miles SE of the TACAN, and within 2 miles NE and 2.5 miles SW of the Fallon TACAN 296° radial, extending from the 5-mile radius zone to 5.5 miles NW of the TACAN.

Falmouth, Mass.
Within a 5-mile radius of Otis AFB, Falmouth, Mass. (latitude 41°39'30" N., longitude 70°31'35" W.); within 2 miles each side of the extended centerline of Runway 5, extending from the 5-mile radius zone to 6 miles NE of the end of Runway 5; within 2 miles each side of the Otis TACAN 030° radial, extending from the 5-mile radius zone to 8 miles NE of the TACAN; within 2 miles each side of the extended centerline of Runway 14, extending from the 5-mile radius zone to 5 miles SE of the end of Runway 14; within 2 miles each side of the Otis TACAN 139° radial, extending from the 5-mile radius zone to 7 miles SE of the TACAN; within 2 miles each side of the extended centerline of Runway 23, extending from the 5-mile radius zone to 5 miles SW of the end of Runway 23; within 2 miles each side of the Otis TACAN 224° radial, extending from the 5-mile radius zone to 8 miles SW of the TACAN; within 2 miles each side of the extended centerline of Runway 32, extending from the 5-mile radius zone to 5 miles NW of the end of Runway 32; within 2 miles each side of the Otis TACAN 299° radial, extending from the 5-mile radius zone to 7 miles NW of the TACAN.

Farewell, Alaska
Within a 5-mile radius of the Farewell Airport (latitude 62°30'30" N., longitude 153°52'30" W.); and within 3.5 miles each side of the 306° bearing from the Farewell RBN extending from the 5-mile radius zone to 8.5 miles northwest of the RBN. This control zone is effective from 0745 to 1545 local time daily, or during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Flight Information Publication, Supplement Alaska.

Fargo, N. Dak.
Within a 7-mile radius of Hector Field (lat. 46°54'57" N., long. 96°48'53" W.); and within 2 miles each side of the Fargo VORTAC 009° radial, extending from the 7-mile radius zone to the VORTAC.

Farmingdale, N. Y.
Within a 5-mile radius of Republic Airport, Farmingdale, N. Y., (latitude 40°43'45" N., longitude 73°24'50" W.), extending clockwise from 065° bearing to the 270° bearing and within a 6-mile radius extending clockwise from the 270° to the 065° bearing from the airport. This control zone shall be in effect from 0700 to 2300 hours, local time, daily.

AMENDMENTS 1/2/75 39 F. R. 39261 (Rewritten)

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Farmington, N. Mex.
Within a 5-mile radius of Farmington Municipal Airport (lat. 36°44'28" N., long. 108°13'38" W.); and within 3 miles each side of the Farmington VORTAC 086° and 267° radials extending from the 5-mile radius zone to 8 miles east of the Farmington, N. Mex., VORTAC.

Fayetteville, Ark.
Within a 5.5-mile radius of Drake Field (latitude 36°00'13" N., longitude 94°10'12" W.), within 3 miles each side of the Drake VOR 325° radial extending from the 5.5-mile radius zone to 8 miles northwest of the VOR; and within 2 miles each side of the
Fayetteville ILS localizer north course 349° bearing extending from the 5.5-mile radius zone to 11.5 miles north of the localizer site (latitude 35°59'37.5" N., longitude 94°10'02" W.).

Fayetteville, NC.
Within a 5-mile radius of Fayetteville Municipal Airport (Grannis Field) (lat. 34°59'22" N., long. 78°52' 52" W.); within 3 miles each side of Fayetteville VOR 015°, 080° and 233° radials, extending from the 5-mile radius zone to 8.5 miles north, east, and southwest of the VOR; excluding the portion within Simmons AAF control zone.

Findlay, OH.
Within a 5-mile radius of the Findlay Airport (latitude 41°00'40" N., longitude 83°40'30" W.) excluding that portion within a 1-mile radius of the Lutz Airport (latitude 40°57'42" N., longitude 83°35'43" W.) within 3 miles each side of the 179° bearing from the Findlay Airport extending from the 5-mile radius zone to 8.5 miles south of the airport; within 3 miles each side of the 063° bearing from the Findlay Airport extending from the 5-mile radius zone to 8.5 miles northeast of the airport; within a 5-mile radius of Bluffton Flying Service Airport (latitude 40°53'06" N., longitude 83°52'04" W.) and within 2 miles each side of the Findlay VORTAC 231° radial extending from the 5-mile radius zone to the Findlay, OH. Airport 5-mile radius zone.

Flagstaff, Ariz. (Pullian Airport)
Within a 7-mile radius of Pullian Airport (latitude 35°08'16" N., longitude 111°40'17" W.) and within 2 miles each side of the Flagstaff VOR 127° radial, extending from the 7-mile radius zone to 10 miles southeast of the VOR.

Flint, Mich.
Within a 5-mile radius of Flint, Mich., Bishop Airport (latitude 42°57'55" N., longitude 83°44'30" W.), and within 2 miles each side of the Flint VORTAC 052° 075°, 187°, 219°, 280° and 351° radials extending from the 5-mile radius zone to 8 miles NE, E, S, SW, W, and N of the VORTAC.

Florence, S. C.
Within a 5-mile radius of Florence City-County Airport (lat. 34°11'17" N., long. 79°43'28" W.); within 3.5 miles each side of Florence VORTAC 049° and 229° radials, extending from the 5-mile radius zone to 8 miles northeast of the VORTAC.

Ft. Belvoir, Va.
Within a 5-mile radius of the center, 38°42'55" N., 77°10'55" W., of Davison AAF, Fort Belvoir, Va.; within 1-mile each side of the Davison AAF localizer southeast course, extending from the 5-mile radius zone to the OM; within 2 miles each side of the extended centerline of Runway 32, extending from the northwest end of Runway 32 to 5 miles northwest, excluding the portion within P-73.

AMENDMENTS 3/27/75 40 F. R. 4297 (Rewritten)

Fort Bragg, N. C.
Within a 5-mile radius of Pope AFB (latitude 35°10'15" N., longitude 79°00'55" W.), excluding the portion within R-5311 and the portion southeast of a line extending from latitude 35°11'15" N., longitude 78°56'05" W., to latitude 35°05'55" N., longitude 79°00'50" W.

Fort Carson, Colo.
Within a 5-mile radius of Butts Army Airfield (latitude 38°40'46" N., longitude 104°45'41" W.), excluding the portion within the Colorado Springs, Colo., control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Fort Devens, Mass.
Within a 4-mile radius of the center, 42°34'15" N., 71°36'20" W., of Devens AAF, Fort Devens, Mass.; within a 1-mile radius of the center 42°38'30" N., 71°39'15" W., of Groton Airport, Groton, Mass.; within 2 miles each side of the 315° bearing from the Devens, RBN (42°34'05" N., 71°36'10" W.), extending from the 4-mile radius zone to 8 miles northwest of the RBN excluding that portion within a 1-mile radius of the center 42°31'30" N., 71°39'55" W., of Shirley Airport, Shirley, Mass. This control zone is effective from 0700 to 1900 hours, local time, Monday through Friday.

Fort Dodge, Iowa
Within a 5-mile radius of Fort Dodge Municipal Airport (latitude 42°33'05" N., longitude 94°11'10" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Fort Eustis, Va.
Within a 5-mile radius of the center, lat. 37°07'45" N., long. 76°36'45" W., of Felker AAF, Fort Eustis, Va., and within 3 miles each side of the 323° bearing from the Felker AAF RBN, extending from the 5-mile radius zone to 8.5 miles northwest of the RBN, excluding the portion that coincides with the Newport News, Va., control zone. This control zone is effective from 0600 to 2300 hours, local time, daily.

Fort Huachuca, AZ.
Within a 5-mile radius of Libby AAF, Fort Huachuca, AZ. (latitude 31°35'00" N., longitude 110°20'30" W.), within 5 miles each side of the Libby AAF VOR 093° radial, extending from the VOR to 12 miles east of the VOR. This control zone will be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Fort Knox, Ky.
Within a 5-mile radius of Godman AAF (lat. 37°54'27" N., long. 85°58'21" W.); within 3 miles each side of the 354° bearing from Fort Knox RBN, extending from the 5-mile radius zone to 8.5 miles north of the RBN; within 3 miles each side of Fort Knox VOR 001°, 172° and 324° radials, extending from the 5-mile radius zone to 8.5 miles north, south and northwest of the VOR.

AMENDMENTS 12/4/75 40 F. R. 43485 (Changed)

Fort Lauderdale, Fla.
Within a 5-mile radius of Fort Lauderdale-Hollywood International Airport (lat. 26°04'26" N., long. 80°09'10" W.); within 3 miles each side of Fort Lauderdale VOR 084°, 276° and 306° radials, extending from the 5-mile radius zone to 8.5 miles east, west, and northwest of the VOR.

Fort Lauderdale, Fla. (Executive Airport)
Within a 5-mile radius of Fort Lauderdale Executive Airport (lat. 26°11'41" N., long. 80°10'15" W.); within 2 miles each side of the 083° bearing from Tropic RBN (lat. 26°11'08" N., long. 80°17'49" W.), extending from the 5-mile radius zone to 1.5 miles east of the RBN; excluding
the portion within Fort Lauderdale-Hollywood International Airport (lat. 26°04'26" N., long. 80°09'10" W.) control zone and
the portion northeast of a line 3 miles southwest of and parallel to Pompano Beach VOR 319° radial, and the portion east of Fort Lauderdale Executive Airport, north of a line 1 mile north of and parallel to the extended centerline of Runway 8/26.
This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Fort Leonard Wood, Mo.
Within a 4-mile radius of Forney AAF (latitude 37°44'30" N., longitude 92°08'25" W.); within 4 miles each side of the Forney AAF VOR 323° radial extending from the 4-mile radius zone to 7½ miles northwest of the VOR; and within 3 miles each side of the 146° bearing from the Forney AAF RBN extending from the 4-mile radius zone to 7½ miles southeast of the Forney AAF RBN. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Fort Lewis, Wash.
Within a 5-mile radius of Gray AAF, Fort Lewis, Wash. (latitude 47°04'55" N., longitude 122°34'55" W.), excluding the portions within the Tacoma, Washington (McChord AFB) control zone and the portion east of a line 2 miles west of and parallel to the McChord AFB VOR 182° radial. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Fort Meade, MD.
Within a 5-mile radius of the center 39°05'04" N., 76°45'37" W. of Tipton AAF, Fort Meade, MD., and within 3 miles each side of a line bearing 091° from the Fort Meade RBN (lat. 39°05'04" N., 76°45'37" W.) extending from the 5-mile radius zone to 8 miles east of the RBN excluding that airspace that coincides with the Baltimore, MD., control zone and a 1-mile radius centered on Beltsville, MD. (USDA), Airport (39°01'27" N., 76°49'21" W.). This control zone shall be in effect from 0700 to 2200 hours, local time Monday through Friday and 0800 to 1600 hours, local time Saturdays, Sundays, and Federal holidays.

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Fort Myers, Fla.
Within a 5-mile radius of Page Field (lat. 26°35'00" N., long. 81°51'51" W.); within 3 miles each side of Fort Myers VORTAC 062°, 213°, and 318° radials, extending from the 5-mile radius zone to 8.5 miles northeast, southwest, and northwest of the VORTAC.

AMENDMENTS 4/24/75 40 F. R. 7435 (Changed)

Fort Ord, Calif.
Within a 5-mile radius of the Fritzsche AAF (latitude 36°40'55" N., longitude 121°45'40" W.), excluding the portion SW of a chord drawn between the points of INT of 5-mile radius circles centered on the Monterey Peninsula Airport and Fritzsche AAF, and the portion E of a chord drawn between the points of INT of 5-mile radius circles centered on the Salinas Municipal Airport and Fritzsche AAF.
This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airmen's Information Manual.

Fort Polk, La.
That airspace within a 5-mile radius of Polk AAF (latitude 31°02'40" N., longitude 93°11'25" W.); within 2 miles each side of the 160° bearing from the Polk AAF RBN, extending from the 5-mile radius zone to 9 miles SE of the south fan marker; and within 2 miles each side of the 340° bearing from the Polk AAF RBN, extending from the 5-mile radius zone to 7 miles NW of the north fan marker. This control zone is effective during the dates and times established in advance by publication of Special Notices in the Airman's Information Manual.

Fort Riley, Kansas
Within a 5-mile radius of Marshall AAF, Fort Riley, Kansas (latitude 39°03'15" N., longitude 96°45'50" W.); within 2 miles each side of the Fort Riley VOR 042° radial extending from the 5-mile radius zone to the VOR; and within 2 miles each side of the 216° bearing from the Fort Riley RBN extending from the 5-mile radius zone to 8 miles SW of the RBN, excluding the portion within R-3602 and the portion bounded on the NE by the 316° bearing from the Fort Riley RBN and on the SE by a line 2 miles NW of and parallel to the Fort Riley VOR 042° radial. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Fort Rucker, Ala.
Within a 7-mile radius of latitude 31°18'30" N., longitude 85°42'20" W.; within 3 miles each side of Cairns, Ala., VOR 233° radial, extending from the 7-mile radius zone to 8.5 miles southwest of the VOR; within 2 miles each side of Cairns AAF Runway 36 extended centerline, extending from the 7-mile radius zone to 5 miles south of the runway end; within 3 miles each side of the 242° bearing from Lowe, Ala., NDB, extending from the 7-mile radius zone to 8.5 miles southwest of the NDB; within 3 miles each side of Hanchey, Ala., VOR 358° radial, extending from the 7-mile radius zone to 8.5 miles north of the VOR; within a 2-mile radius of Blackwell Field, Ozark, Ala. (latitude 31°25'50" N., longitude 85°37'10" W.); within a 2-mile radius of Hooper, Ala. Army Stage Field (latitude 31°24'25" N., longitude 85°41'20" W.); excluding the portion within a 1.5-mile radius of Allen, Ala., Army Stage Field (latitude 31°13'30" N., longitude 85°38'40" W.), and the portion within R-2103.

Fort Smith, Ark.
Within a 5-mile radius of Fort Smith Municipal Airport (latitude 35°20'10" N., longitude 94°22'05" W.), within 2 miles each side of the Fort Smith VORTAC 238° radial extending from the 5-mile radius zone to the VORTAC, within 2 miles each side of the Fort Smith ILS localizer east course extending from the 5-mile radius zone to the OM, and within 2 miles each side of the Fort Smith ILS localizer west course extending from the 5-mile radius zone to the Peno Bottoms RBN (latitude 35°19'21" N., longitude 94°28'28" W.).

Fort Stewart, Ga.
Within a 5-mile radius of Lyle H. Wright AAF (latitude 31°53'20" N., longitude 81°33'45" W.); within a 1.5-mile radius of Liberty County Airport (latitude 31°47'22" N., longitude 81°38'15" W.); within 2 miles each side of the 049° bearing from Allenhurst RBN, extending from the 5-mile radius zone to the RBN; within 3 miles each side of Wright TVOR 242° radial, extending from the 5-mile radius zone to 8.5 miles SW of the TVOR.
This control zone is effective from 0700 to 2300 hours, local time, daily.

AMENDMENTS 12/27/74 40 F. R. 1508 (Changed)

Fort Wayne, Ind.
Within a 5-mile radius of Baer Field (latitude 40°58'45" N., longitude 85°11'25" W.); within 3 miles each side of the Fort Wayne VORTAC 229° radial, extending from the 5-mile radius zone to 8½ miles southwest of the VORTAC; within 3 miles each side of the Fort Wayne VORTAC 320° radial, extending from the 5-mile radius zone to 8½ miles northwest of the VORTAC; within 3 miles each side of the Fort Wayne VORTAC 038° radial, extending from the 5-mile radius zone to 8½ miles northeast of the VORTAC; and within 3½ miles each side of the Fort Wayne VORTAC 265° radial, extending from the 5-mile radius zone to 10 miles west of the VORTAC.

Fort Worth, Tex. (Carswell AFB)
That airspace within a 5-mile radius of Carswell AFB (latitude 32°46'20" N., longitude 97°26'30" W.); within 2 miles each side of the Carswell AFB TACAN 358° radial extending from the TACAN to 14 miles north;
within 2 miles each side of the Carswell ILS localizer S course extending from the 5-mile radius zone to 9 miles south of the airport;
within 2 miles each side of the Carswell AFB TACAN 194° radial extending from the TACAN to 11.5 miles south;
excluding the portion east of longitude 97°24'00" W.

Fort Worth, Tex. (Meacham Field)
That airspace within a 5-mile radius of Meacham Field (latitude 32°49'00" N., longitude 97°21'35" W.); within a 5-mile radius of Carswell AFB (latitude 32°46'20" N., longitude 97°26'30" W.); and within 2 miles each side of the Meacham Field ILS localizer S course, extending from Meacham Field to 6 miles S; excluding the portion W of longitude 97°24'00" W.

Fort Yukon, Alaska
Within a 5-mile radius of Fort Yukon Municipal Airport (latitude 66°34'16" N., longitude 145°14'59" W.) and within 3 miles south and 4.5 miles north of the Fort Yukon 076° radial extending from the 5-mile radius zone to 10.5 miles east of the Fort Yukon VORTAC and within 3 miles each side of the Fort Yukon VORTAC 214° radial extending from the 5-mile radius zone to 8.5 miles southwest of the VORTAC. This control zone is effective from 0800 to 1700 hours local time daily or during the specific days and times established in advance by Notice to Airmen. The effective times will thereafter be continuously published in the Flight Information Publication Supplement Alaska.

Franklin, Pa.
Within a 5-mile radius of the center, lat. 41°22'45" N., long. 79°51'40" W. of Chess-Lamberton Airport, Franklin, Pa.; within 3 miles each side of the Franklin, Pa. VOR 360° and 180° radials extending from the 5-mile radius zone to 8.5 miles north of the VOR.
This control zone is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airman's Information Manual.

Fresno, Calif. (Chandler Municipal Airport)
Within a 5-mile radius of Chandler Municipal Airport (latitude 36°43'55" N., longitude 119°49'05" W.); within 2 miles each side of the 232° bearing from the Chandler RBN extending from the 5-mile radius zone to 8 miles SW of the RBN and within 2 miles each side of the Fresno VORTAC 185° radial, extending from the 5-mile radius zone to 1.5 miles S of the VORTAC, excluding the portion within the Fresno (Fresno Air Terminal) control zone.
This control zone will be effective from 0700 to 2300 hours, local time daily.

Fresno, Calif. (Fresno Air Terminal).
Within a 5-mile radius of Fresno Air Terminal (latitude 36° 46' 25" N., longitude 119° 42' 35" W.), within 2 miles each side of the Fresno VORTAC 143° radial, extending from the 5-mile radius zone to 15 miles SE of the VORTAC, and within 2 miles each side of the Fresno VORTAC 150° radial, extending from the 5-mile radius zone to the VORTAC.

Fullerton, Calif.
Within a 3-mile radius of Fullerton Municipal Airport (latitude 33°52'20" N., longitude 117°58'45" W.), excluding the portion within the Long Beach, Calif., control zone. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Gage, Okla.
Within a 5-mile radius of the Gage Municipal Airport (latitude 36°17'45" N., longitude 99°46'30" W.), and within 2 miles each side of the Gage VORTAC 118° radial, extending from the 5-mile radius zone to the VORTAC.

Gainesville, Fla.
Within a 5-mile radius of Gainesville Municipal Airport (lat. 29°41'22" N., long. 82°16'28" W.); within 1.5 miles each side of Gainesville VORTAC 034° radial, extending from the 5-mile radius zone to the VORTAC.

Galena, Alaska
Within a 5-mile radius of the Galena Airport (latitude 64°44'10" N., longitude 156°56'00" W.); within 2 miles each side of the Galena VORTAC 089° radial extending from the 5-mile radius zone to 8 miles E of the VORTAC; and within 2 miles each side of the Galena VORTAC 269° radial extending from the 5-mile radius zone to 14 miles W of the VORTAC.

Galesburg, Ill.
Within a 5-mile radius of Galesburg, Ill., Municipal Airport (latitude 40°56'24" N., longitude 90°25'46" W.); within 2 miles each side of the Galesburg VOR 019° radial extending from the 5-mile radius zone to 8 miles N of the VOR; and within 2 miles each side of the Galesburg VOR 214° radial extending from the 5-mile radius zone to 8 miles SW of the VOR. This control zone shall be effective during the times established by a Notice to Airmen and published continuously in the Airman's Information Manual.

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Gallup, N. Mex.
That airspace within a 5-mile radius of the Senator Clarke Field (latitude 35°30'35" N., longitude 108°47' 00" W.), within 3.5 miles each side of the Gallup, N. Mex., VORTAC 242° and 062° radials extending from the 5-mile radius zone to a point 10.5 miles southwest of the VORTAC.

Galveston, Tex.
Within a 5-mile radius of Scholes Field, Galveston, Tex., (Lat. 29°15'55" N., long. 94°51'35" W.); and within 2 miles either side of the Scholes VORTAC 119° radial extending from the 5-mile radius zone to the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Garden City, Kans.
Within a 5-mile radius of the Garden City Municipal Airport (latitude 37°55'40" N., longitude 100°43'40" W.), and within 2 miles each side of the 144° bearing from the Holcomb RBN, extending from the 5-mile radius zone to 2 miles southeast of the RBN; and within 2½ miles each side of the 004° radial of the Gardan City VORTAC extending from the 5-mile radius zone to 8 miles north of the VORTAC; and within 2½ miles each side of the 171° radial of the Garden City VORTAC extending from the 5-mile radius zone to 8 miles south of the VORTAC.

Gary, Ind.
Within a 5-mile radius of Gary Municipal Airport (latitude 41°36'54" N., longitude 87°24'37" W.). This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Glasgow, Mont. (Glasgow AFB)
Within a 5-mile radius of Glasgow AFB (latitude 48°25'21" N., longitude 106°31'55" W.); within 2 miles each side of the Cherry Creek TACAN 292° radial extending from the 5-mile radius zone to 7 miles northwest of the TACAN; and within 2½ miles north and 2 miles south of the Cherry Creek TACAN 125° radial extending from the 5-mile radius zone to 7 miles southeast of the TACAN.
This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airmen's Information Manual.

Glasgow, Mont.
Within a 5-mile radius of Glasgow International Airport (latitude 48°12'50" N., longitude 106°37'10" W.); within 2½ miles each side of the 342° bearing from Glasgow International Airport, extending from the 5-mile radius zone to 5½ miles north of the airport; within 2½ miles each side of the Glasgow VOR 327° radial, extending from the 5-mile radius zone to 5½ miles northwest of the VOR; and within 2½ miles each side of the Glasgow VOR 127° radial, extending from the 5-mile radius zone to 5½ miles southeast of the VOR.

Glens Falls, N. Y.
Within a 5-mile radius of the center, latitude 43°20'32" N., longitude 73°36'35" W., of Warren County Airport, Glens Falls, N. Y., extending clockwise from a 357° bearing to a 275° bearing from the airport; within an 11-mile radius of the center of the airport extending clockwise from a 275° bearing to a 307° bearing from the airport; within a 7.5-mile radius of the center of the airport extending clockwise from a 307° bearing to a 357° bearing from the airport; within 2 miles each side of the Glens Falls VORTAC 008° radial extending from the VORTAC to 5.5 miles north of the VORTAC; and within 4 miles each side of the Glens Falls VORTAC 172° radial extending from the VORTAC to 12.5 miles south of the VORTAC.

Glenview, Ill.
Within a 5-mile radius of NAS-Glenview (latitude 42°05'30" N., longitude 87°49'20" W.); within 2 miles each side of the Northbrook, Ill., VOR 162° and 140° radials extending from the Chicago, Ill., (O'Hare International Airport),and the Glenview, Ill., 5-mile radius zones to 3½ miles south and 3½ miles southeast of the VOR; two miles north and four miles south of the Northbrook VOR 071° radial, extending from 1 mile east to 6 miles east of the VOR; within 2 miles each side of the Northbrook VOR 070° radial, extending from 6 to 11 miles east of the VOR; within 2 miles each side of the 062° bearing from the Haley AAF, Fort Sheridan, Ill., RBN, extending from the RBN to 7 miles northeast of the RBN; within 2 miles each side of the 002° bearing from NAS Glenview RBN, extending from the 5-mile radius zone to 12 miles north of the RBN; and within 2 miles each side of the NAS Glenview TACAN 005° radial, extending from the 5-mile radius zone to 8 miles north of the TACAN, excluding the area that overlies the Chicago, Ill. (O'Hare International Airport) control zone.

Goldsboro, N. C.
Within a 5-mile radius of Seymour Johnson AFB (latitude 35°20'20" N., longitude 77°57'50" W.); within 2 miles each side of Seymour Johnson TACAN 073° radial, extending from the 5-mile radius zone to 4.5 miles east of the TACAN; within 2 miles each side of Seymour Johnson TACAN 253° radial, extending from the 5-mile radius zone to 8.5 miles west of the TACAN.
AMENDMENTS 10/9/75 40 F. R. 33655 (Changed)

Goodland, Kans.
Within a 5-mile radius of Renner Field-Goodland Municipal Airport (latitude 39°22'10" N., longitude 101° 41'55" W.).

Grand Canyon, Ariz. (Grand Canyon National Park Airport)
Within a 5-mile radius of Grand Canyon National Airport (lat. 35°57'16" N., long. 112°08'37" W.) and within 3 miles each side of the Grand Canyon VOR 211° radial, extending from the 5-mile radius zone to 6 miles southwest of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Grand Forks, N. Dak.(International Airport)
Within a 5-mile radius of Grand Forks International Airport (latitude 47°57'05" N., longitude 97°10'35" W.), within 2.5 miles each side of the Grand Forks VORTAC 012° radial, extending from the 5-mile radius zone to 8.5 miles north of the VORTAC and within 3 miles each side of the Grand Forks VORTAC 173° radial, extending from the 5-mile radius zone to 8 miles south of the VORTAC.

Grand Forks, N. Dak. (Grand Forks Air Force Base)
Within a 5-mile radius of Grand Forks AFB (latitude 47°57'40" N., longitude 97°24'00" W.), within 2 miles each side of the Red River VOR 360° radial extending from the 5-mile radius zone to 1 mile NE of the VOR, and within 2 miles each side of the Red River TACAN 004° radial, extending from the 5-mile radius zone to 7 miles N of the TACAN.

Grand Island, Nebr.
Within a 5-mile radius of Grand Island County Airport (latitude 40°58'03" N., longitude 98°18'30" W.); within 3 miles each side of the Grand Island VORTAC 303° radial, extending from the 5-mile radius zone to 8½ miles northwest of the VORTAC; and within 3 miles each side of the Grand Island VORTAC 360° radial, extending from the 5-mile radius zone to 8½ miles north of the VORTAC.

Grand Junction, Colo.
Within a 5-mile radius of Walker Field, Grand Junction, Colo. (lat. 39°07'05" N. Long. 108°31'10" W). and within 2 miles either side of the Grand Junction ILS localizer NW course extending from the 5-mile radius zone to 8 miles NW of the localizer.

Grand Rapids, Mich.
Within a 5-mile radius of Kent County Airport (latitude 42°52'50" N., longitude 85°31'25" W.).

Grandview, Mo.
Within a 5-mile radius of Richards-Gebaur AFB (latitude 38°50'50" N., longitude 94°33'20" W.); within 2½ miles each side of the Richards-Gebaur AFB ILS localizer south course, extending from the 5-mile radius zone to 1 mile south of the OM; and within 2½ miles each side of the Richards-Gebaur AFB TACAN 195° radial, extending from the 5-mile radius zone to 5½ miles south of the TACAN, excluding the area north of latitude 38°52' 30" N., and west of longitude 94°35'50" W. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Grant County, Wash.
Within a 5-mile radius of the Grant County Airport, Moses Lake, Washington (latitude 47°12'29" N., longitude 119°19'05" W.), within 2 miles each side of the Ephrata VORTAC 156° radial extending from the 5-mile radius to 3 miles southeast of the VORTAC, excluding the Ephrata, Washington, control zone, within 2 miles each side of the Grant County ILS localizer south course, extending from the 5-mile radius zone to the Pelican Radio Beacon, within 2.5 miles each side of the Moses Lake VOR 050° radial extending from the 5-mile radius zone to 15.5 miles northeast and within 4 miles each side of the Moses Lake VOR 063° radial extending from the 5-mile radius 14.8 miles northeast. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 8/14/75 40 F. R. 24996 (Rewritten)

Great Falls, Mont. (International Airport)
Within a 5-mile radius of the Great Falls International Airport (latitude 47°29'00" N., longitude 111°22' 00" W.) within 3½ miles each side of the Great Falls VORTAC 225° radial, extending from the 5-mile radius zone to 10 miles southwest of the VORTAC; within 3½ miles each side of the Great Falls VORTAC 045° radial, extending from the 5-mile radius zone to 19 miles northeast of the VORTAC.

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Great Falls, Mont. (Malmstrom Air Force Base)
Within a 5-mile radius of the Malmstrom AFB (latitude 47°30'06" N., longitude 111°11'20" W.); within 3½ miles each side of the Malmstrom AFB VOR 037° radial, extending from the 5-mile radius zone to 15½ miles northeast of the VOR; within 3½ miles each side of the Malmstrom AFB TACAN 227° radial, extending from the 5-mile radius zone to 7 miles southwest of the TACAN; excluding those portions within the Great Falls International Airport control zone.

Green Bay, Wis.
That airspace within a 5-mile radius of Austin-Straubel Airport, Green Bay, Wis., (latitude 44°29' 16" N., longitude 88°07'49" W.).

Greensboro, N. C.
Within a 5-mile radius of Greensboro/High Point/Winston-Salem Regional Airport (latitude 36°05'36" N, longitude 79°56'34" W.); within 2 miles each side of Greensboro VORTAC 035° radial, extending from the 5-mile radius zone to 12 miles northeast of the VORTAC; within 2 miles each side of Greensboro ILS localizer northwest course, extending from the 5-mile radius zone to 1 mile southeast of the LOM.

Greenville, Miss.
Within a 5-mile radius of the Greenville Municipal Airport (latitude 33°29'05" N., longitude 90°59'06" W.); within 3 miles each side of the Greenville VOR 358° radial extending from the 5-mile radius zone to 8.5 miles N of the VOR, effective from 0700 to 2200 hours, local time, daily.

Greenville, S. C.
Within a 5-mile radius of Greenville Municipal Downtown Airport (lat. 34°50'54" N., long. 82°21'01" W.); within a 5-mile radius of Donaldson Center Airport (lat. 34°45'17" N., long. 82°22'30" W.); excluding the portion within a 5-mile radius of Greenville-Spartanburg Airport (lat. 34°53'45" N., long. 82°13'04" W.); effective from 0700 to 2300 hours local time daily.

Greenwood, Miss.
Within a 5-mile radius of the Greenwood Leflore Airport (latitude 33°29'30" N., longitude 90°04'50" W.); within 2.5 miles each side of the Greenwood VORTAC 081° radial, extending from the 5-mile radius zone to 1.5 miles east of the VORTAC.

Greenwood Village, Colo.
That airspace within a 5-mile radius of the Arapahoe County Airport (latitude 39°34'28" N., longitude 104° 51'02" W.), and within 2.5 miles each side of the 335° bearing from the Englewood RBN extending from the 5-mile radius zone to 5 miles northwest of the RBN, excluding that airspace within the Denver, Colo., control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airmen's Information Manual.

Greer, S. C. (Greenville-Spartanburg Airport)
Within a 5-mile radius of Greenville-Spartanburg Airport (lat. 34°53'45" N., long. 82°13'04" W.); within 1 mile each side of Greenville-Spartanburg ILS localizer northeast course, extending from the 5-mile radius zone to 6.5 miles northeast of the airport; within a 5-mile radius of Donaldson Center Airport (lat. 34° 45' 17" N., long. 82°22'30" W.); within a 5-mile radius of Greenville Municipal Downtown Airport (lat. 34°50' 54" N., long. 82°21'01" W.); excluding the portion within Greenville control zone.
PENDING AMENDMENT
The Greer, S. C., control zone is amended as follows: "within 1 mile each side of Greenville-Spartanburg ILS localizer northeast course, extending from the 5-mile radius zone to 6.5 miles northeast of the airport;" is deleted.

AMENDMENTS 1/29/76 40 F. R. 4909½ (Changed)

Grissom AFB, Ind.
Within a 5-mile radius of Grissom AFB (latitude 40°38'55" N., longitude 86°09'10" W.); within 2½ miles each side of the Grissom AFB TACAN 053° radial extending from the 5-mile radius zone to 7 miles northeast of the TACAN; within 3½ miles each side of the Grissom AFB VOR 230° radial extending from the 5-mile radius zone to 10½ miles southwest of the VOR.

Groton, Conn.
Within a 4-mile radius of the center 41°19'50" N., 72°02'50" W. of Trumbull Airport, Groton, Connecticut, within 2 miles each side of the Trumbull VOR 047° radial extending from the 4-mile radius zone to 7 miles NE of the VOR; within 2 miles each side of the Trumbull VOR 190° radial extended from the 4-mile radius zone to 6.5 miles south of the VOR. Excluding that portion within a 1-mile radius of the center 41°15'15" N., 72° 02'00" W. of the Elizabeth New York Airport. This control zone is effective from 0600 to 2300 hours daily, local time, and during specific dates and times established in advance by a Notice to Airmen.

Guam Island (Anderson AFB)
Within a 5-mile radius of Anderson AFB (latitude 13°35'00" N., longitude 144°55'00" E.); within 2 miles each side of the Anderson TACAN 066° radial, extending from the 5-mile radius zone to 9 miles NE of the TACAN, and within 2 miles NW and 4 miles SE of the Anderson VOR 064° radial, extending from the 5-mile radius zone to the Guam Island (NAS Agana) 5-mile radius zone.

Guam Island (NAS Agana)
Within a 5-mile radius of NAS Agana (latitude 13°29'00" N., longitude 144°47'00" E); within 4 miles each side of Agana VORTAC 244°R, (245° T.), extending from the 5-mile radius zone to 8 miles southwest of the VORTAC, and within 1 mile northwest and 2 miles southeast of the Guam RBN 026° bearing, extending from the 5-mile radius zone
to 2 miles northeast of the RBN.

Gulfport, MS.
Within a 5-mile radius of Gulfport Municipal Airport (lat. 30°24'28" N., long. 89°04'05" W.); within 3.5 miles each side of Gulfport VORTAC 050°, 129°, 213° and 319° radials, extending from the 5-mile radius zone to 9.5 miles northeast, southeast, southwest and northwest of the VORTAC; excluding that portion within the Biloxi, MS., control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Gulkana, Alaska
Within a 5-mile radius of the Gulkana Airport (latitude 62°09'19" N., longitude 145°27'08" W.); within 3.5 miles each side of the Gulkana VORTAC 346° radial extending from the 5-mile radius zone to 11.5 miles N of the VORTAC; and within 3 miles each side of the Gulkana VORTAC 181° radial extending from the 5-mile radius zone to 8.5 miles S of the VORTAC.

Hagerstown, Md.
Within a 5-mile radius of the center, 39°42'27" N., 77°43'50" W., of Hagerstown Regional Airport, Hagerstown, Md.; within 3 miles each side of the Hagerstown, Md., VOR 239° radial and 059° radial, extending from 8.5 miles southwest of the VOR to 2 miles northeast of the VOR; within 3 miles each side of the Hagerstown, Md., VOR 084° radial, extending from the 5-mile radius zone to the VOR; within 4.5 miles each side of the Hagerstown Regional Airport ILS Runway 27 localizer course, extending from the localizer to 13.5 miles east of the localizer. This control zone is effective from 0600 to 2230 hours, local time, daily.

AMENDMENTS 6/19/75 40 F. R. 14741 (Changed)
AMENDMENTS 10/9/75 40 F. R. 33965 (Rewritten)

Hampton Roads, Va.
Within a 5-mile radius of Langley AFB, Hampton Roads, Va., (latitude 37°05'05" N., longitude 76°21'25" W.), within 2.5 miles NW and 2 miles SE of the Langley AFB Runway 7 ILS localizer course, extending from the 5-mile radius zone to the OM, within 2 miles each side of the Langley AFB TACAN 078° radial, extending from the 5-mile radius zone to 6 miles E of the TACAN.

Harlingen, Tex.
Within a 5-mile radius of Harlingen Industrial Airport (latitude 26°13'37" N., longitude 97°39'12" W.); and within 2 miles each side of the Harlingen VOR 117° radial, extending from the 5-mile radius zone to 1 mile southeast of the VOR. This part-time control zone will be effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airman's Information Manual. Tentative dates and times will be: From 0600 to 2200 local time of a daily basis.

Harrisburg, Pa.
Within a 6.5-mile radius of the center, 40°12'59" N., 76°51'03" W., of Capital City Airport, Harrisburg, Pa.: within 2 miles each side of the extended centerline of Capital City Airport Runway 26, extending from the west end of Runway 26 to 6.5 miles west of the west end of Runway 26; within 2 miles each side of the Harrisburg, Pa., VORTAC 100° radial, extending from the 6.5-mile radius zone to 2.5 miles east of the VORTAC; excluding the portion that coincides with the Middletown, Pa., control zone east of the direct lines described as follows: a line bearing 028° from a point 40°12'23" N., 76°48"38" W., extending from said point to the point of intersection with the Harrisburg, Pa., 6.5-mile radius zone and a line bearing 191° from a point 40°12'23" N., 76°48'38" W., extending from said point to the point of intersection with the Harrisburg, Pa., 6.5-mile radius zone.

Harrison, Ark.
Within a 5-mile radius of Boone County Airport (latitude 36°15'55" N., longitude 93°09'14" W.), within a 7.5-mile radius of the airport extending from the Harrison VOR 165° radial clockwise to the 230° radial, and within 1.5 miles each side of the Harrison VOR 140° radial extending from the 5-mile radius zone to the VOR.

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Hartford, Conn.
Within a 5-mile radius of Hartford-Brainard Airport (lat. 41°44'10" N., long. 72°39'02" W.); within a 5-mile radius of Rentschler Field, East Hartford, Connecticut (lat. 41°45'10" N., long. 72°37'25" W.); within 3.5 miles each side of the Brainard (ADQ) NDB (lat. 41°42'51" N., long. 72°36'48" W.) 130° bearing from the NDB extending from the 5-mile radius zone to 7 miles southeast of the NDB; within 4.5 miles each side of the Hartford, Connecticut, VORTAC 327° radial extending from the 5-mile radius zone to the VORTAC; within 2 miles each side of the Hartford VOR 334° radial extending from the 5-mile radius zone to the VOR; within 2 miles each side of the 182° bearing from the Brainard NDB extending from the 5-mile radius zone to 7 miles south of the NDB and within 2 miles each side of the Hartford VOR 327° radial extending from the 5-mile radius zone to the VOR. This control zone is effective from 0700 to 2300 hours local time daily, and during specific dates and times established in advance by a Notice to Airmen.

Hastings, Nebr.
Within a 5-mile radius of Hastings, Nebr., Municipal Airport (latitude 40°36'20" N., longitude 98°25'30" W.), within 2 miles each side of the 338° bearing from Hastings Municipal Airport extending from the 5-mile radius zone to 9.5 miles N of the airport, and within 2 miles each side of the 143° bearing from Hastings Municipal Airport extending from the 5-mile radius zone to 8 miles SE of the airport. The control zone shall be effective during the time established by a Notice to Airmen and continuously published in the Airman's Information Manual.

Havre, Mont.
Within a 5-mile radius of City-County Airport (latitude 48°32'45" N., longitude 109°45'40" W.); within 3 miles each side of the Havre VOR 080° radial, extending from the 5-mile radius zone to 7 miles east of the VOR: and within 3 miles each side of the Havre VOR 287° radial, extending from the 5-mile radius zone to 7 miles west of the VOR.

Hayden, Colo.
Within a 5-mile radius of Yampa Valley Airport (latitude 40°28'53" N., longitude 107°13'08" W.), within 3.5 miles each side of the Hayden VOR 301° radial extending from the 5-mile radius zone to 11.5 miles northwest of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airmen's Information Manual.
AMENDMENTS 12/4/75 40 F. R. 47481 (Added)

Hays, Kansas
Within a 5-mile radius of Hays Municipal Airport (latitude 38°50'45" N., longitude 99°16'30" W.); and within 2 miles each side of the Hays, Kansas, VOR 162° radial, extending from the 5-mile radius zone to 8 miles south of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Hayward, Calif.
Within a 5-mile radius of Hayward Air Terminal (latitude 37°39'30" N., longitude 122°06'45" W.), excluding the portion within the Oakland, Calif., control zone. This control zone is effective from 0600 to 0000 hours, local time, daily.

Hazleton, Pa.
Within a 5-mile radius of the center (40°59'13" N., 75°59'36" W.) of Hazleton Municipal Airport, Hazleton, Pa.; within a 5.5-mile radius of the center of the airport extending clockwise from a 040° bearing to a 090° bearing from the airport; within 1.5 miles each side of the Hazleton VOR 082° radial, extending from the 5-mile radius zone to the VOR; within 2 miles each side of the Hazleton VOR 084° radial, extending from 7 miles east of the VOR to 13.5 miles east of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Helena, MT.
Within a 5-mile radius of Helena County-City Airport (latitude 46°36'27" N., longitude 111°58'45" W.); within 2½ miles each side of the Helena VORTAC 102° radial extending from the 5-mile radius zone to 4½ miles east of the VORTAC.

Hibbing, MN.
That airspace within a 5-mile radius of Chisholm-Hibbing Airport (latitude 47°23'10" N., longitude 92°50' 15" W.); within 2 miles each side of the Hibbing VORTAC 313° radial extending from the 5-mile radius zone to 15 miles northwest of the VORTAC; within 1½ miles each side of the Hibbing VORTAC 313° radial extending from the 5-mile radius zone to the VORTAC.

Hickory, N. C.
Within a 5-mile radius of Hickory Municipal Airport (latitude 35°44'30" N., longitude 81°23'20" W.); within 2.5 miles each side of the 042° bearing from Hickory RBN (latitude 35°44'00" N., longitude 81°23'30" W.), extending from the 5-mile radius zone to 8.5 miles northeast of the RBN; within 2 miles each side of Hickory VOR 222° radial, extending from the 5-mile radius zone to the VOR.

Hillsboro, Oreg.
Within a 5-mile radius of Portland-Hillsboro Airport (latitude 45°32'15" N., longitude 122°56'46" W.); within 2 miles each side of the Newburg VORTAC 007° radial, extending from the 5-mile radius area to 8 miles south of the airport; within 2 miles each side of the 039° bearing from the airport reference point, extending from the 5-mile radius area to 9.5 miles northeast of the airport; and within 3.5 miles each side of the 323° bearing from the airport reference point, extending from the 5-mile radius area to 16 miles northwest. This control zone will be effective during the time established in advance by a Notice to Airmen and continuously published in the Airmen's Information Manual.
AMENDMENTS 8/14/75 40 F. R. 21472 (Rewritten) Corr: 40 F. R. 23990

Hilo, Hawaii
Within a 5-mile radius of General Lyman Field, Hilo, Hawaii (lat. 19°43'15" N., long. 155°02'56" W.), and within 3.5 miles each side of the Hilo VORTAC 080° radial, extending from the 5-mile radius zone to 10 miles east of the VORTAC.

Hobart, Okla.
Within a 5-mile radius of the Hobart Municipal Airport (latitude 34° 59' 20" N., longitude 99° 02' 56" W.) and within 2 miles each side of the Hobart VOR 003° radial, extending from the 5-mile radius zone to the VOR.

Hobbs, N. Mex.
That airspace within a 5-mile radius of the Lea County Airport (latitude 32°41'19" N., longitude 103°13' 01" W.), and within 3.5 miles each side of the Hobbs VORTAC 222° radial, extending from the 5-mile radius zone to 10.5 miles SW of the VORTAC.

Hollywood, Fla.
Within a 3-mile radius of the North Perry Airport (latitude 26°00'06" N., longitude 80°14'24" W.); excluding the portion which coincides with the Fort Lauderdale and Miami, Fla., control zones. This control zone is effective during the specific dates and time established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airmen's Information Manual.

Homer, Alaska
Within a 5-mile radius of the Homer Airport (latitude 59°38'43" N., longitude 151°28'31" W.); within 2 miles each side of the 266° bearing from the Kachemak NDB extending from the 5-mile radius zone to 4.5 miles W of the NDB; and within 1.5 miles each side of the Homer localizer SW course extending from the 5-mile radius zone to 11 miles SW of the localizer antenna site (latitude 59°39'08" N., longitude 151°27'22" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the U. S. Flight Information Publication Supplement Alaska.

Homestead, Fla.
Within a 5-mile radius of Homestead AFB (lat. 25°29'15" N., long. 80°23'00" W.); within 2 miles each side of the ILS localizer southwest course, extending from the 5-mile radius zone to 5 miles southwest of the runway end.
AMENDMENTS 10/9/75 40 F. R. 32320 (Changed)

Honolulu, Hawaii
Within a 5-mile radius of Honolulu International Airport (latitude 21°19'35" N., longitude 157°55'45" W.); within a 5-mile radius of NAS Barbers Point (latitude 21°18'35" N., longitude 158°04'30" W.); within 2 miles each side of the Honolulu VORTAC 089° radial, extending from the VORTAC to the Honolulu 5-mile radius zone; within 3 miles northwest and 4.5 miles southeast of the Honolulu VORTAC 242° radial, extending from the NAS Barbers Point 5-mile radius zone to 13 miles southwest of the Honolulu VORTAC.

Honolulu, Hawaii (Wheeler AFB)
Within a 3-mile radius of Wheeler AFB (latitude 21°29'00" N., longitude 158°02'30" W.), excluding the portion within R-3109. This control zone is effective from 0600 to 2200 hours, local time, daily.

Hopkinsville, Ky.
Within a 5-mile radius of Campbell AAF (lat. 36°40'23" N., long. 87°29'27" W.); within 1.5 miles each side of Campbell TACAN 053° radial, extending from the 5-mile radius zone to 5.5 miles northeast of the TACAN; within 1.5 miles each side of the 224° bearing from Campbell RBN, extending from the 5-mile radius zone to 0.5 mile southwest of the RBN; within a 5-mile radius of Outlaw Field, Clarksville, Tenn. (lat. 36°37'15" N., long. 87° 24'52" W.); within 3 miles each side of Clarksville VOR 171° radial, extending from the 5-mile radius zone to 8.5 miles south of the VOR.

Hoquiam, Wash.
Within a 5-mile radius of Bowerman Field, Hoquiam, Wash. (lat. 46°58'15" N., long. 123°56'03" W.), within 1.5 miles each side of the Hoquiam VORTAC 081° radial, extending from the 5-mile radius zone to the VORTAC and within 4 miles each side of the 081° radial, extending from the 5-mile radius zone to 20 miles east of the VORTAC.

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Hot Springs, Ark.
Within a 9-mile radius of Memorial Field (latitude 34°28'40" N., longitude 93°05'45" W.), and within 3 miles each side of the 248° bearing from the Hot Springs RBN extending from the 9-mile radius zone to 8.5 miles west of the RBN. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Hot Springs, Va.
Within a 6-mile radius of the center, lat. 37°57'04" N., long. 79°50'02" W. of Ingalls Field, Hot Springs, Va. This control zone is effective during the specific days and times established in advance by a Notice to Airmen. The effective times will thereafter be published in the Airman's Information Manual.

Houghton, Mich.
Within a 6-mile radius of Houghton County Memorial Airport (latitude 47°10'06" N., longitude 88°29'20" W.); within 3 miles each side of the 020° bearing from the Calumet RBN, extending from the 6-mile-radius zone to 6½ miles north of the RBN.

Houlton, Maine
Within a 4-mile radius of the center, 46°07'25" N., 67°47'40" W., of Houlton International Airport, Houlton, Maine, and within 2 miles each side of the Houlton VOR 016° radial extending from the 4-mile radius zone to 2 miles north of the VOR, excluding the airspace within Canada.

Houston, Tex. (Ellington AFB)
Within a 5-mile radius of Ellington AFB (latitude 29°36'25" N., longitude 95°09'20" W.), within a 3-mile radius of Clear Lake City Stolport (latitude 29°33'27" N., longitude 95°08'21" W.), within 2 miles each side of the Ellington VOR 209° radial extending from the 5-mile radius zone to 7 miles southwest of the VOR, within 2 miles each side of the Ellington TACAN 213° radial extending from the 5-mile radius zone to 7 miles southwest of the TACAN, within 2 miles each side of the Hobby VORTAC 142° radial extending from the William P. Hobby Airport (latitude 29°38'40" N., longitude 95°16'30" W.) 5-mile radius zone to 11.5 miles southeast of the VORTAC, and within 2 miles each side of the Hobby VORTAC 126° radial extending from the William P. Hobby Airport 5-mile radius zone to 13.5 miles southeast of the VORTAC, excluding the portions within the Houston, Tex. (William P. Hobby), control zone.

Houston, Tex. (Intercontinental Airport)
That airspace within a 5-mile radius of Houston Intercontinental Airport (latitude 29°58'51" N., longitude 95°20'30" W.), within 2 miles each side of the Humble VORTAC 337° radial extending from the 5-mile radius zone to 8 miles N of the VORTAC, within 2 miles each side of the Houston Intercontinental ILS localizer W course extending from the 5-mile radius zone to the OM, and within 2 miles each side of the Houston Intercontinental ILS localizer E course extending from the 5-mile radius zone to 7.5 miles E of the airport.

Houston, Tex. (William P. Hobby)
That airspace within a 5-mile radius of William P. Hobby Airport (latitude 29°38'40" N., longitude 95°16'30" W.); within 2 miles each side of the the Houston William P. Hobby ILS localizer SW course extending from the 5-mile radius zone to the OM, within 2 miles each side of the Houston William P. Hobby ILS localizer NE course extending from the 5-mile radius zone to the Pasadena RBN, within 2 miles each side of the Hobby VORTAC 306° radial extending from the 5-mile radius zone to 6 miles NW of the VORTAC, within 2 miles each side of the Hobby VORTAC 025° radial extending from the 5-mile radius zone to 6 miles NE of the VORTAC, within 2 miles each side of the Hobby VORTAC 239° radial extending from the 5-mile radius zone to 6 miles SW of the VORTAC, within 2 miles each side of the Hobby VORTAC 142° radial extending from the 5-mile radius zone to 11.5 miles SE of the VORTAC, and within 2 miles each side of a 223° bearing from the Hobby DF station (latitude 29°38'48" N., longitude 95°16'42" W.) extending from the 5-mile radius zone to 8 miles SW of the DF station, excluding the portion E of a line from the intersecting point of 5-mile radius circles centered on William P. Hobby Airport and Ellington AFB (latitude 29°36'25" N., longitude 95°09'20" W.) NE of William P. Hobby Airport, through the intersecting point of such 5-mile radius circles SE of William P. Hobby Airport, to latitude 29°32'00" N., longitude 95°15'00" W.

Huntington, W. Va.
Within a 6-mile radius of the center, latitude 38°22'00" N., longitude 82°33'20" W. of Tri-State Airport (Walker-Long Field), Huntington, West Virginia, and within 3.5 miles each side of the Tri-State Airport (Walker-Long Field) ILS localizer east course, extending from the 6-mile radius zone to 4.5 miles east of the Shoals, West Virginia, FM.

Huntsville, Ala.
Within a 5-mile radius of Huntsville-Madison County Jetport-Carl T. Jones (latitude 34°38'19" N., longitude 86°46'25" W.); within 2 miles each side of the Huntsville ILS localizer north course, extending from the 5-mile radius zone to 2.5 miles south of Capshaw RBN; within a 5-mile radius of Redstone AAF (latitude 34°40'29" N., longitude 86°40'54" W.); within 2 miles each side of the 352° bearing from Whitesburg RBN extending from the 5-mile radius zone to the RBN; within 2 miles each side of the 356° bearing from Redstone RBN, extending from the 5-mile radius zone to 2 miles north of the RBN; within 2.5 miles each side of Runway 35 extended centerline, extending from the threshold to 5.5 miles south; within 2.5 miles each side of Runway 17 extended centerline, extending from the threshold to 6 miles north.

AMENDMENTS 12/4/75 40 F. R. 42341 (Changed)

Huron, S. Dak.
Within a 5-mile radius of Huron Regional Airport (latitude 44°23'05" N., longitude 98°13'35" W.); and within 1½ miles each side of the Huron VOR 134° radial, extending from the 5-mile radius zone to the VOR.

AMENDMENTS 2/5/75 40 F. R. 5348 (Changed)

Hutchinson, Kans.
Within a 5-mile radius of Hutchinson Municipal Airport (latitude 38°06'56" N., longitude 97°51'37" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 3/27/75 40 F. R. 4297 (Rewritten)

Hyannis, Mass.
Within a 5-mile radius of the center, 41°40'10" N., 70°16'45" W., of Barnstable Municipal Airport, Hyannis, Mass., and within 2 miles each side of the Hyannis VORTAC 227° radial, extending from the 5-mile radius zone to 10.5 miles southwest of the VORTAC. This control zone is effective from 0700 to 2300 hours, local time, daily or during the specific dates and times established in advance by a Notice to Airmen which thereafter will be continuously published in the Airman's Information Manual.

Idaho Falls, Idaho
Within a 5-mile radius of Fanning Field, Idaho Falls, Idaho (latitude 43°31'05" N., longitude 112°04'05" W.); within a 1-mile radius of Rigby, Idaho, Airport (latitude 43°38'45" N., longitude 111°55'45" W.); within 3.5 miles each side of the Idaho Falls VOR 223° radial extending from the 5-mile radius zone to 10.5 miles southwest of the VOR; within 4 miles each side of the Idaho Falls VOR 030° radial, extending from the 5-mile radius zone to 11 miles northeast of the VOR.

Iliamna, Alaska
Within a 5-mile radius of the Iliamna Airport (latitude 59°45'12" N., longitude 154°54'54" W.); and within 2.5 miles each side of the 209° bearing from the Iliamna RBN, extending from the 5-mile radius zone to 9.5 miles southwest of the RBN. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the U. S. Government Flight Information Publication, Supplement Alaska.

Imperial Beach, Calif.
Within a 3-mile radius of NAS Imperial Beach (latitude 32°34'00" N., longitude 117°08'30" W.); that airspace W of NAS Imperial Beach within the arc of a 6-mile radius circle centered in the Imperial Beach TACAN, extending counterclockwise from a line 2 miles north of and parallel to the Imperial Beach TACAN 288° radial to the United States/Mexican Flight Information Region Boundary, excluding the portion under the jurisdiction of Mexico; and that airspace east of a NAS Imperial Beach within the arc of a 6-mile radius circle centered on the Imperial Beach TACAN, extending clockwise from a line 2 miles north of and parallel to the Imperial Beach TACAN 085° radial to the United States/Mexican Border, excluding the portion east of longitude 117°01'00" W., when the San Diego, Calif. (Brown Field) control zone is effective.

Indianapolis, Ind.
Within a 5-mile radius of Indianapolis Municipal (Weir-Cook) Airport (latitude 39°43'35" N., longitude 86°17'05" W.); within 2 miles each side of the Indianapolis runway 4L ILS localizer southwest course, extending from the 5-mile radius zone to 1 mile northeast of the OM; within 2 miles each side of the Indianapolis runway 31L ILS localizer southeast course, extending from the 5-mile radius zone to 1 mile northwest of the OM; and within 2½ miles each side of the Indianapolis runway 22R ILS localizer northeast course, extending from the 5-mile radius zone to 14½ miles northeast of the OM.

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International Falls, Minn.
Within a 5-mile radius of International Falls Airport (latitude 48°33'55" N., longitude 93°24'06" W.); within 2½ miles each side of the International Falls VOR 129° radial extending from the 5-mile radius zone to 7 miles southeast of the VOR; and within 2½ miles each side of the International Falls VOR 320° radial, extending from the 5-mile radius zone to 7 miles northwest of the VOR, excluding the portion outside the United States.

Iron Mountain, Mich.
Within a 7-mile radius of Ford Airport (latitude 45°48'57" N., longitude 88°06'56" W.); within 3 miles each side of the Iron Mountain VORTAC 192° radial, extending from the 7-mile radius zone to 8 miles south of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Ironwood, Mich.
Within a 6½-mile radius of Gogebic County Airport (latitude 46°31'32" N., longitude 90°07'54" W.); within 3 miles each side of the Ironwood VORTAC 258° radial, extending from the 6½-mile radius zone to 8 miles west of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will be thereafter continuously published in the Airman's Information Manual.

AMENDMENTS 6/19/75 40 F. R. 17986 (Rewritten) Corr: 40 F. R. 22126

Islip, N. Y.
Within a 5-mile radius of the center, 40°47'50" N., 73°06'01" W. of Islip-MacArthur Airport, Islip, N. Y.; within a 6-mile radius of the center of the airport extending clockwise from a 260° to 076° bearing from the airport; within 4 miles each side of the Islip-MacArthur Airport ILS localizer northeast course, extending from the localizer to a point 8.5 miles northeast of the localizer.

Ithaca, N. Y.
Within a 5-mile radius of the center, 42°29'29" N., 76°27'30" W., of Tompkins County Airport, Ithaca, N. Y., extending clockwise from a 196° bearing to a 329° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 329° bearing to a 081° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 081° bearing to a 137° bearing from the airport; within a 7.5-mile radius of the center of the airport, extending clockwise from a 137° bearing to a 170° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 170° bearing to a 196° bearing from the airport; within 3 miles each side of the Ithaca, N. Y., VORTAC 308° radial, extending from the VORTAC to 8.5 miles northwest of the VORTAC. This control zone is effective during specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be published continuously in the Airman's Information Manual.

Jackson, Mich.
Within a 5-mile radius of Reynolds Airport, Jackson, Mich. (latitude 42°15'30" N., longitude 84°27'40" W.), within 2 miles each side of the Jackson VOR 044° radial, extending from the 5-mile radius zone to 8 miles northeast of the VOR, within 2 miles each side of the Jackson VOR 338° radial, extending from the 5-mile radius zone to 8 miles southwest of the VOR, within 2 miles each side of the Jackson VOR 306° radial, extending from the 5-mile radius zone to 8 miles northwest of the VOR, and within 2 miles each side of the Jackson VOR 141° radial, extending from the 5-mile radius zone to 8 miles southeast of the VOR.

Jackson, Miss.
Within a 5-mile radius of Allen C. Thompson Field (latitude 32°18'40" N., longitude 90°04'35" W.); within 2.5 miles each side of Jackson VORTAC 157° and 160° radials, extending from the 5-mile radius zone to 20 miles SE and S of the VORTAC; within a 5-mile radius of Hawkins Field (latitude 32°20'10" N., longitude 90°13'15" W.); within 3 miles each side of the 008° bearing from Hawkins RBN, extending from the 5-mile radius zone to 8.5 miles N of the RBN; within 1.5 miles each side of the Jackson VORTAC 195° radial, extending from the 5-mile radius zone to 0.5 mile S of the VORTAC; within a 5-mile radius of Bruce Campbell Field (latitude 32°26'15" N., longitude 90°06'05" W.).

Jackson, Tenn.
Within a 5-mile radius of McKellar Field (latitude 35°35'55" N., longitude 88°54'55" W.); within 2.5 miles each side of the McKellar VOR 206° radial, extending from the 5-mile radius zone to 8.5 miles southwest of the VOR.

Jacksonville, Fla. (Craig Municipal Airport)
Within a 5-mile radius of Craig Municipal Airport (lat. 30°20'15" N., long. 81°31'00" W.); excluding the portion northeast of a line connecting the two points of intersection with a 5-mile radius circle centered on NS Mayport (lat. 30°23'25" N., long. 81°25'15" W.) control zone.

Jacksonville, Fla. (International Airport)
Within a 5-mile radius of Jacksonville International Airport (lat. 30°29'26" N., long. 81°41'19" W.); within 2 miles each side of the ILS localizer west course, extending from the 5-mile radius zone to 1.5 miles east of the LOM.

Jacksonville, Fla. (NAS Jacksonville)
Within a 5-mile radius of NAS Jacksonville (lat. 30°14'00" N., long. 81°40'30" W.); within 3 miles each side of Navy Cecil VOR 084° radial, extending from the 5-mile radius zone to the NAS Cecil Field (lat. 30°13'00" N., long. 81°52'45" W.) control zone.

Jacksonville, Fla. (NAS Cecil Field)
Within a 5-mile radius of NAS Cecil Field (lat. 30°13'00" N., long. 81°52'45" W.); within 3.5 miles each side of Navy Cecil VOR 285° radial and the 285° bearing from Navy Cecil RBN, extending from the 5-mile radius zone to 11.5 miles west of the VOR and RBN; within 2 miles each side of Navy Cecil TACAN 184° radial, extending from the 5-mile radius zone to 14 miles south of the TACAN; within 1.5 miles each side of Navy Cecil TACAN 355° radial, extending from the 5-mile radius zone to 5.5 miles north of the TACAN.

Jacksonville, N. C.
Within a 5-mile radius of New River MCAS (latitude 34°42'25" N., longitude 77°26'35" W.); within 2 miles each side, expanding to 3 miles each side of the 051° bearing from New River RBN, extending from the 5-mile radius zone to 8.5 miles northeast of the RBN; within 3 miles each side of the 226° bearing from New River RBN, extending from the RBN to 8.5 miles southwest of the RBN; within 2 miles each side of New River TACAN 236° radial, extending from the 5-mile radius zone to 9.5 miles southwest of the TACAN. This control zone is effective from 0700 hours, local time, to sunset, Monday through Friday; 0700 to 1200 hours, local time, Saturday; 1600 to 2000 hours, local time, Sunday, and closed on holidays.

Jacksonville, N. C. (Albert J. Ellis Airport)
Within a 5-mile radius of Albert J. Ellis Airport (lat. 34°49'49" N., long. 77°36'42" W.); within 3 miles each side of the 045° and 220° bearings from Onslow RBN (lat. 34°49'43" N., long. 77°36'51" W.) extending from the 5-mile radius zone to 8.5 miles northeast and southwest of the RBN. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Jamestown, N. Y.
Within a 5-mile radius of the center, 42°09'07" N., 79°15'26" W., of Chautauqua County Airport, Jamestown, N. Y.; within 2 miles each side of the Jamestown, N. Y., VOR 071° and 251° radials extending from the 5-mile radius zone to the VOR and within 2 miles each side of a 053° bearing from the Jamestown, N. Y., RBN (42°11'02" N., 79°11'15" W.) extending from the 5-mile radius zone to 7 miles northeast of the RBN. This control zone is effective during specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be published continuously in the Airman's Information Manual.

Jamestown, N. Dak.
Within a 6-mile radius of Jamestown Municipal Airport (latitude 46°55'55" N., longitude 98°40'40" W.); within 3 miles each side of the Jamestown VORTAC 140° radial, extending from the 5-mile radius zone to 7.5 miles southeast of the VORTAC; and within 3 miles each side of the Jamestown VORTAC 308° radial, extending from the 5-mile radius zone to 8 miles northwest of the VORTAC.

Janesville, Wis.
Within a 5-mile radius of the Rock County Airport (latitude 42°37'12" N., longitude 89°02'28" W.); within 3 miles each side of a 125° bearing from the Rock County Airport extending from the 5-mile radius zone to 6½ miles southeast of the airport; and within 3 miles each side of a 321° bearing from the Rock County Airport extending from the 5-mile radius zone to 6½ miles northwest of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Jefferson City, MO.
Within a 5-mile radius of the Jefferson City Memorial Airport (latitude 38°35'33" N., longitude 92°09'39" W.), and within 2 miles each side of the Jefferson City VOR 308° radial, extending from the 5-mile radius zone to 8 miles northwest of the VOR, and within 2.5 miles each side of the 118° bearing from the Jefferson City RBN facility (latitude 38°33'20" N., longitude 92°04'40" W.) and 2.5 miles each side of the 124° bearing from the Jefferson City RBN, extending from the 5-mile radius zone to 16 miles southeast of the VOR. This control zone shall be effective during the times established by Notice to Airmen and continuously published in the Airman's Information Manual.

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Johnston Island, Johnston Atoll
Within a 5-mile radius of the Johnston Island AFB, Johnston Atoll (latitude 16°44'19" N., longitude 169°31'12" W.); within 2 miles each side of the extended centerline of runway 05, extending from the 5-mile radius zone to 6.5 miles NE of the Johnston Island RBN, and within 2 miles each side of the 241° bearing from the Johnston Island RBN, extending from the 5-mile radius zone to 12 miles SW of the RBN.

Johnstown, Pa.
Within a 5.5-mile radius of the center, lat. 40°19'00" N., long. 78°50'00" W. of Johnstown-Cambria County Airport, Johnstown, Pa.; within 3.5 miles each side of the Johnstown VORTAC 044° radial, extending from the 5.5-mile radius zone to 10 miles northeast of the VORTAC; within 3 miles each side of the Johnstown VORTAC 216° radial, extending from the 5.5-mile radius zone to 8.5 miles southwest of the VORTAC, and within 3.5 miles each side of the Johnstown VORTAC 320° radial, extending from the 5.5-mile radius zone to 10.5 miles northwest of the VORTAC. This control zone is effective from 0630 to 2330 hours, local time, daily.

AMENDMENTS 2/27/75 39 F. R. 45213 (Changed)

Jonesboro, Ark.
Within a 5-mile radius of Jonesboro Municipal Airport (latitude 35°49'50" N., longitude 90°38'55" W.) and within 3 miles each side of the Jonesboro VOR 048° radial extending from the 5-mile radius zone to 8 miles northeast of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Joplin, Mo.
Within a 5-mile radius of the Joplin Municipal Airport (latitude 37°09'05" N., longitude 94° 29' 55" W.).

Juneau, Alaska
Within a 5-mile radius of Juneau Municipal Airport (latitude 58°21'30" N., longitude 134°35'00" W.), and within 2 miles each side of the Juneau localizer W course, extending from the 5-mile radius zone to 2 miles W of the Coghlan Island, Alaska, RBN.

Kahului, Hawaii
Within a 5-mile radius of Kahului Airport (latitude 20°54'05" N., longitude 156°26'05" W.); within 4 miles each side of the Maui VORTAC 038° radial, extending from the 5-mile radius zone to 14 miles northeast of the VORTAC; within 2 miles each side of the Maui VORTAC 201° radial, extending from the 5-mile radius zone to 11 miles south of the VORTAC and within 2 miles each side of the extended centerline of Runway 2/20, extending from the 5-mile radius zone to 11 miles south of the VORTAC.
This control zone is effective from 0600 to 2200 hours, local time, daily or during the specific date or time established by a Notice to Airmen, which thereafter will be continually published in the Pacific Chart Supplement.

Kalamazoo, Mich.
Within a 5-mile radius of the Kalamazoo Municipal Airport (latitude 42°14'07" N., longitude 85°33'10" W.; within 2 miles each side of the Kalamazoo VOR 001°, 167° and 229° radials, extending from the 5-mile radius zone to 7 miles north, south, and southwest of the VOR, and within 2 miles each side of the Kalamazoo ILS localizer south course, extending from the 5-mile radius zone to the OM. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Kalispell, Mont.
Within a 5-mile radius of the Glacier Park International Airport (latitude 48°18'49" N., longitude 114° 15'16" W.); within 2 miles each side of the 038° bearing from the Smith Lake NDB (latitude 48°06'26" N., longitude 114°27'37" W.); extending from the 5-mile radius zone to 4 miles northeast of the NDB (12.5 miles southwest of the airport).

Kaneohe, Hawaii
Within a 5-mile radius of MCAS Kaneohe (latitude 21°27'30" N., longitude 157°46'30" W.).

Kansas City, Mo.
Within a 5-mile radius of the Kansas City Municipal Airport (latitude 39°07'20" N., longitude 94°43' 30" W.) and within 1.5 miles either side of the 031° radial of the Riverside, Missouri, VOR extending from the 5-mile radius zone to 6 miles NE of the VOR; and within 1.8 miles either side of the 215° radial of the Riverside, Missouri, VOR extending from the 5-mile radius zone to 6 miles SW of the VOR; and within 2 miles either side of the 353° radial of the Riverside, Missouri, VOR extending from the 5-mile radius zone to 10.5 miles N of the VOR, excluding that area which overlies the Kansas City International Airport control zone.

Kansas City, Mo. (International Airport)
Within a 5-mile radius of the Kansas City International Airport (latitude 39°18'18" N., longitude 94°42'40" W.), and within 2 miles either side of the Rwy 9 ILS localizer west course extending from the 5-mile radius zone to the Rondell OM; and within 2 miles either side of the Rwy 19 ILS localizer north course extending from the 5-mile radius zone to 12 miles north of the Wyandotte OM; and within 1.5 miles either side of the 268° radial of the Kansas City VORTAC extending from the 5-mile radius zone to the VORTAC; and within 2 miles either side of the Rwy 1 ILS localizer south course extending from the 5-mile radius zone to 1.5 miles south of the Wyandotte OM.

CORR: 40 F. R. 30099

Ke-ahole, Kona, Hawaii
Within a 5-mile radius of the Ke-ahole Airport (latitude 19°44'35" N., longitude 156°03'00" W.) and within 1.5 miles each side of the Kona VORTAC 340° radial, extending from the 5-mile radius zone to the VORTAC. This control zone is effective from 0600 to 2200 hours, local time, daily.

Kearney, Nebr.
Within a 5-mile radius of Kearney Municipal Airport (latitude 40°43'45" N., longitude 98°59'55" W.); within 3½ miles each side of the Kearney VOR 194° radial, extending from the 5-mile radius zone to 10½ miles south of the VOR; and within 3½ miles each side of the Kearney VOR 360° radial, extending from the 5-mile radius zone to 11½ miles north of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Kenai, Alaska
Within a 5-mile radius of the Kenai Municipal Airport (latitude 60°34'21" N., longitude 151°14'44" W.), and within 2 miles northwest and 2.5 miles southeast of the Kenai VORTAC 031° radial, extending from the 5-mile radius zone to 8.5 miles northeast of the VORTAC.

Ketchikan, Alaska
Within a 3-mile radius of the Ketchikan Airport (lat. 55°21'09" N., long. 131°42'22" W.) extending clockwise from the 316° bearing to the 136° bearing from the airport; with a 4-mile radius of the Ketchikan Airport extending clockwise from the 136° bearing to the 316° bearing from the airport; and within 1 mile each side of the Ketchikan localizer northwest/southeast courses extending from the radius zone to 8 miles northwest and 5.5 miles southeast of the Ketchikan localizer. This control zone is effective from 0600 to 2200 hours local time daily, or during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Flight Information Publication Supplement Alaska.

Key West, Fla.
Within a 5-mile radius of Key West International Airport (lat. 24°33'22" N., long. 81°45'35" W.); within 3 miles each side of the 268° bearing from Fish Hook RBN, extending from the 5-mile radius zone to 8.5 miles west of the RBN; within 4 miles each side of Key West VORTAC 309° radial, extending from the 5-mile radius zone to 8.5 miles northwest of the VORTAC; within a 5-mile radius of Key West NAS (Boca Chica) (lat. 24°34' 30" N., long. 81°41'15" W.); within 3.5 miles each side of the 251° bearing from Key West NAS UHF RBN, extending from the 5-mile radius zone to 10.5 miles west of the RBN.

Killeen, Tex.
Within a 5-mile radius of Fort Hood AAF (lat. 31°08'15" N., long. 97°42'50"-W.); within a 4-mile radius of Killeen Municipal Airport (lat. 31°05'10" N., long. 97°41'05" W.); within 3 miles each side of the Hood VOR 219° radial extending from the 4-mile radius zone to 8 miles southwest of the VOR; within a 5-mile radius of Robert Gray AAF (lat. 31°04'20" N., long. 97°49'45" W.); within 3.5 miles each side of the 341° bearing from the Gray RBN (lat. 31°07'18" N., long. 97°51'02" W.) extending from the 5-mile radius zone to 11 miles north of the RBN.

King Salmon, Alaska
Within a 5-mile radius of the King Salmon, Alaska, airport (latitude 58°40'43" N., longitude 156°38'50" W.), within 2.5 miles each side of the King Salmon VORTAC 312° and 132° radials, extending from the 5-mile radius zone to 12.5 miles northwest of the VORTAC; and within 2 miles each side of the King Salmon VORTAC 132° radial, extending from the 5-mile radius zone to 11.5 miles southeast of the VORTAC.

Kingsville, Tex.
Within a 5-mile radius of NAAS Kingsville (North) (latitude 27°30'10" N., longitude 97°48'25" W.); within 2 miles each side of the Kingsville TACAN 321° radial, extending from the 5-mile radius zone to 8 miles NW of the TACAN; within 2 miles each side of the Kingsville UHF RBN 321° bearing, extending from the 5-mile radius zone to 8 miles NW of the UHF RBN; within 2 miles each side of the Kingsville TACAN 187° radial, extending from the 5-mile radius zone to 7 miles S of the TACAN; within 2 miles each side of the Kingsville UHF RBN 187° bearing, extending from the 5-mile radius zone to 7 miles S of the UHF RBN.

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Kinston, N. C.
Within a 5-mile radius of Stallings Field (lat. 35°19'36" N., long. 77°37'02" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Kirksville, Mo.
Within a 5-mile radius of Clarance Cannon Memorial Airport (lat. 40°05'45" N., long. 92°32'50"W.). This control zone will be effective initially during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Klamath Falls, Oreg.
Within a 5-mile radius of Kingsley Field (latitude 42°09'29" N., longitude 121°43'57" W.), within 4 miles east and 2 miles west of the Klamath Falls VORTAC 171° radial extending from the 5-mile radius zone to 8.5 miles south of the VORTAC, and within 2 miles each side of the Klamath Falls VORTAC 332° radial, extending from the 5-mile radius zone to 11 miles northwest of the VORTAC.

Knoxville, Tenn. (Downtown Island Airport)
Within a 5-mile radius of Downtown Island Airport (lat. 35°57'45" N., long. 83°52'30" W.); excluding the portion within the Knoxville control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Knoxville, Tenn.
Within a 5-mile radius of McGhee-Tyson Airport (latitude 35°48'40" N., longitude 83°59'35" W.); within 2 miles each side of Knoxville ILS localizer southwest course, extending from the 5-mile radius zone to 1 mile northeast of the LOM; within 1.5 miles each side of Knoxville VORTAC 220° radial, extending from the 5-mile radius zone to 1.5 miles southwest of the VORTAC.

Kodiak, Alaska
Within a 5-mile radius of the Kodiak Airport (latitude 57°45'02" N., longitude 152°29'19" W.), and within 3 miles north and 3.5 miles south of the Kodiak VORTAC 072° and 252° radials extending from the 5-mile radius zone to 9.5 miles east of the VORTAC.

Kokomo, Ind.
Within a 5-mile radius of Kokomo Municipal Airport (latitude 40°31'45" N., longitude 86°03'30" W.); within 3 miles each side of the Kokomo VOR 039° radial extending from the 5-mile radius zone to 7 miles northeast of the VOR; and within 3 miles each side of the Kokomo VOR 129° radial extending from the 5-mile radius zone to 7 miles southeast of the VOR, excluding the portion overlying the Grissom AFB control zone. This control zone is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Kotzebue, Alaska
Within a 5-mile radius of Wien Memorial Airport, Kotzebue, Alaska, (latitude 66°53'02" N., longitude 162°36' 05" W.), within 3 miles each side of the 048° bearing from the Hotham NDB extending from the 5-mile radius zone to 7 miles northeast of the NDB; within 3 miles each side of the Kotzebue VORTAC 278° radial extending from the 5-mile radius zone to 10 miles west of the VORTAC; and within 3 miles each side of the Kotzebue VORTAC 090° radial extending from the 5-mile radius zone to 8 miles east of the VORTAC.
This control zone is effective from 0800 to 2400 hours local time daily, or during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Flight Information Publication Supplement Alaska.

AMENDMENTS 10/9/75 40 F. R. 17836 (Changed)

Kwajalein Island, Marshall Islands
Within a 5-mile radius of the Bucholz AAF (lat. 08°43'32" N., long. 167°44'03" E.); within 2.5 miles each side of the Kwajalein TACAN 248° radial, extending from the 5-mile radius zone to 6 miles west of the TACAN; and within 3.5 miles each side of the 078° bearing from the Kwajalein RBN, extending from the 5-mile radius zone to 11 miles east of the RBN.
This control zone is effective during specific dates and times established in advance by a Notice to Airmen. The date and time will thereafter be continuously published in the Pacific Chart Supplement.

AMENDMENTS 12/4/75 40 F. R. 45420 (Changed)

La Crosse, Wis.
That airspace within a 5-mile radius of La Crosse Municipal Airport (latitude 43°52'38" N., longitude 91°15' 21" W.); within 3 miles each side of the La Crosse VOR 322° radial extending from the 5-mile radius zone to 11½ miles northwest of the VOR; and within 2½ miles each side of the La Crosse VOR 185° radial extending from the 5-mile radius zone to 5½ miles south of the VOR; and within 2 miles each side of the La Crosse ILS localizer north course, extending from the 5-mile radius zone to 9 miles north of the airport.

Lafayette, Ind.
Within a 5-mile radius of Purdue University Airport (latitude 40°24'45" N., longitude 86°56'08" W.). This control zone will be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Lafayette, La.
That airspace within a 5-mile radius of Lafayette, La., Airport (latitude 30°12'00" N., longitude 91°59'40" W.); within 2 miles each side of the Lafayette ILS localizer N course extending from the 5-mile radius zone to 1 mile S of the OM.

Lake Charles, La.
That airspace within a 5-mile radius of Lake Charles Municipal Airport (latitude 30°07'30" N., longitude 93°13'20" W.), within 2 miles each side of the Lake Charles VORTAC 259° radial extending from the VORTAC to 13 miles W of the VORTAC, within 2 miles each side of the Lake Charles ILS localizer NW course extending from the 5-mile radius zone to the OM, and within 2 miles each side of the Lake Charles ILS localizer SE course extending from the 5-mile radius zone to 7.5 miles SE of the airport.

Lakehurst, N. J.
Within a 5-mile radius of the center 40°02'00" N., 74°21'00" W. of NAS Lakehurst, Lakehurst, N. J.; within 3 miles each side of the 050° bearing from the Navy Lakehurst UHF RBN, extending from the 5-mile radius zone to 8.5 miles northeast of the RBN. This control zone is effective from 0700 to 2300 hours, local time, daily.

Lake Tahoe, Calif.
Within a 5-mile radius of Lake Tahoe Airport (latitude 38°53'30" N., longitude 119°59'50" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airman's Information Manual.

Lanai, Hawaii
Within a 5-mile radius of Lanai Airport (lat. 20°47'30" N., long. 156°57'00" W.). This control zone is effective during specific dates and times established in advance by a notice to airmen. The effective date and time will thereafter be continuously published in the Pacific Chart Supplement.

Lancaster, Calif. (Fox Field)
Within a 5-mile radius of General William J. Fox Airfield (lat. 34°44'26" N., long. 118°13'04" W.), and within 2 miles each side of the Palmdale VORTAC 311° radial extending from the 5-mile radius zone to the Palmdale, Calif., 5-mile radius zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Lancaster, Pa.
Within a 5-mile radius of the center, 40°07'16" N., 76°17'47" W., of Lancaster Airport, Lancaster, Pa.; within 3 miles each side of the Lancaster VORTAC 260° radial, extending from the VORTAC to 8.5 miles west; within 3 miles each side of the Lancaster VORTAC 128° radial, extending from the VORTAC to 8.5 miles southeast; within 2 miles each side of the Lancaster VORTAC 055° radial, extending from the VORTAC to 5 miles northeast. This control zone is effective from 0700 to 2300 hours, local time, daily.

AMENDMENTS 6/19/75 40 F. R. 13478 (Rewritten)

Lansing, Mich.
Within a 5-mile radius of Capital City Airport, Lansing, Mich. (latitude 42°46'40" N., longitude 84°35'20" W.).

Laramie, Wyo.
Within a 5-mile radius of General Brees Field, Laramie, Wyoming (lat. 41°18'50" N., long. 105°40'25" W.); within 4 miles each side of the Laramie VORTAC 301° radial, extending from the 5-mile radius zone to 8 miles northwest of the VORTAC and within 4.5 miles each side of the Laramie VORTAC 126° radial, extending from the 5-mile radius zone to 20 miles southeast of the VORTAC.

AMENDMENTS 8/14/75 40 F. R. 17248 (Rewritten)

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Laredo, Tex.
Within a 5-mile radius of the Laredo Municipal Airport (latitude 27°32'40" N., longitude 99°27'40" W.); within 1.5 miles each side of the Laredo VORTAC 141° radial extending from the 5-mile radius area to 1 mile southeast; within a 5-mile radius of the Laredo International Airport (latitude 27°36'56" N., longitude 99°31'12" W.); within 1.5 miles each side of the Laredo ILS localizer northwest course extending from the ILS localizer site (latitude 27°36'12.6" N., longitude 99°30'50.2" W.) to 7 miles northwest, excluding that portion outside the United States.

AMENDMENTS 12/4/75 40 F. R. 48119 (Rewritten)

Las Vegas, Nev. (McCarran Field)
Within a 5-mile radius of McCarran Field (latitude 36°05'05" N., longitude 115°09'00" W.); within 2 miles southeast and 3 miles northwest of the Las Vegas VORTAC 032° radial extending from the 5-mile radius zone to 6.5 miles northeast of the VORTAC; within 2 miles northwest and 3 miles southeast of the Las Vegas VORTAC 214° radial extending from the 5-mile radius zone to 6 miles southwest of the VORTAC; and within 2 miles each side of the Las Vegas VORTAC 268° radial extending from the 5-mile radius zone to 6.5 miles west of the VORTAC.

Las Vegas, Nev. (Nellis AFB)
Within a 5-mile radius of Nellis AFB (Lat. 36°14'10" N, Long. 115°02'00" W), and within 2 miles SE and 3 miles NW of the Las Vegas VORTAC 032° radial, extending from the 5-mile radius zone to 6.4 miles SW of the airport.

Las Vegas, N. Mex.
Within a 5-mile radius of the Las Vegas Municipal Airport (lat. 35°39'20" N., long. 105°08'30" W.), within 3.5 miles each side of the Las Vegas, N. Mex., VORTAC 025° radial extending beyond the 5-mile radius zone to a point 11 miles northeast of the VORTAC; and within 3.5 miles each side of the Las Vegas, N. Mex., VORTAC 220° radial extending beyond the 5-mile radius zone to a point 10 miles southwest of the VORTAC.

Latrobe, Pa.
Within a 5-mile radius of the center, lat. 40°16'39" N., long. 79°24'14" W. of Latrobe Airport, Latrobe, Pa.; within 2 miles each side of the Latrobe Airport localizer northeast course extending from the 5-mile radius zone to 1.5 miles southwest of the Latrobe RBN lat. 40°22'32" N., long. 79°16'19" W.; and within 1.5 miles each side of the Latrobe Airport localizer southwest course extending from the 5-mile radius zone to 17.5 miles southwest of the Latrobe RBN. This control zone shall be effective from 0700 to 2200 hours, local time, daily.

LaVerne, Calif.
Within a 3-mile radius of Brackett Field (latitude 34°05'30" N., longitude 117°47'00" W.), within 2 miles each side of the Pomona VOR 179° radial, extending from the 3-mile radius zone to 3 miles south of the VOR. This control zone shall be effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Lawton, Okla.
Within a 5-mile radius of Lawton Municipal Airport (latitude 34° 34'15" N., longitude 98°24'05" W.) and within a 3-mile radius of latitude 34°38'18" N., longitude 98°24'06" W.; excluding the portion within R-5601A.

Lebanon, N. H.
Within a 5-mile radius of the center, 43°37'41" N., 72°18'21" W., of Lebanon Regional Airport, Lebanon, NH.; within 3.5 miles each side of the Lebanon VOR 231° and 051° radials extending from the 5-mile radius zone to 8.5 miles northeast of the VOR; within 2 miles each side of the Lebanon VOR 103° radial extending from the VOR to 3.5 miles east of the VOR and within 2 miles each side of the Lebanon VOR 134° radial extending from the VOR to 4 miles southeast of the VOR; within 2 miles either side of the centerline of runway 18 extended 5.5 miles from the end of the runway, within 2 miles each side of the centerline of runway 7 extending 6 miles from the end of the runway.

Lemoore, Calif.
Within a 6-mile radius of NAS Lemoore (latitude 36° 20' 00" N., longitude 119° 57' 04" W.); within 2 miles each side of the Lemoore TACAN 336° and 356° radials, extending from the 6-mile radius zone to 8 miles NW and N of the TACAN, and within 2 miles each side of the Lemoore TACAN 156° radial, extending from the 6-mile radius zone to 8 miles SE of the TACAN.

Lewisburg, W. Va.
Within a 6-mile radius of the center, lat. 37°51'35" N., long. 80°23'56" W. of Greenbriar Valley Airport, Lewisburg, W. Va., extending clockwise from a 110° bearing from the airport to a 275° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 275° bearing from the airport to a 040° bearing from the airport; within a 7-mile radius of the center of the airport, extending clockwise from a 040° bearing from the airport to a 110° bearing from the airport and within 3 miles each side of the Greenbrier Valley Airport ILS localizer southwest course, extending from the 6-mile radius arc to 8.5 miles southwest of the OM.
This control zone is effective during the specific days and times established in advance by a Notice to Airmen. The effective times will thereafter be published in the Airman's Information Manual.

Lewiston, Idaho
Within a 5-mile radius of Lewiston-Nez Perce County Airport (lat. 46°23'20" N., long. 117°00'52" W.); and within 3 miles each side of the Lewiston-Nez Perce ILS localizer course, extending from the 5-mile radius zone to 16.5 miles east of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Lewistown, Mont.
Within a 5-mile radius of the Lewistown Municipal Airport (latitude 47°02'39" N., longitude 109°28'15" W.) and within 1.5 miles each side of the Lewistown VORTAC 090° radial, extending from the 5-mile radius zone to the VORTAC.

Lexington, Ky.
Within a 5-mile radius of Blue Grass Airport (lat. 38°02'16" N., long. 84°36'16" W.); within 1.5 miles each side of the ILS localizer northeast course, extending from the 5-mile radius zone to 5 miles northeast of the runway end.

Liberal, Kansas
Within a 5-mile radius of Liberal Municipal Airport (latitude 37°02'35" N., longitude 100°57'45" W.); within 2 miles each side of the Liberal VORTAC 025° radial, extending from the 5-mile radius zone to 8 miles NE of the VORTAC; and within 2 miles each side of the Liberal VORTAC 153° radial, extending from the 5-mile radius zone to 8 miles SE of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Lihue, Hawaii
Within a 5-mile radius of Lihue Airport (latitude 21°58'55" N., longitude 159°20'40" W.) and within 2 miles each side of the Lihue VORTAC 130° radial, extending from the 5-mile radius zone to 9 miles southeast of the VORTAC.

Limestone, Maine
Within a 5-mile radius of the center, 46°57'05" N., 67°53'10" W., of Loring AFB, Limestone, Maine, excluding the portion outside of the United States; within 2 miles each side of the Loring TACAN 168° radial extending from the 5-mile radius zone to 6.5 miles south of the TACAN; and within 2 miles each side of the Loring TACAN 348° radial extending from the 5-mile radius zone to 7 miles north of the TACAN.

Lincoln, NE.
Within a 6-mile radius of Lincoln Airport (latitude 40°50'58" N., longitude 96°45'31" W.); and within 1.5 miles each side of the 325° track angle from the Runway 14 threshold extending from the 6-mile radius to 7 miles northwest of the Lincoln Airport; and within 2 miles each side of the Lincoln ILS localizer north course extending from the 6-mile radius to 14 miles north of the Lincoln Airport; and within 2 miles either side of the Lincoln VORTAC 015° radial extending from the 6-mile radius to 8 miles north of the Lincoln VORTAC; and within 2 miles each side of the Lincoln VORTAC 187° radial extending from the 6-mile radius to 13 miles south of the Lincoln VORTAC excluding the airspace within a 1-mile radius of Arrow Airport (latitude 40°52' 00" N., longitude 96°39'15" W.).

Little Rock, Ark. (Adams Field)
Within a 5-mile radius of Adams Field (latitude 34°43'45" N., longitude 92°13'45" W.), within 1.5 miles each side of the ILS localizer southwest course extending from the 5-mile radius zone to the LOM, and within 3.5 miles each side of the ILS localizer northeast course extending from the 5-mile radius zone to 12 miles northeast of the airport excluding the portion within the Little Rock, Ark. (Little Rock AFB), control zone.

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Little Rock, Ark. (Little Rock AFB)
Within a 5-mile radius of Little Rock AFB (latitude 34°55'05" N., longitude 92°08'45" W.), within 1.5 miles each side of the ILS localizer northeast course extending from the 5-mile radius zone to 1 mile east of the 5-mile radius, within 1.5 miles each side of the Jacksonville TACAN 076° radial extending from the 5-mile radius zone to 6.5 miles east of the TACAN, within 2 miles each side of the extended centerline of Runway 24 extending from the 5-mile radius zone to 6 miles southwest of the airport, and within 1.5 miles each side of the Jacksonville TACAN 241° radial extending from the 5-mile radius zone to 7 miles southwest of the TACAN.

AMENDMENTS 11/3/75 40 F. R. 51033 (Rewritten)

Livermore, Calif.
Within a 3-mile radius of Livermore Municipal Airport (latitude 37°41'38" N., longitude 121°49'02" W.). This control zone is effective during the specific dates and times established in advance by a notice to airmen. The effective date and time will thereafter be continually published in the Airman's Information Manual.

Livingston, Mont.
That airspace within a 5-mile radius of Mission Field Airport (latitude 45°41'45" N., longitude 110°26'40" W.) and within 3 miles each side of the Livingston, Mont., VORTAC 340° radial, extending from the 5-mile radius zone to 8 miles north of the VORTAC.

London, Ky.
Within a 5-mile radius of London-Corbin Airport, Magee Field (lat. 37°05'15" N., long. 84°04'38" W.); within 2 miles each side of London VOR 030° radial, extending from the 5-mile radius zone to 10 miles northeast of the VOR within
3 miles each side of London VOR 202° radial, extending from the 5-mile radius zone to 8.5 miles south of the VOR.
AMENDMENTS 12/24/74 40 F. R. 1038 (Changed)

PENDING AMENDMENT
Lone Rock, Wis.
Within a 5-mile radius of the Tri-County Airport (latitude 43°12'36" N., longitude 90°11'06" W.); excluding the portion overlying and south of the Wisconsin River. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 1/29/76 40 F. R. 53231 (Added)

Long Beach, Calif.
Within a 5-mile radius of Long Beach Municipal Airport (latitude 33°49'07" N., longitude 118°09'04" W.) within a 5-mile radius of NAS Los Alamitos, Calif. (latitude 33°47'30" N., longitude 118°02'50" W.); within 2 miles each side of the Long Beach ILS localizer NW course, extending from the Long Beach 5-mile radius zone to 5 miles NW of the localizer, excluding the portion within a 1-mile radius of Sunset Beach, Calif. Airport (latitude 33°43'08" N., longitude 118°02'13" W.).

Longview, Tex.
That airspace within a 5-mile radius of Gregg County Airport, Longview, Tex. (latitude 32°23'05" N., longitude 94°42'45" W.); within 2 miles each side of the Gregg County VORTAC 313° radial extending from the 5-mile radius zone to 7 miles NW of the VORTAC, within 2 miles each side of the Gregg County VORTAC 149° radial extending from the 5-mile radius zone to 9 miles southeast of the VORTAC, within 2 miles each side of the Gregg County ILS localizer NW course extending
from the 5-mile radius zone to 0.5 mile SE of the OM, and within 2 miles each side of the Gregg County ILS localizer SE course extending from the 5-mile radius zone to 6 miles SE of the airport.

Los Angeles, Calif. (Hawthorne Municipal Airport)
Within a 3-mile radius of the Hawthorne Municipal Airport (latitude 33°55'20" N., longitude 118°20'05" W.), and within 2 miles on each side of the Los Angeles VOR 096° radial extending from the 3-mile radius zone to 4 miles E. of the lift-off end of Runway 7, excluding the portion N. of latitude 33°55'30" N. and W. of longitude 118°21'40" W. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Los Angeles, Calif. (Los Angeles International Airport)
Within a 5-mile radius of the Los Angeles International Airport (latitude 33°56'25" N., longitude 118°24'10" W.); within a 3-mile radius of the Hawthorne Municipal Airport, Los Angeles, Calif. (latitude 33°55'20" N., longitude 118°20'05" W.); within 2 miles each side of the Los Angeles Runway 25L ILS localizer east course, extending from the 5-mile radius zone to the Lima OM; within 2 miles each side of the Los Angeles VOR 096° radial, extending from the Hawthorne 3-mile radius zone to 4 miles E of the lift-off end of Hawthorne Municipal Airport Runway 7, excluding the portion N of a line extending from latitude 34°00'43" N., longitude 118°23'30" W., to latitude 33°58'03" N., longitude 118°28'58" W., and excluding the portion within the Hawthorne Municipal Airport control zone, when it is effective.
AMENDMENTS 3/27/75 40 F. R. 5493 (Changed)

Louisville, KY. (Bowman Field)
Within a 5-mile radius of Bowman Field (lat. 38°13'40" N., long. 85°39'47" W.); within 1.5 miles each side of Louisville VOR 331° radial, extending from the 5-mile radius zone to the VOR; within 3 miles each side of Bowman VOR 018°, 068°, 151° and 182° radials, extending from the 5-mile radius zone to 8.5 miles north, east, southeast and south of the VOR; excluding the portion within
Standiford Field control zone and the portion west of a line 1.5 miles east of and parallel to the Standiford Field ILS localizer north course.

AMENDMENTS 6/19/75 40 F. R. 17140 (Changed)

Louisville, KY. (Standiford Field)
Within a 5-mile radius of Standiford Field (lat. 38°10'33" N., long. 85°44'12" W.); within 1.5 miles each side of the ILS localizer north course, extending from the 5-mile radius zone to the arc of a 5-mile radius circle centered on Bowman Field; within 1.5 miles north and 2 miles south of the ILS localizer east course, extending from the 5-mile radius zone to 1 mile east of the VOR; within 1.5 miles each side of the ILS localizer south course, extending from the 5-mile radius zone to the LOM; within 1.5 miles each side of the ILS localizer west course, extending from the 5-mile radius zone to 1 mile east of the Nabb VOR 206° radial; within 2 miles each side of Louisville VOR 301° radial, extending from the 5-mile radius zone to the VOR; excluding the portion within Bowman Field control zone east of a line 1.5 miles east of and parallel to Standiford Field ILS localizer north course and the portion north of a line 1.5 miles north of and parallel to Standiford Field ILS localizer east course.

Lubbock, Tex. (Lubbock Regional Airport)
That airspace within a 5-mile radius of Lubbock Regional Airport (latitude 33°39'33" N., longitude 101°49'41" W.); within 2 miles each side of the Lubbock VORTAC 123° radial, extending from the Lubbock 5-mile
radius zone to the VORTAC; within 2 miles each side of the Lubbock VORTAC 134° and 116° radials, extending from the Lubbock 5-mile radius zone to 11.5 miles southeast of the VORTAC; and within 2 miles each side of the Lubbock ILS localizer north course, extending from the 5-mile radius zone to the OM.

Lubbock, Tex. (Reese AFB)
That airspace within a 5-mile radius of Reese AFB, Tex. (latitude 33°35'36" N., longitude 102°02'36" W.); within 2 miles each side of the Lubbock VORTAC 227° radial extending from the Reese AFB 5-mile radius zone to the VORTAC, within 2 miles each side of the Reese AFB TACAN 016° radial extending from the Reese AFB 5-mile radius zone to 8 miles north of the TACAN, within 2 miles each side of the Reese AFB ILS localizer north course extending from the Reese AFB 5-mile radius zone to 8 miles north of the TACAN, and within 2 miles each side of the Reese AFB TACAN 167° radial extending from the 5-mile radius zone to 0.5 miles south of the TACAN, excluding that portion which lies within the Lubbock Regional Airport control zone. This control zone is effective during the dates and times published in the Airman's Information Manual.

Lufkin, Tex.
That airspace within a 5-mile radius of Angelina County Airport (latitude 31°14'05" N., longitude 94°45'00" W.), within 2 miles each side of the Lufkin VOR 337° radial extending from the 5-mile radius zone to the VOR, and within 2 miles each side of the 153° bearing from the Lufkin DF station (latitude 31°13'57" N., longitude 94°45'15" W.) extending from the 5-mile radius zone to 8 miles SE of the DF station.

Lynchburg, VA.
Within a 5.5-mile radius of the center lat. 37°19'37" N., long. 79°12'04" W. of Lynchburg Municipal-Preston Glenn Field, Lynchburg, VA.; within 3 miles each side of the Lynchburg, VA., VORTAC 021° and 201° radials extending from the 5.5-mile radius zone to 1 mile south of the VORTAC; within 2 miles each side of the Lynchburg, VA., VORTAC 023° radial extending from the 5.5-mile radius zone to 13 miles northeast of the VORTAC and within a 1.5-mile radius of the center lat. 37°22'40" N., long. 79°07'21" W. of Falwell Airport, Lynchburg, VA.
This control zone is effective from 0700 to 2300 hours, local time, daily.

MacDill AFB, Fla.
Within a 5-mile radius of MacDill AFB (lat. 27°50'57" N., long. 82°31'18" W.); within 1.5 miles each side of MacDill AFB TACAN 210° radial, extending from the 5-mile radius zone to 6 miles southwest of the TACAN; within a 5-mile radius of Peter O. Knight Airport (lat. 27°54'55" N., long. 82°27'05" W.); excluding the portion within Tampa, Fla. (International Airport), control zone.

Macon, Ga.
Within a 5-mile radius of Lewis B. Wilson Airport (latitude 32°41'39" N., longitude 83°38'50" W.); within 2 miles each side of Runway 5 extended centerline, extending from the 5-mile radius zone to 5.5 miles southwest of the runway end; within 3 miles each side of Macon VORTAC 316° and 325° radials, extending from the 5-mile radius zone to 8.5 miles northwest of the VORTAC; within a 5-mile radius of Robins AFB (latitude 32°38'30" N., longitude 83°35'30" W.); within 3 miles each side of Macon VORTAC 140° radial, extending from the 5-mile radius zone to 11.5 miles southeast of the VORTAC.

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Madison, Wis.
That airspace within a 5½-mile radius of the Truax Field Airport (latitude 43°08'15" N., longitude 89°20' 10" W.); within 2½ miles each side of the Madison VOR 359° radial extending from the 5½ mile radius to 6 miles north of the VOR; and within 2½ miles each side of the Madison VOR 134° radial extending from the 5½-mile radius to 6 miles southeast of the VOR.

Manchester, N. H.
Within a 5-mile radius of the center, lat. 42°56'00" N., long. 71°26'21" W. of Grenier Field-Manchester Municipal Airport, Manchester, N. H.; within 2.5 miles each side of the 157° bearing from the Derry RBN, lat. 42°52'12" N., long. 71°23'52" W., extending from the 5-mile radius zone to 8.5 miles south of the RBN and within 2.5 miles each side of the Manchester VORTAC 325° radial, extending from the 5-mile radius zone to 13 miles northwest of the VORTAC. This control zone is effective from 0600 to 2400 hours, local time, daily or during the specific dates and times established in advance by a Notice to Airmen, which thereafter will be continuously published in the Airman's Information Manual.

Manhattan, Kans.
Within a 5-mile radius of the Manhattan, Kans., Municipal Airport (latitude 39°08'35" N., longitude 96°40' 05" W.), and within 2 miles each side of the Manhattan VOR 046° radial, extending from the 5-mile radius zone to 8 miles NE of the VOR, and within 2 miles each side of the Manhattan VOR 147° radial, extending from the 5-mile radius zone to 11 miles SE of the VOR, and within 2 miles NE and 3 miles SW of the 127° bearing from the McDowell Creek RBN, extending from the 5-mile radius zone to 10 miles SE of the RBN, excluding the Fort Riley, Kans. control zone and the portion within R-3602. The control zone shall be effective during the times established by a Notice to Airmen and published continuously in the Airman's Information Manual.

Manistee, Mich.
Within a 5-mile radius of Manistee Blacker Airport (latitude 44°16'25" N., longitude 86°15'00" W.); within 2 miles each side of the Manistee VOR 274° radial, extending from the 5-mile radius zone to 13 miles west of the VOR; and within 2 miles each side of the Manistee VOR 090° radial, extending from the 5-mile radius zone to 8 miles east of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Manitowoc, Wis.
Within a 5-mile radius of Manitowoc, Wis., Municipal Airport (latitude 44°07'30" N., longitude 87°40'45" W.), within 2 miles each side of the Manitowoc VOR 343° radial extending from the 5-mile radius zone to 8 miles north of the VOR, and within 2 miles each side of the Manitowoc VOR 176° radial extending from the 5-mile radius zone to 8 miles south of the VOR. This control zone shall be effective during the times established by Notice to Airmen and continuously published in the Airman's Information Manual.

Mankato, Minn.
Within a 6-mile radius of Mankato Municipal Airport (lat. 44°13'25" N., long. 93°56'06" W.); within 2 miles each side of the Mankato VOR 166° radial, extending from the 5-mile radius zone to 8 miles south of the VOR; within 3 miles each side of the Mankato VOR 329° radial, extending from the 5-mile radius zone to 8 miles northwest of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Mansfield, Ohio
Within a 5-mile radius of the Mansfield-Lahm Municipal Airport (latitude 40°49'17" N., longitude 82°31'00" W.); and within 2 miles each side of the Mansfield VORTAC 307° radial extending from the 5-mile radius zone to 5.5 miles NW of the airport.

AMENDMENTS 12/4/75 40 F. R. 48501 (Rewritten)

Marion, Ill.
Within a 5-mile radius of the Williamson County Airport (latitude 37°45'15" N., longitude 89°00'40" W.). within 2 miles each side of the Marion VOR 014° radial extending from the 5-mile radius zone to 8 miles N of the VOR, and within 2 miles each side of the Marion VOR 209° radial extending from the 5-mile radius zone to 8 miles SW of the VOR. This control zone shall be effective during the times established by a Notice to Airmen and continuously published in the Airman's Information Manual.

Marion, Ind.
Within a 5-mile radius of the Marion Municipal Airport (latitude 40°29'27" N., longitude 85°40'43" W.); and within 2.5 miles each side of the Marion VOR 042°, 211° and 320° radials; extending from the 5-mile radius to 6 miles northeast and northwest and 5.5 miles southwest of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 8/14/75 40 F. R. 24179 (Rewritten)

Marquette, Mich. (K. I. Sawyer AFB)
Within a 5-mile radius of K. I. Sawyer AFB (latitude 46°21'15" N., longitude 87°23'40" W.); within 2 miles each side of the K. I. Sawyer AFB ILS localizer S course extending from the 5-mile radius zone to the LOM; within 2 miles each side of the K. I. Sawyer AFB TACAN 183° radial extending from the 5-mile radius zone to 8 miles S of the TACAN; and within 2 miles each side of the K. I. Sawyer TACAN 015° radial extending from the 5-mile radius zone to 8 miles N of the TACAN.

Marquette, Mich. (Marquette County Airport)
Within a 5-mile radius of Marquette County Airport (latitude 46°32'03" N., longitude 87°33'35" W.); within 2 miles each side of the Marquette VOR 084° and 250° radials, extending from the 5-mile radius zone to 8 miles E and W of the VOR.

Martha's Vineyard, Mass.
Within a 4-mile radius of Martha's Vineyard Airport (latitude 41°23'35" N., longitude 70°36'50" W.); within 2 miles each side of the Martha's Vineyard VOR 055° radial, extending from the 4-mile radius zone to 8 miles NE of the VOR; within 2 miles each side of the 040° bearing from the Edgartown RBN, extending from the 4-mile radius zone to 8 miles NE of the RBN. This contrpl zone is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Martinsburg, Pa.
Within a 5-mile radius of the center, lat. 40°17'51" N., long. 78°19'10" W. of Blair County Airport, Martinsburg, Pa., extending clockwise from a 090° bearing to a 137° bearing from the airport; within a 7.5-mile radius of the center of the airport, extending clockwise from a 137° bearing to a 163° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 163° bearing to a 258° bearing from the airport; within a 7.5-mile radius of the center of the airport, extending clockwise from a 258° bearing to a 323° bearing from the airport; within an 8-mile radius of the center of the airport, extending clockwise from a 323° bearing to a 065° bearing from the airport; within a 7.5-mile radius of the center of the airport, extending clockwise from a 065° bearing to a 090° bearing from the airport and within 3 miles each side of the Altoona, Pa., VOR 026° radial, extending from the VOR to 8.5 miles northeast of the VOR.

Martinsburg, W. Va.
Within a 5.5-mile radius of the center lat. 39°24'03" N., long. 77°59'09" W., of Eastern West Virginia Regional Airport, Martinsburg, W. Va.; within a 9.5-mile radius of the center of the airport, extending clockwise from a
230° bearing from the airport to a 269° bearing from the airport; within an 8-mile radius of the center of the airport, extending clockwise from a 269° bearing to a 285° bearing from the airport; within a 7-mile radius of the center of the airport, extending clockwise from a 285° bearing to a 315° bearing from the airport; within an 8-mile radius of the center of the airport, extending clockwise from a 315° bearing to a 003° bearing from the airport.
AMENDMENTS 10/7/75 40 F. R. 46304 (Changed)

Marysville, Calif. (Beale AFB)
Within a 5-mile radius of Beale AFB (latitude 39°08'10" N., longitude 121°26'05" W.), within 2 miles each side of the Beale VOR 162° radial, extending from the 5-mile radius zone to 4 miles south of the VOR, and within 2 miles each side of the Beale TACAN 347° radial, extending from the 5-mile radius zone to 8 miles north of the TACAN.

Marysville, Calif. (Yuba County Airport)
Within a 5-mile radius of Yuba County Airport (latitude 39°05'50" N., longitude 121°34'00" W.); within 2 miles each side of the Marysville VOR 153° radial, extending from the 5-mile radius zone to 8 miles SE of the VOR and within 2 miles each side of the Marysville VOR 343° radial, extending from the 5-mile radius zone to 8 miles NW of the VOR, excluding the portion within the Beale AFB control zone.

Mason City, Iowa
Within a 5-mile radius of Mason City Municipal Airport (latitude 43°09'25" N., longitude 93°19'54" W.).

Massena, N. Y.
Within a 5-mile radius of the center, 44°56'10" N., 74°50'50" W., of Richards Field, Massena, N. Y.; within 2 miles each side of the Massena VOR 284° radial extending from the 5-mile radius zone to the VOR excluding the airspace within Canada.

Mattoon, Ill.
Within a 5-mile radius of Coles County Memorial Airport (lat. 39°28'45" N., long. 88°16'51" W.); within 4.5 miles each side of the Mattoon VOR 228° radial extending from the 5-mile radius zone to 11.5 miles southwest of the VOR; and within 3 miles each side of the Mattoon VOR 063° radial, extending from the 5-mile radius area to 8.5 miles northeast of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

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Mayaguez, P. R.
Within a 5-mile radius of Mayaguez Airport (lat. 18°15'26" N., long. 67°08'58" W.); within 3 miles each side of Mayaguez VOR 252° radial, extending from the 5-mile radius zone to 8.5 miles west of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the FAA publication, International NOTAMs.

Mayport, Fla. (NS Mayport)
Within a 5-mile radius of NS Mayport (lat. 30°23'25" N., long. 81°25'15" W.); within 3 miles each side of the 057° bearing from the Navy Mayport RBN, extending from the 5-mile radius zone to 8.5 miles northeast of the RBN, excluding the portion southwest of a line connecting the two points of intersection with a 5-mile radius circle centered on Craig Municipal Airport (lat. 30°20'15" N., long. 81°31'00" W.).

McAlester, Okla.
Within a 5-mile radius of McAlester Municipal Airport (Lat. 34°53'08" N, Long. 95°46'55" W).

McAllen, Tex.
Within a 5-mile radius of Miller International Airport (latitude 26°10'40" N., longitude 98°14'25" W.); within 3 miles each side of the McAllen VOR 095° radial extending from the 5-mile radius zone to 10 miles east of the VOR and within 2 miles south and 1.5 miles north of the McAllen VOR 321° radial extending from the 5-mile radius zone to 6 miles northwest of the VOR, excluding the portion outside the United States.

McComb, Miss.
Within a 5-mile radius of McComb-Pike County Airport (lat. 31°10'35" N., long. 90°28'08" W.); within 2 miles each side of McComb VORTAC 234° radial, extending from the 5-mile radius zone to the VORTAC.

McCook, Nebr.
That airspace within a 5-mile radius of McCook Municipal Airport (latitude 40°12'25" N., longitude 100°35'25" W.); within 2 miles each side of the 120° bearing from McCook Municipal Airport, extending from the 5-mile radius zone to 8 miles southeast of the airport; and within 2 miles each side of the 324° bearing from McCook Municipal Airport, extending from the 5-mile radius zone to 8 miles northwest of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

McGrath, AK.
That airspace within a 5-mile radius of the McGrath Airport (latitude 62°57'15" N., longitude 155°36'06" W.) and within 5 miles northeast and 3 miles southwest of the McGrath VORTAC 123° radial extending from the 5-mile radius zone to 10 miles southeast of the VORTAC; and within 4 miles each side of the McGrath VORTAC 008° radial extending from the 5-mile radius zone to 13 miles north of the VORTAC.

Medford, Oreg.
That airspace within a 5-mile radius of the Medford-Jackson County Airport (latitude 42°22'15" N., longitude 122°52'20" W.), and within 2 miles W and 3 miles E of the Medford ILS localizer N course, extending from the 5-mile radius zone to 3 miles N of the OM.

Melbourne, Fla.
Within a 5-mile radius of the Melbourne Regional Airport (lat. 28°06'01" N., long. 80°38'00" W.); within 3 miles each side of the Melbourne VOR 100° and 262° radials, extending from the 5-mile radius zone to 8.5 miles east and west of the VOR; within 3 miles each side of the 267° bearing from the Satellite RBN, extending from the 5-mile radius zone to 8.5 miles west of the RBN; excluding the portion within the Cocoa (Patrick AFB), Fla. control zone.

Memphis, Tenn.
Within a 5-mile radius of the Memphis International Airport (latitude 35°03'00" N., longitude 89°58'15" W.); excluding the portion within a 1-mile radius of Desoto Air Park, Horn Lake, Miss. (latitude 34°59'15" N., longitude 90°01'55" W.).

Memphis, Tenn. (NAS)
Within a 5-mile radius of Memphis NAS (lat. 35°21'15" N., long. 89°52'10" W.). This control zone is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Menominee, Mich.
Within a 5-mile radius of Menominee County Airport (latitude 45°07'20" N., longitude 87°38'15" W.); within 3 miles each side of the Menominee VOR 349° radial, extending from the 5-mile radius zone to 7 miles north of the VOR; and within 3 miles each side of the 320° bearing from Menominee County Airport, extending from the 5-mile radius zone to 7 miles northwest of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Merced, Calif.
Within a 5-mile radius of Castle Air Force Base, Merced, Calif. (latitude 37°22'45" N., longitude 120°34'00" W.); within a 5-mile radius of Merced Municipal Airport (latitude 37°17'10" N., longitude 120°30'55" W.); and within 2 miles each side of the Castle TACAN 310° radial, extending from the Castle 5-mile radius circle to 6 miles NW of the TACAN.

Meridian, Miss. (Key Field)
Within a 5-mile radius of Key Field (latitude 32°19'58" N., longitude 88°45'06" W.); within 2 miles each side of the 011° and 012° bearings from Lauderdale RBN, extending from the 5-mile radius zone to 0.5 miles north of the RBN; within 2 miles each side of Meridian VORTAC 145° radial, extending from the 5-mile radius zone to 11.5 miles southeast of the VORTAC.

Meridian, Miss. (NAS Meridian)
Within a 5-mile radius of NAS Meridian (lat. 32°33'27" N., long. 88°33'33" W.); within 3.5 miles each side of the 021° bearing from NAS Meridian UHF RBN, extending from the 5-mile radius zone to 10.5 miles north of the RBN; within 1.5 miles each side of NAS Meridian TACAN 069° and 350° radials, extending from the 5-mile radius zone to 6 miles east and north of the TACAN; within 2 miles each side of NAS Meridian TACAN 194° radial, extending from the 5-mile radius zone to 9.5 miles south of the TACAN; within 2 miles each side of Runways 18L and 27 extended centerline, extending from the 5-mile radius zone to 4 miles north and east of the runway ends; within 2 miles each side of Runway 36L extended centerline, extending from the 5-mile radius zone to 5 miles south of the runway end.
This control zone is effective from 0600 to 2400 hours, local time, Monday through Friday; 0700 to 1700 hours, local time, Saturday, and 1200 to 2200 hours, local time, Sunday and Federal legal holidays.

Miami, Fla. (Dade-Collier Training and Transition Airport)
Within a 5-mile radius of Dade-Collier Training and Transition Airport (latitude 25°51'46" N., longitude 80°53'50" W.).
This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 6/1/75 40 F. R. 20069 (Changed)

Miami, Fla. (International Airport)
Within a 5-mile radius of Miami International Airport (lat. 25°47'34" N., long. 80°17'10" W.); within 2 miles each side of Miami VORTAC 139° radial, extending from the 5-mile radius zone to 10 miles southeast of the VORTAC; within 1.5 miles each side of Runway 9L ILS localizer west course, extending from the 5-mile radius zone to 1 mile east of Portland RBN; within 1.5 miles each side of Runway 27L ILS localizer west course, extending from the 5-mile radius zone to 1 mile east of Miami VORTAC 161° radial.

Miami, Fla. (Opa Locka Airport)
Within a 5-mile radius of Opa Locka Airport (latitude 25°54'26" N., longitude 80°16'48" W.); within 2 miles each side of the Miami VORTAC 110° radial, extending from the 5-mile radius zone to 5.5 miles east of the VORTAC; excluding the portion which coincides with the Miami (International Airport) control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter by continuously published in the Airman's Information Manual.

Miami, Fla. (Tamiami Airport)
Within a 5-mile radius of the Tamiami Airport, Fla. (latitude 25°38'51" N., longitude 80°25'59" W.).

Middletown, Pa.
Within a 6-mile radius of the center, 40°11'34" N., 76°45'48" W., of the Harrisburg International Airport-Olmsted Field, Middletown, Pa.; within a 7-mile radius of the center of the airport, extending clockwise from a 228° bearing to a 293° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 005° bearing to a 033° bearing from the airport; within a 7-mile radius of the center of the airport, extending clockwise from a 033° bearing to a 098° bearing from the airport; within 2 miles each side of the extended centerline of Harrisburg International Airport-Olmsted Field Runway 13, extending from the southeast end of Runway 13 to 6 miles southeast of the southeast end of Runway 13; excluding the portion that coincides with the Harrisburg, Pa., control zone west of direct lines described as follows: a line bearing 028° from a point 40°12'23" N., 76°46'38" W., extending from said point to the point of intersection with the Harrisburg, Pa., 6.5-mile radius zone and a line bearing 191° from a point 40°12'23" N., 76°48'38" W., extending from said point to the point of intersection with the Harrisburg, Pa., 6.5-mile radius zone.

Midland, Tex.
Within a 5-mile radius of Midland Regional Air Terminal (latitude 31°56'25" N., longitude 102°12'10" W.), and within 2 miles each side of the Midland ILS localizer NW course, extending from the 5-mile radius zone to 7 miles NW of the airport.

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Midway Island
Within a 5-mile radius of Midway NS (Henderson Field) (lat. 28°11'55" N., long. 177°22'50" W.) and within 2.5 miles northwest and 4.5 miles southeast of the 240° bearing from the Midway RBN, extending from the 5-mile radius zone to 10.5 miles southwest of the RBN.

Miles City, Mont.
Within a 5-mile radius of Miles City Airport (latitude 46°25'40" N., longitude 105°53'10" W.); within 3 miles each side of the 252° bearing from the Horton RBN, extending from the 5-mile radius zone to 8 miles west of the RBN; within 3 miles each side of the Miles City VORTAC 225° radial, extending from the 5-mile radius zone to 8 miles southwest of the VORTAC.

Millville, N. J.
Within a 5-mile radius of the center, 39°22'00" N., 75°04'45" W. of Millville Municipal Airport, Millville, N. J.

Milton, Fla. (NAS Whiting Field (North))
Within a 5-mile radius of NAS Whiting Field (North) (latitude 30°43'15" N., longitude 87°01'45" W.); within 2 miles each side of the Navy Whiting TACAN 309° radial, extending from the 5-mile radius zone to 6.5 miles northwest of the TACAN. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airmen's Information Manual.

Milwaukee, Wis. (General Mitchell Field)
Within a 5-mile radius of General Mitchell Field (latitude 42°56'51"N., longitude 87°53'58" W.).

Milwaukee, Wis. (Timmerman Airport)
Within a 5-mile radius of Timmerman Airport (latitude 43°06'40" N., longitude 88°02'00" W.); and within 3 miles each side of Timmerman VOR 336° radial, extending from the 5-mile radius zone to 6½ miles northwest of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Mineral Wells, Tex.
Within a 5-mile radius of Mineral Wells Airport (latitude 32°46'59" N., longitude 98°03'34" W.) and within 3 miles each side of the 140° bearing from the Mineral Wells RBN, extending from the 5-mile radius zone to 8 miles SE of the RBN. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date will thereafter be continuously published in the Airman's Information Manual.

Minneapolis, Minn.
Within a 5-mile radius of Minneapolis-St. Paul International Airport (latitude 44°53'05" N., longitude 93°13' 15" W.); within 2 miles each side of the Minneapolis MSP-ILS localizer front course extending from the 5-mile radius zone to 1½ miles northwest of the MS-OM; within 2 miles each side of the Minneapolis APL-ILS localizer front course, extending from the 5-mile radius zone to one-half mile southwest of AP-OM.

Minneapolis, Minn. (Crystal Airport)
Within a 5-mile radius of Crystal Airport (latitude 45°03'45" N., longitude 93°21'10" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Minneapolis, Minn. (Flying Cloud)
Within a 5-mile radius of Flying Cloud Airport (latitude 44°49'30" N., longitude 93°27'45" W.); within 2½ miles each side of the Flying Cloud VOR 292° radial, extending from the 5-mile radius zone to 7½ miles west of the VOR; and within 2½ miles each side of the Flying Cloud VOR 179° radial extending from the 5-mile radius zone to 6½ miles south of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and times will thereafter be continuously published in the Airman's Information Manual.

Minot, N. Dak. (International Airport)
Within a 5-mile radius of Minot International Airport (latitude 48°15'40" N., longitude 101°16'45" W.); within 4 miles each side of the Minot VORTAC 129° radial, extending from the 5-mile radius zone to 9 miles southeast of the VORTAC; within 4 miles each side of the Minot VORTAC 260° radial, extending from the 5-mile radius zone to 9½ miles west of the VORTAC; within 4 miles each side of the Minot VORTAC 327° radial, extending from the 5-mile radius zone to 9½ miles northwest of the VORTAC; and within 4 miles each side of the Minot VORTAC 097° radial, extending from the 5-mile radius zone to 8½ miles east of the VORTAC, excluding the portion which overlies the Minot AFB control zone.

Minot, N. Dak. (Minot AFB)
Within a 5-mile radius of Minot AFB (latitude 48°24'56" N., longitude 101°21'25" W.); within 2½ miles each side of the Deering TACAN 113° radial, extending from the 5-mile radius zone to 7 miles southeast of the TACAN; and within 2½ miles each side of the Deering TACAN 303° radial, extending from the 5-mile radius zone to 7 miles northwest of the TACAN.

Miramar, Calif.
Within a 5-mile radius of NAS Miramar (Lat. 32°52'30" N, Long. 117°08'15" W) and within 2 miles either side of the NAS Miramar TACAN 078° radial extending from the 5-mile radius zone to 12 miles E of the TACAN, excluding the area S of Lat. 32°49'30" N.

Missoula, Mont.
Within a 5-mile radius of the Johnson-Bell Airport (latitude 45°54'54" N., longitude 114°05'14" W.); within 3 miles each side of the Missoula VORTAC 312° radial extending from the 5-mile radius zone to 16.5 miles northwest of the VORTAC; within 5 miles each side of the Missoula VORTAC 302° radial extending from the VORTAC to 11 miles northwest of the VORTAC; within 2 miles each side of the Missoula VORTAC 172° radial extending from the 5-mile radius zone to 10.5 miles southeast of the VORTAC.

Mitchell, S. Dak.
Within a 5-mile radius of Mitchell Municipal Airport (latitude 43°46'25" N., longitude 98°02'30" W.); within 3 miles each side of the Mitchell VOR 149° radial, extending from the 5-mile radius zone to 7½ miles southeast of the VOR; and within 3 miles each side of the Mitchell VOR 300° radial, extending from the 5-mile radius zone to 7½ miles northwest of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Mobile, Ala. (Bates Field)
Within a 5-mile radius of Bates Field (latitude 30°41'17.7" N., longitude 88°14'26.6" W.); within 1.5 miles each side of Mobile VORTAC 113° radial, extending from the 5-mile radius zone to 2 miles southeast of the VORTAC.

Mobile, Ala. (Aerospace Airport)
Within a 5-mile radius of Mobile Aerospace Airport (latitude 30°37'08.5" N., longitude 88°03'37.2" W.); within 3.5 miles each side of Brookley VORTAC 150° radial, extending from the 5-mile radius zone to 10 miles southeast of the VORTAC. This control zone is effective from 0800 to 1900 hours, local time, daily.

Modesto, Calif.
Within a 5-mile radius of the Modesto City-County Airport, Modesto, Calif. (latitude 37°37'35" N., longitude 120°57'15" W.); within 2 miles each side of the Modesto VOR 302° radial, extending from the 5-mile radius zone to 8 miles northwest of the VOR; within 2 miles each side of the Modesto VOR 122° radial, extending from the 5-mile radius zone to 8 miles southeast of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Moline, Ill.
Within a 5-mile radius of Quad City Airport (latitude 41°26'50" N., longitude 90°30'40" W.); and within 2 miles each side of the Quad City ILS localizer west course, extending from the 5-mile radius zone to the OM.

Molokai, Hawaii
Within a 5-mile radius of the Molokai Airport (latitude 21°09'25" N., longitude 157°05'55" W.), and within 2 miles each side of the Molokai VORTAC 248° radial, extending from the 5-mile radius zone to 3½ miles west of the
VORTAC. This control zone is effective during the specific dates and times established in advance by a notice to airmen. The effective date and time will thereafter be continuously published in the Pacific chart supplement.

Monroe, La.
That airspace within a 5-mile radius of Selman Field, Monroe, La. (latitude 32°30'30" N., longitude 92°02'20" W.).

Monterey, Calif.
Within a 5-mile radius of the Monterey Peninsula Airport (latitude 36°35'20" N., longitude 121°51'00" W.), and within 2 miles each side of the 317° bearing from the Monterey ILS LMM, extending from the 5-mile radius zone to 7 miles NW of the LMM, excluding the portion within the Fort Ord, Calif., control zone.

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Montgomery, Ala.
Within a 5-mile radius of Dannelly Field (latitude 32°18'00" N., longitude 86°23'36" W.); within 1.5 miles each side of Dannelly Field ILS localizer west course, extending from the 5-mile radius zone to 1.5 miles east of the LOM; within 2.5 miles each side of Montgomery VORTAC 311° radial, extending from the 5-mile radius zone to 15.5 miles northwest of the VORTAC; within a 5-mile radius of Maxwell AFB (latitude 32°22'48" N., longitude 86°21'55" W.); within 2 miles each side of Maxwell TACAN 333° radial, extending from the 5-mile radius zone to 8.5 miles northwest of the TACAN.

Montpelier, Vt.
Within a 6-mile radius of the center, lat. 44°12'15" N., long. 72°33'45" W., of Edward F. Knapp (Barre-Montpelier) State Airport, Barre-Montpelier, Vt.; within 3 miles each side of the Montpelier VOR 163° radial extending from the 5-mile radius zone to 8 miles south of the VOR; within 2 miles each side of the centerline of Runway 23 extending from the 5-mile radius zone to 8 miles southwest of the end of Runway 23.

Montrose, Colo.
That airspace within a 5-mile radius of the Montrose County Airport (latitude 38°29'55" N., longitude 107°53'35" W.), and within 4 miles each side of the Montrose, Colo., VOR 313° radial extending from the 5-mile radius zone to 14 miles northwest of the VOR. This control zone is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Morgantown, W. Va.
Within a 5.5-mile radius of the center, lat. 39°38'34" N., long. 79°55'01" W., of Morgantown Municipal Airport-Walter L. Hart Field,
Morgantown, W. Va., extending clockwise from a 220° bearing to a 030° bearing from the airport; within a 7.5-mile radius of the center of the airport, extending clockwise from a 030° bearing to a 040° bearing from the airport; within a 14.5-mile radius of the center of the airport, extending clockwise from a 040° bearing to a 075° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 075° bearing to a 105° bearing from the airport; within a 9-mile radius of the center of the airport, extending clockwise from a 105° bearing to a 140° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 140° bearing to a 202° bearing from the airport; within a 7.5-mile radius of the center of the airport, extending clockwise from a 202° bearing to a 220° bearing from the airport and within 2 miles each side of the 168° bearing from the Bobtown RBN, extending from the 5.5-mile radius arc to the RBN.

Morristown, N. J.
Within a 5-mile radius of the center, 40°47'58" N., 74°24'56" W., of Morristown Municipal Airport, Morristown, N. J., extending clockwise from a 339° bearing to a 229° bearing from the airport; within a 6-mile radius of the center of Morristown Municipal Airport, extending clockwise from a 229° bearing to a 339° bearing from the airport and within 3 miles each side of a 204° bearing from the Chatham, N. J., RBN, extending from the 5-mile radius zone to 8.5 miles southwest of the RBN, excluding a 1-mile radius of the center, 40°41'28" N., 74°32'08" W., of Somerset Hills Airport, Basking Ridge, N. J. This control zone is effective from 0630 to 2230 hours, local time, daily.

Mosinee, Wis.
Within a 5-mile radius of Central Wisconsin Airport (latitude 44°46'35" N., longitude 89°40'00" W.); within 1½ miles each side of the Wausau, Wis., VOR 219° radial, extending from the 5-mile radius zone to the VOR; within 3½ miles each side of the 242° bearing from Central Wisconsin Airport extending from the 5-mile radius zone to 10½ miles west of the airport; and within 3½ miles each side of the 087° bearing from Central Wisconsin Airport, extending from the 5-mile radius zone to 10½ miles east of the airport, excluding the portion which overlies the Wausau, Wis., control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Moultrie, Ga.
Within a 5-mile radius of Moultrie-Thomasville Airport (lat. 31°04'58" N., long. 83°48'15" W.); within 3 miles each side of Moultrie VOR 031° radial, extending from the 5-mile radius zone to 8.5 miles northeast of the VOR; within 2 miles each side of Moultrie VOR 199° radial, extending from the 5-mile radius zone to 11.5 miles south of the VOR; within 3 miles each side of Moultrie VOR 230° radial, extending from the 5-mile radius zone to 8.5 miles southwest of the VOR; within a 5-mile radius of Spence AF Auxiliary Field (lat. 31°08'15" N., long. 83° 42'15" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Mountain Home, Idaho
Within a 5-mile radius of Mountain Home AFB (latitude 43°02'35" N., longitude 115°52'05" W.); within 2 miles each side of the extended centerline of Runway 12, extending from the 5-mile radius zone to 7.5 miles SE of the SE end of Runway 12; within 2 miles each side of the extended centerline of Runway 30, extending from the 5-mile radius zone to 7.5 miles NW of the NW end of Runway 30; within 2 miles each side of the Mountain Home TACAN 129° radial, extending from the 5-mile radius zone to 7 miles SE of the TACAN, and within 2 miles each side of the Mountain Home TACAN 321° radial, extending from the 5-mile radius zone to 7 miles NW of the TACAN.

Mountain View, Calif. (Moffett Field NAS)
Within a 5-mile radius of Moffett Field NAS (latitude 37°24'55" N., longitude 122°02'50" W.), within a 3-mile radius of Palo Alto, Calif. Airport (latitude 37°27'40" N., longitude 122°06'50" W.) within 2.5 miles southwest and 2 miles northeast of the Moffett TACAN 137° radial, extending from the 5-mile radius zone to 8 miles southeast of the TACAN and within 2 miles each side of the San Jose VOR 319° radial, extending from the VOR to 8 miles northwest of the VOR, excluding the portion southeast of a line from latitude 37°25'45" N., longitude 121°56'35" W. to latitude 37°19'30" N., longitude 122°00'10" W., and the portion within the Palo Alto control zone when it is effective.

Mount Clemens, Mich.
Within a 5-mile radius of Selfridge AFB (latitude 42°36'30" N., longitude 82°50'15" W.); within 2 miles each side of the Selfridge AFB ILS localizer north and south courses, extending from the 5-mile radius zone to 8 miles north and south of Selfridge AFB, and within 2 miles each side of the Selfridge AFB TACAN 353° radial, extending from the 5-mile radius zone to 8 miles north of the TACAN. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and time will, hereafter, be continuously published in the Airman's Information Manual.

Mount Vernon, Ill.
Within a 5-mile radius of Mount Vernon-Outland Airport (latitude 38°19'23" N., longitude 88°51'33" W.); within 4.5 miles each side of the Mount Vernon VOR 044° radial, extending from the 5-mile radius zone to 10.5 miles northeast of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 12/4/75 40 F. R. 44808 (Rewritten)

Muncie, Ind.
Within a 5-mile radius of Delaware County-Johnson Field (latitude 40°14'26" N., longitude 85°23'43" W.); within 2½ miles each side of the Muncie VOR 125° radial, extending from the 5-mile radius zone to 6½ miles southeast of the VOR; within 2½ miles each side of the Muncie VOR 017° radial, extending from the 5-mile-radius zone to 6½ miles north of the VOR; and within 3½ miles each side of the Muncie VOR 320° radial, extending from the 5-mile-radius zone to 10 miles northwest of the VOR. This control zone is effective during the specific dates and times established in advance by a notice to airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Muscle Shoals, Ala.
Within a 5-mile radius of Muscle Shoals Airport (latitude 34°44'41" N., longitude 87°36'39" W.).

Muskegon, Mich.
Within a 5-mile radius of Muskegon County Airport (lat. 43°10'16" N., long. 86°14'09" W.); within 1.5 miles each side of the Muskegon VORTAC 272° radial, extending from the 5-mile radius zone to 1 mile west of the VORTAC; and within 1.5 miles each side of the ILS back course extending from the 5-mile radius zone to 10.5 miles northwest of the Muskegon County Airport ILS OM.

Myrtle Beach, S. C.
Within a 5-mile radius of Myrtle Beach Airport (latitude 33°48'40" N., longitude 78°43'30" W.); within 3 miles each side of Myrtle Beach VORTAC 054° radial, extending from the 5-mile radius zone to 8.5 miles northeast of the VORTAC; within 3 miles each side of the Myrtle Beach VORTAC 220° radial, extending from the 5-mile radius zone to 8.5 miles southwest of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Myrtle Beach AFB, S. C.
Within a 5-mile radius of Myrtle Beach AFB (latitude 33°40'45" N., longitude 78°55'45" W.); within 1.5 miles each side of Conway TACAN 355° radial, extending from the 5-mile radius zone to 6.5 miles north of the TACAN; within 1 mile each side of Conway TACAN 348° radial, extending from the 5-mile radius zone to 6.5 miles north of the TACAN. This control zone is effective from 0700 to 2300 hours, local time, daily.

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Nantucket, Mass.
Within a 4-mile radius of Nantucket Memorial Airport, Nantucket, Mass. (latitude 41°15'15" N., longitude 70°03'40" W.), and within 2 miles each side of the Nantucket VORTAC 045° radial, extending from the 4-mile radius zone to 8 miles NE of the VOR.

Napa, Calif.
Within a 3-mile radius of Napa County Airport (latitude 38°12'55" N., longitude 122°16'45" W.), from 0700 to 2300 hours, local time, daily.

Nashville, Tenn.
Within a 5-mile radius of Nashville Metropolitan Airport (lat. 36°07'36" N., long. 86°40'50" W.); within 3.5 miles each side of Nashville VORTAC 109° radial, extending from the 5-mile radius zone to 10 miles east of the VORTAC; within 1.5 miles each side of the ILS localizer south course, extending from the 5-mile radius zone to the LOM; excluding the portion within a 1-mile radius of Cornelia Fort Airpark (lat. 36°11'45" N., long. 86°42'00" W.).

Needles, Calif.
Within a 5-mile radius of Needles Airport (latitude 34°46'05" N., longitude 114°37'30" W.).

Nenana, Alaska
Within a 5-mile radius of the Nenana Airport (latitude 64°32'56" N., longitude 149°04'24" W.); and within 4 miles each side of the 132° bearing from the Julius RBN extending from the 5-mile radius zone to 8.5 miles southeast of the RBN. This control zone is effective during the specific days and times established in advance by Notice to Airmen. The effective times will thereafter be continuously published in the Flight Information Publication Supplement Alaska.

Newark, N. J.
Within a 5-mile radius of the center, 40°41'40" N., 74°10'02" W., of Newark International Airport, Newark, N. J., extending clockwise from a 030° bearing to a 263° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 263° bearing to a 342° bearing from the airport; within a 8.5-mile radius of the center of the airport, extending clockwise from a 342° bearing to a 030° bearing from the airport; within 2 miles each side of the Newark International Airport Runway 4L ILS localizer course, extending from the 5-mile radius to 2.5 miles northeast of the Chelsea OM and within 3 miles each side of the Kennedy VORTAC 283° radial extending from 22 miles to 29 miles northwest of the VORTAC.

New Bedford, Mass.
Within a 5-mile radius of the New Bedford Municipal Airport (latitude 41°40'37" N., longitude 70°57'34" W.). This control zone is effective from 0700 to 2300 hours, local time, daily or during the specific dates and times established in advance by a NOtice to Airmen which thereafter will be continuously published in the Airman's Information Manual.

New Bern, N. C.
Within a 5-mile radius of Simmons-Nott Airport (latitude 35°04'20" N., longitude 77°02'35" W.); within 2.5 miles each side of New Bern VOR 210° radial, extending from the 5-mile radius zone to 8.5 miles southwest of the VOR.

Newburgh, N. Y.
Within a 5-mile radius of the center, 41°30'10" N., 74°06'11" W., of Stewart Airport, Newburgh, N. Y., extending clockwise from a 066° bearing to a 209° bearing from the airport; within a 5.5-mile radius of the center of the airport, extending clockwise from a 209° bearing to a 249° bearing from the airport; within a 5-mile radius of the center of the airport, extending clockwise from a 249° bearing to a 315° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 315° bearing to a 066° bearing from the airport; within 3 miles each side of the Stewart VOR (41°30'30" N., 74°05'51" W.) 325° radial, extending from the VOR to 15 miles northwest of the VOR and within 4.5 miles each side of the Stewart VOR 085° radial, extending from the VOR to 11.5 miles east of the VOR, excluding the portion that coincides with the Poughkeepsie, N. Y., control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 3/18/75 40 F. R. 12252 (Changed)

New Haven, Conn.
That airspace within a 5-mile radius of the center, latitude 41°15'51" N., longitude 72°53'15" W. of the Tweed-New Haven Airport, New Haven, Conn., extending clockwise from a 079° bearing to a 237° bearing from the airport; within a 5.5-mile radius of the center of the airport extending clockwise from a 237° bearing to a 357° bearing from the airport; and within a 6-mile radius of the center of the airport, extending clockwise from a 357° bearing to a 079° bearing from the airport. This control zone is effective from 0600 to 2400 hours, local time, daily or during the specific dates and times established in advance by a Notice to Airmen which thereafter will be continuously published in the Airman's Information Manual.

New Orleans, La. (New Orleans Airport)
Within a 5-mile radius of New Orleans Airport (latitude 30°02'20" N., longitude 90°01'25" W.). excluding the portion W of longitude 90°04'03" W.

New Orleans, La. (New Orleans International Airport-Moisant Field).
Within a 5-mile radius of New Orleans International Airport (latitude 29°59'25" N., longitude 90°15'15" W.); within 2 miles each side of the New Orleans ILS localizer W course extending from the 5-mile radius zone to 2 miles E of the LOM; within 2 miles each side of the New Orleans VORTAC 085° radial extending from the VORTAC to 7 miles E; within 2 miles each side of the New Orleans VORTAC 243° and 063° radials extending from the 5-mile radius zone to 1 mile NE of the VORTAC, excluding that portion E of longitude 90°04'03" W.

New Orleans, La. (NAS New Orleans-Alvin Callender Field)
That airspace within a 5-mile radius of NAS New Orleans-Alvin Callender Field (latitude 29°49'40" N., longitude 90°01'25" W.); within 2 miles each side of the 241° bearing from the Navy New Orleans RBN, extending from the 5-mile radius zone to 12 miles SW of the RBN, within 2 miles each side of the 131° bearing from the Navy New Orleans RBN, extending from the 5-mile radius zone to 12 miles SE of the RBN, and within 2 miles each side of the Harvey VOR 053° radial extending from the 5-mile radius zone to 6 miles NE of the VOR.

Newport News, Va.
Within a 5-mile radius of the center, lat. 37°07'51" N., long. 76°29'35" W., of Patrick Henry International Airport, Newport News, Va., excluding the portion that coincides with the Hampton Roads, Va., control zone.

New York, N. Y. (John F. Kennedy International Airport)
Within a 5-mile radius of the center, 40°38'25" N., 73°46'41" W., of John F. Kennedy International Airport; within the area bounded by a line beginning at 40°36'16" N., 73°52'32" W., to 40°37'10" N., 73°54'55" W.; to 40°42'19" N., 73°51'07" W., to 40°41'23" N., 73°48'48" W., to the point of beginning; within 1.5 miles each side of the Kennedy VORTAC 106° radial, extending from the 5-mile radius zone to 6.5 miles east of the VORTAC; within 1.5 miles each side of the Kennedy VORTAC 207° radial, extending from the 5-mile radius zone to 5 miles southwest of the VORTAC; within 1.5 miles each side of the Kennedy VORTAC 134° radial, extending from the 5-mile radius zone to 5 miles southeast of the VORTAC.

New York, N. Y. (La Guardia Airport)
Within a 5-mile radius of the center, 40°46'36" N., 73°52'24" W. of La Guardia Airport; within 1.5 miles each side of a line bearing 124° from a point 40°46'20" N., 73°51'34" W., extending from said point to 5 miles southeast of said point.

Niagara Falls, N. Y.
Within a 5-mile radius of Niagara Falls International Airport (latitude 43°06'20" N., longitude 78°56'55" W.), and within 2 miles each side of Niagara Falls ILS localizer E course, extending from the 5-mile radius zone to the OM, excluding the portion outside the United States.

Nome, Alaska
Within a 5-mile radius of the Nome Airport (latitude 64°30'46" N., longitude 165°26'31" W.); within 2.5 miles each side of the Fort Davis RBN 101° bearing extending from the 5-mile radius zone to 6 miles east of the RBN; within 3 miles north and 4 miles south of the Nome VOR 107° and 287° radials, extending from the 5-mile radius zone to 9.5 miles east of the VOR.

Norfolk, Nebr.
Within a 5-mile radius of Karl Stefan Memorial Airport (latitude 41°59'08" N., longitude 97°26'10" W.); and within 2 miles each side of the Norfolk VOR 022°, 144°, 195° and 318° radials, extending from the 5-mile radius zone to 8 miles southeast, south, northwest and northeast of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Norfolk, Va. (Norfolk Regional)
Within a 5-mile radius of the center, 36°53'45" N., 76°12'15" W., of Norfolk Regional Airport, Norfolk, Va., excluding the northwest portion subtended by a chord drawn between the points of intersection of the 5-mile radius zone with the Norfolk, Va. (NAS Norfolk), control zone.

Norfolk, Va. (NAS Norfolk)
Within a 5-mile radius of the center, 36°56'15" N., 76°17'15" W. of NAS Norfolk, Norfolk, Va., excluding the southeastern portion subtended by a chord drawn between the points of intersection of the 5-mile radius zone with the Norfolk, Va. (Norfolk Regional), control zone.

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North, S. C.
Within a 5-mile radius of North AFAF (latitude 33°36'30" N., longitude 81°05'00" W.) and within 2 miles each side of the North AFAF TACAN 234° radial extending from the 5-mile radius zone to 8 miles SW of the TACAN. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

North Bend, Oreg.
Within a 5-mile radius of North Bend Municipal Airport (latitude 43°25'00" N., longitude 124°14'45" W.); within 2 miles each side of the North Bend VORTAC 044° radial, extending from the 5-mile radius zone to 6.5 miles northeast of the VORTAC; within 2 miles each side of the North Bend VORTAC 111° radial, extending from the 5-mile radius zone to 4.5 miles east of the VORTAC; and within 3 miles each side of the 241° bearing from the Empire LOM (latitude 43°23'42" N., longitude 124°18'33" W.), extending from the 5-mile radius zone to 7 miles southwest of the LOM.

PENDING AMENDMENT
North Las Vegas, Nev.
Within a 3-mile radius of the North Las Vegas Air Terminal (latitude 36°12'45" N., longitude 115°11'46" W.). This control zone will be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 1/15/76 40 F. R. 53380 (Added)

North Philadelphia, Pa.
Within a 5-mile radius of the center, 40°04'49" N., 75°00'45" W., of North Philadelphia Airport, Philadelphia, Pa., extending clockwise from a 030° bearing to a 252° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 252° bearing to a 030° bearing from the airport, excluding the north portion subtended by a chord drawn between the points of intersection of the 6-mile radius zone with that portion of the Willow Grove, Pa., control zone 5-mile radius zone centered on Warminster NAF.

North Platte, Nebr.
Within a 5-mile radius of Lee Bird Field (latitude 41°07'35" N., longitude 100°41'50" W.); within 2 miles each side of the North Platte VOR 029° radial, extending from the 5-mile radius zone to the VOR; within 2 miles each side of the 186° bearing from the Bignell RBN, extending from the 5-mile radius zone to 8 miles south of the RBN; and within 2 miles each side of the 131° bearing from Lee Bird Field, extending from the 5-mile radius zone to 10 miles southeast of the airport.

Northway, Alaska
Within a 5-mile radius of Northway Airport (latitude 62° 57' N., longitude 141° 55' W.), and within 2 miles each side of Nabesna, Alaska, RBN 307° bearing extending from the 5-mile radius zone to 8 miles NW of the RBN.

Norwood, Mass.
Within a 5-mile radius of the center (42°11'20" N., 71°10'15" W.) of Norwood Memorial Airport, Norwood, Mass.; within 3 miles each side of the 154° bearing and 334° bearing from the Stoughton, Mass., RBN (42°07'10"N., 71°07'41" W.) extending from the 5-mile radius zone to 8 miles southeast of the RBN and within 2 miles each side of the Whitman VORTAC 311° radial extending from the 5-mile radius zone to 2 miles northwest of the VORTAC, excluding the portion within the South Weymouth, Mass., control zone. This control zone is effective daily from 0800 to 2000 hours, local time, or during the specific times established in advance by a Notice to Airmen which thereafter will be continuously published in the Airman's Information Manual.

Oak Grove, N. C.
Within a 5-mile radius of Oak Grove HOLF (Navy), N. C. (lat. 35°01'15" N., long. 77°15'12" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 5/22/75 39 F. R. 44003 (Added)

Oakland, Calif.
Within a 5-mile radius of Metropolitan Oakland International Airport (latitude 37°43'15" N., longitude 122°13'20" W.) excluding the portion subtended by a chord drawn between the points of INT of this radius with the radius of the NAS Alameda, Calif., control zone; within a 5-mile radius of Hayward Air Terminal, Hayward, Calif. (latitude 37°39'30" N., longitude 122°06'45" W.), excluding the portion within the Hayward control zone when it is effective.

Oceana, Va.
Within a 5-mile radius area of the center, lat. 36°50'00" N., long. 76°01'45" W. of NAS Oceana (Soucek Field); within 2 miles each side of the Navy Oceana TACAN 225° radial extending from the 5-mile radius zone to 10 miles southwest of the TACAN; within 3.5 miles each side of a 187° bearing from the Navy Oceana RBN extending from the 5-mile radius zone to 9 miles south of the RBN and within a 3-mile radius of the center of lat. 36°42'15" N., long. 76°08'00" W. of ALF Pentress.

Ogden, Utah (Hill AFB)
Within a 5-mile radius of Hill AFB (latitude 41°07'25" N., longitude 111°58'20" W.); within a 5-mile radius of Ogden Municipal Airport (latitude 41°11'45" N., longitude 112°00'35" W.), excluding the portion within the Ogden (Ogden Municipal Airport) control zone when it is effective.

Ogden, Utah (Ogden Municipal Airport)
Within a 5-mile radius of Ogden Municipal Airport (latitude 41°11'45" N., longitude 112°00'35" W.), excluding the portion S of a line extending from latitude 41°08'10" N., longitude 112°04'00" W., to latitude 41°11'00" N., longitude 111°55'00" W., from 0600 to 2200 hours, local time, daily.

Oklahoma City, Okla. (Tinker AFB)
That airspace within a 5-mile radius of Tinker AFB (latitude 35°24'50" N., longitude 97°23'35" W.); within 2 miles each side of the Tinker AFB VOR 357° radial extending from the 5-mile radius zone to 8 miles north of the VOR; within 2 miles each side of the Tinker AFB TACAN 003° radial extending from the 5-mile radius zone to 9.5 miles north of the TACAN; and within 2 miles each side of the Tinker AFB VOR 187° radial extending from the 5-mile radius to 6 miles south of the VOR.
AMENDMENTS 12/4/75 40 F. R. 42340 (Rewritten)

Oklahoma City, Okla. (Wiley Post Airport)
Within a 5-mile radius of Wiley Post Airport (latitude 35°32'05" N., longitude 97°38'40" W.) within 2 miles each side of the Wiley Post ILS localizer north course extending from the 5-mile radius zone to the OM (latitude 35°37'33" N., longitude 97°38'50" W.); within 2 miles each side of the Oklahoma City VORTAC 050° radial extending from the 5-mile radius zone to the VORTAC; and excluding the portion S of a line extending through latitude 35°26'33" N., longitude 97°46'21" W., and latitude 35°28'00" N., longitude 97°36'05" W.

Oklahoma City, Okla. (Will Rogers World Airport)
Within a 5-mile radius of Will Rogers World Airport (latitude 35°23'45" N., longitude 97°36'30" W.); within 3 miles each side of the Oklahoma City runway 17R ILS localizer north course, extending from the 5-mile radius zone to the Tulakes, Okla., RBN; within 2 miles southwest and 3.5 miles northeast of the Oklahoma City VORTAC 105° radial extending from the 5-mile radius zone to the VORTAC; and within 3 miles each side of the Oklahoma City runway 35R ILS localizer south course extending from the 5-mile radius zone to the LOM (latitude 35°18' 36" N., longitude 97°35'17" W.), excluding that portion which coincides with the Oklahoma City (Wiley Post) control zone.

Olathe, Kans.
Within a 5-mile radius of the Johnson County, Kansas Airport (lat. 38°51'00" N., long. 94°44'15" W.); and within 2½ miles each side of the 183° bearing from Johnson County Airport, extending from the 5-mile radius zone to 6½ miles south of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Olympia, Wash.
Within a 5-mile radius of Olympia Municipal Airport (latitude 46°58'15" N., longitude 122°54'00" W.); within 4 miles each side of the Olympia VORTAC 195° radial, extending from the 5-mile radius zone to 10.5 miles south of the VORTAC, and within 2 miles each side of the Olympia VORTAC 010° radial, extending from the 5-mile radius zone to 5.5 miles north of the VORTAC. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Omaha, Nebr. (Eppley Field)
Within a 5-mile radius of Eppley Field (latitude 41°18'00" N., longitude 95°53'35" W.); and within 2 miles each side of the Eppley Field ILS localizer NW course extending from the 5-mile radius zone to 8 miles NW of the OM; and within 2 miles each side of the Eppley Field ILS localizer SE course extending from the 5-mile radius zone to 7 miles SE of the airport; and within 2 miles each side of the Omaha VORTAC 318° radial extending from the 5-mile radius zone to a point 7 miles SE of the airport.

Omaha, Nebr. (Offutt AFB)
Within a 5-mile radius of Offutt AFB (latitude 41°07'20" N., longitude 95°54'35" W.); within 2 miles each side of the Offutt AFB TACAN 307° radial, extending from the 5-mile radius zone to 7 miles northwest of the TACAN; within 2 miles each side of the Offutt AFB VOR 310° radial, extending from the 5-mile radius zone to 1 mile northwest of the VOR; and within 2 miles each side of the Offutt AFB ILS localizer southeast course, extending from the 5-mile radius zone to the OM.

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Ontario, Calif.
Within a 5-mile radius of Ontario International Airport (latitude 34°03'25" N., longitude 117°36'30" W.); within 2 miles each side of the Ontario ILS localizer east course extending from the 5-mile radius zone to 3 miles east of the OM, and within a 3-mile radius of Chino, Calif., and within 1.8 miles each side of the Ontario, Calif., VORTAC 303° radial, extending from the 3-mile radius zone to 1 mile NW of the VORTAC, excluding the portion within the Chino control zone when it is effective.

Orlando, Fla. (Herndon Airport)
Within a 5-mile radius of Orlando (Herndon Airport) (lat. 28°32'40" N., long. 81°19'55" W.); within 3 miles each side of Orlando VORTAC 125° and 315° radials, extending from the 5-mile radius zone to 8.5 miles southeast and northwest of the VORTAC; excluding the portion south of a line connecting the two points of intersection with a 5-mile radius circle centered on McCoy AFB (lat. 28°25'55" N., long. 81°19'15" W.).

Orlando, Fla. (Orlando Jetport at McCoy)
Within a 5-mile radius of Orlando Jetport at McCoy (lat. 28°25'55" N., long. 81°19'15" W.); within 2 miles each side of Orlando VORTAC 175° radial, extending from the 5-mile radius zone to 13.5 miles south of the VORTAC; excluding the portion within the Orlando (Herndon Airport) (lat. 28°32'40" N., long. 81°19'55" W.) control zone.

AMENDMENTS 4/29/75 40 F. R. 20069 (Rewritten)

Oscoda, Mich.
Within a 5-mile radius of Wurtsmith AFB (latitude 44°27'00" N., longitude 83°24'00" W.); within 2 miles each side of the Wurtsmith AFB VOR 240° radial extending from the 5-mile radius zone to 8 miles SW of the VOR; within 2 miles each side of the Wurtsmith AFB VOR 056° radial extending from the 5-mile radius zone to 12 miles NE of the VOR; within 2 miles each side of the Wurtsmith AFB TACAN 232° radial extending from the 5-mile radius zone to 8 miles SW of the TACAN and within 2 miles each side of the Wurtsmith AFB TACAN 064° radial extending from the 5-mile radius zone to 8 miles NE of the TACAN.

Oshkosh, Wis.
Within a 5-mile radius of Wittman Field (latitude 43°59'25" N., longitude 88°33'20" W.); within 3 miles each side of the Oshkosh VOR 275° radial extending from the 5-mile radius zone to 9½ miles west of the VOR; and within 3 miles each side of the Oshkosh VOR 182° radial extending from the 5-mile radius zone to 9½ miles south of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 7/23/75 40 F. R. 33435 (Changed)

Ottumwa, Iowa
Within a 5-mile radius of Ottumwa Municipal Airport (Lat. 41°06'25" N, Long. 92°26'50" W) and within 2 miles either side of the Ottumwa VORTAC 309° radial extending from the 5-mile radius zone to the VORTAC.

Owensboro, Ky.
Within a 5-mile radius of Owensboro-Daviess County Airport (lat. 37°44'31" N., long. 87°09'37" W.); within 3 miles each side of Owensboro VOR 222° radial, extending from the 5-mile radius zone to 8.5 miles southwest of the VOR; within 3 miles each side of Owensboro VOR 352° radial, extending from the 5-mile radius zone to 8.5 miles north of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Oxnard, Calif. (Ventura County Airport)
Within a 5-mile radius of Ventura County Airport (latitude 34°12'02" N., longitude 119°12'10" W.). This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airmen's Information Manual

Paducah, Ky.
Within a 5-mile radius of Barkley Field (lat. 37°03'45" N., long. 88°46'23" W.); within 3 miles each side of the 234° bearing from Paducah RBN, extending from the 5-mile radius zone to 8.5 miles southwest of the RBN.

AMENDMENTS 12/4/75 40 F. R. 43485 (Changed)

Palacios, Tex.
That airspace within a 5-mile radius of Palacios Municipal Airport (latitude 28°43'35" N., longitude 96°15'15" W.) and within 2 miles each side of the 323° bearing from the Palacios DF station (latitude 28°43'22" N, longitude 96°15'07" W.) extending from the 5-mile radius zone to 8 miles northwest of the DF station.

Palm Beach, Fla.
Within a 5-mile radius of Palm Beach International Airport (lat. 26°41'05" N., long. 80°05'35" W.); within 3 miles each side of the Palm Beach VORTAC 275° radial, extending from the 5-mile radius zone to 8.5 miles west of the VORTAC; excluding that airspace within a 1.5-mile radius of Palm Beach County Park (Lantana) Airport (lat. 26°35'35" N., long. 80°05'10" W.).

Palmdale, Calif.
Within a 5-mile radius of Air Force Plant No. 42, Palmdale, Calif. (latitude 34°37'45" N., longitude 118° 04'54" W.), within 3 miles each side of the ILS localizer east course, extending from the 5-mile radius zone to 7.5 miles east of the LOM, and within 2 miles south of and parallel to the Palmdale VORTAC 099° radial, extending from the 5-mile radius zone to 8 miles east of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Palm Springs, Calif.
Within a 5-mile radius of Palm Springs Airport (latitude 33°49'36" N., longitude 116°30'18" W.), and within 2 miles each side of the Palm Springs VOR 120° and 300° radials, extending from 3.5 miles SE to 3 miles NW of the VOR. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Palo Alto, Calif.
Within a 3-mile radius of Palo Alto Airport (latitude 37°27'39" N., longitude 122°06'50" W.) excluding the portion southeast of a line extending from latitude 37°25'14" N., longitude 122°08'30" W. to latitude 37°26'30" N., longitude 122°05'43" W. to latitude 37°29'10" N., longitude 122°04'08" W. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Palomar, Calif.
Within a 3-mile radius of Palomar Airport (latitude 33°07'40" N., longitude 117°16'45" W.) and within 1.5 miles each side of the Oceanside VORTAC 134° radial, extending from the 3-mile radius zone to 4.5 miles southeast of the VORTAC. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Panama City, Fla.
Within a 5-mile radius of Panama City-Bay County Airport (latitude 30°12'41" N., longitude 85°40'57" W.); within 3 miles each side of the Panama City VOR 059°, 152° and 310° radials, extending from the 5-mile radius zone to 8.5 miles northeast, southeast and northwest of the VOR; excluding that portion within the Tyndall AFB control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Paris, Tex.
That airspace within a 5-mile radius of Cox Field, Paris, Tex. (latitude 33°38'17" N., longitude 95°26'54" W.) and within 2 miles each side of the Paris, Tex., VOR 357° radial extending from the 5-mile radius to the VOR. The control zone shall be effective during the times established by a Notice to Airmen and published continuously thereafter in the Airman's Information Manual.

Parkersburg, W. Va.
Within a 5-mile radius of the center, lat. 39°20'44" N., long. 81°26'16" W. of Wood County (Gill Rob Wilson Field) Airport, Parkersburg, W. Va.

Pasco, Wash.
That airspace within a 5-mile radius of the Tri-Cities Airport (latitude 46°15'50" N., longitude 119°06'53" W.), within 4 miles each side of the Pasco ILS localizer northeast course extending from the 5-mile radius zone to 10 miles northeast of the OM (46°18'41" North Latitude, 119°03'00" West Longitude) and within 3 miles each side of the Pasco VOR 131° radial, extending from the 5-mile radius zone to 8 miles southeast of the VOR, excluding that portion within a 1-mile radius of Vista Airport, Kennewick, Wash. (latitude 46°13'10" N., longitude 119°12'55" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Paso Robles, Calif.
Within a 5-mile radius of Paso Robles County Airport (latitude 35°40'15" N., longitude 120°37'35" W.).

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Patuxent River, Md.
Within a 5-mile radius of the center, 38°17'15" N., 76°24'30" W., of NAS Patuxent River Airport, Patuxent River, Md.; within 2 miles each side of the Patuxent River VORTAC 043° radial, extending from the 5-mile radius zone to 7 miles northeast of the VORTAC; within 2 miles each side of the Patuxent River VORTAC 234° radial extending from the 5-mile radius zone to 7.5 miles southwest of the VORTAC; within 2 miles each side of the Patuxent River LF RBN 233° bearing extending from the 5-mile radius zone to 7 miles southwest of the RBN; within 2 miles each side of the Patuxent River VORTAC 139° radial, extending from the 5-mile radius zone to 12 miles southeast of the VORTAC; within 2 miles each side of the Patuxent River UHF RBN 139° bearing extending from the 5-mile radius zone to 12 miles southeast of the RBN; within a ½-mile radius of the center, 38°13'30" N., 76°26'30" W., of Park Hall, Md., Airport; and within a ½-mile radius of the center, 38°21'40" N., 76°24'15" W., of Chesapeake Ranch Airpark.

Pellston, Mich.
Within a 5-mile radius of Emmet County Airport (latitude 45°34'09" N., longitude 84°47'45" W.); within 2½ miles each side of the 132° bearing from Emmet County Airport, extending from the 5-mile radius zone to 5½ miles southeast of the airport; and within 5 miles each side of the Pellston VORTAC 238° radial extending from the airport to 21 miles southwest of the VORTAC.

Pendleton, Oreg.
Within a 5-mile radius of Pendleton Airport (latitude 45°41'42" N., longitude 118°50'25" W.), and within 2 miles each side of the Pendleton VORTAC 273° radial, extending from the 5-mile radius zone to 2 miles W of the VORTAC.

Pensacola, Fla.
Within a 5-mile radius of Pensacola Regional Airport (lat. 30°28'25" N., long. 87°11'20" W.); within 3 miles each side of the ILS localizer south course, extending from the 5-mile radius zone to 8.5 miles south of Pickens RBN.

Pensacola, Fla. (NAS Saufley Field)
Within a 5-mile radius of NAS Saufley Field (lat. 30°28'15" N., long. 87°20'30" W.); within 3 miles each side of the 214° bearing from NAS Saufley RBN, extending from the 5-mile radius zone to 8.5 miles southwest of the RBN; within 3 miles each side of the Saufley VOR 234° radial, extending from the 5-mile radius zone to 8.5 miles southwest of the VOR; excluding the portions within the Pensacola, Fla., and Pensacola NAS, Fla., control zones. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Pensacola, NAS, Fla.
Within a 5-mile radius of Forrest Sherman Field (lat. 30°20'53" N., long. 87°19'04" W.); within 3 miles each side of the 134° bearing from NAS Pensacola LF RBN, extending from the 5-mile radius zone to 8.5 miles southeast of the RBN; within 3 miles each side of the 174° bearing from NAS Pensacola UHF RBN, extending from the 5-mile radius zone to 8.5 miles south of the RBN; within 1.5 miles each side of NAS Pensacola TACAN 103° and 235° radials, extending from the 5-mile radius zone to 6.5 miles southwest of the TACAN.

Peoria, Ill.
Within a 5-mile radius of the Greater Peoria Airport (lat. 40°39'47" N., long. 89°41'22" W.) and within 4.5 miles each side of the Greater Peoria Airport ILS localizer northwest course, extending from the 5-mile radius zone to 17.5 miles northwest of the airport.

Philadelphia, Pa.
Within a 5-mile radius of the center, 39°52'23" N., 75°14'58" W., of Philadelphia International Airport, Philadelphia, Pa.; within a 6-mile radius of the center of the airport extending clockwise from a 266° bearing to a 016° bearing from the airport; within 2.5 miles each side of the Philadelphia International Airport Runway 27R ILS localizer course, extending from the localizer to 6.5 miles east; within 2 miles each side of the Philadelphia International Airport Runway 9R ILS localizer course, extending from the 5-mile radius zone to 2 miles east of the OM; within 2.5 miles each side of the New Castle, Del., VORTAC 055° radial, extending from the 5-mile radius zone to 18.5 miles northeast of the VORTAC.

AMENDMENTS 3/27/75 40 F. R. 4905 (Rewritten)

Philipsburg, Pa.
Within a 5-mile radius of the center, 40°53'00" N., 78°05'18" W., of Mid-State Airport, Philipsburg, Pa., extending clockwise from a 248° bearing to a 031° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 031° bearing to a 098° bearing from the airport; within a 5-mile radius of the center of the airport, extending clockwise from a 098° bearing to a 187° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 187° bearing to a 248° bearing from the airport; and within 4 miles each side of a 327° bearing from a point 40°53'09" N., 78°05'06"W., extending from said point to a point 8.5 miles northwest.

PENDING AMENDMENT
Phoenix, Ariz. (Deer Valley)
Within a 3-mile radius of Deer Valley Airport (latitude 33°41'13" N., longitude 112°04'57" W.). This control zone will be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously established as published in the Airman's Information Manual.

AMENDMENTS 1/29/76 40 F. R. 5424O (Added)

Phoenix-Litchfield, Ariz.
Within a 4-mile radius of Phoenix-Litchfield Airport (latitude 33°25'25" N., longitude 112°22'30" W.), excluding the portion within the Phoenix, Ariz. (Luke Air Force Base) control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Phoenix, Ariz. (Luke AFB)
Within a 5-mile radius of Luke AFB (latitude 33°32'05" N., longitude 112°22'55" W.) within 2 miles each side of the Luke TACAN 058° radial, extending from the 5-mile radius zone to 6 miles northeast of the TACAN, and within 2 miles each side of the Luke TACAN 209° radial, extending from the 5-mile radius zone to 6.5 miles southwest of the Luke TACAN. This control zone is effective from 0600 to 0000 hours local time daily.

Phoenix, Ariz. (Sky Harbor Airport)
Within a 5-mile radius of Sky Harbor Airport (latitude 33°26'10" N., longitude 112°00'45" W.); and within 2 miles each side of the Phoenix VORTAC 090° and 270° radials, extending from the 5-mile radius zone to 2 miles E and 13 miles W of the VORTAC.

Pierre, S. Dak.
Within a 5-mile radius of the Pierre Municipal Airport (latitude 44°22'50" N., longitude 100°17'15" W.); and within 1 mile each side of the Pierre ILS localizer northwest course extending from the 5-mile radius zone to 6 miles northwest of the airport.

Pine Bluff, Ark.
That airspace within a 5-mile radius of Grider Field (latitude 34°10'35" N., longitude 91°55'55" W.) and within 2 miles each side of the Pine Bluff VORTAC 186° radial, extending from the 5-mile radius zone to 10.5 miles south of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Pittsburgh, Pa. (Allegheny County)
Within a 5-mile radius of the center lat. 40°21'17" N., long. 79°55'48" W. of Allegheny County Airport, Pittsburgh, Pa., and within 3.5 miles each side of the 257° bearing from the Cecil RBN extending from the 5-mile radius zone to 8.5 miles west of the RBN.

Pittsburgh, Pa. (Greater Pittsburgh International Airport)
Within an 8-mile radius of the center, lat. 40°29'37" N., long. 80°13'54" W. of Greater Pittsburgh International Airport, Pittsburgh, Pa.

AMENDMENTS 8/14/75 40 F. R. 25203 (Changed)

Plainview, Tex.
Within a 3-mile radius of the Hale County Airport, Plainview, Tex. (latitude 34° 10' 10" N., longitude 101° 43' 00" W.) and within 2 miles each side of the Plainview VOR 034° radial, extending from the 3-mile radius zone to the VOR, from 0600 to 2200 hours local time, daily.

Plattsburgh, N. Y.
Within a 5-mile radius of the Plattsburgh AFB (Lat. 44°39'05" N, Long. 73°28'10" W); within a 5-mile radius of the Clinton County Airport (lat. 44°41'10" N, long. 73°31'10" W.); within 2 miles either side of the Valcour, New York TACAN 338° radial extending from the Clinton County Airport 5-mile radius zone to 12 miles N of the TACAN.

Pocatello, Idaho
Within a 5-mile radius of Pocatello Municipal Airport (latitude 42°54'35" N., longitude 112°35'25" W.), and within 3 miles each side of the Pocatello VORTAC 252° radial, extending from the 5-mile radius zone to 8.5 miles west of the VORTAC;
that airspace within 5 miles each side of the Pocatello VORTAC 225° radial extending from the 5-mile radius to 10½ miles southwest of the VORTAC excluding that airspace within a 1-mile radius of the American Falls Airport (latitude 42°48'00" N., longitude 112°49'30" W.), American Falls, Idaho.

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Point Barrow, Alaska
Within a 5-mile radius of the Point Barrow AFS Airport (latitude 71°20'21" N., longitude 156°37'45" W.); within a 5-mile radius of the Wiley Post-Will Rogers Memorial Airport (latitude 71°17'11" N., longitude 156°46'15" W.); within 3 miles each side of the Point Barrow RBN (PTR) 051° bearing extending from the 5-mile radius zone to 10 miles northeast of the RBN (PTR); within 2.5 miles each side of the Wiley RBN (IEY) 090° bearing, extending from the 5-mile radius zone to 10 miles east of the RBN; within 2.5 miles each side of the Wiley RBN (IEY) 226° bearing, extending from the 5-mile radius zone to 10 miles southwest of the RBN; and within 2.5 miles each side of the Wiley RBN (IEY) 270° bearing, extending from the 5-mile radius zone to 10.5 miles west of the RBN.

Point Mugu, Calif.
Within a 5-mile radius of NAS Point Mugu (lat. 34°07'05" N., long. 119°07'20" W.) and within the arc of a 12-mile radius circle centered on the Point Mugu TACAN, extending clockwise from the 200° radial to the 252° radial, excluding the portion within the Oxnard, Calif. (Ventura County Airport), control zone when it is effective.

Pompano Beach, Fla.
Within a 5-mile radius of Pompano Beach Airpark (latitude 26°15'00" N., longitude 80°06'30" W.); within 3 miles each side of Pompano Beach VOR (latitude 26°14'52" N., longitude 80°06'32" W.) 319° radial, extending from the 5-mile radius zone to 5.5 miles northwest of the VOR; excluding the portion southwest of a line 3 miles southwest of and parallel to Pompano Beach VOR 319° radial, and the portion east of Fort Lauderdale Executive Airport, south of a line 1 mile north of and parallel to the extended centerline of Runway 8/26.
This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 7/1/75 40 F. R. 29272 (Changed)

Ponca City, Okla.
Within a 5-mile radius of the Ponca City Municipal Airport (latitude 36° 43' 40" N., longitude 97° 05' 50" W.); within 2 miles each side of the 225° bearing from the Ponca City RBN, extending from the 5-mile radius zone to 8 miles SW of the RBN, and within 2 miles each side of the 350° bearing from the Ponca City RBN, extending from the 5-mile radius zone to 12 miles N of the RBN.

Ponce, P. R.
Within a 5-mile radius of the Mercedita Airport, Ponce, P. R. (latitude 18°00'40" N., longitude 66°33'50" W.); within 3.5 miles each side of the Ponce VOR 111° radial, extending from the 5-mile radius zone to 8½ miles east of the VOR. This control zone is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the FAA publication International NOTAMs.

Pontiac, MI.
Within a 5-mile radius of the Oakland-Pontiac Airport (latitude 42°39'53" N., longitude 83°25'01" W.); within 3 miles each side of the Pontiac VORTAC 116° and 272° radials, extending from the 5-mile radius zone to 8.5 miles west of the VORTAC. This control zone is effective from 0600 to 2400 hours local time, daily.

Port Angeles, Wash.
Within a 5-mile radius of William R. Fairchild International Airport (latitude 48°07'10" N., longitude 123°29'44" W.), excluding that airspace within a 1-mile radius of latitude 48°08'28" N., longitude 123°24'45" W. This control zone is effective during specific dates and times established in advance by a Notice to Airmen. Effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 8/14/75 40 F. R. 21472 (Added)

Portland, Maine
Within a 5-mile radius of the center (43°38'50" N., 70°18'30" W.) of Portland International Jetport, excluding the portion within a 1-mile radius of Oak Knoll Airport, Scarboro, Maine (43°35'21" N., 70°22'03" W.).
This control zone is effective from 0700 to 2300 hours, local time, daily or during the specific dates and times established by a Notice to Airmen which thereafter will be continuously published in the Airman's Information Manual.

Portland, Oreg.
Within a 5-mile radius of Portland International Airport (lat. 45°35'21" N., long. 122°35'36" W.); within a 5-mile radius of the Portland-Troutdale Airport (lat. 45°33'00" N., long. 122°23'49" W.); within 2 miles each side of the Portland VORTAC 180° radial, extending from the 5-mile radius zone to 3.5 miles south of the VORTAC; within 2.5 miles each side of the Portland runway 10R ILS localizer west course, extending from the 5-mile radius zone to 1 mile west of the OM (lat. 45°37'28" N., long. 122°41'43" W.) and within 3 miles each side of the 119° and 299° bearings from the Lake LOM (lat. 45°32'38" N., long. 122°27'49" W.) extending from the 5-mile radius to 8 miles southeast of the LOM, excluding the portion within the Troutdale control zone when it is effective.

Portsmouth, N. H.
Within a 5-mile radius of Pease AFB, Portsmouth, N. H. (latitude 43°04'40" N., longitude 70°49'25" W.). within 2 miles each side of the centerline of Runway 16 extended from the 5-mile radius zone to 6 miles SE of the end of the runway; within 2 miles each side of the Pease AFB TACAN 142° radial, extending from the 5-mile radius zone to 8 miles SE of the TACAN; within 2 miles each side of the Pease AFB TACAN 332° radial, extending from the 5-mile radius zone to 8 miles NW of the TACAN.

Poughkeepsie, N. Y.
Within a 5-mile radius of the center, 41°37'36" N., 73°52'56" W., of Dutchess County Airport, Poughkeepsie, N. Y., within 3.5 miles each side of the Kingston, N. Y., VORTAC 025° radial, extending from the VORTAC to 9.8 miles northeast of the VORTAC; within 2 miles each side of the Kingston, N. Y., VORTAC 230° radial, extending from the 5-mile radius zone to 10.5 miles southwest of the VORTAC;
and within 3.5 miles each side of the Kingston, N. Y., VORTAC 050° radial, extending from the VORTAC to 10.5 miles northeast of the VORTAC.

Prescott, Ariz.
Within a 6-mile radius of Prescott Municipal Airport (latitude 34°39'10" N., longitude 112°25'15" W.).

Presque Isle, Maine
Within a 5-mile radius of Northern Maine Regional Airport (latitude 46°41'30" N., long. 68°02'30" W.); within 3.5 miles each side of the Presque Isle localizer course extending from the 5-mile radius zone to 10 miles south of the LOM; within 2 miles each side of the Presque Isle VORTAC 158° radial extending from the 5-mile radius zone to the Presque Isle VORTAC. This control zone is effective from 0800 to 2000 hours, local time, Sunday through Friday; 0800 to 1730 hours, local time, Saturday or during the specific dates and times established in advance by a Notice to Airman which thereafter will be continuously published in the Airman's Information Manual.

Providence, R. I.
Within a 5-mile radius of Theodore Francis Green State Airport, Providence, R. I., (Lat. 41°43'30" N, Long. 71°28'45" W). and within 2 miles either side of the Providence ILS localizer SW course extending from the 5-mile radius zone to the OM.

Pueblo, Colo.
Within a 5-mile radius of Pueblo Memorial Airport (latitude 38°17'30" N., longitude 104°30'00" W.); within 2 miles each side of the Pueblo ILS localizer west course, extending from the 5-mile radius zone to the LOM; within 4 miles each side of the Pueblo VORTAC 081° radial, extending from the 5-mile radius zone to 9 miles east of the VORTAC.

Pullman, Wash.
Within a 5-mile radius of Pullman-Moscow Regional Airport (latitude 46°44'40" N., longitude 117°06'30" W.) and within 2 miles each side of the Pullman VOR 047° radial, extending from the 5-mile zone to the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Quantico, Va.
Within a 5-mile radius of the center, lat. 38°30'15" N., long. 77°18'15" W. of Quantico MCAS (Turner Field), Quantico, Va.; and within 3.5 miles each side of the 201° bearing from the Marine Quantico UHF RBN, extending from the 5-mile radius zone to 11.5 miles south of the RBN. This control zone is effective from 0700 to 1800 hours, local time, Thursday through Monday; from 0700 to sunset plus 2 hours and 45 minutes, local time, Tuesday and Wednesday.
PENDING AMENDMENT
Quantico, Va.
Within a 5-mile radius of the center, lat. 38°30'15" N., long. 77°18'15" W., of Quantico MCAS (Turner Field) Quantico, Va.; within 2 miles each side of the Brooke, Va., VORTAC 013° radial, extending from the 5-mile radius zone to 1.5 miles north of the VORTAC and within 3 miles each side of the 183° bearing from the Quantico UHF RBN, extending from the 5-mile radius zone to 8.5 miles south of the RBN. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 1/29/76 40 F. R. 53995 (Rewritten)

Quincy, Ill.
That airspace within a 5-mile radius of Quincy Municipal Airport (latitude 39°56'35" N., longitude 91°11'40" W.), within 2 miles each side of the Quincy VORTAC 034° radial, extending from the 5-mile radius zone to the VORTAC, and within 2 miles each side of the Quincy VORTAC 035° radial extending from the 5-mile radius zone to 12 miles northeast of the airport.

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Raleigh, N. C.
Within a 5-mile radius of Raleigh-Durham Airport (latitude 35°52'21" N., longitude 78°47'02" W.); within 3.5 miles each side of Raleigh VORTAC 034° and 231° radials, extending from the 5-mile radius zone to 10.5 miles northeast and southwest of the VORTAC.

Rapid City, S. Dak. (Ellsworth AFB)
Within a 5-mile radius of Ellsworth AFB (latitude 44°08'45" N., longitude 103°06'15" W.); and within 2½ miles each side of the Ellsworth AFB TACAN 322° radial, extending from the 5-mile radius zone to 7 miles northwest of the TACAN, excluding the portion which overlies the Rapid City, S. Dak. (Regional Airport) control zone.

Rapid City, S. Dak. (Regional Airport)
Within a 5-mile radius of Rapid City Regional Airport (latitude 44°02'30" N., longitude 103°03'20" W.); within 3 miles each side of the Rapid City VOR 155° and 335° radials, extending from the 5-mile radius zone to 8 miles southeast of the VOR; and within 3 miles each side of the Ellsworth AFB TACAN 129° radial, extending from the Rapid City, S. Dak. (Ellsworth AFB), 5-mile radius zone to 8 miles southeast of the TACAN, excluding the portion north of a line between the INTs of the 5-mile radius zone and the Rapid City, S. Dak. (Ellsworth AFB), 5-mile radius zone.

Rawlins, Wyo.
Within a 5-mile radius of Rawlins Municipal Airport (latitude 41°48'15" N., longitude 107°12'05" W.) and within 2 miles each side of the 269° bearing from the Sinclair RBN extending from the 5-mile radius zone to the radiobeacon.

Reading, Pa.
Within a 5-mile radius of the center, 40°22'39" N., 75°57'57" W., of Reading Municipal-General Carl A. Spaatz Field, Reading, Pa., extending clockwise from a 160° bearing to a 030° bearing from the airport; within a 5.5-mile radius of the center of the airport, extending clockwise from a 030° bearing to a 160° bearing from the airport; within 4.5 miles each side of the Reading Municipal-General Carl A. Spaatz Field ILS localizer south course, extending from the 5-mile radius zone and 5.5-mile radius zone to 8.5 miles south of the OM; within 4 miles each side of a 161° bearing from a point 40°22'32" N., 75°57'57" W., extending from said point to 8.5 miles south.

Red Bluff, Calif.
Within a 5-mile radius of Bidwell Airport, Red Bluff, Calif. (latitude 40°09'15" N., longitude 122°14'50" W.), and within 2 miles each side of the Red Bluff VORTAC 167° radial, extending from the 5-mile radius zone to 8 miles S of the VORTAC.

Redding, Calif.
Within a 5-mile radius of Redding Municipal Airport (latitude 40°30'35" N., longitude 122°17'30" W.), and within 2 miles west and 4 miles east of the Redding VOR 192° radial extending from the 5-mile radius zone to 8 miles south of the VOR, excluding the portions within a 1-mile radius of Redding Sky Ranch Airport (latitude 40°30'00" N., longitude 122°22'35" W.) and Enterprise Sky Park (latitude 40°34'26" N., longitude 122°19'30" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Redmond, Oreg.
Within a 5-mile radius of Roberts Field, Redmond, Oreg. (latitude 44°15'10" N., longitude 121°08'55" W.), and within 1.5 miles each side of the Redmond VORTAC 289° and 069° radials extending from the 5-mile radius zone to 1 mile west of the VORTAC.

Redwood Falls, Minn.
Within a 5-mile radius of Redwood Falls Municipal Airport (latitude 44°32'45" N., longitude 95°04'45" W.).

Reno, Nev. (Reno Municipal Airport)
Within a 5-mile radius of the Reno Municipal Airport (latitude 39°30'02" N., longitude 119°46'07" W.), and within 2 miles each side of the Reno ILS localizer N course, extending from the 5-mile radius zone to the Sparks, Nev., RBN, and within 2 miles each side of the Reno localizer S course, extending from the 5-mile radius zone to 11 miles S of the airport.

Renton, Wash.
That airspace bounded by a line beginning at latitude 47°32'10" N., longitude 122°12'40" W.; thence clockwise along an arc of a 3-mile radius circle centered on the Renton Municipal Airport (latitude 47°29'35" N., longitude 122°12'50" W.) to latitude 47°27'50" N., longitude 122°09'46" W., to latitude 47°27'38" N., longitude 122°09'24" W., to latitude 47°26'24" N., longitude 122°12'06" W., thence counterclockwise via an arc of a 5-mile radius circle centered on Seattle-Tacoma International Airport (latitude 47°26'50" N., longitude 122°18'30" W.) to latitude 47°27'00" N., longitude 122°11'50" W., to latitude 47°28'09" N., longitude 122°13'33" W., to latitude 47°31'27" N., longitude 122°13'33" W., thence to point of beginning. This control zone is effective from 0700 to 2300 hours local time daily.

Rhinelander, Wis.
Within a 5-mile radius of Rhinelander-Oneida County Airport (latitude 45°37'54" N., longitude 89°27'35" W.); within 2½ miles each side of the Rhinelander VORTAC 229° radial extending from the 5-mile radius zone to 7 miles southwest of the VORTAC; and within 2½ miles each side of the Rhinelander VORTAC 322° radial extending from the 5-mile radius zone to 6 miles northwest of the VORTAC; and within 2 miles each side of the Rhinelander VORTAC 058° radial extending from the 5-mile radius zone to 7 miles northeast of the VORTAC.

AMENDMENTS 10/9/75 40 F. R. 28076 (Rewritten)

Richmond, Va.
Within a 5.5-mile radius of the center, lat. 37°30'16" N., long. 77°19'11" W. of Richard Evelyn Byrd International Airport, Richmond, Va.; within 3.5 miles each side of the Richmond VORTAC 342° radial extending from the 5.5-mile radius zone to 10 miles north of the VORTAC; within 3.5 miles each side of the Richmond VORTAC 350° radial extending from the 5.5-mile radius zone to 10 miles north of the VORTAC; within 3 miles each side of the Richmond VORTAC 065° radial extending from the 5.5-mile radius zone to 8.5 miles northeast of the VORTAC; within 3.5 miles each side of the Richmond VORTAC 134° radial extending from the 5.5-mile radius zone to 10 miles southeast of the VORTAC; and within 2 miles each side of the Richmond VORTAC 137° radial extending from the 5.5-mile radius zone to 10 miles southeast of the VORTAC.

Riverside, Calif. (March AFB).
Within a 5-mile radius of March AFB (latitude 33°52'50" N., longitude 117°15'30" W.); within 2 miles each side of the March AFB VOR 329° and 149° radials, extending from the 5-mile radius zone to 1 mile SE of the VOR, and within 2 miles each side of the March AFB TACAN 325° radial, extending from the 5-mile radius zone to 5 miles NW of the TACAN.

Riverside, Calif. (Municipal Airport)
Within a 3-mile radius of the Riverside Municipal Airport (latitude 33°57'05" N., longitude 117°26'30" W.), within 2 miles each side of the Riverside VOR 292° radial, extending from the 3-mile radius zone to 4.5 miles W of the VOR; within 2 miles each side of the Riverside VOR 103° radial, extending from the 3-mile radius zone to 7 miles E of the VOR; and within 2 miles each side of the Riverside VOR 108° radial, extending from the 3-mile radius zone to 5 miles E of the VOR, excluding the portion within a 1-mile radius of the Riverside Fla-Bob Airport (latitude 33°59'30" N., longitude 117°24'35" W.), and the portion that coincides with the Riverside, Calif. (March AFB), control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Riverton, Wyo.
Within a 5-mile radius of Riverton Municipal Airport (latitude 43°03'45" N., longitude 108°27'15" W.) within 2 miles each side of the Riverton VOR 291° radial, extending from the 5-mile radius zone to 8 miles west of the VOR, within 3 miles each side of the Riverton VOR 123° radial, extending from the 5-mile radius zone to 8 miles southeast of the VOR. This control zone is effective during the specific dates and times established in advance by a notice to airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Roanoke, Va.
Within a 7-mile radius of the center, 37°19'30" N., 79°58'35" W., of the Roanoke Municipal Airport, Roanoke, Va.; within an 8-mile radius of the center of the airport, extending clockwise from a 237° bearing to a 258° bearing from the airport; within a 13.5-mile radius of the center of the airport, extending clockwise from a 258° bearing to a 302° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 302° bearing to a 338° bearing from the airport; within a 9-mile radius of the center of the airport, extending clockwise from a 338° bearing to a 007° bearing from the airport and within 2.5 miles each side of the Roanoke Municipal Airport ILS localizer southeast course, extending from the localizer to 2 miles southeast of the OM.

Rochester, Minn.
Within a 5-mile radius of Rochester Municipal Airport (latitude 43°54'25" N., longitude 92°29'45" W.); within 2 miles each side of the Rochester ILS localizer southeast course, extending from the 5-mile radius zone to the OM; and within 2 miles each side of the Rochester VOR 029° radial, extending from 1 mile northeast of the VOR to 15 miles northeast of the VOR.

Rochester, N. Y.
Within a 5-mile radius of the center, 43°07'10" N., 77°40'15" W., of the Rochester Monroe County Airport, Rochester, N. Y.; within 2 miles each side of the Rochester VOR 168° radial, extending from the 5-mile radius zone to 7 miles southeast of the VOR; within 2 miles each side of the Rochester VOR 280° radial, extending from the 5-mile radius zone to 8 miles west of the VOR; within 2 miles each side of the Rochester VOR 026° radial extending from the 5-mile radius zone to 7 miles northeast of the VOR; within 2 miles each side of the Rochester VOR 214° radial extending from the 5-mile radius zone to 7 miles southwest of the VOR and within 2 miles each side of the Rochester ILS localizer east course extending from the 5-mile radius zone to the OM.

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Rockford, Ill.
Within a 5-mile radius of the Greater Rockford Airport (latitude 42°11'50" N., longitude 89°05'45" W.), within 2 miles each side of the Rockford ILS localizer S course, extending from the 5-mile radius zone to the OM, and within 2 miles each side of the Rockford VORTAC 117° radial, extending from the 5-mile radius zone to the VORTAC.

Rock Springs, Wyo.
Within a 5.5-mile radius of the Rock Springs-Sweetwater County Airport (latitude 41°35'45" N., longitude 109° 04'00" W.); within 3 miles each side of the Rock Springs ILS localizer east course, extending from the 5.5-mile radius zone to 9 miles east of the Thayer LOM (latitude 41°35'49" N., longitude 108°58'09" W.); within 3.5 miles each side of the Rock Springs VORTAC 102° radial, extending from the 5.5-mile radius zone to 11.5 miles east of the VORTAC, and within 3 miles each side of the Rock Springs VORTAC 271° radial, extending from the 5.5-mile radius zone to 17.5 miles west of the VORTAC.

AMENDMENTS 8/14/75 40 F. R. 23724 (Rewritten)

Rocky Mount, N. C.
Within a 5-mile radius of Rocky Mount-Wilson Airport (lat. 35°51'17" N., long. 77°53'34" W.).

Rome, N. Y.
Within a 5-mile radius of the center, 43°13'45" N., 75°25'00" W., of Griffiss AFB, Rome, N. Y., and within 2 miles each side of bearing 135°/315° from a point 43°10'06" N., 75°19'08" W. extending from the 5-mile radius zone to 6 miles southeast of said point; within 2 miles each side of the Griffiss TACAN 306° radial extending from the 5-mile radius zone to 8 miles NW of the TACAN; within 2 miles each side of a bearing 142° from the Rome, N. Y., ILS OM, extending from the OM to 4 miles SE of the OM.

Roosevelt Roads, P. R.
Within a 5-mile radius of NS Roosevelt Roads (lat. 18°15'05" N., long. 65°38'35" W.); within 3 miles each side of the 062° bearing from Roosevelt Roads RBN, extending from the 5-mile radius zone to 8.5 miles northeast of the RBN.

Roswell, N. M.
That airspace within a 6-mile radius of the Roswell Industrial Air Center Airport (latitude 33°17'50" N., longitude 104°31'48" W.); within 2 miles each side of the extended centerline of runway 3 extending from the 6-mile radius zone to the LOM; and within 2 miles each side of the extended centerline of runway 21 extending from the 6-mile radius zone to 6 miles southwest of the lift-off end of runway 21.

Russell, Kans.
Within a 5-mile radius of Russell Municipal Airport (latitude 38°52'20" N., longitude 98°48'45" W.).

Sacramento, Calif. (Mather AFB)
Within a 5-mile radius of Mather AFB (latitude 38°33'10" N., longitude 121°18'05" W.) within 2 miles each side of the Mather TACAN 048° radial, extending from the 5-mile radius zone to 7 miles northeast of the TACAN, excluding the portion subtended by a chord drawn between the points of intersection of the Mather AFB 5-mile radius zone with the Sacramento, Calif. (McClellan AFB) 5-mile radius zone.

Sacramento, Calif. (McClellan AFB)
Within a 5-mile radius of McClellan AFB (latitude 38°39'45" N., longitude 121°24'10" W.), excluding the portion subtended by a chord drawn between the points of intersection of the McClellan AFB 5-mile radius zone with the Sacramento, Calif. (Mather AFB) 5-mile radius zone.

AMENDMENTS 10/9/75 40 F. R. 30,64 (Rewritten)

Sacramento, Calif. (Sacramento Metropolitan Airport)
That airspace within a 5-mile radius of the Sacramento Metropolitan Airport (latitude 38°41'43" N., longitude 121°38'01" W.), and within 2 miles each side of the Sacramento Metropolitan Airport localizer (latitude 38°40'32" N., longitude 121°36'02" W.) N and S courses, extending from the 5-mile radius zone to 6 miles north and south of the airport; and including that airspace adjoining the McClellan AFB and Sacramento Municipal Airport control zones between latitude 38°41'43" N. and the Sacramento VORTAC 351° T radial.

Sacramento, Calif. (Sacramento Municipal)
Within a 5-mile radius of Sacramento Municipal Airport (latitude 38°30'45" N., longitude 121°29'35" W.), within 2 miles each side of the Sacramento VORTAC 033° radial, extending from the 5-mile radius zone SW to the VORTAC and that airspace NE of the Sacramento Municipal Airport, extending from the Sacramento Municipal 5-mile radius zone to the McClellan AFB and Mather AFB 5-mile radius zones, bounded on the SE by the Sacramento 064° radial and on the NW by a line 2 miles NW of and parallel to the Sacramento 033° radial.

Saginaw, Mich.
That airspace within a 5-mile radius of Tri-City Airport (latitude 43°31'55" N., longitude 84°04'50" W.) and within 2½ miles each side of the Saginaw, Mich. VORTAC 030°, 146°, 223°, and 310° radius extending from the 5-mile radius zone to 6½ miles northeast, southeast, southwest, and northwest of the VORTAC.

St. Charles, Ill.
Within a 3-mile radius of Du Page County Airport, St. Charles, Ill. (latitude 41°54'45" N., longitude 88°14'35" W.); and within 2 miles either side of the Du Page VOR 069° radial, extending from the 3-mile radius zone to the VOR.

St. Joseph, Mo.
Within a 5-mile radius of the Rosecrans Memorial Airport (latitude 39°46'23" N., longitude 94°54'31" W.); within 2 miles each side of the St. Joseph ILS localizer S course, extending from the 5-mile radius zone to the OM; and within 2 miles each side of the St. Joseph VORTAC 175° radial, extending from the 5-mile radius zone to the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 3/27/75 40 F. R. 4297 (Rewritten)

St. Louis, Mo.
Within a 5-mile radius of St. Louis International Airport (latitude 38°44'50" N., longitude 90°21'55" W.); within 2 miles each side of the St. Louis International Airport Runway 24 ILS localizer southwest course, extending from the 5-mile radius zone to 10½ miles southwest of the OM; within 2 miles each side of the St. Louis VORTAC 142° radial; extending from the 5-mile radius zone to 7 miles northwest of the northwest end of the St. Louis International Airport Runway 12R; within 2 miles each side of the St. Louis International Airport Runway 12R ILS localizer northwest course, extending from the 5-mile radius zone to the Runway 12R OM; and within 2 miles each side of the St. Louis International Airport Runway 12R ILS localizer southeast course, extending from the 5-mile radius zone to 6 miles southeast of the Runway 12R localizer.

St. Paul, Minn.
Within a 5-mile radius of St. Paul Downtown Airport (Holman Field) latitude 44°56'10" N., longitude 93° 03'40" W.), excluding the portion which overlies the Minneapolis, Minn., control zone and excluding the area within a 1-mile radius of South St. Paul Municipal Airport (Fleming Field) (latitude 44°51'25" N., longitude 93° 01'55" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

St. Petersburg, Fla.
Within a 5-mile radius of St. Petersburg Clearwater International Airport (lat. 27°54'33" N., long. 82°41' 19" W.); within 2.5 miles each side of St. Petersburg VORTAC 343° radial, extending from the 5-mile radius zone to 6 miles northwest of the VORTAC.

St. Petersburg, Fla. (Albert-Whitted Airport)
Within a 5-mile radius of the Albert-Whitted Airport (lat. 27°45'53" N., long. 82°37'39" W.); within 1.5 miles each side of the St. Petersburg VORTAC 150° radial, extending from the 5-mile radius zone to 1 mile south of the VORTAC, excluding the portion within the St. Petersburg and MacDill AFB control zones. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Saipan Island
Within a 5-mile radius of Kobler Field (latitude 15°07'30" N.,longitude 145°42'29" E.); within 3.5 miles each side of the Saipan RBN (latitude 15°07'32" N., longitude 145°41'58" E.) 254° bearing, extending from the 5-mile radius zone to 12 miles southwest of the RBN, and within 2 miles each side of the extended centerline of the east/west runway, extending from the 5-mile radius zone to 6.5 miles east of the Kobler Field. This control zone is effective from 0800 to 1630 hours, local time, daily.

Salem, Oreg.
Within a 5-mile radius of McNary Field, Salem, Oreg. (latitude 44°54'35" N., longitude 123°00'05" W.) and within 2 miles each side of the Salem ILS localizer SE course, extending from the 5-mile radius zone to the LOM.

Salina, Kansas
Within a 5-mile radius of Salina Municipal Airport (latitude 38°47'40" N., longitude 98°38'30" W.); within 1½ miles each side of the Salina VORTAC 192° radial, extending from the 5-mile radius zone to the VORTAC and within 2 miles each side of the Salina ILS localizer S course, extending from the 5-mile radius zone to 2½ miles N of the OM.

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Salinas, Calif.
Within a 5-mile radius of the Salinas Municipal Airport (latitude 36°39'40" N., longitude 121°36'20" W.), and within 2 miles NE and 3 miles SW of the Salinas VORTAC 319° radial, extending from the 5-mile radius zone to 6 miles NW of the VORTAC, excluding the portion within the Fort Ord, Calif., control zone.

Salisbury, Md.
Within a 5-mile radius of the center, lat. 38°20'21" N., long. 75°30'41" W. of Salisbury-Wicomico County Airport, Salisbury, Md.; within 3.5 miles each side of the Salisbury VORTAC 209° radial, extending from the 5-mile radius zone to 10.5 miles southwest of the VORTAC; within 3.5 miles each side of the Salisbury VORTAC 052° radial, extending from the 5-mile radius zone to 9.5 miles northeast of the VORTAC; within 1 mile each side of the Salisbury-Wicomico County Airport localizer northwest course, extending from the 5-mile radius zone to 5.5 miles northwest of the localizer; and within 3.5 miles each side of the Salisbury VORTAC 132° radial, extending from the 5-mile radius zone to 10.5 miles southeast of the VORTAC.

Salt Lake City, Utah
Within a 5-mile radius of the Salt Lake International Airport (latitude 40°47'10" N., longitude 111°58'00" W.) and within 2.5 miles each side of the Salt Lake City VORTAC 003° radial extending from the 5-mile radius zone to 2 miles north of the VORTAC.

San Angelo, Tex.
Within a 5-mile radius of Mathis Field, San Angelo, Tex., (latitude 31°21'35" N., longitude 100°29'40" W.); within 2 miles each side of the San Angelo VOR 065° radial, extending from the 5-mile radius zone to 8 miles NE of the VOR; within 2 miles each side of the San Angelo ILS localizer NE course, extending from the 5-mile radius zone to 8 miles NE of the INT of the ILS localizer NE course and the San Angelo VOR 311° radial, and within 2 miles each side of the San Angelo ILS localizer SW course, extending from the 5-mile radius zone to 6.5 miles SW of the airport.

San Antonio, Tex. (International Airport)
That airspace within a 5-mile radius of San Antonio International Airport (latitude 29°31'50" N., longitude 98°28'12" W.); within 2 miles each side of the San Antonio VORTAC 184° radial extending from the 5-mile radius zone to 1 mile south of the VORTAC; within 2 miles each side of the San Antonio ILS localizer northwest course extending from the 5-mile radius zone to 1 mile southeast of the OM, within 2 miles each side of the San Antonio ILS localizer northeast course extending from the 5-mile radius zone to 6 miles northeast of the airport, and within 2 miles each side of the San Antonio ILS localizer southeast course extending from the 5-mile radius zone to 7 miles southeast of the localizer, and within 2 miles each side of a 132° bearing from the LOM extending from the 5-mile radius zone to 15.5 miles southeast of the LOM.

San Antonio, Tex. (Kelly AFB)
That airspace within a 5-mile radius of Kelly AFB (latitude 29°22'57" N., longitude 98°34'25" W.); within 2 miles each side of the Kelly AFB ILS localizer N course extending from the 5-mile radius zone to 1 mile S of the OM, and within 2 miles each side of the Kelly AFB TACAN 341° radial extending from the 5-mile radius zone to the TACAN.

San Antonio, Tex. (Randolph AFB)
That airspace within a 5-mile radius of Randolph AFB (latitude 29°32'09" N., longitude 98°16'57" W.); within 2 miles each side of the LaVernia, Tex., VOR 329° and 338° radials, extending from the 5-mile radius zone to 1 mile northwest of the VOR, within 2 miles each side of the Randolph AFB TACAN 323° radial extending from the TACAN to 8 miles northwest, and within 2 miles each side of the Randolph AFB TACAN 156° radial extending from the TACAN to 8 miles southeast.

San Antonio, Tex. (Stinson Field)
Within a 3-mile radius of Stinson Field (latitude 29° 20' 15" N., longitude 98° 28' 20" W.), and within 2 miles each side of the Stinson VOR 346° radial, extending from the 3-mile radius zone to the VOR, excluding the portion within the Kelly AFB control zone. This control zone is effective from 0700 to 2300 hours, local time, daily.

San Bernardino, Calif. (Norton AFB)
Within a 5-mile radius of the Norton AFB (latitude 34°05'45" N., longitude 117°14'05" W.), and within 2 miles N and 2.5 miles S of the ILS localizer SW course extending from the 5-mile radius zone to 2 miles NE of the OM, excluding the portion within a 1-mile radius of the Redland, Calif., Municipal Airport (latitude 34°05'05" N., longitude 117°08'35" W.).

San Carlos, Calif.
Within a 3-mile radius of the San Carlos Airport (latitude 37°30'40" N., longitude 122°14'50" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airman's Information Manual.

San Clemente Island, Calif.
Within a 5-mile radius of NALF San Clemente (latitude 33°01'20" N., longitude 118°35'15" W.) extending upward from the surface to and including 5,000 feet MSL, excluding that airspace beyond 3 NM from and parallel to the shoreline. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

San Diego, Calif. (Brown Field)
Within a 3-mile radius of Brown Field Municipal Airport (latitude 32°34'22" N., longitude 116°58'47" W.), excluding that airspace west of longitude 117°01'00" W., and south of the United States/Mexican Border. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

San Diego, Calif. (Lindbergh Field)
Within a 5-mile radius of Lindbergh Field, San Diego, Calif. (latitude 32° 43' 58" N., longitude 117° 11' 16" W.); and within 2 miles each side of the Lindbergh ILS localizer E course, extending from the 5-mile radius zone to 7 miles east of the airport, excluding the portion S of a line extending from latitude 32°43'22" N., longitude 117°16'20" W., to latitude 32° 43' 22" N., longitude 117° 12' 23" W., to latitude 32° 41' 02" N., longitude 117° 07' 25" W.; and the portion N of latitude 32° 47' 00" N.

San Diego, Calif. (Montgomery Field)
Within a 3-mile radius of Montgomery Field (latitude 32°49'00" N., longitude 117°08'20" W.), excluding those portions within the NAS Miramar and San Diego (Lindbergh Field) control zones. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

San Diego, Calif. (NAS North Island)
Within a 5-mile radius of NAS North Island (latitude 32° 42' 00" N., longitude 117° 12' 35" W.); within the arc of a 10-mile radius circle centered on the North Island TACAN, extending clockwise from a line 2 miles N of and parallel to the TACAN 120° radial to the 162° radial, excluding the portion N of a line from latitude 32° 43' 22" N., longitude 117° 17' 20" W., to latitude 32° 43' 22" N., longitude 117° 12' 23" W., to latitude 32°41'02" N., longitude 117°07'25" W., and the portion within the NAS Imperial Beach, Calif., control zone.

San Diego, Calif. (San Diego County-Gillespie Field)
Within a 3-mile radius of San Diego-Gillespie Field (latitude 32°49'26" N., longitude 116°58'18" W.) and within 1 mile each side of a 102° bearing from the end of Runway 27R, extending from the 3-mile radius zone to 5 miles east of the airport. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

San Francisco, Calif.
Within a 7-mile radius of the San Francisco International Airport (Lat. 37°37'07" N, Long. 122°22' 35" W, including the airspace bounded on the SW by the San Francisco 7-mile radius zone and on the N and NE by the Oakland and NAS Alameda control zones, excluding the portion within the Oakland control zone.

San Jose, Calif.
Within a 5-mile radius of San Jose Municipal Airport (latitude 37°21'35" N., longitude 121°55'30" W.), excluding the portion NW of a line from latitude 37°25'45" N., longitude 121°56'35" W. to latitude 37°19'30" N., longitude 122°00'10" W.

San Jose, Calif. (Reid-Hillview Airport)
That airspace within a 3-mile radius of the Reid-Hillview Airport (latitude 37°19'55" N., longitude 121° 49'10" W.), excluding that portion within the San Jose control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

San Juan, P. R. (International Airport)
Within a 5-mile radius of Puerto Rico International Airport (lat. 18°26'48" N., long. 66°00'07" W.); within a 3-mile radius of Isla Grande Airport (lat. 18°27'33" N., long. 66°05'55" W.); within 5 miles each side of the San Juan VORTAC 058° radial, extending from the VORTAC to 13 miles northeast of the VORTAC; within 3.5 miles each side of the San Juan VORTAC 086° radial, extending from the 5-mile radius zone to 11 miles east of the VORTAC; within 2 miles each side of the ILS localizer west course, extending from the 5-mile radius zone to 1 mile east of the San Pat RBN.

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San Rafael, Calif.
Within a 5-mile radius of Hamilton AFB, San Rafael, Calif. (latitude 38°03'35" N., longitude 122°30'35" W.), within 2 miles SW and 2.5 miles NE of the Hamilton AFB TACAN 140° radial, extending from the 5-mile radius area to 9 miles SE of the TACAN, and within 2 miles each side of the Hamilton AFB TACAN 305° radial extending from the 5-mile radius zone to 12 miles NW of the TACAN. This control zone is effective from 0700 to 2300 hours, local time daily.

PENDING AMENDMENT
San Rafael, Calif., control zone is revoked. AMENDMENTS 1/10/76 40 F. R. 55638 (Revoked)

Santa Ana, Calif. (MCAS)
Within a 5-mile radius of MCAS Santa Ana (latitude 33°42'22" N., longitude 117°49'35" W.) excluding that portion east and south of a line from latitude 33°43'55" N., longitude 117°47'00" W., to latitude 33°41'15" N., longitude 117°48'10" W., to latitude 33°42'30" N., longitude 117°56'40" W. This control zone is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 3/27/75 40 F. R. 5493 (Rewritten)

Santa Ana, Calif. (Orange County Airport)
Within a 5-mile radius of Orange County Airport (latitude 33°40'32" N., longitude 117°52'15" W.) and within a 5-mile radius of MCAS Santa Ana (latitude 33°42'22" N., longitude 117°49'35" W.) excluding the portion within a 1-mile radius of Mile Square MCOLF, that portion east of a line extending from latitude 33°43'55" N., longitude 117°47'00" W. to latitude 33°36'10" N., longitude 117°50'20" W. and that portion within the Santa Ana, Calif. (MCAS) control zone when it is effective. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 3/27/75 40 F. R. 5493 (Changed)

Santa Barbara, Calif.
Within a 5-mile radius of Santa Barbara Municipal Airport (latitude 34°25'35" N., longitude 119°50'20" W.); within 2 miles each side of the Santa Barbara ILS localizer west course, extending from the 5-mile radius zone to the OM.

Santa Fe, N. Mex.
Within a 6.5-mile radius of the Santa Fe County Municipal Airport (latitude 35°37'00" N., longitude 106°05' 25" W.).

Santa Maria, Calif.
Within a 5-mile radius of Santa Maria Public Airport (latitude 34°53'55" N., longitude 120°27'20" W.); within 1.5 miles each side of the Santa Maria VOR 133° radial, extending from the 5-mile radius zone to 11.5 miles southeast of the VOR. This control zone is effective from 0700 to 2200 hours local time daily.

Santa Monica, Calif.
Within a 3-mile radius of Santa Monica Municipal Airport (latitude 34°00'57" N., longitude 118°27'00" W.); within 2 miles each side of the Santa Monica VOR 231° radial, extending from the 3-mile radius zone to 3 miles SW of the VOR; within 2 miles each side of the Santa Monica VOR 056° radial, extending from the 3-mile radius zone to 5 miles NE of the VOR, excluding the portion S of a line extending from latitude 34°00'43" N., longitude 118°23'30" W., to latitude 33°58'03" N., longitude 118°28'58" W. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and time will thereafter be continuously published in the Airman's Information Manual.

Santa Rosa, Calif.
Within a 5-mile radius of Sonoma County Airport (latitude 38°30'30" N., longitude 122°48'45" W.) and within a 1-mile radius of Santa Rosa Coddington Airport (latitude 38°28'30" N., longitude 122°44'25" W.). This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Sarasota, Fla.
Within a 5-mile radius of Sarasota-Bradenton Airport (lat. 27°23'47" N., long. 82°33'15" W.); within 3 miles each side of Sarasota VORTAC 050° and 302° radials, extending from the 5-mile radius zone to 8.5 miles northeast and northwest of the VORTAC; within 5 miles each side of Sarasota VORTAC 142° radial, extending from the 5-mile radius zone to 8.5 miles southeast of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Sault Ste. Marie, Mich. (Kincheloe AFB)
Within a 5-mile radius of Kincheloe AFB (latitude 46°15'00" N., longitude 84°28'00" W.); within 2 miles each side of the Kincheloe AFB TACAN 143° radial, extending from the 5-mile radius zone to 8 miles southeast of the TACAN; within 2 miles each side of the Kincheloe AFB TACAN 337° radial extending from the 5-mile radius zone to 8 miles northwest of the TACAN; and within 2 miles each side of the Kincheloe AFB ILS localizer northwest course, extending from the 5-mile radius zone to the OM.

Sault Ste. Marie, Mich. (Municipal Airport)
Within the United States within a 5-mile radius of Sault Ste. Marie Municipal Airport (latitude 46°28'40" N., longitude 84°21'55" W.), and within 2 miles each side of the 129° bearing from the Sault Ste. Marie RBN extending from the 5-mile radius zone to 8 miles SE of the RBN excluding the portion W of a line between the INTs of the 5-mile radius and the Sault Ste. Marie, Ontario, Canada, control zone.

Sault Ste. Marie, Ontario, Canada
Over the United States within a 5-mile radius of the Sault Ste. Marie Airport (latitude 46°29'00" N., longitude 84°31'00" W.), and within 2 miles each side of the Sault Ste. Marie ILS localizer NW course extending from the 5-mile radius zone to the OM, excluding the portion east of a line between the INTs of the 5-mile radius and the 5-mile radius of the Sault Ste. Marie, Mich., control zone.

Savannah, Ga.
Within a 5-mile radius of Savannah Municipal Airport (lat. 32°07'35" N., long. 81°12'05" W.); within a 5-mile radius of Hunter AAF (lat. 31°00'35" N., long. 81°08'45" W.).

Schenectady, N. Y.
Within a 5-mile radius of the center 42°51'15" N., 73°55'55" W. of Schenectady County Airport, Schenectady, N. Y.; within 2.5 miles each side of a 037° bearing from the Hunter RBN (42°51'13" N., 73°58'07" W.) extending from the 5-mile radius zone to 8.5 miles northeast of the RBN; within 2.5 miles each side of the Schenectady VOR (42°51'05" N., 73°56'05" W.) 030° radial extending from the 5-mile radius zone to 8.5 miles northeast of the VOR; within 2 miles each side of the extended centerline of Runway 28, extending from the 5-mile radius zone to 9 miles west of the end of the runway and within 2 miles each side of the extended centerline of Runway 33, extending from the 5-mile radius zone to 5 miles northwest of the end of the runway, excluding the portion that coincides with the Albany, N. Y., control zone. This control zone is effective from 0700 to 2300 hours, local time, daily.

Scottsbluff, Nebr.
Within a five-mile radius of the Scottsbluff County Airport (latitude 41°52'34" N., longitude 103°35'53" W.); and within two miles each side of the Scottsbluff VORTAC 259° radial extending from the five-mile radius zone to the VORTAC; and within two miles each side of the ILS localizer northwest course extending from the five-mile radius zone to seven miles northwest of the airport.

Scottsdale, Ariz.
Within a 5-mile radius of the Scottsdale Airport (latitude 33°37'05" N., longitude 111°54'55" W.). This control zone will be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously established and published in the Airman's Information Manual.

Seattle, Wash. (King County International Airport (Boeing Field))
That airspace bounded by a line beginning at latitude 47°34'10" N., longitude 122°12'40" W., to latitude 47°32'10" N., longitude 122°12'40" W., thence clockwise via an arc of a 3-mile radius circle centered on Renton Municipal Airport (latitude 47°29'35" N., longitude 122°12'50" W.) to latitude 47°27'56" N., longitude 122° 09'46" W., to latitude 47°27'38" N., longitude 122°09'24" W., to latitude 47°26'24" N., longitude 122° 12'06" W., thence counterclockwise via an arc of a 5-mile radius circle centered on Seattle-Tacoma International Airport (latitude 47°26'50" N., longitude 122°18'30" W.) to latitude 47°27'00" N., longitude 122°11'50" W., to latitude 47°28'09" N., longitude 122°13'33" W., to latitude 47°29'20" N., longitude 122°13'33" W., to latitude 47°29' 20" N., longitude 122°23'10" W., thence clockwise along an arc of a 5-mile radius circle centered on King County International Airport (Boeing Field) latitude 47°31'45" N., longitude 122°18'00" W.) to point of beginning; within 2 miles each side of the 150° bearing from the Magnolia LOM, extending from the 5-mile radius arc to 2 miles southeast of the Magnolia LOM, excluding the portion within the Seattle, Wash. (Seattle-Tacoma International Airport), control zone, and the portion within the Renton, Wash., control zone when the Renton control zone is effective.

Seattle, Wash. (Seattle-Tacoma International Airport)
That airspace bounded by a line beginning at latitude 47°29'20" N., longitude 122°13'33" W., thence to latitude 47°28'09" N., longitude 122°13'33" W., thence to latitude 47°27'00" N., longitude 122°11'50" W., thence clockwise along the arc of a 5-mile radius circle centered on Seattle-Tacoma International Airport (latitude 47°26'50" N., longitude 122°18'30" W.) to latitude 47°29'20" N., longitude 122°23'10" W., thence to point of beginning, and within 2 miles each side of the 360° bearing from the Seattle-Tacoma ILS LOM, extending from the 5-mile radius arc to the LOM.

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Sedalia, Mo.
Within a 5-mile radius of Whiteman AFB, Sedalia, Mo. (latitude 38° 43' 50" N., longitude 93° 33' 00" W.); within 2 miles each side of the Whiteman VOR 010° radial, extending from the 5-mile radius zone to 2 miles N of the VOR, and within 2 miles each side of the Whiteman TACAN 185° radial, extending from the 5-mile radius zone to 7 miles S of the TACAN.

Selma, Ala.
Within a 5-mile radius of Craig AFB (lat. 32°20'30" N., long. 86°59'15" W.); within 2 miles each side of the ILS localizer southeast course, extending from the 5-mile radius zone to 0.5 mile southeast of the LOM; within 1.5 miles each side of Cahaba VORTAC 320° radial, extending from the 5-mile radius zone to 5 miles northwest of the VORTAC. This control zone is effective from 0600 to 1800 hours, local time, Monday through Thursday; 0600 to 2000 hours, local time, Friday; 0900 to 1600 hours, local time, Saturday; 1000 to 1600 hours, local time, Sunday, and closed on holidays.

Shemya, Alaska
Within a 5-mile radius of the Shemya Airport (latitude 52°42'50" N., longitude 174°06'57" E.); within 2 miles each side of the 104° bearing from the Shemya RBN, extending from the RBN to 12 miles east of the RBN, and within 2 miles each side of the 284° bearing from the Shemya RBN, extending from the RBN to 8 miles west of the RBN. The portion within R-2204 is excluded.

Sheridan, Wyo.
Within a 5-mile radius of the Sheridan County Airport (latitude 44°46'25" N., longitude 106°58'15" W.); within 4 miles each side of the Sheridan VORTAC 312° and 327° radials, extending from the 5-mile radius zone to 11.5 miles northwest of the VORTAC; and within 4 miles each side of the Sheridan VORTAC 140° radial extending from the 5-mile radius zone to 24½ miles southeast of the VORTAC.

Shreveport, La. (Barksdale AFB)
That airspace within a 5-mile radius of Barksdale AFB (latitude 32°30'05" N., longitude 93°39'45" W.); within 2 miles each side of the Elm Grove VOR 330° radial extending from the 5-mile radius zone to 0.5 of a mile NW of the VOR; within 2 miles each side of the Barksdale TACAN 148° radial extending from the 5-mile radius zone to 7.5 miles SE of the TACAN; excluding the portion within the Shreveport, La. (Shreveport Regional Airport) control zone and excluding the portion within the Shreveport, La. (Downtown Airport), control zone.

AMENDMENTS 12/4/75 40 F. R. 44807 (Rewritten)

Shreveport, La. (Downtown Airport)
That airspace within a 5-mile radius of Shreveport Downtown Airport (latitude 32°32'25" N., longitude 93°44' 40" W.), and within 2 miles each side of the Shreveport Downtown VOR 313° radial extending from the 5-mile radius zone to 5.5. miles NW of the VOR, excluding the portion SE of a direct line between the two intersecting points of a 5-mile radius circle centered on Downtown Airport and Barksdale AFB (latitude 32°30'05" N., longitude 93°39'45" W.) and the portion within the Shreveport, La. (Shreveport Regional Airport) control zone.
AMENDMENTS 8/6/75 40 F. R. 33010 (Changed)

Shreveport, La. (Shreveport Regional Airport)
That airspace within a 5-mile radius of the Shreveport Regional Airport (latitude 32°26'45" N., longitude 93°49'25" W.); and within 2 miles each side of the Greater Shreveport ILS localizer SE course, extending from the 5-mile radius zone to 6 miles SE of the airport.

Sidney, Nebr.
Within a 5-mile radius of Sidney Municipal Airport (lat. 41°08'55" N., long. 102°58'55" W.); within 2 miles each side of the Sidney VORTAC 128° radial, extending from the 5-mile radius zone to 8 miles southeast of the VORTAC; and within 2 miles each side of the Sidney VORTAC 321° radial, extending from the 5-mile radius zone to 8 miles northwest of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Silver City, N. Mex.
Within a 5-mile radius of Silver City-Grant County Airport (latitude 32°38'25" N., longitude 108°09'15" W.), and within 3 miles each side of the Silver City VOR 141° radial extending from the 5-mile radius zone to 9 miles southeast of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Simmons Army Air Field, N. C.
Within a 5-mile radius of Simmons AAF (latitude 35°07'55" N., longitude 78°56'06" W.); within 3 miles each side of Simmons VOR 085° radial, extending from the 5-mile radius zone to 8.5 miles east of the VOR; excluding the portion northwest of a line extending from latitude 35°11'15" N., longitude 78°56'05" W. to latitude 35°05'55" N., longitude 79°00'50" W.
AMENDMENTS 4/30/75 40 F. R. 20068 (Changed) F. R. Correction 40 F. R. 20952

Sioux City, Iowa
Within a 5-mile radius of Sioux City Municipal Airport (latitude 42°24'03" N., longitude 96°22'55" W.); and within 2½ miles each side of the Sioux City VORTAC 140° and 320° radials, extending from the 5-mile radius zone to 6 miles southeast of the VORTAC.

Sioux Falls, S. Dak.
Within a 5-mile radius of Joe Foss Field (latitude 43°34'56" N., longitude 96°44'35" W.); within 2 miles each side of the Sioux Falls VORTAC 156° radial extending from the 5-mile radius zone to 10 miles southeast of the VORTAC.

Sitka, Alaska
Within a 5-mile radius of the Sitka Airport (lat. 57°02'55" N., long. 135°21'45" W.); within 2 miles each side of the Biorka Island VORTAC 029° and 209° radials, extending from the 5-mile radius zone to 2 miles southwest of the VORTAC; within 2 miles each side of the Sitka RBN 027° and 207° bearings, extending from the 5-mile radius zone to 2 miles southwest of the RBN; and within 2.5 miles each side of the localizer northwest course, extending from the 5-mile radius zone to 14 miles northwest of the localizer.

South Bend, Ind.
Within a 5-mile radius of Michiana Regional Airport, South Bend, Ind. (lat. 41°42'15" N., Long. 86°18' 50" W).

South Weymouth, Mass.
Within a 5-mile radius of South Weymouth NAS (latitude 42°08'55" N., longitude 70°56'25" W.); within 2 miles each side of the 337° bearing from the South Weymouth RBN extending from the 5-mile radius zone to the RBN; within 2 miles each side of the South Weymouth TACAN 165° radial extending from the 5-mile radius zone to 6 miles S of the TACAN; and within 2 miles each side of the South Weymouth TACAN 073° radial extending from the 5-mile radius zone to 6 miles E of the TACAN.
This control zone is effective from 0700-2300 hours, local time, Monday through Thursday; 0700-2400 hours, local time, Friday; 0001-2400 hours, local time, Saturday; 0001-2300 hours, local time, Sunday, or during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Spartanburg, S. C.
Within a 5-mile radius of Spartanburg Downtown Memorial Airport (latitude 34°54'55" N., longitude 81°57'32" W.); within 2 miles each side of Spartanburg VORTAC 196° radial, extending from the 5-mile radius zone to the VORTAC; within 3 miles each side of the 237° bearing from Fairmont RBN, extending from the 5-mile radius zone to 8.5 miles southwest of the RBN; excluding the portion within the Greer (Greenville-Spartanburg Airport), S. C. control zone. This control zone is effective from 0600 to 2200 hours, local time, daily.

Spokane, Wash. (Fairchild AFB)
Within a 5-mile radius of Fairchild AFB (latitude 47°36'55" N., longitude 117°39'20" W.); within 2 miles each side of the Runway 23 extended centerline, extending from the 5-mile radius zone to 4 miles southwest of the liftoff end of Runway 23; and within 4 miles northwest and 4.5 miles southeast of the Spokane VORTAC 048° and 228° radials extending from 3 miles northeast to 8 miles southwest of the VORTAC, excluding the portion east of a line extending from latitude 47°30'19" N., longitude 117°34'45" W., to latitude 47°40'57" N., longitude 117°36'00" W.

Spokane, Wash. (Felts Field)
That airspace within a 5-mile radius of Felts Field (latitude 47°41'00" N., longitude 117°19'20" W.); within 2 miles northwest and 4.5 miles southeast of the Spokane VORTAC 060° radial, extending from the 5-mile radius zone to 11 miles northeast of the VORTAC, and within 2 miles each side of the 086° bearing from the Fort LOM, extending from the 5-mile radius zone to the LOM, excluding the portion within the Spokane, Wash. (International) control zone.

Spokane, Wash. (International)
Within a 5-mile radius of the Spokane International Airport (latitude 47°37'35" N., longitude 117°32'05" W.), within 2 miles each side of the Runway 21 centerline extended, extending from the 5-mile radius zone to 6 miles southwest of the lift-off end of Runway 21, and within 2 miles northwest and 4.5 miles southeast of the Spokane VORTAC 060° radial, extending from the VORTAC to 11 miles northeast of the VORTAC, excluding the portion west of a line extending from latitude 47°30'19" N., longitude 117°34'45" W., to latitude 47°40'57" N., longitude 117° 36'00" W.

Springfield, Ill.
That airspace within a 5-mile radius of Capital Airport (latitude 39°50'35" N., longitude 89°40'35" W.); within 2 miles each side of the Capital ILS localizer southwest course, extending from the 5-mile radius zone to the OM; within 2 miles each side of the Capital VORTAC 040° radial, extending from the 5-mile radius zone to 12 miles northeast of the VORTAC; within 2 miles each side of the Capital VORTAC 036° radial, extending from the 5-mile radius zone to 7 miles northeast of the VORTAC; and within 2 miles each side of the Capital VORTAC 058° radial, extending from the 5-mile radius zone to 8 miles northeast of the VORTAC.

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Springfield, Mo.
Within a 5-mile radius of the Springfield Municipal Airport (latitude 37° 14' 35" N., longitude 93° 23' 20" W.) and within 2 miles W and 2.5 miles E of the Springfield VORTAC 200° radial, extending from the 5-mile radius zone to the VORTAC.

Stockton, Calif.
Within a 5-mile radius of Stockton Municipal Airport (latitude 37°53'39" N., longitude 121°14'14" W.); within 2 miles each side of the Stockton VORTAC 321° radial, extending from the 5-mile radius zone to the VORTAC, and within 2 miles each side of the Stockton ILS localizer SE course, extending from the 5-mile radius zone to 1 mile NW of the OM.

Sumter, S. C.
Within a 5-mile radius of Shaw AFB (lat. 33°58'15" N., long. 80°28'19" W.); within 1.5 miles each side of Shaw AFB TACAN 033° radial, extending from the 5-mile radius zone to 6.5 miles northeast of the TACAN; within 2 miles east side of Shaw AFB TACAN 215° radial, extending from the 5-mile radius zone to 8.5 miles southwest of the TACAN.

AMENDMENTS 4/30/75 40 F. R. 20068 (Changed)

Syracuse, N. Y.
Within a 5-mile radius of the center, latitude 43°06'50" N., longitude 76°06'35" W., of Syracuse Hancock International Airport extending clockwise from a 200° bearing to a 160° bearing from the airport; within a 6.5-mile radius of the center of the airport extending clockwise from a 160° to a 200° bearing from the airport; within 2.5 miles each side of the Syracuse Hancock International Airport Runway 10 ILS localizer back course extending from the localizer to a point 5 miles west of the localizer and within 1.5 miles each side of the Syracuse VORTAC 300° radial extending from the 5-mile radius area to the VORTAC excluding that airspace within a 0.5-mile radius of the center, lat. 43°10'45" N., long. 76°07'30" W. of Michael Field, Cicero, N. Y.

Tacoma, Wash. (McChord AFB)
Within a 5-mile radius of McChord AFB (latitude 47°08'20" N., longitude 122°28'30" W.), excluding the portion SW of a line extending from latitude 47°09'12" N., longitude 122°35'15" W., to latitude 47°04'15" N., longitude 122°31'15" W.; within 2 miles each side of the McChord AFB VOR 182° radial, extending from the 5-mile radius zone to 7.5 miles S of the VOR.

Tacoma, Wash. (Tacoma Industrial Airport)
Within a 5-mile radius of Tacoma Industrial Airport (latitude 47°15'55" N., longitude 122°34'40" W.), excluding the portion E of a line 2 miles E of and parallel to the 009° bearing from the Gray AAF RBN; within 2 miles each side of the 009° bearing from the Gray AAF RBN, extending from the 5-mile radius zone to 1 mile N of the RBN, excluding the portion within the McChord AFB control zone, and within 2 miles each side of the 187° bearing from the Crescent RBN (latitude 47°21'29" N., longitude 122°33'41" W.), extending from the 5-mile radius zone to 1 mile S of the RBN. The control zone will be effective during the times established in advance by a Notice to Airmen continuously published in the Airman's Information Manual.

Talkeetna, Alaska
Within a 5-mile radius of Talkeetna Airport (latitude 62°19'20" N., longitude 150°05'20" W.). This control zone is effective from 0800 to 2400 hours local time daily, or during the specific dates and times established in advance by a notice to airmen. The effective date and time will thereafter be continuously published in the Flight Information Publication Supplement Alaska.

Tallahassee, Fla.
Within a 5-mile radius of Tallahassee Municipal Airport (lat. 30°23'50" N., long. 84°21'22" W.); within 1.5 miles each side of the Tallahassee VORTAC 175° radial, extending from the 5-mile radius zone to 1.5 miles south of the VORTAC; within 1 mile each side of the ILS localizer north course extending from the 5-mile radius zone to 1.5 miles south of the Joseph Intersection.

Tampa, Fla. (International Airport)
Within a 5-mile radius of Tampa International Airport (lat. 27°58'50" N., long. 82°31'38" W.); within 1.5 miles each side of St. Petersburg VORTAC 064° radial, extending from the 5-mile radius zone to 1 mile northeast of the VORTAC; excluding the portion within St. Petersburg control zone and the portion southeast of a line 2 miles north of and parallel to MacDill AFB ILS localizer northeast course.

Tanana, Alaska
That airspace within a 5-mile radius of the Ralph M. Calhoun Memorial Airport (latitude 65°10'30" N., longitude 152°06'32" W.) and within 3.5 miles each side of the 251° bearing from the Bear Creek radio beacon, extending from the 5-mile radius zone to 11.5 miles west of the RBN, effective 0545 to 2145 hours, local time, daily or during the specific dates and times established in advance by Notice to Airmen. The effective date and time would thereafter be continuously published in the Flight Information Publication Supplement Alaska.

Temple, Tex.
That airspace within a 5-mile radius of the Draughon-Miller Airport, Temple, Tex. (latitude 31°09'10" N., longitude 97°24'25" W.); and within 2 miles each side of the Temple, Tex., VOR 348° radial extending from the 5-mile radius zone to 11.5 miles N of the VOR. This control zone is effective during the dates and times published in the Airman's Information Manual.

Terre Haute, Ind.
Within a 5-mile radius of Hulman Field (latitude 39°27'00" N., longitude 87°18'40" W.); within 2 miles each side of the Terre Haute ILS localizer southwest course, extending from the 5-mile radius zone to the OM; within 2 miles each side of the Terre Haute VORTAC 061° radial, extending from the 5-mile radius zone to 12 miles northeast of the VORTAC; and within 2 miles each side of the Terre Haute VORTAC 230° radial, extending from the 5-mile radius zone to 10 miles southwest of the VORTAC.

Teterboro, N. J.
Within a 5-mile radius of the center, 40°50'57" N., 74°03'47" W. of Teterboro Airport, Teterboro, N. J.; within 3.5 miles each side of the Teterboro Airport ILS localizer southwest course, extending from the 5-mile radius zone to 11 miles southwest of the OM; excluding the portion that coincides with the Newark, N. J., control zone.

Texarkana, Ark.
That airspace within a 5-mile radius of the Texarkana, Ark., Municipal Airport (latitude 33°27'20" N., longitude 93°59'15" W.); and within 2 miles each side of the 129° radial of the Texarkana VORTAC extending from the 5-mile radius zone to 0.5 mile SE of the VORTAC.

Thermal, CA.
Within a 5-mile radius of Thermal Airport (latitude 33°37'40" N., longitude 116°09'45" W.).

Thief River Falls, Minn.
Within a 5-mile radius of Thief River Falls, Minn., Municipal Airport (latitude 48°03'58" N., longitude 96°11'06" W.), within 2 miles each side of the 138° bearing from Thief River Falls Municipal Airport extending from the 5-mile radius zone to 8 miles SE of the airport, and within 2 miles each side of the 305° bearing from Thief River Falls Municipal Airport extending from the 5-mile radius zone to 8 miles NW of the airport. This control zone will be effective during the times designated by a Notice to Airmen and continuously published in the Airman's Information Manual.

Titusville, Fla.
Within a 5-mile radius of TI-CO Airport (latitude 28°30'42" N., longitude 80°48'00" W.); excluding the portion within R-2902A. This control zone is effective during the specific dates and times established in advance by a notice to airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Toledo, Ohio
Within a 5-mile radius of the center of Toledo Express Airport, Toledo, Ohio 41°35'15" N., 83°48'23" W.; within 2 miles each side of the airport ILS localizer SW course extending from the 5-mile radius zone to OM; within 2 miles each side of the airport ILS localizer NE course extending NE from the 5-mile radius zone for 7.5 miles from the localizer and within 2 miles each side of the Waterville VOR 318° radial extending from the 5-mile radius zone to 7 miles northwest of the VOR.

Tonopah, Nev.
Within a 5-mile radius of Tonopah Airport (latitude 38°03'30" N., longitude 117°05'00" W.) and within 3.5 miles each side of the Tonopah VORTAC 115° radial, extending from the 5-mile radius zone to 10 miles southeast of the VORTAC.

Topeka, Kans. (Forbes AFB)
Within a 5-mile radius of Forbes AFB (latitude 38°57'10" N., longitude 95°39'50" W.), within 2 miles each side of the Forbes AFB TACAN 321° radial extending from the 5-mile radius zone to 6 miles NW of the TACAN, and within 2 miles each side of the Forbes AFB ILS localizer SE course, extending from the 5-mile radius zone to 1 mile SE of the OM, excluding the portion subtended by a chord drawn between the points of intersection of the 5-mile radius zone with the Topeka, Kans.(Philip Billard Airport) control zone. This control zone will be effective as established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 5/1/75 40 F. R. 22127 (Rewritten)

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Topeka, Kans. (Philip Billard Airport)
Within a 5-mile radius of Philip Billard Airport (latitude 39°04'09" N., longitude 95°37'18" W.), within 2 miles each side of the Topeka VORTAC 219° radial extending from the 5-mile radius zone to the VORTAC, and within 2 miles each side of the Philip Billard Airport ILS localizer SE course, extending from the 5-mile radius zone to 11 miles SE of the SE end of the Philip Billard Airport Runway 31, excluding the portion subtended by a chord drawn between the points of intersection of the 5-mile radius zone with the Topeka, Kans. (Forbes AFB) control zone.

Torrance, CA.
Within a 3-mile radius of Torrance Municipal Airport (latitude 33°48'10" N., longitude 118°20'20" W.), within 2 miles each side of the Los Angeles VORTAC 150° radial, extending from the 3-mile radius zone to 7 miles southeast of the VORTAC, and within 1 mile each side of the Torrance localizer course extending from the 3-mile radius zone to 5 miles southeast of the lift-off end of Runway 11L. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airman. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Traverse, City, Mich.
Within a 5-mile radius of Cherry Capital Airport (latitude 44°44'35" N., longitude 85°34'55" W.); and within 3 miles each side of the Traverse City VORTAC 158° and 338° radials, extending from the 5-mile radius zone to 8 miles south of the VORTAC.

Trenton, N. J.
Within a 5-mile radius of Mercer County Airport, Trenton, N. J. (latitude 40° 16' 33" N., longitude 74° 48' 55" W.); within 2.5 miles N and 2 miles S of the Yardley, Pa., VOR 071° and 063° radials, extending from the 5-mile radius zone to the VOR, excluding the portion within a 1-mile radius of the Morrisville, Pa., Airport (latitude 40°12'00" N., longitude 74°48'55" W.).

Tri-City, Tenn.
Within a 5-mile radius of Tri-City Municipal Airport (latitude 36°28'30" N., longitude 82°24'20" W.); within 2 miles each side of Tri-City ILS localizer Northeast course, extending from the 5-mile radius zone to the OM; within 3 miles each side of the 042° and 222° bearings from Boone RBN, extending from the 5-mile radius zone to 11 miles southwest of the RBN.

Trinidad, Colo.
Within a 5-mile radius of Los Animas County Airport (latitude 37°15'35" N., longitude 104°20'21" W.), and within 2 miles each side of the 352° bearing from the Trinidad, Colo., RBN extending from the 5-mile radius zone to 8 miles north of the RBN.

Troutdale, Oreg.
That airspace bounded on the north by a 5-mile radius area centered on the Portland-Troutdale Airport (lat. 45°33'30" N., long. 122°23'40" W.), on the south and east by a line parallel to and 3 miles southwest and northeast of the 119° bearing from the Lake LOM (lat. 45°32'38" N., long. 122°27'49" W.), extending from the LOM to 8 miles southeast, and on the west by the 154° radial of the Portland VORTAC. This control zone shall be effective from 0700 to 2300 hours, local time daily.

Troy, Ala.
Within a 5-mile radius of Troy Municipal Airport (latitude 31°51'40" N., longitude 86°00'45" W.); within 2 miles each side of the ILS localizer west course, extending from the 5-mile radius zone to the OM; within 3 miles each side of the 197° radial of the Troy VOR, extending from the 5-mile radius zone to 8.5 miles south of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Truth or Consequences, N. Mex.
That airspace within a 5-mile radius of Truth or Consequences Municipal Airport (latitude 33°14'10" N., longitude 107°16'15" W.), and within 3.5 miles either side of the Truth or Consequences, N. Mex., VORTAC 013° and 193° radials extending from the 5-mile radius zone to a point 9.5 miles north of the VORTAC.

Tucson, Ariz. (Davis-Monthan AFB)
Within a 5-mile radius of Davis-Monthan AFB (latitude 32°10'00" N., longitude 110°53'00" W.) excluding the portion subtended by a chord drawn between the points of INT of the Davis-Monthan 5-mile radius zone and the Tucson International 5-mile radius zone, and within 2 miles SW and 2.5 miles NE of the Davis-Monthan ILS localizer SE course, extending from the 5-mile radius zone to the Davis-Monthan TACAN 139° radial 6.5 miles southeast of the TACAN.

AMENDMENTS 12/4/75 40 F. R. 44807 (Changed)

Tucson, Ariz. (Tucson International Airport)
Within a 5-mile radius of Tucson International Airport (latitude 32°07'05" N., longitude 110°56'32" W.); within 3 miles each side of the Tucson VORTAC 273° radial extending from the 5-mile radius zone to 15 miles west of the VORTAC; within 2 miles each side of the extended centerline of Runway 21L extending from the 5-mile radius zone to 5 miles southeast of the lift-off end of Runway 12L; within 2 miles northeast and 2.5 miles southwest of the extended centerline of Runway 30R extending from the 5-mile radius zone to 15.5 miles northwest of the lift-off end of Runway 30R, and within 2 miles southeast and 3 miles northwest of the extended centerline of Runway 21 extending from the 5-mile radius zone to 6.5 miles southwest of the lift-off end of Runway 21, excuding the portion subtended by a chord drawn between the points of INT of the Tucson International Airport 5-mile radius zone with the Davis Monthan-AFB 5-mile radius zone.

Tucumcari, N. Mex.
That airspace within a 6-mile radius of the Tucumcari Municipal Airport (latitude 35°10'50" N., longitude 103° 35'15" W.); within 2.5 miles each side of the Tucumcari, N. Mex., VORTAC 033° radial extending beyond the 6-mile radius zone to a point 6.5 miles northeast of the VORTAC; and within 2.5 miles each side of the Tucumcari, N. Mex., VORTAC 078° radial extending beyond the 6-mile radius zone to a point 6.5 miles east of the VORTAC.

Tulsa, Okla.
That airspace within a 5-mile radius of the Tulsa International Airport (latitude 36°12'00" N., longitude 95°53'15" W.); within 2 miles each side of the Tulsa ILS localizer N course, extending from the 5-mile radius zone to 1 mile S of the OM; within 2 miles each side of the Tulsa ILS localizer S course, extending from the 5-mile radius zone to 0.5 mile N of the OM; and within 2 miles each side of the Tulsa VORTAC 268° Radial, extending from the 5-mile radius zone to the VORTAC.

Tulsa, Okla. (Riverside Airport)
Within a 5-mile radius of Riverside Airport (latitude 36°02'18" N., longitude 95°58'00" W.), within 2 miles each side of the Glenpool TVOR 349° radial extending from the 5-mile radius zone to the TVOR and within 2.5 miles each side of the Tulsa VORTAC 223° radial extending from the 5-mile radius zone to 21 miles southwest of the VORTAC. This control zone is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Tupelo, MS.
Within a 5-mile radius of C. D. Lemons Municipal Airport (lat. 34°15'32" N., long. 88°45'32" W.); within 3 miles each side of Tupelo VOR 214° radial, extending from the 5-mile radius zone to 8.5 miles southwest of the VOR. This control zone is effective from 0700 to 2130 hours, local time, Monday through Friday; 0700 to 2000 hours, local time, Saturday, and 1100 to 2130 hours, local time, Sunday.

Tuscaloosa, Ala.
Within a 5-mile radius of Van De Graaff Airport (lat. 33°13'16" N., long. 87°36'36" W.); within 1.5 miles each side of the ILS localizer southeast course, extending from the 5-mile radius zone to 0.5 mile northeast of the OM.

Twin Falls, Idaho
Within a 5-mile radius of the Twin Falls City-County (Joslin Field), Idaho Airport (latitude 42°28'54" N., longitude 114°29'11" W.) within 5 miles each side of Twin Falls VORTAC 088° and 281° radials, extending from the 5-mile radius zone to 10.5 miles east and 10.5 miles west of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter by continuously published in the Airman's Information Manual.

Tyler, Tex.
That airspace within a 5-mile radius of Pounds Field, Tyler, Tex. (latitude 32°21'15" N., longitude 95°23' 55" W.); within 2 miles each side of the Pounds Field ILS localizer NW course extending from the 5-mile radius zone to 0.5 mile SE of the OM, and within 2 miles each of the Pounds Field ILS localizer SE course extending from the 5-mile radius zone to 6 miles SE of the airport.

Tyndall AFB, Fla.
Within a 5-mile radius of Tyndall AFB (latitude 30°04'15" N., longitude 85°34'30" W.); within 1.5 miles each side of the Tyndall AFB TACAN 308° radial, extending from the 5-mile radius zone to 6.5 miles northwest of the TACAN.

Unalakleet, Alaska
Within a 5-mile radius of Unalakleet Airport (lat. 63°53'12" N., long. 160°47'42" W.); within 3.5 miles each side of the Unalakleet 225° radial, extending from the VORTAC to 12.5 miles southeast of the VORTAC, and within 3.5 miles each side of the North River, Alaska, RBN 290° bearing, extending from the 5-mile radius zone to 8.5 miles west of the RBN. This control zone is effective during the specific dates and times established in advance
by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Flight Information Publication Supplement Alaska.

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Utica, N. Y.
Within a 5-mile radius of the center, lat. 43°08'45" N., long. 75°22'55" W. of Oneida County Airport, Utica, N. Y.; within 2 miles each side of the 317° bearing from the Clay RBN, extending from the 5-mile radius zone to 3 miles northwest of the RBN; within 2 miles each side of the Utica VORTAC 306° radial, extending from the 5-mile radius zone to 1 mile northwest of the VORTAC, excluding the portion within the Rome, N. Y., control zone.

Valdez, Alaska
Within a 3-mile radius of the Valdez Municipal Airport, latitude 61°07'58" N., longitude 146°14'24" W. This control zone is effective from 0800 to 1600 local time daily from mid-October to mid-May, and from 0600 to 2200 local time daily from mid-May to mid-October or during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the U. S. Government Flight Information Publication Supplement Alaska.

AMENDMENTS 1/2/75 39 F. R. 40491 (Added)

Valdosta, GA. (Moody AFB)
Within a 5-mile radius of Moody AFB (lat. 30°58'01" N., long. 83°11'27" W.); within 3 miles each side of Moody VOR 007° radial, extending from the 5-mile radius zone to 8.5 miles north of the VOR; within 3 miles each side of the Moody VOR 178° radial, extending from the 5-mile radius zone to 8.5 miles south of the VOR. This control zone is effective from 0700 to 2300 hours, local time, Monday through Thursday; from 0700 to 2130 hours, local time, Friday; from 0900 to 1600 hours, local time, Saturday and from 1000 to 1600 hours, local time, Sunday; excluding Federal legal holidays.

AMENDMENTS 12/4/75 40 F. R. 43718 (Changed)

Valdosta, Ga. (Valdosta Municipal Airport)
Within a 5-mile radius of Valdosta Municipal Airport (lat. 30°46'58" N., long. 83°16'44" W.).

Vandenberg AFB, Calif.
Within a 5-mile radius of Vandenberg AFB, Lompoc, Calif. (latitude 34°43'50" N., longitude 120°34'30" W.); within 2 miles each side of the Vandenberg AFB ILS localizer southeast course, extending from the 5-mile radius zone to 2.5 miles northwest of the OM, and within a 1-mile radius of Lompoc Airport (latitude 34°39'55 N., longitude 120°27'55" W.), excluding that portion within R-2516.
This control zone is effective from 0700 to 2300 hours local time daily.

Van Nuys, CA.
Within a 5-mile radius of Van Nuys Airport (latitude 34°12'30" N., longitude 118°29'15" W.), within 2.5 miles each side of the 350° radial of the Van Nuys VOR/DME facility extending from the 5-mile radius zone to 9.5 miles north of the facility, excluding the portion east of a line from latitude 34°16'00" N., longitude 118°25' 55" W. to latitude 34°09'25" N., longitude 118°25'40" W.

Vernal, Utah
Within a 5-mile radius of Vernal Airport (latitude 40°26'30" N., longitude 109°30'50" W.), and within 3 miles each side of the Vernal VOR 157° radial, extending from the 5-mile radius zone to 8.5 miles S of the VOR. This control zone will be effective during the times established in advance by a Notice to Airmen and continuously published in the Airman's Information Manual.

Vero Beach, Fla.
Within a 5-mile radius of Vero Beach Municipal Airport (lat. 27°39'05" N., long. 80°24'51" W.).

Vichy, MO.
Within a 5-mile radius of the Rolla National Airport (latitude 38°07'40" N., longitude 91°46'10" W.); and within 3 miles each side of the 067° radial of the Vichy VORTAC extending from the 5-mile radius zone to 6½ miles northeast of the Vichy VORTAC.

Victoria, Tex.
Within a 5-mile radius of the Victoria County-Foster Airport (lat. 28°51'10" N., long. 96°55'20" W.) and within 3 miles each side of the Victoria, Tex., VOR 313° radial extending from the 5-mile radius zone to 10.5 miles northwest of the VOR.

Victorville, Calif.
Within a 5-mile radius of George AFB, Victorville, Calif. (latitude 34°35'45" N., longitude 117°22'55" W.) and within 2 miles each side of the 005° radial of the George TACAN (latitude 34°35'40" N., longitude 117°23'20" W.) extending from the 5-mile radius zone to 9 miles north of the TACAN. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual

Visalia, Calif.
Within a 4-mile radius of the Visalia Municipal Airport (latitude 36°19'10" N., longitude 119°23'35" W.), and within 2 miles each side of the Visalia VOR 123° radial, extending from the 4-mile radius zone to the VOR, excluding the portion within a 1-mile radius of Green Acres Airport, Visalia, Calif. (latitude 36°20'20" N., longitude 119°19'30" W.). This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously in the Airman's Information Manual.

Waco, Tex.
That airspace within a 5-mile radius of Waco-Madison Cooper Airport (latitude 31°36'40" N., longitude 97°13'40" W.); within 2 miles each side of the Waco VORTAC 330° radial extending from the 5-mile radius zone to 8 miles northwest of the VORTAC; within 2 miles each side of the Waco ILS localizer north course extending from the 5-mile radius zone to the OM and within a 5-mile radius of James Connally Airport (latitude 31°38'00" N., longitude 97°04'00" W.).

Waimea-Kohala, Hawaii
Within a 5-mile radius of the Waimea-Kohala Airport (latitude 20°00'17" N., longitude 155°40'16" W), and within an area 2 miles on the northwest side and 3 miles on the southeast side of the Kamuela VOR 063° radial, extending from the 5-mile radius zone to 9 miles northeast of the Kamuela VOR. This control zone is effective during times established in advance by a Notice to Airmen. The effective times will thereafter be continuously published in the Pacific Chart Supplement.

Wake Island
Within a 5-mile radius of Wake Island Airport (lat. 19°16'50" N., long. 166°38'30" E.); within 3.5 miles each side of the Wake Island VORTAC 307° radial, extending from the 5-mile radius zone to 11.5 miles northwest of the VORTAC; within 3.5 miles each side of the 281° bearing from the Wake Island RBN (AXX), extending from the 5-mile radius zone to 11.5 miles west of the RBN; within 3.5 miles each side of the 101° bearing from the Wake Island RBN (AWK), extending from the RBN to 11.5 miles east of the RBN; and within 4.5 miles each side of the Wake Island VORTAC 111° radial, extending from the 5-mile radius zone to 20.5 miles east of the VORTAC.

Walla Walla, Wash.
Within a 5-mile radius of Walla Walla City-County Airport (latitude 46°05'35" N., longitude 118°17'20" W.), within 3 miles each side of the Walla Walla VOR 215° radial, extending from the 5-mile radius zone to 8 miles southwest of the VOR and that airspace within an arc of a 14-mile radius circle centered on the Walla Walla VOR extending clockwise from a line 4 miles west to a line 4 miles southeast of and parallel to the Walla Walla VOR 354° and 036° radials.

Washington, D. C.
Within a 5-mile radius of the center, 38°51'07" N., 77°02'23" W., of Washington National Airport; within 1.5 miles each side of the Washington National Airport ILS localizer south course, extending from the 5-mile radius zone to 1 mile south of the OM; within 2 miles each side of the Washington National Airport ILS localizer south course, extending from the 5-mile radius zone to the OM; within 2.5 miles each side of the extended centerline of Washington National Airport Runway 15, extending from the 5-mile radius zone to 5 miles southeast of the southeast end of the runway; within 2.5 miles each side of the extended centerline of Washington National Airport Runway 33, extending from the 5-mile radius zone to 5 miles northwest of the northwest end of the runway; within 1.5 miles each side of the Washington VOR 320° radial, extending from the 5-mile radius zone to 6.5 miles northwest of the VOR; within 2.5 miles each side of the Washington VOR 326° radial, extending from the 5-mile radius zone to 5.5 miles northwest of the VOR; within 2.5 miles each side of a 190° bearing from 38°55'13" N., 76°57'50" W., extending from said point to 5 miles south; excluding the portion within P-56, the east portion subtended by a chord drawn between the points of intersection of the 5-mile radius zone with the Camp Springs, Md., control zone, the portion of the southeast extension described by reference to the extended centerline of Washington National Airport Runway 15 that coincides with the Camp Springs, Md., control zone and the portion of the north extension described by reference to a 190° bearing from 38°55'13" N., 76°57'50" W., that coincides with the Camp Springs, Md., control zone.

Waterloo, Iowa
Within a 5-mile radius of Waterloo Municipal Airport (lat. 42°33'20" N., long. 92°24'00" W.); within 2½ miles each side of the Waterloo, Iowa, VORTAC 078° radial extending from the 5-mile radius zone to 6 miles east of the VORTAC; and within 2½ miles each side of the Waterloo, Iowa, VORTAC 194° radial extending from the 5-mile radius zone to 6½ miles south of the VORTAC; and within 3½ miles each side of the Waterloo, Iowa, VORTAC 001° radial extending from the 5-mile radius zone to 10½ miles north of the VORTAC; and within 3½ miles each side of the Waterloo, Iowa, VORTAC 316° radial extending from the 5-mile radius zone to 10½ miles northwest of the airport.

Watertown, N. Y.
That airspace within a 5-mile radius of the center 43°59'20" N., 76°01'20" W. of Watertown International Airport, Watertown, N. Y., and within 3 miles each side of the Watertown, N. Y., VOR 211° radial, extending from the 5-mile radius zone to 8 miles southwest of the VOR.

Watertown, S. Dak.
Within a 5-mile radius of Watertown Municipal Airport (latitude 44°54'51" N., longitude 97°09'16" W.); within 1.5 miles each side of the Watertown VORTAC 001° radial, extending from the 5-mile radius zone to 2.5 miles north of the VORTAC; and within 1 mile each side of the Watertown VORTAC 181° radial, extending from the 5-mile radius zone to 10.5 miles south of the VORTAC.

Waukesha, Wis.
Within a 5-mile radius of the Waukesha County Airport (latitude 43°02'25" N., longitude 88°14'00" W.); excluding a one-mile radius of Capitol Drive Airport (latitude 43°05'15" N., longitude 88°10'40" W.); within 2½ miles each side of the 272° bearing from the airport extending from the 5-mile radius area to 5.5 miles west. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 6/19/75 40 F. R. 18164 (Added)

Wausau, Wis.
Within a 5-mile radius of the Wausau Municipal Airport (latitude 44°55'36" N., longitude 89°37'35" W.); and within 2½ miles each side of the 142° bearing from the Wausau Municipal Airport extending from the 5-mile radius zone to 6 miles southeast.

Wenatchee, Wash.
Within a 5-mile radius of Pangborn Field, Wenatchee, Wash. (lat. 47°24'00" N., longitude 120°12'30" W.) and within 3 miles each side of the Wenatchee VOR 124° radial extending from the 5-mile radius zone to 8 miles southeast of the VOR, excluding the airspace within a 1-mile radius of Fancher Field, Wash. (latitude 47°26'55" N., longitude 120°16'40" W.).

Westfield, Mass.
Within a 5-mile radius of the center 42°09'25" N., 72°42'50" W. of Barnes Municipal Airport, Westfield, Mass.; within 3 miles each side of the Barnes VOR 012° radial, extending from the 5-mile radius zone to 10 miles north of the VOR; and within 2 miles each side of the Runway 33 centerline extended from the 5-mile radius zone to 7.5 miles northwest of the end of the runway, excluding the portion which coincides with the Westover, Mass., control zone. This control zone is effective from 0700 to 2300 hours, local time, daily.

Westhampton Beach, NY.
Within a 5.5-mile radius of Suffolk County Airport (lat. 40°50'39" N., long. 72°37'49" W.), excluding that portion within the Calverton, NY., control zone. This control zone shall be in effect from 0700 to 2300 hours, local time, daily.

West Memphis, Ark.
Within a 5-mile radius of the Municipal Airport, West Memphis, Ark. (latitude 35°08'24" N., longitude 90°14'00" W.); within 3 miles each side of the 351° bearing from the West Memphis RBN (latitude 35°08'20" N., longitude 90°14'02" W.), extending from the 5-mile radius zone 8 miles north of the RBN; and within 3 miles each side of the 186° bearing from the West Memphis RBN, extending from the 5-mile radius zone to 8 miles south of the RBN. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 1/30/75 39 F. R. 41518 (Added)

Westover, Mass.
Within a 5-mile radius of the center, 42°11'40" N., 72°32'15" W., Westover AFB, Chicopee Falls, Mass.; within 2 miles each side of the Westover ILS localizer NE course extending from the 5-mile radius zone to 10 miles NE of the OM; within 2 miles each side of Chicopee TACAN 028° radial extending from the 5-mile radius zone to 8 miles NE of the TACAN and within 2 miles each side of the Westover AFB TACAN 221° radial extending from the 5-mile radius zone to 6 miles SW of the TACAN.

Weyers Cave, Va.
Within a 5-mile radius of the center (lat. 38°15'49" N., long. 78°53'46" W.), of Shenandoah Valley Airport, Weyers Cave, Va., and within 3.5 miles each side of the Shenandoah Valley Airport ILS localizer southwest course, extending from the 5-mile radius zone to 11.5 miles southwest of the OM. This control zone is effective during the specific days and times established in advance by a Notice to Airmen. The effective times will thereafter be published in the Airman's Information Manual.

Wheeling, W. Va.
Within a 5-mile radius of Wheeling-Ohio County Airport (latitude 40° 10' 25" N., longitude 80° 38' 55" W.); within 2 miles each side of the Wheeling VOR 216° radial, extending from the 5-mile radius zone to the VOR, and within 2 miles each side of the Wheeling ILS localizer SW course, extending from the 5-mile radius zone to the OM.

Whidbey Island, Wash.
Within a 5-mile radius of Ault Field, Whidbey Island, Wash. (latitude 48°21'10" N., longitude 122°39'20" W.), within 2 miles each side of the Whidbey Island TACAN 351° radial, extending from the 5-mile radius zone to 6 miles north of the TACAN, and within 2 miles each side of the 283° bearing from the Whidbey Island RBN, extending from the 5-mile radius zone to 8 miles west of the RBN.

White Plains, N. Y.
Within a 5-mile radius of the center, 41°04'00" N., 73°42'33" W., of Westchester County Airport, White Plains, N. Y., extending clockwise from a 055° bearing to a 305° bearing from the airport; within a 6-mile radius of the center of the airport extending clockwise from a 305° bearing to a 055° bearing from the airport; and within 2 miles each side of the extended centerline of Runway 16, extending from the southeast end of Runway 16 to 4 miles southeast of the southeast end of Runway 16.

Wichita, Kans. (McConnell AFB)
Within a 5-mile radius of McConnell AFB (latitude 37°37'25" N., longitude 97°16'00" W.); within 2 miles west and 4 miles east of the McConnell AFB TACAN 008° radial, extending from the 5-mile radius zone to 7 miles north of the TACAN; and within 2 miles each side of the McConnell AFB TACAN 199° radial, extending from the 5-mile radius zone to 8 miles south of the TACAN, excluding the portion subtended by a chord drawn between the points of INT of the 5-mile radius zone with the Wichita, Kans. (Wichita Municipal), control zone.

Wichita, KS. (Wichita Municipal)
Within a 5-mile radius of the Wichita, KS., Municipal Airport (latitude 37°39'09" N., longitude 97°25'47" W.); and within 2 miles each side of the Wichita Municipal Airport ILS localizer north course, extending to 7.5 miles north, excluding that portion subtended by a chord drawn between the points of INT of the 5-mile-radius zone of the Wichita, KS., (McConnell AFB), 5-mile-radius control zone.

Wichita Falls, Tex.
That airspace within a 5-mile radius of Sheppard AFB/Municipal Airport, Wichita Falls, Tex., (latitude 33°58'55" N., longitude 98°29'35" W.); within 2 miles each side of the Wichita Falls VORTAC 092° radial extending from the 5-mile radius zone to the VORTAC; within 2 miles each side of the ILS localizer SE course extending from the 5-mile radius zone to the OM; within 2 miles each side of the Sheppard TACAN 333° radial extending from the 5-mile radius zone to 7.5 miles N of the TACAN, and within 2 miles each side of the Sheppard TACAN 163° radial extending from the 5-mile radius zone to 7 miles S of the TACAN.

Wilkes-Barre, Pa.
Within an 8-mile radius of the center, lat. 41°20'18" N., long. 75°43'29" W. of Wilkes-Barre-Scranton Airport, extending clockwise from a 235° bearing to a 355° bearing from the airport; within an 11-mile radius of the center of the airport, extending clockwise from a 355° bearing to a 025° bearing from the airport; within an 8-mile radius of the center of the airport, extending clockwise from a 025° bearing to a 050° bearing from the airport; within a 12-mile radius of the center of the airport, extending clockwise from a 050° bearing to a 210° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 210° bearing to a 235° bearing from the airport; within 3.5 miles each side of the Wilkes-Barre-Scranton Airport ILS localizer southwest course extending from the OM to 6 miles southwest of the OM and within 4 miles each side of the Wilkes-Barre-Scranton Airport ILS localizer northeast course extending from the localizer to a point 11.5 miles northeast of the localizer.

Williamsport, Pa.
Within a 6-mile radius of the center, 41°14'32" N., 76°55'12" W. of Williamsport-Lycoming County Airport, extending clockwise from a 099° bearing to a 145° bearing from the airport; within a 7-mile radius of the center of the airport, extending clockwise from a 145° bearing to a 172° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 172° bearing to a 203° bearing from the airport; within a 14.5-mile radius of the center of the airport, extending clockwise from a 203° bearing to a 241° bearing from the airport; within a 12.5-mile radius of the center of the airport, extending clockwise from a 241° bearing to a 270° bearing from the airport; within an 8-mile radius of the center of the airport, extending clockwise from a 270° bearing to a 312° bearing from the airport; within a 13-mile radius of the center of the airport, extending clockwise from a 312° bearing to a 350° bearing from the airport; within an 11-mile radius of the center of the airport, extending clockwise from a 350° bearing to a 358° bearing from the airport; within an 11.5-mile radius of the center of the airport, extending clockwise from a 358° bearing to a 004° bearing from the airport; within a 13-mile radius of the center of the airport, extending clockwise from a 004° bearing to a 099° bearing from the airport; and within 4 miles each side of the Williamsport-Lycoming County Airport ILS localizer east course, extending from the MM to 8.5 miles east of the MM.

Williston, N. Dak. (Sloulin Airport)
Within a 5-mile radius of the Sloulin International Airport (latitude 48°10'35" N., longitude 103°38'10" W.); within 1½ miles each side of the Williston VOR 136° radial, extending from the 5-mile radius zone to 1½ miles southeast of the VOR; and within 2 miles each side of the 126° bearing from the Sloulin International Airport, extending from the 5-mile radius zone to 10 miles southeast of the airport.

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Willoughby, OH.
Within a 5-mile radius of the Lost Nation Airport (latitude 41°40'45" N., longitude 81°23'45" W.); within 4 miles each side of the 088° bearing from the Lost Nation RBN extending from the 5-mile radius zone to 12 miles east of the RBN; within 3 miles each side of the 268° bearing from the RBN extending from the 5-mile radius zone to 8.5 miles west of the RBN; within 3 miles each side of the 050° radial of the Lost Nation TVOR extending from the 5-mile radius zone to 8.5 miles northeast of the TVOR; excluding the portion within the Cleveland, OH, (Cuyahoga County Airport), control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will, thereafter, be continuously published in the Airman's Information Manual.

Willow Grove, Pa.
Within a 5-mile radius of the center, 40°12'00" N., 75°08'55" W. of Willow Grove NAS, Willow Grove, Pa., extending clockwise from a 347° bearing to a 253° bearing from the airport; within a 5.5-mile radius of the center of the airport, extending clockwise from a 253° bearing to a 347° bearing from the airport; within 3 miles each side of the Willow Grove TACAN 136° radial, extending from the TACAN to 7 miles southeast of the TACAN; within 3.5 miles each side of the Willow Grove TACAN 325° radial, extending from the 5-mile radius and 5.5-mile radius zones centered on Willow Grove NAS to 8.5 miles northwest of the TACAN; within 3.5 miles each side of a 330° bearing from the Willow Grove RBN, extending from the 5-mile radius and 5.5-mile radius zone centered on Willow Grove NAS to 10 miles northwest of the RBN; within a 5-mile radius of the center, 40°12'15" N., 75°04'30" W. of Warminster NAF, Warminster, Pa.; within 1.5 miles each side of the Yardley VORTAC 244° radial, extending from the 5-mile radius zone centered on Warminster NAF to 2 miles southwest of the VORTAC; within 3 miles each side of the Warminster TACAN 083° radial, extending from the 5-mile radius zone centered on Warminster NAF to 6 miles east of the TACAN, excluding the south portion subtended by a chord drawn between the points of intersection of the 5-mile radius zone centered on Warminster NAF with the North Philadelphia, Pa., control zone 6-mile radius zone and excluding that portion of the control zone southeast extension described by reference to the Willow Grove TACAN 136° radial that coincides with the North Philadelphia, Pa., control zone. This control zone is effective from 0700 to 2400 hours, local time, Monday through Friday; and 0001 to 2400 hours, local time, Saturday and Sunday or during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Wilmington, Del.
Within a 6-mile radius of the center 39°40'42" N., 75°36'27" W., of the Greater Wilmington Airport, Wilmington, Del.; within 3.5 miles each side of the New Castle, Del., VORTAC 281° radial extending from the 6-mile zone to 9.5 miles west of the VORTAC and within 3.5 miles each side of the New Castle VORTAC 114° radial extending from the 6-mile radius zone to 9.5 miles southeast of the VORTAC.

Wilmington, N. C.
Within a 5-mile radius of New Hanover County Airport (latitude 39°16'15" N., longitude 77°54'05" W.).

Windsor Locks, Conn.
Within a 5-mile radius of the center lat. 41°56'19" N., long. 72°41'00" W., of Bradley International Airport, Windsor Locks, Conn.; within 3.5 miles each side of the Bradley International Airport ILS localizer southwest course, extending from the 5-mile radius zone to 11.5 miles southwest of the OM; within 2 miles each side of the centerline of Runway 19 extended from the 5-mile radius zone to 6 miles S of the end of the runway; within 2 miles each side of the centerline of Runway 15 extended from the 5-mile radius zone to 6 miles SE of the end of the runway within 2 miles each side of the centerline of Runway 6 extended from the 5-mile radius zone to 5 miles from the end of the runway; within 2 miles each side of the centerline of Runway 1 extended from the 5-mile radius zone to 6 miles from the end of the runway.

Wink, Tex.
Within a 3-mile radius of the Winkler County Airport (latitude 31°46'45" N., longitude 103°12'05" W.); within 2 miles each side of the Wink VOR 161° radial, extending from the VOR to 5 miles south of the airport.

Winona, Minn.
Within a 5-mile radius of the Winona Municipal-Max Conrad Field (latitude 44°04'37" N., longitude 91°42'22" W.); within 2½ miles each side of the 319° bearing from Winona Municipal-Max Conrad Field, extending from the 5-mile radius area to 6 miles northwest of the airport and within 3 miles each side of the 107° bearing from the Winona Municipal-Max Conrad Field extending from the 5-mile radius area to 6½ miles east of the airport. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Winslow, AZ.
Within a 6-mile radius of Winslow Municipal Airport (latitude 35°01'15" N., longitude 110°43'15" W.), and that airspace within an arc of an 8.5-mile radius circle centered on Winslow VORTAC, extending clockwise from a line 3.5 miles south of and parallel to the Winslow 277° radial to a line 3.5 miles north of and parallel to the Winslow 292° radial.

Winston-Salem, N. C.
Within a 5-mile radius of Smith Reynolds Airport (lat. 36°08'01" N., long. 80°13'22" W.); within 2 miles each side of Winston-Salem ILS localizer southeast course, extending from the 5-mile radius zone to the LOM.

Worcester, Mass.
Within a 5-mile radius of Worcester Municipal Airport (Lat. 42°16'05" N, Long. 71°52'30" W).

Worland, Wyo.
Within a 5-mile radius of Worland Municipal Airport (latitude 43°58'10" N., longitude 107°56'50" W.), and and within 3.5 miles each side of the Worland VOR 332° radial, extending from the 5-mile radius zone to 12 miles north of the VOR.

Worthington, Minn.
That airspace within a 5-mile radius of Worthington Municipal Airport (latitude 43°38'17" N., longitude 95° 36'01" W.). This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Wrightstown, N. J. (McGuire AFB)
Within a 5-mile radius of McGuire AFB (latitude 40°00'55" N., longitude 74°35'25" W.), within 2 miles each side of the McGuire VOR 350° radial extending from the 5-mile radius zone to 7 miles N of the VOR; within 2 miles each side of the McGuire VOR 051° radial extending from the 5-mile radius zone to 7 miles NE of the VOR; within 2 miles each side of the McGuire VOR 180° radial extending from the 5-mile radius zone to 6 miles S of the VOR; and within 2 miles each side of the McGuire AFB ILS localizer SW course extending from the 5-mile radius zone to 8 miles southwest of the localiser.
AMENDMENTS 5/22/75 40 F. R. 22250 (Changed)

Yakima, Wash.
Within a 5-mile radius of the Yakima Municipal Airport (latitude 46°33'56" N., longitude 120°32'25" W.), within 4 miles north and 2 miles south of the Yakima ILS localizer east course, extending from the 5-mile radius zone to 4 miles east of the Donald OM, and within 2.5 miles each side of the Yakima ILS localizer west course, extending from the 5-mile radius zone to 18.5 miles west of the Donald OM.

Yakutat, Alaska
Within a 5-mile radius of Yakutat Airport (latitude 59°30'10" N., longitude 139°39'40" W.); within 2 miles each side of the Yakutat VORTAC 147° radial, extending from the 5-mile radius zone to 8 miles southeast of the VORTAC; and that airspace bounded on the northeast by a line 2 miles northeast of and parallel to the 318° bearing from the Ocean Cape, Alaska, RBN, on the east and southeast by the 5-mile radius zone, on the south by a line 3 miles south of and parallel to the 283° bearing from the Ocean Cape, Alaska, RBN, and on the west and northwest by the arc of an 8-mile radius circle centered on the Ocean Cape, Alaska, RBN.

Yankton, S. Dak.
That airspace within a 5-mile radius of Chan Gurney Municipal Airport (latitude 42°54'45" N., longitude 97° 23'15" W.); within 2½ miles each side of the Yankton VOR 321° radial extending from the 5-mile radius to 7 miles northwest of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Youngstown, Ohio
Within a 5-mile radius of the center, Lat. 41°15'28" N., long. 80°40'34" W. of Youngstown Municipal Airport, Youngstown, Ohio; within 2 miles each side of the extended centerline of Runway 8, extended from the 5-mile radius zone to 6 miles northeast of the center of the airport; within 2 miles each side of the extended centerline of Runway 14, extended from the 5-mile radius zone to 5.5 miles southeast of the center of the airport; within 2 miles each side of the extended centerline of Runway 23, extended from the 5-mile radius zone to 5.5 miles southwest of the center of the airport and within 1 mile each side of the Youngstown Municipal Airport localizer northwest course, extended from the 5-mile radius zone to 5.5 miles northwest of the center of the airport.

Yuma, Ariz.
Within a 5-mile radius of Yuma MCAS/Yuma International Airport (latitude 32°39'10" N., longitude 114°36' 20" W.); within 2 miles each side of the Yuma VORTAC 181° radial, extending from the 5-mile radius zone to 2 miles south of the VORTAC, and within 2.5 miles each side of the Yuma TACAN (latitude 32°38'46" N., longitude 114°36'46" W.) 037° radial, extending from the 5-mile radius zone to 8 miles northeast of TACAN.

Zanesville, Ohio
Within a 5-mile radius of the Zanesville Municipal Airport (latitude 39° 56' 40" N., longitude 81° 53' 20" W.); within 2 miles each side of the Zanesville RBN 210° bearing, extending from the 5-mile radius zone to 7 miles SW of the RBN; and within 2 miles each side of the Zanesville VOR 222° radial, extending from the 5-mile radius zone to 7 miles SW of the VOR; excluding that airspace within a 1-mile radius of the Riverside Airport, Zanesville, (latitude 39° 50' 10" N., longitude 81° 59' 00" W.).

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SUBPART G - TRANSITION AREAS

§ 71.181 Designation.
The parts of airspace described below are designated as transition areas.

Aberdeen, Md.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, lat. 39°28'00" N., long. 76°10'00" W. of Phillips AAF; within a 9.5-mile radius of the center of the airport, extending clockwise from a 260° bearing to a 010° bearing from the airport and within 3.5 miles each side of the 029° bearing from the Aberdeen RBN, extending from the RBN to 11.5 miles northeast of the RBN.

Aberdeen, SD.
That airspace extending upward from 700 feet above the surface within a 15½-mile radius of the Aberdeen VORTAC; and within 5½ miles southwest and 9½ miles northeast of the Aberdeen VORTAC 131° radial, extending from the 15½-mile radius area to 21½ miles southeast of the VORTAC, and within 3½ miles southwest and 5 miles northeast of the Aberdeen VORTAC 312° radial, extending from the 15½-mile radius area to 22 miles northwest of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 22½-mile radius of the Aberdeen VORTAC; and within 6 miles northeast and 9½ miles southwest of the Aberdeen VORTAC 312° radial, extending from the 22½-mile radius area to 29 miles northwest of the VORTAC.

Abilene, Tex.
That airspace extending upward from 700 feet above the surface within a 23-mile radius of latitude 32°25'10" N., longitude 99°51'15" W., and within 8 miles east and 5 miles west of the Abilene ILS localizer south course extending from the OM to 12 miles south.

Ada, Okla.
That airspace extending upward from 700 feet AGL within a 5-mile radius of the Ada Municipal Airport (latitude 34°48'20" N., longitude 96°40'15" W.) and within 3.5 miles each side of the 139° bearing from the Ada RBN (latitude 34°48'30" N., longitude 96°40'23" W.) extending from the 5-mile radius area to 8.5 miles southeast of the RBN.

Adak, Alaska
That airspace extending upward from 700 feet above the surface within the arc of a 15-mile radius circle centered on the NS Adak Airport (latitude 51°52'59" N., longitude 176°38'54" W.), extending clockwise from the 033° bearing to the 090° bearing from the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles each side of the Navy Adak TACAN 250° radial extending from the TACAN to 12 miles West of the TACAN.

Adrian, Mich.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Lenawee County Airport (latitude 41°52'10" N., longitude 84°04'30" W.); and within 3 miles each side of the 221° bearing from the Lenawee County Airport, extending from the 6½-mile radius area to 8 miles southwest of the airport.

Aguadilla, P. R.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of Borinquen Airport (lat. 18°29'45" N., long. 67°08'00" W.); within a 10-mile radius of Mayaguez Airfield (lat. 18°15'26" N., long. 67° 08'58" W.).

Ahoskie, N. C.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Tri-County Airport (lat. 36°17'56" N., long. 77°10'26" W.); within 2 miles each side of Cofield VORTAC 253° radial, extending from the 5-mile radius area to 8 miles west of the VORTAC.

Aiken, S. C.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Aiken Municipal Airport (latitude 33°39'10" N., longitude 81°41'25" W.); within 3 miles each side of the 048° bearing from Aiken RBN (latitude 33°39'06" N., longitude 81°40'38" W.), extending from the 8-mile radius area to 8.5 miles northeast of the RBN.

Ainsworth, Nebr.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Ainsworth Municipal Airport (latitude 42°34'40" N., longitude 99°59'15" W.); and within 3 miles each side of the 344° bearing from Ainsworth Municipal Airport, extending from the 7-mile radius area to 8 miles north of the airport.

AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

Akron, Colo.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Akron-Washington County Airport (latitude 40°10'30" N., longitude 103°12'45" W.), and that airspace extending upward from 1,200 feet above the surface within 10 miles northeast and 7 miles southwest of the Akron VORTAC 123° and 303° radials, extending from 20 miles southeast to 10 miles northwest of the VORTAC.

Akron, Ohio
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center, lat. 40°54'58" N., long. 81°26'32" W. of Akron-Canton Airport, Akron, Ohio, and within 5 miles each side of the Akron-Canton Airport south localizer course extending from the Akron-Canton Airport 8.5-mile radius area to 11.5 miles south of the Akron-Canton Runway 1 OM; within a 10-mile radius area of the center, lat. 41°02'18" N., long. 81°28'01" W. of Akron Municipal Airport, Akron, Ohio; within 5 miles each side of the Akron VORTAC 255° radial extending from the Akron Municipal Airport 10-mile radius area to the VORTAC; within a 6-mile radius of the center, lat. 41°12'35" N., long. 81°14'55" W. of Portage County Airport, Ravena, Ohio; within 1.5 miles each side of the Akron VORTAC 340° radial extending from the Portage County Airport 6-mile radius area to the VORTAC; within a 5-mile radius area of the center of lat. 41°08'45" N., long. 81°25'00" W. of Andrew W. Paton of Kent State University Airport, Kent, Ohio; within a 7-mile radius of the center, lat. 41°08'06" N., long. 81°45'36" W. of Freedom Field, Medina, Ohio, and within 4.5 miles south and 6.5 miles north of the Medina, Ohio, RBN (lat. 41°08'29" N., long. 81°38'46" W.) 084° and 264° bearings extending from 5.5 miles west to 11.5 miles east of the RBN.

Alabama
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Alabama, including that airspace within 3 nautical miles from and parallel to the shoreline of Alabama, excluding the portion within R-2101.

Alabaster, Ala.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Shelby County Airport (latitude 33°10'40" N., longitude 86°47'00" W.); within a 6.5-mile radius of Bessemer Airport (lat. 33° 18'49" N., long. 86°55'29" W.); excluding that portion which coincides with the Birmingham transition area.

AMENDMENTS 10/9/75 40 F. R. 32320 (Changed)

Alamogordo, N. Mex.
That airspace extending upward from 700 feet above the surface within a 11-mile radius of the Holloman AFB Airport (latitude 32°51'04" N., longitude 106°06'05" W.); within 4 miles east and 6 miles west of the Holloman AFB TACAN 349° radial extending from the 11-mile radius area to 17.5 miles north of the TACAN; within 2 miles east and 6 miles west of the extended centerline of Runway 15 extending from the 11-mile radius area to 12.5 miles south of the south end of Runway 15.
This transition area will be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

Alamosa, Colo.
That airspace extending upward from 700 feet above the surface within 10 miles northeast and 9 miles southwest of the Alamosa VORTAC 335° and 156° radials extending from 20 miles northwest to 12 miles southeast of the VORTAC; and within 2 miles northwest and 6 miles southeast of the Alamosa VORTAC 200° radial extending from the VORTAC to 16 miles southwest of the VORTAC.
That airspace extending upward from 1,200 feet above the surface within 13 miles northeast and 9.5 miles southwest of the Alamosa VORTAC 335° radial extending from the VORTAC to 31 miles northwest of the VORTAC; within 5 miles each side of the Alamosa VORTAC 018° radial extending from the VORTAC to 45 miles northeast of the VORTAC; within 5 miles each side of the Alamosa VORTAC 065° radial extending from the VORTAC to 37 miles northeast of the VORTAC; within 5 miles each side of the Alamosa VORTAC 080° radial extending from the VORTAC to 36 miles east of the VORTAC; within 4.5 miles northeast and 9.5 miles southwest of the Alamosa VORTAC 127° radial extending from the VORTAC to 19 miles southeast of the VORTAC; and within 5 miles each side of the Alamosa VORTAC 200° radial extending from the VORTAC to 37 miles southwest of the VORTAC.
That airspace extending upward from 12,000 feet MSL within 5 miles each side of the Alamosa VORTAC 200° radial extending from 37 to 54 miles southwest of the VORTAC.

Albany, Ga.
That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of Albany-Dougherty County Airport (lat. 31°32'07" N., long. 84°11'41" W.); within 2 miles each side of Albany VORTAC 143° radial, extending from the 9.5-mile radius area to the VORTAC; within a 5.5-mile radius of Sylvester Airport (lat. 31° 33'25" N., long. 83°59'33" W.); within 3 miles each side of the 194° bearing from Sylvester RBN (lat. 31°33' 27" N., long. 83°53'34" W.), extending from the 5.5-mile radius area to 8.5 miles south of the RBN.

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Albany, N. Y.
That airspace extending upward from 700 feet above the surface within the area bounded by a point on the Albany VORTAC 007° radial 23 miles north of the VORTAC, thence clockwise along the arc of a 23-mile radius circle centered on the Albany VORTAC to its point of intersection with the Albany VORTAC 037° radial, thence southwest along the Albany VORTAC 037° radial to a point 12 miles northeast of the VORTAC, thence clockwise along the arc of a 12-mile radius circle centered on the Albany VORTAC to its point of intersection with the arc of a 9-mile radius circle centered on the Schenectady VOR (42°51'05" N., 73°56'05" W.), thence clockwise along the arc of the 9-mile radius circle centered on the Schenectady VOR to its point of intersection with a line 2 miles south and parallel to the extended centerline of the Schenectady County Airport Runway 28, thence west along this parallel line to its point of intersection with the arc of a 13-mile radius circle centered on the Schenectady VOR, thence clockwise along the arc of this 13-mile radius circle to its point of intersection with the Schenectady VOR 342° radial, thence north along a line bearing 356° from this point to the point of intersection of this line and the arc of a 19-mile radius circle centered on the Schenectady VOR, thence clockwise along the arc of the 19-mile radius circle centered on the Schenectady VOR to its point of intersection with the arc of a 23-mile radius circle centered on the Albany VORTAC; within 5 miles each side of the Albany VORTAC 072° radial, extending from the Albany VORTAC to 18.5 miles east of the VORTAC; within a 6.5-mile radius of the center lat. 43°03'00" N., long. 73°51'30" W., of Saratoga County Airport, Saratoga Springs, N. Y., and within 5 miles each side of the Cambridge VORTAC 278° radial, extending from 43 miles west of the Cambridge VORTAC to the 6.5-mile radius area.
That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at lat. 44°00' 00" N., long. 73°47'00" W.; to lat. 44°00'00" N., long. 73°16'00" W.; to lat. 43°47'00" N., long. 72°39'00" W.; to lat. 43°11'00" N., long. 72°39'00" W.; to lat. 42°02'00" N., long. 73°16'00" W.; to lat. 42°01'00" N., long. 74°30'00" W.; to lat. 43°19'00" N., long. 74°30'00" W.; to point of beginning.

AMENDMENTS 6/19/75 40 F. R. 18977 (Changed)

Albany, Ohio
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the University of Ohio Airport (latitude 39°12'38" N., longitude 82°13'53" W.).

Albert Lea, Minn.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of the Albert Lea Airport (latitude 43°40'52" N., longitude 93°22'04" W.); within 3 miles each side of the 356° bearing from the Albert Lea Municipal Airport extending from the 5½-mile radius to 8 miles north of the airport.

Albertville, Ala.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Albertville Municipal Airport (latitude 34°13'54" N., longitude 86°15'08" W.); within 3 miles each side of the 048° bearing from Saratoga RBN (latitude 34°15'00" N., longitude 86°13'25" W.), extending from the 6.5-mile radius area to 8.5 miles northeast of the RBN.

Albion, N. J.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center 39°46'40" N., 74°56'55" W., of Albion Airport, Albion, N. J., and within 2 miles each side of the Millville VORTAC 003° radial extending from the 5-mile radius area to the VORTAC, excluding the portion that coincides with the Millville, N. J., transition area. This transition area is effective from sunrise to sunset, daily.

Albuquerque, N. Mex.
That airspace extending upward from 700 feet above the surface within a 14-mile radius of Albuquerque International Airport (latitude 35°02'42" N., longitude 106°36'02" W.) and within a 10.5-mile radius of Alameda Airport (latitude 35°11'30" N., longitude 106°40'00" W.).

Alexander City, Ala.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Thomas C. Russell Field Airport (latitude 32°55'15" N., longitude 85°57'45" W.); within 3 miles each side of the 181° bearing from the Alexander City RBN (latitude 32°53'10" N., longitude 85°57'30" W.), extending from the 5-mile radius area to 8.5 miles south of the RBN.
PENDING AMENDMENT
Alexander City, Ala., transition area is amended as follows: "181° bearing" is deleted and "171° bearing" is substituted therefor.

AMENDMENTS 1/29/76 40 F. R. 4909S (Changed)

Alexandria, Ind.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Alexandria Airport (latitude 40°13'25" N., longitude 85°38'15" W.) excluding the portion which overlies the Anderson, Ind., transition area.

Alexandria, La.
That airspace extending upward from 700 feet above the surface within a 16-mile radius of England AFB (latitude 31°19'40" N., longitude 92°33'05" W.), within a 7-mile radius of Esler Regional Airport (latitude 31°23'45" N., longitude 92°17'40" W.), and within 4 miles each side of the Esler VOR 155° radial extending from the Esler Regional Airport 7-mile radius area to 17 miles southeast of the VOR.

Alexandria, Minn.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Alexandria Municipal Airport (latitude 45°52'00" N., longitude 95°23'40" W.); and within 2 miles each side of the Alexandria VORTAC 231° radial, extending from the 7-mile radius area to the VORTAC.

Algona, Iowa
That airspace extending upward from 700 feet above the surface within a six mile radius of the Algona Municipal Airport (latitude 43°04'30" N., longitude 94°16'15" W.); and within two miles each side of the 182° bearing from the Algona Municipal Airport, extending from the five-mile radius area to seven miles south of the airport.

Allegan, Mich.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Padgham Field Airport (latitude 42°31'55" N., longitude 85°49'45" W.); and within 2½ miles each side of the 072° radial of the Pullman VORTAC, extending from the 7-mile radius area to 22 miles east of the VORTAC, excluding the portion which overlies the Battle Creek, Michigan 700-foot floor transition area.

Allendale, S. C.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Allendale County Airport (latitude 33°00'30" N., longitude 81°16'05" W.); within 2.5 miles each side of Allendale VOR 329° radial, extending from the 6-mile radius area to 8.5 miles northwest of the VOR.

Allentown, Pa.
That airspace extending upward from 700 feet above the surface within a 15-mile radius of the center, 40° 39'16" N., 75°26'11" W. of Allentown-Bethlehem-Easton Airport, Allentown, Pa., extending clockwise from a 311° bearing to a 001° bearing from the airport; within a 16.5-mile radius of the center of the airport, extending clockwise from a 001° bearing to a 028° bearing from the airport; within a 12.5-mile radius of the center of the airport, extending clockwise from a 028° bearing to a 311° bearing from the airport; within a 9-mile radius of the center, 40°34'13" N., 75°29'19" W. of Allentown-Queen City Municipal Airport, Allentown, Pa.; within 3.5 miles each side of the Allentown-Bethlehem-Easton Airport localizer southwest course, extending from the OM to 11 miles southwest of the OM; within 4.5 miles west and 6.5 miles east of the Allentown VORTAC 308° radial extending from the VORTAC to 17.5 miles north of the VORTAC; within 5 miles each side of the East Texas VORTAC 103° and 283° radials, extending from 1 mile east of the VORTAC to 8.5 miles west of the VORTAC; within 5 miles each side of the East Texas VORTAC 005° radial, extending from the 9-mile radius area to the East Texas VORTAC; within a 15-mile radius of the Allentown VORTAC extending clockwise from the Allentown VORTAC 358° radial to the Allentown VORTAC 104° radial.

AMENDMENTS 8/14/75 40 F. R. 22249 (Changed)

Alliance, Nebr.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Alliance Municipal Airport (latitude 42°02'45" N., longitude 102°48'30" W.); and within 3 miles each side of the 142° bearing from Alliance Municipal Airport, extending from the 10-mile radius area to 11 miles southeast of the airport.

AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

Alliance, Ohio
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, lat. 40°59'00" N., long. 81°02'30" W. of Miller Airport, Alliance, Ohio, and within a 5.5-mile radius of the center, lat. 40°54'22" N., long. 81°00'02" W. of Tri-City Airport, Sebring, Ohio.

Alma, Ga.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Bacon County Airport (lat. 31°32'17" N., long. 82°30'33" W.). This transition area is effective from 0600 to 2200 hours, local time, daily.

Alma, Mich.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Gratiot Community Airport (latitude 43°19'15" N., longitude 84°41'12" W.); within 4 miles either side of a 267° bearing from Gratiot Community Airport extending from the 6.5-mile radius area to 15 miles west of the airport.

AMENDMENTS 7/31/75 40 F. R. 26020 (Rewritten)

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Alayra, Ark.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Alayra Municipal Airport (latitude 34°24'30" N., longitude 91°27'30" W.).

Alpena, Mich.
That airspace extending upward from 700 feet above the surface within a 17-mile radius of Alpena VORTAC; within 9½ miles west and 4½ miles east of the 360° bearing from the Alpena RBN, extending from the 17-mile radius area to 18½ miles north of the RBN; within 9½ miles west and 4½ miles east of the 346° radial of the Alpena VORTAC extending from the 17-mile radius area to 18½ miles north of the VORTAC; within 9½ miles southwest and 4½ miles northeast of the 305° radial of the Alpena VORTAC extending from the 17-mile radius area to 18½ miles northwest of the VORTAC; and within 9½ miles east and 4½ miles west of the Alpena VORTAC 186° radial extending from the 17-mile radius area to 18½ miles south of the VORTAC.

Alva, Okla.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Alva Municipal Airport (latitude 36°46'00" N., longitude 98°40'00" W.); within 2 miles each side of the 170° bearing from the Alva RBN (latitude 36°46'47" N., longitude 98°40'34" W.), extending from the 5-mile radius area to 8 miles south of the RBN.

Amarillo, Tex.
That airspace extending upward from 700 feet above the surface within a 20-mile radius of Amarillo Air Terminal (latitude 35°13'10" N., longitude 101°42'40" W.).

Americus, Ga.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Souther Field (lat. 32°07'00" N., long. 84°11'30" W.); within 3 miles each side of the 041° bearing from Souther RBN (lat. 32°06' 39" N., long. 84°11'07" W.), extending from the 6.5-mile radius area to 8.5 miles northeast of the RBN.

Ames, Iowa
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Ames Municipal Airport (latitude 41°59'25" N., longitude 93°37'05" W.), and within 3 miles each side of the 127° bearing from Ames Municipal Airport, extending from the 5½-mile radius area to 7 miles southeast of the airport.

Anchorage, Alaska
That airspace extending upward from 700 feet above the surface within an 18-mile radius of the Anchorage International Airport (latitude 61°10'16" N., longitude 149°58'48" W.); that airspace extending upward from 1,200 feet above the surface within an 85-mile radius of the Anchorage VORTAC; and that airspace extending upward from 14,500 feet MSL within a 172-mile radius of the Anchorage VORTAC, excluding the portions within the United States, Federal Airways, Control 1218, Control 1310, the Cordova, Alaska, and Middleton Island, Alaska, control area extensions, the King Salmon, Alaska, transition area, and the Anchorage Oceanic Control Area.

Anderson, Ind.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Anderson Municipal Airport (lat. 40°06'30" N., long. 85°36'55" W.) and within 4 miles each side of the 298° bearing from the airport, extending from the 8.5-mile radius to 12 miles northwest of the airport; excluding the airspace that overlies the Muncie transition area.

Anderson, S. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Anderson County Airport (latitude 34°29'40" N., longitude 82°42'30" W.).

Andover, N. J.
That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of the center, 41° 00'00" N., 74°44'00" W. of Aeroflex-Andover Airport, Andover, N. J., extending clockwise from a 053° bearing to a 103° bearing from the airport, within a 9.5-mile radius of the center of the airport, extending clockwise from a 103° bearing to a 174° bearing from the airport; within an 8.5-mile radius of the center of the airport extending clockwise from a 174° bearing to a 225° bearing from the airport; within a 7-mile radius of the center of the airport, extending clockwise from a 225° bearing to a 295° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 295° bearing to a 053° bearing from the airport; within 1.5 miles each side of the Stillwater, N. J., VORTAC 083° radial, extending from the 7-mile radius area to the Stillwater, N. J., VORTAC.
That airspace extending upward from 1200 feet above the surface bounded by a line beginning at: 41°19'00" N., 74°33'00" W.; 40°49'00" N., 74°37'00" W.; 40°48'00" N., 75°00'00" W.; 40°56'18" N., 75°11'04" W.; 41°31'00" N., 75°07'00" W. to point of beginning.

Angola, Ind.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Tri-State Airport (latitude 41°38'22" N., longitude 85°05'12" W.), and within 3 miles either side of the 239° bearing from the airport extending from the 7-mile radius to 8 miles southwest of the airport.

AMENDMENTS 4/24/75 40 F. R. 5493 (Added)

Aniak, Alaska
That airspace extending upward from 700 feet above the surface within 5 miles NW and 8 miles SE of the 230° bearing from the Aniak RBN extending from 8 miles SW to 18 miles SW of the RBN; and that airspace extending upward from 1,200 feet above the surface within 7 miles NE and 8 miles SW of the 140° and 320° bearings from the Aniak RBN extending from 7 miles NW to 18 miles SE of the RBN.

Annette Island, Alaska
That airspace extending upward from 700 feet above the surface within a 14-mile radius of the Annette Island VORTAC; within 5 miles southwest of the 331° bearing from the Gravina Island RBN, extending from the 14-mile radius area to 8 miles northwest of the RBN; and that airspace extending upward from 1,200 feet above the surface within 6 miles northeast and 9 miles southwest of the Nichols, Alaska, RBN 331° bearing, extending from the RBN to 28 miles NW of the RBN; and within 14 miles northeast and 22 miles southwest of the Annette Island VORTAC 150° radial, extending from the VORTAC to 30 miles southeast of the VORTAC; excluding the portion outside the United States.

Anniston, Ala.
That airspace extending upward from 700 feet above the surface within a 15-mile radius of Anniston-Calhoun County Airport (latitude 33°35'23" N., longitude 85°51'20" W.); within a 12-mile radius of Talladega Municipal Airport (latitude 33°34'07" N., longitude 86°03'36" W.); within 9.5 miles southeast and 4.5 miles northwest of Talladega VORTAC 223° radial, extending from the 12-mile radius area to 18.5 miles southwest of the VORTAC; within 9.5 miles south and 4.5 miles north of the Talladega VORTAC 252° radial, extending from the 12-mile radius area to 18.5 miles west of the VORTAC; within an 8-mile radius of St. Clair County Airport, Pell City, Ala. (lat. 33°33'22" N., long. 86°14'58" W.); excluding the portion within R-2101.

Anoka, Minn.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of the Gateway North Industrial Airport (latitude 45°13'50" N., longitude 93°26'40" W.); excluding that portion overlying the Minneapolis transition area.

AMENDMENTS 10/16/75 40 F. R. 34334 (Added)

Antigo, Wis.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Langlade County Airport (latitude 45°09'20" N., longitude 89°06'33" W.); within 3 miles each side of the 358° bearing from the airport extending from the 5-mile radius area to 8 miles north of the airport.

AMENDMENTS 5/22/75 40 F. R. 5494 (Added)

Apalachicola, Fla.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Apalachicola Municipal Airport (lat. 29°43'45" N., long. 85°01'45" W.); within 3 miles each side of the 322° bearing from Apalachicola RBN, extending from the 6.5-mile radius area to 8.5 miles northwest of the RBN.

Arcata, Calif.
That airspace extending upward from 700 feet above the surface within 2 miles each side of the 323° bearing from the Arcata, Calif., RBN, extending from the RBN to 7.5 miles northwest of the RBN; that airspace bounded on the north by latitude 40°57'00" N., on the northeast by a line 2 miles northeast of and parallel to the ILS localizer southeast course, on the south by latitude 40°45'00" N., on the southwest by a line 2 miles southwest of and parallel to the 129° and 309° bearings from the Murray Airport latitude 40°48'18" N., longitude 124°06'52" W., on the west by a line 1 mile west of and parallel to the 219° bearing from the Arcata, Calif., RBN; that airspace extending upward from 1,200 feet above the surface, bounded on the north by latitude 41°16' 00" N., on the east and south by a line 9 miles northeast of and parallel to the 333° and 153° bearings from the Arcata, Calif., RBN to latitude 40°34'00" N., latitude 40°22'00" N., longitude 124°12'00" W., thence to latitude 40°22'00" N., longitude 124°30'00" W., on the west by longitude 124°30'00" W., within 9 miles each side of the Fortuna, Calif., VORTAC 110° radial, extending from the VORTAC to 61 miles east of the VORTAC, and that airspace within an arc of a 28-mile radius circle centered on the Fortuna, Calif., VORTAC extending counterclockwise from the northeast edge of V-27 to the south edge of V-195.

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Ardmore, Okla.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Ardmore Municipal Airport (latitude 34°18'00" N., longitude 97°00'50" W.); within a 5-mile radius of the Downtown Ardmore Airport (latitude 34°09'30" N., longitude 97°08'00" W.); within 2 miles each side of the Ardmore VOR 233° and 053° radials, extending from the 7-mile radius area to 8 miles SW of the VOR; within 2 miles N and 8 miles S of the 265° and 085° bearings from the Ardmore RBN, extending from 3 miles E to 8 miles W of the RBN.

Arkadelphia, Ark.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Arkadelphia Municipal Airport (latitude 34°06'15" N., longitude 93°03'45" W.), and within 3.5 miles each side of the 216° bearing from the Arkadelphia RBN (latitude 34°03'19" N., longitude 93°06'17" W.) extending from the 6.5-mile radius area to 11.5 miles southwest of the RBN.

Arkansas
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Arkansas.

Arkansas City/Winfield, Kans.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Strother Field (latitude 37°10'10" N., longitude 97°02'25" W.); and within 5 miles each side of the 175° bearing from Strother Field, extending from the 7-mile radius area to 15 miles south to the airport.

Artesia, N. Mex.
That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of the Artesia Municipal Airport (lat. 32°50'56" N., long. 104°28'02" W.); and within 3.5 miles each side of the Artesia NDB (lat. 32°51'11" N., long. 104°27'34" W.) 152° bearing, extending from the 9.5-mile radius area to 12 miles south of the NDB; within 3.5 miles each side of the Artesia, N. Mex., NDB 296° bearing extending from the 9.5-mile radius area to 12 miles northwest of the NDB.

Asheboro, N. C.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Asheboro Municipal Airport (latitude 35°39'18" N., longitude 79°53'41" W.).

Asheville, N. C.
That airspace extending upward from 700 feet above the surface within 7 miles east and west of the 160° and 340° bearings from Biltmore RBN, extending from 7 miles north of Biltmore RBN to 12 miles south of Broad River RBN; within 9.5 miles east and 4.5 miles west of the ILS localizer south course, extending from Broad River RBN to 18.5 miles south of the RBN; within 5 miles each side of Sugarloaf Mountain VORTAC 230° radial, extending from the VORTAC to Broad River RBN; within 3 miles each side of the 339° bearing from Biltmore RBN, extending from the RBN to 8.5 miles north of the RBN.

Ashland, Ky.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Ashland-Boyd County Airport (lat. 38°33'00" N., long. 82°44'15" W.); within 2.5 miles each side of York VORTAC 117° radial, extending from the 8-mile radius area to 0.5 mile east of the VORTAC; excluding the portion within Huntington, W. Va., transition area.

AMENDMENTS 9/11/75 40 F. R. 43486 (Changed)

Ashland, Ohio
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of the Ashland County Airport (latitude 40°54'11" N., longitude 82°15'21" W.); within 3 miles each side of the 002° bearing from the airport extending from the 5½-mile radius area to 12 miles north of the airport, excluding that portion which overlies the Mansfield, Ohio, transition area.

Ashland, VA.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center (lat. 37°42'27" N., long. 77°26'11" W.) of Hanover County Municipal Airport, Ashland, VA., and within 2.5 miles each side of the Richmond, VA., VORTAC 336° radial, extending from the 5.5-mile radius area to 22 miles northwest of the VORTAC.

Ashland, Wis.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the John F. Kennedy Memorial Airport (lat. 46°32'59" N., long. 90°55'05" W.).

Ashtabula, Ohio
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Ashtabula County Airport, Ashtabula, Ohio (lat. 41°46'40" N., long. 80°41'45" W.) and within 3.5 miles each side of the Jefferson VORTAC 243° radial extending from the 8-mile radius area to 11.5 miles southwest of the VORTAC.

AMENDMENTS 4/24/75 40 F. R. 5493 (Changed)

Aspen, Colo.
That airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at latitude 39°41'00" N., longitude 107°12'30" W., to latitude 39°31'30" N., longitude 107°25'00" W., to latitude 39°17'30" N., longitude 107°09'00" W., to latitude 39°10'24" N., longitude 106°56'04" W.; thence clockwise via a 5-mile arc from the Aspen-Pitkin County Airport (latitude 39°13'30" N., longitude 106°52'00" W.) to latitude 39°16'33" N., longitude 106°48'12" W., to latitude 39°27'30" N., longitude 107°01'00" W. to point of beginning.

Astoria, Oreg.
That airspace extending upward from 700 feet above the surface within 2 miles each side of the Astoria VOR 309° radial, extending from the arc of a 5-mile radius circle centered at the Clatsop County Airport, Astoria, Oreg. (latitude 46°09'25" N., longitude 123°52'40" W.) to 8 miles NW of the Fort Stevens FM (latitude 46°12'31" N., longitude 123°57'51" W.), and within 2 miles each side of the Astoria VOR 347° radial, extending from the arc of a 5-mile radius circle centered at the Clatsop County Airport to 8 miles N of the VOR; within 4.5 miles north and 9.5 miles south of the Astoria VOR 268° radial, extending from the western edge of V-27 to a point 18.5 miles west of the VOR; and that airspace extending upward from 1,200 feet above the surface within 6 miles NE and 5 miles southwest of the Astoria, Oreg., VOR 147° and 327° radials, extending from 7 miles southeast to 13 miles northwest of the VOR; within 9 miles south and 2 miles north of the Astoria VOR 268° radial; extending from the VOR to 13 miles west of the VOR; within 5 miles northeast and 8 miles southwest of the Astoria VOR 309° radial, extending from the Fort Stevens fan marker to 12 miles northwest of the fan marker and within 8 miles northeast and 6 miles southwest of the Astoria VOR 309° radial extending from the Fort Stevens fan marker to 20 miles northwest of the fan marker.
That airspace extending upward from 4,500 feet MSL bounded on the northwest by the southeast edge of V-27E, on the east by the west edge of V-165, and on the south by the north edge of V-112.

Athens, Ga.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Athens Municipal Airport (latitude 33°56'54" N., longitude 83°19'37" W.).

Athens, Tenn.
That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of McMinn County Airport (lat. 35°23'45" N., long. 84°33'45" W.).

Athens, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Jones Municipal Airport (latitude 32°10'00" N., longitude 95°50'00" W.); within an 8.5-mile radius of Lochridge Ranch Airport (latitude 31°59'21" N., longitude 95°57'03" W.); within 3.5 miles each side of the 176° bearing from the Athens RBN (latitude 32°09'35" N., longitude 95°49'50" W.) extending from the 5-mile radius area to 11.5 miles south of the RBN; within 3 miles each side of a 211° bearing from the Athens RBN extending from the 5-mile radius area to the 8.5-mile radius area; and within 4.5 miles each side of the 356° bearing from the Lochridge Ranch RBN (latitude 32°03'48" N., longitude 95°57'27" W.) extending from the 8.5-mile radius area to 10.5 miles N of the RBN.

AMENDMENTS 12/4/75 40 F. R. 48120 (Rewritten)

Atlanta, Ga.
That airspace extending upward from 700 feet above the surface within a 15-mile radius of The William B. Hartsfield Atlanta International Airport (latitude 33°38'31" N., longitude 84°25'34" W.); within 4.5 miles north and 9.5 miles south of the 091° bearing from Bruce RBN, extending from the 15-mile radius area to 18.5 miles east of the RBN; within 9.5 miles northeast and 4.5 miles southwest of the 151° bearing from Jonesboro RBN, extending from the 15-mile radius area to 18.5 miles southeast of the RBN; within 9.5 miles south and 4.5 miles north of Atlanta ILS Runway 9R localizer west course, extending from the 15-mile radius area to 18.5 miles west of the LOM; within a 10-mile radius of Charlie Brown County Airport (latitude 33°46'35" N., longitude 84°31'15" W.); within an 11.5-mile radius of Dobbins AFB/NAS Atlanta (latitude 33°54'54" N., longitude 84°30'59" W.); within 4 miles each side of the Dobbins TACAN 301° radial, extending from the 11.5-mile radius area to 11.5 miles northwest of the TACAN; within an 8.5-mile radius of De Kalb-Peachtree Airport (latitude 33°52'30" N., longitude 84°18'10" W.); within a 6.5-mile radius of Falcon Field Airport, Peachtree City, GA. (latitude 33°21'23" N., longitude 84°34'07" W.); within a 6.5-mile radius of Griffin-Spaulding County Airport, Griffin, Ga. (latitude 33°13'30" N., longitude 84°16'30" W.).

AMENDMENTS 1/15/75 40 F. R. 3760 (Changed)
AMENDMENTS 12/4/75 40 F. R. 43485 (Changed)

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Atlanta, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Atlanta Municipal Airport (latitude 33°06'10" N., longitude 94°11'40" W.) and within 3 miles each side of the 237° bearing from the NDB (latitude 33°06'13" N., longitude 94°11'25" W.) extending from the 5-mile radius area to a point 8 miles southwest of the NDB.

Atlantic, Iowa
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Atlantic Municipal Airport (latitude 41°24'20" N., longitude 95°02'45" W.); and within 5 miles NE and 8 miles SW of the 313° bearing from the Atlantic, Iowa, RBN, extending from the RBN to 12 miles NW.

Atlantic City, N. J.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of the center, 39°27'25" N., 74°34'45" W. of Atlantic City Municipal (Pomona) Airport, Atlantic City, N. J., and the airspace bounded on the SW by the Atlantic City VORTAC 176° radial to 3 NM offshore; on the SE by a line 3 NM offshore; and on the NE by the Atlantic City VORTAC 112° radial, within 8 miles SW and 5 miles NE of the Atlantic City ILS localizer NW course extending from the 12-mile radius area to 12 miles NW of the OM.

Atterbury, Ind.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Bakalar AFB (latitude 39°15'50" N., longitude 85°53'55" W.) and within 2 miles each side of the 044° bearing from the AFB, extending from the 6-mile radius zone to 12 miles NE of the AFB.

Auburn, Ala.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Auburn-Opelika Airport (lat. 32°37'00" N., long. 85°26'00" W.); within 2 miles each side of the extended centerline of runway 18/36, extending from the 5-mile radius area to 6 miles N of the runway end; within 5 miles each side of Tuskegee VORTAC 056° radial, extending from the 5-mile radius area to the VORTAC; within 5 miles each side of Columbus VORTAC 270° radial, extending from the 5-mile radius area to 11.5 miles W of the VORTAC; excluding the portion that coincides with the Columbus, Ga., transition area.

PENDING AMENDMENT
Auburn, Ala.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Auburn-Opelika Airport (latitude 32°36'52" N., longitude 85°25'52" W.).

AMENDMENTS 1/29/76 40 F. R. 53232 (Rewritten)

Auburn, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Auburn-De Kalb Airport (latitude 41°18'25" N., longitude 85°04'00" W.); and within 2½ miles each side of the Fort Wayne, Ind., VORTAC 018° radial, extending from the 5-mile radius area to the arc of a 17-mile radius circle centered on Bear Field (latitude 40°58'50" N., longitude 85°11'25" W.).

Auburn, Maine
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 44°03' 00" N., 70°17'00" W., of Auburn-Lewiston Municipal Airport; within 3 miles each side of the 204° and 024° bearing from the Poland Springs, Maine, NDB, 43°57'47" N., 70°20'14" W., extending from the 5-mile radius area to 9 miles southwest of the NDB; within 2 miles each side of the 048° bearing from the Poland Springs, Maine, NDB extending from the NDB to 13 miles northeast of the NDB.

AMENDMENTS 10/9/75 40 F. R. 26504 (Rewritten)

Audubon, Iowa
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Audubon Municipal Airport (latitude 41°42'30" N., longitude 94°55'00" W.).

Augusta, Ga.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of Bush Field (lat. 32°22'10" N., long. 81°57'55" W.); within 9.5 miles west and 4.5 miles east of Augusta ILS localizer south course, extending from the 11-mile radius area to 18.5 miles south of the LOM; within a 9-mile radius of Daniel Field (lat. 33°27'55" N., long. 82°02'25" W.); within a 7-mile radius of Thomson-McDuffie Airport, Thomson, Ga. (lat. 33°31'45" N., long. 82°31'00" W.); within 9.5 miles north and 4.5 miles south of the 090° bearing from McDuffie RBN (lat. 33°31'45" N., long. 82°26'30" W.), extending from the 7-mile radius area to 18.5 miles east of the RBN.

AMENDMENTS 3/27/75 40 F. R. 3409 (Changed) Corr: 40 F. R. 7436
AMENDMENTS 3/28/75 40 F. R. 11550 (Rewritten) Corr: 40 F. R. 14741

Augusta, Maine
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center of the Augusta State Airport (latitude 44°19'N., longitude 69°48'W.) and within 6.5 miles northeast and 9.5 miles southwest of the 328° bearing extending 24 miles northwest of the airport.

AMENDMENTS 1/2/75 39 F. R. 37387 (Rewritten)

Aurora, Nebr.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Aurora Municipal Airport (latitude 40°53'34" N., longitude 97°59'37" W.); and within 2 miles each side of the 110° radial of the Grand Island VOR, extending from the 5-mile radius to 7 miles west of the airport, excluding that portion which overlies the Grand Island, Nebraska, transition area.

Aurora, Oreg.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Aurora State Airport (latitude 45°15'00" N., longitude 122°46'10" W.) and within 2.5 miles each side of the 126° radial of the Newberg VORTAC, extending from the 5-mile radius area to the VORTAC; that airspace extending upward from 1,200 feet above the surface within 9.5 miles southwest and 4.5 miles northeast of the 306° radial of the Newberg VORTAC, extending from the VORTAC to 18.5 miles northwest of the VORTAC.

Austin, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Austin Municipal Airport (latitude 43°40'00" N., longitude 92°56'00" W.); within 3 miles each side of the Austin VOR 350° radial extending from the 5-mile radius to 8 miles north of the VOR; and within 3 miles each side of the Austin VOR 175° radial extending from the 5-mile radius to 8 miles south of the VOR; and that airspace extending upward from 1,200 feet above the surface within a 21½-mile radius of the Austin Municipal Airport; excluding the portions which overlie the Rochester, Minn., Albert Lea, Minn., and Mason City, Iowa, transition areas.

Austin, Tex.
That airspace extending upward from 700 feet above the surface within a 16-mile radius of Robert Mueller Municipal Airport (latitude 30°17'55" N., longitude 97°42'00" W.); within 2 miles each side of the Bergstrom ILS localizer south course, extending from the 16-mile radius area to 12 miles south of the LOM.

Babylon, N. Y.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Republic Airport, Farmingdale, N. Y. (latitude 40°43'45" N., longitude 73°24'50" W.); within 4.5 miles northeast and 6.5 miles southwest of the Republic Airport ILS localizer northwest course, extending from the outer marker (latitude 40°46'35" N., longitude 73°28'56" W.) to 11.5 miles northwest of the outer marker; within 3.5 miles each side of a 155° bearing from the Babylon, N. Y., radio beacon extending from the 10-mile radius area to 11.5 miles southeast of the radio beacon; within 3.5 miles each side of a 165° bearing from the Babylon, N. Y., radio beacon extending from the 10-mile radius area to 11.5 miles southeast of the radio beacon; within a 9.5-mile radius of Grumman-Bethpage Airport (latitude 40°44'45" N., longitude 73°29'30" W.).

AMENDMENTS 1/2/75 39 F. R. 39281 (Rewritten)

Bad Axe, MI.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Huron County Airport (latitude 43°47'00" N., longitude 82°59'00" W.); within 3 miles each side of the 023° and 215° bearings from the Huron County Airport extending from the 5-mile radius area to 8 miles northeast and southwest of the airport.

Bainbridge, Ga.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Decatur County Industrial Airport (latitude 30°58'15" N., longitude 84°38'00" W.); within 3 miles each side of Bainbridge VOR (latitude 30°58'30" N., longitude 84°37'10" W.) 092° and 356° radials, extending from the 6.5-mile radius area to 8.5 miles east and north of the VOR; within a 6.5-mile radius of Commodore Decatur Airport (latitude 30°54' 55" N., longitude 84°36'16" W.); within a 6.5-mile radius of Donalsonville Airport (latitude 31°01'00" N., longitude 84°52'30" W.).

AMENDMENTS 1/14/75 40 F. R. 3409 (Changed)

Baker, Oreg.
That airspace extending upward from 1,200 feet above the surface within 8 miles northeast and 6 miles southwest of the Baker VORTAC 138° and 317° radials extending from 14 miles southeast to 16 miles northwest of the VORTAC and within 10 miles west and 5 miles east of the Baker VORTAC 345° radial, extending from the VORTAC to the south edge of V-298.

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Bakersfield, CA.
That airspace extending upward from 700 feet above the surface within 4.5 miles each side of the Bakersfield ILS localizer southeast course, extending from an arc of a 5-mile radius circle centered on Meadows Field, Bakersfield, CA. (latitude 35°25'40" N., longitude 119°03'05" W.) to 7 miles southeast of the LOM, within 4.5 miles each side of the Bakersfield VORTAC 144° radial, extending from an arc of a 5-mile radius circle centered on Meadows Field to 17.5 miles southeast of the VORTAC, within 4.5 miles each side of the Bakersfield ILS localizer northwest course, extending from an arc of a 5-mile radius circle centered on Meadows Field to 21.5 miles northwest of the LOM and within 4.5 miles each side of the Bakersfield VORTAC 338° radial, extending from the VORTAC to 13 miles north of the VORTAC; that airspace extending upward from 1,200 feet above the surface bounded on the north by latitude 36°00'00" N., on the east by longitude 118°45'00" W., on the south by latitude 35°05'00" N., and on the west by a line extending from latitude 35°05'00" N., longitude 120°05'00" W. to latitude 35°43'50" N., longitude 120°05'00" W. to latitude 35°43'50" N., longitude 119°30'00" W. to latitude 36°00'00" N., longitude 119°30'00" W.

Baltimore, Md.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, 39°10' 26" N., 76°40'12" W., of Baltimore Washington International Airport, Baltimore, Md.; within a 15-mile radius arc of the
Baltimore VORTAC extending clockwise from the Baltimore VORTAC 230° radial to the 342° radial; within 3.5 miles each side of the centerline of Baltimore Washington International Airport runway 10, extended to 8.5 miles east of the end of the runway; within 4.5 miles north and 6.5 miles south of the Baltimore Washington International Airport ILS
localizer west course, extending from the OM to 11.5 miles west of the OM; within an 8.5-mile radius of the center 39°19'45" N., 76°25'00" W., of Martin Marietta Airport, Baltimore, Md., within an 18-mile radius of the center of Martin Marietta Airport, extending clockwise from a 241° bearing to a 335° bearing from the airport; within a 12.5-mile radius of the center of Martin Marietta Airport, extending clockwise from a 335° bearing to a 013° bearing from the airport; within an 11-mile radius of the center of Martin Marietta Airport, extending clockwise from a 013° bearing to a 027° bearing from the airport; within a 9-mile radius of the center of Martin Marietta Airport, extending clockwise from a 027° bearing to a 053° bearing from the airport; within 3.5 miles each side of the 132° bearing from the Martin RBN 39°18'15" N., 76°22'45" W., extending from the 8.5-mile radius area to 11.5 miles southeast of the RBN; within a 6.5-mile radius of the center 39°05'04" N., 76°45'37" W. , of Tipton AAF, Fort Meade, Md., and within 3 miles each side of the 091° bearing from the Fort Meade, Md., RBN, 39°05'04" N., 76°45'37" W., extending from the 6.5-mile radius area to 8.5 miles east of the RBN.

Bangor, Maine
That airspace extending upward from 700 feet above the surface within an 8.5 mile radius arc of the center, lat. 44°48'28" N., long. 68°49'41" W. of Bangor International Airport, Bangor, Maine, extending clockwise from 245° to 093°; within a 12-mile radius arc of Bangor International Airport, extending clockwise from 093° to 245°; within 3 miles each side of the Bangor, Maine, VORTAC 318° radial, extending from the VORTAC to 9 miles northwest of the VORTAC; within 4.5 miles northeast and 9.5 miles southwest of the Bangor International Airport ILS localizer southeast course, extending from the OM to 18.5 miles southeast of the OM; within a 5-mile radius of the center, lat. 44°57'15" N., long. 68°40'30" W. of De Witt Field-Old Town Municipal Airport, Old Town, Maine; within 1.5 miles each side of the Bangor VORTAC 052° radial extending from the De Witt Field-Old Town Municipal Airport 5-mile radius area to the VORTAC; within 4 miles each side of the Bangor VORTAC 050° radial, extending from the De Witt Field-Old Town Municipal Airport 5-mile radius area to 25.5 miles northeast of the VORTAC; within 3.5 miles each side of the 028° bearing and the 208° bearing from the Old Town, Maine, RBN lat. 45°00'24" N., long. 68°38'02" W., extending from the De Witt Field-Old Town Municipal Airport 5-mile radius area to 10.5 miles northeast of the RBN; within 2 miles each side of the De Witt Field--Old Town Municipal Airport runway 22 centerline extended from the De Witt Field-Old Town Municipal Airport 5-mile radius area to 6 miles south of the end of the runway; within 2 miles each side of the De Witt Field-Old Town Municipal Airport runway 33 centerline extended from the De Witt Field-Old Town Municipal Airport 5-mile radius area to 6 miles northwest of the end of the runway; within 2 miles each side of the De Witt Field-Old Town Municipal Airport runway 15 centerline extended from the De Witt Field-Old Town Municipal Airport 5-mile radius area to 5 miles southeast of the end of the runway.
and that airspace
extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 44°20'10" N., longitude 67°56'00" W., to latitude 44°18'30" N., longitude 67°56'00" W., to latitude 43°52'00" N., longitude 69°00'00" W., to latitude 43°48'00" N., longitude 69°03'00" W., to lat. 43°44'00" N., long. 69° 19'42" W.; to latitude 43°50'00" N.,
longitude 69° 18' 00" W..to latitude 43° 59' 00" N.. longitude 69° 18' 00" W., to latitude 44° 09' 00" N., longitude 69° 39' 00" W., thence clockwise via the arc of a 14-mile radius circle centered on the Augusta, Maine, VOR to latitude 44° 09' 00" N., longitude 69° 57' 00" W., to latitude 44° 03' 00" N., longitude 70° 06' 00" W.. to latitude 43° 50' 00" N.. longitude 70° 12' 00" W., to latitude 43° 55' 00" N., longitude 70° 28' 00" W.. to latitude 44° 05' 00" N., longitude 70° 23' 00" W., to latitude 44° 12' 00" N., longitude 70° 10' 00" W.. to latitude 44° 16' 00" N., longitude 70° 14' 00" W., to latitude 44° 39' 00" N., longitude 69° 47' 00" W.. to latitude 44° 50' 00" N., longitude 69° 47' 00" W., to latitude 45° 12' 00" N., longitude 69° 23' 00" W.. to latitude 45° 24' 00" N., longitude 68° 55' 00" W., to latitude 45° 30' 00" N., longitude 68° 31' 00" W.. to latitude 45° 27' 00" N.. longitude 68° 20' 00" W., to latitude 45° 33' 00" N., longitude 68° 16' 00" W.. to latitude 45° 38' 00" N., longitude 67° 40' 30" W., thence via the United States/Canadian border latitude 44°47'45" N., longitude 66°53'00" W., thence by a line 3-nautical miles from and parallel to the U. S. shoreline to the point of beginning.

Baraboo, Wis.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of Baraboo-Wisconsin Dells Airport (latitude 43°31'30" N., longitude 89°46'15" W.) and within an 11-mile radius of the Reedsburg Airport (latitude 43°31'44" N., longitude 89°59'06" W.).
AMENDMENTS 1/30/75 39 F. R. 41319 (Rewritten)

Bardstown, Ky.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Samuels Field (lat. 37°48'55" N., long. 85°29'56" W.); within 3 miles each side of the 022° bearing from Bardstown RBN (lat. 37°50' 52" N., long. 85°29'00" W.), extending from the 5.5-mile radius area to 8.5 miles north of the RBN.

Bar Harbor, ME.
That airspace extending upward from 700 feet above the surface within a 12.5-mile radius of the center (lat. 44°26'56" N., long. 68°21'42" W.) of the Bar Harbor Airport excluding that airspace previously designated as the Bangor, ME., 700-foot transition area. Within 4.5 miles west and 9.5 miles east of the Bar Harbor ILS localizer course extending from the 12.5-mile radius to 11.5 miles north of the Surry (BH) NDB.

Barnesville, Ohio
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, lat. 40° 00'10" N., long. 81°11'30" W., of the Bradfield Airport, Barnesville, Ohio.

Barnwell, S. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Barnwell County Airport (lat. 33°15'26" N., long. 81°23'06" W.); within 3 miles each side of the 009° bearing from Barnwell RBN (lat. 33°15'31" N., long. 81°22'43" W.), extending from the 6.5-mile radius area to 8.5 miles north of the RBN; excluding the portion within R-6004.

Bartlesville, Okla.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Phillips Airport (latitude 36°45'46" N., longitude 96°00'38" W.); within 5 miles each side of the Bartlesville VORTAC 176° radial extending from the 9-mile radius to 21½ miles south of the VORTAC; and within 3½ miles each side of the Bartlesville VORTAC 354° radial extending from the 9-mile radius to 12 miles north of the VORTAC; that airspace which lies within the State of Kansas extending upward from 1,200 feet above the surface within 9½ miles west and 4½ miles east of the 354° radial of the Bartlesville VORTAC extending from the VORTAC to 18½ miles north of the VORTAC.

Bastrop, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Morehouse Memorial Airport (latitude 32°45'25" N., longitude 91°52'50" W.) and within 2 miles each side of the Monroe VORTAC 030° radial extending from the 5-mile radius area to 19 miles northeast of the VORTAC,and within 3 miles each side of the 159° bearing from the NDB (latitude 32°45'28" N., longitude 91°52'53" W.) extending from the 5-mile radius area to 8 miles southeast of the NDB.

Batavia, NY.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center lat. 43°01'45" N., long. 78°10'15" W. of Genesee County Airport, Batavia, NY., and within 2.5 miles each side of the Rochester, NY., VORTAC 257° radial, extending from the 5.5-mile radius area to 19.5 miles west of the VORTAC.

Batesville, Ark.
That airspace extending upward from 700 feet above the surfsce within a 15-statute mile radius of Batesville Regional Airport, Batesville, Ark. (latitude 35°43'00" N., longitude 91°38'00" W.)and within 3.5 miles each side of the 255° bearing from the Batesville NDB (latitude 35°42'13" N., longitude 91°45'03" W.), extending from the 15-mile radius area to 11.5-statute miles west of the NDB; excluding that portion which overlies the Heber Springs, Ark., transition area.

AMENDMENTS 4/24/75 40 F. R. 6347 (Rewritten)

Baton Rouge, La.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Ryan Airport (latitude 30°31'55" N., longitude 91°09'00" W.); within 2 miles each side of the Baton Rouge ILS localizer southeast course extending from the 7-mile radius area to 7.5 miles southeast of Ryan Airport; within 5 miles northeast and 8 miles southwest of the Baton Rouge ILS localizer northwest course extending from the OM to 12 miles northwest; within 2 miles each side of the Baton Rouge VORTAC 071° radial extending from the 7-mile radius area to the VORTAC; within 2 miles each side of the Baton Rouge 068° radial extending from the 7-mile radius area to 7.5 miles east of the airport and within a 5-mile radius of the False River Airpark (latitude 30°42'55" N., longitude 91°28'43" W.); within 2 miles each side of the 325° radial of the Baton Rouge VORTAC extending from the 5-mile radius area of the False River Airpark to the northwest ILS localizer extension.
AMENDMENTS 6/19/75 40 F. R. 17248 (Rewritten)

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Battle Creek, Mich.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of Kellogg Field, Battle Creek, Mich. (latitude 42° 18' 35" N., longitude 85° 14' 55" W.), within 8 miles NW and 5 miles SE of the Battle Creek ILS localizer NE course extending from the 12-mile radius area to 12 miles NE of the OM, within a 13-mile radius of Kalamazoo Airport (latitude 42° 14' 07" N., longitude 85° 33' 10" W.); within 8 miles W and 5 miles E of the Kalamazoo ILS localizer N course extending from the 13-mile radius area to 17 miles N of the airport; within a 4-mile radius of Haines Field, Three Rivers, Mich. (latitude 41° 57' 30" N., longitude 85° 35' 30" W.), and within 8 miles NW and 5 miles SE of the 034° bearing from Haines Field, extending from the 4-mile radius area to 12 miles NE of the airport.

Battle Mountain, Nev.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Lander County Airport (latitude 40°36'03" N., longitude 116°52'25" W.) and within 5 miles each side of the Battle Mountain VORTAC 218° radial, extending from the VORTAC to 16 miles southwest of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 5 miles southeast and 9.5 miles northwest of the Battle Mountain 218° radial extending from the VORTAC to 23 miles southwest of the VORTAC, and within 6.5 miles south and 9 miles north of the Battle Mountain VORTAC 077° and 257° radials, extending from 8 miles west to 18.5 miles east of the VORTAC.

Baudette, Minn.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Baudette International Airport, Baudette, Minn. (latitude 48°43'15" N., longitude 94°36'00" W.); within 3 miles each side of the 106° bearing from the Baudette International Airport extending from the 5½-mile radius area to 8 miles east of the airport; and that airspace extending upward from 1,200 feet above the surface within 4½ miles south and 9½ miles north of the 106° and 286° bearing from the Baudette International Airport, extending from 6 miles west to 18½ miles east of the airport; and within 5 miles each side of the 286° bearing from Baudette International Airport, extending from the airport to 12 miles west of the airport, excluding the portion outside the United States.

Baxley, Ga.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Baxley Municipal Airport (lat. 31°42'50" N., long. 82°23'25" W.); within 2 miles each side of Alma VORTAC 029° radial, extending from the 5-mile radius area to 8 miles north of the VORTAC.

Bay City, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Bay City Municipal Airport (lat. 28°58'23" N., long. 95°51'46" W.), excluding that portion within a 1-mile radius of Bay City Airport (lat. 28°58'41" N., long. 95°56'22" W.).

Bay Minette, Ala.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Bay Minette Municipal Airport (lat. 30°52'20" N., long. 87°49'30" W.).

Bay St. Louis, Miss.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Stennis International Airport (lat. 30°22'15" N., long. 89°27'16" W.).

Beatrice, Nebr.
That airspace extending upward from 700 feet above the surface within a six-mile radius of the Beatrice Municipal Airport (latitude 40°18'01" N., longitude 96°45'16" W.); and within five-miles each side of the Beatrice VOR 325° radial extending from the six-mile radius to 14 miles northwest of the VOR; that airspace extending upward from 1200 feet above the surface within twelve miles southwest and five miles northeast of the Beatrice VOR 325° radial extending from the VOR to 23 miles northwest of the airport excluding that portion which overlies the Lincoln, Nebraska, transition area.

Beaufort, S. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Beaufort MCAS (lat. 32°28'40" N., long. 80°43'20" W.); within 5 miles each side of Beaufort MCAS TACAN 037° radial, extending from the 8.5-mile radius area to 8.5 miles northeast of the TACAN.

Beaumont, Tex.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Jefferson County Airport (latitude 29°57'05" N., longitude 94°01'10" W.), within a 5-mile radius of Beaumont Municipal Airport (latitude 30°04'15" N., longitude 94°13'00" W.), within 3 miles each side of the Beaumont ILS localizer southeast course extending from the 7-mile radius area to 13.5 miles southeast of the approach end of Jefferson County Airport Runway 29, and within 2.5 miles each side of the Beaumont ILS localizer northwest course extending from the 7-mile radius area to the 5-mile radius area.

Beaver Falls, Pa.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center 40°46'21" N., 80°23'37" W. of Beaver County Airport, Beaver Falls, Pa., and within 2 miles each side of the Elwood City, Pa. VOR 248° radial extending easterly from the 6-mile radius area to the VOR.

Beckley, W. Va.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the center, lat. 37°46'54" N., long. 81°07'27" W. of Raleigh County Memorial Airport, Beckley, W. Va.; within a 14-mile radius of the center of Raleigh County Memorial Airport, extending clockwise from the 025° bearing to the 215° bearing from the airport and within 4.5 miles north and 9.5 miles south of the Beckley VOR 284° radial, extending from the VOR to 18.5 miles west of the VOR.

Bedford, Ind.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Virgil I. Grissom Municipal Airport (lat. 38°50'25" N., long. 86°26'45" W.); within 5 miles each side of the Bloomington, Ind., VORTAC 156° radial, extending from the 6½-mile radius area to 35 miles southeast of the VORTAC; and within 3 miles each side of the 302° bearing from Virgil I. Grissom Municipal Airport, extending from the 6½-mile radius area to 8 miles northwest of the airport.

Beeville, Tex.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of NAS Chase Field (lat. 28°21'50" N., long. 97°39'40" W.); within 2 miles each side of the NAS Chase TACAN 129° and 321° radials extending from the 7-mile radius area to 10 miles northwest and southeast of the TACAN; within 2 miles each side of the 339° bearing from the NAS Chase RBN extending from the 7-mile radius area to 12 miles north of the RBN; within a 6.5-mile radius of Beeville Municipal Airport (lat. 28°22'00" N., long. 97°48'00" W.).

Bellaire, Mich.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of Antrim County Airport (latitude 44°59'15" N., longitude 85°12'00" W.); and within 3 miles each side of the 198° bearing from Antrim County Airport, extending from the 11-mile radius area to 14 miles south of the airport.

Bellefontaine, Ohio
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Bellefontaine Airport (latitude 40°24'45" N., longitude 83°44'10" W.) and within 3 miles each side of the 049° bearing from the airport extending from the 6-mile radius area to 13 miles northeast of the airport.

Belleville, Ill.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Scott AFB, Belleville, Ill. (latitude 38°32'30" N., longitude 89°51'05" W.), and within 2 miles each side of the 317° bearing from the Belleville RBN, extending from the 7-mile radius area to the RBN.

Belleville, Kansas
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Belleville Municipal Airport (latitude 89°49'00" N., longitude 97°39'00" W.); within 3 miles each side of the 356° bearing from the Belleville Municipal Airport, extending from the 5-mile radius to 8 miles north of the airport.
AMENDMENTS 6/19/75 40 F. R. 14741 (Rewritten)

Bellingham, Wash.
That airspace extending upward from 700 feet above the surface bounded on the east by longitude 122°15'00" W., on the south by latitude 48°52'00" N., on the west and north by the United States/Canada border, and within 4.5 miles each side of the Bellingham VORTAC 169° radial, extending from 21.5 to 24 miles south of the VORTAC; and within 3.5 miles north and 8 miles south of the 288° bearing from Lummi NDB (latitude 48°47'32" N., longitude 122°32'06" W.) extending from the NDB 11.5 miles west of the NDB.

Belzoni, Miss.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Belzoni Municipal Airport (latitude 33°08'40" N., longitude 90°30'56" W.).

Bemidji, Minn.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Bemidji Municipal Airport (latitude 47°30'30" N., longitude 94°56'55" W.); within 5 miles each side of the Bemidji VORTAC 135° radial, extending from the 7-mile radius area to 19½ miles southeast of the VORTAC; within 5 miles each side of the Bemidji VORTAC 318° radial, extending from the 7-mile radius area to 8 miles northwest of the VORTAC; and within 4½ miles north and 9½ miles south of the 262° bearing from Bemidji Municipal Airport, extending from the airport to 18½ miles west of the airport; and that airspace extending upward from 1,200 feet above the surface within a 13-mile radius of Bemidji VORTAC, extending from the 318° radial, clockwise to the 014° radial; within a 23½-mile radius of Bemidji VORTAC extending from the 014° radial clockwise to the 285° radial; within 4½ miles northeast and 9½ miles southwest of the Bemidji VORTAC 318° radial, extending from the VORTAC to 18½ miles northwest of the VORTAC; and within 4½ miles southwest and 9½ miles northeast of the Bemidji VORTAC 135° radial, extending from the 23½-mile radius area to 30 miles southeast of the VORTAC.

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Bend, Oreg.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Bend Municipal Airport (latitude 44°05'35" N., longitude 121°12'00" W.) and within 2 miles each side of the Redmond VORTAC 334° and 154° radials, extending from the 5-mile radius area to 1 mile northwest of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 5 miles southwest and 8 miles northeast of the Redmond VORTAC 334° radial, extending from the VORTAC to 12 miles northwest of the VORTAC.

Bennettsville, S. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Bennettsville Airport (latitude 34°37'45" N., longitude 79°43'57" W.); within 3 miles each side of the 245° bearing from Bennettsville RBN (latitude 34°37'39" N., longitude 79°43'53" W.), extending from the 6.5-mile radius area to 8.5 miles southwest of the RBN, excluding the portion within the Darlington, S. C., transition area.
AMENDMENTS 12/4/75 40 F. R. 46305 (Changed)

Bennington, Vt.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center 42°53'30" N., 73°14'50" W. of Bennington State Airport, Bennington, Vt., and within 2 miles each side of the Cambridge, N. Y., VOR 145° radial, extending from the 5-mile radius area to the VOR. This transition area is effective from sunrise to sunset, daily.

Benson, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Benson Municipal Airport (latitude 45°20'00" N., longitude 95°39'00" W.); and within 3 miles each side of the 323° bearing from Benson Municipal Airport extending from the airport to 8 miles northwest of the airport.

Benton Harbor, Mich.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Ross Field (latitude 42°07'40" N., longitude 86°25'40" W.), and within 2 miles each side of the ILS back course and Keller, Mich., VORTAC 266° radial extending from the 7-mile radius area to 12 miles west of the airport.

Berkeley Springs, WV.
That airspace extending upward from 700 feet above the surface within a 14.5-mile radius of the center (lat. 39°41'30" N., long. 78°09'45" W.) of Potomac Airpark, Berkeley Springs, WV., extending clockwise from the 062° bearing to the 167° bearing from the airport; within a 22.5-mile radius of Potomac Airpark, extending clockwise from the 167° bearing to the 215° bearing from the airport; within a 21.5-mile radius of Potomac Airpark, extending clockwise from the 215° bearing to the 266° bearing from the airport; within a 15.5-mile radius of Potomac Airpark, extending clockwise from the 266° bearing to the 304° bearing from the airport; within a 19.5-mile radius of Potomac Airpark, extending clockwise from the 304° bearing to the 342° bearing from the airport; within a 21.5-mile radius of Potomac Airpark, extending clockwise from the 342° bearing to the 023° bearing from the airport; within a 23.5-mile radius of Potomac Airpark, extending clockwise from the 023° bearing to the 062° bearing from the airport; within 2.5 miles each side of the Hagerstown VOR 268° radial, extending from the 14.5-mile radius to 1 mile west of the VOR, excluding the portion within the Hagerstown, MD., and and Martinsburg, WV., transition areas.

Berlin, N.H.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center, 44°34'35" N., 71°10'40" W. of Berlin Municipal Airport, Berlin, N. H.; within 2 miles each side of the Berlin Municipal Airport Runway 18 centerline, extended from the 8.5-mile radius area to 12 miles south of the end of the runway; within 2 miles each side of the Berlin Municipal Airport Runway 36 centerline, extended from the 8.5-mile radius area to 20.5 miles north of the end of the runway and within 4.5 miles west and 9.5 miles east of the Berlin, N. H. VOR (44°38'05" N., 71°11'12" W.) 355° radial, extending from the 8.5-mile radius area to 18.5 miles north of the VOR.
That airspace extending upward from 1,200 feet above the surface beginning at 44°54'00" N., 71°10'00" W. to 44°50'00" N., 71°07'30" W.; to 44°50'30" N., 71°02'00" W.; to 44°40'00" N., 71°00'30" W. to 44°31'00" N., 70°55'00" W. to 44°29'00" N., 71°03'00" W. to 44°22'00" N., 71°02'00" W. to 44°13'00" N., 71°45'00" W. to 44°25'00" N., 71°52'00" W. to 44°36'00" N., 71°20'00" W. to 44°47'00" N., 71°28'00" W. to point of beginning.

Bethel, Alaska
That airspace extending upward from 700 feet above the surface within 3 miles each side of the Bethel VORTAC 007° radial, extending from the north control zone extension to 11.5 miles north of the VORTAC; from the southwest control zone extension to 11.5 miles southwest of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 20-mile radius of the Bethel VORTAC; and within 9.5 miles northwest and 4.5 miles southeast of the 023° bearing from BET localizer (latitude 60°46'08" N., longitude 161°50'39" W.) extending from the 20-mile radius area to 26 miles northeast of the BET localizer.

Biddeford, Maine
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Biddeford, Maine, Airport (lat. 43°27'55" N., long. 70°28'25" W.) extending clockwise from the 270° bearing to the 180° bearing; within a 10-mile radius extending from the 180° bearing clockwise to the 270° bearing excluding that airspace previously designated as the Sanford, Maine, 700-foot transition area.

Big Delta, Alaska
That airspace extending upward from 700 feet above the surface within 9.5 miles each side of the Big Delta VORTAC 220° and 040° radials extending from 2 miles southwest to 18.5 miles northeast of the Big Delta VORTAC; and within a 16.5-mile radius of the Big Delta VORTAC extending clockwise from the 309° radial to the 006° radial.

Big Mountain, Alaska
That airspace extending upward from 1,200 feet above the surface within 5 miles northwest and 7.5 miles southeast of the 049° and 229° bearings from the Big Mountain RBN, extending from 7 miles northeast to 13 miles southwest of the RBN.

Big Piney, Wyo.
That airspace extending upward from 700 feet above the surface within 5.5 miles southwest and 9.5 miles northeast of the Big Piney VOR 134° and 314° radials, extending from 4.5 miles northwest to 19 miles southeast of the VOR, and that airspace extending upwards from 1,200 feet above the surface within 9 miles southwest and 13.5 miles northeast of the Big Piney 134° and 314° radials, extending from 11.5 miles northwest to 24.5 miles southeast of the VOR.

Big Rapids, Mich.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Roben-Hood Airport latitude 43°43'13" N., longitude 85°29'52" W.) and within 5 miles each side of the White Cloud VOR 047° radial extending from an 8-mile radius area to the VOR, excluding the portion overlying the Reed City transition area.

Big Sandy, Tex.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Ambassador Field (latitude 32°35'00" N., longitude 95°03'45" W.), and within 2.5 miles each side of the Big Sandy, Tex., Ambassador Field NDB 271° bearing extending from the 8.5-mile radius area to a point 11.5 miles west of the NDB.

AMENDMENTS 12/4/75 40 F. R. 43486 (Rewritten)

Big Spring, Texas
That airspace extending upward from 700 feet above the surface within a 23-mile radius of latitude 32°12'55" N., longitude 101°31'06" W.

Billings, Mont.
That airspace extending upward from 700 feet above the surface within a 29-mile radius of Logan Field Airport (latitude 45°48'25" N., longitude 108°31'55" W.); that airspace extending upward from 1,200 feet above the surface within a 36-mile radius of Logan Field Airport; that airspace extending upward from 6,700 feet MSL within a 46-mile radius of the Billings VORTAC extending from the Billings VORTAC 008° radial clockwise to the 057° radial, excluding the portion that overlies V-2N; that airspace extending upward from 6,700 feet MSL within a 58-mile radius of the Billings VORTAC extending from the Billings VORTAC 057° radial clockwise to the southwest edge of V-19/86 excluding the portion that overlies V-2 and V-2N; that airspace extending upward from 10,700 feet MSL within a 58-mile radius of the Billings VORTAC extending from the southwest edge of V-19/86 clockwise to the Billings VORTAC 192° radial excluding the portions that overlie VOR Federal airways; that airspace extending upward from 8,200 feet MSL within a 46-mile radius of the Billings VORTAC extending from the Billings VORTAC 192° radial clockwise to the northwest edge of V-465 excluding the portions that overlie VOR Federal airways; that airspace extending upward from 8,700 feet MSL within a 46-mile radius of the Billings VORTAC extending from the west edge of V-465 clockwise to the south edge of V-2/86; that airspace extending upward from 7,700 feet MSL within a 58-mile radius of the Billings VORTAC extending from the south edge of V-2/86 clockwise to the southwest edge of V-2N excluding that portion of V-2/86 that has a 1,200-foot AGL floor; that airspace extending upward from 6,700 feet MSL within a 58-mile radius of the Billings VORTAC extending from the north edge of V-2N clockwise to the Billings VORTAC 008° radial excluding those portions of V-187 and V-19 that have 1,200-foot AGL floors.

Binghamton, N.Y.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center of Broome County Airport, 42°12'35" N., 75°58'40" W.; within 2 miles each side of the Binghamton VOR 066°-246° radial extending SW from the 7-mile radius area for 8 miles from the VOR; within 2 miles each side of the airport ILS localizer SE course extending from the 7-mile radius area to the Nimmons RBN.

Birch Hollow, Va.
That airspace extending upward from 700 feet above the surface within an area 7 miles east of and parallel to and 14 miles west of and parallel to the Martinsburg, W. Va., 140° radial extending between the Martinsburg, W. Va., VORTAC and latitude 39°01'10" N., longitude 77°27'42" W.

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Birmingham, Ala.
That airspace extending upward from 700 feet above the surface beginning at the intersection of a line 2 miles west of and parallel to the extended centerline of Runways 18/36 north of the Birmingham Municipal Airport and the arc of a 17-mile radius circle centered at Birmingham Airport surveillance radar antenna site (latitude 33°34'24" N., longitude 86°45'23" W.); thence clockwise along this arc to the intersection of the 270° bearing from the radar antenna site; thence east along the 270° bearing from the radar antenna site to the intersection of the arc of a 13-mile radius circle centered at the radar antenna site; thence clockwise along this arc to a line 2 miles northeast of and parallel to the Birmingham VORTAC 313° radial; thence southeast along this line to the intersection of the arc of a 10-mile radius circle centered at the radar antenna site; thence clockwise along this arc to the intersection of a line 2 miles west of and parallel to the extended centerline of Runways 18/36; thence north along this line to the point of beginning; within 5 miles each side of Birmingham ILS localizer southwest course, extending from the 17-mile radius area to 11.5 miles southwest of the OM.

Bishop, Calif.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Bishop VOR (latitude 37°22'37" N., longitude 118°21'56" W.); that airspace extending upward from 1,200 feet above the surface within 8 miles southwest and 12 miles northeast of the Bishop VOR 156° and 336° radials, extending from 10 miles northwest to 22 miles southeast of the VOR; that airspace extending upward from 12,500 feet MSL within 5 miles each side of the Bishop VOR 341° radial extending from the VOR to V-244, within 5 miles each side of a direct course between the Bishop VOR and Lida Intersection, 42 miles 12,500 feet MSL, 10,500 feet MSL Lida Intersection, and within 5 miles each side of a direct course between Bishop VOR and Beatty, Nev., VOR 80 miles 12,500 feet MSL, 10,500 feet MSL Beatty.

Bismarck, N. Dak.
That airspace extending upward from 700 feet above the surface within a 17-mile radius of Bismarck VORTAC; within a 20-mile radius of Bismarck VORTAC, extending from the Bismarck VORTAC 152° radial clockwise to the Bismarck VORTAC 182° radial; within 4½ miles north and 9½ miles south of the Bismarck VORTAC 105° radial extending from the 17-mile radius area to 18½ miles east of the VORTAC; and within 4½ miles southwest and 9½ miles northeast of the Bismarck ILS localizer southeast course, extending from the 17-mile radius area to 18½ miles southeast of the OM;
and within 4½ miles northeast and 9½ miles southwest of the Bismarck ILS localizer northwest course extending from the 17-mile radius area to 32 miles northwest of the OM.
that airspace extending upward from 1200 feet above the surface within a 22½-mile radius of the Bismarck VORTAC, extending from the Bismarck VORTAC 290° radial clockwise to the Bismarck VORTAC 082° radial and within a 33-mile radius of the Bismarck VORTAC extending from the Bismarck VORTAC 082° radial clockwise to the Bismarck VORTAC 290° radial.

Black River Falls, Wis.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Black River Falls Airport (Lat. 44°15'05" N., Long. 90°51'05" W.); and within 3 miles each side of the 098° bearing from the Black River Falls Airport, extending from the 6½-mile radius area to 8 miles east of the airport.

AMENDMENTS 10/23/75 40 F. R. 43718 (Added)

Blacksburg, Va.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 37°12'25" N., 80°24'30" W., of VPI Airport, Blacksburg, Va.; within 4 miles northwest and 3 miles southeast of the Pulaski VORTAC 064° radial, extending from the 6-mile radius area to 3 miles northeast of the Pulaski VORTAC; within 2 miles each side of the Runway 8
centerline extended from the 6-mile radius area to 7 miles east of the end of the runway; and within 2 miles each side of the Runway 30 centerline extended from the 6-mile radius area to 11 miles northwest of the end of the runway, excluding the portion within the Dublin, Va., transition area.

Blackstone, Va.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Blackstone AAF-Allen C. Perkinson Municipal Airport
(latitude 37°04'30" N., long. 77°57'45" W.). This transition area is effective from sunrise to sunset, daily.

Blanding, Utah
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Blanding, Utah, airport (latitude 37°34'50" N., longitude 109°28'55" W.) and within 3.5 miles each side of the 188° bearing from the Blanding, Utah RBN (latitude 37°31'03" N., longitude 109°29'31" W.) extending from the 6-mile radius area to 11.5 miles south of the RBN; that airspace extending upward from 1,200 feet above the surface within 9.5 miles east and 5 miles west of the 188° and 008° bearings from the Blanding RBN extending from 18.5 miles south to 7 miles north of the RBN, and within 5 miles each side of a direct line between the Blanding RBN and the Dove Creek, Colo., VORTAC excluding that portion within R-6410 during the times that R-6410 is in use.

Block Island, R. I.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Block Island State Airport (lat. 41°10'05" N., long. 71°34'40" W.).

Bloomington, Ill.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Bloomington Normal Airport; and within 3 miles each side of the Bloomington VOR 043°, 103°, and 319° radials, extending from the 6½-mile radius area to 8 miles northeast, east and northwest of the VOR.

Bloomington, Ind.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Monroe County Airport (latitude 39°08'25" N., longitude 86°37'00" W.); within 5 miles each side of the Bloomington VORTAC 062° radial, extending from the 7-mile radius area to 14 miles northeast of the VORTAC; within 5 miles each side of the Bloomington VORTAC 181° radial, extending from the 7-mile radius area to 12 miles south of the VORTAC; within 5 miles each side of the Bloomington VORTAC 341° radial, extending from the 7-mile radius area to 12 miles north of the VORTAC; and within 3 miles each side of the Bloomington VORTAC 236° radial, extending from the 7-mile radius area to 10½ miles southwest of the VORTAC.

Bloomsburg, Pa.
That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of the center of Bloomsburg Municipal Airport, Bloomsburg, Pa., lat. 40°59'45" N., longitude 76°28'30" W., and within 3 miles each side of the Milton, Pa., VORTAC 099° radial extending from the 7.5-mile radius area to the VORTAC.

Bluefield, WV.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of the center, lat. 37°17'45" N., long. 81°12'29" W., of Mercer County Airport, Bluefield, WV.; within a 14.5-mile radius of the center of the airport, extending clockwise from a 078° bearing to a 113° bearing from the airport; within a 17-mile radius of the center of the airport, extending clockwise from a 113° bearing to a 195° bearing from the airport; within a 23.5-mile radius of the center of the airport, extending clockwise from a 195° bearing to a 248° bearing from the airport and within 3.5 miles each side of the Bluefield VORTAC 047° radial, extending from the 11-mile radius area to 11 miles northeast of the VORTAC.

Blythe, Calif.
That airspace extending upward from 700 feet above the surface within 3 miles each side of the Blythe VORTAC 264° radial, extending from the VORTAC to 9 miles W of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 9.5 miles S and 4.5 miles N of the Blythe VORTAC 264° radial, extending from the VORTAC to 18.5 miles W of the VORTAC; within 4.5 miles NW and 9.5 miles SE of the Blythe VORTAC 066° radial, extending from the VORTAC to 28 miles NE of the VORTAC; within 9 miles N and 10 miles S of the Blythe VORTAC 094° radial, extending from the VORTAC to 36 miles E of the VORTAC excluding the airspace within R-2306B and R-2308A, and that airspace within an arc of an 18-mile radius circle centered on the Blythe Airport (latitude 33°37'15" N., longitude 114°43'00" W.), extending clockwise from longitude 114°30'00" W. to the S edge of V-16.

Blytheville, Ark.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Blytheville AFB (latitude 35°57'50" N., longitude 89°56'40" W.), excluding the portion within the Manila, Ark., transition area, within a 5-mile radius of Blytheville Municipal Airport (latitude 35°56'15" N., longitude 89°49'45" W.), within 4 miles east and 7 miles west of a 005° bearing from the Hicks RBN (latitude 35°57'52" N., longitude 89°49'35" W.), extending from the RBN to 12 miles north, and within 2 miles each side of the extended centerline of Blytheville AFB Runways 17 and 35 extending from the 8.5-mile radius area to 12 miles north and south of the airport; and that airspace extending upward from 5,000 feet MSL bounded by a line beginning at latitude
36°33'30" N., longitude 89°34'00" W., to latitude 37°03'00" N., longitude 89°19'00" W., to latitude 36°58'30" N., longitude 89°00'00" W., to latitude 36°28'00" N., longitude 89°19'00" W., to point of beginning excluding the portion within the Tennessee transition, the State of Kentucky transition area and the portion extending upward from 5,000 feet MSL within Federal airways.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Boise, Idaho
That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 43°56'00" N., longitude 116°33'00" W., direct to latitude 43°51'15" N., longitude 116°25'00" W., thence via a 21.5-radius arc, centered on the Boise VORTAC, clockwise to longitude 116°14'00" W., direct latitude 43°45'00" N., longitude 116°14'00" W., direct latitude 43°31'00" N., longitude 115°52'00" W., direct latitude 43°20'00" N., longitude 115°58'00" W., direct latitude 43°25'00" N., longitude 116°25'00" W., direct latitude 43°42'00" N., longitude 116°57'00" W., thence to point of beginning; that airspace extending upward from 1,200 feet above the surface within a 35-mile radius arc from Boise VORTAC extending clockwise from V-253 to V-4N, within a 40-mile radius arc of Boise VORTAC extending clockwise from the southeast edge of V-113 to V-500, that airspace 8 miles each side of Boise VORTAC 289° radial extending from the 40-mile radius arc to 57 miles west of the VORTAC, within 8 miles northeast and 11 miles southwest of the Boise VORTAC 295° radial, extending from the 40-mile radius arc to 75 miles northwest of the VORTAC, that airspace northwest of Boise bounded on the northwest by the McCall VORTAC 223° radial, on the east by the west edge of V-253 on the southwest by V-4; that airspace southeast of Boise extending upward from 9,000 feet MSL extending from the 35-mile arc bounded on the north by V-500, on the east by the southwest edge of V-293, on the south by the north edge of V-330 and on the southwest by the northeast edge of V-4; that airspace northeast of Boise extending upward from 11,500 feet MSL, bounded on the northeast by the southwest edge of V-293, on the south by the north edge of V-500, on the southwest by the 35-mile radius arc and on the west by the east edge of V-253.

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Bonneville, Utah.
That airspace SE of Bonneville extending upward from 1,200 feet above the surface bounded by a line extending from latitude 40°30'00" N., longitude 112°30'00" W., to latitude 40°35'00" N., longitude 113°00'00" W., thence via longitude 113°00'00" W., to the S edge of V-32, thence via the S edge of V-32 to longitude 112°56'30" W., thence via longitude 112°56'30" W., to latitude 40°40'00" N., thence to point of beginning; and that airspace extending upward from 8,500 feet AMSL bounded on the S by latitude 40°35'00" N., on the W by longitude 113°51'00" W., on the N by the S edge of V-32 and on the E by longitude 113°00'00" W.

Boone, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Boone Municipal Airport (latitude 42°03'00" N., longitude 93°50'45" W.); and within 3 miles each side of the 338° bearing from Boone Municipal Airport, extending from the 5-mile radius area to 8 miles north of the airport.

Booneville, Mo.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Jesse Viertel Airport (latitude 38°56'50" N., longitude 92°41'19" W.); and within 3 miles each side of the 011° bearing from the Jesse Viertel Airport, extending from the 5-mile radius area to 8 miles north of the airport; and that airspace extending upward from 1,200 feet above the surface within an area north of the Jesse Viertel Airport bounded on the south by the north edge of V-4; on the northwest by the southeast edge of V-424; and on the northeast by the southwest edge of V-175, excluding the portion which overlies the Moberly, Missouri, transition area; and that airspace extending upward from 1,200 feet above the surface within an area south of the Jesse Viertel Airport bounded on the north by the southwest edge of V-12S; on the east by the west edge of V-63, excluding the portion which overlies the Columbia, Missouri, transition area; on the south by the north edge of V-234; and on the west by the east boundary of the Sedalia, Missouri, transition area.

AMENDMENTS 4/24/75 40 F. R. 17172 (Added)

Borger, Tex.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Hutchinson County Airport, Borger, Tex., (latitude 35°41'55" N., longitude 101°23'40" W.), within 2 miles each side of the Borger, Tex., VOR 185° and 005° radials extending from the 7-mile radius area to 8 miles N of the VOR.

Boston, Mass.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at: latitude 42°53'00" N., longitude 71°05'00" W., to latitude 42°52'00" N., longitude 71°02'45" W., to latitude 42°54'00" N., longitude 71°00'15" W., to latitude 42°49'45" N., longitude 70°54'00" W., to latitude 42°48'15" N., longitude 70°55'30" W., to latitude 42°43'00" N., longitude 70°46'00" W., to latitude 42°30'00" N., longitude 70°48'00"W., to latitude 42°14'00" N., longitude 70°38'00" W., to latitude 41°59'00" N., longitude 70°48'00" W., to latitude 41°59'00" N., longitude 70°53'00" W., to latitude 42°03'00" N., longitude 71°10'00" W., to latitude 42°13'00" N., longitude 71°21'00" W., to latitude 42°21'00" N., longitude 71°25'00" W., to latitude 42°22'00" N., longitude 71°47'00" W., to latitude 42°27'00" N., longitude 71°55'00" W., to latitude 42°53'00" N., longitude 71°55'00" W., to latitude 42°45'00" N., longitude 71°38'25" W., to latitude 42°43'00" N., longitude 71°36'00" W., to latitude 42°40'00" N., longitude 71°35'00" W., to latitude 42°38'00" N., longitude 71°20'00" W., to latitude 42°43'00" N., longitude 71°15'00" W., to the point of beginning; and within 3.5 miles each side of the 154° bearing from the Stoughton, Mass., NDB, 42°07'10" N., 71°07'41" W., extending from the NDB to 10.5 miles southeast of the NDB.
that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at:
Latitude 42°53'00" N., longitude 71°05'00" W. to latitude 42°45'00" N., longitude 70°37'00" W. to latitude 42°44'25" N., longitude 70°37'15" W., thence along a line 3 nautical miles from and parallel to the shoreline to latitude 42°41'20" N., longitude 70°30'00" W. to latitude 42°15'20" N., longitude 70°30'00" W. to latitude 42°13'20" N., longitude 70°18'30" W. to latitude 41°53'30" N., longitude 70°56'30" W. to latitude 42°04'00" N., longitude 71°19'00" W. to latitude 41°56'35" N., longitude 71°26'00" W., thence counterclockwise along the arc of a 27-mile radius circle centered on the NAS Quonset Point VOR to latitude 41°47'45" N., longitude 71°46'40" W. to latitude 41°55'00" N., longitude 71°59'00" W. to latitude 42°05'00" N., longitude 72°00'00" W. to latitude 42°55'00" N., longitude 72°00'00" W. to latitude 42°13'00" N., longitude 71°40'00" W. to latitude 42°43'00" N., longitude 71°15'00" W. to the point of beginning, excluding the portion within the Taunton, Mass., transition area; and that airspace extending upward from FL 200 to FL 300, inclusive, east of Boston bounded by a line beginning at:
Latitude 42°24'30" N., longitude 70°15'30" W. to latitude 42°27'50" N., longitude 70°04'00" W. to latitude 42°25'30" N., longitude 70°04'00" W. to latitude 42°24'30" N., longitude 69°46'00" W. to latitude 42°21'30" N., longitude 69°30'00" W. to the point of beginning.

Boulder Junction, Wis.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Boulder Junction Airport (latitude 46°08'15" N., longitude 89°38'45" W.); and within 3 miles each side of the 049° bearing from the Boulder Junction Airport, extending from the 5½-mile radius area to 8 miles northeast of the airport.

Bowie, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Bowie Municipal Airport (latitude 33°36'15" N., longitude 97°46'27" W.), and within 2 miles each side of the Bridgeport VORTAC 350° radial extending from the 5-mile radius area to 31 miles north of the VORTAC.

Bowling Green, Ky.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of Bowling Green-Warren County Airport (lat. 36°57'47" N., long. 86°25'07" W.); within 4.5 miles each side of Bowling Green VORTAC 206° radial, extending from the 11-mile radius area to 11 miles southwest of the VORTAC.

Boyne Falls, Mich.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Boyne Mountain Airport (latitude 45°10'03" N., longitude 84°55'30" W.); and within 4½ miles west and 9½ miles east of the 176° bearing from the Boyne Mountain Airport extending from the airport to 17½ miles south of the airport excluding that position which overlies the Gaylord, Mich., Bellaire, Mich., and Grayling, Mich., transition areas.

Bozeman, Mont.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of Gallatin Field (latitude 45°46'50" N., longitude 111°09'20" W.) and within 5.5 miles northeast and 9.5 miles southwest of the Bozeman ILS northwest localizer course extending from the 11-mile radius area to 28 miles northwest of Gallatin Field,
and that airspace extending upward from 9,000 feet MSL within 6 miles northeast and 10 miles southwest of the Bozeman VOR 338° radial extending from 10 miles northwest of the Bozeman VOR to 37.5 miles northwest of the VOR.

Bradford, Pa.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of the center, 41° 48°09' N., 78°38'27" W., of Bradford Regional Airport, Bradford, Pa.; within 3.5 miles each side of the Bradford Regional Airport ILS localizer southeast course, extending from the OM to 11.5 miles southeast of the OM; within 5 miles each side of the Bradford, Pa., VORTAC 139° radial, extending from the VORTAC to 11.5 miles southeast of the VORTAC; within 5 miles each side of the Bradford, Pa., VORTAC 316° radial, extending from the VORTAC to 18.5 miles northwest of the VORTAC.

Brainerd, Minn.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Brainerd-Crow Wing County Airport (latitude 46°23'55" N., longitude 94°08'15" W.); within 3 miles each side of the 120° radial of the Brainerd VORTAC extending from the 7-mile radius area to 7½ miles southeast of the VORTAC; within 5 miles each side of the Brainerd VORTAC 302° radial extending from the 7-mile radius area to 21 miles northwest of the VORTAC; within 3 miles each side of the 198° bearing from Brainerd-Crow Wing County Airport, extending from the 7-mile radius area to 11½ miles south of the airport; and within 3 miles each side of the 043° bearing from the Brainerd-Crow Wing County Airport, extending from the 7-mile radius area to 7½ miles northeast of the airport; and that airspace extending upward from 1,200 feet above the surface within a 31½-mile radius of the VORTAC north of parallel 46°30' and west of V-161.

Breckenridge, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Stephens County Airport (latitude 32°43'01" N., longitude 98°53'34" W.) and within 3.5 miles each side of the 004° bearing from the Breckenridge RBN (latitude 32°44'50" N., longitude 98°53'27" W.) extending from the 5-mile radius area to 11.5 miles north of the RBN.

Brenham, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Brenham Municipal Airport (latitude 30°12'57" N., longitude 96°22'34" W.) and within 3 miles each side of the 341° bearing from the NDB (latitude 30°13'16" N., longitude 96°22'40" W.) extending from the NDB to 8 miles northwest.

AMENDMENTS 12/4/75 40 F. R. 48120 (Added)

Brewton, Ala.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Brewton Municipal Airport (lat. 31°03'00" N., long. 87°04'00" W.); within 5 miles each side of Crestview, Fla., VORTAC 303° radial, extending from the 6.5-mile radius area to 16 miles northwest of the VORTAC.

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Bridgeport, Conn.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of the center, latitude 41°09'48" N., longitude 73°07'34" W., of the Igor I. Sikorsky Memorial Airport, Bridgeport, Conn., extending clockwise from a 013° bearing to a 055° bearing from the airport within a 8.5-mile radius of the center of the airport extending clockwise from a 055° bearing to a 248° bearing from the airport; within an 11-mile radius of the center of the airport extending clockwise from a 248° bearing to a 291° bearing from the airport; within a 12.5-mile radius of the center of the airport extending clockwise from a 291° bearing to a 326° bearing from the airport; within a 13.5-mile radius of the center of the airport, extending clockwise from a 326° bearing to a 013° bearing from the airport; within 8.5 miles northwest and 4.5 miles southeast of the Bridgeport, Conn., VOR 042° radial extending from the Bridgeport, Conn., VOR to 17.5 miles northeast of the Bridgeport, Conn., VOR; within an 8.5-mile radius of the center, latitude 41°15'51" N., longitude 72°53' 15" W., of the Tweed-New Haven Airport, New Haven, Conn.; within 5 miles southeast and 5 miles northwest of the Hartford, Conn., VORTAC 222° radial extending from 32 miles southwest of the Hartford, Conn., VORTAC to 14 miles southwest of the Hartford, Conn., VORTAC; within 5 miles northeast and 5 miles southwest of the Pawling, N. Y., VORTAC 138° radial extending from 31 miles southeast to 44 miles southeast of the Pawling, N.Y., VORTAC; within 5 miles northwest and 5 miles southeast of the Carmel, N. Y., VORTAC 065° radial extending from the Carmel, N. Y., VORTAC to 28 miles northeast of the Carmel, N. Y., VORTAC; within 5 miles north and 5 miles south of the Carmel, N. Y., VORTAC 093° radial extending from the Carmel, N. Y., VORTAC to 28 miles east of the Carmel, N. Y., VORTAC. That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at: latitude 41°31'00" N., longitude 73°30'00" W., to latitude 41°31'00" N., longitude 73°20' 00" W., to latitude 41°49'00" N., longitude 73°16'00" W., to latitude 41°31'00" N., longitude 72°46'00" W., to latitude 41°18'00" N., longitude 72°30'30" W., to latitude 41°00'00" N., longitude 72°45'00" W., to latitude 41°00'00" N., longitude 73°33'00" W., to latitude 41°10'00" N., longitude 73°33'00" W., to latitude 41° 20'00" N., longitude 73°23'00" W., to latitude 41°25'00" N., longitude 72°30'00" W., to point of beginning.

Brigham City, Utah
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Brigham City Airport (latitude 41°32'30" N., longitude 112°03'30" W.), and within 4.5 miles each side of the 205° T (188°M) bearing from the Brigham City RBN (latitude 41°30'58" N., longitude 112°04'38" W.) extending from the 5-mile radius area to 8 miles southwest of the RBN.

Broken Bow, Nebr.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Broken Bow Municipal Airport (latitude 41°26'05" N., longitude 99°38'25" W.); and within 3 miles each side of the 321° bearing from Broken Bow Municipal Airport, extending from the 5½-mile radius area to 8 miles northwest of the airport.

AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

Brookhaven, Miss.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Brookhaven Municipal Airport (lat. 31°36'20" N., long. 90°24'00" W.).

Brookings, S. Dak.
That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of the Brookings, S. Dak., Municipal Airport (latitude 44°18'12" N., longitude 96°48'40" W.); within 4.5 miles northeast and 9.5 miles southwest of the Brookings VOR 316° radial extending from the 9.5-mile radius area to 18.5 miles northwest of the VOR; within 9.5 miles southwest of the Brookings VOR 300° radial extending from the 9.5-mile radius area to 18.5 miles northwest of the VOR; and that airspace extending upward from 1,200 feet above the surface within 4.5 miles southwest and 9.5 miles northeast of the Brookings VOR 118° radial extending from the 9.5-mile radius area to 18.5 miles southeast of the VOR.

Brooksville, Fla.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Hernando County Airport (lat. 28°28'12" N., long. 82°27'30" W.); within 3 miles each side of the 276° bearing from Brooksville RBN (lat. 28°28'25" N., long. 82°27'00" W.), extending from the 6.5-mile radius area to 8.5 miles west of the RBN.

AMENDMENTS 4/24/75 40 F. R. 8545 (Added) Corrj 40 F. R. 12253

Brownfield, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Brownfield, Tex., Terry County Airport (latitude 33°10'29" N., longitude 102°11'29" W.) and within 3.5 miles each side of a 200° bearing from the Brownfield nondirectional beacon (latitude 33°10'45" N., longitude 102°11'30" W.) extending from the 5-mile radius area to 8 miles south of the radio beacon.

Brownsville, Tex.
That airspace overlying the United States extending upward from 700 feet above the surface within a 7-mile radius of the Brownsville International Airport (latitude 25°54'25" N., longitude 97°25'25" W.).

Brownwood, Tex.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Brownwood Municipal Airport (latitude 31°47'40" N., longitude 98°57'25" W.); and within 2 miles each side of the Brownwood VOR 360° and 180° radials, extending from the 6-mile radius area to 8 miles N of the VOR.

Brunswick, Ga.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Malcolm-McKinnon Airport (lat. 31°09'05" N., long. 81°23'20" W.); within a 5-mile radius of Jekyll Island Airport (lat. 31°04'08" N., long. 81°25'40" W.); within 5 miles each side of Brunswick VOR 218° radial, extending from the Malcolm-McKinnon Airport 8.5-mile and Jekyll Island Airport 5-mile radius areas to 8.5 miles south of the VOR; within an 8.5-mile radius of Brunswick-Golden Isles Municipal Airport (lat. 31° 15'32" N., long. 81°27'59" W.); excluding the portion outside the continental limits of the United States.

AMENDMENTS 10/9/75 40 F. R. 30933 (Changed) Corrt 40 F. R. 33654 (eff. date changed to 9/4/75)

Brunswick, ME.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of NAS Brunswick (lat. 43°53'35" N., long. 69°56'20" W.); within 2 miles each side of the Navy Brunswick VOR 166° radial, extending from the 9-mile radius area to 12 miles south of the VOR.

Bryan, Ohio
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center (41°28'05" N., 84°30'25" W.) of Williams County Airport, Bryan, Ohio; within 2 miles each side of the Runway 25 centerline extended from the 7-mile radius area to 7 miles west of the end of the runway and within 2 miles each side of a 068° bearing from the Bryan, Ohio, RBN (41°28'47" N., 84°27'56" W.) extending from the RBN to 8 miles east of the RBN, excluding the portion which coincides with the Defiance, Ohio, transition area.

Bryce Canyon, UT.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Bryce Canyon Airport (latitude 37°42'00" N., longitude 112°09'30" W.) and within 2 miles each side of the Bryce Canyon, UT., VORTAC 085° radial, extending from the 5-mile radius area to the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 8 miles southeast and 9½ miles northwest of the Bryce Canyon VORTAC 240° and 060° radials, extending from 18½ miles southwest to 13 miles northeast of the VORTAC.

Buffalo, N. Y.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, 42°56'20" N., 78°43'50" W., of Greater Buffalo International Airport; within 2 miles each side of the Buffalo VORTAC 096° radial extending from the 8-mile radius area to 8 miles east of the VORTAC; within 8 miles northwest and 5 miles southeast of the Greater Buffalo International Airport northeast localizer course extending from the OM to 12 miles northeast of the OM; within 2 miles each side of the Greater Buffalo International Airport southwest localizer course extending from the 8-mile radius area to 8 miles southwest of the OM; within the arc of a 12-mile radius circle from 052° to 112° clockwise, centered on a point, 42°56'26" N., 78°44'11" W.; within an 8-mile radius of the center, 43°06'20" N., 78°56'55" W., of Niagara Falls International Airport; within 8 miles north and 5 miles south of the Niagara Falls International Airport localizer east course extending from the OM to 12 miles east of the OM; within 2 miles each side of the Niagara Falls International Airport localizer east course extending from the OM to the intersection of the localizer course and the Buffalo, N.Y. VORTAC 034° radial; within a 5.5-mile radius of the center latitude 43°01'15" N., longitude 78°29'08" W. of Akron Airport, Akron, N. Y.; within 2.5 miles each side of the Buffalo, N. Y., VORTAC 052° radial, extending from the 5.5-mile radius area to 17.5 miles northeast of the VORTAC; and within a 5-mile radius of Buffalo Airpark Airport, 42°51'45" N., 78°43'00" W.;
and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 43°21'00" N., longitude 78°00'00" W., to latitude 43°06'00" N., longitude 78°21'00" W., to latitude 42°32'00" N., longitude 78°21'00" W., to latitude 42°32'00" N., longitude 78°52'00" W., to latitude 42°37'00" N., longitude 79°15'00" W., to latitude 42°41'00" N., longitude 79°19'30" W., thence via the United States/Canadian border to longitude 78°00'00" W., thence south along longitude 78°00'00" W., to the point of beginning, excluding the portion outside the United States.

Buffalo, Wyo.
That airspace extending upward from 700 feet above the surface within a 8-mile radius of the Buffalo, Wyo., Airport (latitude 44°22'48" N., longitude 106°43'02" W.) and within 4.5 miles each side of the Crazy Woman, Wyo., VORTAC 332° radial, extending from the 8-mile radius area to 12 miles northwest of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 9.5 miles northeast and 5.5 miles southwest of the Crazy Woman VORTAC 332° radial, extending from 4 miles to 30 miles northwest of the VORTAC.

Bunkie, LA.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Bunkie Municipal Airport (latitude 30°57'28" N., longitude 92°14'02" W.).

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Burbank, Calif.

That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 34° 14' 00" N., longitude 118° 27' 00" W.; to latitude 34° 14' 00" N., longitude 118° 15' 00" W.; to latitude 34° 12' 00" N., longitude 118° 15' 00" W.; to latitude 34° 12' 00" N., longitude 117° 59' 00" W.; to latitude 33° 56' 00" N., longitude 118° 07' 00" W.; to latitude 34° 00' 00" N., longitude 118° 07' 00" W.; to latitude 34° 00' 00" N., longitude 118° 15' 00" W.; to latitude 34° 05' 00" N., longitude 118° 15' 00" W.; to latitude 34° 05' 00" N., longitude 118° 33' 00" W.; to latitude 34° 02' 30" N., longitude 118° 33' 00" W.; to latitude 34° 02' 30" N., longitude 118° 53' 30" W.; to latitude 34° 21' 30" N., longitude 118° 53' 00" W.; to latitude 34° 30' 30" N., longitude 118° 27' 00" W.; thence to point of beginning; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 34° 30' 00" N., longitude 118° 50' 00" W.; to latitude 34° 30' 00" N., longitude 118° 45' 00"W.; thence N along longitude 118° 45' 00" W. to the S boundary of V-137, thence along the S boundary of V-137 to longitude 118° 20' 00" W.; to latitude 34° 30' 00" N., longitude 118° 20' 00" W.; to latitude 34° 30' 00" N., longitude 117° 43' 00" W.; to latitude 34° 10' 00" N., longitude 117° 43' 00" W.; to latitude 34° 10' 00" N., longitude 117° 59' 00" W.; to latitude 34° 05' 00" N., longitude 117° 59' 00" W.; to latitude 34° 05' 00" N., longitude 118° 33' 00" W.; to latitude 34° 00' 00" N., longitude 118° 33' 00" W.; to latitude 34° 00' 00" N., longitude 118° 50' 00" W.; thence to point of beginning.

Burley, Idaho

That airspace extending upward from 700 feet above the surface within 5.5 miles each side of the Burley VORTAC 121° radial extending from the VORTAC to 27 miles southeast of the VORTAC; within 5.5 miles each side of the Burley VORTAC 292° radial, extending from the VORTAC to 19 miles west of the VORTAC; within that airspace bounded on the southwest by a line parallel to and 9.5 miles southwest of the Burley VORTAC 323° radial, on the northwest by an arc of a 53-mile radius circle centered on Burley VORTAC, on the north by a line parallel to and 10 miles north of V-500, on the east by a line parallel to and 11 miles east of Burley 344° radial; and within 2.5 miles southeast and 6 miles northwest of the 036° bearing from Burley Municipal Airport, extending 9.5 miles northeast of the Burley Airport; that airspace extending upward from 1,200 feet above the surface north of Burley bounded by a line 8 miles northwest of, and parallel to V-365 extending from the Burley VORTAC to the south edge of V-500; that airspace northeast of Burley bounded on the northeast by V-500, on the southeast by V-269, on the northwest by V-365; that airspace east of Burley bounded on the north by V-269 on the east by an arc of a 28-mile radius circle, centered on the Burley VORTAC, on the southwest by V-4; that airspace southeast of Burley bounded on the north by V-4, on the southeast by arc of a 33.5-mile circle centered on the Burley Municipal Airport (latitude 42°32'29" N., longitude 113°46'27" W.) on the southwest by the northeast edge of V-101; that airspace southwest of Burley within 14 miles southeast of the Burley VORTAC 223° radial, extending from the VORTAC to the north edge of V-484.

AMENDMENTS 1/30/75 39 F. R. 43197 (Changed)
AMENDMENTS 10/9/75 40 F. R. 30933 (Changed) Corr: 40 F. R. 36560

Burlington, Iowa

That airspace extending upward from 700 feet above the surface within an 8½-mile radius of Burlington Municipal Airport (latitude 40°46'55" N., longitude 91°07'40" W.); and within 2 miles each side of the 293° radial of the Burlington VORTAC extending from the 8½-mile radius area to the Burlington VORTAC.

Burlington, N. C.

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Burlington Municipal Airport (latitude 36°02'45" N., longitude 79°28'40" W.); within 3 miles each side of the Greensboro VORTAC 090° radial, extending from the 6.5-mile radius area to 17 miles east of the VORTAC.

Burlington, Vt.

That airspace extending upward from 700 feet above the surface within a 10-mile radius of the center, 44°28'15" N., 73°09'10" W., of Burlington International Airport, Burlington, Vt.; within 2 miles each side of the Burlington VOR 201° radial extending from the 10-mile radius to 8 miles south of the Burlington VOR; within 8 miles northeast and 5 miles southwest of the Burlington ILS northwest localizer course extending from the 10-mile radius to 12 miles northwest of the Burlington LOM; excluding that airspace that coincides with the Plattsburgh, N. Y., transition area.

That airspace extending upward from 1,200 feet above the surface within an area bounded by a line beginning at: 45°00'30" N., 72°00'00" W. to 44°55'00" N., 72°05'00" W. to 44°25'00" N., 72°20'00" W. to 43°55'00" N., 72°16'00" W. to 43°47'00" N., 72°39'00" W., 44°00'00" N., 73°16'00" W. to 44°00'00" N., 74°35'00" W. to 44°42'00" N., 74°54'00" W. to 44°42'00" N., 75°05'00" W. to 44°56'00" N., 75°05'00" W. thence easterly along the United States-Canadian Border to the point of beginning.

Burlington, Wis.

That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Burlington Municipal Airport (latitude 42°41'20" N., longitude 88°18'05" W.); and within 3 miles each side of the 101° bearing from the Burlington Municipal Airport extending from the 6½-mile radius area to 8 miles east of the airport.

Burnet, Tex.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Burnet Municipal-Kate Craddock Field (latitude 30°44'34" N., longitude 98°14'24" W.), and within 3.5 miles each side of the 191° bearing from the Burnet RBN (latitude 30°44'35" N., longitude 98°14'38" W.) extending from the 5-mile radius area to 10 miles south of the RBN.

Burwell, Nebr.

That airspace extending upward from 700 feet above the surface within a 7½-mile radius of Burwell Municipal Airport (latitude 41°46'35" N., longitude 99°08'55" W.); and within 3 miles each side of the 330° bearing from the Burwell Municipal Airport, extending from the 7½-mile radius area to 8 miles northwest of the airport.

AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

Butler, Mo.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Butler Memorial Airport (latitude 38°17'20" N., longitude 94°20'25" W.); and within 2 miles each side of the Butler, Mo., VORTAC 079° radial, extending from the 5-mile radius area to the VORTAC.

Butler, Pa.

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of the center, lat. 40°46'45" N., long. 79°57'15" W. of Butler-Graham Airport, Butler, Pa., and within 3.5 miles each side of the 181° bearing from the Butler RBN, lat. 40°41'54" N., long. 79°57'14" W., extending from the 7.5-mile radius area to 11.5 miles south of the RBN.

Butte, MT.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Butte VORTAC and within 6 miles southwest and 10 miles northeast of the VORTAC 325° radial, extending from the VORTAC to 11 miles northwest of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 4½ miles southwest and 9½ miles northeast of the VORTAC 325° radial extending from the VORTAC to 18.5 miles northwest of the VORTAC, and within 4½ miles west and 9½ miles east of the VORTAC 002° radial extending from the VORTAC to 18.5 miles north of the VORTAC, and within 10 miles north and 7 miles south of the Whitehall, Mont., VOR 096° and 276° radials, extending from 20 miles east of 19 miles west of the VOR.

Cadillac, Mich.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Cadillac, Mich., Municipal Airport (latitude 44°16'30" N., longitude 85°25'10" W.); and within 5 miles SE and 8 miles NW of the 238° bearing from Cadillac Airport, extending from the airport to 12 miles SW of the airport, excluding that portion which overlies the Reed City, Mich., transition area.

Cadis, Ohio

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Harrison County Airport (latitude 40°14'18" N., longitude 81°00'45" W.); within 3 miles each side of the 311° bearing from the airport, extending from the 7-mile radius area to 8 miles northwest of the airport.

AMENDMENTS 4/24/75 40 F. R. 5494 (Added)

Cairo, Ill.

That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Cairo Airport (latitude 37°03'50" N., longitude 89°13'15" W.); and within 3 miles each side of the 032° bearing from Cairo Airport, extending from the 5½-mile radius to 8 miles northeast of the airport; and that airspace extending upward from 1,200 feet above the surface within 4½ miles southeast and 9½ miles northwest of the 032° and 212° bearings from Cairo Airport extending from 6 miles southwest to 18½ miles northeast of the airport; and within 5 miles each side of the 212° bearing from Cairo Airport, extending from the airport to 12 miles southwest of the airport, excluding the portion which overlies the Sikeston, Mo., transition area, excluding the portion which overlies the State of Illinois.

Calverton, N. Y.

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Peconic River Plant (Grumman) Airport, (latitude 40°54'55" N., longitude 72°47'35" W.).

Cambridge, Md.

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, lat. 38°32'16" N., 76°01'47" W. of Cambridge Municipal Airport, Cambridge, Md.; and within 3 miles each side of the 145° bearing from the Cambridge, Md., RBN, 38°32'17" N., 76°01'56" W., extending from the 6.5-mile radius area to 8.5 miles southeast of the RBN.

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PENDING AMENDMENT
Cambridge, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Cambridge Municipal Airport (latitude 45°33'35" N., longitude 93°15'49" W.); and within 3 miles each side of the 173° bearing from the airport, extending from the 5-mile radius area to 8 miles south of the airport.

AMENDMENTS 12/11/75 40 F. R. 52608 (Added)

Cambridge, Ohio
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Cambridge Municipal Airport, Ohio (latitude 39°58'33" N., longitude 81°34'37" W.); and within 3 miles each side of the 214° bearing from the Cambridge Municipal Airport extending from the 5-mile radius to 8 miles southwest.

Camden, Ark.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Harrell Airport (latitude 33°37'00" N., longitude 92°45'45" W.) and within 2 miles each side of the 012° bearing from the Camden RBN (latitude 33°37'15" N., longitude 92°45'43" W.), extending from the 5-mile radius area to 8 miles north of the RBN and 2.5 miles each side of the El Dorado, Ark., VORTAC (33°15'21.7" N., 92°44'37.6" W.) 356° radial extending from the 5-mile radius area to 20 miles north of the El Dorado VORTAC.

Camden, S. C.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Woodward Field (latitude 34°17'03" N., longitude 80°33'53" W.); within 3 miles each side of the 040° bearing from Camden RBN (latitude 34°17'02" N., longitude 80°33'42.5" W.), extending from the 7-mile radius area to 8.5 miles northeast of the RBN.

Camp Douglas, Wis.
That airspace extending upward from 700 feet above the surface, within a 10-mile radius of Volk Field, Camp Douglas, Wis. (latitude 43°56'25" N., longitude 90°15'20" W.), and within 2 miles each side of the Volk Field VORTAC 092° radial extending from the 10-mile radius to 12 miles E of the VORTAC.

Camp McCoy, Wis.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of the McCoy Army Air Field (latitude 43°57'15" N., longitude 90°44'15" W.), excluding that portion that overlies the La Crosse, Wisconsin, transition area.

Camp Pendleton, Calif.
That airspace extending upward from 700 feet above the surface within 4.5 miles southeast and 3 miles northwest of the Camp Pendleton TACAN (latitude 33°18'04" N., longitude 117°21'06" W.) 041° radial, extending from the TACAN to 18 miles northeast of the TACAN.

Camp Ripley, Minn.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Ray S. Miller Army Air Field (latitude 46°05'00" N., longitude 94°21'10" W.).

Cape Girardeau, Mo.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Cape Girardeau Municipal Airport (latitude 37°13'31" N., longitude 89°34'15" W.); within 4.5 miles east and 9.5 miles west of the Cape Girardeau VOR 194° radial, extending from the 10-mile radius area to 18.5 miles south of the VOR, excluding the portion which overlies the Sikeston transition area.

AMENDMENTS 4/24/75 40 F. R. 10171 (Rewritten)

Carlsbad, N. Mex.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Cavern City Air Terminal (latitude 32°20'20" N., longitude 104°15'45" W.), and within 3.5 miles each side of the Carlsbad VOR 157° radial extending from the 7-mile radius area to 11 miles southeast of the VOR.

Carrizo Springs, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Dimmit County Airport (latitude 28°31'25" N., longitude 99°49'30" W.) and within 3 miles each side of the 124° bearing from the NDB (latitude 28°31'19" N., longitude 99°49'38" W.) extending from the NDB to 8.5 miles southeast.

AMENDMENTS 12/4/75 40 F. R. 47482 (Added)

Carroll, Iowa
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Arthur N. Neu Airport (latitude 42°02'50" N., longitude 94°47'20" W.); and within 3 miles each side of the 143° bearing from Arthur N. Neu Airport, extending from the 6½-mile radius area to 8 miles southeast of the airport.

Carrollton, Ga.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of West Georgia Regional Airport (latitude 33°37'47" N., longitude 85°09'13" W.); within 3 miles each side of the 169° bearing from Carrollton RBN (latitude 33°38'02" N., longitude 85°09'13" W.), extending from the 6.5-mile radius area to 8.5 miles south of the RBN.

Carrollton, Ohio
That airspace extending upward from 700 feet above the surface within an 8½-mile radius of the Carroll County-Tolson Airport (latitude 40°33'45" N., longitude 81°04'30" W.).

Cartersville, Ga.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Cartersville Airport (latitude 34°07'30" N., longitude 84°51'00" W.).

Carthage, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Panola County Airport (latitude 32°10'21" N., longitude 94°17'51" W.) and within 3 miles each side of the Gregg County VORTAC (latitude 32°25'03.3" N., longitude 94°45'10.5" W.) 122° radial, extending from the 5-mile radius area to 25 miles southeast of the Gregg County VORTAC.

AMENDMENTS 3/27/75 40 F. R. 4120 (Added)

Casper, Wyo.
That airspace extending upward from 700 feet above the surface within 4.5 miles north and 9.5 miles south of the Casper ILS localizer west course, extending from the OM to 18.5 miles west of the OM within 4 miles each side of the Casper ILS localizer east course, extending from the 5-mile radius zone to 3 miles east of the Casper RBN and within 2 miles each side of the Casper VORTAC 216° radial extending from 26 to 31 miles southwest of the VORTAC;
that airspace extending upward from 1,200 feet above the surface within a 35-mile radius of the Casper RBN and that airspace northwest of Casper extending upward from 11,500 feet MSL, extending from the 35-mile radius area to an arc of a 60-mile radius circle centered on the Casper VORTAC, bounded on the south by the north edge of V-298 and on the east by the west edge of V-19.

Cedar City, Utah
That airspace extending upward from 1,200 feet above the surface within 6 miles E and 10 miles W of the Cedar City VOR 184° and 004° radials extending from 8 miles S to 20 miles N of the VOR.

Cedar Rapids, Iowa
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Cedar Rapids Municipal Airport (latitude 41°53'05" N., longitude 91°42'35" W.); within 4½ miles north and 9½ miles south of the Cedar Rapids ILS localizer west course, extending from the OM to 18½ miles west of the OM; and within 4½ miles north and 9½ miles south of the Cedar Rapids VORTAC 264° radial, extending from the VORTAC to 18½ miles west of the VORTAC.

Cedar Springs, Ga.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Great Southern Airport (latitude 31°08'25" N., longitude 85°02'48" W.); within 2.5 miles each side of the Dothan VORTAC 115° radial, extending from the 6.5-mile radius area to 17 miles east of the VORTAC.

AMENDMENTS 12/4/75 40 F. R. 46304 (Added)

Cedartown, Ga.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Cornelius Moore Field (lat. 34°01'20" N., long. 85°08'50" W.); within 3 miles each side of Rome, Ga., VOR 009° and 189° radials, extending from the 8.5-mile radius area to 8.5 miles north of the VOR; excluding the portion within Rome, Ga., transition area.

Celina, Ohio
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, lat. 40° 28°00" N., long. 84°33'39" W., of Lakefield Airport, Celina, Ohio; within 3.5 miles each side of the 262° bearing from the Celina, RBN, lat. 40°28'35" N., long. 84°38'06" W., extending from the 7-mile radius area to 11.5 miles west of the RBN; and within 3.5 miles each side of the 282° bearing from the Celina RBN, extending from the 7-mile radius area to 8.5 miles west of the RBN.

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Centerville, Tenn.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Centerville Municipal Airport (latitude 35°50'15" N., longitude 87°26'45" W.); within 3 miles each side of Graham, Tenn., VOR 177° radial, extending from the 5.5-mile radius area to 8.5 miles south of the VOR.

Centralia, Ill.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Centralia Municipal Airport (latitude 38°30'40" N., longitude 89°05'35" W.); and within 2 miles each side of the Centralia VOR 031° radial, extending from the 5-mile radius area to the VOR.

Centre, Ala.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Centre Municipal Airport (latitude 34°09'40" N., longitude 85°38'05" W.).

Chadron, Nebr.
That airspace extending upward from 700 feet above the surface within a 14-mile radius of Chadron Municipal Airport (latitude 42°50'00" N., longitude 103°05'50" W.), and within 5 miles each side of the Chadron VOR 030° radial, extending from the 14-mile radius area to the VOR.

AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

Champaign, Ill.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the University of Illinois-Willard Airport (latitude 40°02'25" N., longitude 88°16'35" W.); within a 5½-mile radius of the Illinois Airport, Urbana, Ill. (latitude 40°08'31" N., longitude 88°12'00" W.) and within 8 miles southeast and 5 miles northwest of the Champaign VORTAC 030° radial extending from the VORTAC to 12 miles northeast of the VORTAC.

Chantilly, Va.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the center, 38°56'40" N., 77°27'24" W., of Dulles International Airport, within 3 miles each side of the Armel, Va., VORTAC 292° radial, extending from the VORTAC to 20 miles west; within 5 miles west and 6.5 miles east of the Dulles International Airport Runway 19R ILS localizer course, extending from the OM to 13 miles north; within 6.5 miles east and 4.5 miles west of the Dulles International Airport Runway 19L ILS localizer course extending from 5.5 miles south of the OM to 11.5 miles north of the OM; within 5 miles each side of the Martinsburg, W. Va. VORTAC 176° radial, extending from 15 miles south of the VORTAC to 28.5 miles south of the VORTAC; within 6.5 miles west and 4.5 miles east of the Dulles International Airport Runway 1R localizer course, extending from the OM to 11.5 miles south; within an 8-mile radius of the center of Leesburg Municipal Airport (Godfrey Field), Leesburg, Va., 39°04'37" N., 77°33'25" W.; within a 6.5-mile radius of the center, 38°43'30" N., 77°31'00" W., of Manassas Municipal Airport (Harry P. Davis Field), Manassas, Va., within 2.5 miles each side of a 330° bearing from a point 38°43'36" N., 77°31'17" W., extending from said point to 9.5 miles northwest.

AMENDMENTS 3/27/75 40 F. R. 4297 (Added)
AMENDMENTS 11/13/75 40 F. R. 48118 (Changed)

Chanute, Kans.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Chanute Martin Johnson Airport (latitude 37°40'05" N., longitude 95°29'10" W.).

AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)

Chariton, IA.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Chariton Municipal Airport (latitude 41°01'00" N., longitude 93°21'30" W.); and within 3 miles each side of the 352° bearing from the Chariton Municipal Airport extending from the 5-mile-radius area to 8 miles north of the airport.

Charles City, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Charles City Municipal Airport (latitude 43°04'15" N., longitude 92°36'15" W.); and within 3 miles each side of the 311° bearing from Charles City Municipal Airport, extending from the 5-mile radius area to 8 miles northwest of the airport.

Charleston, Mo.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Mississippi County Airport (latitude 36°50'22" N., longitude 89°21'42" W.); and within 3 miles each side of the 188° bearing from Charleston RBN (latitude 36°50'42" N., longitude 89°21'24" W.), extending from the 6.5-mile radius area to 8.5 miles south of the RBN, excluding that portion overlying the Sikeston transition area.
AMENDMENTS 4/24/75 40 F. R. 10171 (Added)

Charleston, S. C.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Charleston AFB/Municipal Airport (latitude 32°53'55" N., longitude 80°02'20" W.); within 3.5 miles each side of Charleston VORTAC 018°, 211°, and 332° radials, extending from the 9-mile radius area to 11.5 miles north; southwest and northwest of the VORTAC; within 3.5 miles each side of Charleston VORTAC 135° radial, extending from the 9-mile radius area to 10.5 miles southeast of the VORTAC; within a 6.5-mile radius of Johns Island Airport (lat. 32°42'00" N., long. 80°00'00" W.); within 3 miles each side of the 278° bearing from Johns Island RBN (lat. 32°42'09" N., long. 80°00'10" W.), extending from the 6.5-mile radius area to 8.5 miles west of the RBN.
AMENDMENTS 2/27/75 40 F. R. 1507 (Changed) Corr: 40 F. R. 4121

Charleston, WV.
That airspace extending upward from 700 feet above the surface within a 14-mile radius of the center, lat. 38°22'22" N., long. 81°35'35" W., of Kanawha Airport, Charleston, WV.; within 6.5 miles southwest and 5 miles northeast of a line bearing 321° from a point lat. 38°26'25" N., long. 81°39'50" W., extending from said point to 11.5 miles northwest; within 6.5 miles northeast and 5 miles southwest of a line bearing 141° from a point lat. 38°17'12" N., long. 81°30'30" W., extending from said point to 11.5 miles southeast; and within 8 miles northwest and 5 miles southeast of the Kanawha Airport ILS localizer northeast course, extending from the 14-mile radius area to 13 miles northeast of the OM.

Charlevoix, Mich.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Charlevoix Municipal Airport (latitude 45°18'17" N., longitude 85°16'08" W.) and within 3 miles each side of the 270° bearing from Charlevoix Municipal Airport, extending from the 5½-mile radius area to 8 miles west of the airport, and within 3 miles each side of the 69° bearing from Charlevoix Municipal Airport, extending from the 5½-mile radius area to 8 miles east of the airport.

Charlotte, Mich.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Fitch H. Beach Airport (latitude 42°34'30" N., longitude 84°48'45" W.); and within 2 miles each side of the Lansing, Mich., VOR 209° radial, extending from the 6-mile radius area to the VOR, excluding the portion which overlies the Lansing, Mich., 700-foot floor transition area.

Charlotte, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Douglas Municipal Airport (latitude 35°12'53" N., longitude 80°56'18" W.); within 3 miles each side of Charlotte VORTAC 058° radial, extending from the 8.5-mile radius area to 14 miles northeast of the VORTAC; within 9.5 miles west and 4.5 miles east of Charlotte VORTAC 171° radial, extending from the 5.5 NM DME Fix to 24 miles south of the VORTAC; within 9.5 miles northwest and 4.5 miles southeast of Charlotte VORTAC 223° radial, extending from the 5.5 NM DME Fix to 24 miles southwest of the VORTAC; within 9.5 miles northwest and 4.5 miles southeast of Charlotte ILS localizer southwest course, extending from the LOM to 18.5 miles southwest; within a 6.5-mile radius of Gastonia Municipal Airport, N. C. (latitude 35°12'00" N., longitude 81°09'05" W.); within a 6.5-mile radius of Rock Hill Municipal Airport, S. C. (latitude 34°59'05" N., longitude 81°03'30" W.); within a 7-mile radius of Jaars-Townsend Airport, Waxhaw, N. C. (latitude 34°51'50"N., longitude 80°44'50" W.); excluding the portion within Lancaster, S. C., transition area.

AMENDMENTS 8/14/75 40 F. R. 19809 (Changed)

Charlotte Amalie, St. Thomas, V. I. (Harry S. Truman Airport)
That airspace extending upward from 700 feet above the surface within an 11-mile radius of Harry S. Truman Airport (lat. 18°20'26" N., long. 64°58'11" W.); that airspace extending upward from 1,200 feet above the surface within a 15-mile radius of Harry S. Truman Airport; within 9.5 miles west and 4.5 miles east of St. Thomas VOR 358° radial, extending from the 15-mile radius area to 18.5 miles north of the VOR.

Charlottesville, VA.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, lat. 38°08'25" N., long. 78°27'09" W. of Charlottesville-Albemarle Airport, Charlottesville, VA., extending clockwise from a 340° bearing to a 072° bearing from the airport; within an 11.5-mile radius of the center of the airport, extending clockwise from a 072° bearing to a 166° bearing from the airport; within a 13-mile radius of the center of the airport, extending clockwise from a 166° bearing to a 233° bearing from the airport; within a 12.5-mile radius of the center of the airport, extending clockwise from a 233° bearing to a 280° bearing from the airport; within a 19.5-mile radius of the center of the airport, extending clockwise from a 280° bearing to a 340° bearing from the airport and within 3 miles each side of the 202° bearing from the Charlottesville RBN, extending from the 13-mile radius arc to 8.5 miles south of the RBN, excluding the portion that coincides with the Woyers Cave, VA., transition area.

Chase City, Va.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center of Chase City Municipal Airport, Chase City, Va. (lat. 36°47'18" N., long. 78°30'05" W.); and within 3 miles each side of a 179° bearing from the Chase City, Va., radio beacon (lat. 36°47'21" N., long. 78°30'05" W.), extending from the 5.5-mile radius area to 8 miles south of the radio beacon.
AMENDMENTS 10/23/75 40 F. R. 36763 (Added)

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Chattanooga, Tenn.
That airspace extending upward from 700 feet above the surface within a 15-mile radius of Lovell Field (latitude 35°02'05" N., longitude 85°12'10" W.), extending clockwise from the 030° to the 210° bearing from Lovell Field; within a 19-mile radius of Lovell Field, extending clockwise from the 210° to the 030° bearing from Lovell Field; within a 6.5-mile radius of Hardwick Field, Cleveland, Tenn. (lat. 35°13'20" N., long. 84°49'58" W.); within 3 miles each side of the 224° bearing from Hardwick RBN (lat. 35°09'13" N., long. 84°54'21" W.), extending from the 6.5-mile radius area to 8.5 miles southwest of the RBN.

Cheraw, S. C.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Cheraw Municipal Airport (latitude 34°42'45" N., longitude 79°57'35" W.); within 2 miles each side of the Chesterfield VOR 077° radial extending from the 5-mile radius area to the VOR; within 2 miles each side of the 251° bearing from the Cheraw RBN (lat. 34°44'47" N., long. 79°50'40" W.), extending from the 5-mile radius area to the RBN.

AMENDMENTS 12/4/75 40 F. R. 46305 (Changed)

Cherokee, Wyo.
That airspace extending upward from 1,200 feet above the surface within 9 miles south and 6 miles north of the Cherokee, Wyo., VORTAC 261° radial extending from 8 miles east to 19 miles west of the VORTAC; and that airspace east of the Cherokee VORTAC within an arc of a 37-mile radius circle centered on the Cherokee VORTAC bounded on the north by the north edge of V-26 and on the south by the south edge of V-4, excluding that airspace within the Rawlins, Wyo., transition area.
AMENDMENTS 1/2/75 39 F. R. 37970 (Rewritten)

Cherokee Village, Ark.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Cherokee Village Airport (latitude 36°15'49" N., longitude 91°33'55" W.), within 3.5 miles each side of the 223° bearing from the Cherokee Village RBN (latitude 36°15'55" N., longitude 91°33'48" W.) extending from the 8-mile radius area to 11 miles southwest of the RBN.

Cherry Point MCAS, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Cherry Point MCAS (latitude 34°54'30" N., longitude 76°53'00" W.); within a 6-mile radius of Beaufort-Morehead City Airport, Beaufort, N. C., (latitude 34°44'00" N., longitude 76°39'45" W.); within 3 miles each side of the 132° bearing from Marine Cherry Point RBN, extending from the 6-mile radius area to the 8.5-mile radius area; excluding the portion within the New Bern, N. C., transition area.

Chester, Conn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center. 41°23'01" N., 72°30'20" W. of Chester Airport, Chester, Conn., and within 2 miles each side of the Madison VOR 062° radial extending from the 5-mile radius to the VOR.

Chester, S. C.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Chester Municipal Airport (lat. 34°47'18" N., long. 81°11'45" W.).

Chesterfield, Mo.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Spirit of St. Louis Airport (latitude 38°39'35" N., longitude 90°38'45" W.); within 3½ miles each side of the Maryland Heights, Missouri VORTAC 310° radial, extending from the 9-mile radius area to 12 miles northwest of the VORTAC; within 5 miles each side of the Maryland Heights VORTAC 241° radial, extending from the 9-mile radius area to 16½ miles southwest of the VORTAC; and within 2½ miles each side of the Spirit of St. Louis ILS localizer west course, extending from the 9-mile radius area to 8 miles west of the OM, excluding the portion which overlies the St. Louis, Mo., 700-foot floor transition area.

Chesterfield, Va.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center 37° 24'25" N., 77°31'18" W. of Chesterfield County Airport, Chesterfield, Va., and within 2.5 miles each side of the Flat Rock, Va., VORTAC 117° radial, extending from the 5.5-mile radius area to 12.5 miles southeast of the VORTAC.

Cheyenne, Wyo.
That airspace extending upward from 700 feet above the surface within a 14-mile radius of the Cheyenne Municipal Airport (latitude 41°09'20" N., longitude 104°48'30" W.), and within 6 miles southeast and 8 miles northwest of the Cheyenne VORTAC 029° radial, extending from the 14-mile radius area to 14 miles northeast of the VORTAC; that airspace extending upward from 1,200 feet above the surface bounded on the NE by V-6, on the SE by V-207, on the SW by V-4N and on the NW by V-524, and that airspace NW of Cheyenne within 7 miles NE and 10 miles SW of the Cheyenne VORTAC 305° radial, extending from the VORTAC to 47 miles NW of the VORTAC, excluding the portions within the Laramie, Wyo. transition area.

Chicago, Ill.
That airspace extending upward from 700 feet above the surface within an area bounded by a line beginning at latitude 42°29'00" N., longitude 88°30'00" W., to latitude 42°29'00" N., longitude 88°03'00" W., to latitude 42°40'00" N., longitude 88°03'00" W., to latitude 42°43'00" N., longitude 87°57'00" W., to latitude 42°30'00" N., longitude 87°35'00" W., to latitude 41°55'00" N., longitude 87°19'00" W., to latitude 41°38'00" N., longitude 87°19'00" W., to latitude 41°33'00" N., longitude 87°10'00" W., to latitude 41°28'00" N., longitude 87°14'00" W., to latitude 41°22'00" N., longitude 87°40'00" W., to latitude 41°22'00" N., longitude 88°30'00" W., to latitude 41°41'00" N., longitude 88°30'00" W., to latitude 41°53'00" N., longitude 88°50'00" W., to latitude 42°01'00" N., longitude 88°50'00" W., to latitude 42°01'00" N., longitude 88°40'00" W., to latitude 42°15'00" N., longitude 88°40'00" W., to latitude 42°15'00" N., longitude 88°25'00" W., to latitude 42°21'00" N., longitude 88°30'00" W., to point of beginning.

AMENDMENTS 8/4/75 40 F. R. 32741 (Changed)

Chico, Calif.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Chico Municipal Airport (latitude 39°47'45" N., longitude 121°51'25" W.) and within 2 miles each side of the Chico VOR 316° radial, extending from the 5-mile radius area to 8 miles northwest of the VOR, and that airspace within 2 miles each side of the Chico VOR 165° radial extending from the 5-mile radius area to 12 miles south of the VOR, excluding the portion within a 1-mile radius of the Ranchero Airport (latitude 39°43'10" N., longitude 121°52'10" W.

Chicopee Falls, Mass.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of the center, 42°11'40" N., 72°32'15" W., of Westover AFB, Chicopee Falls, Mass.; within 7 miles each side of the Chicopee Falls, Mass., ILS localizer NE course extending from the 12-mile radius area to 13 miles NE of the outer marker and within a 10-mile radius of the center, 42°09'25" N., 72°42'50" W. of Barnes Municipal Airport, Westfield, Mass., and within that airspace bounded by a line beginning at 42°11'50" N., 72°54'10" W. to 42°32'20" N., 72°49'20" W. to 42°30'00" N., 72°32'00" W. to 42°24'45" N.; 72°34'00" W. to 42°24'50" N.; 72°33'25" W. to 42°22'00" N.; 72°34'00" W., thence to the point of beginning; within a 6.5-mile radius of the center lat. 42°19'45" N., long. 72°37'00" W., of La Fleur Airport, Northampton, Mass.; within 3.5 miles each side of the Chester, Mass. VOR 082° radial, extending from the 6.5-mile radius area to the Chester, Mass. VOR, excluding the portion which coincides with the Hartford, Conn., transition area.
That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at: 42°55'00" N. 72°00'00" W. to 42°05'00" N., 72°00'00" W. to 41°55'00" N., 71°59'00" W. to 42°02'00" N., 72°07'00" W. to 42°02'00" N., 73°16'00" W. to 43°11'00" N., 72°39'00" W. to 43°05'00" N., 72°13'00" W. to point of beginning.

Childress, Tex.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Childress Municipal Airport (latitude 34°25'55" N., longitude 100°17'45" W.);

Chillicothe, Mo.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Chillicothe Municipal Airport (latitude 39°46'45" N., longitude 93°30'00" W.); and within 3 miles either side of the 337° bearing from the MHW facility extending from the 5-mile radius to 8.5 miles northwest, and that airspace extending upward from 1,200 feet above the surface 5 miles southwest and 9.5 miles northeast of the 337° bearing from the Chillicothe MHW faciltiy extending from 6.5 miles southeast to 18.5 miles northwest of the Chillicothe MHW facility, excluding that portion which overlies the Trenton, Missouri, transition area.

China Lake NAF, Calif.
That airspace extending upward from 700 feet above the surface within 2 miles each side of the NAF China Lake TACAN 350° radial extending from 8 miles to 12 miles N of the TACAN and within 2 miles each side of the NAF China Lake TACAN 118° radial extending from 8 miles to 11 miles SE of the TACAN.

Chincoteague, Va.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of NASA Wallops Station Airport, Chincoteague, Va. (latitude 37°56'15" N., longitude 75°28'15" W.).

Christiansted, St. Croix, V. I.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Alexander Hamilton Airport (lat. 17°42'13" N., long. 64°47'54" W.); within 3 miles each side of St. Croix VOR 068° radial, extending from the 8.5-mile radius area to 8.5 miles east of the VOR; and that airspace extending upward from 1,200 feet above the surface within a 15-mile radius of Alexander Hamilton Airport; within 9.5 miles north and 4.5 miles south of the St. Croix VOR 068° radial, extending from the 15-mile radius area to 18.5 miles east of the VOR; within 9.5 miles south and 4.5 miles north of the ILS localizer west course, extending from the 15-mile radius area to 18.5 miles west of the LOM.

AMENDMENTS 4/24/75 40 F. R. 8327 (Rewritten)

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Cincinnati, Ohio
That airspace extending upward from 700 feet above the surface within an 11.5-mile radius of Greater Cincinnati Airport (lat. 39°02'56" N., long. 84°39'41" W.); within 9.5 miles east and 4.5 miles west of Runway 36 ILS localizer south course, extending from the 11.5-mile radius area to 18.5 miles south of the LOM; within 3 miles each side of Runway 9R ILS localizer west course, extending from the 11.5-mile radius area to 8.5 miles west of Burlington RBN; within a 12-mile radius of Cincinnati
Municipal-Lunken Field Airport (lat. 39°06'14" N., long. 84°25'18" W.); within 3 miles each side of the 044° bearing from Lunken RBN, extending from the 12-mile radius area to 8.5 miles northeast of the RBN; within a 5½-mile radius of Clermont
County Airport, Batavia, OH. (latitude 39°04'43" N., longitude 84°12'38" W.); within a 5-mile radius of the Blue Ash Airport, Cincinnati, OH. (latitude 39°14'50" N., longitude 84°23'14" W.) and within 3 miles each side of the 046° bearing from the Blue Ash Airport from the 5-mile radius area to 7 miles northeast.
AMENDMENTS 12/24/74 40 F. R. 1038 (Changed)

Circleville, OH.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of the Pickaway County Memorial Airport (latitude 39°31'00" N., longitude 82°58'55" W.) excluding the portion which lies within the Lockbourne AFB transition area.

Claremont, N. H.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Claremont Municipal Airport (latitude 43°22'15" N., longitude 72°22'00" W.); within 6.5 miles south and 4.5 miles north of the Claremont NDB (latitude 43°21'50" N., longitude 72°17'57" W.), 097° and 277° bearings from the NDB, extending from 12 miles east to 6 miles west of the NDB, excluding that portion within the Lebanon, N. H., and Springfield, Vt., transition areas.

Clarinda, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Clarinda Municipal Airport (latitude 40°43'30" N., longitude 95°01'30" W.); within 3 miles each side of the 169° bearing from the Clarinda Municipal Airport extending from the 5-mile radius to 8 miles south of the airport; and that airspace extending upward from 1,200 feet above the surface within 4½ miles west and 9½ miles east of the 169° bearing of the Clarinda Municipal Airport to 18½ miles south of the airport.

Clarksburg, WV.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center, lat. 39°17'44" N., long. 80°13'46" W., of Benedum Airport; within 5 miles each side of the Clarksburg VOR 219° radial, extending from the 8.5-mile radius area to 11.5 miles southwest of the VOR and within 5 miles each side of the Benedum Airport ILS localizer northeast course, extending from the 8.5-mile radius area to 10 miles northeast of the OM.

Clarksdale, Miss.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Fletcher Field (latitude 34°17'45" N., longitude 90°30'50" W.); within 3 miles each side of the 010° and 163° bearings from the Clarksdale RBN (latitude 34°17'33" N., longitude 90°30'57" W.), extending from the 6.5-mile radius area to 8.5 miles north and south of the RBN.

Clearfield, Pa.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center, 41° 02'57" N., 78°24'53" W., of Clearfiedl-Lawrence Airport, Clearfield, Pa., within a 10-mile radius of the center of the airport, extending clockwise from a 134° bearing to a 238° bearing from the airport; within an 11.5-mile radius of the center of the airport, extending clockwise from a 238° bearing to a 057° bearing from the airport.

AMENDMENTS 1/30/75 39 F. R. 42342 (Added) (Corr: 40 F. R. 5756 - eff. date changed to 3/20/75)

Clemson, S. C.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Clemson-Oconee County Airport (latitude 34°40'22" N., longitude 82°53'07" W.); within 3 miles each side of the 099° bearing from the Oconee RBN (latitude 34°40'25" N., longitude 82°53'13" W.), extending from the 5-mile radius area to 8.5 miles east of the RBN;
within a 6.5-mile radius of Pickens County Airport (lat. 34°48'55" N., long. 82°41'55" W.); within 3 miles each side of the 229° bearing from Pickens RBN (lat. 34°48'32" N., long. 82°42'06" W.), extending from the 6.5-mile radius area to 8.5 miles southwest of the RBN; excluding that portion within Anderson transition area.
AMENDMENTS 8/7/75 40 F. R. 30465 (Changed)
AMENDMENTS 8/14/75 40 F. R. 26019 (Changed)

Cleveland, Miss.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Cleveland Municipal Airport (lat. 33°45'30" N., long. 90°45'15" W.); within 3 miles each side of the 355° bearing from Renova RBN (lat. 33°48'25" N., long. 90°45'45" W.), extending from the 6.5-mile radius area to 8.5 miles north of the RBN.

Cleveland, Ohio
That airspace extending upward from 700 feet above the surface within a 12.5-mile radius of the center (41°24'30" N., 81°51'00" W.), of Cleveland-Hopkins International Airport, Cleveland, Ohio; within 3 miles each side of the Cleveland-Hopkins International Airport Runway 18-R centerline, extended from the 12.5-mile radius area to 14.5 miles south of the end of the runway; within 3 miles each side of the 230° bearing from the Gilbert, Ohio, RBN extending from the 12.5-miles radius area to 5 miles southwest of the RBN; within 3 miles each side of the Cleveland-Hopkins International Airport Runway 28-R centerline, extended from the 12.5-mile radius area to 13 miles west of the end of the runway; within the area bounded by a line beginning at a point on the Cleveland, Ohio, VORTAC 041° radial 20 miles northeast of the VORTAC, thence along a line bearing 052° from this point to its intersection with the arc of a 15-mile radius circle centered on Lost Nation Airport, Willoughby, Ohio (41°41'00" N., 81°23'20" W.), thence clockwise along the arc of the 15-mile radius circle to its intersection with the arc of a 9-mile radius circle centered on Casement Airport, Painesville, Ohio (41°44'05" N., 81°13'25" W.), thence clockwise along the arc of the 9-mile radius circle to its intersection with the arc of a 7.5-mile radius circle centered on Concord Airpark, Painesville, Ohio (41°40'00" N., 81° 12'00" W.), thence clockwise along the arc of the 7.5-mile radius circle to its point of intersection with a line 2 miles east and parallel to the Chardon VORTAC 350° radial, thence south along this parallel line to its point of intersection with the Chardon VORTAC 080° radial, thence west along the Chardon VORTAC 080° radial to the Chardon VORTAC, thence southeast along the Chardon VORTAC 145° radial to a point 2 miles southeast of the VORTAC, thence southwest along a line 2 miles southeast and parallel to the Chardon VORTAC 235° radial commencing at the point of intersection of this parallel line and the Chardon VORTAC 145° radial to the point of intersection with the arc of a 5.5-mile radius circle centered on Chagrin Falls Airport, Chagrin Falls, Ohio (41°25'45" N., 81°19'50" W.), thence clockwise along the arc of the 5.5-mile radius circle to the point of intersection of the 5.5-mile arc with a line bearing 180° from a point 41°28'45" N., 81°19'50" W., thence direct to the intersection of a line bearing 128° from latitude 41°24'35" N., longitude 81°41'25" W., and the arc of a 12.5-mile radius circle centered on the Cleveland-Hopkins International Airport, thence to the point of beginning.

Cleveland, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Cleveland Municipal Airport (latitude 30°21'30" N., longitude 95°00'29" W.), and within 2.5 miles each side of the Daisetta, Tex., VORTAC 298° radial extending from the 5-mile radius to 19.5 miles northwest of the VORTAC.

Clifton, Tenn.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Hassell Field (lat. 35°23'00" N., long. 87°58'00" W.).

Clinton, Iowa
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Clinton Municipal Airport (latitude 41°49'55" N., longitude 90°19'45" W.); within 2 miles each side of the Davenport VORTAC 043° radial, extending from the 7-mile radius area to the VORTAC; and within 8 miles southwest and 5 miles northeast of the 324° bearing from Clinton Municipal Airport, extending from the airport to 12 miles northwest of the airport.

AMENDMENTS 1/30/75 39 F. R. 41966 (Rewritten)

Clinton, Mo.
That airspace extending upward from 700 feet above the surface within 5 miles of the Clinton, Missouri, Airport (latitude 38°21'27" N., longitude 93°40'54" W.); within 3 miles each side of the 054° bearing from the Clinton Memorial Airport extending from the 5-mile radius to 8 miles northeast of the airport; and within 3 miles each side of the 217° bearing from the Clinton Memorial Airport extending from the 5-mile radius to 8 miles southwest of the airport.

AMENDMENTS 12/4/75 40 F. R. 47104 (Rewritten)

Clinton, N. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Sampson County Airport (lat. 34°58'46" N., long. 78°21'48" W.); within 3 miles each side of the 247° bearing from Clinton RBN (lat. 34°58'31" N., long. 78°21'48" W.), extending from the 6.5-mile radius area to 8.5 miles southwest of the RBN.

Clinton, Okla. (Clinton-Sherman Airport)
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Clinton-Sherman Airport (latitude 35°20'25" N., longitude 99°12'00" W.), and within 8 miles west and 5 miles east of the extended centerline of Clinton-Sherman Runways 17 and 35 extending from the 8-mile radius area to 20 miles north and 18 miles south of the ends of the runways excluding the portion within the Hobart, Okla., and Elk City, Okla., transition areas.

AMENDMENTS 1/30/75 40 F. R. 3760 (Changed)

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Clinton, Okla. (Clinton Municipal Airport)
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Clinton Municipal Airport (lat. 35°32'15" N., long. 98°56'00" W.), and within 3.5 miles each side of the 171° bearing from the Clinton RBN (lat. 35°32'00" N., long. 98°56'02" W.) extending from the 5-mile radius area to 11.5 miles south of the RBN.

Clintonville, Wis.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Clintonville Municipal Airport (latitude 44°36'50" N., longitude 88°43'52" W.).

Cloquet, Minn.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Cloquet-Carlton County Airport (latitude 46°42'10" N., longitude 92°30'20" W.); within 3 miles each side of the 355° bearing from the Cloquet-Carlton County Airport extending from the 6½-mile radius to 8 miles north of the airport; within 3 miles each side of the 175° bearing from the Cloquet-Carlton County Airport extending from the 6½-mile radius area to 8 miles south of the airport.

Clovis, N. Mex.
That airspace extending upward from 700 feet above the surface within a 23-mile radius of Cannon AFB, Clovis, N. Mex. (lat. 34°23'01" N., long.103°18'58" W.); within 7.5 miles north and 3 miles south of the Texico VORTAC 254° and 074° radials, extending from the 23-mile radius area to 1.5 miles east of the Texico VORTAC; and within 3.5 miles each side of the Portales NDB (lat. 34°10'45" N., long. 103°22'33" W.) 202° bearings extending from the 23-mile radius area to 12 miles south of the NDB.

Coaldale, Nev.
That airspace extending upward from 10,500 feet MSL within 9 miles northeast and 6 miles southwest of the Coaldale VORTAC 146° and 326° radials, extending from 17 miles southeast to 7 miles northwest of the VORTAC.

Coatesville, Pa.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center 39°58' 40" N., 75°51'44" W., of Chester County, G. O. Carlson Airport, Coatesville, Pa., extending clockwise from a 024° bearing to a 231° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 231° bearing to a 024° bearing from the airport; within 3.5 miles each side of a 283° bearing from the Coatesville RBN (39°59'32" N., 75°56'32" W.), extending from the 6-mile radius arc to 11.5 miles west of the RBN; within 4.5 miles south and 6.5 miles north of the Modena VORTAC 095° and 275° radials, extending from 11.5 miles east to 5.5 miles west of the VORTAC; within 5 miles each side of the Modena VORTAC 293° radial extending from the VORTAC to 11 miles northwest of the VORTAC, excluding the portion that coincides with the Toughkenamon, Pa., transition area.

Cochise, Ariz.
That airspace extending upward from 1,200 feet above the surface within 10 miles N and 7 miles S of the Cochise VOR 098° and 276° radials, extending from 9 miles W to 20 miles E of the VOR.

Cochran, Ga.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Cochran Airport (lat. 32°23'45" N., long. 83°16'45" W.); within 2.5 miles each side of Vienna VORTAC 046° radial, extending from the 5-mile radius area to 12.5 miles northeast of the VORTAC.

Cody, Wyo.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Cody Municipal Airport, Cody, Wyo. (latitude 44°31'09" N., longitude 109°01'25" W.), within 3 miles each side of the Cody VOR 022° and 202° radials, extending from the 8-mile radius area to 8.5 miles north of the VOR; that airspace extending upward from 1,200 feet above the surface within 8 miles west and 9.5 miles east of the Cody VOR 022° and 202° radials, extending from 2.5 miles south to 18.5 miles north of the VOR.

Coffeyville, KS.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Coffeyville, KS., Municipal Airport (latitude 37°05'45" N., longitude 95°34'25" W.); and within 3 miles either side of the 163° bearing from the airport extending from 7 miles to 8 miles south of the airport.

Colby, Kans.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Colby Municipal Airport (latitude 39°25'30" N., longitude 101°02'00" W.), and within 3 miles each side of the 180° bearing from the Colby Municipal Airport, extending from the 5½-mile radius area to 8 miles north of the airport.

AMENDMENTS 4/24/75 40 F. R. 10171 (Rewritten)
AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

Cold Bay, Alaska
That airspace extending upward from 1,200 feet above the surface within a 16.5-mile radius of the Cold Bay VORTAC, extending clockwise from the 253° radial to the 041° radial; within 7 miles southeast of the Cold Bay VORTAC 041° radial, extending from the VORTAC to 16.5 miles northeast of the VORTAC; within 7 miles south of the Cold Bay VORTAC 253° radial, extending from the VORTAC to 16.5 miles west of the VORTAC; within 5 miles west and 11.5 miles east of the Cold Bay VORTAC 335° radial, extending from the VORTAC to 20 miles north of the VORTAC, and within 8.5 miles west and 5 miles east of the Cold Bay VORTAC 150° radial, extending from 18 to 29 miles south of the VORTAC.

Coldwater, Mich.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Branch County, Memorial Airport (latitude 41°56'05" N., longitude 85°02'55" W.), within 2 miles each side of the Litchfield, Mich. VORTAC 239° radial extending from the 5-mile radius area to 8 miles northeast of the airport, and within 2 miles each side of the 209° bearing from the Branch County Memorial Airport extending from the 5-mile radius area to 8 miles southwest of the airport.

College Station, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Easterwood Field (latitude 30°35'19" N., longitude 96°21'54" W.); within 2 miles each side of the College Station VORTAC 107° radial extending from the 5-mile radius area to 18 miles east of the VORTAC; within 3.5 miles each side of the College Station northwest localizer course extending from the 5-mile radius area to 13 miles northwest of the localizer site (latitude 30°35'59" N., longitude 96°21'48.3" W.); within 1.5 miles each side of the southeast localizer course extending from the 5-mile radius area to 7 miles southeast of the localizer site; within a 5-mile radius of Coulter Field (latitude 30°43'00" N., longitude 96°19'45" W.); within 2 miles each side of the College Station VORTAC 025° radial extending from the 5-mile radius area of Coulter Field to 15 miles northeast of the College Station VORTAC.

AMENDMENTS 12/4/75 40 F. R. 44808 (Rewritten)

Colorado Springs, Colo.
That airspace extending upward from 700 feet above the surface within a 20-mile radius of Peterson Field, Colorado Springs, Colo. (latitude 38°48'35" N., longitude 104°42'20" W.), and within 5 miles west and 8 miles east of the Colorado Springs ILS localizer north course, extending from the 20-mile radius area to 21 miles north of the localizer, excluding the portion west of longitude 104°52'00" W.; that airspace extending upward from 1,200 feet above the surface bounded on the south by latitude 38°30'00" N., on the west by longitude 104°52'00" W., on the north by latitude 39°05'00" N., on the east by the west edge of V-263, on the southeast by the southeast boundary of V-108S and longitude 104°00'00" W.; that airspace northwest of Colorado Springs bounded on the north by latitude 39°05'00" N., on the east by longitude 104°52'00" W. and on the southwest by a line 5 miles southwest of and parallel to the Colorado Springs VORTAC 307° radial; that airspace southwest of Colorado Springs bounded on the north by a line beginning at latitude 38°35'00" N., longitude 105°10'00" W., to latitude 38°40'00" N., longitude 104°52'00" W., on the east by longitude 104°52'00" W., on the south by the north edge of V-244 and on the west by longitude 105°10'00" W.; that airspace southwest and northwest of Colorado Springs extending upwards from 11,700 feet MSL bounded on the north by a line beginning at latitude 38°30'00" N., longitude 105°27'00" W., to latitude 38°35'00" N., longitude 105°10'00" W., on the east by longitude 105°10'00" W., on the south by the north edge of V-244 and on the west by longitude 105°27'00" W., and that airspace bounded on the north by latitude 39°05'00" N., on the northeast by a line 5 miles southwest of and parallel to the Colorado Springs VORTAC 307° radial on the east by longitude 104°52'00" W., on the south by latitude 38°55'00" N., and on the west by longitude 105°20'00" W.

Columbia, MO.
That airspace extending upward from 700 feet above the surface and within a 5-mile radius of the E.W. Cotton Woods Memorial Airport (latitude 39°00'15" N., longitude 92°17'45" W.); and within an 8½-mile radius of Columbia Regional Airport (latitude 38°48'49" N., longitude 92°13'12" W.); within 2½ miles each side of the Hallsville, Mo., VORTAC 193° radial extending from the 8½-mile radius area to 10 miles south of the VORTAC; excluding the portion which overlies the Jefferson City, Mo., 700-foot floor transition area.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Columbia, S. C.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of Columbia Metropolitan Airport (lat. 33°56'25.9" N., long. 81°07'11.2" W); within 9.5 miles southwest and 4.5 miles northeast of Columbia VORTAC 147° radial, extending from the 11-mile radius area to 18.5 miles southeast of the VORTAC; within 9.5 miles south and 4.5 miles north of Columbia ILS localizer west course, extending from the 11-mile radius area to 18.5 miles west of the LOM.

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Columbus, Ga.
That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of Columbus Metropolitan Airport (lat. 32°30'55" N., long. 84°56'25" W.); within a 10-mile radius of Lawson AAF (lat. 32°20'20" N., long. 84°59'35" W.); within 1.5 miles each side, expanding in width to 5 miles each side of Columbus ILS localizer northeast course, extending from the intersection of the Columbus VOR 102° radial to 11.5 miles northeast; within 9.5 miles southwest and 4.5 miles northeast of Lawson AAF ILS localizer southeast course, extending from the 10-mile radius area to 12 miles southeast of Louvale RBN; within 9.5 miles southwest and 4.5 miles northeast of Columbus VOR 149° and 329° radials, extending from the 10.5-mile radius area to 18.5 miles northwest of the VOR; within 4 miles each side of Lawson VOR 339° radial, extending from the 10-mile radius area to 20.5 miles north of the VOR.

Columbus, Miss
That airspace extending upward from 700 feet above the surface within a 17.5-mile radius of Columbus AFB (latitude 33°38'38" N., longitude 88°26'39" W.); within an 8-mile radius of Monroe County Airport (latitude 33°52'20" N., longitude 88°28'25" W.); within an 8-mile radius of Columbus-Lowndes County Airport (latitude 33°27'52" N., longitude 88°22'50" W.); within 4.5 miles north and 9.5 miles south of the Columbus VORTAC 281° radial, extending from the
VORTAC to 18.5 miles west; within an 8.5-mile radius of Golden Triangle Regional Airport (lat. 33°26'48" N., long. 88°35'30" W.).

Columbus, Nebr.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Columbus Municipal Airport (latitude 41°26'50" N., longitude 97°20'25" W.), and within 8 miles NE and 5 miles SW of the Columbus VOR 141° radial extending from the VOR to 12 miles SE, and within 8 miles W and 5 miles E of the Columbus VOR 340° radial extending from the VOR to 12 miles N and within 8 miles SW and 5 miles NE of the 330° and 150° bearings from the Columbus RBN extending from 2 miles SE of the RBN to 12 miles NW of the RBN.

Columbus, Ohio
That airspace extending upward from 700 feet above the surface within an 11.5-mile radius of the center, lat. 39°59'41" N., long. 82°53'08" W. of Port Columbus International Airport, Columbus, Ohio; within a 14-mile radius of the center, lat. 39°49'00" N., long. 82°56'00" W. of Lockbourne AFB, Columbus, Ohio; within an 8-mile radius of the center, lat. 40°19'43" N., long. 82°31'32" W. of Mount Vernon Airport, Mount Vernon, Ohio; within an 8-mile radius of the center, lat. 40°01'29" N., long. 82°27'44" W. of Licking County Airport, Newark, Ohio; within a 7-mile radius of the center, lat. 40°04'40" N., long. 83°04'30" W. of Ohio State University Airport, Columbus, Ohio; within the arc of a 25-mile radius circle centered on a point located at lat. 39°59'59" N., long. 82°53'44" W., extending clockwise from the 048° bearing from this point to the 170° bearing from this point and within 3.5 miles each side of the 273° bearing from the Ohio State University RBN, lat. 40°04'47" N., long. 83°04'54" W., extending from the RBN to 11.5 miles west of the RBN; within a 6½-mile radius of Bolton Field (latitude 39° 54'07" N., longitude 83°08'12" W.);
within a 9-mile radius of Fairfield County Airport (latitude 39°45'21" N., longitude 82°39'27" W.).

Columbus, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Columbus Airport (latitude 29°43'10" N., longitude 96°33'50" W.).

Colusa, Calif.
That airspace extending upward from 700 feet above the surface within 2 miles E and 3.5 miles W of the Williams, Calif. VORTAC 015 radial, extending from the VORTAC to 11 miles N of the VORTAC; that airspace extending upward from 1,200 feet above the surface bounded on the E by the W edge of V-23, on the S by the N edge of V-200 and on the W by the W edge of V-195.

Commerce, TX.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Commerce Municipal Airport (latitude 33°17'36" N., longitude 95°53'46" W.) and within 2.5 miles each side of the Sulphur Springs, TX., VORTAC 288° radial extending from the 5-mile radius area to 14.5 miles west of VORTAC.

Concord, N. H.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at 43°23'00" N., 71°11'50" W., to 43°09'00" N., 71°11'50" W., to 42°58'50" N., 71°01'00" W., to 42°53'00" N., 71°11'30" W., to 42°47'00" N., 71°09'00" W., to 42°38'00" N., 71°20'00" W., to 42°40'00" N., 71°35'00" W., to 42°43'00" N., 71° 36'00" W., to 42°45'00" N., 71°38'25" W., to 42°54'00" N., 71°57'00" W., to 43°06'00" N., 71°47'00" W., to 43°23'00" N., 71°47'00" W., to point of beginning.

That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at 42°53'00" N., 71°05'00" W. to 42°43'00" N., 71°15'00" W. to 42°43'00" N., 71°40'00" W. to 42°55'00" N., 72°00'00" W. to 43°35' 00" N., 71°55'00" W. to 43°45'00" N., 71°09'00" W. to point of beginning.

Concord, N. C.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Propst Airport (latitude 35°23'30" N., longitude 80°34'30" W.); within 2.5 miles each side of Charlotte VORTAC 060° radial, extending from the 5-mile radius area to 18 miles northeast of the VORTAC.

Connecticut
That airspace extending upward from 1,200 feet above the surface within the territorial boundaries of the State of Connecticut.

Connellsville, Pa.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center lat. 39° 57'35" N., long. 79°39'25" W. of Connellsville Airport and within 9.5 miles northwest and 4.5 miles southeast of the 230° bearing from the Connellsville, Pa. RBN lat. 39°57'37" N., long. 79°39'16" W., extending from the RBN to 19.5 miles southwest of the RBN, excluding the portion that coincides with the Morgantown, W. Va., transition area.

Connersville, IN.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Mettel Airport (latitude 39°42'00" N.; longitude 85°08'00" W.), and within 3 miles each side of the 015° bearing from the Mettel Airport extending from the 6½-mile radius to 8 miles north of the airport; excluding that airspace designated at Richmond, IN.

Conrad, Mont.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Conrad Airport (latitude 48°10'10" N., longitude 111°58'30" W.); within 3.5 miles each side of the 060° bearing from the Conrad RBN (latitude 48°11'12" N., longitude 111°55'31" W.) extending from the 9-mile radius area to 12 miles northeast of the RBN; and that airspace extending upward from 1,200 feet above the surface within 9.5 miles northwest and 4.5 miles southeast of the 060° bearing from the Conrad RBN extending from the RBN to 18.5 miles northeast of the RBN.

Conway, S. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Conway-Horry County Airport (lat. 33°49'13" N., long. 79°07'16" W.); within 3 miles each side of the 296° bearing from Horry RBN (lat. 33°49'54" N., long. 79°07'13" W.), extending from the 6.5-mile radius area to 8.5 miles northwest of the RBN; excluding the portion that coincides with the Myrtle Beach transition area.

AMENDMENTS 12/4/75 40 F. R. 42342 (Added)

Cookeville, Tenn.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Putnam County Airport (latitude 36°11'45" N., longitude 85°29'15" W.); within 3 miles each side of the 331° bearing from Cookeville RBN (latitude 36°11'34" N., longitude 85°29'04" W.), extending from the 6.5-mile radius area to 8.5 miles northwest of the RBN.

Cordele, Ga.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Cordele Airport (latitude 31°59'15" N., longitude 83°46'24" W.).

Cordova, Alaska
That airspace extending upward from 700 feet above the surface within 6 miles northwest and 9.5 miles southeast of the 233° bearing from the Cordova (CDV) NDB extending from the intersection of the 233° bearing from the Cordova (CDV) NDB and Hinchinbrook, Alaska, RBN 106° bearing to 19 miles southwest; that airspace extending upward from 1,200 feet above the surface within 6 miles each side of the Cordova localizer east course extending from the localizer to 40 miles east; and within 5 miles each side of a line extending from the Johnstone Point VORTAC to the Cordova (CDV) NDB.

Corinth, Miss.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Roscoe Turner Airport (lat. 34°54'30" N., long. 88°36'00" W.); within 3 miles each side of the 165° and 346° bearings from Corinth RBN (lat. 34°54'39" N., long. 88°36'04" W.), extending from the 7-mile radius area to 8.5 miles south and north of the RBN.

Corning, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Corning Municipal Airport (latitude 40°59'30" N., longitude 94°45'40" W.); and within 3 miles each side of the 359° bearing from the Corning Municipal Airport, extending from the 5-mile radius to 8 miles north of the airport.

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Corpus Christi, Tex.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Corpus Christi International Airport (latitude 27°46'20" N., longitude 97°30'20" W.); within a 9-mile radius of NAS Corpus Christi (latitude 27°41'30" N., longitude 97°17'15" W.); within a 4-mile radius of the Sinton Airport (latitude 28°02'25" N., longitude 97°32'34" W.); within 2 miles each side of the Corpus Christi VORTAC 328° radial, extending from the 4-mile radius area to the VORTAC; within 2 miles each side of the Corpus Christi ILS localizer SE course, extending from the 6-mile radius area to 13 miles SE of the airport; within 2 miles each side of the Corpus Christi ILS localizer NW course, extending from the International Airport 6-mile radius area to 8 miles NW of the OM; within 2 miles each side of the Navy Corpus RBN 135° bearing, extending from the NAS Corpus Christi 9-mile radius area to 8 miles SE of the RBN; and within 2 miles each side of the Navy Corpus TACAN 137° and 139° radials, extending from the NAS Corpus Christi 9-mile radius area to 12 miles SE of the TACAN.

Corry, Pa.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, lat. 41° 54'30" N., long. 79°38'30" W. of Lawrence Airport, Corry, Pa., and within 3 miles each side of the 305° bearing from the Corry RBN (lat. 41°54'44" N., long. 79°38'54" W.) extending from the 5-mile radius area to 8.5 miles northwest of the RBN.

AMENDMENTS 3/20/75 40 F. R. 10172 (Added)

Corsicana, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Corsicana Municipal Airport (latitude 32°02'00" N., longitude 96°24'00" W.); within 3 miles each side of the Scurry, Tex., VORTAC 186° radial extending from the 5-mile radius area to 24 miles south of the VORTAC and within 3 miles each side of the 155° bearing from the Corsicana, Tex., RBN (latitude 32°02'00" N., longitude 96°24'00" W.) extending from the 5-mile radius area to 8 miles southeast of the RBN.

AMENDMENTS 12/4/75 40 F. R. 41520 (Rewritten)

Cortez, Colo.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Cortez-Montezuma County Airport, Cortez, Colo., (latitude 37°18'15" N., longitude 108°37'35" W.), within 3.5 miles each side of the Cortez VOR 184° and 004° radials extending from the 7-mile radius area to 11.5 miles north of the VOR; that airspace extending upward from 1,200 feet above the surface within 6 miles east and 9.5 miles west of the Cortez VOR 184° and 004° radials, extending from 8 miles south to 19 miles north of the VOR, and within 5 miles northeast of and parallel to the Dove Creek VORTAC 129° radial, extending from the VORTAC to 21 miles southeast of the VORTAC.

Cortland, N. Y.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, lat. 42° 35'30" N., long. 76°13'00" W. of Cortland County Chase Field Airport, Cortland, N. Y., and within 6.5 miles north and 5 miles south of the Georgetown, N. Y., VORTAC 236° radial extending from the 9-mile radius area to the VORTAC.

Corvallis, Oreg.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Corvallis Municipal Airport (latitude 44°29'50" N., longitude 123°17'10" W.) within 4.5 miles each side of the Corvallis VOR 029° radial, extending from the 7-mile radius area to 14 miles northeast of the VOR, within 5 miles each side of the Eugene, Oreg., VORTAC 345° radial, extending from 10 to 17 miles north of the VORTAC, and within 5 miles each side of the Corvallis VOR 180° radial, extending from the 7-mile radius area to 11 miles south of the VOR excluding that portion overlying the Eugene, Oreg., transition area; that airspace extending upward from 1,200 feet above the surface within 6 miles northwest and 8 miles southeast of the Corvallis VOR 029° and 209° radials, extending from 6 miles southwest to 17 miles northeast of the VOR.

Coshocton, Ohio
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Richard Downing Airport (latitude 40°18'37" N., longitude 81°51'17" W.).

Cotulla, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Cotulla Municipal Airport (latitude 28°27'15" N., longitude 99°13'05" W.); within 2 miles each side of the Cotulla VOR 266° radial extending from the 5-mile radius area to 14 miles west of the VOR; and within 8 miles north and 5 miles south of the Cotulla VOR 086° and 266° radials extending to 5 miles west and 12 miles east of the VOR.

Covington, Ga.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Covington Municipal Airport (latitude 33°37'54" N., longitude 83°51'07" W.); within 5 miles each side of Rex VORTAC 093° radial, extending from the 6.5-mile radius area to 34 miles east of the VORTAC.

Covington, Tenn.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Covington Municipal Airport (lat. 35°35'15" N., long. 89°35'15" W.); within 3 miles each side of the 194° bearing from Covington RBN (lat. 35°35'22" N., long. 89°35'14" W.), extending from the 6.5-mile radius area to 8.5 miles south of the RBN.

AMENDMENTS 12/4/75 40 F. R. 42342 (Added)

Cozad, Nebr.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Cozad Municipal Airport (latitude 40°52'23" N., longitude 100°00'19" W.); within 3 miles each side of the Cozad NDB 301° bearing, extending from the 5-mile radius to 8 miles NW of the NDB.

AMENDMENTS 8/14/75 40 F. R. 25673 (Added)

Craig AFB Aux. (Vaiden), Ala.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Craig AFB Aux. #1 (Vaiden), Ala., (latitude 32°30'35" N., longitude 89°23'06" W.); within 2.5 miles each side of the extended centerline of Runway 16, extending from the threshold to 10.5 miles north of the threshold.

AMENDMENTS 3/27/75 40 F. R. 4905 (Added)

Cranberry Lake, New York
That airspace extending upward from 1,200 feet above the surface beginning at the Saranac Lake, N. Y., VOR, thence southeast via the Saranac Lake VOR 134° radial to its point of intersection with the Burlington, Vermont, VORTAC 215° radial; thence southwest along the Burlington, Vermont, VORTAC 215° radial to its point of intersection with the Watertown, N. Y., VORTAC 123° radial; thence northwest along the Watertown VORTAC 123° radial to the Watertown VORTAC; thence northeast along the Watertown VORTAC 033° radial to its point of intersection with the Saranac Lake VOR 311° radial; thence southeast along the Saranac Lake VOR 311° radial to Saranac Lake VOR excluding the airspace in Canada.

AMENDMENTS 5/22/75 40 F. R. 17006 (Added)

Crawfordsville, IN.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Crawfordsville Municipal Airport (latitude 39°58'45" N., longitude 86°55'00" W.) and within 3 miles each side of the 217° bearing from the Crawfordsville Municipal Airport extending from the 5-mile radius to 8 miles southwest.

Crescent City, Calif.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Jack McNamara Field, Crescent City (lat. 41°46'50" N., long. 124°14'00" W.), within 3 miles each side of the Crescent City VORTAC 325° radial, extending from the 5-mile radius area to 9 miles northwest of the VORTAC and within 4 miles each side of the Crescent City VORTAC 180° radial, extending from the 5-mile radius area to 10 miles south of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 10 miles east and 7 miles west of the Crescent City VORTAC 180° and 360° radials, extending from 8 miles north to 20 miles south of the VORTAC, within 5 miles each side of the Crescent City VORTAC 234° radial, extending from the VORTAC to 12 miles southwest of the VORTAC and within 8 miles northeast and 9.5 miles southwest of the Crescent City VORTAC 325° radial, extending from the VORTAC to 18.5 miles northwest of the VORTAC and within 9.5 miles southwest and 4.5 miles northeast of the ILS localizer northwest course, extending from the threshold of Runway 11 to 25 miles northwest.

Creston, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Creston Municipal Airport (latitude 41°01'03" N., longitude 94°21'35" W.); and within 3 miles each side of the 171° bearing from Creston Municipal Airport, extending from the 5-mile radius area to 8 miles south of the airport.

Crestview, Fla.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Bob Sikes Airport (lat. 30°46'47" N., long. 86°31'21" W.).

Crave Coeur, Mo.
That airspace extending upward from 700 feet above the surface within 5 miles each side of the St. Louis, Mo., VORTAC 190° radial, extending from 12 miles south to 25½ miles south of the VORTAC, excluding the portions which overlie the Chesterfield, Mo., and St. Louis, Mo., 700-foot floor transition areas.

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Crookston, Minn.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of the Crookston Municipal Kirkwood Field Airport (latitude 47°50'30" N., longitude 96°37'15" W.); within 3 miles each side of the 303° bearing from the airport extending from the 5½-mile radius area to 8 miles northwest of the airport; within 3 miles each side of the Grand Forks VORTAC 108° radial extending from the 5½-mile radius area to 7½ miles southeast of the airport; and that airspace extending upward from 1,200 feet above the surface within a 55 mile arc southeast of the Grand Forks VORTAC between V-430 and V-171 excluding the portion which overlies the Grand Forks, N. Dak., transition area.

Cross City, Fla.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Cross City Airport (lat. 29°37'45" N., long. 83°06'15" W.); within 3.5 miles each side of Cross City VORTAC 121° radial, extending from the 8-mile radius area to 7.5 miles southeast of the VORTAC.

Crossett, Ark.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Crossett Municipal Airport (latitude 33°10'30" N., longitude 91°52'45" W.); and within 3 miles each side of the 056° bearing from the Crossett RBN (latitude 33°10'30" N., longitude 91°52'45" W.), extending from the 6.5-mile radius area to 8.5 miles northeast of the RBN.

Crossville, Tenn.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Crossville Memorial Airport (latitude 35°57'05" N., longitude 85°05'05" W.); within 2 miles each side of the Hinch Mountain VORTAC 334° radial, extending from the 6.5-mile radius area to the VORTAC.

Crows Landing, CA.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Crows Landing ALF (latitude 37°24'35" N., longitude 121°06'40" W.), excluding the portion within a 1-mile radius of Patterson Field, Patterson, CA. (latitude 37°28'05" N., longitude 121°10'06" W.), and that airspace extending upward from 1,200 feet above the surface bounded on the north by latitude 37°38'00" N., on the east by the west edge of V-109, on the southwest by the northeast edge of V-107 and on the west by longitude 121°31'00" W.

Culpeper, Va.
That airspace extending upward from 700 feet above the surface within the arc of a 6.5-mile radius circle centered on Culpeper Municipal Airport (lat. 38°31'20" N., long. 77°51'40" W.) Culpeper, Va., extending clockwise from a 245° bearing to a 090° bearing from the center of the airport; within the arc of a 5.5-mile radius circle centered on Culpeper Municipal Airport, extending clockwise from a 090° bearing to a 245° bearing from the center of the airport and within 2.5 miles each side of the Casanova VORTAC 178° radial, extending from the 6.5-mile radius arc to the VORTAC, excluding the portion that coincides with the Midland, Va., transition area.

Cumberland, Md.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center (lat. 39°37'02" N., long. 78°45'45" W.) of Cumberland Municipal Airport, Cumberland, Md.; and within 3.5 miles each side of the 022° bearing from the Cumberland RBN (lat. 39°39'00" N., long. 78°44'48" W.) extending from the 8.5-mile radius area to 11.5 miles north of the RBN.

Cushing, Okla.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Cushing Municipal Airport (latitude 35°57'00" N., longitude 96°46'30" W.), and within 3.5 miles each side of the 180° bearing from the Cushing RBN (latitude 35°53'24" N., longitude 96°46'30" W.) extending from the 5-mile radius area to 11.5 miles south of the RBN.

Cut Bank, Mont.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Cut Bank Airport (latitude 48°36'41" N., longitude 112°22'45" W.); within 9½ miles northeast and 4½ miles southwest of the Cut Bank VORTAC 150° radial extending from the VORTAC to 18½ miles southeast of the VORTAC; and within a 12-mile radius of the Cut Bank VORTAC extending from a line 5 miles west of and parallel to the Cut Bank VORTAC 172° radial counterclockwise
to a line 5 miles northeast of and parallel to the Cut Bank VORTAC 150° radial.

Daggett, Calif.
That airspace extending upward from 700 feet above the surface within a 3-mile radius of Barstow-Daggett Airport (latitude 34°51'20" N., longitude 116°47'10" W.); within 2 miles each side of the 050° bearing from Barstow-Daggett Airport extending from the 3-mile radius area to 6 miles NE of the airport, and within 2 miles each side of the 090° bearing from the Barstow-Daggett Airport extending from the 3-mile radius area to 6.5 miles E of the airport.

Dalhart, Texas
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Dalhart Municipal Airport (latitude 36°01'10" N., longitude 102°33'10" W.), and within 2 miles each side of the Dalhart VORTAC 002° radial extending from the 9-mile radius area to 12 miles N of the VORTAC.

Dallas-Fort Worth, Tex.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at lat. 33°11'00" N., long. 97°27'00" W., thence to lat. 33°11'00" N., long. 97°19'00" W., to lat. 33°26'00" N., long. 97°15'00" W., to lat. 33°26'00" N., long. 97°07'00" W., to lat. 33°19'00" N., long. 97°06'00" W., to lat. 33°19'00" N., long. 96°57'00" W., to latitude 33°08'30" N., longitude 96°36'00" W.; to latitude 33°08'30" N., longitude 96°25'00" W.; to latitude 32°44'00" N., longitude 96°28'00" W.; to latitude 32°34'00" N., longitude 96°37'00" W.; to latitude 32°29'00" N., longitude 96°32'00" W.; to latitude 32°25'00" N., longitude 96°38'00" W.; to latitude 32°31'00" N., longitude 96°44'00" W.; to latitude 32°29'00" N., longitude 97°01'00" W.; to latitude 32°23'00" N., longitude 97°05'00" W.; to latitude 32°16'30" N., longitude 97°25'30" W.; to latitude 32°19'30" N., longitude 97°33'00" W.; thence north along longitude 97°33'00" W. to and clockwise along the arc of a 23-mile radius circle centered at latitude 32°46'20" N., longitude 97°26'30" W.; to latitude 32°55'00" N., to latitude 33°13'00" N., longitude 97°56'00" W.; to latitude 33°15'30" N., longitude 97°49'00" W.; to latitude 33°13'30" N., longitude 97°39'30" W.; thence clockwise along the arc of a 5-mile radius circle centered at latitude 33°15'30" N., longitude 97°34'40" W., to latitude 33°12'00" N., longitude 97°31'30" W.; to point of beginning.

AMENDMENTS 2/27/75 39 F. R. 43296 (Changed)

Dalton, Ga.
That airspace extending upward from 700 feet above the surface within a 14.5-mile radius of Dalton Municipal Airport (lat. 34°43'00" N., long. 84°52'00" W.).

Danbury, Conn.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center latitude 41°22'15" N., longitude 73°29'00" W. of Danbury Airport, Danbury, Conn., extending clockwise from the 018° bearing from the center of the airport to the 288° bearing and within a 13-mile radius from the 288° bearing clockwise to the 018° bearing and within 3.5 miles each side of the Carmel VORTAC 218° radial extending from the 9-mile radius area to 11.5 miles southwest of the Carmel VORTAC, excluding that airspace which coincides with the Bridgeport, Conn., and White Plains, N. Y., 700-foot floor transition areas.

Danielson, Conn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 41°49'10" N., 71°54'05" W., of Danielson Airport, Danielson, Conn.; within 2 miles each side of the runway 13 centerline, extended from the 5-mile radius area to 7.5 miles southeast of the end of the runway; within 2 miles each side of the runway 31 centerline, extended from the 5-mile radius area to 7.5 miles northwest of the end of the runway; and within 3 miles each side of the Putnam VORTAC 197° radial, extending from the 5-mile radius area to 2 miles south of the VORTAC.

Danville, Ill.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Vermillion County Airport (lat. 40°11'54" N., long. 87°35'40" W.); and within 2 miles each side of the Danville VORTAC 196° radial extending from the 6½-mile radius to the VORTAC.

Danville, Va.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, lat. 36°34'30" N., long. 79°20'11" W., of Danville Municipal Airport, Danville, Va.; within 3 miles each side of the Danville, Va., VOR 044° radial, extending from the 8-mile radius area to 8.5 miles northeast of the VOR and within 3 miles each side of the Danville, Va., VOR 208° radial, extending from the 8-mile radius area to 8.5 miles southwest of the VOR; within 2.5 miles each side of a 017° bearing from a point 36°34'48" N., 79°20'08" W., extending from the 8-mile radius area to 11.5 miles north of said point.

AMENDMENTS 3/27/75 40 F. R. 3575 (Changed)

Darby, Alaska
That airspace extending upward from 1,200 feet above the surface within 5 miles S and 8 miles N of the 290° bearing from the North River, Alaska, RBN, extending from 32 miles to 52 miles W of the RBN.

Darlington, S. C.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Darlington County Airport (latitude 34°26'50" N., longitude 79°53'23" W.).

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Davis, Calif.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of University Airport (latitude 38°31'55" N., longitude 121°47'10" W.).

Dayton, Ohio
That airspace extending upward from 700 feet above the surface bounded by a line beginning at: 39°59'00" N., 83°40'00" W. to 39°55'00" N., 83°37'00" W. to 39°45'00" N., 83°43'00" W. to 39°39'00" N., 84°07'00" W. to 39°45'00" N., 84°24'00" W. to 39°49'00" N., 84°27'00" W. to 40°04'00" N., 84°17'00" W. to the point of beginning.

Dayton, Ohio (Montgomery County)
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Montgomery County Airport (lat. 39°35'21" N., long. 84°13'21" W.), and within 3 miles each side of the Montgomery County VOR 145° radial extending from the 6-mile radius area to 8 miles southeast of the VOR; within 3 miles each side of the 027° radial extending from the 6-mile radius area to 8.5 miles northeast excluding the portions which overlie the Middletown and Dayton, Ohio, transition areas.

Daytona Beach, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Daytona Beach Regional Airport (lat. 29°10'49" N., long. 81°03'23" W.); within a 6.5-mile radius of Municipal Airport, Ormond Beach, Fla. (lat. 29°18'00" N., long. 81°06'49" W.); within 3 miles each side of Ormond Beach VORTAC 256° radial
extending from the 6.5-mile radius area to 8.5 miles west of the VORTAC.

Deadhorse, Alaska
That airspace extending upward from 700 feet above the surface within 6.5 miles S and 9.5 miles N of the Deadhorse VOR 075° radial extending from the VOR to 20 miles E of the VOR; within 6.5 miles S and 10 miles N of the Deadhorse VOR 255° radial extending from the VOR to 25.5 miles W; and within a 16.5-mile radius of the Deadhorse VOR extending from the 099° radial clockwise to the 231° radial; that airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at latitude 69°40'00" N., longitude 153°00'00" W.; to 70°33'00" N., 150°45'00" W.; thence east via 3 nautical miles offshore to latitude 70°14'00" N., longitude 146°00'00" W.; to 69°00'00" N., 148°00'00" W.; to 68°00'00" N., 148°00'00" W.; to 68° 00'00" N., 153°00'00" W.; thence to point of beginning.

Decatur, Ill.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Decatur Airport (latitude 39°50'05" N., longitude 88°51'50" W.).

Deckerville, Mich.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the Lamont Airport (latitude 43°34'35" N., longitude 82°39'10" W.); within 3 miles each side of the 076° bearing from the airport extending from the 5.5-mile radius area to 8.5 miles east of the airport; within 3 miles each side of the 285° bearing from the airport, extending from the 5.5-mile radius area to 8.5 miles west of the airport.

AMENDMENTS 4/24/75 40 F. R. 7900 (Added)

Decorah, Iowa
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Decorah Municipal Airport (latitude 43°16'35" N., longitude 91°44'50" W.); and within 3 miles each side of the 122° bearing from Decorah Municipal Airport, extending from the 5½-mile radius area to 8 miles southeast of the airport.

Defiance, Ohio
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Defiance Memorial Airport (latitude 41°20'15" N., longitude 84°25'45" W.); within 3.5 miles each side of the 303° bearing from the airport extending from the 6.5-mile radius area to 11.5 miles northwest of the airport.

AMENDMENTS 3/27/75 40 F. R. 2422 (Rewritten)

DeLancey, N. Y.
That airsapce extending upward from 1,200 feet above the surface within the area bounded by a line beginning at: 42°40'00" N., 75°30'00" W. to 42°10'00" N., 75°25'00" W. to 42°00'00" N., 75°26'30" W. to 42°00'00" N., 75°00'00" W. to 42°01'00" N., 74°30'00" W. to 43°00'00" N., 74°30'00" W. to point of beginning.

De Land, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of De Land Municipal/ Sidney H. Taylor Field (lat. 29°04'03" N., long. 81°17'00" W.); excluding the portion within Daytona Beach transition area.

Delano, Calif.
That airspace extending upward from 700 feet above the surface within a 3-mile radius of Delano Municipal Airport (latitude 35°44'48" N., longitude 119°14'08" W.) and within 3 miles each side of the Bakersfield VORTAC 336° T radial, extending from the 3-mile radius area to 12 miles NW of the VORTAC.

AMENDMENTS 1/2/75 39 F. R. 40007 (Added)

Delaware
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Delaware including the offshore airspace within 3 nautical miles and parallel to the shoreline.

Delaware, Ohio
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Delaware Municipal Airport (latitude 40°16'46" N., longitude 83°06'22" W.); and within 3 miles either side of the 093° bearing from the airport extending from the 6-mile radius to 8 miles east of the airport.

AMENDMENTS 7/24/75 40 F. R. 24181 (Added)

Del Rio, Tex.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of latitude 29°23' 00" N., longitude 100°50'15" W., and within 4.5 miles west and 9.5 miles east of the Laughlin VORTAC 148° radial extending from the 12-mile radius area to 22 miles southeast of the VORTAC and within 3 miles west and 6.5 miles east of the Laughlin VORTAC 315° radial extending from the 12-mile radius area to 18 miles northwest of the VORTAC, excluding the portion outside the United States.

Delta, UT.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Delta Municipal Airport (latitude 39°23'00" N., longitude 112°30'35" W.), and that airspace extending upward from 1,200 feet above the surface within 9 miles southeast and 13.5 miles northwest of the Delta VOR 203° and 023° radials, extending from 12 miles northeast to 25.5 miles southwest of the VOR.

Deming, N. Mex.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Deming Municipal Airport (lat. 32°15'40" N., long. 107°43'10" W.).

Demopolis, Ala.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Demopolis Municipal Airport (lat. 32°27'45" N., long. 87°57'05" W.).

AMENDMENTS 12/4/75 40 F. R. 46306 (Added)

Denison, Iowa
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Denison, Iowa, Municipal Airport (latitude 41°59'15" N., longitude 95°23'00" W.) and within 2 miles each side of the 115° bearing from Denison Municipal Airport, extending from the 6-mile radius area to 8 miles southeast of the airport.

Denver, Colo.
That airspace extending upward from 700 feet above the surface, within an arc of a 22-mile radius circle centered on Stapleton Airport (latitude 39°46'30" N., longitude 104°52'40" W.) extending clockwise between the 253° and 078° bearings from Stapleton Airport, within an arc of a 37-mile radius circle centered on Stapleton Airport extending clockwise between the 078° and 160° bearings from Stapleton Airport, within an arc of a 31-mile radius circle centered on Stapleton Airport extending clockwise between the 160° and 194° bearings from Stapleton Airport, and within an arc of a 24-mile radius circle centered on Stapleton Airport extending clockwise between the 194° and 253° bearings from the Stapleton Airport; that airspace extending upward from 1,200 feet above the surface bounded on the north by latitude 40°30'00" N., on the east by longitude 104°00'00" W., on the south by latitude 39°05'00" N., and on the west by longitude 105°20'00" W.; that airspace northeast of Greeley, Colo., extending upward from 7,500 feet MSL bounded on the northeast by V-132, on the SE by V-160, on the south by latitude 40°30'00" N., and on the northwest by V-207, and that airspace east of Denver bounded on the northwest by V-160, on the northeast by V-132, on the east by V-169, on the south by the east edge of V-263 and latitude 39°05'00"
N., and on the west by longitude 104°00'00" W. excluding the airspace within Foderal airways; that airspace west of Denver extending upward from 11,500 feet MSL, bounded on the north by latitude 40°30'00" N., on the east by longitude 105°20'00" W., on the south by latitude 39°05'00" N., on the west by longitude 105°23'00" W.; that airspace extending upward from 12,700 feet MSL bounded on the north by latitude 40°30'00" N., on the east by longitude 105°23'00" W. to latitude 39°20'00" N., thence direct latitude 39°30'00" N., longitude 105°30'00" W., and on the west by longitude 105°30'00" W.; and that airspace extending upward from 13,700 feet MSL bounded on the north by latitude 40°30'00" N., on the east by longitude 105°30'00" W. to latitude 39°30'00" N., thence direct to latitude 39°20'00" N., longitude 105°23'00" W., thence direct latitude 39°05'00" N., longitude 105°23'00" W., thence direct latitude 39°05'00" N., longitude 105°28'00" W., thence direct latitude 39°44'00" N., longitude 105°38'00" W., thence direct latitude 40°30'00" N., longitude 105°33'00" W.

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DeQueen, Ark.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Sevier County Airport (latitude 34°02'44" N., longitude 94°23'56" W.) and within 3.5 miles each side of the 269° bearing from the DeQueen NDB (latitude 34°02'39" N., longitude 94°23'59" W.) extending from the 5-mile radius area to a point 10 miles west of the NDB.

De Quincy, LA.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of De Quincy Industrial Airport (latitude 30°26'17" N., longitude 93°28'21" W.) and within 2 miles each side of the Lake Charles VORTAC 313° radial extending from the airport to a point 8 miles southeast.

DeRidder, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Beauregard Parish Airport (latitude 30°50'00" N., longitude 93°20'00" W.), and within 3.5 miles each side of the 347° bearing from the DeRidder RBN (latitude 30°50'00" N., longitude 93°20'00" W.) extending from the 5-mile radius area to 11.5 miles north of the RBN.

Des Moines, Iowa
That airspace extending upward from 700 feet above the surface within an 18-mile radius of Des Moines Municipal Airport (latitude 41°32'05" N., longitude 93°39'35" W.).; and that airspace extending upward from 3,500 feet MSL bounded by a line starting at the intersection of longitude 93°30'00" W., and the north edge of V-216; thence southwest along the north edge of V-216 to and north along longitude 95°00'00" W., to and east along the south edge of V-6S to the intersection of the south edge of V-6S and longitude 94°10'15" W.; thence southeast to latitude 40°56'30" N., longitude 93°54'00" W.; thence northeast to latitude 41°01'45" N., longitude 93°30'00" W.; thence south to the point of beginning.

Detroit, Mich.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 43°00'00" N., longitude 82°25'00" W., on the Canadian boundary to latitude 43°04'00" N., longitude 82°30'00" W., to latitude 42°53'00" N., longitude 83°00'00" W., to latitude 42°45'00" N., longitude 83°50'00" W., to latitude 42°30'00" N., longitude 83°50'00" W., to latitude 42°10'00" N., longitude 84°00'00" W., to latitude 42°00'00" N., longitude 83°30'00" W., thence east along the 42nd parallel to the Canadian boundary, thence along the Canadian boundary to point of beginning.

Detroit Lakes, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Detroit Lakes Municipal Airport (latitude 46°49'34" N., longitude 95°53'06" W.); within 3 miles each side of the Detroit Lakes VOR 315° radial extending from the 5-mile radius area to 7½ miles northwest of the VOR; within 3 miles each side of the 145° radial extending from the 5-mile radius area to 8 miles southeast of the VOR; and that airspace extending upward from 1,200 feet above the surface within 4½ miles northeast and 9½ miles southwest of the Detroit Lakes VOR 315° radial extending from the VOR to 18½ miles northwest; within 4½ miles southwest and 9½ miles northeast of the VOR 145° radial extending from the VOR to 18½ miles southeast, excluding that portion which overlies the Fargo, North Dakota, transition area.

AMENDMENTS 6/19/75 40 F. R. 17986 (Rewritten)

Devils Lake, N. Dak.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Devils Lake Municipal Airport (latitude 48°06'55" N., longitude 98°54'30" W.); within 4½ miles southwest and 9½ miles northeast of the Devils Lake VORTAC 134° radial extending from the VORTAC to 18½ miles southeast of the VORTAC; within 4½ miles northeast and 9½ miles southwest of the Devils Lake VORTAC 324° radial extending from the VORTAC to 18½ miles northwest of the VORTAC; within 4½ miles southeast and 9½ miles northwest of the 026° bearing from the Devils Lake Airport extending from the airport to 18½ miles northeast of the airport; and that airspace extending upward from 1200 feet above the surface within a 17½ mile radius of the Devils Lake VORTAC.

Dexter, Mo.
That airspace extending upward from 700 feet above the surface within an 8½-mile radius of the Dexter Municipal Airport (latitude 36°46'30" N., longitude 89°56'30" W.).

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Dickinson, N. Dak.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Dickinson Municipal Airport (latitude 46°47'51" N., longitude 102°47'49" W.); and that airspace extending upward from 1,200 feet above the surface within a 13-mile radius circle centered on the Dickinson VORTAC, extending clockwise from the Dickinson VORTAC 250° radial to the Dickinson VORTAC 093° radial; and within 9.5 miles west and 4.5 miles east of the Dickinson VORTAC 013° radial extending from the VORTAC to 18.5 miles north of the VORTAC.

Dickson, Tenn.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Dickson Municipal Airport (lat. 36°07'47" N., long. 87°25'48" W.).

Dillingham, Alaska
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Dillingham Airport (latitude 59°02'30" N., longitude 158°30'28" W.); and that airspace within 2.5 miles each side of the Dillingham VORTAC 025° radial extending from the 8.5-mile radius zone to 15.5 miles northeast of the VORTAC and within 2 miles each side of the Dillingham VORTAC 205° radial extending from the 8.5 mile radius zone to 9 miles southwest of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 4.5 miles northwest and 9.5 miles southeast of the Dillingham VORTAC 025° and 205° radials extending from 23 miles northeast to 18.5 miles southwest of the VORTAC and within an 18-mile radius of the Dillingham VORTAC extending clockwise from the 056° radial to the 173° radial of the VORTAC.

Dillon, Mont.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Dillon Airport (lat. 45°15'20" N., long. 112°33'10" W.) and within 3 miles each side of the Dillon VORTAC 025° radial, extending from the 6-mile radius zone to 8.5 miles northeast of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 9.5 miles northwest and 6 miles southeast of the Dillon VORTAC 025° radial, extending from the VORTAC to 24 miles northeast; and that airspace extending upward from 11,700 feet MSL within 7.5 miles west and 10.5 miles east of the Dillon VORTAC 188° and 348° radials extending from 4.5 miles north to 19.5 miles south of the VORTAC.

Dillon, S. C.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Dillon County Airport (lat. 34°27'00" N., long. 79°22'00" W.); within 3 miles each side of the 233° bearing from the Dillon RBN (lat. 34°26'59" N., long. 79°22'10" W.), extending from the 5-mile radius area to 8.5 miles southwest of the RBN.

AMENDMENTS 12/4/75 40 F. R. 47481 (Changed) Corr: 40 F. R. 48911

District of Columbia
That airspace extending upward from 1,200 feet above the surface within the territorial boundaries of the District of Columbia. The portion within P-56 is excluded.

Dixon, Ill.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Charles R. Walgreen Field, Dixon, Ill. (latitude 41°50'03" N., longitude 89°26'37" W.), and within 2 miles each side of the Polo, Ill., VORTAC 155° radial extending from the 5-mile radius area to the VORTAC.

Dodge City, Kans.
That airspace extending upward from 700 feet above the surface within a 9.5 mile radius of the Dodge City Municipal Airport (latitude 37°45'42" N., longitude 99°57'51" W.).

AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)

Dothan, Ala.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Dothan Airport (latitude 31°19'10" N., longitude 85°27'30" W.); within 5 miles each side of Dothan VORTAC 157° radial, extending from the 8.5-mile radius area to 11.5 miles SE of the VORTAC; within 4.5 miles each side of Dothan VORTAC 331° radial, extending from the 8.5-mile radius area to 10.5 miles NW of the VORTAC; excluding the airspace within a 1.5-mile radius of Headland Minicipal Airport (latitude 31°21'45" N., longitude 85°18'30" W.), the portion that coincides with the Fort Rucker, Ala., transition area, and the airspace within 1.5 miles each side of Dothan VORTAC 350° radial; within a 6.5-mile radius of Wheelless Airport (lat. 31°13'35" N., long. 85°29'30" W.); excluding the portion northwest of Dothan VOR 237° radial.

Douglas, Ariz.
That airspace extending upward from 700 feet above the surface within 4.5 miles southwest and 9.5 miles northeast of the Douglas VORTAC 333° radial extending from the VOR to 18.5 miles northwest of the VORTAC; that airspace extending upward from 1,200 feet above the surface within a 9-mile radius of the Douglas VORTAC, within a 23-mile radius of the Douglas VORTAC extending clockwise from the southwest edge of V-66 to the southeast edge of V-66, and within 5 miles east and 8.5 miles west of the Douglas VORTAC 347° radial extending from the 23-mile radius area to the Cochise VORTAC, excluding the portion within the Cochise, Ariz., transition area.

Douglas, Ga.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Douglas Municipal Airport (latitude 31°29'10" N., longitude 82°51'15" W.).

AMENDMENTS 1/30/75 39 F. R. 42901 (Added)

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Douglas, Wyo.
That airspace extending upward from 8,300 feet MSL, bounded on the north by latitude 42°44'00" N., and the east by the Wyoming-Nebraska state boundary and V-169, on the southeast by V-89, on the south by V-100, on the west by V-19E and on the southwest by V-19E and V-247.

AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

Dover, Del.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, lat. 39° 07'30" N., long. 75°28'00" W. of Dover AFB, Dover, Del.; within 3.5 miles each side of the Dover TACAN 178° radial, extending from the 9-mile radius area to 10.5 miles south of the TACAN; within 3.5 miles each side of the Dover TACAN 012° radial, extending from the 9-mile radius area to 10.5 miles north of the TACAN; within 3.5 miles each side of the Dover TACAN 132° radial, extending from the 9-mile radius area to 10.5 miles southeast of the TACAN; and within a 5-mile radius of the center, lat. 39°13'04" N., long. 75°35'56" W., of Delaware Airpark, Dover-Cheswold, Del.; and within 6.5 miles north and 4.5 miles south of the Kenton, Delaware VORTAC 078° and 258° radials extending from 5.5 miles west to 11.5 miles east of the VORTAC.

Dowagiac, Mich.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Cass County Memorial Airport, (latitude 41°59'30" N., longitude 86°07'37" W.); within 2 miles each side of the Keeler, Michigan, 181° radial extending from the 7-mile radius area to the VOR, excluding the portion which overlies the South Bend, Indiana, transition area.

AMENDMENTS 4/24/75 40 F. R. 11863 (Rewritten)

Doylestown, Pa.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center (latitude 40°20'20" N., longitude 75°07'20" W.) of Doylestown Airport, Doylestown, Pa.; within 8 miles northwest and 4.5 miles southeast of the 224° bearing and the 044° bearing from the Doylestown, Pa. RBN (latitude 40°19'59" N., longitude 75°07'21" W.), extending from 5.5 miles southwest of the RBN to 11.5 miles northeast of the RBN; within 8 miles northwest and 4.5 miles southeast of the Solberg, N. J. VORTAC 229° radial, extending from 7.5 miles southwest of the VORTAC to 24.5 miles southwest of the VORTAC, excluding the portions which coincide with the North Philadelphia, Pa., Pittstown, N. J. and Readington, N. J. transition areas.

Drew, Miss.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Ruleville-Drew Airport (lat. 33°46'39" N., long. 90°31'27" W.).

Dublin, Ga.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Dublin Municipal Airport (lat. 32°33'55" N., long. 82°59'10" W.); within 2.5 miles each side of Dublin VORTAC 274° radial, extending from the 6-mile radius area to the VORTAC.

AMENDMENTS 6/19/75 40 F. R. 12774 (Changed)
AMENDMENTS 12/4/75 40 F. R. 43486 (Changed)

Dublin, VA.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, lat. 37°08'12" N., long. 80°40'50" W., of New River Valley Airport, Dublin, VA.; within a 23-mile radius of the center of the airport, extending clockwise from a 252° bearing to a 272° bearing from the airport; within a 15.5-mile radius of the center of the airport, extending clockwise from a 272° bearing to a 291° bearing from the airport; within an 18-mile radius of the center of the airport, extending clockwise from a 291° bearing to a 314° bearing from the airport; within a 15.5-mile radius of the center of the airport, extending clockwise from a 314° bearing to a 355° bearing from the airport; within an 11-mile radius of the center of the airport, extending clockwise from a 355° bearing to a 015° bearing from the airport; within a 14.5-mile radius of the center of the airport, extending clockwise from a 015° bearing to a 060° bearing from the airport; within 5 miles each side of the Pulaski VORTAC 192° radial extending from the VORTAC to 11.5 miles south of the VORTAC, and within 5 miles each side of the 233° bearing from a point lat. 37°08'39" N., long. 80°40' 03" W., extending from said point to a point 16 miles southwest.

Dubois, Idaho
That airspace extending upward from 1,200 feet above the surface within 11 miles east and 7 miles west of the Dubois VOR 170° and 350° radials, extending from 10 miles north to 20 miles south of the VOR.

Du Bois, Pa.
That airspace extending upward from 700 feet above the surface within an 11.5 mile radius of the center, 41° 10'45" N., 78°53'45" W. of Du Bois-Jefferson County Airport and within 3.5 miles each side of the Du Bois ILS localizer northeast course extending from the 11.5-mile radius area to 11.5 miles northeast of the OM.

Dubuque, Iowa
That airspace extending upward from 700 feet above the surface within an 8½-mile radius of the Dubuque Municipal Airport (latitude 42°24'10" N., longitude 90°42'32" W.); and within 3 miles on either side of the Dubuque VORTAC 321° radial, extending from the VORTAC to 8 miles northeast of the airport reference point; and within 3½ miles on either side of the Dubuque VORTAC 131° radial, extending from the VORTAC to 15½ miles southeast of the airport reference point, and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 42°05'00" N., longitude 91°00'00" W., thence W. along latitude 42°05' 00" N., to and N. along longitude 92°15'00" W., to and counterclockwise along the arc of a 20-mile radius circle centered on the Waterloo, Iowa, VORTAC to and E. along the S. edge of V-100, to and clockwise along the arc of a 29-mile radius circle centered on the Dubuque VORTAC, to and SE. along the SW. edge of V-218, to and S. along longitude 89°55'00" W. to and SW along the NW edge of V-218, to 90°08'00" W., and S. to the N. edge of V-172, to and W. along longitude 91°00'00" W., to the point of beginning, excluding the portion which overlies the State of Illinois.

Duluth, Minn.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Duluth International Airport (latitude 46°50'30" N., longitude 92°11'25" W.); within a 17.5-mile radius of the Duluth International Airport, extending from the Duluth VOR 262° radial clockwise to the Duluth VOR 058° radial; within 4½ miles north and 9½ miles south of Duluth localizer west course, extending from 4 miles east to 18½ miles west of the OM; and within 4½ miles east and 9½ miles west of the Duluth VORTAC 023° radial, extending from the 17.5-mile radius area to 28 miles northeast of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 35-mile radius of Duluth International Airport; within 8 miles northwest and 5 miles southeast of the Duluth VORTAC 051° radial, extending from the 35-mile radius area to 41 miles northeast of the VORTAC; and within 4½ miles northwest and 9½ miles southeast of the Duluth VORTAC 244° radial, extending from the 35-mile radius area to 41 miles southwest of the VORTAC; excluding the portions which overlie the Hibbing, Minn., and Cloquet, Minn., transition areas; and the State of Wisconsin.

Duncan, Okla.
That airspace extending upward from 700 feet above the surface within a 8.5-mile radius of Halliburton Field (latitude 34°28'30" N., longitude 97°57'30" W.), and within 2 miles each side of the Duncan VOR 157° radial, extending from the 8.5-mile radius area to 7 miles southeast of the VOR.

AMENDMENTS 8/14/75 40 F. R. 26020 (Rewritten)

Dunkirk, N. Y.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 42°29' 30" N., 79°16'30" W., of Dunkirk Municipal Airport, Dunkirk, N. Y., and within a 13.5-mile radius of the center of the airport extending clockwise from a 022° to 232° bearing from the airport.

Durango, Colo.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the La Plata Airport (latitude 37°09'12" N., longitude 107°45'04" W.), and within 3.5 miles each side of the Durango VOR 224° radial, extending from the 7-mile radius area to 11.5 miles southwest of the VOR; that airspace extending upward from 1,200 feet above the surface within 9.5 miles southeast and 6 miles northwest of the Durango VOR 224° and 044° radials, extending from 8 miles northeast to 25 miles southwest of the VOR.

Durant, Okla.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Baker Field (latitude 33°56'30" N., longitude 96°24'00" W.), and within 3 miles each side of a 151° bearing from the Durant NDB (latitude 33°56'32" N., longitude 96°23'54" W.) extending from the 5-mile radius area to 9 miles SE of the NDB.

Dwight, Ill.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Dwight Airport (latitude 41°08'05" N., longitude 88°26'30" W.); and within 3 miles either side of the 097° bearing from the airport extending from the 5-mile radius area to 9 miles from the airport.

AMENDMENTS 8/21/75 40 F. R. 32741 (Added)

Dyersburg, Tenn.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Dyersburg Municipal Airport (latitude 36°00'00" N., longitude 89°24'20" W.); within 3 miles each side of the Dyersburg VORTAC 078° radial, extending from the 6.5-mile radius area to 8.5 miles east of the VORTAC.

Eagle, Colo.
That airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at lat. 39°34'30" N., long. 106°25'00" W.; to lat. 39°45'30" N., long. 106°25'00" W.; to lat. 39°47'00" N., long. 107°05'00" W.; to lat. 39°41'00" N., long. 107°12'30" W.; to lat. 39°27'30" N., long. 107°01'00" W.; to lat. 39°33'30" N., long. 106°53'00" W.; to the point of beginning.

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Eagle Lake, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Eagle Lake Airport (latitude 29°36'00" N., longitude 96°19'26" W.); and within 2 miles each side of the Eagle Lake VOR 007° radial extending from the 5-mile radius area to 8 miles N of the VOR.

Eagle Pass, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Eagle Pass Municipal Airport (latitude 28°42'00" N., longitude 100°28'45" W.) and within 3 miles each side of the 089° bearing from the Eagle Pass RBN (latitude 28°42'20" N., longitude 100°29'10" W.) extending from the 5-mile radius area to 8 miles east of the Eagle Pass RBN excluding the portion outside the United States.

Eagle River, Wis.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Eagle River Municipal Airport (latitude 45°55'45" N., longitude 89°16'00" W.); and within 3 miles each side of the 037° bearing from Eagle River Municipal Airport extending from the 5-mile radius area to 7½ miles northeast of the airport.

East Hampton, N. Y.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 40°57' 36" N., 72°15'05" W., of East Hampton Airport, East Hampton, N. Y., extending clockwise from a 307° bearing to a 044° bearing from the airport; within a 7-mile radius of the center of the airport, extending clockwise from a 044° bearing to a 092° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 092° bearing to a 232° bearing from the airport; and within a 7-mile radius of the center of the airport extending clockwise from a 232° bearing to a 307° bearing from the airport.

East Liverpool, Ohio
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Columbiana County Airport (latitude 40°40'24" N., longitude 80°38'30" W.); within 3 miles each side of the 070° bearing from the airport, extending from the 5-mile radius area to 8.5 miles east of the airport, excluding that portion which overlies the Beaver Falls, Pa., transition area.

AMENDMENTS 7/10/75 40 F. R. 26022 (Added)

Eastman, Ga.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Eastman-Dodge County Airport (latitude 32°12'51" N., longitude 83°07'42" W.).

Easton, MD.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, lat. 38°48'30" N., long. 76°04'30" W. of Easton Municipal Airport, and within 3 miles each side of the 038° bearing from the Easton, MD., RBN, lat. 38°48'25" N., long. 76°04'05" W., extending from the 6.5-mile radius area to 8.5 miles northeast of the RBN.

East St. Louis, Ill.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Bi State Parks Airport (latitude 38°34'30" N., longitude 90°10'00" W.) and within 3 miles each side of the 129° bearing from the airport extending from the 7-mile radius area to 8 miles southeast.

East Stroudsburg, Pa.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of the center, lat. 41°02'08" N., 75°09'48" W., of Stroudsburg-Pocono Airpark, East Stroudsburg, Pa., extending clockwise from a 337° bearing to a 106° bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 106° bearing to a 110° bearing from the airport; within an 8-mile radius of the center of the airport, extending clockwise from a 110° bearing to a 177° bearing from the airport; within a 13.5-mile radius of the center of the airport, extending clockwise from a 177° bearing to a 221° bearing from the airport; within an 11-mile radius of the center of the airport, extending clockwise from a 221° bearing to a 258° bearing from the airport; within a 17.5-mile radius of the center of the airport, extending clockwise from a 258° bearing to a 337° bearing from the airport; and within 6.5 miles northwest and 4.5 miles southeast of a 066° bearing from a point 41°05'31" N., 74°50'29" W., extending from said point to 11.5 miles northeast; excluding the portion within the Mount Pocono, Pa., transition area.

East Tawas, MI.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Iosco County Airport (latitude 44°18'46" N., longitude 83°25'30" W.), excluding the portion which overlies the Oscoda, MI., transition area.

Eau Claire, Wis.
That airspace extending upward from 700 feet above the surface within a 14-mile radius of Eau Claire Municipal Airport (latitude 44°51'54" N., longitude 91°29'02" W.) and within 3½ miles each side of the Eau Claire ILS localizer northeast course extending from the 14-mile radius to 18 miles northeast of the airport; within 5 miles each side of the Eau Claire ILS localizer southwest course extending from the 14-mile radius to 15 miles southwest of the airport.

Ebensburg, Pa.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center 40°27'40" N., 78°46'25" W., of Ebensburg Airport, Ebensburg, Pa.; within 2 miles each side of the Runway 24 centerline extended from the 6-mile radius area to 6 miles southwest of the end of the runway; within 2 miles each side of the Runway 28 centerline extended from the 6-mile radius area to 7 miles west of the end of the runway and within 2 miles each side of the Revloc, Pa., VORTAC 194° radial extending from the 6-mile radius area to the VORTAC, excluding the portion that coincides with the Johnstown, Pa., transition area.

Edenton, N. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Edenton Municipal Airport (latitude 36°01'30" N., longitude 76°33'30" W.); within 3 miles each side of the 218° and 352° bearings from Edenton RBN (latitude 36°01'33" N., longitude 76°33'57" W.), extending from the 6.5-mile radius area to 8.5 miles southwest and north of the RBN.

Edwards AFB, Calif.
That airspace extending upward from 700 feet above the surface within a 15-mile radius of Edwards AFB (latitude 34°54'20" N., longitude 117°52'55" W.), within 2 miles SE and 8 miles NW of the Edwards AFB TACAN 058° radial extending from the 15-mile radius area to 13.5 miles NE of the TACAN.

Effingham, Ill.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Effingham County Memorial Airport (latitude 39°04'15" N., longitude 88°32'15" W.).

Eglin AFB, Fla.
That airspace extending upward from 700 feet above the surface within 9-mile radii of Eglin AFB (lat. 30°29' 07" N., long. 86°31'35" W.), Eglin AF Aux No. 3 (Duke Field) (lat. 30°39'01" N., long. 86°31'25" W.) and Eglin AF Aux No. 9 (Hurlburt Field) (lat. 30°25'42" N., long. 86°41'05" W.); within a 5-mile radius of Destin-Fort Walton Beach Airport (lat. 30°23'57" N., long. 86°28'47" W.); excluding the portions within W-151, Crestview, Fla., transition area, and a 1.5-mile radius of Fort Walton Beach Airport (lat. 30°24'25" N., long. 86°49'40" W.).

El Campo, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the El Campo Airpark (latitude 29°16'00" N., longitude 96°19'30" W.); within a 5-mile radius of the El Campo Metro Airport (latitude 29°10'14" N., longitude 96°17'17" W.).

AMENDMENTS 12/4/75 40 F. R. 48119 (Rewritten)

El Centro, Calif.
That airspace extending upward from 1,200 feet above the surface within 8 miles each side of the Imperial VORTAC 088° and 268° radials, extending from 15 miles E to 15 miles W of the VORTAC, and within 15 miles W and 5 miles E of the Imperial VORTAC 360° radial, extending from the VORTAC to 25 miles N of the VORTAC, excluding the portion under the jurisdiction of Mexico.

El Dorado, Ark.
That airspace extending upward from 700 feet above the surface within 5 miles southeast and 8 miles northwest of the El Dorado VORTAC 059° radial, extending from the VORTAC to 12 miles northeast; within 5 miles each side of the 239° radial, extending from the VORTAC to 5 miles southwest; and within 2 miles each side of the 236° radial, extending from the VORTAC to 18 miles southwest.

Elizabeth City, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of CGAS Elizabeth City (latitude 36°15'35" N., longitude 76°10'20" W.); within 3 miles each side of the 128° bearing from Weeksville RBN, extending from the 8.5-mile radius area to 8.5 miles southeast of the RBN; within 5 miles east and 3 miles west of Elizabeth City VOR 188° radial, extending from the 8.5-mile radius area to 12.5 miles south of the VOR; within 3 miles each side of Elizabeth City VOR 357° radial, extending from the 8.5-mile radius area to 8.5 miles north of the VOR.

AMENDMENTS 6/18/75 40 F. R. 31597 (Rewritten)

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Elizabethtown, Ky.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Elizabethtown-Hardin County Airport (lat. 37°45'13" N., long. 85°53'09" W.); within 2 miles each side of New Hope VOR 308° radial, extending from the 5-mile radius area to 9 miles northwest of the VOR; excluding the portion within Louisville transition area.

Elk City, Okla.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Elk City Airport (latitude 35°25'40" N., longitude 99°23'45" W.); and within 3.5 miles each side of the 015° bearing from the Elk City NDB (latitude 35°25'33" N., longitude 99°23'52" W.) extending from the 5-mile radius area to 8 miles north of the NDB.

Elkhart, IN.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Elkhart Municipal Airport (latitude 41°43'11" N., longitude 85°59'41" W.); and within 2 miles each side of the South Bend, IN., VORTAC 101° radial, extending eastward from the 5-mile radius area to 23 miles east of the VORTAC, and within 2 miles each side of the Goshen, IN., VORTAC 008° radial, extending south from the 5-mile radius area to 5 miles north of the Goshen VORTAC excluding the portion which overlies the South Bend, IN., 700-foot floor transition area.

Elkin, NC.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Elkin Municipal Airport (lat. 36°16'40" N., long. 80°47'12" W.); within 3 miles each side of the 056° bearing from Zephyr RBN (lat. 36°18'47" N., long. 80°43'25" W.), extending from the 6.5-mile radius area to 8.5 miles northeast of the RBN.

Elkins, W. Va.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, lat. 38° 53'20" N., long. 79°51'24" W. of Elkins-Randolph County-Jennings Randolph Field, Elkins, W. Va.; within 4 miles each side of the
Elkins VORTAC 098° radial extending from the 6.5-mile radius area to 1.5 miles east of the VORTAC and within 4.5 miles east and 9.5 miles west of the 011° bearing from the Randolph County RBN, extending from the RBN to 18.5 miles north of the RBN. This transition area is effective from sunrise to sunset, daily.

Elko, Nev.
That airspace extending upward from 700 feet above the surface within 4.5 miles east and 9 miles west of the Elko VORTAC 161° radial, extending from the VORTAC to 19 miles south of the VORTAC; and that airspace extending upward from 1,200 feet above the surface bounded by an arc of a 17-mile radius circle centered on the Elko VORTAC extending clockwise from the 091° to the 258° radial of the Elko VORTAC, and that airspace bounded on the northwest and north by V-6, on the southeast by V-465 and on the south by V-32.

Ellensburg, Wash.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Bowers Field (latitude 47°02'10" N., longitude 120°31'50" W.) and within 5 miles northeast and 9.5 miles southwest of the Ellensburg VORTAC 131° radial, extending from the VORTAC to 18.5 miles southeast of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 7 miles northwest and 10 miles southeast of the Ellensburg VORTAC 064° and 244° radials extending from 9 miles southwest to 20 miles northeast of the VORTAC, and that airspace southeast of Ellensburg within an arc of 16.5-mile radius circle centered on the Ellensburg VORTAC, extending clockwise from the south
edge of V-2 to the Ellensburg VORTAC 114° radial; that airspace extending upward from 9,500 feet MSL bounded on the north by the south edge of V-28, on the east by the west edge of V-28 west and on the southwest by the northeast edge of V-4.

Elmira, N.Y.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of the center of Chemung County Airport Elmira, N.Y., 12°09'37" N., 76°53'35" W. within 2 miles each side of the Elmira VOR 237° radial extending SW from the 12-mile radius area for 8 miles SW of the VOR; within 5 miles SE and 8 miles NW of the airport ILS NE localizer course extending from the 12-mile radius area to 13 miles NE of the Alpine RBN.

El Paso, Tex.
That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of the El Paso International Airport (latitude 31°48'35" N., longitude 106°22'55" W.) extending clockwise from the 261° to the 278° bearings from the El Paso International Airport; within a 9-mile radius of the Biggs AAF (latitude 31°50' 55" N., longitude 106°22'45" W.) extending clockwise from the 262° to the 029° bearings from the Biggs AAF; within 2 miles each side of the Newman, Tex., VORTAC 040° radial extending from the 9.5-mile radius area to 12 miles NE of the VORTAC; within a 15-mile radius of the El Paso International Airport extending clockwise from the 041° to the 161° bearings of the El Paso International Airport; thence via the United States/Mexican border to point of beginning.
AMENDMENTS 1/30/75 39 F. R. 41966 (Rewritten)

El Rico, Calif.
That airspace extending upward from 700 feet above the surface within a 3-mile radius of El Rico Airport (latitude 36°02'43" N., longitude 119°38'44" W.) and within 3 miles each side of the Avenal VORTAC 034° radial, extending from the 3-mile radius area to 24 miles NE of the VORTAC.

Ely, MN.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Ely Municipal Airport (latitude 47°49'26" N., longitude 91°49'45" W.); and within 3 miles each side of the 112° bearing from the Ely Municipal Airport, extending from the 6-mile radius area to 8 miles southeast of the airport, and within 3 miles each side of the 305° bearing from Ely Municipal Airport, extending from the 6-mile radius area to 8 miles northwest of the airport; that airspace extending upward from 1,200 feet above the surface within 9½ miles south and 4½ miles north of the 112° bearing from the Ely Municipal Airport extending from the airport to 18½ miles southeast of the airport, and within 9½ miles southwest and 4½ miles north of the 305° bearing of the Ely Municipal Airport extending from the airport to 18½ miles northwest of the airport excluding the portion which overlies the prohibited areas P-205 and P-204.

Ely, NV.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Ely, NV., VOR, within 5 miles northeast and 9.5 miles southwest of the Ely VOR 303° radial, extending from the VOR to 18.5 miles northwest of the VOR; that airspace extending upward from 1,200 feet above the surface within 6 miles east and 9.5 miles west of the Ely VOR 007° and 187° radials extending from 17 miles north to 2 miles south of the VOR and within 5 miles each side of the Ely VOR 167° radial, extending from the VOR to 21 miles south of the VOR.

Elyria, Ohio
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, 41°20'40" N., 82°10'40" W., of Lorain County Regional Airport and within 3.5 miles each side of the Cleveland VORTAC 300° radial, extending from the 9-mile radius area to 9.5 miles northwest of the VORTAC, excluding the portion that coincides with the Cleveland, Ohio 700-foot transition area.

Emporia, Kansas
That airspace extending upward from 700 feet above the surface within 2 miles either side of the Emporia VORTAC 134° radial, extending from the 5-mile radius of the airport (latitude 38°20'00" N., longitude 96°11' 15" W.); to 8 miles southeast of the VORTAC and 5 miles either side of the 010° bearing from the airport extending from the 5-mile radius to 12.5 miles north.

AMENDMENTS 4/24/75 40 F. R. 18171 (Changed)

Emporia, Va.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, (36° 41'30" N., 77°29'30" W.) of Emporia Municipal Airport, Emporia, Va., extending clockwise from a 057° bearing to a 183° bearing from the airport; within a 7-mile radius of the center of the airport, extending clockwise from a 183° bearing to a 057° bearing from the airport and within 3 miles each side of a 135° bearing from the Emporia RBN (36°40'58" N., 77°28'57" W.) extending from the RBN to 8.5 miles southeast of the RBN.

Endicott, NY.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the center lat. 42° 04'42" N., long. 76°05'49" W. of Tri-Cities Airport, Endicott, NY.; within a 10.5-mile radius of the center of the airport, extending clockwise from a 020° bearing to a 090° bearing from the airport; within a 12-mile radius of the center of the airport, extending clockwise from a 090° bearing to a 125° bearing from the airport; within a 13-mile radius of the center of the airport, extending clockwise from a 125° bearing to a 235° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 235° bearing to a 263° bearing from the airport and within 3.5 miles each side of the Binghamton, NY., VORTAC 340° radial, extending from the 10-mile radius area to 11.5 miles north of the VORTAC.

Enid, Okla.
That airspace extending upward from 700 feet above the surface within 10 miles E and W of Vance AFB runway 17R-35L, extending to 15 miles N and S of Vance AFB (latitude 36°20'20" N., longitude 97°55'00" W.); and within 5 miles W and 8 miles E of the Woodring VOR 355° radial, extending from 2 miles SE of the VOR to 12 miles N of the VOR, and within 5 miles W and 8 miles E of the Woodring VOR 185° radial, extending from the VOR to 12 miles S.

Erie, Pa.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center, lat. 42°04'53" N., long. 80°10'43" W. of Erie International Airport, Erie, Pa.; within a 15.5-mile radius of the center of the airport extending clockwise from a 074° bearing to a 221° bearing from the airport; within 4 miles each side of the Erie ILS localizer SW course, extending from the 8.5-mile radius area to 11 miles SW of the OM; within 5 miles each side of the Erie VORTAC 054° radial extending from the 8.5-mile radius area to 23.5 miles NE of the VORTAC.

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Escanaba, Mich.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Delta County Airport (latitude 45°43'25" N., longitude 87°05'56" W.); that airspace extending upward from 1,200 feet above the surface within a 19-mile radius of Escanaba VORTAC, excluding that portion which overlies the Marquette, Michigan, transition area and that portion south of the 45°45' parallel.

AMENDMENTS 6/19/75 40 F. R. 17986 (Rewritten)

Estherville, Iowa
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Estherville Municipal Airport (latitude 43°25'00" N., longitude 94°44'45" W.); and within 3 miles each side of the 175° bearing from Estherville Municipal Airport, extending from the 6½-mile radius area to 8 miles south of the airport.

Eufaula, Ala.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Weedon Field (latitude 31°57'05" N., longitude 85°07'45" W.); within 4 miles each side of Eufaula VOR 014° radial, extending from the 6.5-mile radius area to 10 miles north of the VOR.

AMENDMENTS 2/6/75 40 F. R. 2577 (Changed)

Eugene, Oregon
That airspace extending upward from 700 feet above the surface within a 21-mile radius of the Eugene VORTAC; that airspace extending upward from 1200 feet above the surface northeast of Eugene, bounded on the north by V-536, on the southeast by V-121N (proposed), on the southwest by the arc of the 21-mile radius circle, on the northwest by V-23E; that airspace east of Eugene bounded on the north by V-121 (proposed), on the east by latitude 122°30'00" W. on the southwest by V-452 and on the west by the arc of the 21-mile radius circle.

Eunice, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Eunice Airport (latitude 30°28'00" N., longitude 92°25'30" W.) and within 2 miles each side of the Lafayette VORTAC 310° radial extending from the 5-mile radius area to 6 miles southeast of the approach end of Runway 34.

Evadale, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Evadale Airport (latitude 30°19'30" N., longitude 94°04'24" W.), and within 2 miles each side of the 150° bearing from the Evadale RBN (latitude 30°24'16" N., longitude 94°07'37" W.), extending from the 5-mile radius area to the RBN.

Evansville, Ind.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Dress Memorial Airport (latitude 38°02'15" N., longitude 87°31'45" W.); and within 2 miles each side of the Evansville VORTAC 060° radial, extending from the 10-mile radius area to the VORTAC.

Fairbanks, Alaska
That airspace extending upward from 700 feet above the surface within 9.5 miles W and 4.5 miles E of the Eielson localizer S course extending from the Eielson VOR to 18.5 miles S of the VOR; within 2 miles NW and 4.5 miles SE of the Fairbanks localizer NE course, extending from the Fairbanks outer marker to Fox RBN; within 4.5 miles SE and 9.5 miles NW of the Fairbanks localizer NE course extending from Fox RBN to 18.5 miles NE of the RBN; within 4.5 miles NW and 9.5 miles SE of the Fairbanks localizer SW course, extending from 5 miles SW of the localizer antenna (latitude 64°48'11" N., longitude 147°53'01" W) to 18.5 miles SW of the localizer antenna; within 4.5 miles N and 9.5 miles S of the Chena 089° bearing, extending from Chena RBN to 18.5 miles E of the RBN; and that airspace extending upward from 1,200 feet above the surface beginning at latitude 68°00'00" N., longitude 153°00'00" W.; to 68°00'00" N., 144°00'00" W.; to 63°10'00" N., 144°00'00" W.; to 62°38'00" N., 145° 41'00" W.; to 62°45'00" N., 148°48'00" W.; to 62°59'00" N., 150°15'00" W.; to 63°00'00" N., 151°10'00" W.; to 64°00'00" N., 153°00'00" W.; to point of beginning, excluding the portion within Restricted Areas R-2202B and R-2206.

Fairfield, IL.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of the Fairfield Airport (latitude 38°23'00" N., longitude 88°25'00" W.) and within 3 miles either side of the 179° bearing from the Fairfield Airport extending from the 5½-mile radius to 8 miles south of the airport.

Fairfield, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Fairfield-Municipal Airport (latitude 41°03'15" N., longitude 91°58'40" W.); and within 3 miles each side of the 188° bearing from Fairfield Municipal Airport, extending from the 5-mile radius area to 11 miles south of the airport.

Fairmont, Minn.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Fairmont Municipal Airport (latitude 43°38'41" N., longitude 94°25'04" W.); within 3 miles each side of the 132° bearing from Fairmont Municipal Airport, extending from the 7-mile radius area to 8 miles southeast of the airport; and within 3 miles each side of the 319° bearing from Fairmont Municipal Airport, extending from the 7-mile radius area to 8 miles northwest of the airport; and that airspace extending upward from 1,200 feet above the surface within 4½ miles southwest and 9½ miles northeast of the 132° bearing from the Fairmont Municipal Airport, extending from the airport to 18½ miles southeast of the airport; excluding the portion in Minnesota.

Fairmont, W. Va.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center, 39°26' 50" N., 80°10'00" W., of Fairmont Airport, Fairmont, W. Va., and within 5 miles each side of the Morgantown, W. Va., VORTAC 245° radial extending from the 8.5-mile radius area to 7.5 miles southwest of the VORTAC.

Fairview, Okla.
Within a 5-mile radius of the Fairview, Okla., Municipal Airport (latitude 36°17'12" N., longitude 98°28' 00" W.) and within 3.5 miles either side of the 360° bearing of the Fairview RBN (latitude 36°17'10" N., longitude 98°28'06" W.) extending from the 5-mile radius to 2.5 miles north.

Falfurrias, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Brooks County Airport (latitude 27°12'15" N., longitude 98°07'15" W.) and within 3 miles each side of the 163° T bearing from the Brooks County RBN (latitude 27°12'23" N., longitude 98°07'24" W.) extending from the 5-mile radius area to 8 miles southeast of the RBN.

Fallon, Nev.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of NAS Fallon TACAN and within 2 miles NE and 2.5 miles SW of the Fallon TACAN 296° radial, extending from the 11-mile radius area to 15 miles NW of the TACAN; that airspace extending upward from 1,200 feet above the surface beginning at latitude 40°01'00" N., longitude 118°01'00" W.; to latitude 39°51'00" N., longitude 117°58'00" W.; to latitude 39°51'00" N., longitude 117°31'00" W.; to latitude 39°34'00" N., longitude 117°39°30" W.; to latitude 39°18'00" N., longitude 117°47'30" W.; to latitude 39°00'00" N., longitude 117°40'00" W., to point of intersection of a line 8 miles NE of and parallel to the Reno VORTAC 135° radial and the NE edge of V-105E, thence via a line 8 miles NE of and parallel to Reno 135° radial to longitude 119°00'00" W., to latitude 39°42'00" N., longitude 119°00'00" W. to latitude 40°01'00" N., longitude 118°19'00" W., to point of beginning, excluding that airspace below 1,500 feet AGL within R-4816N and that airspace within R-4816S extending upward from 500 feet AGL to and including 2,000 feet AGL which lies N of and within 1 nautical mile from U. S. Highway 50 between the intersections of Highway 50 with longtiude 118°25'30" W. and 118°09'50" W.; that airspace extending upward from 9,500 feet MSL extending from 23 to 44 miles SE of Fallon TACAN bounded on the NE by a line 10 miles NE of and parallel to the Fallon TACAN 139° radial and on the SW by the NE edge of V-105E. The 1,200 foot portion underlying the 9,500 foot MSL portion of the transition area is excluded.

Falmouth, Mass.
That airspace extending upward from 700 feet above the surface within a 14-mile radius of Otis AFB, Falmouth, Mass. (latitude 41°39'30" N., longitude 70°31'35" W.); within a 6-mile radius of Barnstable Airport, Hyannis, Mass., (latitude 41°40'10" N., longitude 70°16'45" W.); within 5 miles NW and 8 miles SE of the Barnstable Airport ILS localizer NE course, extending from the OM to 12 miles NE of the OM; within a 4-mile radius of the Chatham Airport, Chatham, Mass. (latitude 41°41'20" N., longitude 69°59'25" W.); within a 6-mile radius of Martha's Vineyard Airport, Martha's Vineyard, Mass., (latitude 41°23'35" N., longitude 70°36'50" W.), and within 5 miles NW and 8 miles SE of the Martha's Vineyard VOR 055° radial, extending from the VOR to 12 miles NE of the VOR; within 2 miles each side of the 183° bearing from Edgartown RBN, extending from the 6-mile radius area to 8 miles S of the RBN; and within a 5-mile radius of the Oak Bluffs Airport, Oak Bluffs, Mass. (latitude 41°26'25" N., longitude 70°34'10" W.); and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 42°13'20" N., longitude 70°18'30" W., thence to latitude 42°10'50" N., longitude 70°03'00" W., to latitude 41°40'29" N., longitude 69°46'32" W., to latitude 41°38'00" N., longitude 69°45'10" W., to latitude 41°21'00" N., longitude 69°45'10" W., to latitude 41°09'00" N., longitude 70°00'00" W., to latitude 41°10'25" N., longitude 70°12'50" W., to latitude 41°04'00" N., longitude 70°42'30" W., to latitude 41°12'45" N., longitude 70°42'30" W., to latitude 41°21'00" N., longitude 70°48'00" W., to latitude 41°42'00" N., longitude 70°48'00" W., to latitude 41°53'30" N., longitude 70°56'30" W., thence to the point of beginning; and that airspace extending upward from 2,000 feet MSL bounded on the N by Control 1142, on the SE by Control 1143, and on the W by a line extending through latitude 41°40'29" N., longitude 69°46'32" W. and latitude 42°10'50" N., longitude 70°03'00" W., excluding the portion within the Nantucket, Mass., transition area.

Farewell, Alaska
That airspace extending upward from 1,200 feet above the surface within 9.5 miles northeast and 5 miles southwest of the Farewell RBN 128° and 308° bearings, extending from 6 miles southeast to 18.5 miles northwest of the RBN.

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Fargo, N. Dak.
That airspace extending upward from 700 feet above the surface within an 18.5-mile radius of Hector Field (latitude 46°54'57" N., longitude 96°48'53" W.) and that airspace extending upward from 1,200 feet above the surface within a 29-mile radius of Hector Field; and that airspace extending upward from 1,200 feet above the surface within a 46-mile radius of Hector Field extending clockwise from the Fargo VORTAC 056° radial to the north edge of V2N, west of Fargo; and within 10 miles east and 7 miles west of the Fargo VORTAC 187° radial extending from the 46-mile radius area to 56 miles south of the VORTAC; and that airspace extending upward from 2,700 feet MSL extending from the 29-mile radius area to the 46-mile radius area between the north edge of V2N, west of Fargo, clockwise to the Fargo VORTAC 056° radial, excluding V-181, V-181E, and the Grand Forks, N. Dak., transition area.

Faribault-Owatonna, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Faribault Municipal Airport (latitude 44°19'35" N., longitude 93°18'30" W.); within a 5-mile radius of Owatonna Municipal Airport (latitude 44°07'15" N., longitude 93°15'15" W.); within 2 miles each side of the 200° bearing from Faribault Municipal Airport extending from the Faribault 5-mile radius area to 9 miles south of the airport; and within 2 miles each side of the 315° bearing from Owatonna Municipal Airport, extending from the Owatonna 5-mile radius area to 9 miles northwest of the airport.

Farmington, Mo.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Farmington Municipal Airport (latitude 37°45'45" N., longitude 90°26'30" W.); and within 1½ miles each side of the Farmington VORTAC 300° radial, extending from the 9-mile radius area to the VORTAC.
AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Farmington, N. Mex.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of Farmington Municipal Airport (lat. 36°44'28" N., long. 108°13'39" W.) within 3.5 miles each side of the Farmington VORTAC 086° radial extending from the 11-mile radius area to 12 miles east of the VORTAC, and within 4.5 miles each side of the Farmington VORTAC 265° radial extending from the 11-mile radius area to 23 miles west of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 30-mile radius of the Farmington VORTAC excluding the portion within the Durango, Colo., transition area.

Farmville, Va.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, lat. 37° 21'22" N., long. 78°26'16" W. of Farmville Municipal Airport, Farmville, Va.

Fayetteville, Ark.
That airspace extending upward from 700 feet above the surface within a 27.5-mile radius of latitude 36°12'00" N., longitude 94°14'00" W., within 5 miles each side of the Drake VOR 186° radial extending from the 27.5-mile radius area to 19 miles south of the VOR, and within 5 miles east and 10 miles west of the Fayetteville VORTAC 005° radial extending from the 27.5-mile radius area to 33.5 miles north of the VORTAC.

Fayetteville, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Fayetteville Municipal Airport (Grannis Field) (latitude 34°59'22" N., longitude 78°52'52" W.); within a 10-mile radius of Pope AFB (latitude 35°10'15" N., longitude 79°00'55" W.); within 10 miles north and 2 miles south of Simmons AAF (lat. 35°07'55" N., long. 78°57'05" W. Runway 27 extended and centerline, extending from the 10-mile radius area to 17.5 miles east of the runway end; within 9.5 miles northeast and 4.5 miles southeast of Pope AFB ILS localiser northeast course, extending from the 10-mile radius area to 24 miles northeast of the Pope TACAN; excluding the portion within R-5311.
AMENDMENTS 7/30/75 40 F. R. 33435 (Changed)

Fayetteville, Tenn.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Fayetteville Municipal Airport (lat. 35°03'28" N., long. 86°33'53" W.); within 3 miles each side of the 188° bearing from Highland RBN (lat. 35°03'32" N., long. 86°33'58" W.), extending from the 6.5-mile radius area to 8.5 miles south of the RBN.

Fergus Falls, Minn.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Fergus Falls Municipal Airport (latitude 46°17'10" N., longitude 96°09'35" W.); and within 3 miles each side of the 187° bearing from Fergus Falls Municipal Airport, extending from the 6½-mile radius area to 8 miles south of the airport.

Festus, Mo.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Festus Memorial Airport (latitude 38°11'45" N., longitude 90°23'00" W.); and within 3 miles each side of the 180° bearing from Festus Memorial Airport, extending from the 7-mile radius area to 8 miles south of the airport.
AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Findlay, Ohio
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Findlay, Ohio, Airport (latitude 41°00'40" N., longitude 83°40'30" W.) within 3 miles each side of the 063° bearing from the Findlay Airport extending from the 6.5-mile radius area to 8.5 miles northeast of the airport, within 3 miles each side of the 179° bearing from the Findlay Airport extending from the 6.5-mile radius area to 8.5 miles south of the airport within 2 miles each side of the Findlay VORTAC 231° radial extending from the Bluffton Flying Service Airport (latitude 40°53'09" N., longitude 83°52'04" W.) 5-mile radius area to the 6.5-mile radius area of the Findlay Airport.

Firebaugh, Calif.
That airspace extending upward from 700 feet above the surface within a 3-mile radius of Firebaugh Airport (latitude 36°51'36" N., longitude 120°27'49" W.); and within 3 miles each side of the Los Banos VORTAC 060° radial, extending from the 3-mile radius area to 15 miles NE of the VORTAC.
AMENDMENTS 10/30/75 40 F. R. 42741 (Added)

Fire Island, N. Y.
That airspace extending upward from 8,500 feet MSL bounded on the north by Control 1169, on the southeast by a line 10 nautical miles southeast of and parallel to the southeast boundary of V-139, on the southwest by Control 1147 and on the northwest by V-139.

Fitzgerald, Ga.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Fitzgerald Municipal Airport (lat. 31°41'00" N., long. 83°16'00" W.); within 3 miles each side of the 200° bearing from Fitzgerald RBN (lat. 31°41'06" N., long. 83°16'00" W.), extending from the 5-mile radius area to 8.5 miles southwest of the RBN.

Five Finger, Alaska
That airspace extending upward from 700 feet above the surface within a 4-mile radius of the Five Finger RBN, and within 2 miles each side of the 349° and 189° bearings from the Five Finger RBN, extending from the RBN to 8 miles N and 8 miles S of the RBN; and that airspace extending upward from 1,200 feet above the surface within 8 miles E and 5 miles W of the 189° and 009° bearings, extending from 7 miles N to 13 miles S of the RBN, and within 8 miles W and 5 miles E of the 349° and 169° bearings, extending from 13 miles N to 7 miles S of the RBN.

Flagstaff, Ariz. (Pullias Airport)
That airspace extending upward from 700 feet above the surface within an 11.5-mile radius of Pullias Airport (latitude 35°08'16" N., longitude 111°40'17" W.), and that airspace extending upward from 1,200 feet above the surface within 9.5 miles each side of the Flagstaff VOR 127° and 307° radials, extending from 8 miles northwest to 19 miles southeast of the VOR, excluding that portion within R-2302.

Flemingsburg, Ky.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Fleming-Mason Airport (latitude 38°32'33" N., longitude 83°44'25" W.); within 3 miles each side of the 061° bearing from Flemingsburg RBN (latitude 38°32'17" N., longitude 83°44'49" W.), extending from the 6.5-mile radius area to 8.5 miles northeast of the RBN.

AMENDMENTS 10/9/75 40 F. R. 32319 (Added)

Flint, Mich.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of the Flint VOR, within 5 miles north and 8 miles south of the Flint ILS localiser west course, extending from the 12-mile radius area to 12 miles west of the outer marker; within a 4-mile radius of Owosso City Airport, (latitude 42°59'30" N., longitude 84°08'00" W.); within a 5½ mile radius of the Price Airport, (latitude 42°48'25" N., longitude 83°46'20" W.); and within a 5-mile radius of the Davison-Genova Airport, (latitude 43°01'45" N., longitude 83°31'34" W.); excluding the portion which overlies the Detroit, Michigan transition area.

AMENDMENTS 9/6/75 40 F. R. 32740 (Rewritten)
AMENDMENTS 10/23/75 40 F. R. 43718 (Rewritten)

Flippin, Ark.
That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of the Flippin Municipal Airport (latitude 36°17'30" N., longitude 92°35'30" W.); within 3.5 miles each side of the Flippin VOR 086° radial extending from the Flippin Municipal Airport 9.5-mile radius area to 8.5 miles east of the VOR; within an 8-mile radius of Mountain Home Municipal Airport (latitude 36°22'00" N., longitude 92°28'00" W.); and within 3.5 miles each side of the Flippin VOR 172° radial extending from the Mountain Home Municipal Airport 8-mile radius area to 8.5 miles south of the VOR.

Florence, S. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Florence City-County Airport (lat. 34°11'17" N., long. 79°43'28" W.); within 4 miles each side of Florence VORTAC 049° radial, extending from the 8.5-mile radius area to 9 miles northeast of the VORTAC.

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Florida
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Florida including the airspace within 3 nautical miles of and parallel to the shoreline of Florida; that airspace east of Jacksonville, Fla., bounded by a line 3 nautical miles from and parallel to the shoreline and a line extending from latitude 30°43'05" N., longitude 81°21'00" W., thence to latitude 30°44'00" N., longitude 81°18'10" W., thence clockwise along the arc of a 25-mile radius circle centered on the Jacksonville VORTAC, to and east along latitude 30°17'30" N., to longitude 81°01'30" W., thence to latitude 30°09'00" N., longitude 81°02'15" W., to latitude 29°54'00" N., longitude 81°02'15" W., to latitude 29°56'00" N., longitude 81°14'50" W.; that airspace extending upward from 1,200 feet above the surface to and including 12,000 feet above the surface bounded by a line beginning at the intersection of a line 3 nautical miles east of and parallel to the shoreline and lat. 29°29'00" N., thence east along lat. 29°29'00" N., to and clockwise along the arc of a 23-nautical mile radius circle centered on the Daytona Beach Regional Airport (lat. 29°10'49" N., long. 81°03'23" W.), to and north along a line 3-nautical miles east of and parallel to the shoreline to point of beginning; that airspace east of Melbourne, Fla., bounded by a line 3 nautical miles from and parallel to the shoreline, and the arc of a 25-mile radius circle centered on Patrick AFB, Cocoa, Fla. (latitude 28°14'21" N., longitude 80°36'28" W.); that airspace east of Palm Beach, Fla., bounded by a line 3 nautical miles from and parallel to the shoreline and the arc of a 30-mile radius circle centered on the Palm Beach VORTAC; that airspace east and south of Miami, Fla., bounded by a line 3 nautical miles from and parallel to the shoreline and the arc of a 50-mile radius circle centered on the Miami International Airport (latitude 25°47'34" N, longitude 80°17'10" W.); that airspace surrounding Key West, Fla., beginning at latitude 25°04'05" N., longitude 81°58'15" W., thence clockwise along the arc of a 35-mile radius circle centered on the Key West VORTAC to latitude 24°08'50" N., longitude 82°04'35" W., to lat. 24°02'30" N., long. 82°23'00" W.; to lat. 24°27'30" N., long. 82°37'00" W., to latitude 24°45'00" N., longitude 82°32'00" W., to latitude 24°45'00" N., longitude 81°56'50" W., to latitude 24°49'00" N., longitude 81°55'00" W., to point of beginning; that airspace northeast of Key West bounded on the west by B-19, on the south and east by V-35 and on the north by the arc of a 50-mile radius circle centered on the Miami International Airport; that airspace southwest of Fort Myers, Fla., bounded by a line 3 nautical miles from the shoreline and the arc of a 20-mile radius circle centered on the Fort Myers VORTAC; that airspace north, west, and south of Tampa, Fla., bounded by a line 3 nautical miles from and parallel to the shoreline and a line extending from latitude 26°30'00" N., and a point 3 nautical miles from the shoreline, thence west along latitude 26°30'00" N., to the east boundary of W-168, thence north and west along the boundary of W-168, to longitude 83°42'00" W., thence to the north boundary of Control 1226 at longitude 83°47'50" W., thence east along the north boundary of Control 1226, to and clockwise along the arc of a 42-mile radius circle centered on MacDill AFB (latitude 27°50'57" N., longitude 82°31'38" W.) to a point 3 nautical miles from the shoreline; that airspace south of Panama City, Fla., bounded by a line 3 nautical miles from the shoreline and a line extending from latitude 29°43'10" N., longitude 85°27'00" W., to latitude 30°04'00" N., longitude 85°56'00" W., to latitude 30°11'10" N., longitude 85°56'00" W.; that airspace south of Eglin AFB bounded by a line 3 nautical miles from the shoreline and a line extending from latitude 30°15'00" N., longitude 86°06'15" W., to latitude 30°10'30" N., longitude 86°07'30" W., to latitude 30°07'30" N., longitude 86°13'00" W., to latitude 30°07'30" N., longitude 86°24'00" W., to latitude 30°14'46" N., longitude 86°28'40" W., to latitude 30°06'00" N., longitude 86°29'50" W., to latitude 30°00'00" N., longitude 86°34'00" W., to latitude 30°00'00" N., longitude 86°44'00" W., to latitude 30°05'00" N., longitude 86°47'58" W., to latitude 30°09'20" N., longitude 86°47'58" W., to latitude 30°20'30" N., longitude 86°41'00" W.; that airspace south of Pensacola, Fla., bounded by a line 3 nautical miles from and parallel to the shoreline and a line extending from latitude 30°18'20" N., longitude 87°00'00" W., to latitude 29°54'00" N., longitude 87°15'17" W., thence clockwise along the arc of a 30-mile radius circle centered at latitude 30°20'19" N., longitude 87° 20'00" W., to latitude 30°02'50" N., longitude 87°42'20" W., to latitude 30°04'00" N., longitude 87°41'20" W., thence clockwise along the arc of a 30-mile radius circle centered on NAS Pensacola TACAN, to latitude 30°09'45" N., longitude 87°45'45" W., to latitude 30°11'20" N., longitude 87°44'15" W., thence along a line 3 nautical miles from and parallel to the shoreline to latitude 30°13'15" N., longitude 87°32'55" W.; That airspace 4.5 miles southeast of and 9.5 miles northwest of the 228° bearing from the Naples RBN (latitude 26°09'00" N., longitude 81°46'31" W.), extending from the RBN to 18.5 miles southwest of the RBN. that airspace southwest of Miami extending upward from 1,700 feet MSL bounded on the northeast by a line 3 nautical miles from and parallel to the shoreline, on the southeast by V-51, on the south by the arc of a 35-mile radius circle centered on the Key West VORTAC and on the west by V-225E; that airspace extending upward from 2,000 feet MSL; east of Jacksonville beginning at latitude 30°44'00" N., longitude 81°18'10" W., to latitude 30°45'15" N., longitude 80°58'50" W., to latitude 30°17'30" N., longitude 81°01'30" W., thence west along latitude 30°17'30" N., to and counterclockwise along the arc of a 25-mile radius circle centered on the Jacksonville VORTAC to point of beginning; that airspace south of Marathon, Fla., bounded on the north by V-35, on the east by longitude 80°25'00" W., on the south by latitude 24°20'00" N., and on the west by Control 1233; that airspace southwest of Fort Myers, Fla., bounded on the south by Control 1230, on the east by V-225, on the northeast by the arc of a 20-mile radius circle centered on the Fort Myers VORTAC, on the north by latitude 26°30'00" N., and on the west by W-168 and a line extending from latitude 26°10'00" N., longitude 82°17'00" W., to the north boundary of Control 1230 at longitude 82°15'00" W.; that airspace northwest of Tampa bounded on the east by V-35W, on the west by V-97 and on the north by V-7W; that airspace west of Tampa extending upward from 4,700 feet MSL bounded on the northeast by V-97 and V-97W, on the southeast by the arc of a 42-mile radius circle centered on MacDill AFB, on the south by Control 1226, on the northwest by the Cross City VOR 212° radial from the southwest boundary of V-97 to the St. Petersburg VORTAC 280° radial, then west along this radial to Control 1226, excluding: That portion within W-151 east of the INT of the north boundary of Control 1226, and the St. Petersburg VORTAC 280° radial; that portion southeast of a line extending from latitude 29°43'35" N., longitude 84°39'00" W., to latitude 29°47'00" N., longitude 84°40'00" W., to latitude 29°52'30" N., longitude 84°34'40" W., thence to the west boundary of V-7W at latitude 29°52'30" N.

AMENDMENTS 10/9/75 40 F. R. 36108 (Changed)

Foraker, Okla.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Codding Cattle Airport (latitude 36°46'00" N., longitude 96°33'00" W.).

Forest City, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Forest City Municipal Airport (lat. 43°14'00" N.; long. 93°38'00" W.).

Forrest City, Ark.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Forest City Municipal Airport (latitude 34°56'42" N., longitude 90°46'16" W.), and within 3.5 miles each side of the 180° bearing from the Forrest City RBN (latitude 34°56'28" N., longitude 90°46'24" W.) extending from the 5.5-mile radius area to 11.5 miles south of the RBN.

Forsyth, Mont.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Forsyth Airport (latitude 46°16'14" N., longitude 106°37'00" W.); within 4 miles north and 5 miles south of the 075° bearing from the Forsyth MDB (latitude 46°16'10" N., longitude 106°31'01" W.), extending from the MDB to 10 miles east of the MDB; and that airspace extending upward from 1,200 feet above the surface within 9.5 miles north and 5 miles south of 089° bearing from the Forsyth MDB, extending from the MDB to 18.5 miles east of the MDB, excluding that portion which overlies the Miles City, Mont., transition area.

AMENDMENTS 3/27/75 40 F. R. 3289 (Added)

Fort Bridger, Wyo.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Fort Bridger Municipal Airport (latitude 41°24'00" N., longitude 110°25'00" W.),and within 3.5 miles each side of the Fort Bridger VORTAC 047° radial extending from the 9-mile radius area to 11.5 miles northeast of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 8.5 miles southeast and 12.5 miles northwest of the Fort Bridger VORTAC 047° and 227° radials extending from 23 miles northeast to 10.5 miles southwest of the VORTAC.

AMENDMENTS 10/9/75 40 F. R. 30465 (Rewritten)

Fort Collins, Colo.
That airspace extending upward from 700 feet above the surface within 9.5 miles east and 5 miles west of the 173° and 353° bearings from the Fort Collins-Loveland RBN (latitude 40°28'49" N., longitude 105°00'22" W.) extending from 6.5 miles north to 18.5 miles south of the RBN.

Fort Dodge, Iowa
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Fort Dodge Municipal Airport (latitude 42°33'05" N., longitude 94°11'10" W.); and that airspace extending upward from 3,500 feet MSL south and east of Fort Dodge bounded on the north by V-100, on the east by V-13, on the south by V-172 and on the northwest by V-138.

Fort Huachuca, AZ.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Libby AAF, Fort Huachuca, AZ. (latitude 31°35'00" N., longitude 110°20'30" W.), that airspace within an arc of a 22-mile radius circle centered on the Libby AAF VOR, extending clockwise from a line 5 miles northwest of and parallel to the 033° radial of the Libby AAF VOR to a line 5 miles south of and parallel to the Libby AAF VOR 093° radial; that airspace extending upward from 1,200 feet above the surface bounded on the north by the Tucson, AZ., transition area, on the northeast by the southwest edge of V-66, on the east by longitude 109°44'00" W., on the south by latitude 31°25'00" N., on the west by longitude 110°30'00" W., and that airspace northeast of Libby AAF bounded on the north by the south edge of V-168, on the east by a line 5 miles west of and parallel to the Douglas, AZ., VORTAC 347° radial, on the southwest by the northeast edge of V-66 and on the west by longitude 110°00'00" W.

Fort Jones, Calif.
That airspace extending upward from 9,500 feet MSL bounded on the NE by V-23 and V-23W, on the S by latitude 41°19'00" N., and on the W by longitude 123°01'00" W.

Fort Leonard Wood, Mo.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Forney AAF (latitude 37°44'30" N., longitude 92°08'25" W.); within 4½ miles southwest and 9½ miles northeast of the Forney AAF VOR 323° radial, extending from the VOR to 18½ miles northwest of the VOR; within 4½ miles southwest and 9½ miles northeast of the 146° and 326° bearings from Forney AAF RBN, extending from Forney AAF to 18½ miles southeast of the Forney AAF RBN; and within 4½ miles southwest and 9½ miles northeast of the Forney AAF VOR 152° radial extending from the VOR to 18½ miles southeast of the VOR.

AMENDMENTS 4/24/75 40 F. R. 18172 (Changed)

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Fort Madison, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Fort Madison Municipal Airport (latitude 40°39'30" N., longitude 91°19'30" W.); and within 2 miles each side of the Burlington, Iowa VORTAC 258° radial, extending from the 5-mile radius area to 12 miles west of the VORTAC excluding the portion which overlies the Burlington, Iowa, transition area.

Fort Myers, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Page Field (lat. 26°35'09" N., long. 81°51'51" W.); within 3 miles each side of the 220° bearing from Tice RBN, extending from the 8.5-mile radius area to 8.5 miles southwest of the RBN; within 3.5 miles each side of Fort Myers VORTAC 062° radial, extending from the 8.5-mile radius area to 10 miles northeast of the VORTAC.

AMENDMENTS 4/24/75 40 F. R. 7435 (Changed) Corr: 40 F. R. 11712

Fort Polk, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Polk AAF (latitude 31°02'40" N., longitude 93°11'25" W.); within 2 miles each side of the 160° bearing from the Polk AAF RBN, extending from the 5-mile radius area to 10 miles SE of the south fan marker; and within 2 miles each side of the 340° bearing from the Polk AAF RBN, extending from the 5-mile radius area to 8 miles NW of the north fan marker.

Fort Rucker, Ala.
That airspace extending upward from 700 feet above the surface within the area bounded by a line beginning at latitude 31°38'00" N., longitude 86°23'30" W.; thence northeast via V-70 to V-7; thence south via V-7 to V-241; thence southwest via V-241 to and clockwise along the arc of a 5-mile radius circle centered at latitude 31°03'00" N., longitude 86°19'33" W.; to latitude 31°03'00" N., longitude 86°24'30" W.; to the point of beginning; within a 6.5-mile radius of Blackwell Field, Ozark, Ala. (latitude 31°25'50" N., longitude 85°37'10" W.).

Fort Scott, Kans.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Fort Scott Municipal Airport (latitude 37°47'45" N., longitude 94°46'10" W.); and within 2 miles each side of the 348° bearing from Fort Scott Municipal Airport, extending from the 5-mile radius area to 8 miles north of the airport.

AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)

Fort Smith, Ark.
That airspace extending upward from 700 feet above the surface within a 12.5-mile radius of the Fort Smith Municipal Airport (latitude 35°20'10" N., longitude 94°22'05" W.), within an 11.5-mile radius of the Fort Smith VORTAC extending clockwise from the 078° to the 155° radials of the VORTAC, within 6 miles northwest and 5 miles southeast of the Fort Smith VORTAC 053° radial extending from the 12.5 and 11.5-mile radius areas to 12 miles northeast of the VORTAC, within 2 miles each side of the Fort Smith VORTAC 239° radial extending from the 12.5-mile radius area to 20 miles southwest of the VORTAC, within 3.5 miles each side of the VORTAC 119° radial extending from the VORTAC to 11.5 miles southeast of the VORTAC, and within 2 miles each side of the
Fort Smith ILS localizer west course extending from the 12.5-mile radius area to 8 miles west of the Peno Bottoms RBN (latitude 35°19'21" N., longitude 94°28'28" W.).

Fort Stockton, Tex.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Pecos County Airport (latitude 30°55'00" N., longitude 102°54'30" W.), within 6 miles each side of the Fort Stockton VORTAC 308° and 128° radials extending from the airport to 8 miles northwest of the VORTAC, and within 7 miles each side of the Fort Stockton VORTAC 128° radial extending from 9 miles southeast to 21 miles southeast of the VORTAC.

Fortuna, CA.
That airspace extending upward from 700 feet above the surface within 2 miles each side of the Fortuna VORTAC 327° radial, extending from the VORTAC to 8 miles northwest of the VORTAC; within 2 miles northeast and 4.5 miles southwest of the Fortuna VORTAC 147° radial, extending from the VORTAC to 3.5 miles southeast of the VORTAC; within 2.5 miles southwest and 3.5 miles northeast of the 129° and 309° bearings from the Rohnerville Airport (latitude 40°33'15" N., longitude 124°07'53" W.), extending from 7.5 miles northwest to 3 miles southeast of the airport, and within 2 miles each side of the Fortuna VORTAC 034° radial, extending from the VORTAC to 11 miles northeast of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 4.5 miles southeast and 10 miles northwest of the Fortuna VORTAC 220° radial, extending from the VORTAC 18.5 miles southwest of the VORTAC.

Fort Wayne, Ind.
That airspace extending upward from 700 feet above the surface within a 17-mile radius of Fort Wayne VORTAC; and within an 18½-mile radius of Fort Wayne VORTAC, extending from the Fort Wayne VORTAC 194° radial clockwise to the Fort Wayne VORTAC 335° radial.

Fort Yukon, AK.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Fort Yukon Municipal Airport (latitude 66°34'10" N., longitude 145°14'59" W.) and within 3 miles south and 4.5 miles north of Fort Yukon 078° radial extending from the 5-mile radius area to 10.5 miles east of the Fort Yukon VORTAC and within 3 miles each side of the Fort Yukon VORTAC 214° radial extending from the 5-mile radius area to 8.5 miles southwest of the VORTAC.

Fostoria, Ohio
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Fostoria Metropolitan Airport (latitude 41°11'30" N., longitude 83°23'50" W.); within 3 miles each side of the 084° bearing from the airport extending from the 6.5-mile radius area to 8.5 miles east of the airport; excluding that portion that overlies the Tiffin, Ohio, transition area.

AMENDMENTS 1/30/75 39 F. R. 43535 (Rewritten)

Frankfort, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Frankfort Municipal Airport (latitude 40°18'25" N., longitude 86°33'45" W.) and within 3 miles each side of the 221° bearing from the airport extending from the 5-mile radius area to 8.5 miles southwest.

AMENDMENTS 1/30/75 39 F. R. 40254 (Added)

Frankfort, Ky.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Capital City Airport (lat. 38°10'56" N., long. 84°54'16" W.); within 3 miles each side of the 082° bearing from Jett RBN (lat. 38°12'56" N., long. 84°48'32" W.), extending from the 8.5-mile radius area to 8.5 miles northeast of the RBN; within 3 miles each side of Frankfort VOR 083° radial, extending from the 8.5-mile radius area to 8.5 miles northeast of Jett RBN; within 3 miles each side of Frankfort VOR 240° radial, extending from the 8.5-mile radius area to 8.5 miles southeast of the VOR.

Franklin, Pa.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center (41° 22'48" N., 79°51'40" W.) of Chess-Lamberton Airport, Franklin, Pa.: within 3.5 miles each side of the Franklin, Pa., VOR 360° radial, extending from the 7-mile radius area to 11.5 miles north of the VOR.

Franklin, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Rocking 7 Ranch Airport (latitude 31°09'37" N., longitude 96°26'14" W.); within 2.5 miles each side of the 276° radial from the Leona, Tex., VORTAC extending from the 5-mile radius area to 22 miles southwest of the Leona VORTAC.

AMENDMENTS 12/4/75 40 F. R 48119 (Added)

Franklin, Va.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, 36°41'50" N., 76°54'18" W. of John Beverly Rose Field-Franklin Municipal Airport; and within 3.5 miles each side of the 083° bearing from 36°42'07" N., 76°53'20" W., extending from this point to 11.5 miles east.

Frederick, Md.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, lat. 39°25'00" N., long. 77°22'30" W. of Frederick Municipal Airport, Frederick, Md.; within a 16-mile radius of the center of the airport, extending clockwise from a 248° bearing to a 350° bearing from the airport and within 3 miles each side of the Frederick VOR 032° radial, extending from the 8-mile radius area to 8.5 miles northeast of the VOR, excluding the portion within R-40.

Frederick, Okla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Frederick, Okla., Municipal Airport (latitude 34°21'09" N., longitude 98°59'21" W.) and within 3.5 miles each side of the 001° bearing from the Frederick, Okla., RBN (latitude 34°23'35" N., longitude 98°59'19" W.) extending from the 8.5-mile radius area to 11.5 miles north of the RBN.

AMENDMENTS 10/9/75 40 F. R. 33819 (Rewritten)

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Fredericksburg, Va.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 38°15'40" N., 77°26'20" W. of Shannon Airport, Fredericksburg, Va., and within 2 miles each side of the Brooke, Va., VORTAC 227° radial, extending from the 6-mile radius area to 1 mile southwest of the VORTAC.

Freeport, Ill.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Albertus Airport (latitude 42°14'50" N., longitude 89°34'45" W.); and within 2 miles each side of the 065° bearing from Albertus Airport, extending from the 6-mile radius area to 8 miles northeast of the airport.

Fremont, Mich.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Fremont Municipal Airport, Fremont, Mich. (latitude 43°26'31" N.; longitude 85°89'29" W.).

Fremont, Nebr.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Fremont Municipal Airport (latitude 41°26'55" N., longitude 96°30'50" W.).

Fremont, Ohio
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, lat. 41° 20'00" N., long. 83°09'40" W. of Progress Field, Fremont, Ohio, and within 2.5 miles each side of the Waterville, Ohio, VORTAC 108° radial, extending from the 5-mile radius area to 19.5 miles east of the VORTAC.

French Lick, IN.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the French Lick Municipal Airport (latitude 38°30'26" N., longitude 86°37'59" W.) and within 3 miles each side of the 076° bearing from the French Lick Municipal Airport extending from the 6½-mile radius to 8 miles northeast.

Frenchville, Maine
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center of the Northern Aroostock Regional Airport (latitude 47°17'15" N., longitude 68°19'00" W.) and within 5 miles each side of the 115° bearing of the Frenchville (FVE) NDB (latitude 47°16'05" N., longitude 68°15'26" W.) extending from the 6-mile radius to 11.5 miles southeast of the NDB, excluding the airspace within Canada.

AMENDMENTS 3/27/75 40 F. R. 1682 (Added)

Fresno, Calif.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Chandler Municipal Airport (latitude 36°43'55" N., longitude 119°49'05" W.); within 2 miles each side of the 232° bearing from the Fresno RBN, extending from the 5-mile radius area to 8 miles SW of the RBN; within 2 miles each side of the Fresno VORTAC 185° radial, extending from the 5-mile radius area to the VORTAC, excluding the portion within the arc of a 5-mile radius circle centered on the Fresno Air Terminal, and the portion NE of a line 2 miles SW of and parallel to the Fresno VORTAC 143° radial, extending from the arc of a 5-mile radius circle centered on Fresno Air Terminal to the VORTAC; within 2 miles W and 4 miles E of the Fresno VORTAC 158° radial, extending from the arc of a 5-mile radius circle centered on the Fresno Air Terminal to 16 miles SE of the VORTAC, and within 2 miles each side of the Fresno ILS localizer SE course, extending from the arc of a 5-mile radius circle centered on the Fresno Air Terminal to 13 miles SE of the OM; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 37°29'00" N., longitude 119°15'00" W., to latitude 36°49'00" N., longitude 118°46'00" W., to latitude 36°39'00" N., longitude 118°46'00" W., to latitude 36°39'00" N., longitude 119°09'00" W., to latitude 36°00'00" N., longitude 118°45' 00" W., thence west via latitude 36°00'00" N., to longitude 119°30'00" W., thence north via longitude 119°30' 00" W., to the west edge of V-23, thence north via the west edge of V-23 to latitude 36°37'00" N., longitude 119°56'00" W., to latitude 37°02'00" N., longitude 120°18'00" W., to point of beginning.

Fryeburg, Maine
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, lat. 43° 59'28" N., long. 70°56'53" W., of Eastern Slopes Airport, Fryeburg, Maine, and within 4.5 miles north and 6.5 miles south of the 118° bearing and the 298° bearing from the Fryeburg NDB, lat. 43°50'21" N., long. 70°56' 58" W., extending from 5.5 miles west of the NDB to 11.5 miles east of the NDB, excluding the portions within the North Conway, N. H., area.

Fulton, N. Y.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center 43° 21' 05" N., 76°23'20" W. of Oswego County Airport, Fulton, N. Y.
That airspace extending upward from 1,200 feet above the surface within 5.5 miles each side of the Syracuse, NY., 344° radial, extending from the VORTAC to the United States/Canadian border; and within 5 miles each side of the Watertown, NY., 309° radial extending from the VORTAC to the United States/Canadian border.

Gadsden, Ala.
That airspace extending upward from 700 feet above the surface within an 11.5-mile radius of Gadsden Municipal Airport (latitude 33°58'25" N., longitude 86°05'14" W.).

Gage, Okla.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Gage Municipal Airport (latitude 36°17'45" N, longitude 99°46'30" W.).

Gainesville, FL.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Gainesville Municipal Airport (lat. 29°41'22" N., long. 82°16'28" W.).

Gainesville, Ga.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Lee Gilmer Memorial Airport (lat. 34°16'37" N., long. 83°49'42" W.); within 9.5 miles northwest and 4.5 miles southeast of the 216° bearing from Gainesville RBN (lat. 34°16'30" N., long. 83°49'56" W.), extending from the RBN to 18.5 miles southwest; excluding the portion within the Lawrenceville, Ga., transition area.

AMENDMENTS 2/20/75 40 F. R. 4905 (Changed)

Gainesville, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Gainesville Airport (lat. 33°39'00" N., long. 99°11'40" W.); and within 3.5 miles each side of the 001° bearing from the Gainesville RBN (lat. 33°42'12" N., long. 97°11'50" W.) extending from the 5-mile radius area to 11.5 miles north of the RBN.

Gaithersburg, Md.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center (39° 09'54" N., 77°10'00" W.), of Montgomery County Airpark, Gaithersburg, Md.; within 5 miles each side of the Frederick, Md., VOR 176° radial, extending from the VOR to 13 miles south of the VOR; and within 4.5 miles south and 9.5 miles north of a 292° bearing from the Gaithersburg, Md., RBN (39°10'06" N., 77°09'42" W.), extending from the RBN to 18.5 miles west of the RBN.

AMENDMENTS 8/28/75 40 F. R. 30808 (Rewritten)

Galax, Va.
That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of the center, lat. 36°45'52" N., long. 80°49'20" W. of Twin County Airport; and within 4.5 miles each side of the Pulaski VORTAC 196° radial, extending from the 10.5-mile radius area to 8 miles south of the VORTAC.

Galena, Alaska
That airspace extending upward from 700 feet above the surface within 2 miles each side of the Galena VORTAC 089° radial extending from the control zone extension east boundary to 12 miles E of the VORTAC; within 2 miles S and 5 miles N of the Galena VORTAC 269° radial extending from the control zone boundary to 19 miles W of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 28-mile radius of the Galena VORTAC; within a 40-mile radius of the Galena VORTAC extending from the 240° radial clockwise to the 298° radial and extending from the 28-mile radius area to 40 miles W of the VORTAC; and within a 35-mile radius of the Galena VORTAC extending from the 089° radial clockwise to the 119° radial and extending from the 28-mile radius area to 35 miles E of the VORTAC.

Galesburg, Ill.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Galesburg Municipal Airport (latitude 40°56'24" N., longitude 90°25'46" W.); within 5 miles east and 8 miles west of the Galesburg VOR 019° radial extending from the VOR to 12 miles north of the VOR; within 5 miles northwest and 8 miles southeast of the VOR 214° radial extending from the VOR to 12 miles southwest of the VOR; within a 5-mile radius of the Monmouth Municipal Airport (latitude 40°55'42" N., longitude 90°38'06" W.).

Galeton, Pa.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, lat. 41° 40'00" N., long. 77°49'15" W., of Cherry Springs Airport, Galeton, Pa.

Gallipolis, Ohio
That airspace extending upward from 700 feet above the surface within an 8½-mile radius of the Gallia-Meigs Regional Airport, Gallipolis, Ohio (latitude 38°50'03" N., longitude 82°09'49" W.).

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Gallup, N. Mex.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Senator Clarke Field (latitude 35°30'35" N., longitude 108°47'00" W.); within 3.5 miles each side of the Gallup VORTAC 242° radial, extending from the 9-mile radius area to 11.5 miles southwest of the VORTAC; and that airspace extending upward from 1,200 feet above the surface witnin an area bounded by a line beginning at latitude 35°47'30" N., longitude 108°34'00" W.; to latitude 35°26'50" N., longitude 108°34'00" W.; to latitude 35°13'15" N., longitude 109°06' 00" W.; to latitude 35°20'25" N., longitude 109°10'40" W.; to latitude 35°52'00" N., longitude 108°47'00" W., to point of beginning, excluding the portion which coincides with the State of New Mexico transition area.

Garden City, Kans.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Garden City Municipal Airport (latitude 37°55'49" N., longitude 100°43'40" W.), within 3 miles each side of the 144° and 324° bearings from Holcomb RBN, extending from the 7-mile radius to 8 miles northwest of the RBN; and 4½ miles east and 9½ miles west of the 004° radial of the Garden City VORTAC extending from the 7-mile radius to 18½ miles north of the VORTAC.

AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)

Gaylord, Mich.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Otsego County Airport (latitude 45°00'50" N., longitude 84°41'45" W.).

Georgetown, DE.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, lat. 38°41'23" N., long. 75°21'38" W. of Sussex County Airport, Georgetown, DE., and within 2 miles each side of the Waterloo, DE., VORTAC 225° radial extending from the 6.5-mile radius area to the VORTAC.

Georgetown, Ohio
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Brown County Airport (latitude 38°52'55" N., longitude 83°52'58" W.); and within 3 miles either side of the 162° bearing from the airport extending from the 5-mile radius to 8 miles southeast of the airport.

AMENDMENTS 8/21/75 40 F. R. 28076 (Added) Corr: 40 F. R. 31927 - eff. date changed to 8/14/75

Georgetown, S. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Georgetown County Airport (latitude 33°19'00" N., longitude 79°19'00" W.); within 3 miles each side of the 213° bearing from Georgetown RBN (latitude 33°18'55" N., longitude 79°19'29" W.), extending from the 6.5-mile radius area to 8.5 miles southwest of the RBN.

AMENDMENTS 8/14/75 40 F. R. 26021 (Added) Corr: 40 F. R. 29550

Georgetown, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Georgetown Municipal Airport (latitude 30°40'47" N., longitude 97°40'52" W.).

Georgia
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Georgia including the offshore airspace within 3 nautical miles from the parallel to the shoreline of Georgia and including the additional airspace outside the United States southeast of Savannah bounded by a line beginning at latitude 32°03'25" N., longitude 80°46'30" W.; to latitude 32°00'00" N., longitude 80°33'00" W.; to latitude 31°30'00" N., longitude 80°51'05" W.; to latitude 31°30'00" N., longitude 80°47'30" W.; to latitude 31°11'30" N., longitude 81°01'10" W.; to latitude 30°44'00" N., longitude 81°18'10" W.; to latitude 30°43'05" N., longitude 81°21'00" W.; thence north via a line 3 nautical miles from and parallel to the shoreline to the point of beginning, and including the airspace extending upward from 2,000 feet MSL southeast of Brunswick bounded by a line beginning at latitude 31°11'30" N., longitude 81°01'10" W.; to latitude 30°45'18" N., longitude 80°58'50" W.; to latitude 30°44'00" N., longitude 81°18'10" W.; thence northeast to point of beginning, excluding the portion within R-6004.

Gibson City, Ill.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Gibson City Municipal Airport, latitude 40°29'00" N., longitude 88°16'00" W., and within 2 miles either side of the Roberts VORTAC 220° radial extending from the 5-mile radius northeast to Roberts VORTAC.

Gila Bend, Ariz.
That airspace extending upward from 5,500 feet MSL bounded on the north and northeast by the south and southwest edges of V-66, on the east by longitude 111°45'00" W., on the south by latitude 32°27'00" N., and on the west by longitude 113°35'00" W.

Gillette, Wyo.
That airspace extending upward from 700 feet above the surface within 6 miles east and 9.5 miles west of the Gillette VOR (latitude 44°20'52" N., longitude 105°32'34" W.) 176° and 356° radials, extending from 8 miles south to 18.5 miles north of the VOR. That airspace extending upward from 1,200 feet above the surface within 5 miles each side of a direct line between the Crazy Woman VORTAC and the Gillette VOR.

Glasgow, Ky.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Glasgow Municipal Airport (lat. 37°01'54" N., long. 85°57'10" W.); within 3 miles each side of the 252° bearing from Glasgow RBN (lat. 37°01'03" N., long. 86°00'33" W.), extending from the 9-mile radius area to 8.5 miles west of the RBN.

Glasgow, Mont.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Glasgow International Airport (latitude 48°12'50" N., longitude 106°37'10" W.); within a 9-mile radius of Glasgow AFB (latitude 48°25'21" N., longitude 106°31'55" W.); and that airspace extending upward from 1,200 feet above the surface within 4½ miles southwest and 9½ miles northeast of the Glasgow VOR 127° radial, extending from the VOR to 19½ miles southeast of the VOR; within a 25-mile radius of the Cherry Creek TACAN; within 9½ miles north and 5½ miles south of the Cherry Creek TACAN 125° radial extending from the 25-mile radius area to 33½ miles southeast of the TACAN; within 9½ miles south and 5½ miles north of the Cherry Creek TACAN 292° radial extending from the 25-mile radius area to 33½ miles northwest of the TACAN.

Glendive, Mont.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of Dawson Community Airport (latitude 47°08'20" N., longitude 104°48'25" W.); and within 4½ miles northeast and 9½ miles southwest of the 325° bearing from Dawson Community Airport, extending from the 12-mile radius area to 18½ miles northwest of the airport.

Glens Falls, N. Y.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, latitude 43°20'32" N., longitude 73°36'35" W., of Warren County Airport extending clockwise from 050° bearing to a 220° bearing from the airport; within an 18.5-mile radius of the center of the airport extending clockwise from a 220° bearing to a 050° bearing from the airport; within 7 miles west and 9.5 miles east of the Glens Falls VORTAC 172° radial extending from the VORTAC to 18.5 miles south of the VORTAC.

Gloucester, Mass.
That airspace east of Gloucester extending upward from 11,000 feet MSL bounded by Contol 1141, Control 1142, and Control 1143. This transition area is effective from 0000 to 0800 and 1801 through 2359 hours, local time, Monday through Friday and continuous on Saturday and Sunday.

Gloucester, Va.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 37°23'45" N., 76°31'50" W. of the Gloucester Airport, Gloucester, Va.; and within 2 miles each side of the 110° radial of the Harcum, Va., VOR, extending from the 5-mile radius area to the VOR, excluding the portion within the West Point, Va., transition area.

Goldsboro, N. C.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Seymour-Johnson AFB (lat. 35°20'20" N., long. 77°57'50" W.); within a 6.5-mile radius of Goldsboro-Wayne Municipal Airport (lat. 35° 27'30" N., long. 77°58'00" W.).

AMENDMENTS 10/9/75 40 F. R. 33655 (Rewritten)

Goodland, Kans.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Renner Field-Goodland Municipal Airport (latitude 39°22'10" N., longitude 101°41'55" W.); and within 5 miles each side of the Goodland VORTAC 163° radial, extending from the 7-mile radius area to 12 miles south of the VORTAC.

AMENDMENTS 4/24/75 40 F. R. 10171 (Rewritten)
AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

Gordonsville, VA.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, lat. 38°09'21" N., long. 78°09'50" W. of Gordonsville Municipal Airport, Gordonsville, VA., and within 2 miles each side of the Gordonsville VORTAC 356° radial, extending from the 7-mile radius area to the VORTAC.

Gorman, Calif.
That airspace extending upward from 1,200 feet above the surface bounded on the E by Long. 118°45' 00" W, on the S by Lat. 34°30'00" N, on the W by Long. 119°30'00" W, and on the N by Lat. 35°05'00" N.

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Goshen, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Goshen, Ind., Airport (latitude 41°31'43" N., longitude 85°47'48" W.), and within 2 miles each side of the Goshen, Ind., VORTAC 090° radial extending from the 5-mile radius area to the VORTAC.

Graham, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Graham Municipal Airport (latitude 33°06'20" N., longitude 98°33'10" W.), and within 2 miles each side of the 014° bearing from the Graham RBN (latitude 33°07'48" N., longitude 98°32'59" W.) extending from the 5-mile radius area to 8 miles north of the RBN.

Grain Valley, Mo.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the East Kansas City Airport (latitude 39°00'55" N., longitude 94°12'45" W.); and within 5 miles each side of the 312° radial of the Blue Springs, Mo., VORTAC extending from the 6½-mile radius area to 8 miles northwest of the VORTAC, excluding the portion which overlies the Kansas City, Mo., 700-foot floor transition area.

Granbury, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Granbury Municipal Airport (latitude 32°26'38" N., longitude 97°49'00" W.); and within 1.5 miles each side of the Acton VORTAC 274° radial extending from the 5-mile radius of the Acton VORTAC.

Grand Canyon, Ariz. (Grand Canyon National Park Airport)
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Grand Canyon National Park Airport (lat. 35°57'16" N., long. 112°08'37" W.); and within 3.5 miles each side of the Grand Canyon VOR 211° radial, extending from the 5-mile radius area to 8 miles southwest of the VOR; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 36°00'00" N., longitude 112°27'00" W., to latitude 36°05'00" N., longitude 112°00'00" W., to latitude 35°42'00" N., longitude 112°00'00" W., to latitude 35°42'00" N., longitude 112°07'00" W., to latitude 35°38'00" N., longitude 112°07'00" W., to latitude 35°38'00" N., longitude 112°27'00" W., thence to point of beginning; and that airspace within 5 miles each side of a direct line between the Grand Canyon, Ariz., VOR and Boulder City, Nev., VORTAC extending from the Grand Canyon VOR to 21 miles west of the VOR.

Grand Forks, ND.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Grand Forks International Airport (latitude 47°57'05" N., longitude 97°10'35" W.) within 4.5 miles west and 9.5 miles east of the Grand Forks VORTAC 173° radial, extending from the VORTAC to 18.5 miles south of the VORTAC, and within a 10-mile radius of Grand Forks AFB (latitude 47°57'40" N., longitude 97°24'00" W.) and within 4.5 miles west and 9.5 miles east of the Grand Forks VORTAC 180° radial, extending from the 8.5-mile radius to 26½ miles south of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 35-mile radius of Grand Forks AFB, and within a 29-mile radius of Red River VOR, extending clockwise from a line 5 miles east of and parallel to the Red River VOR 180° radial to a line 5 miles northwest of and parallel to the Red River VOR 209° radial.

Grand Island, Nebr.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Grand Island County Airport (latitude 40°58'03" N., longitude 98°18'30" W.); within 4½ miles northeast and 9½ miles southwest of the Grand Island VORTAC 303° radial, extending from the 10-mile radius area to 18½ miles northwest of the VORTAC; and within 4½ miles east and 9½ miles west of the Grand Island VORTAC 360° radial, extending from the 10-mile radius area to 18½ miles north of the VORTAC.

Grand Isle, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Grand Isle seaplane base (latitude 29° 15' 45" N., longitude 89° 57' 40" W.), and within 2 miles each side of the Grand Isle RBN 052° bearing, extending from the 5-mile radius area to the RBN; within 2 miles each side of the Leeville, Louisiana, VORTAC 052° radial extending from the 5-mile radius area to the VORTAC, and within 2 miles each side of the
Leeville, Louisiana, VORTAC 050° radial extending from the 5-mile radius area to 20 miles northeast of the VORTAC.

Grand Junction, Colo.
That airspace extending upward from 700 feet above the surface within 8 miles northwest and 5 miles southeast of the Grand Junction VORTAC 247° and 067° radials extending from 13 miles southwest to 14 miles northeast of the VORTAC and within 2 miles south and 10 miles north of the Grand Junction VORTAC 110° radial extending from the VORTAC to 22 miles southeast; that airspace extending upward from 1,200 feet above the surface within a 35-mile radius of the Grand
Junction VORTAC, within 5 miles each side of the Grand Junction VORTAC 166° radial extending from the 35-mile radius area to 38 miles S of the VORTAC, within 5 miles each side of the Grand Junction ILS localizer NW course extending from the 35-mile radius area to the INT of the localizer NW course and the Grand Junction VORTAC 318° radial.

Grand Marais, Minn.
That airspace extending upward from 700 feet above the surface within a 9½-mile radius of Devils Track Municipal Airport (latitude 47°49'35" N., longitude 90°22'45" W.); and within 4½ miles north and 9½ miles south of the 103° bearing from the Devils Track Municipal Airport, extending from the airport to 18½ miles east of the airport except for that portion which overlies P-204; and that airspace extending upward from 1,200 feet above the surface within 5 miles each side of the 273° bearing from the Devils Track Municipal Airport extending from the airport to 12 miles west of the airport.

Grand Rapids, Mich.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Kent County Airport (latitude 42°53'50" N., longitude 85°31'25" W.); within 2 miles each side of the 281° bearing from the Kent County Airport extending from the 9-mile radius area to 15½ miles west of the airport.

Grand Rapids, Minn.
That airspace extending upward from 700 feet above the surface within a 9½-mile radius of Grand Rapids Municipal Airport (latitude 47°12'45" N., longitude 93°30'34" W.); and 5 miles each side of the Grand Rapids VOR 162° radial, extending from the 9½-mile radius area to 8 miles south of the VOR; and that airspace extending upward from 1,200 feet above the surface within 4½ miles west and 9½ miles east of the Grand Rapids VOR 162° radial extending from the VOR to 18½ miles south of the VOR.

Grandview, Mo.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Richards-Gebaur AFB (latitude 38°30'50" N., longitude 94°33'20" W.); within a 6-mile radius of Johnson County Airport (latitude 38°51'00" N., longitude 94°44'15" W.); and within 3 miles each side of the 183° bearing from Johnson County Airport, extending from the 6-mile radius area to 8 miles south of the airport; and that airspace extending upward from 1,200 feet above the surface within the area bounded on the south by latitude 38°00'00" N., on the west by the east edge of V-12; on the north by the arc of a 10-mile radius circle centered on the Kansas City, Mo., Municipal Airport (latitude 39°07'20" N., longitude 94°35'30" W.); and on the east by the west edge of V-190, excluding the portion which overlies the Emporia and Wichita, Kans., transition areas.

Grayling, Mich.
That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of Grayling Army Airfield (latitude 44°40'45" N., longitude 84°43'45" W.); excluding that portion which overlies restricted areas R-4201 and R-4202.

Great Barrington, Mass.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 42°11'05" N., 73°24'15" W., of Great Barrington Airport, Great Barrington, Mass.; within 2 miles each side of the Runway 5 centerline extended from the 5-mile radius area to 9 miles northeast of the end of the runway; within 2 miles each side of the Runway 11 centerline extended from the 5-mile radius area to 13 miles east of the end of the runway; within 2 miles each side of the Runway 23 centerline extended from the 5-mile radius area to 12 miles southwest of the end of the runway; within 2 miles each side of the Runway 29 centerline extended from the 5-mile radius area to 6 miles west of the end of the runway and within 5 miles east and 8 miles west of the 152° bearing from Great Barrington, Mass., RBN 42°10'58" N., 73°24'17" W., extending from the RBN to 12 miles southeast of the RBN.

Great Bend, Kansas
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Great Bend Municipal Airport (latitude 38°20'50" N., longitude 98°51'47" W.) and within 2 miles each side of the 301° bearing from the Great Bend Municipal Airport, extending from the 7-mile radius area to 10 miles NW of the airport.

AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)

Great Bend, N. Y.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center 44° 03'15" N., 75°43'15" W. of Wheeler-Sack AAF, N. Y.; within an 8-mile radius of the center of the airport, extending clockwise from a 088° bearing to a 135° bearing from the airport; within an 11-mile radius of the center of the airport, extending clockwise from a 135° bearing to a 168° bearing from the airport; within a 13.5-mile radius of the center of the airport, extending clockwise from a 168° bearing to a 198° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 198° bearing to a 242° bearing from the airport and within 3 miles each side of the Watertown, N. Y., VORTAC 088° radial, extending from the 6.5-mile radius area to the VORTAC. That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at 43°52'00" N., 75°54'00" W., to 43°50'30" N., 75°53'30" W., to 43° 44'00" N., 75°49'15" W., thence clockwise along an arc with a radius of 40 miles from the center of Griffiss AFB, Rome, N. Y., to longitude 75°30'00" W., thence north along longitude 75°30'00" W., to 44°08'00" N., 75° 30'00" W., to 44°10'30" N., 75°31'00" W., to 44°13'00" N., 75°42'20" W., to point of beginning, excluding the portion which coincides with the Watertown, N. Y., 700-foot and 1,200-foot transition areas. This transition area is effective from April 1 through September 30.

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Great Falls, Mont.
That airspace extending upward from 700 feet above the surface within a 17-mile radius of Malmstrom AFB (latitude 47°30'05" N., longitude 111°11'20" W.), within 3.5 miles each side of the Truly RBN 180° bearing, extending from the 17-mile radius area to 9 miles south of the RBN and within 3 miles each side of the Great VOR 157° radial, extending from the 17-mile radius area to 21.5 miles southeast of the VOR.
and that airspace extending upward
from 1,200 feet above the surface within a 40-mile radius of Malmstrom AFB; within 12 miles north and 8 miles south of the Great Falls VOR 074° radial, extending from the 40-mile radius area to 61 miles east of the VOR; and within 12 miles south and 8 miles north of the Great Falls VOR 272° radial extending from the 40-mile radius area to 56 miles west of the VOR.

Greeley, Colo.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Weld County Airport (latitude 40°25'35" N., longitude 104°37'45" W.) and within 3.5 miles each side of the Gill VOR 038° and 218° radials extending from the 6-mile radius area to 11 miles northeast of the VOR; that airspace extending upward from 1,200 feet above the surface within 10 miles northwest and 7 miles southeast of the Gill VOR 038° and 218° radials, extending from 20 miles northeast to 13 miles southwest of the VOR.

Green Bay, Wis.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Austin-Straubel Airport, Green Bay, Wis. (latitude 44°29'16" N., longitude 88°07'49" W.); within 2½ miles each side of the Green Bay ILS southwest localizer course extending from the 9-mile radius to 8 miles southwest of the OM; within 5 miles each side of the Green Bay VORTAC 326° radial, extending from the 9-mile radius area to 8 miles northwest of the VORTAC; and within 5 miles each side of the Green Bay ILS localizer northeast course extending from the 9-mile radius to 14 miles northeast of the airport.

Greeneville, Tenn.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Greeneville Municipal Airport (lat. 36°11'30" N., long. 82°49'01" W.); within 9.5 miles southeast and 4.5 miles northwest of the 038° bearing from Greene County RBN (lat. 36°11'26" N., long. 82°48'50" W.), extending from the RBN to 18.5 miles northeast of the RBN; excluding the portion within the Tri-City, Tennessee transition area.

Greensboro, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Greensboro/High Point/Winston-Salem Regional Airport (latitude 36°05'36" N., longitude 79°56'34" W.); within 5 miles each side of Greensboro VORTAC 035° radial, extending from the 8.5-mile radius area to 17.5 miles northeast of the VORTAC; within 4 miles each side of Greensboro VORTAC 207° radial, extending from the 8.5-mile radius area to 8.5 miles southwest of the VORTAC; within 9.5 miles southwest and 4.5 miles northeast of Greensboro ILS localizer northwest course, extending from the LOM to 18.5 miles northwest.

Greenville, Ala.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Greenville Municipal Airport (latitude 31°50'44" N., longitude 86°36'38" W.); within 3 miles each side of the 148° bearing from Persimmon RBN (latitude 31°51'03" N., longitude 86°36'52" W.), extending from the 6.5-mile radius area to 8.5 miles southeast of the RBN.

AMENDMENTS 10/9/75 40 F. R. 32319 (Added)

Greenville, Ill.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Greenville, Illinois, Airport (latitude 38°50'12" N., longitude 89°22'38" W.), and within 2 miles each side of the 348° bearing from Greenville Airport extending from the 6.5-mile radius to 8 miles north of the airport.

Greenville, Maine
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center (lat. 45°27'47" N., long. 69°33'21" W.), Greenville Municipal Airport, Greenville, Maine, within 3.5 miles each side of a 212° bearing from the Greenville, Maine, NDB, extending from the 8.5-mile radius area to a point 10 miles southwest of the Greenville NDB, within a 6.5-mile radius of the center (lat. 45°28'10" N., long. 69°36'00" W.) Greenville Seaplane Base, Greenville, Maine, within 3.5 miles each side of a 181° bearing from the Greenville NDB extending from the 6.5-mile radius area to a point 9.5 miles south of the Greenville NDB.

Greenville, Miss.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Greenville Municipal Airport (latitude 33°29'05" N., longitude 90°59'20" W.); within 3 miles each side of the Greenville VOR 358° radial, extending from the 8.5-mile radius area to 8.5 miles north of the VOR; within 3 miles each side of the 181° bearing from Metcalf RBN, extending from the 8.5-mile radius area south of the RBN.

AMENDMENTS 2/27/75 40 F. R. 2422 (Changed)

Greenville, N. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Pitt-Greenville Airport (latitude 35°37'56" N., longitude 77°23'03" W.); within 3 miles each side of the 007° bearing from Alwood RBN (latitude 35°42'32" N., longitude 77°22'03" W.), extending from the 6.5-mile radius area to 8.5 miles north of the RBN.
AMENDMENTS 12/4/75 40 F. R. 44540 (Changed)

Greenville, S. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Greenville Municipal Downtown Airport (lat. 34°50'54" N., long. 82°21'01" W.); within an 8.5-mile radius of Donaldson Center Airport (lat. 34°45'17" N., long. 82°22'30" W.); within a 9.5-mile radius of Greenville-Spartanburg Airport (lat. 34°53'48" N., long. 82°13'04" W.); within 4 miles each side of Greenville-Spartanburg ILS localizer northeast course, extending from the 9.5-mile radius area to 15 miles northeast of the airport.

Greenville, Tex.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Majors Airport (latitude 33°04'00" N., longitude 96°03'45" W.); and within 2 miles each side of the Majors VOR 188° radial, extending from the 7-mile radius area to 8 miles S of the VOR.

Greenwood, Miss.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Greenwood-Leflore Airport (latitude 33°29'30" N., longitude 90°04'50" W.); within 1.5 miles each side of the Greenwood VORTAC 081° radial, extending from the 10-mile radius area to the VORTAC.

Greenwood, S. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Greenwood County Airport (latitude 34°15'00" N., longitude 82°09'35" W.).

Groton, Conn.
That airspace extending upwards from 700 feet above the surface within the area bounded by a line beginning at 41°10'30" N., 72°00'00" W. to 41°12'00" N., 72°10'00" W. to 41°18'00" N., 72°14'00" W. to 41°27'00" N., 72°09'00" W. to 41°25'00" N., 71°42'30" W. to 41°18'00" N., 71°42'00" W. to 41°16'00" N., 71°49'00" W. to 41°13'00" N., 71°48'00" W. to point of beginning.

Guam Island
That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 13°46'38" N. longitude 144°51'18" E.. thence clockwise along the arc of a 12-mi radius circle centered on Anderson AFB (latitude 13°35'00" N., longitude 144°55'00" E.), to latitude 13°23'50" N., longitude 145°01'00" E., thence to latitude 13°08'45" N., longitude 144°29'20" E., thence to latitude 13°29'45" N., longitude 144°18'30" E., thence to point of beginning.
and that airspace extending upward from 1,200 feet above the surface within a 100-nautical mile radius of the Agana VOR and within a 38-nautical mile radius of the Saipan RBN, excluding the portion within W-517.

Gulfport, Miss.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Gulfport Municipal Airport (lat. 30°24'28" N., long. 89°04'05" W.); within 3.5 miles each side of Gulfport VORTAC 050°, 120°, 213°, and 310° radials, extending from the 8.5-mile radius area to 11 miles northeast, southeast, southwest and northwest of the VORTAC; within an 8.5-mile radius of Keesler AFB (lat. 30°24'39" N., long. 88°55' 20" W.); within 4.5 miles each side of Keesler TACAN 030° and 200° radials, extending
from the 8.5-mile radius area to 12.5 miles northeast and southwest of the TACAN.

Gulkana, Alaska
That airspace extending upward from 700 feet above the surface within 6 miles E and 10.5 miles W of the 346° radial extending from Gulkana VORTAC to 22 miles N of the VORTAC; within 4.5 miles E and 9.5 miles W of the 181° radial extending from the Gulkana VORTAC to 18.5 miles S of the VORTAC; and within a 16.5-mile radius of the Gulkana VORTAC; and that airspace extending upward from 1,200 feet above the surface within 8.5 miles E and 5.5 miles W of the Gulkana VORTAC 184° radial extending from 9 miles S to 30 miles S of the VORTAC; and within 8.5 miles W and 5.5 miles E of the Gulkana VORTAC 346° radial extending from 9 miles N to 30 miles N of the VORTAC.

Gunnison, Colo.
That airspace extending upward from 700 feet above the surface within 9.5 miles northwest and 6 miles southeast of the Gunnison VORTAC 045° and 225° radials extending from 12 miles northeast to 19 miles southwest of the VORTAC.

Gustavus, Alaska
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Sisters Island, Alaska, VORTAC; and that airspace extending upward from 1,200 feet above the surface within 22 miles SW and 19 miles NE of the 148° and 328° bearings from the Gustavus RBN, extending from 18 miles NW to 48 miles SE of the RBN.

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Guthrie, OK.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Guthrie Municipal Airport (latitude 35°50'30" N., longitude 97°25'00" W.) and within 3 miles each side of the 349° true bearing from the Guthrie RBN (latitude 35°51'04" N., longitude 97°25'10" W.) extending from the 5-mile radius area to 10 miles north of the RBN.

Guthrie, Tex.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of latitude 33°38'25" N., longitude 100°20'50" W., and within 2 miles each side of the Guthrie VOR 182° radial extending from the 6-mile radius area to the VOR.

Guymon, Okla.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Guymon Municipal Airport (latitude 36°40'45" N., longitude 101°30'30" W.), and within 3.5 miles each side of the 006° bearing from the Guymon RBN (latitude 36°42'19" N., longitude 101°30'17" W.) extending from the 8-mile radius area to 11 miles north of the RBN.

Gwinner, N. Dak.
That airspace extending upward from 700 feet above the surface within a 8.5-mile radius of the Gwinner Municipal Airport (latitude 46°13'10" N., longitude 97°38'27" W.); and that airspace extending upward from 1,200 feet above the surface within a 12-mile radius of the Gwinner Municipal Airport, and within 9.5 miles west and 4.5 miles east of the 167° T bearing from the Gwinner NDB (latitude 46°13'24" N., longitude 97°38'35" W.), extending from the 12-mile radius area to 18.5 miles south of the NDB.

AMENDMENTS 8/14/75 40 F. R. 21931 (Added)
PENDING AMENDMENT
The description of the Gwinner, N. Da., 1200-foot transition area is amended to add:
and from 5 miles west of the 017° bearing from the Gwinner NDB clockwise to 5 miles south of the 088° bearing from the NDB, extending from the 12-mile radius area to the boundary of the Fargo, North Dakota, transition area.

AMENDMENTS 1/29/76 40 F. R. 54239 (Changed)

Hagerstown, Md.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, 39°42'27" N., 77°43'50" W., of Hagerstown Regional Airport, Hagerstown, Md.; within 3.5 miles each side of the Hagerstown, Md., VOR 239° radial and 059° radial, extending from 11 miles southwest of the VOR to 3 miles northeast of the VOR; within 5 miles each side of the Hagerstown Regional Airport ILS Runway 27 localizer course, extending from the localizer to 14.5 miles east of the localizer.

AMENDMENTS 10/9/75 40 F. R. 33965 (Rewritten)

Haleyville, Ala.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Haleyville Municipal Airport (lat. 34°16'40" N., long. 87°36'05" W.); within 5 miles each side of Hamilton VORTAC 077° radial, extending from the 5.5-mile radius area to 11.5 miles E of the VORTAC.

Hallock, Minn.
That airspace extending upward from 700 feet above the surface within 5 miles northeast and 5 miles southwest of the Pembina VORTAC 135° radial extending from 6 miles southeast of the VORTAC to 22.5 miles southeast of the VORTAC, and that airspace extending upward from 1,200 feet above the surface 4.5 miles northeast and 7 miles southwest of the 315° radial and the 135° radial of Pembina VORTAC extending from 6 miles southeast of the VORTAC to 12.5 miles northwest of the VORTAC excluding that airspace north of latitude 49°00'00" N.; within 9.5 miles northeast and 4.5 miles southwest of the Pembina VORTAC 135° radial extending from 17.5 miles southeast of the VORTAC to 36 miles southeast of the VORTAC; and that airspace within a 29.5 mile radius of the Pembina VORTAC extending counterclockwise from the 183° radial to 4.5 miles southwest of and parallel to the 135° radial.

AMENDMENTS 12/4/75 40 F. R. 44809 (Added)

Hamilton, Ala.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Marion County Airport (lat. 34°07'10" N., long. 87°59'53" W.); within 3 miles each side of Hamilton VORTAC 349° radial extending from the 9-mile radius area to 8.5 miles northwest of the VORTAC.

Hamilton, N. Y.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center lat. 42°50'35" N., long. 75°33'40" W. of AMA Executive Airport, Hamilton, N. Y., and within 5 miles each side of the Georgetown, N. Y., VORTAC 074° and 254° radials extending from the 6.5-mile radius area to 4.5 miles west of the Georgetown, N. Y., VORTAC.

Hamilton, Ohio
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center 39°21'58" N., 84°31'30" W. of Hamilton Airport, Hamilton, Ohio; and within 2 miles north and 5 miles south of a 279° bearing from the Hamilton RBN extending from the 7-mile radius area to 8 miles west of the RBN excluding the portions within the Cincinnati, Ohio and Middletown, Ohio, transition areas.

Hammond, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Hammond Municipal Airport (latitude 30°31'15" N., longitude 90°25'00" W.), and within 3 miles each side of the New Orleans VORTAC 337° T radial extending from the 5-mile radius to 28 miles northwest of the VORTAC.

Hammonton, N. J.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center of lat. 39°40'30" N., long. 74°44'30" W. of Hammonton Municipal Airport, Hammonton, N. J.; within 2 miles each side of the Millville, N. J., VORTAC 051° radial extending from the 5.5-mile radius area to 7.5 miles northeast of the VORTAC.

Hampton, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Hampton Municipal Airport (latitude 42°43'35" N., longitude 93°13'35" W.); excluding that airspace which overlies the Mason City, Iowa, transition area.

AMENDMENTS 4/24/75 40 F. R. 10171 (Added)

Hanford, Calif.
That airspace extending upward from 700 feet above the surface within a 3-mile radius of the Hanford Municipal Airport (latitude 36°19'04" N., longitude 119°37'39" W.), and within 2 miles each side of the Visalia TVOR 246° radial extending from the 3-mile radius area toward the Visalia TVOR to abut the currently designated Visalia 700-foot transition area, excluding that airspace within a 1-mile radius of the Blair (private) Airport (latitude 36°16'31" N., longitude 119°38'23" W.).

Hanksville, Utah
That airspace extending upward from 700 feet above the surface within a 8-mile radius of the Hanksville (FAA Site 54) Airport (latitude 38°25'01" N., longitude 110°41'57" W.), and within 3.5 miles each side of the Hanksville VORTAC 106° radial, extending from the 5-mile radius area to 11.5 miles east of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 6 miles north and 9.5 miles south of the Hanksville VORTAC 286° and 106° radials, extending from 7.5 miles west to 18.5 miles east of the VORTAC.

Hannibal, Mo.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Hannibal, Missouri, Municipal Airport (latitude 39°43'30" N., longitude 91°26'35" W.); and within 3 miles each side of the 162° bearing from the Hannibal Municipal Airport extending from the 5-mile radius area to 8 miles southeast of the airport, excluding that portion which overlies the Quincy, Illinois, transition area.

AMENDMENTS 8/14/75 40 F. R. 26021 (Added)

Harlan, Iowa
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Harlan Municipal Airport (latitude 41°35'15" N., longitude 95°20'15" W.); and within 5 miles each side of the Neola, Iowa, VORTAC 064° radial, extending from the 7-mile radius area to 8 miles northeast of the VORTAC.

Harlingen, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Harlingen Municipal Airport (latitude 26°13'36" N., longitude 97°39'12" W.); within 3.5 miles either side of the Harlingen ILS localizer north course extending from the 5-mile radius zone to 11.5 miles north of the outer marker (latitude 26°18'17.7" N., longitude 97°39'28.2" W.); within 1.5 miles each side of the localizer (latitude 26°12'48" N., longitude 97°39'31" W.) back course 181° T radial extending from the 5-mile radius zone to 5.5 miles south of the localizer and within 2 miles either side of the Harlingen VOR 118° radial extending from the 5-mile radius zone to the VOR.

Harrisburg, Ill.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Harrisburg-Raleigh Airport (latitude 37°48'45" N., longitude 88°33'00" W.); and within 3 miles each side of the 049° bearing from Harrisburg-Raleigh Airport, extending from the airport to 8 miles northeast of the airport.

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Harrisburg, Pa.
That airspace extending upward from 700 feet above the surface within a 19.5-mile radius of the center, 40° 12'59" N., 76°51'03" W., of Capital City Airport, Harrisburg, Pa., extending clockwise from a 009° bearing to a 035° bearing from the airport; within a 13-mile radius of the center of the airport, extending clockwise from a 035° bearing to a 099° bearing from the airport; within a 11.5-mile radius of the center of the airport, extending clockwise from a 099° bearing to a 161° bearing from the airport; within a 13-mile radius of the center of the airport, extending clockwise from a 161° bearing to a 233° bearing from the airport; within a 11.5-mile radius of the center of the airport, extending clockwise from a 233° bearing to a 290° bearing from the airport; within a 16.5-mile radius of the center of the airport, extending clockwise from a 290° bearing to a 009° bearing from the airport; within 5.5 miles each side of the Harrisburg, Pa., VORTAC 274° radial, extending from the VORTAC to 11.5 miles west of the VORTAC; within 9.5 miles north and 4.5 miles south of the Capital City Airport ILS localizer west course, extending from the OM to 18.5 miles west of the OM; within a 12.5-mile radius of the center, 40°11'34" N., 76°45'48" W., of Harrisburg International Airport-Olmsted Field, Middletown, Pa., extending clockwise from a 025° bearing to a 078° bearing from the airport; within a 13.5-mile radius of the center of the airport, extending clockwise from a 078° bearing to a 147° bearing from the airport; within a 12.5-mile radius of the center of the airport, extending clockwise from a 147° bearing to a 228° bearing from the airport; within a 14.5-mile radius of the center of the airport, extending clockwise from a 228° bearing to a 270° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 270° bearing to a 025° bearing from the airport.

Harrison, Ark.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Boone County Airport (latitude 36°15'55" N., longitude 93°09'14" W.), within a 12.5-mile radius of the airport extending from the Harrison VOR 140° radial clockwise to the 320° radial, and within 3.5 miles each side of the Harrison VOR 320° radial extending from the 6.5-mile radius area to 11.5 miles northwest of the VOR; and that airspace extending upward from 1,200 feet above the surface bounded on the northwest by V-72, on the east by V-71, and on the south by the Arkansas/Missouri State line excluding the portion within the Point Lookout, Mo., transition area.

Hartford, Conn.
That airspace extending upward from 700 feet above the surface within an 11.5-mile radius of the center, lat. 41°36'19" N., long. 72°41'00" W. of Bradley International Airport, Windsor Locks, Conn.; within 6.5 miles southeast and 4 miles northwest of the Bradley International Airport back-course localizer northeast course, extending from the 11.5-mile radius area to 19.5 miles northeast of the Bradley International Airport; within 4.5 miles northwest and 15.5 miles southeast of the Bradley International Airport ILS localizer southwest course, extending from the 11.5-mile radius area to 18.5 miles southwest of the OM; within a 9-mile radius of the center 41°45'10" N., 72°37'25" W. of the Rentschler Field, East Hartford, Conn.; within 3.5 miles each side of a 130° bearing from the Brainard NDB extending from the NDB to 11.5 miles southeast of the NDB; within 2 miles each side of the centerline of Runway 4 extended 10 miles from the end of the runway; within 2 miles each side of the centerline of Runway 22 extended 10 miles from the end of the runway; within 2 miles each side of the Hartford VOR 154° radial extending from the 9-mile radius area to 8 miles southeast of the VORTAC; within 2 miles each side of the Hartford VORTAC 130° and 310° radials extending from the 9-mile radius area to 6 miles southeast of the VORTAC; within 5 miles northwest and 5 miles southeast of the Hartford VOR 223° radial extending from the VOR to a point 15 miles southwest; excluding those portions that coincide with the Chicopee Falls, Mass., 700-foot transition area.

AMENDMENTS 1/2/75 39 F. R. 35785 (Rewritten)

Hartford, Wisc.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Hartford Airport (latitude 43°20'55" N., longitude 88°23'30" W.).

Hartsville, S. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Hartsville Municipal Airport (latitude 34°24'15" N., longitude 80°07'04" W.); within 3 miles each side of the 014° bearing from Hartsville RBN (latitude 34°24'25" N., longitude 80°06'56" W.), extending from the 6.5-mile radius area to 8.5 miles north of the RBN; excluding the portion within the Darlington, S. C., transition area.

PENDING AMENDMENT
Haskell, Tex.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Haskell, Tex., Municipal Airport (latitude 33°12'18" N., longitude 99°42'43" W.).

AMENDMENTS 1/29/76 40 F. R. 53550 (Added) Corr: 40 F. R. 56424

Hastings, Mich.
That airspace extending upward from 700 feet above the surface within a 6½ mile radius of Hastings Municipal Airport (latitude 42°39'50" N., longitude 85°20'50" W.); and within 2 miles each side of the Grand Rapids, Mich., VOR 141° radial extending from the 6½ mile radius area to the Grand Rapids VOR, excluding the portion which overlies Grand Rapids, Mich. 700-foot floor transition area.

Hastings, Nebr.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Hastings Municipal Airport (latitude 40°36'20" N., longitude 98°25'30" W.), within 2 miles each side of the 323° bearing from Hastings Municipal Airport extending from the 7-mile radius zone to 8 miles NW of the airport; within 2 miles each side of the 338° bearing from Hastings Municipal Airport extending from the 7-mile radius zone to 9.5 miles N of the airport, and within 2 miles each side of the 143° bearing from Hastings Municipal Airport extending from the 7-mile radius zone to 8 miles SE of the airport.

Hattiesburg, Miss.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Hattiesburg Municipal Airport (latitude 31°16'01" N., longitude 89°15'16" W.); within 1.5 miles each side of the Hattiesburg VORTAC 156° radial, extending from the 7-mile radius area to the VORTAC; within 3 miles each side of the 330° bearing from Hub City RBN (latitude 31°17'57" N., longitude 89°18'01" W.), extending from the 7-mile radius area to 8.5 miles northwest of the RBN; within an 8.5-mile radius of the Pine Belt Regional Airport (latitude 31°28' 03" N., longitude 89°20'11.6" W.); within 3 miles each side of the Hattiesburg VORTAC 182° radial, extending from the 8.5-mile radius area to 8.5 miles south of the VORTAC.

Haverhill, Mass.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 42°48'05" N., 71°03'45" W., of Haverhill Airport, Haverhill, Mass.; and within 2 miles each side of the Runway 33 centerline extended from the 5-mile radius area to 6 miles northwest of the end of the runway, excluding the portion which coincides with the Boston, Mass. transition area. This transition area shall be effective from sunrise to sunset, daily.

Havre, Mont.
That airspace extending upward from 700 feet above the surface within a 14-mile radius of Havre VOR; within 4½ miles south and 9½ miles north of the Havre VOR 080° radial, extending from the 14-mile radius area to 18½ miles east of the VOR; and within 4½ miles north and 9½ miles south of the Havre VOR 287° radial, extending from the 14-mile radius area to 18½ miles west of the VOR.

Hawaiian Islands.
That airspace extending upward from 14,500 feet MSL within the area bounded by lines beginning at latitude 22°24'N., longitude 161°15' W., to latitude 23°53' N., longitude 159°30' W., to latitude 22°31' N., longitude 156°05' W., to latitude 21°47' N., longitude 155°32' W., to latitude 19°44' N., longitude 153°15' W., to latitude 18°20' N., longitude 153°32° W., to latitude 17°15' N., longitude 155°40' W., to latitude 19°43° N., longitude 158°00' W., to latitude 20°46' N., longitude 159°29' W., to latitude 21°18' N., longitude 159°32' W., to latitude 21°30' N., longitude 159°32' W., to latitude 21°30' N., longitude 161°00' W., to latitude 21°56' 30" N., longitude 161°20' W., to the point of beginning. The airspace within control area extensions, transition areas, Federal airways, warning areas W-318, W-319, W-320, W-321, W-322, W-511, W-512, and the airspace less than 1,500 feet above the terrain is excluded.

Hayden, Colo.
That airspace extending upward from 1,200 feet above the surface within an area bounded by a line beginning at latitude 40°06'00" N., longitude 107°00'00" W.; to latitude 40°43'00" N., longitude 107°00'00" W.; to latitude 40°43'00" N., longitude 107°41'00" W.; to latitude 40°07'05" N., longitude 107°41'00" W.; thence along the north edge of V-200 to the point of beginning.

AMENDMENTS 12/4/75 40 F. R. 47481 (Added)

Hays, Kansas
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Hays Municipal Airport (latitude 38°50'45" N., longitude 99°16'30" W.).

AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)

Hayward and Cable, Wis.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Hayward Municipal Airport (latitude 46°01'00" N., longitude 91°27'00" W.) and within an 8-mile radius of Cable Union Airport (latitude 46°11'30" N., longitude 91°15'00" W.) and within 4½ miles each side of the 206° bearing from the Hayward Airport extending from the 7-mile radius to 11 miles southwest of the airport and within 4½ miles east and 9½ miles west of the 023° bearing from the Hayward Airport extending from the 7-mile radius to 18½ miles northeast of the airport.

Hazlehurst, Ga.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Hazlehurst Airport (lat. 31°53'00" N., long. 82°38'45" W.); within 2.5 miles each side of Alma VORTAC 342° radial, extending from the 6-mile radius area to 18 miles north of the VORTAC.

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Hazleton, Pa.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center (40°59'13" N., 75°59'36" W.) of Hazleton Municipal Airport, Hazleton, Pa.; within 3.5 miles each side of the Hazleton VOR 262° radial, extending from the 8.5-mile radius area to 11.5 miles west of the VOR; within 4.5 miles each side of the Hazleton VOR 084° radial, extending from the 8.5 mile radius area to 19 miles east of the VOR; within 4.5 miles each side of the Hazleton Municipal Airport ILS localiser east course, extending from the OM to 10 miles east of the OM.
AMENDMENTS 6/26/75 40 F. R. 22127 (Changed)

Heber, Ariz.
That airspace extending upward from 13,500 feet MSL bounded by a line beginning at latitude 34°43'00" N., longitude 111°24'00" W. to latitude 34°43'00" N., longitude 110°20'00" W., thence south via longitude 110°20' 00" W. to V-190N, thence southwest via V-190N to latitude 34°03'00" N., longitude 111°24'00" W. to point of beginning.

Heber Springs, Ark.
That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of the Heber Springs, Ark., Airport (latitude 35°30'41" N., longitude 92°00'25" W.).

Helena, Mont.
That airspace extending upward from 700 feet above the surface within a 16½-mile radius of the Helena VORTAC (latitude 46°36'25" N., longitude 111°57'09" W.), extending from the Helena VORTAC 352° radial clockwise to the 191° radial;
and that airspace extending upward from 1,200 feet above the surface within a 24-mile radius of the Helena VORTAC; within 6 miles south and 9 miles north of the Helena VORTAC 272° radial, extending from the 24-mile radius area to 45 miles west of the VORTAC; within 15.5 miles west and parallel to the Helena VORTAC 352° radial, extending from the 24-mile radius area to 31 miles north of the VORTAC; within 5 miles east and 9 miles west of the Helena VORTAC 023° radial, extending from the 24-mile radius area to 36 miles northeast of the VORTAC; and within 6 miles south and 9.5 miles north of the Helena VORTAC 102° radial, extending from the 24-mile radius area to 28.5 miles east of the VORTAC.

AMENDMENTS 10/9/75 40 F. R. 34333 (Changed)

Henderson, Ky.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Henderson Airport (lat. 37°48'27" N., long. 87°41'00" W.); within 1.5 miles each side of Evansville, Ind., VORTAC 152° radial, extending from the 5.5-mile radius area to the VORTAC; excluding the portion within Evansville, Ind., transition area.

Henryetta, Okla.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Henryetta Municipal Airport (latitude 35°24'40" N., longitude 96°00'50" W.), and within 3.5 miles each side of the 186° bearing from the Henryetta RBN extending from the 5-mile radius area to 8.5 miles south of the RBN.

Hershey, Pa.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, lat. 40° 17'35" N., long. 76°39'40" W. of Hershey Airpark, Hershey, Pa.; within a 7-mile radius of the center of the airport extending clockwise from a 092° bearing to a 041° bearing from the airport excluding that portion that coincides with the Harrisburg, Pa., transition area. This transition area shall be effective from sunrise to sunset, daily.

Hibbing, Minn.
That airspace extending upward from 700 feet above the surface within an 11½-mile radius of Chisholm-Hibbing Airport (latitude 47°23'10" N., longitude 92°50'19" W.); within 5 miles each side of the Hibbing VORTAC 313° radial, extending from the 11½-mile radius area to 26 miles northwest of the VORTAC; within an 11-mile radius of Eveleth-Virginia Airport (latitude 47°25'55" N., longitude 92°30'03" W.); and within 0½ miles north and 4½ miles south of the Eveleth VOR 092° radial, extending from the 11-mile radius area to 18½ miles east of the VOR; and that airspace extending upward from 1,200 feet above the surface within a 27-mile radius of the Hibbing VORTAC, extending from the Hibbing VORTAC 196° radial clockwise to the Hibbing VORTAC 340° radial; within a 13-mile radius of Hibbing VORTAC, extending from the Hibbing VORTAC 095° radial clockwise to the Hibbing VORTAC 196° radial; within 4½ miles northeast and 10 miles southwest of the Hibbing VORTAC 313° radial, extending from the 27-mile radius area to 33½ miles northwest of the VORTAC, excluding the portion which overlies the Duluth, Minn., transition area.

Hickory, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Hickory Municipal Airport (latitude 35°44'30" N., longitude 81°23'20" W.); within 9.5 miles southeast and 4.5 miles northwest of the 042° bearing from Hickory RBN (latitude 35°44'00" N., longitude 81°23'30" W.), extending from the RBN to 18.5 miles northeast; within 3 miles each side of Hickory VOR 058° and 222° radials, extending as a corridor from the 8.5-mile radius area to 8.5 miles northeast of the VOR.

Higginsville, Missouri
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the Higginsville Municipal Airport (latitude 39°04'20" N., longitude 93°40'38" W.); and within 3 miles either side of the 351° bearing from the airport, extending from the 5.5-mile radius to 8 miles north of the airport.

Highgate, Vermont
That airspace extending upward from 700 feet above the surface within an arc of a 5-mile radius circle centered on Franklin County State Airport, Highgate, Vermont (lat. 44°56'26" N., long. 73°05'54" W.) extending clockwise between the 305° and 050° bearings from the Franklin County State Airport; within an arc of a 7-mile radius circle centered on Franklin County State Airport, extending clockwise between the 050° and 305° bearings of Franklin County State Airport; within 6.5 miles northwest and 4 miles southeast of Plattsburgh, New York VORTAC 060° radial extending from the radius area to the VORTAC, excluding that portion of the Plattsburgh, New York, 700-foot transition area.

Hillsboro, Ohio
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Highland County Airport (latitude 39°11'21" N., longitude 83°32'18" W.).

Hillsboro, Oreg.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Hillsboro Airport (latitude 45°32'15" N., longitude 122°56'30" W.), and within 2 miles of each side of the Newberg, Oreg., VORTAC 007° and 187° radials, extending from the 5-mile radius area to 1 miles S of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 15 miles SE and 10 miles NW of the Newberg VORTAC 024° and 204° radials, extending from 12 miles NE to 27 miles SW of the VORTAC.

Hillsboro, Wis.
That airspace extending upward from 700 feet above the surface within a 8-mile radius of the Kickapoo Airport (latitude 43°39'24" N., longitude 90°19'41" W.).

Hillsdale, Mich.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Hillsdale, Mich., Airport (latitude 41°55'15" N., longitude 84°35'05" W.), and within 2 miles each side of the Litchfield, Mich., VORTAC 140° radial extending from the 5-mile radius area to 8 miles northwest of the airport.

Hilltop Lakes, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Hilltop Lakes Airport (latitude 31°04'50" N., longitude 96°12'50" W.), and within 2 miles each side of the Leona VORTAC 258° radial extending from the 5-mile radius area to 9 miles west of the VORTAC.

Hilo, Hawaii
That airspace extending upward from 700 feet above the surface within the arc of an 8.5-mile radius circle centered on General Lyman Field, Hilo, Hawaii (lat. 19°43'15" N., long. 155°02'55" W.), extending clockwise from a line 2 miles southwest of and parallel to the Hilo VORTAC 321° radial to a line 2 miles south of and parallel to the Hilo VORTAC 099° radial; and that airspace extending upward from 1,200 feet above the surface northeast of Hilo bounded on the north by V-21, on the south by V-22 and on the west by V-19; that airspace east of Hilo bounded on the north by V-22, on the east by the Honolulu FIR/Oceanic CTA and on the south by V-15; that airspace south of Hilo within the arc of a 21-mile radius circle centered on the Hilo, Hawaii, VORTAC, extending clockwise from V-15 to a line 9 miles southwest of and parallel to the 157° radial of the Hilo VORTAC.

Hilton Head Island, S. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Hilton Head Airport (latitude 32°13'20" N., longitude 80°41'55" W.), excluding the portion outside the continental limits of the United States.

Hobart, Okla.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Hobart Municipal Airport; within 5 miles W and 8 miles E of the Hobart VOR 003° and 183° radials, extending from 5 miles N to 12 miles S of the VOR; within an 8-
mile radius of the Altus AFB; within 5 miles W and 8 miles E of the 360°
and 180° bearings from latitude 34°33'53" N., longitude 99°16'24" W.; extending from 24 miles N to 12 miles S of latitude 34°33'53" N., longitude 99°16'24" W.

Hobbs, N. Mex.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Lea County Airport (latitude 32°41'19" N., longitude 103°13'01" W.), within 3.5 miles each side of the Hobbs VORTAC 222° radial extending from the VORTAC to 11.5 miles SW, and within 5 miles each side of the Hobbs VORTAC 042° radial extending from the VORTAC to 21 miles NE.

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Holdrege, Nebr.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Brewster Field (latitude 40°27'15" N., longitude 99°20'15" W.); and within 3 miles each side of the 011° bearing from Brewster Field, extending from the 5-mile radius area to 8 miles north of the airport.

Holland, Mich.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Park Township Airport (latitude 42°47'45" N., longitude 86°09'45" W.); within a 6-mile radius of Tulip City Airport (latitude 42°44'45" N., longitude 86°06'30" W.); within 3 miles each side of the 175° bearing from Park Township Airport, extending from the 6-mile radii area to 8 miles south of the airport; and within 2 miles each side of the Pullman, Mich., VORTAC 350° radial, extending from the 6-mile radii area to 12 miles north of the VORTAC.

Holly Springs, Miss.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Holly Springs-Marshall County Airport (lat. 34°48'12" N., long. 89°31'16" W.); within 2 miles each side of Holly Springs VORTAC 336° radial, extending from the 6.5-mile radius area to 11 miles northwest of the VORTAC.

Homer, Alaska
That airspace extending upward from 700 feet above the surface within a 11-mile radius of the Homer localizer antenna site (latitude 59°39'08" N., longitude 151°27'22" W.); and that airspace extending upward from 1,200 feet above the surface within a 30-mile radius of the Homer VORTAC extending from the 209° radial clockwise to the 252° radial.

Homerville, Ga.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Homerville Airport (latitude 31°03'00" N., longitude 82°46'30" W.); within 3 miles each side of the 310° bearing from the Homerville RBN (latitude 31°03'17" N., longitude 82°46'16" W.), extending from the 6.5-mile radius area to 8.5 miles northwest of the RBN.

AMENDMENTS 2/27/75 39 F. R. 43711 (Added)

Honesdale, PA.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, lat. 41°30'52" N., long. 75°15'10" W. of Cherry Ridge Airport, Honesdale, PA., and within 5 miles each side of the Wilkes-Barre VORTAC 054° radial extending from the 6.5-mile radius area to 10 miles northeast of the Wilkes-Barre VORTAC.

Honolulu, Hawaii.
That airspace extending upward from 700 feet above the surface south and southeast of Honolulu beginning at latitude 21°20'30" N., longitude 157°51'15" W. thence south to latitude 21°15'30" N., longitude 157°49'15" W. thence west to latitude 21°09'50" N., longitude 158°09'50" W. thence northwest to latitude 21°10'10" N., longitude 158°11'55" W. thence northeast along a line 4.5 miles southeast of and parallel to the Honolulu VORTAC 242° radial to and counterclockwise along the arc of a 5-mile radius circle centered on NAS Barbers Point (latitude 21°18'35" N., longitude 158°04'30" W.) to and counterclockwise along the arc of a 5-mile radius circle centered on Honolulu International Airport (latitude 21°19'35" N., longitude 157°55'45" W.) to the point of beginning, and within 3 miles northwest and 4.5 miles southeast of the Honolulu VORTAC 242° radial, extending from 13 miles to 14 miles southwest of the VORTAC; and that airspace extending upward from 1,200 feet above
the surface within a 30-mile radius of latitude 21°19'33" N., longitude 157°59'15" W., extending clockwise from latitude 21°09'00" N., longitude 158°24'45" W. to latitude 21°15'00" N., longitude 157°31'45" W., thence W to latitude 21°15'00" N., longitude 157°36'30" W., thence within a 25-mile radius of latitude 21°19'33" N., longitude 157°59'15" W., extending clockwise from latitude 21°15'00" N., longitude 157°36'30" W. to latitude 21°10'10" N., longitude 158°20'30" W., thence W to point of beginning; that airspace S of Honolulu within 12 miles E and 8 miles W of the Honolulu VORTAC 180° radial, extending from the 25-mile radius area to 68 miles S of the VORTAC; that airspace W of Honolulu, extending from the 30-mile radius area bounded by a line beginning at latitude 21°24'15" N., longitude 158°26'45" W., thence to latitude 21°42'05" N., longitude 158° 54'00" W., thence to latitude 21°13'30" N., longitude 159°04'50" W., thence to latitude 21°07'30" N., longitude 158°31'00" W., thence to latitude 21°09'00" N., longitude 158°24'45" W.; that airspace northwest of Honolulu, extending from the 30-mile radius area bounded on the northeast by W-322D, on the west by the Lihue transition area, and on the southwest by V-2; and that airspace southeast of Honolulu bounded on the northeast by V-16, on the east by longitude 157°17'00" W., on the south by a line extending from latitude 20°47'15" N., longitude 157°17'00" W. to latitude 20°48'00" N., longitude 157°30'00" W. through latitude 20°52'00" N., longitude 157°50'00" W. to a line 12 miles east of and parallel to the Honolulu VORTAC 180° radial, and on the west by a line 12 miles east of and parallel to the Honolulu VORTAC 180° radial, excluding the portion within W-322D and the portion within the Kaneohe control zone and the Kaneohe transition area.

Honolulu, Hawaii (Wheeler AFB)
That airspace extending upward from 700 feet above the surface within 2 miles each side of the Honolulu VORTAC 358° radial extending from the arc of a 3-mile radius circle centered on Wheeler AFB (latitude 21°29'00" N., longitude 158°02'30" W.) to the INT of the Honolulu, Hawaii, VORTAC 358° and the Koko Head, Hawaii, VOR 298° radials.

Hope, Ark.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Hope Municipal Airport (latitude 33°43'06" N., longitude 93°39'30" W.); and within 2 miles each side of the Texarkana VORTAC 058° radial extending from the 6-mile radius area to 17 miles northeast of the Texarkana VORTAC.

Hopedale, Mass.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 42°06' 25" N., 71°30'40" W., of the Hopedale Draper Airport, Hopedale, Massachusetts, within 5 miles southeast and 6.5 miles northwest of the 060° radial from the Putnam VORTAC, 41°57'19" N., 71°50'41" W., extending from the 6-mile radius area to the Putnam VORTAC, excluding that portion that coincides with the Danielson, Connecticut, and the Southbridge, Massachusetts, transition area.

AMENDMENTS 5/22/75 40 F. R. 16651 (Added)

Hopewell, VA.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, lat. 37°18'00" N., long. 77°13'00" W. of Hopewell Airport, Hopewell, VA.

Hopkinsville, Ky.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Campbell AAF (lat. 36°40'23" N., long. 87°29'27" W.); within 3 miles each side of the 044° bearing from Campbell RBN, extending from the 8.5-mile radius area to 8.5 miles northeast of the RBN; within an 8.5-mile radius of Outlaw Field, Clarksville, Tenn. (lat. 36°37'15" N., long. 87°24'52" W.).

Hoquiam, Wash.
That airspace extending upward from 700 feet above the surface east of Bowerman Field, bounded on the north by a line 2 miles north of and parallel to the Hoquiam VORTAC 068° radial, on the south by a line 2 miles south of and parallel to the Hoquiam VORTAC 088° radial, extending eastward between the arcs of 5- and 13-mile radius circles centered on Bowerman Field, (lat. 46°58'15" N., long. 123°56'05" W.); and that airspace extending upward from 1,200 feet above the surface within 6 miles north and 9 miles south of the Hoquiam VORTAC 081° and 261° radials, extending from 8 miles east to 19 miles west of the VORTAC, excluding that portion coinciding with W-237.

Hornell, NY.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center, lat. 42°22'30" N., long. 77°40'45" W. of Hornell Municipal Airport, extending clockwise from a 319° bearing to a 352° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 352° bearing to a 028° bearing from the airport; within an 11.5-mile radius of the center of the airport, extending clockwise from a 028° bearing to a 074° bearing from the airport; within a 9.5-mile radius of the center of the airport, extending clockwise from a 074° bearing to a 096° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 096° bearing to a 131° bearing from the airport; within an 11.5-mile radius of the center of the airport, extending clockwise from a 131° bearing to a 157° bearing from the airport; within a 13-mile radius of the center of the airport, extending clockwise from a 157° bearing to a 252° bearing from the airport; within a 12-mile radius of the center of the airport, extending clockwise from a 252° bearing to a 290° bearing from the airport and within a 10.5-mile radius of the center of the airport, extending clockwise from a 290° bearing to a 319° bearing from the airport. This transition

Hot Springs, Ark.
That airspace extending upward from 700 feet above the surface within a 15-mile radius of Memorial Field (latitude 34°28'40" N., longitude 93°05'48" W.), and within 3.5 miles each side of the 248° bearing from the Hot Springs RBN extending from the 15-mile radius area to 11.5 miles west of the RBN.

Hot Springs, Va.
That airspace extending upward from 700 feet above the surface within a 9.5 mile radius of the center, lat. 37°57'04" N., long. 79°50'02" W. of Ingalls Field, Hot Springs, Va.

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Houghton, Mich.
That airspace extending upward from 700 feet above the surface within an 18-mile radius of the Houghton VOR; and that airspace extending upward from 1,200 feet above the surface within 4½ miles east and 9½ miles west of the 020° bearing from the Calumet RBN, extending from the RBN to 18½ miles north of the RBN; within 4½ miles northeast and 10½ miles southwest of the Houghton ILS localizer northwest course, extending from the airport to 24½ miles northwest; within 4½ miles southeast and 9½ miles northwest of the Houghton VOR 080° radial extending from the VOR to 18½ miles northeast of the VOR; and within 4½ miles southwest and 9½ miles northeast of the Houghton ILS localizer southeast course extending from the airport to 23½ miles southeast.

Houlton, Maine
That airspace extending upward from 700 feet above the surface within a 13-mile radius of the center, 46°07'25" N., 67°47'40" W., of Houlton International Airport, Houlton, Maine.

That airspace extending upward from 1,200 feet above the surface within an area beginning at the intersection southeast of Presque Isle, Maine, of the United States-Canadian border and a 40-mile radius arc centered at 46°57'05" N., 67°53'10" W. (Loring AFB), thence clockwise along this arc to 46°33'00" N., to 45°56'00" N., 68°36'00" W. to 45°38'00" N., 67°40'30" W. thence along the United States-Canadian border to the point of beginning, excluding the airspace within Canada.

Houma, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Houma Municipal Airport (latitude 29°34'10" N., longitude 90°39'40" W.), within 2 miles each side of the Tibby VORTAC 123° radial extending from the 5-mile radius area to the VORTAC, within 2 miles each side of the Tibby VORTAC 124° radial extending from the 5-mile radius area to 27 miles SE of the VORTAC, and within 2 miles each side of a 360° bearing from the Houma RBN (latitude 29°37'01" N., longitude 90°39'39" W.) extending from the 5-mile radius area to 10 miles north of the RBN.

Houston, Tex.
That airspace extending upward from 700 feet above the surface within an area bounded by a line beginning at latitude 30°35'00" N., longitude 95°28'00" W.; thence to latitude 29°45'00" N., longitude 94°44'00" W.; thence to the intersection of the arc of a 5-mile radius circle centered on Scholes Field, Galveston, Tex. (latitude 29°15'55" N., longitude 94°41'35"W.), and latitude 29°16'00" N., at a point east of Scholes Field; thence clockwise along the arc of the 5-mile radius circle to latitude 29°16'00" N., at a point west of Scholes Field; thence to latitude 29°30'00" N., longitude 95°54'00" W.; to latitude 30°26'00" N., longitude 95°42'00" W., to point of beginning and including within 3.5 miles each side of the 335° T (227°M) bearing from the Lakeside Airport NDB (latitude 29°50'52" N., longitude 95°41'19" W.) extending from the NDB to 11.5 miles northwest.

AMENDMENTS 12/4/75 40 F. R. 44808 (Rewritten)

Howell, Mich.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Howell, Mich., Livingston County Airport (latitude 42°37'30" N., longitude 83°58'45" W.), and within 2 miles each side of the Salem, Mich., 308° radial extending from the 6-mile radius area to 7 miles southeast of the airport.

Hudson, New York
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, lat. 42°17'35" N., long. 73°42'38" W. of Columbia County Airport, Hudson, N. Y.; within a 17-mile radius of the center of the airport extending clockwise from a 025° bearing to a 180° bearing from the airport; within 3.5 miles each side of a 194° bearing from the Philmont, N. Y., radio beacon (lat. 42°15'08" N., long. 73°43'24" W.), extending from the 8-mile radius area to 11.5 miles south of the RBN.

AMENDMENTS 3/13/75 40 F. R. 3575 (Added) Corr: 40 F. R. 10172

Hugo, Colo.
That airspace south of Hugo, Colo., VOR extending upward from 8,500 feet MSL bounded on the north by V-108S, on the northeast by V-263, on the south by V-210, and on the west by V-19E and that airspace east of Hugo, extending upward from 9,500 feet MSL, bounded on the north by V-4, on the east by V-17, on the southeast by V-216, on the southwest by V-263, and on the northwest by V-169, excluding the airspace within Federal airways, the Pueblo and Colorado Springs, Colo., transition areas and that portion within the State of Kansas.

AMENDMENTS 4/24/75 40 F. R. 10171 (Rewritten)

Humboldt, Tenn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Humboldt Municipal Airport (lat. 35°48'00" N., long. 88°52'00" W.); within 2.5 miles each side of the Dyersburg VORTAC 121° radial, extending from the 5-mile radius area to 23 miles southeast of the VORTAC.

Huntingburg, Ind.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Huntingburg Airport (latitude 38°15'00" N., longitude 86°57'00" W.); and within 3 miles either side of an 072° bearing from the Huntingburg Airport extending from the 6-mile radius to 8 miles ENE of the airport.

Huntington, Ind.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Huntington Municipal Airport (latitude 40°51'15" N., longitude 85°27'50" W.), excluding the portion which overlies the Fort Wayne, Ind., 700-foot floor transition area.

Huntington, W. Va.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of the center, latitude 38°22'00" N., longitude 82°33'20" W. of Tri-State Airport (Walker-Long Field), Huntington, West Virginia; within 4.5 miles each side of the Tri-State Airport (Walker-Long Field) ILS localizer east course, extending from the 11-mile radius area to 6 miles east of the Shoals, West Virginia FM; and within 5 miles each side of the Tri-State (Walker-Long Field) ILS localizer west course, extending from the 11-mile radius area to 11.5 miles west of the OM.

Huntsville, Ala.
That airspace extending upward from 700 feet above the surface within a 15.5-mile radius of Redstone AAF (latitude 34°40'29" N., longitude 86°40'54" W.); within 3 miles each side of Huntsville ILS localizer north course, extending from the Capshaw RBN to 8.5 miles north of the RBN; within 3 miles each side of Huntsville ILS localizer south course, extending from the localizer to 14.5 miles south; within an 8.5-mile radius of Pryor Field (latitude 34°39'09" N., longitude 86°56'45" W.); within 3 miles each side of the Decatur VOR 197° radial, extending from the 8.5-mile radius area to 8.5 miles south of the VOR; within 9.5 miles west and 4.5 miles east of the
Decatur VOR 351° radial, extending from the VOR to 18.5 miles north; within a 5-mile radius of North Huntsville Airport (lat. 34°51'25" N., long. 86°33'22" W.).

AMENDMENTS 12/4/75 40 F. R. 42341 (Changed)

Huntsville, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Huntsville Municipal Airport (lat. 30°44'30" N., long. 95°35'30" W.), within 3 miles each side of the Leona VORTAC 139° radial extending from the 5-mile radius area to 27.5 miles southeast of the VORTAC, and within 3.5 miles each side of the 008° bearing from the Huntsville RBN (lat. 30°44'20" N., long. 95°35'17" W.) extending from the 5-mile radius area to 11.5 miles north of the RBN.

Huron, S. Dak.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Huron Regional Airport (latitude 44°23'03" N., longitude 98°13'39" W.); within 4½ miles northeast and 11 miles southwest of the Huron VORTAC 314° and 134° radials, extending from 5 miles southeast to 18½ miles northwest of the VORTAC; and within 5 miles each side of the Huron ILS localizer southeast course, extending from the 6½-mile radius area to 19½ miles southeast of the OM; and that airspace extending upward from 1,200 feet above the surface within a 25-mile radius of the Huron VORTAC extending from a line 5 miles west of and parallel to the 343° radial clockwise to a line 5 miles north of and parallel to the 269° radial; and within 4½ miles southwest and 9½ miles northeast of the Huron localizer southeast course extending from 6 miles southeast of the OM to 29 miles southeast of the OM.

AMENDMENTS 2/5/75 40 F. R. 5348 (Changed)

Hutchinson, Kans.
That airspace extending upward from 700 feet above the surface within an 8½-mile radius of Hutchinson Municipal Airport (latitude 38°03'56" N., longitude 97°51'37" W.); within 3½ miles each side of the Hutchinson VORTAC 222° radial, extending from the 8½ mile radius area to 8 miles southwest of the VORTAC; and within 4½ miles southwest and 9½ miles northeast of the Hutchinson ILS localizer northwest course, extending from the airport to 18½ miles northwest of the ILS outer marker.

AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)

Idabel, Okla.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Idabel Municipal Airport (lat. 33°54'23" N., long. 94°50'41" W.) and within 3.5 miles each side of the 349° bearing from the NDB (lat. 33°54'23" N., long. 94°50'45" W.) extending from the 5-mile radius area to a point 8 miles north of the NDB.

Ida Grove, Iowa
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Ida Grove Municipal Airport (latitude 42°19'55" N., longitude 95°26'40" W.); and within 2 miles each side of the 117° bearing from Ida Grove Municipal Airport, extending from the 7-mile radius area to 8 miles east of the airport.

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Idaho Falls, Idaho
That airspace extending upward from 700 feet above the surface within 10.5 miles northwest and 5 miles southeast of the Idaho Falls VOR 038° and 218° radials, extending from 28.5 miles northeast to 18.5 miles southwest of the VOR and within 6 miles northwest and 9 miles southeast of the 029° radial of the Pocatello VORTAC extending from 23 to 47 miles northeast of the VORTAC; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at the intersection of longitude 112°30'00" W., and the south edge of V-298, thence via the south edge of V-298 and V-328 to longitude 111°38'00" W., thence south via this longitude to the INT of an arc of a 23-mile radius circle centered on the Idaho Falls VOR, thence clockwise via the 23-mile radius arc to longitude 112°10'00" W., thence direct to latitude 43°20'30" N., longitude 112°45'30" W., thence direct latitude 43°32'00" N., longitude 112°38'00" W., thence to latitude 43°50'20" N., longitude 112°30'00" W., thence direct to point of beginning.

Iliamna, Alaska
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Iliamna Airport (latitude 59°45'12" N., longitude 154°54'54" W.); and within 2.5 miles each side of the 209° bearing from the Iliamna RBN, extending from the 5-mile radius area to 9.5 miles southwest of the RBN; and that airspace extending upward from 1,200 feet above the surface within 5.5 miles northwest and 9.5 miles southeast of the 029° and 209° bearings from the Iliamna RBN, extending from 7 miles northeast to 18.5 miles southwest of the RBN.

Illinois
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Illinois.

Independence, Kans.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Independence Municipal Airport (latitude 37°09'25" N., longitude 95°46'50" W.).
AMENDMENTS 4/24/75 40 F. R. 18171 (Changed)

Indiana
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Indiana.

Indiana, Pa.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, (lat. 40°38'00" N., long. 79°06'15" W.) of Indiana County-Jimmy Stewart Field, Indiana, Pa., within 3.5 miles each side of the Indiana County-Jimmy Stewart Field ILS localizer east course, extending from the 7-mile radius area to 12 miles east of the OM (40°37'19" N., 78°58'43" W.)., and within 3.5 miles each side of the 091° bearing from the Indiana RBN (lat. 40°37'54" N., long. 79°03'51" W.) extending from the 7-mile radius area to 9.5 miles east of the RBN.

Indianapolis, Ind.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Indianapolis Municipal (Weir-Cook) Airport (latitude 39°43'35" N., longitude 86°17'05" W.); within a 5½-mile radius of Bob Shank Airport (latitude 39°49'15" N., longitude 86°14'30" W.); within a 5½-mile radius of Eagle Creek Airpark (latitude 39°49'45" N., longitude 86°17'45" W.); and within 3 miles each side of the Indianapolis VORTAC 257° radial, extending from the 5½ and 9-mile radii to 8 miles west of the VORTAC.

Indianola, Miss.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Indianola-Legion Field (lat. 33°29'06" N., long. 90°40'34" W.); within 3 miles each side of the 191° and 354° bearings from Indianola RBN (lat. 33°28'48" N., long. 90°40'34" W.), extending from the 6.5-mile radius area to 8.5 miles south and north of the RBN.

International Falls, Minn.
That airspace extending upward from 700 feet above the surface within 4½ miles northeast and 9½ miles southwest of the International Falls VORTAC 140° and 320° radials, extending from 6 miles southeast to 18½ miles northwest of the VORTAC; and within 4½ miles southwest and 9½ miles northeast of the International Falls VORTAC 129° and 309° radials extending from 6 miles northwest to 18½ miles southeast of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 20-mile radius of the International Falls VORTAC; and within 4½ miles southwest and 9½ miles northeast of the International Falls ILS southeast localizer course extending from the 20-mile radius area to 18½ miles southeast of the outer marker, excluding the portions outside the United States.

Intracoastal City, La.
That airspace extending upward from 700 feet above the surface within 3.5 miles either side of the White Lake, La., VORTAC 065° radial extending from 11 miles NE of the VORTAC to 23 miles NE of the VORTAC and within 5 miles either side of the 17.5-mile radius arc centered on the White Lake VORTAC extending clockwise between the 065° and 084° radials.
AMENDMENTS 10/9/75 40 F. R. 33819 (Rewritten)

Ionia, Mich.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Ionia County Airport (latitude 42°56'20" N., longitude 85°04'15" W.); and within 3 miles each side of the 084° radial of the Grand Rapids, Michigan VOR, extending from the 5-mile radius area to 30 miles northeast of the VOR.

Iowa
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Iowa.

Iowa City, Iowa
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Iowa City Municipal Airport (latitude 41° 38' 25" N., longitude 91° 32' 50" W.), and within 2 miles each side of the Iowa City VOR 024° radial, extending from the 6-mile radius area to the VOR.

Iowa Falls, Iowa
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Iowa Falls Municipal Airport (lat. 42°28'10" N., long. 93°16'00" W.); and within 3 miles on each side of the 154° bearing from the airport reference point extending from the 6.5-mile radius 8.5 miles southeast of the airport.

Iron Mountain, Mich.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Iron Mountain VORTAC; within 6 miles west and 9½ miles east of the Iron Mountain ILS localizer south course extending from the 10-mile radius area to 24 miles south of the Ford Airport (latitude 45°48'57" N., longitude 88°06'56" W.); within 5 miles each side of the Iron Mountain ILS localizer north course extending from the 10-mile radius to 18 miles north of the airport.

Ironwood, Mich.
That airspace extending upward from 700 feet above the surface within a 13-mile radius of the Gogebic County Airport (latitude 46°31'32" N., longitude 90°07'54" W.); within 3 miles each side of the 272° radial, extending from the 13-mile radius to 15 miles west of the Ironwood VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 24-mile radius of the Ironwood VORTAC excluding the portion in the State of Wisconsin.

AMENDMENTS 6/19/75 40 F. R. 17986 (Rewritten)

Islip, N. Y.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, 40°47' 50" N., 73°06'01" W., of Islip-MacArthur Airport, Islip, N. Y., and within 4 miles each side of the Islip-MacArthur Airport localizer northeast course extending from the 9-mile radius area to a point 9.5 miles northeast of the localizer.

Ithaca, N. Y.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center, 42° 29'29" N., 76°27'30" W., of Tompkins County Airport, Ithaca, N. Y.; within a 10-mile radius of the center of the airport, extending clockwise from a 350° bearing to a 012° bearing from the airport; within a 12.5-mile radius of the center of the airport, extending clockwise from the 012° bearing to a 036° bearing from the airport; within a 12-mile radius of the center of the airport, extending clockwise from a 036° bearing to a 065° bearing from the airport; within a 13.5-mile radius of the center of the airport, extending clockwise from a 065° bearing to a 096° bearing from the airport; within a 14-mile radius of the center of the airport, extending clockwise from a 096° bearing to a 111° bearing from the airport; within a 14.5-mile radius of the center of the airport extending clockwise from a 111° bearing to a 131° bearing from the airport; within a 14-mile radius of the center of the airport, extending clockwise from a 131° bearing to a 152° bearing from the airport; within a 12.5-mile radius of the center of the airport, extending clockwise from a 152° bearing to a 216° bearing from the airport; within a 9.5-mile radius of the center of the airport, extending clockwise from a 216° bearing to a 243° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 243° bearing to a 288° bearing from the airport; within 4.5 miles southwest and 9.5 miles northeast of the Ithaca, N. Y., VORTAC 305° radial, extending from the VORTAC to 18.5 miles northwest of the VORTAC; within 5.0 miles each side of the Tompkins County Airport ILS localizer southeast course extending from the OM to 11.5 miles southeast of the OM.

Jacksboro, Tenn.
That airspace extending upward from 700 feet above the surface within a 17-mile radius of Campbell County Airport (latitude 36°20'03" N., longitude 84°09'46" W.).

Jackson, Mich.
That airspace extending upward from 700 feet above the surface within a 13-mile radius of the Jackson VOR.

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Jackson, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Jackson Municipal Airport (latitude 43°39'00" N., longitude 94°59'05" W.); and within 3 miles each side of the 327° bearing from Jackson Municipal Airport, extending from the 5-mile radius area to 8 miles northwest of the airport.

Jackson, Miss.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Allen C. Thompson Field (latitude 32°18'40" N., longitude 90°04'35" W.); within an 8-mile radius of Hawkins Field (latitude 32°20'10" N., longitude 90°13'15" W.); within 1.5 miles each side of the Jackson VORTAC 195° radial, extending from the 8-mile radius area to the VORTAC; within a 5.5-mile radius of Bruce Campbell Field (latitude 32°26'15" N., longitude 90°06'05" W.); within 1.5 miles each side of the Jackson VORTAC 142° radial, extending from the 5.5-mile radius area to the VORTAC; within 1.5 miles each side of Runway 17 extended centerline, extending from the 5.5-mile radius area to 5.5 miles north of the runway end; within 3 miles each side of the 017° bearing from the Bruce RBN (lat. 32°26'28" N., long. 90°06'19" W.), extending from the 5.5-mile radius area to 8.5 miles north of the RBN.

AMENDMENTS 10/9/75 40 F. R. 33654 (Changed)
PENDING AMENDMENT
The Jackson, Miss., transition area is amended as follows: "017° bearing" is deleted and "007° bearing" is substituted therefor.

AMENDMENTS 1/29/76 40 F. R. 49567 (Changed)
PENDING AMENDMENT
The Jackson, Miss., transition area is amended as follows: "(lat. 32°26'28" N., long. 90°06'19" W.)" is deleted and "(lat. 32°26'24" N., long. 90°06'24" W.)" is substituted therefor.

AMENDMENTS 1/29/76 40 F. R. 53549 (Changed)

Jackson, Tenn.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of McKellar Field (latitude 35°35'55" N., longitude 88°54'55" W.).

Jackson, Wyo.
That airspace extending upward from 700 feet above the surface within a 5-mile radius circle centered on the Jackson's Hole Airport (latitude 43°36'24" N., longitude 110°44'13" W.), within 5.5 miles west and 9.5 miles east of the Jackson VOR 200° radial, extending from the VOR to 24.5 miles south; and within 2.5 miles each side of the Jackson VOR 020° radial extending from the VOR to 12 miles north of the VOR; and that airspace extending upward from 1,200 feet above the surface within 6 miles west and 9.5 miles east of the Jackson VOR 020° radial extending from the VOR to 37.5 miles north of the VOR; within 5 miles each side of the Jackson VOR 107° radial extending from the VOR to 15 miles east of the VOR; and within 6 miles north and 9 miles south of the Dunoir, Wyoming, VOR 102° and 282° radials extending from 8 miles east to 21 miles west of the Dunoir VOR.

AMENDMENTS 10/9/75 40 F. R. 33199 (Rewritten)

Jacksonville, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Jacksonville International Airport (lat. 30°29'26" N., long. 81°41'19" W.); NAS Jacksonville (lat. 30°14'00" N., long. 81° 40'30" W.); NAS Cecil Field (lat. 30°13'00" N., long. 81°52'45" W.); Craig Municipal Airport (lat. 30°20'15" N., long. 81°31'00" W.), and NS Mayport (lat. 30°23'25" N., Long. 81°25'15" W.); within an 8.5-mile radius of OLF Whitehouse Field, Fla. (lat. 30°21'00" N., long. 81°52'00" W.

AMENDMENTS 10/9/75 40 F. R. 29551 (Changed)

Jacksonville, Ill.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Jacksonville Municipal Airport (latitude 39°46'30" N., longitude 90°14'15" W.); within 3 miles each side of the 311° bearing from the airport, extending from the 5-mile radius area to 8 miles northwest of the airport; and within 3 miles each side of the 136° bearing from the airport, extending from the 5-mile radius area to 6 miles southeast of the airport.

AMENDMENTS 4/24/75 40 F. R. 7900 (Rewritten)

Jacksonville, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of New River MCAS (lat. 34°42'25" N., long. 77°26'35" W.); within 3 miles each side of the 051° bearing from New River RBN, extending from the 8.5-mile radius area to 8.5 miles northeast of the RBN; within 2 miles each side of New River TACAN 236° radial, extending from the 8.5-mile radius area to 9.5 miles southwest of the TACAN; within an 8.5-mile radius of Albert J. Ellis Airport (lat. 34°49'49" N., long. 77°36'42" W.); within 3 miles each side of the 045° and 220° bearings from Onslow RBN (lat. 34°49'53" N., long. 77°38'51" W.), extending from the 8.5-mile radius area to 8.5 miles northeast and southwest of the RBN.

Jamestown, N. Y.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center of Chautauqua County Airport, Jamestown, N. Y. (42°09'07" N., 79°15'26" W.); within 2 miles each side of the Jamestown VOR 071° and 251° radials, extending from the 7-mile radius area to 8 miles northeast of the VOR; and within 2 miles each side of a 053° bearing from the Jamestown, N. Y., RBN (42°11'02" N., 79°11'15" W.) extending from the 7-mile radius area to 8 miles northeast of the RBN; within 2 miles each side of the Jamestown, N. Y., ILS localizer northeast course extending from the 7-mile radius area to 8 miles northeast of the ILS OM.

Jamestown, N. Dak.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the Jamestown Municipal Airport (latitude 46°55'55" N., longitude 98°40'40" W.); and within 3.5 miles each side of the Jamestown VORTAC 315° radial extending from the 10-mile radius area to 17.5 miles northwest of the Jamestown VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 10-mile radius of the Jamestown VORTAC extending from the 328° radial clockwise to the 083° radial; within a 20-mile radius of the Jamestown VORTAC extending from the 083° radial clockwise to the 279° radial; within a 21-mile radius of the Jamestown VORTAC extending from the 279° radial clockwise to the 287° radial; within 9.5 miles southwest and 4.5 miles northeast of the Jamestown VORTAC 315° radial extending from the 10- and 21-mile radius areas to 25.5 miles northwest of the Jamestown VORTAC; and within 4.5 miles southeast and 9.5 miles northeast of the Jamestown VORTAC 136° radial extending from the 20-mile radius area to 28.5 miles southeast of the Jamestown VORTAC.

Janesville, Wis.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the Rock County Airport, Janesville, Wisconsin (latitude 42°37'12" N., longitude 89°02'28" W.), within a 6-mile radius of the Beloit, Wisconsin Airport (latitude 42°29'51" N., longitude 88°58'05" W.), and within a 5-mile radius of the Wagon Wheel Airport, Rockton, Illinois (latitude 42°26'15" N., longitude 89°04'21" W.).

AMENDMENTS 1/30/75 39 F. R. 41518 (Rewritten)

Jasper, Ala.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Walker County Airport (latitude 33°51'55" N., longitude 87°15'40" W.); within 4.5 miles each side of Birmingham VORTAC 303° radial, extending from the 6.5-mile radius area to 14 miles northwest of the VORTAC.

Jasper, Tenn.
That airspace extending upward from 700 feet above the surface within a 14.5-mile radius of Marion County-Brown Field (latitude 35°03'35" N., longitude 85°35'05" W.); excluding the portion that coincides with the Chattanooga, Tenn., transition area.

Jasper, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Jasper County Airport (latitude 30°53'32" N., longitude 94°02'03" W.), within 3.5 miles each side of the 360° bearing from the Jasper RBN (latitude 30°57'16" N., longitude 94°02'00" W.) extending from the 5-mile radius area to 11.5 miles north of the RBN, and within 3.5 miles each side of the 182° bearing from the Pine RBN (latitude 30°52'00" N., longitude 94°02'06" W.) extending from the 5-mile radius area to 11.5 miles south of the RBN.

Jefferson, Iowa
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Jefferson Municipal Airport (latitude 42°00'38" N., longitude 94°20'31" W.); and within 3 miles each side of the 152° bearing from Jefferson Municipal Airport extending from the 5½-mile radius area to 8 miles southeast of the airport.

Jefferson City, Mo.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Jefferson City Memorial Airport (latitude 38°35'33" N., longitude 92°09'39" W.) and within 3.5 miles either side of the 118° bearing from the Jefferson City RBN facility (latitude 38°33'20" N., longitude 92°04'40" W.) and 3.5 miles each side of the 124° bearing from the Jefferson City RBN extending from the 8-mile radius zone to 17.5 miles southeast of the VOR.

Jennings, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Jennings Airport (latitude 30°14'30" N., longitude 92°40'00" W.); within 2.5 miles each side of the Lake Charles VORTAC 075° radial extending from the 5-mile radius area to 20.5 miles east of the VORTAC and within 3 miles either side of the 321° bearing from the Jennings NDB (latitude 30°14'19" N., longitude 92°40'13" W.) extending from the 5-mile radius area to 8 miles northwest of the NDB.

AMENDMENTS 8/14/75 40 F. R. 24720 (Rewritten)

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Jesup, Ga.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Jesup-Wayne County Airport (latitude 31°33'18" N., longitude 81°52'54" W.); within 3 miles each side of the 286° bearing from Slover RBN (latitude 31°33'08" N., longitude 81°52'48" W.), extending from the 6.5-mile radius area to 8.5 miles west of the RBN.

Johnson City, Tex.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Johnson City Airport (latitude 30°15'05" N., longitude 98°37'21" W.); within a 5-mile radius of Shephard Farm Airport (latitude 30°12'30" N., longitude 98°43'20" W.) and within 2.5 miles each side of the 178° bearing from the Johnson City RBN (latitude 30°12'32" N., longitude 98°37'05" W.) extending from the 7-mile radius area to 8 miles south of the RBN.

Johnston Island, Johnston Atoll
That airspace extending upward from 1,200 feet above the surface within a 100-nmi radius of the Johnston Island RBN.

Johnstone Point, Alaska
That airspace extending upward from 700 feet above the surface within 4 miles north and 5 miles south of the Johnstone Point VORTAC 286° and the 106° radials, extending from 5 miles east to 23 miles west of the VORTAC; within a 35-mile radius of the Johnstone Point VORTAC, extending clockwise from the north edge of V-319 to the 332° radial of the VORTAC; and within 5 miles northeast of the Johnstone Point VORTAC 332° radial extending from the VORTAC to 23 miles northwest of the VORTAC.

AMENDMENTS 10/9/75 40 F. R. 23724 (Changed)

Johnstown, Pa.
That airspace extending upward from 700 feet above the surface within a 14-mile radius of the center, lat. 40° 19'00" N., long. 78°50'00" W. of Johnstown-Cambria County Airport, Johnstown, Pa.

Jonesboro, Ark.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Jonesboro Municipal Airport (latitude 35°49'50" N., longitude 90°38'55" W.) and within 3.5 miles each side of the Jonesboro VOR 048° radial extending from the 8.5-mile radius area to 11.5 miles northeast of the VOR excluding the portion within the Paragould, Ark., transition area.

Jonesboro, La.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Jonesboro Municipal Airport, Jonesboro, La. (latitude 32°12'10" N., longitude 92°44'10" W.) and within 3.5 miles each side of the 174° bearing from the Jonesboro NDB (latitude 32°12'25" N., longitude 92°44'19" W.) extending from the 6.5-mile radius area to 12 miles south of the NDB.

AMENDMENTS 12/4/75 40 F. R. 48119 (Added)

Jonestown, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Bar K Airpark (latitude 30°29'52" N., longitude 97°58'07" W.), and within 3 miles each side of the Austin, Tex., VORTAC 311° radial extending from the 5-mile radius to 28 miles northwest of the VORTAC.

Joplin, Mo.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Joplin Municipal Airport (latitude 37°09'05" N., longitude 94°29'55" W.).

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Junction, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Kimble County Airport (latitude 30°30'35" N., longitude 99°45'45" W.), within 5 miles northeast and 8 miles southwest of the Junction VORTAC 150° and 330° radials extending from the VORTAC to 12 miles northwest and 5 miles southeast of the VORTAC.

Juneau, Alaska
That airspace extending upward from 1,200 feet above the surface within a 20-mile radius of the Coghlan Island, Alaska, RBN, that airspace northwest of Juneau bounded on the east by A-15; on the northwest by a line from the Gustavus, Alaska, RBN to the Haines, Alaska, RBN, and on the southwest by a line 19 miles northeast of and parallel to the 145° and 325° bearings from the Gustavus, Alaska, RBN, and that airspace south of Juneau, extending from the 20-mile radius area, bounded on the northeast by A-15 and on the southwest by B-37, excluding the portion within the Gustavus, Alaska, transition area.
AMENDMENTS 10/9/75 40 F. R. 23724 (Changed)

Juneau, Wis.
That airspace extending upward from 700 feet above the surface within 6½-mile radius of Dodge County Airport (latitude 43°25'30" N., longitude 88°42'00" W.); and within 3 miles each side of a 195° bearing from Dodge County Airport extending from the 6½-mile radius to 8 miles south of the airport; and within 3 miles each side of the 032° bearing from Dodge County Airport extending from the 6½-mile radius to 8 miles northeast of the airport.

Kahului, Hawaii
That airspace extending upward from 700 feet above the surface bounded on the southwest by a line 2 miles southwest of and parallel to the Maui VORTAC 331° radial, on the north by the arc of an 8.5-mile radius circle centered on the Kahului Airport (latitude 20°54'05" N., longitude 156°26'05" W.), on the southeast by a line 4 miles northwest of and parallel to the Maui VORTAC 038° radial and on the south by the arc of a 5-mile radius circle centered on the Kahului Airport, and within 4 miles each side of the Maui VORTAC 038° radial, extending from 14 to 17 miles northeast of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 30-mile radius of the Kahului Airport, extending clockwise from V-6 northwest of Kahului to V-6 east of Kahului, and that airspace east of the 30-mile radius area bounded on the north by a line 5 miles north of and parallel to the Maui VORTAC 061° radial, on the east by the arc of a 55-mile radius circle centered on the Maui VORTAC, and on the south by V-6; and that airspace bounded on the north and northeast by V-22, on the east by V-11, on the south by V-21, and on the west by the Kona, Hawaii, VORTAC 357.5° radial.

Kaiser, Mo.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Lee C. Fine Memorial Airport (latitude 38°05'45" N., longitude 92°32'55" W.).

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Kalispell, Mont.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Glacier Park International Airport (latitude 48°18'49" N., longitude 114°15'16" W.); within 5.5 miles each side of the 038° and 218° bearings from the Smith Lake NDB (latitude 48°06'26" N., longitude 114°27'37" W.); extending from the 8-mile radius area to 12 miles southwest of the NDB.
That airspace extending upward from 1,200 feet above the surface within 5.5 miles east and 15.5 miles west of the Kalispell VOR 166° radial extending from the 700-foot transition area to 18.5 miles south of the VOR; within 5.5 miles southeast and 9.5 miles southwest of the 035° and 215° bearings from the Smith Lake NDB extending from 7.5 miles northeast of the NDB to 18.5 miles southwest of the NDB, excluding the 700-foot transition area.
Within 5 miles each side of the Smith Lake NDB 099° T bearing extending from the NDB to the intersection of the Great Falls, Mont., VORTAC 293° T radial; and within 5 miles each side of the Smith Lake NDB 163° T bearing extending from the NDB to the intersection of the Missoula, Mont., VORTAC 357° radial.

AMENDMENTS 2/27/75 39 F. R. 43056 (Changed)

Kaneohe, Hawaii.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 21°23'15" N., longitude 157°46'30" W., thence counterclockwise along the arc of a 5-mile radius circle centered on MCAS Kaneohe (latitude 21°27'30" N., longitude 157°46'30" W.) to latitude 21°29'25" N., longitude 157°50'45" W., thence to latitude 21°32'45" N., longitude 157°51'20" W., thence clockwise along the arc of an 8-mile radius circle centered on MCAS Kaneohe to latitude 21°23'00" N., longitude 157°41'00" W., thence to point of beginning, and within 2 miles on each side of the MCAS Kaneohe TACAN 351° radial, extending from the 8-mile radius area to 12 miles N of the TACAN; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 21°32'45" N., longitude 157°51'20" W., thence to latitude 22°00'45" N., longitude 157°56'00" W., thence clockwise via the arc of a 40-mile radius circle centered on the MCAS Kaneohe TACAN to V-12, thence SW along the NW boundary of V-12 to latitude 21°23'00" N., longitude 157°39'50" W.; thence to latitude 21°23'00" N., longitude 157°41'00" W.; thence counterclockwise via the arc of an 8-mile radius circle centered on MCAS Kaneohe to the point of beginning.

Kankakee, Ill.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Greater Kankakee Airport (latitude 41°04'15" N., longitude 87°50'55" W.); within 2 miles each side of the Peotone, Ill., VORTAC 192° radial extending from the 6½-mile radius area to the VORTAC; within 3 miles each side of the 212° bearing from Greater Kankakee Airport, extending from the 6½-mile radius area to 8 miles southwest of the airport; within 3 miles each side of the 222° bearing from Greater Kankakee Airport extending from the 6½-mile radius area to 8 miles southwest of the airport; and within 3 miles each side of the 052° bearing from Greater Kankakee Airport, extending from the 6½-mile radius area to 8 miles northeast of the airport.

Kansas
That airspace extending upward from 1,200 feet above the surface within the State of Kansas.

AMENDMENTS 4/24/75 40 F. R. 10171 (Added)
AMENDMENTS 10/9/75 40 F. R. 32319 (Rewritten)

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Kansas City, Mo.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the Kansas City Municipal Airport (latitude 39°07'20" N., longitude 94°38'30" W.), and within a 7-mile radius of Sherman AAF (latitude 39°22'05" N.,longitude 94°54'48" W.); and that airspace extending from 700 feet above the surface within an 8.5-mile radius of the Kansas City International Airport (latitude 39°18'18" N., longitude 94°42'40" W.) and within 5 miles either side of the Rwy 19 ILS localizer north course extending from the 8.5-mile radius zone to 25 miles N of the Wyandotte OM; and within 5 miles either side of the 088° radial of the Kansas City VORTAC extending from the 8.5-mile radius zone to 11.5 miles E of the VORTAC; and within 5 miles either side of the Rwy 1 ILS localizer south course extending from the 8.5-mile radius zone to 11 miles S of the Wyandotte OM; and that airspace extending upward from 5,000 feet MSL bounded on the west by longitude 93°30'00" W.; on the south by V-4; on the east by V-424; on the north by V-116 and on the northwest by V-206; and within the area bounded on the west by longitude 93°30'00" W., on the south by V-116, on the east by V-206 and on the north by V-10; and within an area bounded on the west by V-161; on the southeast by V-10 and on the north by V-50.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)
Corr: 40 F. R. 30099

Ke-ahole, Kona, Hawaii
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Ke-ahole Airport (latitude 19°44'35" N., longitude 156°03'00" W.), within 4.5 miles each side of the Kona VORTAC 179° radial, extending from the 8.5-mile radius area to 11 miles south of the VORTAC and within 4.5 miles each side of the Kona VORTAC 348° radial, extending from the 8.5-mile radius area to 17.5 miles north of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 9.5 miles west and 4.5 miles east of the Kona VORTAC 179° radial, extending from the VORTAC to 18.5 miles south of the VORTAC, within a 17-mile radius of the Kona VORTAC, extending counterclockwise from V-20 to the Kona VORTAC 179° radial, and within the area bounded on the northeast by V-20, on the west by a line 5 miles west of and parallel to the Maui, Hawaii, VORTAC 179° radial and on the south by a line 5 miles south of and parallel to the Kona VORTAC 281° radial.

Kearney, Nebr.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Kearney Municipal Airport (latitude 40°43'37" N., longitude 99°00'04" W.); within 4½ miles east and 9½ miles west of the Kearney VOR 360° radial, extending from the airport to 18½ miles north of the airport; within 4 miles each side of the Kearney VOR 194° radial, extending from the airport to 13 miles south of the airport.

AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

Keene, N. H.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at 43°01'00" N., 72°13'00" W., to 42°55'00" N., 72°00'00" W., to 42°51'30" N., 71°54'00" W., to 42°28'00" N., 71°54'00" W., to 42°28'00" N., 72°27'00" W., to 42°22'00" N., 72°27'00" W., to 42°22'00" N., 72°35'00" W., to 42°28'00" N., 72°35'00" W., to 42°28'00" N., 73°00'00" W., to 43°01'00" N., 73°00'00" W., to the point of beginning, excluding that portion within the Boston, Mass., Pittsfield, Mass., and Chicopee Falls, Mass., transition areas.

Kelso, Wash.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Kelso-Longview Airport (latitude 46°07'12" N., longitude 122°53'58" W.), within 9.5 miles west of and 4.5 miles east of the 012° bearing from the Kelso, Wash., NDB (latitude 46°09'14" N., longitude 122°54'40" W.), extending from the NDB to 18.5 miles north of the NDB; within 5 miles each side of the 336° bearing from the Kelso NDB extending from the NDB 22.8 miles northwest.

AMENDMENTS 8/14/75 40 F. R. 26504 (Added)

Kenai, Alaska
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Kenai Municipal Airport (latitude 60°34'21" N., longitude 115°14'44" W.), extending clockwise from the 048° to the 290° bearing from the airport.

Kenansville, N. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Duplin County Airport (lat. 35°00'00" N., long. 77°59'00" W.); within 3 miles each side of the 034° bearing from Kenan RBN (lat. 35°02'51" N., long. 77°56'45" W.), extending from the 6.5-mile radius area to 8.5 miles northeast of the RBN.

AMENDMENTS 6/19/75 40 F. R. 11551 (Added)

Kendallville, Ind.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Kendallville Municipal Airport (latitude 41°28'30" N., longitude 85°15'30" W.); within 2 miles each side of the 037° radial of the Wolflake VOR, extending from the 5½-mile radius area to 6 miles southwest of the airport.

Kennedy, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Karnes County Airport (latitude 28°49'30" N., longitude 97°51'55" W.) and within 5 miles each side of the Three Rivers VORTAC 038°T (029° M) radial extending from the 5-mile radius to 17 miles northeast of the Three Rivers VORTAC.

Kennett, Mo.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Kennett Memorial Airport (latitude 36°14'00" N., longitude 90°02'00" W.); and within 2 miles each side of the 346° radial of the Blytheville VOR extending from the 5-mile radius area to 13½ miles north of the VOR.

Kentucky
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Kentucky.

Keokuk, Iowa
That airspace extending upward from 700 feet above the surface within a 4-mile radius of Keokuk Municipal Airport (latitude 40° 27' 35" N.. longitude 91° 25' 50" W.), within 2 miles each side of the 311° bearing from the Keokuk RBN (latitude 40° 27' 45" N., longitude 91° 28' 00" W.), extending from the 4-mile radius area to 8 miles NW of the RBN.

Kerrville, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Kerrville Municipal (Louis Schreiner Field) Airport (latitude 29°58'41" N., longitude 99°05'11" W.); within 3 miles each side of the 134° bearing from the Kerrville RBN (latitude 29°59'11" N., longitude 99°04'31" W.) extending from the 5-mile radius area to 8 miles southeast of the RBN; within 3.5 miles each side of the 306° radial from the proposed non-Federal TVOR site (latitude 30°00'29" N., longitude 99°08'15" W.) to 11.5 miles northwest.

Ketchikan, Alaska
That airspace extending upward from 700 feet above the surface within 4.5 miles northeast and 9.5 miles southwest of the Ketchikan ILS localizer southeast and northwest course, extending from 8.5 miles southeast to 26 miles northwest of the Ketchikan localizer (lat. 55°20'52" N., long. 131°41'53" W.); and that airspace extending upward from 1,200 feet above the surface within 13 miles northwest and 8.5 miles southeast of the 247° and the 067° bearings from the Guard Island RBN, extending from 11 miles northeast to 24 miles southwest of the RBN; within 7 miles northeast and 17 miles southwest of the 150° and 330° bearing from the Guard Island RBN, extending from 12 miles southeast to 26.5 miles northwest of the RBN, excluding the portion within the Annette Island 700- and 1,200-foot floor transition area.

Key West, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Key West International Airport (lat. 24°33'22" N., long. 81°45'35" W.); within 4 miles each side of Key West VORTAC 309° radial, extending from the 8.5-mile radius area to 9.5 miles northwest of the VORTAC; within an 8.5-mile radius of Key West NAS (Boca Chica) (lat. 24°34'30" N., long. 81°41'16" W.).

Killeen, Tex.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Hood AAF (lat. 31° 08'15" N., long. 97°42'50" W.); within a 7-mile radius of Robert Gray AAF (lat. 31°04'20" N., long. 97°49' 45" W.); within 9.5 miles west and 5 miles east of the Hood VOR 352° and 172° radials extending from 2 miles north of the VOR to 12 miles south of the VOR; within 5 miles southeast and 9.5 miles northwest of the Hood VOR 219° T (210° M) radial extending from the VOR to 19 miles southwest of the VOR; within 3.5 miles each side of the 341° bearing from Gray RBN (lat. 31°07'18" N., long. 97°51'02" W.) extending from the 7-mile radius area to 11.5 miles north of the RBN.

Kingman, Ariz.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Kingman Municipal Airport (latitude 35°15'31" N., longitude 113°56'20" W.); within 2 miles each side of the Kingman VOR 025° radial, extending from the 5-mile radius area to 7 miles NE of the VOR; that airspace extending upward from 1,200 feet above the surface within 5 miles SE and 9 miles NW of the Kingman VOR 025° and 205° radials, extending from 38 miles NE to 13 miles SW of the VOR.

King Salmon, Alaska
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the King Salmon, Alaska, Airport (latitude 58°40'43" N., longitude 156°38'50" W.); that airspace extending upward from 1,200 feet above the surface within a 48-mile radius of the King Salmon, Alaska, airport; and that airspace extending upward from 14,500 feet MSL within a 172-mile radius of the King Salmon VORTAC, excluding the portions within the United States, Federal Airways, Control 1217, Control 1234, Control 1400, and Control 1401.

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Kingstree, S. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Williamsburg County Airport (lat. 33°43'01" N., long. 79°51'26" W.); within 3 miles each side of the 307° bearing from Kingstree RBN (lat. 33°43'04" N., long. 79°51'23" W.), extending from the 6.5-mile radius area to 8.5 miles northwest of the RBN.
AMENDMENTS 6/19/75 40 F. R. 11551 (Added)

Kingsville, Tex.
That airspace extending upward from 700 feet above the surface within a 15-mile radius of NAAS Kingsville (north) (latitude 27°30'10" N., longitude 97°48'25" W.), within a 7-mile radius of the Kleberg County Airport (latitude 27°33'01" N., longitude 98°01'39" W.), and within 2 miles each side of a 316° bearing from the Kleberg County RBN (latitude 27°36'20" N., longitude 98°05'22" W.) extending from the 7-mile radius area to 8 miles northwest of the RBN, excluding that portion which lies within the Alice, Tex., control zone.

Kinston, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5 mile radius of Stallings Field (latitude 35°19'40" N., longitude 77°36'55" W.); within 4.5 miles each side of the Kinston VORTAC 048° radial, extending from the 8.5-mile radius area to 10.5 miles northeast of the VORTAC.

Kirksville, MO.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Clarence Cannon Memorial Airport (latitude 40°05'45" N., longitude 92°32'50" W.); within 3 miles each side of the Kirksville VORTAC 316° radial, extending from the 6½-mile radius area to 8 miles northwest of the VORTAC; and within 5 miles each side of the 360° bearing from Clarence Cannon Memorial Airport, extending from the 6½-mile radius area to 11½ miles north of the airport.
AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Klamath Falls, Oreg.
That airspace extending upward from 700 feet above the surface within a 15-mile radius of the Klamath Falls VORTAC and within 5 miles east and 9.5 miles west of the Klamath Falls ILS localizer south course extending from the 15-mile radius area to 18.5 miles south of the Merrill RBN; that airspace extending upward from 1,200 feet above the surface between 15- and 25-mile radius circles centered on Klamath Falls VORTAC; that airspace extending upward from 7,500 feet MSL within the area bounded by the arcs of 25- and 40-mile radius circles centered on the Klamath Falls VORTAC, extending clockwise from the VORTAC 095° radial to a line 5 miles east of and parallel to the VORTAC 165° radial, and within the area bounded by the arcs of 25- and 40-mile radius circles centered on the Klamath Falls VORTAC, extending clockwise from the VORTAC 245° to the 295° radials; that airspace extending upward from 8,600 feet MSL within the area bounded by the arcs of 25- and 48-mile radius circles centered on the Klamath Falls VORTAC, extending clockwise from a line 5 miles east of and parallel to the VORTAC 165° radial to a line 11.5 miles west of and parallel to the VORTAC 181° radial; that airspace extending upward from 9,000 feet MSL within the area bounded by the arcs of 25- and 40-mile radius circles centered on the Klamath Falls VORTAC extending clockwise from the VORTAC 320° to the 095° radials; that airspace extending upward from 9,500 feet MSL within the area bounded by the arcs of 25- and 40-mile radius circles centered on the Klamath Falls VORTAC, extending clockwise from a line 11.5 miles west of and parallel to the VORTAC 181° radial to the 245° radial, and within the area bounded by the arcs of 25- and 28-mile radius circles centered on the Klamath Falls VORTAC, extending clockwise from the VORTAC 295° to the 320° radials; and that airspace extending from 11,000 feet MSL within the area bounded by the arcs of 28- and 40-mile radius circles centered on the Klamath Falls VORTAC, extending clockwise from the VORTAC 295° to the 320° radials.

Knoxville, IA.
That airspace extending upward from 700 feet above the surface within a five (5)-mile radius of Knoxville Municipal Airport (latitude 41°18'00" N., longitude 93°06'40" W.) and within three (3) miles each side of the 342° bearing from Knoxville Municipal Airport extending from the five (5)-mile radius area to eight (8) miles northwest of the airport, and within three (3) miles each side of the 146° bearing from the Knoxville Municipal Airport extending from the five (5)-mile radius area to eight (8) miles southeast of the airport.

Knoxville, Tenn.
That airspace extending upward from 700 feet above the surface beginning at the intersection of the arc of an 11.5-mile radius circle centered on McGhee-Tyson Airport (latitude 35°48'40" N., longitude 83°59'35" W.) and a line 3 miles northwest of and parallel to Knoxville VORTAC 040° radial, to and northeast along this line, to and southeast along a line 8.5 miles northeast of and perpendicular to Knoxville VORTAC 040° radial, to and southwest along a line 3 miles southeast of and parallel to Knoxville VORTAC 040° radial, to and clockwise along the arc of an 11.5-mile radius circle centered on McGhee-Tyson Airport, to and east along the Knoxville VORTAC 100° radial, to and clockwise along the arc of a 25.5-mile radius circle centered on McGhee-Tyson Airport, to and north along the west boundary of V-97, to and southwest along a line 4.5 miles southeast of and parallel to Knoxville ILS localizer southwest course, to and northwest along a line 18.5 miles southwest of and perpendicular to Knoxville ILS localizer southwest course, to and northeast along a line 9.5 miles northeast of and parallel to Knoxville ILS localizer southwest course, to and clockwise along the arc of an 11.5-mile radius circle centered on McGhee-Tyson Airport, to point of beginning; within a 15-mile radius of Sevier-Gatlinburg Airport (lat. 35°51'25" N., long. 83°31'44" W.); within an 8-mile radius of Knoxville Downtown Island Airport (latitude 35°57'45" N., longitude 83°52'30" W.); within a 6.5-mile radius of Monroe County Airport, Madisonville, Tenn., (latitude 35°32'45" N., longitude 84°22'47" W.); excluding the portion within the Athens and Morristown, Tenn., transition areas.
AMENDMENTS 4/24/75 40 F. R. 6203 (Changed) Corr: 40 F. R. 10662

Kodiak, Alaska
That airspace extending upward from 1,200 feet above the surface within a 29-mile radius of the Kodiak Airport (latitude 57°45'02" N., longitude 152°29'19" W.), and within a 35-mile radius of the Kodiak Airport, extending clockwise from the 029° to the 085° bearing from the airport.

Kokomo, Ind.
That airspace extending upward from 700 feet above the surface within an 8½-mile radius of Grissom AFB (latitude 40°38'55" N., longitude 86°09'10" W.); within a 6½-mile radius of Kokomo Municipal Airport (latitude 40°31'45" N., longitude 86°03'30" W.); within a 5-mile radius of Logansport, Ind. Municipal Airport (latitude 40°42'35" N., longitude 86°22'45" W.); within 4½ miles each side of the Grissom AFB ILS localizer southwest course, extending from the 8½-mile and 6½-mile radii areas to 4½ miles southwest of the OM; within 3 miles each side of the Kokomo VORTAC 039° radial, extending from the 6½-mile and 8½-mile radii areas to 8 miles northeast of the VORTAC; and within 3 miles each side of the Kokomo VORTAC 129° radial, extending from the 6½-mile radius area to 8 miles southeast of the VORTAC.

Kosciusko, Miss.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the Kosciusko-Attala County Airport (latitude 33°05'20" N., longitude 89°32'25" W.); within 3 miles each side of the 142° and 310° bearings from the Kosciusko RBN (latitude 33°05'29" N., longitude 89°32'25" W.), extending from the 5.5-mile radius area to 8.5 miles southeast and northwest of the RBN.

Kotzebue, Alaska
That airspace extending upward from 700 feet above the surface within a 19-mile radius of the Kotzebue VORTAC; that airspace extending upward from 1,200 feet above the surface within 5 miles each side of the Kotzebue VORTAC 103° radial extending from the VORTAC to 43 miles east of the VORTAC; that airspace extending upward from 5,500 feet MSL within 5 miles each side of the Kotzebue VORTAC 103° radial extending from a point 43 miles east of the VORTAC to 59 miles east, and that airspace extending upward from 7,500 feet MSL within 5 miles each side of the Kotzebue 103° radial at 59 miles east of the VORTAC widening to 8.5 miles each side of the 103° radial at 111 miles east of the Kotzebue VORTAC.

Kwajalein Island, Marshall Islands
That airspace extending upward from 700 feet above the surface within a 12-nmi radius of the Kwajalein TACAN; and that airspace extending upward from 1,200 feet above the surface within a 100-nmi radius of the Kwajalein TACAN.
This transition area is effective during the specific dates and times established in advance by a Notice to Airmen. The date and time will thereafter be continuously published in the Pacific Chart Supplement.

AMENDMENTS 12/4/75 40 F. R. 45420 (Changed)

Lacon, Illinois
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Marshall County Airport (latitude 41°01'12" N., longitude 89°23'08" W.); and within 2 miles each side of the Bradford VORTAC 133° radial extending from the 5-mile radius area to 6.5 miles northwest of the airport.

AMENDMENTS 7/10/75 40 F. R. 24180 (Added)

Laconia, N. H.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, 43° 34'25"N., 71°25'22" W., of Laconia Municipal Airport, Laconia, New Hampshire; and within 6.5 miles northwest and 4.5 miles southeast of the 247° bearing and the 067° bearing from the Belmont NDB, 43°32'09" N., 71°32' 09" W, extending from 11.5 miles southwest of the NDB to 5.5 miles northeast of the NDB.

La Crosse, Wis.
That airspace extending upward from 700 feet above the surface within a 19-mile radius of the La Crosse Municipal Airport (latitude 43°52'38" N., longitude 91°15'21" W.).

Lafayette, Ind.
That airspace extending upward from 700 feet above the surface within a 7½-mile radius of Purdue University Airport (latitude 40°24'45" N., longitude 86°56'15" W.); within 2 miles each side of the 144° radial of the Lafayette VORTAC extending from the 7½-mile radius area to the Lafayette VORTAC; within a 5½-mile radius of Malmer Airport (latitude 40°23'40" N., longitude 86°48'25" W.).

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Lafayette, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Lafayette Airport (latitude 30°12'00" N., longitude 91°59'40" W.); within 2 miles each side of the Lafayette ILS localizer north course extending from the OM to the 5-mile radius area; within 2 miles each side of the Lafayette ILS localizer south course extending from the 5-mile radius area to the 5-mile radius area of the Abbeville Municipal Airport (latitude 29°58'19" N., longitude 92°05'06" W.); within 2 miles each side of the Lafayette VORTAC 171° radial extending from the 5-mile radius area of the Lafayette Airport to 8 miles south of the VORTAC; within 2 miles each side of the 276° bearing from the Lafayette RBN (latitude 30°11'35" N., longitude 91°52'58" W.) extending from the RBN to the 5-mile radius area; within 2 miles each side of the Lafayette VORTAC 206° radial extending from the VORTAC to the 5-mile radius area of the Abbeville Airport; within a 5-mile radius of Acadiana Regional Airport (latitude 30°02'15" N., longitude 91°53'00" W.); within 2 miles each side of the Lafayette VORTAC 139° radial extending from the 5-mile radius area of Lafayette Airport to the 5-mile radius area of Acadiana Regional Airport; within 3 miles each side of the Lafayette VORTAC 145° radial extending from the 5-mile radius area of Acadiana to 17.5 miles from the Lafayette VORTAC; within 3 miles either side of the 348° and 168° bearings from the Acadiana NDB (latitude 29°57'21" N., longitude 91°51'45" W.) extending from the 5-mile radius area of the Acadiana Regional Airport to 8 miles south of the Acadiana Regional Airport.

AMENDMENTS 8/14/75 40 F. R. 22250 (Rewritten)

La Grange, Ga.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Callaway Airport (lat. 33°00'30" N., long. 85°04'20" W.); within 1.5 miles each side of La Grange VORTAC 110° radial, extending from the 6-mile radius area to the VORTAC.

La Grange, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Rocky Creek Ranch Airport (latitude 29°55'30" N., longitude 96°48'12" W.) and within 2 miles each side of the Industry VOR 262° radial extending from the 5-mile radius area to the VOR.

La Junta, Colo.
That airspace extending upward from 700 feet above the surface bounded on the north by the south edge of V-244, on the south by a line 9.5 miles south of and parallel to the 091° and 271° bearings from the La Junta, Colo., RBN (latitude 38°02'54" N., longitude 103°37'14" W.), extending from 12 miles east to 18.5 miles west of the RBN; and that airspace extending upward from 1,200 feet above the surface bounded on the north by the south edge of V-244, on the east by the west boundary of the 700-foot portion of the transition area, on the south by the north edge of V-210, on the southwest by the northeast edge of V-81, excluding the airspace within the Pueblo, Colo., transition area.

Lake Charles, La.
That airspace extending upward from 700 feet above the surface within a 4-mile radius of East Lake Charles Airport (latitude 30°13'25" N., longitude 93°08'55" W.), within 2 miles each side of the Lake Charles VORTAC 339° radial extending from the 4-mile radius area to the VORTAC, and within 2 miles each side of the Lake Charles ILS localizer NW course extending from the OM to 8 miles NW of the OM.

Lake City, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Lake City Municipal Airport (lat. 30°10'45" N., long. 82°34'45" W.).

Lake Geneva, Wis.
That airspace extending upward from 700 feet above the surface within an 8-statute mile radius of the Playboy Airport (latitude 42°36'53" N., longitude 88°23'27" W.).

Lake Havasu, Ariz.
That airspace extending upward from 700 feet above the surface within 7 miles east and 5.5 miles west of the Needles, Calif., VORTAC 163° radial, extending from 17 to 27 miles south of the VORTAC, and that airspace extending upward from 1,200 feet above the surface within 7 miles east and 5.5 miles west of the Needles VORTAC 163° radial extending from the VORTAC to 17 miles south of the VORTAC.

Lake Jackson, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Brazoria County Airport
(latitude 29°02'15" N., longitude 95°27'20" W.); within 2 miles each side of the Lake Jackson VOR 343° radial extending from the 5-mile radius area to 8 miles NW of the VOR, and within 2 miles each side of the Lake Jackson VOR 158° radial extending from the 5-mile radius area to 8 miles SE of the VOR.

Lakeland, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Lakeland Municipal Airport (lat. 27°59'15" N., long. 82°00'55" W.); within a 7-mile radius of Bartow Municipal Airport (lat. 27°57'00" N., long. 81°47'00" W.); within a 5-mile radius of Plant City Municipal Airport (lat. 28°00'00" N., long. 82°09'40" W.); within a 6.5-mile radius of Gilbert Field Municipal Airport, Winter Haven, FL. (lat. 28°03'40" N., long. 81°45'15" W.); within 2.5 miles each side of Lakeland VORTAC 074° radial, extending from the 6.5-mile radius area to the Lakeland Municipal Airport 8.5-mile radius area.

AMENDMENTS 2/27/75 40 F. R. 7436 (Changed)

Lake Providence, La.
That airspace extending upward from 700 feet above the surface within a 5-statute mile radius of Byerley Airport, Lake Providence, La. (latitude 32°49'45" N., longitude 91°11'00" W.); and within 3.5 miles each side of the 008° bearing from the Lake Providence NDB (latitude 32°49'50" N., longitude 91°11'24" W.), extending from the 5-mile radius area to 11.5-statute miles north of the NDB.

AMENDMENTS 3/27/75 40 F. R. 4120 (Added)
AMENDMENTS 12/4/75 40 F. R. 48118 (Rewritten)

Lakeview, Oreg.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Lake County-Lakeview Airport (latitude 42°09'35" N., longitude 120°24'15" W.), and within 2 miles each side of the 180° bearing from the Lakeview RBN (latitude 42°09'15" N., longitude 120°24'18" W.), extending from the RBN to 8 miles south of the RBN; that airspace extending upward from 1,200 feet above the surface within 6 miles east and 9 miles west of the 180° and 360° bearings from the Lakeview RBN extending from 5 miles north to 18 miles south of the RBN.

Lake Village, Ark.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Lake Village Airport (lat. 33°20'42" N., long. 91°18'57" W.).

Lamar, Colo.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Lamar Airport (latitude 38°04'10" N., longitude 102°41'25" W.) and within 3.5 miles each side of the Lamar VOR 001° radial, extending from the 6-mile radius area to 10 miles north of the VOR; that airspace extending upward from 1,200' above the surface within 6 miles east and 9.5 miles west of the Lamar 001° and 181° radials extending from 18.5 miles north to 8 miles south of the VOR.

Lampasas, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Lampasas Airport (latitude 31°06'27" N., longitude 98°11'45" W.).

AMENDMENTS 8/14/75 40 F. R. 26021 (Added)

Lanai, Hawaii
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Lanai Airport (latitude 20°47'30" N., longitude 156°57'00" W.).

Lancaster, Pa.
That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of the center, 40°07'16" N., 76°17'47" W. of Lancaster Airport, Lancaster, Pa.; within 3 miles each side of the Lancaster VORTAC 260° radial, extending from the 7.5-mile radius area to 8.5 miles west of the VORTAC; within 9.5 miles northeast and 4.5 miles southwest of the Lancaster VORTAC 128° radial, extending from the VORTAC to 18.5 miles southeast of the VORTAC; within 3.5 miles each side of the Lancaster Airport ILS southeast localizer course, extending from the 7.5-mile radius area to 10.5 miles southwest of the OM; within 5 miles each side of the Lancaster VORTAC 055° radial, extending from the 7.5-mile radius area to 16.5 miles northeast of the VORTAC.

AMENDMENTS 6/19/75 40 F. R. 13478 (Rewritten)

Lancaster, S. C.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Lancaster Airport (lat. 34°43'22" N., long. 80°51'18" W.).

Land O'Lakes, Wis.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of King's Land O'Lakes Municipal Airport (latitude 46°09'15" N., longitude 89°12'31" W.); and within 9½ miles southwest and 4½ miles northeast of the 312° and 132° bearings from the King's Land O'Lakes Municipal Airport extending from the 5-mile radius area to 18½ miles northwest of the airport to 6 miles southeast of the airport.

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Lansing, Ill.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of the Chicago-Hammond Airport (latitude 41°32'20" N., longitude 87°32'05" W.); and within 3½ miles each side of the 228° radial of the Chicago Heights, Ill. VORTAC extending from the 5½-mile radius area to 11½ miles southwest of the VORTAC excluding the airspace within the Chicago, Ill., and Griffith, Ind., transition areas.

Lansing, Mich.
That airspace extending upward from 700 feet above the surface within an 8½-mile radius of Capital City Airport (latitude 42°46'40" N., longitude 84°35'20" W.); within 3 miles each side of the Lansing ILS localizer east course, extending from the 8½-mile radius area to 14 miles east of the OM; and within 3 miles each side of the Lansing ILS localizer west course, extending from the 8½-mile radius area to 14 miles west of the OM.

Lapeer, Mich.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Dupont-Lapeer Airport (latitude 43°04'10" N., longitude 83°16'15" W.); and within 2 miles each side of the Flint, Mich., VORTAC 074° radial extending from the 5-mile radius area to 18 miles east of the VORTAC.

LaPorte, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the LaPorte Municipal Airport (latitude 41°34'21" N., longitude 86°44'02" W.); within 2 miles either side of the 165° bearing from the LaPorte Airport extending from the 5-mile radius area to 9 miles south of the airport, excluding that portion which overlies the Michigan City, Indiana, transition area.

AMENDMENTS 8/21/75 40 F. R. 32741 (Added)

La Pryor, Tex. (Chaparrosa Ranch Airport)
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Chaparrosa Ranch Airport (latitude 28°52'45" N., longitude 99°59'25" W.) and within 3.5 miles each side of a 330° bearing from the (Chaparrosa Ranch) RBN (latitude 28°54'35" N., longitude 100°00'19" W.) extending from the radio beacon to a point 11.5 miles northwest of the radio beacon.
AMENDMENTS 6/19/75 40 F. R. 10663 (Changed)

La Pryor, Tex. (La Paloma Ranch Airport)
That airspace extending upward from 700 feet above the surface within a 5-mile radius of La Paloma Ranch Airport (latitude 28°53'30" N., longitude 99°51'09" W.) and within 3.5 miles each side of the 353° bearing from the La Pryor, Tex., NDB (latitude 28°55'47" N., longitude 99°51'16" W.) extending from the 5-mile radius area to 11.5 miles northwest of the La Pryor, Tex., NDB.

AMENDMENTS 6/19/75 40 F. R. 6202 (Added) Corr: 40 F. R. 10663

Laramie, Wyo.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of General Brees Field, Laramie, Wyoming (lat. 41°18'50" N., long. 105°40'25" W.); within 5.5 miles south and 9.5 miles north of the Laramie, Wyoming VORTAC 301° radial extending from the 9-mile radius area to 18.5 miles northwest of the VORTAC and within 5 miles each side of the Laramie VORTAC 126° radial extending from the 9-mile radius area to 21 miles southeast of the VORTAC.

AMENDMENTS 8/14/75 40 F. R. 17248 (Rewritten)
AMENDMENTS 10/9/75 40 F. R. 29273 (Rewritten)

Laredo, Tex.
That airspace extending upward from 700 feet above the surface within 5 miles each side of the Laredo VORTAC 328° radial extending from the Laredo VORTAC to 22.5 miles northwest; within 3.5 miles each side of the Laredo ILS localizer northwest course extending from the localizer site (latitude 27°36'12" N., longitude 99°30'50.2" W.) to 19 miles northwest; within 5 miles each side of the Laredo VORTAC 141° radial extending from the Laredo VORTAC to 12 miles southeast; within a 5-mile radius of the Link Ranch Airport (latitude 27°25'32" N., longitude 99°28'21" W.), excluding those portions outside the United States.

AMENDMENTS 12/4/75 40 F. R. 48119 (Rewritten)

Laredo, Tex. (Laredo Auxiliary No. 2 Airport)
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Laredo Auxiliary No. 2 Airport (latitude 27°28'00" N., longitude 99°13'45" W.) and within 2.5 miles each side of the Laredo, Tex., VORTAC 091° radial extending from the 5-mile radius area to 18.5 miles east of the VORTAC.

Larned, Kans.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the Larned, Kans., NDB, located at latitude 38°12'16" N., longitude 99°05'17" W., and within 3 miles either side of the 277° bearing from the NDB extending from the 5.5-mile radius to 8 miles west.
AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)

Las Cruces, N. Mex.
That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of the Las Cruces Municipal Airport (lat. 32°17'27" N., long. 106°55'18" W.); and within 3.5 miles either side of the Las Cruces NDB (lat. 32°16'56" N., long. 106°55'23" W.) 180° bearing extending from the 10.5-mile radius areas to 12 miles south of the NDB.

Las Vegas, Nev.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 36°11' 00" N., longitude 115°28'00" W., to latitude 36°11'00" N., longitude 115°11'00" W., to latitude 36°24'00" N., longitude 115°00'00" W., to latitude 36°18'00" N., longitude 114°51'00" W., to latitude 36°00'00" N., longitude 114°50'00" W., to latitude 35°52'00" N., longitude 115°11'00" W., to latitude 35°52'00" N., longitude 115°28'00" W., thence to point of beginning; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 36°16'00" N., longitude 116°08'00" W., to latitude 36°16'00" N., longitude 115°55'00" W., to latitude 36°58'00" N., longitude 115°55'00" W., to latitude 36°58'00" N., longitude 114°41'00" W., to latitude 36°58'00" N., longitude 114°07'00" W., to latitude 36°47'00" N., longitude 113°59'00" W., to latitude 36°44'00" N., longitude 114°05'00" W., to latitude 36°25'00" N., longitude 114°05'00" W., to latitude 36°19'00" N., longitude 114°14'00" W., to latitude 35°39'00" N., longitude 114°14'00" W., to latitude 35°39'00" N., longitude 114°57'00" W., to latitude 35°30'00" N., longitude 115°02'00" W., to latitude 35°00'00" N., longitude 115°02'00" W., to latitude 35°00'00" N., longitude 115°24'00" W., to latitude 35°14'00" N., longitude 115°24'00" W., to latitude 35°14'00" N., longitude 115°50'00" W., to latitude 35°36'00" N., longitude 115°50'00" W., to latitude 36°06'00" N., longitude 116°18'00" W., to latitude 36°13'00" N., longitude 116°18'00" W., thence to point of beginning; that airspace extending upward from 9,000 feet MSL beginning at latitude 36°47'00" N., longitude 113°59'00" W., thence clockwise via an arc of an 82-mile radius circle centered on Las Vegas, Nev., VORTAC to a line 5 miles north of and parallel to a direct line between the Grand Canyon, Arizona VOR and Boulder City, Nev., VORTAC, thence west along a line 5 miles north of and parallel to a direct line between the Grand Canyon VOR and the Boulder City VORTAC to longitude 114°14'00" W., to latitude 36°19'00" N., longitude 114°14'00" W., to latitude 36°25'00" N., longitude 114°05'00" W., to latitude 36°44'00" N., longitude 114°05'00" W., to point of beginning.

Las Vegas, N. Mex.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Las Vegas Municipal Airport (lat. 35°39'20" N., long. 105°08'30" W.), and within 3.5 miles each side of the Las Vegas, N. Mex., VORTAC 025° radial, extending beyond the 9-mile radius area to 11.5 miles northeast of the VORTAC; and within 3.5 miles each side of the Las Vegas, N. Mex., VORTAC 220° radial, extending beyond the 9-mile radius area to 11.5 miles southwest of the VORTAC.

Latrobe, Pa.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, lat. 40° 16'30" N., long. 79°24'14" W., of Latrobe Airport, Latrobe, Pa.; within the arc of an 8.5-mile radius circle centered on Latrobe Airport, extending clockwise from a 270° bearing from the center of the airport to a 360° bearing from the center of the airport; within 2 miles each side of the 226° bearing from the Latrobe RBN lat. 40°22'32" N., long. 79°16'18" W., extending from the 5-mile radius area to the RBN; within 4 miles each side of the 046° bearing from the Latrobe RBN, extending from the RBN to 11.5 miles northeast of the RBN; within 5 miles each side of the 213° bearing from the Latrobe RBN, extending from the RBN to 3 miles southwest of the RBN; within 2 miles each side of the Latrobe Airport localizer southwest course extending from the 5-mile radius area to 17 miles southwest of the Latrobe RBN and within 3.5 miles each side of the Latrobe Airport localizer southwest course, extending from 17 miles southwest of the Latrobe RBN to 27 miles southwest of the RBN.

Laurel, Miss.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Laurel Municipal Airport (lat. 31°40'10" N., long. 89°10'20" W.); within 3 miles each side of the 315° bearing from Tallahala RBN (lat. 31°41'16" N., long. 89°11'26" W.), extending from the 7-mile radius area to 8.5 miles northwest of the RBN; within 3 miles each side of Laurel VOR 325° radial, extending from the 7-mile radius area to 8.5 miles northwest of the VOR.

Laurens, S. C
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Laurens Municipal Airport (lat. 34°30'15" N., Long. 81°57'00" W.); within 3 miles each side of the 244° bearing from Laurens RBN (lat. 34°30'29" N., Long. 81°57'00" W.), extending from the 6.5-mile radius area to 8.5 miles southwest of the RBN.

Laurinburg, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Laurinburg-Maxton Airport (latitude 34°47'25" N., longitude 79°21'55" W.); within 3 miles each side of Pinehurst VORTAC 137° radial, extending from the 8.5-mile radius area to 20 miles southeast of the VORTAC; within 3 miles each side of the 226° bearing from Rocky Ford RBN (latitude 34°45'28" N., longitude 79°24'40" W.), extending from the 8.5-mile radius area to 8.5 miles southwest of the RBN.

AMENDMENTS 6/12/75 40 F. R. 22539 (Changed)

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Lawrence, Kans.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Lawrence Municipal Airport (latitude 39°00'30" N., longitude 95°13'00" W.); within 2 miles each side of the Topeka, Kans.,VORTAC 116° radial, extending from the 5-mile radius area to 13 miles southeast of the VORTAC; and within 3 miles each side of the 318° bearing from Lawrence Municipal Airport, extending from the 5-mile radius to 8 miles northwest of the airport.

Lawrenceburg, Tenn.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Lawrenceburg Municipal Airport (lat. 35°14'00" N., long. 87°15'30" W.); within 9.5 miles west and 4.5 miles east of the 349° bearing from the Lawrenceburg RBN (lat. 35°15'51" N., long. 87°15'56" W.), extending from the RBN to 18.5 miles north; excluding the portion within the Mount Pleasant transition area.

Lawrenceville, Ga.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Gwinnett County Airport (latitude 33°58'53" N., longitude 83°57'50" W.); within 1.5 miles each side of Norcross VORTAC 077° radial, extending from the 6-mile radius area to 3 miles east of the VORTAC.

Lawrenceville, VA.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center, lat. 36°46'20" N., long. 77°47'45" W. of Lawrenceville Municipal Airport, Lawrenceville, VA., and within 1.5 miles each side of the Lawrenceville VORTAC 117° radial, extending from the 5.5-mile radius area to the VORTAC.

Lawton, Okla.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Lawton Municipal Airport (latitude 34°34'15" N., longitude 98°24'55" W.); within 8 miles W and 5 miles E of the Lawton VOR 357° and 177° radials, extending from 5 miles N to 7 miles S of the VOR; within 10 miles W and 5 miles E of the Lawton VOR 177° radial extending from 7 miles S to 17 miles S of the VOR and within 2 miles each side of the 180° bearing from the Fort Sill RBN extending from the 7-mile radius area to the RBN and excluding that portion within the confines of the Wichita Falls, Tex., transition area.

Lebanon, Mo.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Lebanon, Mo., airport located at latitude 37°38'56" N., longitude 92°39'06" W., and within 3 miles either side of the 177° bearing of the Lebanon Airport extending from 5 miles to 8.5 miles.

AMENDMENTS 4/24/75 40 F. R. 18172 (Changed)

Lebanon, N. H.
That airspace extending upward from 700 feet above the surface, within an arc of a 23.5-mile radius circle centered on the Lebanon, NH., Regional Airport (lat. 43°37'41" N., long. 72°18'21" W.) extending clockwise between the 034° and 134° bearings from the Lebanon Airport; within an arc of an 18-mile radius circle centered on the Lebanon Airport extending clockwise between the 134° and 231° bearings from the Lebanon Airport; within an arc of a 23.5-mile radius circle centered on the Lebanon Airport extending clockwise between the 231° and 300° bearings from the Lebanon Airport; within an arc of a 19.5-mile radius circle centered on the Lebanon Airport extending clockwise between the 300° and 034° bearings from the Lebanon Airport.
That airspace extending upward from 1,200 feet above the surface bound by a line beginning at 43°11'00" N., 72°39'00" W., to 43°47'00" N., 72°39'00" W., to 43°55'00" N., 72°16'00" W., to 44°08'00" N., 72°18'00" W., to 44°06'00" N., 70°37'00" W., to 43°45'00" N., 71°09'00" W., to 43°35'00" N., 71°55'00" W., to 42°55'00" N., 72° 00'00" W., to 43°05'00" N., 72°13'00" W., to the point of beginning, excluding those portions that coincide with the Whitefield, N. H., North Conway, N. H., and Burlington, Vt., 1200-foot transition areas.

Lees Summit, Missouri
That airspace extending upward from 700 feet above the surface within a 5-statute mile radius of the McComas Airport (latitude 38°57'50" N., longitude 94°22'25" W.); and within 1½ statute miles either side of the 048° bearing from the airport, extending from the 5-mile radius to 9 miles northeast of the airport, excluding those portions which overlie Richards Gebaur and East Kansas City Airports 700 feet floor transition areas, and that airspace extending upward from 1,200 feet above the surface 5 miles northwest of and 9.5 miles southeast of the 48° bearing from the Blue Springs VOR extending from 6.5 miles southwest to 18.5 miles northeast of the VOR, excluding that portion which overlies the Kansas City, Missouri, transition area.

Leeville, La.
That airspace extending upward from 700 feet above the surface within 3.5 miles either side of the Leeville, La., VORTAC 275° radial extending from the VORTAC to 14 miles west of the VORTAC.

LeMars, Iowa
That airspace extending upward from 700 feet above the surface within a 7-mile radius of LeMars Municipal Airport (latitude 42°46'38" N., longitude 96°11'37" W.); and within 3 miles each side of the 358° bearing from LeMars Municipal Airport, extending from the 7-mile radius area to 8 miles north of the airport.

Lemoore, Calif.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the NAS Lemoore TACAN, and within 5 miles each side of a 156° bearing from the NAS Lemoore RBN extending from the 10-mile radius area to 13.0 miles southeast of the RBN; and that airspace extending upward from 1,200 feet above the surface bounded on the E by a line extending
from latitude 36° 46' 00" N., longitude 120° 03' 50" W., to latitude 36° 37' 00" N., longitude 119° 58' 00" W., to latitude 36° 37' 00" N., longitude 119° 44' 10" W., thence S along the W boundary of V-23 to longitude 119° 30' 00" W., thence to latitude 35° 43' 50" N., longitude 119° 30' 00" W., on the S by latitude 35° 43' 50" N., on the W by V-485 S of the Priest, Calif., VOR and V-113 N of the Priest VOR, and on the N by V-230.

Lewisburg, W. Va.
That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of the center (lat. 37°51'35" N., long. 80°23'55" W.) of Greenbrier Valley Airport, Lewisburg, W. Va., extending clockwise from the 252° bearing to the 278° bearing from the airport; within a 15-mile radius of Greenbrier Valley Airport, extending clockwise from the 278° bearing to the 291° bearing from the airport; within a 16-mile radius of Greenbrier Valley Airport, extending clockwise from the 291° bearing to the 301° bearing from the airport; within a 21.5-mile radius of Greenbrier Valley Airport, extending clockwise from the 301° bearing to the 332° bearing from the airport; within a 22.5-mile radius of Greenbrier Valley Airport, extending clockwise from the 332° bearing to the 347° bearing from the airport; within a 23.5-mile radius of Greenbrier Valley Airport, extending clockwise from the 347° bearing to the 357° bearing from the airport; within a 17-mile radius of Greenbrier Valley Airport, extending clockwise from the 357° bearing to the 030° bearing from the airport; within an 18.5-mile radius of Greenbrier Valley Airport, extending clockwise from the 030° bearing to the 086° bearing from the airport; within a 15-mile radius of Greenbrier Valley Airport, extending clockwise from the 086° bearing to the 143° bearing from the airport; within a 17-mile radius of Greenbrier Valley Airport, extending clockwise from the 143° bearing to the 192° bearing from the airport; within a 14-mile radius of Greenbrier Valley Airport, extending clockwise from the 192° bearing to the 252° bearing from the airport; within 6.5 miles west and 4.5 miles east of a 216° bearing from the Lewisburg, W. Va. RBN extending from the RBN to a point 11.5 miles southwest of the RBN and within 3 miles each side of the White Sulphur Springs, W. Va., VOR 115° radial, extending from the VOR to 8.5 miles southeast.

Lewiston, Idaho
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Lewiston-Nez Perce County Airport (latitude 46°22'29" N., longitude 117°00'51" W.); within 2 miles each side of the Lewiston VOR 263° radial extending from the 5-mile radius to the VOR; within 2.5 miles each side of the Lewiston VOR 065° radial extending from the VOR 6 miles northeast of the VOR; within 3 miles each side of the ILS localizer course extending from the 5-mile radius 11.5 miles east; that airspace extending upward from 1,200 feet above the surface bounded by a line extending from the intersection of latitude 46°33'33" N., and the east edge of V-253 to latitude 46°42'00" N., longitude 116°31'30" W., to latitude 46°33'33" N., longitude 116°26'00" W., to latitude 46°14'30" N., longitude 116°21'30" W., to latitude 46°10'00" N., longitude 116°35'00" W., to latitude 46°16'00" N., longitude 117°10'00" W., thence to point of beginning; and that airspace west of Lewiston bounded on the northwest by V-536, on the northeast by V-253 and on the south by V-520.

AMENDMENTS 8/14/75 40 F. R. 26019 (Rewritten)

Lewistown, Mont.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Lewistown, Mont., Municipal Airport (latitude 47°02'39" N., longitude 109°28'15" W.) and within 4 miles each side of the Lewistown VORTAC 289° radial, extending from the 7-mile radius area to 10.5 miles west of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 4.5 miles north and 9.5 miles south of the Lewistown VORTAC 289° radial, extending from the VORTAC to 18.5 miles west of the VORTAC, and within 5 miles north and 8 miles south of the Lewistown VORTAC 109° radial, extending from the VORTAC to 7 miles east of the VORTAC.

Lexington, Ky.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Blue Grass Airport (lat. 38°02'16" N., long. 84°36'16" W.); within 3 miles each side of the ILS localizer northeast course, extending from the 8.5-mile radius area to 14 miles northeast of the runway end; within 9.5 miles northwest and 4.5 miles southeast of the ILS localizer southwest course, extending from the 8.5-mile radius area to 18.5 miles southwest of the OM.

Lexington, Nebr.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Lexington Municipal Airport (latitude 40°47'38" N., longitude 99°46'10" W.); and within 3 miles each side of the Lexington RBN 314° bearing, extending from the 5-mile radius area to 8 miles northwest of the RBN.

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Lexington, Tenn.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Franklin-Wilkins Airport (latitude 35°39'07" N., longitude 88°22'47" W.); within 3 miles each side of the Jacks Creek VORTAC 165° radial, extending from the 8-mile radius area to 8.5 miles southeast of the VORTAC.

Liberal, Kans.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Liberal Municipal Airport (latitude 37°02'35" N., longitude 100°57'45" W.).

AMENDMENTS 4/24/75 40 F. R. 18171 (Changed)

Liberty, N. C.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Causey Airport (lat. 35°54'50" N., long. 79°37'03" W.); within 2 miles each side of Liberty VOR 358° radial, extending from the 5-mile radius area to the VOR.

Liberty, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Liberty Air Service Airport (latitude 30°04'30" N., longitude 94°41'50" W.); and within 2 miles each side of Daisetta VOR 203° radial extending from the 5-mile radius area to the VOR.

Lihue, Hawaii
That airspace extending upward from 700 feet above the surface within the arc of an 8.5-mile radius circle centered on the Lihue Airport (latitude 21°58'55" N., longitude 159°20'40" W.), extending clockwise from a line 2 miles west of and parallel to the Lihue VORTAC 021° radial to a line 2 miles northeast of and parallel to the Lihue VORTAC 130° radial and within 2 miles each side of the Lihue VORTAC 130° radial, extending from 9 miles southeast to 10.5 miles southeast of the Lihue VORTAC; and that airspace extending upward from 1,200 feet above the surface within the arc of a 25-mile radius circle centered on the Lihue VORTAC, extending clockwise from a line 5 miles west of and parallel to the Lihue VORTAC 021° radial to V-2, excluding the portion within W-511.

Lima, Ohio
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Allen County Airport (latitude 40°42'26" N., longitude 84°01'36" W.); within 3 miles each side of the Allen County VOR 090° radial extending from the 6.5-mile radius to 8.5 miles east of the VOR.

AMENDMENTS 11/4/75 40 F. R. 53550 (Rewritten)

Lincoln, Ill.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Logan County Airport (latitude 40°09'40" N., longitude 89°20'05" W.); and within 2½ miles each side of the Capital, Ill., VORTAC 041° radial, extending from the 5-mile radius area to 17 miles northeast of the VORTAC.

Lincoln, Nebr.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Lincoln Municipal Airport (latitude 40°50'45" N., longitude 96°45'20" W.); within the area bounded by a line 5 miles west of and parallel to the Lincoln ILS localizer south course clockwise along a 17-mile arc centered on the Lincoln Municipal Airport to a line 2 miles east of and parallel to the Lincoln VORTAC 015° radial; and within 5 miles west and 9 miles east of the Lincoln ILS localizer south course, extending from the 9-mile radius area to 13 miles south of the OM.

Litchfield, Minn.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Litchfield Municipal Airport (latitude 45°08'18" N., longitude 94°30'56" W.); and within 3½ miles each side of the Darwin VORTAC 139° radial, extending from the 6-mile radius to 11½ miles southeast of the VORTAC.

AMENDMENTS 10/23/75 40 F. R. 44809 (Rewritten)

Little Falls, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Little Falls Municipal Airport (latitude 45°56'56" N., longitude 94°20'44" W.); within 3 miles each side of the 141° bearing from the airport, extending from the 5-mile radius to 8 miles southeast of the airport, excluding that portion which overlies the Camp Ripley, Minnesota, transition area.

Little Rock, Ark.
That airspace extending upward from 700 feet above the surface bounded by a 23-mile radius of Little Rock AFB, Ark. (latitude 34°55'00" N., longitude 92°09'00" W.), and clockwise along a 23 mile arc of Adams Field Airport, Little Rock, Ark. (latitude 34°43'48" N., longitude 92°13'39" W.), to latitude 34°28'50" N., longitude 92°26'00" W., to latitude 34°26'00" N., longitude 92°30'00" W., to latitude 34°28'00" N., longitude 92°36'00" W., thence clockwise along the arc of a 6.5-mile-radius circle centered at latitude 34°33'30" N., longitude 92°36'30" W., to latitude 34°39'30" N., longitude 92°37'50" W., thence clockwise along a 23-mile radius of Adams Field Airport.

Livermore, Calif.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 37°44'00" N., longitude 121°52'00" W., to latitude 37°48'15" N., longitude 121°40'00" W., to latitude 37°41'30" W., longitude 121°34'00" W., to latitude 37°38'00" N., longitude 121°52'00" W., thence to point of beginning.

Livingston, Mont.
That airspace extending upward from 700 feet above the surface within 9.5 miles west and 4.5 miles east of the Livingston VORTAC 340° radial extending from the VORTAC to 18.5 miles north of the VORTAC and within 2.5 miles each side of the Livingston 085° radial, extending from a 5-mile radius circle centered on Mission Field Airport, Livingston, Mont. (latitude 45°41'45" N., longitude 110°26'40" W.) to 9 miles east of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 6 miles south and 9.5 miles north of the Livingston VORTAC 085° and 265° radials, extending from 7 miles west to 21 miles east of the VORTAC.
AMENDMENTS 3/27/75 40 F. R. 5348 (Rewritten)

Llano, Tx.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Llano Municipal Airport (latitude 30°46'30" N., longitude 98°39'30" W.) and within 2 miles each side of the Llano VORTAC 100° radial (091° magnetic radial) extending from the 5-mile radius area to the Llano VORTAC.

Lodi, Calif.
That airspace extending upward from 700 feet above the surface within a 3-mile radius of Linds Airport, Calif. (latitude 38°12'11" N., longitude 121°16'03" W.) and within 2.5 miles each side of the Linden, Calif., VORTAC 303° radial extending from the 3-mile-radius area to 10.5 miles northwest of the VORTAC.

Logan, Utah
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Logan-Cache Airport (lat. 41°47'09" N., long. 111°50'53" W.) and within 4.5 miles east and 9.5 miles west of the Logan VOR 352° radial, extending from the Logan VOR to 11 miles north of the Logan VOR; that airspace extending upward from 1,200 feet above the surface bounded on the north by the south edge of V-4, on the east by longitude 111°40'30" W., on the south by the north edge of V-288, on the west by the east edge of V-21; and that airspace extending upward from 10,500 feet MSL bounded on the northeast by the southwest edge of V-48, on the west by longitude 111°40'30" W., and on the south by the north edge of V-288.

London, Ky.
That airspace extending upward from 700 feet above the surface within a 12.5-mile radius of London-Corbin Airport, Magee Field (lat. 37°05'15" N., long. 84°04'38" W.); within 4.5 miles each side of London VORTAC 202° radial, extending from the 12.5-mile radius area to 10 miles south of the VORTAC.

AMENDMENTS 12/24/74 40 F. R. 1038 (Changed)

PENDING AMENDMENT
Lone Rock, Wis.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Tri-County Airport (latitude 43°12'36" N., longitude 90°11'06" W.); excluding a 2-mile radius of the Richland Airport (latitude 43°16'54" N., longitude 90°17'48" W.).
AMENDMENTS 1/29/76 40 F. R. 53231 (Added)

Lone Star, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Lone Star Airport (latitude 32°55'40" N., longitude 94°44'50" W.); and within 2 miles each side of the 316° bearing from the Lone Star RBN, extending from the 5-mile radius area to 8 miles NW of the RBN.

Longview, Tex.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Gregg County Airport, Longview, Tex. (latitude 32°23'05" N., longitude 94°42'45" W.); within 2 miles each side of the Gregg County ILS localizer NW course, extending from the 6-mile radius area to 8 miles NW of the OM, within 2 miles each side of the Gregg County ILS localizer SE course, extending from the 6-mile radius area to 14 miles SE of the airport, within 2 miles each side of the Gregg County VORTAC 149° radial extending from the 6-mile radius area to 17.5 miles southeast of the VORTAC, and within 2 miles each side of the Gregg County VORTAC 313° radial extending from the 6-mile radius area to 8 miles NW of the VORTAC.

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Los Angeles, Calif.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 34°05'00" N., longitude 118°33'00" W.; to latitude 34°05'00" N., longitude 118°15'00" W.; to latitude 34°00'00" N., longitude 118°15'00" W.; to latitude 34°00'00" N., longitude 118°07'00" W.; to latitude 33°56'00" N., longitude 118°07'00" W.; to latitude 33°56'00" N., longitude 117°53'00" W.; to latitude 33°46'00" N., longitude 117°45'00" W.; to latitude 33°39'00" N., longitude 117°30'00" W.; to latitude 33°30'00" N., longitude 117°30'00" W.; to latitude 33°30'00" N., longitude 117°45'00" W.; to latitude 33°42'00" N., longitude 118°09'00" W., to latitude 33°42'00" N., longitude 118°26'00" W., to latitude 33°48'00" N., longitude 118°26'00" W., to latitude 33°53'00" N., longitude 118°33'00" W., thence to point of beginning; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 34°00'00" N., longitude 119°05'00" W.; to latitude 34°00'00" N., longitude 118°33'00" W.; to latitude 33°53'00" N., longitude 118°33'00" W.; to latitude 33°45'00" N., longitude 118°22'00" W.; to latitude 33°45'00" N., longitude 118°15'00" W.; to latitude 33°30'00" N., longitude 117°45'00" W.; to latitude 33°30'00" N., longitude 118°34'00" W.; to latitude 33°28'30" N., longitude 118°34'00" W.; to latitude 33°28'30" N., longitude 119°07'00" W.; to latitude 33°52'03" N., longitude 119°06'59" W.; thence to point of beginning.

Los Banos, Calif.
That airspace extending upwards from 700 feet above the surface within a 3-mile radius of Los Banos Municipal Airport (latitude 37°03'43" N., longitude 120°52'05" W.) and within 3 miles each side of the Los Banos VORTAC 348° radial, extending from the 3-mile radius area to 18.5 miles north of the VORTAC.

Louisiana
That airspace extending upward from 1,200 feet above the surface bounded on the west, north, and east by the Louisiana/Texas, Arkansas/Louisiana, and Louisiana/Mississippi State lines and bounded on the south by a line beginning at latitude 30°07'20" N., longitude 88°51'00" W. (point of intersection of the Louisiana/Mississippi State line and longitude 88°51'00" W.), thence south to latitude 29°55'00" N., longitude 88°51'00" W., thence west to latitude 29°55'00" N., longitude 89°18'00" W., thence south to latitude 29°41'00" N, longitude 89°18'00" W., to latitude 29°33'00" N., longitude 89°16'00" W., thence southwest to latitude 29°28'35" N., longitude 89°23'50" W., thence southeast along the outer limits of the territorial waters of the United States to the north boundary of Control 1226, thence west along the north boundary of Control 1226 to latitude 29°13'30" N., longitude 89°51'00" W., thence southwest to latitude 28°57'00" N., longitude 90°01'00" W., thence west to latitude 28°59'00" N., longitude 90°15'00" W., thence northwest to latitude 29°11'00" N., longitude 90°25'00" W., thence north to latitude 29°15'00" N., longitude 90°25'00" W., thence west to latitude 29°15'00" N., longitude 91°05'00" W., thence north to latitude 29°25'00" N., longitude 91°05'00" W., thence west to latitude 29°25'00" N., longitude 91°27'30" W., thence northwest to latitude 29°33'00" N., longitude 91°35'30" W., thence west via latitude 29°33'00" N., to longitude 92°36'00" W., thence north to latitude 29°35'00" N., longitude 92°36'00" W., thence west via latitude 29°35'00" N., to and counterclockwise along the arc of a 25-mile radius circle centered at latitude 29°54'40" N., longitude 94°02'40" W., to the Louisiana/Texas State line.

Louisville, Ky.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of Standiford Field (lat. 38°10'33" N., long. 85°44'12" W.); within 3 miles each side of the ILS localizer north course, extending from the 11-mile radius area to 8.5 miles north of Louisville VOR 328° radial; within 3 miles each side of the ILS localizer east course, extending from the 11-mile radius area to 8.5 miles east of the LOM; within 9.5 miles west and 4.5 miles east of the ILS localizer south course, extending from the 11-mile radius area to 18.5 miles south of the OM; within 3 miles each side of the ILS localizer west course, extending from the 11-mile radius area to 8.5 miles west of Nabb VOR 206° radial; within a 10-mile radius of Bowman Field (lat. 38°13'40" N., long. 85°39'47" W.); within an 8.5-mile radius of Godman AAF, Fort Knox (lat. 37°54'27" N., long. 85°58'21" W.).

Louisville, Miss.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Louisville-Winston County Airport (lat. 33°08'35" N., long. 89°03'45" W.); within 3 miles each side of the 346° bearing from Louisville RBN (lat. 33°08'37" N., long. 89°03'39" W.), extending from the 5.5-mile radius area to 8.5 miles north of the RBN.

AMENDMENTS 12/4/75 40 F. R. 46306 (Changed)

Lovelock, Nev.
That airspace extending upward from 1,200 feet above the surface within 10 miles N and 7 miles S of the Lovelock VORTAC 068° and 248° radials, extending from 20 miles E to 7 miles W of the VORTAC, and within 7 miles NW and 10 miles SE of the Lovelock VORTAC 058° and 238° radials, extending from 20 miles SW to 7 miles NE of the VORTAC.

Lubbock, Tex.
That airspace extending upward from 700 feet above the surface within a 20-mile radius of latitude 33°42'15" N., longitude 101°54'45" W.

Lucin, Utah
That airspace extending upward from 1,200 feet above the surface within 10 miles N and 7 miles S of the Lucin VOR 098° and 276° radials, extending from 0 miles W to 20 miles E of the VOR, excluding the airspace within Federal airways.

Ludington, Mich.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Mason County Airport (latitude 43°57'40" N., longitude 86°24'30" W.) and within 2 miles each side of the 055° bearing from the airport extending from the 5-mile radius area to 8 miles northeast of the airport.

Lufkin, Tex.
That airspace extending upward from 700 feet above the surface within 8 miles east and 5 miles west of the Lufkin VOR 157° radial, extending from the VOR to 12 miles southeast; within 5 miles each side of the Lufkin VOR 337° radial extending from the VOR to 11 miles northwest and within 2 miles each side of the 254° bearing from the Angelina County Airport (lat. 31°14'05" N., long. 94°45'00" W., extending to 6 miles west of the airport.

Lumberton, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Lumberton Municipal Airport (latitude 34°36'36" N., longitude 79°03'30" W.); within 3 miles each side of the 302° bearing from Lumberton RBN (latitude 34°36'48" N., longitude 79°03'36" W.), extending from the 8.5-mile radius area to 8.5 miles northwest of the RBN.

Luray, Va.
That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of the center, 38°40'01" N., 78°30'01" W., of Luray Caverns Airport, Luray, Va., extending clockwise from a 266° bearing to a 314° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 314° bearing to a 348° bearing from the airport; within a 13.5-mile radius of the center of the airport, extending clockwise from a 348° bearing to a 040° bearing from the airport; within a 15-mile radius of the center of the airport, extending clockwise from a 040° bearing to a 057° bearing from the airport; within a 19-mile radius of the center of the airport, extending clockwise from a 057° bearing to a 074° bearing from the airport; within a 13.5-mile radius of the center of the airport, extending clockwise from a 074° bearing to a 141° bearing from the airport; within a 16.5-mile radius of the center of the airport, extending clockwise from a 141° bearing to a 166° bearing from the airport; within a 20-mile radius of the center of the airport, extending clockwise from a 166° bearing to a 188° bearing from the airport; within a 14.5-mile radius of the center of the airport, extending clockwise from a 188° bearing to a 213° bearing from the airport; within a 20.5-mile radius of the center of the airport, extending clockwise from a 213° bearing to a 234° bearing from the airport; within a 12-mile radius of the center of the airport, extending clockwise from a 234° bearing to a 246° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 246° bearing to a 266° bearing from the airport.

AMENDMENTS 7/17/75 40 F. R. 26019 (Added)

Lynchburg, VA.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center lat. 37°19'37" N., long. 79°12'04" W. of Lynchburg Municipal-Preston Glenn Field, Lynchburg, VA.; within 3 miles each side of the Lynchburg, VA., VORTAC 201° radial, extending from the 9-mile radius area to 8.5 miles south of the VORTAC and within 3.5 miles each side of the Lynchburg, VA., VORTAC 023° radial extending from the 9-mile radius area to 24.5 miles northeast of the VORTAC.

Lyons, KS.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Lyons Airport (latitude 38°20'30" N., longitude 98°13'45" W.) and 3 miles either side of the 350° bearing from the airport, extending from 5 miles to 8.5 miles north, and that airspace extending upward from 1,200 feet above the surface, 9.5 miles west of and 4.5 miles east of the 350° bearing from 1.5 miles south to 18.5 miles north of the airport, excluding that airspace that overlies the Hutchinson, KS., transition area.

Mackinac Island, Mich.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Mackinac Island Airport (latitude 45°81'55" N., longitude 84°38'20" W.).

Macomb, Ill.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Macomb Municipal Airport (latitude 40°31'11" N., longitude 90°38'17" W.);and within 3 miles each side of the 084° bearing from Macomb Municipal Airport extending from the 6-mile radius area to 8 miles east of the airport.

Macon, Ga.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Herbert Smart Airport (latitude 32°49'20" N., longitude 83°33'45" W.); within an 11-mile radius of Lewis B.Wilson Airport (latitude 32°41'35" N., longitude 83°38'50" W.); within a 14-mile radius of Robins AFB (latitude 32°38'30" N., longitude 83°35'30" W.); within 5 miles each side of Macon VORTAC 227° radial, extending from the 14-mile radius area to 10.5 miles southwest of the VORTAC; within 4 miles each side of Macon ILS localizer southwest course, extending from the 14-mile radius area to 14 miles southwest of the LOM; within a 5.5-mile radius of Perry-Fort Valley Airport (lat. 32°30'33" N., long. 83°45'50" W.); within 5 miles each side of Vienna VORTAC 323° radial, extending from the 5.5-mile radius area to 16 miles northwest of the VORTAC.

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Madison, Ga.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Madison Municipal Airport (lat. 33°36'46" N., long. 83°27'41" W.).

Madison, Ind.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Madison Municipal Airport (latitude 38°45'38" N., longitude 85°27'41" W.); within 3 miles each side of the 217° bearing from Madison Municipal Airport, extending from 5½-mile radius area to 8 miles southwest of the airport, excluding the portion which overlies Restricted Area R-3403.

Madison, S. Dak.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Madison Municipal Airport (latitude 44°00'54" N., longitude 97°04'45" W.); within 3 miles each side of the 346° bearing from the Madison Municipal Airport, extending from the 5-mile radius to 8½ miles north of the airport; and that airspace extending upward from 1,200 feet above the surface within 5½ miles east and 9½ miles west of the 346° and 166° bearings from the Madison Municipal Airport; extending from 7 miles south of the airport to 18½ miles north of the airport.

Madison, Wis.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of the Traux Airport (latitude 42°08'15" N., longitude 89°20'10" W.); within 3 miles each side of the 181° bearing from the airport extending from the 11-mile radius area to 16 miles south of the airport; within 3 miles each side of the 315° bearing from the airport extending from the 11-mile radius area to 15.5 miles NW of the airport; within 3 miles each side of the 001° bearing from the airport extending from the 11-mile radius area to 17 miles N of the airport; within 3.5 miles each side of the 135° bearing from the airport extending from the 11-mile radius area to 17.5 miles SE of the airport; and within a 7-mile radius of the Morey Airport (latitude 42°07'00" N., longitude 89°32'00" W.); within 3 miles each side of the 305° bearing from the airport extending from the 7-mile radius area to 8 miles NW of the airport.

AMENDMENTS 3/17/75 40 F. R. 15385 (Changed)
AMENDMENTS 11/25/75 40 F. R. 56424 (Rewritten)

Madisonville, Ky.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Madisonville Municipal Airport (lat. 37°21'00" N., long. 87°24'00" W.); within 1.5 miles each side of Central City VOR 257° radial, extending from the 5.5-mile radius area to the VOR.

Magnolia, Ark.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Magnolia Municipal Airport (latitude 33°13'45" N., longitude 93°13'00" W.); within 3.5 miles each side of the 171° bearing from the NDB (latitude 33°13'40" N., longitude 93°13'07" W.) extending from the 8.5-mile radius area to 12 miles south of the NDB.

AMENDMENTS 12/4/75 40 F. R. 47482 (Added)

Malad City, Idaho
That airspace extending upward from 1,200 feet above the surface within 9 miles E and 6 miles W of the Malad City VORTAC 165° and 345° radials, extending from 18 miles S to 8 miles N of the VORTAC, and within 5 miles N and 8 miles S of the Malad City VORTAC 290° radial, extending from the VORTAC to 12 miles W of the VORTAC.

Malden, Mo.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Malden Municipal Airport (latitude 36°36'20" N., longitude 89°59'20" W.), and within 3 miles each side of the Malden VOR 120° radial, extending from the 6½-mile radius area to 8 miles southeast of the VOR.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Malvern, Ark.
That airspace extending upward from 700 feet above the surface within a 5-statute mile radius of Malvern Municipal Airport, Malvern, Ark. (latitude 34°19'57" N., longitude 92°45'45" W.); and within 3.5 statute miles each side of an 046° bearing from the Malvern NDB (latitude 34°19'56" N., longitude 92°45'50" W.), extending from the 5-mile radius area to 11.5 statute miles northeast of the NDB; excluding that portion which overlies the Little Rock, Ark., transition area.

AMENDMENTS 6/19/75 40 F. R. 11550 (Added)

Manhattan, Kans.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Manhattan Airport (latitude 39°08'35" N., longitude 96°40'05" W.), within 2 miles each side of the Manhattan VOR 046° radial extending from the 7-mile radius area to 8 miles NE of the VOR; within 2 miles NE and 3 miles SW of the 127° bearing from the McDowell Creek RBN, extending from the RBN to 10 miles SE; within 6 miles S and 9 miles N of the Fort Riley
VOR 059° radial extending from the VOR to 21 miles NE; within 2 miles each side of the Fort Riley VOR 222° radial extending from the VOR to 8 miles SW.

AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)

Manila, Ark.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Manila Municipal Airport (latitude 35°53'25" N., longitude 90°09'20" W.); and within 2 miles each side of the 175° bearing from the Manila RBN (latitude 35°53'25" N., longitude 90°09'20" W.), extending from the 5-mile radius area to 8 miles south of the RBN.

Manistee, Mich.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Manistee-Blacker Airport (latitude 44°16'25" N., longitude 86°15'00" W.); within 5 miles north and 8 miles south of the Manistee VOR 274° radial, extending from 9-mile radius area to 16 miles west of the VOR; and within 5 miles south and 8 miles north of the Manistee VOR 099° radial, extending from the 9-mile radius area to 12 miles east of the VOR.

Manistique, Mich.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Schoolcraft County Airport (latitude 45°58'25" N., longitude 86°10'35" W.); and within 2 miles each side of the 099° bearing from Schoolcraft County Airport, extending from the 5-mile radius area to 8 miles east of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles south and 8 miles north of the 099° bearing from Schoolcraft County Airport, extending from the airport to 12 miles east of the airport.

Manitowoc, Wis.
That airspace extending upward from 700 feet above the surface within 8 miles west and 5 miles east of the Manitowoc VOR 343° and 163° radials extending from 2 miles south to 13 miles north of the VOR, and within 8 miles west and 5 miles east of the Manitowoc VOR 176° radial extending from the VOR to 12 miles south of the VOR.

Mankato, Minn.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Mankato Municipal Airport (lat. 44°13'25" N., long. 93°56'06" W.).

Manning, S. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Clarendon County Airport (latitude 33°35'13" N., longitude 80°12'32" W.); within 3 miles each side of the 197° bearing from Manning, S. C., RBN (latitude 33°35'23" N., longitude 80°12'23" W.), extending from the 6.5-mile radius area to 8.5 miles south of the RBN; within a 1.5-mile radius of the Grayson (private)
Airport (latitude 33°36'48" N., longitude 80°20'17" W.); and within 2 miles each side of the Vance VOR 061° radial, extending from the 6.5-mile radius area to the VOR.

AMENDMENTS 12/4/75 40 F. R. 42341 (Changed)

Mansfield, La.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of DeSoto Parish Airport (latitude 32°04'20" N., longitude 93°45'47" W.).

AMENDMENTS 12/4/75 40 F. R. 44809 (Added)

Mansfield, Mass.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 42°00'05" N., 71°11'55" W., of the Mansfield Municipal Airport, Mansfield, Mass., and within 2 miles each side of the Whitman, Mass., VOR 249° radial extending from the 5-mile radius area to the VOR, excluding that portion that councides with the Boston, Mass., transition area.

Mansfield, Ohio
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Mansfield-Lahm Municipal Airport (lat. 40°49'17" N., long. 82°31'00" W.); within a 5-mile radius of Galion Municipal Airport (lat. 40°45'15" N., long. 82°43'30" W.); within a 5-mile radius of Shelby Community Airport (lat. 40°52'23" N., long. 82°41'48" W.); within a 7.5-mile radius of Willard Airport (lat. 41°02'23" N., long. 82°43'38" W.); within 7 miles each side of the Mansfield, Ohio, VORTAC 307° radial extending from the 9-mile radius area to 17 miles NW of the VORTAC; and within 5 miles each side of the Mansfield VORTAC 130° radial extending from the 9-mile radius area to 22 miles SE of the VORTAC.
AMENDMENTS 12/4/75 40 F. R. 48501 (Rewritten)

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Many, La.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Hart Airport (latitude 31°32'43" N., longitude 93°29'15" W.) and within 3.5 miles each side of the 300° bearing from the NDB (latitude 31°34'16" N., longitude 93°32'29" W.) extending from the 8.5-mile radius area to a point 12 miles west of the NDB.

AMENDMENTS 10/9/75 40 F. R. 30099 (Added)

Maples, Mo.
That airspace extending upward from 1,200 feet above the surface within 8 miles SE and 5 miles NW of the Maples VOR 057° and 237° radials, extending from 7 miles NE to 13 miles SW of the VOR, excluding that portion within the Fort Leonard Wood, Mo., transition area.

Mapleton, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Mapleton, Iowa, Municipal Airport (lat. 42°10'36" N., long. 95°47'42" W.); and within 3½ miles each side of the 035° bearing from Mapleton Municipal Airport, extending from the 5-mile radius area to 11½ miles northeast of the airport.

Marble Falls, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Horseshoe Bay Airport (latitude 30°31'27" N., longitude 98°21'45" W.), and within 3.5 miles each side of the 012° bearing extending from the 5-mile radius area to 11.5 miles north of the NDB site at latitude 30°31'27" N., longitude 98°21'45" W.

Marfa, Tex.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Marfa Municipal Airport (latitude 30°22'15" N., longitude 104°01'15" W.) and within 5 miles NE and 8 miles SW of the Marfa VOR 324° and 144° radials extending from 5 miles NW to 14 miles SE of the VOR.

Marianna, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Marianna Municipal Airport (lat. 30°50'08" N., long. 85°11'02" W.); within 3 miles each side of Marianna VOR 125° radial, extending from the 8.5-mile radius area to 8.5 miles southeast of the VOR.

Marion, Ill.
That airspace extending upward from 700 feet above the surface, bounded by a line beginning at latitude 37°53'40" N., longitude 88°48'35" W., thence west to latitude 37°56'25" N., longitude 89°02'40" W., thence west to latitude 37°56'45" N., longitude 89°20'25" W., thence south to latitude 37°47'25" N., longitude 89°26'00" W., thence south to latitude 37°42'10" N., longitude 89°24'00" W., thence southeast to latitude 37°32'50" N., longitude 88°59'00" W., thence northeast to latitude 37°42'35" N., longitude 88°52'15" W., thence north to the point of beginning.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Marion, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Marion Municipal Airport, Marion, Indiana (latitude 40°29'27" N., longitude 85°40'43" W.); and within 3 miles each side of the Marion VOR 042°, 211° and 320° radials, extending from the 5-mile radius to 8 miles northeast, southwest and northwest of the VOR.

AMENDMENTS 8/14/75 40 F. R. 24179 (Rewritten)

Marion, Ohio
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Marion Municipal Airport (latitude 40°36'58" N., longitude 83°03'51" W.); within 3 miles each side of the 067° bearing from the airport extending from the 6.5-mile radius area to 8.5 miles northeast of the airport; and within 3 miles each side of the 327° bearing from the airport extending from the 6.5-mile radius area to 8.5 miles northwest of the airport.

AMENDMENTS 1/30/75 39 F. R. 41519 (Rewritten)

Marion, S. C.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Marion County Airport (latitude 34°11'00" N., longitude 79°20'00" W.); within 2 miles each side of the Florence VORTAC 101° radial, extending from the 6-mile radius area to the Florence VORTAC; within 3 miles each side of the 211° bearing from Marion RBN (lat. 34°11'06" N., long. 79°20'00" W.), extending from the 6-mile radius area to 8.5 miles southwest of the RBN; excluding the portion within Florence transition area.

AMENDMENTS 12/4/75 40 F. R. 46305 (Changed)

Marks, Miss.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Selfs Airport (latitude 34°13'50" N., longitude 90°17'25" W.); within 3 miles each side of the 197° bearing from Marks, Miss., RBN (latitude 34°13'50" N., longitude 90°17'28" W.), extending from the 6.5-mile radius area to 8.5 miles south of the RBN.

Marksville, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Marksville NDB (latitude 31°05'39" N., longitude 92°04'17" W.); within 3.5 miles each side of a 206° bearing from the Marksville NDB extending from the 5-mile radius area to 11.5 miles southwest of the NDB.

AMENDMENTS 4/24/75 40 F. R. 7627 (Added)

Marlette, Mich.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of the Marlette Airport (latitude 43°18'37" N., longitude 83°05'31" W.).

AMENDMENTS 9/11/75 40 F. R. 32742 (Added)

Marquette, Mich.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Marquette County Airport (latitude 46°32'03" N., longitude 87°33'35" W.); within 4½ miles north and 9½ miles south of the Marquette ILS localizer west course extending from the 7-mile radius to 16 miles west; within 4½ miles north and 4½ miles south of the Marquette ILS localizer east course extending from the 7-mile radius to 16½ miles east; within an 8-mile radius of K. I. Sawyer AFB (latitude 46°21'15" N., longitude 87°23'40" W.); within 2 miles each side of the K. I. Sawyer AFB ILS localizer course extending from the 8-mile radius area to 12 miles south of the LOM; within 2 miles each side of the K. I. Sawyer AFB TACAN 183° radial, extending from the 8-mile radius area to 12 miles south of the TACAN; and within 2 miles east and 5 miles west of the K. I. Sawyer AFB TACAN 015° radial, extending from the 8-mile radius area to 12 miles north of the TACAN; and that airspace extending upward from 1,200 feet above the surface within a 40-mile radius of K. I. Sawyer AFB, excluding the portion which overlies the Escanaba, Mich., transition area, and the portion south of parallel 45°45'.

Marshall, Mich.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Marshall, Mich., Brooks Field (latitude 42°15'05" N., longitude 84°57'25" W.) and within 2 miles each side of the Battle Creek, Mich., VORTAC 105° radial extending from the 5-mile radius area to 7 miles east of the airport, excluding the portion which coincides with the Battle Creek, Mich., transition area.

Marshall, Minn.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Marshall Municipal Airport (latitude 44°28'50" N., longitude 95°49'10" W.).

Marshall, Texas
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Harrison County Airport (latitude 32°31'18" N., longitude 94°18'29" W.) and within 2.5 miles each side of Gregg County VORTAC 075° radial extending from the 5-mile radius area to 21 miles east of the VORTAC.

Marshalltown, Iowa
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Marshalltown Municipal Airport (latitude 42°06'45" N., longitude 92°54'50" W.); and within 2 miles each side of the 321° bearing from Marshalltown Municipal Airport, extending from the 6-mile radius area to 8 miles northwest of the airport and within 3.5 miles each side of the 135° radial of the Marshalltown VOR, extending from the 6-mile radius to 11.5 miles southeast of the airport.

Marshfield, Mass.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Marshfield Airport (42°05'45" N., 70°40'25" W.), Marshfield, Mass.; and within 2 miles each side of the centerline of Runway 24 extended from the end of the runway to 5 miles southwest, excluding the portion that coincides with the Boston, Mass. 700-foot floor transition area and excluding the portion outside the United States.

Marshfield, Wis.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Marshfield Municipal Airport (latitude 44°38'10" N., longitude 90°11'15" W.); within 2 miles each side of the 216° bearing from Marshfield Municipal Airport, extending from the 5-mile radius area to 8 miles southwest of the airport; and within 2 miles each side of the 325° bearing from Marshfield Municipal Airport, extending from the 5-mile radius area to 8 miles northwest of the airport.

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Martinsburg, Pa.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, lat. 40°17'51" N., long. 78°19'10" W. of Blair County Airport, Martinsburg, Pa., extending clockwise from 061° bearing to a 076° bearing from the airport; within an 11-mile radius of the center of the airport, extending clockwise from a 076° bearing to a 096° bearing from the airport; within a 15-mile radius of the center of the airport, extending clockwise from a 096° bearing to a 128° bearing from the airport; within a 15.5-mile radius of the center of the airport, extending clockwise from a 128° bearing to a 158° bearing from the airport; within an 11-mile radius of the center of the airport, extending clockwise from a 158° bearing to a 180° bearing from the airport; within a 15-mile radius of the center of the airport, extending clockwise from a 180° bearing to a 245° bearing from the airport, within an 11-mile radius of the center of the airport, extending clockwise from a 245° bearing to a 260° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 260° bearihg to a 314° bearing from the airport, within a 9-mile radius of the center of the airport, extending clockwise from a 314° bearing to a 357° bearing from the airport; within an 11.5-mile radius of the center of the airport, extending clockwise from a 357° bearing to a 031° bearing from the airport; within a 13-mile radius of the center of the airport, extending clockwise from a 031° bearing to a 061° bearing from the airport; and within 9.5 miles northwest and 4.5 miles southeast of the Altoona, Pa., VOR 026° radial, extending from the VOR to 18.5 miles northeast of the VOR.

Martinsburg, W. Va.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of the center, lat. 39°24'03" N., long. 77°59'09" W. of Eastern West Virginia Regional Airport, Martinsburg, W. Va.; and within a 15-
mile radius of the center of the airport, extending clockwise from a 263° bearing to a 335° bearing from the airport.

AMENDMENTS 8/14/75 40 F. R. 24518 (Changed)
AMENDMENTS 10/7/75 40 F. R. 46304 (Changed)

Martinsville, Va.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center (36°37'50" N., 80°01'00" W.), of Blue Ridge Airport, Martinsville, Va.; within 2 miles each side of the Runway 30 centerline, extended from the 6.5-mile radius area to 14 miles northwest of the end of the runway; within 2 miles each side of the Runway 12 centerline, extended from the 6.5-mile radius area to 7.5 miles southeast of the end of the runway and within 3.5 miles each side of the 176° bearing from the Blue Ridge RBN (36°37'45" N., 80°01'00" W.), extending from the 6.5-mile radius area to 11.5 miles south of the RBN.

Maryland
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Maryland including the offshore airspace within 3 nautical miles and parallel to the shoreline, excluding that airspace within P-40.

Marysville, Calif.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Beale AFB (latitude 39°08'10" N., longitude 121°26'05" W.); within an 8-mile radius of Yuba County Airport, Marysville, Calif. (latitude 39°05'50" N., longitude 121°34'00" W.), within 9 miles west and 5 miles east of the Beale VOR 162° and 342° radials, extending from the Beale 10-mile radius area to 17 miles north of the VOR; within 8 miles west and 5 miles east of the Marysville VOR 343° radial, extending from the Yuba County 8-mile radius area to 12 miles north of the VOR, and within 8 miles southwest and 5 miles northeast of the Marysville VOR 153° radial, extending from the Yuba County 8-mile radius area to 12 miles southeast of the VOR; that airspace extending upward from 1,200 feet above the surface bounded on the east by a line extending from latitude 40°00'00" N., longitude 120°30'00" W., to latitude 39°30'00" N., longitude 120°30'00" W., to latitude 39°30'00" N., longitude 120°55'00" W., to latitude 39°00'00" N., longitude 120°55'00" W., on the south by latitude 39°00'00" N., on the west by the west boundary of V-23, on the northwest by the Red Bluff, Calif., transition area, and on the north by latitude 40°00'00" N.; that airspace extending upward from 8,500 feet MSL bounded on the south by latitude 40°00'00" N., on the west by the Red Bluff, Calif., transition area, on the north by latitude 40°45'00" N., and on the east by a line extending from latitude 40°45'00" N., longitude 121°39'00" W., to latitude 40°23'00" N., longitude 121°39'00" W., to latitude 40°23'00" N., longitude 121°25'00" W., to latitude 40°00'00" N., longitude 121°25'00" W.; that airspace extending upward from 10,500 feet MSL bounded on the east by longitude 120°19'00" W., on the south by a line extending from latitude 39°30'00" N., longitude 120°19'00" W., to latitude 39°30'00" N., longitude 120°30'00" W., to latitude 40°00'00" N., longitude 120°30'00" W., to latitude 40°00'00" N., longitude 121°25'00" W., on the west by longitude 121°25'00" W., and on the north by latitude 40°45'00" N.; that airspace extending upward from 12,500 feet MSL bounded on the east by longitude 121°25'00" W., on the south by latitude 40°23'00" N., on the west by longitude 121°39'00" W., and on the north by latitude 40°45'00" N.

Mason, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Mason County Airport (latitude 30°43'54" N., longitude 99°11'06" W.).

AMENDMENTS 8/14/75 40 F. R. 24721 (Added)

Mason City, Iowa
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Mason City Municipal Airport (latitude 43°09'25" N., longitude 93°19'54" W.); within 5 miles each side of the Mason City VORTAC 002° radial, extending from the 9-mile radius area to 24½ miles north of the VORTAC; and within 4½ miles west and 9½ miles east of the Mason City VORTAC 182° and 002° radials, extending from 5 miles north to 24½ miles south of the VORTAC.

Massena, N. Y.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center, lat. 44°56'10" N., long. 74°50'50" W. of Richards Field, Massena, N. Y.; within 3 miles each side of the Massena, VORTAC 104° radial extending from the 8.5-mile radius area to 8 miles east of the VORTAC, excluding the airspace within Canada.

Matagorda, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Matagorda Peninsula Airport (latitude 28°32'35" N., longitude 96°07'10" W.), excluding that portion more than 3 nautical miles from and parallel to the shoreline.

Matawan, N. J.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center, latitude 40°22'25" N., longitude 74°15'15" W., of Preston Airport, Matawan, N. J., and within 1.5 miles each side of the Colts Neck, N. J., VORTAC 307° radial extending from the 5.5-mile radius area to the Colts Neck VORTAC.

Mattoon, Ill.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Coles County Memorial Airport (lat. 39°28'45" N., long. 88°16'51" W.); and within 4.5 miles each side of the Mattoon VOR 228° radial, extending from the 9-mile radius area to 13 miles southwest of the VOR.

Maxwell, Calif.
That airspace extending upward from 1,200 feet above the surface bounded on the E by V-195, on the S by V-200, on the W by V-25 and on the N by the Red Bluff, Calif., transition area.

Mayfield, Ky.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Mayfield-Graves County Airport (latitude 36°46'03" N., longitude 88°35'05" W.).

AMENDMENTS 6/19/75 40 F. R. 14741 (Added)

McAlester, Okla.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the McAlester, Okla. Airport (latitude 34°53'05" N., longitude 95°46'55" W.); within 2 miles each side of the McAlester VOR 176° radial extending from the 5-mile radius area to 8 miles S of the VOR.

McAllen, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Miller International Airport (latitude 26°10'40" N., longitude 98°14'25" W.); within 3.5 miles each side of the McAllen VOR 095° radial extending from the 5-mile radius area to 11.5 miles east of the VOR; within 4 miles south and 5 miles north of the McAllen VOR 321° radial extending from the 5-mile radius area to 18.5 miles northwest of the McAllen VOR; and within 2 miles each side of the localizer (latitude 26°09'59" N., longitude 98°13'53" W.) back course 141° radial extending from the 5-mile radius area to 5.5 miles southeast of the localizer, excluding the portion outside the United States.

McCall, Idaho
That airspace extending upward from 9,500 feet MSL within 6 miles west and 9 miles east of the McCall VORTAC 344° and 164° radials extending from 8 miles south to 19 miles north of the VORTAC.

McComb, Miss.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of McComb-Pike County Airport (lat. 31°10'35" N., long. 90°28'08" W.).

McCook, Nebr.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of McCook Municipal Airport (latitude 40°12'25" N., longitude 100°35'25" W.); within 5 miles southwest and 8 miles northeast of the 120° bearing from McCook Municipal Airport extending from the 8-mile radius area to 12 miles southeast of the airport and within 5 miles southwest and 8 miles northeast of the 324° bearing from McCook Municipal Airport, extending from the 8-mile radius area to 12 miles northwest of the airport.
AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

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McCordsville, Ind.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of the Indianapolis Brookside Airport (latitude 39°54'19" N., longitude 85°56'29" W.); and within a 5½-mile radius of the Indianapolis Metropolitan Airport (latitude 39°58'10" N., longitude 86°02'45" W.).

McGrath, Alaska
That airspace extending upward from 700 feet above the surface within 5 miles northeast and 3 miles southwest of the McGrath VORTAC 123° radial extending from the control zone extension to 12.5 miles southeast of the VORTAC; within 4 miles each side of the McGrath VORTAC 008° radial extending from the control zone extension to 14.5 miles north of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 21.5-mile radius of the McGrath VORTAC extending clockwise from the 344° radial to the 236° radial of the VORTAC; within a 12-mile radius of the McGrath VORTAC extending clockwise from the 236° radial to the 344° radial of the VORTAC; and within 9.5 miles east and 4.5 miles west of the McGrath VORTAC 008° radial extending from the 21.5-mile radius area to 23 miles north of the VORTAC.

McMinnville, Oreg.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of McMinnville Municipal Airport (latitude 45°11'35" N., longitude 123°08'15" W.) and within 2 miles each side of the Newberg VORTAC 215° radial extending from the 5-mile radius area to the VORTAC.

McMinnville, Tenn.
That airspace extending upward from 700 feet above the surface within a 13-mile radius of Warren County Memorial Airport (lat. 35°42'00" N., long. 85°50'30" W.); within 9.5 miles northwest and 4.5 miles southeast of the 061° bearing from Warren County RBN (lat. 35°42'11" N., long. 85°50'40" W.), extending from the 13-mile radius area to 18.5 miles northeast of the RBN;
within a 6.5-mile radius of Smithville Municipal Airport (lat. 35°59'08" N., long. 85°48'31" W.);
within 3 miles each side of the 045° bearing from Hurricane RBN (lat. 35°59'02" N., long. 85°48'28" W.), extending from the 6.5-mile radius area to 8.5 miles northeast of the RBN.

AMENDMENTS 8/14/75 40 F. R. 25585 (Changed) CORR: 40 F. R. 29551

McPherson, Kans.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of McPherson Municipal Airport (latitude 38°21'19" N., longitude 97°41'29" W.); and that airspace extending upward from 1,200 feet above the surface within 9½ miles southwest and 4½ miles northeast of the 309° bearing from the McPherson Municipal Airport, extending from the airport to 18½ miles northwest of the airport, excluding the portions that overlie the Salina and Hutchinson, Kans., 1,200-foot floor transition areas.

McRae, GA.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Telfair-Wheeler Airport (lat. 32°05'46" N., long. 82°52'55" W.); within 3 miles each side of the 030° bearing from McRae RBN (lat. 32°06'40" N., long. 82°53'02" W.), extending from the 7-mile radius area to 8.5 miles northeast of the RBN.

Meadville, PA.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, lat. 41°37'37" N., long. 80°12'51" W., of Port Meadville Airport, Meadville, PA.

Medford, Oreg.
That airspace extending upward from 700 feet above the surface within 7 miles northeast and 5 miles southwest of the Medford ILS localizer northwest course extending from 3 miles northwest of the Pumic LOM (latitude 42°27'03.8" N., longitude 122°54'44.1" W.), to 24 miles northwest of the LOM; within 3.5 miles each side of the Medford ILS localizer southeast course extending from the LOM to 24 miles southeast of the LOM; that airspace extending upward from 1,200 feet above the surface bounded on the east by V-402, on the southeast by the 40-mile arc centered on Klamath Falls VORTAC, on the south by V-122, on the west by V-23; that airspace southeast of Medford bounded on the north by the south edge of V-122, on the east by the 40-mile arc centered on Klamath Falls VORTAC, on the south by the 7-mile radius area centered on the Siskiyou County Airport, on the west by the east edge of V-23E; and that airspace extending upward from 6,200 feet MSL within 5 miles each side of the Medford VORTAC 271° radial extending from the west edge of V-23E to the east edge of V-27.

Medford, Wis.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the Taylor County Airport (latitude 45°06'02" N., longitude 90°18'18" W.); within 3 miles each side of the 162° bearing from the airport extending from the 5.5-mile radius area to 8 miles southeast of the airport.

AMENDMENTS 4/24/75 40 F. R. 5494 (Added)

Melbourne, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Melbourne Regional Airport (lat. 28°06'01" N., long. 80°38'00" W.); within an 8.5-mile radius of Patrick AFB (lat. 28° 14'21" N., long. 80°36'28" W.); within 3 miles each side of Patrick AFB TACAN 030° radial, extending from the 8.5-mile radius area to 9.5 miles northeast of the TACAN.

Melfa, Va.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center 37° 38' 50" N., 75° 45' 40" W., of Accomack County Airport, Melfa, Va., and within 2 miles each side of a 200° bearing from the Melfa, Va., RBN 37°39'27" N., 75°45'27" W., extending from the 6-mile radius area to 8 miles south of the RBN.

Memphis, Tenn.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Memphis International Airport (latitude 35°03'00" N., longitude 89°58'15" W.); within 4.5 miles each side of Memphis ILS localizer east course, extending from the 8.5-mile radius area to Holly Springs, Miss., VOR 328° radial; within 3 miles each side of Memphis ILS localizer south course, extending from the 8.5-mile radius area to 8.5 miles south of the LOM; within 3 miles each side of Memphis ILS localizer west course, extending from the 8.5-mile radius area to 8.5 miles west of the LOM; within a 6.5-mile radius of Twinkle Town Airport (latitude 34°55'45" N., longitude 90°10'05" W.); within 1.5 miles each side of Memphis VORTAC 265° radial, extending from the 6.5-mile radius area to the VORTAC; within a 6.5-mile radius of West Memphis Municipal Airport (latitude 35°08'24" N., longitude 90°14'00" W.); within 3 miles each side of Memphis VORTAC 311° radial, extending from the 6.5-mile radius area to 32.5 miles northwest of the VORTAC; within 3 miles each side of the 187° and 352° bearings from West Memphis RBN (latitude 35°08'20" N., longitude 90°14'02" W.), extending from the 6.5-mile radius area to 8.5 miles north and south of the RBN; within an 8.5-mile radius of Olive Branch Municipal Airport (lat. 34°58'44" N., long. 89°47'33" W.).

Memphis, Tenn. (NAS)
That airspace extending upward from 700 feet above the surface within a 12-mile radius of NAS Memphis (lat. 35°21'15" N., long. 89°52'10" W.); within 3 miles each side of the 083° bearing from NAS Memphis RBN, extending from the 12-mile radius area to
8.5 miles east of the RBN; within a 7-mile radius of Arlington Municipal Airport (latitude 35°16'58" N., longitude 89°40'22" W.); within 3 miles each side of the 161° bearing from Loosahatchie RBN (latitude 35°13'04" N., longitude 89°40'19" W.), extending from the 7-mile radius area to 8.5 miles south of the RBN.

Mena, Ark.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Mena Municipal Airport (latitude 34°33'00" N., longitude 94°12'31" W.) and within 5 miles each side of the Rich Mountain, Okla., VORTAC 112° radial extending from the 5-mile radius area to the VORTAC and within 3.5 miles each side of the 087° bearing from the Mena, Ark., NDB (latitude 34°32'55" N., longitude 94°12'34" W.) extending from the 5-mile radius area to a point 12 miles east of the NDB.

AMENDMENTS 1/30/75 39 F. R. 40848 (Rewritten)

Menominee, Mich.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Menominee County Airport (latitude 45°07'20" N., longitude 87°38'15" W.); within 4½ miles east and 9½ miles west of the Menominee VOR 349° radial, extending from the VOR to 18½ miles north of the VOR; and within 4½ miles northeast and 9½ miles southwest of the 140° and 320° bearings from Menominee County Airport, extending from 6 miles southeast to 18½ miles northwest of the airport.

Merced, Calif.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the Castle Air Force Base (latitude 37°22'45" N., longitude 120°34'00" W.); within a 7-mile radius of Merced Municipal Airport (latitude 37°17'10" N., longitude 120°30'55" W.) and within 2 miles each side of the Castle VOR 141° and 321° radials extending from the Merced 7-mile radius area to 3 miles SE of the Castle VOR; that airspace extending upward
from 1,200 feet above the surface bounded on the NE and E by V-459, on the S by V-230, on the W by V-109 and on the N by V-244, excluding the portions within the Fresno, Stockton, and Modesto, Calif., transition areas; that airspace extending upward from 7,500 feet MSL NE of Merced bounded on the E by V-165, on the SW by V-459, and on the N by V-244, and that airspace extending upward from 12,000 feet MSL E of Merced bounded on the E by longitude 119°30'00" W., on the S by the Fresno, CA., transition area, on the W by V-165 and on the N by V-244.

Mercury, Nev.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Mercury Airport (latitude 36°39'16" N., longitude 116°00'54" W.); that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 36°41'00" N., longitude 116°26'30" W., to latitude 36°41'00" N., longitude 115°55'00" W., to latitude 36°16'00" N., longitude 115°55'00" W., to latitude 36°16'00" N., longitude 116°08'00" W., to latitude 36°36'00" N., longitude 116°26'30" W., thence to point of beginning, excluding the portion within R-4808.

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Meriden, Conn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 41°30'35" N., 72°49'50" W. of Meriden Markham Municipal Airport, Meriden, Conn.; and within 2 miles each side of the Runway 36 centerline extended from the 5-mile radius area to 7 miles north of the end of the runway, excluding the portion which coincides with the Bridgeport, Conn., and Hartford, Conn., transition areas.

Meridian, Miss.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of Key Field (lat. 32° 19'58" N., long. 88°45'05" W.); within 3 miles each side of the ILS localizer south course, extending from the 11-mile radius area to 8.5 miles south of the RBN; within 3 miles each side of the 191° bearing from Meridian RBN, extending from the 11-mile radius area to 8.5 miles south of the RBN; within 5 miles each side of Meridian VORTAC 315° radial, extending from the 11-mile radius area to 11.5 miles northwest of the VORTAC; within a 10-radius of NAS Meridian (lat. 32°33'27" N., long. 88°33'33" W.); within 3.5 miles each side of the 021° bearing from NAS Meridian UHF RBN, extending from the 10-mile radius area to 11.5 miles north of the RBN, and the airspace east bounded on the north by the arc of a 10-mile radius circle centered on NAS Meridian, on the east by the Kewanee VORTAC 005° and 179° radials, on the south by the Meridian VORTAC 110° radial,and on the west by the arc of an 11-mile radius circle centered on Key Field.

AMENDMENTS 6/19/75 40 F. R. 13478 (Rewritten)

Meridian, Miss. (OLF Bravo Field)
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of OLF Bravo Field (lat. 32°47'33" N., long. 88°49'40" W.).

Merrill, Wis.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Merrill Municipal Airport (latitude 45°12'00" N., longitude 89°42'25" W.); and within 3 miles each side of the 332° bearing from Merrill Municipal Airport, extending from the 7-mile radius area to 8 miles northwest of the airport.

Mexico, Mo.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Mexico Memorial Airport (latitude 39°09'35" N., longitude 91°49'25" W.).

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Miami, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Miami International Airport (lat. 25°47'34" N., long. 80°17'10" W.); within 3 miles each side of Runway 9L ILS localizer west course, extending from the 8.5 radius area to 8.5 miles west of Portland RBN; within 3 miles each side of Miami VORTAC 139° radial, extending from the 8.5-mile radius area to the VORTAC; within 3 miles each side of Runway 27L ILS localizer east course, extending from the 8.5-mile radius area to 8.5 miles east of Orange RBN; within 4.5 miles each side of Runway 27L ILS localizer west course, extending from the 8.5-mile radius area to the Miami VORTAC 205° radial; within an 8.5-mile radius of Opa Locka Airport (lat. 25°54'26" N., long. 80° 16'48" W.), Homestead AFB (lat. 25°29'15" N., long. 80°23'00" W.), Tamiami Airport (lat. 25°38'51" N., long. 80°25'30" W.) and Fort Lauderdale-Hollywood International Airport (lat. 26°04'26" N., long. 80°09'10" W.); within a 6.5-mile radius of Fort Lauderdale Executive Airport (lat. 26°11'41" N., long. 80°10'15" W.); within a 6.5-mile radius of Pompano Beach Airpark (latitude 26°15'00" N., longitude 80°06'30" W.), and within 3 miles each side of the Pompano Beach VOR (latitude 26°14'52" N., longitude 80°06'32" W.) 319° radial, extending from the 6.5-mile radius area to 8.5 miles northwest of the VOR.

Miami, Fla. (Dade-Collier Training and Transition Airport)
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Dade-Collier Training and Transition Airport (latitude 25°51'46" N., longitude 80°53'50" W.).

Miami, OK.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Miami Municipal Airport (latitude 36°54'02" N., longitude 94°53'03" W.) and that airspace within the State of Kansas extending upward from 1,200 feet above the surface which is bounded on the south by the Kansas-Oklahoma State line and on the west along a line which is 7 miles east of and parallel to the Oswego, KS., VOR 207° radial, on the north by the south edge of VOR airway V-190 and on the east by the west edge of VOR airway V-88.

Michigan
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Michigan south of parallel 45°45'.

Michigan City, Ind.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Michigan City Airport (latitude 41°42'10" N., longitude 86°49'15" W.); and within a 6½-mile radius of Michigan City Municipal Airport (latitude 41°40'10" N., longitude 86°53'20" W.).

Middlefield, Ohio
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Geauga County Airport (latitude 41°27'00" N., longitude 81°03'48" W.); within 1½ miles each side of the Chardon VORTAC 132° radial extending from the 6-mile radius area to the VORTAC excluding the portion which overlies the Cleveland transition area.

AMENDMENTS 5/22/75 40 F. R. 16299 (Added)

Middleton Island, Alaska
That airspace extending upward from 700 feet above the surface within 12 miles northwest and 7.5 miles southeast of the Middleton Island VORTAC 037° and 217° radials, extending from 22.5 miles northeast to 11.5 miles southwest of the VORTAC; and within 9.5 miles west of the Wessels, Alaska, RBN 011° bearing, extending from the RBN to 18.5 miles north of the RBN.

Middletown, Ohio
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center of 39°32'00" N., 84°23'30" W. of Hook Field Municipal Airport and within 2 miles each side of a 232° bearing from Hook Field, Ohio, RBN extending from the 5-mile radius area to 8 miles southwest of the RBN.

Midland, Tex.
That airspace extending upward from 700 feet above the surface within a 20-mile radius of Midland Regional Air Terminal (latitude 31°56'25" N., longitude 102°12'10" W.) and within a 5-mile radius of Mabee Ranch Airport (latitude 32°12'57" N., longitude 102°09'46" W.).

Midland, Va.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center 38°35' 15" N., 77°42'45" W. of Warrenton-Fauquier Airport, Midland, Va., and within 2 miles each side of the Casanova, Va. VORTAC 113° radial extending from the 5-mile radius area to the VORTAC.

Midway Island
That airspace extending upward from the 700 feet above the surface within a 10-nmi radius of NAS Midway (latitude 28° 12' 00" N., longitude 177° 23' 00" W.); and that airspace extending upward from 1,200 feet above the surface within a 100-nmi radius of NAS Midway.

Miles City, Mont.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Miles City Airport (latitude 46°25'40" N., longitude 105°53'10" W.); within 5 miles each side of the 252° bearing from the Horton RBN, extending from the 7-mile radius area to 11 miles southwest of the RBN; within 3.5 miles each side of the Miles City VORTAC 225° radial, extending from the 7-mile radius area to 11 miles southwest of the Miles City VORTAC; within 3.5 miles each side of the Miles City VORTAC 047° radial, extending from the 7-mile radius area to 22 miles northeast of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 17-mile radius of Miles City VORTAC south of V-120 and within a 25-mile radius of Miles City VORTAC north of the south edge of V-120, and within 9.5 miles southeast and 4.5 miles northwest of the Miles City VORTAC 225° radial extending from the VORTAC to 16½ miles southwest of the VORTAC.

Milford, Utah
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Milford Municipal Airport (Lat. 38°25'35" N, Long. 113°00'40" W) and within 2 miles either side of the Milford VORTAC 196° radial, extending from the 5-mile radius area to 8 miles S of the VORTAC; including the airspace extending upward from 1,200 feet above the surface within 10 miles NW and 7 miles SE of the Milford VORTAC 023° and 203° radials, extending from 9 miles SW to 20 miles NE of the VORTAC.

Millard, Nebr.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Millard Municipal Airport (latitude 41°11'45" N., longitude 96°06'45" W.); and within 3 miles each side of the 314° bearing from the Millard Municipal Airport extending from the 6½-mile radius area to 8 miles northwest of the airport.

Milledgeville, Ga.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Baldwin County Airport (latitude 33°09'13" N., longitude 83°14'10" W.); within 3 miles each side of the 089° bearing from Milledgeville RBN (latitude 33°09'13" N., longitude 83°14'35" W.), extending from the 8.5-mile radius area to 8.5 miles east of the RBN.

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Millersburg, Ohio
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Holmes County Airport (latitude 40°32'20" N., longitude 81°57'05" W.) and within 3 miles each side of the 085° bearing from the airport extending from the 6-mile radius area to 12 miles east, and within 2 miles each side of the Tiverton, Ohio VOR 056° radial extending from the 6-mile radius area to the VOR.

Millinocket, Maine
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, 45°38'50" N., 68°41'10" W. of Millinocket Municipal Airport, Millinocket, Maine, and within 3.5 miles each side of a 094° bearing from the Sterns RBN extending from the 7-mile radius area to 11.5 miles east of the RBN.
That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at: 45°56'00" N., 68°36'00" W. to 45°39'00" N., 69°48'00" W. to 45°23'00" N., 69°48'00" W. to 45°15'00" N., 69°50'00" W., to 45°07'30" N., 69°50'00" W., to 45°07'30" N., 69°28'00" W., to 45°12'00" N., 69°23'00" W. to 45°24'00" N., 68°55'00" W. to 45°30'00" N., 68°31'00" W. to 45°27'00" N., 68°20'00" W. to 45°33'00" N., 68°16'00" W. to 45°38'00" N., 67°40'30" W. to the point of beginning.

Millville, N. J.
That airspace extending upward from 700 feet above the surface within the area bounded by a line beginning at: 39°37'00" N., 75°05'00" W. to 39°35'00" N., 74°52'00" W. to 39°16'30" N., 74°59'00" W. to 39°16'30" N., 75°10'00" W. to 39°30'00" N., 75°15'00" W. to point of beginning, excluding the portion that coincides with the Atlantic City, N. J., 700-foot transition area.

Milton, Fla.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of NAS Whiting Field (North) (latitude 30°43'15" N., longitude 87°01'45" W.); within 2 miles each side of the 315° bearing from Navy Whiting RBN, extending from the 6-mile radius area to 8 miles northwest of the RBN; within 2 miles each side of Navy Whiting TACAN 309° radial, extending from the 6-mile radius area to 8 miles northwest of the TACAN, and within a 5-mile radius of OLF Santa Rosa (Navy), Milton, Fla. (latitude 30°36'00" N., longitude 86°56'00" W.).

Milwaukee, Wis.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of General Mitchell Field (latitude 42°56'51" N., longitude 87°53'58" W.); within a 7-mile radius of the Horlick-Racine Airport (latitude 42°45'45" N., longitude 87°49'00" W.); within 3 miles each side of the 031° bearing from the airport extending from the 7-mile radius to 8 miles northeast of the airport; within an 8-mile radius of Timmerman Airport (latitude 43°06'40" N., longitude 88°02'00" W.); within a 6½-mile radius of the Waukesha County Airport (latitude 43°02'25" N., longitude 88°14'00" W.); and within 3 miles each side of the 274° bearing from the Waukesha County Airport extending from the 6½-mile radius to 7½ miles west of the airport.

Minden, La.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Minden-Webster Airport (latitude 32°39'00" N., longitude 93°18'00" W.).

AMENDMENTS 12/4/75 40 F. R. 42341 (Rewritten)

Mineola, TX.
That airspace extending upward from 700 feet above the surface within a 8-mile radius of Wisener Airport (latitude 32°40'47" N., longitude 95°30'45" W.) and within 2 miles each side of the Quitman, TX., VORTAC 211° radial extending from the airport to 6 miles northeast of the airport.

Mineral Wells, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Mineral Wells Airport (latitude 32°46'59" N., longitude 98°03'34" W.) and within 3 miles each side of the 140° bearing from the Mineral Wells RBN, extending from the 5-mile radius area to 8 miles SE of the RBN.

Minneapolis, Minn.
That airspace extending upward from 700 feet above the surface within a 26-mile radius of Minneapolis-St. Paul International Airport (latitude 44°53'05" N., longitude 93°13'15" W.); within a 28-mile radius of Minneapolis-St. Paul International Airport, extending from the 206° bearing from the airport clockwise to the 353° bearing from the airport; and within 4½ miles north and 9½ miles south of the Flying Cloud VOR 292° radial, extending from the 28-mile radius area to 18½ miles west of the VOR.

Minnesota
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Minnesota.

AMENDMENTS 8/14/75 40 F. R. 24179 (Rewritten)
AMENDMENTS 12/4/75 40 F. R. 47481 (Rewritten)

Minot, N. Dak.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Minot AFB (latitude 48°24'55" N., longitude 101°21'25" W.); within a 10-mile radius of Minot International Airport (latitude 48°15'40" N., longitude 101°16'45" W.); within 5 miles each side of the Minot VORTAC 260° radial, extending from the 10-mile radii areas to 12 miles west of the VORTAC; and within 4 miles each side of the Minot VORTAC 138° radial extending from the 10-mile radius area to 15.5 miles southeast of the VORTAC; and within 5 miles each side of the Minot VORTAC 097° radial, extending from the 10-mile radius area to 12 miles east of the VORTAC; that airspace extending upward from 1,200 feet above the surface within a 35-mile radius of Deering TACAN; and that airspace extending upward from 5,700 feet MSL within a 50-mile radius of Deering TACAN, excluding the area north of latitude 49°00'00" N., and the area which overlies V-430 and V-15.

Mississippi
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Mississippi, including that airspace 3 nautical miles from and parallel to the shoreline, beginning at the intersection of the Mississippi/Alabama State line, extending west along a line 3 nautical miles from and parallel to the shoreline, to and south along longitude 88°51'00" W. to latitude 30°07'20" N. (point of intersection of the Mississippi State line and longitude 88°51'00" W.).

Missoula, Mont.
That airspace extending upward from 700 feet above the surface within a 23.5-mile radius of the Missoula VORTAC extending from the Missoula VORTAC 190° radial clockwise to the 290° R; within 9.5 miles southwest and 5.5 miles northeast of the Missoula VORTAC 312° radial extending from the VORTAC to 38 miles northwest of the VORTAC; within 3 miles each side of the Missoula VORTAC 172° radial extending from the VORTAC to 19.5 miles southeast; and that airspace extending upward from 1,200 feet above the surface within a 13-mile radius of the Missoula VORTAC extending from the 357° radial clockwise to the 072° radial; within a 23.5-mile radius of the Missoula VORTAC extending from the 072° radial clockwise to the 190° radial; within a 34-mile radius of the Missoula VORTAC extending from the Missoula VORTAC 256° radial clockwise to the 357° radial; within 9.5 miles southwest of the Missoula VORTAC 298° radial extending from the 34-mile radius area to 38 miles northwest; within 5 miles west and 9.5 miles east of the Missoula VORTAC 172° radial extending from the VORTAC to 30 miles southeast of the VORTAC.

Missouri
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Missouri.

AMENDMENTS 4/24/75 40 F. R. 10172 (Added)

Mitchell, S. Dak.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Mitchell Municipal Airport (latitude 43°46'25" N., longitude 98°02'30" W.); and that airspace extending upward from 1,200 feet above the surface within 4½ miles southwest and 9½ miles northeast of the Mitchell VOR 149° radial, extending from the VOR to 18½ miles southeast of the VOR; and within 4½ miles northeast and 9½ miles southwest of the Mitchell VOR 300° radial, extending from the VOR to 18½ miles northwest of the VOR; and that airspace southwest of Mitchell extending upward from 9,500' MSL within the area bounded on the east by V-159, on the south by V-148 and the Nebraska/South Dakota state line, on the west by a line from latitude 43°00" N., longitude 99°00' W. direct to latitude 44°00' N., longitude 99°43' W., and on the north by the Pierre, S. Dak., 1200-foot transition area and V-120.

AMENDMENTS 8/14/75 40 F. R. 24355 (Changed)

Moab, Utah
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Canyonlands Airport, Moab, Utah, (latitude 38°45'40" N., longitude 109°44'50" W.) and within 7 miles northeast and 10 miles southwest of the Moab VOR (latitude 38°45'22" N., longitude 109°44'55" W.) 301° radial extending from the VOR to 18.5 miles northwest of the VOR.

Moberly, Mo.
That airspace extending upward from 700 feet above the surface within a 6.5-statute-mile radius of the Omar N. Bradley Airport (latitude 39°27'50" N., longitude 92°25'35" W.); and 3 miles either side of the 317° bearing from the airport extending from the 6.5-mile radius to 8 miles northwest.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Mobile, Ala.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Bates Field (latitude 30°41'17.7" N., longitude 88°14'26.6" W.); within an 8.5-mile radius of Mobile Aerospace Airport (latitude 30°37'08.5" N., longitude 88°03'57.2" W.); within 3.5 miles each side of Brookley VORTAC 150° radial, extending from the 8.5-mile radius area to 11 miles southeast of the VORTAC; within a 6.5-mile radius of Fairhope Municipal Airport (latitude 30°27'50" N., longitude 87°52'35" W.); within 2 miles each side of Brookley VORTAC 134° radial, extending from the 6.5-mile radius area to Mobile Aerospace Airport 8.5-mile radius area.

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Modesto, Calif.
That airspace extending upward from 700 feet above the surface within 4.5 miles northeast and 9.5 miles southwest of the Modesto VOR 122° and 302° radials, extending from 18.5 miles northwest to 18.5 miles southeast of the VOR; and that airspace extending upward from 1,200 feet above the surface bounded on the E by longitude 120°30'00" W., on the SE by a line extending from latitude 37°38'45" N., longitude 120°30'00" W., to latitude 37°25'00" N., longitude 120°48'00" W., on the S by latitude 37°25'00" N., on the W by V-109, and on the N by a line extending from the E boundary of V-109 through latitude 37°38'00" N., longitude 121°00'35" W., to latitude 37°45'45" N., longitude 120°30'00" W.

Mohall, N. Dak.
That airspace extending upward from 700 feet above the surface within a 7½-mile radius of Mohall Municipal Airport (latitude 48°46'01" N., longitude 101°32'04" W.).

Moline, Ill.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Quad City Airport (latitude 41°26'56" N., longitude 90°30'34" W.); within 4½ miles north and 9½ miles south of the Quad City ILS localizer west course, extending from 1 mile east to 19½ miles west of the OM; within 5 miles either side of the Quad City ILS localizer east course extending from the 9-mile radius area to 16½ miles east of the airport; within a 6½-mile radius of Davenport Municipal Airport (latitude 41°36'40" N., longitude 90°35'20" W.); within 3 miles each side of the 224° bearing from the Cody RBN, extending from the 6½-mile radius area to 8 miles southwest of the RBN; and within 2 miles each side of the Davenport VOR 220° radial, extending from the 6½-mile radius area to the VOR.

AMENDMENTS 1/30/75 39 F. R. 41517 (Rewritten)
AMENDMENTS 5/19/75 40 F. R. 24180 (Rewritten)

Molokai, Hawaii
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Molokai Airport (latitude 21°09'25" N., longitude 157°05'55" W.), within 2 miles each side of the Molokai VORTAC 268° radial, extending from the 5-mile radius area to 5 miles west of the VORTAC and within 4 miles north and 2 miles south of the VORTAC 126° radial extending from the intersection of the Molokai VORTAC 126° and the Lanai, Hawaii, VORTAC 011° radials to a point 7 miles east of this intersection; that airspace extending upward from 1,200 feet above the surface NW of Molokai bounded on the NE by the arc of a 19-mile radius circle centered on the Molokai Airport, on the SE by V-8, on the SW by V-15, and on the NW by V-4; and that airspace NE of Molokai bounded by a line beginning at latitude 21°22'00" N., longitude 156°48'00" W., thence to latitude 21°14'00" N., longitude 156°31'30" W., thence to latitude 21°28'00" N., longitude 156°25'00" W., thence to latitude 21°31'00" N., longitude 156°34'05" W., thence to latitude 21°25'00" N., longitude 156° 49'30" W., thence to point of beginning; that airspace bounded on the northwest by V-8 on the northeast by V-6, and on the south by V-15; that airspace bounded on the north by V-15, on the east by V-17, on the south by V-2, and on the west by V-7; and that airspace bounded on the north by V-8, on the east by V-7, and on the southwest by V-2.

Moncks Corner, S. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Moncks Corner Airport (latitude 33°11'30" N., longitude 80°02'00" W.); within 3 miles each side of the 226° bearing from Moncks Corner RBN (latitude 33°11'16" N., longitude 80°01'34" W.) extending from the 6.5-mile radius area to 8.5 miles southwest of the RBN.

AMENDMENTS 2/27/75 40 F. R. 1508 (Added) Corr: 40 F. R. 4121

Monee, Ill.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Sanger Airport (latitude 41°22'39" N., longitude 87°41'03" W.); within 1½ miles either side of the 039° radial of the Peotone VORTAC extending from the 5-mile radius area to the VORTAC, excluding that portion that overlies the Chicago, Illinois, transition area.

AMENDMENTS 5/29/75 40 F. R. 16832 (Added)

Monongahela, Pa.
That airspace extending upward from 700-feet above the surface within a 6.5-mile radius of the center, 40°12'40" N., 79°49'50" W., of Rostraver Airport, Monongahela, Pa., and within 2 miles each side of the Allegheny, Pa., VORTAC 113° radial extending from the 6.5-mile radius area to the VORTAC, excluding the portion which coincides with the Pittsburgh, Pa., transition area.

Monroe, La.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Monroe Municipal Airport (latitude 32°30'30" N., longitude 92°02'20" W.); within 5 miles NW and 8 miles SE of the Monroe ILS localizer SW course extending from 5 miles NE to 12 miles SW of the LOM and 4.5 miles each side of a 308° bearing from latitude 32°31'00" N., longitude 92°02'09" W., extending from the 6-mile radius area to 18 miles NW of latitude 32°31'00" N., longitude 92°02'09" W.

Monroe, Mich.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Custer Airport (latitude 41°56'10" N., 83°26'15" W.); and within 2 miles each side of the Carleton, Mich., VORTAC 171° radial, extending from the 5-mile radius area to the VORTAC excluding the portion which overlies the Detroit, Mich. 700-foot floor transition area.

Monroe, N. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Monroe Airport (lat. 35°01'15" N., long. 80°38'00" W.); within 4.5 miles northwest and 9.5 miles southeast of the 217° bearing from the Wesley RBN (lat. 34°58'17" N., long. 80°40'55" W.), extending from the 6.5-mile radius area to 18.5 miles southwest of the RBN; excluding the portions that coincide with the Charlotte, N. C., and Lancaster, S. C., transition areas.

AMENDMENTS 12/4/75 40 F. R. 46305 (Rewritten)

Monroe, Wis.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the Monroe Municipal Airport (latitude 42°36'37" N., longitude 89°35'26" W.).

Monroe City, Missouri
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Monroe City, Missouri Airport (latitude 39°38'05" N., longitude 91°43'40" W.) and within 4 miles each side of the 239° radial of the Quincy, Illinois, VORTAC, extending from the 5-mile radius area to 8 miles northeast of the airport; and that airspace extending upward from 1,200 feet above the surface within the area southwest of the Quincy, Illinois, VORTAC bounded on the north by the south edge of V-116, on the west by the east edge of V-175, and on the southeast by the northwest edge of V-63.

AMENDMENTS 2/27/75 40 F. R. 2421 (Added)

Monroeville, Ala.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Monroeville County Airport (latitude 31°27'25" N., longitude 87°20'50" W.); within 3 miles each side of Monroeville VORTAC 039° and 201° radials, extending from the VORTAC to 9 miles northeast and south of the VORTAC.

Montague, Calif.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Siskiyou County Airport (latitude 41°46'55" N., longitude 122°28'00" W.); that airspace extending upward from 1,200 feet above the surface within 9.5 miles east and 6 miles west of the 180° and 360° bearings from the Montague RBN, extending from 8 miles north to 19 miles south of the RBN. Within 10 miles E and 7 miles W of the Siskiyou VOR (latitude 41°47'10" N., longitude 122°27'50" W.) 192° radial extending from 18 to 26 miles S of the VOR.

Monterey, Calif.
That airspace extending upward from 700 feet above the surface within a 13-mile radius of Fritzsche AAF, Fort Ord, Calif. (latitude 36°40'55" N., longitude 121°45'40" W.), excluding the portion south of latitude 36°32'00" N.; within a 5-mile radius of Watsonville Municipal Airport (latiude 36°56'15" N., longitude 121°47'15" W.); within 3 miles each side of the Salinas VORTAC 330° radial, extending from the 5-mile radius area to the 13-mile radius of Fritzsche AAF and within 3 miles each side of the Watsonville localizer course extending from the 5-mile radius to 5 miles south of Runway 1 threshold of the Watsonville Airport; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at lat. 37°05'00" N., long. 122°43'15" W., thence to lat. 37°08'45" N., long. 122°34'45" W., thence southeast via V-27 to lat. 37°00'00" N., thence to lat. 37°00'00" N., long. 121°29'30" W., thence to lat. 36°23'00" N., long. 121°03'20" W., thence to lat. 36°03'30" N., long. 121° 29'00" W., thence southeast via V-27 to long. 121°03'00" W., thence to lat. 35°30'00" N., long. 121°03'00" W., thence to lat. 35°30'00" N., long. 121°37'00" W., to point of beginning; that airspace extending upward from 5,000 feet MSL bounded on the northwest by a line 12 miles southeast of and parallel to the Big Sur VOR 047° radial, on the northeast by V-25, on the south by a line extending from the southwest boundary of V-25 and latitude 35°33'00" N., to latitude 35°33'00" N., longitude 121°03'00" W., thence south to the northeast boundary of V-27 and longitude 121°03'00" W., and on the southwest by V-27.

AMENDMENTS 11/6/75 40 F. R. 43487 (Changed)

Montevideo, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Montevideo Municipal Airport (latitude 44°58'15" N., longitude 95°42'40" W.); and within 3 miles each side of the 313° bearing from the Montevideo Municipal Airport extending from the 5-mile radius to 8 miles northwest of the airport.

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Montgomery, Ala.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Dannelly Field (latitude 32°16'00" N., longitude 86°23'36" W.); within 4.5 miles north and 9.5 miles south of Dannelly Field ILS localizer west course, extending from the 8.5-mile radius area to 18.5 miles west of the LOM; within 3.5 miles each side of Runway 3 extended centerline, extending from the 8.5-mile radius area to 10 miles SW of the runway end; within 2.5 miles each side of Montgomery VORTAC 311° radial, extending from the 8.5-mile radius area to 23 miles northwest of the VORTAC; excluding the portion within the Selma, Ala., transition area; within a 9-mile radius of Maxwell AFB (latitude 32°22'48" N., longitude 86°21'55" W.); within 3 miles northeast and 8 miles southwest of Maxwell VOR 328° radial, extending from the 9-mile radius area to 8.5 miles northwest of the VOR.

Monticello, Ark.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Monticello Municipal Airport (latitude 33°38'10" N., longitude 91°45'10" W.).

Monticello, Indiana
That airspace extending upward from 700 feet above the surface within a 5-mile radius of White County Airport (latitude 40°42'30" N., longitude 86°46'00" W.) and within 3 miles each side of the 185° bearing from the airport extending from the 5-mile radius area to 8.5 miles south.

AMENDMENTS 1/30/75 39 F. R. 43296 (Added)

Monticello, Iowa
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Monticello Municipal Airport (latitude 42°13'40" N., longitude 91°10'00" W.); and within 3 miles each side of the 135° bearing from Monticello Municipal Airport, extending from the 7-mile radius area to 10½ miles southeast of the airport.

Monticello, N. Y.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, 41°42' 01" N., 74°47'59" W. of Sullivan County International Airport, Monticello, N. Y., extending clockwise from a 033° bearing to a 111° bearing from the airport; within a 7.5-mile radius of the center of the airport, extending clockwise from a 111° bearing to a 169° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 169° bearing to a 318° bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 318° bearing to a 340° bearing from the airport; within an 11.5-mile radius of the center of the airport extending clockwise from a 340° bearing to a 033° bearing from the airport; and within 4.5 miles each side of the Sullivan County International Airport ILS localizer, 41°41'39" N., 74°47'16" W., northwest course, extending from the 6.5-mile, 8.5-mile and 11.5-mile radius areas to 11.5 miles northwest of the OM (41°45'59" N., 74°51'39" W.); within a 5-mile radius of the center, 41°37'10" N., 74°42'10" W., of Monticello Airport, Monticello, N. Y., and within 2 miles each side of the Huguenot, N. Y., VORTAC 338° radial extending from the 5-mile radius area to 9 miles north of the VORTAC.

Montpelier, Vt.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the center, latitude 44°12'15" N., longitude 72°33'45" W., of Edward F. Knapp (Barre-Montpelier) State Airport, Barre-Montpelier, Vt.; within 6.5 miles west and 5 miles east of the Montpelier VOR 163° radial extending from the 10-mile radius zone to 11.5 miles south of the VOR; within 4.5 miles each side of the Mount Mansfield NDB (latitude 44°23'06" N., longitude 72°41'38" W.), 332° and 152° bearings from the NDB, extending from the 10-mile radius to 10.5 miles northwest of the NDB, excluding that portion within the Morrisville, Vt., transition area.

Montrose, Colo.
That airspace extending upward from 700 feet above the surface within 5 miles northeast and 9.5 miles southwest of the Montrose VOR 313° and 133° radials extending from 7 miles southeast to 24.5 miles northwest of the VOR.

Morgan City, La.
That airspace extending upward from 700 feet above the surface within 3.5 miles each side of the Tibby, La., VORTAC 281° radial extending from 11.5 miles west of the VORTAC to 23 miles west of the VORTAC.

Morganton, N. C.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Morganton-Lenoir Airport (latitude 35°49'20" N., longitude 81°36'35" W.); within 3 miles each side of the 238° bearing from Morganton RBN (latitude 35°49'15" N., longitude 81°36'50" W.), extending from the 8-mile radius area to 8.5 miles south of the RBN; excluding the portion that coincides with Hickory transition area.

Morgantown, W. Va.
That airspace extending upward from 700 feet above the surface within an 11.5-mile radius of the center, lat. 39°38'34" N., long. 79°55'01" W. of Morgantown Municipal Airport-Walter L. Hart Field, Morgantown, W. Va., extending clockwise from a 205° bearing to a 030° bearing from the airport; within a 19-mile radius of the center of the airport, extending clockwise from a 030° bearing to a 055° bearing from the airport; within an 18-mile radius of the center of the airport, extending clockwise from a 055° bearing to a 065° bearing from the airport; within a 15-mile radius of the center of the airport, extending clockwise from a 065° bearing to a 095° bearing from the airport; within a 16.5-mile radius of the center of the airport, extending clockwise from a 095° bearing to a 157° bearing from the airport; within a 14-mile radius of the center of the airport, extending clockwise from a 157° bearing to a 205° bearing from the airport; within 5 miles each side of the Morgantown VORTAC 152° radial extending from the VORTAC to 9.5 miles southeast of the VORTAC and within 5 miles southwest and 7.5 miles northeast of the Morgantown VORTAC 334° radial, extending from the 11.5-mile radius arc to 22 miles northwest of the VORTAC.

Morrilton, Ark.
That airspace extending upward from 700 feet above the surface within an 8.5 mile radius of Petit Jean Airport (lat. 35°08'15" N., long. 92°54'30" W.), and within 3.5 miles each side of the 216° bearing from the Morrilton RBN (lat. 35°07'07" N., long. 92°55'30" W.) extending from the 8.5-mile radius to 11.5 miles southwest of the RBN.

Morris, Minn.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Morris Municipal Airport (latitude 45°34'05" N., longitude 95°58'10" W.); and within 3 miles each side of the 138° bearing from the Morris Municipal Airport extending from the airport to 7 miles southeast of the airport.

Morristown, Tenn.
That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of Moore-Murrell Airport (latitude 36°10'50" N., longitude 83°22'20" W.); within 4.5 miles northwest and 9.5 miles southeast of the 239° bearing from Morristown RBN (latitude 36°11'10" N., longitude 83°22'00" W.), extending from the 9.5-mile radius area to 18.5 miles southwest of the RBN.

Morrisville, Vt.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, lat. 44° 32'10" N., long. 72°36'55" W. of Morrisville-Stowe State Airport, Morrisville, Vt., and within 3.5 miles each side of the 034° bearing and the 214° bearing from the Morrisville RBN lat. 44°35'13" N., long. 72°35'10" W., extending from the 5-mile radius area to 11.5 miles northeast of the RBN.

Moses Lake, Wash.
That airspace extending upward from 700 feet above the surface within a 19-mile radius of Grant County Airport (latitude 47°12'29" N., longitude 119°19'05" W.), within 7 miles southeast and 12 miles northwest of the Ephrata VORTAC 043° and 223° radial extending from 8 miles southwest to 19 miles northeast; that airspace extending upward from 1,200 feet above the surface bounded on the north by a line beginning at latitude 47°45'00" N., longitude 120°00'00" W., extending eastwardly along latitude 47°45'00" N. to intersect the arc of the 52-mile radius circle centered on Fairchild Air Force Base, Washington (latitude 47°38' N., longitude 117°39' W.), on the east by the 52-mile radius circle, on the southeast by the northwest edge of V-112W, on the south by V-298, on the west by longitude 120°00'00" to point of beginning; that airspace southwest of Moses Lake extending upward from 5,500 feet MSL bounded on the east by longitude 120°00'00" W., on the southeast by the northwest edge of V-448, on the west by the east edge of V-25, and on the north by latitude 47°00'00" N.

AMENDMENTS 8/14/75 40 F. R. 24996 (Changed)

Moses Point, Alaska
That airspace extending upward from 1,200 feet above the surface within 5 miles N and 10 miles S of the Moses Point VOR 088° and 268° radials, extending from 11 miles W to 15 miles E of the VOR.

Mosinee, Wis.
The airspace extending upward from 700 feet above the surface within a 10-mile radius of Central Wisconsin Airport (latitude 44°46'35" N., longitude 89°40'00" W.); within 5 miles each side of the 087° bearing from Central Wisconsin Airport, extending from the 10-mile radius area to 13 miles east of the airport; and within 5 miles each side of the 242° bearing from Central Wisconsin Airport, extending from the 10-mile radius area to 12 miles southwest of the airport, excluding the portion which overlies the Wausau, Wis., transition area.

Moultrie, Ga.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Moultrie-Thomasville Airport (lat. 31°04'58" N., long. 83°48'15" W.); within an 8.5-mile radius of Thomasville Municipal Airport (lat. 30°54'05" N., long. 83°53'00" W.); within an 8.5-mile radius of Spence AF Auxiliary Field (lat. 31°08'15" N., long. 83°42'15" W.).

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Mountain Home, Idaho
That airspace extending upward from 700 feet above the surface within 10 miles northeast and 9 miles southwest of the Mountain Home AFB TACAN (latitude 43°02'26" N., longitude 115°52'22" W.) 135° and 315° radials, extending from 18 miles southeast to 18 miles northwest of the TACAN; that airspace extending upward from 1,200 feet above the surface bounded on the north and northeast by the southwest edge of V-253, on the southeast, south, and west by the arc of a 46-mile radius circle centered on Mountain Home AFB (latitude 43°02'35" N., longitude 115°52'05" W.), on the northwest by the southeast edge of V-113; that airspace southeast of Mountain Home AFB extending upward from 6,500 feet MSL, bounded on the northwest by the 46-mile arc, on the northeast by the southwest edge of V-253, on the south by latitude 42°24'00" N. to the 46-mile arc.

Mount Pleasant, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Mount Pleasant Municipal Airport (latitude 40°56'45" N., longitude 91°30'30" W.); and within 3 miles each side of the 140° bearing from Mount Pleasant Municipal Airport extending from the 5-mile radius area to 8 miles southeast of the airport.

Mt. Pleasant, Mich.
That airspace extending upward from 700 feet above the surface within a 4-mile radius of Mt. Pleasant, Mich., Airport (latitude 43°37'00" N., longitude 84°44'00" W.); and within 2 miles each side of the 093° bearing from Mt. Pleasant, MI., Airport extending from the 4-mile radius area to 8 miles E of the airport.

Mount Pleasant, Tenn.
That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of Maury County Airport (latitude 35°33'15" N., longitude 87°10'50" W.); within 9.5 miles southeast and 4.5 miles northwest of the 060° and 227° bearings from Maury County RBN (latitude 35°33'20" N., longitude 87°10'37" W.), extending from the 9.5-mile radius area to 18.5 miles northeast and southwest of the RBN.

Mt. Pleasant, Tex.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Mt. Pleasant Municipal Airport (latitude 33°07'45.4" N., longitude 94°58'31.3" W.) and within 3.5 miles each side of the Quitman, Tex., VORTAC 052° radial extending from the 8.5-mile radius area to a point 10.5 miles southwest of the airport and within 3.5 miles each side of the Mt. Pleasant, Tex., NDB (latitude 33°10'03" N., longitude 94°58'03" W.) 012° bearing extending from the 8.5-mile radius area to a point 15 miles northeast of the airport.

AMENDMENTS 2/27/75 39 F. R. 44003 (Added)
AMENDMENTS 12/4/75 40 F. R. 41520 (Rewritten)

Mount Pocono, Pa.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center 41°07'40" N., 75°22'20" W. of Mount Pocono Airport, Mount Pocono, Pa., within 2 miles each side of the 333° bearing from the Tobyhanna RBN (41°12'15" N., 75°25'20" W.) extending from the RBN to 7.5 miles northwest of the RBN.

Mt. Sterling, Ky.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Mt. Sterling-Montgomery County Airport (lat. 38°03'35" N., long. 83°58'50" W.).

AMENDMENTS 6/19/75 40 F. R. 17140 (Added)

Mount Vernon, Ill.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Mount Vernon-Outland Airport (latitude 38°19'23" N., longitude 88°51'33" W.); within 5 miles each side of the the Mount Vernon VOR 044° radial extending from the 7-mile radius area to 11.5 miles northeast of the VOR.

AMENDMENTS 12/4/75 40 F. R. 44808 (Rewritten)

Muleshoe, Tex.
That airspace extending upward from 700 feet above the surface within a 9-statute mile radius of Edward Warren Field (latitude 34°14'00" N., longitude 102°42'30" W.).

AMENDMENTS 10/9/75 40 F. R. 34087 (Added)

Mullan Pass, Idaho
That airspace extending upward from 8,300 feet MSL within 6 miles N and 9 miles S of the Mullan Pass VORTAC 095° and 275° radials, extending from 8 miles E to 15 miles W of the VORTAC.

Muncie, Ind.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Delaware County-Johnson Field (latitude 40°14'26" N., longitude 85°23'43" W.) within 3 miles each side of the Muncie VOR 136° radial, extending from the 7-mile radius area to 13.5 miles southeast of the VOR; within 3 miles each side of the Muncie VOR 125° radial, extending from the 7-mile radius area to 8 miles southeast of the VOR; within 3 miles each side of the Muncie VOR 017° radial, extending from the 7-mile radius area to 8 miles north of the VOR; and within 3½ miles each side of the Muncie VOR 320° radial, extending from the 7-mile radius area to 10 miles northwest of the VOR.

AMENDMENTS 1/30/75 39 F. R. 40254 (Rewritten)

Murray, Ky.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Murray-Calloway County Airport (latitude 36°40'04" N., longitude 88°22'06" W.); within 3 miles each side of the 033° bearing from Calloway RBN (latitude 36°39'49" N., longitude 88°22'03" W.), extending from the 6.5-mile radius area to 8.5 miles north of the RBN.

AMENDMENTS 6/19/75 40 F. R. 10951 (Added)

Muscatine, Iowa
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Muscatine Municipal Airport (latitude 41°22'00" N., longitude 91°08'40" W.).

Muscle Shoals, Ala.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of the Muscle Shoals Airport (latitude 34°44'41" N., longitude 87°36'39" W.); within 3 miles each side of Muscle Shoals VOR 114° radial, extending from the 11-mile radius area to 8.5 miles east of the VOR.

Muskegon, Mich.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the Muskegon County Airport (lat. 43°10'16" N., long. 86°14'00" W.); within a 7-mile radius of the Grand Haven Memorial Airpark (lat. 43°02'00" N., long. 86°12'00" W.), Grand Haven, Mich.; within 4.5 miles southwest and 9.5 miles northeast of the Muskegon County Airport ILS localizer southeast course, extending from the 10-mile radius area to 18.5 miles southeast of the OM; within 4 miles each side of the Muskegon VORTAC 092° radial, extending from the VORTAC to 11.5 miles east of the VORTAC; and within 4½ miles each side of the Muskegon County Airport runway 14 centerline extended to the northwest, extending from the 10-mile radius area to 17 miles northwest of the Muskegon County Airport ILS OM.

Muskogee, Okla.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Davis Field, Muskogee, Okla. (latitude 35°39'25" N., longitude 95°21'40" W.); and within 10 miles southwest and 5 miles northeast of the Muskogee VOR 137° T (130° M) radial extending from the VOR to 20 miles southeast.

Myrtle Beach, S. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Myrtle Beach Airport (latitude 33°48'40" N., longitude 78°43'30" W.); within an 8.5-mile radius of Myrtle Beach AFB (latitude 33°40'45" N., longitude 78°55'45" W.).

Nacogdoches, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of East Texas Regional Airport
(latitude 31°34'35" N., longitude 94°42'25" W.), within 2.5 miles each side of the Lufkin VORTAC 001° radial extending from the 5-mile radius area to 17 miles north of the VORTAC, and within 3.5 miles each side of the 339° and 159° bearings from the Nacogdoches RBN (latitude 31°38'01" N., longitude 94°44'01" W.) extending from the 5-mile radius area to 11.5 miles north of the RBN.

Nantucket, Mass.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Nantucket Memorial Airport, Mass. (latitude 41°15'15" N., longitude 70°03'40" W.); within 2 miles each side of the Nantucket VORTAC 045° radial, extending from the 6-mile radius area to 10 miles NE of the VOR; and that airspace extending upward from 2,000 feet MSL NE of Nantucket bounded on the NE by the arc of a 29-mile radius circle centered at the Nantucket VORTAC, on the SE by Control 1144, and on the NW by Control 1143; SE of Nantucket bounded on the SE by the arc of a 13-mile radius circle centered on the Nantucket RBN on the N by Control 1144, on the SW by Control 1145; and that airspace from FL 240 to FL 300, inclusive, SW of Nantucket, bounded on the N by Control 1169, on the E by Control 1145, and on the S and W by the arc of a 10.2-mile radius circle centered on the Nantucket RBN; that airspace northeast of Nantucket bounded on the northwest by Control 1143, on the southeast by Control 1146, and on the east by longitude 67°00'00" W. The portion east of longitude 68°00'00" W., is excluded below 5,500 feet MSL.

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Naples, Fla.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Naples Municipal Airport (latitude 26°09'10" N., longitude 81°46'30" W.); within 3 miles each side of the 041° and 228° bearing from the Naples RBN, extending from the 6.5-mile radius area to 8.5 miles northeast and southwest of the RBN.

Nappanee, Ind.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of the Nappanee Municipal Airport (latitude 41°26'45" N., longitude 85°56'00" W.); and within 2 miles each side of the 138° radial of the Goshen, Ind., VORTAC extending from the 5½-mile radius area to 14 miles southeast of the VORTAC excluding the airspace which overlies the Goshen, Ind., transition area.

Nashville, Tenn.
That airspace extending upward from 700 feet above the surface within a 14-mile radius of Nashville Metropolitan Airport (lat. 36°07'36" N., long. 86° 40'50" W.); the airspace south bounded on the north by the arc of a 14-mile radius circle centered on Nashville Metropolitan Airport; on the northeast by the arc of an 8.5-mile radius circle centered on Smyrna Airport; on the south by the arc of a 17.5-mile radius circle centered on Nashville Metropolitan Airport, and on the west by Nashville VOR 205° radial; within an 8.5-mile radius of Smyrna Airport (lat. 36°00'33" N., long. 86°31' 13" W.); within 3 miles each side of Nashville VORTAC 131° radial, extending from the 8.5-mile radius area to 21.5 miles southeast of the VORTAC; within 3 miles each side of the 138° bearing from Sewart RBN (lat. 35°57'19" N., long. 86°27'45" W.), extending from the 8.5-mile radius area to 8.5 miles southeast of the RBN; within an 8-mile radius of Gallatin Municipal Airport (lat. 36°22'45" N., long. 86°24'30" W.); within an 8-mile radius of Lebanon Municipal Airport (lat. 36°11'22" N., long. 86°18'55" W.); within an 8-mile radius of Murfreesboro Municipal Airport (lat. 35°52'32" N., long. 86°22'45"W.); within 3 miles each side of the 007° bearing from Lascassas RBN (lat. 35°52'18" N., long. 86°22'37" W.), extending from the 8-mile radius area to 8.5 miles north of the RBN.

Natchez, Miss.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Hardy-Anders Field (latitude 31°36'50" N., longitude 91°17'55" W.); within 3 miles each side of Natchez VOR 020° radial, extending from the 7-mile radius area to 8.5 miles north of the VOR.

Natchitoches, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Natchitoches Municipal Airport (latitude 31°44'30" N., longitude 93°06'20" W.) and within 3.5 miles each side of the 177° bearing from the Natchitoches RBN (latitude 31°44'03" N., longitude 93°05'43" W.), extending from the 5-mile radius zone to 11.5 miles south of the RBN.

Nebraska
That airspace extending upward from 1,200 feet above the surface within the State of Nebraska.

AMENDMENTS 10/9/75 40 F. R. 32319 (Rewritten)

Needles, Calif.
That airspace extending upward from 1,200 feet above the surface within 9 miles south and 13 miles north of the Needles VORTAC 092° and 272° radials, extending from 11 miles west to 24 miles east of the VORTAC.

Nenana, Alaska
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Nenana Airport (latitude 64°32'56" N., longitude 149°04'24" W.); and within 4 miles each side of the 132° bearing from the Julius RBN extending from the 5-mile radius area to 10.5 miles southeast of the RBN.

Neodesha, Kansas
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Neodesha, Kansas, Municipal Airport, excluding that portion which coincides with the Parsons, Kansas, transition area.

AMENDMENTS 10/9/75 40 F. R. 30633 (Added)

Neosho, Mo.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Neosho Memorial Airport (latitude 36°48'35" N., longitude 94°23'15" W.); and within 2 miles each side of the Neosho, Mo., VOR 308° radial, extending from the 5-mile radius area to 8 miles northwest of the VOR.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Nevada, Mo.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Nevada Municipal Airport (latitude 37°51'10" N., longitude 94°18'05" W.); and within 3 miles each side of the 037° bearing from the Nevada Municipal Airport extending from the 7-mile radius area to 8 miles northeast of the airport.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

New Bern, N. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Simmons-Nott Airport (latitude 35°04'20" N., longitude 77°02'35" W.).

Newberry, Mich.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Luce County Airport (latitude 46°18'30" N., longitude 85°27'00" W.); within 3 miles each side of the 301° bearing from Luce County Airport, extending from the 6½-mile radius to 8 miles northwest of the airport; and within 3 miles each side of the 103° bearing from Luce County Airport, extending from the 6½-mile radius area to 8 miles east of the airport; and that airspace extending upward from 1,200 feet above the surface within 9½ miles northeast and 4½ miles southwest of the 301° bearing from Luce County Airport, extending from the airport to 18½ miles northwest of the airport; and within 4½ miles north and 9½ miles south of the 103° bearing from Luce County Airport, extending from the airport 18½ miles east of the airport, excluding the portion which overlies the Sault Ste. Marie, Mich., transition area.

Newberry, S. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Newberry Municipal Airport (lat. 34°18'40" N., long. 81°38'20" W.); within 3 miles each side of the 031° bearing from the Enoree RBN (lat. 34°18'41" N., long. 81°38'10" W.), extending from the 6.5-mile radius to 8.5 miles northeast of the RBN.

AMENDMENTS 12/4/75 40 F. R. 46305 (Added)

New Braunfels, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of New Braunfels Municipal Airport (lat. 29°42'10" N., long. 98°02'30" W.) and south of a line extending from the 5-mile radius area east along the San Antonio, Tex., VORTAC 070° radial to the 30-nautical mile DME fix and north of a line extending from the 5-mile radius area east along the San Antonio VORTAC 090° radial to the 30-nautical mile DME fix.

Newburgh, N. Y.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center, 41° 30'10" N., 74°06'11" W., of Stewart Airport, Newburgh, N. Y., extending clockwise from a 222° bearing to a 332° bearing from the airport; within an 11.5-mile radius of the center of Stewart Airport, extending clockwise from the 332° bearing to a 045° bearing from the airport; within an 8.5-mile radius of the center of Stewart Airport, extending clockwise from a 045° bearing to a 076° bearing from the airport, within a 10-mile radius of the center of Stewart Airport, extending clockwise from a 076° bearing to a 130° bearing from the airport; within a 12.5-mile radius of the center of Stewart Airport, extending clockwise from a 130° bearing to a 159° bearing from the airport; within a 14.5-mile radius of the center of Stewart Airport, extending clockwise from a 159° bearing to a 191° bearing from the airport, within a 12.5-mile radius of the center of Stewart Airport, extending clockwise from a 191° bearing to a 222° bearing from the airport; within 3.5 miles each side of the Stewart VOR (41°30'30" N., 74°05'51" W.) 325° radial, extending from the Stewart VOR to 18.5 miles northwest of the Stewart VOR; within 5 miles each side of the Stewart VOR 085° radial, extending from the Stewart VOR to 13 miles east of the Stewart VOR; within 5 miles each side of the Huguenot VORTAC 074° radial extending from the Huguenot VORTAC to 20 miles east of the Huguenot VORTAC; within a 7-mile radius of the center, 41°30' 41" N., 74°15'51" W of Orange County Airport, Montgomery, N. Y., extending clockwise from a 332° bearing to a 074° bearing from the airport; within a 7.5-mile radius of the center of Orange County Airport, extending clockwise from a 074° bearing to a 161° bearing from the airport; within an 8-mile radius of the center of Orange County Airport, extending clockwise from a 161° bearing to a 228° bearing from the airport within a 9-mile radius of the center of Orange County Airport, extending clockwise from a 228° bearing to a 332° bearing from the airport; within 3.5 miles each side of the Orange County Airport ILS localizer south course, extending from the OM to a point 14 miles south of the OM; within a 6-mile radius of the center, 41°25'54" N., 74°23'45" W., of Randall Airport, Middletown, N. Y., extending clockwise from a 015° bearing to a 128° bearing from the airport; within a 6.5-mile radius of the center of Randall Airport, extending clockwise from a 128° bearing to a 167° bearing from the airport; within a 6-mile radius of the center of Randall Airport, extending clockwise from a 167° bearing to a 227° bearing from the airport; within a 7-mile radius of the center of Randall Airport, extending clockwise from a 227° bearing to a 309° bearing from the airport; within a 6.5-mile radius of the center of Randall Airport, extending clockwise from a 309° bearing to a 015° bearing from the airport; and within 2 miles each side of the Huguenot VORTAC 082° radial, extending from the Huguenot VORTAC to 10 miles east of the Huguenot VORTAC.

AMENDMENTS 3/18/75 40 F. R. 12252 (Changed)

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Newburyport, Mass.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center (42°47'45" N., 70°50'25" W.) of Plum Island Airport, Newburyport, Mass.; and within 2 miles each side of the Runway 33 centerline extended from the 5-mile radius area to 6 miles northwest of the end of the runway, excluding the portion which coincides with the Boston, Mass., transition area. This transition area shall be effective from sunrise to sunset, daily.

New Castle, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the New Castle-Henry County Municipal, Sky Castle Airport (latitude 39°52'35" N., longitude 85°19'35" W.); within 3 miles each side of the 110° bearing from the airport, extending from the airport to 8 miles east.
AMENDMENTS 4/24/75 40 F. R. 7901 (Rewritten)

New Castle, Pa.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center (lat. 41°01'34" N., long. 80°24'49" W.) of New Castle Municipal Airport, New Castle, Pa.; within 3 miles each side of the Castle VOR (lat. 41°01'32" N., long. 80°24'58" W.) 043° radial, extending from the VOR to 8.5 miles northeast and within 3 miles each side of the Castle VOR 217° radial, extending from the VOR to 8.5 miles southwest.

Newcastle, Wyo.
That airspace extending upward from 700 feet above the surface within 4.5 miles northeast and 9.5 miles southwest of the Newcastle VOR (latitude 43°52'54" N., longitude 104°18'28" W.), 154° and 334° radials extending from 6 miles northwest to 18.5 miles southeast of the VOR; that airspace extending upward from 1,200 feet above the surface bounded on the north by the north edge of V-86, on the east by an arc of a 53-mile radius circle centered on Ellsworth AFB (latitude 44°08'45" N., longitude 103°06'15" W.), on the south by the north edge of V-26, on the west by a line 5 miles west of and parallel to the Newcastle VOR 360° radial, excluding the airspace within a 3-mile radius of Schloredt, Wyoming Airport (latitude 44°23'30" N., longitude 104°24'30" W.)

Newgulf, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Newgulf Airport (lat. 29°16'00" N., long. 95°53'00" W.) and within 3 miles each side of the Eagle Lake, Tex., VORTAC 136° radial extending from the 5-mile radius area to 30.5 miles southeast of the Eagle Lake VORTAC.

New Jersey
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of New Jersey including the offshore airspace within 3 nautical miles east of and parallel to the shoreline; that airspace east of Long Branch, NJ., bounded by latitude 40°17'30" N., longitude 73°54'45" W., to latitude 40° 12'55" N., longitude 73°19'00" W.; to latitude 39°58'40" N., longitude 73°38'35" W., to latitude 39°37' 30" N., longitude 74°07'00" W., thence north along that line 3-NM east and parallel to the State of New Jersey shoreline to latitude 40°17'30" N., longitude 73°54'45" W.; that airspace extending upward from 2,000 feet above the surface bounded on the northwest by the southeast boundary of V-139, on the northeast by the southwest boundary of Control 1147, on the south by a line along latitude 39°44'00" N. The airspace within W-107 below 2,000 feet and within Control 1147 is excluded.

New Madrid, Mo.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of County Memorial Airport (latitude 36°32'10" N., longitude 89°35'50" W.); and within 2 miles each side of the Malden, Mo., VOR 95° radial, extending from the 5-mile radius area to 8 miles east of the VOR, excluding the portion which overlies the Malden, Mo., 700-foot floor transition area.

New Mexico
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of New Mexico, excluding that airspace north of a line beginning on the Arizona/New Mexico State line at lat. 35° 31'00" N., thence to lat. 35°52'00" N., long. 108°47'00" W., to lat. 35°47'30" N., long. 108° 34'00" W., thence along long. 108°34'00" W. to and along the north boundary of V-291N to and clockwise along the arc of a 46-mile radius circle centered at the Albuquerque VORTAC to lat. 35°37'35" N., long. 106°24'48" W., to lat. 35° 47'00" N., long. 106°15'00" W., to lat.
35°47'00" N., long. 106°12'30" W., to lat. 36°05'35" N., long. 106°08'50" W., to lat. 36°03'40" N., long. 105° 52'20" W., to lat. 35°47'00" N., long. 105°54'40" W., to lat. 35°47'00" N., long. 105°50'00" W., thence along long. 105°50'
00" W. to and along the north boundary of V-19 to long. 105°16'30" W., to lat. 36°00'00" N., long. 105°07' 00" W., thence along lat. 36°00'00" N., to and along the north boundary of V-190 to the New Mexico/Texas State line, excluding R-5101, R-5107B, and the portion of R-5107A north of lat. 32°18'00" N., excluding that airspace bounded by a line beginning on the Arizona/New Mexico State line at lat. 34°18'00" N., thence to the south boundary of V-264 at long. 108°54'00" W., thence along the south boundary f V-264 to and south along long. 107°00'00" W. to and along the northwest boundary of V-19 to lat. 33°35'00" N., to lat. 33°35'00" N., long. 107°20'00" W., to the northwest boundary of V-202 at long. 107°25'00"W., thence along the northwest boundary of V-202 to lat. 32°59'00" N., to lat. 32°35'00" N., long. 108°37'00" W., to the Arizona/New Mexico State line at lat. 32°25'00" N., thence along the State line to point of beginning, excluding that airspace south of V-66 and excluding that airspace below 11,500 feet MSL bounded by a line beginning at lat. 33°57'00" N., long. 105°27'00" W., thence to lat. 33°12'50" N., long. 105°27'00" W., to lat. 33°10'20" N., long. 105°38'00" W., thence counterclockwise along the arc of a 35-mile radius circle centered at lat. 32°51'04" N., long. 106° 06'05" W. to and along long. 106°04'00" W. to and along the south boundary of V-264 to long. 105°50'30" W., thence to point of beginning.

federal register

FRIDAY, JANUARY 2, 1976



PART II:
SECTION 2

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

■

14 CFR PARTS 71, 73, AND 75

Compilation of Regulations

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Newman, GA.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Newman-Coweta County Airport (lat. 33°19'06" N., long. 84°46'18" W.); within 2.5 miles each side of LaGrange VORTAC 053° radial, extending from the 6-mile radius area to 19.5 miles northeast of the VORTAC; within 3 miles each side of the 130° bearing from Coweta RBN (latitude 33°18'31" N., longitude 84°46'22" W.), extending from the 5-mile radius area to 8.5 miles SE of the RBN.

New Orleans, La.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 30°06'25" N., longitude 90°16'35" W.; to latitude 30°08'20" N., longitude 90°02'30" W.; thence clockwise along the arc of a 7-mile radius circle centered at the New Orleans Airport (latitude 30°02'20" N., longitude 90°01'25" W.); to latitude 30°02'20" N., longitude 89°54'20" W.; to latitude 29°49'40" N., longitude 89°54'20" W.; thence clockwise along the arc of a 7-mile radius circle centered at NAS New Orleans-Alvin Callender Field (latitude 29°49'40" N., longitude 90°01'25" W.); to latitude 29°44'45" N., longitude 90°05'25" W.; to latitude 29°53'45" N., longitude 90°20'00" W.; thence clockwise along the arc of an 8-mile radius circle centered at New Orleans International-Moisant Field (latitude 29°59'25" N., longitude 90°15'15" W.); to point of beginning; and within 2 miles each side of the Harvey VOR 053° radial extending from the VOR to 8 miles NE;

New Philadelphia, Ohio
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Harry Clever Field (latitude 40°28'15" N., longitude 81°25'10" W.).

Newport, Ark.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Newport Municipal Airport (lat. 35°38'25" N., long. 91°10'55" W.), and within 3.5 miles each side of the 163° bearing from the Newport RBN (lat. 35°38'30" N., long. 91°10'00" W.) extending from the 6.5-mile radius area to 11.5 miles south of the RBN.

Newport, Oreg.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Newport Municipal Airport (lat. 44°34'45" N., long. 124°03'24" W.); within 2 miles each side of the Newport VORTAC 005° radial, extending from the 5-mile radius area to 10 miles N of the VORTAC; within 2 miles each side of the Newport VORTAC 044° radial, extending from the 5-mile radius area to 13 miles NE of the VORTAC; and within 3 miles each side of the Newport VORTAC 341° radial, extending from the 5-mile radius area to 8 miles N of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within lines 5 miles each side of the Newport VORTAC 237° radial including the additional airspace between lines beginning adjacent to the VORTAC and diverging at angles of 5° from the parallel lines extending from the VORTAC to a line extending through lat. 44°35'00" N., long. 124°17'30" W., and lat. 44°22'00" N., long. 124°13'25" W., and that airspace within 5 miles E and 10 miles W. of the Newport VORTAC 341° radial, extending from the VORTAC to 19 miles N.

AMENDMENTS 6/19/75 40 F. R. 17007 (Rewritten)

Newport, Vt.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 44°53'22" N., 72°13'48" W., of Newport State Airport, Newport, Vt.,; within 2 miles each side of a bearing 032° from the Newport
radio beacon extending from the 5-mile radius area to 8 miles northeast of the radio beacon, excluding the portion overlying Canada.

AMENDMENTS 1/2/75 39 F. R. 35785 (Changed)

Newton, Iowa
That airspace extending upward from 700 feet above the surface within a 4-mile radius of the Newton Municipal Airport (latitude 41°40'40" N., longitude 93°01'25" W.); and within 2 miles each side of the Newton VOR 149° radial extending from the 4-mile radius area to the VOR.

Newton, Kans.
That airspace extending upward from 700 feet above the surface within an 8½-mile radius of Newton Municipal Airport (latitude 38°03'20" N., longitude 97°16'35" W.).

New Ulm, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of New Ulm Municipal Airport (latitude 44°19'15" N., longitude 94°30'05" W.); and within 2 miles each side of the 307° bearing from New Ulm Municipal Airport, extending from the 5-mile radius area to 8 miles northwest of the airport.

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New York, N. Y.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, 40° 38'25" N., 73°46'41" W., of John F. Kennedy International Airport, New York, N. Y., extending clockwise from a 035° bearing to a 065° bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 065° bearing to a 228° bearing from the airport; within a 9-mile radius of the center of the airport, extending clockwise from a 228° bearing to a 244° bearing from the airport; within a 14-mile radius of the center of the airport, extending clockwise from a 244° bearing to a 290° bearing from the airport; within a 9-mile radius of the center of the airport, extending clockwise from a 290° bearing to a 338° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 338° bearing to a 035° bearing from the airport; within 3 miles each side of the Canarsie, N. Y., VOR 210° radial, extending from the Canarsie, N. Y., VOR to 4 miles southwest of the VOR; within a 9-mile radius of the center, 40°46' 36" N., 73°52'24" W., of LaGuardia Airport, New York, N. Y., extending clockwise from a 029° bearing to a 080° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 080° bearing to a 117° bearing from the airport; within a 9-mile radius of the center of the airport, extending clockwise from a 117° bearing to a 243° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 243° bearing to a 320° bearing from the airport; within an 11.5-mile radius of the center of the airport, extending clockwise from a 320° bearing to a 029° bearing from the airport; within 3.5 miles each side of the LaGuardia, N. Y., VOR 038° radial, extending from the LaGuardia, N. Y., VOR to 9 miles northeast of the VOR; within 4.5 miles northwest and 6.5 miles southeast of a 027° bearing and a 207° bearing from a point 40°36'21" N., 74°04'34" W., extending from 5.5 miles northeast to 11.5 miles southwest of said point; within a 10-mile radius of the center, 40°50'57" N., 74°03'47" W., of Teterboro Airport, Teterboro, N. J., extending clockwise from a 047° bearing to a 077° bearing from the airport; within a 7.5-mile radius of the center of the airport, extending clockwise from a 077° bearing to a 241° bearing from the airport; within an 11-mile radius of the center of the airport, extending clockwise from a 241° bearing to a 253° bearing from the airport; within a 15-mile radius of the center of the airport, extending clockwise from a 253° bearing to a 047° bearing from the airport; within 9.5 miles northwest and 4.5 miles southeast of the Teterboro Airport ILS localizer southwest course, extending from the OM to 18.5 miles southwest of the OM; within a 9-mile radius of the center, 40°41'40" N., 74°10'02" W., of Newark International Airport, Newark, N. J.

Extending clockwise from a 011° bearing to a 071° bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 071° bearing to a 123° bearing from the airport; within a 9-mile radius of the center of the airport, extending clockwise from a 123° bearing to a 150° bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 150° bearing to a 232° bearing from the airport; within a 9.5-mile radius of the center of the airport, extending clockwise from a 232° bearing to a 255° bearing from the airport; within a 12-mile radius of the center of the airport, extending clockwise from a 255° bearing to a 011° bearing from the airport; within 2.5 miles each side of a 105° bearing from a point 40°45'24" N., 74°30'48" W., extending from the 12-mile radius area to 4 miles east of said point; within 5 miles each side of a 098° bearing from the Chatham, N. J., RBN, extending from the 12-mile radius area to 2 miles east of the Chatham, N. J., RBN; within a 10-mile radius of the center, 40°47'58" N., 74°24'56" W., of Morristown Municipal Airport, Morristown, N. J., extending clockwise from a 022° bearing to a 116° bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 116° bearing to a 225° bearing from the airport; within a 12-mile radius of the center of the airport, extending clockwise from a 225° bearing to a 264° bearing from the airport; within a 12.5-mile radius of the center of the airport, extending clockwise from a 264° bearing to a 335° bearing from the airport; within a 13.5-mile radius of the center of the airport, extending clockwise from a 335° bearing to a 022° bearing from the airport; within 6.5 miles northwest and 4.5 miles southeast of the Morristown Municipal Airport ILS localizer northeast course, extending from 5.5 miles southwest of the OM to 11.5 miles northeast of the OM; within 9.5 miles southeast and 4.5 miles northwest of the Morristown Municipal Airport ILS localizer northeast course, extending from the OM to 18.5 miles northeast of the OM; within 9.5 miles northwest and 4.5 miles southeast of a 204° bearing from the Chatham, N. J., RBN, extending from the Chatham, N. J., RBN to 18.5 miles southwest of the RBN; within 5 miles each side of the Solberg, N. J., VORTAC 067° radial, extending from the Solberg, N. J., VORTAC to 10.5 miles northeast of the VORTAC; within 5 miles each side of the Morristown Municipal Airport ILS localizer southwest course, extending from the localizer to 14.5 miles southwest of the localizer; within a 5.5-mile radius of the center, 40°31'30" N., 74°35'52" W., of Kupper Airport, Manville, N. J.

Extending clockwise from a 064° bearing to a 331° bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 331° bearing to a 064° bearing from the airport; within 6.5 miles northeast and 4.5 miles southwest of the Solberg, N. J., VORTAC 298° radial and 118° radial, extending from 5.5 miles southeast to 11.5 miles northwest of the VORTAC; within a 7-mile radius of the center, 40°52' 15" N., 74°17'00" W., of Caldwell-Wright Airport, Caldwell, N. J., extending clockwise from a 062° bearing to a 149° bearing from the airport; within a 9.5-mile radius of the center of the airport, extending clockwise from a 149° bearing to a 267° bearing from the airport; within a 14-mile radius of the center of the airport, extending clockwise from a 267° bearing to a 346° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 346° bearing to a 062° bearing from the airport; within 3.5 miles each side of a 276° bearing from a point 40°52'48" N., 74°20'08" W., extending from said point to 11.5 miles west of said point; within 5 miles each side of a 281° bearing from a point 40°52'48" N., 74°20'08" W., extending from said point to 13.5 miles west of said point; within 9.5 miles northwest and 4.5 miles southeast of a 054° bearing from the Paterson, N. J., RBN, extending from the RBN to 18.5 miles northeast of the RBN; within a 6-mile radius of the center, 40°41'28" N., 74°32'08" W., of Somerset Hills Airport, Basking Ridge, N. J., extending clockwise from a 035° bearing to a 162° bearing from the airport; within a 7-mile radius of the center of the airport, extending clockwise from a 162° bearing to a 217° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 217° bearing to a 287° bearing from the airport; within a 7.5-mile radius of the center of the airport, extending clockwise from a 287° bearing to a 035° bearing from the airport; within 8 miles northwest and 4.5 miles southeast of a 058° bearing and a 238° bearing from the Chatham, N. J., RBN, extending from 5.5 miles southwest of the RBN to 11.5 miles northeast of the RBN; within 5 miles each side of the Sparta, N. J., VORTAC 082° radial, extending from 23 miles east of the VORTAC to 38 miles east of the VORTAC; within an 8.5-mile radius of the center, 40°37'30" N., 74°40'30" W., of Somerset Airport, Somerville, N. J.

New York, N. Y., transition area continued on the next page.

Extending clockwise from a 044° bearing to a 138° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 138° bearing to a 274° bearing from the airport; within an 11.5-mile radius of the center of the airport, extending clockwise from a 274° bearing to a 312° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 312° bearing to a 044° bearing from the airport, within 8 miles southeast and 4.5 miles northwest of the VORTAC to 11.5 miles southwest of the VORTAC; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at 41°19' 00" N., 74°00'00" W., to 41°12'00" N., 74°00'00" W., to 41°11'00" N., 74°09'00" W., to 41°08'10" N., 74°13'00" W., thence northwesterly along the boundary of the State of New Jersey to 41°17'45" N., 74°33'15" W., to 41°19'00" N., 74°33'00" W., to the point of beginning; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at 40°30'00" N., 73°36'00" W.; thence east along 40°30'00" N., to the northwest edge of V-139, thence southwest along the northwest edge of V-139 to 40°12'55" N., 73°19'00" W.; to 40°14'15" N., 73°30'30" W., to 40°21'45" N., 73°40'45" W., to 40°16'35" N., 73°47'30" W., to 40°17'30" N., 73°54'45" W., to 40°17'00" N., 73°58'00" W., to 40°24'00" N., 73°58'00" W., to 40°29'00" N., 74°16'00" W., to 40°32'00" N., 74°16'00" W., to 40°41'00" N., 74°11'45" W., to 40°32'00" N., 73°49'00" W., to 40°32'00" N., 73°45'00" W., to 40°33'00" N., 73°41'00" W., to 40°41'00" N., 73°39'00" W., to 40°55'00" N., 73°50'00" W., to 40°55'00" N., 73° 58'00" W., to 41°00'00" N., 73°54'00" W., to 41°00'00" N., 73°33'00" W., to 40°50'00" N., 73°42'00" W., to 40°41'00" N., 73°33'30" W., to the point of beginning. The airspace within W-106 below 3,000 feet MSL is is excluded.

AMENDMENTS 6/25/75 40 F. R. 26673 (Changed)

Nogales, Ariz.
That airspace extending upward from 700 feet above the surface within a five-mile radius of Nogales International Airport (latitude 31°25'00" N., longitude 110°50'55" W.), within 4.5 miles S and 9.5 miles N of the Nogales VOR 289° radial, extending from the VOR to 18.5 miles W of the VOR and within four miles each side of the Nogales VOR 329° radial, extending from the VOR to 21 miles NW of the VOR, that airspace extending upward from 1,200 feet above the surface bounded on the N by the Tucson, Arizona transition area, on the E by longitude 110°45'00" W., on the S by the United States/Mexican border and on the W by longitude 111°18'00"W.

Nome, Alaska
That airspace extending upward from 700 feet above the surface within a 12-mile radius of the Nome VOR, extending clockwise from the 277° radial to the 134° radial; and that airspace extending upward from 1,200 feet above the surface within a 25-mile radius of the Nome VOR.

Norfolk, Nebr.
That airspace extending upward from 700 feet above the surface within a 15-mile radius of the Norfolk VOR.

Norfolk, Va.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at lat. 37°10'35" N., long. 76°17'35" W., to lat. 36°49'45" N., long. 76°52'05" W., to lat. 36°29'25" N., long. 76°09'40" W., to lat. 36°35'40" N., long. 76°18'40" W., to lat. 36°54'00" N., long. 76°27'30" W., to lat. 36°54'00" N., long. 76° 36'15" W., to lat. 37°11'30" N., long. 76°46'40" W., to lat. 37°16'10" N., long. 76°39'25" W., to lat. 37°11' 50" N., long. 76°16'20" W., thence to the point of beginning; within 2 miles southeast and 5 miles northwest of the Langley AFB, Hampton, Va. (lat. 37°05'05" N., long. 76°21'25" W.) Runway 7 centerline extended 15 miles northeast of the end of Runway 7; within the arc of an 8.5-mile radius circle centered on Patrick Henry International Airport, Newport News, Va. (lat. 37°07'51" N., long. 76°29'35" W.) extending clockwise from a 323° bearing to a 066° bearing from the center of the airport; within 3.5 miles each side of the Patrick Henry International Airport ILS localizer southwest course, extending from the LOM to 11.5 miles southwest, and within a 9-mile radius of Oceana NAS (Soucek Field) (latitude 36°49'30" N., longitude 76°01'45" W.).

North, S. C.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the North AFAF (latitude 33°36'30" N., longitude 81°05'00" W.); excluding the portion within Columbia transition area. This transition area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

North Bend, Oreg.
That airspace extending upward from 700 feet above the surface within 2 miles each side of the North Bend VORTAC 004° radial, extending from the VORTAC to 6 miles north of the VORTAC; within a 13-mile radius arc of the North Bend VORTAC extending clockwise from the 004° radial to 130° radial; within 2 miles each side of the North Bend VORTAC 183° radial, extending from the VORTAC to 5 miles south of the VORTAC; within 2 miles south and 6.5 miles north of the VORTAC 241° radial, extending from the VORTAC to 17 miles southwest; that airspace extending upward from 1,200 feet above the surface within a 22-mile radius arc of the North Bend VORTAC extending clockwise from the west edge of V-27, south of the VORTAC, to the west edge of V-287, north of the VORTAC; within 2.5 miles southeast and 11.5 miles northwest of the North Bend VORTAC 241° radial extending from the VORTAC to 25.5 miles southwest.

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North Carolina
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of North Carolina including that airspace within 3 nautical miles of and parallel to the shoreline of North Carolina; and including the additional airspace bounded by a line beginning at latitude 34°09'45" N., longitude 77°45'45" W., to latitude 34°03'05" N., longitude 77°42'30" W., to latitude 34°01'05" N., longitude 77°50'05" W.; thence via a line 3 nautical miles from and parallel to the shoreline to the point of beginning; and that airspace bounded by a line beginning at latitude 33°50'30" N., longitude 78°23'45" W., to latitude 33°45'50" N., longitude 78°31'00" W., to latitude 33°48'10" N., longitude 78°31'45" W.; thence via a line 3 nautical miles from and parallel to the shoreline to the point of beginning; and that airspace extending upward from 2,000 feet MSL to FL-600 bounded on the east by longitude 75°30'00" W., on the south and west by a line 3 nautical miles from and parallel to the shoreline and on the north by latitude 36°33'30" N., excluding the portion within R-5311.

North Conway, N. H.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, latitude 44°01'30" N., longitude 71°06'45" W., of White Mountain Airport, North Conway, N. H.; within 4.5 miles northeast and 6.5 miles southwest of the 128° bearing and the 308° bearing from the North Conway NDB, latitude 44°01'26" N., longitude 71°06'59" W., extending from 6 miles northwest of the NDB to 12 miles southeast of the NDB; and within 4.5 miles northeast and 9.5 miles southwest of the 128° bearing from the North Conway NDB extending 18.5 miles southeast of the NDB.

That airspace extending upward from 1,200 feet above the surface within 5 miles northeast and 8 miles southwest of a 128° bearing from the North Conway, N. H., NDB extending from the NDB to 12 miles southeast of the NDB; within 5 miles each side of a direct line extending from the Dalton, N. H., NDB, latitude 44°21'44" N., longitude 71°41'06" W., to the North Conway, N. H., NDB; within 5 miles each side of a direct line extending from the Montpelier, Vt., VOR to the North Conway, N. H., NDB; within 5 miles each side of a direct line extending from the Lebanon, N. H., VOR to the North Conway, N. H., NDB and within 5 miles each side of a line bearing 115° from the North Conway, N. H., NDB extending from the NDB to the northwest boundary of the Portland, Maine, 1,200-foot transition area, excluding those portions that coincide with the Berlin, N. H., Lebanon, N. H., and Burlington, Vt., 1,200-foot transition areas.
AMENDMENTS 3/28/75 40 F. R. 1682 (Changed)

North Hilo, Hawaii
That airspace extending upward from 1,200 feet above the surface north of Hilo, Hawaii, bounded on the south by V-1 Hawaii, and on the west, north and east by a line extending from V-1 Hawaii, through latitude 20°30'00" N., longitude 155°33'30" W.; to latitude 20°45'00" N., longitude 155°43'00" W.; thence along latitude 20°45'00" N.; to longitude 155°27'00" W.; thence through latitude 20°27'22" N., longitude 155°15'00" W., to V-1 Hawaii.

North Philadelphia, Pa.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center, 40° 04'49" N., 75°00'45" W., of North Philadelphia Airport, Philadelphia, Pa., extending clockwise from a 058° bearing to a 227° bearing from the airport; within an 11-mile radius of the center of the airport, extending clockwise from a 227° bearing to a 277° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 277° bearing to a 058° bearing from the airport; within 3.5 miles each side of the North Philadelphia VOR 045° radial, extending from the VOR to 10 miles northeast of the VOR; within an 8.5-mile radius of the center, 40°16'39" N., 74°48'49" W., of Mercer County Airport, Trenton, N. J., extending clockwise from a 055° bearing to a 245° bearing from the airport; within a 10-mile radius of the center of the airport extending clockwise from a 245° bearing to a 055° bearing from the airport; within 5 miles each side of the Yardley VORTAC 251° radial, extending from the VORTAC to 5 miles west of the VORTAC; within 3.5 miles each side of the Yardley VORTAC 070° radial, extending from Yardley VORTAC to 16 miles east of the VORTAC; within a 5-mile radius of the center 40°08'15" N., 75°16'00" W., of Wings Field, Philadelphia, Pa., extending clockwise from a 118° bearing to a 181° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 181° bearing to a 305° bearing from the airport; within a 5.5-mile radius of the center of the airport, extending clockwise from a 305° bearing to a 118° bearing from the airport; within 4.5 miles northwest 6.5 miles southeast of a 052° bearing and a 232° bearing from a point 40°05'06" N., 75°21'24" W., extending from 5.5 miles northeast to 11.5 miles southwest of said point; within 5 miles each side of a 254° bearing from a point 40°05'06" N., 75°21'24" W., extending from said point to 6.5 miles west of said point; within 5 miles each side of a 231° bearing from the Ambler, Pa., RBN 40°07'33" N., 75°17'08" W., extending from the RBN to 6.5 miles southwest of the RBN; within a 9-mile radius of the center, 40°12'00" N., 75°08'55" W., of Willow Grove NAS, Willow Grove, Pa.; within 5 miles each side of the Willow Grove TACAN 136° radial, extending from the 9-mile radius area to 11.5 miles southeast of the TACAN; within 5 miles each side of the Willow Grove TACAN 325° radial, extending from the 9-mile radius area to 13.5 miles northwest of the TACAN; within an 8.5-mile radius of the center, 40°12'15" N., 75°04'30" W., of Warminster NAF, Warminster, Pa., extending clockwise from a 025° bearing to a 254° bearing from the airport; within a 9-mile radius of the center of the airport, extending clockwise from a 254° bearing to a 025° bearing from the airport; within 4 miles each side of a 262° bearing from the Willow Grove RBN, extending from the RBN to 8.5 miles west of the RBN; within 1.5 miles each side of the Yardley VORTAC 244° radial, extending from the 8.5-mile radius area centered on Warminster NAF to the VORTAC; within 5 miles each side of the Warminster TACAN 259° radial, extending from the TACAN to 9.5 miles west of the TACAN; within 4.5 miles each side of the Warminster TACAN 083° radial, extending from the TACAN to 9 miles east of the TACAN; within a 5-mile radius of the center, 40°13'15" N., 75°12'45" W. of Turner Field, Prospectville, Pa.; within 8 miles southwest and 3.5 miles northeast of the North Philadelphia VOR 312° radial, extending from 20 miles northwest of the VOR to 31.5 miles northwest of the VOR; within 5 miles each side of the North Philadelphia VOR 312° radial, extending from 20 miles northwest of the VOR to 26 miles northwest of the VOR; within 2.5 miles each side of the North Philadelphia VOR 312° radial extending from 18 miles northwest of the VOR to 20 miles northwest of the VOR; within a 5-mile radius of the center, 40°11'18" N., 74°53'54" W. of Buehl Field, Langhorne, Pa., extending clockwise from a 032° bearing to a 254° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 254° bearing to a 320° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 320° bearing to a 032° bearing from the airport; within 2 miles each side of the North Philadelphia VOR 038° radial, extending from the 5-mile radius to the North Philadelphia VOR.

North Platte, Nebr.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Lee Bird Field (latitude 41°07'42" N., longitude 100°41'47" W.); and within 2 miles each side of the North Platte VOR 209° radial, extending from the 10-mile radius area to 8 miles southwest of the VOR; and within 5 miles each side of the 301° bearing from Lee Bird Field, extending from the 10-mile radius area to 11.5 miles northwest of the airport.

AMENDMENTS 8/14/75 40 F. R. 25673 (Rewritten)
AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

North Vernon, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the North Vernon Municipal Airport (latitude 39°02'30" N., longitude 85°36'45" W.) and within 3.5 miles either side of a 220° bearing from the airport extending from the 5-mile radius area to 7.5 miles SW of the airport.

Northway, Alaska
That airspace extending upward from 700 feet above the surface within 5 miles NE and 8 miles SW of the 307° and 127° bearings from the Nabesna, Alaska, RBN, extending from 8 miles SE to 12 miles NW of the RBN; and that airspace extending upward from 1,200 feet above the surface within 16 miles NE and 25 miles SW of the 307° and 127° bearings from the Nabesna RBN, extending from 22 miles SE to 42 miles NW of the RBN.

Norwich, N. Y.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of the center, 42°34' 00" N., 75°31'30" W., of Warren Eaton Airport, Norwich, N. Y.; within a 12.5-mile radius of the center of the airport, extending clockwise from a 071° bearing to a 103° bearing from the airport; within a 13.5-mile radius of the center of the airport, extending clockwise from a 235° bearing to a 351° bearing from the airport.

Oakdale, Calif.
That airspace extending upward from 700 feet above the surface within a 3-mile radius of Oakdale Airport (latitude 37°45'23" N., longitude 120°48'01" W.) and within 2.5 miles each side of the Stockton VORTAC 104° radial, extending from the 3-mile radius area to 16 miles E of the VORTAC.

Oak Grove, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Oak Grove NOLF (Navy), N. C. (lat. 35°01'15" N., long. 77°15'12" W.), excluding the portion within New Bern, N. C., transition area. This transition area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 5/22/75 39 F. R. 44003 (Added)

Oakland, Md.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center lat. 39° 34'08" N., long. 79°20'25" W. of Garrett County Airport, Oakland, Md., and within 2 miles each side of the Grantsville VORTAC 256° radial, extending from the 6-mile radius area to 9 miles west of the VORTAC.

Ocala, Fla.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Ocala Municipal (Jim Taylor Field) Airport (lat. 29°10'18" N., long. 82°13'26" W.).

Ocean City, Md.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, lat. 38°18'35" N., long. 75°07'08" W. of Ocean City Airport, Ocean City, Md.; within 2.5 miles each side of the Snow Hill, Md., VORTAC 047° radial, extending from the 5-mile radius area to 18.5 miles northeast of the VORTAC and within 2.5 miles each side of the Salisbury, Md., VORTAC 097° radial, extending from the 5-mile radius area to 15.5 miles east of the VORTAC, excluding the portion outside the United States.

Oceanside, Calif.
That airspace extending upward from 700 feet above the surface between the Oceanside VORTAC 316° and 136° radials and a line 8 miles northeast of and parallel to the Oceanside VORTAC 316° and 136° radials, extending from latitude 33°15'00" N., to 5 miles northwest of the VORTAC.

Oelwein, Iowa
That airspace extending upward from 700 feet above the surface within a 6-statute mile radius of the Oelwein Municipal Airport (latitude 42°41'04" N., longitude 91°58'42" W.); and within 3.5 statute miles each side of the 303° bearing from the airport reference point extending from the 6-mile radius to 11.5 miles northwest of the airport.

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Ogallala, Nebr.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Searle Airport (latitude 41°07'00" N., longitude 101°46'00" W.); and that airspace within the state of Colorado extending upward from 1,200 feet above the surface within 9.5 miles south and 4.5 miles north of the 252° bearing from the airport extending to 18.5 miles west.

AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)
AMENDMENTS 10/9/75 40 F. R. 43020 (Rewritten)

Ogden, Utah
That airspace extending upward from 700 feet above the surface bounded on the north by latitude 41°27'00" N., on the east by longitude 111°55'00" W., on the south by latitude 41°00'00" N., and on the west by longitude 112°22'00" W., within 4.5 miles southwest and 9.5 miles northeast of the Ogden VORTAC 316° radial extending from the VORTAC to 18.5 miles northwest of the VORTAC;
that airspace extending upward from 1,200 feet above the surface bounded on the E by longitude 111°50'00" W., on the S by latitude 41°00'00" N., on the W by longitude 112°45'00" W., and on the N by the N boundary of V-288, that airspace W of Ogden bounded on the S and W by the Wendover, Utah, transition area, on the N by V-6 and on the E by longitude 112°45'00" W., that airspace W of Ogden bounded on E by longitude 112°45'00" W., on the S by V-6 and on the N by V-288, that airspace NW of Ogden within 10 miles SW and 6 miles NE of the Ogden VORTAC 316° radial, extending from the N boundary of V-288 to 63 miles NW of the VORTAC, that airspace N of Ogden within 10 miles W and 7 miles E of the Ogden VORTAC 345° radial, extending from the N boundary of V-288 to 42 miles N of the VORTAC; that airspace E of Ogden extending upward from 10,500 feet m.s.l. bounded on the N by V-288 on the S by V-6 and on the W by longitude 111°50'00" W., and that airspace bounded on the N by V-6, on the SE by V-32, on the S by latitude 41°00'00" N., and on the W by longitude 111°50'00" W.

Ogdensburg, N.Y.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 44°40'52" N., 75°28'05" W. of Ogdensburg International Airport, Ogdensburg, N. Y., excluding the portion over Canada: within 2 miles each side of a 077° bearing from the Ogdensburg radio beacon extending from the 5-mile radius to 8 miles east of the radio beacon.
That airspace extending upward from 1,200 feet above the surface beginning at 44°16'00" N., 75°30'00" W. to 44°16'00" N., 76°10'00" W., thence NE along the U.S./Canadian border to 44°56'00" N., 75°05'00" W. to 44°42'00" N., 75°05'00" W., 44°42'00" N., 74°54'00" W.; to 44°36'00" N., 75°00'00" W.; to point of beginning.

Ohio
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Ohio.

Oklahoma
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Oklahoma, excluding the portion within R-5601A.

Oklahoma City, Okla.
That airspace west of longitude 97°10'00" W. extending upward from 700 feet above the surface within a 23-mile radius of latitude 35°24'25" N., longitude 97°23'50" W.; within 10 miles west and 5 miles east of the Will Rogers World Airport, runway 35R ILS south course, extending from the LOM to 18.5 miles south of the LOM; and within a 5-mile radius of the Cimarron, Okla., Municipal Airport (latitude 35°29'15" N., longitude 95°40'00" W.).

Okmulgee, Okla.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Okmulgee, Okla., Airport (latitude 35°39'45" N., longitude 95°56'45" W.); and within 8 miles S and 5 miles N of the Okmulgee VOR 068° Radial extending from the VOR to 12 miles E.

Olean, N. Y.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, lat. 42°14'20" N., long. 78°22'30" W. of Olean Municipal Airport and within 3.5 miles each side of the Olean, N. Y., RBN (lat. 42°17'20" N., long. 78°20'08" W.) 028° bearing extending from the 8-mile radius area to 11.5 miles northeast of the RBN.

Olney, Ill.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Olney-Noble Airport, Olney, Ill. (latitude 38°43'20" N., longitude 88°10'25" W.); and within 2 miles each side of the 223° bearing from Olney-Noble Airport, extending from the 5-mile radius area to 8 miles SW of the airport.
PENDING AMENDMENT
Olney, Ill.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Olney-Noble Airport (latitude 38°43'20" N., longitude 88°10'25" W.); within 2 miles each side of the 223° bearing from the airport, extending from the 5-mile radius area to 8 miles southwest of the airport, and within 2 miles each side of the 344° radial of Sumsville VORTAC, extending from the 5-mile radius area to 5.5 miles southeast of the airport.

AMENDMENTS 1/29/76 40 F. R. 53231 (Rewritten)

Omaha, Nebr.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Eppley Field (latitude 41°18'00" N., longitude 95°53'35" W.); within 2 miles each side of the Eppley Field ILS localizer southeast course, extending from the 10-mile radius area to 15 miles southeast of the airport; and within 5 miles northeast and 8 miles southwest of the Eppley Field ILS localizer northwest course, extending from the 10-mile radius area to 12 miles northwest of the OM; within a 10-mile radius of Offutt AFB (latitude 41°07'20" N., longitude 95°54'35" W.); within 8 miles northeast and 8 miles southwest of the Offutt AFB VOR 310° and 130° radials, extending from the 10-mile radius area to 12 miles southeast of the VOR; and within 2 miles each side of the Offutt AFB TACAN 307° radial, extending from the 10-mile radius area to 8 miles northwest of the TACAN; within a 5-mile radius of Council Bluffs, Iowa, Municipal Airport (latitude 41°15'35" N., longitude 95°45'40" W.); and within 2 miles each side of the Omaha VORTAC 341° radial, extending from the 5-mile radius area to the VORTAC.

Omak, Wash.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Omak Airport (latitude 48°27'50" N., longitude 119°31'00" W.), within 2 miles each side of the 177° bearing from the Omak radio beacon (latitude 48°27'13" N., longitude 119°30'56" W.), extending from the 5-mile radius area to 8 miles S of the radio beacon; and that airspace extending upward from 1,200 feet above the surface, within 7 miles E and 10 miles W of the 177° and 357° bearings from the Omak radio beacon, extending from 8 miles N to 20 miles S of the radio beacon.

Oneida, Tenn.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Scott Municipal Airport (lat. 36°27'23" N., long. 84°35'10" W.);
within 3 miles each side of the 055° bearing from Scott RBN (lat. 36°27'26" N., long. 84°35'11" W.), extending from the 5.5-mile radius area to 8.5 miles northeast of the RBN.

AMENDMENTS 6/14/75 40 F. R. 24355 (Changed)

O'Neill, Nebr.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of O'Neill Municipal Airport (latitude 42°28'10" N., longitude 98°41'15" W.); and within 3½ miles each side of the O'Neill VORTAC 315° radial, extending from the 5½-mile radius area to 12 miles northwest of the VORTAC.

Oneonta, N. Y.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center (42° 31'25" N., 75°04'00" W.) of Oneonta Municipal Airport, Oneonta, N. Y., and within 2 miles each side of the Rockdale, N. Y., VORTAC 047° radial extending from the 7-mile radius area to the VORTAC.

Ontario, Oreg.
That airspace extending upward from 700 feet above the surface within 4.5 miles west and 9.5 miles east of the 168° and 348° bearings from the Ontario, Oreg., RBN, extending from 18.5 miles south to 8 miles north of the RBN.

Ontonagon, Mich.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Ontonagon County Airport (latitude 46°50'47" N., longitude 89°21'20" W.); and within 3 miles each side of a 042° bearing from Ontonagon County Airport, extending from the 6-mile radius area to 7.5 miles northeast of the airport; and that airspace extending upward from 1,200 feet above the surface within 4½ miles northeast and 9½ miles southeast of the 042° bearing from Ontonagon County Airport, extending from the airport to 18½ miles northeast of the airport.

Opelousas, La.
That airsapce extending upward from 700 feet above the surface within a 5-mile radius of St. Landry Parish Airport (latitude 30°33'30" N., longitude 92°06'00" W.), and within 2.5 miles each side of the Lafayette VORTAC 347° radial extending from the 5-mile radius area to 22.5 miles north of the VORTAC.

PENDING AMENDMENT
Orange, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Orange County Airport (latitude 30°04'10" N., longitude 93°48'05" W.) and within 3 miles each side of the 042° bearing from the proposed MHB (latitude 30°04'35" N., longitude 93°47'35" W.) extending from the 5-mile radius area to 2.5 miles northeast.

AMENDMENTS 1/29/76 40 F. R. 53996 (Added)

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Orangeburg, S. C.
That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of Orangeburg Airport (latitude 33°27'40" N., longitude 80°51'30" W.); within 3 miles each side of the 226° bearing from Orangeburg RBN (latitude 33°26'23" N., longitude 80°52'41" W.), extending from the 7.5-mile radius area to 8.5 miles southwest of the RBN; within 3 miles each side of Edisto VOR/DME (latitude 33°27'25" N., longitude 80°51'34" W.) 230° radial, extending from the 7.5-mile radius area to 8.5 miles southwest of the VOR/DME.

AMENDMENTS 12/4/75 40 F.R. 43486 (Changed)

Orange Grove, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Orange Grove NALF (latitude 27°54'03" N., longitude 98°03'05" W.), within 2.5 miles each side of the NAS Kingsville TACAN 332° radial extending from the 5-mile area to 21 miles northwest of the NAS Kingsville TACAN and within 5 miles each side of the NAS Kingsville TACAN 31-mile arc extending from the 5-mile radius area to the NAS Kingsville TACAN 320° radial excluding that portion that lies within the Alice, Tex., control zone.

Orlando, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Herndon Airport (lat. 28°32'40" N., long. 81°19'55" W.); within an 8.5-mile radius of Orlando Jetport at McCoy (lat. 28° 25'55" N., long. 81° 19'15" W.); within 3 miles each side of Orlando VORTAC 178° radial, extending from the 8.5-mile radius area to 23 miles south of the VORTAC; within 3 miles each side of McCoy ILS localizer south course, extending from the 8.5-mile radius area to 9.5 miles south of the OM; within a 6.5-mile radius of Kissimmee Municipal Airport (lat. 28°17'30" N., long. 81°26'15" W.); within 3 miles each side of the 165° and 322° bearings from Kissimmee RBN (lat. 28°17'21" N., long. 81°26'05" W.), extending from the 6.5-mile radius area to 8.5 miles south and northwest of the RBN.

AMENDMENTS 4/29/75 40 F. R. 20069 (Changed)
PENDING AMENDMENT
The Orlando, Fla., transition area is amended as follows: "165° and 322° bearings" is deleted and "322° bearing" is substituted therefor, and "south and" is deleted.

AMENDMENTS 1/29/76 40 F. R. 49567 (Changed)

Orr, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Orr Municipal Airport (latitude 48°01'00" N., longitude 92°51'21" W.); within 3 miles each side of the 324° bearing from the Orr Municipal Airport, extending from the 5-mile radius to 8 miles northwest of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles east and 9½ miles west of the 324° bearing of the Orr Municipal Airport extending from the airport to 18½ miles northwest; within 5 miles each side of the 144° bearing of the Municipal Airport extending from the airport to 12 miles southeast of the airport.

Osceola, Wis.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Osceola Municipal Airport (latitude 45°18'40" N., longitude 92°41'30" W.); and within 3 miles each side of the 114° bearing from Osceola Municipal Airport, extending from the 6½-mile radius to 8 miles southeast of the airport.

Oscoda, Mich.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Wurtsmith AFB (latitude 44°27'00" N., longitude 83°24'00" W.); within 2 miles each side of the Wurtsmith AFB TACAN 232° radial extending from the 7-mile radius area to 14 miles SW of the TACAN; and within 2 miles each side of the Wurtsmith AFB TACAN 064° radial extending from the 7-mile radius area to 14 miles NE of the TACAN.

Oshkosh, Nebr.
That airspace extending upward from 700 feet above the surface within a 9½-mile radius of Oshkosh Municipal Airport (latitude 41°22'55" N., longitude 102°21'12" W.).

AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

Oshkosh, Wis.
That airspace extending upward from 700 feet above the surface within an area bounded by a line beginning at latitude 44°24'00" N., longitude 88°45'00" W., to latitude 44°24'00" N., longitude 88°27'00" W., to latitude 44°19'00" N., longitude 88°19'00" W., to latitude 43°33'00" N., longitude 88°19'00" W., to latitude 43°33'00" N., longitude 88°53'00" W., to latitude 43°52'00" N., longitude 88°53'00" W., to point of beginning.

AMENDMENTS 8/4/75 40 F. R. 32741 (Rewritten)
AMENDMENTS 9/15/75 40 F. R. 36108 (Rewritten)

Oswego, N. Y.
That airspace extending upward from 1,200 feet above the surface beginning at latitude 43°24'00" N., longitude 76°45'00" W., to latitude 43°24'00" N., longitude 77°50'00" W.; to latitude 43°20'00" N., longitude 77°50'00" W.; to latitude 43°20'00" N., longitude 78°00'00" W.; thence north along longitude 78°00'00" W., to the U. S./Canadian border, thence east along the U. S./Canadian border to longitude 75°00'00" W.; thence to latitude 43° 32'00" N., longitude 76°23'00" W.; to latitude 43°24'00" N., longitude 76°40'00" W.; to point of beginning.

AMENDMENTS 5/22/75 40 F. R. 17006 (Rewritten)

Ottawa, Ohio
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Putnam County Airport (latitude 41°02'05" N., longitude 83°59'01" W.); within 3 miles each side of the 090° bearing from the airport extending from the 5-mile radius area to 8.5 miles east of the airport.

AMENDMENTS 7/24/75 40 F. R. 26021 (Added)

Ottumwa, Iowa
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Ottumwa Industrial Airport (latitude 41°06'20" N., longitude 92°26'50" W.) and within 2 miles each side of the Ottumwa VORTAC 309° radial extending from the 6-mile radius area to 13 miles northwest of the airport.

Owensboro, Ky.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Owensboro-Daviess County Airport (lat. 37°44'31" N., long. 87°09'57" W.).

Oxford, Conn.
That airspace extending upward from 700 feet above the surface within a 7-mile radius area of the center of lat. 41°28'45" N., long. 73°08'10" W. of Waterbury-Oxford Airport, Oxford, Conn., and within 4 miles each side of the Oxford, Conn., RBN (lat. 41°31'45" N., long. 73°08'36" W.) 354° bearing extending from the 7-mile radius area to 10 miles north of the RBN.

Oxford, Miss.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the University-Oxford Airport (latitude 34°23'05" N., longitude 89°32'10" W.); within 3 miles each side of the 280 bearing from Oxford RBN (latitude 34°23'00" N., longitude 89°32'30" W.), extending from the 5-mile radius area to 8.5 miles west of the RBN.

Oxford, N. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Oxford-Henderson Airport (lat. 36°21'50" N., long. 78°31'42" W.); within 3 miles each side of the 244° bearing from Huntsboro RBN (lat. 36°21'52" N., long. 78°31'29" W.), extending from the 6.5-mile radius area to 8.5 miles southwest of the RBN.

AMENDMENTS 10/9/75 40 F. R. 33435 (Added)

Oxford, Ohio
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center (39°30'10" N., 84°47'15" W.) of Miami University Airport, Oxford, Ohio, and within 2 miles each side of the Oxford, Ohio, RBN (39°30'27" N., 84°48'50" W.) 225° bearing extending from the 5-mile radius area to 11 miles southwest of the RBN.

Oxnard, Calif.
That airspace extending upward from 700 feet above the surface beginning at lat. 34°01'50" N., long. 119°03' 00" W., to lat. 34°02'30" N., long. 118°53'30" W., to lat. 34°19'30" N., long. 118°53'00" W., to lat. 34°19' 30" N., long. 119°29'50" W., thence 3 nautical miles from and parallel to the shoreline to lat. 34°14'50" N., long. 119°22'00" W., to lat. 34°14'45" N., long. 119°23'30" W., to lat. 34°06'55" N., long. 119°22'30" W., to lat. 34°07'45" N., long. 119°15'00" W., thence via a 7-mile radius of the Point Mugu RBN to point of beginning; that airspace extending upward from 1,200 feet above the surface bounded on the east by long. 118°50'00" W., on the south by lat. 34°00'00" N., on the west by long 120°00'00" W., and on the north by a line extending from lat. 34°20'00" N., long. 120°00'00" W.; to lat. 34°20'00" N., long. 119°30'00" W.; to lat. 34°30'00" N., long. 119°30'00" W.; to lat. 34°30'00" N., long. 118°50'00" W.; within the arc of a 34-mile radius circle centered on the Point Mugu TACAN, extending clockwise from the 165° radial to the 255° radial, and within 14 miles southeast and 9 miles northwest of the Point Mugu TACAN 220° radial, extending from the 34-mile radius area to 49 miles southeast of the TACAN, excluding the portion within W-412; and that airspace extending upward from 5,000 feet MSL bounded on the north by latitude 34°15'00" N., on the east by longitude 120°00'00" W., on the south by latitude 34°00'00" N., and on the west by longitude 120°30'00" W., excluding the portion within the Santa Barbara, Calif., transition area.

AMENDMENTS 6/14/75 40 F. R. 27440 (Changed)

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Ozark, Ark.
That airspace extending upward from 700 feet above the surface within a 9-statute mile radius of Ozark-Franklin County Airport, Ozark, Ark., latitude 35°30'36" N., longitude 93°50'23" W.

AMENDMENTS 6/19/75 40 F. R. 14298 (Added)

Ozark, Missouri
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Air Park South Airport (latitude 37°03'35" N., longitude 93°14'08" W.); within 2.75 miles either side of the Springfield, Missouri, VORTAC 166° T radial, extending from the 5-mile radius to 4.5 miles north, excluding that portion which overlies the Springfield, Missouri, control zone and 700-foot transition area.

AMENDMENTS 2/27/75 40 F. R. 2422 (Added) Corr: 40 F. R. 12649

Paducah, Ky.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Barkley Field (lat. 37°03'45" N., long. 88°46'23" W.); within 5 miles each side of Cunningham VORTAC 225° radial, extending from the 10-mile radius area to 11.5 miles southwest of the VORTAC; within a 5.5-mile radius of Metropolis Airport, Metropolis, Ill. (latitude 37°11'09" N., longitude 88°45'02" W.); within 3 miles each side of the 353° bearing from Metropolis RBN (latitude 37°11'03" N., longitude 88°44'54" W.), extending from the 5.5-mile radius area to 8.5 miles north of the RBN.

AMENDMENTS 12/4/75 40 F. R. 43485 (Changed)

Pahokee, Fla.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Palm Beach County Glades Airport (lat. 26°47'15" N., long. 80°41'45" W.); within 3 miles each side of Pahokee VORTAC 342° radial, extending from the 5-mile radius area to 9.5 miles north of the VORTAC.

Palacios, Tex.
That airspace extending upward from 700 feet above the surface within 2 miles each side of the Palacios VORTAC 308° radial extending from the VORTAC to 8 miles northwest of the VORTAC.

AMENDMENTS 3/31/75 40 F. R. 17249 (Rewritten)

Palestine, Tex.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Palestine Municipal Airport (latitude 31°47'00" N., longitude 95°42'10" W.) and within 3 miles each side of the 193° bearing from the Palestine RBN (latitude 31°46'48" N., longitude 95°42'08" W.) extending from the 8.5-mile radius to 8.5 miles south of the RBN.

AMENDMENTS 12/4/75 40 F. R. 43486 (Rewritten)

Palm Beach, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Palm Beach International Airport (lat. 26°41'05" N., long. 80°05'35" W.); within a 6.5-mile radius of Palm Beach County Park Airport (lat. 26°35'15" N., long. 80°05'15" W.); excluding the portion outside the continental limits of the United States.

Palmdale, Calif.
That airspace extending upward from 700 feet above the surface within 2 miles S and 7 miles N of the Palmdale VORTAC 298° radial extending from the VORTAC to 18 miles NW; within 6 miles S and 12 miles N of the Palmdale VORTAC 298° and 118° radials extending from 11 miles NW to 13 miles SE of the VORTAC; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 35°36'30" N., longitude 118°45'00" W., to latitude 35°44'00" N., longitude 117°53'00" W., to latitude 36°07'00" N., longitude 117°53'00" W., to latitude 36°07'00" N., longitude 117°35'00" W., to latitude 35°36'00" N., longitude 117°26'00" W., to latitude 35°25'00" N., longitude 117°26'00" W., to latitude 35°25'00" N., longitude 117°16'52" W., to latitude 35°15'56" N., longitude 117°16'52" W., to latitude 35°15'56" N., longitude 117°06'30" W., to latitude 35°34'30" N., longitude 116°29'40" W., to latitude 35°34'30" N., longitude 116°23'30" W., to latitude 35°28'35" N., longitude 116°18'45" W., to latitude 35°21'30" N., longitude 116°13'00" W., to latitude 34°43'00" N., longitude 116°13'00" W., thence W along latitude 34°43'00" N., to the SE boundary of V-21, thence along the SE boundary of V-21 to latitude 34°30'00" N., thence W along latitude 34°30'00" N., to longitude 118°20'00" W., thence N along longitude 118°20'00" W., to the S boundary of V-137, thence W along the S boundary of V-137 to longitude 118°45'00" W., thence to point of beginning.

Palmer, Mass.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 42° 13'25" N., 72°18'45" W., of Metropolitan Airport, Palmer, Mass.; within 2 miles each side of the runway 4 centerline extended from the 5-mile radius area to 9 miles northeast of the end of the runway; within 2 miles each side of the runway 22 centerline extended from the 5-mile radius area to 9 miles southwest of the end of the runway, and within 2 miles each side of the 202° bearing from the Palmer, Mass., RBN, 42°13'26" N., 72° 18'47" W., extending from the 5-mile radius area to 8 miles south of the RBN, excluding the portion which coincides with the Chicopee Falls, Mass., transition area.

Palm Springs, Calif.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Palm Springs Airport (latitude 33°49'36" N., longitude 116°30'18" W.), within 2 miles NE and 5 miles SW of the Palm Springs VOR 120° and 300° radials, extending from 3 miles NW to 8.5 miles SE of the VOR, and within 3 miles E of the 104° bearing from the Palm Springs Airport, extending from the 5-mile radius area to 10 miles E of the airport.

Pampa, Tx.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Perry Le Fors Airport (latitude 35°36'25" N., longitude 100°59'55" W.), and within 3½ miles each side of the 001° bearing from the Pampa RBN (latitude 35°36'40" N., longitude 100°59'45" W.), extending from the 7-mile radius area to 11.5 miles north of the RBN.

Panama City, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Panama City-Bay County Airport (latitude 30°12'41" N., longitude 85°40'57" W.); within an 8.5-mile radius of Tyndall AFB (latitude 30°04'15" N., longitude 85°34'30" W.); within 3 miles each side of the Panama City VOR 059° and 310° radials, extending from the 8.5-mile radius area to 8.5 miles northeast and northwest of the VOR; excluding the airspace outside of the continental limits of the United States.

Paragould, Ark.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Paragould Municipal Airport (latitude 36°03'52" N., longitude 90°30'45" W.), and within 2 miles each side of the 235° bearing from the Paragould RBN (latitude 36°03'52" N., longitude 90°30'45" W.), extending from the 7-mile radius area to 8 miles southwest of the RBN excluding the portion within the Jonesboro, Ark., control zone.

Paris, Tenn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Henry County Airport (lat. 36°20'15" N., long. 88°23'00" W.); within 3 miles each side of the 213° and 353° bearings from Paris RBN (lat. 36°20'28" N., long. 88°22'46" W.), extending from the 5-mile radius area to 8.5 miles southwest and north of the RBN.

Paris, Tex.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Cox Field, Paris, Tex. (latitude 33°38'17" N., longitude 95°26'54" W.), and within 2 miles each side of the Paris, Tex., VOR 357° radial extending from the 6-mile radius area to the VOR.

Parker, Calif.
That airspace extending upward from 1,200 feet above the surface within 10 miles NW and 7 miles SE of the Parker VORTAC 071° and 251° radials, extending from 9 miles SW to 20 miles NE of the VORTAC.

Parkersburg, W. Va.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, lat. 39°20'44" N., long. 81°26'16" W. of Wood County (Gill Robb Wilson Field) Airport, Parkersburg, W. Va.; within 5 miles each side of the Wood County (Gill Robb Wilson Field) Airport ILS localizer south course, extending from the 9-mile radius area to 10 miles south of the OM; within 4.5 miles west and 6.5 miles east of a 200° and a 020° bearing from the Wood County (Gill Robb Wilson Field) Airport ILS localizer south course OM, extending from 5.5 miles north to 11.5 miles south of the OM; and within 5 miles each side of a 086° bearing from a point, lat. 39°09'38" N., long. 81°38'35" W., extending from said point to 5 miles east of the Wood County (Gill Robb Wilson Field) Airport ILS localizer south course.

AMENDMENTS 7/24/75 40 F. R. 23990 (Changed)

Park Rapids, Minn.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Park Rapids Municipal Airport (latitude 46°53'53" N., longitude 95°04'08" W.); within 3 miles each side of the 132° bearing from the airport extending from the 6½-mile radius area to 8 miles southeast of the airport; within 3 miles each side of the 320° bearing from the airport extending from the 6½-mile radius area to 8 miles northwest of the airport; and that airspace extending upward from 1,200 feet above the surface within 4½ miles southwest and 9½ miles northeast of the 132° bearing from the airport extending from the airport to 18½ miles southeast; within 4½ miles northeast and 9½ miles southwest of the 320° bearing from the airport extending from the airport to 18½ miles northwest.
AMENDMENTS 10/9/75 40 F. R. 28076 (Rewritten)

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Parsons, Kans.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Tri-City Airport (latitude 37°19'52" N., longitude 95°30'32" W.); and within 3 miles each side of the 173° bearing from the Parsons RBN extending from the 6.5-mile radius to 8.5 miles south of the RBN, and within 3 miles each side of the 008° bearing from the Parsons RBN extending from the 6.5-mile radius to 8.5 miles north of the RBN.

AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)

Pascagoula, Miss.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Jackson County Airport (latitude 30°22'43" N., longitude 88°29'37" W.); within 3 miles each side of the 060° bearing from Pascagoula RBN (latitude 30°22'53" N., longitude 88°29'33" W.), extending from the 6.5-mile radius area to 8.5 miles northeast of the RBN.

Pasco, Wash.
That airspace extending upward from 700 feet above the surface within 10.5 miles northwest and 6 miles southeast of the Pasco VOR 046° and 226° radials extending from 23 miles northeast to 12 miles southwest of the VOR within 9.5 miles northeast and 5 miles southwest of the Pasco VOR 131° radial extending from the VOR to 18.5 miles southeast of the VOR.
That airspace extending upward from 1,200 feet above the surface, southwest of Pasco, Wash., bounded on the north by the south edge of V-298, on the east by the west edge of V-112W and on the southwest by the northeast edge of V-4; within 3 miles north and 7.5 miles south of the Pasco VOR 288° radial extending from 8 miles west of the VOR to 18 miles west of the VOR.

Paso Robles, Calif.
That airspace extending upward from 700 feet above the surface within 2 miles each side of the Paso Robles VORTAC 332° and 342° radials, extending from the arc of a 5-mile radius circle centered on the Paso Robles County Airport (latitude 35°40'15" N., longitude 120°37'35" W.) to 10 miles NW of the VOR, and within 2 miles each side of the Paso Robles VORTAC 149° radial, extending from the arc of a 5-mile radius circle centered on the Paso Robles County Airport to 8 miles SE of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 12 miles NE and 7 miles SW of the Paso Robles VORTAC 149° and 329° radials, extending from 20 miles SE to 9 miles NW of the VORTAC, and within 12 miles NE and 7 miles SW of the 142° and 322° radials, extending from 9 miles SE to 24 miles NW of the VORTAC.

Patterson, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Harry P. Williams Memorial Airport (latitude 29°42'40" N., longitude 91°20'18" W.), within 2.5 miles each side of the Tibby VORTAC 276° radial extending from the 5-mile radius area to 24 miles west of the VORTAC, and within 3.5 miles each side of the 228° bearing from the Patterson RBN (latitude 29°42'32" N., longitude 91°20'14" W.) extending from the 5-mile radius area to 11.5 miles southwest of the RBN.

Patuxent River, Md. NAS
That airspace extending upward from 700 feet above the surface within a 14-mile radius of the NAS Patuxent River VOR, excluding the portion NW of a line extending from latitude 38°15'00" N., longitude 76°39'20" W., to latitude 38°26'20" N., longitude 76°14'00" W.

Peach Springs, Ariz.
That airspace extending upward from 1,200 feet above the surface within 10 miles N and 7 miles S of the Peach Springs VORTAC 074° and 254° radials, extending from 9 miles W to 20 miles E of the VORTAC. That airspace extending upward from 9,000 feet MSL bounded on the north by a line 5 miles north of and parallel to a direct line between the Grand Canyon, Ariz., VOR and the Boulder City, Nev., VORTAC, on the south by the north edge of V-210 and on the southwest by the northeast edge of V-105E.

Pearsall, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of McKinley Field Airport (latitude 28°49'00" N., longitude 99°07'00" W.) and within 2.5 miles either side of the Cotulla, Tex., VORTAC 001° radial extending from the 5-mile radius area to 18.5 miles north of the VORTAC.

Pecos, Tex.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Pecos, Tex., Municipal Airport (latitude 31°23'45" N., longitude 103°30'50" W.); and within 2 miles each side of the Pecos VOR 146° radial, extending from the 6-mile radius area to the VOR.

Peebles, OH.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of General Electric Airport (latitude 33°55'25" N., longitude 83°19'40" W.).

Pekin, Ill.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Pekin Municipal Airport (latitude 40°29'25" N., longitude 89°40'20" W.), and within a 5-mile radius of the Waddell Airport (latitude 40°29'28" N., longitude 89°46'38" W.); excluding the portion which overlies the Peoria, Illinois, transition area.
PENDING AMENDMENT
Pekin, Ill., transition area is revoked. AMENDMENTS 1/29/76 40 F. R. 53232 (Revoked)

Pella, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Pella Municipal Airport (lat. 41°24'10" N., long. 92°56'40" W.); and within 3 miles each side of the 176° bearing from the Pella Municipal Airport extending from the 5-mile radius to 8 miles south of the airport.

Pellston, Mich.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of Emmet County Airport (lat. 45°34'00" N., long. 84°47'45" W.) and within a 6-mile radius of the Cheboygan Municipal Airport (lat. 45°39'15" N., long. 84°31'08" W.); within 5 miles each side of the Pellston VORTAC 238° radial, extending from the 11-mile radius area to 22 miles southwest of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 19-mile radius of the Pellston VORTAC north of parallel 45°45' excluding the portion overlying the Sault Ste. Marie, Mich., transition area.

Pendleton, Oreg.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of latitude 45°41'30" N., longitude 118°47'24" W.; within 4.5 miles each side of the Pendleton VORTAC 254° radial extending from the 12-mile radius area to 12.5 miles west of the VORTAC; within 4.5 miles north and 1 mile south of the Pendleton 273° radial extending from the 12-mile radius area to 8 miles west of the VORTAC; and within 9.5 miles north and 5 miles south of the Pendleton 090° bearing from the Pendleton ILS OM (latitude 45°41'45" N., longitude 118°43'46" W.), extending from the 12-mile radius area to 18.5 miles east of the OM; that airspace extending upward from 1,200 feet above the surface within 11 miles NE and 7 miles SW of the Pendleton VORTAC 137° radial extending from the 12-mile radius area to 50 miles SE of the VORTAC, within 10 miles S and 7 miles N of the Pendleton 254° radial extending from the 12-mile radius area to 33 miles W of the VORTAC, within 9.5 miles north and 5 miles south of the Pendleton 273° radial, extending from the 12-mile radius area to 18.5 miles west of the VORTAC; within 6 miles southwest and 9 miles northeast of the Pendleton 310° radial, extending from the 12-mile radius area to 30 miles NW of the VORTAC, within 5 miles NW of the 025° radial and 5 miles SE of the 049° radial, extending from the 12-mile radius area to an arc of a 35-mile radius circle centered on the Pendleton VORTAC, that airspace within the arc of a 32-mile-radius circle centered on the Pendleton VORTAC extending clockwise from the southeast edge of V-112E to the northeast edge of V-298.

Pennington Gap, Va.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, lat. 36° 44'33" N., long. 83°01'50" W. of Lee County Airport, Pennington Gap, Va.

Pennsylvania
That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 42°40'00" N., longitude 75°30'00" W., to latitude 42°10'00" N., longitude 75°25'00" W., to latitude 42°00'00" N., longitude 75°26'00" W., to latitude 42°00'00" N., longitude 75°00'00" W., to latitude 41°31'00" N., longitude 75°07'00" W., to latitude 40°56'16" N., longitude 75°11'04" W., to latitude 40°48'00" N., longitude 75°00'00" W., to latitude 40°49'00" N., longitude 74°37'00" W., to latitude 40°38'00" N., longitude 74°49'30" W., to latitude 40°31'15" N., longitude 74°42'30" W., to latitude 40°24'20" N., longitude 74°45'40" W., to latitude 40°16'10" N., longitude 74°39'20" W., to latitude 40°00'35" N., longitude 74°54'35" W., to latitude 39°53'00" N., longitude 74°48'00" W., to latitude 39°43'00" N., longitude 74°48'00" W., to latitude 39°18'20" N., longitude 75°36'40" W., to latitude 39°25'25" N., longitude 75°46'05" W., thence northerly along the Delaware State line to the Pennsylvania State line; thence westerly and northerly along the Pennsylvania State line to the United States/Canadian Border; thence northeasterly along the United States/Canadian Border to longitude 79°19'30" W.; to latitude 42°37'00" N., longitude 79°15'00" W.; to latitude 42°32'00" N., longitude 78°52'00" W., to latitude 42°32'00" N., longitude 77°36'00" W.; to latitude 42°40'00" N., longitude 77°23'45" W.; to latitude 42°41'30" N., longitude 76°23'00" W.; to point of beginning.

AMENDMENTS 4/23/75 40 F. R. 17836 (Changed) Corr: 40 F. R. 18549

Penn Yan, N. Y.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center, 42° 38'30" N., 77°03'20" W., of Penn Yan Airport, Penn Yan, N. Y.; within 3 miles each side of a 095° bearing from the Penn Yan, N. Y., RBN 42°38'38" N., 77°03'22" W., extending from the 5.5-mile radius area to 8.5 miles east of the RBN.

AMENDMENTS 12/12/74 39 F. R. 37032 (Added)

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Pensacola, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Pensacola Regional Airport (lat. 30°28'25" N., long. 87°11'20" W.); within 3 miles each side of the ILS localizer north course, extending from the 8.5-mile radius area to 8.5 miles north of Brent LOM; within a 9-mile radius of Forrest Sherman Field (lat. 30°20'53" N., long. 87°19'04" W.); within 7 miles each side of Forrest Sherman Field Runways 6/24 and 18/36 extended centerlines, extending from the 9-mile radius area to 12 miles northeast, south and southwest of the airport; within a 6-mile radius of NAS Saufley Field (lat. 30°28'15" N., long. 87°20' 30" W.); within 9.5 miles southeast and 4.5 miles northwest of the 214° bearing from NAS Saufley UHF RBN, extending from the RBN to 18.5 miles southwest; within 9.5 miles southeast and 4.5 miles northwest of NAS Saufley VOR 234° radial, extending from the VOR to 18.5 miles southwest.

Peoria, IL.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Greater Peoria Airport (latitude 40°39'47" N., longitude 89°41'22" W.); within a 7-mile radius of the Ingersoll Airport (latitude 40°34'10" N., longitude 90°04'24" W.); within 9.5 miles south and 4.5 miles north of the Peoria VORTAC 279° radial, extending from the VORTAC to 18.5 miles west of the VORTAC; within 9.5 miles southwest and 4.5 miles northeast of the Greater Peoria Airport ILS localizer northwest course, extending from 3.5 miles northwest of the airport to 22 miles northwest of the airport; and within 6.5 miles northwest and 5 miles southeast of the Peoria VORTAC 052° radial, extending from the VORTAC to 12 miles northeast of the VORTAC.

PENDING AMENDMENT

Peoria, Ill.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 40° 54' N., longitude 89°59' W., to latitude 40°52' N., longitude 89°41' W., to latitude 40°42' N., longitude 89° 31' W., to latitude 40°23' N., longitude 89°34' W., to latitude 40°26' N., longitude 90°07' W., to latitude 40° 34' N., longitude 90°11' W., to latitude 40°47' N., longitude 90°08' W., to point of beginning.
AMENDMENTS 1/29/76 40 F. R. 53232 (Rewritten)

Perry, Fla.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Perry-Foley Airport (lat. 30°04'09" N., long. 83°34'43" W.).

Perry, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Perry Municipal Airport (latitude 41°49'35" N., longitude 94°09'30" W.); and within 2 miles each side of the 147° bearing from Perry Municipal Airport, extending from the 5-mile radius area to 8 miles southeast of the airport.

Perryton, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Perryton Airport (latitude 36° 24' 45" N., longitude 100° 45' 00" W.), and within 2 miles each side of the 101° bearing from the Perryton RBN (latitude 36° 24' 48" N., longitude 100° 44' 17" W.) extending from the 5-mile radius area to 8 miles E of the RBN.

Perryville, Mo.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Perryville, Mo., Municipal Airport (latitude 37°51'55" N., longitude 89°51'45" W.) and within 2 miles each side of the Farmington, Mo., VORTAC 057° radial extending from the 8-mile radius area to 15 miles northeast of the VORTAC.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Peru, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Peru Airport (latitude 40°47'10" N., longitude 86°08'47" W.), excluding the area which overlies the Kokomo transition area.

Petersburg, VA.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, lat. 37°11'00" N., long. 77°31'00" W. of Petersburg Municipal Airport, Petersburg, VA., and within 5 miles each side of the 226° bearing from the Petersburg RBN, lat. 37°07'48" N., long. 77°34'30" W., extending from the 8-mile radius area to 11.5 miles southwest of the RBN.

Philadelphia, Pa.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center, 39° 52'23" N., 75°14'58" W., of Philadelphia International Airport, Philadelphia, Pa.; within a 9-mile radius of the center of the airport, extending clockwise from a 136° bearing to a 256° bearing from the airport; within an 11-mile radius of the center of the airport, extending clockwise from a 256° bearing from the airport to a 058° bearing from the airport; within 6.5 miles south and 4.5 miles north of the Philadelphia International Airport Runway 9R ILS localizer course, extending from 5.5 miles east to 11.5 miles west of the OM; within 4.5 miles each side of the Modena, Pa., VORTAC 097° radial, extending from 24 miles east to 33 miles east of the VORTAC; within a 5.5-mile radius of the center, 39°47'50" N., 75°20'35" W., of Bridgeport Airport, Bridgeport, New Jersey; within 2 miles each side of the Woodstown, N. J., VORTAC 350° radial, extending from the 5.5-mile radius area to the Woodstown, N. J., VORTAC.
AMENDMENTS 3/27/75 40 F. R. 4905 (Rewritten)

Philip, S. Dak.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Philip Airport (latitude 44°02'45" N., longitude 101°35'45" W.); that airspace bounded by a line 8 miles south of and parallel to the Philip, S. Dak., VORTAC 102° radial, extending from the VORTAC to 3 miles east of the VORTAC, and within 4.5 miles north and 9.5 miles south of the Philip VORTAC 282° radial, extending from the VORTAC to 18.5 miles west of the VORTAC.

Philipsburg, Pa.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 40° 53'00" N., 78°05'15" W., of Mid-State Airport, Philipsburg, Pa., extending clockwise from a 261° bearing to a 012° bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 012° bearing to a 096° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 096° bearing to a 183° bearing from the airport; within a 9.5-mile radius of the center of the airport, extending clockwise from a 183° bearing to a 261° bearing from the airport; within 3.5 miles each side of the Philipsburg VORTAC 067° radial, extending from the VORTAC to 11.5 miles northeast of the VORTAC; within 4 miles each side of the 327° bearing from a point 40°53'00" N., 78°05'00" W., extending from said point to a point 8.5 miles northwest; within 2.5 miles each side of the Philipsburg VORTAC 330° radial, extending from the VORTAC to 6 miles northwest of the VORTAC; and within 3.5 miles each side of the Philipsburg VORTAC 301° radial, extending from the VORTAC to 11.5 miles northwest of the VORTAC.

Phillipsburg, Kans.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Phillipsburg Municipal Airport (latitude 39°44'15" N., longitude 99°19'00" W.); and within 3 miles each side of the 142° bearing from Phillipsburg Municipal Airport, extending from the 7-mile radius area to 10½ miles southeast of the airport.

AMENDMENTS 4/24/75 40 F. R. 10171 (Rewritten)
AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

Phoenix, Ariz.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 33°48'30" N., longitude 112°15'00" W., direct to latitude 33°34'45" N., longitude 111°32'15" W., thence clockwise via the arc of a 20-mile radius circle centered on Williams AFB (latitude 33°18'25" N., longitude 111°39'35" W.) to latitude 33°02'30" N., longitude 111°47'30" W., thence direct to latitude 33°16'00" N., longitude 112°31'00" W., thence via an arc of a 20-mile radius circle centered on Luke AFB (latitude 33°32'05" N., longitude 112°22'58" W.) to point of beginning; that airspace NW of Phoenix bounded by a line beginning at latitude 33°50'00" N., longitude 112°38'00" W., to latitude 33°49'00" N., longitude 112°25'00" W., thence counterclockwise via an arc of a 20-mile radius circle centered on Luke AFB to latitude 33°42'00" N., to latitude 33°44'00" N., longitude 112°45'00" W., to latitude 33°55'00" N., longitude 112°45'00" W., to point of beginning.
and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 34°10'00" N., longitude 112°39'00" W.; thence to latitude 34°10'00" N., longitude 111°30'00" W.; thence to latitude 34°00'00" N., longitude 110°52'00" W.; thence to latitude 32°33'00" N., longitude 110°52'00" W.; thence to latitude 32°33'00" N., longitude 112°00'00" W.; thence to latitude 32°51'00" N., longitude 112°30'00" W.; thence to latitude 32°51'00" N., longitude 113°00'00" W.; thence to latitude 33°19'00" N., longitude 113°00'00" W.; thence to latitude 33°19'00" N., longitude 113°10'00" W.; thence to latitude 34°00'00" N., longitude 113°10'00" W.; thence to latitude 34°00'00" N., longitude 112°52'00" W.; thence to the point of beginning. That airspace west of Phoenix extending upward from 5,500 feet MSL bounded on the north by the south edge of V-16, on the east by longitude 113°00'00" W., on the south by the north edge of V-66 and on the west by longitude 114°00'00" W., and that airspace extending upward from 7,000 feet MSL bounded on the north by latitude 34°00'00" N., on the east by longitude 113°00'00" W., on the south by the north edge of V-16 and on the west by longitude 114°00'00" W., excluding that airspace within restricted areas R-2308A, R-2308B, and R-2307.
That airspace extending upward from 9,500 feet MSL bounded on the north by the south edge of V-12, on the east by the west edge of V-327, on the south and southeast by the north and northwest boundary of the 1,200 foot portion of the transition area, and on the southwest by a line extending from latitude 34°05'00" N., longitude 112°37'00" W., to point of intersection of longitude 113°10'00" W., and the south edge of V-12.

Picayune, Miss.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Picayune Municipal Airport (latitude 30°31'20" N., longitude 89°42'25" W.); within 3.5 miles each side of Picayune VORTAC 334° radial, extending from the 5-mile radius area to 8 miles northwest of the VORTAC.

Pierre, S. Dak.
That airspace extending upward from 700 feet above the surface within an 8½-mile radius of the Pierre Municipal Airport (latitude 44°22'50" N., longitude 100°17'15" W.); within 5 miles each side of the Pierre VORTAC 087° radial extending from the 8½-mile radius area to 7 miles east of the VORTAC; within 5 miles each side of the Pierre VORTAC 265° radial extending from the 8½-mile radius area to 18½ miles west of the VORTAC; within 5 miles each side of the Pierre ILS localizer northwest course extending from the 8½-mile radius area to 17½ miles northwest of the airport; within 3½ miles each side of the Pierre ILS localizer southeast course extending from the 8½-mile radius area to 18 miles southeast of the airport; and that airspace extending upward from 1,200 feet above the surface within a 35-mile radius of the Pierre VORTAC.

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Pine Bluff, Ark.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Grider Field (latitude 34°10'35" N., longitude 91°55'55" W.), and within 5 miles each side of the Little Rock VORTAC 137° radial and the Pine Bluff VORTAC 007° and 186° radials extending from the Little Rock, Ark., transition area to 22.5 miles south of the Pine Bluff VORTAC.

Pine Mountain, Ga.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Gardens-Harris County Airport (latitude 32°50'30" N., longitude 84°52'55" W.); within 3 miles each side of the 264° bearing from Pine Mountain RBN (latitude 32°50'30" N., longitude 84°52'36" W.), extending from the 8-mile radius area to 8.5 miles west of the RBN.

PENDING AMENDMENT
The Pine Mountain, Ga., transition area is amended as follows: "Gardens-Harris County Airport" is deleted and "Callaway Gardens-Harris County Airport" is substituted therefor.

AMENDMENTS 1/29/76 40 F. R. 4909L (Changed)

Pipestone, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Pipestone Municipal Airport (lat. 43°59'15" N., long. 96°18'30" W.); and within 3 miles each side of the 198° bearing from Pipestone Municipal Airport, extending from the 5-mile radius area to 8 miles south of the airport.

Piqua, Ohio
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Piqua Airport (lat. 40°09'58" N., long. 84°18'37" W.); and within 2 miles each side of the Dayton VORTAC 023° radial extending from the 5-mile radius area to the VORTAC, and within 1.5 miles each side of the 078° bearing from the airport extending from the 5-mile radius area to 6 miles northeast, excluding that portion overlying the Sidney, Ohio, transition area.

Pitman, N. J.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center, 39° 45'15" N., 75°08'30" W. of Pitman Airport, Pitman, N. J.; and within 2 miles each side of the Woodstown, N. J., VORTAC 047° radial, extending from the 5.5-mile radius area to 1 mile northeast of the VORTAC, excluding the portion within the Philadelphia, Pa., transition area. This transition area is effective from sunrise to sunset, daily.

Pittsburg, Kansas
That airspace extending upward from 700 feet above the surface within a 6.5-statute mile radius of Atkinson Municipal Airport (latitude 37°26'48" N., longitude 94°43'50" W.); and within 3-statute miles each side of the 358° true bearing from Pittsburg, Kansas RBN (latitude 37°26'35" N., longitude 94°43'52" W.); extending from the 6.5-statute mile radius area to 8-statute miles NNW of the Pittsburg, Kansas RBN.

AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)

Pittsburgh, Pa.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of the center, lat. 40°29'37" N., long. 80°13'54" W. of Greater Pittsburgh International Airport, Pittsburgh, Pa.; within an 8.5 mile radius of the center, lat. 40°21'17" N., long. 79°55'48" W. of Allegheny County Airport, Pittsburgh, Pa., and within 3.5 miles each side of the 257° bearing from the Cecil RBN extending from the 8.5-mile radius area to 11 miles west of the RBN; and within a 7-mile radius of the center, lat. 40°21'15" N., long. 80°11'16" W. of Campbell Airport, Bridgeville, Pa.

Pittsfield, Maine
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 44° 46'05" N., 69°22'40" W. of Pittsfield Municipal Airport, Pittsfield, Maine and within 3.5 miles each side of the 350° bearing and the 170° bearing from the Burnham, Maine RBN 44°41'50" N., 69°21'30" W., extending from the 5-mile radius area to 10 miles south of the RBN.

Pittsfield, Mass.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, 42°25'36" N., 73°17'30" W., of Pittsfield Municipal Airport, Pittsfield, Mass., and within 4.5 miles northwest and 6.5 miles southeast of the 061° bearing and the 241° bearing from the Berkshire, Mass., RBN lat. 42°28'05" N., long. 73°11'38" W., extending from 5.5 miles southwest of the RBN to 11.5 miles northeast of the RBN.

Pittstown, N. J.
That airspace extending upward from 700 feet above the surface within a 7-mile radius area of the center of lat. 40°33'50" N., long. 74°58'43" W. of Sky Manor Airport, Pittstown, N. J., and within 3 miles each side of the Solberg, N. J., VORTAC 268° radial extending from the 7-mile radius area to 22 miles west of the VORTAC.

Plainview, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Hale County Airport, Plainview, Tex., (latitude 34°10'10" N., longitude 101°43'00" W.).

Platteville, Wis.
That airspace extending upward from 700 feet above the surface within an 8½ mile radius of the Platteville Municipal Airport (latitude 42°41'15" N., longitude 90°26'41" W.).

Plattsburgh, N. Y.
That airspace extending upward from 700 feet above the surface within a 13-mile radius of the center, 44°39' 05" N., 73°28'10" W., of Plattsburgh AFB, Plattsburgh, N. Y.; within 2 miles each side of the airport ILS localiser north course extending from the 13-mile radius area to 22 miles north of the Runway 17 localiser.

AMENDMENTS 9/23/75 40 F. R. 43717 (Changed)

Pleasanton, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Pleasanton Municipal Airport (latitude 28°57'00" N., longitude 98°31'20" W.) and within 3 miles each side of the 175° bearing from the Pleasanton MDB extending from the 5-mile radius to 8 miles south of the MDB.

Plymouth, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Plymouth Municipal Airport (latitude 41°22'00" N., longitude 86°18'10" W.); within 2½ miles each side of the Knox, Ind. VOR 080° radial, extending from the 5-mile radius area to 12 miles east of the VOR; and within 2½ miles each side of the Knox VOR 081° radial, extending from the 5-mile radius area to 25½ miles east of the VOR.

Plymouth, Mass.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 41°54' 35" N., 70°43'45" W., of Plymouth Municipal Airport, Plymouth, Mass., and within 2 miles each side of the Whitman, Mass., VOR 129° radial extending from the 5-mile radius area to the VOR, and within 2 miles each side of the 204° bearing from the Plymouth, Mass., RBN , 41°54'32" N., 70°44'11" W. extending from the 5-mile radius area to 8 miles southwest of the Plymouth RBN, excluding that airspace which coincides with the Boston, Mass., and Taunton, Mass., 700-foot transition areas.

Plymouth, N. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Plymouth Municipal Airport (lat. 35°48'30" N., long. 76°45'36" W.); within 3 miles each side of the 205° bearing from Plymouth RBN (lat. 35°48'23" N., long. 76°45'30" W.), extending from the 6.5-mile radius area to 8.5 miles southwest of the RBN.

AMENDMENTS 6/19/75 40 F. R. 12997 (Added)

PENDING AMENDMENT
The Plymouth, N. C., transition area is amended as follows: "(lat. 35°48'23" N., long. 76°45'30" W.)" is deleted and "(lat. 35°48'35" N., long. 76°45'47" W.)" is substituted therefor and "205°" is deleted and "188°" is substituted therefor.

AMENDMENTS 1/29/76 40 F. R. 55638 (Changed)

Pocahontas, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Pocahontas Municipal Airport (latitude 42°44'45" N., longitude 94°38'45" W.); within 3 miles each side of the 280° bearing from the Pocahontas Municipal Airport, extending from the 5-mile radius to 8 miles west of the airport; within 2 miles each side of the 116° bearing from the Pocahontas Municipal Airport; extending from the 5-mile radius to 6 miles southeast of the airport; and that airspace extending upward from 1,200 feet above the surface within a 41-mile arc of the Fort Dodge VORTAC (latitude 42°36'40" N., longitude 94°17'41" W.); starting at the 268° radial of the Fort Dodge VORTAC and extending clockwise to the 315° radial of the Fort Dodge VORTAC, excluding that portion which overlies the Fort Dodge, Iowa, Spencer, Iowa and Storm Lake, Iowa, transition areas.

Pocatello, Idaho
That airspace extending upward from 700 feet above the surface within 4.5 miles southeast and 11 miles northwest of the Pocatello VORTAC 048° radial, extending from the VORTAC to 28 miles northeast of the VORTAC; within 9.5 miles north and 4.5 miles south of the 252° radial extending from 18.5 miles west to 1.5 miles east of the VORTAC; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 43°11'30" N., longitude 112°10'00" W., thence to latitude 42°52'00" N., longitude 112°11'45" W., thence clockwise via a 23-mile radius arc centered on the Pocatello VORTAC to latitude 43°05'20" N., longitude 113°00'00" W., thence to latitude 43°20'30" N., longitude 112°45'30" W., thence to point of beginning.

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Point Barrow, Alaska
That airspace extending upward from 700 feet above the surface within 3 miles each side of the Brooerville RBN (WMT) 155° bearing, extending from the control zone to 10 miles south of the RBN; and that airspace extending upward from 1,200 feet above the surface within a 22-mile radius of latitude 71°18'00" N., longitude 156°43'00" W.

Point Lookout, Mo.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of School of the Ozarks Airport (latitude 36°37'25" N., longitude 93°13'45" W.).

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Point Reyes, Calif.
That airspace extending upward from 1,200 feet above the surface N of Point Reyes bounded on the NE and E by V-27, on the SW by V-107, and on the W by V-199; and W of Point Reyes bounded on the E by V-199; on the S by Control 1173, on the W by a line extending from latitude 38°02'35" N., longitude 123°14'25" W. to latitude 38°17'30" N., longitude 123°16'45" W., to latitude 38°25'30" N., longitude 123°23'00" W., to 38° 43'30" N., longitude 123°23'15" W., and on the N by latitude 38°43'30" N.

Ponca City, Okla.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Ponca City Municipal Airport (latitude 36°43'40" N., longitude 97°05'50" W.) within 2 miles each side of the Pioneer, Oklahoma, VORTAC 289° radial, extending from the 6-mile radius area to 8 miles NW of the VORTAC.

Ponce, P. R.
That airspace extending upward from 700 feet above the surface within a 17-mile radius of Mercedita Airport Ponce, P. R. (latitude 18°00'40" N., longitude 66°33'50" W.) north of latitude 18°00'00" N., and within an 8-mile radius of Mercedita Airport south of latitude 18°00'00" N.; within 9.5 miles south and 4.5 miles north of the Ponce VOR 111° radial, extending from the VOR to 18.5 miles east of the VOR.

Poplar Bluff, Mo.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Earl Fields Memorial Airport (latitude 36°46'20" N., longitude 90°19'20" W.); and within 3 miles each side of the 189° bearing from Earl Fields Memorial Airport, extending from the 5½-mile radius area to 8 miles south of the airport.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Portal, Ariz.
That airspace extending upward from 1,200 feet above the surface within 13 miles north and 8 miles south of the Cochise, Ariz., VORTAC 096° radial extending from 20 miles east to 56 miles east of the VORTAC, and that airspace extending upward from 1,200 feet above the surface bounded on the northeast by V-198, on the south by V-16, and on the west by longitude 108°49'00" W.

Port Angeles, Wash.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Clallam County Airport, Port Angeles, Wash. (latitude 48°07'20" N., longitude 123°29'40" W.); within a 5-mile radius of CGAS Port Angeles (latitude 48°08'30" N., longitude 123°24'45" W.), within 2 miles N and 5 miles S of the Port Angeles VOR 093° radial, extending from the VOR to 12 miles E of the VOR; that airspace extending upward from 1,200 feet above the surface bounded on the E by the W edge of V-440, on the S by latitude 48°03'00" N., on the W by longitude 123°35'00" W. and on the N by the United States/Canadian border.

Port Clinton, Ohio
That airspace extending upward from 700 feet above the surface wtihin a 7-mile radius of Carl R. Keller Field, Port Clinton, Ohio (latitude 41°30'57" N., longitude 82°51'58" W.) within 3 miles each side of the 082° Bearing from the airport extending from the 7-mile radius to 8 miles east of the airport.

Porterville, Calif.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Porterville Municipal Airport (latitude 36°02'00" N., longitude 119°04'00" W.) and within 2 miles each side of the Porterville VOR 343 radial extending from the 5-mile radius area to 1 mile north of the VOR.

Port Isabel, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Port Isabel, Cameron County Airport (latitude 26°10'00" N., longitude 97°20'45" W.) and within 2 miles each side of the Brownsville, Tex., VORTAC 006° radial extending from the 5-mile radius area to 10 miles north of the Brownsville VORTAC.

Portland, Ind.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Steed Field (latitude 40°27'00" N., longitude 84°58'15" W.); and within 2 miles each side of the 100° bearing from Steed Field, extending from the 6-mile radius area to 8 miles East of the airport.

Portland, Maine.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center (43°38'50" N., 70°18'30" W.) of Portland International Jetport; within 4.5 miles south and 9.5 miles north of the Portland ILS localizer west course, extending from the OM to 18.5 miles west of the OM; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 43°59'00" N., longitude 69°16'00" W., thence to latitude 43°50'00" N., longitude 69°18'00" W., to latitude 43°44'00" N., longitude 69°19'42" W., to latitude 43°41'00" N., longitude 69°30'00" W., to latitude 43°30'00" N., longitude 70°06'00" W., to latitude 43°15'00" N., longitude 70°30'00" W. to latitude 42°45'00" N., longitude 70°37'00" W. to latitude 42°53'00" N., longitude 71°05'00" W., to latitude 43°45'00" N., longitude 71°09'00" W., to latitude 44°06'00" N., longitude 70°43'00" W., to latitude 44°02'05" N., longitude 70°37'30" W., to latitude 44°13'30" N., longitude 70°11'30" W., to latitude 44°12'00" N., longitude 70°10'00" W., to latitude 44°05'00" N., longitude 70°23'00" W., to latitude 43°55'00" N., longitude 70°28'00" W., to latitude 43°50'00" N., longitude 70°12'00" W., to latitude 44°03'00" N., longitude 70°06'00" W., to latitude 44°09'00" N., longitude 69°57'00" W., thence counterclockwise via the arc of a 14-mile radius circle centered on the Augusta, Maine, VOR to latitude 44°09'00" N., longitude 69°39'00" W., thence to the point of beginning.

Portland, Oreg.
That airspace extending upward from 700 feet above the surface bounded on the north by latitude 46°00'00" N., on the east by longitude 122°05'00" W., on the south by latitude 45°10'00" N., and on the west by longitude 123° 30'00" W.; that airspace extending upward from 1,200 feet above the surface bounded on the north by a line beginning at a point 3 miles offshore at latitude 46°30'30" N., extending easterly via latitude 46°30'30" N.. to longitude 121°40'00" W., thence easterly along the south edge of V-20, to latitude 46°30'40" N., longitude 120° 36'00" W., on the east by V-25, on the south by V-536 to Corvalis, VOR, thence via latitude 44°30'00" N., to a point 3 miles offshore and on the west by a line 3 miles offshore to the point of beginning.

AMENDMENTS 8/14/75 40 F. R. 26504 (Rewritten)

Portland, Tenn.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Portland Municipal Airport (lat. 36°35'37" N., long. 86°28'39" W.); within 5 miles each side of Bowling Green VOR 184° radial, extending from the 7-mile-radius area to 11.5 miles south of the VOR.

Port Lavaca, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Calhoun County Airport (latitude 28°39'12" N., longitude 96°40'56" W.) and within 2.5 miles each side of the Palacios VORTAC 250° radial extending from the 5-mile radius area to 16 miles southwest of the VORTAC.

Portsmouth, N. H. (Pease AFB)
That airspace extending upward from 700 feet above the surface within an 11-mile radius of Pease AFB (latitude 43°04'40" N., longitude 70°49'25" W.); within 2 miles each side of the extended centerline of Runway 16, extending from the 11-mile radius area to 13 miles SE of the lift-off end of the runway.

Portsmouth, Ohio
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Greater Portsmouth Regional Airport (lat. 38°50'26" N., long. 82°50'52" W.), within 3 miles each side of a 177° bearing from the airport extending from the 8-mile radius area to 12 miles south of the airport.

Portsmouth, Va.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, lat. 36° 46'45" N., long. 76°26'45" W. of Chesapeake Portsmouth Airport, Portsmouth, Va.; within 3 miles each side of the 203° bearing from the Portsmouth RBN, lat. 36°46'54" N., long. 76°26'39" W., extending from the 5-mile radius area to 8.5 miles southwest of the RBN; and within 3 miles each side of the 180° bearing from the Portsmouth RBN, extending from the 5-mile radius area to 6.5 miles south of the RBN excluding the portion that coincides with the Norfolk, Va., transition area.

Port Sulphur, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Port Sulphur, La., seaplane base (latitude 29°27'45" N., longitude 89°42'10" W.), and within 2 miles each side of the Harvey, La., VORTAC 145° radial extending from the 25-mile DME fix to the Port Sulphur 5-mile radius area, and within 2 miles each side of the Grand Isle VORTAC 050° radial extending from the 25-mile DME fix to the Port Sulphur 5-mile radius area.

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Potsdam, N. Y.
That airspace extending upward from 700 feet above the surface within a 6.5 mile radius of the center of Potsdam Municipal (Damon Field) Airport lat. 44°40'30" N., long. 74°57'00" W, and within 3.5 miles each side of a 044° bearing from the Potsdam, N. Y., radio beacon (lat. 44°43'24" N., long. 74°52'56" W.) extending from the 6.5-mile radius area to 11.5 miles northeast of the radio beacon.

Pottstown, Pa.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 40°15' 45" N., 75°40'00" W. of Pottstown Municipal Airport, Pottstown, Pa., extending clockwise from a 036° bearing to a 147° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 147° bearing to a 200° bearing from the airport; within an 8-mile radius of the center of the airport, extending clockwise from a 200° bearing to a 274° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 274° bearing to a 305° bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 305° bearing to a 036° bearing from the airport; within 6.5 miles northeast and 4.5 miles southwest of the Pottstown, Pa., VORTAC 294° and 114° radials, extending from 5.5 miles northwest of the VORTAC to 11.5 miles southeast of the VORTAC; within a 5-mile radius of the center, 40°14'15" N., 75°33'45" W. of Pottstown-Limerick Airport, Pottstown, Pa., extending clockwise from a 346° bearing to a 223° bearing from the airport; within a 5.5-mile radius of the center of the airport, extending clockwise from a 223° bearing to a 346° bearing from the airport; and within 9.5 miles west and 4.5 miles east of Pottstown, Pa., VORTAC 190° radial, extending from the VORTAC to 18.5 miles south of the VORTAC; within 5 miles each side of the Pottstown, Pa., VORTAC 086° radial, extending from the Pottstown, Pa., VORTAC to 18 miles east of the VORTAC; excluding the portion that coincides with the North Philadelphia, Pa., and Toughkenamon, Pa., transition areas.

Pottsville, Pa.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 40°42' 15" N., 76°23'00" W. of Schuylkill County (Joe Zerbey) Airport, Pottsville, Pa.; within 3 miles each side of the 103° bearing from the Zerbey RBN 40°42'25" N., 76°22'19" W., extending from the 6-mile radius area to 8.5 miles east of the RBN; and within 2 miles each side of the Ravine, Pa., VORTAC 049° radial, extending from the 6-mile radius area to 9 miles northeast of the VORTAC.

Poughkeepsie, N. Y.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the center, 41°37' 36" N., 73°52'59" W., of Dutchess County Airport, Poughkeepsie, N. Y.; within a 15.5-mile radius of the center of Dutchess County Airport, extending clockwise from a 040° bearing to a 215° bearing from the airport; within 3.5 miles each side of the Kingston, N. Y., VORTAC 025° radial, extending from the 10-mile radius area to 10.5 miles northeast of the VORTAC; within 5 miles each side of the Kingston, N. Y., VORTAC 050° radial, extending from the VORTAC to 11.5 miles northeast of the VORTAC; within 6.5 miles northwest and 4.5 miles southeast of a 231° bearing from
a point 41°34'06" N., 73°58'42" W., extending from said point to 11.5 miles southwest; within 5 miles each side of a direct line between a point 41°31'42" N., 74°06'48" W., and a point 41°34'06" N., 73°58'42" W.; within a 5-mile radius of the center, 41°42'30" N., 73°44'00" W. of Sky Acres Airport, Millbrook, N. Y.; within an 8.5-mile radius of the center of Sky Acres Airport extending clockwise from a 011° bearing to a 201° bearing from the airport; within a 6-mile radius of the center 41°34'30" N., 73°44'00" W., of Stormville Airport, Stormville, N. Y.; within a 10.5-mile radius of the center of Stormville Airport, extending clockwise from a 327° bearing to a 077° bearing from the airport; within a 7.5-mile radius of the center of Stormville Airport, extending clockwise from a 077° bearing to a 121° bearing from the airport; within a 10.5-mile radius of the center of Stormville Airport, extending clockwise from a 121° bearing to a 239° bearing from the airport; excluding the portion that coincides with the Newburgh, N. Y., transition area.

That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at: 42°02'00" N., 73°16'00" W. to 41°49'00" N., 73°16'00" W. to 41°31'00" N., 73°20'00" W. to 41°31'00" N., 73°54'00" W. to 41°27'00" N., 73°54'00" W. to 41°19'00" N., 73°57'00" W. to 41°19'00" N., 74°33'00" W. to 41°31'00" N., 75°07'00" W. to 42°00'00" N., 75°00'00" W. to point of beginning.

Prairie Du Chien, Wis.
That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of the Prairie Du Chien Municipal Airport (latitude 43°01'17" N., longitude 91°07'24" W.); and within 4.5 miles each side of the 130° radial of the Waukon VORTAC, extending from the 9.5-mile radius to 18.5 miles southeast of the airport;
and that airspace extending upward from 1,200 feet above the surface within a 55-mile radius of the Waukon VORTAC between the 089° and the 145° radials excluding that portion which overlies in the State of Iowa.

Pratt, Kans.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Pratt Municipal Airport (latitude 37°42'13" N., longitude 98°44'47" W.); and within 3 miles each side of the 360° bearing from the Pratt nondirectional beacon (MDB), extending from the 6.5-mile radius area to 8 miles north of the MDB.

AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)

Prescott, AZ.
That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of Prescott Municipal Airport (latitude 34°39'10" N., longitude 112°25'15" W.) and within 3 miles each side of the Prescott VORTAC 319° radial extending from the 10.5-mile radius area to 8.5 miles northwest of the VORTAC; that airspace extending upward from 1,200 feet above the surface within a 21-mile radius of the Prescott VORTAC extending clockwise from a line 5 miles south of and parallel to the Prescott VORTAC 252° radial to a line 5 miles west of and parallel to the Prescott VORTAC 150° radial and within a 14-mile radius of Prescott VORTAC, extending clockwise from a line 5 miles west of and parallel to the Prescott VORTAC 150° radial to a line 5 miles south of and parallel to the Prescott 252° radial.

Presque Isle, Maine
That airspace extending upward from 700 feet above the surface within a 13-mile radius of Northern Maine Regional Airport (lat. 46°41'30" N., long. 68°02'30" W.); within 3.5 miles east and 8 miles west of the Presque Isle localizer course extending from the 13-mile radius area to 11.5 miles south of the LOM; within 3.5 miles east and 8 miles west of the Presque Isle VORTAC 338° radial extending from the 13-mile radius area to 11.8 miles north of the VORTAC; within an 8.5 mile radius of Caribou, Maine, Municipal Airport (lat. 46°52'20" N., long. 68°01'10" W.); within a 10-mile radius of Loring AFB (lat. 46°57'05" N., long. 67°53'10" W.); Limestone, Maine; excluding that portion outside of the United States.
That airspace extending upward from 1200 feet above the surface within a 40-mile radius of Loring AFB (lat. 46°57'05" N., long. 67°53'10" W.) Limestone, Maine, excluding that portion outside of the United States.

Price, Utah
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Carbon VOR (latitude 39°36'50" N., longitude 110°44'56" W.), and within 2 miles each side of the 201° radial of the Carbon VOR, extending from the 5-mile radius area to 8 miles south of the VOR; that airspace extending upward from 1,200 feet above the surface within 6 miles west and 11 miles east of the 021° and 201° radials of the Carbon VOR extending from 9 miles north to 18.5 miles south of the VOR.
AMENDMENTS 6/19/75 40 F. R. 20269 (Changed)

Priest, Calif.
That airspace extending upward from 1,200 feet above the surface bounded on the E by V-107, on the S by latitude 35° 35' 00" N., and the arc of a 20-mile radius circle centered on the Paso Robles, Calif., VOR, on the W by V-25 E, and on the N by V-111, excluding the portion within the Lemoore, Calif., transition area.

Princeton, Maine
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Princeton Airport (latitude 45°12'05" N., longitude 67°34'00" W.); and within 2 miles each side of the Princeton VOR 143° radial, extending from the 5-mile radius area to the VOR.

Princeton, N. J.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center 40°23' 54" N., 74°39'31" W., of Princeton Airport, Princeton, N. J.; within a 6-mile radius of the center of the airport, extending clockwise from a 074° bearing to a 120° bearing from the airport; within a 5.5-mile radius of the center of the airport, extending clockwise from a 191° bearing to a 225° bearing from the airport; within a 7-mile radius of the center of the airport, extending clockwise from a 225° bearing to a 268° bearing from the airport; within a 7.5-mile radius of the center of the airport, extending clockwise from a 268° bearing to a 310° bearing from the airport; within a 7-mile radius of the center of the airport, extending clockwise from 310° bearing to a 367° bearing from the airport; and within 3.5 miles each side of the Solberg, N. J., VOR 161° radial, extending from the 5-mile radius area to the VOR, excluding the portions which coincide with the Readington, N. J., New York, N. Y., and North Philadelphia, Pa., transition areas.

Providence, R. I.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Theodore Francis Green State Airport, Providence, R. I. (latitude 41°43'30" N., longitude 71°25'48" W.), within 2 miles each side of
the Providence ILS localizer NE course, extending from the 8-mile radius area to the intersection of the Putnam, Conn., VORTAC 106° radial, within 5 miles SE and 8 miles NW of the Providence ILS localizer SW course, extending from the 8-mile radius area to 12 miles SW of the OM, within a 12-mile radius of NAS Quonset Point, R. I., (latitude 41°35'55" N., longitude 71°24'50" W.), within a 7-mile radius of the New Bedford, Mass., Municipal Airport (latitude 41°40'37" N., longitude 70°57'34" W.), within 8 miles SE and 11 miles NW of the New Bedford ILS localizer SW course, extending from the localizer to 12 miles SW of the OM, and within 3 miles each side of the 038° bearing from the New Bedford, Massachusetts, OM, extending from the 7-mile radius to 14.5 miles NE of the New Bedford, Massachusetts, OM, within a 5-mile
radius of the Fall River, Mass., Municipal Airport (latitude 41°45'15" N., longitude 71°06'40" W.), and within 2 miles each side of the 050° bearing from the Fall River, Mass., RBN, extending from the 5-mile radius area to 8 miles northeast of the RBN; and that airspace extending upward
from 1,200 feet above the surface bounded by a line beginning at latitude 41°12'45" N., longitude 70°42'30" W.; to latitude 41°07'10" N., longitude 71°09'00" W.; to latitude 41°05'15" N., longitude 71°22'05" W.; to latitude 41°03'35" N., longitude 71°31'40" W.; to latitude 41°00'35" N., longitude 72°05'00" W., thence to latitude 41°18'00" N., longitude 72°30'30" W.; to latitude 41°40'00" N., longitude 72°08'00" W.; to latitude 41°55'00" N., longitude 71°59'00" W.; to latitude 41°47'45" N., longitude 71°46'40" W.; thence clockwise along the arc of a 27-mile radius circle centered on the NAS Quonset Point VOR to latitude 41°56'35" N., longitude 71°26'00" W.; to latitude 42°04'00" N., longitude 71°19'00" W.; to latitude 41°53'30" N., longitude 70°56'30" W.; to latitude 41°42'00" N., longitude 70°48'00" W.; to latitude 41°21'00" N., longitude 70°48'00" W.; to the point of beginning.
AMENDMENTS 6/19/75 40 F. R. 13477 (Changed)

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Provincetown, Mass.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Provincetown Municipal Airport (lat. 42°04'18" N., long. 70°13'15" W.), and within 3.5 miles each side of the Race Point NDB 238° bearing extending from the 7-mile radius area to 11.5 miles southwest of the NDB.

Provo, Utah
That airspace extending upward from 700 feet above the surface within 9.5 miles southwest and 4.5 miles northeast of the Provo VOR (latitude 40°12'52" N., longitude 111°43'13" W.) 328° and 148° radials extending from 25.5 miles northwest to 6.5 miles southeast of the VOR; that airspace extending upward from 1,200 feet above the surface bounded on the north by latitude 40°30'00" N., on the southeast by the northwest edge of V-235 and V-21, on the west by the east edge of V-257, and that airspace bounded on the east and south by an arc of a 23-mile radius circle centered on the Provo VORTAC extending clockwise from the south edge of V-200 to the southeast edge of V-21, on the west by a line from the point of intersection of the 23-mile arc and the southeast edge of V-21 direct to latitude 40°30'00" N., longitude 111°49'00" W., and on the northeast by a line from latitude 40°30'00" N., longitude 111°49'00" W., direct to point of beginning.

Pueblo, Colo.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Pueblo VORTAC; within 2 miles each side of the Pueblo VORTAC 275° radial, extending from the 9-mile radius area to 16 miles west of the VORTAC, and within 4.5 miles each side of the Pueblo VORTAC 081° radial, extending from the 9-mile radius area to 11.5 miles east of the VORTAC; that airspace extending upward from 1,200 feet above the surface bounded by a line extending from latitude 38°30'00" N., longitude 104°52'00" W., thence to latitude 38°30'00" W., longitude 104°00'00" W., thence to latitude 38°07'00" N., longitude 104°00'00" W., thence west along latitude 38°07'00" W., to the west edge of V-19, thence south along the west edge of V-19, and west along the north edge of V-210 to longitude 105°00'00" W., thence to latitude 38°07'00" N., longitude 104°43'00" W., thence to latitude 38°07'00" N., longitude 105°00'00" W., thence to latitude 38°25'00" N., longitude 105°00'00" W., thence to latitude 38°25'00" N., longitude 104°52'00" W., thence to point of beginning.

Pulaski, Tenn.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Abernathy Airport (lat. 35°08'45" N., long. 87°03'30" W.); excluding the portion within Lawrenceburg, Tenn., transition area.

Pullman, Wash.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Pullman-Moscow Regional Airport (latitude 46°44'40" N., longitude 117°06'30" W.) and within 2 miles each side of the Pullman VOR (latitude 46°40'25" N., longitude 117°13'30" W.) 232° and 047° radials extending from the 5-mile radius area to 8 miles southwest of the VOR; that airspace extending upward from 1,200 feet above the surface within 9 miles northwest and 6 miles southeast of the Pullman VOR 052° and 232° radials extending from 17.5 miles southwest to 7.5 miles northeast of the VOR.

Punta Gorda, Fla.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Charlotte County Airport (latitude 26°55'15" N., longitude 81°59'30" W.).

AMENDMENTS 1/2/75 39 F. R. 39717 (Added)

Quakertown, Pa.
That airspace extending upward from 700 feet above the surface within an 8-mile radius area of the center of Quakertown Airport, Quakertown, PA., lat. 40°26'15" N., long. 75°22'45" W., and within 3.5 miles each side of a line bearing 099° from the Quakertown, Pa. RBN (lat. 40°25'29" N., long. 75°17'52" W.) extending from the 8-mile radius area to 11 miles east of the RBN.

Quantico, Va.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, lat. 38° 30'15" N., long. 77°18'15" W. of Quantico MCAS (Turner Field) Quantico, Va.; within a 9.5-mile radius of the center of the airport, extending clockwise from a 270° bearing to a 350° bearing from the airport; and within 9.5 miles east and 4.5 miles west of the 201° bearing from the Marine Quantico UHF RBN, extending from the RBN to 18.5 miles south of the RBN, excluding the portion that coincides with the Fredericksburg, Va., and Washington, D. C., 700-foot floor transition areas.

PENDING AMENDMENT
Quantico, Va.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, lat. 38° 30'15" N., long. 77°18'15" W., of Quantico MCAS (Turner Field) Quantico, Va.; within a 9-mile radius of the center of the airport, extending clockwise from a 225° bearing to a 355° bearing from the airport; within 6.5 miles east and 4.5 miles west of the Brooke, Va., VORTAC 013° radial and 193° radial, extending from 4.5 miles south of the VORTAC to 8.5 miles north of the VORTAC.

AMENDMENTS 1/29/76 40 F. R. 53995 (Rewritten)

Quincy, Ill.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Quincy Municipal Baldwin Field Airport (latitude 39°56'30" N., longitude 91°11'45" W.), and within 5 miles northwest and 8 miles southeast of the Quincy ILS localizer southwest course, extending from the 8.5-mile radius to 12 miles southwest of the OM.

Raleigh, N. C.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Raleigh-Durham Airport (lat. 35°52'21" N., long. 78°47'02" W.); within 9.5 miles northwest and 4.5 miles southeast of the 045° bearing from Leesville RBN, extending from the RBN to 18.5 miles northeast of the RBN; within 9.5 miles northwest and 4.5 miles southeast of Raleigh-Durham ILS localizer southwest course, extending from the LOM to 18.5 miles southwest; within 9.5 miles northwest and 4.5 miles southeast of Raleigh-Durham VORTAC 231° radial, extending from the VORTAC to 18.5 miles southwest of the VORTAC; within a 6.5-mile radius of Horace Williams Airport (lat. 35°55'50" N., long. 79°04'00" W.).

Rapid City, S. Dak.
That airspace extending upward from 700 feet above the surface within a 14-mile radius of Ellsworth AFB TACAN; and within 4½ miles southwest and 10½ miles northeast of the Rapid City VOR 155° radial, extending from the 14-mile radius area to 19 miles southeast of the VOR; and that airspace extending upward from 1,200 feet above the surface within a 53-mile radius of Ellsworth AFB (latitude 44°08'45" N., longitude 103°06'15" W.).

Raton, N. Mex.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Crews Field (latitude 36°44'30" N., longitude 104°30'00" W.) excluding that portion northwest of a line 5 miles northeast of and parallel to the Cimarron VORTAC 050° radial, within 3.5 miles northwest and 6 miles southeast of the Cimarron VORTAC 050° radial extending from the 8.5-mile radius area to 17.5 miles northeast of the VORTAC, and within 5 miles each side of the Cimarron VORTAC 050° radial extending from 17.5 miles northeast to 8 miles northeast of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 6.5 miles northwest of the Cimarron VORTAC 050° radial extending from the VORTAC to 45 miles northeast, within 16.5 miles southeast of the Cimarron VORTAC 050° and 230° radials extending from 1.5 miles southwest to 29 miles northeast of the VORTAC, and within 8.5 miles southeast of the Cimarron VORTAC 050° radial extending from 29 miles northeast to 45 miles northeast of the VORTAC

Rawlins, Wyo.
That airspace extending upward from 700 feet above the surface within 5 miles each side of the 089° bearing from the Sinclair RBN extending from the RBN to 11.5 miles east; that airspace extending upward from 1,200 feet above the surface within 9.5 miles north and 6 miles south of the 089° and 269° bearings from the Sinclair RBN extending from 8 miles west to 18.5 miles east of the RBN.

Reading, Pa.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of the center; 40°22'30" N., 75°57'57" W., of Reading Municipal-General Carl A. Spaatz Field, Reading, Pa., extending clockwise from a 050° bearing to a 100° bearing from the airport; within an 8-mile radius of the center of the airport, extending clockwise from a 100° bearing to a 140° bearing from the airport; within an 11-mile radius of the center of the airport, extending clockwise from a 140° bearing to a 280° bearing from the airport; within an 8-mile radius of the center of the airport, extending clockwise from a 280° bearing to a 050° bearing from the airport; within 5 miles each side of the Reading Municipal-General Carl A. Spaatz Field ILS localizer south course extending from the OM to 9.5 miles south of the OM; within 9.5 miles east and 4.5 miles west of the Reading Municipal-General Carl A. Spaatz Field ILS localizer south course, extending from the OM to 18.5 miles south of the OM; within 6.5 miles north and 4.5 miles south of the East Texas, Pa. VORTAC 253° radial, extending from 12 miles west of the VORTAC to 29 miles west of the VORTAC.

Readington, N. J.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 40°34'55" N., 74°44'20" W., of Solberg-Hunterdon Airport, Readington, N. J., and within 5 miles east and 5 miles west of Solberg, N. J., VORTAC 227° radial extending from the 6-mile radius area to 14 miles southwest of the VORTAC excluding the portion that coincides with the New York, N. Y., transition area.

Red Bluff, Calif.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Redding Municipal Airport (latitude 40°30'35" N., longitude 122°17'30" W.) within 2 miles W and 4 miles E of the Redding VOR 192° radial, extending from the 5-mile radius area to 10 miles S of the VOR, within 2 miles each side of the Redding ILS localizer N course, extending from the 5-mile radius area to 8 miles N of the threshold of Runway 16, excluding the portions within a 1-mile radius of Redding Sky Ranch Airport (latitude 40°30'00" N., longitude 122° 22'35" W.) and Enterprise Sky Park (latitude 40°34'26" N., longitude 122°19'30" W.), and within 2 miles each side of the Red Bluff VORTAC 347° radial extending from the VORTAC to 11.5 miles N of the VORTAC, that airspace extending upward from 1,200 feet above the surface within a 20-mile radius of the Red Bluff VORTAC, within 9 miles each side of the Red Bluff VORTAC 291° radial, extending from the 20-mile radius area to 52 miles W of the VORTAC; within 9 miles W and 10 miles E of the Red Bluff VORTAC 342° radial, extending from the 20-mile radius area to 67 miles N of the VORTAC, within 10 miles W and 6 miles E of the Red Bluff VORTAC 015° radial, extending from the 20-mile radius area to 56 miles N of the VORTAC. That airspace NW of Red Bluff within an arc of a 30-mile radius circle centered on Red Bluff VORTAC, extending from the N edge of V-105 to the W edge of the V-23 and that airspace north of Redding within an arc of a 23-mile radius circle centered on Redding VOR, extending from the E edge of V-23 to the W edge of V-25.

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Red Hook, N. Y.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, 41° 59'12" N., 73°50'12" W., of Skypark Airport, extending clockwise from a 012° bearing to a 130° bearing from the airport; within an 8-mile radius of the center of the airport, extending clockwise from a 130° bearing to a 168° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 168° bearing to a 232° bearing from the airport; within a 5-mile radius of the center of the airport, extending clockwise from a 232° bearing to a 309° bearing from the airport; within a 5.5-mile radius of the center of the airport, extending clockwise from a 309° bearing to a 012° bearing from the airport and within 3 miles each side of the Kingston, N. Y., VORTAC 358° radial, extending from the 8-mile radius area and 6.5-radius area to 10.5 miles north of the Kingston, N. Y., VORTAC.

Redmond, Oreg.
That airspace extending upward from 700 feet above the surface within 2 miles each side of the Redmond VORTAC 281° radial extending from the VORTAC to 5 miles west of the VORTAC; within 2 miles each side of the Redmond VORTAC 162° radial extending from the VORTAC to 5 miles south of the VORTAC; within 4 miles each side of the Redmond VORTAC 014° radial, extending from 15 miles north of the VORTAC to 35 miles north; within 2 miles each side of a
230° bearing from Roberts Field, Redmond, Oreg. (latitude 44°15'10" N., longitude 121°08'55" W.), extending from the arc of a 5-mile radius circle centered on Roberts Field Airport to 10 miles southwest of the airport, and within 2 miles each side of a 302° bearing from the Roberts RBN extending from the RBN to 6 miles northwest of the RBN; that airspace extending upward from 1,200 feet above the surface within 14 miles northeast and 2 miles southwest of the Redmond VORTAC 122° and 302° radials extending from 16 miles northwest to 10 miles southeast of the VORTAC, within 6 miles west and 9 miles east of the Redmond VORTAC 189° radial extending from the VORTAC to 19 miles south of the VORTAC, and that airspace bounded on the northeast by a line 2 miles southwest of and parallel to the Redmond VORTAC 302° radial, on the east by the west edge of V-25, on the south by a line 5 miles south of and parallel to the Redmond VORTAC 281° radial and on the west by an arc of a 19-mile radius arc centered on the Redmond VORTAC; and that airspace north of Redmond VORTAC bounded on the west by the east side of V-25, and on the north by an arc of a 37-mile radius arc centered on the Redmond VORTAC, and on the northeast by the northwest edge of V-536.

Red Oak, Iowa
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Red Oak Municipal Airport (latitude 41°00'40" N., longitude 95°15'25" W.); and within 3 miles each side of a 335° bearing from the Red Oak Municipal Airport, extending from the 6-mile radius to 9½ miles northwest of the airport.

Redwood Falls, Minn.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Redwood Falls Municipal Airport (latitude 44°32'45" N., longitude 95°04'45" W.).

Reed City, Mich.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Miller Airport (latitude 43°54'05" N., longitude 85°31'05" W.); within 5 miles east and 8 miles west of the 352° bearing from Miller Airport, extending from the airport to 16 miles north of the airport; and within 5 miles east and 8 miles west of the 003° bearing from Miller Airport, extending from the airport to 12 miles north of the airport.

Reedsville, PA.
That airspace extending upward from 700 feet above the surface within a 14.5-mile radius of the center lat. 40°40'44" N., long. 77°37'22" W. of Mifflin County Airport, Reedsville, PA., and within 3.5 miles each side of the 228° bearing from a point lat. 40°36'55" N., long. 77°43'09" W. extending from said point to a point 11.5 miles southwest.

Refugio, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Tom O'Connor Oilfield Airport (latitude 28°20'04" N., longitude 97°08'58" W.); within 2 miles each side of the 335° bearing from the Vidauri RBN (latitude 28°23'51" N., longitude 97°10'40" W.), extending from the 5-mile radius area to 8 miles northwest of the RBN; within 2 miles each side of the 039° bearing from the Refugio RBN (latitude 28°20'27" N., longitude 97°08'58" W.), extending from the 5-mile radius area to 8 miles northeast of the RBN; and within a 4-mile radius of Mellon Ranch Airport (latitude 28°16'15" N., longitude 97°12'30" W.).

Rehoboth Beach, Del.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center 38°43'10" N., 75°07'35" W., of Rehoboth Aircrafters Airport, Rehoboth Beach, Del., and within 2 miles each side of the Waterloo, Del., VORTAC 144° radial extending from the 5-mile radius area to the VORTAC. This transition area is effective from sunrise to sunset, daily.

Reno, Nev.
That airspace extending upward from 700 feet above the surface within an arc of a 25-mile radius circle centered on Reno Municipal Airport (latitude 39°30'02" N., longitude 119°46'07" W.) beginning at longitude 120°00'00" W., clockwise to latitude 39°25'00" N.; thence direct latitude 39°13'00" N., longitude 119°47'00" W.; thence south via longitude 119°47'00" W. to its intersection with an arc of a 25-mile radius circle centered on Reno Municipal Airport; thence clockwise via the 25-mile radius arc to longitude 120°00'00" W.; thence direct to point of beginning; that airspace extending upward from 1,200 feet above the surface within a 45-mile radius of the Reno VORTAC, excluding the portion west of longitude 120°19'00" W., east of longitude 119°00'00" W.; and that airspace southwest of Reno within 22 miles north and 13 miles south of the Lake Tahoe, Calif., VOR 090° and 270° radials, extending from 7 miles east to 35 miles west of the VOR; and that airspace northwest of Reno extending from the 45-mile radius area bounded on the northeast by the southwest edge of V-452 and on the west by longitude 120°19'00" W.

Rensselaer, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Jasper County Airport (latitude 40°56'30" N., longitude 87°11'00" W.) and within 3 miles each side of the 007° bearing from the airport extending from the 5-mile radius area to 8 miles north of the airport.

AMENDMENTS 1/30/75 39 F. R. 41520 (Added)

Rexburg, Idaho
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Rexburg-Madison County Airport (latitude 43°49'30" N., longitude 111°49'00" W.).

Rhinelander, Wis.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Rhinelander-Oneida County Airport (latitude 45°37'54" N., longitude 89°27'35" W.).

AMENDMENTS 10/9/75 40 F. R. 28076 (Rewritten)

Rice Lake, Wis.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Arrowhead Airport (lat. 45°28'45" N., long. 91°43'20" W.); within 3½ miles each side of the 178° bearing from the Arrowhead Airport, extending from the 5-mile radius to 8 miles south of the airport.

Richmond, IN.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Richmond Municipal Airport (latitude 39°45'23" N., longitude 84°50'36" W.); within 3 miles each side of the Richmond VOR 045° radial, extending from the 6½-mile radius area to 8 miles northeast of the VOR; within 3 miles each side of the Richmond VOR 243° radial, extending from the 6½-mile radius area to 8 miles southwest of the VOR.

Richmond, Va.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, lat. 37° 30'16" N., long. 77°19'11" W. of Richard Evelyn Byrd International Airport, Richmond, Va., extending clockwise from a 245° bearing from the airport to a 045° bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 045° bearing to a 245° bearing from the airport; within 3.5 miles each side of the Richmond VORTAC 134° radial, extending from the VORTAC to 11.5 miles southeast of the VORTAC; within 2 miles each side of the Richmond VORTAC 137° radial, extending from the VORTAC to 11.5 miles southeast of the VORTAC; within 3.5 miles each side of the Richard Evelyn Byrd International Airport ILS localizer southwest course, extending from the OM to 11.5 miles southwest of the OM; within 3.5 miles each side of the Richmond VORTAC 342° radial, extending from the VORTAC to 11.5 miles north of the VORTAC; within 3.5 miles each side of the Richmond VORTAC 359° radial, extending from the VORTAC to 11.5 miles north of the VORTAC; within 4.5 miles each side of the Richard Evelyn Byrd International Airport ILS localizer northwest course, extending from the localizer to 13.5 miles northwest of the localizer.

Rio Vista, Calif.
That airspace extending upward from 700 feet above the surface within a 3-mile radius of Rio Vista Airport (latitude 38°10'20" N., longitude 121°41'20" W.) and within 2 miles each side of the Sacramento VORTAC 202° radial extending from the 3-mile radius area to 8 miles north of the airport.

Riverhead, N. Y.
That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 41°00'35" N., longitude 72°05'00" W.; thence S via longitude 72°05'00" W. to the S boundary of V-139; thence SW via the SE boundary of V-139 to latitude 40°30'00" N., thence to latitude 40°30'00" N., longitude 73°36'00" W.; to latitude 40°41'00" N., longitude 73°33'30" W.; to latitude 40°50'00" N., longitude 73°42'00" W.; to latitude 41°00'00" N., longitude 73°33'00" W.; to latitude 41°00'00" N., longitude 72°45'00" W.; to latitude 41°18'00" N., longitude 72°30'30" W.; to the point of beginning, excluding the portion below 3,000 feet MSL within W-106.

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Riverside, Calif.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 34°10' 00" N., longitude 117°59'00" W., to latitude 34°10'00" N., longitude 117°01'00" W., to latitude 33°50'00" N., longitude 117°01'00" W., to latitude 33°42'30" N., longitude 116°56'30" W., to latitude 33°38'00" N., longitude 117°09'00" W., to latitude 33°51'00" N., longitude 117°24'30" W., to latitude 33°46'00" N., longitude 117°45' 00" W., to latitude 33°56'00" N., longitude 117°53'00" W., to latitude 33°56'00" N., longitude 117°59'00" W., thence to point of beginning; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 34°30'00" N., longitude 117°43'00" W., thence E along latitude 34°30'00" N.. to the SE boundary of V-21, thence along the SE boundary of V-21 to longitude 116°30'00" W., thence direct to latitude 34°40'30" N., longitude 116°29'40" W., to latitude 34°30'00" N., longitude 116°26'30" W., to latitude 34°16'00" N.. longitude 116°18'00" W., to latitude 33°30'00" N., longitude 116°18'00" W., to latitude 33°30'00" N., longitude 117°30'00" W., to latitude 33°39'00" N., longitude 117°30'00" W., to latitude 33°46'00" N., longitude 117°45'00" W., to latitude 33°56'00" N., longitude 117°53'00" W., to latitude 33°56'00" N., longitude 117°59'00" W.. to latitude 34°10'00" N., longitude 117°59'00" W., to latitude 34°10'00" N., longitude 117°43'00" W.. thence to point of beginning.

Riverton, Wyo.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Riverton Municipal Airport (latitude 43°03'48" N., longitude 108°27'16" W.), within 4.5 miles each side of the Riverton VOR 291° radial, extending from the 10-mile radius area to 19 miles west of the VOR, and within 3.5 miles each side of the Riverton VOR 123° radial extending from the 10-mile radius area to 12 miles southeast of the VOR; that airspace extending upward from 1,200 feet above the surface within a 25-mile radius of the Riverton VOR, within 10 miles east and 7 miles west of the Riverton VOR 016° radial, extending from the 25-mile radius area to 38 miles north of the VOR; within 7 miles northeast and 14.5 miles southwest of the Riverton VOR 301° radial, extending from the 25-mile radius area to 37 miles northwest of the VOR.

AMENDMENTS 12/4/75 40 F. R. 39855 (Changed)

Roanoke, Va.
That airspace extending upward from 700 feet above the surface within an 18-mile radius of the center 37° 19'30" N., 79°58'36" W., of Roanoke Municipal Airport, Roanoke, Va.; within a 23.5-mile radius of the center of the airport, extending clockwise from a 203° bearing to a 296° bearing from the airport; within a 19.5-mile radius of the center of the airport, extending clockwise from a 296° bearing to a 307° bearing from the airport, excluding the portion within the Blacksburg, Va., transition area.

Roanoke Rapids, N. C.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Halifax County Airport (lat. 36°26'29" N., long. 77°43'00" W.).

Robinson, Ill.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Robinson, Ill., Municipal Airport (latitude 39°01'00" N., longitude 87°39'00" W.) and within 5 miles each side of the 348° and 091° bearings from the Robinson Municipal Airport extending from the 7-mile radius area to 12 miles north and east of the airport, excluding the area which overlies the Sullivan, Indiana, transition area.

Rochelle, Ill.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of the Rochelle Municipal Airport (latitude 41°53'35" N., longitude 89°04'45" W.) and within 3 miles either side of the Polo VORTAC 102° radial extending 1 mile west from the 5½-mile radius area excluding the portion that overlies the Rockford, Ill., transition area.

Rochester, Ind.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Fulton County Airport (latitude 41°03'55" N., longitude 86°11'55" W.); and within 2 miles each side of the 096° bearing from Fulton County Airport, extending from the airport to 8 miles east of the airport.

Rochester, Minn.
That airspace extending upward from 700 feet above the surface within a 10½-mile radius of Rochester Municipal Airport (lat. 43°54'32" N., long. 92°29'47" W.); and within 4½ miles southeast and 9½ miles northeast of the Rochester ILS localizer southeast course, extending from the 10½-mile radius to 24 miles southeast of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles west and 7 miles east of the Rochester VOR 173° radial, extending from the Minnesota-Iowa border to 38 miles south of the VOR.

Rochester, N. H.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center (lat. 43°17'00" N., long. 70°57'00" W.) of the Sky Haven Airport, Rochester, New Hampshire, excluding those portions that coincide with the Sanford, Maine, and Portsmouth, New Hampshire, 700-foot transition areas.

AMENDMENTS 6/19/75 40 F. R. 14299 (Added)

Rochester, N. Y.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Rochester-Monroe County Airport (latitude 43°07'10" N., longitude 77°40'15" W.); within 8 miles N and 5 miles S of the Rochester ILS localizer E course, extending from the Rochester-Monroe County Airport to 12 miles E of the OM; within 5 miles each side of the Rochester VOR 125° radial, extending from the 7-mile radius area to the INT of the Rochester VOR 125° and the Geneseo, N. Y., VORTAC 061° radials; within 2 miles each side of the Rochester VOR 168° radial, extending from the 7-mile radius area to 8 miles S of the VOR; and within 8 miles S and 5 miles N of the Rochester VOR 280° and 100° radials, extending from the Rochester-Monroe County Airport to 12 miles W; and that airspace extending upward from 1,200 feet above the surface within the area bounded by a line extending from: latitude 43°24'00" N., longitude 76°53'00" W., to latitude 42°57'00" N., longitude 76°57'00" W., to latitude 42°32'00" N.. longitude 77°36'00" W., to latitude 42°32'00" N., longitude 78°21'00" W., to latitude 43°06'00" N.. longitude 78°21'00" W.. to latitude 43°24'00" N.. longitude 77°55'00" W., to point of beginning.

Rockford, Ill.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Greater Rockford Airport (latitude 42°11'50" N., longitude 89°05'45" W.), within 8 miles E and 5 miles W of the Rockford ILS localizer S course, extending from the Greater Rockford Airport to 12 miles S of the OM; and that airspace extending upward from 1,200 feet above the surface bounded on the N by latitude 42°45'00" N., on the E by longitude 88°30'00" W., on the S by the Illinois-Wisconsin boundary, and on the W by longitude 89°55'00" W.

Rockingham, N. C.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Rockingham-Hamlet Airport (latitude 34°53'30" N., longitude 79°45'35" W.); within 4 miles each side of Pinehurst VORTAC 205° radial, extending from the 5-mile radius area to 18 miles southwest of the VORTAC.

AMENDMENTS 12/4/75 40 F. R. 43485 (Changed)

Rockland, Maine
That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of Knox County Regional Airport, Rockland, Maine (latitude 44°03'40" N., longitude 69°06'05" W.) and within 3.5 miles each side of the 194° bearing from the Sprucehead NDB (latitude 43°59'54" N., longitude 69°07'17" W.), extending from the 7.5-mile radius area to 11.5 miles south of the NDB.

Rockport, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Aransas County Airport (latitude 28°05'14" N., longitude 97°02'30" W.), and within 2 miles each side of the 314° bearing from the Rockport RBN (latitude 28°05'30" N., longitude 97°02'40" W.), extending from the 5-mile radius area to 8 miles northwest of the RBN, and within 2 miles each side of the Corpus Christi VORTAC 062° radial, extending from the 5-mile radius area to 20.5 miles northeast of the VORTAC.

Rocksprings, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Edwards County Airport (latitude 29°56'30" N., longitude 100°10'30" W.) and within 1.5 miles each side of the Rocksprings VORTAC 125° radial extending from the 5-mile radius area to the Rocksprings VORTAC.

Rock Springs, Wyo.
That airspace extending upward from 700 feet above the surface within a 11.5-mile radius of the Rock Springs-Sweetwater County Airport (latitude 41°35'45" N., longitude 109°04'00" W.), within 9.5 miles north and 4.5 miles south of the 090° and 270° bearings from the Thayer LOM (latitude 41°35'49" N., longitude 108°58'09" W.) extending from the 11.5-mile radius area to 18.5 miles east of the Thayer LOM and from the 11.5-mile radius area to 29.5 miles west of the Thayer LOM; and within 1 mile north and 6 miles south of the Rock Springs VORTAC 102° radial extending from the 11.5-mile radius area to 18.5 miles east of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 23-mile radius of the Rock Springs VORTAC and within 4.5 miles each side of the Rock Springs VORTAC 117° radial extending from the 23-mile radius circle to 35 miles southeast of the VORTAC.

AMENDMENTS 8/14/75 40 F. R. 23724 (Rewritten)
AMENDMENTS 12/4/75 40 F. R. 43019 (Changed)

Rockwood, Tenn.
That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of Rockwood Municipal Airport (lat. 35°55'20" N., long. 84°41'23" W.); excluding the portion within Crossville, Tenn., transition area.

Rocky Mount, N. C.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Rocky Mount Downtown Airport (lat. 35°58'01" N., long. 77°47'33" W.); within 5 miles each side of Rocky Mount VORTAC 084° radial, extending from the 7-mile radius area to 11 miles east of the VORTAC; within an 8.5-mile radius of Rocky Mount-Wilson Airport (lat. 35°51'17" N., long. 77°53'34" W.).
AMENDMENTS 8/7/75 40 F. R. 30465 (Changed) Corr: 40 F. R. 39495

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Rolla, Mo.
That airspace extending upward from 700 feet above the surface within a 5.5-statute mile radius of the Rolla Downtown Airport (latitude 37°56'10" N., longitude 91°48'55" W.).

Rome, Ga.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of Richard B. Russell Airport (lat. 34°20'57" N., long. 85°09'31" W.); within 5 miles each side of Rome VOR 350° radial, extending from the 12-mile radius area of the VOR; within a 9.5-mile radius of Tom B. David Field, Calhoun, Ga., (latitude 34°27'18" N., longitude 84°56'24" W.); excluding the portion within the Dalton, Ga., transition area.

Romulus, N. Y.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of a point lat. 42°44' 30" N., long. 76°52'20" W., and within 3.5 miles each side of the 330° bearing from the Seneca RBN lat. 42° 44' 40" N., long. 76°54'18" W., extending from the 6-mile radius area to 11 miles northwest of the RBN.

Roosevelt Roads, P.R.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of NS Roosevelt Roads (latitude 18°15'05" N., longitude 65°38'35" W.), excluding the portion within the San Juan 700-foot transition area.

Roscommon, Mich.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Roscommon County Airport (latitude 44°21'30" N., longitude 84°40'15" W.); and within 3 miles each side of the 082° bearing from Roscommon County Airport, extending from the 5½-mile radius area to 8 miles east of the airport.

Roseau, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Roseau Municipal Airport (lat. 48°51'25" N., long. 95°41'40" W.); within 2½ miles each side of the 163° bearing from Roseau Municipal Airport, extending from the 5-mile radius area to 7 miles south of the airport; and within 2½ miles each side of the 341° bearing from Roseau Municipal Airport, extending from the 5-mile radius area to 7 miles north of the airport; and that airspace extending upward from 1,200 feet above the surface within 4½ miles west and 9½ miles east of the 163° bearing from Roseau Municipal Airport, extending from the airport to 18½ miles south of the airport; and within 4½ miles west and 9½ miles east of the 341° bearing from Roseau Municipal Airport, extending from the airport to 18½ miles north of the airport, including that airspace east of and within a 9½-mile radius of the airport between the 71° and 73° bearings from the airport, and excluding the portions outside the United States.

Roseburg, Oreg.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Roseburg Municipal Airport (latitude 43°14'20" N., longitude 123°21'15" W.), within 2 miles each side of the Roseburg VOR 177° radial, extending from the 5-mile radius area to 3.5 miles S of the VOR; that airspace extending upward from 1,200 feet above the surface within 8 miles W and 5 miles E of the 177° radial, extending from the VOR to 12 miles S of the VOR, and within 8 miles W and 5 miles E of the 003° and 183° radials, extending from 18 miles N to 7 miles S of the VOR.

Roswell, N. Mex.
That airspace extending upward from 700 feet above the surface within a 23-mile radius of the Roswell VORTAC extending clockwise between the 092° and 036° radials of the VORTAC, and within a 29-mile radius of the Roswell VORTAC extending clockwise between the 036° and 092° radials of the VORTAC.

Rugby, N. Dak.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Rugby Municipal Airport (latitude 48°23'15" N., longitude 100°01'15" W.); that airspace extending upward from 1,200 feet above the surface within a 12-mile radius of the Rugby Municipal Airport and within 9.5 miles north and 4.5 miles south of the 114° bearing from the Rugby, N. Dak., NDB (latitude 48°23'25" N., longitude 100°01' 30" W.); extending from the NDB to 18.5 miles east of the NDB;
and within 9.5 miles south and 4.5 miles north of the 314° T bearing from the Rugby, N. Dak., NDB, extending from the NDB to 18.5 miles northwest of the NDB.

AMENDMENTS 6/19/75 40 F. R. 11862 (Changed)

Russell, Kans.
That airspace extending upward from 700 feet above the surface within 2½ miles each side of the Hays, Kans., VORTAC 086° radial, extending from a 5-mile radius circle centered on the Russell Municipal Airport (latitude 38°52'20" N., longitude 98°48'45" W.) to 19 miles east of the VORTAC.

AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)

Russellville, Ark.
That airspace extending upward from 700 feet above the surface within a 7.5-statute mile radius of Russellville Municipal Airport, Russellville, Ark. (latitude 35°15'34" N., longitude 93°05'38" W.); and within 3.5 statute miles each side of the 186° bearing from Russellville MDB (latitude 35°15'34" N., longitude 93°05'40" W.), extending from the 7.5-mile radius area to 11.5 statute miles south of the MDB; excluding that portion which overlies the Morrilton, Ark., transition area.

AMENDMENTS 6/19/75 40 F. R. 17249 (Added)

Ruston, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Ruston Municipal Airport (latitude 32°30'45" N., longitude 92°37'45" W.), within 2 miles each side of the Monroe, La., VORTAC 278° radial extending from the 5-mile radius area to 24 miles west of the VORTAC, and within 3.5 miles each side of the Ruston, La., VOR (latitude 32°27'54" N., longitude 92°36'30" W.), 167° radial extending from the 5-mile radius area to 11.5 miles south of the VOR.

Rutherford, N. C.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Rutherford County Airport (latitude 35°25'36" N., longitude 81°56'06" W.); within 3 miles each side of the 192° bearing from Rutherford RBN (latitude 35°20'56" N., longitude 81°57'11" W.), extending from the 9-mile radius area to 8.5 miles southeast of the RBN.

AMENDMENTS 12/4/75 40 F. R. 45420 (Added)

Rutland, Vt.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of the center, lat. 43° 31'46" N., long. 72°58'34" W., of the Rutland State Airport, Rutland, Vermont, and an area bounded by a line beginning at lat. 43°30'00"N., long. 73°10'00" W., to lat. 43°53'00" N., long. 73°10'00" W., to lat. 43°53' 00" N., long. 73°50'00" W., to lat. 43°30'00" N., long. 72°50'00" W., to point of beginning.

Sabine Pass, Tex.
That airspace extending upward from 700 feet above the surface within 3.5 miles each side of the Sabine Pass, Tex., VORTAC 093° radial extending from the VORTAC to 17.5 miles east of the VORTAC.

Sac City, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Sac City Municipal Airport (latitude 42°22'30" N., longitude 94°58'45" W.); and within 3 miles each side of the 138° bearing from the Sac City Municipal MDB, extending from the 5-mile radius to 8 miles southeast of the MDB.

Sacramento, Calif.
That airspace extending upward from 700 feet above the surface within a 13-mile radius circle centered on the Sacramento, Calif., VORTAC (latitude 38°26'37" N., longitude 121°33'02" W.); that airspace within an arc of a 38-mile radius circle centered on the Sacramento VORTAC, bounded on the west by the west edge of V-23, and on the southwest by the northeast edge of V-23, and that airspace SW of Sacramento bounded by a line beginning at latitude 38°16'00" N.,
longitude 122°08'00" W., thence to latitude 38°27'00" N., longitude 121°47'00" W., thence to latitude 38°16'-00" N., longitude 121°39'00" W., thence to latitude 38°02'00" N., longitude 121°52'00" W., thence via latitude 38°02'00" N. to the W edge of V-195, thence via the W edge of V-195 to latitude 38°16'00" N., thence to point of beginning; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at the point of intersection of the E edge of V-195 and the S edge of V-200, thence via the S edge of V-200, the W edge of V-23 and latitude 38°00'00" N. to the W edge of V-165, thence via the W edge of V-165 to the N edge of V-244, thence via the N edge of V-244 to longitude 120°04'00" W., thence via longitude 120°04'-00" W., to latitude 38°07'00" N., thence via latitude 38°07'00" N., to longitude 121°37'00" W., thence via longitude 121°37'00" W., to latitude 38°02'00" N., thence via latitude 38°02'00" N., to the E edge of V-195, thence via the E edge of V-195 to point of beginning.

Saginaw, Mich.
That airspace extending upward from 700 feet above the surface within an 8½-mile radius of Tri-City Airport (latitude 43°31'55" N., longitude 84°04'50" W.); within 2 miles each side of the Saginaw ILS localizer northeast course, extending from the 8½-mile radius zone to 13 miles northeast of the Saginaw, Mich., VORTAC; within a 5-mile radius of James Clements Municipal Airport (latitude 43°32'45" N., longitude 83°53'40" W.); within a 5-mile radius of Jack Barstow Airport (latitude 43°39'40" N., longitude 84°15'40" W.).

St. Augustine, Fla.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of St. Augustine Airport (lat. 29°57'30" N., long. 81°20'27" W.); within 3 miles each side of the St. Augustine VOR (lat. 29° 57'30" N., long. 81°20'19" W.) 311° radial, extending from the 6.5-mile radius area to 8.5 miles west of the VOR.

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St. Cloud, Minn.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the St. Cloud Municipal Airport (latitude 45°32'45" N., longitude 94°03'40" W.); and within 3 miles each side of the 118° bearing from St. Cloud Municipal Airport, extending from the 7-mile radius area to 8 miles southeast of the airport.

St. George, Utah
That airspace extending upward from 700 feet above the surface within 9.5 miles northeast and 6 miles southwest of the 131° bearing from the St. George radio beacon (latitude 37°05'13" N., longitude 113°35'27" W.) extending from 12.5 to 18.5 miles southeast of the radio beacon; that airspace extending upward from 1,200 feet above the surface within 9.5 miles northeast and 6 miles southwest of the 131° and 311° bearings from the St. George radio beacon, extending from 7 miles northwest to 12.5 miles southeast of the radio beacon.

St. Johns, Ariz.
That airspace extending upward from 1,200 feet above the surface within 10 miles SE and 7 miles NW of the St. Johns VORTAC 067° and 247° radials, extending from 9 miles NE to 20 miles SW of the VORTAC, excluding the portion within the State of New Mexico.

St. Joseph, Mo.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Rosecrans Memorial Airport (latitude 39°46'25" N., longitude 94°54'45" W.); and within 5 miles east and 8 miles west of the St. Joseph ILS localizer south course, extending from the 8-mile radius area to 12 miles south of the OM; and that airspace extending upward from 4,500 feet MSL in the vicinity of St. Joseph bounded by V-13 on the west, V-161 on the east and V-50 on the south; within the area bounded on the west by V-13, on the north by V-50, on the east by V-161 and on the south by a direct line from latitude 39°39'30" N., longitude 94°07'40" W. to latitude 39°40'45" N., longitude 94°18'35" W.; within the area bounded on the north by V-216, on the east by V-15 and on the southwest by a line starting at the intersection of the south edge of V-216 and on the north edge of V-50, to the intersection of the north edge of V-50 and a line from latitude 40°00'35" N., longitude 95°32'30" W. to latitude 40°09'00" N.; longitude 95°30'00" W.; thence direct to latitude 40°09'00" N., longitude 95°30'00" W., to latitude 40°05'40" N., longitude 95°07'35" W., thence clockwise along the arc of a 14-mile radius circle centered on the St. Joseph VOR to its intersection with the west edge of V-15; and the area bounded on the southwest by V-15, on the north by V-216, on the southeast by V-77 and on the south by the arc of a 14-mile radius circle centered on the St. Joseph VOR.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

St. Louis, Mo.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Lambert-St. Louis International Airport (latitude 38°44'50" N., longitude 90°21'55" W.); within 5 miles southeast and 8 miles northwest of the Lambert-St. Louis International Airport Runway 24 ILS localizer northeast course, extending from the 10-mile radius area to 12 miles northeast of the Runway 24 OM; within 5 miles southwest and 9 miles northeast of the Lambert-St. Louis International Airport Runway 12R ILS localizer northwest course extending from the Runway 12R OM to 12 miles northwest of the OM; within a 7-mile radius of St Charles Smartt Airport, St. Charles, Missouri (latitude 38°55'43" N., longitude 90°25'41" W.); within an 8-mile radius of Civic Memorial Airport, Alton, Illinois (latitude 38°53'30" N., longitude 90°03'00" W.); within a 6.5-mile radius of Weiss Municipal Airport, Fenton, Missouri (latitude 38°32'15" N., longitude 90°26'50" W.); that airspace extending upward from 2,500 feet MSL within the area bounded on the northwest by the southeast edge of V-335, on the east by the Missouri-Illinois boundary, on the south by the north edge of V-190 and on the west by the east edge of V-9; and that airspace extending upward from 4,500 feet MSL within the area bounded on the north by the south edge of V-88, on the northeast by the southwest edge of V-9W, on the south by the north edge of V-72, on the west by a line 5 miles west of and parallel to the St. Louis VORTAC 200° radial, on the northwest by the southeast edge of V-238; within the area bounded on the north by the south edge of V-12, on the southeast by the northwest edge of V-14N, on the southwest by the northeast edge of V-175, and on the northwest by a line 5 miles southeast of and parallel to the Jefferson City, Missouri VOR 041° radial, and within the area bounded on the northeast by the southwest edge of V-52 and the Missouri-Illinois boundary, on the south by the north edge of V-4N, and on the northwest by the southeast edge of V-63.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

St. Marys, Pa.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center, 41° 24'45" N., 78°30'20" W. of St. Marys Municipal Airport, St. Marys, Pa.; within 2.5 miles each side of the Slate Run, Pa., VORTAC 256° radial, extending from the 5.5-mile radius area to 22 miles west of the VORTAC.

Salem, Ill.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Salem-Leckrone Airport (latitude 38°38'45" N., longitude 88°57'45" W.); and within 2 miles each side of the 003° bearing from Salem-Leckrone Airport, extending from the 5-mile radius area to 6½ miles north of the airport.

Salem, Oreg.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of McNary Field, Salem, Oreg. (latitude 44°54'35" N., longitude 123°00'05" W.); within 2 miles each side of a 196° bearing from the Salem ILS LOM, extending from the 7-mile radius area to 8 miles S of the LOM and within 2 miles each side of the Salem ILS localizer SE course, extending from the 7-mile radius area to 6 miles SE of the LOM; that airspace extending upward from 1,200 feet above the surface within 6 miles SW and 7 miles NE of the 150° and 330° bearings from the Salem ILS LOM, extending from V-23E to V-23W.

Salina, Kansas
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Salina Municipal Airport (latitude 38°47'40" N., longitude 97°39'30" W.); within 4½ miles W and 9½ miles E of the Salina ILS localizer course, extending from 3 miles N to 18½ miles S of the ILS OM; and within 5 miles each side of the Salina VORTAC 012° radial extending from the 9-mile radius area to 17½ miles N of the VORTAC, excluding the portion which overlies restricted area R-3601 and the McPherson, Kansas 700-foot floor transition area.
AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)
AMENDMENTS 6/19/75 40 F. R. 17836 (Rewritten)

Salisbury, Md.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, lat. 38°20'21" N., long. 75°30'41" W. of Salisbury-Wicomico County Airport, Salisbury, Md.; within 3.5 miles each side of the Salisbury VORTAC 209° radial, extending from the 6.5-mile radius area to 11.5 miles southwest of the VORTAC; within 3.5 miles each side of the Salisbury VORTAC 052° radial, extending from the 6.5-mile radius area to 11 miles northeast of the VORTAC; within 4 miles each side of the Salisbury-Wicomico County Airport localizer northwest course, extending from the 6.5-mile radius area to 10.5 miles northwest of the localizer; and within 3.5 miles each side of the Salisbury VORTAC 132° radial extending from the 6.5-mile radius area to 11.5 miles southeast of the VORTAC.

Salisbury, N. C.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Rowan County Airport (latitude 35°38'30" N., longitude 80°31'10" W.); within 3 miles each side of the 017° bearing from Salisbury NDB (latitude 35°40'29" N., longitude 80°30'32" W.), extending from the 8-mile radius area to 8.5 miles north of the NDB.
AMENDMENTS 12/4/75 40 F. R. 43485 (Changed)

Salt Lake City, Utah
That airspace extending upward from 700 feet above the surface bounded on the north by latitude 41°00'00" N., on the east by longitude 111°45'00" W., and on the south and west by the arc of an 18.5-mile radius circle centered on the Salt Lake City VORTAC; that airspace extending upward from 1,200 feet above the surface bounded on the E by longitude 111°36'00" W. and V-235, on the S by latitude 40°30'00" N., on the SW by a line extending from latitude 40°30'00" N., longitude 112°30'00" W., to latitude 40°40'00" N., longitude 112°56'30" W., on the W by longitude 112°56'30" W., and on the N by latitude 41°00'00" N.; that airspace E of Salt Lake City extending upward from 11,000 feet m.s.l. bounded on the NW by V-32, on the SE by V-235, on the SW by V-484, and on the W by longitude 111°36'00" W.; and that airspace SE of Salt Lake City extending upward from 12,400 feet MSL bounded on the NE by the SW edge of V-484, on the S by the N edge of V-200 and on the NW by the SE edge of V-235, excluding the portion within Restricted Area R-6403.

Salyer Farms, Calif.
That airspace extending upward from 700 feet above the surface within a 3-mile radius of Salyer Farms Airport (latitude 36°05'01" N., longitude 119°32'39" W.), and within 2 miles each side of the 151° bearing from the Salyer Farms radio beacon (latitude 36°05'14" N., longitude 119°32'44" W.) extending from the 3-mile radius area to 8 miles southeast of the radio beacon excluding that airspace within a 1-mile radius of Corcoran Airport (latitude 36°06'10" N., longitude 119°35'40" W.), that airspace extending upward from 1,200 feet above the surface within 5 miles northeast and 8 miles southwest of the 151° bearing from the Salyer Falms radio beacon extending from the radio beacon to 12 miles southeast.

San Angelo, Tex.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Mathis Field, San Angelo, Tex. (latitude 31°21'35" N., longitude 100°29'40" W.); within 5 miles northwest and 8 miles southeast of the San Angelos ILS localizer southwest course extending from the OM to 12 miles southwest.

San Antonio, Tex.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 29°22'30" N., longitude 97°47'00" W.; thence west via latitude 29°22'30" N. to and clockwise along the arc of a 23-mile radius circle centered at latitude 29°31'50" N., longitude 98°28'12" W., to latitude 29°13'15" N., longitude 98°20'00" W.; thence southeast to latitude 29°05'30" N., longitude 98°14'30" W.; thence southwest to latitude 29°01'40" N., longitude 98°21'40" W.; thence northwest to latitude 29°08'30" N., longitude 98°34'10" W.; thence north to the 23-mile radius circle at latitude 29°12'00" N., longitude 98°32'40" W.; thence clockwise along the arc of the 23-mile radius circle to latitude 29°38'00" N., longitude 98°50'15" W.; thence northwest to latitude 29°43'30" N., longitude 98°57'00" W.; thence northeast to latitude 29°53'00" N., longitude 98°50'30" W.; thence southeast to the 23-mile radius circle at latitude 29°47'30" N., longitude 98°42'40" W.; thence clockwise along the arc of the 23-mile radius circle to latitude 29°48'30" N., longitude 98°13'30" W.; thence to latitude 29°43'00" N., longitude 98°01'30" W.; thence to point of beginning and within 5 miles northeast and 8 miles southwest of the La Vernia VOR 149° radial extending from the VOR to 12 miles southeast.

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San Carlos, Ariz.
That airspace extending upward from 1,200 feet above the surface bounded on the northwest by the southeast edge of V-190,
on the east by an arc of a 115 mile radius circle centered on Williams AFB, Ariz. (latitude 33°18'25" N., longitude 111°39'35" W.); on the south by the north edge of V-94 and on the west by longitude 110°52'00" W.

AMENDMENTS 10/9/75 40 F. R. 36560 (Changed)

San Diego, Calif.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 33°15' 00" N., longitude 117°30'30" W., to latitude 33°15'00" N., longitude 117°02'00" W., to latitude 33°00'00" N., longitude 116°45'00" W., thence S along longitude 116°45'00" W., to the United States/Mexican Border,
thence W along the United States/Mexican Border
and Flight Information Region Boundary to latitude 32° 29' 40" N., longitude 117° 21' 00" W., thence via the arc of a 21-mile radius circle centered on the Mission Bay, Calif., VORTAC to latitude 32°33'00" N., longitude 117° 27'30" W.,
thence N to the point of beginning; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 33° 30' 00" N., longitude 117° 30' 00" W., thence to latitude 33° 30' 00" N., longitude 116°18'00" W., thence to latitude 33°18'00" N., longitude 116°10'30" W., thence to latitude 33° 00' 00" N., longitude 116° 05' 00" W., thence S via longitude 116° 05' 00" W., to the United States/Mexican Border, thence W via the United States/Mexican Border and Flight Information Region boundary to latitude 32° 29' 40" N., longitude 117°21'00" W., thence via the arc of a 21-mile radius circle centered on the Mission Bay, Calif., VORTAC to
latitude 32° 37' 15" N., longitude 117° 31' 50" W., thence to latitude 32° 34' 45" N., longitude 117° 39' 00" W., thence to latitude 32° 49' 30" N., longitude 117° 45' 15" W., thence to latitude 32° 57' 40" N., longitude 117° 35' 00" W., thence to latitude 33° 11' 00" N., longitude 117° 48' 55" W., thence to latitude 33° 15' 00" N.. longitude 117° 30' 00" W., thence N via longitude 117° 30' 00" W., to the point of beginning.
AMENDMENTS 8/14/75 40 F. R. 26020 (Changed)
AMENDMENTS 10/9/75 40 F. R. 34333 (Changed) Corr: 40 F. R. 42341

Sandusky, Ohio
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Griffing-Sandusky Airport (latitude 41°26'01" N., longitude 82°39'08" W.); within 3 miles either side of the Sandusky VOR 090° radial extending from the 5-mile radius to 7½ miles east of the airport excluding that portion that overlies the Port Clinton transition area.

Sanford, Fla.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Sanford Airport (lat. 28°46'30" N., long. 81°14'25" W.); within 3 miles each side of the 260° bearing from Sanford RBN (lat. 28°37'05" N., long. 81°14'36" W.); extending from the 6.5-mile radius area to 8.5 miles west of the RBN.

Sanford, Maine
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Sanford Municipal Airport (latitude 43°23'30" N., longitude 70°42'35" W.); within 2 miles each side of the Kennebunk, Maine VOR 066° radial, extending from the 7-mile radius area to 8 miles NE of the VOR.

Sanford, N. C.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Sanford Municipal Airport (latitude 35°25'55" N., longitude 79°11'10" W.); within 2.5 miles each side of Pinehurst VORTAC 057° radial, extending from the 5.5-mile radius area to 21 miles northeast of the VORTAC.

San Francisco, Calif.
That airspace extending upward from 700 feet above the surface bounded on the N by latitude 38°02'00" N., on the E by longitude 121°52'00" W., on the S by latitude 37°30'00" N., and on the W by a line extending from latitude 37°30'00" N., longitude 122°27'00" W., to latitude 37°34'00" N., longitude 122°31'00" W., to latitude 37°55'00" N., longitude 123°31'00" W., to latitude 38°02'00" N., longitude 122°40'00" W.; and that airspace extending upward from 1,200 feet above the surface bounded on the N by latitude 38°02'00" N., on the E by a line extending from latitude 38°02'00" N., longitude 121°37'00" W., to latitude 37°38'00" N., longitude 121°37'00" W., to latitude 37°38'00" N., longitude 121°50'00" W., to latitude 37°30'00" N., longitude 121°50'00" W., on the S by latitude 37°30'00" N., and on the W by V-27 and V-199.

San Jose, Calif.
That airspace extending upward from 700 feet above the surface within 5 miles each side of the Moffett TACAN 157° radial extending from the TACAN to 23 miles southeast of the TACAN, within 2 miles each side of the San Jose ILS localizer course extending from the San Jose 5-mile radius control zone to 1 mile SE of the San Jose LOM, within 5 miles SW and 8 miles NE of the San Jose VOR 139° radial, extending from 16 miles SE to 28 miles SE of the VOR, and that airspace bounded by a line beginning at latitude 37°30'00" N., longitude 121°52'00" W., thence to latitude 37°22'00" N., longitude 122°08'00" W., thence to latitude 37°22'00" N., longitude 122°24'00" W., thence to latitude 37°30'00" N., longitude 122°27'00" W., thence to point of beginning; that airspace extending upward from 1,200 feet above the surface bounded on the N by latitude 37°30'00" N., on the E and NE by longitude 121°50'00" W., and the SW edge of V-107, on the SE and S by the NW edge of V-111 and latitude 37°00'00" N., and on the W by the E edge of V-27 to latitude 37°30'00" N.

San Juan, P. R.
That airspace extending upward from 700 feet above the surface south of lat. 18°23'00" N., within a 20-mile radius of Puerto Rico International Airport (latitude 18°26'48" N., longitude 66°00'07" W.); that airspace north of latitude 18°23'00" N., within a 12-mile radius of Puerto Rico International Airport; within 5 miles each side of the San Juan VORTAC 058° radial, extending from the 12-mile radius area to 15 miles northeast of the VORTAC; within 4 miles each side of the San Juan VORTAC 086° radial, extending from the 12-mile radius area to 12 miles east of VORTAC; within 5 miles each side of the 101° bearing from the Dorado RBN, extending from the 12-mile and 20-mile radius areas to the Dorado RBN; within 9.5 miles north and 4.5 miles south of the 277° bearing from the San Pat RBN, extending from the 12-mile and 20-mile radius areas to 18.5 miles west of the RBN; and that airspace
extending upward from 1,200 feet above the surface beginning at the intersection of a line 4 nautical miles north of and parallel to the centerline of Route 2 and the arc of a 41-mile radius circle centered at Puerto Rico International Airport west of San Juan VORTAC; thence clockwise along this arc to the centerline of Route 3; thence southeast along the centerline of Route 3 to the arc of a 23-mile radius circle centered at Puerto Rico International Airport; thence clockwise along this arc to longitude 65°55'00" W.; thence south to latitude 18°40'00" N., longitude 65°55'00" W.; thence east to latitude 18°40'00" N., longitude 65°26'00" W.; thence south along longitude 65°26'00" W. to a line 4 nautical miles north of and parallel to the centerline of Route 2; thence east and southeast along this line to the arc of a 15-mile radius circle centered at Harry S. Truman Airport (latitude 18°20'26" N., longitude 64°58'11" W.); thence counterclockwise along this arc to a line 3 nautical miles southwest of and parallel to the centerline of Route 2; thence northwest and west along this line to longitude 65°26'00" W.; thence south along longitude 65°26'00" W. to the arc of a 15-mile radius circle centered at NS Roosevelt Roads Airport (latitude 18°15'05" N., longitude 65°38'35" W.); thence clockwise along this arc to the intersection of a line 5 miles southeast of and parallel to the 052° bearing from the Point Tuna RBN; thence southwest along this line to latitude 18°00'00" N.; thence west along latitude 18°00'00" N., to and south along longitude 66°15'00" W., to and east along a line 4.5 miles north of and parallel to Ponce VOR 111° radial, to and south along a line 18.5 miles east of Ponce VOR and perpendicular to the Ponce VOR 111° radial, to Latitude 17°46'15" N., longitude 66°18'30" W.; thence west along a line 9.5 miles south of and parallel to Ponce VOR 111° radial to the intersection of a 15-mile radius circle centered at Mercedita Airport (latitude 18°00'40" N., longitude 66°33'50" W.); thence clockwise along this arc to latitude 18°00'00" N.; thence west to latitude 18°07'00" N., longitude 67°22'00" W.; thence north to the intersection of longitude 67°23'00" W. and the arc of a 25-mile radius circle centered at Borinquen Airport (latitude 18° 29'45" N.,
longitude 67°08'00" W.); thence clockwise along this arc to a line 4 nautical miles north of and parallel to the centerline of Route 2 east of Borinquen Airport; thence east along this line to the point of beginning; and that
airspace extending upward from 2,000 feet MSL within a 100 nautical mile radius of the Isla Grande Airport (Latitude 18°27'33" N., longitude 66°05'55" W.) San Juan, P. R.; excluding the portion that coincides with the 1,200-foot floor portions of the San Juan, St. Croix, and St. Thomas transition areas.

San Luis Obispo, Calif.
That airspace extending upward from 700 feet above the surface within a 3-mile radius of San Luis Obispo County Airport (latitude 35°14'16" N., longitude 120°38'20" W.); within 2 miles each side of the San Luis Obispo VORTAC 280° and 100° radials, extending from the 3-mile radius area to 8 miles west of the VORTAC; and within 2 miles west and 3 miles east of the 191° bearing from the San Luis Obispo County Airport, extending from the 3-mile radius area to 6 miles south of the airport.

San Marcos, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the San Marcos Municipal Airport (latitude 29°53'38" N.,.longitude 97°51'45" W.).

AMENDMENTS 10/9/75 40 F. R. 34087 (Added)

San Rafael, Calif.
That airspace extending upward from 700 feet above the surface bounded on the E by the W edge of V-195, on the S by latitude 38°02'00" N., and on the W and N by an arc of a 23-mile radius circle centered on Hamilton AFB (latitude 38°03'35" N., longitude 122°30'35" W.); that airspace extending upward from 1,200 feet above the surface bounded on the N by the S edge of V-200, on the E by the W edge of V-195, on the S by latitude 38°02'00" N., on the W by the E edge of V-199 to latitude 38°13'30" N., thence via latitude 38°43'30" N. to the E edge of V-25, thence via the E edge of V-25 to the S edge of V-200.

San Simon, Ariz.
That airspace extending upward from 1,200 feet above the surface within 10 miles N and 7 miles S of the San Simon VOR 089° and 269° radials, extending from 9 miles W to 20 miles E of the VOR, excluding the portion within the Cochise, Ariz., Portal, Ariz., and New Mexico transition areas.

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Santa Barbara, Calif.
That airspace extending upward from 700 feet above the surface within 2 miles each side of the Santa Barbara ILS localizer west course, extending from the OM to 2 miles west of the OM; between the arcs of a 5-mile radius circle and 8.5-mile radius circle centered on the Santa Barbara Municipal Airport (latitude 34°25'35" N., longitude 119°50'20" W.), extending clockwise from a line 2 miles north of the 089° bearing from the Santa Barbara LMM to a line 2.5 miles south of the 115° bearing from the LMM; and within 2 miles east and 7 miles west of the Santa Barbara VORTAC 196° radial, extending from a 5-mile radius circle centered on the Santa Barbara Municipal Airport to 15.5 miles south of the VORTAC;
and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 35°35'00" N., longitude 120°05'00" W., thence to latitude 35°05'00" N., longitude 120°05'00" W., to latitude 35°05'00" N., longitude 119°30'00" W., to latitude 34°20'00" N., longitude 119°30'00" W., to latitude 34°20'00" N., longitude 120°00'00" W., to latitude 34°15'00" N., longitude 120°00'00" W., to latitude 34°15'00" N., longitude 120°10'30" W., to latitude 34°06'15" N., longitude 120°30'00" W., to latitude 34°24'00" N., longitude 120°30'00" W., to latitude 34°24'45" N., longitude 120°27'20" W., to latitude 34°35'00" N., longitude 120°31'40" W., to latitude 34°39'50" N., longitude 120°31'15" W., to latitude 34°46'15" N., longitude 120°26'40" W., to latitude 34°49'00" N., longitude 120°27'15" W., to latitude 34°59'32" N., longitude 120°41'50" W., to latitude 35°10'00" N., longitude 120°55'00" W., to latitude 35°21'00" N., longitude 121°03'00" W., to latitude 35°33'00" N., longitude 121°03'00" W., to latitude 35°33'00" N., longitude 120°40'30" W., to latitude 35°22'25" N., longitude 120°31'50" W., to latitude 35°31'40" N., longitude 120°15'00" W., to latitude 35°35'35" N., longitude 120°18'10" W., thence to point of beginning.

Santa Catalina, Calif.
That airspace extending upward from 1,200 feet above the surface bounded on the E by longitude 117° 30' 00" W., on the S by a line extending from latitude 33° 15' 00" N., longitude 117° 30' 00" W., to latitude 33° 11' 00" N., longitude 117° 48' 55" W., to latitude 33° 18' 00" N., longitude 118° 34' 00" W., on the W by longitude 118° 34' 00" W., and on the N by latitude 33° 30' 00" N., excluding the portion within Control Area 1177.

Santa Elena, Tex.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Diamond "O" Ranch Airport (latitude 26°43'10" N., longitude 98°33'25" W.), and within 3.5 miles each side of the 359° bearing from the Santa Elena RBN (latitude 26°43'07" N., longitude 98°33'37" W.) extending from the 5-mile radius area to 11.5 miles north of the RBN.

Santa Fe, N. Mex.
That airspace extending upward from 700 feet above the surface within an 11.5-mile radius of the Santa Fe County Municipal Airport (latitude 35°37'00" N., longitude 106°05'25" W.), and within 3 miles each side of the Santa Fe VORTAC 165° radial, extending from the 11.5-mile radius area to 9 miles south of the VORTAC.

Santa Maria, Calif.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Santa Maria Public Airport (latitude 34°53'55" N., longitude 120°27'20" W.) and within 3 miles each side of the Santa Maria VOR 133° and 327° radials extending from 17 miles southeast to 7 miles northwest of the VOR.

Santa Rosa, Calif.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Sonoma County Airport (latitude 38°30'30" N., longitude 122°48'45" W.) and within a 1-mile radius of Santa Rosa Coddingtown Airport (latitude 38°28'30" N., longitude 122°44'25" W.).

Santa Ynez, Calif.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Santa Ynez Airport (latitude 34°36'25" N., longitude 120°04'30" W.), within 5 miles each side of the Santa Barbara VORTAC 291° radial extending from the 5-mile radius area to 35 miles west of the VORTAC and within 1.5 miles each side of the Gaviota VORTAC 009° and 178° radials from the 5-mile radius area to 1 mile south of the VORTAC.

AMENDMENTS 3/27/75 40 F. R. 3210K (Rewritten)

Saranac Lake, N. Y.
That airspace extending upward from 700 feet above the surface beginning at lat. 44°38'00" N., long. 74°12'00" W.; to lat. 44°40'00" N., long. 73°55'00" W.; to lat. 44°21'00" N., long. 73°50'00" W.; to lat. 44°08'00" N., long. 74°27'00" W.; to lat. 44°21'00" N., long. 74°38'00" W.; to point of beginning.

Sarasota, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Sarasota-Bradenton Airport (lat. 27°23'47" N., long. 82°33'15" W.); within 3 miles each side of Sarasota VORTAC 050° and 302° radials, extending from the 8.5-mile radius area to 8.5 miles northeast and northwest of the VORTAC; within 5 miles each side of Sarasota VORTAC 142° radial, extending from the 8.5-mile radius area to 8.5 miles southeast of the VORTAC; excluding that airspace outside the continental limits of the United States.

Sault Ste. Marie, Mich.
That airspace within the United States extending upward from 700 feet above the surface within a 7-mile radius of Kincheloe AFB (latitude 46°15'00" N., longitude 84°28'00" W.); within 8 miles northeast and 5 miles southwest of the 129° bearing from the Sault Ste. Marie RBN, extending from the RBN to 12 miles southeast of the RBN; within 2 miles each side of the Sault Ste. Marie VOR 153° radial, extending from the VOR to 8 miles southeast of the VOR, within 2 miles each side of the Sault Ste. Marie, Ontario, Canada, ILS localizer northwest course, extending from the OM to 8 miles northwest of the OM, and within 2 miles each side of the 293° bearing from the Gros Cap RBN, extending from the RBN to 8 miles northwest of the RBN, and the airspace within the United States extending upward from 1,200 feet above the surface within a 34-mile radius of Kincheloe AFB.

Savannah, Ga.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Savannah Municipal Airport (lat. 32°07'35" N., long. 81°12'08" W.); within 3 miles each side of Savannah VORTAC 061° radial, extending from the 8.5-mile radius area to 8.5 miles northeast of the VORTAC; within 3 miles each side of the ILS localizer east course, extending from the 8.5-mile radius area to 13 miles east of Runway 27 threshold; within an 8.5-mile radius of Hunter AAF (Lat. 32°00'35" N., Long. 81°08'48" W.); excluding the portion east bounded on the south by a line 2 miles north of and parallel to the extended centerline of Hunter AAF Runway 27; on the west by a line 6 miles east of and parallel to Hunter VOR 001° radial, and on the north by a line 3 miles south of and parallel to Savannah ILS localizer east course.

Savannah, Tenn.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Savannah Municipal Airport (latitude 35°10'15" N., longitude 88°13'00" W.); within 3 miles each side of the 197° bearing from Savannah RBN (latitude 35°10'13" N., longitude 88°12'50" W.), extending from the 7-mile radius area to 8.5 miles south of the RBN.

AMENDMENTS 2/27/75 39 F. R. 44003 (Changed)

Scottsbluff, Nebr.
That airspace extending upward from 700 feet above the surface within a 9½ mile radius of the Scottsbluff County Airport (latitude 41°52'34" N., longitude 103°35'53" W.);
within 4.5 miles south and 9½ miles north of the Scottsbluff VORTAC 079° radial extending from the 9½ mile radius to 13 miles east of the VORTAC, within 4.5 miles southwest and 9½ miles northeast of the ILS localizer southeast course extending from the 9½ mile radius to 13 miles southeast of the outer marker; within five miles northeast and 9½ miles southwest of the ILS localizer northwest course extending from the 9½ mile radius to 17.5 miles northwest of the airport.

AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

Searcy, Ark.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Searcy Municipal Airport (latitude 35°13'17" N., longitude 91°44'15" W.).

Seattle, Wash.
That airspace extending upward from 700 feet above the surface bounded on the east by a line beginning at latitude 49°00' N.; longitude 122°21' W., to latitude 48°40' N., longitude 122°21' W., to latitude 48°40' N., longitude 122°05' W., latitude 47°30' N., longitude 121°48' W., to latitude 47°10' N., longitude 121°48' W., to latitude 46°48' N., longitude 122°15' W., on the south by a line extending to latitude 46°42' N., longitude 123°17' W., on the west by a line extending to latitude 47°10' N., longitude 123°17' W., to latitude 47°10' N., longitude 123°00' W., to latitude 47°30' N., longitude 123°00' W., to latitude 48°17' N., longitude 123°15' W., thence via the Canada/United States boundary to the point of beginning; that airspace extending upward from 1,200 feet above the surface bounded on the north by a line beginning at latitude 48°05' N., longitude 123°40' W., to latitude 48°05' N., longitude 121°35' W., on the east by a line extending to the south via longitude 121°35' W., to the south edge of V-204, on the south by the south edge of V-204 and latitude 46°30' N., to the east edge of V-27, on the west by east edge of V-27 to longitude 123°40' W., to the point of beginning; that airspace east of Seattle extending upward from 9,500 feet MSL bounded on the north by a line beginning at latitude 48°00' N., longitude 121°35' W., to latitude 48°00' N., longitude 121°00' W., thence south to latitude 47°42' N., longitude 121°00' W., thence east to latitude 47°42' N., longitude 119°43' W., on the east by a line extending south via longitude 119°43' W., to the north edge of V-2N, on the south by the north edge of V-2N to longitude 121°35' W., and on the west by longitude 121°35' W., to the point of beginning.

AMENDMENTS 8/14/75 40 F. R. 24895 (Rewritten)

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Sebring, Fla.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Sebring Air Terminal (latitude 27°27'20" N.,longitude 81°20'30" W.); within 3 miles each side of the 164° bearing from Sebring RBN (latitude 27°27'37" N., longitude 81°21'00" W.), extending from the 6.5-mile radius area to 8.5 miles south of the RBN.

PENDING AMENDMENT
The Sebring, Fla., transition area is amended as follows: "Sebring Air Terminal" is deleted and "Sebring Airport and Industrial Park" is substituted therefor.

AMENDMENTS 1/29/76 40 F. R. 53232 (Changed)

Sedalia, Mo.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Whiteman AFB (latitude 38°43'50" N., longitude 93°33'00" W.); within 2 miles each side of Whiteman AFB ILS localizer south course, extending from the 8-mile radius area to 8 miles south of the OM; within a 6.5-mile radius of Sedalia Memorial Airport (latitude 38°42'15" N., longitude 93°11'00" W.); within 3 miles each side of the 010° bearing from Sedalia Memorial Airport, extending from the 6.5-mile radius area to 8 miles north of the airport; and within 3 miles each side of the 176° bearing from Sedalia Memorial Airport, extending from the 6.5-mile radius area to 8 miles south of the airport.

AMENDMENTS 4/24/75 40 F. R. 8545 (Rewritten)
AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)
AMENDMENTS 12/4/75 40 F. R. 47104 (Rewritten)

Sedona, Ariz.
That airspace extending upward from 700 feet above the surface within a 3-mile radius of Sedona Airport (latitude 34°51'00" N., longitude 111°47'10" W.), within 2.5 miles each side of the 219° bearing from the Sedona radio beacon (latitude 34°49'41" N., longitude 111°48'48" W.), extending from the 3-mile radius area to 7 miles SW of the radio beacon; that airspace extending upward from 1,200 feet above the surface within 9 miles NW and 12 miles SE of the 219° bearing from the Sedona radio beacon extending from the radio beacon to 18.5 miles SW of the radio beacon.

Selinsgrove, Pa.
That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of the center, lat. 40°49'04" N., long. 76°51'51" W. of Penn Valley Airport, Selinsgrove, Pa.; within 3.5 miles each side of the Selinsgrove, Pa., VORTAC 209° radial extending from the 10.5-mile radius area to 10.5 miles southwest of the VORTAC; within the arc of a 14-mile radius circle centered on Penn Valley Airport extending clockwise from 095° to 125°.

Selma, Ala.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Craig AFB (lat. 32° 20'30" N., long. 86°59'15" W.); within 3 miles each side of the ILS localizer southeast course, extending from the 9-mile radius area to 8.5 miles southeast of the OM; within a 6.5-mile radius of Selfield Airport (lat. 32°26'25" N., long. 86°57'10" W.); within 3 miles each side of the 126° bearing from Gurth RBN (lat. 32°26'27" N., long. 86°57'15" W.), extending from the 6.5-mile radius area to 8.5 miles southeast of the RBN.

Selmer, Tenn.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Robert Sibley Airport (latitude 35°12'38" N., longitude 88°30'30" W.); within 3 miles each side of the 334° bearing from Sibley RBN (latitude 35°14'15" N., longitude 88°31'03" W.), extending from the 6.5-mile radius area to 8.5 miles northwest of the RBN.

AMENDMENTS 3/27/75 40 F. R. 5140 (Added)

Seymour, Ind.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Freeman Field (latitude 38°55'36" N., longitude 85°54'20" W.); within 3 miles each side of the 061° bearing from Freeman Field, extending from the 7-mile radius area to 7½ miles northeast of the airport; and within 3 miles each side of the 161° bearing from Freeman Field extending from the 7-mile radius area to 7½ miles south of the airport.

Seymour, Tex.
That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 33°39'00" N., longitude 99°20'00" W., thence to latitude 33°46'00" N., longitude 99°23'00" W., to latitude 33°52'00" N., longitude 99°07'00" W., to latitude 33°42'00" N., longitude 99°03'00" W., to point of beginning.

Shawnee, Okla.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Shawnee Municipal Airport (latitude 35°21'16" N., longitude 96°56'33" W.), and within 2 miles each side of the 009° bearing from the Shawnee RBN (latitude 35°20'51" N., longitude 96°56'48" W.) extending from the 5-mile radius area to 8 miles north of the RBN.

Sheboygan, Wis.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Sheboygan County Memorial Airport (latitude 43°46'18" N., longitude 87°51'08" W.).

Shelby, Mont.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Shelby Airport (latitude 48°32'26" N., longitude 111°52'30" W.) and within 3 miles each side of the 043° bearing from Shelby Airport extending from the 6-mile radius area to 8.5 miles northeast of the airport; that airspace extending upward from 1,200 feet above the surface within 5 miles each side of a direct course between the Cut Bank, Mont., VORTAC and the Shelby Airport, extending from the airport to 7 miles east of the VORTAC and within 4.5 miles southeast and 9.5 miles northwest of the 043° bearing from the Shelby Airport, extending from the airport to 18.5 miles northeast of the airport.

Shelby, N. C.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Shelby Municipal Airport (latitude 35°19'25" N., longitude 81°36'00" W.); within 3 miles each side of the Spartanburg VORTAC 052° radial, extending from the 7-mile radius area to 13 miles northeast of the VORTAC.

Shelbyville, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Shelbyville Memorial Airport (latitude 39°34'50" N., longitude 85°48'20" W.), and within 2 miles each side of the Shelbyville, Ind., VOR 340° radial extending from the 5-mile radius area to 8 miles north of the VOR.

Shelbyville, Tenn.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of Bomar Field (latitude 35°33'44" N., longitude 86°26'33" W.); within 4.5 miles north and 9.5 miles south of the Shelbyville VOR 272° radial, extending from the VOR to 18.5 miles west; within 4.5 miles east and 9.5 miles west of the Shelbyville VOR 196° radial, extending from the VOR to 18.5 miles south; within a 9.5 mile radius of Ellington Airport, Lewisburg, Tenn. (latitude 35°30'38" N., longitude 86°48'15" W.); excluding the portion within the Mount Pleasant, Tenn., transition area.

Sheldon, Iowa
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Sheldon Municipal Airport (latitude 43°12'35" N., longitude 95°50'05" W.); and within 3 miles each side of the 163° bearing from Sheldon Municipal Airport, extending from the 5½-mile radius area to 8 miles south of the airport.

Shemya, Alaska
That airspace extending upward from 700 feet above the surface within a 12-mile radius of the Shemya Airport (latitude 52°42'50" N., longitude 174°06'37" E.); and that airspace extending upward from 1,200 feet above the surface within a 29-mile radius of the Shemya Airport. The portion within R-2204 is excluded.

Shenandoah, Iowa
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Shenandoah, Iowa, Municipal Airport (latitude 40°45'15" N., longitude 95°25'15" W.), and within 5 miles NE and 8 miles SW of the 133° bearing from the Shenandoah RBN, extending from the RBN to a point 12 miles SE of the RBN.

Sheridan, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Sheridan Airport (latitude 40°10'33" N., longitude 86°13'58" W.); within 2.5 miles either side of the 019° bearing from the airport, extending from the 5-mile radius to 6 miles north excluding the portion which overlies the Zionsville, Indiana, transition area.

AMENDMENTS 8/21/75 40 F. R. 26076 (Added)

Sheridan, Wyo.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Sheridan County Airport (latitude 44°46'23" N., longitude 106°58'15" W.); that airspace extending upward from 1,200 feet above the surface within 7 miles southwest and 10 miles northeast of the Sheridan VORTAC 138° and 318° radials, extending from 18.5 miles northwest to 34 miles southeast of the VORTAC; and that airspace southeast of Sheridan bounded on the north by a line located 5 miles south of and parallel to the Sheridan VORTAC 104° radial, on the east by a 35-mile radius arc of the Sheridan VORTAC, and on the south by a line located 10 miles north of and parallel to the Sheridan VORTAC 138° radial.

Sherman, Tex.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Sherman Municipal Airport (lat. 33°37'30" N., long. 96°38'00" W.); within a 7-mile radius of Grayson County Airport (lat. 33° 43'58" N., long. 96°40'25" W.); and within 2 miles each side of the 181° bearing from the Grayson County MRB (lat. 33°40'26" N., long. 96°40'10" W.) extending from the 7-mile radius area to the MRB.

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Shirley, N. Y.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, 40° 49'00" N., 72°51'45" W., of Brookhaven Airport, Shirley, N. Y., and within 4.5 miles northwest and 6.5 miles southeast of the 065° bearing and the 245° bearing from the Peconic, N. Y., RBN, extending from 5.5 miles northeast to 11.5 miles southwest of the RBN, excluding the portions that coincide with the Islip, N. Y., Calverton, N. Y., and Westhampton Beach, N. Y., transition areas.

Shreveport, La.
That airspace extending upward from 700 feet above the surface within an area bounded by a line beginning at latitude 32°48'10" N., longitude 93°48'30" W.; to latitude 32°42'00" N., longitude 93°37'00" W.; to latitude 32°25'00" N., longitude 93°27'00" W.; to latitude 32°14'00" N., longitude 93°27'00" W.; to latitude 32°16'30" N., longitude 93°53'30" W.; to latitude 32°35'30" N., longitude 94°00'30" W.; to point of beginning.

Sidney, Mont.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Sidney-Richland Municipal Airport (latitude 47°42'35" N., longitude 104°11'10" W.); within 9.5 miles east and 4.5 miles west of the 356° bearing from the Sidney NDB (latitude 47°42'41" N., longitude 104°10'52" W.) extending from the 9-mile radius area to 18.5 miles north of the NDB; and within 9.5 miles southeast and 4.5 miles northwest of the 215° bearing from the Sidney NDB extending from the 9-mile radius area to 18.5 miles southwest of the NDB.

AMENDMENTS 6/19/75 40 F. R. 17006 (Rewritten)

Sidney, Nebr.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Sidney Municipal Airport (latitude 41°05'55" N., longitude 102°58'55" W.); within 5 miles NE and 8 miles SW of the Sidney VORTAC 321° radial, extending from the 10-mile radius area to 12 miles NW of the VORTAC; and that airspace in the state of Colorado extending upward from 1,200 feet above ths surface within 5 miles SW and 8 miles NE of the Sidney VORTAC 128° radial, extending from the VORTAC to 12 miles southeast of the VORTAC.

AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)
AMENDMENTS 10/9/75 40 F. R. 43020 (Rewritten)

Sidney, N. Y.
That airspace extending upward from 700 feet above the surface within a 12.5-mile radius of the center, lat. 42°18'22" N., long. 75°24'57" W. of Sidney Municipal Airport, Sidney, N. Y.; within a 16-mile radius arc from the center of the airport extending clockwise from a 080° bearing to a 215° bearing from the airport excluding the airspace within a 2-mile radius area of the Harmony Crest Airpark (lat. 42°13'56" N., long. 75°38'00" W.).

Sidney, Ohio
That airspace extending upward from 700 feet above the surface within a 4-mile radius of the center, 40°14'23" N., 84°09'17" W. of Sidney Airport, Sidney, Ohio; and within 2 miles each side of the Rosewood VOR 242° radial extending from the 4-mile radius area to the VOR.

Sikeston, Mo.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Sikeston Memorial Airport (latitude 36°53'50" N., longitude 89°33'45" W.); and within 2 miles each side of the 016° bearing from Sikeston Memorial Airport, extending from the 6-mile radius area to 8 miles north of the airport.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Silver City, N. Mex.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Silver City-Grant County Airport (latitude 32°38'25" N., longitude 108°09'15" W.), and within 3.5 miles each side of the Silver City VOR 141° radial extending from the 8-mile radius area to 10 miles southeast of the VOR.

Sioux City, Iowa
That airspace extending upward from 700 feet above the surface within a 19-mile radius of Sioux City Municipal Airport (latitude 42°24'03" N., longitude 96°22'55" W.); within 5 miles southwest and 9½ miles northeast of the Sioux City VORTAC 140° radial, extending from the 19-mile radius area to 24½ miles southeast of the VORTAC; within 4½ miles southwest and 9½ miles northeast of the Sioux City ILS localizer northwest and southeast courses, extending from the 19-mile radius area to 24½ miles southeast of the OM; within 4½ miles northeast and 11½ miles southwest of the Sioux City VORTAC 320° radial, extending from the VORTAC to 35 miles northwest of the VORTAC.

Sioux Falls, S. Dak.
That airspace extending upward from 700 feet above the surface within a 20-mile radius of Joe Foss Field (latitude 43°34'56" N., longitude 96°44'36" W.); within 9.5 miles southwest and 4.5 miles northeast of the Sioux Falls VORTAC 330° radial extending from the 20-mile radius area to 18.5 miles northwest of the VORTAC; and within 9.5 miles northwest and 4.5 miles southeast of the Sioux Falls ILS localizer northeast course, extending from the 20-mile radius area to 23 miles northeast of the airport;
and that airspace extending upward from 1,200 feet above the surface within a 27-mile radius of the Sioux Falls VORTAC extending from the VORTAC 054° radial clockwise to the Sioux Falls ILS localizer southwest course; excluding that portion in the state of Iowa; within a 25-mile radius of the Sioux Falls VORTAC extending from the Sioux Falls ILS localizer southwest course clockwise to the VORTAC 004° radial; and within a 13-mile radius extending from the Sioux Falls VORTAC 004° radial clockwise to the Sioux Falls VORTAC 054° radial; and that airspace extending upward from 4,000 feet MSL north of Sioux Falls bounded on the north by V-268, on the southeast by V-148 and on the southwest by V-15; within a 50-mile radius of Sioux Falls VORTAC, extending from the south edge of V-148S east of Sioux Falls clockwise to the northwest edge of V-148 west of Sioux Falls; and within a 55-mile radius of the Sioux Falls VORTAC, extending from the northwest edge of V-148 west of Sioux Falls clockwise to the south edge of V-120 west of Sioux Falls, excluding that portion in Minnesota.

Sitka, Alaska
That airspace extending upward from 700 feet above the surface within 3 miles northwest and 2 miles southeast of the Sitka RBN 207° bearing, extending from the RBN to 8 miles southwest of the RBN; within 2 miles each side of the Biorka Island VORTAC 148° radial, extending from the VORTAC to 8 miles southeast of the VORTAC; within 2 miles each side of the Sitka RBN 147° bearing, extending from the RBN to 8 miles southeast of the RBN; and within 2.5 miles each side of the localizer northwest course, extending from 14 miles northwest to 22 miles northwest of the localizer;
and that airspace extending upward from 1,200 feet above the surface within 9 miles southwest and 22 miles northeast of the Biorka Island VORTAC 308° radial, extending from the VORTAC to 33 miles northwest of the VORTAC, and within 9 miles northwest and 6 miles southeast of the Biorka Island VORTAC 027° and 207° radials, extending from 8 miles northeast to 10 miles southwest of the VORTAC.

Skaneateles, N. Y.
That airspace extending upward from 700-feet above the surface within a 5-mile radius of the center 42°54'50" N., 76°26'20" W. of Empire Aero Services Airport, Skaneateles, N. Y.; within 2 miles each side of the Runway 10 centerline, extended from the 5-mile radius area to 6 miles east of the lift-off end of the runway and within 3.5 miles each side of the Syracuse VORTAC 215° radial extending from the 5-mile radius area to 13 miles southwest of the Syracuse VORTAC, excluding the portion that coincides with the Syracuse, N. Y., transition area.

Skwentna, Alaska
That airspace extending upward from 700 feet above the surface within 4.5 miles N and 9.5 miles S of the 291° and 111° bearings from the Skwentna RBN, extending from 7.5 miles W to 18.5 miles E of the RBN.

Slidell, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Slidell Airport (latitude 30°20'37" N., longitude 89°49'18" W.), and within 2.5 miles each side of the New Orleans VORTAC 043° radial extending from the 5-mile radius area to 23 miles northeast of the VORTAC.

Smithfield, R.I.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 41°55'21" N., 71°29'30" W. of North Central State Airport, Smithfield, R.I., and within 2 miles east and 5 miles west of the Providence, R.I., VOR 347° radial extending from the 5-mile radius to the VOR, excluding the portion that overlaps the Providence 700-foot transition area.

Snyder, TX.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Winston Field Airport (latitude 32°41'50" N., longitude 100°57'10" W.) and within 3 miles each side of the 184° True bearing from the Snyder, TX., radio beacon extending from the 5-mile radius area to 8 miles south of the radio beacon.

Soldotna, Alaska
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Soldotna Airport (latitude 60°28'25" N., longitude 151°02'20" W.), excluding the portion within the Kenai 700-foot floor transition area.

Somerset, Ky.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Somerset-Pulaski County Airport (lat. 37°03'24" N., long. 84°36'45" W.); within 3 miles each side of the 230° bearing from Somerset RBN (lat. 37°03'19" N., long. 84°36'58" W.), extending from the 8.5-mile radius area to 8.5 miles southwest of the RBN.

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Somerset, PA.
That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of the center (lat. 40°02'15" N., long. 79°01'00" W.) of Somerset County Airport, Somerset, PA, and within 3.5 miles each side of the 056° bearing from the Stoystown RBN (lat. 40°05'17" N., long. 78°55'20" W.) extending from the 9.5-mile radius area to 11 miles northeast of the RBN, excluding the portion that coincides with the Johnstown, PA., transition area.

South Bend, Ind.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Michiana Regional Airport, South Bend, Ind. (latitude 41°42'15" N., longitude 86°18'50" W.) and within 5 miles south and 8 miles north of the South Bend ILS localizer east course, extending from Michiana Regional Airport to 12 miles east of the ILS outer marker and within 5 miles west and 8 miles east of the South Bend, Ind. VOR 360° radial, extending from the Michiana Regional Airport to 12 miles north of the VOR and within a 5-mile radius of Tyler Memorial Airport, Niles, Mich. (latitude 41°50'30" N., longitude 86°13'30" W.).

South Boston, VA.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, lat. 36°42'45" N., long. 78°51'00" W. of William M. Tuck Airport, South Boston, VA., and within 2 miles each side of the South Boston VORTAC 076° radial, extending from the 6.5-mile radius area to the VORTAC.

Southbridge, Mass.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, 42°06'05" N., 72°02'20" W. of Southbridge Municipal Airport, Southbridge, Mass.; within 3.5 miles each side of the Putnam, Conn.; VORTAC 315° radial, extending from the 6.5-mile radius area to the VORTAC; within 2 miles each side of the Runway 2 centerline extended from the 6.5-mile radius area to 6.5 miles north of the end of the runway and within 2 miles each side of the Runway 20 centerline extended from the 6.5-mile radius area to 6.5 miles south of the end of the runway.

South Carolina
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of South Carolina including the offshore airspace within 3 nautical miles of and parallel to the shoreline of South Carolina, and including the airspace outside the United States southeast of Myrtle Beach, S. C., bounded by a line beginning at latitude 33°48'10" N., longitude 78°31'45" W.; to latitude 33°46'15" N., longitude 78°30' 25" W.; thence clockwise along a 25-mile radius circle centered on Conway TACAN to latitude 33°19'40" N., longitude 79°02'10" W.; to latitude 33°14'15" N., longitude 79°06'15" W.; thence north along a line 3 nautical miles from and parallel to the shoreline to point of beginning; and east of Charleston, S. C., bounded by a line beginning at latitude 33°04'55" N., longitude 79°13'10" W.; to latitude 32°58'30" N., longitude 79°18'00" W.; to latitude 32°50'40" N., longitude 79°23'15" W.; thence clockwise along the arc of a 38-mile radius circle centered on the Charleston VORTAC to latitude 32°38'40" N., longitude 79°27'25" W.; to latitude 32°44'00" N., longitude 79°45'10" W.; thence north along a line 3 nautical miles from and parallel to the shoreline to point of beginning; and southeast of Beaufort, S. C., bounded by a line beginning at latitude 32°15'00" N., longitude 80°30'00" W.; to latitude 32°00'00" N., longitude 80°33'00" W.; to latitude 32°03'25" N., longitude 80°46'30" W.; thence north along a line 3 nautical miles from and parallel to the shoreline to point of beginning, excluding the airspace within R-6004.

Southern Pines, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Pinehurst-Southern Pines Airport (latitude 35°14'02" N., longitude 79°23'36" W.); within 1.5 miles each side of Pinehurst VORTAC 082° radial, extending from the 8.5-mile radius area to the VORTAC; excluding the portion within R-5311.

South Haven, Mich.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of South Haven Municipal Airport (lat. 42°21'15" N., long. 86°15'45" W.); and within 1.5 miles each side of the Pullman VORTAC 224° radial, extending from the 7-mile radius area to the VORTAC.

South Island, NY.
That airspace on each side of Control 1147, extending upward from FL 230 to FL 390, inclusive, bounded on the northeast by a line beginning at latitude 40°00'00" N., longitude 72°43'00" W., to latitude 39°35'00" N., longitude 72°20'00" W., thence south along longitude 72°20'00" W. to the northeast boundary of Control 1147, northwest along the northeast boundary of Control 1147, northeast along the southeast boundary of the Fire Island transition area to latitude 40°03'00" N., thence to point of beginning; and including the airspace bounded on the southwest by a line beginning at latitude 39°44'00" N., longitude 73°30'00" W., thence east along latitude 39°44'00" N., to the southwest boundary of Control 1147, southeast along the southwest boundary of Control 1147, southwest along the northwest boundary of the New York oceanic control area to longitude 72°30'00" W., thence to latitude 39°40'00" N., longitude 73°30'00" W., thence to point of beginning.

South Kauai, Hawaii
That airspace extending upward from 700 feet above the surface within 2 miles north and 4 miles south of the South Kauai, Hawaii, VORTAC 271° radial extending from the VORTAC to 8 miles west of the VORTAC; within 2 miles each side of the South Kauai, VORTAC 089° radial extending from the VORTAC to 6 miles east of the VORTAC and within 2 miles each side of the South Kauai, VORTAC 133° radial extending from the VORTAC to 6 miles southeast of the VORTAC.

Sparta, Ill.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Sparta Community Airport (latitude 38°08'55" N., longitude 89°41'55" W.); and within 3 miles each side of the 009° bearing from Sparta Community Airport, extending from the 5-mile radius area to 8 miles north of the airport.

Sparta, Mich.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Sparta Airport (latitude 43°07'45" N., longitude 85°40'30" W.); excluding that airspace which overlies the Muskegon, Michigan, transition area.

AMENDMENTS 1/30/75 39 F. R. 41520 (Added)

Spartanburg, S. C.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Spartanburg Downtown Memorial Airport (latitude 34°54'55" N., longitude 81°57'32" W.); 3.5 miles each side of Spartanburg VORTAC 016° radial, extending from the 6.5-mile radius area to 9 miles north of the VORTAC; within 3.5 miles each side of Spartanburg VORTAC 191° radial, extending from the 6.5-mile radius area to 16.5 miles south of the VORTAC; within 3 miles each side of the 237° bearing from Fairmont RBN, extending from the 6.5-mile radius area to 8.5 miles southwest of the RBN; excluding the portion within the Greenville, S. C., transition area.

Spencer, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Spencer, Iowa, Municipal Airport (latitude 43°09'45" N., longitude 95°11'30" W.); and within 3 miles each side of the Spencer VOR 296° radial, extending from the 5-mile radius zone to 8 miles northwest of the VOR; within 5 miles east and 3 miles west of the Spencer VOR 134° radial, extending from the 5-mile radius zone to 15 miles southeast of the VOR.

Spirit Lake, Iowa
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Spirit Lake Municipal Airport (latitude 43°23'05" N., longitude 95°08'10" W.); and within 3 miles each side of the 353° bearing from Spirit Lake Municipal Airport, extending from the 5½-mile radius to 8 miles north of the airport.

Spokane, Wash.
That airspace extending upward from 700 feet above the surface bounded on the north by a line beginning at latitude 47°50' N., longitude 118°00' W., extending to latitude 47°50' N., longitude 117°30' W., to latitude 47° 58' N., longitude 117°16' W., to latitude 47°51' N., longitude 117°08' W., to latitude 47°56' N., longitude 116° 47' W., to latitude 47°44' N., longitude 116°41' W., to latitude 47°37' N., longitude 117°13' W., to latitude 47°28' N., longitude 117°16' W., to latitude 47°17' N., longitude 117°47' W., to latitude 47°26' N., longitude 118°00' W.; thence to point of beginning; that airspace extending upward from 1,200 feet above the surface within a 52-mile radius of Fairchild AFB (latitude 47°36'55" N., longitude 117°39'20" W.), excluding that portion southeast of Spokane bounded on the north by the arc of a 38-mile radius circle centered on the Fairchild AFB, on the northeast by V-28, on the southeast by the arc of the 52-mile radius area, on the southwest by a line parallel to and 10 miles northeast of V-253; that airspace south of Spokane extending from the 52-mile radius area bounded on the east by V-253, on the south by V-536, on the west by the east edge of V-112E; that airspace southeast of Spokane extending upward from 6,000 feet MSL, bounded on the north by the arc of a 38-mile radius circle centered on the Fairchild AFB on the northeast by V-28, on the southeast by the arc of the 52-mile radius area, on the southwest by a line parallel to and 10 miles northeast of V-253; that airspace southeast of Spokane extending upward from 7,000 feet MSL bounded on the northwest by the 52-mile radius area, on the north by V-25, on the southeast by the north edge of V-536, and on the southwest by V-253.

AMENDMENTS 10/9/75 40 F. R. 34334 (Rewritten)

Springfield, Ill
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Capital Airport (latitude 39°50'35" N., longitude 89°40'35" W.); and within the arc of a 23-mile radius circle centered on the Capital VORTAC, extending from a line 2 miles southeast of and parallel to the Capital VORTAC 213° radial clockwise to a line 2 miles northwest of and parallel to the Capital VORTAC 228° radial.

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Springfield, Mo.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Springfield, Mo., Municipal Airport (latitude 37°14'35" N., longitude 93°23'20" W.); within 2 miles each side of the 324° bearing from the Willard RBN, extending from the 7-mile radius area to 8 miles northwest of the RBN; within 5 miles west and 8 miles east of the Springfield ILS localizer south course, extending from 1 mile north to 12 miles south of the OM.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Springfield, Vt.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center (latitude 43°20'29" N., longitude 72°31'18" W.) of Springfield State-Hartness Airport, Springfield, Vt., within 5 miles each side of the 033° and 213° bearings from the Springfield NDB (latitude 43°16'12" N., longitude 72°35'12" W.) extending from the 6-mile radius area to 11.5 miles southwest of the NDB.

Springhill, La.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Springhill Municipal Airport, Springhill, La. (latitude 32°58'50" N., longitude 93°24'35" W.).

AMENDMENTS 12/4/75 40 F. R. 44809 (Added)

Standish, Mich.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Standish City Airport (latitude 43°58'48" N., longitude 83°58'25" W.).

AMENDMENTS 7/31/75 40 F. R. 28076 (Added)

Staples, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Staples Municipal Airport (latitude 46°22'48" N., longitude 94°48'08" W.), and within 3 miles each side of the 311° bearing from Staples Municipal Airport, extending from the 5-mile radius to 8 miles northwest of the airport; and that airspace extending upward from 1,200 feet above the surface within 4½ miles east and 9½ miles west of the 311° bearing from the airport, extending to 18½ miles northwest of the airport, excluding that portion south of latitude 46°30'00" N.

Starkville, Miss.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of George M. Bryan Field (lat. 33°26'00" N., long. 88°50'45" W.); within 5 miles each side of Columbus VORTAC 260° radial extending from the 6.5-mile radius area to 32.5 miles west of the VORTAC; within 3 miles each side of the 350° bearing from BRYAN RBN (lat. 33°35'
53" N., long. 88°51'01" W.), extending from the 6.5-mile radius area to 8.5 miles north of the RBN; excluding the portion within Columbus, Miss., transition area.

AMENDMENTS 10/9/75 40 F. R. 39495 (Changed)

State College, Pa.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of the center, latitude 40°51'05" N., longitude 77°51'00" W., of University Park Airport, State College, Pa., extending clockwise from a 020° bearing to a 130° bearing from the airport; within a 13.5-mile radius of the center of University Park Airport, extending clockwise from a 130° bearing to a 165° bearing from the airport; within a 5-mile radius of the center of University Park Airport, extending clockwise from a 165° bearing to a 210° bearing from the airport; within a 7-mile radius of the center of University Park Airport, extending clockwise from a 210° bearing to a 280° bearing from the airport; within a 13.5-mile radius of the center of University Park Airport, extending clockwise from a 280° bearing to a 020° bearing from the airport; within a 5-mile radius of the center, latitude 40°46'15" N., longitude 77°52'45" W., of State College Air Depot Airport, State College, Pa., extending clockwise from a 010° bearing to a 045° bearing from the airport; within a 12-mile radius of the center of State College Air Depot Airport, extending clockwise from a 045° bearing to a 080° bearing from the airport; within a 13.5-mile radius of the center of State College Air Depot Airport, extending clockwise from a 080° bearing to a 230° bearing from the airport; within a 6.5-mile radius of the center of State College Air Depot Airport, extending clockwise from a 230° bearing to a 260° bearing from the airport; and within a 14.5-mile radius of the center of State College Air Depot Airport, extending clockwise from a 260° bearing to 010° bearing from the airport, excluding the portion that coincides with the Phillipsburg, Pa., and Reedsville, Pa., transition areas.

Statesboro, GA.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Statesboro Municipal Airport (lat. 32°29'25" N., long. 81°44'08" W.); within 3 miles each side of the 120° and 328° bearings from Statesboro RBN (lat. 32°28'27" N., long. 81°44'40" W.), extending from the 6.5-mile radius area to 8.5 miles southeast and northwest of the RBN.

Statesville, N. C.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Statesville Municipal Airport (latitude 35°45'36" N., longitude 80°57'15" W.).

Steamboat Springs, Colo.
That airspace extending upward from 700 feet above the surface within 5 miles east and 7.5 miles west of the 153° and 333° bearings from the Rocky Mountain Airways NDB (latitude 40°28'13" N., longitude 106°49'46" W.), extending from 6.5 miles northwest of the NDB to 12.5 miles southeast of the NDB; that airspace extending upward from 1,200 feet above the surface within an area bounded by a line beginning at latitude 40°04'30" N., longitude 106°30'00" W.; to latitude 40°05'40" N., longitude 107°00'00" W.; to latitude 40°35'00" N., longitude 107°00'00" W.; to latitude 40°35'00" N., longitude 106°30'00" W.; to point of beginning; that airspace extending upward from 13,300 feet MSL within an area bounded by a line beginning at latitude 40°04'15" N., longitude 106°30'00" W.; to latitude 40°25'00" N., longitude 106°30'00" W.; to latitude 40°08'00" N., longitude 105°52'00" W.; thence along the north edge of V-220 to the point of beginning.

AMENDMENTS 4/17/75 40 F. R. 6641 (Added)

Stephenville, Tex.
That airspace extending upward from 700 feet AGL within a 5-mile radius of Clark Field, Tex. (latitude 32°13'00" N., longitude 98°10'42" W.); within 3 miles each side of the Acton, Tex., VORTAC 244° radial extending from the 5-mile radius area to 27 miles from the VORTAC; and within 3 miles each side of the 139° bearing from the Stephenville, Tex., RBN (latitude 32°13'00" N., longitude 98°10'42" W.) extending from the 5-mile radius area to 8 miles southeast of the RBN.

Sterling, Ill.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Whiteside County Airport (latitude 41°44'35" N., longitude 89°40'30" W.); within 2 miles each side of the 074° bearing from Whiteside County Airport, extending from the 7 mile radius area to 14 miles east of the airport; and within 2 miles each side of the 232° bearing from Whiteside County Airport, extending from the 7-mile radius area to 8 miles southwest of the airport, excluding the portion which overlies the Dixon, Ill., transition area.

Stevens Point, Wis.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Stevens Point, Wis., Municipal Airport (latitude 44°32'38" N., longitude 89°31'50" W.); within 2 miles each side of the Stevens Point, Wis., VOR 024° radial extending from the 5-mile radius area to 11 miles NE of the VOR; within 2 miles each side of the Stevens Point VOR 111° radial extending from the 5-mile radius area to 8 miles E of the VOR; within 2 miles each side of the Stevens Point VOR 217° radial extending from the 5-mile radius area to 8 miles SW of the VOR; and within 2 miles each side of the Stevens Point VOR 306° radial extending from the 5-mile radius area to 8 miles NW of the VOR.

Stillwater, OK.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Searcy Field, Stillwater, OK., latitude 36°09'31" N., longitude 97°05'08" W.; and within 2 miles each side of the Stillwater VOR 005° radial extending from the 6-mile radius area to 8 miles north of the VOR.

Stockton, Calif.
That airspace extending upward from 700 feet above the surface within 2 miles each side of the Stockton ILS localizer SE course, extending from the OM to 1 mile NW of the OM; within 2 miles each side of the Stockton VORTAC 140° radial, extending from the VORTAC to 8 miles SE of the VORTAC, and within a 12-mile radius of the Stockton VORTAC, extending from the arc of a 5-mile radius circle centered on the Stockton Municipal Airport (latitude 37° 53' 45" N., longitude 121° 14' 10" W.) clockwise from a line 2 miles SW of and parallel to the Stockton VORTAC 303° radial to a line 2 miles NE of and parallel to the Stockton VORTAC 334° radial; and that airspace extending upward from 1,200 feet above the surface bounded on the E by longitude 120° 04' 00" W., on the SE by a line extending from latitude 37° 52' 00" N., longitude 120° 04' 00" W., to latitude 37° 38' 00" N., longitude 121° 00' 00" W., on the S by latitude 37° 38' 00" N., on the W by longitude 121° 37' 00" W., and on the N by latitude 38° 07' 00" N. The airspace within R-2531 is excluded.

Storm Lake, Iowa
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Storm Lake Municipal Airport (latitude 42°36'00" N., longitude 95°14'31" W.); and within 3 miles each side of the 142° bearing from Storm Lake Municipal Airport, extending from the 5-mile radius area to 8 miles southeast of the airport.

Stratford, Tex.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Stratford Field (latitude 36°20'45" N., longitude 102°02'50" W.).

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Sturgeon Bay, Wis.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Door County Cherryland Airport (latitude 44°50'30" N., longitude 87°25'10" W.); and within 3 miles each side of a 195° bearing from the Door County Cherryland Airport extending from the 5-mile radius area to 7½ miles south of the airport.

Sturgis, Mich.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Kirsch Airport, Sturgis, Michigan (latitude 41°48'35" N., longitude 85°26'10" W.); within 3½ miles either side of the 059° bearing from the airport, extending from the 5.5 mile radius area to 1.3 miles northeast of the airport and within 3 miles either side of the 341° bearing from the airport, extending from the 5.5-mile radius area to 8 miles north of the airport.

AMENDMENTS 5/1/75 40 F. R. 11862 (Rewritten)

Stuttgart, Ark.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Stuttgart Municipal Airport (latitude 34°36'15" N., longitude 91°34'30" W.), and within 3.5 miles each side of the 350° bearing from the Stuttgart RBN (latitude 34°39'52" N., longitude 91°35'30" W.) extending from the 6.5-mile radius area to 11.5 miles north of the RBN.

Sugarloaf, Maine
That airspace extending upward from 1,200 feet above the surface within an area bounded by a line beginning at latitude 45°04'20" N., longitude 71°27'00" W., to latitude 45°17'00" N., longitude 71°20'10" W., to latitude 45°20'40" N., longitude 70°39'30" W., to latitude 45°21'40" N., longitude 70°39'00" W., to latitude 45°22'30" N., longitude 70°08'10" W., to latitude 45°25'00" N., longitude 69°48'00" W., to latitude 45°23'00" N., longitude 69°48'00" W., to latitude 45°14'50" N., longitude 69°50'20" W., to latitude 45°07'50" N., longitude 69°50'20" W., to latitude 45°07'50" N., longitude 69°28'00" W., to latitude 44°50'00" N., longitude 69°47'10" W., to latitude 44°39'00" N., longitude 69°47'10" W., to latitude 44°16'10" N., longitude 70°14'00" W., to latitude 44°13'50" N., longitude 70°12'00" W., to latitude 44°02'10" N., longitude 70°37'50" W., to latitude 44°04'00" N., longitude 70°40'10" W., to latitude 44°06'00" N., longitude 70°37'00" W., to latitude 44°06'10" N., longitude 70°59'10" W., to latitude 44°14'30" N., longitude 70°52'30" W., to latitude 44°21'00" N., longitude 70°57'10" W., to latitude 44°29'30" N., longitude 71°01'10" W., to latitude 44°31'00" N., longitude 70°55'00" W., to latitude 44°39'00" N., longitude 71°00'00" W., to latitude 44°54'50" N., longitude 71°01'50" W., to latitude 44°53'00" N., longitude 71°18'00" W., to point of beginning, excluding Canadian airspace.

AMENDMENTS 8/14/75 40 F. R. 24997 (Added)

Sullivan, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Sullivan County Airport (latitude 39°07'00" N., longitude 87°26'55" W.); and within 3 miles each side of the 187° bearing from Sullivan County Airport, extending from the 5-mile radius area to 8 miles south of the airport.

Sulphur Springs, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Sulphur Springs Airport (latitude 33°09'30" N., longitude 95°37'15" W.), and within 2 miles each side of the Sulphur Springs VORTAC 240° radial extending from the 5-mile radius area to 18 miles southwest of the VORTAC.

Sumter, S. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Shaw AFB (lat. 33°58'15" N., long. 80°28'19" W.); within 4 miles each side of Shaw AFB TACAN 033° radial, extending from the 8.5-mile radius area to 8.5 miles northeast of the TACAN; within 5 miles each side of the TACAN 215° radial, extending from the 8.5-mile radius to 21.5 miles southwest of the TACAN; within a 10.5-mile radius of McEntire ANGB (lat. 33°55'26" N., long. 80°48'14" W.); within 5 miles each side of McEntire ANGB TACAN 138° radial, extending from the 10.5-mile radius area to 12.5 miles southeast of the TACAN; within a 5-mile radius of Sumter Municipal Airport (lat. 33°59'39" N., long. 80°21'45" W.); within 3 miles each side of the 028° bearing from Sumter RBN (lat. 33°59'24" N., long. 80°21'38" W.), extending from the 5-mile radius area to 8.5 miles northeast of the RBN; excluding the portion within the Columbia transition area.

AMENDMENTS 4/30/75 40 F. R. 20068 (Changed)
AMENDMENTS 8/14/75 40 F. R. 26020 (Changed)
AMENDMENTS 8/14/75 40 F. R. 33654 (Changed)

Sunol, Calif.
That airspace extending upward from 1,200 feet above the surface bounded on the E by longitude 121°31'00" W., on the SW by V-107 and on the NW by V-244S.

Sunrise, Hawaii
That airspace extending upward from 2,500 feet above the surface bounded on the north by V-12, on the east by the Honolulu Oceanic Control Area, and on the south by V-4; that airspace bounded on the north by V-4, on the east by the Honolulu Oceanic Control Area, on the south by V-8, and on the west by the arc of a 19-mile radius circle centered on the Molokai Airport (latitude 21°09'25" N., longitude 157°05'55" W.); and that airspace bounded on the north by V-8, on the east by the Honolulu Oceanic Control Area, on the south by a line 15 nmi south of and parallel to the Molokai VOR 087° radial, and on the west by the arc of a 30-mile radius circle centered on the Kahului Airport (latitude 20°54'00" N., longitude 156°26'00" W.).

Superior, Wis.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Richard I. Bong Airport (lat. 46°40'55" N., long. 92°05'35" W.), excluding the portion which overlies the Duluth, Minn., transition area.

Sussex, N. J.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, 41°12'00" N., 74°37'00" W. of Sussex Airport, Sussex, N. J., extending clockwise from a 005° bearing to a 074° bearing from the airport; within an 11.5-mile radius of the center of the airport, extending clockwise from a 074° bearing to a 197° bearing from the airport; within a 7.5-mile radius of the center of the airport, extending clockwise from a 197° bearing to a 234° bearing from the airport; within an 11.5-mile radius of the center of the airport, extending clockwise from a 234° bearing to a 269° bearing from the airport; within a 9.5-mile radius of the center of the airport, extending clockwise from a 269° bearing to a 329° bearing from the airport; and within a 12-mile radius of the center of the airport, extending clockwise from a 329° bearing to a 005° bearing from the airport.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Swainsboro, Ga.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Emanuel County Airport (lat. 32°36'30" N., long. 82°22'15" W.); within 3 miles each side of Swainsboro TVOR (lat. 32°36'24" N., long. 82°22'10" W.) 294° radial extending from the 6.5-mile radius area to 8.5 miles northwest of the TVOR.

Swordfish, Hawaii
That airspace extending upward from 5,000 feet above the surface bounded on the north and northeast by V-14, on the south by V-12 and the Honolulu Oceanic Control Area, and on the west by longitude 160°00'00" W.; that airspace bounded on the north by V-12 and the Honolulu transition area, on the northeast by V-14, on the south by V-4, and on the west by the Honolulu Oceanic Control Area; and that airspace bounded on the north by V-4, on the east by the Honolulu transition area, on the south by W-319, and on the southwest by the Honolulu Oceanic Control Area.

Syracuse, N. Y.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, latitude 43°06'50" N., longitude 76°06'35" W., of Syracuse Hancock International Airport extending clockwise from a 270° bearing to a 090° bearing from the airport; within a 16-mile radius of the center of the airport extending clockwise from a 090° bearing to a 270° bearing from the airport; within 9.5 miles north and 4.5 miles south of the Syracuse Hancock International Airport Runway 28 ILS localizer course extending from the OM to 18.5 miles east of the OM; within 9.5 miles north and 4.5 miles south of the Syracuse Hancock International Airport Runway 10 ILS localizer back course extending from the localizer to 26 miles west of the localizer; within 5 miles each side of the Syracuse VORTAC 283° radial extending from the VORTAC to a point 16 miles west of the VORTAC; and within 5 miles each side of the Syracuse VORTAC 242° radial extending from the VORTAC to a point 16 miles southwest of the VORTAC.

Talkeetna, Alaska
That airspace extending upward from 1,200 feet above the surface within 23 miles W and 15 miles E of the 022° and 202° bearings from the Peters Creek NDB, extending from 40 miles N to 15 miles S of the NDB, excluding the airspace within Federal airways.

AMENDMENTS 10/9/75 40 F. R. 17836 (Changed)

Tallahassee, Fla.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the Tallahassee Municipal Airport (lat. 30°23'59" N., long. 84°21'22" W.); within a 6.5-mile radius of the Tallahassee Commercial Airport (lat. 30°33'02" N., long. 84°22'31" W.); within 3 miles each side of the ILS localizer south course, extending from the 10-mile radius area to 9 miles south of the OM.

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Tallassee, Ala.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Tallassee Municipal Airport (lat. 32°29'00" N.,long. 85°53'00" W.); within 2 miles each side of Tuskegee VOR 270° radial extending from the VOR to 19 miles west of the VOR.

PENDING AMENDMENT

Tallassee, Ala.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Tallassee Municipal Airport (lat. 32°28'52" N., long. 85°53'06" W.).

AMENDMENTS 1/29/76 40 F. R. 51416 (Rewritten)

Tampa, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Tampa International Airport (lat. 27°58'29" N., long. 82°31'38" W.); within an 8.5-mile radius of St. Petersburg Clearwater International Airport (lat. 27°54'33" N., long. 82°41'19" W.); within 3 miles each side of St. Petersburg VORTAC 343° radial, extending from the 8.5-mile radius area to 8 miles north of the VORTAC; within an 8.5-mile radius of MacDill AFB (lat. 27°50'57" N., long. 82°31'18" W.); within 3 miles each side of MacDill AFB ILS localizer northeast course, extending from the 8.5-mile radius area to 8.5 miles northeast of the OM; within a 7-mile radius of Peter O. Knight Airport (lat. 27°54'55" N., long. 82°27'05" W.); within a 5-mile radius of Albert-Whitted Airport (lat. 27°45'53" N., long. 82°37'39" W.).

Tanana, Alaska
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Ralph M. Calhoun Memorial Airport, latitude 65°10'30" N., longitude 152°06'32" W. and within 9.5 miles south and 4.5 miles north of the Bear Creek radio beacon 251° bearing extending from the radio beacon to 18.5 miles west.

Tangier, Va.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center of Tangier Island Airport, lat. 37°49'30" N., long. 75°59'55" W.; within 3 miles each side of the Cape Charles, Va., VORTAC 360° radial extending from the 5-mile radius area to 26 miles north of the VORTAC.

Taos, N. Mex.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Taos Municipal Airport (lat. 36°27'33" N., long. 105°40'31" W.); within 3 miles each side of a 215° bearing from the Taos NDB (lat. 36°27'40" N., long. 105°40'10" W.) extending from the 6.5-mile radius area to 8.5 miles southwest of the NDB; and that airspace extending upward from 1,200 feet above the surface beginning at lat. 36°07'00" N., long. 105°50'00" W.,thence via a 25-mile arc centered on the Taos Municipal Airport coordinates (lat. 36°27'33" N., long. 105°40'31" W.) clockwise to lat. 36°48'00" N., long. 105°49'15" W., thence direct to lat. 36°30'00" N., long. 105°30'00" W., thence direct to point of beginning.

Taunton, Mass.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center 41°52'35" N., 71°01'00" W., of Taunton Municipal Airport, Taunton, Mass.; within 2 miles each side of the Whitman, Mass., VORTAC 187° radial, extending from the 6-mile radius area to the Whitman VORTAC and within 2 miles each side of the 118° bearing from the Taunton, Mass., RBN, 41°52'35" N., 71°01'03" W., extending from the 6-mile radius area to 8 miles southeast of the Taunton RBN.

Tecumseh, Mich.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Tecumseh, Mich. Airport (latitude 42°01'30" N., longitude 83°56'20" W.).

Tell City, IN.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Perry County Municipal Airport, IN., (latitude 38°01'05" N., longitude 86°41'30" W.); and within 3 miles each side of the 105° bearing from the Perry County Municipal Airport extending from the 5-mile radius to 8 miles southeast.

Tennessee
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Tennessee.

Terre Haute, Ind.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Hulman Field (latitude 39°27'07" N., longitude 87°18'25" W.); within 5 miles southeast and 9 miles northwest of the Terre Haute VORTAC 051° radial, extending from the VORTAC to 13 miles northeast and within 7 miles southeast and 8 miles northwest of the Terre Haute VORTAC 230° radial, extending from the VORTAC to 23 miles southwest; within a 5-mile radius of the Sky King Airport (latitude 39°32'56" N., longitude 87°22'38" W.); within a 5-mile radius of the Arthur Airport (latitude 39°28'36" N., longitude 87°06'00" W.).

AMENDMENTS 7/24/75 40 F. R. 24179 (Rewritten)

Texarkana, Ark.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Municipal-Webb Field (lat. 33°27'20" N., long. 93°59'15" W.), within 2 miles each side of the Texarkana ILS localizer northeast course extending from the 5-mile radius area to the OM, and within 2 miles each side of the Texarkana VORTAC 129° radial extending from the 6-mile radius area to the VORTAC.

Texas
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Texas including the airspace within 3 nautical miles of and parallel to the shoreline of Texas, that airspace south of Beaumont, Tex., bounded on the north by a line 3 nautical miles from and parallel to the shoreline, on the east by the Louisiana/Texas State line and on the south by the arc of a 25-mile radius circle centered at latitude 29°54'40" N., longitude 94°02'40" W., that airspace east of Corpus Christi, Tex., bounded by a line 3 nautical miles from and parallel to the shoreline and a line beginning at a point 3 nautical miles from the shoreline at latitude 27°49'00" N., thence to latitude 27°45'30" N., longitude 96°51'00" W., to latitude 27°28'20" N., longitude 96°45'30" W., to latitude 27°14'30" N., longitude 96°55'30" W., to latitude 27°23'00" N., longitude 97°06'00" W., to a point 3 nautical miles from the shoreline at latitude 27°11'20" N., excluding that airspace bounded by a line beginning at the United States/Mexican Border, thence counterclockwise along the arc of a 95-mile radius circle centered at latitude 31°48'35" N., longitude 106°22'55" W., to and along the south boundary of V-198 to longitude 103°16'00" W., thence to latitude 30°37'00" N., longitude 102°40'00" W., thence to the south boundary of V-198 at longitude 102°30'00" W., thence along the south boundary of V-198 to and counterclockwise along the arc of a 105-mile radius circle centered at latitude 29°21'35" N., longitude 100°46'35" W., to and along the United States/Mexican Border to the point of beginning.

The Dalles, Oreg.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of The Dalles Municipal Airport (latitude 45°37'05" N., longitude 121°10'05" W.), that airspace south of The Dalles, extending from a line 2 miles east of and parallel to The Dalles VORTAC 186° radial clockwise to the 222° radial, extending from the 5-mile radius area to an ARC of an 11.5-mile radius circle centered on The Dallas Municipal Airport; that airspace extending upward from 1,200 feet above the surface within 8 miles N and 6 miles S of The Dalles VORTAC 281° and 101° radials, extending from 7 miles W to 14 miles E of the VORTAC; within 5 miles N of The Dalles VORTAC 101° radial, extending from 14 miles E to 23 miles E of the VORTAC, and that airspace within a 23-mile radius of The Dalles VORTAC, extending clockwise from the 101° radial to the 272° radial, excluding the airspace within the Portland, Oreg., transition area.

Thedford, Nebr.
That airspace extending upward from 700 feet above the surface within a 5.5 mile radius of the Thedford Municipal Airport (latitude 41°58'47" N., longitude 100°32'01" W.); within 2.5 miles each side of the Thedford VOR 090° radial extending from the 5.5-mile radius to 7.5 miles west of the airport.

AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)

Thermal, CA.
That airspace extending upward from 700 feet above the surface within 3.5 miles each side of the Thermal VORTAC 140° radial, extending from the VORTAC to 8 miles southeast of the VORTAC, within 3.5 miles southwest of and parallel to the Thermal VORTAC 155° radial, extending from the VORTAC to 6.5 miles southeast of the VORTAC and within 3 miles each side of the Thermal VORTAC 324° radial, extending from the VORTAC to 16 miles northwest of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 9.5 miles northeast and 5 miles southwest of the Thermal VORTAC 140° radial extending from the VORTAC to 20 miles southeast of the VORTAC, excluding the portion within R-2521.

Thibodaux, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Thibodaux Municipal Airport (latitude 29°44'50" N., longitude 90°49'55" W.) and within 2 miles each side of the Tibby, La., VORTAC 359°T radial extending from the 5-mile radius to the Tibby VORTAC excluding the portion that overlaps the Houma, La., transition area.

Thief River Falls, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Thief River Falls, Minn., Municipal Airport (latitude 48°03'58" N., longitude 96°11'06" W.), within 2 miles each side of the 138° bearing from Thief River Falls Municipal Airport extending from the 5-mile radius area to 8 miles SE of the airport, and within 2 miles each side of the 305° bearing from Thief River Falls Municipal Airport extending from the 5-mile radius area to 8 miles NW of the airport; and that airspace extending upward from 1,200 feet above the surface within 8 miles NE and 5 miles SW of the 138° bearing from Thief River Falls Municipal Airport extending from the airport to 12 miles SE of the airport, and within 5 miles NE and 8 miles SW of the 305° bearing from Thief River Falls Municipal Airport extending from the airport to 12 miles NW of the airport.

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Thunder Bay, Ontario, Canada
That airspace extending upward from 1,200 feet above the surface within a 35-nautical mile radius of Thunder Bay Airport (lat. 48°22'19" N., long. 89°19'26" W.), excluding the portion outside the United States.

Tiffin, Ohio
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Seneca County Airport (latitude 41°05'38" N., longitude 83°12'45" W.); within 3 miles each side of the 053° bearing from the Seneca County Airport extending from the 7-mile radius area to 8.5 miles northeast of the airport.

Tifton, Ga.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Henry Tift Myers Airport (lat. 31°25'36" N., long. 83°29'06" W.), within a 5-mile radius of Eaglehead Airport (lat. 31°23' 00" N., long. 83°36'00" W.).

Titusville, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of TI-CO Airport (latitude 28°30'42" N., longitude 80°48'00" W.); excluding the portion within R-2902A and R-2902B.

Titusville, Pa.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center lat. 41° 36'45" N., long. 79°44'45" W. of Titusville Airport, excluding the portion that coincides with the Franklin, Pa., transition area.

Tobe, Colo.
That airspace north of Tobe, Colo., VORTAC, extending upward from 8,500 feet MSL, bounded on the north by V-210, on the southeast by V-283, and on the west by V-19E, excluding the airspace within Federal airways.

Toccoa, Ga.
That airspace extending upward from 700 feet above the surface within an 11.5-mile radius of Toccoa Airport (latitude 34°35'40" N., longitude 83°17'40" W.); within a 9-mile radius of Habersham County Airport, Cornelia, Ga. (lat. 34°30'20" N., long. 83°33'15" W.).

Toledo, OH.
That airspace extending upward from 700 feet above the surface within the area bounded by a line beginning at latitude 41°40'00" N., longitude 84°20'00" W.; to latitude 41°49'00" N., longitude 83°37'00" W.; to latitude 41°34'00" N., longitude 83°19'00" W.; to latitude 41°17'00" N., longitude 83°36'00" W.; to latitude 41°22'00" N., longitude 84°05'00" W.; to point of beginning.

Tonopah, Nev.
That airspace extending upward from 1,200 feet above the surface within 14 miles north and 5 miles south of the 083° and 263° radials of the Tonopah VORTAC extending from 12 miles west to 25.5 miles east of the VORTAC, and within 10 miles south of and parallel to the Tonopah VORTAC 089° radial, extending from the VORTAC to 21.5 miles east of the VORTAC.

Topeka, Kans.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Philip Billard Airport, Topeka, Kans. (latitude 39°04'09" N., longitude 95°37'18" W.), within 2 miles each side of the Topeka VORTAC 039° radial extending from the 7-mile radius area to 8 miles NE of the VORTAC, within 5 miles SW and 8 miles NE of the Philip Billard Airport ILS localizer NW course, extending from 3 miles SE to 12 miles NW of the OM, within a 7-mile radius of Forbes AFB, Topeka, Kans. (latitude 38°57'10" N., longitude 95°39'50" W.), and within 2 miles each side of the Forbes AFB TACAN 321° radial extending from the 7-mile radius area to 9 miles NW of the TACAN.

AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)

Toughkenamon, PA.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, lat. 39° 49'55" N., long. 75°46'08" W. of the New Garden Flying Field, Toughkenamon, including that airspace 5 miles west and 3 miles east of the Modena, PA., VORTAC 047° and 227° radials extending from 5 miles southwest to 10 miles northeast of the VORTAC.

Tracy, Calif.
That airspace extending upward from 700 feet above the surface within a 3-mile radius of Tracy Municipal Airport (latitude 37°41'15" N., longitude 121°26'25" W.), and within 2.5 miles each side of the Stockton VORTAC 237° radial, extending from the 3-mile radius area to 10.5 miles southwest of the VORTAC.

Traverse City, Mich.
That airspace extending upward from 700 feet above the surface within a 10½-mile radius of Cherry Capital Airport (latitude 44°44'35" N., longitude 85°34'55" W.); within 4½ miles west and 9½ miles east of the Traverse City VORTAC 158° radial, extending from the 10½-mile radius area to 18½ miles south of the VORTAC; and within 5 miles each side of the Traverse City VORTAC 344° radial, extending from the 10½-mile radius area to 20 miles north of the VORTAC.

Trenton, Mo.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Trenton Municipal Airport (latitude 40°05'03" N., longitude 93°38'28" W.); and within 3 miles either side of the 172° bearing from the MRW facility extending from the 5-mile radius to 8 miles south, and 3 miles either side of the 007° bearing from the MRW facility extending from the 5-mile radius to 8.5 miles north.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Trenton, Tenn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Gibson County Airport (latitude 35°56'02" N., longitude 88°50'54" W.); within 3 miles each side of the 020° bearing from Gibson RBN (latitude 35°56'03" N., longitude 88°51'02" W.), extending from the 5-mile radius area to 8.5 miles north of the RBN; excluding the portion within the Humboldt, Tenn., transition area.

AMENDMENTS 6/19/75 40 F. R. 17140 (Changed)

Tri-City, Tenn.
That airspace extending upward from 700 feet above the surface beginning at the intersection of the arc of a 21.5-mile radius circle centered on Tri-City Airport (latitude 36°28'30" N., longitude 82°24'20" W.) and a line 5 miles northwest of and parallel to Blackford VOR 216° radial (northeast of Tri-City Airport); thence northeast along this line to and clockwise along the arc of a 30-mile radius circle centered on Tri-City Airport to the northwest boundary of V-168; thence northeast along the northwest boundary of V-168 to and clockwise along the arc of a 21.5-mile radius circle to point of beginning; including the airspace within 2 miles each side of Virginia Highlands Airport Runway 6 extended centerline, extending from the arc of a 30-mile radius circle centered on Tri-City Airport to 7.5 miles northeast of Virginia Highlands Airport; within an 8.5-mile radius of Hawkins County Airport, Rogersville, Tenn. (latitude 36°27'27" N., longitude 82°53'05" W.).

AMENDMENTS 12/4/75 40 F. R. 44127 (Changed)

Trinidad, Colo.
That airspace extending upward from 1,200 feet above the surface within 5 miles west and 8 miles east of the 172° and 352° bearings from the Trinidad, Colo. RBN, extending from 7 miles south to 13 miles north of the RBN.

Troy, Ala.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Troy Municipal Airport (latitude 31°51'40" N., longitude 86°00'45" W.); within 3 miles each side of the ILS localizer west course, extending from the 9-mile radius area to 8.5 miles west of the OM.

Troy, Ohio
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Troy Skypark Airport (latitude 39°59'27" N., longitude 84°16'14" W.), excluding that portion which lies within the Piqua, Ohio, and Dayton, Ohio, transition areas.

Truth or Consequences, N. Mex.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Truth or Consequences Municipal Airport (latitude 33°14'10" N., longitude 107°16'15" W.), and within 3.5 miles either side of the Truth or Consequences, N. Mex., VORTAC 013° radial, extending from the 8-mile radius area to 11 miles north of the VORTAC.

Tucson, Ariz.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of Tucson International Airport (latitude 32°07'05" N., longitude 110°56'32" W.); within 3 miles NE and 13 miles SW of the Tucson VORTAC 138° radial, extending from the 10-mile radius area to 9 miles SE of the VORTAC, and within 9 miles SW and 1 mile NE of the Tucson VORTAC 318° radial, extending from the 10-mile radius area to 22 miles NW of the VORTAC; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 32°33'00" N., longitude 111°45'00" W.; to latitude 32°33'00" N., longitude 110°52'00" W.; thence N via longitude 110°52'00" W. to the S boundary of V-94; thence SE via the S boundary of V-94 to longitude 110°00'00" W.; thence S to latitude 31°39'00" N., longitude 110°00'00" W.; to latitude 31°39'00" N., longitude 111°00'00" W.; to latitude 32°00'00" N., longitude 111°45'00" W.; to point of beginning.

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Tucumcari, N. Mex.
That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of the Tucumcari Municipal Airport (latitude 35°10'50" N., longitude 103°36'15" W.).

Tullahoma, Tenn.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Arnold Air Force Station (latitude 35°23'33" N., longitude 86°05'10" W.); within 3 miles each side of the Arnold VOR 216° radial, extending from the 8.5-mile radius area to 8.5 miles southwest of the VOR; within a 7-mile radius of William Northern Field (lat. 35°23'00" N., long. 86°14'30" W.); within 3 miles each side of Shelbyville VOR 136° radial, extending from the 7-mile radius area to 8.5 miles southeast of Arnold VOR 226° radial; within a 13.5-mile radius of Winchester Municipal Airport, Winchester, Tenn. (latitude 35°10'40" N., longitude 86°03'49" W.); excluding the portions within Shelbyville and Chattanooga transition areas.

AMENDMENTS 1/30/75 39 F. R. 42900 (Changed)

Tulsa, Okla.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Tulsa International Airport (latitude 36°12'00" N., longitude 95°53'15" W.); within 8 miles west and 5 miles east of the Tulsa ILS localizer north course extending from the OM to 12 miles north; and within 8 miles north and 5 miles south of the Tulsa VORTAC 088° radial extending from the 9-mile radius area to 33 miles east of the VORTAC.

Tupelo, Miss.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the C. D. Lemons Municipal Airport (latitude 34°15'32" N., longitude 88°45'32" W); within 3 miles each side of the Tupelo VOR 214° radial, extending from the 5-mile radius area to 8.5 miles southwest of the VOR.

Tuscaloosa, Ala.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of Van De Graaff Airport (lat. 33°13'16" N., long. 87°36'39" W.); within 2.5 miles each side of Tuscaloosa VORTAC 052° radial, extending from the 11-mile radius area to 6.5 miles northeast of the VORTAC.

Twentynine Palms, CA.
That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 34° 17'00" N., longitude 115°25'00" W., to latitude 33°28'00" N., longitude 115°25'00" W., to latitude 33°28'00" N., longitude 116°18'00" W., to latitude 34°17'00" N., longitude 116°18'00" W., thence to point of beginning, excluding the portions within R-2501E, R-2501S, and R-2507.

Twin Falls, Idaho
That airspace extending upward from 700 feet above the surface within 9.5 miles north and 5 miles south of the Twin Falls VORTAC 088° and 281° radials extending from the VORTAC to 30 miles east and 18.5 miles west; within 5 miles each side of the Twin Falls 156° radial extending from the VORTAC to 9.5 miles southeast of the VORTAC; that airspace extending upward from 1,200 feet above the surface within a 14-mile radius of the Twin Falls VORTAC, extending clockwise from the VORTAC 173° radial to the VORTAC 311° radial; within that airspace southeast of Twin Falls bounded on the north by V-269, on the east by a 21-mile arc centered on the VORTAC and on the southeast by V-484; within that airspace north of Twin Falls bounded on the north by V-500, on the east by longitude 114°01'00" W., on the south by V-269 and on the southwest by V-293; that airspace northwest of Twin Falls bounded on the north by V-330, on the east by V-293, and on the south by V-4; that airspace within 9 miles southwest and 6 miles northeast of the Twin Falls VORTAC 311° radial extending from the VORTAC to 30 miles northwest of the VORTAC.

Tyler, Tex.
That airspace extending upward from 700 feet above the surface bounded by a line extending from latitude 32°05'30" N., longitude 95°17'00" W., to latitude 32°27'00" N., longitude 95°42'30" W., to latitude 32°35'30" N., longitude 95°32'30" W., to latitude 32°13'30" N., longitude 95°07'00" W., to point of beginning.

Ukiah, Calif.
That airspace extending upward from 1,200 feet above the surface within a 20-mile radius of the Ukiah, Calif., VORTAC bounded on the E by the W edge of V-25, that airspace S of Ukiah bounded on the E by the W edge of V-25, on the S by latitude 38°43'30" N., on the W by longitude 123°23'15" W., and that airspace between the 20- and 24-mile arcs of the Red Bluff, Calif., VORTAC bounded on the NW by the NW edge of V-199 and on the SE by the SE edge of V-25; that airspace extending upward from 7,500 feet MSL between the 24- and 45-mile arcs of the Red Bluff, Calif., VORTAC bounded on the NW by the NW edge of V-199 and on the SE by the SE edge of V-25; that airspace extending upward from 8,500 MSL bounded on the NE by a 45-mile arc of the Red Bluff, VORTAC, on the SE by the SE edge of V-25, on the S and SW by the N edge of V-200 and a 20-mile arc of the Ukiah VORTAC, and on the NW by the NW edge of V-199; that airspace extending upward from 9,500 feet MSL bounded on the SE by the NW edge of V-199, on the W by the E edge of V-27, and on the N by a line 9 miles S of and parallel to the Red Bluff VORTAC 291° and Fortuna VORTAC 110° radials.

Ulysses, Kansas
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Ulysses, Kansas, Municipal Airport (latitude 37°36'10" N., longitude 101°22'15" W.); within 3 miles each side of the 307° bearing from the Ulysses radio beacon (latitude 37°35'51" N., longitude 101°22'00" W.); extending from the 5-mile radius area 2.5 miles northwest.

AMENDMENTS 6/19/75 40 F. R. 17139 (Added)

Umiat, Alaska
That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of the Umiat Airport (latitude 69°22'17" N., longitude 152°08'00" W.).

AMENDMENTS 6/19/75 40 F. R. 17836 (Added)

Unalakleet, Alaska
That airspace extending upward from 700 feet above the surface within 4.5 miles north and 9.5 miles south of the North River, Alaska, RBN 290° bearing, extending from the RBN to 24.5 miles west of the RBN; within 4.5 miles southeast and 9.5 miles northwest of the Unalakleet VORTAC 225° radial, extending from the VORTAC to 24.5 miles southwest of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 7.5 miles north and 9.5 miles south of the Unalakleet VORTAC 110° and 290° radials, extending from 13 miles east to 13 miles west of the VORTAC.

Union City, Tenn.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Everett-Stewart Airport (latitude 36°22'50" N., longitude 88°59'15" W.); within 3 miles each side of Dyersburg VORTAC 037° radial, extending from the 5.5-mile radius area to 25.5 miles northeast of the VORTAC; within 3 miles each side of the 186° and 347° bearings from Union City RBN (latitude 36°23'06" N., longitude 88°58'50" W.), extending from the 5.5-mile radius area to 8.5 miles north and south of the RBN.

Upolu Point, Hawaii
That airspace extending upward from 1,200 feet above the surface bounded on the north by V-15, on the east by V-6, on the south by V-2, and on the west by V-11; that airspace bounded on the northeast by V-16, on the southeast by V-11, and on the southwest by V-5; and that airspace bounded on the north by a line 4 nmi north of and parallel to the Lanai VOR 110° radial, on the east by V-11, and the south by V-2.

Utica, N. Y.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the center, 43°13' 45" N., 75°25'00" W., of Griffiss AFB, Rome, N. Y., and within 2 miles each side of the Griffiss-TACAN 306° radial extending from the 10-mile radius to 14 miles NW of the TACAN.

Within a 12-mile radius of the center, 43°08'45" N., 75°22'55" W. of Oneida County Airport, Utica, N. Y., and within 3.5 miles each side of the 137° bearing from the Clay RBN, extending from the 12-mile radius area to 11.5 miles southeast of the RBN.

That airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at 43°24'00" N., 76°53'00" W., to 42°57'00" N., 76°57'00" W., to 42°40'00" N., 77°23'45" W., to 42°41'30" N., 76°23'00" W., to 42°40'00" N., 75°30'00" W., to 43°00'00" N., 74°30'00" W., to 43°18'40" N., 74°30'30" W., thence counterclockwise along an arc with a radius of 46 miles from the center of Griffiss AFB to 43°36'00" N., 74°39'30" W., to 43°31'00" N., 74°43'00" W., thence counterclockwise along an arc with a radius of 40 miles from the center of Griffiss AFB to 43°44'00" N., 75°49'15" W., to 43°32'00" N., 76°23'00" W., to 43°24'00" N., 76°40'00" W., to point of beginning.

Uvalde, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Garner Field (latitude 29°12'54" N., longitude 99°44'30" W.), and within 2.5 miles each side of the 154° bearing from the Uvalde RBN (latitude 29°13'06" N., longitude 99°44'29" W.), extending from the 5-mile radius area to 8.5 miles southeast of the RBN.

Vacaville, California
That airspace extending upward from 700 feet above the surface within a 3-mile radius of Nut Tree Airport, California (latitude 38°22'18" N., longitude 121°57'33" W.), and within 2.5 miles each side of the Sacramento VORTAC 289° radial, extending from the 3-mile radius area to 13 miles W of the VORTAC.

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Valdosta, Ga.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Valdosta Municipal Airport (latitude 30°46'58" N., longitude 83°16'44" W.); within an 8.5-mile radius of Moody AFB (latitude 30°58'01" N., longitude 83°11'27" W.); within 3.5-miles west and 2 miles east of the Moody VOR 007° radial, extending from the 8.5-mile radius area to 11.5 miles north of the VOR; within 2.5 miles each side of the Moody TACAN 173° radial, extending from the 8.5-mile radius area to 17.5 miles south of the TACAN.

AMENDMENTS 12/4/75 40 F. R. 43718 (Rewritten)

Valentine, Nebr.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Miller Field Airport (latitude 42°51'25" N., longitude 100°32'50" W.); and that airspace in the State of South Dakota extending upward from 1,200 feet above the surface within 5 miles each side of the 325° bearing from the Miller Field Airport within 12 miles northwest of the airport.

AMENDMENTS 10/9/75 40 F. R. 32319 (Changed)
AMENDMENTS 10/9/75 40 F. R. 43020 (Rewritten)

Valparaiso, Ind.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Porter County Airport (latitude 41°27'10" N., longitude 87°00'20" W.).

Vandalia, Ill.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Vandalia Municipal Airport (lat. 38°59'20" N., long. 89°09'55" W.) and within 2 miles each side of the Vandalia VOR 183° radial extending from the 5-mile radius area to the VOR.

Vandenberg AFB, Calif.
That airspace extending upward from 700 feet above the surface within 2 miles each side of the Vandenberg AFB ILS localizer southeast course, extending from 2.5 miles northwest to 1 mile southeast of the OM.

Van Horn, Tex.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Culberson County Airport (latitude 31°03'42" N., longitude 104°47'09" W.) and extending 6.0 miles north and 9.5 miles south of the 054° bearing from the airport coordinates to a point 19 miles northeast of the airport coordinates.

AMENDMENTS 6/19/75 40 F. R. 11550 (Added)

Van Wert, Ohio
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the Van Wert Municipal Airport (latitude 40°51'45" N., longitude 84°36'15" W.).

Venice, FL.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Venice Municipal Airport (lat. 27°04'30" N., long. 82°26'00" W.).

Vernal, Utah
That airspace extending upward from 700 feet above the surface within 9.5 miles northeast and 5 miles southwest of the Vernal VOR 157° and 337° radials, extending from 10 miles northwest to 18.5 miles southeast of the VOR.

Vernon, Ala.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Lamar County Airport (lat. 33°50'30" N., long. 88°07'10" W.); within 2.5 miles each side of Hamilton VORTAC 198° radial, extending from the 6.5-mile radius area to 17 miles south of the VORTAC, excluding the portion within Columbus, Miss., transition area.

Vernon, Tex.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Wilbarger County Airport (latitude 34°14'00" N., longitude 99°17'30" W.), and within 2 miles each side of the Altus VOR 182° radial extending from the 6-mile radius area to 7 miles north of the airport.

Vero Beach, Fla.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Vero Beach Municipal Airport (lat. 27°39'05" N., long. 80°24'51" W.); within 5 miles each side of Vero Beach VORTAC 291° radial, extending from the 8.5-mile radius area to 8.5 miles west of the VORTAC; within a 6.5-mile radius of St. Lucie County Airport, Fort Pierce, Fla. (lat. 27°29'38" N., long. 80°22'02" W.); excluding the portion outside the continental limits of the United States.

Versailles, OH.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Darke County Airport (latitude 40°12'17" N., longitude 84°31'38" W.); and within 3 miles either side of the 265° bearing from the airport, extending from the 5-mile radius area to 8 miles from the airport.

Vichy, Mo.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Rolla National Airport (latitude 38°07'40" N., longitude 91°46'10" W.); and within 3 miles of each side of the 067° radial of the Vichy VORTAC, extending from 6½-mile radius area to 8½ miles northeast of the Vichy VORTAC.

AMENDMENTS 4/24/75 40 F. R. 10172 (Changed)

Vicksburg, Miss.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the Vicksburg Municipal Airport (latitude 32°14'20" N., longitude 90°55'40" W.).

Victoria, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Victoria County-Foster Airport (latitude 28°51'10" N., longitude 96°55'20" W.) and within 3.5 miles each side of the ILS localizer 131° course extending from the 5-mile radius area to 14.5 miles southeast of the outer marker.

Victorville, Calif.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of George AFB, Victorville, Calif. (latitude 34°35'45" N., longitude 117°22'55" W.).

Vidalia, Ga.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Vidalia Municipal Airport (lat. 32°11'45" N., long. 82°22'15" W.); within a 6.5-mile radius of Reidsville Airport, Reidsville, Ga. (latitude 32°03'19" N., longitude 82°09'19" W.); within 3 miles each side of the 295° bearing from Prison RBN (latitude 32°03'27" N., longitude 82°09'09" W.), extending from the 6.5-mile radius area to 8.5 miles northwest of the RBN.

Vincennes, Ind.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Lawrenceville-Vincennes Municipal Airport (latitude 38°45'35" N., longitude 87°36'27" W.); within 3 miles each side of the 186° bearing from the airport, extending from the 7-mile radius to 8 miles south; and 3 miles each side of the 352° bearing from the airport, extending from the 7-mile radius to 8 miles north; within 3 miles each side of the 102° bearing from the airport, extending from the 7-mile radius to 8 miles east; and within a 5.5-mile radius of O'Neal Airport (latitude 38°41'29" N., longitude 87°33'08" W.); and within 3 miles each side of the 258° bearing from the airport, extending from the 7-mile and 5½-mile radius area to 8 miles west of the airport, within a 5-mile radius of the Mt. Carmel Municipal Airport (latitude 38°36'24" N., longitude 87°43'34" W.); and within 3 miles either side of the 038° bearing from the airport, extending from the 5-mile radius area northeast to join the Lawrenceville and O'Neal radius areas.

AMENDMENTS 11/25/75 40 F. R. 56423 (Rewritten)

Vincentown, NJ.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center lat. 39° 54'15" N., long. 74°45'00" W. of Red Lion Airport, Vincentown, NJ.

Virginia
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Virginia including the offshore airspace within 3 nautical miles of and parallel to the shoreline of Virginia and that airspace extending upward from 2,000 feet MSL to FL-600 bounded on the east by longitude 75°30'00" W., on the south by latitude 36°33'30" N, and on the west and north by a line 3 nautical miles from and parallel to the shoreline, excluding that airspace within Control 1140.

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Visalia, Calif.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Visalia Municipal Airport (latitude 36°19'10" N., longitude 119°23'35" W.), within 2 miles each side of the Visalia VOR 123° and and 303° radials, extending from the 5-mile radius area to 8 miles northeast of the VOR and within 4 miles each side of the Visalia VOR 150° radial, extending from 7 to 20 miles southeast of the VOR.

Vivian, La.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Vivian Municipal Airport (latitude 32°51'55" N., longitude 94°00'30" W.); within 2 miles each side of the Shreveport VORTAC 299° radial extending from the 6.5-mile radius area to 5.5 miles northwest of the VORTAC; and 3 miles each side of the 277° bearing from the NDB (latitude 32°51'37" N., longitude 94°00'42" W.) extending from the 6.5-mile radius area to 8.5 miles west of the NDB.
AMENDMENTS 12/4/75 40 F. R. 48120 (Rewritten)

Wabash, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Wabash Municipal Airport (latitude 40°45'50" N., longitude 85°48'05" W.); within 5 miles each side of the 105° bearing from Wabash Municipal Airport extending from the 5-mile radius area to 12 miles east of the airport; and within 2 miles each side of the 040° radial of the Kokomo, Ind., VORTAC, extending from the 5-mile radius area to 15 miles northeast of the Kokomo, Ind., VORTAC; excluding the portion which overlies the Kokomo, Ind., 700-foot floor transition area.

Waco, Tex.
That airspace extending upward from 700 feet above the surface within the area bounded by a line beginning at latitude 32°08'00" N., longitude 96°54'00" W.; to latitude 32°02'00" N., longitude 96°50'40" W.; to latitude 31°48'00" N., longitude 96°55'00" W.; to latitude 31°39'30" N., longitude 96°43'50" W., to latitude 31° 17'00" N., longitude 96°47'00" W., to latitude 31°17'00" N., longitude 97°13'00" W.; to latitude 30°56'30" N., longitude 97°25'30" W.; to latitude 30°58'30" N., longitude 97°35'40" W.; to latitude 31°11'00" N., longitude 97°31'00" W.; to latitude 31°27'00" N., longitude 97° 34'00" W.; to latitude 31°27'00" N., longitude 97°41'00" W.; to latitude 31°35'00" N., longitude 97°44'00" W.; to latitude 31°46'30" N., longitude 97°41'50" W.; to latitude 31°50'00" N., longitude 97°24'00" W.; to point of beginning.

Waimea-Kohala, Hawaii
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Waimea--Kohala Airport
(latitude 20°00'17" N., longitude 155°40'16" W.); within an area 2 miles on the northwest side and 3 miles on the southeast side of the Kamuela VOR 063° radial, extending from the 5-mile radius area to 11.5 miles northeast of the Kamuela VOR; and that airspace extending upward from 1,200 feet above the surface bound on the north by V-16, on the west by V-11 and on the southeast by V-3 and the Waimea-Kohala control zone.

Wakefield, Va.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, lat. 36°59'14" N., long. 77°00'06" W. of Wakefield Municipal Airport, Wakefield, Va., and within 3.5 miles each side of the 024° bearing, from the Wakefield RBN lat. 36°58'59" N., long. 77°00'06" W., extending from the 5-mile radius area to 11.5 miles northeast of the RBN.

Wake Island
That airspace extending upward from 1,200 feet above the surface within a 100-nmi radius of the Wake Island VORTAC.

Wallace, N. C.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Henderson Field (latitude 34°43'05" N., longitude 78°01'20" W.); within 3 miles each side of Wilmington VORTAC 344° radial, extending from the 5-mile radius area to 22 miles northwest of the VORTAC.

Walla Walla, Wash.
That airspace extending upward from 700 feet above the surface within 4 miles each side of the Walla Walla VOR 036° radial, extending from the VOR to 16 miles northeast; within 5 miles southeast and 9.5 miles northwest of the Walla Walla VOR 215° radial, extending from the VOR to 18.5 miles southwest of the VOR; that airspace extending upward from
1,200 feet above the surface within 5 miles SE and 13 miles NW of the Walla Walla VOR 023° and 203° radials, extending from 14 miles SW to 28 miles NE of the VOR, within 5 miles each side of the Walla Walla TACAN 041° radial extending from the TACAN to 23 miles NE of the TACAN, within 5 miles SE and 9 miles NW of the Pendleton, Oreg., VORTAC 025° radial, extending from 33 miles NE to 61 miles NE of the VORTAC, and that airspace bounded by an arc of a 19-mile radius circle centered on the Walla Walla VOR (latitude 46°06'13" N., longitude 118°17' 29" W.), from 5 miles SE of the Walla Walla 040° radial, to 4 miles SE of the Pendleton VORTAC 025° radial, within 5 miles east and 10 miles west of the Walla Walla 165° radial, extending from the 19-mile radius area to the northeast edge of V-298 and within 5 miles each side of the Walla Walla 329° radial extending from the northwest edge of V-112 to the southeast edge of V-112W, excluding the portion within the Pendleton, Oreg., transition area.

Walnut Ridge, Ark.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Walnut Ridge Municipal Airport (lat. 36°07'30" N., long. 90°55'25" W.); within 3 miles each side of the Walnut Ridge VORTAC 244° radial extending from the 6.5-mile radius area to 8.5 miles southwest of the VORTAC; and within a 5-mile radius of the Pocahontas Municipal Airport (lat. 36°14'40" N., long. 90°56'45" W.).

Walterboro, SC.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Walterboro Municipal Airport (lat. 32°55'06" N., long. 80°38'25" W.); within 3 miles each side of the 060° bearing from Walterboro RBN (lat. 32°55'32" N., long. 80°38'27" W.), extending from the 6.5-mile radius area to 8.5 miles northeast of the RBN.

Wapakoneta, Ohio
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Neil Armstrong Field (lat. 40°29'36" N., long. 84°18'04" W.).

Warren, Ark.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Warren Municipal Airport (latitude 33°33'50" N., longitude 92°05'00" W.), and within 2 miles each side of the Monticello VORTAC 270° radial extending from the 5-mile radius area to 16 miles west of the VORTAC.

Warsaw, Ind.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Warsaw Municipal Airport (latitude 41°16'39" N., longitude 85°50'48" W.); and within 3½ miles each side of the 359° bearing from the airport extending from the 7-mile radius area to 12½ miles north of the airport, excluding the airspace that overlies the Nappanee, Indiana, and Goshen, Indiana, transition areas.

AMENDMENTS 1/30/75 39 F. R. 41519 (Rewritten)
AMENDMENTS 9/6/75 40 F. R. 33435 (Rewritten)

Waseca, Minn.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Waseca Municipal Airport (latitude 44°04'24" N., longitude 93°33'10" W.); within 3½ miles each side of the 339° bearing from the Waseca Municipal Airport, extending from the 5-mile radius to 8 miles north of the airport; within 1½ miles each side of the 046° bearing from the Waseca Municipal Airport, extending from the 5-mile radius to 6 miles northeast of the airport.

Washington, D. C.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the center, 38°51' 07" N., 77°02'23" W., of Washington National Airport, Washington, D. C.; within an 11-mile radius of the center of Washington National Airport, extending clockwise from a 022° bearing to a 165° bearing from the airport; within an 11.5-mile radius of the center of Washington National Airport, extending clockwise from a 210° bearing to a 270° bearing from the airport; within a 12.5-mile radius of the center of Washington National Airport, extending clockwise from a 270° bearing to a 310° bearing from the airport; within an 11.5-mile radius of the center of Washington National Airport, extending clockwise from a 310° bearing to a 022° bearing from the airport; within 4.5 miles each side of a 317° bearing from the Georgetown, D. C., RBN, extending from the RBN to 5.5 miles northwest; within an 8.5-mile radius of the center, 38°48'39" N., 76°52'02" W., of Andrews AFB, Camp Springs, Md.; within 2.5 miles each side of the Andrews VORTAC 360° radial, extending from the VORTAC to 9.5 miles north of the VORTAC; within a 5-mile radius of the center, 38°42'55" N., 77°10'55" W., of Davison AAF, Fort Belvoir, Va.; within 5 miles each side of a 180° bearing from a point 38°39'41" N., 77°06'37" W., extending from said point to 9.5 miles south; within 5 miles each side of a 081° bearing from a point 38°39'41" N., 77°06'37" W., extending from said point to 20 miles east; within 3.5 miles each side of the extended centerline of Davison AAF Runway 32, extending from the northwest end of Runway 32 to 9 miles northwest; within 6.5 miles southwest and 4.5 miles northeast of a 134° bearing and a 314° bearing from a point 38°39'41" N., 77°06'37" W., extending from 5.5 miles northwest to 11.5 miles southeast of said point; excluding the portion within P-56 and P-73.

AMENDMENTS 3/27/75 40 F. R. 4297 (Rewritten)

Washington, GA.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Washington-Wilkes County Airport (lat. 33°47'20" N., long. 82°48'30" W.); within 2.5 miles each side of Athens VOR 112° radial, extending from the 6.5-mile radius area to 25 miles east of the VOR.

Washington, Ind.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Daviess County Airport (latitude 38°41'58" N., longitude 87°07'55" W.); within 3 miles each side of the 010° bearing from Daviess County Airport, extending from the 8-mile radius area to 8½ miles north of the airport.

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Washington, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Warren Field (lat. 35°34'15" N., long. 77°03'00" W.); within 3 miles each side of the 156° bearing from Wanoca RBN (lat. 35° 32'40" N., long. 77°02'00" W.), extending from the 8.5-mile radius area to 8.5 miles south of the RBN.

Washington, Pa.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center of lat. 40°08'15" N., long. 80°17'15" W. of Washington County Airport, Washington, Pa.

Washington Court House, Ohio
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of the Fayette County Airport (latitude 39°34'15" N., longitude 83°25'13" W.) and within 3 miles each side of the 037° bearing from the airport extending from the 5½-mile radius area to 10 miles northeast of the airport.

Waterloo, Iowa
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the Waterloo Municipal Airport (lat. 42°33'20" N., long. 92°24'00" W.); and within 3½ miles each side of the Waterloo ILS localizer northwest course extending from the 10-mile radius area to 8 miles northwest of the OM; and 3 miles each side of the Waterloo, Iowa, VORTAC 120° radial extending from the 10-mile radius to 16 miles southeast of the VORTAC; and within 3½ miles each side of the Waterloo, Iowa, VORTAC 194° radial extending from the 10-mile radius to 11½ miles south of the VORTAC; and within 3½ miles each side of the Waterloo, Iowa, VORTAC 001° radial extending from the 10-mile radius to 11½ miles north of the VORTAC; and within 3½ miles each side of the Waterloo, Iowa, VORTAC 316° radial extending from the 10-mile radius to 11½ miles northwest of the VORTAC; and within 3½ miles each side of the LOC back course extending from the 10-mile radius to 16 miles southeast of the airport.

Watertown, N. Y.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, 43°59'20" N., 76°01'20" W. of Watertown International Airport, Watertown, N. Y., and within 3.5 miles each side of the Watertown, N. Y., VOR 211° radial, extending from the 7-mile radius area to 12 miles southwest of the VOR.

That airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at: 44°16'00" N., 75°40'00" W. to 44°16'00" N., 76°10'00" W. to 43°52'00" N., 76°21'00" W. to 43°32'00" N., 76°23'00" W. to 43°44'00" N., 75°49'00" W. to 43°52'00" N., 75°54'00" W. to point of beginning.

Watertown, S. Dak.
That airspace extending upward from 700 feet above the surface within a 14.5-mile radius of the Watertown VORTAC; within a 26-mile radius of the Watertown VORTAC extending clockwise from the 086° radial to a line located parallel to and 4.5 miles west of the 181° radial; and within 6 miles east and 9.5 miles west of the Watertown VORTAC 001° radial extending from the VORTAC to 21 miles north; and that airspace extending upward from 1,200 feet above the surface within 9.5 miles east and 7 miles west of the 181° radial extending from the VORTAC to 31.5 miles south; and within a 26-mile radius of the Watertown VORTAC extending clockwise from a line 7 miles west of and parallel to the 181° radial to the 238° radial.

Watertown, Wisconsin
That airspace extending upward from 700 feet above the surface within an 8-mile radius of Watertown Municipal Airport (latitude 43°10'15" N., longitude 88°43'20" W.).

Waterville, Maine
That airspace extending upward from 700 feet above the surface within a 11.8-mile radius of the center (lat. 44°32'10" N., long. 69°40'30" W.) of Waterville Robert La Fleur Airport, Waterville, Maine, excluding the portion that coincides with the Augusta, Maine, 700-foot transition area.

Wausau, Wis.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Wausau Municipal Airport (latitude 44°55'33" N., longitude 89°37'32" W.).

Waycross, Ga.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Waycross-Ware County Airport (lat. 31°14'55" N., long. 82°23'48" W.); within 1.5 miles each side of Waycross VORTAC 099° radial, extending from the 8.5-mile radius area to the VORTAC; excluding the portion within a 1.5-mile radius of Bivins Airport (lat. 31°11'06" N., long. 82°16'25" W.).

Webster City, Iowa
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Webster City Municipal Airport (latitude 42°26'15" N., longitude 93°52'15" W.).

Wells, Nev.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Harriet Field (latitude 41°06'54" N., longitude 114° 55'24" W.) and within 4.5 miles south and 9.5 miles north of the Wells VOR 287° radial, extending from the VOR to 18.5 miles west of the VOR. That airspace extending upward from 1,200 feet above the surface within 12 miles north and 8 miles south of the Wells VOR 287° and 107° radials extending from 23 miles west to 10 miles east of the VOR.

Wellsboro, Pa.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 41°43'45" N., 77°23'30" W., of Grand Canyon State Airport, Wellsboro, Pa., and within 2 miles each side of Stonyfork, Pa., VOR 212° radial extending from the 6-mile radius area to 8 miles southwest of the VOR. This transition area is effective from sunrise to sunset daily.

Wellsville, N. Y.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center (lat. 42° 06'34" N., long. 77°59'59" W.) of Wellsville Municipal (Tarantine) Airport, Wellsville, NY., within 4 miles each side of the 090° bearing from the Hallsport RBN, lat. 42°06'34" N., long. 77°54'33" W., extending from the 9-mile radius area to 11.5 miles east of the RBN, and within 3.5 miles each side of the Wellsville, N. Y., VOR 196° radial extending from the 9-mile radius area to 11.5 miles south of the VOR.

Welsh, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Welsh Municipal Airport (latitude 30°14'30" N., longitude 92°49'45" W.), but excluding that portion within the Jennings, La., 700-foot transition area.

Wenatchee, Wash.
That airspace extending upward from 700 feet above the surface within 4 miles each side of the Wenatchee VOR 124° radial, extending from the VOR to 12.5 miles southeast of the VOR; that airspace extending upward from 1,200 feet above the surface within 5 miles south and 8 miles north of the Wenatchee VOR 092° and 272° radials, extending from 7 miles west to 14 miles east of the VOR and within 5 miles southwest and 9.5 miles northeast of the 124° radial, extending from the VOR to 23 miles southeast of the VOR.

Wendover, Utah
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the Wendover AF Auxiliary Field (latitude 40°43'41" N., longitude 114°02'12" W.); that airspace extending upward from 1,200 feet above the surface within 12.5 miles north and 8.5 miles south of the Bonneville VORTAC 084° and 272° radials, extending from the VORTAC to 23 miles east and west of the VORTAC; and that airspace extending upward from 8,500 feet MSL bounded on the north by V-6, on the west by V-253, on the south by V-32, and on the east by a line extending from latitude 40°51'30" N., longitude 112°56'30" W.; north to latitude 41°00'00" N., longitude 112° 56'30" W.; thence east to latitude 41°00'00" N., longitude 112°45'00" W., thence north to latitude 41°10'40" N., longitude 112°45'00" W., thence northwest to latitude 41°12'00" N., longitude 112°52'00" W.; thence north via longitude 112°52'00" W., to V-6, excluding that portion which falls within the 1200-foot transition area.

West Bend, Wis.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the West Bend Municipal Airport (latitude 43°25'17" N., longitude 88°07'41" W.); within 3 miles each side of the 051° bearing from the airport, extending from the 7-mile radius area to 8 miles northeast of the airport, and within 3 miles each side of the 133° bearing from the airport, extending from the 7-mile radius area to 7½ miles southeast of the airport.

AMENDMENTS 7/24/75 40 F. R. 24180 (Rewritten)

West Branch, Mich.
That airspace extending upward from 700 feet above the surface within a 5½-mile radius of West Branch Community Airport (latitude 44°14'36" N., longitude 84°10'58" W.); and within 3 miles each side of the 87° bearing from West Branch Community Airport, extending from the 5½-mile radius area to 13 miles east of the airport.

Westhampton Beach, N. Y.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Suffolk County Airport, Westhampton Beach, N. Y. (latitude 40°50'39" N., longitude 72°37'49" W.); and within 5 miles each side of the Squire, N. Y. OM (lat. 40°54'16" N., long. 72°33'25" W.) extending from the 9-mile radius area to 11.5 miles northeast of the OM.

West Helena, Ark.
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Thompson-Robbins Airport (latitude 34°34'29" N., longitude 90°40'48" W.), and within 3.5 miles each side of the 350° bearing from the Thompson-Robbins RBN (latitude 34°34'16" N., longitude 90°40'33" W.) extending from the 5.5-mile radius area to 11.5 miles north of the RBN.

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Westminster, Md. (Clearview Airpark)
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 39°28' 01" N., 77°01'06" W. of Clearview Airpark, Westminster, Md.; within a 5.5-mile radius of the center of the airport, extending clockwise from a 350° bearing to a 045° bearing from the airport and within 2.5 miles each side of the Westminster VORTAC 047° radial, extending from the 5-mile radius area to 6 miles northeast of the VORTAC. This transition area is effective from sunrise to sunset, daily.

AMENDMENTS 1/30/75 39 F. R. 42342 (Added) Corr: 40 F. R. 3289

Westminster, Md. (Westminster Airport)
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, lat. 39°36'15" N., long. 77°00'15" W. of Westminster Airport, Westminster, MD.; within an 8-mile radius of the center of the airport, extending clockwise from a 035° bearing from the airport to a 086° bearing from the airport and within 1.5 miles each side of the Westminster VORTAC 350° radial, extending from the 6.5-mile radius area to the VORTAC. This transition area is effective from sunrise to sunset, daily.

AMENDMENTS 1/30/75 39 F. R. 42342 (Changed)

West Point, Va.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center of West Point Municipal Airport 37°31'00" N., 76°45'40" W. , and within 4 miles each side of the Harcum, Va., VORTAC 148° radial and 328° radial extending from the 6-mile radius area to 11 miles southeast of the VORTAC.

AMENDMENTS 6/19/75 40 F. R. 20612 (Changed)

West Union, Ohio
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Alexander Salamon Airport (latitude 38°51'05" N., longitude 83°34'00" W.); and within 3 miles either side of the 049° bearing from the airport extending from the 6-mile radius to 8 miles northeast of the airport.

AMENDMENTS 7/24/75 40 F. R. 24181 (Added)

West Virginia
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of West Virginia.

West Woodward, Okla.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the West Woodward, Okla.. Airport (latitude 36°26'12" N., longitude 99°31'30" W.), and within 5 miles either side of the Gage VORTAC 072° radial, extending from the 7-mile radius area southwest of Gage VORTAC; excluding the Gage, Okla., control zone and transition area.

AMENDMENTS 6/19/75 40 F. R. 12485 (Added)

West Yellowstone, Mont.
That airspace extending upward from 700 feet above the surface within 5 miles west and 9.5 miles east of the 026° and 206° bearings from the Targhee, Montana LOM (latitude 44°34'33" N., longitude 111°11'48" W.), extending from 18 miles northeast to 18.5 miles southwest of the LOM; that airspace extending upward from 1,200 feet above the surface within 5 miles each side of the 209° bearing from the LOM extending from the LOM to 41.5 miles southwest of the LOM, and 5 miles each side of the 304° bearing from the LOM extending from the LOM to the east edge of V-343; that airspace extending upward from 10,700 feet MSL within a 29-mile radius of the Targhee LOM extending clockwise from the 081° bearing from the LOM to 5 miles east of the 236° bearing from the LOM and within 5 miles each side of the 236° bearing from the LOM extending from the LOM to 50 miles southwest of the LOM; that airspace extending upward from 12,000 feet MSL within a 35-mile radius of the Targhee LOM extending clockwise from the 026° bearing from the LOM to the 081° bearing from the LOM; that airspace extending upward from 13,000 feet MSL,within a 35-mile radius of the Targhee LOM extending clockwise from the 315° bearing to the 026° bearing from the LOM, excluding that portion that overlies V-343. This transition area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

AMENDMENTS 10/9/75 40 F. R. 29273 (Rewritten)

Wetumpka, Ala.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Wetumpka Municipal Airport (latitude 32°31'45" N., longitude 86°19'30" W.); within 3 miles each side of the Maxwell VOR 070° radial, extending from the 7-mile radius area to 22 miles east of the Maxwell VOR; within 6 miles north and 4.5 miles south of the 090° bearing from the airport, extending from the 7-mile radius area to 17.5 miles east of the airport; excluding the portion that coincides with the Montgomery, Ala., transition area.

AMENDMENTS 12/4/75 40 F. R. 46304 (Changed)

Weyers Cave, Va.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center (lat. 38°15'49" N., long. 78°53'46" W.) of Shenandoah Valley Airport, Weyers Cave, Va., within 4.5 miles southeast and 9.5 miles northwest of the Shenandoah Valley Airport ILS localizer southwest course, extending from the localizer to 18.5 miles southwest of the OM;
within a 7.5-mile radius of the center (lat. 38°21'58" N., long. 78°57'35" W.) of Bridgewater Airpark, Bridgewater, Va., and within 4.5 miles northwest and 6.5 miles southeast of the 210° bearing and the 030° bearing from the Bridgewater RBN (lat. 38°21'56" N., long. 78°57'41" W.), extending from 5.5 miles northeast of the RBN to 11.5 miles southwest of the RBN.

Wharton, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Wharton Municipal Airport (latitude 29°15'15" N., longitude 96°09'15" W.); within 2.5 miles each side of the Eagle Lake, Tex., VORTAC 162° radial extending from the 5-mile radius to 23.5 miles southeast of the Eagle Lake VORTAC and within 3.5 miles each side of the 153° bearing of the Wharton RBN (latitude 29°15'17" N., longitude 96°09'11" W.) extending from the 5-mile radius to 11.5 miles southeast of the RBN and within 3.5 miles each side of the 324° bearing from the Wharton RBN extending from the 5-mile radius to 11.5 miles northwest of the RBN, excluding the portion within the El Campo, Tex., transition area.

Wheeling, W. Va.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Wheeling-Ohio County Airport (latitude 40° 10' 25" N., longitude 80° 38' 55" W.); within 2 miles each side of the Wheeling VOR 036° and 216° radials, extending from the 7-mile radius area to 8 miles NE of the VOR, and within 2 miles each side of the Wheeling ILS localizer SW course, extending from the 7-mile radius area to 8 miles SW of the OM.

Whidbey Island, Wash.
That airspace extending upward from 700 feet above the surface bounded on the E by a line extending from latitude 48°40'00" N., longitude 122°05'00" W. to latitude 48°05'00" N., longitude 121°55'00" W., on the S by latitude 48°05'00" N., on the W by the W edge of V-440, and the United States/Canadian border to latitude 48°25'00" N., thence via latitude 48°25'00" N. to an arc of a 13-mile radius circle centered on Ault Field, Whidbey Island, Wash. (latitude 48°21'10" N., longitude 122°39'20" W.), thence clockwise via the 13-mile radius arc to longitude 122°45'00" W., thence to latitude 48°40'00" N., longitude 122°43'00" W., on the N by latitude 48°40'00" N. to point of beginning, and that airspace NW of Whidbey Island NAS bounded by a line beginning at the point of intersection of latitude 48°25'00" N., and the United States/Canadian border, thence via the United States/Canadian border to altitude 48°40'00" N., thence via latitude 48°40'00" N., to longitude 123°02'00" W., thence direct to point of beginning; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 48°52'00" N., longitude 122°00'00" W., thence via longitude 122°00'00" W. to latitude 48°43'00" N., thence via latitude 48°43'00" N. to longitude 121°45'00" W., thence via longitude 121°45'00" W., to latitude 48°05'00" N., thence via latitude 48°05'00" N., to longitude 121°55'00" W., thence to latitude 48°40'00" N., longitude 122°05'00" W., thence via latitude 48°40'00" N., to longitude 122°43'00" W., thence to latitude 48°31'00" N., longitude 122°45'00" W., to intercept an arc of a 13-mile radius circle centered on Ault Field, Whidbey Island, Wash. (latitude 48°21'10" N., longitude 122°39'20" W.), thence counterclockwise via the 13-mile radius arc to latitude 48°25'00" N., thence via latitude 48°25'00" N., to its intersection with the United States/Canadian border, thence to latitude 48°40'00" N., longitude 123°02'00" W., thence via latitude 48°40'00" N., to the east edge of Canadian VOR airway V-300, thence N via the east edge of V-300 to the United States/Canadian border, thence via the United States/Canadian border to latitude 48°52'00" N., thence to point of beginning; that airspace extending upward from 8,200 feet MSL bounded on the E by longitude 121°30'00" W., to latitude 48°00'00" N., thence via latitude 48°00'00" N., to longitude 121°35'00" W., thence via longitude 121°35'00" W., to latitude 48°05'00" N., thence via latitude 48°05'00" N., to longitude 121°45'00" W., on the W by longitude 121°45'00" N., to latitude 48°38'00" N., thence via latitude 48°38'00" N., to longitude 121°30'00" W.; that airspace extending upward from 12,000 feet MSL bounded on the E by longitude 121°00'00" W., on the S by latitude 48°00'00" N., on the W by longitude 121°30'00" W., and on the N by latitude 48°30'00" N.

Whitefield, NH.
That airspace extending upward from 700 feet above the surface within an arc of a 25.5-mile radius circle centered on the Whitefield, NH., Regional Airport (lat. 44°21'53" N., long. 71°33'07" W.) extending clockwise between the 012° and 160° bearings from the Whitefield Airport; within an arc of a 29.5-mile radius circle centered on the Whitefield Airport extending clockwise between the 160° and 218° bearings from the Whitefield Airport; within an arc of a 12.5-mile radius circle centered on the Whitefield Airport extending clockwise between the 218° and 294° bearings from the Whitefield Airport; within an arc of a 24-mile radius circle centered on the Whitefield Airport extending clockwise between the 294° and 337° bearings from the Whitefield Airport; within an arc of a 17-mile radius circle centered on the Whitefield Airport extending clockwise between the 337° and 012° bearings from the Whitefield Airport; within 3.5 miles each side of the 267° bearing from the Dalton, NH., NDB extending from the 12.5-mile radius area to 11.5 miles west of the NDB, excluding that airspace contained within the Berlin, NH., and North Conway, NH., transition areas.
That airspace extending upward from 1,200 feet above the surface within 5 miles each side of a direct line extending from the Dalton, NH., NDB (lat. 44°21'43" N., long. 71°41'08" W.) to the North Conway, NH., NDB (lat. 44°01'26" N., long. 71°06'59" W.); within 5 miles each side of a direct line extending from the Dalton NH., NDB to the Newport, VT., NDB (lat. 44°57'10" N., long. 72°10'40" W.); within 5 miles each side of a direct line extending from the Dalton, NH., NDB to the Montpelier, VT., VOR; within 5 miles each side of a direct line extending from the Dalton, NH., NDB to the Lebanon, NH., VOR; and within 4.5 miles north and 9.5 miles south of the 267° bearing from the Dalton, NH., NDB extending from the Dalton, NH., NDB to a point 18.5 miles west, excluding those portions that coincide with the Burlington, VT., and Lebanon, NH., 1,200-foot transition areas.

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White Plains, N. Y.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center, 41° 04'00" N., 73°42'33" W., of Westchester County Airport, White Plains, N. Y., extending clockwise from a 047° bearing to a 307° bearing from the airport, within a 10-mile radius of the center of the airport, extending clockwise from a 307° bearing to a 047° bearing from the airport; within 6.5 miles northwest and 4.5 miles southeast of the Carmel, N. Y., VORTAC 245° and 065° radials, extending from 5.5 miles southwest to 11.5 miles northeast of the VORTAC; within 6.5 miles southwest and 4.5 miles northeast of the Westchester County Airport ILS localizer northwest course, extending from 5.5 miles southeast of the OM to 11.5 miles northwest of the OM; within 5 miles each side of the Westchester County Airport ILS localizer northwest course, extending from the 8.5-mile radius area and 10-mile radius area to 12 miles northwest of the OM; within 5 miles each side of the extended centerline of Runway 16, extending from the southeast end of Runway 16 to 13 miles southeast of the southeast end of Runway 16; within 5 miles each side of the Carmel, N. Y., VORTAC 206° radial, extending from the 8.5-mile radius area and 10-mile radius area to the Carmel, N. Y., VORTAC; and within 5 miles each side of the Carmel, N. Y., VORTAC 232° radial, extending from 4 miles southwest to 10 miles southwest of the Carmel, N. Y., VORTAC; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at 41°31'00" N., 73°54'00" W., to 41°31'00" N., 73°30'00" W., to 41°25'00" N., 73°30'00" W., to 41° 20'00" N., 73°44'00" W., to 41°18'00" N., 73°42'00" W., to 41°16'00" N., 73°45'00" W., to 41°20'00" N., 73°49' 00" W., to 41°15'00" N., 73°59'30" W., to 41°00'00" N., 73°38'00" W., to 41°00'00" N., 73°54'00" W., to 41° 08'10" N., 74°13'00" W., to 41°11'00" N., 74°09'00" W., to 41°12'00" N., 74°00'00" W., to 41°19'00" N., 74° 00'00" W., to point of beginning.

Wichita, Kansas
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Wichita, Kansas, Municipal Airport (latitude 37°39'09" N., longitude 97°25'47" W.) and from 9.5 miles west of the LOC (BC) to Runway 1L, extending from 8.5 miles to 15 miles south of the airport to 4.5 miles east of the LOC (FC) to Runway 1R to 6.5 miles east of the 176° radial of the Wichita, Kansas, VORTAC facility, extending from the 8.5-mile radius to 15 miles south of the airport; within an 8.5-mile radius of the McConnell AFB (latitude 37° 37'25" N., longitude 97°16'00" W.); and 2 miles each side of the McConnell AFB ILS localizer south course, extending from the 8.5-mile radius to 13 miles south of the AFB, within a 5-mile radius of the Comotara Airpark (latitude 37°44'45" N., longitude 97°13'20" W.); and within 2 miles each side of the 344° bearing from the Comotara Airpark extending from the 5-mile radius to 6 miles north; within a 5-mile radius of the Augusta, Kansas Airport (latitude 37°40'21" N., longitude 97°04'38" W.).

AMENDMENTS 4/24/75 40 F. R. 10171 (Changed)
AMENDMENTS 10/9/75 40 F. R. 30633 (Rewritten)
AMENDMENTS 10/16/75 40 F. R. 51997 (Rewritten)

Wichita Falls, Tex.
That airspace extending upward from 700 feet above the surface within a 20-mile radius of latitude 33°59'56" N., longitude 98°30'25" W.

Wildwood, N. J.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 39°00'15" N., 74°54'30" W. of Cape May County Airport, Wildwood, N. J.; within 2 miles each side of the Sea Isle, N. J., VORTAC 225° radial, extending from the 6-mile-radius area to the VORTAC and within 2.5 miles each side of a 360° bearing from a point 39°00'15" N., 74°54'30" W., extending from the 6-mile-radius area to 6.5 miles north of said point.

Wilkes-Barre, Pa.
That airspace extending upward from 700 feet above the surface within a 12.5-mile radius of the center, lat. 41°20'18" N., long. 75°43'29" W. of Wilkes-Barre-Scranton Airport, extending clockwise from a 260° bearing to a 355° bearing from the airport; within a 15.5-mile radius of the center of the airport, extending clockwise from a 355° bearing to a 025° bearing from the airport; within a 12.5-mile radius of the center of the airport, extending clockwise from a 025° bearing to a 050° bearing from the airport; within a 17.5-mile radius of the center of the airport, extending clockwise from a 050° bearing to a 210° bearing from the airport; within a 10-mile radius of the center of the airport extending clockwise from a 210° bearing to a 260° bearing from the airport; within 3.5 miles each side of the Wilkes-Barre-Scranton Airport ILS localizer southwest course, extending from the OM to 11.5 miles southwest of the OM; and within 5 miles each side of the Wilkes-Barre-Scranton Airport ILS localizer northeast course, extending from the localizer to 13.5 miles northeast of the localizer, excluding the portions that coincide with the Honesdale, Pa., and Mount Pocono, Pa., transition areas.

Wilkesboro, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Wilkes County Airport (lat. 36°08'33" N., long. 81°11'36" W.); within 5 miles north and 3 miles south of the 070° bearing from Wilkesboro RBN (lat. 36°08'36" N., long. 81°11'44" W.), extending from the 8.5-mile radius area to 10 miles east of the RBN.

Williamson, N. Y.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center, lat. 43° 14'10" N., long. 77°07'20" W. of Williamson-Sodus Airport, Williamson, N. Y., extending clockwise from a 055° to a 320° bearing from the airport; within a 5-mile radius of the center of the airport extending clockwise from a 320° to a 055° bearing from the airport.

AMENDMENTS 5/1/75 40 F. R. 8797 (Added)

Williamsport, Pa.
That airspace extending upward from 700 feet above the surface within a 20.5-mile radius of the center, 41° 14'32" N., 76°55'12" W. of Williamsport-Lycoming County Airport, extending clockwise from a 025° bearing to a 067° bearing from the airport; within a 14.5-mile radius of the center of the airport, extending clockwise from a 067° bearing to a 145° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 145° bearing to a 203° bearing from the airport; within a 20.5-mile radius of the center of the airport, extending clockwise from a 203° bearing to a 316° bearing from the airport; within a 22.5-mile radius of the center of the airport, extending clockwise from a 316° bearing to a 025° bearing from the airport; within 4.5 miles north and 9.5 miles south of the Williamsport-Lycoming County Airport ILS localizer east course, extending from the Picture Rocks, Pa., RBN to 18.5 miles east of the RBN; within 5 miles each side of the Williamsport-Lycoming County Airport ILS localizer east course, extending from the Picture Rocks, Pa., RBN to 13 miles east of the RBN.

Williamston, NC.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Martin County Airport (lat. 35°51'45" N., long. 77°10'35" W.); within 2.5 miles each side of Rocky Mount VOR 105° radial, extending from the 5-mile radius area to 34.5 miles east of the VOR.

Willimantic, Conn.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center 41°44'40" N., 72°10'46" W. of Windham Airport, Willimantic, Conn.; within 2 miles each side of the centerline of Runway 9 extended from the 8-mile radius area to 9.5 miles E of the end of the runway; within 2 miles each side of the Norwich VOR 323° radial extended from the 8-mile radius area to the VOR; and within 2 miles each side of the centerline of Runway 27 extended from the 8-mile radius area to 9 miles W of the end of the runway. This transition area shall be in effect from sunrise to sunset.

Williston, N. Dak.
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the Sloulin International Airport (latitude 48°10'39" N., longitude 103°38'10" W.); within 3½ miles each side of the Williston VOR 316° radial, extending from the 10-mile radius area to 11½ miles northwest of the VOR; and within 3½ miles each side of the 128° bearing from the Sloulin International Airport, extending from the 10-mile radius area to 14½ miles southeast of the airport; and that airspace extending upward from 1,200 feet above the surface within a 13-mile radius of the Williston VOR, extending from the Williston VOR 203° radial clockwise to the Williston VOR 088° radial, and within 9½ miles southwest and 4½ miles northeast of the Williston VOR 316° radial, extending from the 13-mile radius area to 18½ miles northwest of the VOR; and within 5 miles southwest and 9½ miles northeast of the 128° bearing from the Sloulin International Airport extending from the 10-mile radius area to 21½ miles southeast of the airport.

Willmar, Minn.
That airspace extending upward from 700 feet above the surface within 5 miles N and 8 miles S of the 104° and 284° bearings from Willmar, Minnesota, Municipal Airport (Lat. 45°06'52" N., Long. 95°03'11" W.), extending from 7 miles E to 13 miles W of the airport.

Willows, Calif.
That airspace extending upward from 700 feet above the surface within 3.5 miles each side of the Maxwell, Calif., VORTAC 360° radial, extending from 3.5 miles to 19.5 miles north of the VORTAC.

Wilmington, Del.
That airspace extending upward from 700 feet above the surface within an 11.5-mile radius of the center latitude 39°40'42" N., longitude 75°36'27" W. of Greater Wilmington Airport, Wilmington, Del., extending clockwise from a 270° bearing to a 030° bearing from the airport; within a 10-mile radius area of the center of the airport extending clockwise from a 030° bearing to a 270° bearing from the airport; and within 3.5 miles each side of the New Castle, Del. VORTAC 281° radial extending from the VORTAC to 10.5 miles west of the VORTAC; within 3.5 miles each side of the New Castle VORTAC 114° radial extending from the VORTAC to 11 miles southeast of the VORTAC. Within a 5-mile radius of the center latitude 39°31'00" N., longitude 75°43'00" W. of Summit Airpark Airport, Middletown, Del.; within 2.5 miles each side of a line bearing 348° from a point in latitude 39°23'31" N., longitude 75°40'38" W. extending from said point to the 8-mile radius area centered on Summit Airpark Airport and within 3 miles each side of a 234° bearing from the Greater Wilmington, Del., ILS OM extending from the Summit Airpark Airport 8-mile radius area to 13 miles southwest of the OM.

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Wilmington, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of New Hanover Airport (latitude 34°16'15" N., longitude 77°54'05" W.).

Wilmington, Ohio
That airspace extending upward from 700 feet above the surface within a 10-mile radius of the Wilmington Industrial Airport (latitude 39°25'45" N., longitude 83°48'00" W.).

Winamac, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Arens Airport (latitude 41°05'35" N., longitude 86°36'45" W.); within 2 miles each side of the Knox VORTAC 173° radial extending from the 5-mile radius area to 10 miles south of the VORTAC.

AMENDMENTS 7/24/75 40 F. R. 24181 (Added)

Winchester, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Randolph County Airport (latitude 40°10'15" N., longitude 84°55'15" W.); within 2.5 miles either side of the 111° bearing extending from the 5-mile radius to 6 miles southeast of the airport.

Winchester, Ky.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Codell Airport (lat. 38°01'21" N., long. 84°13'00" W.); within 2 miles each side of Lexington VORTAC 074° radial, extending from the 5-mile radius area to 8 miles east of the VORTAC.

Winchester, Va.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center 39° 08'30" N., 78°08'30" W. of Winchester Municipal Airport; within a 9.5-mile radius of the center of the airport extending clockwise from a 187° bearing to a 008° bearing from the airport; within 3.5 miles each side of the Front Royal, Va., VORTAC 223° radial, extending from the VORTAC to 11.5 miles southwest of the VORTAC.

Winder, Ga.
That airspace extending upward from 700 feet above the surface within a 6-mile radius of Winder Airport (lat. 33°58'52" N., long. 83°40'02" W.); within 2 miles each side of Athens VORTAC 277° radial, extending from the 6-mile radius area to 13.5 miles west of the VORTAC.

Windom, Minn.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Windom Municipal Airport (latitude 43°54'50" N., longitude 95°06'35" W.); and within 9½ miles west and 4½ miles east of the 354° and 174° bearings from the Windom Municipal Airport extending from 4 miles south of the airport to 18½ miles north of the airport.

Winner, S. Dak.
That airspace extending upward from 700 feet above the surface within a 7½-mile radius of the Wiley Field (latitude 43°23'25" N., longitude 99°50'40" W.); within three miles each side of the Winner VOR 212° radial extending from the 7½-mile radius area to the VOR; and that airspace extending upward from 1,200 feet above the surface within 9½ miles northwest and 4½ miles southeast of the Winner VOR 032° and 212° radials extending from 5 miles southwest of the VOR to 18½ miles northeast of the VOR; and within 5 miles each side of the Winner VOR 212° radial extending from the VOR to 20 miles southwest of the VOR.

Winnfield, La.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Winnfield NDB (latitude 31°57'46" N., longitude 92°39'25" W.); within 3 miles each side of a 276° bearing from the Winnfield NDB extending from the 5-mile radius area to 8 miles west of the NDB.

AMENDMENTS 6/19/75 40 F. R. 18164 (Added)

Winnsboro, S. C.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Fairfield County Airport (latitude 34°19'00" N., longitude 81°06'30" W.); within 3 miles each side of the 208° bearing from Winnsboro RBN (latitude 34°18'56" N., longitude 81°06'41" W.), extending from the 5-mile radius area to 8.5 miles southwest of the RBN.

AMENDMENTS 12/4/75 40 F. R. 46304 (Added)

Winnsboro, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Winnsboro Municipal Airport (latitude 32°56'22" N., longitude 95°16'43" W.) and within 1.5 miles each side of the Quitman, Tex., VORTAC 052° radial extending from the 5-mile radius area to the VORTAC.

Winona, Minn.
That airspace extending upward from 700 feet above the surface within a 12-mile radius of Winona Municipal-Max Conrad Field (latitude 44°04'37" N., longitude 91°42'23" W.); excluding that portion which overlies the La Crosse, Wis., transition area.

Winslow, Az.
That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of Winslow Municipal Airport (latitude 35°01'15" N.,longitude 110°43'15" W.), and that airspace within an arc of a 10-mile radius circle centered on Winslow VORTAC extending clockwise from a line 4 miles south of and parallel to the Winslow 277° radial to a line 4 miles north of and parallel to the Winslow 293° radial; that airspace extending upward from 1,200 feet above the surface within 9.5 miles north and 16.5 miles south of the Winslow 112° and 292° radials, extending from 15.5 miles east to 19 miles west of the VORTAC.

Winston-Salem, N. C.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Smith Reynolds Airport (latitude 36°08'01.3" N., longitude 80°13'22.1" W.); within 3 miles each side of Winston-Salem ILS localizer southeast course, extending from the 8.5-mile radius area to 8.5 miles southeast of the LOM; excluding the portion that coincides with the Greensboro transition area.

PENDING AMENDMENT
Wiscasset, Maine
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 43°57' 40" N., 69°42'50" W. of the Wiscasset, Maine, Airport; within 6 miles on the north side and 4 miles on the south side of the 252° and 072° bearings from the Wiscasset, Maine, NDB, 43°58'57" N., 69°38'27" W., extending to 5.5 miles southwest, and 11.5 miles northeast of the NDB; excluding that portion which coincides with the Brunswick, Maine, 700-foot transition area.

AMENDMENTS 12/12/75 40 F. R. 52722 (Added)

Wisconsin
That airspace extending upward from 1,200 feet above the surface within the boundary of the State of Wisconsin.

Wisconsin Rapids, WI.
That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Alexander Field, Southwood County Airport (latitude 44°21'31" N., longitude 89°50'15" W.); and within 3 miles each side of the 193° bearing from Alexander Field, Southwood County Airport, extending from the 6½-mile radius area to 8 miles south of the airport and within 3 miles each side of the 125° bearing from Alexander Field, Southwood County Airport, extending from the 6½-mile radius to 8 miles southeast of the airport and within 4 miles each side of the Stevens Point VORTAC 230° radial extending from the 6½-mile radius to 13 miles northeast of the airport excluding the portion that overlies the Stevens Point, Wis., transition area.

Wise, Va.
That airspace extending upward from 700 feet above the surface within an 11-mile radius of the center, 36° 59'15" N., 82°31'50" W., of Lonesome Pine Airport, Wise, Va.

Wolf Point, Mont.
That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Wolf Point, Mont., NDB (latitude 48°06'16" N., longitude 105°36'05" W.); and that airspace extending upward from 1,200 feet above the surface within a 12-mile radius of the Wolf Point NDB; and within 4.5 miles north and 9.5 miles south of the 294° bearing from the Wolf Point NDB extending from the 12-mile radius area to 18.5 miles northwest of the NDB, excluding that portion that overlies the Glasgow, Mont., transition area.

AMENDMENTS 6/19/75 40 F. R. 15086 (Rewritten)

Woodruff, Wis.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Lakeland Airport (latitude 45°55'38" N., longitude 89°43'53" W.).

Woodsfield, Ohio
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the Monroe County Airport (latitude 39°46'45" N., longitude 81°06'15" W.).

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Wooster, Ohio
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, lat. 40° 52'29" N., long. 81°53'14" W., of Wayne County Airport, Wooster, Ohio, and within 3.5 miles each side of the 090° bearing from the Smithville RBN, lat. 40°52'30" N., long. 81°50'00" W., extending from the 7-mile radius area to 11.5 miles east of the RBN.

Worcester, Mass.
That airspace extending upward from 700 feet above the surface within a 7-mile radius of Worcester, Mass., Airport (latitude 42°16'05" N., longitude 71°52'20" W.).

Worland, Wyo.
The airspace extending upward from 700 feet above the surface within 4.5 miles east and 9.5 miles west of the Worland VOR 352° and 172° radials extending from 18.5 miles north to 6 miles south of the VOR; that airspace extending upward from 1,200 feet above the surface, within a 23-mile radius of the VOR.

Worthington, Minn.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Worthington Municipal Airport (latitude 43°39'17" N., longitude 95°35'01" W.); and that airspace extending upward from 1,200 feet above the surface and within 9½ miles west and 4½ miles east of the Worthington VOR 189° radial extending from the VOR to 18½ miles south of the VOR, excluding the portion in Minnesota.

Wrangell, Alaska
That airspace extending upward from 700 feet above the surface within 2 miles south and 4 miles north of the 087° radial of the Level Island VOR extending from 6 miles east to 30 miles east of the VOR; and within 5 miles southwest and 5 miles northeast of the Wrangell localizer southeast and northwest courses extending from 3 miles southeast to 30 miles northwest of the Wrangell localizer (latitude 56°29'03" N., longitude 132°21'35" W.).

AMENDMENTS 8/14/75 40 F. R. 26021 (Added)

Wrightstown, N. J.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 40°04'00" N., 74°10'40" W. of Lakewood Airport, Lakewood, N. J.; within a 12-mile radius of McGuire AFB (latitude 40°00'55" N., longitude 74°35'25" W.);
within a 9.5-mile radius of the center, 40°02'00" N., 74°21'00" W. of NAS Lakehurst, Lakehurst, N. J.; within a 13-mile
radius of the Navy Lakehurst TACAN, extending clockwise from the Navy Lakehurst TACAN 310° radial to the 148° radial; within 5 miles each side of the Coyle VORTAC 031° radial, extending from the Coyle VORTAC to 13 miles northeast; within 5 miles each side of the Robbinsville VORTAC 148° radial, extending from the Robbinsville VORTAC to 18.5 miles southeast; within 3 miles southwest and 5 miles northeast of the Navy Lakehurst TACAN 148° radial, extending from the TACAN to 14 miles southeast; within 3.5 miles each side of the 050° bearing from the Navy Lakehurst UHF RBN, extending from the RBN to 11.5 miles northeast; within a 5-mile radius
of the Trenton-Robbinsville Airport (lat. 40°12'50" N., long. 74°36'05" W.); within 6.5 miles north and 4.5 miles south of the 278° and 098° radials of the Robbinsville VORTAC, extending from 5.5 miles west to 11.5 miles east of the VORTAC; within a 5-mile radius of Monmouth County Airport (latitude 40°11'05" N., longitude 74°07'20" W.); within 2 miles each side of the Colts Neck VOR 167° radial extending from the Monmouth County Airport 5-mile radius area to the VOR; and within a 5-mile radius of the center, 40°13'05" N., 74°05'30" W., of the Asbury Park-Neptune Airport, Neptune, N. J., and within 2 miles each side of the Colts Neck VOR 151° radial extending from the Asbury Park-Neptune Airport 5-mile radius area to the VOR; within a 7-mile radius of lat. 39°55'41" N., long. 74°17'30" W. of Robert J. Miller Air Park, Toms River, N. J.; within 1.5 miles each side of the Coyle, N. J. VORTAC 044° radial extending from the 7-mile radius area to the Coyle VORTAC; within a 6-mile radius of the center of latitude 39°56'30" N., longitude 74°50'30" W. of Burlington County Airpark, Mt. Holly, N. J.

Wurtsboro, N. Y.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center (41°35'50" N., 74°27'35" W.) of Wurtsboro-Sullivan County Airport, Wurtsboro, N. Y.; and within 2 miles each side of the Huguenot, N. Y., VOR 028° radial extending from the 5-mile radius area to the VOR excluding that portion that coincides with the Newburgh, N. Y., Transition Area, effective from sunrise to sunset daily.

Xenia, Ohio
That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the Greene County Airport (latitude 39°41'30" N., longitude 83°59'25" W.); and within 3.5 miles each side of the 063° bearing from the Greene County Airport extending from the 5.5-mile radius to 14.5 miles northeast of the airport excluding that airspace that overlies the Dayton, Ohio, transition area.

Yakataga, Alaska
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Yakataga Airport (latitude 60°04'57" N., longitude 142°29'30" W.); within 2 miles each side of the 242° bearing from the Yakataga RBN, extending from the 5-mile radius area to the INT of the 242° bearing from Yakataga RBN and the Hinchinbrook, Alaska, RBN 106° bearing; and that airspace extending upward from 1,200 feet above the surface within 5 miles northwest and 8 miles southeast of the Yakataga RBN 242° bearing, extending from 7 miles northeast to 13 miles southwest of the INT of the 242° bearing from the Yakataga RBN and Hinchinbrook, Alaska, RBN 106° bearing; within 5 miles each side of the Yakataga RBN 152° bearing extending from the RBN to the INT of the 152° bearing from the Yakataga RBN and the 283° bearing from the Ocean Cape, Alaska, RBN.

Yakima, Wash.
That airspace extending upward from 700 feet above the surface within 5 miles northeast and 10 miles southwest of the Yakima VORTAC 115° and 295° radials, extending from 1 mile northwest to 23 miles southeast of the VORTAC, and within 3.5 miles north and 5 miles south of the ILS localizer west course, extending from 11 to 27 miles northwest of the Donald OM; that airspace extending upward from 1,200 feet above the surface within 5 miles east and 8 miles west of the Ellensburg, Wash., VORTAC 191° radial, extending from 9 miles south to 13 miles north of the INT of the Ellensburg VORTAC 191° and the Yakima VORTAC 305° radials, within 9 miles northeast and 6 miles southwest of the Yakima VORTAC 129° radial, extending from the VORTAC to 33 miles southeast of the VORTAC; that airspace northeast and east of Yakima within a 16-mile radius of the Yakima VORTAC, extending clockwise from the east edge of V-25 to the northeast edge of V-4, within a 21-mile radius of the Yakima VORTAC, extending clockwise from the southwest edge of V-4 to the northwest edge of V-448, and within a 23-mile radius of the Yakima VORTAC extending clockwise from the northwest edge of V-448 to the south edge of V-204; that airspace extending upward from 7,500 feet MSL within 11 miles northwest and 16 miles southeast of the Yakima VORTAC 242° radial, extending from 8 miles southwest to 52 miles southwest of the VORTAC.

Yakutat, Alaska
That airspace extending upward from 700 feet above the surface within a 15-mile radius of the Yakutat VORTAC, and within a 15-mile radius of the Ocean Cape, Alaska, RBN, excluding the portion NE of a line 5 miles NE of and parallel
to the Yakutat VORTAC 319° and 139° radials; and that airspace extending upward from 1,200 feet above the surface within 5 miles each side of the Yakutat VORTAC 147° radial, extending from the 15-mile radius area to 18 miles SE of the VORTAC; and within 5 miles each side of the Yakutat VORTAC 119° radial, extending from the 700-foot transition area to 65 miles southeast of the VORTAC.

Yankton, S. Dak.
That airspace extending upward from 700 feet above the surface within a 9-mile radius of Chan Gurney Municipal Airport (latitude 42°54'45" N., longitude 97°23'15" W.); and within 9½ miles northeast and 4½ miles southwest of the Yankton VOR 321° radial extending from the VOR to 18½ miles northwest of the VOR; and that airspace extending upward from 1,200 feet above the surface within 9½ miles northeast and 4½ miles southwest of the Yankton VOR 135° radial extending from the VOR to 18½ miles southeast of the VOR; excluding that portion in the State of Nebraska.

Yazoo City, Miss.
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Barrier Field (latitude 32°52'30" N., longitude 90°24'25" W.); within 3 miles each side of the Jackson, Miss., VORTAC 332° radial, extending from the 6.5-mile radius area to 17.5 miles northwest of the VORTAC.

Yerington, Nev.
That airspace extending upward from 11,000 feet MSL within 12 miles, southwest and 8 miles northeast of the Reno, Nev., VORTAC 135° radial, extending from 10 miles northwest to 22 miles southeast of the INT of Reno VOR 135° and Lovelock, Nev., VORTAC 197° radials, excluding the airspace within Federal airways.

Yoakum, Tex.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Yoakum Municipal Airport (latitude 29°18'50" N, longitude 97°08'18" W.) and within 3.5 miles either side of the 143° radial extending from the 5-mile radius to a point 8 miles southeast of the HDB (latitude 29°18'50" N, longitude 97°08'18" W).

York, Pa.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 39°55' 06" N., 76°52'30" W., of the York Airport, York, Pa.; within a 7-mile radius of the center of the airport, extending clockwise from a 069° bearing to a 205° bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 205° bearing to a 244° bearing from the airport; within a 7-mile radius of the center of the airport, extending clockwise from a 244° bearing to a 271° bearing from the airport and within 3.5 miles each side of the 336° and 156° bearings from the Thomasville, Pa., RBN (39°58' 39" N., 76°54'35" W.); extending from the 5-mile radius area to 11.5 miles northwest of the RBN.

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Youngstown, Ohio
That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, lat. 41° 15'28" N., long. 80°40'34" W. of Youngstown Municipal Airport, Youngstown, Ohio; within a 7-mile radius of the center, lat. 41°03'33" N., long. 80°49'58" W. of Youngstown Executive Airport, Youngstown, Ohio; within a 5.5 mile radius of the center, lat. 41°07'45" N., long. 80°37'15" W. of Lansdowne Airport, Youngstown, Ohio; within 3.5 miles each side of the Youngstown VORTAC 358° radial, extending from the Youngstown Municipal Airport 9-mile radius area to 11.5 miles north of the Youngstown VORTAC; within 3.5 miles each side Youngstown Municipal Airport ILS localizer southeast course, extending from the OM to 11.5 miles southeast of the OM; within 4.5 miles each side of the Youngstown VORTAC 203° radial, extending from 9 miles southwest of the VORTAC to 18.5 miles southwest of the VORTAC; within 5 miles each side of the 023° radial of the Youngstown VORTAC extending from the Youngstown Municipal Airport 9-mile radius area to 11.6 miles north of the VORTAC.

Yuma, Ariz.
That airspace extending upward from 700 feet above the surface, within an 11-mile radius of Yuma MCAS/Yuma International Airport (latitude 32°39'10" N., longitude 114°36'20" W.), within 2 miles each side of the Yuma VORTAC 181° radial, extending from the 11-mile radius area to 21 miles south of the VORTAC, that airspace within a 13-mile radius of the Yuma VORTAC extending from the 11-mile radius area bounded on the west by a line 4 miles west of and parallel to the Yuma VORTAC 351° radial and on the east by longitude 114°30'00" W., and within 5 miles north and 6 miles south of the Yuma VORTAC 089° radial, extending from the VORTAC to 20.5 miles east of the VORTAC; that airspace extending upward from 1,200 feet above the surface, within 12 miles west and 11 miles east of the Yuma VORTAC 351° radial, extending from the north edge of V-66 to 20 miles north of the VORTAC, within 5 miles north and 8 miles south of the Yuma VORTAC 087° radial, extending from the VORTAC to 14 miles east of the VORTAC, within 11 miles east and 8 miles west of the Yuma VORTAC 180° radial, extending from the VORTAC to the United States/Mexico border; and that airspace northwest of Yuma, extending upward from 4,000 feet MSL, bounded on the north by the arc of an 18-mile radius circle centered on the Blythe, Calif., Airport (latitude 33°37'15" N., longitude 114°43'00" W.), on the east by the west edge of V-135, on the south by the north edge of V-66, and on the northwest and west by lines 5 miles northwest and west of and parallel to the Imperial and Blythe, Calif., VORTAC's, 064° and 187° radials respectively; excluding that portion outside the United States; that airspace extending upward from 9,000 feet MSL bounded on the west by the west edge of V-135, on the east by R-2306C, and R-2306A, extending from 20 miles north of the Yuma VORTAC to the arc of an 18-mile radius circle centered on the Blythe, Calif., VORTAC.

Zanesville, Ohio
That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Zanesville Municipal Airport (latitude 39°56'40" N., longitude 81°53'20" W.); within 8 miles E and 5 miles W of the Zanesville VOR 222° radial extending from the VOR to 12 miles SW of the VOR.

Zionsville, Ind.
That airspace extending upward from 700 feet above the surface within a 5-mile radius of Indianapolis Terry Airport (latitude 40°02'08" N., longitude 86°15'18" W.); within 2 miles either side of the 359° bearing extending from the airport to 6 miles north.

AMENDMENTS 7/3/75 40 F. R. 28077 (Rewritten)

Zuni, N. Mex.
That airspace extending upward from 8,500 feet MSL within 10 miles N and 7 miles S of the Zuni VORTAC 087° and 267° radials extending from 20 miles E to 9 miles W of the VORTAC, excluding the portion within the State of New Mexico.

SUBPART H - POSITIVE CONTROL AREAS

§71.193 Designation of Positive Control Areas.
The parts of airspace described below are designated as positive control areas.

Continental positive control area.
That airspace within the continental control area from 18,000 feet MSL to and including flight level 600 within the 48 contiguous States and District of Columbia excluding the Santa Barbara Island, Farallon Island, and the portion south of lat. 25°04'00" N.

Alaska Positive Control Area
That airspace of the State of Alaska, from flight level 240 to and including flight level 600, excluding the Alaska Peninsula west of longitude 160°00'00" W.

SUBPART I - REPORTING POINTS

§ 71.201 Designation.
The locations described in this Subpart are designated as reporting points.

§ 71.203 Domestic low altitude reporting points.
The reporting points listed below are designated at all altitudes up to but not including 18,000 feet MSL.

Aberdeen, S. Dak.
Abilene, Tex.
Acton, Tex.
Ainsworth, Nebr.
Akron, Colo.
Alamosa, Colo.
Albany, Ga.
Albany, N. Y.
Albuquerque, N. Mex.
Alexandria, La.
Alexandria, Minn.
Allendale, S. C.
Allentown, Pa.
Alma, Ga.
Amarillo, Tex.
AMZIE: INT Bangor, Maine, 146° radial, centerline of Control 1143.
Anderson, S. C.
Anton Chico, N. Mex.
Appleton, Ohio
Ardmore, Okla.
Atlanta, Ga.
Augusta, Ga.
Augusta, Maine
Austin, Tex.
Avenal, Calif.
Baker, Oreg.
Bakersfield, Calif.
Bangor, Maine
Barretts Mountain, N. C.
Baton Rouge, La.
Battle Mountain, Nev.
Beatty, Nev.
Beaumont, Tex.
Bellingham, Wash.
Bemidji, Minn.
Berlin, N. H.
Bible Grove, Ill.
Big Spring, Texas
Big Sur, Calif.
Billings, Mont.
Binghamton, N. Y.
Birmingham, Ala.
Biscayne Bay, Fla.
Bismarck, N. Dak.
Bluefield, W. Va.
Blue Ridge, TX
Blue Springs, Mo.
Blythe, Calif.
Boise, Idaho.
Bonneville, Utah
Boston, Mass.
Boulder City, Nev.
Bowling Green, Ky.
Boysen Reservoir, Wyo.
Bozeman, Mont.
Bradford, Ill.
Brainerd, Minn.
Bridgeport, Tex.
Brooks, Va.
Brookley, Ala.
Brookwood, Ala.
Brownsville, Tex.
Brunswick, Ga.
Bryce Canyon, Utah
Buckeye, Ariz.
Buffalo, N. Y.
Burley, Idaho
Burlington, Iowa
Burlington, Vt.
Butler, Mo.

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Cape Girardeau, Mo.
Capital, Ill.
Carleton, Mich.
Carlsbad, N. Mex.
Carmel, N. Y.
Casa Grande, Ariz.
Casper, Wyo.
Cedar Rapids, Iowa
Centralia, Ill.
Chadron, Nebr.
Champaign, Ill.
Chanute, Kans.
CHARL: Lat. 47°28'21" N., Long. 114°07'19" W. (a. INT Mullan Pass, Idaho, 089°, Kalispell, Mont., 177° radials. b. Mullan Pass, Idaho, 089° radials, 62 NM from Mullan Pass).
Charleston, S. C.
Charleston, W. Va.
Chattanooga, Tenn.
Cherokee, Wyo.
Chesterfield, S. C.
Cheyenne, Wyo.
Chicago Heights, Ill.
Childress, Tex.
Cimarron, N. Mex.
Cincinnati, Ohio
Cleveland, Ohio
Coaldale, Nev.
Cochise, Ariz.
COFAX: INT Johnstown, Pa., 093°, St. Thomas, Pa., 356° radials.
Cofield, N. C.
Columbia, Mo.
Columbia, S. C.
Columbus, Ga.
Columbus, Miss.
Columbus, Nebr.
Columbus, N. Mex.
Concord, N. H.
COOBE: INT Clarion, Pa., 044°, Franklin, Pa., 099° radials.
Corona, N. Mex.
Corpus Christi, Tex.
Cotulla, Tex.
Coyle, N. J.
Crazy Woman, Wyo.
Crescent City, Calif.
Crestview, Fla.
Cross City, Fla.
Cunningham, KY
Cut Bank, Mont.
Dalhart, Tex.
Danville, Ill.
Darwin, Minn.
Davenport, Iowa
Dayton, Ohio
Decatur, Ill.
DeLancey, N. Y.
Delta, Utah.
Deming, N. Mex.
Denver, Colo.
Des Moines, Iowa
Dickinson, N. Dak.
Dillon, Mont.
Dogwood, Mo.
Dothan, Ala.
Douglas, Ariz.
Douglas, Wyo.
Dublin, Ga.
Dubois, Idaho
Dubuque, Iowa
Duluth, Minn.
Dunkirk, N. Y.
Dupree, S. Dak.
Dyersburg, Tenn.
Eagle Lake, Tex.
Eau Claire, Wis.
EDGER: INT Fort Wayne, Ind., 039°, Waterville, Ohio, 273° radials.
El Dorado, Ark.
Elkins, W. Va.
Elko, Nev.
Ellensburg, Wash.

AMENDMENTS 1/30/75 39 F. R. 41818 (Added)

Elmira, N. Y.
El Paso, Tex.
Ephrata, Wash.
Erie, Pa.
Escanaba, Mich.
Eugene, Oreg.
Evansville, Ind.
Fairfield, Utah
Fairmont, Minn.
Falmouth, Ky.
Fargo, N. Dak.
Farmington, Minn.
Farmington, Mo.
Farmington, N. Mex.
Fayetteville, Ark.
Fayetteville, N. C.
Fellows, Calif.
Fillmore, Calif.
Findlay, Ohio
Fish Hook, Fla. RBN
Flat Rock, Va.
FLINT: INT Kessel, W. Va., 038°, Martinsburg, W. Va., 207° radials.
Flint, Mich.
Florence, S. C.
Fort Bridger, Wyo.
Fort Dodge, Iowa
Fort Jones, Calif.
Fort Mill, S. C.
Fort Myers, Fla.
Fort Smith, Ark.
Fort Stockton, Tex.
Fortuna, Calif.
Fort Wayne, Ind.
Franklin, Va.
Fresno, Calif.
Friant, Calif.
Front Royal, Va.
Gage, Okla.
Gainesville, Fla.
Garden City, Kans.
GAREN: INT Goshen, Ind., 108°, Ft. Wayne, Ind., 016° radials.
GARRI: INT Drummond, Mont., 092° Butte, Mont., 002° radials.
Gaviota, Calif.
Gaylord, Mich.
Gila Bend, Ariz.
Gill, Colo.
GILLS: INT Jefferson, Ohio, 279°, Cleveland, Ohio, 024° radials.
Goffs, Calif.
Goodland, Kans.
Gordonsville, Va.
Goshen, Ind.
Graham, Tenn.
Grand Island, Nebr.
Grand Junction, Colo.
Grand Rapids, Minn.
GRANT: INT Columbus, Ga., 068° and Albany, Ga., 357° radials.

AMENDMENTS 12/4/75 40 F. R. 44310 (Rewritten)

Grantsburg, Wis.
Grantsville, Md.
Greater Southwest, TX
Great Falls, Mont.
Green Bay, Wis.
Greensboro, N. C.
Greenville, Fla.
Greenwood, Miss.
Greenwood, S. C.
Gregg County, Tex.
Gulfport, Miss.
Guthrie, Tex.
Hallsville, Mo.
Hamilton, Ala.
Hanksville, Utah
Harcum, Va.
Harris, Ga., VORTAC
Harrisburg, Pa.
Harrison, Ark.
Hartford, Conn.
Hastings, Nebr.

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Hattiesburg, Miss.
Hayes Center, Nebr.
Hays, Kansas
Hazen, Nev.
Hector, Calif.
HEFFIN: INT Talladega, Ala., 087°, LaGrange, Ga., 342° radials.
AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

Helena, Mont.
Hibbing, Minn.
Hill City, Kans.
Hinch Mountain, Tenn.
Hobart, Okla.
Hobbs, N. Mex.
Hobby, Tex.
Hoquiam, Wash.
Holston Mountain, Tenn.
Hot Springs, Ark.
Houghton, Mich.
Houlton, Maine
Hudspeth, Tex.
Huntsville, Ala.
Huron, S. Dak.
Hutchinson, Kans.
Imperial, Calif.
Indianapolis, Ind.
International Falls, Minn.
Iron Mountain, Mich.
Ironwood, Mich.
Jacks Creek, Tenn.
Jackson, Mich.
Jackson, Miss.
Jacksonville, Fla.
Jamestown, N. Dak.
Janesville, Wis.
Joliet, Ill.
Julian, Calif.
Junction, Tex.
Kansas City, Mo.
Kearney, Nebr.
Keating, Pa.
Keeler, Mich.
Kennebunk, Maine
Kenton, Del.
Key West, Fla.
Kimberly, Oregon
Kingston, N. Y.
Kinston, N. C.
Kirksville, Mo.
Klamath Falls, Oreg.
Knoxville, Tenn.
Kokomo, Ind.
Kremmling, Colo.
LaBelle, Fla.
Lafayette, Ind.
Lafayette, La.
Lake Charles, La.
Lake Henry, Pa.
Lake Hughes, Calif.
Lakeland, Fla.
Lamar, Colo.
Lamoni, Iowa
Lancaster, Pa.
Lansing, Mich.
Laramie, Wyo.
Laredo, Tex.
Las Vegas, Nev.
Lawrenceville, Va.
Leona, Tex.
LESSY: INT Salem, Mich., 273°, Lansing, Mich., 150° radials.
Lewis, Ind.
Lewistown, Mont.
Lexington, Ky.
Liberal, Kans.
Liberty, N. C.
Linden, Calif.
Linden, Va.
Litchfield, Mich.
Little Rock, Ark.
Livingston, Mont.

Llano, Tex.
Lometa, Tex.
London, Ky.
Lone Rock, Wis.
Los Angeles, Calif.
Los Banos, Calif.
Louisville, Ky.
Lovelock, Nev.
Lubbock, Tex.
Lucin, Utah
Lufkin, Tex.
Lynchburg, Va.
Macon, Ga.
MADDI: INT Greenwood, S. C., 240° and Athens, Ga., 195° radials.
AMENDMENTS 12/4/75 40 F. R. 44310 (Rewritten)

Malad City, Idaho
Malden, Mo.
Manistee, Mich.
Mankato, Kans.
Mankato, Minn.
Mansfield, Ohio
Maples, Mo.
Marianna, Fla.
Marion, Ill.
Marquette, Mich.
Martinsburg, W. Va.
Massena, N. Y.
Mason City, Iowa
McAlester, Okla.
McCall, Idaho
McComb, Miss.
McCook, Nebr.
Medford, Oreg.
Medicine Bow, Wyo.
Memphis, Tenn.
Menominee, Mich.
Meridian, Miss.
Miami, Fla.
Midland, Tex.
Miles City, Mont.
Milford, Utah
Millinocket, Maine
Millsap, TX
MILTO: INT Eau Claire, Wis., 134°, and Nodine, Minn., 055° radials.
Milton, Pa.
Milwaukee, Wis.
Minneapolis, Minn.
Minot, N. Dak.
Missoula, Mont.
Mitchell, S. Dak.
Mobile, Ala.
Modena, Pa.
Moline, Ill.
Monroe, La.
Monroeville, Ala.
Montebello, Va.
Montgomery, Ala.
Mormon Mesa, Nev.
Morgantown, W. Va.
Mount Pleasant, Mich.
Mullan Pass, Idaho
Muncie, Ind.
Muscle Shoals, Ala.
Muskegon, Mich.
Myrtle Beach, S. C.
Nabb, Ind.
Nantucket, Mass.
Nashville, Tenn.
Needles, Calif.
NELLO: INT Atlanta, Ga., 001°, Chattanooga, Tenn., 127° radials.
AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

Neola, Iowa
Neosho, Mo.
Newcombe, Ky.
Newman, Tex.
New Orleans, La.
Newport, Oreg.
Nodine, Minn.
Norfolk, Nebr.
North Bend, Oreg.

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Northbrook, Ill.
North Platte, Nebr.
Nottingham, Md.
Oakland, Calif.
Ocala, Fla.
Oceanside, Calif.
Ogden, Utah
Oklahoma City, Okla.
Omaha, Nebr.
O'Neill, Nebr.
Ontario, Calif.
Orlando, Fla.
Ormond Beach, Fla.
Oshkosh, Wis.
Oswego, Kans.
Ottumwa, Iowa
Pahokee, Fla.
Palacios, Tex.
Palm Beach, Fla.
Palmdale, Calif.
Palm Springs, Calif.
Parker, Calif.
Parkersburg, W. Va.
Park Rapids, Minn.
Paso Robles, Calif.
Patuxent, Md.
Pawling, N. Y.
Pawnee City, Nebr.
Peach Springs, Ariz.
Pecos, Tex.
Pellston, Mich.
Pembina, N. Dak.
Pendleton, Oreg.
Peoria, Ill.
Peotone, Ill.
Philipsburg, Pa.
Phoenix, Ariz.
Pierre, S. Dak.
Pine Bluff, Ark.
Pinon, NM.
Pioneer, OK.
Plainview, Tex.
Plattsburg, N. Y.
Pocatello, Idaho
Point Reyes, Calif.
Polo, Ill.
Pomona, Calif.
Pontiac, Ill.
Porterville, Calif.
Portland, Fla. RBN
Portland, Oreg.
Prescott, Ariz.
Presque Isle, Maine
Priest, Calif.
Princeton, Maine
Providence, R. I.
Pueblo, Colo.
Pulaski, Va.
Pullman, Mich.
Quincy, Ill.
Quitman, Tex.
Raleigh-Durham, N. C.
Rapid City, S. Dak.
Ravine, Pa.
Raymond, Nebr.
Readsville, Mo.
Red Bluff, Calif.
Redmond, Oreg.
Redwood Falls, Minn.
Reno, Nev.
Rewey, Wis.
Rex, Ga.
Rhinelander, Wis.
Roberts, Ill.
Rochester, Minn.
Rochester, N. Y.
Rockford, Ill.
Rock Springs, Wyo.
Rocky Mount, N. C.
Rome, Oreg.

Rosewood, Ohio
Roswell, N. Mex.
Sacramento, Calif.
Saginaw, Mich.
St. Johns, Ariz.
St. Louis, Mo.
St. Petersburg, Fla.
Salem, Mich.
Salina, Kans.
Salisbury, Md.
Salt Flat, Tex.
Salt Lake City, Utah
Sanesville, Ill.
San Angelo, Tex.
San Antonio, Tex.
San Luis Obispo, Calif.
San Simon, Ariz.
Santa Barbara, Calif.
Santa Fe, N. Mex.
Sault Ste. Marie, Mich.
Savannah, Ga.
SAYBO: INT Carmel, N. Y., 093°, Riverhead, N. Y., 046° radials.
Sayre, Okla.
Schoolcraft, Mich.
SCIPO: INT Syracuse, N. Y., 210° Georgetown, N. Y., 273° radials.
Scottsbluff, Nebr.
Scurry, Tex.
Sea Isle, N. J.
Seal Beach, Calif.
Seattle, Wash.
Selinsgrove, Pa.
Shelbyville, Ind.
Sheridan, Wyo.
Shreveport, La.
Sidney, Nebr.
Sioux City, Iowa
Sioux Falls, S. Dak.
Snow Hill, Md.
Sod House, Nev.
South Bend, Ind.
South Boston, Va.
Spokane, Wash.
Springfield, Mo.
STACY: INT Blackford, Va., 000°, Bluefield, W. Va., 267° radials.
Stevens Point, Wis.
Stockton, Calif.
Sugarleaf Mountain, N. C.
Sulphur Springs, Tex.
Syracuse, N. Y.
Tallahassee, Fla.
Texarkana, Ark.
The Dalles, Oreg.
Thermal, Calif.
Thurman, Colo.
Tidioute, Pa.
Tiverton, Ohio
Tobe, Colo.
Topeka, Kans.
Traverse City, Mich.
Troy, Ill.
Truth or Consequences, N. Mex.
Tuba City, Ariz.
Tucson, Ariz.
Tucumcari, N. Mex.
Tulsa, Okla.
Tuscola, Tex.
Tuskegee, Ala.
Twenty-Nine Palms, Calif.
Twin Falls, Nev.
Tyrone, Pa.
Ukiah, Calif.
Vance, S. C.
Vandalia, Ill.
Ventura, Calif.
Vero Beach, Fla.
Vichy, Mo.
Vienna, Ga.
Waco, Tex.

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Walnut Ridge, Ark.
Waterloo, Iowa
Watertown, N. Y.
Watertown, S. Dak.
Waterville, Ohio
Waukon, Iowa
Wausau, Wis.
Waycross, Ga.
White Cloud, Mich.
Whitehall, Mont.
White Lake, La.
Whitesburg, Ky.
Wichita, Kans.
Wichita Falls, Tex.
Wilkes-Barre, Pa.
Williams, Calif.
Williamsport, Pa.
Wilmington, N. C.
Wink, Texas
Winslow, Ariz.
Wolbach, Nebr.
Woodside, Calif.
Woodstown, N. J.
Worthington, Minn.
Yakima, Wash.
Yankton, S. Dak.
York, Ky.
Youngstown, Ohio
Yuma, Ariz.
Zuni, N. Mex.

§ 71.207 Domestic High Altitude Reporting Points.

The reporting points listed below are designated at all altitudes from 18,000 feet MSL to Flight Level 480, inclusive.

Aberdeen, S. Dak.
Abilene, Tex.
Alamosa, Colo.
Albany, N. Y.
Albuquerque, N. Mex.
Alexandria, La.
Alma, Ga.
Amarillo, Tex.
Appleton, Ohio
Atlanta, Ga.
Augusta, Ga.
Austin, Tex.
Bakersfield, Calif.
Bangor, Maine
Battle Mountain, Nev.
Beckley, W. Va.
Bellaire, Ohio
Billings, Mont.
Birmingham, Ala.
Biscayne Bay, Fla.
Blythe, Calif.
Boise, Idaho
Boston, Mass.
Boulder City, Nev.
Bowling Green, Ky.
Bradford, Ill.
Brownsville, Tex.
Bryce Canyon, Utah
Buffalo, N. Y.
Butler, Mo.
Carleton, Mich.
Casanova, Va.
Chardon, Ohio
Charleston, S. C.
Charleston, W. Va.
Cleveland, Ohio
Coaldale, Nev.
Columbia, S. C.
Coyle, N. J
Crazy Woman, Wyo.
Crestview, Fla.

DAVES: INT Yarmouth, Nova Scotia, 230°, Bangor, Maine, 152° radials.
Delta, Utah
Denver, Colo.
Des Moines, Iowa
Dickinson, N. Dak.
Dove Creek, Colo.
Dubois, Idaho
Duluth, Minn.
Dunkirk, N. Y.
Dupree, S. Dak.
El Paso, Tex.
Evansville, Ind.
Falmouth, Ky.
Fargo, N. Dak.
Farmington, Mo.
Farmington, N. Mex.
Fayetteville, Ark.
Fort Stockton, Tex.
Flat Rock, Va.
Flint, Mich.
Florence, S. C.
Fresno, Calif.
Front Royal, Va.
Garden City, Kans.
Gila Bend, Ariz.
Goodland, Kansas
Gordonsville, Va.
Grand Junction, Colo.
Great Falls, Mont.
Greater Southwest, Tex.
Green Bay, Wis.
Greensboro, N. C.
Greenwood, Miss.
Hancock, N. Y.
Harrisburg, Pa.
Hector, Calif.
Hill City, Kans.
Hobby, Tex.
Indianapolis, Ind.
Iowa City, Iowa
Jackson, Miss.
Jacksonville, Fla.
Jamestown, N. Y.
Joliet, Ill.
KANNA: Lat. 26°00'00" N., Long. 96°35'26" W. (INT Hobby, Tex., 198° radial, Houston Oceanic CTA/FIR boundary).
Kansas City, Mo.
Keating, Pa.
Kennedy, N. Y.
Key West, Fla.
Kimberly, Oreg.
Knoxville, Tenn.
Lake Charles, La.
Lakeview, Oreg.
Laredo, Tex.
Las Vegas, N. Mex.
Lewistown, Mont.
Lincoln, Nebr.
Little Rock, Ark.
Los Angeles, Calif.
Louisville, Ky.
Lufkin, Tex.
Malad City, Idaho
Mason City, Iowa
Massena, N. Y.
Meeker, Colo.
McCall, Idaho
McComb, Miss.
Medford, Oreg.
Memphis, Tenn.
Meridian, Miss.
Miami, Fla.
Milford, Utah
Millinocket, Maine
Millsap, Tex.
Milwaukee, Wis.
Minneapolis, Minn.
Mission Bay, Calif.

AMENDMENTS 8/14/75 40 F. R. 26020 (Added)

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Mobile, Ala.
Montgomery, Ala.
Mullan Pass, Idaho
Nantucket, Mass.
Nashville, Tenn.
New Orleans, La.
Nodine, Minn.
Norfolk, Va.
Northbrook, Ill.
Oakland, Calif.
Oklahoma City, Okla.
O'Neill, Nebr.
Orlando, Fla.
Ormond Beach, Fla.
Palmdale, Calif.
Parker, Calif.
Pawnee City, Nebr.
Peach Springs, Ariz.
Peck, Mich.
Pembina, N. Dak.
Pendleton, Oreg.
Philipsburg, Pa.
Phoenix, Ariz.
Plattsburgh, N. Y.
Presque Isle, Maine
Pueblo, Colo.
Pulaski, Va.
Pullman, Mich.
Putnam, Conn.
Raleigh-Durham, N. C.
Rapid City, S. Dak.
Red Bluff, Calif.
Reno, Nev.
Richmond, Va.
Robbinsville, N. J.
Rock Springs, Wyo.
Rome, Oreg.
Roswell, N. Mex.
Rosewood, Ohio
Sacramento, Calif.
St. Louis, Mo.
St. Petersburg, Fla.
Salem, Mich.
Salina, Kans.
Salt Lake City, Utah
San Antonio, Tex.
San Juan, P. R. RBN
San Simon, Ariz.
Sault Ste. Marie, Mich.
Savannah, Ga.
Scottsbluff, Nebr.
Seattle, Wash.
Shreveport, La.
Sidney, Nebr.
Sioux Falls, S. Dak.
South Bend, Ind.
Sparta, N. J.
Spartanburg, S. C.
Spokane, Wash.
Springfield, Mo.
Stockton, Calif.
Syracuse, N. Y.
Tallahassee, Fla.
Taylor, Fla.
Texarkana, Ark.
Tuba City, Ariz.
Tucson, Ariz.
Tulsa, Okla.
Vero Beach, Fla.
Waco, Tex.
Walnut Ridge, Ark.
Westminster, Md.
Whitehall, Mont.
Wichita, Kans.
Wilmington, N. C.
Wilson Creek, Wash.
Wink, Tex.
Wolbach, Nebr.
Yuma, Ariz.

§ 71.200 Other domestic reporting points.
The reporting points listed below are designated at all altitudes.

ABACO: Lat. 27°00'00" N., Long. 77°34'10" W. (INT of a direct line between Carolina Beach, N. C., RBN and Nassau, Bahamas, RBN, with the 050° bearing from Bimini, Bahamas, RBN.)

AMENDMENTS 12/4/75 40 F. R. 43487 (Added)

ALASK: Lat. 18°49'30" N., Long. 66°32'27" W. (INT Ponce, P. R., 181°, St. Croix, V. I., 243° radials.

ALLBA: Lat. 27°32'05" N., Long. 95°08'52" W. (INT Galveston, Tex., MEB 191°, Corpus Christi, Tex., MEB 087° bearings).

BACUS: Lat. 34°26'41" N., Long. 73°50'36" W. (INT Weeksville, N. C., MDB 133° bearing and New York Oceanic CTA/FIR boundary).

Bimini, Bahamas, RBN.

BOGGY: Lat. 28°18'00" N., Long. 91°27'47" W. (INT New Orleans, La., MDB 208° Galveston, Tex., MDB 110° bearings).

BRIMS: Lat. 28°15'00" N., Long. 91°12'34" W. (INT Grand Isle, La., MDB 227°, Galveston, Tex., MDB 108° bearings).

CARPS: Lat. 30°24'07" N., Long. 77°44'00" W. (INT of a direct line between Carolina Beach, N. C., RBN and Nassau, Bahamas, RBN, with the 090° bearing from Dinsmore, Fla., RBN, and with the Jacksonville, Fla., VORTAC 090° radial.)

AMENDMENTS 12/4/75 40 F. R. 43487 (Rewritten)

CATFI: Lat. 28°15'00" N., Long. 90°57'52" W. (INT Grand Isle, La., MDB 220°, Galveston, Tex., MDB 107° bearings).

CODDS: Lat. 41°16'36" N., Long. 68°00'00" W. (a. INT Nantucket, Mass., MDB 089° bearing and New York Oceanic CTA/FIR Boundary. b. INT Nantucket, Mass., 089° radial and New York Oceanic CTA/FIR boundary. c. Nantucket, Mass., 088° radial, 92 NM from Nantucket).

COVIA: Lat. 27°56'10" N., Long. 84°44'10" W. (INT Sarasota, Fla., 286°, Tallahassee, Fla., 187° radials).

CRABI: Lat. 28°01'14" N., Long. 84°43'24" W. (INT Wakulla, Fla., MDB, 188°, Egmont Key, Fla., MDB 284° bearings).

CROAK: Lat. 36°57'18" N., Long. 73°00'00" W. (a. INT Weeksville, N. C., MDB 073° bearing and New York Oceanic CTA/FIR boundary. b. INT Norfolk, Va., 088° radial, Sea Isle, N. J., 146° radials. c. Norfolk, Va., 088° radial, 154 NM from Norfolk).

DAKES: Lat. 17°03'00" N., Long. 67°00'00" W. (Ponce, Puerto Rico 206°, St. Croix, V. I., 253° radials).

DOLPH: Lat. 28°15'00" N., Long. 90°01'09" W. (INT Grand Isle, La., MDB 177°, Galveston, Tex., MDB 103° bearings).

Dorado, Puerto Rico, MDB

EARMS: Lat. 28°15'00" N., Long. 93°44'58" W. (INT Galveston, Tex., MDB 140°, Grand Isle, La., MDB 255° bearings).

FIASH: Lat. 28°15'00" N., Long. 89°32'02" W. (INT Grand Isle, La., MDB 153°, Pickens, Fla., RBN 223° bearings).

FLORI: Lat. 18°53'47" N., Long. 65°25'56" W. (San Juan, P. R., MDB 149° and St. Croix, V. I., 220° radials).

GATES: Lat. 34°12'53" N., Long. 123°03'27" W. (INT San Luis Obispo, Calif., 242° radial and Oakland Oceanic CTA/FIR boundary).

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HADDY: Lat. 39°50'00" N., Long. 69°15'39" W. (a. INT Nantucket, Mass., NDB rhumb line to Bermuda NDB and New York Oceanic CTA/FIR boundary. b. INT Nantucket, Mass., NDB 157° radial, New York Oceanic CTA/FIR boundary. c. Nantucket, Mass., 157° radial, 94 NM from Nantucket).

HEMLO: Lat. 43°18'08" N., Long. 126°40'46" W. (INT Newport, Oreg., 237° radial and Oakland Oceanic CTA/FIR boundary).

HERIN: Lat. 42°00'09" N., Long. 67°47'30" W. (INT Nantucket, Mass., 066° radial, Long. 67°47'30" W.).

HOBEE: Lat. 29°13'10" N., Long. 79°09'38" W. (INT of the 192° bearing from Carolina Beach, N. C., RBN and the Orlando, Fla., VORTAC 070° radials).

AMENDMENTS 12/4/75 40 F. R. 43487 (Rewritten) Corr: 40 F. R. 50025

IDAHO: Lat. 19°11'09" N., Long. 67°35'45" W. (INT Ramey, P. R. 328°, San Juan, P. R., 296° radials).

OHIOS: Lat. 19°53'34" N., Long. 66°46'07" W. (INT Ramey, P. R. 013°, San Juan, P. R., 333° radials).

PERCH: Lat. 33°52'03" N., Long. 119°09'24" W. (INT Los Angeles, Calif., 264°, Ventura, Calif., 200° radials).

Ramey, P. R.

St. Croix, Virgin Islands

San Juan, P. R.

SEDAR: Lat. 45°30'28" N., Long. 126°42'59" W. (INT Hoquiam, Wash., 232° radial and Oakland Oceanic CTA/FIR boundary).

SHADS: Lat. 37°42'05" N., Long. 73°00'00" W. (a. INT Rainbow, N. J., NDB 135° bearing, New York Oceanic CTA/FIR boundary. b. INT Sea Isle, N. J., 134° , Norfolk, Va., 071° radials. c. Sea Isle, N. J., 134° radial, 118 NM from Sea Isle).

SMELT: Lat. 31°58'38" N., Long. 77°00'00" W. (INT Ashley, S. C. NDB 110° bearing, Long. 77°00'00" W.).

SQUID: Lat. 30°24'40" N., Long. 78°03'42" W. (INT of the 191° bearing from Croaton, N. C., RBN, the 090° bearing from Dinsmore, Fla., RBN, and the Jacksonville, Fla., VORTAC 090° radial.)

AMENDMENTS 12/4/75 40 F. R. 43487 (Rewritten)

TADPO: Lat. 24°00'00" N., Long. 81°13'02" W. (INT Marathon, Fla., NDB 189° bearing, Lat. 24°00'00" N.).

TROUT: Lat. 30°22'35" N., Long. 77°00'00" W. (INT Dinsmore, Fla., NDB 090° bearing, Long. 77°00'00" W.).

TUNNA: Lat. 38°55'26" N., Long. 72°06'57" W. (a. INT Newark, N. J., NDB 137° bearing, New York Oceanic CTA/FIR boundary. b. Kennedy, N. Y., 143° radial, 128 NM from Kennedy.

UTAHS: Lat. 19°34'40" N., Long. 67°13'42" W. (INT San Juan, P. R., 314°, Ramey, P. R., 354° radials).

VERMO: Lat. 20°04'09" N., Long. 66°15'42" W. (INT Ramey, P. R., 027°, San Juan, P. R., 351° radials).

VIPER: Lat. 28°14'17" N., Long. 88°53'08" W. (INT Grand Isle, La., NDB 132°, Pickens, Fla., NDB 218° radials).

§ 71.211 Alaskan low altitude reporting points.

The reporting points listed below are designated up to but not including 18,000 feet MSL.

Adak, Alaska, RBN
Anchorage, Alaska
Aniak, Alaska, RBN
Annette Island, Alaska
Barrow, Alaska AMENDMENTS 12/4/75 40 F. R. 43885 (Added)
Barter Island, NDB AMENDMENTS 10/9/75 40 F. R. 17007 (Added)
Bear Creek, Alaska, RBN
Bethel, Alaska
Bettles, Alaska
Big Delta, Alaska
Big Lake, Alaska
Big Mountain, Alaska, RBN
Biorka Island, Alaska
Bishop, NDB AMENDMENTS 10/9/75 40 F. R. 17007 (Added)
Campbell Lake, Alaska, RBN
Cape Newenham, Alaska, NDB AMENDMENTS 10/9/75 40 F. R. 34087 (Added)
Cape Sarichef, Alaska, RBN.
CARTS: Lat. 55°41'49" N., Long. 136°34'31" W. (INT Sandspit, British Columbia, Canada, NDB 314°, Sitka, Alaska, NDB 207° bearings). AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)
Chandalar, Alaska, RBN.
Chena, Alaska, RBN
CLAMS: Lat. 59°53'27" N., Long. 152°16'23" W. (INT Homer, Alaska, 294°, Kenai, Alaska, 217° radials). AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten) AMENDMENTS 4/24/75 40 F. R. 8327 (Changed)
Coghlan Island, Alaska, RBN
Cold Bay, Alaska
Cold Bay LOM AMENDMENTS 10/9/75 40 F. R. 17549 (Added)
CONVA: Lat. 60°15'32" N., Long. 145°09'28" W. (INT Hinchinbrook, Alaska, NDB 106°, Cordova, Alaska, NDB 151° bearings). AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)
CRACK: Lat. 57°21'23" N., Long. 150°23'14" W. (INT King Salmon, Alaska, LOM 226°, Port Heiden, Alaska, NDB 314° bearings). AMENDMENTS 2/27/75 39 F. R. 44196 (Rewritten) AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten) AMENDMENTS 1/2/75 39 F. R. 36111 (Added)
Deadhorse, Alaska
Delta Junction, Alaska, RBN
DEPTH: Lat. 56°19'17" N., Long. 161°09'43" W. (INT Cold Bay, Alaska, LOM 041°, Port Moller, Alaska, NDB 313° bearings). AMENDMENTS 2/27/75 39 F. R. 44196 (Rewritten) AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)
Dillingham, Alaska
Elephant, NDB AMENDMENTS 10/9/75 40 F. R. 17007 (Added)
Evansville, NDB AMENDMENTS 10/9/75 40 F. R. 17007 (Added)
Fairbanks, Alaska
Farewell, Alaska, RBN
FLUKE: Lat. 60°05'48" N., Long. 163°57'49" W. (INT Oscarville, Alaska, NDB 237°, Cape Newenham, Alaska, NDB 327° bearings). AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)
Fort Davis, Alaska, RBN
Fort Yukon, Alaska
FRIED: Lat. 54°14'23" N., Long. 133°39'48" W. (INT Nichols, Alaska, NDB 236°, Sandspit, British Columbia, Canada, NDB 314° bearings). AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)
Galena, Alaska
GARRS: Lat. 58°19'09" N., Long. 161°20'25" W. (INT King Salmon, Alaska, LOM 262°, Cape Newenham, Alaska, NDB 131° bearings). AMENDMENTS 2/27/75 39 F. R. 44196 (Rewritten) AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)
Glenallen, Alaska, RBN
Gulkana, Alaska
Haines, Alaska, RBN
HAPIT: Lat. 58°11'59" N., Long. 137°31'05" W. (INT Ocean Cape, Alaska, NDB 139°, Cape Spencer, Alaska, NDB 273° bearings). AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)
HAZZY: Lat. 56°19'52" N., Long. 134°18'43" W. (INT Sitka, Alaska, NDB 127°, Petersburg, Alaska, NDB 228° bearings). AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

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HERRY: Lat. 57°50'30" N., Long. 160°20'27" W. (INT King Salmon, Alaska, LOM 246°, Cape Newenham, Alaska, NDB 131° bearings).
AMENDMENTS 2/27/75 39 F. R. 44196 (Rewritten)
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

Hinchinbrook, Alaska, RBN
Homer, Alaska
Hotham, NDB
Iliamna, Alaska, RBN
Johnstone Point, Alaska
Julius, Alaska, RBN
Kachemak, Alaska, RBN
Kenai, Alaska
King Salmon, Alaska
King Salmon LOM
Kodiak, Alaska
Kotzebue, Alaska
Level Island, Alaska
AMENDMENTS 10/9/75 40 F. R. 17007 (Added)

MARLO: Lat. 57°27'53" N., Long. 150°31'44" W. (INT Kodiak, Alaska, 107° radial and Anchorage CTA/FIR boundary).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

McGrath, Alaska
Middleton Island, Alaska
MOCHA: Lat. 54°30'13" N., Long. 133°01'40" W. (INT Nichols, Alaska, NDB 236°, Sandspit, British Columbia, Canada, 331° bearings).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)
MORDI: Lat. 54°52'29" N., Long. 165°03'54" W. (INT Cold Bay, Alaska, LOM 253°, Cape Sarichef, Alaska, NDB 344° bearings).
AMENDMENTS 2/27/75 39 F. R. 44196 (Rewritten)
AMENDMENTS 1/2/75 40 F. R. 35129 (Rewritten)

Moses Point, Alaska
MUZON: Lat. 54°29'31" N., Long. 133° 00'15" W. (INT Annette Island, Alaska, 236°, Sandspit, British Columbia, Canada, 331° radials).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

Nabesna, Alaska, RBN
Nenana, Alaska
Nichols, Alaska, RBN
Nikolski, Alaska, RBN.
Nome, Alaska
North River, Alaska, RBN
Northway, Alaska
Norton Bay, Alaska, RBN
Ocean Cape, Alaska, RBN
Oliktok, Alaska, RBN
Oscarville, Alaska, RBN
Petersburg, Alaska, RBN
Peters Creek, NDB
Puntilla Lake, Alaska, RBN
Put River, Alaska, RBN
Shemya, Alaska, RBN
AMENDMENTS 10/9/75 40 F. R. 17007 (Added)

SHRIM: Lat. 56°40'57" N., Long. 138°45'53" W. (INT Wessels, Alaska, NDB 122°, Cape Spencer, Alaska, NDB 218° bearings).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

Sisters Island, Alaska
Sitka, Alaska, RBN
SKILA: Lat. 60°29'31" N., Long. 150°38'18" W. (INT Anchorage, Alaska, 198°, Homer, Alaska, 027° radials).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

Skwentna, Alaska, RBN
SNOUT: Lat. 57°53'28" N., Long. 141°45'13" W. (INT Wessels, Alaska, NDB 122°, Ocean Cape, Alaska, NDB 213° bearings).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)
SOLID: Lat. 58°41'13" N., Long. 148°14'03" W. (INT Kachemak, Alaska, NDB 118° bearing and Anchorage CTA/FIR boundary).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

Sparrevohn, Alaska, RBN.
Summit, Alaska, RBN
Takotna River, Alaska, RBN
Tanana, Alaska
TUCKS: Lat. 60°13'43" N., Long. 152°28'08" W. (INT Kenai, Alaska, 239°, Homer, Alaska, 318° radials).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)
AMENDMENTS 10/9/75 40 F. R. 17549 (Added)

Umiat, NDB
Unalakleet, Alaska
Wessels, Alaska, RBN
WIDTH: Lat. 57°21'18" N., Long. 155°59'40" W. (INT King Salmon, Alaska, LOM 163°, Port Heiden, Alaska, NDB 074° bearings).
AMENDMENTS 2/27/75 39 F. R. 44196 (Rewritten)
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

Wildwood, Alaska, RBN
Woody Island, Alaska, RBN
Yakutat, Alaska
Yukon River, NDB
AMENDMENTS 10/9/75 40 F. R. 17007 (Added)

ZANDA: Lat. 56°09'14" N., Long. 134°44'57" W. (INT Sitka, Alaska, NDB 148°, Petersburg, Alaska, NDB 235° bearings).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

¶§ 71.213 Alaskan high altitude reporting points.
The reporting points listed below are designated at 18,000 feet MSL to Flight Level 450.

Adak, Alaska, RBN
Anchorage, Alaska
Annette Island, Alaska
Barrow, Alaska
AMENDMENTS 12/4/75 40 F. R. 43885 (Added)
Barter Island, NDB
AMENDMENTS 10/9/75 40 F. R. 17007 (Added)
Bethel, Alaska
Bettles, Alaska
Big Delta
Big Lake, Alaska
Biorka Island, Alaska
Brownerville, Alaska, RBN
AMENDMENTS 10/9/75 40 F. R. 17007 (Added)
Cape Newenham, Alaska, NDB
AMENDMENTS 10/9/75 40 F. R. 34087 (Added)

CARTS: Lat. 55°41'49" N., Long. 136°34'31" W. (INT Sandspit, British Columbia, Canada, NDB 314° bearing, Biorka Island, Alaska, 207° radial).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

Cold Bay, Alaska
CRACK: lat. 57°20'30" N., Long. 159°21'31" W. (INT King Salmon, Alaska, 226° radial, Port Heiden, Alaska, NDB 314° bearing).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)
AMENDMENTS 1/2/75 39 F. R. 36111 (Added)

Deadhorse, Alaska
Dillingham, Alaska
Fairbanks, Alaska
FLUKE: lat. 60°05'48" N., Long. 163°57'49" W. (INT Oscarville, Alaska, NDB 237°, Cape Newenham, Alaska, NDB 327° bearings).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

Fort Yukon, Alaska
Galena, Alaska
GARRS: Lat. 58°19'09" N., Long. 161°20'25" W. (INT King Salmon, Alaska, LOM 262°, Cape Newenham, Alaska, NDB 131° bearings).
AMENDMENTS 2/27/75 39 F. R. 44196 (Rewritten)
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

Gulkana, Alaska.
HERRY: Lat. 57°50'30" N., Long. 160°20'27" W. (INT King Salmon, Alaska, LOM 246°, Cape Newenham, Alaska, NDB 131° bearings).
AMENDMENTS 2/27/75 39 F. R. 44196 (Rewritten)
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

Johnstone Point, Alaska
KILLA: Lat. 58°44'58" N., Long. 140°35'39" W. (INT Yakutat, Alaska, 213° radial, Hinchinbrook, Alaska, NDB 118° bearing).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

King Salmon, Alaska.
Kodiak, Alaska
Kotzebue, Alaska
MARLO: Lat. 57°27'53" N., Long. 150°31'44" W. (INT Kodiak, Alaska, 107° radial and Anchorage CTA/FIR boundary).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

McGrath, Alaska
Middleton Island, Alaska
Nenana, Alaska
Nikolski, Alaska, RBN.
Nome, Alaska
Northway, Alaska
Ocean Cape, Alaska, RBN
Oliktok, Alaska, RBN
Prudhoe Bay, Alaska, RBN.
Put River, Alaska, RBN
Saint Paul, Alaska, RBN.
Sisters Island, Alaska
SNOUT: Lat. 57°53'28" N., Long. 141°45'13" W. (a. INT Wessels, Alaska, NDB 122° bearing, Yakutat, Alaska, 215° radial. b. INT Middleton Island, Alaska, 121°, Yakutat, Alaska, 215° radials. c. INT Middleton Island, Alaska, 121° radial, 171 NM from Middleton Island).
AMENDMENTS 1/2/75 39 F. R. 35129 (Rewritten)

Unalakleet, Alaska
Yakutat, Alaska.

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§ 71.218 Hawaiian reporting points.
The reporting points listed below are designated at all altitudes.

BATES: Lat. 20°00'42" N., Long. 153°33'16" W. (Hilo, Hawaii, 078° radial, Honolulu CTA/FIR boundary).

BOOMS: Lat. 21°19'11" N., Long. 158°31'06" W. (INT Honolulu, Hawaii, 269°, Lihue, Hawaii, 130° radials).

CODDY: Lat. 21°26'16" N., Long. 155°08'30" W. (INT Hilo, Hawaii, 356° radial and Honolulu CTA/FIR boundary).

CUTLE: Lat. 20°04'48" N., Long. 153°37'46" W. (INT Upolu Point, Hawaii, 093° radial and Honolulu CTA/FIR boundary).

DOGGY: Lat. 21°58'23" N., Long. 161°19'26" W. (INT South Kauai, Hawaii, 271° radial and Honolulu CTA/FIR boundary).

ELLIC: Lat. 19°27'35" N., Long. 153°18'21" W. (INT Hilo, Hawaii, 099° radial and Honolulu CTA/FIR boundary).

FISHE: Lat. 21°46'50" N., Long. 158°32'18" W. (INT Molokai, Hawaii, 087°, Upolu Point, Hawaii, 010° radials).

Hilo, Hawaii

Honolulu, Hawaii

Lanai, Hawaii

Lihue, Hawaii

LOBBS: Lat. 21°00'34" N., Long. 154°39'36" W. (INT Maui, Hawaii, 086° radial and Honolulu CTA/FIR boundary).

LULUS: Lat. 19°43'21" N., Long. 156°00'10" W. (INT Honolulu, Hawaii, 179°, Lanai, Hawaii, 223° radials).

MAKAI: Lat. 21°01'34" N., Long. 156°01'36" W. (INT Honolulu, Hawaii, 179°, Molokai, Hawaii, 262° radials).

Maui, Hawaii

Molokai, Hawaii

PALMS: Lat. 21°05'15" N., Long. 157°34'28" W. (INT Honolulu, Hawaii, 119° and Molokai, Hawaii, 262° radials).

PARIS: Lat. 20°10'18" N., long. 155°13'29" W. (INT Hilo, Hawaii, 336°, Upolu Point, Hawaii, 093° radials).
AMENDMENTS 10/9/75 40 F. R. 36311 (Changed)

POTEN: Lat. 20°47'03" N., Long. 159°28'01" W. (INT Koko Head, Hawaii, 254°, Lihue, Hawaii, 186° radials).

RISES: Lat. 22°05'56" N., Long. 158°46'09" W. (INT Koko Head, Hawaii, 065°, Upolu Point, Hawaii, 002° radials).

SHARK: Lat. 22°31'06" N., Long. 156°06'33" W. (INT Koko Head, Hawaii, 060°, Upolu Point, Hawaii, 355° radials).

SILLS: Lat. 21°17'49" N., Long. 159°31'53" W. (INT Honolulu, Hawaii, 269°, Lihue, Hawaii, 195° radials).

South Kauai, Hawaii

TOADS: Lat. 22°46'14" N., Long. 158°41'58" W. (INT Molokai, Hawaii, 015° radial and Honolulu CTA/FIR boundary).

Upolu, Hawaii

VANDA: Lat. 22°24'00" N., Long. 161°15'00" W. (INT South Kauai, Hawaii, 288° radial, Long. 161°15'00" W.).

Subpart J - Area Low Routes

§71.301 Designation.
The parts of airspace described below are designated as area low routes.

SUBPART K - TERMINAL CONTROL AREAS

§71.401 Designation.
The parts of the airspace described below are designated as terminal control areas. The primary airport or airports for each terminal control area are also designated. Except as otherwise specified, all mileages are nautical miles.

(a) Group I, Terminal Control Areas:

Atlanta, Ga., Terminal Control Area

Primary Airport
Atlanta Airport (lat. 33°38'31" N., long. 84°25'34" W.).

Boundaries

Area A. That airspace extending upward from the surface to and including 8,000 feet MSL within a 7-mile radius of the Atlanta Airport, excluding the Fulton County Control Zone and the airspace north of a line 4 miles north of and parallel to the extended centerline of Runways 8/26.

Area B. That airspace extending upward from 2,500 feet MSL to and including 8,000 feet MSL within a 12-mile radius of the Atlanta Airport, and that airspace between the 12-mile and 20-mile radii, bounded on the north by the 090° and 270° radials of the Rax VOR and bounded on the south by a line extending from lat. 33°30'03" N., long. 84°03'53" W., to lat. 33°30'42" N., long. 84°47'36" W., excluding Area A, Area D, the Fulton County Control Zone, and the airspace north of a line 4 miles north of and parallel to the extended centerline of Runways 8/26.

Area C. That airspace extending upward from 3,500 feet MSL to and including 8,000 feet MSL within a 20-mile radius of the Atlanta Airport, excluding Area A, Area B, and that airspace within and underlying Area D, and the airspace north of a line 1 mile south
of and parallel to the 271° and 091° radials of the Fulton County VOR.

Area D. That airspace extending upward from 5,000 feet MSL to and including 8,000 feet MSL south of the Atlanta Airport, bounded on the north by a line extending from lat. 33°30'03" N., long. 84°03'53" W., to lat. 33°30'42" N., long. 84°47'36" W., and on the south by a 20-mile radius arc from Atlanta Airport.

Area E. That airspace extending upward from 6,000 feet MSL to and including 8,000 feet MSL north of the Atlanta Airport bounded on the east by a 20-mile radius arc from the Atlanta Airport, on the south by a line 1 mile south of and parallel to the 271° and 091° radials of Fulton County VOR, on the west by a 20-mile radius arc from the Atlanta Airport, and on the north by the southern boundary of the area described as the Atlanta, Ga., (Dobbins AFB/NAS Atlanta Control Zone) and a line extending from lat. 33°54'35" N., long. 84°23'40" W., to lat. 33°56' 03" N., long. 84°13'54" W.

Area F. That airspace extending upward from 8,000 feet MSL to and including 12,500 feet MSL within a 35-mile radius of the Atlanta Airport.

AMENDMENTS 4/24/75 40 F. R. 10169 (Rewritten)
AMENDMENTS 10/9/75 40 F. R. 31927 (Rewritten) Corr: 40 F. R. 36311

Boston, Mass., Terminal Control Area
Primary Airport
Logan International Airport (lat. 42°21'47" N., long. 71°00'19" W.); Boston VORTAC (lat. 42°21'28" N., long. 70°59'38" W.).

Boundaries
Area A. That airspace extending upward from the surface to and including 7,000 feet MSL within an 8-mile radius of the Boston VORTAC.

Area B. That airspace extending upward from 2,000 feet MSL to and including 7,000 feet MSL within a 10.5-mile radius of the Boston VORTAC, excluding Area A.

Area C. That airspace extending upward from 3,000 feet MSL to and including 7,000 feet MSL within a 20-mile radius of the Boston VORTAC, excluding Areas A and B previously described and that airspace within and underlying Area D described hereinafter.

Area D. That airspace extending upward from 4,000 feet MSL to and including 7,000 feet MSL between the 15- and 20-mile radii of the Boston VORTAC extending from the Boston VORTAC 230° radial clockwise to the Boston VORTAC 005° radial.

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Chicago, Ill., Terminal Control Area

Primary Airport
Chicago-O'Hare International Airport (lat. 41°58'57" N., long. 87°54'25" W.).
Chicago-O'Hare VORTAC (lat. 41°59'16" N., long. 87°54'17" W.).

Boundaries

Area A. That airspace extending upward from the surface to and including 7,000 feet MSL within the Chicago, Ill. (O'Hare International Airport), control zone and including that airspace within 2 statute miles northwest of the centerline extended of Runway 4L, and 2 statute miles southeast of the centerline extended of Runway 4R, extending from the 5-statute mile radius control zone to 2 statute miles southwest of the Pine Outer Marker.

Area B. That airspace extending upward from 1,900 feet MSL to and including 7,000 feet MSL within a 10.5-mile radius of Chicago O'Hare VORTAC, excluding Area A previously described and that area bounded on the southeast by a line 2 miles northwest and parallel to the centerline extended of Runway 22R, on the south and southwest by the southwest boundary of Glenview, Ill., control zone, on the north by a 10.5-mile radius arc of the Chicago-O'Hare VORTAC, and excluding Area E described hereinafter.

Area C. That airspace extending upward from 3,000 feet MSL to and including 7,000 feet MSL within a 25-mile radius of Chicago-O'Hare VORTAC, excluding Areas A and B, previously described, Area E and the airspace within and underlying Area D described hereinafter, and excluding those areas between the 20 and 25-mile radii of Chicago-O'Hare VORTAC from a line 7 miles
southwest of and parallel to the extended centerline of Runway 32L, clockwise to a line 7 miles southeast of and parallel to the extended centerline of Runway 4R and from a line 7 miles northwest of and parallel to the extended centerline of Runway 4L, clockwise to a line beginning at a point 7 miles southwest of the Runway 14R extended centerline on the 20-mile radius arc of the Chicago-O'Hare VORTAC, extending to a point 6 miles southwest of the Runway 14R extended centerline of the 25-mile radius of the Chicago-O'Hare VORTAC.

Area D. That airspace extending upward from 4,000 feet MSL to and including 7,000 feet MSL north of Chicago bounded on the west by the Chicago-O'Hare VORTAC 322° radial on the south by the Northbrook VORTAC 270° and 095° radials, on the east by the Chicago-O'Hare VORTAC 019° radial and on the north by a 25-mile radius arc of the Chicago-O'Hare VORTAC and an area southwest of Chicago bounded on the northwest by a line 2 miles southeast of and parallel to the extended centerline of Runway 4L, on the southwest by a 25-mile radius arc of Chicago-O'Hare VORTAC, on the southeast by a line 7 miles southeast of and parallel to the extended centerline of Runway 4R, on the northeast by a 20-mile radius arc of Chicago-O'Hare VORTAC and that portion of a 1.5-mile radius arc of Clow Airport which is north of a 20-mile radius arc of Chicago-O'Hare VORTAC.

Area E. That airspace northeast of Chicago extending upward from 2,500 feet MSL to and including 7,000 feet MSL bounded on the northeast by a 10.5-mile radius arc of Chicago-O'Hare VORTAC, on the south by the extended centerline of Runway 9/27 at NAS Glenview and on the northwest by a line 2 miles northwest of and parallel to the extended centerline of Runway 22R at Chicago-O'Hare International Airport.

Dallas-Fort Worth, Tex., Terminal Control Area

Primary Airport
Dallas-Fort Worth Airport (lat. 32°53'53" N., long. 97°02'24" W.).

Boundaries.

Area A. That airspace extending from the surface to and including 8,000 feet m.s.l. beginning at latitude 33°00'30" N., longitude 96°59'30" W., thence counterclockwise along a 7-nmi arc of the Dallas-Fort Worth Airport to latitude 32°58'30" N., longitude 97°08'45" W., to latitude 32°55'30" N., longitude 97°08'30" W., to latitude 32°47'30" N., longitude 97°05'30" W., thence counterclockwise along a 7-nmi arc of the Dallas-Fort Worth Airport to latitude 32°51'45" N., longitude 96°54'30" W., to latitude 32°56'00" N., longitude 96° 59'30" W., to point of beginning.

Area B. That airspace extending from 2,000 feet m.s.l. to and including 8,000 feet m.s.l., beginning at latitude 33°00'30" N., longitude 96°59'30" W., to latitude 33°02'45" N., longitude 96°59'30" W., thence counterclockwise along a 9-nmi arc of the Dallas-Fort Worth Airport to latitude 33°00'00" N., longitude 97° 10'15" W., to latitude 32°58'30" N., longitude 97°08'45" W., thence clockwise along a 7-nmi arc of the Dallas-Fort Worth Airport to the point of beginning; and that airspace beginning at latitude 32°51'45" N., longitude 96°54'30" W., to latitude 32°50'10" N., longitude 96°52'30" W., thence clockwise along a 9-nmi arc of the Dallas-Fort Worth Airport to latitude 32°48'15" N., longitude 97°05'30" W., to latitude 32°47'30" N., longitude 97°05'30" W., thence counterclockwise along a 7-nmi arc of the Dallas-Fort Worth Airport to the point of beginning.

Area C. That airspace extending from 3,000 feet m.s.l. to and including 8,000 feet m.s.l., beginning at latitude 32°51'45" N., longitude 96°54'30" W., to latitude 33°07'15" N., longitude 96°54'30" W., thence counterclockwise along a 15-nmi arc of the Dallas-Fort Worth Airport to latitude 33°06'45" N., longitude 97° 11'30" W., to latitude 32°41'00" N., longitude 97°11'30" W., thence counterclockwise along a 15-nmi arc of the Dallas-Fort Worth Airport to latitude 32°45'45" N., longitude 96°47'30" W., thence direct to point of beginning, excluding Areas A and B.

Dallas-Ft. Worth TCA continued on next page.

Area D. That airspace extending from 4,000 feet m.s.l. to and including 8,000 feet m.s.l. beginning at latitude 32°45'45" N., longitude 96°47'30" W., thence clockwise along a 15-nmi arc of the Dallas-Fort Worth Airport to latitude 32°41'00" N., longitude 97°11'30" W., to latitude 32°38'20" N., longitude 97°11'30" W., thence counterclockwise along a 20-nmi arc of the Dallas-Fort Worth Airport to latitude 32°42'00" N., longitude 96°43'10" W., to the point of beginning; and that airspace beginning at latitude 33°07'15" N., longitude 96°54'30" W., to latitude 33°12'00" N., longitude 96°54'30" W., to latitude 33°11'30" N., longitude 97°11' 30" W., to latitude 33°06'45"N., longitude 97°11'30" W., thence clockwise along a 15-nmi arc of the Dallas-Fort Worth Airport to the point of beginning.

Area E. That airspace extending from 5,000 feet m.s.l. to and including 8,000 feet m.s.l., beginning at latitude 33°12'00" N., longitude 96°52'10" W., thence clockwise via a 20-nmi arc of the Dallas-Fort Worth Airport to latitude 33°11'20" N., longitude 97°14'18" W., thence direct to point of beginning, excluding Areas A, B, C, and D.

Los Angeles, Calif., Terminal Control Area

Primary Airport
Los Angeles International Airport (lat. 33°56'25" N., long. 118°24'10" W.)

Boundaries
That airspace up to and including 7,000 feet MSL.

Area A. That airspace extending upward from the surface to 2,500 feet MSL and from 5,000 feet MSL to and including 7,000 feet MSL bounded on the north by Bolona Creek, on the east by the San Diego Freeway, on the south by Imperial Boulevard, and on the west by the Pacific Ocean shoreline.

Area B. That airspace extending upward from the surface to and including 7,000 feet MSL east of Los Angeles Airport bounded on the east by the Los Angeles, Calif., VORTAC 10-mile radius arc, on the south by the Los Angeles VORTAC 081° radial, on the west by the San Diego Freeway and on the north by the Los Angeles VORTAC 061° radial; and that airspace west of Los Angeles Airport bounded on the east by the Pacific Ocean shoreline, on the southeast by the Los Angeles VORTAC 207° radial, on the west by the Los Angeles VORTAC 11-mile radius arc, and on the north by the Santa Monica VOR 270° radial and the Ventura, Calif., VORTAC 107° radial.

Area C. That airspace extending upward from 3,000 feet MSL to and including 7,000 feet MSL east of Los Angeles between the 10- and 15-mile radii of the Los Angeles VORTAC bounded on the north by the Los Angeles VORTAC 061° radial and on the south by the Santa Monica VOR 112° radial; and that airspace west of Los Angeles bounded on the east by the Los Angeles VORTAC 11-mile radius arc and the Los Angeles VORTAC 207° radial, and the south by the Seal Beach, Calif., VORTAC 266° radial, on the west by the Los Angeles VORTAC 20-mile radius arc, and on the north by the Santa Monica VOR 270° radial.

Area D. That airspace extending upward from 2,500 feet MSL to and including 7,000 feet MSL east and northeast of Los Angeles Airport bounded by a line beginning at the intersection of the Los Angeles VORTAC 061° radial and the San Diego Freeway, thence northeast along the San Diego Freeway to and northeast along the Los Angeles VORTAC 024° and the Santa Monica VOR 087° radials to and east along the Ontario, Calif., VORTAC 288° and the Pomona VORTAC 266° radials to and south along the Los Angeles VORTAC 20-mile radius arc to and west along the Ontario VORTAC 266° radial to and north along the Los Angeles VORTAC 18-mile radius arc to and southeast along the Los Angeles VORTAC 061° radial to the point of beginning.

Area E. That airspace extending upward from 4,000 feet MSL to and including 7,000 feet MSL east of Los Angeles bounded on the east by the Los Angeles VORTAC 25-mile radius arc, on the south by the Ontario VORTAC 266° radial, on the west by the Los Angeles VORTAC 20-mile radius arc, and on the north by the Pomona VORTAC 266° radial; that airspace bounded on the east by the Los Angeles VORTAC 180° radial, on the south by the Seal Beach VORTAC 266° radial, and on the northeast by the Los Angeles VORTAC 207° radial; and that airspace northwest of Los Angeles bounded on the northeast by the Los Angeles VORTAC 320° radial, on the south by the Santa Monica VOR 270° radial and the Ventura VORTAC 107° radial, on the west by the Los Angeles VORTAC 20-mile radius arc, and on the north by the Ventura VORTAC 090° radial.

Area F. That airspace extending upward from 5,000 feet MSL to and including 7,000 feet MSL north of Los Angeles bounded by a line beginning at the intersection of the Ventura VORTAC 090° radial and the Santa Monica VOR 087° radial, thence southeast along the Santa Monica VOR 087° radial to the Los Angeles VORTAC 024° radial, thence southeast along the Los Angeles VORTAC 024° radial to Bolona Creek, thence southeast along Bolona Creek to the Pacific Ocean shoreline, thence northwest along the Los Angeles VORTAC 320° radial to the Ventura 090° radial, thence east along the Ventura 090° radial to the point of beginning; and that airspace southeast of Los Angeles bounded on the southeast by the Los Angeles VORTAC 12-mile radius arc, on the south by the Seal Beach VORTAC 266° radial, on the west by the Los Angeles VORTAC 180° radial and on the north by Areas A, B, and C.

Area G. That airspace extending upward from 6,000 feet MSL to and including 7,000 feet MSL southeast of Los Angeles bounded on the southeast by the Los Angeles VORTAC 25-mile radius arc, on the southwest by the Seal Beach VORTAC 330°/150° radials, and on the north by the Ontario 288° radial.

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Miami, Fla., Terminal Control Area

Primary Airport
Miami International Airport (Lat. 25°47'34" N., Long. 80°17'10" W.).

Boundaries

Area A. That airspace extending upward from the surface to and including 7,000 feet MSL within a 6-mile radius of the Miami International Airport, excluding that airspace that is both northeast of the Miami VORTAC (1st. 25°57'47" N., long. 80°27'39" W.) 130° radial and north of lat. 25°52'02" N., (northwest 103rd Street/49th Street in the City of Hileah), and within and underlying Area F described hereinafter.

Area B. That airspace extending upward from 1,500 feet MSL to and including 7,000 feet MSL within a 10-mile radius of Miami International Airport, excluding that airspace that is both northeast of the Miami VORTAC 130° radial and north of lat. 25°52'02" N., that airspace south of the Biscayne Bay VORTAC (lat. 25°40'17" N., long. 80°10'40" W.) 090° and 270° radials, Area A previously described, and within and underlying Areas C and F described hereinafter.

Area C. That airspace extending upward from 2,000 feet MSL to and including 7,000 feet MSL within an area bounded on the northeast by a 5-statute mile radius arc of the New Tamiami Airport (lat. 25°38'51" N., long. 80° 25'59" W.), on the south by the Biscayne Bay VORTAC 270° radial, and on the southwest by a 10-mile radius arc of the Miami International Airport.

Area D. That airspace extending upward from 3,000 feet MSL to and including 7,000 feet MSL within a 20-mile radius of Miami International Airport, excluding that airspace beyond a 15-mile radius of Miami International Airport extending clockwise from the Miami VORTAC 270° radial to the Miami VORTAC 090° radial, and extending clockwise from the Miami VORTAC 150° radial to the Biscayne Bay VORTAC 270° radial, Areas A, B, and C previously described, and within and underlying Areas F and G described hereinafter.

Area E. That airspace extending upward from 4,000 feet MSL to and including 7,000 feet MSL between the 15-mile and 20-mile radii of the Miami International Airport extending clockwise from the Miami VORTAC 270° radial to the Biscayne Bay VORTAC 331° radial.

Area F. That airspace extending upward from but not including 1,000 feet MSL to and including 7,000 feet MSL bounded on the east by a 6-mile radius arc of the Miami International Airport, and on the west by the west shoreline of Biscayne Bay.

Area G. That airspace extending upward from 5,000 feet MSL to and including 7,000 feet MSL south of the Biscayne Bay VORTAC 270° radial, north and east of the 15-mile radius arc of the Miami International Airport and west of U. S. Route 1.

AMENDMENTS 3/27/75 40 F. R. 4119 (Rewritten)

New York, N. Y., Terminal Control Area

Primary Airports
John F. Kennedy International Airport (lat. 40°38'25" N., long. 73°46'41" W.).
La Guardia Airport (lat. 40°46'36" N., long. 73°52'24" W.).
Newark International Airport (lat. 40°41'40" N., long. 74°10'02" W.).

Boundaries
That airspace up to and including 7,000 feet MSL.

Area A. That airspace extending upward from the surface to and including 7,000 feet MSL within an 8-mile radius circle of Kennedy (JFK) VORTAC; within a 4-mile radius circle centered at Lat. 40°41'30" N., Long. 74° 10'00" W.; and within a 6-mile radius circle of La Guardia (LGA) VOR; excluding the airspace within and below Areas B, D and J hereinafter described and excluding that airspace east of La Guardia Airport bounded by a line beginning at the point of intersection of the LGA VOR 071° radial and the 6-mile arc of the LGA VOR, thence clockwise along the LGA VOR 6-mile arc to the LGA 093° radial, thence direct to the JFK VORTAC 340° radial 8.5 mile DME fix, direct to the JFK VORTAC 340° radial 9-mile DME fix, direct to the JFK VORTAC 341° radial 10-mile DME fix, thence direct to the point of beginning.

Area B. That airspace extending upward from above 500 feet MSL to and including 7,000 feet MSL within an 8-mile radius circle of JFK VORTAC south of a line beginning at the intersection of the JFK VORTAC 237° radial and the Atlantic Ocean shoreline, thence easterly along the shoreline to its intersection with the JFK VORTAC 125° radial 5-mile DME fix, thence northerly along the 5-mile DME arc to and easterly along the JFK VORTAC 094° radial to the 8-mile radius circle of JFK VORTAC; that airspace within a 6-mile radius circle of LGA VOR bounded by a line beginning at the intersection of the 6-mile radius circle and the LGA VOR 039° radial, thence southwesterly along the LGA VOR 039° radial to and southerly along the Bronx shoreline to the north stanchion of the Throggs Neck Bridge, thence direct to the intersection of the LGA VOR 071° radial and the 6-mile radius circle of LGA VOR, thence counterclockwise along the 6-mile radius circle to the point of beginning; and that airspace between the 4-mile and the 6.5-mile radii of a circle centered at Lat. 40°41'30" N., Long. 74°10'00" W.; excluding that airspace within and below Areas C, D and J hereinafter described.

New York TCA continued on next page.

Area C. That airspace extending upward from above 800 feet MSL to and including 7,000 feet MSL within a 6.5-mile radius circle centered at Lat. 40°41'30" N., Long. 74°10'00" W., and bounded by a line beginning at the point where the 6.5-mile radius circle intersects U. S. Highway No. 1, thence northeast along U. S. Highway No. 1 to its point of intersection with a 4-mile radius circle centered at Lat. 40°41'30: N., Long. 74°10'00" W., at the Esso Research Center, thence direct to the public service powerplant, thence direct to the Staten Island Expressway at its point of intersection with the 4-mile radius circle, thence east via the Staten Island Expressway to Richmond Avenue, thence south along Richmond Avenue to the 6.5-mile radius circle, thence clockwise along the 6.5-mile radius circle to the point of beginning.

Area D. That airspace extending upward from above 1,100 feet MSL to and including 7,000 feet MSL within the 6-mile radius circle of LGA VOR west of the east bank of the Hudson River; that airspace between the east and west banks of the East River southwest of the north end of Roosevelt Island; and that airspace within the 6.5-mile radius circle centered at Lat. 40°41'30" N., Long. 74°10'00" W., east of the Colts Neck VORTAC 012° radial.

Area E. That airspace extending upward from 1,500 feet MSL to and including 7,000 feet MSL within the area bounded by a line beginning at the intersection of the 20-mile radius circle of JFK VORTAC and the JFK VORTAC 208° radial, thence counterclockwise along the 20-mile arc to its intersection with the Long Island shoreline, thence southwest along the Long Island shoreline to and counterclockwise along the 13-mile radius circle of JFK VORTAC to and counterclockwise along the 11-mile radius circle of LGA VOR to the LGA VOR 381° radial, thence direct to the LGA VOR 288° radial at the LGA VOR 17-mile DME fix, thence counterclockwise along a 10-mile radius circle centered at Lat. 40°41'30" N., Long. 74°10'00" W., to its intersection with the Colts Neck VORTAC 008° radial, thence direct to the intersection of the Colts Neck VORTAC 034° radial and the New Jersey shoreline at Sandy Hook, thence south along the New Jersey shoreline to the point of beginning; and that airspace within 2 miles each side of the Newark ILS Runway 4L localizer course, extending from the Chelsea outer marker to 6 miles southwest of the outer marker, excluding that airspace within and below Areas A, B, C, and D previously described; and excluding the airspace within and below Areas F and J hereinafter described.

Area F. That airspace extending upward from 1,800 feet MSL to and including 7,000 feet MSL within an area bounded by a line beginning at the intersection of the LGA VOR 337° radial and the Erie Lackawanna Railroad tracks, thence south along the railroad tracks to the east branch of the Hackensack River, thence south and west along the river to the LGA VOR 299° radial, thence direct to the intersection of the six-mile radius circle of LGA VOR and the LGA VOR 264° radial, thence south along the west bank of the Hudson River to its intersection with, then counterclockwise along the 6.5-mile radius circle centered at Lat. 40°41'30" N., Long. 74°10'00" W., to and southwest along the New Jersey Highway Route No. 22 to and clockwise along a 10-mile radius circle centered at Lat. 40°41'30" N., Long. 74°10'00" W., to LGA VOR 283° radial, thence direct to the point of beginning.

Area G. That airspace extending upward from 3,000 feet MSL to and including 7,000 feet MSL within a 20-mile radius circle centered at Lat. 40°41'30" N., Long. 74°10'00" W., within a 20-mile radius circle of JFK VORTAC; and within a 20-mile radius circle of LGA VOR, excluding the airspace within and below Areas A, B, C, D, E, and F previously described and excluding the airspace within and below Areas H and J hereinafter described.

Area H. That airspace extending upward from 4,000 feet MSL to and including 7,000 feet MSL between the 13- and 20-mile radii circles of JFK VORTAC bounded on the north by the JFK VORTAC 050° radial and on the south by the Long Island shoreline, excluding that airspace north of Hempstead Turnpike and west of the Seaford-Oyster Bay Expressway.

Area J. That airspace extending upward from above 1,200 feet MSL to and including 7,000 feet MSL within a 6.5-mile radius circle centered at Lat. 40°41'30" N., Long. 74°10'00" W., and bounded by a line beginning at the intersection of the 6.5-mile radius circle and the tracks of the Central Railroad of New Jersey, thence eastward along the railroad tracks to their point of intersection with the 4-mile radius circle centered at Lat. 40°41' 30" N., Long. 74°10'00" W., thence counterclockwise along the 4-mile radius circle to U. S. Highway No. 1 thence southwest along U. S. Highway No, 1 to the 6.5-mile radius circle, thence clockwise along the 6.5-mile radius circle to the point of beginning; and that airspace beginning at the north stanchion of the Throggs Neck Bridge, thence westerly to the Kennedy VORTAC 341° radial 10-mile DME fix, thence southerly to the Kennedy VORTAC 340° radial 9-mile DME fix, thence easterly to the JFK VORTAC 340° radial 8.5-mile DME fix thence easterly to the Clearview expressway at its point of intersection with a line extending from JFK VORTAC 340° radial 8.5-mile DME fix to the LGA VOR 093° radial at a point 6 miles from the VOR, thence northerly along the Clearview expressway to the point of beginning.

San Francisco, Calif., Terminal Control Area

Primary Airport

San Francisco International Airport (latitude 37°37'07" N., longitude 122°22'35" W.), San Francisco LVOR/DME (latitude 37°37'10" N., longitude 122°22'22" W.).

Boundaries

Area A. That airspace extending upward from the surface to and including 8,000 feet MSL within a 7-mile radius of the San Francisco (SFO) VOR extending clockwise from the SFO VOR 247° radial to the SFO VOR 127° radial and within a 5-mile radius of the SFO VOR extending clockwise from the SFO VOR 127° radial to the SFO VOR 247° radial, excluding that airspace within a 3-mile radius of the Oakland VORTAC and excluding that airspace west of the Pacific coast shoreline.

San Francisco TCA continued on next page

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Area B. That airspace extending upward from 1,500 feet MSL to and including 8,000 feet MSL bounded on the northwest by a 5-mile radius arc of the SFO VOR, on the southeast by a 10-mile radius arc of the SFO VOR, on the northeast by the SFO VOR 107° radial, and on the southwest by the SFO VOR 137° radial, excluding that airspace within Area A.

Area C. That airspace extending upward from 2,500 feet MSL to and including 8,000 feet MSL bounded on the northwest by a 10-mile radius arc of the SFO VOR, on the southeast by a 15-mile radius arc of the SFO VOR, on the northeast by the SFO VOR 107° radial, and on the southwest by the SFO VOR 137° radial.

Area D. That airspace extending upward from 4,000 feet MSL to and including 8,000 feet MSL bounded by a line beginning at the 5-mile DME point on the SFO VOR 137° radial thence southeast along the 137° radial to and counterclockwise along a 15-mile DME arc of the SFO VOR to and east along the SFO VOR 107° radial to and clockwise along the 20-mile radius DME arc of the SFO VOR to and northwest along the SFO VOR 167° radial to and counterclockwise along the 5-mile radius DME arc of the SFO VOR to the point of beginning.

Area E. That airspace extending upward from 6,000 feet MSL to and including 8,000 feet MSL bounded by a line beginning at the 5-mile DME point on the SFO VOR 167° radial thence southeast along the 167° radial to and counterclockwise along the 20-mile DME arc of the SFO VOR to and east along the SFO VOR 107° radial to and clockwise along the 25-mile DME arc of the SFO VOR to and northwest along the Point Reyes VORTAC 161° radial to and northeast along the SFO VOR 217° radial to and counterclockwise along the 5-mile DME arc of the SFO VOR to the point of beginning.

Area F. That airspace extending upward from 2,100 feet MSL to and including 8,000 feet MSL bounded by a line beginning at the 10-mile DME point on the SFO VOR 247° radial thence clockwise along the 10-mile DME arc to and west along the SFO VOR 107° radial to and counterclockwise along the 7-mile DME arc of the SFO VOR to and clockwise along the 3-mile DME arc of the Oakland VORTAC to and counterclockwise along the 7-mile DME arc of the SFO VOR to and southwest along the SFO VOR 247° radial to the point of beginning.

Area G. That airspace extending upward from 3,000 feet MSL to and including 8,000 feet MSL between the 10- and 15-mile radii of the SFO VOR from the SFO VOR 247° radial clockwise to the SFO VOR 107° radial, excluding the airspace southwest of the Point Reyes VORTAC 161° radial.

Area H. That airspace extending upward from 4,500 feet MSL to and including 8,000 feet MSL bounded by a line beginning at the intersection of the Sausalito VORTAC 052° radial and the Oakland VORTAC 305° radial thence northeast along the Sausalito VORTAC 052° radial to and clockwise along the 20-mile DME arc of the SFO VOR to and southwest along the SFO VOR 072° radial to and counterclockwise along the 15-mile DME arc of the SFO VOR to and northwest along the Oakland VORTAC 305° radial to the point of beginning.

Area I. That airspace extending upward from 6,000 feet MSL to and including 8,000 feet MSL between the 20- and 25-mile radii of the SFO VOR from the Sausalito VORTAC 052° radial clockwise to the SFO VOR 072° radial, excluding the airspace north of latitude 38°00'00" N.

Area J. That airspace extending upward from 5,000 feet MSL to and including 8,000 feet MSL bounded on the northeast by a 5-mile radius arc of the SFO VOR, on the southeast by the SFO VOR 217° radial, on the southwest by the Point Reyes VORTAC 161° radial, and on the northwest by the SFO VOR 247° radial.

Area K. That airspace extending upward from 1,500 feet MSL to and including 8,000 feet MSL bounded on the west by a 7-mile radius arc of the SFO VOR and on the east by the Pacific coast shoreline.

Washington, D. C. Terminal Control Area

Primary Airports
1. Washington National Airport (lat. 38°51'05" N., long. 77°02'20" W.).
2. Andrews AFB (lat. 38°48'40" N., long. 76°52'05" W.).

Boundaries

Area A. That airspace extending upward from the surface to and including 7,000 feet MSL within a 7-mile radius of the Washington, D. C., VOR and within a 7-mile radius of the Andrews, Md., VORTAC excluding the airspace bounded on the north by lat. 38°45'50" N., on the east by long. 76°54'25" W., on the south by a 7-mile radius circle of the Andrews VORTAC, and on the west by long. 76°59'30" W.; and excluding Prohibited Area P-56.

Area B. That airspace extending upward from 1,500 feet MSL to and including 7,000 feet MSL within a 10-mile radius of the Washington VOR and a 10-mile radius of the Andrews VORTAC, excluding Area A.

Area C. That airspace extending upward from 2,500 feet MSL to and including 7,000 feet MSL between the 10-mile and 15-mile radius circles of the Washington VOR and the Andrews VORTAC, excluding that airspace west of a line from a point on the Nottingham 300° T radial 31.75 nautical miles northwest of the VORTAC to a point on the Nottingham 268° T radial 25.25 nautical miles west of the VORTAC.

SUBPART E - TERMINAL CONTROL AREAS

71.401 Designation.

The parts of the airspace described below are designated as terminal control areas. The primary airport or airports for each terminal control area are also designated. Except as otherwise specified, all mileages are nautical miles.

(b) Group II, Terminal Control Areas:

Cleveland, Ohio, Terminal Control Area

Primary Airport
Cleveland-Hopkins International Airport (Lat. 41°24'37" N., Long. 81°50'56" W.).
Cleveland-Hopkins distance measuring equipment (DME) antenna (Lat. 41°24'15" N., Long. 81°51'44" W.).

Boundaries

Area A. That airspace extending upward from the surface to and including 8,000 feet MSL within a 5-mile radius of the Cleveland-Hopkins International Airport DME antenna, excluding that airspace within a 1-mile radius of the Strongsville Airpark (Lat. 41°19'25" N., Long. 81°52'00" W.) and Gilbert Airport (Lat. 41°22'00" N., Long. 81°58'00" W.).

Area B. That airspace extending upward from 1900 feet MSL to and including 8,000 feet MSL within an 8.5-mile radius of the Cleveland-Hopkins International Airport DME antenna excluding Area A previously described, and that airspace within a 2-mile radius of Burke Lakefront Airport (Lat. 41°30'45" N., Long. 81°41'15" W.).

Area C. That airspace extending upward from 3,000 feet MSL to and including 8,000 feet MSL within a 15-mile radius of the Cleveland-Hopkins International Airport DME antenna excluding Areas A and B previously described.

Area D. That airspace extending upward from 4,000 feet MSL to and including 8,000 feet MSL within a 20-mile radius of the Cleveland-Hopkins International Airrport DME antenna, excluding Areas A, B, and C previously described.

Denver, Colorado, Terminal Control Area

Primary Airport
Denver-Stapleton International (Lat. 39°45'55" N., Long. 104°52'46" W.).

Boundaries

Area A. That airspace extending upward from the surface to and including 11,000 feet MSL within an area bounded by a line beginning at the Denver VORTAC (lat. 39°51'39" N., long. 104°45'08" W.), thence south via the Denver VORTAC 180° radial to and counterclockwise along the western boundary of Area B to and west along Colfax Avenue to and south along a line 2.5 miles east of and parallel to the extended centerline of Stapleton International Airport Runway 17R/35L to and clockwise along a 9-mile radius arc of the Stapleton International Airport to and south along the 360° radial of the Denver VORTAC to the point of beginning and that airspace north of Denver between the 9- and 11-mile radius arcs of Stapleton International Airport bounded on the east by the Denver VORTAC 360° radial and on the west by a line 6 miles west of and parallel to the extended centerline of Stapleton International Airport Runway 17R/35L, excluding Prohibited Area P-26.

Area B. That airspace extending upward from 6,400 feet MSL to and including 11,000 feet MSL within a 2-mile radius circle centered at latitude 39°46'30" N., longitude 104°44'40" W., excluding that area south of Colfax Avenue.

Area C. That airspace extending upward from 8,000 feet MSL to and including 11,000 feet MSL within a 15-mile radius of Stapleton International Airport, excluding Areas A, B, and D.

Area D. That airspace extending upward from 7,000 feet MSL to and including 11,000 feet MSL bounded on the north by the Denver VORTAC 093° radial, on the west by Denver VORTAC 180° radial, on the south by Colfax Avenue, on the east by a 15-mile radius arc of Stapleton International Airport, excluding that airspace within Area B.

Area E. That airspace extending upward from 10,000 feet MSL to and including 11,000 feet MSL between the 15-mile and 20-mile radius circles centered on Stapleton International Airport, excluding Area F.

Area F. That airspace extending upward from 9,000 feet MSL to and including 11,000 feet MSL between the 15-mile and 20-mile radius circles centered on Stapleton International Airport bounded on the north by the Denver VORTAC 093° radial and on the south by Interstate Highway 70.

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GROUP II TERMINAL CONTROL AREAS

Detroit, Mich., Terminal Control Area

Primary Airport
Detroit Metropolitan Wayne County Airport (lat. 42°13'07" N., long. 83°20'55" W.).

Boundaries
Area A. That airspace extending upward from the surface to and including 8,000 feet MSL within the Detroit, Mich. (Metropolitan Wayne County Airport), control zone.

Area B. That airspace extending upward from 2,300 feet MSL to and including 8,000 feet MSL within a 10-mile radius of Detroit Metropolitan Wayne County Airport excluding Area "A" previously described, that airspace east of the west edge of the Detroit River, and the Detroit, Mich. (Willow Run Airport) control zone.

Area C. That airspace extending upward from 3,000 feet MSL to and including 8,000 feet MSL, within a 16-mile radius of Detroit Metropolitan Wayne County Airport, excluding Areas A and B previously described, that airspace within a 3-mile radius arc of the Salem VORTAC, west of the Salem VORTAC 197° radial, and east of the United States/Canadian Border.

Area D. That airspace extending upward from 5,000 feet MSL to and including 8,000 feet MSL south of Detroit Metropolitan Wayne County Airport, bounded on the north by a 16-mile radius arc of the Detroit Metropolitan Wayne County Airport, on the east by the United States/Canadian Border, on the south by a 25-mile radius arc of the Detroit Metropolitan Wayne County Airport, on the west by the Salem VORTAC 197° radial and the Waterville VORTAC 353° radial; and an area north of Detroit Metropolitan Wayne County Airport bounded on the south by a 16-mile radius arc of Detroit Metropolitan Wayne County Airport, on the northwest by the Salem 052° radial, on the northeast by the Windsor VOR 320° radial and on the southeast by the United States/Canadian Border.
AMENDMENTS 5/22/75 40 F. R. 12253 (Changed)

Houston, Tex., Terminal Control Area
Primary Airport
Houston Intercontinental Airport (lat. 29°59'06" N., long. 95°20'46" W.).

Boundaries
Humble VORTAC (IAH) (lat. 29°57'24" N., long. 95°20'44" W.).

Area A. That airspace extending upward from the surface to and including 7,000 feet MSL, within 8 miles of the IAH VORTAC, excluding that airspace within and underlying Area D, hereinafter described.

Area B. That airspace extending upward from 1,800 feet MSL to and including 7,000 feet MSL, within a 15-mile radius of the IAH VORTAC, excluding Area A, previously described, that airspace within and underlying Areas C and D described hereinafter and that airspace south of an east-west line extending from the IAH VORTAC 125° radial 20-mile DME point to the IAH VORTAC 233° radial 20-mile DME point.

Area C. That airspace northwest of IAH extending from 3,000 feet MSL to and including 7,000 feet MSL, bounded on the northeast by the IAH VORTAC 313° radial, on the east by the 8-mile DME arc of the IAH VORTAC, on the south by a line 2 miles north of and parallel to the IAH Runway 8L centerline extended, and on the west by the 15-mile DME arc of the IAH VORTAC.

Area D. That airspace extending upward from 4,000 feet MSL to and including 7,000 feet MSL between the 15- and 20-mile radii of the IAH VORTAC and that airspace southwest of the IAH VORTAC bounded on the east by the 7-mile DME arc of the IAH VORTAC, on the southeast by the 215° radial of the IAH VORTAC, on the west by the 15-mile DME arc of the IAH VORTAC, and on the north by the 258° radial of the IAH VORTAC. Excluding that airspace within a 2-mile radius of Lakeside Airport (lat. 29°49'02" N., long. 95°40'29" W.) and that airspace south of an east-west line extending from the IAH VORTAC 125° radial 20-mile DME point to the IAH VORTAC 233° radial 20-mile DME point.

Kansas City, Mo., Terminal Control Area

Primary Airport
Kansas City International Airport (lat. 39°18'18" N., long. 94°42'40" W.).

Boundaries
Area A. That airspace extending upward from the surface to and including 8,000 feet MSL within a 6-mile radius of the Kansas City International Airport, excluding that airspace within a 1-mile radius of the Noah's Ark Airport (lat. 39°13'50" N., long. 94°48'15" W.).

Area B. That airspace extending upward from 2,400 feet MSL to and including 8,000 feet MSL within a 10-mile radius of the Kansas City International Airport excluding Area A, that airspace within a 2-mile radius of the Fairfax Airport (lat. 39°08'49" N., long. 94°36'09" W.) and that airspace within a 1½-mile radius of the Sherman Army Airfield (lat. 39°22'15" N., long. 94°54'45" W.).

Area C. That airspace extending upward from 3,000 feet MSL to and including 8,000 feet MSL within a 15-mile radius of the Kansas City International Airport excluding Area A and Area B.

Area D. That airspace extending upward from 4,000 feet MSL to and including 8,000 feet MSL within a 20-mile radius of the Kansas City International Airport excluding Area A, Area B and Area C.
AMENDMENTS 8/1/75 40 F. R. 18414 (Added)

GROUP II, TERMINAL CONTROL AREAS

Las Vegas, Nev., Terminal Control Area

Primary Airport:
McCarran International Airport (lat. 36°04'48" N., long. 115°09'08" W.).
Las Vegas VORTAC (lat. 36°04'47" N., long. 115°09'32" W.).

Boundaries: (Based on Las Vegas VORTAC (LAS) arcs, DME distances, and radials).

Area A. That airspace extending upward from the surface to and including 9,000 feet MSL within an area bounded by a line beginning at the 15-mile DME point on the LAS 005° radial, thence clockwise via the 15-mile arc to the 022° radial, thence direct to the 20-mile DME point on the 033° radial, thence northeast along the 033° radial to and southeast along the 22-mile arc to and southwest along the 046° radial to and south along the 7-mile arc to and northwest along the 150° radial to and counterclockwise along the 2-mile radius circle of Henderson Sky Harbor Airport (lat. 35°58'35" N., long. 115°07'55" W.) to and south along the 180° radial to and north along the 6-mile arc to and counterclockwise along the 2.5-mile radius circle of North Las Vegas Air Terminal (lat. 36°12'17" N., long. 115°11'48" W.) to and north along the 008° radial to the point of beginning.

Area B. That airspace extending upward from 3600 feet MSL to and including 9,000 feet MSL between the LAS 7 and 10-mile radii bounded on the North by the 046° radial and on the South by the 150° radial.

Area C. That airspace extending upward from 4,500 feet MSL to and including 9,000 feet MSL within an area bounded by a line beginning at the 15-mile DME point on the LAS 075° radial thence clockwise along the 15-mile arc to and northeast along the 115° radial to and counterclockwise along the 10-mile arc to and east along the 075° radial to the point of beginning.

Area D. That airspace extending upward from 5,500 feet MSL to and including 9,000 feet MSL within an area bounded by a line beginning at the 15-mile point on the LAS 046° radial thence clockwise along the 15-mile arc to and west along the 075° radial to and counterclockwise along the 10-mile arc to and northeast along the 046° radial to the point of beginning.

Area E. That airspace extending upward from 6,500 feet MSL to and including 9,000 feet MSL bounded by a line beginning at the 20-mile DME point on the LAS 055° radial thence clockwise along the 20-mile arc to and west along the 115° radial to and counterclockwise along the 15-mile arc to and northeast along the 055° radial to the point of beginning.

Area F. That airspace extending upward from 6,000 feet MSL to and including 9,000 feet MSL bounded by a line beginning at the 10-mile DME point on the LAS 150° radial thence northwest along the 150° radial to and counterclockwise along the 2-mile radius circle of the Henderson Sky Harbor Airport to and south along the 180° radial to and counterclockwise along the 15-mile arc to and northwest along the 115° radial to and clockwise along the 10-mile arc to the point of beginning.

Area G. That airspace extending upward from 8,000 feet MSL to and including 9,000 feet MSL within an area bounded by a line beginning at the 15-mile DME point on the LAS 155° radial thence southeast along the 155° radial to and clockwise along the 20-mile arc to and north along the 200° radial to and counterclockwise along the 15-mile arc to the point of beginning.

Area H. That airspace extending upward from 5,000 feet MSL to and including 9,000 feet MSL between the LAS 10 and 15-mile radii bounded on the east by the 180° radial and on the northwest by the 235° radial.

Area I. That airspace extending upward from 4,000 feet MSL to and including 9,000 feet MSL between the LAS 6 and 10-mile radii bounded on the east by the 180° radial and on the north by the 275° radial.

Area J. That airspace extending upward from 5,500 feet MSL to and including 9,000 feet MSL between the LAS 10 and 12-mile radii bounded on the south by the 235° radial and on the north by the 275° radial.

Area K. That airspace extending upward from 6,500 feet MSL to and including 9,000 feet MSL between the LAS 12 and 15-mile radii bounded on the south by the 235° radial and on the north by the 275° radial.

Area L. That airspace extending upward from 4,000 feet MSL to and including 9,000 feet MSL within an area bounded by a line beginning at the 15-mile DME point on the LAS 005° radial thence south along the 008° radial to and clockwise along the 2.5-mile radius circle of North Las Vegas Air Terminal until intercepting U. S. Highway 95 2.5 miles southeast of North Las Vegas Air Terminal thence northwest along U. S. Highway 95 to and clockwise along a 15-mile arc to the point of beginning.

Area M. That airspace extending upward from 6,500 feet MSL to and including 9,000 feet MSL within an area bounded by a line beginning at the 20-mile DME point on the LAS 033° radial thence direct to the 15-mile DME point on the LAS 022° radial thence west along the 15-mile arc to and northwest along U. S. Highway 95 to and clockwise along the 20-mile arc to the point of beginning.

Area N. That airspace extending upward from 7,500 feet MSL to and including 9,000 feet MSL bounded by a line beginning at the 36-mile DME point on the LAS 033° radial thence southwest along the 033° radial to and counterclockwise along the 20-mile arc to U. S. Highway 95 direct to the 36-mile DME point on the 008° radial thence clockwise along the 36-mile arc to the point of beginning.

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GROUP II TERMINAL CONTROL AREAS

Area O. That airspace extending upward from 7,000 feet MSL to and including 9,000 feet MSL within an area bounded by a line beginning at the 36-mile DME point on the LAS 055° radial thence southwest along 055° radial to and counterclockwise along the 15-mile arc to and northeast along the 046° radial to and counterclockwise along the 28-mile arc to and northeast along the 033° radial to and clockwise along the 36-mile arc to the point of beginning.

Area P. That airspace extending upward from 5,000 feet MSL to and including 9,000 feet MSL within an area bounded by a line beginning at the 28-mile DME point on the LAS 046° radial thence southwest along the 046° radial to and counterclockwise along the 22-mile arc to and northeast along the 033° radial to and clockwise along the 28-mile arc to the point of beginning.

Minneapolis, Minn., Terminal Control Area

Primary Airport
Minneapolis-St. Paul International Airport (lat. 44°53'03" N., long. 93°12'54" W.).

Boundaries
Area A. That airspace extending upward from the surface to and including 8,000 feet MSL within a 6-mile radius of Minneapolis-St. Paul International Airport Distance Measuring Equipment (DME) Antenna (lat. 44°52'28" N., long. 93°12'21" W.).

Area B. That airspace extending upward from 2,300 feet MSL to and including 8,000 feet MSL within an 8.5-mile radius of Minneapolis-St. Paul International Airport DME antenna excluding Area A previously described.

Area C. That airspace extending upward from 3,000 feet MSL to and including 8,000 feet MSL within a 12-mile radius of Minneapolis-St. Paul International Airport DME Antenna excluding Areas A and B previously described.

Area D. That airspace extending upward from 4,000 feet MSL to and including 8,000 feet MSL within a 20-mile radius of Minneapolis-St. Paul International Airport DME antenna excluding Areas A, B, and C previously described.

New Orleans, La., Terminal Control Area

Primary Airport
New Orleans International Airport-Moisant Field (lat. 29°59'30" N., long. 90°15'37" W.).

Boundaries
Area A. That airspace extending upward from the surface to and including 7,000 feet MSL within a 7-mile radius of the New Orleans International Airport-Moisant Field, and within a 1.5-mile radius of the ILS Runway 10 outer compass locator (lat. 30°01'30" N., long. 90°23'59" W.) excluding that airspace north of the south shore of Lake Pontchartrain, that airspace within and underlying Area C described hereinafter, and that airspace ½ nautical mile either side of a line extending from lat. 30°01'09" N., long. 90°07'47" W., to lat. 29°59'30" N., long. 90°15'37" W., to lat. 30°03'36" N., long. 90°22'10" W.

Area B. That airspace extending upward from 600 feet MSL to and including 7,000 feet MSL north of the south shore of Lake Pontchartrain within a 7-mile radius of the New Orleans International Airport-Moisant Field excluding that airspace ½ nautical mile either side of a line extending from lat. 30°01'09" N., long. 90°07'47" W., to lat. 29°59'30" N., long. 90°15'37" W., to lat. 30°03'36" N., long. 90°22'10" W.

Area C. That airspace extending upward from 1,000 feet MSL to and including 7,000 feet MSL within an area bounded by a line beginning 7 miles southwest of the New Orleans International Airport-Moisant Field on the north shore of the Mississippi River, thence east along the Mississippi River north shore to and southeast along a line ½ mile east of and parallel to the Sellers Field Runway 16/34 extended centerline, to and southwest along the Southern Pacific Railroad track to and counterclockwise along a 4-mile radius of the New Orleans International Airport-Moisant Field to and east along the north shore of the Mississippi River to and southeast along the Harvey 300°T (295°M) radial to and clockwise along the 7-mile radius of the New Orleans International Airport-Moisant Field to the point of beginning.

Area D. That airspace extending upward from 2,000 feet MSL to and including 7,000 feet MSL within a 15-mile radius of the New Orleans International Airport-Moisant Field excluding Areas A, B, and C previously described, Area F described hereinafter, the airspace within the New Orleans Lakefront Airport Control Zone which lies within a 15-mile radius of the New Orleans International Airport-Moisant Field, and the airspace within a 5-statute mile radius of NAS New Orleans-Alvin Callender Field (lat. 29°49'40" N., long. 90°01'25" W.).

Area E. That airspace extending upward from 4,000 feet MSL to and including 7,000 feet MSL within a 20-mile radius of the New Orleans International Airport-Moisant Field, excluding Areas A, B, C, and D previously described and Area F described hereinafter.

Area F. That airspace extending upward from the surface to 1,000 feet MSL and from 2,000 feet MSL to 7,000 feet MSL ½-nautical mile either side of a line extending from lat. 30°01'09" N., long. 90°07'47" W., to lat. 29°59'30" N., long. 90°15'37" W., to lat. 30°03'36" N., long. 90°22'10" W., excluding that airspace below 600 feet MSL north of the south shore of Lake Pontchartrain.

AMENDMENTS 7/17/75 40 F. R. 20269 (Added) Corr: 40 F. R. 24180

GROUP II TERMINAL CONTROL AREAS

Philadelphia, Pa., Terminal Control Area

Primary Airport
Philadelphia International Airport (lat. 39°52'23" N., Long. 75°14'58" W.).

Boundaries.
Area A. That airspace extending upward from the surface to and including 7,000 feet MSL within a 6-mile radius of the Philadelphia International Airport, excluding that airspace within and underlying Areas B and C.

Area B. That airspace extending upward from 300 feet MSL to and including 7,000 feet MSL, beginning at the east tip of Tinicum Island, along the south shore of Tinicum Island to the westernmost point, thence direct to the outlet of Darby Creek at the north shore of the Delaware River, thence along the north shore of the river to Chester Creek, thence eastward direct to Thompson Point, thence eastward along the south shore of the Delaware River to Bramell Point, thence direct to the point of beginning.

Area C. That airspace extending upward from 600 feet MSL to and including 7,000 feet MSL, beginning at Bramell Point, along the south shore of the Delaware River to Thompson Point, thence direct to the outlet of Chester Creek at the Delaware River, thence southwestward along the north shore of the Delaware River, to the 6-mile arc of the Philadelphia International Airport, thence counterclockwise along the 6-mile arc to Kings Highway (Route 551), thence northward direct to Bramell Point.

Area D. That airspace extending upward from 1,500 feet MSL to and including 7,000 feet MSL within an 11-mile radius of the Philadelphia International Airport, excluding Areas A, B, and C.

Area E. That airspace extending upward from 3,000 feet MSL to and including 7,000 feet MSL within a 16-mile radius of Philadelphia International Airport, excluding that airspace southeast of a line extending from lat. 39°32'50" N., long. 75°10'30" W., to lat. 40°00'00" N., long. 74°50'45" W., and Areas A, B, C, and D.

Area F. That airspace extending upward from 4,000 feet MSL to and including 7,000 feet MSL within a 20-mile radius of Philadelphia International Airport, excluding that airspace southeast of a line extending through lat. 39°32'50" N., long. 75°10'30" W., and lat. 40°00'00" N., long. 74°50'45" W., and Areas A, B, C, D and E.

AMENDMENTS 3/27/75 39 F. R. 43710 (Added)

Pittsburgh, Pa., Terminal Control Area

Primary Airport
Greater Pittsburgh Airport (Latitude 40°29'37" N., Longitude 80°13'54" W.).

Boundaries. (Based on latitude 40°29'12" N., longitude 80°14'03" W.).

Area A. That airspace extending upward from the surface to and including 8,000 feet MSL within the Pittsburgh, Pa. (Greater Pittsburgh) Control Zone.

Area B. That airspace extending upward from 2,500 feet MSL to and including 8,000 feet MSL within a 10-mile radius of latitude 40°29'12" N., longitude 80°14'03" W., and between the 10-mile and 11-mile radii of latitude 40°29'12" N., longitude 80°14'03" W., extending from the 076° bearing clockwise to the 106° bearing and from the 259° bearing clockwise to the 288° bearing; excluding Area A.

Area C. That airspace extending upward from 4,000 feet MSL to and including 8,000 feet MSL within a 20-mile radius of latitude 40°29'12" N., longitude 80°14'03" W., and between the 20-mile and 30-mile radii of latitude 40°29'12" N., longitude 80°14'03" W., extending from the 076° bearing clockwise to the 106° bearing and from the 259° bearing clockwise to the 288° bearing; excluding Areas A and B.

St. Louis, Mo., Terminal Control Area

Primary Airport
St. Louis International Airport (lat. 38°44'54" N., long. 90°21'47" W.).

Boundaries
Area A. That airspace extending upward from the surface to and including 8,000 feet MSL within a 6-mile radius of the St. Louis International Airport ASR Antenna (lat. 38°44'25" N., long. 90°22'14" W.), excluding that airspace within a 2-mile radius of the Creve Coeur Airport (lat. 38°43'35" N., long. 90°30'35" W.).

St. Louis TCA continued on next page.

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GROUP II, TERMINAL CONTROL AREAS:

Area B. That airspace extending upward from 2,000 feet MSL to and including 8,000 feet MSL within a 10-mile radius of the St. Louis International Airport ASR Antenna excluding Area A previously described and the area within and underlying Area C hereinafter described.

Area C. That airspace extending upward from 3,000 feet MSL to and including 8,000 feet MSL within a 15-mile radius of the St. Louis International Airport ASR Antenna, and that area which lies south of the Maryland Heights 102° radial which is contained within the 10-mile radius of the St. Louis International Airport ASR Antenna, excluding Areas A and B previously described, and the area within and underlying Area E hereinafter described.

Area D. That airspace extending upward from 4,500 feet MSL to and including 8,000 feet MSL within a 20-mile radius of the St. Louis International Airport ASR Antenna excluding Areas A, B, and C previously described and Area E described hereinafter.

Area E. That airspace extending upward from 3,600 feet MSL to and including 8,000 feet MSL within a 15-mile radius of the St. Louis International Airport ASR Antenna, bounded on the northwest by the Troy VORTAC 233° radial, and on the west by a line extending from lat. 38°35'00" N., long. 90°12'00" W., to lat. 38°10'00" N., long. 90°07'00" W.

AMENDMENTS 6/19/75 40 F. R. 16050 (Changed)

Seattle, Wash., Terminal Control Area

Primary Airport:
Seattle Tacoma International Airport (lat. 47°26'55" N., long. 122°18'28" W.).

Boundaries: (Based on Seattle VORTAC (SEA) (lat. 47°26'08" N., long. 122°18'30" W.) arcs, DME distances, and radials.)

Area A. That airspace extending upward from the surface to and including 7,000 feet MSL within an area bounded by a line beginning at the 4-mile DME point on the SEA 012° radial thence south along the 012° radial to and clockwise along a 2-mile arc to and southeast along the 163° radial to and clockwise along a 5-mile arc to and north along the 192° radial to and clockwise along a 2-mile arc to and northwest along the 342° radial to and clockwise along a 4-mile arc to the point of beginning.

Area B. That airspace extending upward from 1,100 feet MSL to and including 7,000 feet MSL beginning at the 6-mile DME point on the SEA 007° radial, thence south along the 007° radial to and counterclockwise along a 4-mile arc to and north along the 346° radial to and clockwise along a 6-mile arc to the point of beginning.

Area C. That airspace extending upward from 1,600 feet MSL to and including 7,000 feet MSL within an area bounded by a line beginning at the 5-mile DME point on the SEA 163° radial, thence south along the 163° radial to and clockwise along an 11-mile arc to and north along the 192° radial to and counterclockwise along the 5-mile arc to the point of beginning.

Area D. That airspace extending upward from 1,800 feet MSL to and including 7,000 feet MSL within an area bounded by a line beginning at the 12-mile DME point on the SEA 007° radial, thence south along the 007° radial to and counterclockwise along a 6-mile arc to and northwest along the 342° radial to and clockwise along the 12-mile arc to the point of beginning.

Area E. That airspace extending upward from 3,000 feet MSL to and including 7,000 feet MSL within an area bounded by a line beginning at the 18-mile DME point on the SEA 007° radial, thence south along the 007° radial to and counterclockwise along a 12-mile arc to and southeast along the 342° radial to and clockwise along a 6-mile arc to and southeast along the 346° radial to and counterclockwise along a 4-mile arc to and southeast along the 342° radial to and counterclockwise along a 2-mile arc to and south along the 192° radial to and counterclockwise along an 11-mile arc to and northwest along the 163° radial to and counterclockwise along a 5-mile arc to and southeast along the 137° radial to and clockwise along a 15-mile arc to and north along the 185° radial to the 14-mile DME point, thence direct to the 15-mile DME point on the 257° radial, thence clockwise along a 15-mile arc to and northwest along the 312° radial to and clockwise along an 18-mile arc to the point of beginning, and that airspace within an area bounded by a line beginning at the 12-mile DME point on the 032° radial, thence southwest along the 032° radial to and counterclockwise along the 8-mile arc to and north along the 007° radial to and clockwise along the 12-mile arc to the point of beginning.

Area F. That airspace extending upward from 4,000 feet MSL to and including 7,000 feet MSL within an area bounded by a line beginning at the 5-mile DME point on the SEA 123° radial, thence southeast along the 123° radial to and clockwise along a 15-mile arc to and northwest along the 137° radial to and counterclockwise along a 15-mile arc to the point of beginning; and that airspace within an area bounded by a line beginning at the 15-mile DME point on the SEA 137° radial, thence southeast along the 137° radial to and clockwise along an 18-mile arc to and north along the 185° radial to and counterclockwise along a 15-mile arc to the point of beginning.

Area G. That airspace extending upward from 5,000 feet MSL to and including 7,000 feet MSL within an area bounded by a line beginning at the 22-mile DME point on the SEA 032° radial, thence south along the 032° radial to and counterclockwise along a 12-mile arc to and north along the 007° radial to and counterclockwise along the 18-mile arc to and northwest along the 312° radial to and clockwise along the 22-mile arc to the point of beginning; and that airspace within an area bounded by a line beginning at the 15-mile DME point on the 123° radial, thence southeast along the 123° radial to and clockwise along an 18-mile arc to and northwest along the 137° radial to and counterclockwise along a 15-mile arc to the point of beginning.

PART 73

SPECIAL USE AIRSPACE

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SUBPART C — PROHIBITED AREAS

73.81 Applicability.
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73.85 Using agency.

DESCRIPTIONS OF DESIGNATED PROHIBITED AREAS

73.87 P-56, District of Columbia.

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Subpart A — General

§ 73.1 Applicability.

The airspace that is described in Subpart B and Subpart C of this part is designated as special use airspace. These parts prescribe the requirements for the use of that airspace.

§ 73.3 Special use airspace.

(a) Special use airspace consists of airspace of defined dimensions identified by an area on the surface of the earth wherein activities must be confined because of their nature, or wherein limitations are imposed upon aircraft operations that are not a part of those activities, or both.
(b) The vertical limits of special use airspace are measured by designated altitude floors and ceilings expressed as flight levels or as feet above mean sea level. Unless otherwise specified, the word "to" (an altitude or flight level) means "to and including" (that altitude or flight level).
(c) The horizontal limits of special use airspace are measured by boundaries described by geographic coordinates or other appropriate references that clearly define their perimeter.
(d) The period of time during which a designation of special use airspace is in effect is stated in the designation.

AMENDMENTS 9/20/74 39 F. R. 30111 (Changed)

§ 73.5 Bearings; radials; miles.

(a) All bearings and radials in this part are true from point of origin.
(b) Unless otherwise specified, all mileages in this part are stated as statute miles.

Subpart B -- Restricted Areas

§ 73.11 Applicability.

This subpart designates restricted areas and prescribes limitations on the operation of aircraft within them.

§ 73.13 Restrictions.

No person may operate an aircraft within a restricted area between the designated altitudes and during the time of designation, unless he has the advance permission of
(a) The using agency described in § 73.15; or
(b) The controlling agency described in § 73.17.

§ 73.15 Using agency.

(a) For the purposes of this subpart, the following are using agencies:
(1) The agency, organization, or military command whose activity within a restricted area necessitated the area being so designated.
(2) [Reserved]
(b) Upon the request of the FAA, the using agency shall execute a letter establishing procedures for joint use of a restricted area by the using agency and the controlling agency, under which the using agency would notify the controlling agency whenever the controlling agency may grant permission for transit through the restricted area in accordance with the terms of the letter.
(c) The using agency shall --
(1) Schedule activities within the restricted area;
(2) Authorize transit through, or flight within, the restricted area as feasible; and
(3) Contain within the restricted area all activities conducted therein in accordance with the purpose for which it was designated.

AMENDMENTS 7/28/75 40 F. R. 27015 (Changed)

§ 73.17 Controlling agency.

For the purposes of this part, the controlling agency is the FAA facility that may authorize transit through or flight within a restricted area in accordance with a joint-use letter issued under § 73.15.

§ 73.19 Reports by using agency.

(a) Each using agency shall report once a year, in duplicate, to the Director, Air Traffic Service, Federal Aviation Administration, Washington, D. C., 20591, on each restricted area for which it is the using agency. The report must reach the Director not later than January 31 and shall cover the 12-month period ending with the preceding September 30.
(b) In its report under this section the using agency shall --
(1) State the name and number of the restricted area as published in this part;
(2) State the period covered by the report;
(3) List in detail the activities carried on in the area by all organizations using it for the restricted area purposes;
(4) State the time that daily operations are normally scheduled to begin and end;
(5) State the average number of hours the area is actually used each day, and in addition, for a restricted area used for aircraft operations the total number of aircraft hours of actual use during the reporting period;
(6) State the number of days each week, weeks each month, and months each year (as appropriate) that the area is used for actual operations;
(7) State whether or not radar is used during operations;
(8) State the number and type of aircraft, if any, normally involved in the activities for which the area was restricted;
(9) List the altitudes used in daily operations of aircraft, including for each activity the altitudes used and the number of hours at each of those altitudes;
(10) Include a chart of the area (of optional scale and design) showing --
(i) The approximate location, and the representative pattern (if any), for firing runs (if any), for bombing runs (if any), the place where runs begin, where firing (if any), begins and ends, and the release point pullup point; and
(ii) The location of impact areas, if any;
(11) State the maximum ordinate of surface firing (expressed in feet, mean sea level altitude) used for required operations;
(12) State the daily number of hours or minutes, or both, that the maximum ordinate altitudes are normally used in surface to surface firing operations;
(13) List the altitudes normally used for daily surface to surface firing operations;
(14) Include a chart of the area (of optional scale and design) showing --
(i) The location of firing points and impact areas, if any; and
(ii) The perimeter of the firing fan for each weapon used, if any; and
(15) Include a brief statement of any other pertinent facts concerning the current use of the restricted area and requirements for future use of the area or part of it.

AMENDMENTS 7/28/75 40 F. R. 27015 (Changed)

Subpart C — Prohibited Areas

§ 73.81 Applicability.

This subpart designates prohibited areas and prescribes limitations on the operation of aircraft therein.

§ 73.83 Restrictions.

No person may operate an aircraft within a prohibited area unless authorization has been granted by the using agency.

§ 73.85 Using agency.

For the purpose of this subpart, the using agency is the agency, organization or military command that established the requirements for the prohibited area.
Note: Sections 73.87 through 73.90 are reserved for descriptions of designated prohibited areas.

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§ 73.21 Alabama

R-2101 Anniston Army Depot, Ala.
Boundaries. Beginning at latitude 33°41'20" N., longitude 86°00'30" W.; to latitude 33°41'20" N., longitude 85°59'00" W.; to latitude 33°40'30" N., longitude 85°59'00" W.; to latitude 33°39'40" N., longitude 85°59'50" W.; to latitude 33°39'40" N., longitude 86°00'30" W.; to the point of beginning.
Designated altitude. Surface to 5,000 feet MSL.
Time of designation. From 0700 to 1800 c.s.t., Monday through Friday.
Using agency. Commanding Officer, Anniston Army Depot.

R-2102 Fort McClellan, Ala.
Boundaries: Beginning at latitude 33°45'00" N., longitude 85°53'55" W.; to latitude 33°44'07" N., longitude 85°53'36" W.; to latitude 33°44'07" N., longitude 85°52'55" W.; to latitude 33°41'04" N., longitude 85°52'55" W.; to latitude 33°40'15" N., longitude 85°54'00" W.; to latitude 33°41'20" N., longitude 85°55'30" W.; to latitude 33°41'20" N., longitude 86°01'07" W.; to latitude 33°43'55" N., longitude 86°01'07" W.; to latitude 33°44'11" N., longitude 86°00'54" W.; to latitude 33°45'00" N., longitude 86°00'45" W.; to latitude 33°45'20" N., longitude 86°00'31" W.; to latitude 33°45'27" N., longitude 86°00'16" W.; to latitude 33°45'27" N., longitude 85°59'26" W.; to latitude 33°45'14" N., longitude 85°59'26" W.; to latitude 33°45'14" N., longitude 85°55'17" W.; to latitude 33°45'00" N., longitude 85°55'17" W.; to point of beginning.
Designated altitudes: Subarea A, surface to and including 8,000 feet MSL. Subarea B, from 8,000 feet MSL to and including 14,000 feet MSL. Subarea C, from 14,000 feet MSL to 24,000 feet MSL.
Time of use: Continuous.
Controlling agency: Federal Aviation Administration, Atlanta ARTC Center.
Using agency: Commanding Officer, Fort McClellan, Ala.

R-2103 Fort Rucker, Ala.

Boundaries. A circular area with a radius of 4 miles centered at latitude 31°26'55" N., longitude 85°47'45" W.
Designated altitudes. Surface to 15,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Jacksonville ARTC Center.
Using agency. Commanding General, U. S. Army Aviation Center, Fort Rucker, Ala.

R-2104A Huntsville, Ala.
Boundaries. Beginning at latitude 34°39'30" N., longitude 86°37'40" W.; to latitude 34°33'58" N., longitude 86°37'50" W.; thence west along the Tennessee River to latitude 34°35'02" N., longitude 86°43'25" W.; to latitude 34°37'19" N., longitude 86°43'20" W.; to latitude 34°37'19" N., longitude 86°43'05" W.; to latitude 34°41'25" N., longitude 86°42'57" W.; to latitude 34°42'00" N., longitude 86°41'35" W.; to latitude 34°39'30" N., longitude 86°41'10" W.; to the point of beginning.
Designated altitudes. Surface to 30,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Commanding General, U. S. Army Missile Command, Redstone Arsenal, Ala.

R-2104B Huntsville, Ala.
Boundaries. Beginning at latitude 34°39'30" N., longitude 86°37'40" W.; to latitude 34°39'25" N., longitude 86°36'10" W.; to latitude 34°37'55" N., longitude 86°36'10" W.; to latitude 34°37'55" N., longitude 86°35'21" W.; to latitude 34°35'05" N., longitude 86°35'24" W.; thence west along the Tennessee River to latitude 34°33'58" N., longitude 86°37'50" W.; to the point of beginning.
Designated altitudes. Surface to 2,400 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Commanding General, U. S. Army Missile Command, Redstone Arsenal, Ala.

§ 73.22 Alaska

R-2202A Big Delta, Alaska
Boundaries. Beginning at latitude 64°14'45" N., longitude 146°43'15" W.; to latitude 63°56'17" N., longitude 145°49'30" W.; to latitude 63°54'20" N., longitude 145°50'20" W.; to latitude 63°50'30" N., longitude 145°50'00" W.; to latitude 63°43'00" N., longitude 145°54'01" W.; to latitude 63°42'15" N., longitude 146°13'20" W.; to latitude 63°44'00" N., longitude 146°30'00" W.; to latitude 63°50'50" N., longitude 146°47'30" W.; thence along the E bank of the East Fork and Little Delta Rivers to the point of beginning, excluding that airspace within R-2202B.
Designated altitudes. Surface to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Anchorage ARTC Center.
Using agency. President, U. S. Army Arctic Test Board, Fort Greely, Alaska.

AMENDMENTS 1/2/75 39 F. R. 39262 (Changed)

R-2202B Big Delta, Alaska
Boundaries. Beginning at latitude 64°07'30" N., longitude 146°27'30" W.; to latitude 64°03'30" N., longitude 146°11'30" W.; to latitude 63°53'00" N., longitude 146°24'30" W.; to latitude 63°57'00" N., longitude 146°41'00" W.; to point of beginning.
Designated altitudes. Surface to 5,000 feet MSL.
Time of designation. Continuous.
Using agency. President, U. S. Army Arctic Test Board, Fort Greely, Alaska

R-2203A Eagle River, Alaska
Boundaries. Beginning at latitude 61°22'00" N., longitude 149°33'48" W.; thence southwesterly along the Alaska Railroad to latitude 61°17'20" N., longitude 149°40'00" W.; to latitude 61°17'15" N., longitude 149°40'00" W.; to latitude 61°17'15" N., longitude 149°38'15" W.; to the point of beginning.
Designated altitudes. Surface to 18,000 feet MSL.
Time of designation: Daily, Monday through Friday, other times as activated by NOTAM issued by the using agency at least 24 hours in advance.
Controlling agency: FAA, Anchorage Approach Control.
Using agency. 172nd Infantry Brigade (Alaska) Fort Richardson, Alaska.

R-2203B Eagle River, Alaska
Boundaries. Beginning at latitude 61°29'00" N., longitude 149°33'48" W.; to latitude 61°22'00" N., longitude 149°33'48" W.; thence southwesterly along the Alaska Railroad to latitude 61°17'20" N., longitude 149°40'00" W.; to latitude 61°17'15" N., longitude 149°40'00" W.; to latitude 61°17'15" N., longitude 149°42'25" W.; to latitude 61°18'00" N., longitude 149°44'00" W.; to latitude 61°27'15" N., longitude 149°44'00" W.; to the point of beginning.
Designated altitudes. Surface to 18,000 feet MSL.
Time of designation: Daily, Monday through Friday, other times as activated by NOTAM issued by the using agency at least 24 hours in advance.
Controlling agency: FAA, Anchorage Approach Control.
Using agency. 172nd Infantry Brigade (Alaska) Fort Richardson, Alaska.

R-2204 Shemya, Alaska.
Boundaries. Beginning at Lat. 52°44'48" N, Long. 174°07'08" E; to Lat. 52°43'42" N, Long. 174° 07'08" E; to Lat. 52°43'42" N, Long. 174°05'18" E; to Lat. 52°44'48" N, Long. 174°05'18" E; to the point of beginning.
Designated altitudes. Surface to 2,500 feet MSL.
Time of designation. Continuous.
Using agency. Commander, 5073rd Air Base Squadron, Shemya AFB, Alaska.

R-2208A Yukon, Alaska
Boundaries. Beginning at Lat. 64°48'30" N, Long. 148°47'20" W; Counterclockwise along the arc of a 25-mile radius circle centered at Lat. 64°50'13" N, Long. 147°36'48" W; to Lat. 64°46'13" N, Long. 148°48'40" W; to Lat. 64°48'10" N, Long. 148°11'18" W; to Lat. 64°33'18" N, Long. 148°11'18" W; to Lat. 64°33'24" N, Long. 148°18'30" W; to Lat. 64°33'29" N, Long. 148°25'00" W; to the point of beginning.
Designated altitudes. Surface to 21,000 feet MSL.
Time of Designation. Continuous from April 1 through November 30; other times as activated by NOTAM issued by the using agency at least 24 hours in advance.
Controlling agency. Federal Aviation Administration, Anchorage ARTC Center.
Using agency. 172nd Infantry Brigade (Alaska) Fort Richardson, Alaska.

AMENDMENTS 1/2/75 39 F. R. 39262 (Changed)

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R-2206 Clear, Alaska
Boundaries: Beginning at latitude 64°19'46" N., longitude 149°10'06" W.; to latitude 64°19'46" N., longitude 149°15'33" W.; to latitude 64°16'19" N., longitude 149°15'33" W.; to latitude 64°16'19" N., longitude 149°10'05" W ; thence north, 100 feet west of and parallel to the Alaskan railroad to the point of beginning.
Designated altitudes: Surface to 8,800 feet MSL.
Time of designation: Continuous.
Using agency: Commander 13th Missile Warning Squadron, Clear, Alaska.

AMENDMENTS 12/4/75 40 F. R. 43718 (Changed)

R-2211 Blair Lakes, Alaska

Boundaries. Beginning at latitude 64°33'00" N., longitude 147°45'00" W.; to latitude 64°04'00" N., longitude 146°49'00" W.; thence along the east bank of the Little Delta River to latitude 63°50'50" N., longitude 146°47'30" W.; to latitude 63°56'00" N., longitude 147°02'00" W.; to latitude 64°25'00" N., longitude 147°58'00" W.; to latitude 64°29'32" N., longitude 147°54'45" W.; to point of beginning.
Time of designation. Monday through Friday at the following local times: a. April through September 0900-1100; 1400-1700. b. October through March 0900-1200; 1400-1700.
Designated altitudes. a. North of an east/west line at latitude 64°20'00" N., surface to 18,000 feet MSL. b. South of an east/west line at latitude 64°20'00" N., 1,000 feet AGL to 7,500 feet MSL.
Controlling agency. Federal Aviation Administration, Kielson RAPCON.
Using agency. Alaskan Air Command.

§ 73.23 Arizona

R-2301 Ajo, Arizona.

Boundaries. Beginning at Lat. 32°50'25" N, Long. 112°49'00" W; to Lat. 32°11'30" N, Long. 112° 56'45" W; to Lat. 32°11'30" N, Long. 113°05'30" W; to Lat. 31°58'00" N, Long. 113°05'30" W; along the United States-Mexican border to Lat. 32°23'45" N, Long. 114°28'30" W; to Lat. 32°30'00" N, Long. 114°28'30" W; to Lat. 32°30'00" N, Long. 114°31'00" W; to Lat. 32°35'00" N, Long. 114°31'00" W; to Lat. 32°35'00" N, Long. 114°28'30" W; to Lat. 32°39'40" N, Long. 114°28'30" W; to Lat. 32°40'45" N, Long. 114°18'29" W; along the Southern Pacific Railroad and U. S. Highway No. 80 to Lat. 32°44'15" N, Long. 113°41'05" W; to Lat. 32°45'50" N, Long. 113°34'30" W; to the point of beginning; excluding that airspace below 3,000 feet MSL, N of a line beginning at latitude 32°40'45" N., longitude 114°18'29" W.; to latitude 32°37'40" N., longitude 114°12'40" W.; to latitude 32°37'40" N., longitude 114°09'00" W.; to latitude 32°42'30" N., longitude 113°45'00" W.; to latitude 32°44'15" N., longitude 113°41'05" W.
Designated altitudes. Surface to flight level 800.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Albuquerque Center.
Using agency. Commander, Luke AFB, Arizona.

R-2302 Flagstaff, Arizona.

Boundaries. A circular area with a 6,600-foot radius centered at latitude 35°10'20" N., longitude 111°51'19" W.
Designated altitudes. Surface to 11,000 feet MSL.
Time of designation. 0800 to 2400 MST, Monday through Saturday.
Using agency. Commanding Officer, Navajo Ordance Depot, Flagstaff, Arizona.

R-2303A Fort Huachuca, Ariz.
Boundaries: Beginning at latitude 31°40'40" N., longitude 110°11'00" W.; to latitude 31°34'00" N., longitude 110°08'30" W.; to latitude 31°34'00" N., longitude 110°22'00" W.; to latitude 31°33'00" N., longitude 110°23'00" W.; to latitude 31°29'00" N., longitude 110°23'00" W.; to latitude 31°29'00" N., longitude 110°41'30" W.; to latitude 31°34'00" N., longitude 110°43'30" W.; to latitude 31°36'30" N., longitude 110°42'00" W.; to latitude 31°38'30" N., longitude 110°39'30" W.; to latitude 31°41'00" N., longitude 110°33'30" W.; to latitude 31°41'00" N., longitude 110°12'00" W.; to point of beginning.
Designated altitudes: Surface to 15,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Albuquerque ARTC Center.
Using agency: Commander, Headquarters, Fort Huachuca, Ariz.

R-2303B Fort Huachuca, Ariz.
Boundaries: Beginning at latitude 31°35'00" N., longitude 110°00'00" W.; to latitude 31°24'00" N., longitude 110°00'00" W.; to latitude 31°24'00" N., longitude 110°45'00" W.; to latitude 31°48'00" N., longitude 110°46'00" W.; to latitude 31°48'00" N., longitude 110°25'45" W.; to point of beginning.
Designated altitudes: 15,000 feet MSL to FL 450.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Albuquerque ARTC Center.
Using agency: Commander, Headquarters, Fort Huachuca, Ariz.

R-2304 Gila Bend, Arizona.

Boundaries. Beginning at latitude 32°38'30" N., longitude 112°18'00" W.; to latitude 32°26'40" N., longitude 112°18'00" W.; to latitude 32°26'40" N., longitude 112°43'30" W.; to latitude 32°49'00" N., longitude 112°39'00" W.; to the point of beginning.
Designated altitudes. Surface to flight level 240.
Time of designation: Sunrise to 2400 local time, Monday through Friday.
Controlling agency. Federal Aviation Administration, Albuquerque Center.
Using agency. Commander, Luke AFB, Arizona.

R-2305 Gila Bend, Arizona

Boundaries. Beginning at Lat. 32°50'28" N, Long. 112°49'00" W; to Lat. 32°50'52" N, Long. 112° 42'53" W; to Lat. 32°49'00" N, Long. 112°39'00" W; to Lat. 32°29'00" N, Long. 112°43'00" W; to Lat. 32°29'00" N, Long. 112°53'30" W; to the point of beginning.
Designated altitudes. Surface to flight level 240.
Time of designation. Sunrise to sunset.
Controlling agency: Federal Aviation Administration, Albuquerque Center.
Using agency. Commander, Luke AFB, Ariz.

R-2306A Yuma West, Ariz.
Boundaries: Beginning at latitude 33°00'00" N., longitude 114°30'00" W.; to latitude 33°02'48" N., longitude 114°30'00" W.; to latitude 33°02'48" N., longitude 114°34'00" W.; to latitude 33°15'00" N., longitude 114°34'37" W.; to latitude 33°15'00" N., longitude 114°15'00" W.; thence south along Highway 95 to latitude 33°00'00" N., longitude 114°17'20" W.; to point of beginning.
Designated altitudes: Surface to 80,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Los Angeles Air Route Traffic Control Center.
Using agency: Commanding officer, Yuma Proving Ground, Yuma, Ariz.

R-2306B Yuma West, Ariz.
Boundaries: Beginning at latitude 33°28'00" N., longitude 114°13'00" W.; thence south along Highway 95 to latitude 33°15'00" N., longitude 114°15'00" W.; to latitude 33°15'00" N., longitude 114°30'00" W.; to latitude 33°28'00" N., longitude 114°30'00" W.; to latitude 33°28'00" N., longitude 114°28'00" W.; to point of beginning.
Designated altitudes: Surface to 80,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Los Angeles Air Route Traffic Control Center.
Using agency: Commanding Officer, Yuma Proving Ground, Yuma, Ariz.

R-2306C Yuma West, Ariz.
Boundaries: Beginning at latitude 33°15'00" N., longitude 114°34'37" W.; to latitude 33°23'00" N., longitude 114°34'37" W.; to latitude 33°26'00" N., longitude 114°30'00" W.; to latitude 33°15'00" N., longitude 114°30'00" W.; to point of beginning.
Designated altitudes: Surface to 17,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Los Angeles Air Route Traffic Control Center.
Using agency: Commanding Officer, Yuma Proving Ground, Yuma, Ariz.

R-2307 Yuma, Ariz.

Boundaries. Beginning at latitude 32°52'00" N., longitude 114°00'00" W.; to latitude 32°52'50" N., longitude 113°50'10" W.; to latitude 32°58'00" N., longitude 113°37'20" W.; to latitude 33°02'00" N., longitude 113°37'20" W.; to latitude 33°02'00" N., longitude 113°56'30" W.; to latitude 33°00'00" N., longitude 114°11'00" W.; to latitude 33°00'00" N., longitude 114°30'00" W.; thence along the west bank of the Colorado River to latitude 32°51'45" N., longitude 114°27'50" W.; to latitude 32°53'30" N., longitude 114°-21'00" W.; to latitude 32°51'15" N., longitude 114°21'00" W.; to the point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. Commanding Officer, Yuma Proving Ground, Yuma, Ariz.

R-2308A Yuma East, Ariz.
Boundaries: Beginning at latitude 33°28'00" N., longitude 114°13'00" W.; to latitude 33°17'30" N., longitude 113°39'04" W.; to latitude 33°17'30" N., longitude 113°45'00" W.; to latitude 33°02'00" N., longitude 113°45'00" W.; to latitude 33°02'00" N., longitude 113°56'30" W.; to latitude 33°00'00" N., longitude 114°11'00" W.; to latitude 33°00'00" N., longitude 114°17'20" W.; thence north along Highway 95 to point of beginning.
Designated altitudes: 1,500 feet AGL to 80,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Los Angeles Air Route Traffic Control Center.
Using agency: Commanding Officer, Yuma Proving Ground, Yuma, Ariz.

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R-2308B Yuma East, Ariz.
Boundaries: Beginning at latitude 33°02'00" N., longitude 113°45'00" W.; to latitude 33°17'30" N., longitude 113°45'00" W.; to latitude 33°17'30" N., longitude 113°39'04" W.; to latitude 33°02'00" N., longitude 113°39'04" W.; to point of beginning.
Designated altitudes: Surface to 80,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Los Angeles Air Route Traffic Control Center.
Using agency: Commanding Officer, Yuma Proving Ground, Yuma, Ariz.

§ 73.24 Arkansas

R-2401 Fort Chaffee, Ark.

Boundaries. Beginning at lat. 35°18'35" N., long. 94°11'48" W.; to lat. 35°18'10" N., long. 94°16'30" W.; to lat. 35°16'06" N., long. 94°19'03" W.; to lat. 35°13'50" N., long. 94°15'00" W.; to lat. 35°13'50" N., long. 94°11'30" W.; to point of beginning.
Designated altitudes. Surface to and including 30,000 feet MSL.
Time of designation. Continuous April 1 through September 30 and 0600 Saturday to 2400 Sunday, October 1 through March 31, other times following issuance of a NOTAM at least 24 hours in advance.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Commanding General, Fort Chaffee, Ark.

R-2402 Fort Chaffee, Ark.

Boundaries. Beginning at lat. 35°17'51" N., long. 94°03'00" W.; to lat. 35°17'00" N., long. 94°03'00" W.; to lat. 35°17'00" N., long. 94°01'00" W.; to lat. 35°10'20" N., long. 94°01'00" W.; thence west along Arkansas State Highway No. 10 to lat. 35°11'33" N., long. 94°12'00" W.; to lat. 35°18'10" N., long. 94°12'24" W.; to lat. 35°18'12" N., long. 94°09'51" W.; thence east along Arkansas State Highway No. 22 to point of beginning.
Designated altitudes. Surface to and including 30,000 feet MSL.
Time of designation. Continuous April 1 through September 30 and 0600 Saturday to 2400 Sunday, October 1 through March 31, other times following issuance of NOTAM at least 24 hours in advance.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Commanding General, Fort Chaffee, Ark.

R-2403A Little Rock, Ark.

Boundaries. Beginning at lat. 34°57'00" N., long. 92°15'00" W.; to lat. 34°54'52" N., long. 92°15'00" W.; to lat. 34°54'08" N., long. 92°19'30" W.; to lat. 34°57'00" N., long. 92°19'30" W.; to point of beginning.
Designated altitudes. Surface to 16,000 feet MSL.
Time of designation. Daily 0700 to 2100 May 1 through August 31, to be activated by NOTAM 48 hours in advance. Other times, 0700 Saturday to 1700 Sunday, September 1 through April 30, to be activated by NOTAM at least 24 hours in advance. All times local.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Arkansas Army National Guard.

AMENDMENTS 8/14/75 40 F. R. 23458 (Changed)

R-2403B Little Rock, Ark.

Boundaries. Beginning at lat. 34°54'52" N., long. 92°15'00" W.; to lat. 34°51'45" N., long. 92°15'00" W.; to lat. 34°51'45" N., long. 92°19'30" W.; to lat. 34°54'08" N., long. 92°19'30" W.; to point of beginning.
Designated altitudes. Surface to 16,000 feet MSL.
Time of designation. Daily 0700 to 2100 1 May through 31 August, to be activated by NOTAM 48 hours in advance stating period of activation. Other times, 0700 Saturday to 1700 Sunday, 1 September through 30 April, to be activated by NOTAM 24 hours in advance.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Arkansas Army National Guard.

§ 73.25 California

R-2501W Bullion Mountains North, Calif.
Boundaries. Beginning at latitude 34°43'00" N., longitude 116°26'20" W.; to latitude 34°43'00" N., longitude 116°17'00" W.; to latitude 34°41'15" N., longitude 116°04'30" W.; to latitude 34°33'12" N., longitude 116°15'30" W.; to latitude 34°34'37" N., longitude 116°20'43" W.; to latitude 34°38'40" N., longitude 116°22'52" W.; to latitude 34°38'40" N., longitude 116°28'15" W.; to latitude 34°40'30" N., longitude 116°29'40" W.; to point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. Commanding General, Marine Corps Base, Twentynine Palms, Calif.

R-2501S Bullion Mountains South, Calif.
Boundaries. Beginning at latitude 34°35'40" N., longitude 116°28'15" W.; to latitude 34°38'40" N., longitude 116°22'52" W.; to latitude 34°34'37" N., longitude 116°20'43" W.; to latitude 34°33'12" N., longitude 116°15'30" W.; to latiude 34°27'50" N., longitude 116°09'40" W.; to latitude 34°27'15" N., longitude 116°04'07" W.; to latitude 34°14'00" N., longitude 115°58'40" W.; to latitude 34°14'00" N., longitude 116°17'00" W.; to latitude 34°30'00" N., longitude 116°28'30" W.; to point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. Commanding General, Marine Corps Base, Twentynine Palms, Calif.

R-2501E Bullion Mountains East, Calif.
Boundaries. Beginning at latitude 34°41'15" N., longitude 116°04'30" W.; to latitude 34°41'00" N., longitude 116°03'00" W.; to latitude 34°38'30" N., longitude 115°58'00" W.; to latitude 34°33'00" N., longitude 115°47'00" W.; to latitude 34°28'00" N., longitude 115°47'00" W.; to latitude 34°28'00" N., longitude 115°44'00" W.; to latitude 34°14'00" N., longitude 115°44'00" W.; to latitude 34°14'00" N., longitude 115°55'40" W.; to latitude 34°27'15" N., longtiude 116°04'07" W.; to latitude 34°27'80" N., longitude 116°09'40" W.; to latitude 34°33'12" N., longitude 116°15'30" W.; to point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. Commanding General Marine Corps Base, Twentynine Palms, Calif.

R-2502N Fort Irwin, CA.

Boundaries. Beginning at latitude 35°37'45" N., longitude 116°29'40" W.; to latitude 35°34'30" N., longitude 116°29'40" W.; to latitude 35°34'30" N., longitude 116°23'30" W.; to latitude 35°28'35" N., longitude 116°18'45" W.; to latitude 35°10'25" N., longitude 116°42'15" W.; to latitude 35°08'50" N., longitude 116°48'40" W.; to latitude 35°10'00" N., longitude 116°49'00" W.; to latitude 35°19'00" N., longitude 116°49'00" W.; to latitude 35°10'00" N., longitude 116°55'20" W.; to latitude 35°37'45" N., longitude 116°55'20" W.; to point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles, ARTC Center.
Using agency. Commander, Fort Irwin, Calif.

R-2502E Fort Irwin, CA.

Boundaries. Beginning at latitude 35°28'35" N., longitude 116°18'45" W.; to latitude 35°18'45" N., longitude 116°18'45" W.; to latitude 35°07'00" N., longitude 116°34'00" W.; to latitude 35°07'00" N., longitude 116°47'45" W.; to latitude 35°08'50" N., longitude 116°48'40" W.; to latitude 35°10'25" N., longitude 116°42'15" W.; to point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles, ARTC Center.
Using agency. Commander, Fort Irwin, Calif.

R-2503 Camp Pendleton, Calif.

Boundaries. Beginning at latitude 33°24'23" N., longitude 117°15'15" W.; to latitude 33°18'00" N., longitude 117°16'08" W.; to latitude 33°17'30" N., longitude 117°16'40" W.; to latitude 33°18'20" N., longitude 117°21'48" W.; to latitude 33°27'48" N., longitude 117°33'15" W.; to latitude 33°30'13" N., longitude 117°29'13" W.; to the point of beginning.
Designated altitudes. Surface to 15,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, El Toro Approach Control.
Using agency. Commanding General, Camp Pendleton, Calif.

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R-2504 Camp Roberts, Calif.

Boundaries. Beginning at latitude 35° 42' 18" N., longitude 120° 47' 55" W.; to latitude 35° 42' 18" N., longitude 120° 47' 20" W.; to latitude 35° 42' 58" N., longitude 120° 45' 33" W.; to latitude 35° 46' 38" N., longitude 120° 44' 38" W.; to latitude 35° 47' 18" N., longitude 120° 44' 45" W.; to latitude 35° 47' 54" N., longitude 120° 45' 49" W.; to latitude 35° 49' 10" N., longitude 120° 45' 40" W.; to latitude 35° 51' 00" N., longitude 120° 46' 25" W.; to latitude 35° 51' 11" N., longitude 120° 47' 55" W.; to latitude 35° 48' 50" N., longitude 120° 49' 58" W.; to latitude 35° 46' 00" N., longitude 120° 49' 55" W.; to latitude 35° 44' 03" N., longitude 120° 48' 08" W.; to latitude 35° 43' 08" N., longitude 120° 49' 00" W.; to latitude 35° 42' 44" N., longitude 120° 48' 48" W.; to the point of beginning.
Designated altitudes. Surface to 15,000 feet MSL.
Time of designation. 0600 to 2400 P.s.t., daily.
Controlling agency. Federal Aviation Administration, Oakland ARTC Center.
Using agency. Commander, Camp Roberts, Calif.

AMENDMENTS 12/4/75 40 F. R. 46097 (Changed)

R-2505 China Lake, Calif.

Boundaries. Beginning at Lat. 36°14'00" N, Long. 117°53'00" W; to Lat. 36°14'00" N, Long. 117° 25'00" W; to Lat. 35°40'30" N, Long. 117°25'00" W; to Lat. 35°37'30" N, Long. 117°35'30" W; to Lat. 35°37'30" N, Long. 117°47'30" W; to Lat. 35°54'00" N, Long. 117°53'00" W; to the point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. Commander, Naval Weapons Center, China Lake, Calif.

R-2506 China Lake South, Calif.
Boundaries. Beginning at latitude 35°37'30" N., longitude 117°41'20" W.; to latitude 35°28'00" N., longitude 117°40'50" W.; to latitude 35°28'00" N., longitude 117°47'00" W.; to latitude 35°37'30" N., longitude 117°47'30" W.; to the point of beginning.
Designated altitudes. Surface to 6,000 feet MSL.
Time of designation. Sunrise to sunset, Monday through Friday.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. Commander, Naval Weapons Center, China Lake, Calif.

R-2507 Chocolate Mountains, California

Boundaries. Beginning at latitude 33°32'40" N., longitude 115°33'50" W.; to latitude 33°31'30" N., longitude 115°32'00" W.; to latitude 33°31'15" N., longitude 115°26'45" W.; to latitude 33°29'00" N., longitude 115°20'00" W.; to latitude 33°25'50" N., longitude 115°14'30" W.; to latitude 33°24'15" N., longitude 115° 17'00" W.; to latitude 33°21'40" N., longitude 115°12'00" W.; to latitude 33°22'50" N., longitude 115°09' 58" W.; to latitude 33°08'45" N., longitude 114°56'40" W.; to latitude 33°01'00" N., longitude 115°06'00" W.; to latitude 33°21'30" N., longitude 115°32'55" W.; to latitude 33°23'40" N., longitude 115°33'20" W., to latitude 33°28'30" N., longitude 115°42'10" W.; to the point of beginning.
Designated altitudes. Surface to flight level 400.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. Commanding Officer, U. S. Marine Corps Air Station, Yuma, Ariz.

R-2508 Complex, Calif.

Boundaries. Beginning at Lat. 37°12'00" N, Long. 117°20'00" W; to Lat. 35°34'00" N, Long. 116° 23'00" W; to Lat. 35°28'35" N, Long. 116°18'45" W; to Lat. 35°18'45" N, Long. 116°18'45" W; to Lat. 35°07'00" N, Long. 116°34'00" W; to Lat. 35°07'00" N, Long. 116°47'45" W; to Lat. 35°08'50" N, Long. 116°48'40" W; to Lat. 35°06'30" N, Long. 116°58'40" W; to Lat. 34°53'30" N, Long. 117°11'50" W; to Lat. 34°50'20" N, Long. 117°32'00" W; to Lat. 34°48'30" N, Long. 117°32'00" W; to Lat. 34°48'00" N, Long. 117°35'00" W; to Lat. 34°48'00" N, Long. 118°01'00" W; to Lat. 34°49'40" N, Long. 118°05'45" W; to Lat. 34°51'30" N, Long. 118°05'45" W; to Lat. 34°56'00" N, Long. 118°21'00" W; Lat. 35°15'00" N, Long. 118°35'00" W; to Lat. 37°12'00" N, Long. 118°35'00" W; to the point of beginning.
Designated altitudes. 20,000 feet MSL to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. Commander, Naval Weapons Center, China Lake, Calif.

R-2509 Cuddeback Dry Lake, Calif.

Boundaries. Beginning at Lat. 35°25'00" N, Long. 117°26'00" W; to Lat. 35°25'00" N, Long. 117° 16'52" W; to Lat. 35°15'56" N, Long. 117°16'52" W; to Lat. 35°15'56" N, Long. 117°28'00" W; to the point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Agency, Los Angeles ARTC Center.
Using agency. Commander, George AFB, Calif.

R-2510 El Centro, Calif.

Boundaries. Beginning at latitude 32°59'35" N., longitude 115°43'30" W.; to latitude 32°55'35" N., longitude 115°40'15" W.; to latitude 32°53'45" N., longitude 115°40'15" W.; thence counterclockwise along the arc of a 5-mile radius circle centered at latitude 32°49'20" N., longitude 115°40'15" W.; to latitude 32°50'05" N., longitude 115°45'20" W.; to latitude 32°50'05" N., longitude 115°55'00" W.; to latitude 32°55'50"N., longitude 115°55'00" W.; to latitude 33°01'20" N., longitude 116°02'15" W.; to latitude 33°06'35" N., longitude 115°56'50" W.; to latitude 33°06'35" N., longitude 115°51'12" W.; to point of beginning.
Designated altitudes. Surface to flight level 500.
Time of designation. Continuous, surface to 20,000 feet MSL; Sunrise to sunset, Monday through Friday, 20,000 feet MSL to flight level 500.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. Commanding Officer, U. S. Marine Corps Air Station, Yuma, Ariz.

R-2511 Fort Ord, California

Boundaries. Beginning at latitude 36° 37' 42" N., longitude 121° 48' 47" W.; to latitude 36° 38' 25" N., longitude 121° 46' 29" W.; thence counterclockwise around the arc of a 3-mile radius circle centered at latitude 36° 40' 58" N., longitude 121° 45' 41" W.; to latitude 36° 38' 43" N., longitude 121° 44' 00" W.; to latitude 36° 36' 08" N., longitude 121° 43' 20" W.; to latitude 36° 35' 45" N., longitude 121° 42' 42" W.; to latitude 36° 34' 45" N., longitude 121° 47' 24" W.; thence counterclockwise along the arc of a 3-mile radius circle centered at latitude 36° 33' 30" N., longitude 121° 50' 30" W.; to the point of beginning.
Designated altitudes. Surface to 5,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Monterey Approach Control
Using agency. Commanding General, Fort Ord, California.

R-2512 Boltville, Calif.

Boundaries. Beginning at Lat. 33°05'00" N, Long. 115°17'30" W; to Lat. 33°00'00" N, Long. 115° 13'30" W; to Lat. 32°51'00" N, Long. 115°05'30" W; to Lat. 32°51'00" N, Long. 115°17'00" W; to Lat. 32°58'00" N, Long. 115°17'30" W; to Lat. 33°08'00" N, Long. 115°20'00" W; to the point of beginning.
Designated altitudes. Surface to 23,000 feet MSL.
Time of designation. Continuous.
Using agency. Commanding Officer, U.S. Marine Corps Air Station, Yuma, Ariz.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

R-2513 Hunter-Liggett, Calif.

From latitude 36°03'43" N., longitude 121°22'38" W., to latitude 36°02'45" N., longitude 121°17'45" W., to latitude 35°59'18" N., longitude 121°13'30" W., to latitude 35°58'45" N., longitude 121°09'45" W., to latitude 35°58'20" N., longitude 121°05'45" W., to latitude 35°48'17" N., longitude 121°10'53" W., to latitude 35°51'02" N., longitude 121°16'15" W., to latitude 35°51'02" N., longitude 121°17'20" W., to latitude 35°58'10" N., longitude 121°23'40" W., to latitude 35°58'10" N., longitude 121°21'40" W., to latitude 36°02'12" N., longitude 121°24'40" W., to the point of beginning.
Designated altitudes. Surface to FL 240.
Time of designation. Continuous.
Controlling agency. FAA, Oakland ARTC Center.
Using agency. Commanding General, Fort Ord, Calif.

R-2515 Muroc Lake, Calif.
Boundaries. Beginning at Lat. 35°19'00" N, Long. 118°49'00" W; to Lat. 35°10'00" N, Long. 118° 49'00" W; to Lat. 35°08'50" N, Long. 118°48'40" W; to Lat. 35°06'30" N, Long. 118°58'40" W; to Lat. 34°53'30" N, Long. 117°11'50" W; to Lat. 34°50'20" N, Long. 117°32'00" W; to Lat. 34°48'30" N, Long. 117°32'00" W; to Lat. 34°48'00" N, Long. 117°35'00" W; to Lat. 34°48'00" N, Long. 118°01'00" W; to Lat. 34°49'40" N, Long. 118°05'45" W; to Lat. 35°01'00" N, Long. 118°05'45" W; to Lat. 35°27'40" N, Long. 117°28'00" W; to Lat. 35°15'56" N, Long. 117°28'00" W; to Lat. 35°15'56" N, Long. 116°55'20" W; to Lat. 35°19'00" N, Long. 116°55'20" W; to the point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. Commander, Edwards AFB, Calif.

R-2516 Naval Missile Facility, Point Arguello, Calif.
Boundaries: Beginning at latitude 34°50'32" N., longitude 120°41'50" W.; to latitude 34°53'30" N., longitude 120°33'20" W.; to latitude 34°50'15" N., longitude 120°31'30" W.; to latitude 34°46'15" N., longitude 120°26'40" W.; to latitude 34°39'50" N., longitude 120°31'15" W.; to latitude 34°35'00" N., longitude 120°31'40" W.; to latitude 34°34'52" N., longitude 120°42'37" W.; thence 3 nautical miles from and parallel to the shoreline to the point of beginning.
Designated altitudes: Surface to unlimited.
Time of designation: Contiguous.
Using agency: HQ, Space and Missile Test Center, (SAMTEC) ROSF, Vandenberg, AFB, Calif.

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R-2517 Naval Missile Facility, Point Arguello, Calif.

Boundaries. Beginning at latitude 34°34'52" N., longitude 120°42'37" W.; to latitude 34°35'00" N., longitude 120°31'40" W.; to latitude 34°24'45" N., longitude 120°27'20" W.; to latitude 34°24'00" N., longitude 120°30'00" W.; thence three nautical miles from and parallel to the shoreline to the point of beginning.
Designated altitudes. Surface to unlimited.
Time of designation. Continuous.
Using agency. HQ, Space and Missile Test Center, (SAMTEC) ROSF, Vandenberg AFB, Calif.

R-2518 Castle Rock, Calif.

Boundaries. A circular area with a 300-yard radius centered at Lat. 33°02'04" N, Long. 118°36'47" W.
Designated altitudes. Surface to 2,000 feet MSL.
Time of designation. Sunrise to 2000 local time.
Using agency. Commanding Officer, Fleet Air Control and Surveillance Facility, San Diego, Calif.

AMENDMENTS 8/14/75 40 F. R. 25442 (Changed)

R-2519 Point Mugu, Calif.

Boundaries. Beginning at Lat. 34°07'00" N, Long. 119°07'00" W; to Lat. 34°04'15" N, Long. 119° 03'40" W; to Lat. 34°02'15" N, Long. 119°04'20" W; thence 3 nautical miles from and parallel to the shoreline to Lat. 34°05'30" N, Long. 119°13'00" W; to Lat. 34°05'55" N, Long. 119°11'15" W; to Lat. 34°07'08" N, Long. 119°09'32" W; to the point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. Commander, Pacific Missile Range, Point Mugu, Calif.

R-2520 Point Mugu, Calif.

Boundaries. Beginning at Lat. 34°08'30" N, Long. 119°06'10" W; to Lat. 34°07'00" N, Long. 119° 05'00" W; to Lat. 34°06'15" N, Long. 119°05'25" W; to Lat. 34°07'00" N, Long. 119°07'00" W; to Lat. 34°07'07" N, Long. 119°09'00" W; to Lat. 34°08'30" N, Long. 119°07'40" W; to the point of beginning.
Designated altitudes. Surface to 3,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. Commander, Pacific Missile Range, Point Mugu, Calif.

R-2521 Salton Sea, Calif.

Boundaries. Beginning at latitude 33°18'00" N., longitude 115°44'00" W.; to latitude 33°10'40" N., longitude 115°44'00" W.; to latitude 33°10'40" N., longitude 115°49'50" W.; to latitude 33°23'15" N., longitude 115°58'40" W.; to latitude 33°26'15" N., longitude 115°54'00" W.; to the point of beginning.
Designated altitudes: Surface to flight level 400 sunrise to sunset; surface to 4,000 feet MSL sunset to sunrise.
Time of designation: Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using Agency. Commanding Officer, Naval Air Facility, El Centro, Calif.

R-2524 Trona, Calif.

Boundaries. Beginning at Lat. 35°47'46" N, Long. 116°55'20" W; to Lat. 35°15'56" N, Long. 116° 55'20" W; to Lat. 35°15'56" N, Long. 117°16'52" W; to Lat. 35°25'00" N, Long. 117°16'52" W; to Lat. 35°25'00" N, Long. 117°28'00" W; to Lat. 35°36'00" N, Long. 117°26'00" W; to Lat. 35°36'00" N, Long. 117°16'52" W; to Lat. 35°47'46" N, Long. 117°16'52" W; to the point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency. Commander, Naval Weapons Center, China Lake, Calif.

R-2525 Vernalis, Calif.

Boundaries. A 5-nautical mile radius circle centered at latitude 37°24'00" N., longitude 121°20'00" W.
Designated altitudes. Surface to 14,000 feet MSL.
Time of designation: Continuous.
Controlling agency. Federal Aviation Administration, Oakland ARTC Center.
Using agency. Commander, Patrol Wings Pacific (COMPATWINGSPAC), NAS Moffett Field, Calif.

AMENDMENTS 7/14/75 40 F. R. 29552 (Changed)

R-2529 Fort Ord West, California

Boundaries. Beginning at latitude 36° 42' 00" N., longitude 121° 49' 48" W.; to latitude 36° 40' 45" N., longitude 121° 48' 22" W.; thence south along California State Highway No. 1 to latitude 36° 38' 08" N., longitude 121° 49' 58" W.; to latitude 36° 38' 15" N., longitude 121° 51' 45" W.; to the point of beginning.
Designated altitudes. Surface to 1,000 feet MSL.
Time of designation. Thirty minutes before sunrise to thirty minutes after sunset.
Controlling agency. Federal Aviation Administration, Monterey Approach Control.
Using agency. Commanding General, Fort Ord, California.

R-2530 Sierra Army Depot, Calif.

Boundaries. Beginning at latitude 40° 18' 21" N., longitude 120° 03' 08" W.; to latitude 40° 18' 21" N., longitude 120° 02' 51" W.; to latitude 40° 16' 08" N., longitude 120° 02' 51" W.; to latitude 40° 16' 08" N., longitude 120° 03' 08" W.; to the point of beginning.
Designated altitudes. Surface to 8,000 feet MSL.
Time of designation. 0800 to 1800 p.s.t., Monday through Friday.
Using agency. Commanding Officer, Sierra Army Depot, Herlong, California.

R-2531 Tracy, Calif.

Boundaries. Beginning at latitude 37°40'34" N., longitude 121°33'42" W.; to latitude 37°40'45" N., longitude 121°31'29" W.; to latitude 37°39'28" N., longitude 121°30'28" W.; to latitude 37°38'50" N., longitude 121°31' 05" W.; to latitude 37°39'03" N., longitude 121°34'03" W.; thence to the point of beginning.
Designated altitudes. Surface to 4,000 feet MSL.
Time of designation. 1000 to 1800, local time, Monday through Friday.
Using agency. United States Energy Research and Development Administration, San Francisco Operations Office.

AMENDMENTS 8/15/75 40 F. R. 34334 (Changed)

R-2533 Oceanside, Calif.

Boundaries: Beginning at latitude 33°27'48" N., longitude 117°33'15" W.; thence to latitude 33°18'20" N., longitude 117°21'48" W.; thence to latitude 33°17'30" N., longitude 117°16'40" W.; thence to latitude 33°13'20" N., longitude 117°29'00" W.; thence 3 nautical miles from and parallel to the shoreline to latitude 33°22'30" N., longitude 117°39'45" W.; thence to the point of beginning.
Designated altitudes: Surface to 2,000 feet MSL.
Time of designation: Continuous.
Controlling agency: FAA, El Toro RATCF
Using agency: Commanding General, Marine Corps Base (MCB), Camp Pendleton, Calif.

R-2536A Point Arguello, Calif.

Boundaries: Beginning at latitude 34°38'35" N., longitude 120°31'20" W.; to latitude 34°35'48" N., longitude 120°28'10" W.; to latitude 34°36'20" N., longitude 120°27'20" W.; to latitude 34°30'00" N., longitude 120°15'30" W.; to latitude 34°25'10" N., longitude 120°15'30" W.; thence 3 miles from and parallel to the shoreline to latitude 34°24'40" N., longitude 120°19'10" W.; to point of beginning.
Designated altitudes: 500 feet above the surface to unlimited.
Time of designation: Continuous.
Controlling agency: FAA, ARTCC, Los Angeles, Calif.
Using agency: HQ, Space and Missile Test Center, (SAMTEC) ROSF, Vandenberg AFB, Calif.

R-2536B Point Arguello, Calif.
Boundaries: Beginning at latitude 34°38'35" N., longitude 120°31'20" W.; to latitude 34°24'40" N., longitude 120°19'10" W.; to latitude 34°24'45" N., longitude 120°27'20" W.; to latitude 34°35'00" N., longitude 120°31'40" W.; to point of beginning.
Designated altitudes: 500 feet above the surface to unlimited.
Time of designation: Continuous.
Controlling agency: FAA, ARTCC, Los Angeles, Calif.
Using agency: HQ, Space and Missile Test Center, (SAMTEC) ROSF, Vandenberg, AFB, Calif.

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§ 73.26 Colorado

R-2601 Fort Carson, Colo.
Boundaries: Beginning at lat. 38°38'19" N., long. 104°52'00" W.; thence northeasterly along Colorado Highway No. 115 to lat. 38°42'40" N., long. 104°49'04" W.; to lat. 38°41'20" N., long. 104°47'00" W.; to lat. 38°40' 15" N., long. 104°46'20" W.; to lat. 38°40'00" N., long. 104°45'40" W.; to lat. 38°32'06" N., long. 104°45' 00" W.; to lat. 38°32'06" N., long. 104°49'18" W.; to lat. 38°36'20" N., long. 104°52'00" W.; to the point of beginning.
Designated altitudes: Surface to 35,000 feet MSL; 35,000 feet MSL to 60,000 feet MSL, by NOTAM issued 24 hours in advance.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Denver ARTC Center.
Using agency: Commanding General, Fort Carson, Colo.

R-2602 Fort Carson, Colo.
Boundaries: Beginning at Lat. 38°38'19" N., Long. 104°52'00" W.; thence to Lat. 38°36'20" N., Long. 104° 52'00" W.; to Lat. 38°32'06" N., Long. 104°49'18" W.; to Lat. 38°32'06" N., Long. 104°45'00" W.; to lat. 38° 25'35" N., Long. 104°45'00" W.; to Lat. 38°25'35" N., Long. 104°49'00" W.; to Lat. 38°26'10" N., Long. 104° 49'00" W.; to Lat. 38°26'10" N., Long. 104°57'13" W.; to Lat. 38°32'58" N., Long. 104°57'00" W.; thence northeast along Colorado Highway Number 115 to point of beginning.
Designated altitudes: Surface to and including 35,000 feet MSL; 35,000 feet MSL to and including 60,000 feet MSL, by NOTAM issued 24 hours in advance.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Denver ARTC Center.
Using agency: Commanding General, Fort Carson, Colo.

AMENDMENTS 1/2/75 39 F. R. 39262 (Rewritten)

§ 73.27 Connecticut

§ 73.28 Delaware

§ 73.29 Florida

R-2901A Avon Park, Fla.

Boundaries. Beginning at lat. 27°35'30" N., long. 81°08'15" W.; to lat. 27°35'00" N., long. 81°09'00" W.; to lat. 27°32'40" N., long. 81°12'20" W.; to lat. 27°32'40" N., long. 81°16'50" W.; to lat. 27°32'32" N., long. 81°21'40" W.; thence northerly along Arbuckle Creek to Arbuckle Lake and along the east and north shore of Arbuckle Lake to lat. 27°43'10" N., long. 81°25'20" W.; to lat. 27°44'50" N., long. 81°25'20" W.; to lat. 27° 44'45" N., long. 81°21'25" W.; to lat. 27°44'45" N., long. 81°11'40" W.; to point of beginning.
Designated altitudes. Surface to FL 180, inclusive.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Miami ARTC Center.
Using agency. Commander, MacDill AFB, Fla.

R-2901B Avon Park, Fla.

Boundaries. Beginning at lat. 27°35'30" N., long. 81°08'15" W.; to lat. 27°35'00" N., long. 81°09'00" W.; to lat. 27°32'40" N., long. 81°12'20" W.; to lat. 27°32'40" N., long. 81°16'50" W.; to lat. 27°32'32" N., long. 81°21'40" W.; thence northerly along Arbuckle Creek to Arbuckle Lake and along the east and north shore of Arbuckle Lake to lat. 27°43'10" N., long. 81°25'20" W.; to lat. 27°44'50" N., long. 81°25'20" W.; to lat. 27° 44'45" N., long. 81°21'25" W.; to lat. 27°44'45" N., long. 81°11'40" W.; to point of beginning.
Designated altitudes. From FL 180 to FL 240.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Miami ARTC Center.
Using agency. Commander, MacDill AFB, Fla.

R-2901C Avon Park, Fla.

Boundaries. That area bounded on the east by long. 81°14'00" W., on the south by lat. 27°44'45" N., on the west by long. 81°21'00" W., and on the north by Florida State routes 60 and 630.
Designated altitudes. Surface to 4,000 feet MSL.
Time of designation. Sunrise to sunset.
Controlling agency. Federal Aviation Administration, Miami ARTC Center.
Using agency. Commander, MacDill AFB, Fla.

R-2901D Avon Park, Fla.

Boundaries. Beginning at lat. 28°00'00" N., long. 81°21'00" W.; to lat. 28°00'00" N., long. 81°14'00" W.; to lat. 27°50'00" N., long. 81°14'00" W.; to lat. 27°50'00" N., long. 81°21'00" W.; to point of beginning.
Designated altitudes. 1,000 feet MSL to 4,000 feet MSL.
Time of designation. Sunrise to sunset.
Controlling agency. Federal Aviation Administration, Miami ARTC Center.
Using agency. Commander, MacDill AFB, Fla.

R-2901E Avon Park, Fla.

Boundaries. Beginning at lat. 27°32'40" N., long. 81°15'30" W.; to lat. 27°32'40" N., long. 81°12'20" W.; to lat. 27°35'00" N., long. 81°09'00" W.; to lat. 27°29'30" N., long. 81°05'30" W.; to lat. 27°26'30" N., long. 81°12'00" W.; to point of beginning.
Designated altitudes. Surface to 4,000 feet MSL.
Time of designation. Sunrise to sunset.
Controlling agency. Federal Aviation Administration, Miami ARTC Center.
Using agency. Commander, MacDill AFB, Fla.

R-2901F Avon Park, Fla.

Boundaries. Beginning at lat. 27°26'30" N., long. 81°12'00" W.; to lat. 27°29'30" N., long. 81°05'30" W.; to lat. 27°21'00" N., long. 81°00'00" W., to lat. 27°16'45" N., long. 81°06'00" W.; to point of beginning. long. 81°06'00" W.; to point of beginning.
Designated altitudes. 1,000 feet MSL to 4,000 feet MSL northeast of a line extending from lat. 27°21'00" N., long. 81°00'00" W.; 1,500 feet MSL to 4,000 feet MSL southwest of above described line.
Time of designation. Sunrise to sunset.
Controlling agency. Federal Aviation Administration, Miami ARTC Center.
Using agency. Commander, MacDill AFB, Fla.

R-2901G Avon Park, Fla.

Boundaries. That area bounded on the north by lat. 27°50'00" N., on the east by long. 81°14'00" W., on the south by Florida State highways 630 and 60, and on the west by long. 81°21'00" W.
Designated altitudes. 500 feet MSL to 4,000 feet MSL.
Time of designation. Sunrise to sunset.
Controlling agency. Federal Aviation Administration Miami ARTC Center.
Using agency. Commander, MacDill AFB, Fla.

R-2902A Cape Kennedy, Fla.
Boundaries: Beginning at latitude 28°41'40" N., longitude 80°35'00" W.; thence 3 nautical miles from and parallel to the shoreline to latitude 28°24'30" N., longitude 80°30'30" W.; to latitude 28° 24'30" N., longitude 80°41'45" W.; to latitude 28°30'30" N., longitude 80°43'30" W.; to latitude 28°37'35" N., longitude 80°46'50" W.; to latitude 28°38'00" N., longitude 80°47'02" W.; to point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Miami ARTC Center.
Using agency. Commander, Air Force Eastern Test Range, Patrick AFB, Fla.

R-2902B Cape Kennedy, Fla.
Boundaries. Beginning at latitude 28°41'40" N., longitude 80°35'00" W.; to latitude 28°38'00" N., longitude 80°47'02" W.; to latitude 28°45'00" N., longitude 80°37'50" W.; to point of beginning.
Designated altitudes. Surface to 14,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Miami ARTC Center.
Using agency. Commander, Air Force Eastern Test Range, Patrick AFB, Fla.

R-2903A Jacksonville, Fla.
Boundaries: Beginning at latitude 30°15'30" N., longitude 81°43'25" W.; clockwise along an arc of a circle 2½ nautical miles in radius centered at latitude 30°14'00" N., longitude 81°41'00" W.; to latitude 30°11'25" N., longitude 81°41'00" W.; to latitude 29°59'28" N., longitude 81°41'00" W.; to latitude 29°59'28" N., longitude 82°02'00" W.; to latitude 30°21'32" N., longitude 82°02'00" W.; to latitude 30°21'20" N., longitude 81°55'45" W.; to latitude 30°15'30" N., longitude 81°50'00" W.; to point of beginning.
Designated altitudes: Surface to and including 10,000 feet MSL.
Time of designation: Continuous.
Controlling agency. Federal Aviation Administration, Jacksonville TRACON.
Using agency: Commander, Fleet Air Jacksonville, NAS Jacksonville, Fla.

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R-2903B Stevens Lake, Fla.
Boundaries: Within a 5 nautical mile radius of lat. 29°53'04" N., longitude 81°50'09" W., excluding the airspace bounded by lat. 29°53'45" N., long. 82°04'50" W.; lat. 29°52'35" N., long. 82°02'00" W.; lat. 29°50'27" N., long. 82°00'00" W.; lat. 29°48'30" N., long. 81°57'00" W.; with a southeast extension beginning at lat. 29°52'30" N., long. 81°53'30" W.; to lat. 29°49'00" N., long. 81°48'20" W.; to lat. 29°44'50" N., long. 81°49'05" W.; to lat. 29°48'30" N., long. 81°57'00" W.; counterclockwise along an arc of a circle 5 nautical miles in radius centered at lat. 29°53'04" N., long. 81°50'09" W.; to the point of beginning; and a northeast extension beginning at lat. 29°59'50" N., long. 81°57'40" W.; to lat. 29°56'45" N., long. 81°53'15" W.; to lat. 29°55'30" N., long. 81°54'10" W.; counterclockwise along an arc of a circle 5 nautical miles in radius centered at lat. 29°53'04" N., long. 81°50'09" W.; to lat. 29°58'10" N., long. 81°50'10" W.; to point of beginning.
Designated altitudes: Within the circular area, surface to FL 230; within the southeast extension, surface to 7,000 feet MSL in the area beginning at lat. 29°52'30" N., long. 81°53'30" W.; to lat. 29°51'10" N., long. 81°51'00" W.; to lat. 29°47'00" N., long. 81°53'55" W.; to lat. 29°48'30" N., long. 81°57'00" W.; counterclockwise along an arc of a circle 5 nautical miles in radius centered at lat. 29°53'04" N., long. 81°50'09" W.; to point of beginning. Surface to 5,000 feet MSL in the area beginning at lat. 29°51'10" N., long. 81°51'00" W.; to lat. 29°49'00" N., long. 81°46'20" W.; to lat. 29°44'50" N., long. 81°49'05" W.; to lat. 29°47'00" N., long. 81°53'55" W.; to lat. 29°51'10" N., long. 81°51'00" W.; within the northeast extension, surface to 7,000 feet MSL.
Time of designation: Continuous.
Controlling agency. Federal Aviation Administration, Jacksonville TRACON.
Using agency: Commander, Fleet Air Jacksonville, NAS Jacksonville, Fla.

R-2903C Putnam, Fla.
Boundaries: A circle with a 5 nautical mile radius centered at lat. 29°47'00" N., long. 81°41'00" W.
Designated altitudes. Surface to 14,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Jacksonville TRACON.
Using agency. Commander, Fleet Air Jacksonville, NAS Jacksonville, Fla.

R-2906 Rodman, Fla.
Boundaries: A circle with a 5-nautical-mile radius centered at latitude 29°29'00" N., longitude 81°46'00" W.; excluding the area east of the east bank of the St. Johns River.
Designated altitudes: Surface to 14,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Jacksonville TRACON.
Using agency: Commander, Fleet Air Jacksonville, NAS Jacksonville, Fla.

R-2907 Lake George, Fla.
Subarea A
Boundaries: Beginning at latitude 29°23'00" N., longitude 81°31'10" W.; to latitude 29°12'30" N., longitude 81°30'00" W.; to latitude 29°12'30" N., longitude 81°38'30" W.; to latitude 29°15'05" N., longitude 81°40'00" W.; to latitude 29°20'30" N., longitude 81°40'00" W.; to latitude 29°23'00" N., longitude 81°40'00" W.; to latitude 29°23'00" N., longitude 81°39'10" W.; thence via a 5-nautical-mile arc centered at latitude 29°19'11" N., longitude 81°35'15" W.; to point of beginning.
Designated altitudes: Surface to FL 230.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Jacksonville TRACON.
Using agency: Commander Fleet Air Jacksonville, NAS Jacksonville, Fla.

Subarea B
Boundaries: Beginning at latitude 29°20'05" N., longitude 81°40'00" W.; to latitude 29°15'05" N., longitude 81°40'00" W.; to latitude 29°15'05" N., longitude 81°51'50" W.; to latitude 29°20'05" N., longitude 81°51'50" W.; to point of beginning.
Designated altitudes: Surface to 9,000 feet MSL from a line of longitude 81°40'00" W., to a line of longitude 81°42'55" W.; surface to 6,000 feet MSL from a line of longitude 81°42'55" W., to a line of longitude 81°51'50" W.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Jacksonville TRACON.
Using agency: Commander, Fleet Air Jacksonville, NAS Jacksonville, Fla.

R-2908 Pensacola, Fla.

Boundaries. Bounded on the N by the Alabama-Florida shoreline; on the E by a line extending from Lat. 30°15'00" N, Long. 87°41'00" W to Lat. 30°11'20" N, Long. 87°44'15" W; on the S by a line 3 nautical miles from and parallel to the Alabama-Florida shoreline; and on the W by Long. 88°01'30" W.
Designated altitudes. Surface to 12,000 feet MSL.
Time of designation. Sunrise to sunset.
Controlling agency: FAA, Pensacola RATCF.
Using agency. Chief, Naval Air Basic Training, Pensacola, Fla.

R-2910 Pinecastle, Fla.

Boundaries: A circle withi a 5-nautical mile radius centered at latitude 29°06'52" N., longitude 81°42'55" W.; with a northwest extension to the circle beginning at latitude 29°07'55" N., longitude 81°48'20" W.; to latitude 29°10'00" N., longitude 81°50'35" W.; to latitude 29°14'00" N., longitude 81°48'50" W.; to latitude 29°11'50" N., longitude 81°43'00" W.; and with a southeast extension to the circle beginning at latitude 29°10'05" N., longitude 81°38'50" W.; to latitude 28°57'55" N., longitude 81°28'25" W.; to latitude 28°53'50" N., longitude 81°33'45" W.; to latitude 29°03'05" N., longitude 81°47'00" W.
Designated altitudes: Surface to FL 230 within the 5-nautical mile radius. Surface to 9,000 feet MSL within the northwest extension. Surface to 9,000 feet MSL within the southeast extension from the circle to a line from latitude 29°04'25" N., longitude 81°33'55" W.; to latitude 28°58'50" N., longitude 81°40'30" W. Surface to 6,000 feet MSL within that portion of the southeast extension that lies southeast of a line from latitude 29°04'25" N., longitude 81°33'55" W.; to latitude 28°58'50" N., longitude 81°40'30" W.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Jacksonville ARTC Center.
Using agency: Commander, Fleet Air Jacksonville, NAS Jacksonville, Fla.

R-2914A Valparaiso, Fla.
Boundaries: Beginning at lat. 30°43'15" N., long. 86°25'00" W.; to lat. 30°43'45" N., long. 86°10'30" W.; to lat. 30°41'00" N., long. 86°05'10" W.; to lat. 30°24'00" N., long. 85°56'00" W.; to lat. 30°19'15" N., long. 85°56'00" W.; to lat. 30°22'00" N., long. 86°08'00" W.; to lat. 30°23'20" N., long. 86°08'10" W.; to lat. 30°30'45" N., long. 86°25'00" W.; thence to point of beginning.
Designated altitudes: Surface to unlimited, excluding that airspace within R-2917.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Jacksonville ARTC Center.
Using agency: Commander, Armament Development and Test Center (ADTC), Eglin AFB, Fla.

R-2914B Valparaiso, Fla.
Boundaries: Beginning at lat. 30°22'00" N., long. 86°08'00" W.; to lat. 30°19'15" N., long. 85°56'00" W.; to lat. 30°11'00" N., long. 85°56'00" W.; thence 3 nautical miles from and parallel to the shoreline to lat. 30°15'00" N., long. 86°06'51" W.; to point of beginning.
Designated altitudes: 8,500 feet MSL to unlimited.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Jacksonville ARTC Center.
Using agency: Commander, Armament Development and Test Center (ADTC), Eglin AFB, Fla.

AMENDMENTS 10/9/75 40 F. R. 37030 (Rewritten)

R-2915A Eglin AFB, Fla.
Boundaries. Beginning at latitude 30°33'40" N., longitude 86°55'00" W.; to latitude 30°38'45" N., longitude 86°55'00" W.; thence along the L and N Railroad to latitude 30°42'45" N., longitude 86°45'45" W.; to latitude 30°42'50" N., longitude 86°38'02" W.; to latitude 30°29'01" N., longitude 86°38'02" W.; to latitude 30°26'30" N., longitude 86°51'30" W.; thence along the Navarre-Milton Highway to point of beginning.
Designated altitudes. Surface to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Jacksonville ARTC Center.
Using agency. Commander, Armament Development and Test Center (ADTC), Eglin AFB, Fla.

AMENDMENTS 10/9/75 40 F. R. 37030 (Changed)

R-2915B Eglin AFB, Fla.
Boundaries. Beginning at lat. 30°26'30" N., long. 86°51'30" W.; to lat. 30°29'01" N., long. 86°38'02" W.; to lat. 30°23'45" N., long. 86°38'15" W.; thence along the shoreline to lat. 30°23'00" N., long. 86°51'30" W.; to lat. 30°24'20" N., long. 86°48'00" W.; to point of beginning.
Designated altitudes. Surface to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Jacksonville ARTC Center.
Using agency. Commander, Armament Development and Test Center (ADTC), Eglin AFB, Fla.

R-2915C Eglin AFB, Fla.
Boundaries. Beginning at lat. 30°23'00" N., long. 86°51'30" W.; thence along the shoreline to lat. 30°23'45" N., long. 86°38'15" W.; to lat. 30°20'50" N., long. 86°38'50" W.; thence 3 nautical miles from and parallel to the shoreline to lat. 30°19'30" N., long. 86°51'30" W.; to point of beginning.
Designated altitudes. 8,500 feet MSL to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Jacksonville ARTC Center.
Using agency. Commander, Armament Development and Test Center (ADTC) Eglin AFB, Fla.

AMENDMENTS 10/9/75 40 F. R. 37030 (Rewritten)

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R-2918 Cudjoe Key, Fla.

Boundaries. A circular area 4 statute miles in diameter centered at latitude 24°42'01" N., longitude 81° 30'30" W.
Designated altitudes. Surface to 14,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Miami ARTC Center.
Using agency. USAF, 20th Air Division.

R-2917 DeFuniak Springs, Fla.
Boundaries: A circle with a 1½-mile radius centered at latitude 30°34'19" N., longitude 86°12'56" W.
Designated altitude: Surface to 5,000 feet MSL.
Time of designation: Continuous.
Using agency. Commander, Armament Development and Test Center (DTC), Eglin AFB, Fla.

R-2918 Valparaiso, Fla.

Boundaries: Beginning at latitude 30°43'10" N., longitude 86°27'37" W., to latitude 30°43'15" N., longitude 86°25'00" W., to latitude 30°33'00" N., longitude 86°25'00" W., to latitude 30°33'00" N., longitude 86°25'30" W., to latitude 30°37'00" N., longitude 86°25'30" W., to latitude 30°37'00" N., longitude 86°27'37" W., to point of beginning.
Designated altitudes: Surface to unlimited.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Jacksonville ARTC Center.
Using agency: Commander, Armament Development and Test Center, Eglin AFB, Fla.

AMENDMENTS 10/9/75 40 F. R. 37030 (Changed)

R-2919A Valparaiso, Fla.
Boundaries. Beginning at lat. 30°30'45" N., long. 86°25'00" W.; to lat. 30°23'20" N., long. 86°08'10" W.; to lat. 30°22'00" N., long. 86°08'00" W.; to lat. 30°25'00" N., long. 86°22'26" W.; to lat. 30°25'00" N., long. 86° 25'00" W.; to point of beginning.
Designated altitudes. Surface to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Jacksonville ARTC Center.
Using agency. Commander, Armament Development and Test Center (ADTC), Eglin AFB, Fla.

R-2919B Valparaiso, Fla.
Boundaries. Beginning at lat. 30°25'00" N., long. 86°22'26" W.; to lat. 30°22'00" N., long. 86°08'00" W.; to lat. 30°15'00" N., long. 86°06'15" W.; thence 3 nautical miles from and parallel to the shoreline to lat. 30°19' 45" N., long. 86°23'45" W.; to point of beginning.
Designated altitudes. 8,500 feet MSL to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Jacksonville ARTC Center.
Using agency. Commander, Armament Development and Test Center (ADTC), Eglin AFB, Fla.

AMENDMENTS 10/9/75 40 F. R. 37030 (Rewritten)

§ 73.30 Georgia

R-3002A Fort Benning, Ga.
Boundaries. Beginning at lat. 32°31'46" N., long. 84°51'13" W.; to lat. 32°18'55" N., long. 84°41'45" W.; thence along the Central of Georgia Railroad to lat. 32°20'54" N., long. 84°47'20" W.; to lat. 32°15'25" N., long. 84°47'20" W.; to lat. 32°15'25" N., long. 84°53'10" W.; thence along the Chattahoochee River to lat. 32°14'40" N., long. 84°55'30" W.; to lat. 32°14'40" N., long. 84°58'42" W.; to lat. 32°20'15" N., long. 84°58' 42" W.; thence along the north side of Dixie Road to lat. 32°21'10" N., long. 84°56'45" W.; to lat. 32°22'30" N., long. 84°56'45" W.; thence along Upatoi Creek to lat. 32°24'00" N., long. 84°53'30" W.; to lat. 32°29'17" N., long. 84°52'32" W.; to lat. 32°29'17" N., long. 84°51'35" W.; to lat. 32°30'19" N., long. 84°51'35" W.; to lat. 32°30'19" N., long. 84°52'21" W.; to lat. 32°30'50" N., long. 84°52'15" W.; thence along the Central of Georgia Railroad to point of beginning.
Designated altitudes. Surface to 4,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, ATC Tower, Columbus, Ga.
Using agency. Commanding Officer, Fort Benning, Ga.

R-3002B Fort Benning, Ga.
Boundaries. Beginning at lat. 32°31'46" N., long. 84°51'13" W.; to lat. 32°18'55" N., long. 84°41'45" W.; thence along the Central of Georgia Railroad to lat. 32°20'54" N., long. 84°47'20" W.; to lat. 32°15'25" N., long. 84°47'20" W.; to lat. 32°15'25" N., long. 84°53'10" W.; thence along the Chattahoochee River to lat. 32°14'40" N., long. 84°55'30" W.; to lat. 32°14'40" N., long. 84°58'42" W.; to lat, 32°20'15" N., long. 84°58' 42" W.; thence along the north side of Dixie Road to lat. 32°21'10" N., long. 84°56'45" W.; to lat. 32°22'30" N., long. 84°56'45" W.; thence along Upatoi Creek to lat. 32°24'00" N., long. 84°53'30" W.; to lat. 32°29'17" N., long. 84°52'32" W.; to lat. 32°29'17" N., long. 84°51'35" W.; to lat. 32°30'19" N., long. 84°51'35" W.; to lat. 32°30'19" N., long. 84°52'21" W.; to lat. 32°30'50" N., long. 84°52'15" W.; thence along the Central of Georgia Railroad to point of beginning.
Designated altitudes. 4,000 feet MSL to 8,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, ATC Tower, Columbus, Ga.
Using agency. Commanding Officer, Fort Benning, Ga.

R-3002C Fort Benning, Ga.
Boundaries. Beginning at lat. 32°31'46" N., long. 84°51'13" W.; to lat. 32°18'55" N., long. 84°41'45" W.; thence along the Central of Georgia Railroad to lat. 32°20'54" N., long. 84°47'20" W.; to lat. 32°15'25" N., long. 84°47'20" W.; to lat. 32°15'25" N., long. 84°53'10" W.; thence along the Chattahoochee River to lat. 32°14'40" N., long. 84°55'30" W.; to lat. 32°14'40" N., long. 84°58'42" W.; to lat. 32°20'15" N., long. 84°58' 42" W.; thence along the north side of Dixie Road to lat. 32°21'10" N., long. 84°56'45" W.; to lat. 32°22'30" N., long. 84°56'45" W.; thence along Upatoi Creek to lat. 32°24'00" N., long. 84°53'30" W.; to lat. 32°29'17" N., long. 84°52'32" W.; to lat. 32°29'17" N., long. 84°51'35" W.; to lat. 32°30'19" N., long. 84°51'35" W.; to lat. 32°30'19" N., long. 84°52'21" W.; to lat. 32°30'50" N., long. 84°52'15" W.; thence along the Central of Georgia Railroad to point of beginning.
Designated altitudes. 8,000 feet MSL to 14,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, ATC Tower, Columbus, Ga.
Using agency. Commanding Officer, Fort Benning, Ga.

R-3002D Fort Benning, Ga.
Boundaries. Beginning at lat. 32°31'46" N., long. 84°51'13" W.; thence along the Central of Georgia Railroad to lat. 32°32'10" N., long. 84°40'40" W.; to lat. 32°31'20" N., long. 84°40'20" W.; thence along Upatoi Creek to lat. 32°31'46" N., long. 84°39'25" W.; to lat. 32°18'30" N., long. 84°39'25" W.; to lat. 32°18'55" N., long. long. 84°41'45" W.; thence northwest to point of beginning.
Designated altitudes. Surface to 8,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, ATC Tower, Columbus, Ga.
Using agency. Commanding Officer, Fort Benning, Ga.

R-3002E Fort Benning, Ga.
Boundaries. Beginning at lat. 32°31'46" N., long. 84°51'13" W.; thence along the Central of Georgia Railroad to lat. 32°32'10" N., long. 84°40'40" W.; to lat. 32°31'20" N., long. 84°40'20" W.; thence along Upatoi Creek to lat. 32°31'46" N., long. 84°39'25" W.; to lat. 32°18'30" N., long. 84°39'25" W.; to lat. 32°18'55" N., long. 84°41'45" W.; thence northwest to point of beginning.
Designated altitudes. 8,000 feet MSL to 14,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, ATC Tower, Columbus, Ga.
Using agency. Commanding Officer, Fort Benning, Ga.

AMENDMENTS 6/23/75 40 F. R. 26260 (Rewritten) Corr: 40 F. R. 27227

R-3002F Fort Benning, Ga.
Boundaries. Beginning at lat. 32°31'46" N., long. 84°51'13" W.; thence along the Central of Georgia Railroad to lat. 32°32'10" N., long. 84°40'40" W.; to lat. 32°31'20" N., long. 84°40'20" W.; thence along Upatoi Creek to lat. 32°31'46" N., long. 84°39'25" W.; to lat. 32°18'30" N., long. 84°39'25" W.; to lat. 32°18'55" N., long. 84°41'45" W.; thence northwest to point of beginning.
Designated altitudes. 14,000 feet MSL to FL 250.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Atlanta ARTC Center.
Using agency. Commanding Officer, Fort Benning, Ga.

AMENDMENTS 12/4/75 40 F. R. 39495 (Added)

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R-3003 Fort Gordon, Ga.
Boundaries. Beginning at latitude 33°23'35" N., longitude 82°08'30" W.; to latitude 33°22'15" N., longitude 82°08'18" W.; to latitude 33°21'35" N., longitude 82°09'10" W.; to latitude 33°22'15" N., longitude 82°17'00" W.; to latitude 33°25'00" N., longitude 82°12'00" W.; to point of beginning.
Designated altitude. Surface to 4,000 feet MSL.
Time of designation. 0730 to 1700 local time, Monday through Sunday and at other times when published by NOTAM 24 hours in advance.
Controlling agency. Federal Aviation Administration, Augusta, Ga., ATC Tower.
Using agency. Commanding Officer, Fort Gordon, Ga.

R-3004 Fort Gordon, Ga.

Boundaries. Beginning at latitude 33°21'53" N., longitude 82°12'15" W.; to latitude 33°10'43" N., longitude 82°12'15" W.; to latitude 33°16'20" N., longitude 82°18'00" W.; to latitude 33°17'29" N., longitude 82°23'00" W.; to latitude 33°21'15" N., longitude 82°18'47" W.; to latitude 33°22'15" N., longitude 82°17'00" W.; to point of beginning.
Designated altitudes. Surface to 17,000 feet MSL.
Time of designation. As published by NOTAM 24 hours in advance.
Controlling agency. Federal Aviation Administration, Jacksonville ARTC Center.
Using agency. Commanding Officer, Fort Gordon, Ga.

AMENDMENTS 2/19/75 40 F. R. 7082 (Changed)

R-3006A Fort Stewart, Ga.
Boundaries. Beginning at latitude 32°04'40" N., longitude 81°50'00" W.; to latitude 32°07'00" N., longitude 81°43'30" W.; to latitude 32°06'15" N., longitude 81°31'30" W.; to latitude 32°05'30" N., longitude 81°31'30" W.; to latitude 32°05'15" N., longitude 81°30'00" W.; to latitude 31°56'30" N., longitude 81°30'00" W.; thence along the arc of a 5-mile circle centered at latitude 31°53'20" N., longitude 81°33'45" W.; to latitude 31°56'48" N., longitude 81°30'42" W.; thence SW along Georgia Highway 144 to latitude 31°53'11" N., longitude 81°37'51" W.; to latitude 31°51'45" N., longitude 81°38'08" W.; to latitude 31°55'30" N., longitude 81°53'00" W.; to latitude 31°57'00" N., longitude 81°53'15" W.; to latitude 31°59'45" N., longitude 81°51'06" W., to the point of beginning.
Designated altitudes. Surface to 29,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Jacksonville ARTC Center.
Using agency. Commanding Officer, Fort Stewart, Ga.

R-3006B Fort Stewart, Ga.

Boundaries. Beginning at latitude 32°05'15" N., longitude 81°30'00" W.; to latitude 32°04'15" N., longitude 81°22'30" W.; thence along the Ogeechee River to latitude 32°00'30" N., longitude 81°19'30" W.; to latitude 31°58'45" N., longitude 81°19'45" W.; to latitude 31°56'15" N., longitude 81°23'00" W.; to latitude 31°54'03" N., longitude 81°28'45" W.; thence along the arc of a 5-statute-mile-radius circle centered at latitude 31°53'20" N., longitude 81°33'45" W.; to latitude 31°56'30" N., longitude 81°30'00" W., to the point of beginning.
Designated altitudes. Surface to 29,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Jacksonville ARTC Center.
Using agency. Commanding Officer, Fort Stewart, Ga.

R-3006C Fort Stewart, Ga.
Boundaries. Beginning at latitude 31°54'03" N., longitude 81°28'45" W.; to latitude 31°51'20" N., longitude 81°36'00" W.; to latitude 31°51'45" N., longitude 81°38'08" W.; to latitude 31°53'11" N., longitude 81°37'51" W.; thence NE along Georgia Highway 144 to latitude 31°56'48" N., longitude 81°30'42" W.; thence along the arc of a 5-mile radius circle centered at latitude 31°53'20" N., longitude 81°33'45" W., to the point of beginning.
Designated altitudes. Surface to 3,500 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Jacksonville ARTC Center.
Using agency. Commanding Officer, Fort Stewart, Ga.

§ 73.31 Hawaii

R-3101 PMRFAC FOUR, Hawaii

SUBAREA A
Boundaries: Beginning at latitude 22°13'00" N., longitude 159°42'00" W.; thence to latitude 22°09'45" N., longitude 159°42'00" W.; thence counterclockwise along the shoreline of Kauai to latitude 22°04'36" N., longitude 159°46'20" W.; thence to latitude 22°04'25" N., longitude 159°46'06" W.; thence to latitude 22°03'55" N., longitude 159°46'29" W.; thence to latitude 22°01'45" N., longitude 159°46'53" W.; thence to latitude 22°01'07" N., longitude 159°46'20" W.; thence to latitude 22°00'55" N., longitude 159°45'53" W.; thence to latitude 21°59'52" N., longitude 159°45'14" W.; thence to latitude 21°59'35" N., longitude 159°45'55" W.; thence counterclockwise along the shoreline of Kauai to latitude 21°58'25" N., longitude 159°43'35" W.; thence to latitude 21°58'30" N., longitude 159°48'55" W.; thence clockwise along a line 3 nautical miles from the shoreline of Kauai to the point of beginning.
Designated altitudes: Surface to 5,000 feet MSL.
Time of designation: Continuous.
Controlling agency: FAA, Lihue Combined Station/Tower
Using agency: Commanding Officer, Pacific Missile Range Facility, Hawaii (COPMRFAC HAWAII).

SUBAREA B
Boundaries: Beginning at latitude 22°13'00" N., longitude 159°42'00" W.; thence to latitude 22°09'45" N., longitude 159°42'00" W.; thence counterclockwise along the shoreline of Kauai to latitude 22°04'36" N., longitude 159°46'20" W.; thence to latitude 22°04'25" N., longitude 159°46'06" W.; thence to latitude 22°03'55" N., longitude 159°46'29" W.; thence to latitude 22°01'45" N., longitude 159°46'53" W.; thence to latitude 22°01'07" N., longitude 159°46'20" W.; thence to latitude 22°00'55" N., longitude 159°45'53" W.; thence to latitude 21°59'52" N., longitude 159°45'14" W.; thence to latitude 21°59'35" N., longitude 159°45'55" W.; thence counterclockwise along the shoreline of Kauai to latitude 21°58'25" N., longitude 159°43'35" W.; thence to latitude 21°58'30" N., longitude 159°48'55" W.; thence clockwise along a line 3 nautical miles from the shoreline of Kauai to the point of beginning.
Designated altitudes: 5,000 feet MSL to unlimited.
Time of designation: Continuous.
Controlling agency: FAA, Honolulu ARTC Center.
Using agency: Commanding Officer, Pacific Missile Range Facility, Hawaii (COPMRFAC HAWAII).

R-3103 Hunuula, Hawaii
Boundaries. Beginning at latitude 19°48'25" N., longitude 155°37'30" W.; thence to latitude 19°43'30" N., longitude 155°29'20" W.; thence to latitude 19°35'00" N., longitude 155°34'30" W.; thence to latitude 19°35'00" N., longitude 155°40'25" W.; thence to latitude 19°40'15" N., longitude 155°43'45" W.; thence to latitude 19°46'40" N., longitude 155°42'20" W.; to the point of beginning.
Designated altitudes. Surface to 30,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Hilo Combined Station/Tower.
Using agency. Commanding General, U. S. Army, Hawaii, Schofield Barracks, Hawaii.

R-3104A Island of Kahoolawe, Hawaii

Boundaries. Beginning at latitude 20°34'20" N., longitude 156°40'30" W.; thence clockwise 1 mile from and parallel to the shoreline to latitude 20°37'00" N., longitude 156°35'15" W.; to latitude 20°35'20" N., longitude 156°31'45" W.; thence clockwise 1 mile from and parallel to the shoreline to latitude 20°30'20" N., longitude 156°31'45" W.; to latitude 20°30'00" N., longitude 156°31'00" W.; to latitude 20°28'30" N., longitude 156°30'45" W.; thence clockwise 3 nautical miles from and parallel to the shoreline to latitude 20°35'25" N., longitude 156°43'00" W.; to the point of beginning.
Designated altitudes: Surface to 10,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Honolulu ARTC Center.
Using agency: Commander, Fleet Training Group Pearl Harbor (COMFLETRAGRU PEARL).

R-3104B Island of Kahoolawe, Hawaii
Boundaries: Beginning at latitude 20°34'20" N., longitude 156°40'30" W.; thence clockwise 1 mile from and parallel to the shoreline to latitude 20°37'00" N., longitude 156°35'15" W.; to latitude 20°35'20" N., longitude 156°31'45" W.; thence clockwise 1 mile from and parallel to the shoreline to latitude 20°30'20" N., longitude 156°31'45" W.; to latitude 20°30'00" N., longitude 156°31'00" W.; to latitude 20°28'30" N., longitude 156°30'45" W.; thence clockwise 3 nautical miles from and parallel to the shoreline to latitude 20°35'25" N., longitude 156°43'00" W.; to the point of beginning.
Designated altitudes: 10,000 feet MSL to FL 180.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Honolulu ARTC Center.
Using agency: Commander, Fleet Training Group Pearl Harbor (COMFLETRAGRU PEARL).

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R-3104C Island of Kahoolawe, Hawaii
Boundaries: Beginning at latitude 20°34'20" N., longitude 156°40'30" W.; thence clockwise 1 mile from and parallel to the shoreline to latitude 20°37'00" N., longitude 156°35'15" W.; to latitude 20°35'20" N., longitude 156°31'45" W.; thence clockwise 1 mile from and parallel to the shoreline to latitude 20°30'20" N., longitude 156°31'45" W.; to latitude 20°30'00" N., longitude 156°31'00" W.; to latitude 20°28'30" N., longitude 156°30'45" W.; thence clockwise 3 nautical miles from and parallel to the shoreline to latitude 20°35'25" N., longitude 156°43'00" W.; to the point of beginning.
Designated altitudes: FL 180 to unlimited.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Honolulu ARTC Center.
Using agency: Commander, Fleet Training Group Pearl Harbor (COMFLETRAGRU PEARL).

R-3107A Kaula Rock, Hawaii

Boundaries. A circular area with a 3-nautical mile radius centered at Lat. 21°39'30" N, Long. 160°32'30" W.
Designated altitudes: Surface to FL 180
Time of designation. Continuous.
Controlling agency: Federal Aviation Administration, Honolulu ARTC Center.
Using agency: Commander, Fleet Training Group Pearl Harbor (COMFLETRAGRU PEARL).

R-3107B Kaula Rock, Hawaii

Boundaries: A circular area with a 3-nautical-mile radius centered at latitude 21°39'30" N., longitude 160°32'30" W.
Designated altitudes: FL 180 to FL 300
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Honolulu ARTC Center.
Using agency: Commander, Fleet Training Group Pearl Harbor (COMFLETRAGRU PEARL).

R-3108A Schofield-Makua, Oahu, Hawaii
Beginning at latitude 21°30'29" N., longitude 158°04'09" W.; to latitude 21°29'25" N., longitude 158°05'00" W.; to latitude 21°27'28" N., longitude 158°05'55" W.; to latitude 21°29'11" N., longitude 158°07'35" W.; to latitude 21°29'30" N., longitude 158°08'40" W.; to latitude 21°33'15" N., longitude 158°08'40" W.; to latitude 21°32'14" N., longitude 158°05'12" W.; to point of beginning.
Designated altitudes: The area southeast of a line between latitude 21°28'35" N., longitude 158°07'00" W.; and latitude 21°29'25" N., longitude 158°05'00" W.; surface to 8,000 feet MSL. The area northwest of this line, surface to 19,000 feet MSL.
Time of designation: Continuous.
Controlling agency: FAA, Honolulu Flight Service Station.
Using agency: U. S. Army, Hawaii, Schofield Barracks, Hawaii.

R-3108B Schofield-Makua, Oahu, Hawaii
Beginning at latitude 21°29'30" N., longitude 158°08'40" W.; to latitude 21°31'00" N., longitude 158°14'00" W.; to latitude 21°32'30" N., longitude 158°14'30" W.; to latitude 21°33'15" N., longitude 158°15'15" W.; to latitude 21°34'30" N., longitude 158°15'15" W.; to latitude 21°34'30" N., longitude 158°13'15" W.; to latitude 21°33'15" N., longitude 158°08'40" W.; to point of beginning.
Designated altitudes: Surface to 19,000 feet MSL.
Time of designation: Continuous.
Controlling agency: FAA, Honolulu Flight Service Station.
Using agency: U. S. Army, Hawaii, Schofield Barracks, Hawaii.

R-3120 PMRFAC Five, Hawaii
Boundaries: Beginning at latitude 21°58'30" N., longitude 159°48'55" W., thence to latitude 21°58'25" N., longitude 159°43'35" W., thence southeasterly along the shoreline of the Island of Kauai to latitude 21°57'45" N., longitude 159°42'00" W., thence to latitude 21°54'45" N., longitude 159°42'00" W., thence clockwise along a line 3 nautical miles from and parallel to the shoreline of the Island of Kauai to the point of beginning.
Designated altitudes: Surface to 5,000 feet MSL.
Time of designation: Continuous.
Controlling agency: FAA, Lihue Combined Station/Tower
Using agency: Commanding Officer, Pacific Missile Range Facility Hawaii (COPMRFAC HAWAII).

§ 73.32 Idaho

R-3201 Arco, Idaho.

Boundaries. Beginning at Lat. 43°59'20" N, Long. 112°43'50" W; to Lat. 43°50'20" N, Long. 112° 30'00" W; to Lat. 43°32'00" N, Long. 112°35'00" W; to Lat. 43°27'00" N, Long. 113°03'00" W; to Lat. 43°34'30" N, Long. 113°11'50" W; to Lat. 43°48'40" N, Long. 112°49'40" W; to the point of beginning.
Designated altitudes. Surface to 10,000 feet MSL.
Time of designation. Continuous.
Using agency. Manager, Atomic Energy Commission, Idaho Falls, Idaho.

R-3202 Saylor Creek, Idaho

SUBAREA A
Boundaries. Beginning at latitude 42°53'00" N., longitude 115°42'20" W.; to latitude 42°53'00" N., longitude 115°24'15" W.; to latitude 42°36'00" N., longitude 115°24'15" W.; to latitude 42°36'00" N., longitude 115°42'20" W.; to point of beginning.
Designated altitudes. Surface to flight level 180.
Time of designation. Sunrise to 8 hours after sunset, Monday through Friday.
Controlling agency. FAA, Salt Lake City ARTC Center.
Using agency. Commander, 366th Tactical Fighter Wing, Mountain Home AFB, Idaho.

SUBAREA B
Boundaries. Beginning at latitude 42°36'00" N., longitude 115°37'00" W.; to latitude 42°36'00" N., longitude 115°30'00" W.; to latitude 42°33'00" N., longitude 115°30'00" W.; to latitude 42°33'00" N., longitude 115°37'00" W.; to point of beginning.
Designated altitudes. Surface to 14,000 feet MSL.
Time of designation. Sunrise to 8 hours after sunset, Monday through Friday.
Controlling agency. FAA, Salt Lake City ARTC Center.
Using agency. Commander, 366th Tactical Fighter Wing, Mountain Home AFB, Idaho.

SUBAREA C
Boundaries. Beginning at latitude 42°33'00" N., longitude 115°37'00" W.; to latitude 42°33'00" N., longitude 115°30'00" W.; to latitude 42°07'00" N., longitude 115°30'00" W.; to latitude 42°07'00" N., longitude 115°37'00" W.; to point of beginning.
Designated altitudes. Surface to 11,000 feet MSL.
Time of designation. Sunrise to 8 hours after sunset, Monday through Friday.
Controlling agency. FAA, Salt Lake City ARTC Center.
Using agency. Commander, 366th Tactical Fighter Wing, Mountain Home AFB, Idaho.

AMENDMENTS 6/19/75 40 F. R. 18978 (Changed)

§ 73.33 Illinois

R-3302 Savanna, Ill.

Boundaries. A circular area with a 1,500-foot radius centered on latitude 42°13'59" N., longitude 90°21'43" W.
Designated altitudes. Surface to 2,300 feet MSL.
Time of designation. 0800 to 2200 c.s.t.
Using agency. Commanding Officer, Ordnance Depot, Savanna, Ill.

§ 73.34 Indiana

R-3401A Atterbury Reserve Forces Training Area, Ind.

Boundaries. Beginning at Lat. 39°21'30" N, Long. 86°06'00" W; to Lat. 39°21'30" N, Long. 85°59'30" W; to Lat. 39°13'00" N, Long. 85°59'30" W; to Lat. 39°13'00" N, Long. 86°06'00" W; to the point of beginning.
Designated altitudes. Surface to 40,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Indianapolis ARTC Center.
Using agency. Adjutant General, State of Indiana, Indianapolis, IN.

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R-3401B Atterbury Reserve Forces Training Area, Ind.

Boundaries. Beginning at lat. 39°22'00" N., long. 86°06'40" W.; to lat. 39°22'00" N., long. 85°59'30" W.; to lat. 39°21'30" N., long. 85°59'30" W.; to lat. 39°21'30" N., long. 86°06'00" W.; to lat. 39°13'00" N., long. 86°06'00" W.; to lat. 39°13'00" N., long. 85°59'30" W.; to lat. 39°12'30" N., long. 85°59'30" W.; to lat. 39°12'30" N., long. 86°09'50" W.; to lat. 39°19'00" N., long. 86°11'20" W.; to point of beginning.
Designated altitude. 1200 feet AGL to and including 14,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Indianapolis ARTC Center.
Using agency. Adjutant General, State of Indiana, Indianapolis, Ind.

R-3403 Jefferson Proving Ground, Ind.

Boundaries. Beginning at latitude 39°02'57" N., longitude 85°27'42" W.; to latitude 39°02'00" N., longitude 85°22'00" W.; to latitude 38°56'06" N., longitude 85°22'00" W.; to latitude 38°50'35" N., longitude 85°22'50" W.; to latitude 38°50'00" N., longitude 85°24'00" W.; to latitude 38°50'00" N., longitude 85°27'42" W.; to the point of beginning.
Designated altitudes. Surface to 43,000 feet MSL.
Time of designation. Daily, 0800 to 2300 local time.
Controlling agency. Federal Aviation Administration, Indianapolis ARTC Center.
Using agency. Commanding Officer, Jefferson Proving Ground, Madison, Ind.

R-3404 Crane, IN.

Boundaries. A circular area 1 nautical mile in diameter, centered on latitude 38°49'18" N., longitude 86°50'03" W.
Designated altitudes. Surface to 1,800 feet MSL.
Time of designation. Sunrise to Sunset.
Controlling agency. Federal Aviation Administration, Terre Haute Flight Service Station.
Using agency. Commanding Officer, Naval Ammunition Depot, Crane, IN.

§ 73.35 Iowa

§ 73.36 Kansas

R-3601A Brookville, Kans.
Boundaries. Beginning at latitude 38°45'20" N., longitude 97°46'00" W.; to latitude 38°39'45" N., longitude 97°46'00" W.; along the Missouri Pacific Railroad to latitude 38°38'20" N., longitude 97°47'30" W.; to latitude 38°38'20" N., longitude 97°56'00" W.; to latitude 38°45'20" N., longitude 97°56'00" W.; to point of beginning.
Designated altitudes. Surface to FL 180.
Time of designation. Sunrise to 2400 hours c.s.t., Tuesday through Saturday; sunrise to sunset Sunday.
Controlling agency. Federal Aviation Administration, Kansas City ARTC Center.
Using agency. Commander, Kansas ANG, McConnell AFB, Kans.

R-3601B Brookville, Kans.
Boundaries. Beginning at latitude 38°38'20" N., longitude 97°50'00" W.; to latitude 38°35'00" N., longitude 97°50'00" W.; to latitude 38°35'00" N., longitude 97°56'00" W.; to latitude 38°38'20" N., longitude 97°56'00" W.; to point of beginning.
Designated altitudes. Surface to 6,500 feet MSL.
Time of designation. Sunrise to 2400 hours c.s.t., Tuesday through Saturday; sunrise to sunset Sunday.
Controlling agency. Federal Aviation Administration, Kansas City ARTC Center.
Using agency. Commander, Kansas ANG, McConnell AFB, Kans.

R-3602 Manhattan, Kans.
Subarea A
Boundaries: Beginning at latitude 39°17'45" N., longitude 96°49'50" W.; thence along the southern edge of the Chicago, Rock Island and Pacific Railroad right-of-way to latitude 39°18'33" N., longitude 96°57'39" W.; thence south to the shoreline of the main body of Milford Reservoir at latitude 39°12'27" N., longitude 96°57'39" W.; thence along the shoreline of the main body of Milford Reservoir to latitude 39°10'58" N., longitude 96°55'00" W.; to latitude 39°10'58" N., longitude 96°53'13" W.; to latitude 39°08'22" N., longitude 96°53'13" W.; to latitude 39°08'22" N., longitude 96°49'52" W.; thence north along U. S. Highway No. 77 to the point of beginning.
Designated altitudes: Surface to 29,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Kansas City ARTC Center.
Using agency: Commanding General, Fort Riley, Kans.

Subarea B
Boundaries: Beginning at latitude 39°17'45" N., longitude 96°49'50" W.; thence south along U. S. Highway No. 77 to latitude 39°07'54" N., longitude 96°49'52" W.; to latitude 39°04'24" N., longitude 96°52'22" W.; to latitude 39°04'24" N., longitude 96°51'15" W.; thence clockwise along the arc of a 4 nautical mile radius circle centered on the Marshall Army Air Field RBN at latitude 39°01'34" N., longitude 96°47'40" W.; to latitude 39°05'17" N., longitude 96°45'40" W.; to latitude 39°08'20" N., longitude 96°43'00" W.; to latitude 39°09'23" N., longitude 96°43'00" W.; to latitude 39°10'43" N., longitude 96°40'55" W.; to latitude 39°12'17" N., longitude 96°40'55" W.; to latitude 39°13'00" N., longitude 96°42'35" W.; to latitude 39°13'16" N., longitude 96°42'35" W.; thence along the southerly edge of the Chicago, Rock Island and Pacific Railroad right-of-way to the point of beginning.
Designated altitudes: Surface to 29,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Kansas City ARTC Center.
Using agency: Commanding General, Fort Riley, Kans.

§ 73.37 Kentucky

R-3702 Fort Campbell, Ky.

Boundaries. Beginning at latitude 36°43'30" N., longitude 87°48'15" W.; to latitude 36°37'30" N., longitude 87°48'15" W.; to latitude 36°38'30" N., longitude 87°45'00" W.; to latitude 36°33'30" N., longitude 87°42'30" W.; to latitude 36°32'00" N., longitude 87°35'00" W.; to latitude 36°32'00" N., longitude 87°32'30" W.; to latitude 36°39'00" N., longitude 87°32'30" W.; to latitude 36°39'00" N., longitude 87°40'00" W.; to latitude 36°42'00" N., longitude 87°40'30" W.; to latitude 36°43'30" N., longitude 87°43'00" W.; to the point of beginning.
Designated altitudes. Surface to 27,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Commanding General, Fort Campbell, Ky.

R-3703 Fort Campbell, Ky.

Boundaries. Beginning at latitude 36°39'00" N., longitude 87°32'30" W.; to latitude 36°39'15" N., longitude 87°30'12" W.; to latitude 36°39'30" N., longitude 87°29'45" W.; to latitude 36°39'30" N., longitude 87°28'33" W.; to latitude 36°37'12" N., longitude 87°28'33" W.; to latitude 36°37'12" N., longitude 87°29'50" W.; to latitude 36°34'00" N., longitude 87°29'50" W.; to latitude 36°32'00" N., longitude 87°32'30" W.; to the point of beginning.
Designated altitudes. Surface to 18,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Commanding General, Fort Campbell, Ky.

R-3704 Fort Knox, Ky.

Boundaries. Beginning at Lat. 37°59'00" N, Long. 86°45'00" W; to Lat. 37°47'30" N, Long. 86°45'00" W; to Lat. 37°47'30" N, Long. 86°56'30" W; along U. S. Highway 31-W to Lat. 37°50'45" N, Long. 86°57'00" W; along Wilson Road to Lat. 37°56'17" N, Long. 86°56'46" W; to Lat. 37°56'17" N, Long. 86°57'16" W; to Lat. 37°56'04" N, Long. 86°57'33" W; to Lat. 37°56'23" N, Long. 86°57'00" W; along Wilson Road to Lat. 37°56'00" N, Long. 86°57'45" W; along the Illinois Central Railroad to Lat. 37°59'00" N, Long. 86°57'00" W; to Lat. 38°01'00" N, Long. 86°54'30" W; along Kentucky Route 44 to Lat. 38°00'30" N, Long. 86°52'00" W; to Lat. 37°59'00" N, Long. 86°52'00" W; to the point of beginning.
Designated altitudes: Subarea A surface to and including 10,000 feet MSL.
Subarea B from 10,000 feet MSL to 20,000 feet MSL.
Time of designation: Subarea A 0600 to 2400 e.s.t.; other times by NOTAM 24 hours in advance.
Subarea B by NOTAM 24 hours in advance.
Controlling agency. Federal Aviation Administration, Standiford Control Tower, Louisville, Ky.
Using agency. Commanding General, U. S. Army Armor Center, Fort Knox, Ky.

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§ 73.38 Louisiana

R-3801A Camp Claiborne, La.

Boundaries. Beginning at latitude 31°18'00" N., longitude 92°46'30" W.; to latitude 31°13'55" N., longitude 92°49'45" W.; to latitude 31°23'40" N., longitude 93°05'45" W.; to latitude 31°27'30" N., longitude 93°03'00" W.; to point of beginning.
Designated altitudes. 1,500 feet AGL to and including 4,000 feet MSL northwest of a line extending from latitude 31°20'50" N., longitude 92°51'15" W.; to latitude 31°16'40" N., longitude 92°54'30" W.; and 500 feet AGL to and including 4,000 feet MSL southeast of a line extending from latitude 31°20'50" N., longitude 92°51'15" W.; to latitude 31°16'40" N., longitude 92°54'30" W.
Time of designation. Continuous.
Controlling agency. FAA, Houston ARTC Center.
Using agency. Commander, England AFB, La.

R-3801B Camp Claiborne, La.

Boundaries. Beginning at latitude 31°11'45" N., longitude 92°30'15" W.; to latitude 31°06'15" N., longitude 92°34'50" W.; to latitude 31°13'55" N., longitude 92°49'45" W.; to latitude 31°18'00" N., longitude 92°46'30" W.; to latitude 31°15'15" N., longitude 92°41'45" W.; to latitude 31°17'10" N., longitude 92°40'10" W.; to point of beginning.
Designated altitudes. Surface to and including 7,000 feet MSL.
Time of designation. Continuous.
Controlling agency. FAA, Houston ARTC Center.
Using agency. Commander, England AFB, La.

R-3801C Camp Claiborne, La.

Boundaries. Beginning at latitude 31°11'45" N., longitude 92°30'15" W.; to latitude 31°06'15" N., longitude 92°34'50" W.; to latitude 31°13'55" N., longitude 92°49'45" W.; to latitude 31°18'00" N., longitude 92°46'30" W.; to latitude 31°15'15" N., longitude 92°41'45" W., to latitude 31°17'10" N., longitude 92°40'10" W.; to point of beginning.
Designated altitudes. 7,000 feet MSL to and including 14,000 feet MSL.
Time of designation. Continuous. R-3801C shall not be activated unless the Houston ARTC Center radar (Alexandria system) is operational.
Controlling agency. FAA, Houston ARTC Center.
Using agency. Commander, England AFB, La.

R-3801D Camp Claiborne, La.

Boundaries. Beginning at latitude 31°11'45" N., longitude 92°30'15" W.; to latitude 31°05'15" N., longitude 92°34'50" W.; to latitude 31°13'55" N., longitude 92°49'45" W.; to latitude 31°18'00" N., longitude 92°46'30" W.; to latitude 31°15'15" N., longitude 92°41'45" W.; to latitude 31°17'10" N., longitude 92°40'10" W.; to point of beginning.
Designated altitudes. 14,000 feet MSL to and including FL 200.
Time of designation. Continuous. R-3801D shall not be activated unless the Houston ARTC Center radar (Alexandria System) is operational.
Controlling agency. Federal Aviation Administration, Houston ARTC Center.
Using agency. Commander, England AFB, La.

R-3803 Fort Polk, La.

Boundaries. Beginning at latitude 31°23'36" N., longitude 93°09'57" W.; to latitude 31°23'12" N., longitude 93°09'48" W.; to latitude 31°22'00" N., longitude 93°10'05" W.; to latitude 31°19'16" N., longitude 93°11'10" W.; to latitude 31°19'18" N., longitude 93°20'15" W.; to latitude 31°24'30" N., longitude 93°20'15" W.; to latitude 31°24'30" N., longitude 93°16'42" W.; to latitude 31°23'35" N., longitude 93°13'24" W.; to point of beginning.
Designated altitude. Surface to 15,000 feet MSL.
Time of designation: Continuous.
Controlling agency. Federal Aviation Administration, Houston, Tex. ARTC Center.
Using agency. Commanding General, Fort Polk, Louisiana.

AMENDMENTS 2/27/75 39 F. R. 45010 (Changed)

R-3804A Fort Polk, La.

Boundaries. Beginning at latitude 31°00'52" N., longitude 93°08'11" W.; to latitude 31°00'52" N., longitude 92°56'52" W.; to latitude 31°00'19" N., longitude 92°56'13" W.; to latitude 31°00'19" N., longitude 92°54'22" W.; to latitude 31°03'54" N., longitude 92°51'33" W.; to latitude 31°09'34" N., longitude 92°58'24" W. to latitude 31°09'34" N., longitude 93°00'55" W.; to latitude 31°08'42" N., longitude 93°01'54" W.; to latitude 31°08'42" N., longitude 93°08'11" W.; to point of beginning.
Designated altitudes. Surface to 15,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Houston, Tex. ARTC Center.
Using agency. Commanding General, Fort Polk, Louisiana.

R-3804B Fort Polk, La.

Boundaries. Beginning at latitude 31°00'52" N., longitude 93°10'52" W.; to latitude 31°00'52" N., longitude 93°08'11" W.; to latitude 31°06'10" N., longitude 93°08'11" W.; to latitude 31°04'14" N., longitude 93°12'30" W.; to point of beginning.
Designated altitudes. Surface to 3,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Houston, Tex., ARTC Center.
Using agency. Commanding General, Fort Polk, Louisiana.

R-3804C Fort Polk, La.
Boundaries. Beginning at latitude 31°00'52" N., longitude 93°08'11" W.; to latitude 31°00'52" N., longitude 92°56'52" W.; to latitude 31°00'19" N., longitude 92°56'13" W.; to latitude 31°00'19" N., longitude 92°54'22" W.; to latitude 31°03'54" N., longitude 92°51'33" W.; to latitude 31°09'34" N., longitude 92°58'24" W.; to latitude 31°09'34" N., longitude 93°00'55" W.; to latitude 31°08'42" N., longitude 93°01'54" W.; to latitude 31°08'42" N., longitude 93°08'11" W.; to point of beginning.
Designated altitudes. 15,000 feet MSL to 18,000 feet MSL.
Controlling agency. Federal Aviation Administration, Houston, Tex., ARTC Center.
Time of designation. As published by NOTAM 24 hours in advance.
Using agency. Commanding General, Fort Polk, La.

R-3808 England Air Force Base, La.
Boundaries. Beginning at latitude 31°03'00" N., longitude 92°49'30" W.; to latitude 30°58'00" N., longitude 92°39'00" W.; to latitude 30°38'00" N., longitude 92°49'00" W.; to latitude 30°43'00" N., longitude 92°58'00" W.; to latitude 30°50'30" N., longitude 93°01'00" W.; to latitude 30°55'25" N., longitude 92°54'40"W.; to point of beginning.
Designated altitudes. 500 feet AGL to and including 7,000 feet MSL, excluding the airspace below 1,500 feet AGL within a two-nautical-mile radius of the City of Elizabeth, La.
Time of designation. Daylight hours, Monday through Friday.
Controlling agency. Federal Aviation Administration, Houston ARTC Center.
Using agency. Commander, 23rd Tactical Fighter Wing, England AFB, La.

§ 73.39 Maine

§ 73.40 Maryland

R-4001A Aberdeen, Md.

Boundaries. Beginning at lat. 39°30'30" N., long. 76°10'00" W.; to lat. 39°29'00" N., long. 76°08'00" W.; to lat. 39°29'30" N., long. 76°05'00" W.; to lat. 39°27'00" N., long. 76°00'30" W.; to lat. 39°19'47" N., long. 76°11'34" W.; to lat. 39°17'30" N., long. 76°12'59" W.; to lat. 39°16'24" N., long. 76°16'18" W.; to lat. 39°17'13" N., long. 76°18'49" W.; to lat. 39°19'41" N., long. 76°22'01" W.; to lat. 39°22'00" N., long. 76°22'00" W.; to lat. 39°23'28" N., long. 76°20'40" W.; to lat. 39°26'10" N., long. 76°14'50" W.; to lat. 39°27'00" N., long. 76°12'30" W.; to point of beginning.
Designated altitudes and time of designation.
1. Surface to unlimited, 0700 to 2400 local time.
2. Surface to 10,000 feet MSL, 0000 to 0700 local time; higher altitudes by NOTAM issued 24 hours in advance.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commanding General, Aberdeen Proving Ground, Md.

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R-4001B Aberdeen, Md.

Boundaries. Beginning at lat. 39°17'30" N., long. 76°12'59" W.; to lat. 39°12'10" N., long. 76°16'30" W.; to lat. 39°12'45" N., long. 76°22'30" W.; to lat. 39°17'30" N., long. 76°19'45" W.; to lat. 39°18'30" N., long. 76°22'00" W.; to lat. 39°19'41" N., long. 76°22'01" W.; to lat. 39°17'13" N., long. 76°18'49" W.; to lat. 39°16'24" N., long. 76°16'18" W.; to point of beginning.
Designated altitudes and time of designation.
1. Surface to unlimited, 0700 to 2400 local time.
2. Surface to 10,000 feet MSL, 0000 to 0700 local time; higher altitudes by NOTAM issued 24 hours in advance.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commanding General, Aberdeen Proving Ground, Md.

AMENDMENTS 10/16/75 40 F. R. 48501 (Rewritten)

R-4002 Bloodsworth Island, Md.

Boundaries. Beginning at Lat. 38°13'00" N, Long. 76°00'00" W; to Lat. 38°08'00" N, Long. 76°00'00" W; to Lat. 38°08'00" N, Long. 76°08'50" W; to Lat. 38°13'00" N, Long. 76°11'20" W; to the point of beginning.
Designated altitudes. Surface to and including 20,000 feet MSL.
Time of designation. From sunrise to 2400 hours, local time, daily, other times as specified in a NOTAM issued 48 hours in advance.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commanding Officer, Naval Amphibious School Little Creek, Norfolk, Va.

R-4005 Patuxent River, Md.

Boundaries. Beginning at latitude 38°05'40" N., longitude 76°33'32" W.; to latitude 38°11'10" N., longitude 76°25'10" W.; to latitude 38°18'20" N., longitude 76°17'05" W.; to latitude 38°18'28" N., longitude 76°14'30" W.; to latitude 38°13'00" N., longitude 76°11'20" W.; to latitude 38°08'00" N., longitude 76°08'50" W.; to latitude 37°55'15" N., longitude 76°02'30" W.; to latitude 37°53'10" N., longitude 76°14'00" W.; to the point of beginning.
Designated altitudes. Surface to FL 850.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commanding Officer, NAS Patuxent River, Md.

R-4006 Patuxent River, Md.
Boundaries: Beginning at latitude 38°41'15" N., longitude 75°46'00" W.; to latitude 38°32'30" N., longitude 75°43'45" W.; to latitude 38°19'00" N., longitude 75°37'00" W.; along Pennsylvania Railroad to latitude 38°12'30" N., longitude 75°41'30" W.; to latitude 38°02'30" N., longitude 75°52'30" W.; to latitude 37°55'00" N., longitude 75°52'30" W.; to latitude 37°45'00" N., longitude 75°58'45" W.; to latitude 37°45'00" N., longitude 76°23'30" W.; to latitude 37°50'30" N., longitude 76°32'00" W.; to latitude 38°05'10" N., longitude 76°34'15" W.; to latitude 38°11'10" N., longitude 76°25'10" W.; to latitude 38°30'00" N., longitude 76°04'00" W.; to latitude 38°38'00" N., longitude 75°55'30" W.; along the Pennsylvania Railroad to point of beginning, excluding R-4002, R-4005, and R-6609.
Designated altitudes: 3,500 feet MSL to FL 850.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Washington ARTC Center.
Using agency: Commanding Officer, NAS Patuxent River, Md.

R-4007 Patuxent River, Md.

Boundaries. Beginning at Lat. 38°21'00" N, Long. 76°14'00" W; to Lat. 38°11'10" N, Long. 76°25'10" W; to Lat. 38°05'10" N, Long. 76°34'05" W; to Lat. 38°15'00" N, Long. 76°36'35" W; to Lat. 38°17'25" N, Long. 76°33'00" W; to Lat. 38°25'40" N, Long. 76°23'35" W; to the point of beginning.
Designated altitudes. Surface to 5,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commanding Officer, NAS Patuxent River, Md.

§ 73.41 Massachusetts

R-4101 Camp Edwards, Mass.

Boundaries. Beginning at Lat. 41°40'52" N., Long. 70°33'09" W.; to Lat. 41°41'01" N., Long. 70°34'00" W.; to Lat. 41°41'58" N., Long. 70°34'58" W.; to Lat. 41°42'52" N., Long. 70°34'58" W.; to Lat. 41°43'52" N., Long. 70°34'32" W.; to Lat. 41°44'30" N., Long. 70°34'16" W.; to Lat. 41°45'17" N., Long. 70°34'13" W.; to Lat. 41° 45'12" N., Long. 70°34'01" W.; to Lat. 41°46'07" N., Long. 70°33'04" W.; to Lat. 41°45'18" N., Long. 70°31'18" W.; to Lat. 41°44'37" N., Long. 70°30'42" W.; to Lat. 41°44'11" N., Long. 70°29'40" W.; to Lat. 41°43'06" N., Long. 70°30'08" W.; to Lat. 41°43'07" N., Long. 70°30'36" W.; to Lat. 41°42'45" N., Long. 70°30'50" W.; to Lat. 41°42'38" N., Long. 70°30'33" W.; to Lat. 41°41'51" N., Long. 70°30'52" W.; to Lat. 41°41'38" N., Long. 70° 31'18" W.; to Lat. 41°41'20" N., Long. 70°31'29" W.; to Lat. 41°41'18" N., Long. 70°31'26" W.; to Lat. 41°41'06" N., Long. 70°31'54" W.; to point of beginning.
Designated altitudes. Surface to 9,000 feet MSL.
Time of designation. From 0600 to 1800 local time, daily, or other times as specified by NOTAM issued 48 hours in advance.
Controlling agency. Federal Aviation Administration, Otis Approach Control.
Using agency. Commander, U. S. Army Garrison, Camp Edwards, Massachusetts.

R-4105 No Man's Land Island, Mass.

Boundaries. A circular area with a 3-mile radius centered at Lat. 41°15'30" N, Long. 70°48'40" W.
Designated altitudes. Surface to but not including 18,000 feet MSL.
Time of designation. 0700 to 2400 EST.
Controlling agency. Federal Aviation Administration, Quonset Approach Control.
Using agency. Commanding Officer, NAS South Weymouth, Mass.

§ 73.42 Michigan

R-4201 Camp Grayling, Mich.

SUBAREA A
Boundaries: Beginning at latitude 44°56'00" N., longitude 84°29'00" W.; to latitude 44°47'00" N., longitude 84°29'00" W.; to latitude 44°47'00" N., longitude 84°39'00" W.; to latitude 44°56'00" N., longitude 84°39'00" W.; to point of beginning.
Designated altitudes: Surface to 29,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Minneapolis ARTC Center.
Using agency: Adjutant General, State of Michigan, Lansing, Mich.

SUBAREA B
Boundaries: Beginning at latitude 44°47'00" N., longitude 84°29'00" W.; to latitude 44°41'00" N., longitude 84°20'00" W.; to latitude 44°41'00" N., longitude 84°40'00" W.; to latitude 44°43'00" N., longitude 84°40'00" W.; to latitude 44°43'00" N., longitude 84°38'00" W.; to latitude 44°47'00" N., longitude 84°38'00" W.; to point of beginning.
Designated altitudes: Surface to 9,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Minneapolis ARTC Center.
Using agency: Adjutant General, State of Michigan, Lansing, Mich.

R-4202 Lake Margrethe, Mich.

Boundaries. Beginning at latitude 44°36'45" N., longitude 84°51'00" W.; to latitude 44°36'45" N., longitude 84°48'00" W.; to latitude 44°34'15" N., longitude 84°48'00" W.; to latitude 44°34'15" N., longitude 84°50'00" W.; to latitude 44°35'00" N., longitude 84°51'00" W.; to the point of beginning.
Designated altitudes. Surface to 8,200 feet MSL.
Time of designation. June 1 through August 31, with specific dates to be published by NOTAM.
Using agency. Adjutant General, State of Michigan, Lansing, Mich.
Controlling agency. Federal Aviation Administration, Traverse City Flight Service Station.

R-4207 Upper Lake Huron, Mich.

Boundaries. Beginning at latitude 45°17'00" N., longitude 83°00'00" W.; to latitude 45°20'24" N., longitude 82°31'18" W.; along the United States-Canadian Border to latitude 44°31'00" N., longitude 82°19'54" W.; to latitude 44°27'42" N., longitude 82°47'08" W.; to the point of beginning.
Designated altitudes. Surface to flight level 450.
Time of designation. Sunrise to sunset.
Controlling agency. Federal Aviation Administration, Minneapolis ARTC Center.
Using agency. Commander, Permanent Field Training Site Detachment, Phelps-Collins ANGB, Alpena, Mich.

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§ 73.43 Minnesota

R-4301 Camp Ripley, Minn.

Boundaries. Beginning at latitude 46°18'54" N., longitude 94°29'02" W.; thence along the S bank of the Crow Wing River and the W bank of the Mississippi River to latitude 46°06'22" N., longitude 94°21'10" W.; to latitude 46°06'22" N., longitude 94°26'06" W.; to latitude 46°08'39" N., longitude 94°26'06" W.; to latitude 46°08'39" N.; to longitude 94°30'00" W.; to latitude 46°18'18" N., longitude 94°30'00" W.; to the point of beginning.
Designated altitudes and time of designation. Surface to 27,000 feet MSL, May 1 through October 31; surface to 14,500 feet MSL, Saturday and Sunday, November 1 through April 30; and at other altitudes and times specified by NOTAM issued 24 hours in advance.
Controlling agency. Federal Aviation Administration, Minneapolis ARTC Center.
Using agency. Commanding Officer, Camp Ripley, Minn.

R-4305 Lake Superior, Minn.

Boundaries. Beginning at latitude 47°45'00" N., longitude 90°05'00" W.; to latitude 47°45'00" N., longitude 89°28'00" W.; to latitude 46°55'00" N., longitude 89°28'00" W.; to latitude 46°55'00" N., longitude 90°05'00" W.; to the point of beginning.
Designated altitudes. Surface to flight level 450.
Time of designation. 0001 local time Monday to 2400 local time Friday.
Controlling agency. Federal Aviation Administration, Minneapolis ARTC Center.
Using agency. Commander, Second Air Force, Barksdale AFB, Louisiana.

§ 73.44 Mississippi

R-4401 Camp Shelby, Miss.

Boundaries. Beginning at latitude 31°12'54" N.; longitude 89°11'03" W.; to latitude 31°11'48" N.; longitude 89°00'00" W.; to latitude 31°10'15" N.; longitude 88°56'34" W.; to latitude 31°09'10" N.; longitude 88°56'34" W.; thence southwest along Mississippi State Highway No. 15 to latitude 31°04'36" N.; longitude 88°59'24" W.; to latitude 31°04'36" N.; longitude 89°11'03" W.; to point of beginning.
Designated altitudes. Subarea A, surface to 4,000 feet MSL. Subarea B, 4,000 feet MSL to 18,000 feet MSL. Subarea C, 18,000 feet MSL to 29,000 feet MSL.
Time of designation. As activated by NOTAMs at least 24 hours in advance. NOTAMs to contain information concerning deactivation of area.
Controlling agency. Federal Aviation Administration, Houston ARTC Center.
Using agency. Adjutant General, State of Mississippi, Jackson, Miss.

R-4403 Gainesville, Miss.

Boundaries. Beginning at latitude 30°21'02" N., longitude 89°36'53" W.; to latitude 30°22'33" N., longitude 89°36'53" W.; to latitude 30°22'34" N., longitude 89°34'05" W.; to latitude 30°21'03" N., longitude 89°34'04" W.; to the point of beginning.
Altitudes. From surface to 5,000 feet MSL.
Time of use. Continuous.
Controlling agency. Federal Aviation Administration, Houston ARTC Center.
Using agency. Manager, Mississippi Test Operations, National Aeronautics and Space Administration, Bay St. Louis, Miss.

R-4404 Macon, Miss.

Boundaries: 1. Beginning at lat. 33°02'39" N., long. 88°42'37" W.; to lat. 33°04'30" N., long. 88°40'18" W.; to lat. 33°03'34" N., long. 88°39'08" W.; to lat. 33°01'43" N., long. 88°41'23" W.; to point of beginning.
2. A circle with a 5-nautical mile radius centered at lat. 33°03'11" N., long. 88°40'41" W.
Designated altitudes: Surface to 11,500 feet MSL, within the area described in Item 1; from 1,200 feet above the surface to 11,500 feet MSL, within the area described in Item 2.
Time of designation: Sunrise to Sunset, Monday through Saturday.
Controlling agency: Federal Aviation Administration, Memphis ARTC Center.
Using agency: Commander, Training Wing 1 NAS Meridian, Miss.

§ 73.45 Missouri

R-4501A Fort Leonard Wood West, Mo.

Boundaries. Beginning at latitude 37°41'06" N., longitude 92°09'17" W.; to latitude 37°38'15" N., longitude 92°09'17" W.; to latitude 37°38'23" N., longitude 92°13'32" W.; to latitude 37°38'23" N., longitude 92°15'21" W.; to latitude 37°39'38" N., longitude 92°15'21" W.; to latitude 37°41'07" N., longitude 92°14'23" W.; to point of beginning.
Designated altitudes. Surface to but not including 18,000 feet MSL.
Time of designation. A. surface to 2,200 feet MSL: Continuous. B. 2,200 feet MSL and above: by NOTAM issued at least 24 hours in advance.
Controlling agency. Federal Aviation Administration, Kansas City ARTC Center.
Using agency. Commanding General, Fort Leonard Wood, Mo.

R-4501B Fort Leonard Wood East, Mo.

Boundaries. Beginning at latitude 37°43'00" N., longitude 92°06'55" W.; to latitude 37°42'11" N., longitude 92°06'14" W.; to latitude 37°39'07" N., longitude 92°06'17" W.; to latitude 37°38'15" N., longitude 92°09'17" W.; to latitude 37°43'02 N., longitude 92°09'17" W.; to the point of beginning.
Designated altitudes.
The area north of a line between latitude 37°42'51" N., longitude 92°06'47" W.; and latitude 37°42'53" N., longitude 92°09'17" W. surface to 1,500 feet MSL.
The area south of this line, surface to 2,200 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Kansas City ARTC Center.
Using agency. Commanding General, Fort Leonard Wood, Mo.

§ 73.46 Montana

§ 73.47 Nebraska

§ 73.48 Nevada

R-4802 Lone Rock, Nev.

Boundaries. A circular area with a 3-mile radius centered at Lat. 39°52'36" N, Long. 118°20'47" W.
Designated altitudes. Surface to 8,000 feet MSL.
Time of designation. 0600 to 2400 local time, Monday through Saturday.
Using agency. Commander, Light Attack Wing Pacific, NAS Lemoore, Calif.

R-4803 Fallon, Nev.

Boundaries. A 3-nautical mile radius circle centered at Lat. 39°20'40" N, Long. 118°52'15" W; and within 3 nautical miles W and 2 nautical miles E of a line extending 349.5° True from the center to 15 nautical miles NNW.
Designated altitudes. Surface to 8,000 feet MSL N, and surface to 18,000 feet MSL S of a line extending from Lat. 39°27'40" N, Long. 118°57'55" W; to Lat. 39°30'20" N, Long. 118°51'55" W.
Time of designation. 0600 to 2400 local time daily.
Controlling agency. Federal Aviation Administration, Oakland ARTC Center.
Using agency. Commander, Light Attack Wing Pacific, NAS Lemoore, Calif.

R-4804 Twin Peaks, Nev.

Boundaries. A 5-nautical mile radius circle centered at Lat. 39°13'00" N, Long. 118°12'42" W; and a 3-nautical mile radius circle centered at Lat. 39°14'15" N, Long. 118°17'30" W.
Designated altitudes. Surface to but not including Flight Level 180 excluding that portion from the surface to and including 2,000 feet AGL which lies north of and within 1-nautical mile from U. S. Highway 50 between the intersections of U. S. Highway 50 with longitudes 118°25'30" West and 118°09'50" West.
Time of designation. 0600 to 2400 local time daily.
Controlling agency. Federal Aviation Administration, Oakland ARTC Center.
Using agency. Commander, Light Attack Wing Pacific, NAS Lemoore, Calif.

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R-4806 Las Vegas, Nev.

Boundaries: Beginning at latitude 37°17'00" N., longitude 115°18'00" W.; to latitude 36°26'00" N., longitude 115°18'00" W.; to latitude 36°26'00" N., longitude 115°23'00" W.; to latitude 36°35'00" N., longitude 115°37'00" W.; to latitude 36°35'00" N., longitude 115°53'00" W.; to latitude 36°36'00" N., longitude 115°56'00" W.; to latitude 37°06'00" N., longitude 115°56'00" W.; to latitude 37°06'00" N., longitude 115°35'00" W.; to latitude 37°17'00" N., longitude 115°35'00" W.; to point of beginning.
Designated altitudes: Surface to unlimited, Monday through Saturday; Sunday from 13,000 feet MSL to unlimited.
Time of designation: Continuous.
Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.
Using agency: Commander, Nellis AFB, Nev.

R-4807 Tonopah, Nev.

Boundaries. Beginning at latitude 36°51'00" N., longitude 116°33'30" W.; to latitude 37°26'30" N., longitude 117°04'30" W.; to latitude 37°53'00" N., longitude 117°01'00" W.; to latitude 37°53'00" N., longitude 116°55'00" W.; to latitude 37°47'00" N., longitude 116°55'00" W.; to latitude 37°33'00" N., longitude 116°43'00" W.; to latitude 37°33'00" N., longitude 116°26'00" W.; to latitude 37°53'00" N., longitude 116°11'00" W.; to latitude 37°42'00" N., longitude 116°11'00" W.; to latitude 37°53'00" N., longitude 116°11'00" W.; to latitude 37°42'00" N., longitude 115°53'00" W.; to latitude 37°33'00" N., longitude 115°53'00" W.; to latitude 37°33'00" N., longitude 115°48'00" W.; to latitude 37°28'00" N., longitude 115°48'00" W.; to latitude 37°28'00" N., longitude 116°00'00" W.; to latitude 37°16'00" N., longitude 116°00'00" W.; to latitude 37°16'00" N., longitude 116°34'00" W.; to the point of beginning.
Designated altitudes. Unlimited Monday through Saturday. Sunday from 13,000 feet MSL to unlimited.
Time of designation. Continuous.
Using agency. Commander, Nellis AFB, Nev.

R-4808 Las Vegas, Nev.

Boundaries. Beginning at latitude 36°41'00" N., longitude 115°56'00" W.; to latitude 36°41'00" N., longitude 116°26'30" W.; to latitude 36°51'00" N., longitude 116°26'30" W.; to latitude 36°51'00" N., longitude 116°33'30" W.; to latitude 37°16'00" N., longitude 116°34'00" W.; to latitude 37°16'00" N., longitude 116°00'00" W.; to latitude 37°28'00" N., longitude 115°35'00" W.; to latitude 37°28'00" N., longitude 115°35'00" W.; to latitude 37°06'00" N., longitude 115°56'00" W.; to the point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Using agency. Manager, United States Energy Research and Development Administration, Las Vegas, Nev.

AMENDMENTS 8/15/75 40 F. R. 34334 (Changed)

R-4809 Tonopah, Nev.

Boundaries. Beginning at Lat. 37°53'00" N, Long. 116°26'00" W; to Lat. 37°33'00" N, Long. 116°26'00" W; to Lat. 37°33'00" N, Long. 116°43'00" W; to Lat. 37°47'00" N, Long. 116°55'00" W; to Lat. 37°53'00" N, Long. 116°55'00" W; to the point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Using agency. Manager, United States Energy Research and Development Administration, Albuquerque, N. Mex.

AMENDMENTS 8/15/75 40 F. R. 34334 (Changed)

R-4810 Desert Mountains, Nev.

Boundaries. A 5-nautical mile radius circle centered at Lat. 39°10'00" N, Long. 118°37'30" W; and a 3-nautical mile radius circle centered at Lat. 39°09'15" N, Long. 118°42'20" W.
Designated altitudes. Surface to and including Flight Level 170.
Time of designation. 0600 to 2400 local time daily.
Controlling agency. Federal Aviation Administration, Oakland ARTC Center.
Using agency. Commander, Light Attack Wing Pacific, NAS Lemoore, Calif.

R-4811 Hawthorne, Nev.
Boundaries. A 1½-nautical-mile radius circle centered at latitude 38°14'45" N., longitude 118°38'15" W.
Designated altitudes. Surface to 15,000 feet MSL.
Time of designation. 0800 to 1500 local time, Monday through Friday.
Using agency. Commanding Officer, Naval Ammunition Depot, Hawthorne, Nev.

R-4812 Sand Springs, Nev.
Boundaries: That area within 5-nautical miles either side of a line extending from latitude 39°10'00" N., longitude 118°37'30" W.; to latitude 39°13'00" N., longitude 118°12'42" W.; and bounded on the east by R-4804 and bounded on the west by R-4810.
Designated altitudes: Surface to but not including Flight Level 180 excluding that portion from the surface to and including 2,000 feet AGL which lies north of and within 1-nautical mile from U. S. Highway 50 between the intersections of U. S. Highway 50 with longitudes 118°25'30" West and 118°09'50" West.
Time of designation: 0600 to 2400 local time daily.
Controlling agency: Oakland ARTC Center.
Using agency: Commander, Light Attack Wing Pacific, NAS Lemoore, Calif.

R-4813 Carson Sink, Nev.
Boundaries. Beginning at lat. 39°51'00" N., long. 118°38'00" W.; to lat. 40°01'00" N., long. 118°15'00" W.; to lat. 40°01'00" N., long. 118°01'00" W.; to lat. 39°58'00" N., long. 118°01'00" W.; to lat. 39°38'00" N., long. 118°17'00" W.; thence via the arc of a 15-nautical mile radius circle centered at lat. 39°52'36" N., long. 118°20'27" W.; to lat. 39°45'50" N., long. 118°38'00" W.; thence to point of beginning.
Designated altitudes. Surface to but not including Flight Level 180.
Time of designation. 0600 to 2400 local time daily.
Controlling agency: Oakland ARTC Center.
Using agency: Commander, Light Attack Wing Pacific, NAS Lemoore, Calif.

R-4816N Dixie Valley, Nev.
Boundaries. Beginning at lat. 39°51'00" N., long. 118°00'00" W.; to lat. 39°51'00" N., long. 117°31'00" W.; to lat. 39°34'00" N., long. 117°38'30" W.; to lat. 39°34'00" N., long. 118°12'30" W.; to point of beginning.
Designated altitudes. 1500 feet AGL to but not including Flight Level 180.
Time of designation. 0700 to 2100 local time, Monday through Saturday.
Controlling agency. Federal Aviation Administration, Oakland ARTC Center.
Using agency. Commanding Officer, Naval Air Station, Fallon, Nev.

R-4816S Dixie Valley, Nev.
Boundaries. Beginning at lat. 39°34'00" N., long. 118°12'30" W.; to lat. 39°34'00" N., long. 117°39'30" W.; to lat. 39°18'00" N., long. 117°47'30" W.; to lat. 39°18'00" N., long. 118°13'15" W.; to lat. 39°17'00" N., long. 118°21'00" W.; to lat. 39°30'00" N., long. 118°15'30" W.; to point of beginning.
Designated altitudes. 500 feet AGL to but not including Flight Level 180 excluding that portion from 500 feet AGL to and including 2,000 feet AGL which lies north of and within 1-nautical mile from U. S. Highway 50 between the intersections of U. S. Highway 50 with longitudes 118°25'30" West and 118°09'50" West.
Time of designation. 0700 to 2100 local time, Monday through Saturday.
Controlling agency. Federal Aviation Administration, Oakland ARTC Center.
Using agency. Commanding Officer, Naval Air Station, Fallon, Nev.

§ 73.49 New Hampshire

§ 73.50 New Jersey

R-5001 Fort Dix, N. J.
Subarea A
Boundaries: Beginning at latitude 40°02'45" N., longitude 74°27'00" W.; to latitude 40°00'00" N., longitude 74°26'20" W.; to latitude 39°59'00" N., longitude 74°25'08" W.; to latitude 39°58'00" N., longitude 74°25'00" W.; to latitude 39°58'45" N., longitude 74°28'00" W.; to latitude 39°58'45" N., longitude 74°31'25" W.; to latitude 39°59'15" N., longitude 74°33'30" W.; to latitude 40°01'53" N., longitude 74°33'30" W.; to latitude 40°02'45" N., longitude 74°32'30" W.; to the point of beginning.
Designated altitudes: Surface to and including 4,000 feet MSL.
Time of designation: Continuous.
Controlling agency. Federal Aviation Administration, New York ARTC Center.
Using agency: Commanding General, Fort Dix, N. J.

Subarea B
Boundaries: Beginning at latitude 40°02'45" N., longitude 74°27'00" W.; to latitude 40°00'00" N., longitude 74°26'20" W.; to latitude 39°59'00" N., longitude 74°25'08" W.; to latitude 39°58'00" N., longitude 74°25'00" W.; to latitude 39°58'45" N., longitude 74°28'00" W.; to latitude 39°58'45" N., longitude 74°31'25" W.; to latitude 40°01'53" N., longitude 74°33'30" W.; to latitude 40°02'45" N., longitude 74°32'30" W.; to the point of beginning.
Designated altitudes: From 4,000 feet MSL to and including 8,000 feet MSL;
Time of designation: Continuous, sunrise Friday to sunset Sunday, other times by NOTAM, 48 hours in advance.
Controlling agency. Federal Aviation Administration, New York ARTC Center.
Using agency: Commanding General, Fort Dix, N. J.

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R-6002 Warren Grove, N. J.

Boundaries: Beginning at latitude 39°45'50" N., longitude 74°20'00" W.; to latitude 39°43'25" N., longitude 74°17'37" W.; to latitude 39°38'25" N., longitude 74°24'20" W.; to latitude 39°38'25" N., longitude 74°29'00" W.; to latitude 39°39'35" N., longitude 74°29'00" W.; to latitude 39°44'50" N., longitude 74°24'40" W.; to latitude 39°45'20" N., longitude 74°23'45" W.; to point of beginning.
Designated altitudes. Surface to 14,000 feet MSL, except surface to 4,000 feet MSL for the portion N of Lat. 39°45'00" N; surface to 9,000 feet MSL SE of a line between Lat. 39°43'45" N, Long. 74°17'57" W, and Lat. 39°38'25" N, Long. 74°24'56" W.
Time of designation. Sunrise to sunset, Tuesday through Saturday; other days by NOTAM 48 hours in advance.
Controlling agency. Federal Aviation Administration, New York ARTC Center.
Using agency. Commander, 108th Tactical Fighter Wing, New Jersey Air National Guard, McGuire AFB, N. J.

§ 73.51 New Mexico

R-5101 Los Alamos, N. Mex.

Boundaries. Beginning at Lat. 35°45'15" N, Long. 106°15'12" W; to Lat. 35°50'03" N, Long. 106° 21'36" W; to Lat. 35°52'22" N, Long. 106°20'42" W; to Lat. 35°52'52" N, Long. 106°16'48" W; to Lat. 35°52'30" N, Long. 106°14'48" W; to Lat. 35°48'35" N, Long. 106°14'48" W; to Lat. 35°47'05" N, Long. 106°12'06" W; to the point of beginning.
Designated altitudes. Surface to 12,000 feet MSL.
Time of designation. Continuous.
Using agency. Manager, Atomic Energy Commission, Los Alamos, N. Mex.

R-5103 McGregor, N. Mex.

Boundaries. Beginning at latitude 32°45'00" N., longitude 105°59'00" W.; to latitude 32°45'00" N., longitude 105°52'20" W.; to latitude 32°33'20" N., longitude 105°30'00" W.; to latitude 32°26'20" N., longitude 105°30'00" W.; to latitude 33°00'15" N., longitude 105°56'40" W.; to latitude 32°00'30" N., longitude 106° 10'25" W.; to latitude 32°05'20" N., longitude 106°09'20" W.; to latitude 32°06'00" N., longitude 106°15'30" W.; along the Southern Pacific Railroad to latitude 32°28'00" N., longitude 106°02'00" W.; to latitude 32° 27'40" N., longitude 106°00'00" W.; to latitude 32°36'00" N., longitude 106°00'00" W.; to the point of beginning, excluding that airspace within a two nautical mile radius of latitude 32°30'02" N., longitude 105° 40'34" W.; from the surface to 1,500 feet above the surface; and also excluding that airspace beginning at lat. 32°42'49" N., long. 105°48'10" W.; to lat. 32°40'
47" N., long. 105°49'38" W.; to lat. 32°39'42" N., long. 105°47'42" W.; to lat. 32°41'56" N., long. 105°46' 12" W.; to the point of beginning from the surface to 1500 feet above the surface.
Designated altitude. Surface to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Albuquerque ARTC Center.
Using agency. Commanding General, Fort Bliss, Texas.

R-5104A Melrose, N. Mex.
Boundaries: Beginning at lat. 34°28'00" N., long. 103°43'15" W., to lat. 34°25'25" N., long. 103°40'00" W., to lat 34°14'30" N., long. 103°40'00" W., to lat. 34°10'00" N., long. 103°46'00" W., to lat. 34°10'00" N., long. 103°55'00" W., to lat. 34°28'00" N., long. 103°55'00" W., to point of beginning.
Designated altitudes: Surface to 18,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Albuquerque, N. Mex., ARTC Center.
Using agency: Commander, Cannon AFB, N. Mex.

AMENDMENTS 7/22/75 40 F. R. 30633 (Changed)

R-5104B Melrose, N. Mex.
Boundaries: Beginning at lat. 34°28'00" N., long. 103°43'15" W., to lat. 34°25'25" N., long. 103°40'00" W., to lat. 34°14'30" N., long. 103°40'00" W., to lat. 34°10'00" N., long. 103°46'00" W., to lat. 34°10'00" N., long. 103°55'00" W., to lat. 34°28'00" N., long. 103°55'00" W., to point of beginning.
Designated altitudes: 18,000 feet MSL to 23,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Albuquerque, N. Mex., ARTC Center.
Using agency: Commander, Cannon AFB, N. Mex.

AMENDMENTS 7/22/75 40 F. R. 30633 (Changed)

R-5105 Melrose, N. Mex.

Boundaries. Beginning at latitude 34°39'00" N., longitude 103°55'00" W.; to latitude 34°39'00" N., longitude 103°40'00" W.; to latitude 34°25'25" N., longitude 103°40'00" W.; to latitude 34°28'00" N., longitude 103°43'15" W.; to latitude 34°28'00" N., longitude 103°55'00" W.; to the point of beginning.
Designated altitudes. Surface to 14,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Albuquerque ARTC Center.
Using agency. Commander, Cannon AFB, N. Mex.

R-5107A White Sands Missile Range, N. Mex.

Boundaries. Beginning at latitude 32°23'18" N., longitude 106°07'03" W.; to latitude 32°05'00" N., longitude 106°18'20" W.; to latitude 32°06'00" N., longitude 106°29'00" W.; to latitude 32°06'20" N., longitude 106°34'00" W.; to latitude 32°18'00" N., longitude 106°34'00" W.; to latitude 32°18'00" N., longitude 106°39'00" W.; to latitude 32°19'30" N., longitude 106°39'30" W.; to latitude 32°19'30" N., longitude 106°20'38" W.; to latitude 32°24'48" N., longitude 106°09'00" W.; to the point of beginning.
Designated altitude. Surface to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Albuquerque ARTC Center.
Using agency. Commanding General, Fort Bliss, Texas.

R-5107B White Sands Missile Range, N. Mex.

Boundaries: Beginning at latitude 33°44'45" N., longitude 106°04'00" W.; to latitude 32°50'00" N., longitude 106°04'00" W.; to latitude 32°36'00" N., longitude 106°06'00" W.; to latitude 32°25'00" N., longitude 106°06'00" W.; to latitude 32°23'18" N., longitude 106°07'03" W.; to latitude 32°24'48" N., longitude 106°09'00" W.; to latitude 32°19'30" N., longitude 106°20'38" W.; to latitude 32°19'30" N., longitude 106°39'30" W.; to latitude 33°13'00" N., longitude 106°52'00" W.; to latitude 33°49'45" N., longitude 106°45'20" W.; to latitude 33°49'30" N., longitude 106°16'30" W.; thence along the south side of U. S. Highway 380 to the point of beginning; excluding the airspace in R-5107D, R-5107F, and R-5107G; and that airspace from the surface to and including 1,500 feet above the surface within a 2-nautical mile radius of latitude 32°26'38" N., longitude 106°40' 45" W., latitude 32°30'00" N., longitude 106°41'10" W., and latitude 32°23'48" N., longitude 106°41'27" W.
Designated altitudes. Surface to unlimited.
Time of designation. Continuous.
Using agency. Deputy for Air Force, White Sands Missile Range, N. Mex. 88002.

AMENDMENTS 8/27/75 40 F. R. 38146 (Changed)

R-5107C White Sands Missile Range, N. Mex.

Boundaries: Beginning at latitude 34°17'00" N., longitude 106°04'00" W.; to latitude 33°44'45" N., longitude 106°04'00" W.; thence along the south side of U. S. Highway 380 to latitude 33°49'30" N., longitude 106°16'30" W.; to latitude 33°49'45" N., longitude 106°45'20" W.; to latitude 34°15'45" N., longitude 106°40'30" W.; to latitude 34°17'00" N., longitude 106°12'00" W.; to the point of beginning.
Designated altitudes. Surface to unlimited.
Time of designation. Continuous Monday through Friday. Other times as activated by NOTAM issued at least 12 hours in advance.
Controlling agency. Federal Aviation Administration, Albuquerque ARTC Center.
Using agency. Deputy for Air Force, White Sands Missile Range, N. Mex. 88002.

AMENDMENTS 8/27/75 40 F. R. 38146 (Changed)

R-5107D White Sands Missile Range, N. Mex.

Boundaries: Beginning at lat. 33°34'00" N., long. 106°04'00" W.; to lat. 33°04'00" N., long. 106°21'00" W.; to lat. 32°34'00" N., long. 106°15'00" W.; to lat. 32°34'00" N., long. 106°06'00" W.; to lat. 32°36'00" N., long. 106°06'00" W.; to lat. 32°50'00" N., long. 106°04'00" W.; to point of beginning.
Designated altitudes: Surface to 22,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Albuquerque, ARTC Center.
Using agency: Deputy for Air Force, White Sands Missile Range, N. Mex. 88002

AMENDMENTS 8/27/75 40 F. R. 38146 (Changed)

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R-5107E White Sands Missile Range, N. Mex.

Boundaries. From the point where an arc of 19 nautical miles radius centered at latitude 33°45'00" N., longitude 106°26'30" W., intersects the western boundary of R-5107C, to latitude 33°54'00" N., longitude 106°46'30" W.; to latitude 33°32'45" N., longitude 106°58'45" W.; to latitude 33°26'50" N., longitude 107°00'00" W.; to latitude 33°35'00" N., longitude 106°48'00" W.; to the point of beginning.
Designated altitudes. Surface to unlimited.
Time of use. As published in NOTAMs at least 12 hours in advance.
Controlling agency. FAA, Albuquerque ARTC Center.
Using agency. Deputy for Air Force, White Sands Missile Range, N. Mex. 88002.

AMENDMENTS 8/27/75 40 F. R. 38146 (Changed)

R-5107F White Sands Missile Range, N. Mex.

Boundaries: Beginning at lat. 33°10'10" N., long. 107°10'55" W.; to lat. 33°20'30" N., long. 107°08'20" W.; to lat. 33°18'10" N., long. 106°51'40" W.; to lat. 33°05'30" N., long. 106°04'00" W.; to lat. 33°00'00" N., long. 105°27'00" W.; to lat. 32°45'00" N., long. 105°27'00" W.; to lat. 32°45'00" N., long. 105°49'00" W.; to lat. 32°50'30" N., long. 106°04'00" W.; to lat. 33°05'00" N., long. 106°50'20" W.; to point of beginning.
Designated altitude: From FL 240 to FL 450.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Albuquerque ARTC Center.
Using agency: Deputy for Air Force, White Sands Missile Range, N. Mex. 88002.

AMENDMENTS 8/27/75 40 F. R. 38146 (Changed)

R-5107G White Sands Missile Range, N. Mex.

Boundaries: Beginning at lat. 33°11'40" N., long. 107°10'25" W.; to lat. 33°21'00" N., long. 107°08'00" W.; to lat. 33°22'55" N., long. 107°05'50" W.; to lat. 33°25'20" N., long. 105°27'00" W.; to lat. 33°14'00" N., long. 105°27'00" W.; to point of beginning.
Designated altitude: From FL 240 to FL 450.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Albuquerque, ARTC Center.
Using agency: Deputy for Air Force, White Sands Missile Range, N. Mex. 88002.

AMENDMENTS 8/27/75 40 F. R. 38146 (Changed)

R-5109A White Sands Missile Range, N. Mex.

Boundaries. Beginning at latitude 33°31'30" N., longitude 105°27'00" W.; to latitude 32°45'00" N., longitude 105°27'00" W.; to latitude 32°45'00" N., longitude 105°59'00" W.; to latitude 32°36'00" N., longitude 106°06'00" W.; to latitude 32°50'00" N., longitude 106°04'00" W.; to latitude 33°44'10" N., longitude 106°04'00" W.; to the point of beginning, excluding the airspace in Restricted Areas R-5107F and R-5107G.
Designated altitudes. From 24,000 feet MSL to unlimited.
Time of designation. Continuous Monday through Friday. Other times as activated by NOTAM issued at least 12 hours in advance.
Controlling agency. Federal Aviation Administration, Albuquerque ARTC Center.
Using agency. Deputy for Air Force, White Sands Missile Range, N. Mex. 88002.

AMENDMENTS 8/27/75 40 F. R. 38146 (Changed)

R-5109B White Sands Missile Range, N. Mex.

Boundaries. Beginning at latitude 34°17'00" N., longitude 106°04'00" W.; to latitude 34°17'00" N., longitude 105°51'00" W.; to latitude 33°57'00" N., longitude 105°27'00" W.; to latitude 33°31'30" N., longitude 105°27'00" W.; to latitude 33°44'10" N., longitude 106°04'00" W.; to the point of beginning.
Designated altitudes. From 24,000 feet MSL to unlimited.
Time of designation. Continuous Monday through Friday. Other times as activated by NOTAM issued at least 12 hours in advance.
Controlling agency. Federal Aviation Administration, Albuquerque ARTC Center.
Using agency. Deputy for Air Force, White Sands Missile Range, N. Mex. 88002.

AMENDMENTS 8/27/75 40 F. R. 38146 (Changed)

R-5111A Elephant Butte, N. Mex. (East).

Boundaries. Beginning at latitude 33°00'00" N., longitude 106°49'00" W.; to latitude 33°00'00" N., longitude 107°00'00" W.; to latitude 33°26'50" N., longitude 107°00'00" W.; to latitude 33°35'00" N., longitude 106°48'00" W.; to latitude 33°13'00" N., longitude 106°32'00" W.; to the point of beginning, excluding the airspace in Restricted Areas R-5107F and R-5107G.
Designated altitudes. Surface to unlimited.
Time of designation. As published by NOTAM at least 12 hours in advance.
Controlling agency. Federal Aviation Administration, Albuquerque ARTC Center.
Using agency. Deputy for Air Force, White Sands Missile Range, N. Mex. 88002.

AMENDMENTS 8/27/75 40 F. R. 38146 (Changed)

R-5111B Elephant Butte, N. Mex. (West).

Boundaries. Beginning at latitude 33°00'00" N., longitude 106°49'00" W.; to latitude 32°43'00" N., longitude 106°45'00" W.; to latitude 32°47'00" N., longitude 107°06'00" W.; to latitude 33°00'00" N., longitude 107°13'00" W.; to latitude 33°21'00" N., longitude 107°08'00" W.; to latitude 33°26'50" N., longitude 107°00'00" W.; to latitude 33°00'00" N., longitude 107°00'00" W.; to the point of beginning, excluding the airspace in Restricted Areas R-5107F and R-5107G.
Designated altitudes. Surface to unlimited.
Time of designation. As published by NOTAM at least 12 hours in advance.
Controlling agency. Federal Aviation Administration, Albuquerque ARTC Center.
Using agency. Deputy for Air Force, White Sands Missile Range, N. Mex. 88002.

AMENDMENTS 8/27/75 40 F. R. 38146 (Changed)

R-5113 Socorro, N. Mex.
Boundaries. Beginning at latitude 34°00'00" N., longitude 107°07'30" W.; thence to latitude 33°58'30" N., longitude 107°07'30" W.; to latitude 33°58'30" N., longitude 107°12'30" W.; to latitude 34°00'00" N., longitude 107°12'30" W.; to point of beginning.
Designated altitudes. Surface to 45,000 feet MSL.
Time of designation. From 0900 to 1900 local time, daily June 1 through September 30, annually.
Controlling agency. Federal Aviation Administration, Albuquerque ARTC Center.
Using agency. U. S. Navy, Office of Naval Research, Atmospheric Sciences.

§ 73.82 New York

R-5201 Fort Drum, N. Y.

Boundaries. Beginning at lat. 44°15'00" N., long. 75°31'30" W.; to lat. 44°11'15" N., long. 75°25'00" W.; to lat. 44°03'00" N., long. 75°33'30" W.; to lat. 44°00'45" N., long. 75°37'25" W.; to lat. 44°03'25" N., long. 75°39'30" W.; to lat. 44°08'47" N., long. 75°44'30" W.; to lat. 44°10'00" N., long. 75°39'30" W.; to point of beginning.
Designated altitudes. Surface to 23,000 feet MSL, April 1 through September 30; surface to 20,000 feet MSL, October 1 through March 31.
Time of designation. Continuous April 1 through September 30 and 0600 through 1800 hours local time, October 1 through March 31; other times by NOTAM 48 hours in advance.
Controlling agency. Federal Aviation Administration, Watertown, N. Y., Flight Service Station.
Using agency. Commanding Officer, Fort Drum, N. Y.

R-5202 Gardiner's Island, N. Y.

Boundaries. A circular area with a 3-nautical mile radius centered at Lat. 41°08'30" N, Long. 72° 08'50" W.
Designated altitudes: Surface to 10,000 feet MSL, inclusive.
Time of designation: 0900 to 1800 local time, April 15 through October 14; 0900 to 1600 local time, October 15 through April 14.
Controlling agency: FAA, Quonset RATCF.
Using agency: Naval Plant Representative Office, Grumman Aerospace Corporation, Bethpage, N. Y.

R-5203 Oswego, N. Y.

Boundaries. Beginning at Lat. 43°37'00" N, Long. 76°45'00" W; to Lat. 43°24'00" N, Long. 76°48' 00" W; to Lat. 43°24'00" N, Long. 78°00'00" W; to Lat. 43°37'00" N, Long. 78°00'00" W; to the point of beginning.
Designated altitudes. Surface to Flight Level 500.
Time of Designation. Continuous
Controlling agency. Federal Aviation Administration, Cleveland ARTC Center.
Using agency. 21st Air Division, Hancock Field, Syracuse, N. Y.

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R-5206 West Point, N. Y.

Boundaries: Beginning at lat. 41°23'08" N., long. 74°00'00" W.; to lat. 41°23'08" N., long. 73°59'42" W.; thence along south side of U. S. Highway 9W to lat. 41°22'32" N., long. 73°58'58" W.; to lat. 41°22'18" N., long. 73°58'58" W.; to lat. 41°20'04" N., long. 74°00'42" W.; thence along north side of Mine Torne Road to lat. 41°21'24" N., long. 74°02'38" W.; thence along east side of New York State Highway 203 to point of beginning.

Designated altitudes: Surface to and including 5,000 feet MSL.
Time of designation: 0600 to 2400 local, July 1 to August 31, other dates and times by NOTAM 48 hours in advance.
Controlling agency: Federal Aviation Administration, New York ARTC Center.
Using agency: Superintendent, U. S. Military Academy, West Point, N. Y.

R-5207 Romulus, N. Y.

Boundaries. A circular area with a radius of 1,350 feet centered at latitude 42°46'59" N., longitude 76°53'06" W.

Designated altitudes. Surface to 2,000 feet MSL.
Time of designation. 0730 to 1600 local time, Monday through Friday.
Using agency. Commanding Officer, Seneca Army Depot, Romulus, N. Y.

§ 73.53 North Carolina

R-5301A Albemarle Sound, N. C.

Boundaries. A circular area with a 3-mile radius centered at latitude 36° 03' 30" N., longitude 76° 20' 00" W., excluding the airspace within R-5301B.
Designated altitudes. Surface to 5,000 feet MSL.
Time of designation. Sunrise to sunset.
Using agency. Commander, Fleet Air Norfolk, NAS Norfolk, Va.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.

R-5301B Albemarle Sound, N. C.

Boundaries. A circular area within a 1½-nmi radius centered at latitude 36° 05' 25" N., longitude 76° 18' 30" W.
Designated altitudes. Surface to 5,000 feet MSL.
Time of designation. Continuous.
Using agency. Commander, Fleet Air Norfolk, NAS Norfolk, Va.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.

R-5301C Albemarle Sound, N. C.
Boundaries. A circular area within a 1½ nautical mile radius centered at Lat. 36°05'25" N., Long. 76° 18' 30" W.
Designated altitudes. From 5,000 feet MSL to and including 14,000 feet MSL.
Time of designation. As activated by NOTAM at least 24 hours in advance.
Using agency. Commander, Fleet Air Norfolk NAS Norfolk, Va.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.

R-5302 Albemarle Sound, N. C.
Boundaries: Beginning at latitude 36°03'35" N., longitude 76°03'05" W.; to latitude 36°58'05" N., longitude 76°02'10" W.; to latitude 35°55'40" N., longitude 76°24'05" W.; to latitude 36°01'05" N., longitude 76°35'00" W. to point of beginning.
Designated altitude: Surface to 14,000 feet MSL.
Time of Designation: 0800 hours to 2300 hours e.s.t.
Using Agency: Commander, Fleet Air Norfolk, NAS Norfolk, Va.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.

R-5306A Cherry Point, N. C.
Boundaries. Beginning at latitude 35°23'15" N., longitude 76°34'40" W.; to latitude 35°18'15" N., longitude 76°16'40" W.; to latitude 35°04'30" N., longitude 76°04'30" W.; to latitude 34°46'45" N., longitude 76°24'45" W.; to latitude 34°46'00" N., longitude 76°30'00" W.; to latitude 35°08'00" N , longitude 76°31'20" W.; thence to point of beginning.
Designated altitudes. Surface to, but not including FL 180.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commanding General, U. S. Marine Corps Air Station, Cherry Point, N. C.

R-5306B Cherry Point, N. C.
Boundaries. Beginning at latitude 35°08'00" N., longitude 76°31'20" W.; to latitude 34°46'00" N., longitude 76°30'00" W.; to latitude 34°45'10" N., longitude 76°40'30" W.; to latitude 34°42'00" N., longitude 76°54'45" W.; to latitude 34°51'00" N., longitude 77°05'30" W.; to latitude 34°49'30" N., longitude 77°10'00" W.; to latitude 35°03'00" N., longitude 76°57'00" W., thence to point of beginning.
Designated altitudes. From 3,000 feet to, but not including FL 180.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commanding General, U. S. Marine Corps Air Station, Cherry Point, N. C.

R-5306C Cherry Point, N. C.
Boundaries. Beginning at latitude 34°51'00" N., longitude 77°08'30" W.; to latitude 34°42'00" N., longitude 76°54'45" W.; to latitude 34°41'50" N., longitude 76°58'20" W.; to latitude 34°37'30" N., longitude 76°58'20" W.; thence southwest along a line 3-nautical miles from and parallel to the shoreline to latitude 34°36'30" N., longitude 77°09'00" W.; to latitude 34°44'50" N., longitude 77°14'40" W.; to latitude 34°49'30" N., longitude 77°10'00" W.; thence to point of beginning.
Designation altitudes. Surface to, but not including FL 180.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commanding General, U. S. Marine Corps Air Station, Cherry Point, N. C.

R-5306D Cherry Point, N. C.

Boundaries. Beginning at latitude 34°44'50" N., longitude 77°14'40" W.; to latitude 34°34'30" N., longitude 77°09'00" W.; thence southwest along a line 3-nautical miles from and parallel to the shoreline to latitude 34°30'20" N., longitude 77°15'50" W.; to latitude 34°33'00" N., longitude 77°19'00" W.; to latitude 34°36'05" N., longitude 77°28'08" W.; to latitude 34°40'00" N., longitude 77°22'00" W.; to latitude 34°39'10" N., longitude 77°20'50" W.; thence to point of beginning.
Designated altitudes. Surface to, but not including FL 180.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commanding General, U. S. Marine Corps Air Station, Cherry Point, N. C.

R-5306E Cherry Point, N. C.

Boundaries. Beginning at latitude 34°40'20" N., longitude 77°22'12" W.; to latitude 34°40'00" N., longitude 77°22'00" W.; to latitude 34°36'05" N., longitude 77°26'08" W.; to latitude 34°38'12" N., longitude 77°26'00" W.; thence to point of beginning.
Designated altitudes. Surface to, but not including FL 180.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commanding General, U. S. Marine Corps Air Station, Cherry Point, N. C.

R-5311A Fort Bragg, N. C.

Boundaries. Beginning at latitude 35°10'46" N., longitude 79°01'56" W.; to latitude 35°08'47" N., longitude 79°02'00" W.; to latitude 35°07'00" N., longitude 79°02'30" W.; to latitude 35°05'35" N., longitude 79°01'50" W.; to latitude 35°02'55" N., longitude 79°05'40" W.; to latitude 35°02'45" N., longitude 79°20'10" W.; to latitude 35°07'05" N., longitude 79°22'50" W.; to latitude 35°09'40" N., longitude 79°20'10" W.; thence along Little River to point of beginning.
Designated altitudes: Surface to but not including 18,000 feet MSL.
Time of designation. Continuous.
Using agency. Commanding General, Fort Bragg, N. C.

R-5311B Fort Bragg, N. C.

Boundaries: Beginning at latitude 35°10'46" N., longitude 79°01'56" W.; to latitude 35°08'47" N., longitude 79°02'00" W.; to latitude 35°07'00" N., longitude 79°02'30" W.; to latitude 35°05'35" N., longitude 79°01'50" W.; to latitude 35°02'55" N., longitude 79°05'40" W.; to latitude 35°02'45" N., longitude 79°20'10" W.; to latitude 35°07'05" N., longitude 79°22'50" W.; to latitude 35°09'40" N., longitude 79°20'10" W.; thence along Little River to point of beginning.
Designated altitudes: From 18,000 to 29,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, ARTC Center, Washington.
Using agency: Commanding General, Fort Bragg, N. C.

R-5313 Long Shoal Point, N. C.

Boundaries. A circular area with a 3-mile radius centered at Lat. 35°32'48" N, Long. 75°41'36" W.
Designated altitudes. Surface to 18,000 feet MSL.
Time of designation. Continuous.
Using agency. Commander, Fleet Air Norfolk, NAS Norfolk, VA.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.

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R-5314 Dare County, N. C.

Subarea A

Boundaries. Beginning at latitude 35°45'40" N., longitude 75°49'20" W.; to latitude 35°40'10" N., longitude 75°50'15" W.; to latitude 35°41'30" N., longitude 76°00'20" W.; to latitude 35°47'00" N., longitude 75°59'00" W; to the point of beginning.
Designated altitudes. Surface to flight level 205.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, 4th Tactical Fighter Wing, Seymour Johnson AFB, N. C.

Subarea B

Boundaries. Beginning at latitude 35°39'30" N., longitude 75°45'45" W.; to latitude 35°34'40" N., longitude 75°46'50" W.; to latitude 35°36'45" N., longitude 76°01'20" W.; to latitude 35°41'30" N., longitude 76°00'20" W.; to the point of beginning.
Designated altitudes. 500 feet above the surface to flight level 205.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, 4th Tactical Fighter Wing, Seymour Johnson AFB, N. C.

Subarea C.

Boundaries. Beginning at latitude 35°48'30" N., longitude 75°43'40" W.; to latitude 35°45'00" N., longitude 75°44'35" W.; to latitude 35°47'00" N., longitude 75°59'00" W.; to latitude 35°51'35" N., longitude 75°57'55" W.; to latitude 35°49'30" N., longitude 75°45'00" W.; to the point of beginning.
Designated altitudes. 500 feet above the surface to flight level 205.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center
Using agency. Commander, 4th Tactical Fighter Wing, Seymour Johnson AFB, N. C.

Subarea D.

Boundaries. Beginning at latitude 35°40'30" N., longitude 75°52'15" W.; to latitude 35°38'40" N., longitude 75°52'35" W.; to latitude 35°39'00" N., longitude 75°54'35" W.; to latitude 35°40'40" N., longitude 75°54'10" W.; to the point of beginning.
Designated altitudes. Surface to flight level 205.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, 4th Tactical Fighter Wing, Seymour Johnson AFB, N. C.

Subarea E.

Boundaries. Beginning at latitude 35°47'50" N., longitude 75°48'50" W.; to latitude 35°45'40" N., longitude 75°49'20" W.; to latitude 35°46'10" N., longitude 75°52'35" W.; to latitude 35°48'00" N., longitude 75°52'00" W.; to the point of beginning.
Designated altitudes. Surface to flight level 205.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, 4th Tactical Fighter Wing, Seymour Johnson AFB, N. C.

Subarea F.

Boundaries. Beginning at latitude 35°43'00" N., longitude 75°44'35" W.; to latitude 35°39'30" N., longitude 75°45'45" W.; to latitude 35°40'10" N., longitude 75°50'15" W.; to latitude 35°45'40" N., longitude 75°49'20" W.; to the point of beginning.
Designated altitudes. 500 feet above the surface to flight level 205.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, 4th Tactical Fighter Wing, Seymour Johnson AFB, N. C.

Subarea G

Boundaries. Beginning at latitude 35°49'40" N., longitude 75°58'20" W.; to latitude 35°38'55" N., longitude 76°01'00" W.; to latitude 35°39'20" N., longitude 76°05'00" W.; to latitude 35°50'20" N., longitude 76°02'30" W.; to the point of beginning.
Designated altitudes. 200 feet above the surface to 15,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, 4th Tactical Fighter Wing, Seymour Johnson AFB, N. C.

Subarea H

Boundaries. Beginning at latitude 35°50'20" N., longitude 76°02'30" W.; to latitude 35°39'20" N., longitude 76°05'00" W.; to latitude 35°40'25" N., longitude 76°12'25" W.; to latitude 35°51'25" N., longitude 76°10'05" W.; to the point of beginning.
Designated altitudes. 500 feet above the surface to 10,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, 4th Tactical Fighter Wing, Seymour Johnson AFB, N. C.

Subarea J

Boundaries. Beginning at latitude 35°51'25" N., longitude 76°10'05" W.; to latitude 35°40'25" N., longitude 76°12'25" W.; to latitude 35°43'50" N., longitude 76°35'30" W.; to latitude 35°54'50" N., longitude 76°33'10" W.; to the point of beginning.
Designated altitudes. 1,000 feet above the surface to 6,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, 4th Tactical Fighter Wing, Seymour Johnson AFB, N. C.

§ 73.54 North Dakota

§ 73.55 Ohio

R-5502 Lacarne, Ohio

Boundaries: Beginning at latitude 41°41'15" N., longitude 83°07'45" W.; to latitude 41°41'17" N., longitude 83°00'00" W.; to latitude 41°35'30" N., longitude 82°54'48" W.; to latitude 41°32'19" N., long. 83°00'06" W., to latitude 41°32'16" N., longitude 83°01'24" W., to latitude 41°36'54" N., longitude 83°07'45" W.; to the point of beginning.
Designated altitudes: April 1 to May 31 surface to and including 5,000 feet MSL; June 1 to July 31 surface to and including 23,000 feet MSL; and August 1 to November 30 surface to and including 5,000 feet MSL.
Time of designation: 0800 to 1600 local time Saturday and Sunday April 1 through May 31; 0800 to 1600 local time daily June 1 through July 31; 0800 to 1600 local time Saturday and Sunday August 1 through November 30; other dates, time and altitudes (not to exceed 23,000 feet MSL) by NOTAM, published at least 48 hours in advance.
Controlling agency: Federal Aviation Administration, Cleveland ARTC Center.
Using agency: The Adjutant General State of Ohio.

R-5503 Wilmington, Ohio

Boundaries. Beginning at lat. 39°30'00" N., long. 83°02'00" W.; to lat. 38°48'30" N., long. 83°02'00" W.; to lat. 38°58'30" N., long. 84°05'00" W.; to lat. 39°15'45" N., long. 84°05'00" W.; to lat. 39°17'50" N., long. 84°02'30" W.; to lat. 39°26'05" N., long. 83°48'10" W.; to lat. 39°30'00" N., long. 83°38'35" W.; to point of beginning.
Designated altitudes. 4,000 feet MSL to flight level 600.
Time of designation. 0800 to 2200 hours, local time, Monday through Saturday.
Controlling agency. Federal Aviation Administration, Indianapolis ARTC Center.
Using agency. Aeronautical Systems Division, Wright-Patterson AFB, Ohio.

AMENDMENTS 3/4/75 40 F. R. 8940 (Rewritten)

§ 73.56 Oklahoma

R-5601A Fort Sill, Okla.

Boundaries. Beginning at latitude 34°38'15" N., longitude 98°17'00" W.; to latitude 34°38'15 N., longitude 98°20'55" W.; thence counterclockwise along the arc of a 3-mile radius circle centered at latitude 34°38'18" N., longitude 98°24'06" W.; to latitude 34°40'12" N., longitude 98° 26'17" W.; to latitude 34°39'33" N., longitude 98°26'17" W.; thence counterclockwise along the arc of a 2.5-mile radius circle centered at latitude 34°38'18" N., longitude 98°24'06" W.; to latitude 34°39'15" N., longitude 98°26'46" W.; to latitude 34°38'15" N., longitude 98°45'20" W.; to latitude 34°41'58" N., longitude 98°45'30" W.; to latitude 34°41'58" N., longitude 98°39'43" W.; to latitude 34°43'30" N., longitude 98°35'39" W.; to latitude 34°43'30" N., longitude 98°21'20" W.; to latitude 34°43'45" N., longitude 98°21'00" W.; to latitude 34°46'06" N., longitude 98°21'00" W.; to latitude 34°46'06" N., longitude 98°17'00" W.; to point of beginning.
Designated altitude. Surface to 23,000 feet MSL.
Time of designation. Continuous.
Using agency. Commanding General, Fort Sill, Oklahoma.

R-5601B Fort Sill, Okla.

Boundaries Beginning at latitude 34°38'15" N., longitude 98°26'46" W.; thence clockwise along the arc of a 2.5-mile radius circle centered at latitude 34°38'18" N., longitude 98°24'06" W.; to latitude 34°39'33" N., longitude 98°26'17" W.; to latitude 34°40'12" N., longitude 98°26'17" W.; thence clockwise along the arc of a 3-mile radius circle centered at latitude 34°38'18" N., longitude 98°24'06" W.; to latitude 34°38'15" N., longitude 98°20'55" W.; thence to point of beginning.
Designated altitude. Surface to 23,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Fort Worth ARTC Center.
Using agency. Commanding General, Fort Sill, Okla.

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R-5601C, Fort Sill, Okla.

Boundaries. Beginning at latitude 34°38'15" N., longitude 98°17'00" W.; to latitude 34°38'15" N., longitude 98°45'20" W.; to latitude 34°41'58" N., longitude 98°45'20" W.; to latitude 34°41'58" N., longitude 98°39'43" W.; to latitude 34°43'30" N., longitude 98°35'39" W.; to latitude 34°43'30" N., longitude 98°21'20" W.; to latitude 34°43'45" N., longitude 98°21'00" W.; to latitude 34°46'06" N., longitude 98°21'00" W.; to latitude 34°46'06" N., longitude 98°17'00" W.; to point of beginning.

Designated altitude. 23,000 feet MSL to 65,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Fort Worth ARTC Center.

Using Agency. Commanding General, Fort Sill, Okla.

R-5601D Fort Sill, Okla.

Boundaries. Beginning at latitude 34°38'15" N., longitude 98°38'00" W.; to latitude 34°36'00" N., longitude 98°46'45" W.; to latitude 34°42'15" N., longitude 98°50'00" W.; to latitude 34°45'00" N., longitude 98°40'30" W.; to latitude 34°43'30" N., longitude 98°35'39" W.; to latitude 34°41'58" N., longitude 98°39'43" W.; to latitude 34°41'58" N., longitude 98°45'20" W.; to latitude 34°38'15" N., longitude 98°45'20" W.; to point of beginning excluding the airspace above 6,000 feet MSL south of a line from latitude 34°38'15" N., longitude 98°38'00" W.; to latitude 34°38'15" N., longitude 98°48'00" W.

Designated altitudes. Surface to 16,500 feet MSL.

Time of designation. Sunrise to sunset.

Controlling agency. Federal Aviation Administration, Fort Worth ARTC Center.

Using agency. Commanding General, Fort Sill, Okla.

§ 73.57 Oregon

R-5701 Boardman Oreg.

Boundaries and designated altitudes. A 5-nautical-mile radius circle centered at latitude 45°43'36" N., longitude 119°41'03" W., surface to flight level 230; within 3 nautical miles either side of the 093° and 263° bearings from the center of the circle extending to 11 nautical miles from the center, excluding the airspace within 5 statute miles of the 256° radial of the Pendleton, Oreg., VOR, 20,000 feet MSL to flight level 230; within 2 nautical miles N and 3 nautical miles S of the 082° bearing from the center of the circle extending to a line one nautical mile W of and parallel to Butter Creek, surface to 10,000 feet MSL to a distance of 7 nautical miles from the center of the circle, thence surface to 6,000 feet MSL to the E extremity; within 3 nautical miles either side of the 234° bearing from the center of the circle extending to 10 nautical miles from the center, excluding the airspace within VOR Federal airway No. 112, surface to 10,000 feet MSL to a distance of 7 nautical miles from the center of the circle, thence surface to 6,000 feet MSL to the SW extremity; within 3 nautical miles either side of the 270° bearing from the center of the circle extending to 15 nautical miles from the center, surface to 10,000 feet MSL to a distance of 7 nautical miles from the center of the circle, thence surface to 6,000 feet MSL to the W extremity.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Seattle ARTC Center.

Using agency. Commander, Medium Attack Tactical Electronic Warfare Wing, NAS Whidbey Island, Wash.

R-5704 Hermiston, Oreg.

Boundaries. Beginning at latitude 45°52'00" N., longitude 119°29'00" W.; to latitude 45°50'00" N., longitude 119°29'00" W.; to latitude 45°50'00" N., longitude 119°30'30" W.; to latitude 45°52'00" N., longitude 119°30'30" W.; to point of beginning.

Designated altitudes. Surface to 5,000 feet MSL.

Time of designation. 0800 to 2000 Pst, Monday through Friday.

Using agency. Commanding Officer, Umatilla Ordnance Depot, Hermiston, Oreg.

R-5706 Boardman, Oreg.

Boundaries. Beginning at latitude 45°40'40" N., longitude 120°02'25" W.; to latitude 45°40'40" N., longitude 120°09'00" W.; to latitude 45°45'45" N., longitude 120°09'00" W.; thence east along the south shore of the Columbia River to latitude 45°51'00" N., longitude 119°40'00" W.; to latitude 45°53'00" N., longitude 119°31'00" W.; to latitude 45°46'35" N., longitude 119°31'00" W.; to latitude 45°46'10" N., longitude 119°35'00" W.; thence counterclockwise along the arc of a 5-nautical-mile radius circle centered at latitude 45°43'36" N., longitude 119°41'03" W.; to latitude 45°46'35" N., longitude 119°46'50" W.; to latitude 45°46'35" N., longitude 120°02'25" W.; to point of beginning.

Designated altitudes. 3,500 feet MSL to 10,000 feet MSL.

Time of designation. Continuous.

Controlling agency. FAA, Seattle ARTC Center.

Using agency. Commander, Medium Attack Tactical Electronic Warfare Wing, NAS Whidbey Island, Wash.

§ 73.58 Pennsylvania

R-5801 Chambersburg, Pa.

Boundaries. The arc of a circle, having a 5,000-foot radius, centered at latitude 39°59'44" N., longitude 77°43'55" W.

Designated altitudes. Surface to 4,000 feet MSL.

Time of designation. 0800 to 1600 EST, Monday through Friday.

Using agency. Commanding Officer, Letterkenny Ordnance Depot, Chambersburg, Pa.

R-5802 Indiantown Gap, Pa.

Boundaries. Beginning at latitude 40°28'45" N., longitude 76°35'30" W.; to latitude 40°26'05" N., longitude 76°35'30" W.; to latitude 40°24'55" N., longitude 76°36'55" W.; to latitude 40°23'45" N., longitude 76°43'11" W.; to latitude 40°24'20" N., longitude 76°44'40" W.; to latitude 40°28'45" N., longitude 76°37'40" W.; to the point of beginning.

Designated altitudes. Surface to 13,000 feet MSL.

Time of designation. 0800-2300 hours local time, Saturdays, February 15 through May 10; 0800-1200 hours local time, Sundays, February 15 through May 10; 0800-2000 hours local time, May 11 through August 31; 0800-2300 hours local time, Saturdays, September 1 through December 18; 0800-1200 hours local time, Sundays, September 1 through December 18. Other times by Notice to Airmen, issued at least 48 hours in advance.

Controlling agency. Federal Aviation Administration, New York ARTC Center.

Using agency. Commanding General, Indiantown Gap Military Reservation, Annville, Pa.

R-5803 Chambersburg, Pa.

Boundaries. A circular area with a 2,400-foot radius centered at Lat. 40°02'29" N, Long. 77°44'20" W.

Designated altitudes. Surface to 4,000 feet MSL.

Time of designation. 0800 to 1600 EST, Monday through Friday.

Using agency. Commanding Officer, Letterkenny Ordnance Depot, Chambersburg, Pa.

§ 73.59 Rhode Island

§ 73.60 South Carolina

R-6001 Fort Jackson, S. C.

Boundaries. Beginning at Lat. 34°03'51" N, Long. 80°42'12" W; to Lat. 34°01'40" N, Long. 80°42'15" W; to Lat. 34°01'50" N, Long. 80°55'15" W; to Lat. 34°02'21" N, Long. 80°56'02" W; to Lat. 34°04'45" N, Long. 80°53'02" W; to Lat. 34°08'19" N, Long. 80°48'47" W; to Lat. 34°05'58" N, Long. 80°46'05" W; to the point of beginning.

Designated altitudes. Surface to 24,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Jacksonville ARTC Center.

Using agency. Commanding General, Fort Jackson, S. C.

R-6002 Poinsett-Sumter, S. C.

Boundaries. Beginning at latitude 33°54'24" N., longitude 80°24'12" W., to latitude 33°46'25" N., longitude 80°23'12" W., to latitude 33°44'27" N., longitude 80°31'42" W., to latitude 33°50'13" N., longitude 80°31'03" W., to latitude 33°53'37" N., longitude 80°31'03" W., to point of beginning. Excluding that airspace within the Shaw AFB control zone.

Designated altitudes. Surface to 13,000 feet MSL.

Time of designation. Sunrise to 2400 hours local time.

Controlling agency. Federal Aviation Administration, Jacksonville ARTC Center.

Using agency. Commander, Shaw AFB, S. C.

R-6004 Savannah River Plant, S. C.

Boundaries. Beginning at latitude 33°22'00" N., longitude 81°43'15" W.; to latitude 33°20'30" N., longitude 81°27'40" W.; to latitude 33°10'20" N., longitude 81°20'05" W.; to latitude 33°05'50" N., longitude 81°37'05" W.; to latitude 33°08'35" N., longitude 81°45'50" W.; to latitude 33°11'11" N., longitude 81°46'28" W.; to latitude 33°20'23" N., longitude 81°45'29" W.; to the point of beginning.

Designated altitudes. Surface to 17,000 feet MSL.

Time of designation. Continuous.

Using agency. Manager, Atomic Energy Commission, Savannah River Plant, Aiken, S. C.

AMENDMENTS 2/19/75 40 F. R. 7082 (Changed)

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§ 73.61 South Dakota

§ 73.62 Tennessee

§ 73.63 Texas

R-6302A Fort Hood, Texas.

Boundaries. Beginning at latitude 31°06'06" N., longitude 97°32'42" W.; to latitude 31°08'20" N., longitude 97°39'28" W.; to latitude 31°10'04" N., longitude 97°41'06" W.; to latitude 31°10'39" N., longitude 97°43'19" W.; to latitude 31°09'52" N., longitude 97°44'45" W.; to latitude 31°09'02" N., longitude 97°45'25" W.; to latitude 31°08'56" N., longitude 97°47'18" W.; to latitude 31°15'10" N., longitude 97°50'45" W.; to latitude 31°19'28" N., longitude 97°50'45" W.; to latitude 31°23'31" N., longitude 97°47'45" W.; to latitude 31°22'33" N., longitude 97°42'45" W.; to latitude 31°20'48° N., longitude 97°40'32" W.; to latitude 31°19'37" N., longitude 97°40'32" W.; to latitude 31°13'45" N., longitude 97°32'35" W.; to point of beginning.
Designated altitude. Surface to 30,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Houston, Tex. ARTC Center.
Using agency. Commanding General, Fort Hood, Texas.

R-6302B Fort Hood, Texas
Boundaries. Beginning at latitude 31°08'20" N., longitude 97°39'28" W.; to latitude 31°09'03" N., longitude 97°41'18" W.; to latitude 31°09'40" N., longitude 97°41'20" W.; to latitude 31°09'40" N., longitude 97°43'19" W.; to latitude 31°08'45" N., longitude 97°43'30" W.' to latitude 31°09'02" N., longitude 97°45'25" W.; to latitude 31°09'52" N., longitude 97°44'45" W.; to latitude 31°10'39" N., longitude 97°43'19" W.; to latitude 31°10'04" N., longitude 97°41'06" W.' to point of beginning.
Designated altitude. Surface to 30,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Houston, Tex. ARTC Center.
Using agency. Commanding General, Fort Hood, Texas.

R-6302C Fort Hood, Texas

Boundaries. Beginning at latitude 31°08'56" N., longitude 97°47'18" W.; to latitude 31°08'40" N., longitude 97°52'10" W.; to latitude 31°09'15" N., longitude 97°54'30" W.; to latitude 31°15'34" N., longitude 97°54'29" W.; to latitude 31°19'28" N., longitude 97°50'45" W.; to latitude 31°15'10" N., longitude 97°50'45" W.; to point of beginning.
Designated altitude. Surface to 30,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Houston, Tex. ARTC Center.
Using agency. Commanding General, Fort Hood, Texas.

R-6312 Cotulla, Tex.,
Boundaries: The area within 5 nmi of geographical points located at 28°14'50" N., 98°43'30" W.; and 28°08'53" N., 98°42'51" W.
Designated altitudes: Surface to 12,000 feet MSL except for the area west of a line between 28°17'40" N., 98°47°55" W., and 28°11'55" N., 98°48'00" W., and the area along Highway 624 extending ½ mile each side where the floor is 1,000 feet AGL.
Time of designation: Sunrise to sunset.
Controlling agency. Federal Aviation Administration, ARTCC, Houston, Tex.
Using agency: Chief of Naval Air Advanced Training Command, NAS Corpus Christi, Tex.

§ 73.64 Utah

R-6402 Dugway Proving Ground, Dugway, Utah

Boundaries. Beginning at latitude 40°25'00" N., longitude 112°56'00" W., to latitude 40°13'00" N., longitude 112°43'00" W., to latitude 39°49'00" N., longitude 112°43'00" W., to latitude 39°44'00" N., longitude 113°08'00" W., to latitude 39°49'00" N., longitude 113°08'00" W., to latitude 39°52'00" N., longitude 113°27'00" W., to latitude 39°55'00" N., longitude 113°26'40" W., to latitude 40°20'20" N., longitude 113°20'02" W., to latitude 40°20'20" N., longitude 113°07'00" W., to latitude 40°25'00" N., longitude 113°07'00" W., to the point of beginning.
Designated altitudes. Surface to Flight Level 400.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Salt Lake City ARTC Center.
Using agency. Commanding Officer, Dugway Proving Ground.

AMENDMENTS 7/25/75 40 F. R. 31209 (Changed)

R-6403 Tooele, Utah

Boundaries: Beginning at latitude 40°30'44" N., longitude 112°27'30" W.; to latitude 40°29'32" N., longitude 112°27'30" W.; to latitude 40°29'32" N., longitude 112°29'15" W.; to latitude 40°30'44" N., longitude 112°29'15" W.; to the point of beginning.
Designated altitudes. Surface to 9,000 feet MSL.
Time of designation. 0800 to 2000 local time, Monday through Friday.
Using agency. Commanding Officer, Tooele Army Depot, Tooele, Utah.

R-6404A Hill AFB Range South, Utah

Boundaries. Beginning at latitude 41°00'00" N., longitude 112°56'30" W.; to latitude 40°51'30" N., longitude 112°56'30" W.; to latitude 40°48'30" N., longitude 113°40'00" W.; to latitude 41°00'00" N., longitude 113°41'40" W.; to the point of beginning.
Designated altitudes. Surface to flight level 600.
Time of designation. Sunrise to sunset.
Controlling agency. Federal Aviation Administration, Salt Lake City ARTC Center.
Using agency. Commander, Hill AFB, Utah.

R-6404B Hill AFB Range North, Utah

Boundaries. Beginning at latitude 41°15'00" N., longitude 113°43'30" W.; to latitude 41°11'40" N., longitude 112°56'30" W.; to latitude 41°00'00" N., longitude 112°56'30" W.; to latitude 41°00'00" N., longitude 113°41'40" W.; to the point of beginning.
Designated altitudes. Surface to flight level 600.
Time of designation. Sunrise to sunset.
Controlling agency. Federal Aviation Administration, Salt Lake City ARTC Center.
Using agency. Commander, Hill AFB, Utah.

R-6404C Hill AFB Range East, Utah

Boundaries. Beginning at latitude 41°11'40" N., longitude 112°56'30" W.; to latitude 41°10'40" N., longitude 112°45'00" W.; to latitude 41°00'00" N., longitude 112°45'00" W.; to latitude 41°00'00" N., longitude 112°56'30" W.; to point of beginning.
Designated altitudes. Surface to flight level 600. Surface to 10,000 feet MSL.
Time of designation. Sunrise to sunset, surface to flight level 600. Sunset to 0100 local time, surface to 10,000 feet MSL.
Controlling agency. Federal Aviation Administration, Salt Lake City ARTC Center.
Using agency. Commander, Hill AFB, Utah.

R-6405 Wendover, Utah

Boundaries. Beginning at latitude 39°44'00" N., longitude 113°08'00" W., to latitude 39°23'00" N., longitude 113°19'00" W., to latitude 39°23'00" N., longitude 113°48'00" W., to latitude 39°35'00" N., longitude 113°48'00" W., to latitude 39°35'00" N., longitude 113°26'40" W., to latitude 39°52'00" N., longitude 113°27'00" W., to latitude 39°49'00" N., longitude 113°08'00" W., to the point of beginning.
Designated altitudes. Surface to flight level 400.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Salt Lake City ARTC Center.
Using agency. Commander, Hill AFB, Utah.

R-6406 Wendover, Utah

Boundaries. Beginning at 40°40'30" N., 113°00'00" W., to 40°28'00" N., 113°00'00" W., to 40°25'00" N., 113°56'00" W.,to 40°25'00" N., 113°07'00" W., to 40°20'20" N., 113°07'00" W., to 40°20'20" N., 113°49'00" W., to 40°17'00" N., 114°00'00" W., to 40°38'30" N., 114°00'00" W., to point of beginning.
Designated altitudes. Surface to Flight Level 400.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Salt Lake City ARTC Center.
Using agency. Commander, Hill Air Force Base, Utah.
AMENDMENTS 7/25/75 40 F. R. 31209 (Changed)

R-6407 Dugway Proving Ground, Dugway, Utah
Boundaries. Beginning at latitude 40°20'20" N., longitude 113°20'02" W., to latitude 39°55'00" N., longitude 113°26'40" W., to latitude 39°55'00" N., longitude 113°48'00" W., to latitude 40°00'00" N., longitude 114°00'00" W., to latitude 40°17'00" N., longitude 114°00'00" W., to latitude 40°20'20" N., longitude 113°49'00" W., to the point of beginning.
Designated altitudes. Surface to Flight Level 400.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Salt Lake City ARTC Center.
Using agency. Commanding Officer, Dugway Proving Ground
AMENDMENTS 7/25/75 40 F. R. 31209 (Changed)

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R-6412 Camp Williams, Utah
Beginning at latitude 40°27'30" N., longitude 111°56'24" W.; thence southerly along Redwood Road (Utah Highway 68) to latitude 40°23'30" N., longitude 111°54'56" W.; to latitude 40°23'30" N., longitude 112°06'00" W.; to latitude 40°27'30" N., longitude 112°06'00" W.; to point of beginning.
Designated altitudes. Surface to 10,000 feet MSL.
Time of designation. Maximum two-week period during the month of June each year with specific dates to be published by NOTAM.
Controlling agency. Federal Aviation Administration, Salt Lake City Tower,
Using agency. The Adjutant General, State of Utah.

R-6413 Green River, Utah
Boundaries. Beginning at lat. 38°57'00" N., long. 110°09'40" W.; thence to lat. 38°46'03" N., long. 110° 06'00" W.; to lat. 38°31'30" N., long. 109°57'00" W.; to lat. 38°31'30" N., long. 109°51'00" W.; to lat. 38° 33'27" N., long. 109°46'00" W.; to lat. 38°49'15" N., long. 109°57'02" W.; to lat. 38°58'02" N., long. 110°08' 33" W.; thence to point of beginning.
Designated altitudes. Surface to unlimited.
Time of designation. As published by NOTAM issued 48 hours in advance of area activation.
Controlling agency. Federal Aviation Administration, Denver ARTC Center.
Using agency. Deputy for Air Force, White Sands Missile Range, N. Mex. 88002.

AMENDMENTS 8/27/75 40 F. R. 38146 (Changed)

§ 73.65 Vermont

R-6501 Underhill, Vt.
Boundaries. Beginning at latitude 44°30'00" N., longitude 72°52'00" W.; to latitude 44°27'00" N., longitude 72°52'00" W.; to latitude 44°27'00" N., longitude 72°55'00" W.; to latitude 44°28'30" N., longitude 72°56'30" W.; to latitude 44°29'15" N., longitude 72°56'30" W.; to latitude 44°30'00" N., longitude 72°53'30"W.; to the point of beginning.
Designated altitudes. Surface to 13,600 feet MSL.
Time of designation: Continuous, Monday through Saturday, other time by a NOTAM issued 24 hours in advance.
Controlling agency. Federal Aviation Administration, Burlington Approach Control.
Using Agency. Adjutant General, State of Vermont, Montpelier, Vt.

§ 73.66 Virginia

R-6601 Fort A. P. Hill, Va.
Boundaries. Beginning at latitude 38°08'50" N., longitude 77°10'34" W.; to latitude 38°05'30" N., longitude 77°09'08" W.; to latitude 38°04'40" N., longitude 77°10'20" W.; to latitude 38°03'12" N., longitude 77°09'35" W.; to latitude 38°02'22" N., longitude 77°11'40" W.; to latitude 38°02'30" N., longitude 77°14'40" W.; to latitude 38°01'50" N., longitude 77°16'08" W.; to latitude 38°02'15" N., longitude 77°18'04" W.; to latitude 38°03'40" N., longitude 77°18'45" W.; to latitude 38°04'37" N., longitude 77°18'45" W.; thence along highway U. S. 301 to latitude 38°08'01" N., longitude 77°14'04" W.; to latitude 38°07'53" N., longitude 77°13'40" W.; to latitude 38°06'46" N., longitude 77°12'21" W.; thence to the point of beginning.
Designated altitudes. Surface to 5,000 feet MSL.
Time of designation. 0700 to 2300 e.s.t., June 1 through September 8; and 0700 to 2300 e.s.t., September 9, through May 31, by NOTAM issued at least 48 hours in advance.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, Fort Lee, Va.

R-6602 Fort Pickett, Va.
Boundaries. Beginning at latitude 37°05'37" N., longitude 77°51'54" W.; to latitude 37°04'25" N., longitude 77°51'45" W.; along State Highway No. 40 to latitude 37°03'55" N., longitude 77°51'05" W.; to latitude 37°02'43" N., longitude 77°50'38" W.; to latitude 37°01'05" N., longitude 77°50'43" W.; to latitude 36°59'50" N., longitude 77°50'34" W.; to latitude 36°57'58" N., longitude 77°52'14" W.; to latitude 36°57'54" N., longitude 77°53'19" W.; to latitude 36°58'12" N., longitude 77°57'42" W.; to latitude 37°01'50" N., longitude 77°58'40" W.; to latitude 37°01'50" N., longitude 77°55'58" W.; to latitude 37°05'37" N., longitude 77°56'00" W.; to point of beginning.
Designated altitudes. The area NW of a line between latitude 37°01'05" N., longitude 77°50'43" W., and latitude 36°57'54" N., longitude 77°53'19" W., surface to 18,500 feet MSL. The area SE of this line, surface to 1,900 feet MSL.
Time of designation. Continuous from June 1 through September 8; 0600 EST Saturday to 2200 EST Sunday from September 9 through May 31; other times after issuance of NOTAMS by the using agency at least 48 hours in advance. When activated by NOTAM, another NOTAM shall be issued upon termination of use.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, Fort Lee, Va.

R-6604 Chincoteague Inlet, Va.
Boundaries. Beginning at Lat. 37°56'45" N. Long. 75°27'30" W; to Lat. 37°51'30" N, Long. 75°17'15" W; thence 3 nautical miles from and parallel to the shoreline to Lat. 37°38'45" N, Long. 75°31'20" W; to Lat. 37°50'24" N, Long. 75°31'20" W; to the point of beginning.
Designated altitudes. Unlimited.
Time of designation. Continuous.
Controlling agency: Federal Aviation Administration, Washington ARTC Center.
Using agency. Chief, Wallops Station, National Aeronautics and Space Administration. Wallops Island. Va.

R-6606 Pendleton, Va.
Boundaries. Beginning at lat. 36°50'41" N., long. 75°54'40" W.; thence 3 nautical miles from and parallel to the shoreline to lat. 36°34'33" N., long. 75°48'40" W.; to lat. 36°45'03" N., long. 75°56'12" W.; to lat. 36°44'45" N.,long. 75°57'05" W.; to lat. 36°44'38" N., long. 75°58'00" W.; to lat. 36°47'00" N., long. 75° 58'45" W.; to lat. 36°47'18" N., long. 75°56'54" W.; to the point of beginning.
Designated altitudes. Surface to and including 51,000 feet MSL.
Time of designation. 0800-1700 hours local time, Monday through Friday. Other times by NOTAM issued 48 hours in advance.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Virginia Capes Operating Area Coordinator (VCOAC) COMNAVAIRLANT, NAS Oceana, Virginia Beach, Va.

R-6608 Quantico, Va.
Boundaries. Beginning at latitude 38°31'15" N., longitude 77°24'20" W.; to latitude 38°29'00" N., longitude 77°28'45" W.; to latitude 38°31'20" N., longitude 77°34'07" W.; to latitude 38°37'00" N., longitude 77°34'07" W.; to latitude 38°37'50" N., longitude 77°32'20" W.; to latitude 38°37'00" N., longitude 77°25' 34" W.; to latitude 38°34'00" N., longitude 77°24'00" W.; to the point of beginning.
Designated altitudes. Surface to 10,000 feet MSL.
Time of designation: 0700 to 2400 local time.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commanding General, Marine Corps Development and Education Command, Quantico, Va.

R-6609 Tangier Island, Va.
Boundaries: Beginning at latitude 37°53'10" N., longitude 76°14'00" W.; to latitude 37°55'15" N., longitude 76°02'30" W.; to latitude 37°50'00" N., longitude 76°00'52" W.; to latitude 37°41'00" N., longitude 76°00'52" W.; to latitude 37°40'00" N., longitude 76°01'30" W.; to latitude 37°40'00" N., longitude 76°10'00" W.; to latitude 37°45'00" N., longitude 76°11'33" W.; to point of beginning.
Designated altitudes: Surface to FL 200.
Time of designation: 0800 to 2300 hours, local time, other times by NOTAM issued at least 48 hours in advance.
Controlling agency: Federal Aviation Administration, Washington ARTC Center.
Using agency: Commanding Officer, NAS Patuxent River, Md.

R-6611 Dahlgren Complex, Va.
Subarea A
Boundaries. Beginning at Lat. 38°21'30" N, Long. 77°01'15" W; to Lat. 38°17'30" N, Long. 76°56'00" W; to Lat. 38°15'45" N, Long. 76°52'00" W; to Lat. 38°13'00" N, Long. 76°54'35" W; to Lat. 38°19'15" N. Long. 77°02'00" W; to the point of beginning.
Designated altitudes. Surface to 40,000 feet MSL.
Time of designation. 0800-1700 local time, Monday through Friday, other times by NOTAM issued 48 hours in advance.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, Naval Weapons Laboratory, Dahlgren, VA.

Subarea B
Boundaries. Beginning at lat. 38°21'30" N., long. 77°01'15" W.; to lat. 38°17'30" N., long. 76°56'00" W.; to lat. 38°15'45" N., long. 76°52'00" W.; to lat. 38°13'00" N., long. 76°54'35" W.; to lat. 38°19'15" N., long. 77°02'00" W.; to the point of beginning.
Designated altitudes. 40,000 feet MSL to 60,000 feet MSL.
Time of designation. By NOTAM issued 48 hours in advance.
Controlling agency: Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, Naval Weapons Laboratory, Dahlgren, VA.

R-6612 Dahlgren Complex, Va.
Boundaries. Two overlapping circular areas with 7,000-foot radii centered at Lat. 38°17'50" N, Long. 77°02'15" W, and Lat. 38°18'23" N, Long. 77°02'57" W.
Designated altitudes. Surface to 7,000 feet MSL.
Time of Designation. 0800-1700 local time, Monday through Friday, other times by NOTAM issued 48 hours in advance.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, Naval Weapons Laboratory, Dahlgren, VA.

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R-6613 Dahlgren Complex, Va.

Subarea A
Boundaries. Beginning at Lat. 38°15'45" N, Long. 76°52'00" W; to Lat. 38°13'30" N, Long. 76°46'35" W; to Lat. 38°10'00" N, Long. 76°50'00" W; to Lat. 38°13'00" N, Long. 76°54'35" W; to the point of beginning.
Designated altitudes. Surface to 40,000 feet MSL.
Time of designation. 0800-1700 local time, Monday through Friday, other times by NOTAM 48 hours in advance.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, Naval Weapons Laboratory, Dahlgren, VA.

Subarea B.

Boundaries. Beginning at lat. 38°15'45" N., long. 76°52'00" W.; to lat. 38°13'30" N., long. 76°46'35" W.; to lat. 38°10'00" N., long. 76°50'00" W.; to lat. 38°13'00" N., long. 76°54'35" W.; to the point of beginning.
Designated altitudes. 40,000 feet MSL to 60,000 feet MSL.
Time of designation. By NOTAM issued 48 hours in advance.
Controlling agency. Federal Aviation Administration, Washington ARTC Center.
Using agency. Commander, Naval Weapons Laboratory, Dahlgren, VA.

§ 73.67 Washington

R-6701 Admiralty Inlet, Wash.

Boundaries. Beginning at Lat. 48°10'00" N, Long. 122°34'48" W; to Lat. 48°05'45" N, Long. 122°31'30" W; to Lat. 48°06'06" N; Long. 122°41'12" W; to Lat. 48°10'00" N, Long. 122°40'50" W; to the point of beginning.
Designated altitudes: Surface to 5,000 feet MSL.
Time of designation. Sunrise to sunset, Monday through Friday. Saturday and Sunday as published by NOTAM 24 hours in advance.
Controlling agency. Federal Aviation Administration, Seattle ARTC Center.
Using agency. Commander, Medium Attack Tactical Electronic Warfare Wing, NAS Whidbey Island, Wash.

R-6703 Fort Lewis, Wash.

Subarea A
Boundaries. Beginning at latitude 47°03'08" N., longitude 122°41'05" W.; to latitude 47°04'35" N., longitude 122°41'05" W.; to latitude 47°04'42" N., longitude 122°38'15" W.; to latitude 47°03'38" N., longitude 122°35'36" W.; to latitude 46°58'17" N., longitude 122°37'40" W.; thence via the Nisqually River to point of beginning.
Designated altitudes. Surface to 14,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, McChord Approach Control.
Using agency. Commanding General, Fort Lewis, Wash.

Subarea B
Boundaries. Beginning at latitude 47°03'38" N., longitude 122°35'36" W.; to latitude 47°02'36" N., longitude 122°34'48" W.; to latitude 47°00'46" N., longitude 122°34'48" W.; to latitude 47°00'00" N., longitude 122°33'35" W.; to latitude 46°58'17" N., longitude 122°37'40" W.; to point of beginning.
Designated altitudes. Surface to 5,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, McChord Approach Control.
Using agency. Commanding General, Fort Lewis, Wash.

Subarea C
Boundaries. Beginning at latitude 46°58'17" N., longitude 122°37'40" W.; to latitude 46°54'35" N., longitude 122°41'25" W.; to latitude 46°54'16" N., longitude 122°43'32" W.; to latitude 46°55'12" N., longitude 122°44'30" W.; to latitude 47°03'08" N., longitude 122°41'08" W.; thence via the Nisqually River to point of beginning.
Designated altitudes. Surface to 14,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, McChord Approach Control.
Using agency. Commanding General, Fort Lewis, Wash.

Subarea D
Boundaries. Beginning at latitude 47°03'38" N., longitude 122°35'36" W.; to latitude 47°02'14" N., longitude 122°32'15" W.; to latitude 47°01'48" N., longitude 122°31'38" W.; to latitude 47°01'00" N., longitude 122°31'37" W.; to latitude 47°00'42" N., longitude 122°33'12" W.; to latitude 47°00'30" N., longitude 122°33'16"W.; to latitude 47°00'00" N., longitude 122°35'35" W.; to latitude 47°00'46" N., longitude 122°34'48" W.; to latitude 47°02'36" N., longitude 122°34'48" W.; to point of beginning.
Designated altitudes. Surface to 5,000 feet MSL.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, McChord Approach Control.
Using agency. Commanding General, Fort Lewis, Wash.

R-6705 Strait of Juan De Fuca, Wash.

Boundaries. Beginning at latitude 48°14'30" N., longitude 123°42'00" W.; to latitude 48°10'30" N., longitude 123°42'00" W.; thence one-half mile north of and parallel to the north coast of Washington to latitude 48°18'35" N., longitude 124°25'00" W.; to latitude 48°24'30" N., longitude 124°25'00" W.; thence along the United States-Canadian Border to the point of beginning.
Designated altitudes. Surface to 2,000 feet MSL.
Time of designation. Continuous.
Controlling agency. FAA, Seattle Flight Service Station.
Using agency. Commander, Medium Attack Tactical Electronic Warfare Wing, NAS Whidbey Island, Wash.

R-6707 Quoets, Wash.

Boundaries. Beginning at Lat. 47°29'25" N, Long. 124°25'00" W; clockwise along the arc of a 3-mile radius circle centered at Lat. 47°27'00" N, Long. 124°24'15" W to Lat. 47°24'25" N, Long. 124°24'30" W; thence 3 nautical miles from and parallel to the shoreline to the point of beginning.
Designated altitudes. Surface to 12,000 feet MSL.
Time of designation. Sunrise to sunset.
Controlling agency. Hoquiam FSS.
Using agency. Commander, Medium Attack Tactical Electronic Warfare Wing, NAS Whidbey Island, Wash.

R-6713A Whidbey Island, Wash.
Boundaries. Beginning at lat. 48°14'54" N., long. 122°53'30" W.; to lat. 48°21'27" N., long. 122°59'34" W.; to lat. 48°23'06" N., long. 122°55'18" W.; to lat. 48°22'54" N., long. 122°49'12" W.; to lat. 48°20'12" N., long. 122°46'42" W.; to lat. 48°16'00" N., long. 122°48'27" W.; to point of beginning excluding that airspace within 1000 feet both horisontally and vertically around Smith Island centered at lat. 48°19'10" N., long. 122° 50'33" W.; and excluding that airspace from the surface to 100 feet AGL beyond a 1.25-nautical mile surface radius of lat. 48°19'11" N., long. 122°54'12" W.
Designated altitudes. Surface to 5,000 feet MSL (less exclusions).
Time of designation. Daily, 0700 to 2400 local time.
Controlling agency. Federal Aviation Administration, Seattle ARTC Center.
Using agency. Commander Medium Attack Tactical Electronic Warfare Wing, U. S. Pacific Fleet (COMMATVAQWINGPAC), NAS Whidbey Island, Wash.

R-6713B Whidbey Island, Wash.
Boundaries. Beginning at lat. 48°14'54" N., long. 122°53'30" W.; thence to lat. 48°21'27" N., long. 122°59'34" W.; to lat. 48°23'06" N., long. 122°55'18" W.; to lat. 48°22'54" N., long. 122°49'12" W.; to lat. 48°20'12" N., long. 122°46'42" W.; to lat. 48°16'00" N., long. 122°48'27" W.; to point of beginning.
Designated altitudes. 5000 feet MSL to 10,000 feet MSL.
Time of designation. 0800 to 2400 local time, Monday through Friday.
Controlling agency. Federal Aviation Administration, Seattle ARTC Center.
Using agency. Commander Medium Attack Tactical Electronic Warfare Wing, U. S. Pacific Fleet (COMMATVAQWINGPAC), NAS Whidbey Island, Wash.

R-6713C Whidbey Island, Wash.
Boundaries. Beginning at lat. 48°14'54" N., long. 122°53'30" W.; thence to lat. 48°21'27" N., long. 122°59'34" W.; to lat. 48°23'06" N., long. 122°55'18" W.; to lat. 48°22'54" N., long. 122°49'12" W.; to lat. 48°20'12" N., long. 122°46'42" W.; to lat. 48°16'00" N., long. 122°48'27" W.; to point of beginning.
Designated altitudes. 10,000 feet MSL to 15,000 feet MSL.
Time of designation. 0800 to 2400 local time, Monday through Friday.
Controlling agency. Federal Aviation Administration, Seattle ARTC Center.
Using agency. Commander Medium Attack Tactical Electronic Warfare Wing, U. S. Pacific Fleet (COMMATVAQWINGPAC), NAS Whidbey Island, Wash.

AMENDMENTS 10/9/75 40 F. R. 33655 (Rewritten)

R-6714A Yakima, Wash.
Boundaries. Beginning at latitude 46°51'00" N., longitude 119°58'00" W.; along the west shore of the Columbia River to latitude 46°42'30" N., longitude 119°58'00" W.; to latitude 46°33'00" N., longitude 120°04'00" W.; to latitude 46°33'00" N., longitude 120°00'00" W.; to latitude 46°36'22" N., longitude 120°18'30" W.; to latitude 46°40'35" N., longitude 120°26'35" W.; to latitude 46°43'00" N., longitude 120°26'38" W.; to latitude 46°51'00" N., longitude 120°21'30" W.; to latitude 46°51'00" N., longitude 120°16'30" W.; to latitude 46°54'30" N., longitude 120°15'00" W.; clockwise along the arc of a 12-mile radius circle centered at latitude 46°44'45" N., longitude 120°20'00" W.; to latitude 46°51'00" N., longitude 120°08'30" W.; to point of beginning.
Designated altitudes: Surface to 29,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Seattle ARTC Center.
Using agency: Commanding General, Fort Lewis, Wash.

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R-6714B Yakima, Wash.
Boundaries. Beginning at latitude 46°42'30" N., longitude 119°58'00" W.; along the west shore of the Columbia River to latitude 46°39'00" N., longitude 119°55'30" W.; to latitude 46°33'00" N., longitude 120°04'00" W.; to the point of beginning.
Designated altitudes: Surface to 29,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Administration, Seattle ARTC Center.
Using agency: Commanding General, Fort Lewis, Wash.

R-6715 Richland, Wash.

Boundaries. Beginning at latitude 46°44'25" N.; longitude 119°25'00" W.; to latitude 46°39'30" N.; longitude 119°25'00" W.; thence along the northeast bank of the Columbia River to latitude 46°34'10" N.; longitude 119°20'00" W.; to latitude 46°30'00" N.; longitude 119°20'00" W.; to latitude 46°30'00" N.; longitude 119°15'30" W.; thence along the east bank of the Columbia River to latitude 46°21'30" N.; longitude 119°15'20" W.; to latitude 46°21'30" N.; longitude 119°18'00" W.; to latitude 46°23'20" N.; longitude 119°24'50" W.' thence along State Highway Nos. 240 and 24 to point of beginning.
Designated altitudes. Surface to 10,000 feet MSL.
Time of designation. Continuous.
Using agency. Manager, Atomic Energy Commission, Richland, Washington.

§ 73.68 West Virginia

§ 73.69 Wisconsin

R-6001 Camp McCoy, WI.
Boundaries: Beginning at latitude 44°08'40" N., longitude 90°44'20" W.; to latitude 44°08'40" N., longitude 90°40'22" W.; to latitude 44°09'36" N., longitude 90°36'50" W.; to latitude 44°00'02" N., longitude 90°36'35" W.; to latitude 44°00'02" N., longitude 90°35'15" W.; to latitude 43°56'22" N., longitude 90°35'20" W.; to latitude 43°56'22" N., longitude 90°39'00" W.; to latitude 43°56'38" N., longitude 90°41'00" W.; to latitude 43°56'40" N., longitude 90°45'05" W.; to latitude 43°58'30" N., longitude 90°44'30" W.; to latitude 43°58'40" N., longitude 90°43'55" W.; to latitude 44°02'45" N., longitude 90°44'30" W.; and then to the point of beginning.
Designated altitudes: Surface to 20,000 feet MSL.
Time of designation: Continuous.
Using agency: Commanding Officer, Camp McCoy, WI.
Controlling agency: Federal Aviation Administration, Chicago ARTC Center.

R-6903 Sheboygan, Wis.

Boundaries. Beginning at latitude 43°19'00" N., longitude 87°41'00" W.; to latitude 44°05'30" N., longitude 87°29'45" W.; to latitude 44°02'00" N., longitude 87°02'30" W.; to latitude 43°15'30" N., longitude 87°14'00" W.; to the point of beginning.
Designated altitudes. Surface to flight level 450.
Time of designation. Continuous, sunrise to sunset.
Controlling agency. Federal Aviation Administration, Chicago ARTC Center.
Using agency. Commander, Volk Field, Wisconsin.

R-6904 Volk Field. Wis.

Boundaries. Beginning at Lat. 44°16'00" N, Long. 89°59'00" W; to Lat. 44°12'00" N, Long. 89°59'00" W; to Lat. 44°12'00" N, Long. 90°07'00" W; to Lat. 44°16'00" N, Long. 90°07'00" W; to the point of beginning.
Designated altitudes. Surface to 15,000 feet MSL.
Time of designation. Continuous, sunrise to sunset.
Controlling agency. Federal Aviation Administration, Chicago ARTC Center.
Using agency. Commander, Volk Field, Wis.

R-6905A Lake Michigan

Boundaries. Within 1½ NM on each side of a direct line between coordinates latitude 44°05'N., longitude 87° 38' W.; and latitude 43°57' N., longitude 86°28' W., excluding the area within 5 NM of the shoreline.
Designated altitudes. Surface to 6,000 feet MSL.
Time of designation. As activated by NOTAM 12 hours in advance.
Controlling agency. Federal Aviation Administration, Chicago ARTC Center.
Using agency. University of Wisconsin.

R-6905B Lake Michigan

Boundaries. Within 1½ NM on each side of a direct line between coordinates latitude 43°57' N., longitude 86° 28' W., and latitude 43°02' N., longitude 87°52' W., excluding the area within 5 NM of the shoreline at Ludington, and the area southwest of the southern boundary of R-6903.
Designated altitudes. Surface to 6,000 feet MSL.
Time of designation. As activated by NOTAM 12 hours in advance.
Controlling agency. Federal Aviation Administration, Chicago ARTC Center.
Using agency. University of Wisconsin.

AMENDMENTS 6/19/75 40 F. R. 17550 (Added)

§ 73.70 Wyoming

R-7001 Guernsey, Wyo.

Boundaries. Beginning at latitude 42°27'30" N., longitude 104°52'30" W., latitude 42°27'30" N., longitude 104°42'30" W., latitude 42°22'30" N., longitude 104°42'30" W., latitude 42°20'00" N., longitude 104°52'30" W., thence to point of beginning.
Designated altitudes. Surface to 23,500 feet MSL.
Time of designation. 0430 to 2400 local time March 1 through November 30.
Controlling agency. Federal Aviation Administration, Denver ARTC Center.
Using agency. Adjutant General, State of Wyoming.

§ 73.71 Puerto Rico

R-7103 Salinas, P. R.
SUBAREA A
Boundaries: Beginning at latitude 18°03'00" N., longitude 66°14'35" W.; to latitude 18°01'16" N., longitude 66°15'14" W.; to latitude 17°59'57" N., longitude 66°16'00" W.; to latitude 17°59'16" N., longitude 66°17'11" W.; to latitude 18°01'00" N., longitude 66°19'58" W.; to latitude 18°01'53" N., longitude 66°18'53" W.; to latitude 18°02'34" N., longitude 66°18'47" W.; to latitude 18°03'25" N., longitude 66°17'54" W.; to latitude 18°04'07" N., longitude 66°17'00" W.; to point of beginning.

SUBAREA B
Boundaries: Beginning at latitude 18°03'00" N., longitude 66°14'35" W.; to latitude 18°02'37" N., longitude 66°13'39" W.; to latitude 17°58'53" N., longitude 66°15'22" W.; to latitude 17°58'30" N., longitude 66°16'30" W.; to latitude 17°59'00" N., longitude 66°17'37" W.; to latitude 17°59'16" N., longitude 66°17'11" W.; to latitude 17°59'57" N., longitude 66°16'00" W.; to latitude 18°01'16" N., longitude 66°15'14" W.; to point of beginning.

SUBAREA C
Beginning at latitude 17°59'16" N., longitude 66°17'11" W.; to latitude 17°59'00" N., longitude 66°17'37" W.; to latitude 17°59'44" N., longitude 66°19'17" W.; to latitude 18°00'27" N., longitude 66°18'58" W.; to point of beginning.
Designated altitudes: Subarea A, Surface to 12,000 feet MSL. Subarea B, 3,000 feet MSL to 12,000 feet MSL. Subarea C, 2,000 feet MSL to 12,000 feet MSL.
Time of designation: Continuous, June 1 through August 31, other times as activated by NOTAMs issued at least 24 hours in advance.
Controlling agency: Federal Aviation Administration, San Juan ARTC Center.
Using agency: The Adjutant General, Commonwealth of Puerto Rico.

R-7104 Vieques Island, P. R.
Boundaries. The airspace over Vieques Island and the surrounding waters beginning at latitude 18°02'45" N., longitude 65°27'05" W.; to latitude 18°13'10" N., longitude 65°25'27" W.; thence clockwise along the 3-nautical-mile limit from the shoreline to point of beginning.
Designated altitudes. Surface to FL 500.
Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, San Juan ARTC Center.
Using agency. Commander Fleet Air Caribbean/Atlantic Fleet Weapons Range, NAS Roosevelt Roads, Puerto Rico.

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§ 73.72 Guam

R-7201 Farallon De Medinilla Island, Mariana Islands

Boundaries: The area within a 3-nautical mile radius of lat. 16°01'00" N., long. 146°04'30" E.
Designated altitudes: Surface to FL 600.
Time of use: Continuous.
Using agency: Commander, Naval Forces, Marianas.

§ 73.87 Prohibited Areas

P-56 District of Columbia

Boundaries:
A. Beginning at the southwest corner of the Lincoln Memorial (latitude 38°53'20" N.; longitude 77°03'03" W.);
Thence via a 327° bearing, 0.6 mile, to the intersection of New Hampshire Avenue and Rock Creek and Potomac Parkway NW (latitude 38°53'45" N.; longitude 77°03'24" W.);
Thence northeast along New Hampshire Avenue, 0.6 mile, to Washington Circle, at the intersection of New Hampshire Avenue and K street NW (latitude 38°54'08" N.; longitude 77°03'02" W.);
Thence east along K Street, 2.5 miles, to the railroad overpass between First and Second Streets NE (latitude 38°54'08" N.; longitude 77°00'14" W.);
Thence southeast via a 158° bearing, 0.7 mile, to the southeast corner of Stanton Square, at the intersection of Massachusetts Avenue and Sixth Street NE (latitude 38°53'35" N.; longitude 76°59'57" W.);
Thence southwest via a 211° bearing, 0.8 mile, to the Capitol Power Plant at the intersection of New Jersey Avenue and E Street SE. (latitude 38°52'59" N.; longitude 77°00'25" W.);
Thence west via a 265° bearing. 0.7 mile, to the intersection of the Southwest Freeway (Interstate Route 95) and Sixth Street SW., extended (latitude 38°52'56" N.; longitude 77°01'13" W.);
Thence north along Sixth Street, 0.4 mile, to the intersection of Sixth Street and Independence Avenue SW. (latitude 38°53'15" N.; longitude 77°01'13" W.);
Thence west along the north side of Independence Avenue, 0.8 mile, to the intersection of Independence Avenue and 15th Street SW. (latitude 38°53'16" N.; longitude 77°02'02" W.);
Thence west along the southern lane of Independence Avenue, 0.4 mile to the west end of the Kutz Memorial Bridge over the Tidal Basin (latitude 38°53'12" N.; longitude 77°02'28" W.);
Thence west via a 285° bearing, 0.6 mile, to the southwest corner of the Lincoln Memorial, the point of beginning.
B. That area within a one-half mile radius from the center of the U. S. Naval Observatory located between Wisconsin and Massachusetts Avenues at 34th Street NW. (latitude 38°55'17" N.; longitude 77°04'02" W.).
Designated altitudes: Surface to 18,000 feet MSL.
Time of designation: Continuous.
Using agency: Administrator, Federal Aviation Administration, Washington, D. C.

§73.88

§73.89

§73.90

P-40 Thurmont, Md.

Boundaries: That airspace within a one nautical mile radius of the Naval Support Facility, latitude 39°38'53" N., longitude 77°28'01" W.
Designated altitudes: Surface to but not including 5,000 feet MSL.
Time of designation. Continuous.
Using agency. Administrator, Federal Aviation Administration, Washington, D. C.

§73.91

P-73 Mount Vernon, Va.

Boundaries: That airspace within a 0.5-mile radius of latitude 38°42'28" N., longitude 77°05'11" W.
Designated altitudes. Surface to but not including 1,500 feet MSL.
Time of designation. Continuous.
Using agency. Administrator, Federal Aviation Administration, Washington, D. C.

§73.92

P-26 Denver, Colo.

Boundaries. Beginning at latitude 39°48'45" N., longitude 104°50'46" W.; to latitude 39°50'00" N., longitude 104°50'46" W.; to latitude 39°51'22" N., longitude 104°50'18" W.; to latitude 39°51'22" N., longitude 104°48'00" W.; to latitude 39°48'45" N., longitude 104°48'00" W.; to point of beginning.
Designated altitudes. Surface to 6,900 feet MSL.
Time of designation. Continuous.
Using agency. Commanding Officer, Rocky Mountain Arsenal, Denver, Colo.

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

SUBPART A — GENERAL
Sec.
75.1 Applicability.
75.11 Jet routes
75.13 Area high routes; control area designation.
75.15 Jet advisory areas
75.17 Bearings; Radials; Miles

SUBPART B — JET ROUTES
Sec.
75.100 Jet routes

SUBPART C — JET ADVISORY AREAS
Sec.
75.200 En route jet advisory areas
75.300 Terminal jet advisory areas

SUBPART D — AREA HIGH ROUTES
75.400 Area high routes.

SUBPART A — GENERAL

§75.1 Applicability.

The routes described in Subpart B, between high altitude navigational aids or intersections of their signals, are designated as jet routes along which aircraft may be operated between 18,000 feet MSL and flight level 450. The areas described in Subpart C are designated as jet advisory areas along specified jet route segments, VOR/VORTAC radials, bearings from L/MF navigational facilities, direct courses between high altitude navigational facilities, centerlines of control areas, or in the vicinity of specific geographic locations. The routes described in Subpart D of this Part are designated as area high routes.

§75.11 Jet Routes

Each jet route designated in Subpart B consists of a direct course for navigating aircraft between 18,000 feet MSL and flight level 450, inclusive, between the navigational aids and intersections specified for that route.

§75.13 Area high routes; control area designation.

(a) Each area high route designated in Subpart D of this Part consists of a direct course for navigating aircraft at altitudes between 18,000 feet MSL and flight level 450, inclusive, between the waypoints specified for that route.
(b) Unless otherwise specified, that airspace on each side of an area high route that has a lateral extent specified in §71.6 and that extends outside the continental control areas, is designated as a control area.

§75.15 Jet Advisory Areas

(a) Jet advisory areas consist of airspace within the continental control area, as designated in Subpart C.
(b) En route radar jet advisory areas consist of areas within which jet advisory service is provided with radar surveillance. Unless otherwise designated, each of them includes the area within 14 miles on each side of the jet route segment from flight level 240 through flight level 410, inclusive.
(c) Terminal radar jet advisory areas consist of areas in which jet advisory service is provided with radar surveillance. Unless otherwise designated, each of them includes the area within 14 miles on each side of the VOR/VORTAC radials, bearings from L/MF navigational facilities, direct courses between navigational facilities, or centerlines of control areas from flight level 240 through flight level 410, inclusive.
(d) Nonradar jet advisory areas consist of areas within which jet advisory service is provided on a procedural basis without radar surveillance. Unless otherwise designated, each of them includes the area within 14 miles on each side of the jet route segment from flight level 270 through flight level 310, inclusive, and from flight level 370 through flight level 410, inclusive.
(e) Jet advisory areas do not include the airspace within positive control areas, prohibited areas, or restricted areas except restricted area military climb corridors and those restricted areas specified in Subpart D of Part 71.
(f) En route jet advisory areas are based on jet routes and are identified by the associated jet route number. Terminal jet advisory areas are based on VOR/VORTAC radials, bearings from L/MF navigational facilities, direct courses between navigational facilities, or centerlines of control areas and those in the vicinity of geographical locations, and are identified by geographical names.

§75.17 Bearings: Radials: Miles

(a) All bearings and radials in this Part are true and are applied from point of origin.
(b) Unless otherwise specified, all mileages in this Part are stated as nautical miles.

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SUBPART B — JET ROUTES

§75.100 Jet Routes.

SUBPART C — JET ADVISORY AREAS

§ 75.200 En route Jet Advisory Areas.

§ 75.300 Terminal Jet Advisory Areas.

SUBPART D — AREA HIGH ROUTES

§ 75.400 Area high routes.

SUBPART B - JET ROUTES

§ 75.100 Jet routes.

(Unless otherwise specified the place names appearing in the description of the jet routes indicate the VOR or VORTAC facilities identified by such names.).

Jet Route No. 1 From the INT of the United States/Mexican Border with the direct course between the Mission Bay, Calif., VORTAC and the Tijuana, Mexico, NDB, via Mission Bay; Oceanside, Calif.; Los Angeles, Calif.; INT of the Los Angeles 319° and the Avenal, Calif., 145° radials; Avenal; Oakland, Calif.; Red Bluff, Calif.; Medford, Oreg.; Portland, Oreg.. to Seattle, Wash.

AMENDMENTS 8/14/75 40 F. R. 26020 (Changed)

Jet Route No. 2 From Mission Bay, Calif., via Imperial, Calif.; Yuma, Ariz.; INT of the Yuma 089° and Gila Bend, Ariz., 261° radials; Gila Bend, Cochise, Ariz.; El Paso, Tex.; Fort Stockton, Tex.; Junction, Tex.; San Antonio, Tex.; Humble, Texas; Lake Charles, La.; INT of the Lake Charles 089° and the New Orleans, La., 275° radials; New Orleans; INT of the New Orleans 066° and the Crestview, Fla., 266° radials; Crestview; INT of the Crestview 091° and the Tallahassee, Fla., 290° radials; Tallahassee; to Jacksonville, Fla.

AMENDMENTS 8/14/75 40 F. R. 26020 (Changed)

Jet Route No. 3 (Oakland, Calif., to Cranbrook, British Columbia, Canada).

From Oakland, Calif., via Red Bluff, Calif.; Lakeview, Oreg.; Kimberly, Oreg.; Spokane, Wash., to Cranbrook, British Columbia, excluding the portion that lies over Canadian territory.

Jet Route No. 4 From Twentynine Palms, Calif., via intersection of Twentynine Palms 103° and Casa Grande, Ariz., 299° radials; Casa Grande; San Simon, Ariz.; Newman, Tex.; Wink, Tex.; Abilene, Tex.; Greater Southwest, Tex.; Shreveport, La.; Jackson, Miss.; Meridian, Miss.; INT of the Meridian 091° and the Montgomery, Ala., 282° radials; Montgomery; INT Montgomery 051° and Augusta, Ga., 273° radials; Augusta; Columbia, S. C.; Florence, S. C.; to Wilmington, N. C.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

Jet Route No. 5 (Los Angeles, Calif., to Seattle, Wash.).

From Los Angeles, Calif., via the INT of the Palmdale, Calif., 291° and the Bakersfield, Calif., 149° radials; Bakersfield; Reno, Nev.; Lakeview, Oreg.; to Seattle, Wash.

Jet Route No. 6 (Paso Robles, Calif., to Robbinsville, N. J.).

From the INT of the Salinas, Calif., 145° and the Palmdale, Calif., 291° radials via Palmdale; Hector, Calif.; Needles, CA.; Prescott, AZ.; Zuni, AZ.; Albuquerque, NM.; Tucumcari, NM.; Amarillo, TX.; Oklahoma City, Okla.; Little Rock, Ark.; Bowling Green, Ky.; Charleston, W. Va.; Front Royal, Va.; Westminster, Md.; INT of Westminster 080° and Robbinsville, N. J. 239° radials; to Robbinsville.

Jet Route No. 7 (Oakland, Calif., to the United States/Canadian Border).

From Oakland, Calif., via Sacramento, Calif.; Reno, Nev.; Rome, Oreg.; Boise, Idaho; Dillon, Mont.; Great Falls, Mont.; via the Great Falls 040° radial to the United States/Canadian Border.

Jet Route No. 8 (Needles, CA., to Robbinsville, NJ.)

From Needles, CA., via Winslow, AZ.; Gallup, NM.; Las Vegas, NM.; Borger, TX.; INT Borger 095° and Kingfisher, OK., 261° radials; Kingfisher; Springfield, MO.; St. Louis, MO.; Louisville, Ky.; Charleston, W. Va.; Casanova, Va.; INT Casanova 061° and Westminster, Md., 080° radials; INT Westminster 080° and Robbinsville, N. J., 239° radials; to Robbinsville.

Jet Route No. 9 (Los Angeles, Calif., to Great Falls, Mont.).

From Los Angeles, Calif., via Hector, Calif.; Boulder City, Nev.; Milford, Utah; Fairfield, Utah; Salt Lake City, Utah; Dubois, Idaho; Dillon, Mont., to Great Falls, Mont.

Jet Route No. 10 From Los Angeles, Calif., via intersection Los Angeles 083° and Twentynine Palms, Calif., 269° radials; Twentynine Palms; intersection of Twentynine Palms 075° and Prescott, Ariz., 262° radials; Prescott; Farmington, N. Mex., Gunnison, Colo.; Denver, Colo; North Platte, Nebr.; to Wolbach, Nebr.

AMENDMENTS 8/14/75 40 F. R. 23724 (Changed)

Jet Route No. 11 From Tucson, Ariz., via INT Tucson 316° and Phoenix, Ariz., 181° radails; Phoenix; Prescott, Ariz.; Bryce Canyon, Utah; Fairfield, Utah; to Salt Lake City, Utah.

Jet Route No. 12 (Salt Lake City, Utah, to Grand Junction, Colo.)

From Salt Lake City, Utah, via Fairfield, Utah; to Grand Junction, Colo.

Jet Route No. 13 From the INT of the United States/Mexican border and the Truth or Consequences, N. Mex., 162° radial via Truth or Consequences; Albuquerque, N. Mex.; Alamosa, Colo.; Denver, Colo.; Cheyenne, Wyo.; Crazy Woman, Wyo.; Billings, Mont.; Great Falls, Mont.; to INT of the Great Falls 339° radial and the United States/Canadian Border.

Jet Route No. 14 From Amarillo, Tex., via Oklahoma City, Okla.; Little Rock, Ark.; Birmingham, Ala.; to Atlanta, Ga.; INT Atlanta, Ga., 092° and Spartanburg, S. C., 234° radials; Spartanburg; Greensboro, N. C.; Richmond, Va.; to Kenton, Del.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

Jet Route No. 15 (Humble, Tex., to Portland, Oreg.).

From Humble, Tex., via Austin, Tex.; Junction, Tex.; Wink, Tex.; Roswell, N. Mex.; INT of the Roswell 319° and the Albuquerque, N. Mex., 126° radials; Albuquerque; Farmington, N. Mex.; Grand Junction, Colo.; Salt Lake City, Utah; Boise Idaho; Kimberly, Oreg.; INT Kimberly 288° and Portland, Oreg., 136° radials; to Portland.

Jet Route No. 16 (Portland, Oreg., to Boston, Mass.).

From Portland, Oreg., via Pendleton, Oreg.; Whitehall, Mont.; Billings, Mont.; Dupree, S. Dak.; Sioux Falls, S. Dak.; Mason City, Iowa; Milwaukee, Wis.; Peck, Mich.; via the Peck 100° radial to the United States/Canadian Border. From the United States/Canadian Border to Buffalo, N. Y., via the Buffalo 274° radial; Albany, N. Y., to Boston, Mass.

Jet Route No. 17 (San Antonio, Texas, to Rapid City, S. Dak.).

From San Antonio, Texas, via Abilene, Texas; Amarillo, Texas; Pueblo, Colo.; Denver, Colo., to Rapid City, S. Dak.

Jet Route No. 18 From Mission Bay, Calif., via Imperial, Calif.; Yuma, Ariz., INT of the Yuma 089° and Gila Bend, Ariz., 261° radials; Gila Bend; Phoenix, Ariz.; St. Johns, Ariz.; Albuquerque, N. Mex.; Las Vegas, N. Mex. Garden City, Kans.; Salina, Kans.; Kirksville, Mo.; Bradford; to Joliet, Ill.

AMENDMENTS 8/14/75 40 F. R. 26020 (Changed)

Jet Route No. 19 (Phoenix, Ariz., to St. Louis, Mo.)

From Phoenix, AZ., via INT Phoenix 051° and Zuni, AZ., 242° radials; Zuni; Las Vegas, NM.; Liberal, KS.; Wichita, KS.; Butler, MO.; to St. Louis, MO.

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Jet Route No. 20 (Seattle, Wash., to Orlando, Fla.).

From Seattle, Wash., via Yakima, Wash.; Pendleton, Oreg.; McCall, Idaho; Pocatello, Idaho; Rock Springs, Wyo.; Denver, Colo.; Lamar, Colo.; Liberal, Kans.; INT Liberal 137° and Oklahoma City, Okla., 282° radials; Oklahoma City; Shreveport, La.; Jackson, Miss.; Meridian, Miss.; INT of the Meridian 091° and the Montgomery, Ala. 282° radials; Montgomery; Tallahassee, Fla.; INT Tallahassee 129° and Orlando, Fla., 306° radials; Orlando; to the INT of the Orlando 118° and the Vero Beach, Fla., 341° radials.

Jet Route No. 21 (United States/Mexican Border to Duluth, Minn.).

From the INT of the United States/Mexican Border and the Laredo, Tex., 172° radial via Laredo; San Antonio, Tex.; Austin, Tex.; Waco, Tex.; Greater Southwest, Tex.; INT Greater Southwest 356° and Oklahoma City, Okla., 158° radials; Oklahoma City; Wichita, Kans.; Omaha, Nebr.; Minneapolis, Minn.; to Duluth, Minn.

Jet Route No. 22 From Nuevo Laredo, Mexico, via Laredo, Tex.; Corpus Christi, Tex.; Palacios, Tex.; Lake Charles, La.; McComb, Miss.; Meridian, Miss.; Birmingham, Ala.; Knoxville, Tenn.; Pulaski, Va.; to Gordonsville, Va. The airspace within Mexico is excluded.

Jet Route No. 23 (San Antonio, Tex., to Wichita, Kans.).

From San Antonio, TX., via Millsap, TX.; Oklahoma City, OK.; Pioneer, OK.; to Wichita, KS.

Jet Route No. 24 (Kansas City, Mo., to Richmond, Va.).

From Hill City, Kans., via Salina, Kans.; Kansas City, Mo.; St. Louis, Mo.; Indianapolis, Ind.; Falmouth, Ky.; Charleston, W. Va.; to Richmond, Va.

Jet Route No. 25 From Matamoras, Mex., via Brownsville, Tex.; INT of the Brownsville 358° and the Corpus Christi, Tex., 178° radials; Corpus Christi; INT of the Corpus Christi 311° and the San Antonio, Tex., 167° radials; San Antonio; Austin, Tex.; Waco, Tex.; Greater Southwest, Tex.; Tulsa, Okla.; Butler, Mo.; INT of the Butler 000° and the Des Moines, Iowa, 196° radials; Des Moines; Mason City, Iowa; to Minneapolis, Minn. The airspace within Mexico is excluded.

Jet Route No. 26 From Ciudad Juarez, Mex., via El Paso, Tex.; INT of El Paso 070° and Roswell, N. Mex., 215° radials; Roswell; Amarillo, Tex.; Gage, Okla.; Wichita, Kans.; Kansas City, Mo.; Kirksville, Mo.; Bradford, Ill.; to Joliet, Ill. The airspace within Mexico is excluded.

Jet Route No. 27 (San Antonio, Tex., to Lufkin, Tex.).

From San Antonio, Tex., to Lufkin, Tex.

Jet Route No. 28 (Pueblo, Colo., to Wichita, Kans.).

From Pueblo, Colo., via Garden City, Kans., to Wichita, Kans.

Jet Route No. 29 From the INT of the United States/Mexican Border and the Brownsville, Tex., 187° radial via Brownsville; INT Brownsville 358° and Corpus Christi, Tex., 178° radials; Corpus Christi; Palacios, Tex.; Humble, Tex.; Lufkin, Tex.; Shreveport, La.; Memphis, Tenn.; Evansville, Ind., INT Evansville 051° and Rosewood, Ohio, 230° radials; Rosewood; Cleveland, Ohio; Jamestown, N. Y.; Syracuse, N. Y.; Plattsburgh, N. Y.; Bangor, Maine, to Presque Isle. The airspace within Mexico is excluded.

PENDING AMENDMENT

In Jet Route No. 29, all before "Palacios, Tex.;" is deleted and "From the INT of the United States/Mexican Border and the Corpus Christi, Tex., 229° radial via Corpus Christi;" is substituted therefor.

AMENDMENTS 1/29/76 40 F. R. 55830 (Changed)

Jet Route No. 30 (Minneapolis, Minn. to Front Royal, Va.).

From Minneapolis, Minn., via Nodine, Minn.; Joliet, Ill.; via the INT of the Joliet 108° and the Fort Wayne, Ind., 279° radials; Fort Wayne; Appleton, Ohio; INT of Appleton 111° and Belaire, Ohio, 142° radials; to Front Royal, Va.

Jet Route No. 31 (New Orleans, La., to Birmingham, Ala.).

From New Orleans, La., via Meridian, Miss.; to Birmingham.

Jet Route No. 32 (Oakland, Calif., to Duluth, Minn.).

From Oakland, Calif., via Sacramento, Calif.; Reno, Nev.; Battle Mountain, Nev.; Malad City, Idaho; Boysen Reservoir, Wyo.; Crazy Woman, Wyo., Dupree, S. Dak.; Aberdeen, S. Dak.; Duluth, Minn.; to the INT of the Duluth 061° radial and the United States/Canadian Border.

Jet Route No. 33 (Humble, Tex., to Greater Southwest, Tex.).

From Humble, Tex., via INT Humble 347° and Greater Southwest, Tex., 139° radials; to Greater Southwest.

Jet Route No. 34 From Hoquiam, Wash., via Olympia, Wash., Moses Lake, Wash.; Helena, Mont.; Billings, Mont.; Dupree, S. Dak.; Redwood Falls, Minn.; Nodine, Minn.; Milwaukee, Wis.; INT of Milwaukee 098° and Carleton, Mich., 297° radials; Carleton; Cleveland, Ohio; Bellaire, Ohio; to INT of Bellaire 104° and Westminster, Md., 247° radials.

Jet Route No. 35 (New Orleans, La., to Northbrook, Ill.).

From New Orleans, La., via the INT of the New Orleans 357° and the Jackson, Miss., 184° radials; Jackson; Memphis, Tenn.; Farmington, Mo.; St. Louis, Mo.; Capital, Ill.; the INT of the Capital 036° and the Joliet, Ill., 204° radials; Joliet, to Northbrook, Ill.

Jet Route No. 36 (Dickinson, N. Dak., to Huguenot, N. Y.).

From Dickinson, N. Dak., via Fargo, N. Dak.; Minneapolis, Minn.; Nodine, Minn.; Milwaukee, Wis.; INT Milwaukee 086° and Flint, Mich., 278° radials; Flint; INT Flint 102° and Dunkirk, N. Y., 274° radials; Dunkirk; to Huguenot, N. Y., excluding the portion within Canada.

Jet Route No. 37 (Hobby, Tex., to United States/Canadian border).

From Hobby, Tex., via INT of the Hobby 090° and New Orleans, La., 257° radials; New Orleans; INT of the New Orleans 066° and the Montgomery, Ala., 230° radials; Montgomery; Spartanburg, S. C.; Gordonsville, Va.; Kenton, Del.; Coyle, N. J.; Kennedy, N. Y.; Albany, N. Y.; Massena, N. Y. to the INT of the Massena 037° radial and the United States/Canadian Border.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

Jet Route No. 38 (United States/Canadian Border to Peck, Mich.).

From the INT of the United States/Canadian Border and the direct radial between Duluth, Minn., and Sioux Narrows, Ont., via Duluth; Green Bay, Wis., to Peck, Mich.

Jet Route No. 39 (Crestview, Fla., to Rosewood, Ohio).

From Crestview, Fla., via Montgomery, Ala.; Birmingham, Ala., Nashville, Tenn.; Louisville, Ky., to Rosewood, Ohio.

Jet Route No. 40 From Montgomery, Ala., via Macon, Ga.; Charleston, S. C.; Wilmington, N. C.; Richmond, Va.; INT Richmond 009° and Gordonsville, Va., 099° radials; INT Gordonsville 099° and New Castle, Del., 222° radials; to New Castle.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)
AMENDMENTS 12/4/75 40 F. R. 46306 (Changed)

Jet Route No. 41 From Key West, Fla., via INT of Key West 358° and St. Petersburg, Fla., 151° radials; St. Petersburg; Tallahassee, Fla.; Montgomery, Ala.; Birmingham, Ala.; INT Birmingham 300° and Memphis, Tenn., 113° radials; Memphis; Springfield, Mo., Kansas City, Mo., to Omaha, Nebr.

AMENDMENTS 8/14/75 40 F. R. 25204 (Changed)

Jet Route No. 42 (Greater Southwest, Texas to Hampton, N. Y.).

From Greater Southwest, Texas via Texarkana, Ark.; Memphis, Tenn.; Nashville, Tenn.; Beckley, W. Va.; Casanova, Va.; INT Casanova 051° and Westminster, Md., 080° radials; INT Westminster 080° and Robbinsville, N. J. 230° radials; Robbinsville; INT Robbinsville 073° and Hampton 223° radials; to Hampton.

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Jet Route No. 43 (Miami, Fla. to Sault Ste. Marie, Mich.).

From Miami, Fla., via INT of Miami 316° and St. Petersburg, Fla., 133° radials; St. Petersburg; Tallahassee, Fla.; Atlanta, Ga.; Knoxville, Tenn.; Falmouth, Ky.; Rosewood, Ohio; Carleton, Mich., to Sault Ste. Marie, Mich.

Jet Route No. 44 (Phoenix, Ariz., to Farmington, N. Mex.).

From Phoenix, Ariz., via Winslow, Ariz., to Farmington, N. Mex.

Jet Route No. 45 From Biscayne Bay, Fla. via INT Biscayne Bay 021° and Vero Beach, Fla., 143° radials: Vero Beach; Ormond Beach, Fla., Jacksonville, Fla.; Alma, Ga.; Macon, Ga.; Atlanta, Ga.; Nashville, Tenn.; St. Louis, Mo.; Des Moines, Iowa; Sioux Falls, S. Dak.; to Aberdeen, S. Dak.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

Jet Route No. 46 (Tulsa, Okla., to Knoxville, Tenn.).

From Tulsa, Okla., via Walnut Ridge, Ark.; Nashville, Tenn., to Knoxville, Tenn.

Jet Route No. 47 (Charleston, S. C., to Spartanburg, S. C.)

From Charleston, S. C., via Columbia, S. C., to Spartanburg, S. C.

Jet Route No. 48 (Pulaski, Va., to Boston, Mass.).

From Pulaski, Va., via Westminster, Md.; INT Westminster 043° and Kennedy, N. Y., 252° radials; Kennedy; INT Kennedy 042° and Boston, Mass., 252° radials; to Boston.

Jet Route No. 49 (Phillipsburg, Pa., to the United States/Canadian Border).

From Phillipsburg, Pa., via Hancock, N. Y.; Albany, N. Y.; Bangor, Maine; Presque Isle, Maine: to INT of the Presque Isle 038° radial and the United States/Canadian Border.

Jet Route No. 50 (San Simon, AZ., to Crestview, FL.).

From Los Angeles, Calif., via Ontario, Calif.; intersection Ontario 093° and Blythe, Calif., 282° radials; Blythe; intersection Blythe 096° and Gila Bend, Ariz., 299° radials; Gila Bend; Casa Grande, Ariz.; San Simon, Ariz.; INT San Simon 106° and El Paso, Tex., 275° radials; El Paso; INT El Paso 093° and Wink, TX., 266° radials; Wink; Abilene, TX.; Waco, TX.; Lufkin, TX; INT of the Lufkin 086° and the Alexandria, La., 270° radials; Alexandria; McComb, Miss., to Crestview, Fla.

Jet Route No. 51 (Jacksonville, Fla., to Norfolk, Va.).

From Jacksonville, Fla., via Savannah, Ga.; Columbia, S. C.; Raleigh-Durham, N.C.; to Norfolk, Va.

Jet Route No. 52 (Denver, Colo., to Richmond, Va.).

From Denver, Colo., via Lamar, Colo.; Liberal, Kans.; INT Liberal 137° and Ardmore, Okla., 309° radials; Ardmore; Greater Southwest, Texas; Texarkana, Ark.; Greenwood, Miss.; Columbus, Miss.; Birmingham, Ala.; Atlanta, Ga.; Augusta, Ga.; Columbia, S. C.,; Raleigh-Durham, N. C.; to Richmond, Va.

Jet Route No. 53 (Key West, Fla., to Kleinburg, Ontario, Canada).

From Key West, FL., via Miami, FL.; Orlando, FL.; Jacksonville, FL.; Augusta, GA.; Spartanburg, SC.; Pulaski, VA.; INT of Pulaski 015° and Ellwood City, Pa., 177° radials; Ellwood City; to Kleinburg, Ontario, Canada. The portion within Canada is excluded.

Jet Route No. 54 From Neah Bay, Wash., NDB via Olympia, Wash.; Pendleton, Oreg.; Boise, Idaho; to Pocatello, Idaho.

Jet Route No. 55 From Jacksonville, Fla., via Savannah, Ga.; Charleston, S. C.; Florence, S. C.; INT of the Florence 007° and the Raleigh, N. C., and the Raleigh-Durham, N. C., 224° radials; Raleigh-Durham, Flat Rock, Va.; INT of the Flat Rock 025° and the Gordonsville, Va., 050° radials; INT of the Grodonsville 059 and Sea Isle, N. J., 253° radials; Sea Isle; INT Sea Isle 050° and Hampton, N. Y., 223° radials; Hampton; Providence, R. I.; Boston, Mass.; Kennebunk, Maine; Bangor, Maine; Presque Isle, Maine; to Mont Joli, Quebec, Canada, excluding the portion within Canada.

AMENDMENTS 1/2/75 39 F. R. 37056 (Changed)

Jet Route No. 56 From Mina, Nev., via Salt Lake City, Utah; Meeker, Colo.; to Denver, Colo.

AMENDMENTS 1/2/75 39 F. R. 36857 (Rewritten)

Jet Route No. 57 (Truth or Consequences, N. Mex., to Albuquerque, N. Mex.)

From Truth or Consequences, N. Mex., via Socorro, N. Mex.; to Albuquerque, N. Mex.

Jet Route No. 58 (Oakland, Calif., to New Orleans, La.).

From Oakland, Calif., via Stockton, Calif.; Coaldale, Nev.; Wilson Creek, Nev.; Bryce Canyon, Utah; Farmington, N. Mex.; Las Vegas, N. Mex.; Amarillo, Texas; Wichita Falls, Texas; Greater Southwest, Texas; Alexandria, La.; INT of the Alexandria 126° and the New Orleans, La., 295° radials; New Orleans; INT of Grand Isle, La., 104° and Crestview, Fla., 201° radials; INT of Grand Isle 104° and Sarasota, Fla., 286° radials; Sarasota; INT of Sarasota 133° and Biscayne Bay, Fla., 301° radials; to Biscayne Bay.

Jet Route No. 59 (Philipsburg, Pa., to Syracuse, N. Y.).

From Philipsburg, Pa., to Syracuse, N. Y.

Jet Route No. 60 (Los Angeles, Calif., to Robbinsville, N. J.).

From Los Angeles, Calif., via Ontario, Calif.; Hector, Calif.; Boulder City, Nev.; Bryce Canyon, Utah; Hanksville, Utah; Grand Junction, Colo.; Denver, Colo.; Hayes Center, Nebr.; Lincoln, Nebr.; Iowa City, Iowa; Joliet, Ill.; Cleveland, Ohio; Philipsburg, Pa.; INT Phillipsburg 100° and Robbinsville, N. J., 293° radials; to Robbinsville.

Jet Route No. 61 (Westminster, Md. to Buffalo, N. Y.).

From Westminster, Md., via Philipsburg, Pa., to Buffalo, N. Y.

Jet Route No. 62 From Kennedy, N. Y., via the INT of Kennedy 080° and the Nantucket, Mass., 255° radials; Nantucket; to the INT of the Nantucket 089° radial and the western boundary of the New York Oceanic Control Area (CODDS).

Jet Route No. 63 From the TUNNA INT (INT of Kennedy, N. Y., 143° radial, 128 NM from Kennedy) via Kennedy; Huguenot, N. Y.; INT of Huguenot 321° and Syracuse, N. Y., 149° radials; to Syracuse.

Jet Route No. 64 (Los Angeles, Calif., to Robbinsville, N. J.).

From Los Angeles, Calif., via Ontario, Calif.; Hector, Calif.; Peach Springs, Ariz.; Tuba City, Ariz.; Farmington, N. Mex.; Alamosa, Colo.; Hill City, Kans.; Pawnee City, Nebr.; Lamoni, Iowa; Bradford, Ill.; via the INT of the Bradford 089° and the Fort Wayne, Ind., 279° radials; Fort Wayne; Ellwood City, Pa.; to Robbinsville, N. J.

Jet Route No. 65 (Roswell, NM., to Red Bluff, CA.)

From Roswell, NM., via Truth or Consequences, NM.; Phoenix, AZ.; INT Phoenix 272° and Blythe, CA., 096° radials; Blythe; Palmdale, CA.; INT Palmdale 291° and Bakersfield, CA. 149° radials; Bakersfield; Fresno, CA.; Sacramento, CA.; to Red Bluff, CA.

Jet Route No. 66 (Greater Southwest, Tex., to Rome, Ga.).

From Greater Southwest, Tex., via Little Rock, Ark.; Memphis, Tenn.; INT Memphis 096° and Rome, Ga., 286° radials; to Rome.

Jet Route No. 67 (Lakeview, Oreg., to Portland, Oreg.)

From Lakeview, Oreg., direct Portland, Oreg.

Jet Route No. 68 (Milwaukee, Wis., to Nantucket, Mass.).

From Milwaukee, Wis., via INT Milwaukee 086° and Flint, Mich., 278° radials; Flint; INT Flint 102° and Dunkirk, N. Y., 274° radials; Dunkirk; Hancock, N. Y.; INT Hancock 082° and Putnam, Conn., 293° radials; Putnam; Providence, R. I.; to Nantucket, Mass., excluding the portion within Canada.

Jet Route No. 69 (Mobile, Ala., to Birmingham, Ala.).

From Mobile, Ala., via INT of the Mobile 015° and the Birmingham, Ala., 232° radials; to Birmingham.

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Jet Route No. 70 (Hoquiam, Wash., to Kennedy, N. Y.)(Joins Canadian High Level Airway No. 70).

From Hoquiam, Wash., via Seattle, Wash.; Ephrata, Wash.; Mullan Pass, Idaho; Lewiston, Mont.; Dickinson, N. Dak.; Aberdeen, S. Dak.; Minneapolis, Minn.; INT of the Minneapolis 100° and the Milwaukee, Wis., 312° radials; Milwaukee; Pullman, Mich.; Salem, Mich.; Jamestown, N. Y.; Sparta, N. J.; to Kennedy, N. Y.

Jet Route No. 71 (Memphis, Tenn., to Northbrook, Ill.).

From Memphis, Tenn., Centralia, Ill.; INT Centralia 019° and Northbrook, Ill., 186° radials; to Northbrook.

Jet Route No. 72 (Boulder City, Nev., to Greater Southwest, Tex.).

From Boulder City, NV., via Peach Springs, AZ.; Winslow, AZ.; Zuni, AZ.; Albuquerque, NM.; Taxico, NM.; Wichita Falls, Texas; to Greater Southwest, Texas.

Jet Route No. 73 (Atlanta, Ga., to Northbrook, Ill.).

From Atlanta, Ga., via Nashville, Tenn.; Lewis, Ind.; to Northbrook, Ill.

Jet Route No. 74 (Los Angeles, Calif., to Oklahoma City, Okla.)

From Los Angeles, Calif., via Ontario, Calif.; INT of the Ontario 093° and the Parker, Calif., 261° radials; Parker; St. Johns, Ariz., Scorro, N. Mex.; Taxico, N. Mex.; to Oklahoma City, Okla.

Jet Route No. 75 (Miami, Fla., to the United States/Canadian Border).

From Miami, Fla., via the INT of the Miami 297° and the Lakeland, Fla., 175° radials; Lakeland, Fla.; Taylor, Fla.; Columbia, S. C.; Greensboro, N. C.; Gordonsville, Va.; Westminster, Md.; Huguenot, N. Y.; Albany, N. Y.; Plattsburgh, N. Y., to the INT of the Plattsburgh 334° radial and the United States/Canadian Border.

Jet Route No. 76 (Boulder City, Nev., to Greater Southwest, Texas).

From Boulder City, NV., via Tuba City, AZ.; Las Vegas, NM.; Tucumcari, NM.; Wichita Falls, Texas; to Greater Southwest, Texas.

Jet Route No. 77 From Wilmington, N. C., via Gordonsville, Va.; Westminster, Md.; Huguenot, N. Y.; to Boston, Mass.

Jet Route No. 78 (Los Angeles, Calif., to Kennedy, N. Y.).

From Los Angeles, Calif., via Ontario, Calif.; INT of the Ontario 093° and the Parker, Calif., 261° radials; Parker; Prescott, AZ.; Zuni, AZ.; Albuquerque, NM.; Tucumcari, NM.; Amarillo, TX.; Oklahoma City, Okla.; Tulsa, Okla.; Farmington, Mo.; Louisville, Ky., Charleston, W. Va.; Philipsburg, Pa.; INT Phillipsburg 083° and Keating, Pa., 099° radials; to Kennedy, N. Y.

Jet Route No. 79 (Miami, Fla., to Kennedy, N. Y.).

From Biscayne Bay, Fla., via the INT of Biscayne Bay 348° and Vero Beach, Fla., 178° radials; Vero Beach; Ormond Beach, Fla.; INT of Ormond Beach 360° and Jacksonville, Fla. 028° radials; Charleston, S. C.; Wilmington, N. C.; Haw, N. C.; Norfolk, Va.; INT of Norfolk 023° and Coyle, N. J., 208° radials; Coyle; to Kennedy, N. Y.

Jet Route No. 80 From Oakland, Calif., via Stockton, Calif., Coaldale, Nev.; Wilson Creek, Nev.; Milford, Utah; Grand Junction, Colo.; Denver, Colo.; Goodland, Kans.; Hill City, Kans.; Kansas City, Mo.; Capital, Ill.; Indianapolis, Ind.; Bellaire, Ohio; INT of the Bellaire 090° and Robbinsville, N. J., 264° radials; Robbinsville; to Kennedy, N.Y.

AMENDMENTS 1/2/75 39 F. R. 37056 (Changed)

Jet Route No. 81 From Miami, Fla., to Orlando, Fla.

AMENDMENTS 12/4/75 40 F. R. 43487 (Rewritten)

Jet Route No. 82 (Portland, Oreg. to Albany, N. Y.).

From Portland, Oreg., via McCall, Idaho; Dubois, Idaho; Crazy Woman, Wyo.; Rapid City, S. Dak; Sioux Falls, S. Dak.; Fort Dodge, Iowa; Dubuque, Iowa; INT of Dubuque 095° and Joliet, Ill., 317° radials; Joliet; Cleveland, Ohio; Jamestown, N. Y.; to Albany, N. Y.

Jet Route No. 83 From Spartanburg, S. C., via INT Spartanburg 341° and Appleton, Ohio, 184° radials; Appleton; to Cleveland, Ohio.

AMENDMENTS 8/14/75 40 F. R. 25442 (Rewritten)

Jet Route No. 84 (Oakland, CA., to Northbrook, IL.).

From Oakland, CA., via Linden, CA.; Mina, NV.; Delta, UT.; Meaker, CO.; Sidney, NE.; Wolbach, NE.; Dubuque, IA.; to Northbrook, IL.

Jet Route No. 85 (Miami, Fla., to Salem, Mich.) (Joins Canadian High Level Airway No. 85).

From Miami, Fla., via the INT of the Miami 316° and the Lakeland, Fla., 154° radials; Lakeland; Taylor, Fla.; Alma, Ga.; Augusta, Ga.; Spartanburg, S. C.; Charleston, W. Va.; INT of the Charleston 357° and the Cleveland, Ohio 172° radials; Cleveland; to Salem, Mich. The portion within Canada is excluded.

Jet Route No. 86 (Boulder City, Nev. to Miami, Fla.).

From Boulder City, Nev., via Peach Springs, Ariz.; Winslow, Ariz.; El Paso, Tex.; Fort Stockton, Texas; Junction, Tex.; Austin, Tex.; Humble, Tex.; Leeville, La.; INT of Leeville 104° and Sarasota, Fla., 286° radials; Sarasota; INT of Sarasota 133° and Biscayne Bay, Fla., 301° radials; to Biscayne Bay.

Jet Route No. 87 (Humble, Texas to Northbrook, Ill.).

From Humble, Tex., via INT Humble 332° and Greater Southwest, Tex., 154° radials; Greater Southwest; Tulsa, Okla.; Butler, Mo.; INT of the Butler 009° and the Kirksville, Mo., 242° radials; Kirksville; Bradford; Joliet, Ill., to Northbrook, Ill.

Jet Route No. 88 From Los Angeles, Calif., via Santa Barbara, Calif.; Salinas, Calif.; INT of the Salinas 310° and the Oakland, Calif., 170° radials; to Oakland.

AMENDMENTS 10/9/75 40 F. R. 31597 (Rewritten)

Jet Route No. 89 From Miami, Fla., via the INT of the Miami 316° and the Lakeland, Fla., 154° radials; Lakeland; Taylor, Fla.; Alma, Ga.; Macon, Ga.; Atlanta, Ga.; Louisville, Ky.; Lafayette, Ind.; Northbrook; Milwaukee, Wis., to Duluth, Minn.

AMENDMENTS 12/4/75 40 F. R. 44310 (Changed)

Jet Route No. 90 (Seattle, Wash., to Northbrook, Ill.).

From Seattle, Wash., via Ephrata, Wash.; Mullan Pass, Idaho; Lewistown, Mont.; Miles City, Mont.; Aberdeen, S. Dak.; Redwood Falls, Minn.; Mason City, Iowa; INT of the Mason City 095° and the Northbrook, Ill., 292° radials; to Northbrook.

Jet Route No. 91 From Atlanta, Ga., via Knoxville, Tenn., Henderson, W. Va.; to Bellaire, Ohio.

AMENDMENTS 8/14/75 40 F. R. 25442 (Rewritten)

Jet Route No. 92 (Reno, Nev., to Tucson, Ariz.).

From Reno, Nev., via Coaldale, Nev.; Beatty, Nev.; INT Beatty 142° and Boulder City, Nev., 272° radials; Boulder City; Prescott, Ariz.; Phoenix, Ariz.; Casa Grande, Ariz.; INT of Casa Grande 145° and Tucson, Ariz., 298° radials; Tucson; to the INT of the Tucson 185° radial and the United States/Mexican border.

PENDING AMENDMENT

In Jet Route No. 92 "INT Beatty 142° and Boulder City, Nev., 272° radials;" is deleted and "INT Beatty 131° and Boulder City, Nev., 284° radials;" is substituted therefor.

AMENDMENTS 1/29/76 40 F. R. 55830 (Changed)

Jet Route No. 93 From the INT of the United States/Mexican Border and the Julian, Calif., 136° radial via Julian; to Ontario, Calif.

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Jet Route No. 94 (Oakland, Calif., to Boston, Mass.).

From Oakland, Calif., via Stockton, Calif.; Reno, Nev.; Battle Mountain, Nev.; Lucin, Utah; Rock Springs, Wyo.; Scottsbluff, Nebr.; O'Neill, Nebr.; Fort Dodge, Iowa; Dubuque, Iowa; Northbrook; Pullman, Mich.; Flint, Mich.; Peck, Mich.;
to the INT of the Peck 100° radial with the United States/Canadian Border. From the United States/Canadian Border at its INT with the Buffalo, N. Y., 274° radial via Buffalo; Albany, N. Y., to Boston, Mass.

Jet Route No. 95 (Kennedy, N. Y., to the United States/Canadian Border).

From Kennedy, N. Y., via Huguenot, N. Y., Buffalo, N. Y.; to Kleinburg, Ontario, Canada, excluding the portion which lies over Canadian territory.

Jet Route No. 96 (Los Angeles, Calif., to Joliet, Ill.).

From Los Angeles, Calif. via Ontario, Calif.; INT of Ontario 093° and Parker, Calif., 281° radials; Parker; Prescott, AZ.; INT Prescott 084° and Gallup, NM., 246° radials; Gallup; Cimarron, NM.; Garden City, KS.; Salina, KS.; Kirksville, Mo.; Bradford, IL.; to Joliet, IL.

Jet Route No. 97 (Haddock, Mass., to Plattsburgh, N. Y.).

From the INT of the Nantucket, Mass., 157° radial and the western boundary of the New York Oceanic Control Area, via Nantucket; Boston, Mass.; to Plattsburgh, N. Y.

Jet Route No. 98 (Liberal, Kans., to Farmington, Mo.).

From Liberal, Kans., via Gage, Okla.; Oklahoma City, Okla.; via Tulsa, Okla.; Springfield, Mo.; to Farmington, Mo.

Jet Route No. 100 (Los Angeles, Calif., to Northbrook, Ill.).

From Los Angeles, Calif., via Hector, Calif.; Boulder City, Nev.; Bryce Canyon, Utah; Meeker, Colo.; Sidney, Nebr.; Wolbach, Nebr.; Dubuque, Iowa; to Northbrook, Ill.

Jet Route No. 101 (Humble, Texas to Sault Ste. Marie, Mich.).

From Humble, Texas, via Lufkin, Texas; Shreveport, La.; Little Rock, Ark.; St. Louis, Mo.; Capital, Ill.; INT of the Capital 036° and the Joliet, Ill., 204° radials; Joliet; Northbrook, Ill.; Milwaukee, Wis.; Green Bay, Wis.; to Sault Ste. Marie, Mich.

Jet Route No. 102 (Phoenix, Ariz., to Salina, Kans.).

From Phoenix, Ariz., via INT of Phoenix 066° and Zuni, N. Mex., 226° radials; Zuni; Alamosa, Colo.; Lamar, Colo.; to Salina, Kans.

Jet Route No. 103 (St. Petersburg, Fla., to Savannah, Ga.).

From St. Petersburg, Fla., via Orlando, Fla.; Ormond Beach, Fla.; to Savannah, Ga.

Jet Route No. 104 (Blythe, Calif., to Denver, Colo.).

From Twentynine Palms, Calif., via intersection Twentynine Palms 103° and Gila Bend, Ariz., 312° radials; Gila Bend; Tucson,
Ariz.; San Simon, Ariz.; Socorro, N. Mex.; Las Vegas, N. Mex.; Pueblo, Colo.; to Denver, Colo.

Jet Route No. 105 (Greater Southwest, Tex., to Milwaukee, Wis.).

From Greater Southwest, Tex., via Fayetteville, Ark.; Springfield, Mo.; Bradford, Ill.; to Milwaukee, Wis.

Jet Route No. 106 (Minneapolis, Minn., to Kennedy, N. Y.).

From Minneapolis, Minn., via Green Bay, Wis.; INT Green Bay 106° and Flint, Mich., 310° radials; Flint; INT Flint 127° and Salem, Mich., 092° radials; Jamestown, N. Y.; Sparta, N. J.; to Kennedy, N. Y., excluding the portion within Canada.

Jet Route No. 107 (Los Angeles, Calif., to Kenora, Ontario, Canada).

That airspace over United States territory from Los Angeles, Calif., via Hector, Calif.; Boulder City, Nev.; Milford, Utah; Delta, Utah; Rock Springs, Wyo.; Crazy Woman, Wyo.; Dickinson, N. Dak.; Pembina, N. Dak., to Kenora, Ontario, Canada.

Jet Route No. 108 (Winslow, Ariz., to St. Johns, Ariz.)

From Winslow, Ariz., via St. Johns, Ariz.; Truth or Consequences, N. Mex.; INT Truth or Consequences, N. Mex. 106° and Wink, Tex., 297° radials; to Wink, Tex.

Jet Route No. 109 (Wilmington, N. C., to Buffalo, N. Y.).

From Wilmington, N. C., via Gordonsville, Va.; Front Royal, Va.; to Buffalo, N. Y.

Jet Route No. 110 (Oakland, Calif., to Kennedy, N. Y.).

From Oakland, Calif., via INT of the Oakland 170° and the Salinas, Calif., 310° radials; Salinas; Fresno, Calif.; Boulder City, Nev.; Tuba City, Ariz.; Farmington, N. Mex.; Alamosa, Colo.; Garder City, Kans.; Butler, Mo.; St. Louis, Mo.; Indianapolis, Ind.; Bellaire, Ohio; Coyle, N. J.; to Kennedy, N. Y.

Jet Route No. 111 From Nome, Alaska, via Umiakleet, Alaska; McGrath, Alaska; Anchorage, Alaska; Middleton Island, Alaska; to SNOUT INT (Middleton Island 121° and Yakutat, Alaska 215° radials).

Jet Route No.112 (Butler, Mo., to Louisville, Ky.).

From Butler, Mo., via Farmington, Mo., to Louisville, Ky.

Jet Route No. 113 (Northbrook, Ill., to Minneapolis, Minn.).

From Northbrook, Ill., via Dubuque, Iowa; to Minneapolis, Minn.

Jet Route No. 114 (Denver, Colo. to Minneapolis, Minn.).

From Denver, Colo.; O'Neill, Nebr.; Sioux Falls, S. Dak.; to Minneapolis, Minn.

Jet Route No. 115 From Shemya, Alaska, RBN, via Adak, Alaska, RBN; Nikolski, Alaska, RBN; Cold Bay, Alaska; King Salmon,
Alaska; INT King Salmon 053° and Kenai, Alaska, 239° radials; Kenai; Anchorage, Alaska; Fairbanks, Alaska; Chandalar, Alaska, RBN; to Deadhorse, Alaska.

AMENDMENTS 1/2/75 39 F. R. 36111 (Changed)

Jet Route No. 116 (Salt Lake City, Utah, to Denver, Colo.).

From Salt Lake City, Utah, via Fairfield, Utah; Meeker, Colo.; to Denver, Colo.

Jet Route No. 117 (McGrath, Alaska, to Kotzebue, Alaska).

From McGrath, Alaska, via Galena, Alaska; to Kotzebue, Alaska.

Jet Route No. 118 (Memphis, Tenn., to Spartanburg, S. C.)

From Memphis, Tenn., via Chattanooga, Tenn., to Spartanburg, S. C.

Jet Route No. 119 (Miami, Fla., to Taylor, Fla.)

From Miami, Fla., via the INT of the Miami 297° and the St. Petersburg, Fla., 151° radials; St. Petersburg; to Taylor, Fla.

Jet Route No. 120 (Bethel, Alaska, to Barter Island, Alaska).

From Bethel, Alaska, via McGrath, Alaska; Fairbanks, Alaska; Fort Yukon, Alaska; to the Barter Island, Alaska, RBN.

Jet Route No. 121 From Jacksonville, Fla., via Charleston, S. C.; Norfolk, Va.; INT Norfolk 023° and Sea Isle, N. J., 212° radials; Sea Isle; INT Sea Isle 050° and Hampton, N. Y. 223° radials; Hampton; Providence, R. I.; to INT Providence 045° and Boston, Mass., 066° radials.

Jet Route No. 122 (Fairbanks, Alaska, to Nome, Alaska)

From Fairbanks, Alaska, via Galena, Alaska; to Nome, Alaska.

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Jet Route No. 123 (From Marble, Alaska, to Brownerville, Alaska).

From INT Kodiak, Alaska, 107° radial and NW boundary Anchorage Oceanic Control Area at lat. 57°28'00" N., long. 150°32'00" W., via Kodiak; King Salmon, Alaska; Bethel, Alaska; Nome, Alaska; Kotzebue, Alaska; to Barrow, Alaska.

AMENDMENTS 12/4/75 40 F. R. 43885 (Changed)

Jet Route No. 124 (Anchorage, Alaska to Northway, Alaska).

From Anchorage, Alaska, via Big Lake, Alaska; Gulkana, Alaska; to Northway, Alaska.

Jet Route No. 125 From Kodiak, Alaska, via Anchorage, Alaska; Talkeetna, Alaska; to Nenana, Alaska.

AMENDMENTS 1/2/75 39 F. R. 36111 (Changed)

Jet Route No. 126 From Los Angeles, Calif., via the INT of the Los Angeles 319° and the Avenal, Calif., 145° radials; Avenal; Stockton, Calif.; Sacramento, Calif.; Red Bluff, Calif.; Medford, Oreg.; Eugene, Oreg.; Newberg, Oreg.; Olympia, Wash.; to Vancouver, British Columbia, Canada. That portion outside the United States is excluded.

J-127 From Cape Newenham, Alaska, NDB via King Salmon, Alaska; to INT King Salmon 042° and Anchorage, Alaska, 246° radials.

AMENDMENTS 10/9/75 40 F. R. 17007 (Rewritten)
AMENDMENTS 10/9/75 40 F. R. 34087 (Rewritten)

Jet Route No. 128 (Los Angeles, Calif. to Northbrook, Ill.).

From Los Angeles, Calif., via Hector, Calif.; Peach Springs, Ariz.; Tuba City, Ariz.; Gunnison, Colo.; Denver, Colo.; Hays Center, Nebr.; Wolbach, Nebr.; Dubuque, Iowa; to Northbrook, Ill.

Jet Route No. 129 (Nome, Alaska, to Kotzebue, Alaska)

From Nome, Alaska, to Kotzebue, Alaska, via INT Nome 009° and Kotzebue 221° radials.

Jet Route No. 130 (Wilson Creek, Nev., to Grand Junction, Colo.)
From Wilson Creek, Nev., via INT Wilson Creek 068° and Grand Junction, Colo., 274° radials to Grand Junction.

Jet Route No. 131 (San Antonio, Tex., to Evansville, Ind.).

From San Antonio, Tex., via INT San Antonio 007° and Greater Southwest, Tex., 219° radials; Greater Southwest; Texarkana, Ark.; Little Rock, Ark,; to Evansville, Ind.

Jet Route No. 132 (Fort Dodge, Iowa, to Mason City, Iowa).

From Fort Dodge, Iowa, to Mason City, Iowa.

J-133 From Biorka Island, Alaska, via Hinchinbrook, Alaska, NDB; to Johnstone Point, Alaska.

AMENDMENTS 10/9/75 40 F. R. 17007 (Rewritten)

Jet Route No. 134 (Los Angeles, Calif., to Front Royal, Va.).

From Los Angeles, Calif., via intersection Los Angeles 083° and Twentynine Palms, Calif., 269° radials; Twentynine Palms; intersection of Twentynine Palms 075° and Parker, Calif., 062° radials; intersection Parker 062° and Winslow, Ariz., 265° radials; Winslow; Gallup, N. Mex.; Cimarron, N. Mex.; Liberal, Kans., Wichita, Kans.;
Butler, Mo.; St. Louis, Mo.; Falmouth, Ky.; INT of Falmouth 085° and Front Royal, Va., 264° radials; to Front Royal.

Jet Route No. 135 (Bethel, Alaska, to Unalakleet, Alaska)

From Bethel, Alaska, to Unalakleet, Alaska.

Jet Route No. 136 (Newport, Oreg. to Spokane, Wash.).

From Newport, Oreg., via Portland, Oreg., Yakima, Wash., to Spokane, Wash.

Jet Route No. 138 (Fort Stockton, Tex., to Lake Charles, La.).

From Fort Stockton, Tex.; San Antonio, Tex.; Hobby, Tex.; to Lake Charles, La.

Jet Route No. 139 From Bettles, Alaska, to Deadhorse, Alaska.

AMENDMENTS 1/2/75 39 F. R. 36111 (Rewritten)

Jet Route No. 140 (Fargo, N. Dak., to Sault Ste. Marie, Mich.)
From Fargo, N. Dak., via Duluth, Minn., to Sault Ste. Marie, Mich.

Jet Route No. 142 (San Simon, Ariz., to Socorro, N. Mex.)

From San Simon, Ariz., via the INT of the San Simon 038° and the Socorro, N. Mex., 233° radials; to Socorro.

PENDING AMENDMENT
Jet Route No. 143 From Eugene, Oreg., via The Dalles, Oreg.; to Spokane, Wash.

AMENDMENTS 1/29/76 40 F. R. 56652 (Added)

Jet Route No. 144 (Wolbach, Nebr., to Dubuque, Iowa).

From Wolbach, Nebr.; via Des Moines, Iowa; to Dubuque, Iowa.

Jet Route No. 145 From Toccoa, Ga., via Charleston, W. Va.; INT Charleston 034° and the Ellwood City, Pa., 194° radials to Ellwood City, Pa.

AMENDMENTS 8/14/75 40 F. R. 25442 (Rewritten)

Jet Route No. 146 (Los Angeles, Calif., to Kennedy, N. Y.).

From Los Angeles, Calif., via Ontario, Calif.; Hector, Calif.; Boulder, Nev.; Dove Creek, Colo.; Gunnison, Colo., Goodland, Kans.; Lincoln, Nebr.; Iowa City, Iowa; Joliet,
Ill.; South Bend, Ind.; INT South Bend 089° and Chardon, Ohio, 279° radials; Chardon, Keating, Pa.; to Kennedy, N. Y., excluding the portion within Canada.

Jet Route No. 147 (Beckley, W. Va., to Gordonsville, Va.)

From Beckley, W. Va., to Gordonsville, Va.

Jet Route No. 148 From Coaldale, Nev., via Delta, Utah; Nyton, Utah; Cheyenne, Wyo.; to O'Neill, Nebr.

Jet Route No. 149 (Casanova, Va., to Fort Wayne, Ind.).

From Casanova, Va., via INT of Casanova 280° and Rosewood, Ohio, 116° radials; Rosewood; to Fort Wayne, Ind.

Jet Route No. 150 From Gordonsville, Va., via INT Gordonsville 059° and Woodstown, N. J., 230° radials; Woodstown; Robbinsville, N. J.; Hampton, N. Y.; INT Hampton 069° and Hyannis, Mass., 237° radials; Hyannis; to the INT Hyannis 068° and Boston, Mass., 097° radials.

AMENDMENTS 1/30/75 39 F. R. 41520 (Rewritten)
AMENDMENTS 10/9/75 40 F. R. 28077 (Changed)
AMENDMENTS 12/4/75 40 F. R. 46306 (Changed)

Jet Route No. 151 (Birmingham, Ala., to Billings, Mont.).

From Birmingham, Ala., via INT Birmingham 335° and Farmington, Mo., 139° radials; Farmington; St. Louis, Mo.; Des Moines, Iowa; O'Neill, Nebr.; Rapid City, S. Dak.; to Billings, Mont.

Jet Route No. 152 From Capital, Ill., via INT Capital 091° and Rosewood, Ohio, 283° radials; Rosewood; Johnstown, Pa.; Harrisburg, Pa.; to INT Harrisburg 000° and Westminster, Md., 058° radials.

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Jet Route No. 153 From SHADS INT (INT of Sea Isle, N. J., 134° radial, 118 NM from Sea Isle) to Sea Isle.

Jet Route No. 154 (Battle Mountain, Nev., to Rock Springs, Wyo.).

From Battle Mountain, Nev., via Bonneville, Utah; Salt Lake City, Utah; to Rock Springs, Wyo.

Jet Route No. 155 From the Chandalar Lake, Alaska, RBN to Nenana, Alaska.

AMENDMENTS 1/2/75 39 F. R. 36111 (Changed)

Jet Route No. 156 (Wilson Creek, Nev., to Meeker, Colo.).

From Wilson Creek, Nev., to Meeker, Colo.

Jet Route No. 158 (Mina, Nev., to Malad City, Idaho).

From Mina, Nev., via Lucin, Utah; to Malad City, Idaho.

PENDING AMENDMENT
Jet Route No. 159 From Portland, Oreg., to Redmond, Oreg.

AMENDMENTS 1/29/76 40 F. R. 56652 (Added)

Jet Route No. 160 From Fairbanks, Alaska, via INT Fairbanks 016° and Fort Yukon, Alaska, 229° radials; Fort Yukon; to Komakuk, Yukon Territory, Canada, MDS. The airspace within Canada is excluded.

Jet Route No. 161 (Zuni, N. Mex., to Farmington, N. Mex.)

From Zuni, N. Mex., to Farmington, N. Mex.

Jet Route No. 162 (Cleveland, Ohio, to Front Royal, Va.).

From Cleveland, Ohio, via Bellaire, Ohio, INT of Bellaire 142° and Front Royal, Va., 283° radials; to Front Royal.

Jet Route No. 164 (Bryce Canyon, Utah, to Grand Junction, Colo.)
From Bryce Canyon, Utah, via INT Bryce Canyon 090° and Grand Junction, Colo., 232° radials to Grand Junction.

Jet Route No. 165 From Charleston, S. C., to Richmond, Va.

Jet Route No. 166 (San Simon, AZ., to Wichita Falls, TX.)

From San Simon, AZ.; via Truth or Consequences, NM.; Roswell, NM.; to Wichita Falls, TX.

Jet Route No. 167 From Johnstone Point, Alaska, via Gulkana, Alaska; Big Delta, Alaska; to Fort Yukon, Alaska.

AMENDMENTS 1/2/75 39 F. R. 36111 (Changed)

Jet Route No. 174 From Hampton, N. Y., via INT Hampton 069° and Hyannis, Mass., 237° radials; Hyannis; to the INT of Hyannis 080° and Nantucket, Mass., 066° radials.

AMENDMENTS 10/9/75 40 F. R. 28077 (Changed)

Jet Route No. 177 From Humble, Tex., via Hobby, Tex., to Tampico, Mexico, excluding the portion south of Lat. 26°00'00" N.

Jet Route No. 180 From Humble, Tex., via Daisetta, Tex.; to Little Rock, Ark.

Jet Route No. 185 From Traverse City, Mich., to Flint, Mich.

Jet Route No. 186 From Toccoa, Ga., to the INT of the Spartanburg, S. C., 341° and the Appleton, Ohio, 184° radials.

AMENDMENTS 8/14/75 40 F. R. 25442 (Added)

Jet Route No. 189 From Avenal, Calif., via Linden, Calif.; Klamath Falls, Oreg.; Portland, Oreg.; to Seattle, Wash.

Jet Route No. 192 From Goodland, Kans., to Pawnee City, Nebr.

J-195 From Annette Island, Alaska, to Biorka Island, Alaska.
AMENDMENTS 10/9/75 40 F. R. 17007 (Added)

Jet Route No. 500 (Thunder Bay, Ontario, to Fredericton, New Brunswick). (joins Canadian high level airway No. 500).

From Thunder Bay, Ontario, via Sault Ste. Marie, Mich.; North Bay, Ontario, Canada; Killaloe, Ontario, RBN; Ottawa, Ontario; St. Johns, Quebec; Sherbrooke, Quebec; Millinocket, Maine to Fredericton, New Brunswick excluding the portions outside the United States.

Jet Route No. 501 (Oakland, Calif., to Bethel, Alaska) (Join Canadian High Level Airway No. 501).

From Oakland, Calif., via INT Oakland 305° and Ukiah, Calif., 172° radials; Ukiah; Medford, Oreg.; Hoquiam, Wash.; Neah Bay, Wash., RBN; Tofino, British Columbia, Canada, RBN; Cape Scott, British Columbia, Canada, RBN; Sandspit, British Columbia, Canada; Biorka Island, Alaska; Yakutat, Alaska; Johnstone Point, Alaska; Anchorage, Alaska; Sparrevohn, Alaska, RBN; to Bethel, Alaska, excluding the airspace within Canada.

Jet Route No. 502 (Seattle, Wash., to Kotzebue, Alaska) (Joins Canadian High Level Airway No. 502).

From Seattle, Wash.; via Victoria, British Columbia, Canada; Malcolm Island, Canada; Annette Island, Alaska; Level Island, Alaska; Sisters Island, Alaska; Burwash Landing, Yukon Territory Canada, RR; Northway, Alaska; Fairbanks, Alaska, to Kotzebue, Alaska, excluding the airspace within Canada.

Jet Route No. 503(Seattle, Wash., to United States/Canadian Border) (joins Canadian High Level airway No. 503).

From Seattle, Wash., to the United States/Canadian Border via the Seattle direct radial to Princeton, British Columbia.

Jet Route No. 506 (Seattle, Wash., to the United States/Canadian border) (Joins Canadian high level airway No. 506)

From Seattle, Wash., via the Seattle 061° radial to the United States/Canadian border.

Jet Route No. 508 (Millinocket, Maine, to United States/Canadian border). (Joins Canadian high level airway No. 508).

From Millinocket, Maine, via the intersection of Millinocket 114° and St. John, N. B., 267° radials; to the intersection of the St. John 267° radial with the United States/Canadian border.

J-507 From Barrow, Alaska, via Oliktok, Alaska, MDS; Deadhorse, Alaska; Fort Yukon, Alaska, Northway, Alaska; to Yakutat, Alaska, excluding the portion within Canada.

AMENDMENTS 1/2/75 39 F. R. 36111 (Rewritten)
AMENDMENTS 12/4/75 40 F. R. 43885 (Changed)

Jet Route No. 511 From Cape Newenham, Alaska, MDS via Dillingham, Alaska; Anchorage, Alaska; Big Lake, Alaska; Gulkana, Alaska; to Burwash Landing, Yukon Territory, Canada, RR, excluding the portion which lies over Canadian territory.

AMENDMENTS 10/9/75 40 F. R. 34087 (Changed)

Jet Route No. 513 (Thunder Bay, Ontario, Canada, to Sudbury, Ontario, Canada). (Joins Canadian high level airway No. HL-513).

From Thunder Bay, Ontario, Canada, direct to Sudbury, Ontario, Canada, excluding the portion within Canada.

Jet Route No. 515 From Fargo, N. Dak., via Pembina, N. Dak.; to INT Pembina 356° radial and the United States/Canadian border. From Whitehorse, Yukon Territory, Canada, via Northway, Alaska; Fairbanks, Alaska; Bettles, Alaska; to Browerville, Alaska, RBN. The airspace within Canada is excluded.

Jet Route No. 516 (Great Falls, Mont., to the United States/Canadian border); (joins Canadian high level airway No. 516).

From Great Falls, Mont., via the Great Falls 339° radial to the United States/Canadian border.

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Jet Route No. 517 (Boise, Idaho to the United States/Canadian border); (joins Canadian high level airway No. 517).

From Boise, Idaho, via Spokane, Wash., to Cranbrook, British Columbia, Canada, excluding the portion which lies over Canadian territory.

Jet Route No. 518 (Cleveland, Ohio, to Westminster, Md.).

From Cleveland, Ohio, via INT of Cleveland 120° and Westminster, Md., 288° radials; to Westminster.

Jet Route No. 522 (Green Bay, Wis., to Huguenot, N. Y.) (Joins Canadian High Level airway No. 522)
From Green Bay, Wis., via Traverse City, Mich.; Kleinburg, Ontario, Canada; Hancock, N. Y.; to Huguenot, N.Y., excluding the airspace within Canada.

Jet Route No. 523 (Seattle, Wash., to Neah Bay, Wash., Sandspit, British Columbia, Canada, to Annette Island, Alaska.).

From Seattle, Wash., to the Neah Bay, Wash., RBN. From Sandspit, British Columbia, Canada, to Annette Island, Alaska; excluding the airspace within Canada.

Jet Route No. 525 (Sandspit, British Columbia, Canada, to Annette Island, Alaska) (Joins Canadian High Level Airway No. 525).

From the Sandspit, British Columbia, Canada, RBN to Nichols, Alaska, RBN, excluding the airspace within Canada.

Jet Route No. 528 (Bellingham, WA., to United States/Canadian border).

From Bellingham, WA., to Williams Lake, British Columbia, Canada. The airspace within Canada is excluded.

Jet Route No. 530 (Great Falls. Mont.. to the United States/Canadian border); (joins Canadian high level airway No. 530).

From Great Falls. Mont.. via the Great Falls 040° radial to the United States/Canadian border.

Jet Route No. 531 (Buffalo, N. Y., to Sault Ste. Marie, Mich.) (Joins Canadian high level airway No. 531.).

From Buffalo, N. Y., via Kleinburg, Ont., Canada; Wiarton, Ont., Canada; to Sault Ste. Marie, Mich., excluding the portion which lies over Canadian territory.

Jet Route No. 532 (Pembina, N. Dak., to the United States/Canadian Border) (joins Canadian high level airway No. 532).

From Pembina, N. Dak., to the United States/Canadian Border via the Pembina to Red Lake, Ontario RBN direct radial.

Jet Route No. 533 (Duluth, Minn., to the United States/Canadian Border) (joins Canadian high level airway No. 533).

From Duluth, Minn., to the United States/Canadian border via the Duluth to Thunder Bay, Ontario, direct radial.

Jet Route No. 536 From Sisters Island, Alaska; to Whitehorse, Yukon Territory, Canada. The airspace within Canada is excluded.

Jet Route No. 538 (Duluth, Minn., to the United States/Canadian border); (joins Canadian high level airway No. 538).

From the INT of the United States/Canadian border and the direct radial between Duluth, Minn., and Konora, Ont., to Duluth.

Jet Route No. 540 (Mullan Pass, Idaho, to the United States/Canadian border)(Joins Canadian high level airway No. 540).

From Mullan Pass, Idaho, to the INT of Mullan Pass 041° radial and the United States/Canadian border.

J-541 From Yakutat, Alaska, to Sisters Island, Alaska.

AMENDMENTS 1/2/75 39 F. R. 36111 (Added)

Jet Route No. 545 (Cleveland, Ohio, to the United States/Canadian Border)(joins Canadian High Level Airway No. 545).

From Cleveland, Ohio, to the INT of the Cleveland 024° radial and the United States/Canadian Border.

Jet Route No. 546 (Peck, Mich., to the United States/Canadian Border) (joins Canadian high level airway No. 546).

From Peck, Mich.. to the United States/Canadian Border via the Peck to Kleinburg, Ontario direct radial.

Jet Route No. 547 (Northbrook, Ill., to Kennebunk, Maine). (Joins Canadian high level airway No. 547.)

From Northbrook, Ill., via Pullman, Mich.; Flint, Mich.; Peck, Mich.; London, Ontario; Buffalo, N. Y.; Syracuse, N. Y.;
INT Syracuse 094° and Albany, N. Y., 058° radials; to Kennebunk, Maine, excluding the portion which lies over Canadian territory.

Jet Route No. 548 (Pullman, Mich., to the United States/Canadian Border) (joins Canadian high level airway No. 548).

From Pullman, Mich.; via Traverse City, Mich.; Sault Ste Marie,
to the United States/Canadian border via the Sault Ste. Marie to Timmins, Ontario, RR direct radial.
Jet Route No. 551 (Peck, Mich., to the United States/Canadian border.) (Joins Canadian high level airway No. 551).

From Peck. Mich.. to the United States/Canadian border via the Peck to Wiarton, Ontario, direct radial.

Jet Route No. 552 (St. Georges, Quebec, Canada, to Port Menier, Quebec, Canada)

From St. Georges, Quebec, Canada, to Port Menier, Quebec, Canada, RBN, excluding the portion within Canada.

Jet Route No. 553 From Peck, Mich., to Midland, Ontario, Canada. From Beauce, Quebec, via Houlton, Maine; to Moncton, New Brunswick. That airspace within Canada is excluded.
AMENDMENTS 8/14/75 40 F. R. 25441 (Rewritten) F. R. Correction 40 F. R. 27015

Jet Route No. 554 From South Bend, Ind., via Carleton, Mich.; to Jamestown, N. Y., excluding the portion within Canada.

Jet Route No. 559 (Syracuse, N. Y., to the United States/Canadian border). (Joins Canadian high level airway No. 559).

From Syracuse, N. Y., to the INT of Syracuse 005° radial and the United States/Canadian border.

Jet Route No. 560 (Plattsburgh, N. Y., to the United States/Canadian Border.) (Joins Canadian high level airway No. 560.)
From Plattsburgh, N. Y., to Quebec, Quebec, Canada, excluding the airspace over Canada.

Jet Route No. 563 (Albany, N. Y., to the United States/Canadian border). (Joins Canadian High Level Airway No. 563).
From Albany, N. Y., via INT of Albany 008° and Sherbrooke, Quebec, Canada, 217° radials to Sherbrooke, excluding the airspace over Canada.

Jet Route No. 564 (Presque Isle, Maine, to the United States/Canadian border); (joins Canadian high level airway No. 564).

From Presque Isle, Maine, to INT of the Presque Isle 038° radial and the United States/Canadian border.

Jet Route No. 566 (Massena, N. Y., to the United States/Canadian border). (Joins Canadian high level airway No. 566).

From Massena. N. Y.. to the INT of the Massena 037° radial and the United States/Canadian border.

Jet Route No. 567 (Plattsburgh, N. Y., to the United States/Canadian border). (Joins Canadian high level airway No. 567).

From Plattsburgh. N. Y.. to the INT of the Plattsburgh 334° radial and the United States/Canadian border.

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Jet Route No. 570 From the INT of Albany, N. Y., 343° and Montreal, Quebec, 188° radials to the INT of the Montreal 188° radial with the United States/Canadian Border.

AMENDMENTS 10/9/75 40 F. R. 27644 (Added)

Jet Route No. 573 (Providance, R. I., to the United States/Canadian Border). (joins Canadian High Level Airway No. 573).

From Providence, R. I., via INT Providence 045° and Kennebunk, Maine, 180° radials; Kennebunk; to St. John, New Brunswick, Canada, excluding the portion within Canada.

Jet Route No. 575 (Boston, Mass., to Yarmouth, N. S., Canada). (Joins Canadian high level airway No. 575)

From Boston, Mass., to Yarmouth, N. S., Canada, excluding the portion under the jurisdiction of Canada.

Jet Route No. 581 From Kennedy, N. Y., via INT of Kennedy 042° and Putnam, Conn., 236° radials; Putnam; Kennebunk, Maine; Bangor, Maine, to the INT of the Bangor 058° radial and the United States/Canadian border.

Jet Route No. 582 (Presque Isle, Maine, to the United States/Canadian border). (Joins Canadian high level airway No. 582.)

From Presque Isle, Maine, to Mont Joli, Quebec, Canada, excluding the portion within Canada.

Jet Route No. 584 (Northbrook, Ill., to Kennedy, N. Y.).

From Northbrook, Ill., via INT of Northbrook 094° and Carleton, Mich., 270° radials; Carleton; Slate Run, Pa.; INT Slate Run 101° and Kennedy, N. Y., 291° radials; to Kennedy.

Jet Route No. 585 (Nantucket, Mass. to Yarmouth, N.S. Canada). (Joins Canadian high level airway No. 585).

From Nantucket, Mass., to Yarmouth, N.S., Canada, excluding the portion under the jurisdiction of Canada.

Jet Route No. 586 (Carleton, Mich., to United States/Canadian Border near Massena, N. Y.). (Joins Canadian High Level Airway No. 586).

From Carleton, Mich., via London, Ont., Canada; Stirling, Ont., Canada; Massena, N. Y.; to St. Jean, Quebec, Canada. That airspace within Canada is excluded.

Jet Route No. 587 From Kleinburg, Ontario, Canada, via Midland, Ontario, Canada, INT Midland 313° and Sault Ste. Marie, Mich., 110° radials; to Sault Ste. Marie, excluding the portion within Canada.

Jet Route No. 588 (Sault Ste. Marie, MI., to Stirling, Ontario, Canada) (Joins Canadian High Level Airway No. 588).

From Sault Ste. Marie, MI., via INT Sault Ste. Marie 110° and Stirling, Ontario, Canada, 297° radials; to Stirling, excluding the portion within Canada.

Jet Route No. 595 (From London, Ontario, to St. John, New Brunswick) (joins Canadian high level airway No. 595)

From London, Ontario via latitude 43°52'30" N., longitude 78°43'00" W.); Watertown, N. Y.; Plattsburgh, N. Y.; Bangor, Maine; to St. John, New Brunswick, Canada; excluding the portion outside the United States.

SUBPART C - JET ADVISORY AREAS

§75.200 En route jet advisory areas.

(Unless otherwise specified, the place names appearing in the description of the jet advisory areas indicate the VOR or VORTAC facilities identified by such names.)

§75.300 Terminal jet advisory areas.

(Unless otherwise specified the place names appearing in the description of the jet advisory areas indicate the VOR or VORTAC facilities identified by such names.)

SUBPART D - AREA HIGH ROUTES

§75.400 Area high routes.

The parts of airspace described below are designated as area high routes.

Waypoint name	Location		Reference facility
J800R New York, N. Y., to Los Angeles, Calif.			
Robbinsville, N. J., VORTAC	40°12'08" N.	74°29'44" W.	Robbinsville, N. J.
RIDES	39°58'04" N.	78°04'45" W.	Philipsburg, Pa.
HORNS	40°00'43" N.	80°13'38" W.	Elwood City, Pa.
THACK	39°59'34" N.	84°01'53" W.	Rosewood, Ohio
MELOT	39°53'23" N.	87°00'54" W.	Lafayette, Ind.
CRAPS	39°39'52" N.	90°35'08" W.	St. Louis, Mo.
WALCO	39°13'06" N.	94°59'28" W.	Butler, Mo.
ENTER	38°58'04" N.	96°59'46" W.	Wichita, Kans.
CEDAR	38°29'43" N.	100°10'41" W.	Garden City, Kans.
GRAND	37°59'43" N.	102°37'18" W.	Lamar, Colo.
Delhi, Colo.	37°40'09" N.	104°13'02" W.	Pueblo, Colo.
SANDY	37°19'13" N.	105°48'11" W.	Alamosa, Colo.
Flora, N. Mex.	36°46'16" N.	108°09'14" W.	Farmington, N. Mex.
CAMEL	35°58'37" N.	111°12'21" W.	Tuba City, Ariz.
FENNY	34°48'12" N.	115°00'57" W.	Parker, Calif.
MORRO	34°02'51" N.	117°14'54" W.	Oceanside, Calif.

Waypoint name	Location		Reference facility
J801R Los Angeles, Calif., to New York, N. Y.			
MESIC	35°44'20" N.	115°32'01" W.	Boulder City, Nev.
Boulder City, NV.	35°59'45" N.	114°51'46" W.	Boulder City, NV.
Paria, Ariz.	36°53'51" N.	111°55'43" W.	Bryce Canyon, Utah
MONTE	37°51'16" N.	108°33'32" W.	Farmington, N. Mex.
CABIN	38°21'36" N.	106°34'31" W.	Gunnison, Colo.
GOPEL	38°42'44" N.	105°05'24" W.	Pueblo, Colo.
DRESS	39°38'14" N.	100°23'38" W.	Hayes Center, Nebr.
RUSKI	40°08'16" N.	97°56'34" W.	Wolbach, Nebr.
GARDE	40°53'49" N.	93°30'28" W.	Des Moines, Iowa
Joliet, Ill., VORTAC	41°32'47" N.	88°19'06" W.	Joliet, Ill.
WOLVI	42°13'36" N.	83°58'14" W.	Carleton, Mich.
SPOTS	42°00'19" N.	80°56'16" W.	Carleton, Mich.
ORMBY	41°48'09" N.	78°38'27" W.	Buffalo, N. Y.
Sparta, N. J., VORTAC	41°04'03" N.	74°32'19" W.	Sparta, N. J.

AMENDMENTS 12/4/75 40 F. R. 47482 (Changed)

Waypoint name	Location		Reference facility
J802R New York, N. Y., to Oakland, Calif.			
Robbinsville, N. J., VORTAC	40°12'08" N.	74°29'44" W.	Robbinsville, N. J.
FURNA	40°36'35" N.	78°02'40" W.	Philipsburg, Pa.
SHILO	40°57'44" N.	82°30'16" W.	Appleton, Ohio
PERRY	41°08'24" N.	87°02'53" W.	Lafayette, Ind.
Bradford, Ill.	41°09'35" N.	89°35'16" W.	Iowa City, Iowa
Lincoln, Nebr.	40°55'26" N.	96°44'30" W.	Pawnee City, Nebr.
MELTO	40°39'38" N.	100°57'02" W.	Hayes Center, Nebr.
GILLY	40°16'43" N.	104°49'59" W.	Denver, Colo.
BLAND	39°53'01" N.	107°52'45" W.	Meeker, Colo.
HILLS	39°33'51" N.	109°58'03" W.	Myton, Utah
NEBOS	39°16'43" N.	111°38'27" W.	Fairfield, Utah
GRAFT	38°43'06" N.	114°32'58" W.	Wilson Creek, Nev.
Coaldale, Nev., VORTAC	38°00'12" N.	117°46'10" W.	Coaldale, Nev.

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Waypoint name	Location		Reference facility
J803R Mina, Nev., to Sparta, N. J.			
Mina, Nev.	38°33'55" N.	118°01'55" W.	Coaldale, Nev.
BRISK	39°23'01" N.	114°50'10" W.	Wilson Creek, Nev.
CLARA	39°52'08" N.	112°42'38" W.	Delta, Utah
Ouray, Utah	40°22'59" N.	110°12'19" W.	Myton, Utah
MAYHE	40°45'44" N.	108°07'47" W.	Meeker, Colo.
TANKS	41°17'12" N.	104°47'30" W.	Cheyenne, Wyo.
HANDS	41°44'19" N.	101°09'59" W.	Hayes Center, Nebr.
PLUMS	42°07'05" N.	96°53'26" W.	Lincoln, Nebr.
SCALE	42°22'53" N.	90°24'00" W.	Iowa City, Iowa
Haven, Mich.	42°19'27" N.	86°17'17" W.	South Bend, Ind.
WOLVI	42°13'36" N.	83°58'14" W.	Carleton, Mich.
SPOTS	42°00'19" N.	80°56'16" W.	Carleton, Mich.
ORMBY	41°48'09" N.	78°38'27" W.	Buffalo, N. Y.
Sparta, N. J. VORTAC	41°04'03" N.	74°32'19" W.	Sparta, N. J.

Waypoint name	Location		Reference facility
J804R Tampa, FL., to Atlanta, GA.			
DARSS	28°11'59" N.	82°31'58" W.	Gainesville, Fla.
AMOUR	30°43'23" N.	84°23'02" W.	Tallahassee, Fla.
TAXII	33°02'35" N.	85°12'27" W.	Montgomery, Ala.

Waypoint name	Location		Reference facility
J805R Gateway Hemlock, Oreg., to Woodstock, Ill.			
HEMLO	43°18'08" N.	126°40'46" W.	Newport, Oreg.
Newport, Oreg.	44°34'32" N.	124°03'34" W.	Newport, Oreg.
DAYAH	44°35'59" N.	119°28'41" W.	Pendleton, Oreg.
McCall, Idaho	44°46'02" N.	116°12'19" W.	McCall, Idaho
LIMES	44°52'56" N.	112°13'36" W.	Dubois, Idaho
BIGGS	44°52'08" N.	108°42'55" W.	Billings, Mont.
CLEAR	44°43'43" N.	106°20'12" W.	Crazy Woman, Wyo.
ASHEY	44°19'46" N.	101°52'35" W.	Dupree, S. Dak.
Sioux Falls, S. Dak.	43°38'58" N.	96°46'51" W.	Sioux Falls, S. Dak.
WILDT	42°57'17" N.	91°45'37" W.	Nodine, Minn.
STOCK	42°21'21" N.	88°24'13" W.	Milwaukee, Wis.

AMENDMENTS 8/14/75 40 F. R. 25204 (Changed)

Waypoint name	Location		Reference facility
J806R Robbinsville, N. J., to Gateway Hemlock			
Robbinsville, N. J.	40°12'08" N.	74°29'44" W.	Robbinsville, N. J.
FURNA	40°36'35" N.	78°02'40" W.	Philipsburg, Pa.
SHILO	40°57'44" N.	82°30'16" W.	Appleton, Ohio
Plant, Ind.	41°37'29" N.	87°15'57" W.	Lafayette, Ind.
MORRI	41°55'53" N.	89°47'00" W.	Bradford, Ill.
ELBER	42°00'53" N.	92°15'40" W.	Dubuque, Iowa
KAMBA	42°25'45" N.	93°43'56" W.	Fort Dodge, Iowa
Sioux Falls, S. Dak.	43°38'58" N.	96°46'51" W.	Sioux Falls, S. Dak.
ASHEY	44°19'46" N.	101°52'35" W.	Dupree, S. Dak.
CLEAR	44°43'43" N.	106°20'12" W.	Crazy Woman, Wyo.
BIGGS	44°52'08" N.	108°42'55" W.	Billings, Mont.
LIMES	44°52'56" N.	112°13'36" W.	Dubois, Idaho
McCall, Idaho	44°46'02" N.	116°12'19" W.	McCall, Idaho
DAYAH	44°35'59" N.	119°28'41" W.	Pendleton, Oreg.
Newport, Oreg.	44°34'32" N.	124°03'34" W.	Newport, Oreg.
HEMLO	43°18'08" N.	126°40'46" W.	Newport, Oreg.

Waypoint name	Location		Reference facility
J807R New York, N. Y., to Sherbrooke, Canada			
BELLE	41°02'17" N.	73°08'51" W.	Hampton, N. Y.
CHERI	42°40'52" N.	73°18'11" W.	Albany, N. Y.
HOLLY	44°59'29" N.	71°59'58" W.	Plattsburgh, N. Y.

Waypoint name	Location		Reference facility
J808R New York, N. Y., to Sable Island, N. S.			
SARDI	40°31'19" N.	72°47'56" W.	Kennedy, N. Y.
PATTY	40°50'10" N.	71°58'04" W.	Putnam, Conn.
Nantucket	41°16'54" N.	70°01'38" W.	Nantucket, Mass.
WHALE	42°11'49" N.	67°00'28" W.	Nantucket, Mass.

AMENDMENTS 1/30/75 39 F. R. 41520 (Changed)
AMENDMENTS 10/9/75 40 F. R. 28077 (Changed)

Waypoint name	Location		Reference facility
J809R New York, N. Y., to Yarmouth, N. S.			
SARDI	40°31'19" N.	72°47'56" W.	Kennedy, N. Y.
PATTY	40°50'10" N.	71°58'04" W.	Putnam, Conn.
Nantucket	41°16'54" N.	70°01'38" W.	Nantucket, Mass.
DAVES	42°55'46" N.	67°29'55" W.	Nantucket, Mass.

AMENDMENTS 1/30/75 39 F. R. 41520 (Changed)
AMENDMENTS 10/9/75 40 F. R. 28077 (Changed)

Waypoint name	Location		Reference facility
J810R South Bend, Ind., to New York, N. Y.			
KINDS	41°47'37" N.	85°00'23" W.	Fort Wayne, Ind.
MARCH	41°38'39" N.	82°31'08" W.	Cleveland, Ohio
AVAST	41°07'46" N.	77°23'00" W.	Philipsburg, Pa.
PENNS	40°48'06" N.	74°55'59" W.	Sparta, N. J.

Waypoint name	Location		Reference facility
J811R Chicago, IL., to Miami, FL.			
JUDYS	40°14'20" N.	87°22'35" W.	Indianapolis, Ind.
EIMAN	36°19'34" N.	85°50'29" W.	Nashville, Tenn.
Rome, Ga.	34°09'45" N.	85°07'10" W.	Birmingham, Ala.
MAUKS	32°29'12" N.	84°24'51" W.	Macon, Ga.
PENNY	30°07'24" N.	83°33'01" W.	Gainesville, Fla.
REPLY	26°10'36" N.	81°06'53" W.	Palm Beach, Fla.

Waypoint name	Location		Reference facility
J812R Miami, Fla., to Chicago, Ill.			
HIGHT	28°11'22" N.	80°42'24" W.	Vero Beach, Fla.
APORT	29°28'30" N.	81°55'45" W.	Ormond Beach, Fla.
ARCHI	29°34'20" N.	82°33'00" W.	Gainesville, Fla.
Alma, GA.	31°32'11" N.	82°30'30" W.	Savannah, GA.
SINCA	33°05'19" N.	83°33'03" W.	Augusta, Ga.
CANTE	34°19'29" N.	84°25'39" W.	Chattanooga, Tenn.
SHUTO	37°14'52" N.	85°21'50" W.	Knoxville, Tenn.
BORDE	38°37'12" N.	86°02'11" W.	Evansville, Ind.
FORES	40°51'20" N.	87°11'36" W.	Fort Wayne, Ind.
Chicago Heights, IL.	41°30'36" N.	87°34'17" W.	Fort Wayne, IN.

Waypoint name	Location		Reference facility
J813R Atlanta, Ga., to New Orleans, La.			
BREME	33°39'32" N.	85°12'55" W.	Montgomery, Ala.
Montgomery, Ala., VORTAC	32°13'20" N.	86°19'11" W.	Montgomery, Ala.
Monroeville, Ala.	31°27'37" N.	87°21'10" W.	Montgomery, Ala.
New Orleans, La., VORTAC	30°01'47" N.	90°10'20" W.	New Orleans, La.

Waypoint name	Location		Reference facility
J814R New Orleans, La., to Atlanta, Ga.			
New Orleans, La., VORTAC	30°01'47" N.	90°10'20" W.	New Orleans, La.
Monroeville, Ala.	31°27'37" N.	87°21'10" W.	Montgomery, Ala.
Montgomery, Ala.	32°13'20" N.	86°19'11" W.	Montgomery, Ala.
TAXII	33°02'35" N.	85°12'27" W.	Montgomery, Ala.

Waypoint name	Location		Reference facility
J815R Washington, D. C., to Atlanta, Ga.			
Casanova, Va.	38°38'28" N.	77°31'37" W.	Gordonsville, Va.
COPPA	36°52'22" N.	80°35'26" W.	Greensboro, N. C.
SHINE	35°18'05" N.	83°02'00" W.	Spartanburg, S. C.
LANDS	34°19'21" N.	83°40'53" W.	Spartanburg, S. C.

Waypoint name	Location		Reference facility
J816R Atlanta, Ga., to Washington, D. C.			
SOCLE	33°37'10" N.	83°36'42" W.	Augusta, Ga.
LINCO	35°12'11" N.	80°55'57" W.	Spartanburg, S. C.
Richmond, Va.	37°30'06" N.	77°19'14" W.	Flat Rock, Va.
MARBY	38°30'12" N.	77°07'07" W.	Flat Rock, Va.

Waypoint name	Location		Reference facility
J819R Boston, Mass., to Chicago, Ill.			
MERRY	42°41'31" N.	71°24'10" W.	Putnam, Conn.
SPADS	43°04'37" N.	74°41'42" W.	Hancock, N. Y.
PEKIN	43°02'17" N.	78°39'07" W.	Buffalo, N. Y.
VERNI	42°37'50" N.	84°40'50" W.	Carleton, Mich.
POPPY	42°16'16" N.	87°36'28" W.	South Bend, Ind.

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Waypoint name	Location		Reference facility
J820R Chicago, Ill., to Boston, Mass.			
O'Hare, IL.	41°59'16" N.	87°54'17" W.	Joliet, IL.
WOLVI	42°13'36" N.	83°58'14" W.	Carleton, Mich.
SCHOO	42°20'03" N.	80°20'13" W.	Chardon, Ohio
HAMET	42°20'40" N.	78°05'55" W.	Slate Run, Pa.
CHERI	42°40'52" N.	73°18'11" W.	Albany, N. Y.
Gardner, MA.	42°32'45" N.	72°03'31" W.	Putnam, CT.

Waypoint name	Location		Reference facility
J821R Chicago, Ill., to Minneapolis, Minn.			
Milwaukee, Wis.	43°07'01" N.	88°17'03" W.	Green Bay, Wis.
Minneapolis, Minn.	45°08'45" N.	93°22'23" W.	Minneapolis, Minn.

Waypoint name	Location		Reference facility
J822R Minneapolis, Minn., to Chicago, Ill.			
Minneapolis, Minn.	45°08'45" N.	93°22'23" W.	Minneapolis, Minn.
STOCK	42°21'21" N.	38°24'13" W.	Milwaukee, Wis.

Waypoint name	Location		Reference facility
J823R Detroit, Mich., to Chicago, Ill			
HOLTS	42°28'00" N.	84°34'53" W.	South Bend, Ind.
Pullman, MI.	42°27'56" N.	86°06'21" W.	South Bend, IN.
POPPY	42°16'16" N.	87°36'28" W.	South Bend, Ind.

Waypoint name	Location		Reference facility
J824R St. Louis, Mo., to Chicago, Ill.			
JERRY	39°04'13" N.	90°18'27" W.	Centralia, Ill
Kappa, Ill.	40°50'22" N.	88°54'07" W.	Bradford, Ill.
Joliet, Ill.	41°32'47" N.	88°19'06" W.	Joliet, Ill.
WRENS	41°48'38" N.	88°16'07" W.	Joliet, Ill.

Waypoint name	Location		Reference facility
J826R Kansas City, Mo., to Chicago, Ill.			
BOGIE	39°24'13" N.	93°44'49" W.	Lamoni, Iowa
Bradford, Ill.	41°09'35" N.	89°35'16" W.	Iowa City, Iowa
WRENS	41°48'38" N.	88°16'07" W.	Joliet, Ill.

Waypoint name	Location		Reference facility
J827R Chicago, Ill., to Kansas City, Mo.			
MORRI	41°55'53" N.	89°47'00" W.	Bradford, Ill.
Kirksville, Mo.	40°08'06" N.	92°35'30" W.	Lamoni, Iowa
IASSO	39°30'13" N.	94°05'16" W.	Lamoni, Iowa

Waypoint name	Location		Reference facility
J830R St. Louis, Mo., to New York, N. Y.			
MARIN	38°43'46" N.	89°51'54" W.	Capital, Ill.
GOSPO	39°25'27" N.	86°39'29" W.	Lafayette, Ind.
SPOTS	42°00'19" N.	80°56'16" W.	Carleton, Mich.
ORMBY	41°48'09" N.	78°38'27" W.	Buffalo, N. Y.
Sparta, N. J.	41°04'03" N.	74°32'19" W.	Sparta, N. J.

Waypoint name	Location		Reference facility
J831R New York, N. Y., to CODDS			
PATTY	40°50'10" N.	71°58'04" W.	Putnam, Conn.
Nantucket, Mass.	41°16'54" N.	70°01'38" W.	Nantucket, Mass.
CODDS	41°16'36" N.	68°00'00" W.	Nantucket, Mass.

AMENDMENTS 1/30/75 39 F. R. 41520 (Added)

Waypoint name	Location		Reference facility
J832R Philadelphia, Pa., to Boston, Mass.			
Millville, N. J.	39°32'15" N.	74°58'03" W.	J. F. Kennedy, N. Y.
TUGBO	39°48'45" N.	73°22'20" W.	J. F. Kennedy, N. Y.
WATER	40°49'17" N.	72°17'15" W.	Putnam, Conn.
Whitman, Mass.	42°03'28" N.	70°50'13" W.	Putnam, Conn.

Waypoint name	Location		Reference facility
J833R Bangor, Maine, to New York, N. Y.			
Bangor, Maine	44°50'30" N.	68°52'28" W.	Bangor, Maine
GORDI	43°55'19" N.	69°29'54" W.	Kennebunk, Maine
DONIE	41°39'12" N.	70°57'00" W.	Putnam, Conn.
PATTY	40°50'10" N.	71°58'04" W.	Putnam, Conn.
SARDI	40°31'19" N.	72°47'56" W.	Kennedy, N. Y.

AMENDMENTS 1/30/75 39 F. R. 41520 (Rewritten)

Waypoint name	Location		Reference facility
J834R Chicago, Ill., to Cleveland, Ohio			
KINDS	41°47'37" N.	85°00'23" W.	Fort Wayne, Ind.
HENRI	41°19'23" N.	82°22'42" W.	Carleton, Mich.

Waypoint name	Location		Reference facility
J835R Cleveland, Ohio, to Chicago, Ill.			
Axtel, Ohio	41°31'27" N.	82°15'55" W.	Rosewood, Ohio
Plant, Ind.	41°37'29" N.	87°15'57" W.	Lafayette, Ind.

Waypoint name	Location		Reference facility
J836R Chicago, Ill., to Cincinnati, Ohio			
JUDYS	40°14'20" N.	87°22'35" W.	Indianapolis, Ind.
OGDEN	39°09'27" N.	85°12'25" W.	Fort Wayne, Ind.

Waypoint name	Location		Reference facility
J837R Cincinnati, Ohio, to Chicago, Ill.			
SUMAN	39°15'37" N.	85°08'15" W.	Fort Wayne, Ind.
FORES	40°51'20" N.	87°11'36" W.	Fort Wayne, Ind.
Chicago Heights, Ill.	41°30'36" N.	87°34'17" W.	Fort Wayne, Ind.

Waypoint name	Location		Reference facility
J838R Atlanta, GA., to Jacksonville, FL.			
Crest, GA.	32°50'25" N.	84°27'28" W.	Augusta, GA.
Vienna, GA.	32°12'48" N.	83°29'51" W.	Augusta, GA.
BARCA	30°45'09" N.	82°08'08" W.	Savannah, Ga.

Waypoint name	Location		Reference facility
J839R Jacksonville, Fla., to Atlanta, Ga.			
KICKS	30°45'00" N.	81°44'02" W.	Savannah, Ga.
SINCA	33°05'19" N.	83°33'03" W.	Augusta, Ga.

Waypoint name	Location		Reference facility
J842R Dallas, Tex., to New York, N. Y.			
Greater Southwest, TX.	32°49'10" N.	97°02'28" W.	Greater Southwest, TX.
Texarkana, AR.	33°30'50" N.	94°04'23" W.	Shreveport, LA.
Memphis, TN.	34°56'34" N.	89°57'35" W.	Walnut Ridge, AR.
ELMAN	36°19'34" N.	85°50'29" W.	Nashville, Tenn.
WOODI	36°50'56" N.	84°02'21" W.	Knoxville, Tenn.
KIMBO	37°24'00" N.	81°27'57" W.	Charleston, W. Va.
Gordonsville, VA.	38°00'48" N.	78°09'12" W.	Richmond, VA.
Atlantic City, NJ.	39°27'21" N.	74°34'36" W.	Westminster, MD.

Waypoint name	Location		Reference facility
J843R New York, N. Y., to Dallas, Tex.			
Robbinsville, NJ.	40°12'08" N.	74°29'44" W.	Robbinsville, NJ.
Westminster, MD.	39°29'42" N.	76°58'46" W.	Gordonsville, VA.
RENFO	38°24'04" N.	81°23'29" W.	Beckley, W. Va.
SHUTO	37°14'52" N.	85°21'50" W.	Knoxville, Tenn.
SADER	36°41'08" N.	87°06'56" W.	Evansville, Ind.
BIRLE	35°27'43" N.	90°35'28" W.	Walnut Ridge, Ark.
HORSB	33°58'47" N.	94°21'05" W.	Texarkana, Ark.
Greater Southwest, TX.	32°49'10" N.	97°02'28" W.	Greater Southwest, TX.

Waypoint name	Location		Reference facility
J844R Omaha, Nebr., to Chicago, Ill.			
Omaha, Nebr.	41°18'00" N.	95°54'00" W.	Lamoni, Iowa
Des Moines, Iowa	41°26'15" N.	93°38'56" W.	Lamoni, Iowa
SCALE	42°22'53" N.	90°24'00" W.	Iowa City, Iowa
STOCK	42°21'21" N.	88°24'13" W.	Milwaukee, Wis.

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Waypoint name	Location		Reference facility
J847R Chicago, Ill., to Omaha, Nebr.			
MORRI	41°55'53" N.	89°47'00" W.	Bradford, Ill.
Des Moines, IA.	41°26'15" N.	93°38'54" W.	Lamoni, IA.
Neola, IA.	41°28'23" N.	95°39'29" W.	Lamoni, IA.

Waypoint name	Location		Reference facility
J849R Chicago, Ill., to Des Moines, Iowa			
MORRI	41°55'53" N.	89°47'00" W.	Bradford, Ill.
RUNDI	41°36'44" N.	93°22'48" W.	Mason City, Iowa

Waypoint name	Location		Reference facility
J850R Los Angeles, Calif., to San Francisco, Calif.			
Ventura, Calif.	34°06'54" N.	119°02'55" W.	Bakersfield, Calif.
PIERS	36°34'28" N.	121°55'13" W.	Fresno, Calif.

Waypoint name	Location		Reference facility
J851R San Francisco, Calif., to Los Angeles, Calif.			
LOGAN	36°58'59" N.	121°43'26" W.	Fresno, Calif.
VIRGA	34°13'24" N.	118°49'11" W.	Los Angeles, Calif.

Waypoint name	Location		Reference facility
J-852R Las Vegas, Nev., to San Francisco, Calif.			
LUCKY	36°02'22" N.	115°50'08" W.	Beatty, Nev.
Modesto, CA.	37°37'39" N.	120°57'25" W.	Fresno, CA.

Waypoint name	Location		Reference facility
J853R Los Angeles, Calif., to Phoenix, Ariz.			
Seal Beach, Calif.	33°47'00" N.	118°03'14" W.	Oceanside, Calif.
KOFFA	33°30'58" N.	113°53'17" W.	Yuma, Ariz.
Phoenix, Ariz.	33°25'53" N.	111°53'17" W.	Phoenix, Ariz.

Waypoint name	Location		Reference facility
J854R Los Angeles, CA., to Sacramento, CA.			
Ventura, CA.	34°06'54" N.	119°02'55" W.	Bakersfield, CA.
Avenal, CA.	35°38'49" N.	119°58'40" W.	Fresno, CA.
Sacramento, CA.	38°28'38" N.	121°33'02" W.	Sacramento, CA.

Waypoint name	Location		Reference facility
J855R Dallas, Tex., to San Francisco, Calif.			
Wichita Falls, TX.	33°59'14" N.	98°35'35" W.	Wichita Falls, TX.
CROWS	34°08'33" N.	99°45'50" W.	Wichita Falls, Tex.
Texico, NM	34°29'42" N.	102°50'21" W.	Texico, NM.
PALMA	34°54'19" N.	105°18'29" W.	Las Vegas, N. Mex.
VOLCA	35°06'22" N.	106°39'29" W.	Socorro, N. Mex.
DEFER	35°26'10" N.	109°09'39" W.	Gallup, N. Mex.
PEAKS	35°41'03" N.	111°20'14" W.	Tuba City, Ariz.
Boulder City, Nev.	35°58'45" N.	114°51'46" W.	Boulder City, Nev., VORTAC
LUCKY	36°02'22" N.	115°50'08" W.	Beatty, Nev.
Modesto, CA.	37°37'39" N.	120°57'25" W.	Fresno, CA.

Waypoint name	Location		Reference facility
J856R Atlanta, Ga., to Pittsburgh, Pa.			
CANTE	34°19'29" N.	84°25'39" W.	Chattanooga, Tenn.
Henderson, WV.	38°45'15" N.	82°01'35" W.	Charleston, WV.
WATTS	40°07'30" N.	80°40'54" W.	Appleton, Ohio

Waypoint name	Location		Reference facility
J857R Denver, CO., to Salt Lake City, UT.			
Kremmling, CO.	40°00'10" N.	106°26'31" W.	Hooker, CO.
IOKAS	40°12'52" N.	110°07'16" W.	Myton, Utah
Fairfield, UT.	40°16'30" N.	111°56'23" W.	Delta, UT.

Waypoint name	Location		Reference facility
J858R Denver, Colo., to Kansas City, Mo.			
BONNY	39°29'41" N.	102°12'42" W.	Hill City, Kans.
LENNY	39°29'09" N.	100°13'37" W.	Hill City, Kans.
POTSY	39°18'03" N.	94°39'53" W.	Kansas City, Mo.

Waypoint name	Location		Reference facility
J859R Kansas City, Mo., to Denver, Colo.			
WALCO	39°13'06" N.	94°59'28" W.	Butler, Mo.
ENTER	38°58'04" N.	96°38'46" W.	Wichita, Kans.
BONNY	38°29'41" N.	102°12'42" W.	Hill City, Kans.

Waypoint name	Location		Reference facility
J860R Memphis, Tenn., to Louisville, Ky.			
ASHOP	35°48'04" N.	89°41'49" W.	Memphis, Tenn.
LEPOL	38°01'52" N.	86°33'55" W.	Evansville, Ind.

Waypoint name	Location		Reference facility
J861R El Paso, Tex., to Los Angeles, Calif.			
El Paso, Tex.	31°48'57" N.	106°16'52" W.	El Paso, Tex.
WYCOX	32°23'21" N.	109°50'08" W.	San Simon, Ariz.
ELOPE	32°48'04" N	111°37'04" W.	Phoenix, Ariz.
KOFFA	33°30'58" N.	113°53'17" W.	Yuma, Ariz.
BEAUT	34°05'40" N.	116°44'17" W.	Thermal, Calif.

Waypoint name	Location		Reference facility
J862R Jacksonville, Fla., to Pittsburgh, Pa.			
SIMON	30°41'20" N.	81°17'25" W.	Alma, Ga.
Columbia, SC.	33°51'26" N.	81°03'15" W.	Spartanburg, SC.
Elkins, WV.	38°54'52" N.	80°05'58" W.	Charleston, WV.
NESTO	40°11'39" N.	79°42'49" W.	Bellaire, Ohio

Waypoint name	Location		Reference facility
J863R New York, NY., to Atlanta, GA.			
Coyle, NJ.	39°49'02" N.	74°25'55" W.	Coyle, NJ.
Gordonsville, Va.	38°00'48" N.	78°09'12" W.	Richmond, Va.
Galax, Va.	36°28'30" N.	80°34'08" W.	Greensboro, N. C.
LANDS	34°19'21" N.	83°40'53" W.	Spartanburg, S. C.

Waypoint name	Location		Reference facility
J864R Chicago, Ill., to Washington, D. C.			
Peotone, IL	41°16'11" N.	87°47'28" W.	Indianapolis, IN.
TIPPY	41°06'17" N.	85°59'10" W.	Indianapolis, Ind.
Rosewood, OH.	40°17'16" N.	84°02'36" W.	Rosewood, OH.
CAMEO	39°41'31" N.	80°55'50" W.	Bellaire, Ohio
Front Royal, VA.	39°05'26" N.	78°12'02" W.	Casanova, VA.
Armel, Va,	38°56'04" N.	77°28'01" W.	Casanova, Va.

Waypoint name	Location		Reference facility
J865R Washington, D. C., to Chicago, Ill.			
Martinsburg, W. Va.	39°23'08" N.	77°50'55" W.	Philipsburg, Pa.
BAISA	40°29'20" N.	81°04'05" W.	Appleton, Ohio
SHILO	40°57'44" N.	82°30'16" W.	Appleton, Ohio
PLANT	41°37'29" N.	87°15'57" W.	Lafayette, Ind.

Waypoint name	Location		Reference facility
J866R Denver, Colo., to Chicago, Ill.			
WIGGI	40°10'04" N.	104°01'30" W.	Goodland, Kans.
NORTH	41°18'52" N.	98°19'53" W.	O'Neill, Nebr.
SHIPS	42°00'03" N.	93°46'45" W.	Des Moines, Iowa
SCALE	42°22'53" N.	90°24'00" W.	Iowa City, Iowa
STOCK	42°21'21" N.	88°24'13" W.	Milwaukee, Wis.

Waypoint name	Location		Reference facility
J867R Chicago, Ill., to Denver, Colo.			
MORRI	41°55'53" N.	89°47'00" W.	Bradford, Ill.
Des Moines, IA.	41°26'15" N.	93°38'54" W.	Lamoni, IA.
Lincoln, NE.	40°55'26" N.	96°44'30" W.	Pawnee City, NE.
TRUMP	40°42'04" N.	98°00'38" W.	Wolbach, Nebr.
STRAS	39°43'59" N.	103°17'28" W.	Goodland, Kans.

Waypoint name	Location		Reference facility
J868R Columbia, S. C., to Atlanta, Ga.			
ZOLLY	33°47'30" N.	81°23'00" W.	Columbia, S. C.
Augusta, Ga.	33°32'40" N.	82°08'00" W.	Columbia, S. C.
SINCA	33°05'19" N.	83°33'03" W.	Augusta, Ga.

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Waypoint name	Location		Reference facility
J871R Atlanta, GA., to St. Louis, MO.			
BREME	33°39'32" N.	85°12'55" W.	Montgomery, Ala.
PAYNE	34°22'17" N.	85°58'00" W.	Chattanooga, Tenn.
DUCKE	35°38'02" N.	87°20'37" W.	Nashville, Tenn.
Festus, MO.	38°12'05" N.	90°21'00" W.	Centralia, IL.

Waypoint name	Location		Reference facility
J872R Atlanta, GA., to Columbia, SC.			
SOCLE	33°37'10" N.	83°36'42" W.	Augusta, Ga.
GILES	33°55'32" N.	81°30'05" W.	Augusta, Ga.

Waypoint name	Location		Reference facility
J874R Memphis, Tenn., to Atlanta, Ga.			
Memphis, Tenn.	34°56'34" N.	89°57'35" W.	Walnut Ridge, Ark.
Rome, Ga.	34°09'45" N.	85°07'10" W.	Birmingham, Ala.

Waypoint name	Location		Reference facility
J875R Atlanta, Ga., to Memphis, Tenn.			
BREME	33°39'32" N.	85°12'55" W.	Montgomery, Ala.
Birmingham, Ala.	33°40'12" N.	86°53'50" W.	Montgomery, Ala.
BANKS	34°46'20" N.	89°29'51" W.	Memphis, Tenn.

Waypoint name	Location		Reference facility
J876R Atlanta, Ga., to Savannah, Ga.			
SOCLE	33°37'10" N.	83°36'42" W.	Augusta, Ga.
SPONG	32°29'07" N.	81°21'16" W.	Augusta, Ga.

Waypoint name	Location		Reference facility
J877R Savannah, GA., to Atlanta, GA.			
OLIVE	32°20'30" N.	81°26'36" W.	Augusta, Ga.
SINCA	33°05'19" N.	83°33'03" W.	Augusta, Ga.

Waypoint name	Location		Reference facility
J878R Atlanta, Ga., to Cleveland, Ohio			
CANTE	34°19'29" N.	84°25'39" W.	Chattanooga, Tenn.
Henderson, WV.	38°45'15" N.	82°01'35" W.	Charleston, WV.
RITZS	40°59'52" N.	81°44'06" W.	Bellaire, Ohio

Waypoint name	Location		Reference facility
J879R Cleveland, Ohio, to Atlanta, Ga.			
Appleton, OH.	40°09'04" N.	82°35'18" W.	Charleston, WV.
PRINS	38°24'34" N.	82°45'05" W.	Charleston, W. Va.
RADER	36°06'51" N.	82°59'07" W.	Knoxville, Tenn.
LANDS	34°19'21" N.	83°40'53" W.	Spartanburg, S. C.

Waypoint name	Location		Reference facility
J880R Jacksonville, Fla., to Cleveland, Ohio			
KICKS	30°45'00" N.	81°44'02" W.	Savannah, Ga.
Augusta, GA.	33°32'40" N.	82°08'00" W.	Columbia, SC.
BEECH	36°05'30" N.	82°04'58" W.	Spartanburg, S. C.
Henderson, WV.	38°45'15" N.	82°01'35" W.	Charleston, WV.
RITZS	40°59'52" N.	81°44'06" W.	Bellaire, Ohio

Waypoint name	Location		Reference facility
J881R Detroit, Mich., to Atlanta, Ga.			
Carleton, Mich.	42°02'53" N.	83°27'28" W.	Fort Wayne, Ind.
Rosewood, OH.	40°17'16" N.	84°02'36" W.	Rosewood, OH.
MINER	38°42'28" N.	83°54'20" W.	Louisville, Ky.
LANDS	34°19'21" N.	83°40'53" W.	Spartanburg, S. C.

Waypoint name	Location		Reference facility
J882R Atlanta, Ga., to Detroit, Mich.			
CANTE	34°19'29" N.	84°25'39" W.	Chattanooga, Tenn.
CALPE	38°05'13" N.	84°26'39" W.	Louisville, Ky.
Dayton, OH.	40°00'50" N.	84°23'49" W.	Fort Wayne, IN.
MILAN	42°03'05" N.	83°44'55" W.	Fort Wayne, Ind.

Waypoint name	Location		Reference facility
J883R Minneapolis, Minn., to New York, N. Y.			
Minneapolis, MN.	45°08'45" N.	93°22'23" W.	Minneapolis, MN.
DENNY	44°23'25" N.	87°53'34" W.	Milwaukee, Wis.
NIRVA	44°01'23" N.	85°45'09" W.	Pullman, Mich.
SANIL	43°32'29" N.	82°37'40" W.	Peck, Mich.
BLAKE	42°47'56" N.	78°41'50" W.	Buffalo, N. Y.
Kingston, NY.	41°39'55" N.	73°40'22" W.	Huguenot, NY.

Waypoint name	Location		Reference facility
J884R New York, N. Y., to Minneapolis, Minn.			
Huguenot, N. Y.	41°24'35" N.	74°35'31" W.	Hancock, N. Y.
GOWER	42°33'27" N.	78°48'58" W.	Buffalo, N. Y.
CARTE	43°25'49" N.	82°38'59" W.	Peck, Mich.
NIRVA	44°01'23" N.	85°45'09" W.	Pullman, Mich.
DENNY	44°23'25" N.	87°53'34" W.	Milwaukee, Wis.
Minneapolis, Minn.	45°08'45" N.	93°22'23" W.	Minneapolis, Minn.

Waypoint name	Location		Reference facility
J885R St. Louis, MO., to Memphis, TN.			
Festus, Mo.	38°12'05" N.	90°21'00" W.	Centralia, Ill.
Memphis, TN.	34°56'34" N.	89°57'35" W.	Walnut Ridge, AZ.

Waypoint name	Location		Reference facility
J886R Chicago, Ill., to REDOO			
MORRI	41°55'53" N.	89°47'00" W.	Bradford, Ill.
ELBER	42°00'53" N.	92°15'40" W.	Dubuque, Iowa
DANNY	42°13'53" N.	95°38'35" W.	Omaha, Nebr.
DRIES	42°20'04" N.	98°25'33" W.	Wolbach, Nebr.
Otsie, Nebr.	42°29'03" N.	103°28'24" W.	Scottsbluff, Nebr.
SPLIT	42°25'17" N.	108°14'00" W.	Boysen Reservoir, Wyo.
Malad City, Idaho	42°12'00" N.	112°27'02" W.	Malad City, Idaho
DELLA	42°02'01" N.	114°24'46" W.	Twin Falls, Idaho
COLES	41°40'53" N.	117°39'54" W.	Rome, Oreg.
LIKED	41°20'21" N.	120°12'09" W.	Lakeview, Oreg.
Fortuna, Calif.	40°40'17" N.	124°14'00" W.	Fortuna, Calif.
REDOO	40°38'22" N.	126°56'27" W.	Fortuna, Calif.

Waypoint name	Location		Reference facility
J887R REDOO to Chicago, Ill.			
REDOO	40°38'22" N.	126°56'27" W.	Fortuna, Calif.
Fortuna, Calif.	40°40'17" N.	124°14'00" W.	Fortuna, Calif.
LIKED	41°20'21" N.	120°12'09" W.	Lakeview, Oreg.
COLES	41°40'53" N.	117°39'54" W.	Rome, Oreg.
DELLA	42°02'01" N.	114°24'46" W.	Twin Falls, Idaho
Malad City, Idaho	42°12'00" N.	112°27'02" W.	Malad City, Idaho
SPLIT	42°25'17" N.	108°14'00" W.	Boysen Reservoir, Wyo.
Otsie, Nebr.	42°29'03" N.	103°28'24" W.	Scottsbluff, Nebr.
DRIES	42°20'04" N.	98°25'33" W.	Wolbach, Nebr.
KAMRA	42°25'45" N.	93°43'56" W.	Des Moines, Iowa
SCALE	42°22'53" N.	90°24'00" W.	Iowa City, Iowa
STOCK	42°21'21" N.	88°24'13" W.	Milwaukee, Wis.

Waypoint name	Location		Reference facility
J889R Cleveland, Ohio, to St. Louis, Mo.			
Mansfield, OH.	40°52'07" N.	82°35'28" W.	Rosewood, OH.
Rosewood, OH.	40°17'16" N.	84°02'36" W.	Rosewood, OH.
MAYHU	39°56'38" N.	85°42'55" W.	Lafayette, Ind.
PRAYS	38°58'18" N.	89°51'27" W.	Capital, Ill.

Waypoint name	Location		Reference facility
J891R Chicago, Ill., to Memphis, Tenn.			
Roberts, IL.	40°34'54" N.	88°09'51" W.	Capital, IL.
ANNAM	37°28'10" N.	89°11'24" W.	Farmington, Mo.
Memphis, Tenn.	34°56'34" N.	89°57'35" W.	Walnut Ridge, Ark.

Waypoint name	Location		Reference facility
J894R Jacksonville, FL., to Miami, FL.			
SHAVE	30°06'18" N.	81°31'30" W.	Jacksonville, Fla.
Orlando, FL.	28°32'33" N.	81°20'07" W.	Orlando, FL.
BARYS	26°49'42" N.	80°44'58" W.	Palm Beach, Fla.

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Waypoint name	Location		Reference facility
J896R Chicago, Ill., to Philadelphia, Pa.			
Peotone, IL.	41°16'11" N.	87°47'28" W.	Indianapolis, IN.
TIPPY	41°06'17" N.	85°59'10" W.	Indianapolis, Ind.
Rosewood, OH.	40°17'16" N.	84°02'36" W.	Rosewood, OH.
CONIC	40°19'10" N.	80°48'55" W.	Bellaire, Ohio
Harrisburg, PA.	40°14'29" N.	77°01'19" W.	Westminster, MD.
BUCKS	40°04'49" N.	75°43'26" W.	Westminster, Md.

Waypoint name	Location		Reference facility
J897R Philadelphia, Pa., to Chicago, Ill.			
MAIDS	40°22'03" N.	75°47'30" W.	Philipsburg, Pa.
FURNA	40°36'35" N.	78°02'40" W.	Philipsburg, Pa.
SHILO	40°57'44" N.	82°30'16" W.	Appleton, Ohio
Plant, Ind.	41°37'29" N.	87°15'57" W.	Lafayette, Ind.

Waypoint name	Location		Reference facility
J900R San Francisco, Calif., to Seattle, Wash.			
Napa Calif.	38°10'46" N.	122°22'19" W.	Ukiah, Calif.
HILLY	40°05'58" N.	122°21'35" W.	Redbluff, Calif.
Hyatt, Oreg.	42°27'23" N.	122°20'36" W.	Medford, Oreg.
YACHT	45°44'50" N.	122°19'12" W.	Portland, Oregon
SUMMA	47°11'08" N.	122°18'30" W.	Portland, Oregon

Waypoint name	Location		Reference facility
J901R Seattle, Wash., to Spokane, Wash.			
Seattle, WA.	47°26'08" N.	122°18'30" W.	Seattle, WA.
Spokane, Wash.	47°33'54" N.	117°37'33" W.	Spokane, Wash.

Waypoint name	Location		Reference facility
J902R Portland, Oregon, to Los Angeles, Calif.,			
Newberg, Oreg.	45°21'12" N.	122°58'37" W.	Portland, Oreg.
Hyatt, OR.	42°27'23" N.	122°20'36" W.	Medford, OR.
KIRIN	40°08'28" N.	121°52'29" W.	Red Bluff, Calif.
Sacramento, CA.	38°26'38" N.	121°33'02" W.	Sacramento, CA.
Avenal, CA.	35°38'49" N.	119°58'40" W.	Fresno, CA.

Waypoint name	Location		Reference facility
J903R Los Angeles, Calif., to Tucson, Ariz.			
Seal Beach, CA.	33°47'00" N.	118°03'14" W.	Oceanside, CA.
KOFFA	33°30'58" N.	113°53'17" W.	Yuma, Ariz.
Tucson, Ariz.	32°07'21" N.	110°49'12" W.	Tucson, Ariz.

Waypoint name	Location		Reference facility
J904R Los Angeles, CA., to Denver, CO.			
MESIC	35°44'20" N.	115°32'01" W.	Boulder City, Nev.
Boulder City, NV.	35°59'45" N.	114°51'46" W.	Boulder City, NV.
PARIA	36°53'51" N.	111°55'43" W.	Bryce Canyon, Utah
MONTE	37°51'16" N.	108°33'32" W.	Farmington, N. Mex.
ALMON	38°35'18" N.	107°09'06" W.	Gunnison, Colo.
SHAWN	39°25'38" N.	105°27'51" W.	Denver, Colo.

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Waypoint name	Location		Reference facility
J905R Las Vegas, Nev., to Tucson, Ariz.			
Boulder City, Nev.	35°59'45" N.	114°51'46" W.	Boulder City, Nev.
SYCMO	34°37'25" N.	112°55'26" W.	Needles, Calif.
VENTA	32°32'05" N.	111°44'33" W.	Phoenix, Ariz.
Tucson, Ariz.	32°07'21" N.	110°49'12" W.	Tucson, Ariz.

Waypoint name	Location		Reference facility
J906R Los Angeles, Calif., to Ogden, Utah			
Los Angeles, Calif.	33°55'59" N.	118°25'52" W.	Palmdale, Calif.
Hector, Calif.	34°47'49" N.	116°27'43" W.	Boulder City, Nev.
MESIC	35°44'20" N.	115°32'01" W.	Boulder City, Nev.
ADAPT	37°40'22" N.	113°31'53" W.	Wilson Creek, Nev.
FOOLS	39°38'15" N.	112°18'42" W.	Delta, Utah
Ogden, Utah	41°13'27" N.	112°05'51" W.	Malad City, Mont.

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Waypoint name	Location		Reference facility
J907R Hobby, Tex., to Los Angeles, Calif.			
Humble, Tex.	29°57'24" N.	95°20'44" W.	Hobby, Tex.
Austin, TX.	30°17'51" N.	97°42'11" W.	San Antonio, TX.
Junction, Tex.	30°35'52" N.	99°48'02" W.	San Angelo, Tex.
Fort Stockton, Tex.	30°57'07" N.	102°58'31" W.	Wink, Tex.
TOYAH	31°31'23" N.	104°03'00" W.	Wink, Tex.
ORGAN	32°14'48" N.	106°52'20" W.	Truth or Consequences, N. Mex.
WYCOX	32°23'21" N.	109°50'08" W.	San Simon, Ariz.
ELOPE	32°46'04" N.	111°37'04" W.	Phoenix, Ariz.
BRENT	33°43'58" N.	113°47'00" W.	Yuma, Ariz.
BEAUT	34°05'40" N.	116°44'17" W.	Thermal, Calif.

Waypoint name	Location		Reference facility
J908R San Francisco, Calif., to Denver, Colo.			
Mina, Nev.	38°33'55" N.	118°01'55" W.	Coaldale, Nev.
WHEEL	38°56'43" N.	114°29'58" W.	Wilson Creek, Nev.
GREES	39°06'52" N.	112°28'54" W.	Delta, Utah
FERON	39°13'46" N.	110°46'44" W.	Hanksville, Utah
RULIS	39°22'03" N.	107°52'58" W.	Meeker, Colo.
TONER	39°23'34" N.	107°04'56" W.	Gunnison, Colo.
SHAWN	39°25'38" N.	105°27'51" W.	Denver, Colo.

Waypoint name	Location		Reference facility
J909R Denver, Colo., to San Francisco, Calif.			
GOLDE	39°48'15" N.	105°04'06" W.	Denver, Colo.
GOGAN	39°41'23" N.	107°53'25" W.	Meeker, Colo.
HILLS	39°33'51" N.	109°58'03" W.	Myton, Utah
NEBOS	39°16'43" N.	111°38'27" W.	Fairfield, Utah
CRAFT	38°43'06" N.	114°32'58" W.	Wilson Creek, Nev.
Coaldale, Nev.	38°00'12" N.	117°46'10" W.	Coaldale, Nev.

Waypoint name	Location		Reference facility
J911R Portland, Oreg., to Denver, Colo.			
Newberg, Oreg.	45°21'12" N.	122°58'37" W.	Portland, Oreg.
DAYAN	44°35'50" N.	119°26'41" W.	Pendleton, Oreg.
HORSE	43°46'40" N.	116°08'13" W.	Boise, Idaho
MACAN	42°38'23" N.	112°12'05" W.	Malad City, Idaho
Rock Springs, Wyo.	41°35'25" N.	109°00'53" W.	Rock Springs, Wyo.

Waypoint name	Location		Reference facility
J912R Dallas, Tex., to Chicago, Ill.			
Greater Southwest, Tex.	32°49'10" N.	97°02'28" W.	Greater Southwest, Tex.
STICK	35°06'27" N.	95°07'27" W.	Tulsa, Okla.
Springfield, Mo.	37°21'21" N.	93°20'02" W.	Butler, Mo.
PEONY	40°40'07" N.	89°41'28" W.	Capital, Ill.
Joliet, Ill.	41°32'47" N.	88°19'06" W.	Joliet, Ill.
WREKS	41°48'38" N.	88°16'07" W.	Joliet, Ill.

Waypoint name	Location		Reference facility
J913R Portland, Oreg., to Salt Lake City, Utah			
Newberg, Oreg.	45°21'12" N.	122°58'37" W.	Portland, Oreg.
PAULA	44°17'49" N.	119°57'47" W.	Kimberly, Oreg.
ORIEL	43°00'38" N.	116°40'30" W.	Boise, Idaho
LAKES	41°25'55" N.	113°05'27" W.	Malad City, Idaho
COING	41°04'07" N.	112°18'49" W.	Malad City, Utah

Waypoint name	Location		Reference facility
J914R Dallas, Tex., to New Orleans, La.			
Greater Southwest, Tex.	32°49'10" N.	97°02'28" W.	Greater Southwest, Tex.
TENNA	31°52'49" N.	94°14'33" W.	Shreveport, La.
Alexandria, La.	31°15'23" N.	92°30'02" W.	Alexandria, La.
New Orleans, La.	30°01'47" N.	90°10'20" W.	New Orleans, La.

Waypoint name	Location		Reference facility
J916R San Antonio, Tex., to Hobby, Tex.			
San Antonio, Tex.	29°38'38" N.	98°27'40" W.	Austin, Tex.
Humble, Tex.	29°57'24" N.	95°20'44" W.	Hobby, Tex.

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Waypoint name	Location		Reference facility
J917R San Francisco, Calif., to Phoenix, Ariz.			
LOGAN	36°58'59" N.	121°43'26" W.	Fresno, Calif.
EASTA	36°45'17" N.	119°49'48" W.	Fresno, Calif.
WILDY	36°19'37" N.	116°51'41" W.	Beatty, Nev.
Boulder City, Nev.	35°59'45" N.	114°51'46" W.	Boulder City, Nev.
SYCMO	34°37'25" N.	112°55'26" W.	Needles, Calif.
Phoenix, Ariz.	33°25'53" N.	111°53'17" W.	Phoenix, Ariz.

Waypoint name	Location		Reference facility
J918R Hobby, Tex., to New Orleans, La.			
Humble, Tex.	29°57'24" N.	95°20'44" W.	Hobby, Tex.
GUEST	30°01'21" N.	92°28'52" W.	Alexandria, La.
New Orleans, LA.	30°01'47" N.	90°10'20" W.	New Orleans, LA.

Waypoint name	Location		Reference facility
J919R El Paso, Tex., to San Antonio, Tex.			
El Paso, Tex.	31°48'57" N.	106°16'53" W.	El Paso, Tex.
Fort Stockton, Tex.	30°57'07" N.	102°58'31" W.	Wink, Tex.
TELLA	30°06'45" N.	100°00'31" W.	Junction, Tex.
San Antonio, Tex.	29°38'38" N.	98°27'40" W.	Austin, Tex.

Waypoint name	Location		Reference facility
J920R Great Falls, Mont., to Salt Lake City, Utah			
KRUMS	49°00'00" N.	109°14'25" W.	Lewistown, Mont.
MILLE	47°02'01" N.	111°24'11" W.	Lewistown, Mont.
JEFFE	45°11'50" N.	111°38'35" W.	Dillon, Mont.
CHESS	44°03'49" N.	111°46'44" W.	Dubois, Idaho
Ogden, Utah	41°13'27" N.	112°05'51" W.	Malad City, Idaho

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Waypoint name	Location		Reference facility
J923R Albuquerque, NM., to Denver, CO.			
Albuquerque, NM.	35°02'38" N.	106°48'57" W.	Socorro, NM.
SANDY	37°19'13" N.	105°48'11" W.	Alamosa, Colo.
GOFEL	38°42'44" N.	105°05'24" W.	Pueblo, Colo.
MONTH	39°16'40" N.	104°47'29" W.	Pueblo, Colo.

Waypoint name	Location		Reference facility
J924R Los Angeles, Calif., to Seattle, Wash.			
Avenal, CA.	35°38'49" N.	119°58'40" W.	Fresno, CA.
WASHY	39°25'23" N.	120°39'06" W.	Reno, Nev.
QUART	42°24'45" N.	121°14'23" W.	Lakeview, Oreg.
SUMMA	47°11'08" N.	122°18'30" W.	Portland, Oreg.

Waypoint name	Location		Reference facility
J925R Minneapolis, MN., to Denver, CO.			
Minneapolis, MN.	45°08'45" N.	93°22'23" W.	Minneapolis, MN.
HEIDY	44°07'06" N.	96°00'04" W.	Sioux Falls, S. Dak.
BONES	42°48'00" N.	98°58'08" W.	O'Neil, Nebr.
SANDS	41°44'19" N.	101°09'58" W.	Hayes Center, Nebr.
Denver, CO.	39°51'39" N.	104°45'08" W.	Denver, CO.

Waypoint name	Location		Reference facility
J926R Denver, Colo., to Los Angeles, Calif.			
GOLDE	39°48'15" N.	105°04'06" W.	Denver, Colo.
REDDS	39°01'15" N.	107°22'02" W.	Gunnison, Colo.
LASAL	38°20'00" N.	109°14'49" W.	Dove Creek, Colo.
WHITE	37°06'22" N.	112°20'29" W.	Bryce Canyon, Utah
SANUP	36°08'19" N.	113°51'29" W.	Peach Springs, Ariz.
KELSO	35°06'06" N.	115°34'49" W.	Parker, Calif.
MORRO	34°02'51" N.	117°14'54" W.	Oceanside, Calif.

Waypoint name	Location		Reference facility
J927R Chicago, IL., to Dallas, TX.			
Roberts, Ill.	40°34'54" N.	88°09'51" W.	Capital, Ill.
MARIN	38°43'46" N.	89°51'54" W.	Capital, Ill.
WESTS	36°47'42" N.	91°59'03" W.	Springfield, Mo.
WALDO	34°58'58" N.	94°18'50" W.	Tulsa, Okla.
Blue Ridge, TX.	33°16'59" N.	96°21'53" W.	Ardmore, OK.

Waypoint name	Location		Reference facilitiy
J928R Denver, Colo., to Seattle, Wash.			
Dixon, WY.	41°12'35" N.	107°19'00" W.	Rock Springs, WY.
GRAYS	43°17'31" N.	111°32'08" W.	Malad City, Idaho
KNOXS	45°09'11" N.	115°54'29" W.	McCall, Idaho
LOWES	46°09'30" N.	118°36'14" W.	Pendleton, Oreg.
CONBO	47°15'12" N.	121°53'53" W.	Yakima, Wash.

Waypoint name	Location		Reference facility
J929R Atlanta, Ga., to Hobby, Tex.			
BREME	33°39'32" N.	85°12'55" W.	Montgomery, Ala.
Meridian, MS.	32°22'42" N.	88°48'15" W.	Jackson, MS.
BURKE	30°43'25" N.	93°24'11" W.	Lake Charles, La.
Humble, Tex.	29°57'24" N.	95°20'44" W.	Hobby, Tex.

Waypoint name	Location		Reference facility
J931R Salt Lake City, UT., to San Francisco, CA.			
Fairfield, UT.	40°16'30" N.	111°56'23" W.	Delta, UT.
FOOLS	39°38'15" N.	112°18'42" W.	Delta, Utah
CONNS	38°57'44" N.	114°44'17" W.	Wilson Creek, Nev.
Coaldale, NV.	38°00'12" N.	117°46'10" W.	Coaldale, NV.

Waypoint name	Location		Reference facility
J932R New Orleans, LA., to Memphis, TN.			
New Orleans, LA.	30°01'47" N.	90°10'20" W.	New Orleans, LA.
Jackson, MS.	32°30'26" N.	90°10'03" W.	Meridian, MS.
Memphis, TN.	34°56'34" N.	89°57'35" W.	Walnut Ridge, AR.

Waypoint name	Location		Reference facility
J933R Dallas, Tex., to Los Angeles, Calif.			
Wichita Falls, TX.	33°59'14" N.	98°35'35" W.	Wichita Falls, TX.
CROWS	34°08'33" N.	99°45'50" W.	Wichita Falls, Tex.
Texico, N. Mex.	34°29'42" N.	103°50'21" W.	Texico, N. Mex.
VAULT	34°37'10" N.	105°12'02" W.	Las Vegas, N. Mex.
TERRA	34°43'28" N.	109°08'57" W.	Gallup, N. Mex.
MANIA	34°48'42" N.	110°48'56" W.	Gallup, N. Mex.
DRAKE	34°56'54" N.	112°32'15" W.	Prescott, Ariz.
CHUBS	34°32'20" N.	114°48'08" W.	Parker, Calif.
MORRO	34°02'51" N.	117°14'54" W.	Oceanside, Calif.

Waypoint name	Location		Reference facility
J934R Dallas, TX., to Atlanta, GA.			
Greater Southwest, TX.	32°49'10" N.	97°02'28" W.	Greater Southwest, TX.
Texarkana, AR.	33°30'50" N.	94°04'23" W.	Shreveport, LA.
MONEY	33°31'12" N.	90°08'54" W.	Jackson, Miss.
Columbus, MS.	33°29'07" N.	88°30'49" W.	Jackson, MS.
Birmingham, AL.	33°40'12" N.	86°53'59" W.	Montgomery, AL.
Rome, Ga.	34°09'45" N.	85°07'10" W.	Birmingham, Ala.

Waypoint name	Location		Reference facility
J935R Tucson, Ariz., to Albuquerque, N. Mex.			
WYCOX	32°23'21" N.	108°50'08" W.	San Simon, Ariz.
JEWEL	33°46'00" N.	108°18'15" W.	St. Johns, Ariz.
Albuquerque, NM.	35°02'38" N.	106°48'57" W.	Socorro, NM.

Waypoint name	Location		Reference facility
J936R Phoenix, Ariz., to Chicago, Ill.			
Phoenix, Ariz.	33°25'53" N.	111°53'17" W.	Phoenix, Ariz.
FENCE	34°33'12" N.	108°27'05" W.	Gallup, N. Mex.
Albuquerque, NM.	35°02'38" N.	106°48'57" W.	Socorro, NM.
MORAS	35°52'40" N.	105°18'54" W.	Las Vegas, N. Mex.
CEDAR	38°29'43" N.	100°10'41" W.	Garden City, Kans.
SENCA	39°55'09" N.	96°02'40" W.	Pawnee City, Nebr.
Lamoni, IA.	40°35'48" N.	93°58'03" W.	Kirksville, MO.
WRENS	41°48'38" N.	88°16'07" W.	Joliet, Ill.

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Waypoint name	Location		Reference facility
J937R LEAFS to Chicago, Ill.			
LEAFS	37°48'13" N.	125°49'57" W.	Ukiah, Calif.
SAWED	38°37'27" N.	123°04'28" W.	Ukiah, Calif.
Reno, NV.	39°31'53" N.	119°39'18" W.	Reno, NV.
TENBO	40°06'20" N.	116°46'26" W.	Battle Mountain, Nev.
Bonneville, UT.	40°43'34" N.	113°45'24" W.	Bonneville, UT.
WOODS	40°58'05" N.	112°06'09" W.	Malad City, Idaho
QUEEN	41°25'15" N.	108°58'31" W.	Rock Springs, Wyo.
SLATE	41°53'12" N.	104°53'16" W.	Cheyenne, Wyo.
Berea, NE.	42°02'38" N.	103°07'04" W.	Sidney, NE.
DRIES	42°20'04" N.	98°25'33" W.	Wolbach, Nebr.
KAMRA	42°25'45" N.	93°43'56" W.	Fort Dodge, Iowa
SCALE	42°22'53" N.	90°24'00" W.	Iowa City, Iowa
STOCK	42°21'21" N.	88°24'13" W.	Milwaukee, Wis.

Waypoint name	Location		Reference facility
J938R Chicago, Ill., to LEAFS			
MORRI	41°55'53" N.	89°47'00" W.	Bradford, Ill
ELBER	42°00'53" N.	92°15'40" W.	Dubuque, Iowa
UTERO	42°02'05" N.	95°44'37" W.	Omaha, Nebr.
CUMIN	41°59'41" N.	98°22'59" W.	Wolbach, Nebr.
ANGLO	41°47'19" N.	103°03'32" W.	Sidney, Nebr.
BORAX	41°39'48" N.	104°50'04" W.	Cheyenne, Wyo.
VERON	41°16'13" N.	108°57'02" W.	Rock Springs, Wyo.
MAGNA	40°52'19" N.	112°05'03" W.	Fairfield, Utah
ARIES	40°37'37" N.	113°43'47" W.	Bonneville, Utah
TENBO	40°06'20" N.	116°46'26" W.	Battle Mountain, Nev.
Reno, NV.	39°31'53" N.	119°39'18" W.	Reno, NV.
Napa, Calif.	38°10'46" N.	122°22'19" W.	Ukiah, Calif.
PALIS	37°36'00" N.	123°30'00" W.	Ukiah, Calif.
LEAFS	37°48'13" N.	125°49'57" W.	Ukiah, Calif.

Waypoint name	Location		Reference facility
J939R Chicago, Ill., to Seattle, Wash.			
MORRI	41°55'53" N.	89°47'00" W.	Bradford, Ill.
ELBER	42°00'53" N.	92°15'40" W.	Dubuque, Iowa
COREY	42°58'37" N.	93°54'48" W.	Fort Dodge, Iowa
HEIDY	44°07'06" N.	96°00'04" W.	Sioux Falls, S. Dak.
TURTS	44°45'05" N.	98°39'52" W.	Aberdeen, S. Dak.
REVAS	45°39'50" N.	103°12'58" W.	Dickinson, N. Dak.
Klein, Mont.	46°27'51" N.	108°26'58" W.	Billings, Mont.
HOLTE	46°51'21" N.	111°54'03" W.	Helena, Mont.
Avery, Idaho	47°10'05" N.	115°41'12" W.	Mullan Pass, Idaho
Amber, Wash.	47°17'02" N.	117°39'24" W.	Spokane, Wash.
Seattle, Wash.	47°26'08" N.	122°18'30" W.	Seattle, Wash.

Waypoint name	Location		Reference facility
J940R Seattle, Wash., to Chicago, Ill.			
Seattle, WA.	47°26'08" N.	122°18'30" W.	Seattle, WA.
Amber, WA.	47°17'02" N.	117°39'24" W.	Spokane, WA.
Avery, ID.	47°10'05" N.	115°41'12" W.	Mullan Pass, ID.
HOLTE	46°51'21" N.	111°54'03" W.	Helena, Mont.
Klein, MT.	46°27'51" N.	108°26'58" W.	Billings, MT.
REVAS	45°39'50" N.	103°12'58" W.	Dickinson, N. Dak.
TURTS	44°45'05" N.	98°39'52" W.	Aberdeen, S. Dak.
HEIDY	44°07'06" N.	96°00'04" W.	Sioux Falls, S. Dak.
ORATO	43°27'29" N.	93°09'59" W.	Mason City, Iowa
STOCK	42°21'21" N.	88°24'13" W.	Milwaukee, Wis.

Waypoint name	Location		Reference facility
J941R Dallas, TX., to Las Vegas, NV.			
Greater Southwest, TX.	32°49'10" N.	97°02'28" W.	Greater Southwest, TX.
Bridgeport, TX.	33°14'16" N.	97°45'58" W.	Ardmore, OK.
CROWS	34°08'33" N.	99°45'50" W.	Wichita Falls, Tex.
Texico, NM.	34°29'42" N.	102°50'21" W.	Texico, NM.
PAIMA	34°54'19" N.	105°18'29" W.	Las Vegas, N. Mex.
VOLCA	35°06'22" N.	106°39'29" W.	Socorro, N. Mex.
DEFER	35°26'19" N.	109°09'39" W.	Gallup, N. Mex.
PEAKS	35°41'03" N.	111°20'14" W.	Tuba City, Ariz.
Boulder City, NV.	35°59'45" N.	114°51'46" W.	Boulder City, NV.

Waypoint name	Location		Reference facility
J942R Dallas, TX., to Lubbock, TX.			
Greater Southwest, TX.	32°49'10" N.	97°02'28" W.	Greater Southwest, TX.
Bridgeport, TX.	33°14'16" N.	97°45'58" W.	Ardmore, OK.
DIVER	33°46'13" N.	98°55'41" W.	Wichita Falls, Tex.
Guthrie, TX.	33°46'42" N.	100°20'09" W.	Abilene, TX.
Lubbock, TX.	33°42'18" N.	101°54'49" W.	Abilene, TX.

Waypoint name	Location		Reference facility
J944R MORRO to CERES			
MORRO	34°02'51" N.	117°14'54" W.	Oceanside, Calif.
PERCH	33°52'03" N.	119°09'24" W.	Santa Barbara, Calif.
CERES	33°29'00" N.	122°35'00" W.	Santa Barbara, Calif.

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Waypoint name	Location		Reference facility
J945R CAMEL to CERES			
CAMEL	35°58'37" N.	111°12'21" W.	Tuba City, Ariz.
DODIE	35°21'49" N.	114°38'38" W.	Needles, Calif.
Palmdale, Calif.	34°37'53" N.	118°03'47" W.	Palmdale, Calif.
Santa Barbara, Calif.	34°30'35" N.	119°46'12" W.	Santa Barbara, Calif.
CERES	33°29'00" N.	122°35'00" W.	Santa Barbara, Calif.

Waypoint name	Location		Reference facility
J946R MORRO to YUCAN			
MORRO	34°02'51" N.	117°14'54" W.	Oceanside, Calif.
Santa Catalina, CA.	33°22'30" N.	118°25'08" W.	Los Angeles, CA.
ROSIN	31°56'00" N.	120°15'00" W.	Los Angeles, Calif.
YUCAN	31°35'00" N.	121°22'00" W.	Los Angeles, Calif.

Waypoint name	Location		Reference facility
J947R CAMEL to GATES			
CAMEL	35°58'37" N.	111°12'21" W.	Tuba City, Ariz.
DODIE	35°21'49" N.	114°38'38" W.	Needles, Calif.
Palmdale, Calif.	34°37'53" N.	118°03'47" W.	Palmdale, Calif.
San Luis Obispo, Calif.	35°15'08" N.	120°45'31" W.	San Luis Obispo, Calif.
GATES	34°12'53" N.	123°03'27" W.	San Luis Obispo, Calif.

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Waypoint name	Location		Reference facility
J948R New Orleans, La., to Oklahoma City, Okla.			
KENNA	29°59'05" N.	90°15'04" W.	New Orleans, La.
MONZA	30°30'42" N.	90°47'00" W.	New Orleans, La.
DIXIE	32°43'53" N.	93°50'55" W.	Shreveport, La.
DIBBS	35°10'02" N.	97°31'55" W.	Oklahoma City, Okla.

Waypoint name	Location		Reference facility
J949R Oklahoma City, Okla., to Houston, Tex.			
KAYES	35°16'32" N.	97°46'21" W.	Oklahoma City, Okla.
Greater Southwest, Tex.	32°49'10" N.	97°02'28" W.	Greater Southwest, Tex., VORTAC
Navasota, Tex.	30°17'20" N.	96°03'30" W.	Humble, Tex.

Waypoint name	Location		Reference facility
J950R Houston, Tex., to Oklahoma City, Okla.			
REFIX	30°17'26" N.	95°19'55" W.	Humble, Tex.
Scurry, Tex.	32°27'52" N.	96°20'14" W.	Greater Southwest, Tex.
DIBBS	35°10'02" N.	97°31'55" W.	Oklahoma City, Okla.

Waypoint name	Location		Reference facility
J951R Washington, D. C., to St. Louis, Mo.			
Front Royal, Va.	38°55'28" N.	78°12'02" W.	Casanova, Va.
Henderson, WV.	38°45'15" N.	82°01'35" W.	Charleston, WV.
MINER	38°42'28" N.	83°54'20" W.	Louisville, Ky.
BORDE	38°37'12" N.	86°02'11" W.	Evansville, Ind.
Centralia, IL.	38°25'12" N.	89°09'32" W.	Capital, IL.
MOODS	38°34'28" N.	90°01'43" W.	Capital, Ill.

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Waypoint name	Location		Reference facility
J952R New York, N. Y., to Hobby, Tex.			
Coyle, NJ.	39°49'02" N.	74°25'55" W.	Coyle, NJ.
Gordonsville, VA.	38°00'48" N.	78°09'12" W.	Richmond, VA.
COPPA	36°52'22" N.	80°35'26" W.	Greensboro, N. C.
BEECH	36°05'30" N.	82°04'56" W.	Spartanburg, S. C.
TRION	34°27'25" N.	85°14'12" W.	Atlanta, Ga.
IRONY	33°19'28" N.	87°13'18" W.	Montgomery, Ala.
Meridian, MS.	32°22'42" N.	88°48'15" W.	Jackson, MS.
BURKE	30°43'25" N.	93°24'11" W.	Lake Charles, La.
Humble, Tex.	29°57'24" N.	95°20'44" W.	Hobby, Tex.

Waypoint name	Location		Reference facility
J953R New Orleans, La., to New York, N. Y.			
New Orleans, LA.	30°01'47" N.	90°10'20" W.	New Orleans, LA.
Monroeville, AL.	31°27'37" N.	87°21'10" W.	Montgomery, AL.
Montgomery, AL.	32°13'20" N.	86°19'11" W.	Montgomery, AL.
STONE	33°39'00" N.	84°01'00" W.	Macon, Ga.
GRAMS	34°57'15" N.	82°06'05" W.	Columbia, S. C.
SEMOL	36°31'24" N.	79°25'48" W.	Raleigh-Durham, N. C.
Atlantic City, NJ.	39°27'21" N.	74°34'36" W.	Westminster, MD.

Waypoint name	Location		Reference facility
J954R Washington, D. C., to Detroit, Mich.			
Martinsburg, WV.	39°23'08" N.	77°50'55" W.	Philipsburg, PA.
BALSA	40°29'20" N.	81°04'05" W.	Appleton, Ohio
BURTS	41°42'00" N.	82°45'00" W.	Appleton, Ohio

Waypoint name	Location		Reference facility
J956R Memphis, Tenn., to Chicago, Ill.			
Memphis, Tenn.	34°56'34" N.	89°57'35" W.	Walnut Ridge, Ark.
MARIN	38°43'46" N.	89°51'54" W.	Capital, Ill.
CANTA	39°56'55" N.	89°37'16" W.	Centralia, Ill.
Kappa, IL.	40°50'22" N.	88°54'07" W.	Bradford, IL.
Joliet, IL.	41°32'47" N.	88°19'06" W.	Joliet, IL.
WRENS	41°48'38" N.	88°16'07" W.	Joliet, Ill.

Waypoint name	Location		Reference facility
J957R Jacksonville, FL., to Washington, D. C.			
SIMON	30°41'20" N.	81°17'25" W.	Alma, Ga.
BAGGY	32°36'40" N.	80°27'00" W.	Charleston, S. C.
Florence, SC.	34°13'58" N.	79°39'26" W.	Florence, SC.
Richmond, VA.	37°30'08" N.	77°19'14" W.	Flat Rock, VA.
MARBY	38°30'12" N.	77°07'07" W.	Flat Rock, Va.

Waypoint name	Location		Reference facility
J958R Washington, DC., to Jacksonville, FL.			
Brooke, VA.	38°20'10" N.	77°21'11" W.	Richmond, VA.
Flat Rock, Va.	37°31'42" N.	77°49'45" W.	Richmond, Va.
SOCHE	34°37'30" N.	79°45'00" W.	Florence, S. C.
RITES	32°47'00" N.	80°37'30" W.	Charleston, S. C.
CHEST	30°52'25" N.	81°28'52" W.	Jacksonville, Fla.

Waypoint name	Location		Reference facility
J959R Miami, Fla., to Detroit, Mich.			
ANDRE	28°09'43"N.	80°17'36" W.	Vero Beach, Fla.
PONTE	30°12'23" N.	81°21'30" W.	Jacksonville, Fla.
Augusta, GA.	33°32'40" N.	82°08'00" W.	Columbia, SC.
RADER	36°06'51" N.	82°59'07" W.	Knoxville, Tenn.
MINER	38°42'28" N.	83°54'20" W.	Louisville, Ky.
Dayton, OH.	40°00'58" N.	84°23'49" W.	Fort Wayne, IN.
Milan, MI.	42°03'05" N.	83°44'55" W.	Fort Wayne, IN.

Waypoint name	Location		Reference facility
J960R CERES TO PARIA			
CERES	33°29'00" N.	122°35'00" W.	Santa Barbara, Calif.
PERCH	33°52'03" N.	119°09'24" W.	Santa Barbara, Calif.
RABBI	34°44'09" N.	117°08'00" W.	Hector, Calif.
SANUP	36°08'19" N.	113°51'29" W.	Peach Springs, Ariz.
PARIA	36°53'51" N.	111°55'43" W.	Bryce Canyon, Utah

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Waypoint name	Location		Reference facility
J961R CERES to PARIA			
CERES	33°29'00" N.	122°35'00" W.	Santa Barbara, Calif.
Santa Barbara, Calif.	34°30'35" N.	119°46'12" W.	Santa Barbara, Calif.
Palmdale, Calif.	34°37'53" N.	118°03'47" W.	Palmdale, Calif.
RABBI	34°44'09" N.	117°08'00" W.	Hector, Calif.
SANUP	36°08'19" N.	113°51'29" W.	Peach Springs, Ariz.
PARIA	36°53'51" N.	111°55'43" W.	Bryce Canyon, Utah

Waypoint name	Location		Reference facility
J962R YUCAN to PARIA			
YUCAN	31°35'00" N.	121°22'00" W.	Los Angeles, Calif.
Santa Catalina, CA.	33°22'30" N.	118°25'08" W.	Los Angeles, CA.
RABBI	34°44'09" N.	117°08'00" W.	Hector, Calif.
SANUP	36°08'19" N.	113°51'29" W.	Peach Springs, Ariz.
PARIA	36°53'51" N.	111°55'43" W.	Bryce Canyon, Utah

Waypoint name	Location		Reference facility
J963R GATES to PARIA			
GATES	34°12'53" N.	123°03'27" W.	San Luis Obispo, Calif.
San Luis Obispo, CA.	35°15'06" N.	120°45'31" W.	San Luis Obispo, CA.
Palmdale, CA.	34°37'53" N.	118°03'47" W.	Palmdale, CA.
RABBI	34°44'09" N.	117°08'00" W.	Hector, Calif.
SANUP	36°08'19" N.	113°51'29" W.	Peach Springs, Ariz.
PARIA	36°53'51" N.	111°55'43" W.	Bryce Canyon, Utah

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Waypoint name	Location		Reference facility
J964R Coaldale, Nev., to FRUIT			
Coaldale, NV.	38°00'12" N.	117°46'10" W.	Coaldale, NV.
BUCKO	37°40'09" N.	119°59'55" W.	Fresno, Calif.
MERLE	37°11'16" N.	122°47'08" W.	Oakland, Calif.
FRUIT	36°15'00' N.	124°50'00" W.	Oakland, Calif.

Waypoint name	Location		Reference facility
J965R Coaldale, Nev., to LEAFS			
Coaldale, Nev.	38°00'12" N.	117°46'10" W.	Coaldale, Nev.
MANCA	37°46'30" N.	121°27'59" W.	Sacramento, Calif.
PALIS	37°36'00" N.	123°30'00" W.	Ukiah, Calif.
LEAFS	37°48'13" N.	125°49'57" W.	Ukiah, Calif.

Waypoint name	Location		Reference facility
J966R LEAFS to Mina, Nev.			
LEAFS	37°48'13" N.	125°49'57" W.	Ukiah, Calif.
PALIS	37°36'00" N.	123°30'00" W.	Ukiah, Calif.
MAYAN	38°00'02" N.	121°25'14" W.	Sacramento, Calif.
Mina, Nev.	38°33'55" N.	118°01'55" W.	Coaldale, Nev.

Waypoint name	Location		Reference facility
J967R FRUIT to Mina, Nev.			
FRUIT	36°15'00" N.	124°50'00" W.	Oakland, Calif.
MERLE	37°11'16" N.	122°47'08" W.	Oakland, Calif.
STANI	37°46'30" N.	120°51'48" W.	Linden, Calif.
Mina, Nev.	38°33'55" N.	118°01'55" W.	Coaldale, Nev.

Waypoint name	Location		Reference facility
J968R Denver, Colo., to Phoenix, Ariz.			
SHAWN	39°25'38" N.	105°27'51" W.	Denver, Colo.
CABIN	38°21'36" N.	106°34'31" W.	Gunnison, Colo.
FLORA	36°46'16" N.	108°09'14" W.	Farmington, N. Mex.
SHUMA	34°37'12" N.	110°09'36" W.	Winslow, Ariz.
Phoenix, Ariz.	33°25'53" N.	111°53'17" W.	Phoenix, Ariz.

Waypoint name	Location		Reference facility
J97OR Denver, Colo., to Dallas, Tex.			
Lamar, Colo.	38°11'50" N.	102°41'14" W.	Garden City, Kans.
Ardmore, Okla.	34°12'41" N.	97°10'05" W.	Oklahoma City, Okla.

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Waypoint name	Location		Reference facility
J971R San Antonio, TX., to Dallas, TX.			
HYETO	30°14'02" N.	98°26'56" W.	Austin, Tex.
Acton, TX.	32°26'04" N.	97°39'49" W.	Waco, TX.

Waypoint name	Location		Reference facility
J972R Dallas, Tex., to San Antonio, Tex.			
Waco, Tex.	31°39'44" N.	97°16'08" W.	Millsap, Tex.
Austin, TX.	30°17'51" N.	97°42'11" W.	San Antonio, TX.

Waypoint name	Location		Reference facility
J973R Seattle, Wash., to Salt Lake City, Utah			
COMBO	47°15'12" N.	121°53'53" W.	Yakima, Wash.
McKay, Oreg.	45°52'54" N.	119°28'48" W.	Pendleton, Oreg.
HORSE	43°46'40" N.	116°08'13" W.	Boise, Idaho
SPREE	41°28'18" N.	112°54'14" W.	Malad City, Idaho

Waypoint name	Location		Reference facility
J974R Washington, D. C., to Los Angeles, Calif.			
Front Royal, Va.	39°05'26" N.	078°12'02" W.	Casanova, Va.
Henderson, W. Va.	38°45'15" N.	082°01'35" W.	Charleston, W. Va.
MINER	38°42'28" N.	083°54'20" W.	Louisville, Ky.
MARIN	38°43'46" N.	089°51'54" W.	Capital, Ill.
HAWKS	38°42'35" N.	090°55'58" W.	Farmington, Mo.
TIGHT	38°21'43" N.	093°34'00" W.	Springfield, Mo.
Wichita, Kans.	37°43'40" N.	097°27'11" W.	Pioneer, Okla.
IARCH	37°10'36" N.	100°29'46" W.	Garden City, Kans.
SOFIA	36°25'38" N.	104°01'41" W.	Tucumcari, N. Mex.
SPRIN	36°15'07" N.	104°46'52" W.	Las Vegas, N. Mex.
DEFER	35°26'19" N.	108°09'39" W.	Gallup, N. Mex.
DRAKE	34°56'54" N.	112°32'15" W.	Prescott, Ariz.
CHUBS	34°32'20" N.	114°48'08" W.	Parker, Calif.
NORRO	34°02'51" N.	117°14'54" W.	Oceanside, Calif.

Waypoint name	Location		Reference facility
J975R Dallas, Tex., to El Paso, Tex.			
Acton, Tex.	32°26'04" N.	97°39'49" W.	Waco, Tex.
MARNE	32°17'42" N.	100°31'47" W.	San Angelo, Tex.
JALOP	32°06'49" N.	103°06'09" W.	Fort Stockton, Tex.
El Paso, Tex.	31°48'57" N.	106°16'52" W.	El Paso, Tex.

Waypoint name	Location		Reference facility
J976R Seattle, Wash., to Minneapolis, Minn.			
BOTHS	47°43'56" N.	122°08'03" W.	Seattle, Wash.
COULE	47°39'42" N.	119°24'00" W.	Ephrata, Wash.
Mullan Pass, ID.	47°27'25" N.	115°38'42" W.	Mullan Pass, ID.
EDENS	47°21'50" N.	111°25'15" W.	Great Falls, Mont.
MOULT	47°16'24" N.	109°34'42" W.	Lewiston, Mont.
BROCK	46°59'51" N.	105°50'24" W.	Miles City, Mont.
LARKS	46°29'51" N.	101°20'11" W.	Dupree, S. Dak.
Oakes, ND.	46°01'58" N.	98°08'59" W.	Aberdeen, SD.
Minneapolis, MN.	45°08'45" N.	93°22'23" W.	Minneapolis, MN.

Waypoint name	Location		Reference facility
J977R Portland, Oreg., to Chicago, Ill.			
Portland, Oreg.	45°44'53" N.	122°35'25" W.	Portland, Oreg.
McKay, Oreg.	45°52'54" N.	119°28'48" W.	Pendleton, Oreg.
GRANI	45°55'51" N.	116°12'25" W.	McCall, Idaho
Whitehall, Mont.	45°51'43" N.	112°10'08" W.	Whitehall, Mont.
ROCCO	45°41'03" N.	108°38'26" W.	Billings, Mont.
BRINK	45°29'21" N.	106°08'57" W.	Miles City, Mont.
MUDDY	45°08'17" N.	102°44'26" W.	Rapid City, S. Dak.
BONIL	44°34'07" N.	98°38'07" W.	Aberdeen, S. Dak.
HEIDY	44°07'06" N.	96°00'04" W.	Sioux Falls, S. Dak.
ORATO	43°27'29" N.	93°09'59" W.	Mason City, Iowa
STOCK	42°21'21" N.	88°24'13" W.	Milwaukee, Wis.

Waypoint name	Location		Reference facility
J978R Chicago, Ill., to Portland, Oreg.			
MORRI	41°55'53" N.	89°47'00" W.	Bradford, Ill.
ELBER	42°00'53" N.	92°15'40" W.	Dubuque, Iowa
COREY	42°58'37" N.	93°54'48" W.	Fort Dodge, Iowa
HEIDY	44°07'06" N.	96°00'04" W.	Sioux Falls, S. Dak.
BONIL	44°34'07" N.	98°38'07" W.	Aberdeen, S. Dak.
MUDDY	45°08'17" N.	102°44'26" W.	Rapid City, S. Dak.
BRINK	45°29'21" N.	106°08'57" W.	Miles City, Mont.
ROCCO	45°41'03" N.	108°38'26" W.	Billings, Mont.
Whitehall, Mont.	45°51'43" N.	112°10'08" W.	Whitehall, Mont.
GRANI	45°55'51" N.	116°12'25" W.	McCall, Idaho
McKay, Oreg.	45°52'54" N.	119°28'48" W.	Pendleton, Oreg.
Portland, Oreg.	45°44'53" N.	122°35'25" W.	Portland, Oreg.

Waypoint name	Location		Reference facility
J981R Los Angeles, Calif., to Washington, D. C.			
Parker, Calif.	34°06'07" N.	114°40'53" W.	Needles, Calif.
Prescott, Ariz.	34°42'09" N.	112°28'46" W.	Phoenix, Ariz.
WELLS	35°13'59" N.	108°47'53" W.	St. Johns, Ariz.
MORAS	35°52'40" N.	105°18'54" W.	Las Vegas, N. Mex.
CANAS	36°21'15" N.	101°48'33" W.	Amarillo, Tex.
TANGY	36°32'14" N.	099°56'38" W.	Kingfisher, Okla.
IRWIN	37°30'10" N.	094°18'35" W.	Butler, Mo.
SPROT	37°56'21" N.	090°16'20" W.	Farmington, Mo.
CANTO	38°16'02" N.	085°35'26" W.	Louisville, Ky.
RENFO	38°24'04" N.	081°23'29" W.	Beckley, W. Va.
Diana, W. Va.	38°29'44" N.	080°11'01" W.	Beckley, W. Va.

Waypoint name	Location		Reference facility
J982R Los Angeles, Calif., to Kansas City, Mo.			
Parker, Calif.	34°06'07" N.	114°40'53" W.	Needles, Calif.
Prescott, Ariz.	34°42'09" N.	112°28'46" W.	Phoenix, Ariz.
WELLS	35°13'59" N.	108°47'53" W.	St. Johns, Ariz.
MORAS	35°52'40" N.	105°18'54" W.	Las Vegas, N. Mex.
CANAS	36°21'15" N.	101°48'33" W.	Amarillo, Tex.
TANGY	36°32'14" N.	099°56'38" W.	Kingfisher, Okla.
Wichita, Kans.	37°43'40" N.	097°27'11" W.	Pioneer, Okla.
FACTO	38°57'48" N.	095°05'22" W.	Butler, Mo.

Waypoint name	Location		Reference facility
J983R Miami, FL., to New Orleans, LA.			
NIGHT	26°11'22" N.	80°42'24" W.	Vero Beach, Fla.
Sarasota, FL.	27°23'51" N.	82°33'16" W.	Sarasota, FL.
NEPTA	28°36'40" N.	87°38'36" W.	Crestview, Fla.
New Orleans, LA.	30°01'47" N.	90°10'20" W.	New Orleans, LA.

Waypoint name	Location		Reference facility
J984R Hobby, Tex., to Miami, Fla.			
Humble, Tex.	29°57'24" N.	95°20'44" W.	Hobby, Tex.
Leeville, LA.	29°10'30" N.	90°06'14" W.	Leeville, LA.
NEPTA	28°36'40" N.	87°38'36" W.	Crestview, Fla.
Sarasota, FL.	27°23'51" N.	82°33'16" W.	Sarasota, FL.
REPLY	26°10'36" N.	81°08'53" W.	Palm Beach, Fla.

Waypoint name	Location		Reference facility
J985R San Antonio, TX., to Phoenix, AZ.			
San Antonio, TX.	29°38'38" N.	98°27'40" W.	Austin, TX.
TELLA	30°06'45" N.	100°00'31" W.	Junction, Tex.
Fort Stockton, TX.	30°57'07" N.	102°58'31" W.	Wink, TX.
TOYAH	31°31'23" N.	104°03'00" W.	Wink, Tex.
ORGAN	32°14'48" N.	106°52'20" W.	Truth or Consequences, N. Mex.
SHELL	32°47'55" N.	109°05'10" W.	San Simon, Ariz.
Phoenix, AZ.	33°25'53" N.	111°53'17" W.	Phoenix, AZ.

Waypoint name	Location		Reference facility
J987R Montreal, Canada, to J. F. Kennedy International Airport, NY.			
FAWNS	44°57'35" N.	74°05'34" W.	Plattsburgh, N. Y.
LOONS	44°25'15" N.	74°12'19" W.	Plattsburgh, N. Y.
Kingston, NY.	41°30'55" N.	73°49'22" W.	Huguenot, NY.
EMPTY	40°47'11" N.	74°02'36" W.	Kennedy, N. Y.

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Waypoint name	Location		Reference facility
J988R J. F. Kennedy International Airport, NY., to Montreal, Canada			
BELLE	41°02'17" N.	73°08'51" W.	Hampton, N. Y.
CHERI	42°40'52" N.	73°18'11" W.	Albany, N. Y.
Plattsburgh, NY.	44°48'18" N.	73°24'54" W.	Massena, NY.

Waypoint name	Location		Reference facility
J989R Newark, N. J./La Guardia Airport, N. Y., to Chicago, Ill.			
ULEMA	41°57'31" N.	76°33'39" W.	Slate Run, Pa.
HAMET	42°20'40" N.	79°05'55" W.	Slate Run, Pa.
Wixom, MI.	42°35'05" N.	83°33'35" W.	Cleveland, OH.
VERMI	42°37'50" N.	84°40'50" W.	Carleton, Mich.
POPPY	42°16'16" N.	87°36'28" W.	South Bend, Ind.

Waypoint name	Location		Reference facility
J990R Phoenix, AZ., to Bridgeport, TX.			
Phoenix, AZ.	33°25'53" N.	111°53'17" W.	Phoenix, AZ.
MULEY	33°21'55" N.	109°11'49" W.	St. Johns, Ariz.
Truth or Consequences, NM.	33°16'57" N.	107°16'48" W.	Socorro, NM.
Roswell, NM.	33°20'15" N.	104°37'15" W.	Roswell, NM.
PLAIN	33°20'52" N.	102°50'29" W.	Texico, N. Mex.
ROCKS	33°18'28" N.	99°50'01" W.	Abilene, Tex.
Bridgeport, TX.	33°14'16" N.	97°45'58" W.	Ardmore, OK.

Waypoint name	Location		Reference facility
J991R Minneapolis, Minn., to Greater Southwest, Tex.			
Minneapolis, MN.	45°08'45" N.	93°22'27" W.	Minneapolis, MN.
KAMRA	42°25'45" N.	93°43'56" W.	Fort Dodge, Iowa
Kansas City, Mo.	39°16'46" N.	94°35'28" W.	Kansas City, Mo.
Tulsa, Okla.	36°11'46" N.	95°47'16" W.	Tulsa, Okla.
Greater Southwest, TX.	32°49'10" N.	97°02'28" W.	Greater Southwest, TX.

Waypoint name	Location		Reference facility
J992R Houston, Tex., to Tulsa, Okla.			
REFIX	30°17'26" N.	95°19'55" W.	Humble, Tex.
YAMTI	32°54'39" N.	95°31'36" W.	Greater Southwest, Tex.
Tulsa, Okla.	36°11'46" N.	95°47'16" W.	Tulsa, Okla.

Waypoint name	Location		Reference facility
J993R John F. Kennedy Airport, N. Y., to Miami, Fla.			
BOUND	38°06'45" N.	75°26'05" W.	Richmond, Va.
RESCO	36°47'30" N.	76°25'30" W.	Richmond, Va.
SURFY	34°06'00" N.	78°00'00" W.	Raleigh-Durham, N. C.
AZANA	32°23'32" N.	78°14'57" W.	Charleston, S. C.
GAUGE	30°25'29" N.	78°33'57" W.	Ormond Beach, Fla.
SAILS	30°00'00" N.	78°38'00" W.	Ormond Beach, Fla.
TARPO	28°00'00" N.	79°30'00" W.	Vero Beach, Fla.
PINES	26°17'31" N.	79°54'49" W.	Palm Beach, Fla.

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Waypoint name	Location		Reference facility
J994R John F. Kennedy Airport, N. Y., to Orlando, Fla.			
BOUND	38°06'45" N.	75°26'05" W.	Richmond, Va.
RESCO	36°47'30" N.	76°25'30" W.	Richmond, Va.
CLARK	34°26'30" N.	78°57'30" W.	Raleigh-Durham, N. C.
BITES	32°47'00" N.	80°37'30" W.	Charleston, S. C.
CREST	30°32'25" N.	81°28'32" W.	Jacksonville, Fla.
Jacksonville, Fla.	30°27'00" N.	81°33'32" W.	Jacksonville, Fla.
Orlando, Fla.	28°32'33" N.	81°20'07" W.	Orlando, Fla.

Waypoint name	Location		Reference facility
J995R Dulles International Airport, Va., to Miami, Fla.			
Casanova, Va.	38°38'28" N.	77°51'57" W.	Gordonsville, Va.
Flat Rock, Va.	37°31'42" N.	77°49'43" W.	Richmond, Va.
SURFY	34°06'00" N.	78°00'00" W.	Raleigh-Durham, N. C.
AZANA	32°23'32" N.	78°14'57" W.	Charleston, S. C.
GAUGE	30°25'29" N.	78°33'57" W.	Ormond Beach, Fla.
SAILS	30°00'00" N.	78°38'00" W.	Ormond Beach, Fla.
HALBI	26°41'00" N.	79°08'05" W.	Vero Beach, Fla.
BONDI	26°03'28" N.	79°46'14" W.	Palm Beach, Fla.

AMENDMENTS 1/30/75 39 F. R. 41520 (Changed)

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presidential documents

Title 3—The President

Proclamation 4410 • **December 31, 1975**

Termination of Temporary Quantitative Limitation on the Importation Into the United States of Certain Beef and Veal From Canada

By the President of the United States of America

A Proclamation

WHEREAS, Proclamation No. 4335 of November 16, 1974, issued pursuant to Section 252(a) of the Trade Expansion Act of 1962 (19 U.S.C. 1882(a)) in response to unjustifiable restrictions imposed by Canada on meat imports from the United States, limited imports into the United States of certain cattle, beef, veal, swine and pork from Canada, and whereas that Proclamation inserted item 945.03 into subpart B of part 2 of the Appendix to the Tariff Schedules of the United States (TSUS), and

WHEREAS, Canada has now lifted those unjustifiable restrictions on meat imports from the United States, and

WHEREAS, Section 255(b) of the Trade Expansion Act of 1962 (19 U.S.C. 1885(b)) authorizes the President to terminate in whole or in part any proclamation made pursuant to Section 252 of the Trade Expansion Act of 1962 (19 U.S.C. 1882(a)), and

WHEREAS, Proclamation No. 4382 of August 5, 1975, terminated those parts of Proclamation No. 4335 pertaining to the importation of cattle, swine and pork from Canada and

WHEREAS, I deem it necessary and appropriate to terminate the remaining restrictions proclaimed in Proclamation No. 4335, specifically those imposing temporary quantitative limitations on the importation into the United States of certain beef and veal from Canada, in order to encourage trade between the United States and Canada.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, acting under authority vested in me by the Constitution and statutes, including Section 255(b) of the Trade Expansion Act of 1962 (19 U.S.C. 1885(b)) do hereby proclaim that:

1) Proclamation No. 4335 is terminated.

2) Subpart B of part 2 of the Appendix to the TSUS is amended as follows:

(a) By deleting the superior heading immediately preceding item 945.03.

(b) By deleting item 945.03.

3) This Proclamation is effective with respect to articles entered, or withdrawn from warehouse, for consumption after 12:01 a.m. EST, January 1, 1976.

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IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of December in the year of our Lord nineteen hundred and seventy-five and of the Independence of the United States of America the two hundredth.

Gerald R. Ford

[FR Doc.76-294 Filed 1-2-76;10:53 am]

Executive Order 11892 • December 31, 1975

Amending Executive Order No. 11647[1] Relating to Federal Regional Councils

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, and as President of the United States of America, in order to include the Department of Commerce and the Federal Energy Administration in the Regional Council System and thus expand interagency cooperation and improve the coordination of services to the States, consistent with Section 401(d) of the Intergovernmental Cooperation Act of 1968 (82 Stat. 1103, 42 U.S.C. 4231(d)), it is hereby ordered as follows:

SECTION 1. Subsection (a) of Section 1 of Executive Order No. 11647 of February 10, 1972, as amended by Executive Order No. 11731 of July 23, 1973, is amended to read as follows:

"(a) There is hereby continued a Federal Regional Council for each of the ten standard Federal regions. The President shall designate one member of each Council as Chairman. Representatives of the Office of Management and Budget may participate in any deliberations of each Council. Each Council shall be composed of the principal regional officials of the following departments and agencies:

(1) The Department of the Interior.

(2) The Department of Agriculture.

(3) The Department of Commerce.

(4) The Department of Labor.

(5) The Department of Health, Education, and Welfare.

(6) The Department of Housing and Urban Development.

(7) The Department of Transportation.

(8) The Community Services Administration.

(9) The Environmental Protection Agency.

(10) The Federal Energy Administration.

(11) The Law Enforcement Assistance Administration.".

SEC. 2. Section 3 of Executive Order No. 11647 of February 10, 1972, as amended by Executive Order No. 11731 of July 23, 1973, is amended to read as follows:

"Sec. 3. *Under Secretaries Group for Regional Operations.* (a) The Under Secretaries Group for Regional Operations is hereby continued and shall be composed of the following:

(1) The Under Secretary of the Interior.

(2) The Under Secretary of Agriculture.

(3) The Under Secretary of Commerce.

[1] 37 FR 3167; 3A CFR, 1972 Comp., p. 146.

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(4) The Under Secretary of Labor.

(5) The Under Secretary of Health, Education, and Welfare.

(6) The Under Secretary of Housing and Urban Development.

(7) The Deputy Secretary of Transportation.

(8) The Deputy Director of the Community Services Administration.

(9) The Deputy Administrator of the Environmental Protection Agency.

(10) The Deputy Administrator of the Federal Energy Administration.

(11) The Administrator of the Law Enforcement Assistance Administration.

(12) An Associate Director of the Domestic Council.

(13) The Deputy Director of the Office of Management and Budget, who shall be Chairman.

"(b) When the Chairman determines that matters which significantly affect the interests of a Federal agency not represented on the Group are to be considered by the Group, he shall invite an appropriate representative of the agency involved to participate in the deliberations of the Group.

"(c) The Under Secretaries Group for Regional Operations shall, consistent with the objectives and priorities established by the President and the Domestic Council, establish policy with respect to Federal Regional Council matters provide guidance to the Council, respond to their initiatives, and seek to resolve policy issues referred to it by the Councils. The Under Secretaries Group, under the Chairmanship of the Deputy Director of the Office of Management and Budget, shall be responsible for the proper functioning of the system established by this Order.".

Gerald R. Ford

THE WHITE HOUSE,
December 31, 1975.

[FR Doc.76-295 Filed 1-2-76;10:54 am]

rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 9—Animals and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 78—BRUCELLOSIS

Quarantine Areas

Correction

In FR Doc. 75-34723 appearing at page 59421 in the issue for Wednesday, December 24, 1975, the following correction should be made. On page 59422, in the first column, the last line of the authority citation following § 78.22a now reading "38 FR 19111.)" should read: "38 FR 19141.)"

NOTE: A second document amending 9 CFR Part 78 appears on page 766.

CHAPTER III—ANIMAL AND PLANT HEALTH INSPECTION SERVICE (MEAT AND POULTRY PRODUCTS INSPECTION) DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—VOLUNTARY INSPECTION AND CERTIFICATION SERVICE

PART 350—SPECIAL SERVICES RELATING TO MEAT AND OTHER PRODUCTS

PART 351—CERTIFICATION OF TECHNICAL ANIMAL FATS FOR EXPORT

PART 355—CERTIFIED PRODUCTS FOR DOGS, CATS, AND OTHER CARNIVORA; INSPECTION, CERTIFICATION, AND IDENTIFICATION AS TO CLASS, QUALITY, QUANTITY, AND CONDITION

Laboratory Rate Increase

Pursuant to the statutory authorities cited below, the fees relating to laboratory service performed in connection with inspection, identification, or certification service rendered to operators of meat establishments, importers, or exporters by the Animal and Plant Health Inspection Service, Meat and Poultry Inspection Program, are hereby amended to reflect increases in operating costs since the last increase January 5, 1975, and to reflect increases in Federal employees' salaries authorized by the Federal Pay Comparability Act of 1970, and Executive Order 11883, dated October 6, 1975. Such increases are needed to cover the cost of the laboratory service provided.

§§ 350.7, 351.9, 355.12 [Amended]

Therefore, the rate for laboratory service, as provided for in these parts, is changed from $19.20 per hour to $19.92 per hour in §§ 350.7(c), 351.9, and 355.12.

(7 U.S.C. 1622(h), 1624)

It has been determined that in order to cover these increased costs of the services, the hourly fees charged in connection with the performance of the services must be increased as soon as practicable as provided herein. The need for the increase and the amount thereof are dependent upon facts within the knowledge of the Animal and Plant Health Inspection Service. Therefore, under 5 U.S.C. 553, it is found that notice and other public procedure with respect to these amendments are impracticable and unnecessary and good cause is found for making these amendments effective less than 30 days after publication in the Federal Register.

Effective date: January 4, 1976, except for § 351.9 which shall be effective on January 11, 1976.

Done at Washington, D.C., on December 30, 1975.

HARRY C. MUSSMAN,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc.76-173 Filed 1-2-76;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 75-EA-70]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Alteration of Transition Area

Correction

In FR Doc. 75-34178 appearing on page 58849, in the issue for Friday, December 19, 1975, make the following change:

In the fourth paragraph of the document, the effective date should read "December 19, 1975".

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket 8965-o]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

British Oxygen Co., Ltd. et al.

Subpart—Acquiring corporate stock or assets: § 13.5 Acquiring corporate stock or assets; 13.5-20 F.T.C. Act. Subpart—Interlocking directorates unlawfully: § 13.1106 Interlocking directorates unlawfully.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18)

In the Matter of British Oxygen Company, Limited, BOC Financial Corporation, BOC Holdings, Limited, British Oxygen Investments, Limited and Airco, Incorporated, corporations.

Order requiring a London, England, manufacturer of industrial gases, among other things to divest itself of all the stocks and assets of Airco, Inc., a Montvale, N.J., producer of industrial gases and medical products, within one (1) year of the issuance of the order. Respondent is further prohibited from acquiring any corporate stocks or assets in any field related to production of industrial gases or medical products for a period of 10 years without prior F.T.C. approval. British Oxygen and Airco, Inc. must also cease any representation on each other's respective boards of directors.

The Final Order, including further order requiring report of compliance therewith, is as follows:[1]

FINAL ORDER

For the purpose of this Order, "BOC" shall include all subsidiary or related corporations and all successor corporations of The British Oxygen Company Limited; BOC Financial Corporation; BOC Holdings Limited; and British Oxygen Investments Limited; and "Airco" shall include all subsidiary or related corporations and all successor corporations of Airco, Inc.

I. *It is ordered*, That BOC, its officers, directors, agents, representatives and employees, shall within one (1) year from the date this Order becomes final, divest itself absolutely and in good faith, subject to the prior approval of the Federal Trade Commission, of all rights, title and interest including without limitation all shares of stock and all assets, properties, rights and privileges, tangible or intangible, including without limitation all plant, equipment, machinery, raw material reserves, inventory, customer lists, trade names, trademarks, good will, and other property of whatever description acquired by BOC as a result of its acquisition of the stock of Airco.

II. *It is further ordered*, That none of the stock, assets, properties, rights and privileges, tangible or intangible, required to be divested by BOC pursuant to Paragraph I above, shall be divested directly or indirectly to anyone who is, at the time of the divestiture, an officer, director, employee, or agent of, or under the control, direction or influence of BOC, or who owns or controls more than one percent of the capital stock of BOC.

III. *It is further ordered*, That respondent BOC shall cease and desist for a period of ten (10) years from the date this Order becomes final from acquiring, directly or indirectly, through subsidiaries or otherwise, the whole or any part

[1] Copies of the Complaint, Initial Decision, Findings as to the Facts and Opinion, filed with the original document.

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of the stock, share capital or assets (other than products sold in the normal course of business) of any concern, corporate or noncorporate, engaged at the time of acquisition in any state of the United States in any or all of the business of (1) industrial gases, or (2) anesthesia machines, or (3) anesthesia vaporizers, or (4) anesthesia face masks without the prior approval of the Federal Trade Commission. The foregoing restriction (1) shall not apply to the acquisition of a concern which in the two most recent reporting years prior to the acquisition has reported value of shipments of industrial gases (SIC 2813) to the Bureau of Census not in excess of $25 million in the aggregate in each of the two years: *Provided, however,* That BOC has not already acquired any interest in a concern engaged in any portion of the business of manufacturing or selling industrial gases in the United States and no longer retains an ownership interest in Airco at the time of such acquisition.

The prohibited acquisitions in the above paragraph shall include but not be limited to the entering into of any arrangement between BOC, and any concern engaged in any or all of the aforesaid businesses pursuant to which BOC obtains the market share of any such concern (a) through such concern discontinuing its participation in the industries mentioned in this paragraph, or any segment thereof, under its own trade name or labels and thereafter manufacturing or distributing any of said products under the BOC trade name, or (b) by reasons of such concern discontinuing its participation in the industries mentioned in this paragraph, or any segment thereof, and thereafter transferring to BOC its customer lists, or in any other way making available to BOC access to its customers or its customer accounts.

IV. *It is further ordered,* That BOC notify the Federal Trade Commission at least thirty (30) days prior to any proposed change in the corporate structure such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any change in the corporation which may affect compliance obligations arising out of the Order.

V. *It is further ordered,* That BOC cease any and all representation on the board of directors of Airco, and cease and desist from taking any steps to nominate, seat, or admit any representatives of Airco to the board of directors of BOC.

VI. *It is further ordered,* That BOC shall within sixty (60) days from the date this Order becomes final, and every sixty (60) days thereafter until BOC has fully complied with the provisions of this Order, submit in writing to the Federal Trade Commission a verified report setting forth in detail the manner and form in which BOC intends to comply or has complied with this Order. All compliance reports shall include, among other things that are from time to time required, a summary of contacts or negotiations with anyone for the specified stock, assets, properties, rights, and privileges, tangible or intangible, the identity of all such persons, and copies of all written communications to and from such persons.

VII. *It is further ordered,* That Airco cease and desist from taking any steps toward achieving union of interest between Airco and BOC, including but not limited to merger, acquisition, consolidation or joint venture in any market referenced herein.

VIII. *It is further ordered,* That Airco cease and desist from taking any steps to implement any provision of the agreements between Airco and BOC of July 25, 1973, and of December 10, 1973. The foregoing provision shall not apply (1) to Airco's right of first refusal as set forth in paragraph 4 of the December 10, 1973 agreement, subject, however, to Commission final approval of the exercise of that right; (2) to the restrictions on dissemination of information contained in the July 25, 1973 agreement.

IX. *It is further ordered,* That Airco cease any and all representation on the board of directors of BOC, and cease and desist from taking any steps to nominate, seat, or admit any representative of BOC to the board of directors of Airco.

X. *It is further ordered,* That Airco shall within sixty (60) days from the date this Order becomes final, submit in writing to the Federal Trade Commission a verified report setting forth in detail the manner and form in which Airco has complied with this Order.

The Initial Decision Order was issued, Oct. 18, 1974.

The Final Order was issued by the Commission Dec. 8, 1975.

VIRGINIA M. HARDING,
Acting Secretary.

[FR Doc.76-101 Filed 1-2-76;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER A—GENERAL

[Docket No. 75N-0329]

PART 8—COLOR ADDITIVES

Subpart—Provisional Regulations

POSTPONEMENT OF CLOSING DATES

The Commissioner of Food and Drugs is postponing the closing date for the use of provisionally listed color additives until September 30, 1976. This order is effective January 5, 1976.

The Commissioner on his own initiative proposed in the FEDERAL REGISTER of November 14, 1975 (40 FR 53039) to postpone the closing date for the use of provisionally listed color additives until September 30, 1976. Four comments (all from associations of manufacturers) were received in response to the proposal. Each comment supported the proposed action.

One comment urged the correction of errors and omissions existing in the provisional listing of color additives under § 8.501 (21 CFR 8.501). The typographical errors and omissions will be corrected in the next publication of the Code of Federal Regulations.

In accordance with the provisions of 5 U.S.C. 553 (d)(1) and (d)(3), this postponement is being made effective upon publication so as to permit the uninterrupted use of the affected color additives.

§ 8.501 [Amended]

Therefore, under the transitional provisions accompanying the Color Additive Amendments of 1960 to the Federal Food, Drug, and Cosmetic Act (sec. 203 (a)(2), (d)(1), Title II, Pub. L. 86-618, 74 Stat. 404-405 (21 U.S.C. 376 note)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 8 is amended in § 8.501 *Provisional lists of color additives* by changing the closing dates for the color additives listed in paragraphs (a), (b), (c), (e), (f), and (g) to read "September 30, 1976."

Effective date. This order shall become effective January 5, 1976.

(Sec. 203 (a)(2), (d)(1), Pub. L. 86-618, 74 Stat. 404-405 (21 U.S.C. 376 note).)

Dated: December 24, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.76-118 Filed 1-2-76;8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 74-257]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Atlantic Intracoastal Waterway, Hallandale, Fla.

This amendment changes the regulations for the East Hallandale Beach Boulevard drawbridge (SR-824) across the Atlantic Intracoastal Waterway in Hallandale, Florida, to provide restricted periods on a year-round basis. This amendment was circulated as a public notice dated October 17, 1975, by the Commander, Seventh Coast Guard District, and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGD 74-257) on October 15, 1975, (40 FR 48363). Four comments were received. Two endorsed the proposal, one had no comment and one had no objection thereto.

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by revising § 117.446b to read as follows:

§ 117.446b SR-824 drawbridge, AIWW, Hallandale, Fla.

(a) The draw shall open on signal from 6:15 p.m. to 7:15 a.m. From 7:15 a.m. to 6:15 p.m. the draw need not open except on the quarter and three-quarter hour to allow any accumulated vessels to pass, and except as provided in paragraph (b) of this section.

(b) The draw shall open at any time for the passage of public vessels of the United States, tugs with tows, cruise boats operated on a regular schedule or vessels in distress. The opening signal from these vessels is four blasts of a whistle, horn, or by shouting.

(c) The owner of or agency controlling this bridge shall post, on both sides of the bridge, signs that state the conditions of this regulation. These signs shall be of such size that they may be easily read from an approaching vessel at any time.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4)).

Effective date. This revision shall become effective on February 2, 1976.

Dated: December 19, 1975.

R. J. PRICE,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.76-52 Filed 1-2-76;8:45 am]

[CGD 3-75-3-R]

PART 127—SECURITY ZONE

Governors Island, New York

This amendment to the Coast Guard's Security Zone Regulations, establishes the waters of Buttermilk Channel, New York as a security zone. This security zone is established because of the presence of the Polish Fishing Vessel "LEPUS" which, having been duly seized, is in the custody of the United States of America.

This amendment is issued without publication of a notice of proposed rule making and this amendment is effective in less than 30 days from the date of publication, because this security zone involves a foreign affairs function of the United States.

In consideration of the foregoing, Part 127 of Title 33 of the Code of Federal Regulations is amended by adding § 127.334, to read as follows:

§ 127.334 Buttermilk Channel, New York.

That area of the waters of Buttermilk Channel, New York Harbor, within a 200 yard (radius) circle drawn from the center of the "Y" shaped pier on the eastern shore of Governors Island, N.Y.

(46 Stat. 220, as amended, 6(b), 80 Stat. 937; 50 U.S.C. Art. 191, 40 U.S.C. Art. 1655(b); E.O. 10173, E.O. 10277, E.O. 10352, E.O. 11249; 3 CFR, 1949-1953 Comp. 356, 778, 873, 3 CFR 1964-1965 Comp. 349, 33 CFR Part 6, 94 CFR 1.46(b)).

Effective date: This amendment becomes effective on December 28, 1975.

Dated: December 28, 1975.

FRANK OLIVER,
Captain, U.S. Coast Guard, Captain of the Port of New York.

[FR Doc.76-57 Filed 1-2-76;8:45 am]

Title 34—Government Management

CHAPTER II—OFFICE OF FEDERAL MANAGEMENT POLICY, GENERAL SERVICES ADMINISTRATION

SUBCHAPTER C—PROPERTY MANAGEMENT

[FMC 75-3]

PART 235—ESTABLISHMENT AND USE OF THE INVENTORY OF FEDERAL LABORATORIES

Federal Laboratories

A proposed Federal Management Circular (FMC) requiring the establishment and use of an inventory of Federal laboratories was published in the FEDERAL REGISTER on April 15, 1975, (40 FR 16855). Interested persons were given until May 16, 1975, to submit written comments on the proposed FMC. Comments were received from 13 Federal agencies and two private concerns. All comments were given careful consideration by the interagency task group responsible for preparation of the FMC. Specific changes made to the FMC in response to the comments include: (1) deleting the requirement that agencies document the comparative costs of contracting for laboratory services; (2) removing non-essential data elements from the report form (GSA Form 3252); (3) changing the report requirements to provide that agencies submit only one GSA Form 3252 for a laboratory facility; (4) limiting the inventory report to Government operated laboratory facilities; and (5) expanding and clarifying specific terms defined in the report.

NOTE: GSA Form 3252 is filed as part of the original document.

Effective date. This regulation is effective December 23, 1975.

Dated: December 23, 1975.

DWIGHT A. INK,
Acting Administrator of General Services.

Part 235 is added as follows:

Sec.
235.1 Purpose.
235.2 Background.
235.3 Applicability.
235.4 Definitions.
235.5 Policies and procedures.
235.6 Responsibilities.
235.7 Inquiries.

AUTHORITY: Executive Order 11717 (38 FR 12315, May 11, 1973).

§ 235.1 Purpose.

This part establishes policy and procedures for better space utilization in existing Federal laboratories of 10,000 square feet or more in area.

§ 235.2 Background.

(a) Federal laboratories, because of their specialized nature, are generally under the exclusive control of the occupant agency. There is a consequent lack of information about the availability of laboratory space on a Government-wide basis. This part is issued in recognition of the need for managers contemplating acquisition of laboratories to have available in a central location certain basic information regarding existing Federal laboratory facilities.

(b) This part is issued pursuant to Executive Order 11717 of May 9, 1973, which transferred certain functions from the Office of Management and Budget to the General Services Administration and pursuant to the Office of Management and Budget, Office of Federal Procurement Policy, delegation letter of June 24, 1975, 40 FR 29935, July 16, 1975.

§ 235.3 Applicability.

The provisions of the part apply to all executive departments and establishments. The term "agency" throughout the part is synonymous with the term "departments and establishments" as defined in § 200.5.

§ 235.4 Definitions.

(a) *Laboratory.* The term "laboratory" means any Government owned or leased building containing 10,000 square feet or more, or an area of 10,000 square feet or more within such a building, that is equipped and/or used for scientific or engineering research, development, or testing.

(b) *Laboratory facility.* "Laboratory facility" means a building or a complex of buildings containing two or more laboratories with a combined area of 10,000 square feet or more and which are generally considered as a unit and identified by a common name; e.g., Naval Research Laboratory, Washington, D.C.

(c) *Underutilized laboratory space.* The term "underutilized laboratory space" means space not currently in use and not officially planned for use in the current fiscal year. Use must be for significant laboratory purposes, and does not mean use for storage or other nonlaboratory purposes.

(d) *Significant space change.* A "significant space change" means an area of 1,000 square feet or more in a previously reported laboratory which changes from utilized to underutilized or a previously reported underutilized area of 1,000 square feet or more that becomes utilized. In laboratories or laboratory facilities totaling over 50,000 square feet in area, a significant space change shall be any change exceeding 2 percent or more of the total laboratory area.

§ 235.5 Policies and procedures.

Federal agencies shall ensure that laboratories under their control are efficiently utilized and to that end shall cooperate in making underutilized and excess laboratory space available to other agencies having a requirement. Excess laboratory space, as opposed to underutilized space, shall continue to be reported to the General Services Administration in accordance with the provisions of part 231. Underutilized space shall be reported on GSA Form 3252, Federal Laboratory Report, as outlined below.

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(a) *Inventory of Federal laboratories.* (1) The General Services Administration (GSA) shall assemble and maintain a current printed inventory of all Federal laboratories and laboratory facilities containing 10,000 square feet or more. The complete inventory or selective information contained therein will be made available to Federal agencies upon request. To enable GSA to prepare and maintain the inventory, the headquarters office of each agency shall submit a completed GSA Form 3252 (appendix A)[1] to GSA for each laboratory or laboratory facility which it operates. This report has been approved in accordance with FPMR 101–11.11 and assigned the Interagency Report Control Number 0094–GSA–AR. Only one GSA Form 3252 should be submitted for a laboratory facility. GSA Form 3252 should not be submitted for Government owned or leased laboratories that are staffed and operated by private individuals or firms under contract to the Government.

(2) Completed copies of all report forms shall be submitted to the General Services Administration (PR), Washington, DC 20405, by April 1, 1976. Thereafter, additional reports shall be submitted to GSA at the end of each fiscal quarter to reflect any significant space changes occurring since the prior report. GSA Form 3252 should not be submitted for a previously reported laboratory or laboratory facility unless a significant space change has occurred.

(3) Agencies may obtain their initial supply of GSA Form 3252 from General Services Administration (3FNDD), Union and Franklin Streets Annex, Building 11, Alexandria, VA 22314. Agency field offices should submit all future requirements to their Washington headquarters office which will forward consolidated annual requirements to the General Services Administration (BRO), Washington, DC 20405.

(b) *Agency use of inventory.* Agencies shall review the inventory of Federal laboratories to identify existing underutilized laboratory space when studying requirements for the acquisition of new laboratory space, including replacement of existing facilities. Agency files shall be thoroughly documented to reflect the precise reasons for acquiring new space instead of using existing laboratories having sufficient space available to accommodate the agency's need.

(c) *Special reports.* Agencies may request special reports on laboratory facilities from GSA. Reports can be provided on combinations of most of the data elements specified on the GSA Form 3252. For example, reports listing all vacant or underutilized laboratory space within a specific city, State, or zip code area can be provided. Requests to GSA for special reports will be handled on a cost-reimbursable basis. Such requests should be directed to the General Services Administration (PR), Washington, DC 20405, Telephone 202–343–4730.

[1] GSA Form 3252 is filed as part of the original document.

(d) *GSA and OMB use of inventory.* GSA will use the inventory in reviewing agency requests for new laboratory facilities. Copies of the report also will be forwarded to OMB for appropriate use. In addition, OMB will issue instructions for use of the inventory in the budgetary process.

§ 235.6 Responsibilities.

Heads of agencies are responsible for promulgating such regulations, controls, and review actions as are necessary to comply fully with the provisions of this part. Such regulations and controls shall ensure that:

(a) Accurate and complete GSA Forms 3252 are submitted to GSA in a timely manner;

(b) Significant changes are reported; and

(c) The inventory is utilized in considering acquisition of laboratories.

Copies of all implementing documents, upon issuance, will be provided to the General Services Administration (AM), Washington, DC 20405.

§ 235.7 Inquiries.

Further information concerning this part may be obtained by contacting:

General Services Administration (AMP), Washington, DC 20405. Telephone: IDS 183–7528, FTS 202–343–7528.

[FR Doc.76–87 Filed 1–2–76;8:45 am]

Title 37—Patents, Trademarks and Copyrights

CHAPTER I—PATENT AND TRADEMARK OFFICE, DEPARTMENT OF COMMERCE

PART 1—RULES OF PRACTICE IN PATENT CASES

PART 2—RULES OF PRACTICE IN TRADEMARK CASES

PART 4—FORMS FOR TRADEMARK CASES

Revised Rules and Procedures

On February 11, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 6361) regarding the proposal by the Patent and Trademark Office to amend Title 37 of the Code of Federal Regulations by revising or amending §§ 1.12, 1.136, 1.197, 1.244, 1.256, 1.304, 2.18, 2.37, 2.75, 2.80, 2.85, 2.101, 2.102, 2.103, 2.105, 2.111, 2.112, 2.120, 2.123, 2.127, 2.129, 2.141, 2.144, 2.145, 2.162, 2.172, 2.183, 2.185, 2.187, and 4.2. Interested persons were given until May 1, 1975, to submit written comments and suggestions. Full and careful consideration was given to all written comments submitted and some changes in the original proposal have been made in view thereof.

Amendments are also now being made in sections which were not included in the published proposal, namely, §§ 2.11, 2.14, 2.15, 2.19, 2.93, 2.99, 2.113, 2.119, and 2.161; and section 4.3 is being deleted. Since these amendments are in accord with changes as to related matters in other sections which were contained in the published proposal, notice and public procedures thereon are deemed unnecessary.

The additional amendments, as well as changes from the text of the sections as published in the original proposal, are described below:

Paragraph (b) of § 1.197, paragraph (b) of § 1.256, paragraph (c) of § 2.129 and § 2.144 are being revised to include the name of the Board which may grant extension of time for requesting rehearing or reconsideration of a decision, that is, the Board of Appeals, the Board of Patent Interferences, or the Trademark Trial and Appeal Board.

Paragraph (a) of § 1.304 (second sentence) and paragraph (d) (1) of § 2.145 (second sentence) are being revised to state more clearly that the time for filing a request for rehearing or reconsideration is determined under § 1.197(b) or § 1.256(b) in patent cases and § 2.129(c) or section 2.144 in trademark cases. These paragraphs are also being revised to make clear that if a request for rehearing or reconsideration, or modification of a decision, is acted on less than thirty days after the date of the decision, an appeal may still be filed or a civil action commenced within the original sixty-day period.

As to representation and powers of attorney, § 4.2 is being revised to state that individuals must be appointed in a power of attorney in order for the document to be regarded as a power, and § 4.3, which is a form for the authorization of an agent, is being cancelled because normally persons who are recognized to practice before the Patent and Trademark Office in trademark cases are not designated as agents (see § 2.12). The form is outmoded and inaccurate, and in view of the relatively small amount of use which will probably be made of a form for authorizing representation by a person who is not an attorney, it is not believed necessary to provide a form for that purpose. In line with this change, the wording as to "agent" where it appears in either existing or proposed §§ 2.11, 2.14(c), 2.15, 2.18, 2.19, 2.93, 2.99 (a) and (b), 2.102(a), 2.103, 2.113, 2.119 (a) and (b), 2.123(e)(2), and 2.129(b), is being changed to "other authorized representative" or equivalent language, as appropriate.

In § 2.75 the word "effective" is being added to the second sentence in describing the original filing date.

In paragraph (e) of § 2.85, the clause which refers to the fee being less than the required amount because "a multiple class application or registration is" involved, is being reworded, for greater accuracy, to refer to the fee being less than the required amount because "multiple classes in an application or registration are" involved. At the end of the paragraph, the following is being added: ", or if action is sought only for the number of classes equal to the number of fees submitted," the purpose of this addition being to make it clear that action may be taken as to less than all of the classes in a multiple class application or registration. In this connection, see also revised § 2.172. In paragraph (e) of § 2.85 the word "Examiner" is being changed to "Office" because the notification referred to is not necessarily handled by an examiner.

In § 2.101 wording is being added to make it clear that an opposition may be filed within an extension of time for filing opposition as well as within thirty days after publication of the mark. Also, the wording "Two or more persons may be joined" is being changed to "If persons are joined," since whether or not persons are properly joined is subject to review by the Trademark Trial and Appeal Board.

In paragraph (b) of § 2.102, the word "written" is being inserted before "request to extend the time" in the first sentence. Also, reference to a time for filing a showing of cause has been deleted as being superfluous. These modifications accord with Pub. L. 93–600, enacted January 2, 1975.

In § 2.103 the words "such filing" have been modified to read "the filing of such opposition" in order to assure the clarity of the meaning.

In addition, §§ 2.101, 2.102, and 2.103 taken as a unit are being reorganized to place topics in better sequence and to consolidate references to each topic in one place. This reorganization is for the purpose of clarity and does not make any change in substance.

The division of § 2.111 into paragraphs (a) and (b) has been eliminated, proposed paragraph (b) relating to insufficient fees being incorporated in the body of the section. The last sentence in proposed § 2.112 relating to insufficient fees has been deleted as being repetitious of § 2.111.

A sentence is being added at the end of section 2.112 indicating that a fee for each person for each class is required if persons are joined in a petition to cancel.

The pertinent wording in each of §§ 2.101, 2.102, 2.103, 2.111, 2.112, 2.141, 2.161, 2.162, and 2.163 is being changed to indicate more plainly that action may be taken on less than the total number of classes in an application or registration, and that in that event the particular class or classes for action should be specified. The pertinent wording in such sections has also been modified to state that action should "include" the appropriate number of fees rather than "be accompanied by" such fees, in order to accord with the present practice of accepting a fee if it is received within the prescribed period even though it may not physically accompany the action.

Section 2.113 is being revised to change the word "notice" to "notification." In section 2.112 the word "notice" in the first sentence is likewise being changed to "notification." These changes accord with the equivalent change made in § 2.105 in the published proposal. The purpose is to make it clear that the paper which is prepared under these sections is merely a notification of the existence of a cancellation proceeding which commenced when a petition which is correct as to form was filed. The last word of paragraph (b) of § 2.113 is being changed from "registrant" to "respondent party" to agree with cancellation § 2.112.

Paragraph (c) in § 2.120 is being modified to provide that a written statement by the attorney for the moving party, rather than an affidavit or declaration, is sufficient in support of a motion for an order to compel discovery, and that if issues raised by the motion have been subsequently resolved, the attorney should merely advise the Trademark Trial and Appeal Board in writing of the matters which no longer require decision by the Board.

In § 2.162, the wording of paragraph (e) is being modified to indicate that the sixth year affidavit must state that the mark is in use except when there is excusable nonuse under paragraph (f) of such section. The wording of such paragraph also is being expanded to make clear the present practice that the specimen submitted with the sixth year affidavit be a specimen currently in use. In both paragraphs (e) and (f), in the second sentences, the second occurrence of the words "may be" is being deleted as unnecessarily repetitious.

In § 2.172, the proposed third sentence is being reworded to simplify the language, and at the end of the proposed fourth sentence the specific number (2.173) of the section referred to in the sentence is being added.

In § 2.183 the wording of paragraph (a) is being modified to indicate that the renewal application must state that the mark is still in use in commerce except when there is excusable nonuse under paragraph (c) of such section. In the last sentence of paragraph (c), the words "in order to show excusable nonuse" are being added after the word "explanation" for greater clarity, and in the same sentence the second occurrence of the words "may be" is being deleted as unnecessarily repetitious.

Section 2.187 is being reworded to make clear that not only is it permissible for a certificate of registration to issue to an assignee or in a new name of applicant, but that the certificate will be so issued whenever the Office knows of such situation in time to do so. Section 2.187 is being further reworded to clarify that for a certificate of registration to issue to an assignee or in a new name of applicant, the supporting document must be actually recorded by the time indicated; further, if the document is not actually recorded by such time, a statement placed in the application file by the time specified will accomplish the same result. Also added to § 2.187 is the statement that the address of the assignee may be provided by being placed in the recorded document.

In consideration of the comments received and pursuant to the authority contained in section 41 of the Act of July 5, 1946 (60 Stat. 440; 15 U.S.C. 1123) as amended on January 2, 1975 (Pub. L. 93–596, 88 Stat. 1949), and in section 6 of the Act of July 19, 1952 (66 Stat. 793; 35 U.S.C. 6) as amended on October 5, 1971 (Pub. L. 94–132, 85 Stat. 364) and amended on January 2, 1975 (Pub. L. 93–596, 88 Stat. 1949), Parts 1 and 2 of Chapter I of Title 37 of the Code of Federal Regulations are hereby revised or amended, as follows:

1. Section 1.12 is revised to read as follows:

§ 1.12 Assignment records open to public inspection.

The assignment records, relating to original or reissue patents, including digests and indexes, and assignment records relating to pending or abandoned trademark applications and to trademark registrations, are open to public inspection and copies of any instrument recorded may be obtained upon payment of the fee therefor. Assignment records, digests and indexes, relating to any pending or abandoned patent application are not available to the public. Copies of any such patent assignment records and information with respect thereto shall be obtainable only upon written authority of the applicant or his assignee or attorney or agent or upon a showing that the person seeking such information is a bona fide prospective or actual purchaser, mortgagee or licensee of such patent application, unless it shall be necessary to the proper conduct of business before the Office or as provided by these rules. An order for a copy of an assignment should give the identification of the record. If identified only by the name of the patentee and number of the patent, or in the case of a trademark registration by the name of the registrant and number of the registration, or by name of the applicant and serial number of the application, an extra charge will be made for the time consumed in making a search for such assignment.

2. In § 1.136, paragraph (b) is revised. As amended, § 1.136 reads as follows:

§ 1.136 Time less than six months.

* * * * *

(b) The time for reply, when a time less than six months has been set, will be extended only for sufficient cause, and for a reasonable time specified. Any request for such extension must be filed on or before the day on which action by the applicant is due, but in no case will the mere filing of the request effect any extension. Only one extension may be granted by the primary examiner in his discretion; any further extension must be approved by the Commissioner. In no case can any extension carry the date on which response to an action is due beyond six months from the date of the action.

3. In § 1.197, paragraph (b) is revised. As amended, § 1.197 reads as follows:

§ 1.197 Action following decision.

* * * * *

(b) Any request for rehearing or reconsideration, or modification of the decision, must be filed within thirty days from the date of the original decision, unless that decision is so modified as to become, in effect, a new decision, and the Board of Appeals so states. Such time may be extended by the Board of Appeals upon a showing of sufficient cause.

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4. In § 1.244, paragraph (c) is revised. As amended, § 1.244 reads as follows:

§ 1.244 Motions; miscellaneous provisions.

* * * * *

(c) Any request for rehearing or reconsideration, or modification of the decision, must be filed within twenty days after the date of the decision, and any reply thereto shall be filed within twenty days from the date of service of the request.

* * * * *

5. In § 1.256, paragraph (b) is revised. As amended, § 1.256 reads as follows:

§ 1.256 Final hearing.

* * * * *

(b) Any request for rehearing or reconsideration, or modification of the decision, must be filed within thirty days from the date of the original decision, unless that decision is so modified as to become, in effect, a new decision, and the Board of Patent Interferences so states. Any reply thereto shall be filed within fifteen days from the date of service of the request. The times specified herein may be extended by the Board of Patent Interferences upon a showing of sufficient cause. (See § 1.304.)

6. Section 1.304 is revised to read as follows:

§ 1.304 Time for appeal or civil action.

(a) The time for filing the notice and reasons of appeal to the U.S. Court of Customs and Patent Appeals (section 1.302) or for commencing a civil action (section 1.303) is sixty days from the date of the decision of the Board of Appeals or the Board of Patent Interferences. If a request for rehearing or reconsideration, or modification of the decision, is filed within the time specified in section 1.197(b) or 1.256(b), or within any extension of time granted thereunder, the time for filing an appeal or commencing a civil action shall expire at the end of the sixty-day period or thirty days after action on the request, whichever is later. The sixty and thirty day periods may be extended by the Commissioner upon a showing of sufficient cause.

(b) The times specified herein are calendar days. If the last day of the time specified for appeal or commencing a civil action falls on a Saturday, Sunday or legal holiday, the time is extended to the next day which is neither a Saturday, Sunday nor a holiday.

(c) If a defeated party to an interference has taken an appeal to the U.S. Court of Customs and Patent Appeals and an adverse party has filed notice under 35 U.S.C. 141 that he elects to have all further proceedings conducted under 35 U.S.C. 146 (§ 1.303(c)), the time for filing a civil action thereafter is specified in 35 U.S.C. 141.

7. Section 2.11 is revised to read as follows:

§ 2.11 Applicants may be represented by an attorney.

The owner of a trademark may file and prosecute his own application for registration of such trademark, or he may be represented by an attorney or other person authorized to practice in trademark cases. The Patent and Trademark Office cannot aid in the selection of an attorney or other representative.

8. In § 2.14, paragraph (c) is revised. As amended, § 2.14 reads as follows:

§ 2.14 Advertising.

* * * * *

(c) No person not an attorney, solicitor or lawyer shall, in any material specified in paragraph (b) of this section or in papers filed in the Patent and Trademark Office, represent himself to be an attorney, solicitor or lawyer.

9. Section 2.15 is revised to read as follows:

§ 2.15 Signature and certificate of attorney or other representative.

Every paper filed by an attorney at law or other person representing an applicant or party to a proceeding in the Patent or Trademark Office must bear the signature of such attorney at law or other person except those papers which are required to be signed by the applicant or party. The signature of an attorney at law or such other person to a paper filed by him, or the filing of any paper by him, constitutes a certificate that the paper has been read; that its filing is authorized; that to the best of his knowledge, information, and belief there is good ground to support it; and that it is not interposed for delay.

10. Section 2.18 is revised to read as follows:

§ 2.18 Correspondence, with whom held.

Correspondence will be sent to the applicant or a party to a proceeding at his address unless papers are transmitted by an attorney at law, or a written power of attorney is filed, or written authorization of other person entitled to be recognized is filed, or the applicant or party designates in writing another address to which correspondence is to be sent, in which event correspondence will be sent to the attorney at law transmitting the papers, or to the attorney at law designated in the power or attorney, or to the other person designated in the written authorization, or to the address designated by the applicant or party for correspondence. Correspondence will continue to be sent to such address until the applicant or party, or the attorney at law or other authorized representative of the applicant or party, indicates in writing that correspondence is to be sent to another address. Double correspondence will not be undertaken by the Patent and Trademark Office, and if more than one attorney at law or other authorized representative appears or signs a paper, the Office reply thereto will be sent to the address already established in the file until another correspondence address is specified by the applicant or party or by the attorney or other authorized representative of the applicant or party.

11. Section 2.19 is revised to read as follows:

§ 2.19 Revocation of power of attorney or of other authorization to represent.

Authority to represent an applicant or a party to a proceeding may be revoked at any stage in the proceedings of a case upon notification to the Commissioner; and when it is so revoked, the Office will communicate directly with the applicant or party to the proceeding or with such other qualified person as may be authorized. The Patent and Trademark Office will notify the person affected of the revocation of his authorization.

12. Section 2.37 is revised to read as follows:

§ 2.37 Authorization for representation; U.S. representative.

The authorization of a qualified person to represent applicant (section 2.17 (b)) and the designation of a domestic representative (section 2.24) may be included as a paragraph or paragraphs in the application.

13. Section 2.75 is revised to read as follows:

§ 2.75 Amendment to change application to different register.

An application for registration on the Principal Register may be changed to an application for registration on the Supplemental Register and vice versa by amending the application to comply with the rules relating to the requirements for registration on the appropriate register, as the case may be. The original filing date may be considered the effective filing date for the purpose of proceedings in the Patent and Trademark Office provided the application as originally filed was sufficient for registration on the register to which amended. Otherwise, the filing date of the amendment will be considered the effective filing date of the application so amended.

14. Section 2.80 is revised to read as follows:

§ 2.80 Publication for opposition.

If, on examination or reexamination of an application for registration on the Principal Register, it appears that the applicant is entitled to have his mark registered, the mark will be published in the Official Gazette for opposition. The mark will also be published in the case of an application to be placed in interference or concurrent use proceedings, if otherwise registrable.

15. In § 2.85, paragraph (e) is revised. As amended, § 2.85 reads as follows:

§ 2.85 Classification schedules.

* * * * *

(e) Where the amount of the fee received on filing an appeal in connection with an application or on filing an affidavit under section 8(a) or 8(b) or on an application for renewal or in connection with an opposition or petition for cancellation is sufficient for at least one class of goods or services but is less than the required amount because multiple classes in an application or registration are involved, the appeal or the affidavit or renewal application or opposition or petition for cancellation will not be refused on the ground that the amount of the fee was insufficient if the required additional amount of the fee is received in the Patent and Trademark Office within the time limit set forth in the notification of this defect by the Office, or if action is sought only for the number of classes equal to the number of fees submitted.

* * * * *

16. Section 2.93 is revised to read as follows:

§ 2.93 Declaration of interference.

An interference is declared and instituted by the mailing of a notice of interference to the parties. The notice shall be sent to each applicant, in care of his attorney or other representative of record, if any, and if one of the parties is a registrant, the notice shall be sent to him or his assignee of record. The notice shall give the name and address of the adverse party and of his attorney or other authorized representative, if any, together with the serial number and date of filing and publication, if published, of each of the applications or registrations involved.

17. In § 2.99, paragraphs (a) and (b) are revised. As amended, § 2.99 reads as follows:

§ 2.99 Application to register as concurrent user.

(a) An application for registration as a lawful concurrent user will be examined in the same manner as other applications for registration. When it is determined that the mark is ready for publication or allowance, except for questions relating to concurrent registration, the applicant may be required to furnish as many copies of his written application, specimens and drawing, as may be necessary. The Examiner of Trademarks shall prepare notices for the applicant and for each applicant, registrant, or user specified in the application for registration as a concurrent user. Such notices for the specified parties shall give the name and address of the applicant and of his attorney or other authorized representative, if any, together with the serial number and filing date of the application.

(b) The notices shall be sent to each of the parties, in care of their attorneys or other representatives, if they have attorneys or other representatives of record, and if one of the parties is a registrant, a notice shall also be sent to him or his assignee of record. A copy of the application shall be forwarded with the notices to the parties specified in the application. An answer to the notice is not required in the case of an applicant or registrant whose application or registration is specified in the application to register as concurrent user but a statement, if desired, may be filed within forty days after the mailing of the notice; in the case of other parties specified in the application to register as concurrent user, answer must be filed within forty days after the mailing of the notice.

* * * * *

18. Section 2.101 is revised to read as follows:

§ 2.101 Filing an opposition.

(a) Any person who believes that he would be damaged by the registration of a mark upon the Principal Register may oppose the same by filing an opposition in the Patent and Trademark Office within thirty days after publication of the mark sought to be registered (§ 2.80), or within an extension of the time for filing an opposition (§ 2.102). The opposition must be verified, or include a declaration in accordance with § 2.20, unless the opposition is filed by an attorney at law or other authorized representative in accordance with § 2.103.

(b) An opposition must include the required fee for each class sought to be opposed in the application. If fees insufficient to cover all classes in the application are submitted, the particular class or classes in which opposition is sought should be specified. If prsons are jointed in an opposition, a fee for each class sought to be opposed in the application for each person so joined is required.

19. Section 2.102 is revised to read as follows:

§ 2.102 Extension of time for filing opposition.

(a) A request to extend the time for filing an opposition must be made by a person who believes that he would be damaged by the registration of the mark on the Principal Register, but an attorney at law or other person authorized to represent a party may file the request on behalf of a potential opposer. The potential opposer must be identified with reasonable certainty in the request. Any opposition filed during an extension of time should be in the name of the person to whom the extension was granted, but an opposition may be accepted if the person to whom the extension was granted was misidentified through mistake, or an opposition filed in a different name may be accepted if the person filing the opposition is in privity with the person to whom the extension was granted.

(b) A written request to extend the time for filing an opposition must be received in the Patent and Trademark Office before the expiration of thirty days from the date of publication, and should specify the period of extension desired. A first extension of time will be granted upon request if the extension is for not more than thirty days. Other extensions of time may be granted by the Commissioner for good cause.

20. Section 2.103 is revised to read as follows:

§ 2.103 Opposition filed by attorney at law or other authorized representative.

An opposition may be filed in the Patent and Trademark Office by an attorney at law or other person authorized to represent a party, either within thirty days after publication of the mark sought to be registered (§ 2.80), or within an extension of the time for filing an opposition (§ 2.102), but the opposition will be null and void unless confirmed by the opposer by verification, or by declaration in accordance with § 2.20, within thirty days after the filing of the opposition, or within such further time as may be fixed by the Commissioner upon request made before the expiration of the thirty days.

21. Section 2.105 is revised to read as follows:

§ 2.105 Notification of opposition proceedings.

A notification of an opposition which has been regularly filed shall be prepared, identifying the title and number of the proceeding and the application involved, and designating a time, not less than thirty days from the mailing date of such notification, within which answer must be filed. Copies of this notification shall be forwarded by the Trademark Trial and Appeal Board to the parties in care of their attorneys or other representatives, if they have attorneys or other representatives of record. The duplicate copy of the opposition and exhibits shall be forwarded with the notification to the applicant.

22. Section 2.111 is revised to read as follows:

§ 2.111 Time for filing petition for cancellation.

Any person who believes that he is or will be damaged by a registration may, upon payment of the required fee for each class sought to be cancelled in the registration, apply to the Commissioner to cancel said registration as to the specified class or classes. A petition to cancel which includes insufficient fees to cover all classes in the registration should specify the particular class or classes for which cancellation is sought. Such petition may be made at any time in the case of registrations on the Supplemental Register or under the act of 1920, or registrations under the act of 1881 or the act of 1905 which have not been published under section 12(c) of the act (§ 2.153), and in cases involving the grounds specified in section 14 (c), (d) and (e) of the act. In all other cases such petition must be made within five years from the date of registration of the mark under the act of 1946 or from the date of publication under section 12(c) of the act.

23. Section 2.112 is revised to read as follows:

§ 2.112 Petition for cancellation.

The petition to cancel, which must be verified, or include a declaration in accordance with § 2.20, must set forth a short and plain statement showing how the petitioner is or will be damaged by the registration, state the grounds for cancellation, and indicate the respondent party to whom notification shall be sent. A duplicate copy of the petition, includ-

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ing exhibits, shall be filed with the petition. Applications to cancel different registrations owned by the same party may be joined in one petition when appropriate, but the required fee must be included for each class sought to be cancelled in each registration against which each application to cancel is filed. If persons are joined in a petition to cancel, a fee for each class sought to be cancelled for each person so joined is required.

24. In §2.113, paragraph (b) and the title are revised. As amended, § 2.113 reads as follows:

§ 2.113 Notification of filing of petition.

* * * * *

(b) When the petition is correct as to form, a notification shall be prepared, identifying the title and number of the proceeding and the registration involved, and designating a time, not less than thirty days from the mailing date of such notification, within which answer must be filed. A copy of this notification shall be forwarded to the petitioner in care of his attorney or other representative, if he has an attorney or other representative of record. The duplicate copy of the petition and exhibits shall be forwarded with a copy of such notification to the respondent party.

25. In § 2.119, paragraphs (a) and (b) are revised. As amended, § 2.119 reads as follows:

§ 2.119 Service of papers.

(a) Every paper filed in the Patent and Trademark Office in inter partes cases, including notice of appeal, must be served upon the other parties except the notice of interference (§ 2.93), the notification of opposition (§ 2.105), the petition for cancellation (§ 2.113), and the notice of a concurrent use proceeding (§ 2.99), which are mailed by the Patent and Trademark Office. Proof of such service must be made before the paper will be considered by the Office. A statement signed by the attorney or other authorized representative, attached to or appearing on the original paper when filed, clearly stating the date and manner in which service was made will be accepted as prima facie proof of service.

(b) Service of papers must be on the attorney or other authorized representative of the party if there be such or on the party if there is no attorney or other authorized representative, and may be made in either of the following ways: (1) By delivering a copy of the paper to the person served; (2) by leaving a copy at the usual place of business of the person served, with someone in his employment; (3) when the person served has no usual place of business, by leaving a copy at his residence, with a member of his family over 14 years of age and of discretion; (4) transmission by first-class mail, which may also be certified or registered. Whenever it shall be satisfactorily shown to the Commissioner that none of the above modes of obtaining service or serving the paper is practicable, service may be by notice published in the Official Gazette.

* * * * *

26. In § 2.120, paragraph (c) is revised. As amended, § 2.120 reads as follows:

§ 2.120 Discovery procedure.

* * * * *

(c) Failure to make discovery: Sanctions.

(1) If any party fails or refuses to answer any proper question in taking discovery depositions or fails or refuses to answer any proper question propounded by interrogatories or fails or refuses to comply with a request to produce and permit the inspection and copying of designated things, the party seeking discovery may file a motion with the Trademark Trial and Appeal Board for an order compelling discovery. Such a motion must be supported by a written statement by the attorney for the moving party that the moving party or its attorney has conferred with the opposing party or its attorney in an effort in good faith to resolve by agreement the issues raised by the motion and has been unable to reach agreement. If issues raised by the motion are subsequently resolved between the parties, the attorney for the moving party should advise the Trademark Trial and Appeal Board in writing of the matters in the motion which no longer require decision by the Board.

(2) If a party or an officer, director, or managing agent of a party, or a person designated under Rule 30(b)(6) or 31(a) of the Federal Rules of Civil Procedure to testify on behalf of a party, fails to obey an order to provide or permit discovery, the Trademark Trial and Appeal Board may strike out all or any part of any pleading of that party, dismiss the action or proceeding, or deny any part thereof, enter judgment as by default against that party or take any such other action as may be deemed appropriate.

27. In § 2.123, paragraph (e)(2) is revised, and paragraph (g)(3) is added. As amended, § 2.123 reads as follows:

§ 2.123 Trial testimony in inter partes cases.

* * * * *

(e) * * *

(2) The deposition shall be taken in answer to questions, with the questions and answers recorded in their regular order by the officer, or by some other person (who shall be subject to the provisions of Rule 28 of the Federal Rules of Civil Procedure) in the presence of the officer except when his presence is waived on the record by agreement of the parties. The testimony shall be taken stenographically and transcribed, unless the parties present agree otherwise. In the absence of all opposing parties and their attorneys or other authorized representatives, depositions may be taken in longhand, typewriting, or stenographically.

* * * * *

(g) * * *

(3) Each deposition must contain an index of the names of the witnesses, giving the pages where their examination and cross-examination begin, and an index of the exhibits, briefly describing their nature and giving the pages at which they are introduced and offered in evidence.

* * * * *

28. In § 2.127, paragraph (b) is revised. As amended, § 2.127 reads as follows:

§ 2.127 Motions.

* * * * *

(b) Any request for rehearing or reconsideration, or modification of a decision, on a motion which is not finally dispositive of the case, must be filed within thirty days from the date thereof. Any brief in opposition shall be filed within fifteen days after service of the request.

* * * * *

29. In § 2.129, paragraphs (b) and (c), and the title, are revised. As amended, § 2.129 reads as follows:

§ 2.129 Oral argument, and reconsideration.

* * * * *

(b) Hearings may be advanced or adjourned, as far as is convenient and proper, to meet the wishes of the parties and their attorneys or other authorized representatives.

(c) Any request for rehearing or reconsideration, or modification of a decision, including a decision on a motion which is finally dispositive of a case, must be filed within thirty days from the date thereof. Any brief in opposition shall be filed within fifteen days after service of the request. The times specified herein may be extended by the Trademark Trial and Appeal Board upon a showing of sufficient cause.

30. Section 2.141 is revised to read as follows:

§ 2.141 Ex parte appeals from the Examiner of Trademarks.

Every applicant for the registration of a mark may, upon final refusal by the Examiner of Trademarks, appeal to the Trademark Trial and Appeal Board upon payment of the prescribed fee for each class in the application for which an appeal is taken. An appeal which includes insufficient fees to cover all classes in the application should specify the particular class or classes in which an appeal is taken. A second refusal on the same grounds may be considered as final by the applicant for purpose of appeal.

31. Section 2.144 is revised to read as follows:

§ 2.144 Reconsideration of decision on ex parte appeal.

Any request for rehearing or reconsideration, or modification of the decision, must be filed within thirty days from the date of the decision. Such time may be extended by the Trademark Trial and Appeal Board upon a showing of sufficient cause.

32. In § 2.145, paragraphs (a), (b), and (d) are revised. As amended, § 2.145 reads as follows:

§ 2.145 Appeal to court and civil action.

(a) Appeal to U.S. Court of Customs and Patent Appeals. An applicant for registration, or any party to an interference, opposition, or cancellation proceeding who is dissatisfied with the decision of the Trademark Trial and Appeal Board and any registrant who has filed an affidavit or declaration under Section 8 of the act or who has filed an application for renewal and is dissatisfied with the decision of the Commissioner (§§ 2.165, 2.184), may appeal to the U.S. Court of Customs and Patent Appeals. The appellant must take the following steps in such an appeal: (1) In the Patent and Trademark Office give written notice of appeal to the Commissioner (see paragraphs (b) and (d) of this section); (2) in the court, file a petition of appeal and a certified transcript of the record within a specified time after filing the appeal, and pay the fee for appeal, as provided by the rules of the court. The transcript will be transmitted to the Court by the Patent and Trademark Office on order of and at the expense of the appellant. Such order should be filed with the notice of appeal, but in no case should it be filed later than fifteen days thereafter.

(b) Notice of appeal.

(1) When an appeal is taken to the U.S. Court of Customs and Patent Appeals, the appellant shall give notice thereof in writing to the Commissioner, which notice shall be filed in the Patent and Trademark Office, within the time specified in paragraph (d) of this section. The notice shall specify the party or parties taking the appeal and shall designate the decision or part thereof appealed from.

(2) In inter partes proceedings, the notice must be served as provided in § 2.119.

* * * * *

(d) Time for appeal or civil action.

(1) The time for filing the notice of appeal to the U.S. Court of Customs and Patent Appeals (paragraph (b) of this section), or for commencing a civil action (paragraph (c) of this section), is sixty days from the date of the decision of the Trademark Trial and Appeal Board or the Commissioner, as the case may be. If a request for rehearing or reconsideration, or modification of the decision, is filed within the time specified in section 2.129(c) or 2.144, or within any extension of time granted thereunder, the time for filing an appeal or commencing a civil action shall expire at the end of the sixty day period or thirty days after action on the request, whichever is later. The sixty and thirty day periods may be extended by the Commissioner upon a showing of sufficient cause.

(2) The times specified herein are calendar days. If the last day of time specified for appeal, or commencing a civil action falls on a Saturday, Sunday or legal holiday, the time is extended to the next day which is neither a Saturday, Sunday nor a holiday.

(3) If a party to an inter partes proceeding has taken an appeal to the U.S. Court of Customs and Patent Appeals and an adverse party has filed notice under section 21(a)(1) of the act that he elects to have all further proceedings conducted under section 21(b) of the act, the time for filing a civil action thereafter is specified in section 21(a)(1) of the act.

33. Section 2.161 is revised to read as follows:

§ 2.161 Cancellation for failure to file affidavit or declaration during sixth year.

Any registration under the provisions of the act of 1946 and any registration published under the provisions of section 12(c) of the act (§ 2.153) shall be cancelled as to any class in the registration at the end of six years following the date of registration or the date of such publication, unless within one year next preceding the expiration of such six years the registrant shall file in the Patent and Trademark Office an affidavit or declaration in accordance with § 2.20 showing that said mark is still in use as to such class or showing that its non-use as to such class is due to special circumstances which excuse such nonuse and is not due to any intention to abandon the mark.

34. Section 2.162 is revised to read as follows:

§ 2.162 Requirements for affidavit or declaration during sixth year.

The affidavit or declaration required by § 2.161 must:

(a) Be executed by the registrant after expiration of the five-year period following the date of registration or of publication under section 12(c) of the act;

(b) Be filed in the Patent and Trademark Office before the expiration of the sixth year following the date of registration or of publication under section 12(c) of the act;

(c) Identify the certificate of registration by the registration number and date of registration;

(d) Include the required fee for each class to which the affidavit or declaration pertains in the registration. If insufficient fees are included to cover all classes in the registration, the particular class or classes to which the affidavit or declaration pertains should be specified;

(e) State that the registered mark is in use (except under pargaraph (f) of this section). The statement must be supported by evidence which shows that the mark is still in use, and normally such evidence consists of a specimen or a facsimile specimen which is currently in use, or a statement of facts concerning use. The supporting evidence should be submitted with the affidavit or declaration, but if it is not or if the evidence submitted is found to be deficient, the evidence, or further evidence, may be submitted and considered even though filed after the sixth year has expired;

(f) If the registered mark is not still in use, recite facts to show that nonuse is due to special circumstances which excuse such nonuse and is not due to any intention to abandon the mark. If the facts recited are found not to be sufficient, further evidence or explanation may be submitted and considered even though filed after the sixth year has expired; and

(g) Contain the statement of use or statement as to nonuse and appropriate evidence in support thereof, as required in paragraphs (e) and (f) of this section, for each class to which the affidavit or declaration pertains in the registration.

35. Section 2.172 is revised to read as follows:

§ 2.172 Surrender for cancellation.

Upon application by the registrant, the Commissioner may permit any registration to be surrendered for cancellation. Application for such action must be signed by the registrant and must be accompanied by the original certificate of registration, if not lost or destroyed. When there is more than one class in a registration, one or more entire class but less than the total number of classes may be surrendered as to the specified class or classes. Deletion of less than all of the goods or services in a single class constitutes amendment of registration as to that class (see § 2.173).

36. In § 2.183, paragraphs (a), (b), and (c) are revised. As amended, § 2.183 reads as follows:

§ 2.183 Requirements for application for renewal.

(a) The application for renewal must include a statement which is verified or which includes a declaration in accordance with § 2.20 by the registrant setting forth the goods or services recited in each class for which renewal is sought in the registration on or in connection with which the mark is still in use in commerce, specifying the nature of such commerce (except under paragraph (c) of this section). This statement must be executed not more than six months before the expiration of the registration and must:

(1) Be accompanied by a specimen or facsimile specimen for each class for which renewal is sought in the registration showing current use of the mark.

(2) Include the required fee for each class for which renewal is sought in the registration, and an additional fee for each class in the case of a delayed application for renewal. If the application for renewal includes insufficient fees to cover all classes in the registration, the particular class or classes for which renewal is sought should be specified.

(b) The declaration or verified statement, specimen or facsimile specimen and the fee for each class for which renewal is sought in the registration must be filed within the period prescribed for applying for renewal. If defective or insufficient, they cannot be completed after the period for applying for renewal has passed; if completed after the

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initial six month period has expired but before the expiration of the three month delay period, the application can be considered only as a delayed application for renewal.

(c) If the mark is not in use in commerce at the time of filing of the declaration or verified statement as to any class for which renewal is sought, facts must be recited to show that nonuse is due to special circumstances which excuse such nonuse and is not due to any intention to abandon the mark. There must be a recitation of facts as to nonuse for each class for which renewal is sought or it must be clear that the facts recited apply to each class sought to be renewed. If the facts recited require amplification or explanation in order to show excusable nonuse, further evidence may be submitted and considered even though filed after the period for applying for renewal has passed.

* * * * *

37. In § 2.185, paragraphs (a) (2) and (a) (4) are revised. As amended, § 2.185 reads as follows:

§ 2.185 Requirements for assignments.

(a) Assignments under section 10 of the act of registered marks, or marks for which an application for registration has been filed, will be recorded in the Patent and Trademark Office. Other instruments which may relate to such marks may be recorded in the discretion of the Commissioner. No assignment will be recorded, except as may be ordered by the Commissioner, unless it has been executed and unless:

* * * * *

(2) It is in the English language or, if not in the English language, accompanied by a translation signed by the translator;

* * * * *

(4) A designation of a domestic representative is made in case the assignee is not domiciled in the United States. The designation must be separate from the assignment and there must be a separate designation for each registration or application assigned in one instrument.

38. Section 2.187 is revised to read as follows:

§ 2.187 Certificate of registration may issue to assignee.

The certificate of registration may be issued to the assignee of the applicant, or in a new name of applicant, and certificate of registration will be so issued provided an appropriate document is of record in the Assignment Division of the Patent and Trademark Office no later than the time the notice of publication is mailed, or if such document is not of record, then if a statement that such document has been filed for recordation is in the application file by the time the application is being prepared for issuance of the certificate of registration. The address of the assignee must be made of record in the application file or in the recorded document.

39. Section 4.2 is revised to read as follows:

§ 4.2 Power of attorney accompanying application.

Applicant hereby appoints _____(8) _____ to prosecute this application (address)
to register, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the certificate of registration.

NOTE: (8) An individual must be appointed. If the name of a law firm is given, it will be regarded merely as a designation of address for correspondence.

§ 4.3 [Removed]

40. Section 4.3 is removed.

Effective date: These amendments become effective on February 1, 1976.

Dated: December 11, 1975.

C. MARSHALL DANN,
Commissioner of Patents and Trademarks.

Approved: December 24, 1975.

DAVID B. CHANG,
Deputy Assistant Secretary for Science and Technology.

[FR Doc.75-35246 Filed 12-31-75;9:53 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER E—PESTICIDE PROGRAMS

[FRL 475-5; PP4F1464/R79]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

N-(Mercaptomethyl) Phthalimide S-(O,O-Dimethyl Phosphorodithioate)

On November 12, 1975, the Environmental Protection Agency published in the FEDERAL REGISTER (40 FR 52744) a notice of proposed rulemaking to amend 40 CFR 180.261 to establish a tolerance for combined residues of the insecticide N-(mercaptomethyl) phthalimide S-(*O, O*-dimethyl phosphorodithioate) and its oxygen analog N-(mercaptomethyl) phthalimide S-(*O, O*-dimethyl phosphorothioate) in or on the raw agricultural commodity group citrus fruits at 5 parts per million. Notice of the proposed rulemaking was published in response to a petition (PP 4F1464) submitted to the Agency by Stauffer Chemical Co., 1200 S. 47th St., Richmond CA 94804.

No comments or requests for referral to an advisory committee were received by the Agency. Therefore, based on the data submitted in the petition and other relevant material, it is concluded that the tolerance established by amending 40 CFR 180.261 will protect the public health, and that the proposed regulation should be adopted without change.

Any person adversely affected by this regulation may, on or before February 4, 1976, file written objections with the Hearing Clerk, Environmental Protection Agency, Room 1019, East Tower, 401 M St. SW, Washington, DC 20460. Such objections should be submitted in quintuplicate and should specify both the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Dated: December 24, 1975.

JOHN B. RITCH, Jr.,
Acting Deputy Assistant Administrator for Pesticide Programs.

Part 180, Subpart C, § 180.261 is amended by revising the paragraph "5 parts per million * * *" to include the raw agricultural commodity group citrus fruits to read as follows:

§ 180.261 N-(Mercaptomethyl) phthalimide S-(*O,O*-dimethyl phosphorothioate) and its oxygen analog; tolerances for residues.

* * * * *

5 parts per million in or on apricots, citrus fruits, nectarines, and plums (fresh prunes).

* * * * *

[FR Doc.76-182 Filed 1-2-76;8:45 am]

[FRL 475-6; OPP-260015]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Carbofuran

The Environmental Protection Agency (EPA) is amending 40 CFR 180.254 to clarify the language in certain paragraphs with regard to established tolerances for residues of the pesticide chemical carbofuran (2,3-dihydro-2,2-dimethylbenzofuranyl-*N*-methylcarbamate), its carbamate metabolite 2,3-dihydro-2,2-dimethyl-3-hydroxy - 7 - benzofuranyl-*N*-methylcarbamate, and its phenolic metabolites 2,3-dihydro-2,2-dimethyl-7-benzofuranol, 2,3-dihydro-2,2-dimethyl-3-oxo-7-benzofuranol, and 2,3-dihydro-2,2-dimethyl-3,7-benzofurandiol. The amendments to § 180.254 are editorial in nature and do not affect the substance of the regulation. Therefore, the Agency finds that no useful purpose would be served by publishing these changes as proposed rulemaking and soliciting public comment. Consequently, pursuant to the Administrative Procedures Act [5 U.S.C. Section 553(b)(B)], notice and public procedure in this case are considered unnecessary, and the Agency finds that good cause therefore exists to forego these procedures. Additionally, for the same reasons and pursuant to the Administrative Procedures Act [5 U.S.C. Section 553(d)], the Agency is amending 40 CFR 180.254 effective January 5, 1976, as set forth below.

(Sec. 408(e) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 346a])

Dated: December 24, 1975.

JOHN B. RITCH, Jr.,
Acting Deputy Assistant Administrator for Pesticide Programs.

Part 180, Subpart C, Section 180.254 is amended beginning with paragraph "2 parts per million . . ." to the end of the section as follows:

§ 180.254 Carbofuran; tolerances for residues.

* * * * *

2 parts per million in or on potatoes (of which no more than 1 part per million is carbamates) and in or on sugar beet tops (of which no more than 1 part per million is carbamates).

1 part per million in or on peppers and in or on rice straw (of which no more than 0.2 part per million is carbamates).

0.5 part per million in or on strawberries (of which no more than 0.2 part per million is carbamates).

0.2 part per million in or on corn grain, including popcorn (of which no more than 0.1 part per million is carbamates), in or on peanuts (of which no more than 0.1 part per million is carbamates), and in or on rice.

0.1 part per million in milk (of which no more than 0.02 part per million is carbamates).

0.1 part per million in or on bananas, coffee beans, sorghum grain, sugar beets, and sugarcane.

0.05 part per million in the fat, meat, and meat by-products of cattle, goats, hogs, horses, and sheep (of which no more than 0.02 part per million is carbamates).

* * * * *

[FR Doc.76-183 Filed 1-2-76;8:45 am]

[PP6F1652 and PP6F1607/R72; FRL 474-7]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

3,5-Dimethyl-4-(Methylthio)phenyl Methylcarbamate

Correction

In FR Doc. 75-35070, appearing at page 59729 in the issue for Tuesday, December 30, 1975, the following corrections should be made:

1. In the last paragraph on page 59729, the comment date, now reading "on or before January 28, 1976", should read, "on or before January 29, 1976".

2. In the first full paragraph on page 59730, the effective date, now reading "December 29, 1975" should read "December 30, 1975".

Title 41—Public Contracts and Property Management

CHAPTER 14—DEPARTMENT OF THE INTERIOR

PART 14-2—PROCUREMENT BY FORMAL ADVERTISING

PART 14-18—PROCUREMENT OF CONSTRUCTION

Subcontracting

Pursuant to the authority of the Secretary of the Interior contained in 5 U.S.C. 301, Parts 14-2 and 14-18 of Chapter 14 of Title 41 of the Code of Federal Regulations are hereby amended as stated herein.

It is the general policy of the Department of the Interior to allow time for interested persons to participate in the rulemaking process. However, the amendments herein are minor revisions to delete references to provisions which have been revoked. Because the amendments are entirely administrative in nature, the public rulemaking process is waived in this instance and the amendments herein are effective immediately.

Dated: December 29, 1975.

RICHARD R. HITE,
Deputy Assistant Secretary of the Interior.

§ 14-2.201 [Amended]

1. Subpart 14-2.2 is amended by deleting the text only of § 14-2.201. The caption of the section is retained.

2. The table of contents of Part 14-18 is amended by deleting and reserving Subpart 14-18.1 and § 14-18.104.

Subpart 14-18.1—[Reserved]

§ 14-18.104 [Reserved]

3. Part 14-18 is amended by deleting and reserving Subpart 14-18.1 and § 14-18.104.

[FR Doc.76-102 Filed 1-2-76;8:45 am]

Title 46—Shipping

CHAPTER I—U.S. COAST GUARD, DEPARTMENT OF TRANSPORTATION

[Docket No. CGD 75-050]

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

Miscellaneous Labeling Amendments and Nomenclature Change

The purpose of these amendments is to amend the Coast Guard Dangerous Cargo labeling requirements in 46 CFR Part 146 to provide consistency with the new Department of Transportation labeling system adopted February 27, 1973 (See 38 FR 5292) and which became effective January 1, 1975.

These amendments were proposed in the June 18, 1975 issue of the FEDERAL REGISTER (40 FR 25686). Interested persons were given 43 days in which to submit written comments and were also given an opportunity to make oral comments at a public hearing on July 16, 1975 in Washington, D.C.

These amendments are based on that notice and the comments thereto and in general delete the obsolete labeling requirements contained in 46 CFR Part 146 and substitute therefor the current nomenclature and requirements. Six comments were received on the notice. All six commenters were in favor of the proposed amendments with five of the commenters suggesting specific changes to the proposal. These are discussed below.

One commenter suggested that the provisions of 46 CFR Part 146 be reviewed to update the labeling requirements on certain specific articles of ships' stores. This comment has merit and will be accomplished by separate rule making. It is envisioned that this future rule making will revise Part 146 to make it more responsive to the industrial atmosphere it regulates.

One commenter recommended that the proposed wording of § 146.05-15(d)(5) be further amended by adding the words "unless otherwise exempted" after the word "labeled" for the purpose of clarity and consistency with the provisions of Title 49 CFR Part 173. Since this section applies only to special fireworks and samples of explosives and these materials are not allowed any exemptions from the labeling requirements contained in 49 CFR Part 173, nor was the intent of the proposal to allow such exemptions, the suggested change is considered unwarranted and hence not adopted.

One commenter suggested that the wording explaining the required changes to § 146.04-5 did not accurately reflect the fact that for explosives, Classes A, B, and C, the existing "Label required" column is blank. This thought has been incorporated in the amendment and the wording explaining the changes to § 146.04-5 regarding explosives, Classes A, B, and C, has been changed accordingly.

One commenter suggested that the proposed changes to § 146.05-12(f)(6) did not go far enough in that the requirement to show the kind of label on the shipping papers should also be deleted. Insofar as the current provisions of 49 CFR Part 173 and the International Maritime Dangerous Goods Code do not require the showing of the kind of label on the shipping papers and this requirement would be redundant of the required proper classification that must be shown, this comment is adopted.

One commenter suggested that the proposed changes to § 146.05-17 would prohibit compliance with current international requirements in regard to labeling and would in fact be inconsistent with the provisions of 46 CFR 146.02-10 and 146.02-11. As this was not the intent of the proposal the amendment has been reworded to alleviate this apparent conflict.

The final commenter suggested that paragraphs (e) through (w) of § 146.05-17 should not be revoked since this would require personnel utilizing 46 CFR Part 146 to have available 49 CFR Parts 170 to 179. The commenter further requested that the display of the current labels in 46 CFR Part 146 should be continued. The currently displayed labels in 46 CFR Part 146 are obsolete and they must be deleted to avoid confusion. The reprinting in their place of facsimilies of the current labels is not deemed necessary. It is felt that all personnel involved with the maritime shipment of hazardous materials should be familiar with the provisions of 49 CFR Parts 170 to 179 and should have this book available to them.

In consideration of the foregoing, 46 CFR Part 146 is amended as follows:

V 41 2 JAN 5 76 XUM

§ 146.04–4 [Amended]

1. § 146.04–4 is amended by:

a. Substituting the abbreviation "Flam." for the abbreviation "Inf." wherever it appears therein;

b. Substituting the word "Flammable" for the word "Inflammable" wherever it appears therein;

c. Substituting the abbreviation "Nonflam." for the abbreviation "Noninf." wherever it appears therein;

d. Substituting the word "Nonflammable" for the word "Noninflammable" wherever it appears therein.

§ 146.04–5 [Amended]

2. § 146.04–5 is amended wherever the entry in the "Classed as" column reads:

a. "Inf. L", by striking that entry and the corresponding entry in the "Label required" column, and inserting the abbreviation "Flam. L" in place thereof;

b. "Inf. S", by striking that entry and the corresponding entry in the "Label required" column, and inserting the abbreviation "Flam. S" in place thereof;

c. "Oxy. M", by striking the corresponding entry in the "Label required" column, and inserting the abbreviation "Oxy." in place thereof;

d. "Inf. G", by striking that entry and the corresponding entry in the "Label required" column, and inserting the abbreviation "Flam. G" in place thereof;

e. "Noninf. G", by striking that entry and the corresponding entry in the "Label required" column, and inserting the abbreviation "Nonflam. G" in place thereof;

f. "Pois. C", by striking the corresponding entry in the "Label required" column, and inserting the word "Irritant" in place thereof;

g. "Expl. A", by inserting the abbreviation "Expl. A" in the "Label required" column;

h. "Expl. B", by inserting the abbreviation "Expl. B" in the "Label required" column;

i. "Expl. C", by inserting the abbreviation "Expl. C" in the "Label required" column.

3. § 146.05–12 is amended by revising paragraph (f) (6) to read as follows:

§ 146.05–12 Originating shipping order, transfer shipping paper.

• • • • •

(f) • • •

(6) In connection with the entry of each dangerous article, where the detailed regulations exempt the packages from labeling, the exemption must be indicated by the words "No Label Required" immediately following the description on the shipping paper.

• • • • •

4. § 146.05–15 is amended by revising paragraphs (d) (1), (d) (5), and the introductory text of paragraph (g) to read as follows:

§ 146.05–15 Marking and labeling.

• • • • •

(d) • • •

(1) Each package containing explosives must be marked:

(i) With its proper shipping name as shown in the commodity list in this Part;

(ii) With label required by § 146.04–5; and

(iii) With such other marking as prescribed by the Department of Transportation regulations for the explosive in the package.

• • • • •

(5) Each outside package containing special fireworks or samples of explosives (if offered for transportation on board vessels) must bear the appropriate explosives label, in addition to the following prescribed markings:

(i) Samples of explosives.

(ii) Special fireworks.

• • • • •

(g) Each package containing "Any Other Dangerous Article," as defined by the regulations in this Part, must be conspicuously labeled by the shipper in accordance with the Department of Transportation regulations in 49 CFR Parts 170 through 179.

• • • • •

§ 146.05–16 [Revoked]

5. § 146.05–16 is revoked.

6. § 146.05–17 is amended by revising paragraph (b) and revoking paragraph (e) through (w) as follows:

§ 146.05–17 Labels.

• • • • •

(b) Labels shall not be applied to packages containing only articles which are not subject to the regulations in this Part, except as otherwise provided in §§ 146.02–10 and 146.02–11.

• • • • •

(e)–(w) [Revoked]

7. § 146.20–13 is amended by revising paragraph (c) to read as follows:

§ 146.20–13 Samples of explosives and explosive articles for laboratory and examination purposes.

• • • • •

(c) Shipments of samples of explosives, fireworks, and explosive devices must be packed, marked, labeled, and described as required by the Department of Transportation regulations, 49 CFR Parts 170 through 179, for the particular explosive.

• • • • •

§ 146.20–100 [Amended]

8. § 146.20–100 is amended by striking the entry in the "Label required" column for the article:

a. "Ammunition for cannon with explosive projectiles" and inserting in place thereof the words "Expl. A, except 'Ammunition for cannon with gas projectiles,' loaded with a poisonous gas or liquid, Class A, and an explosive charge, must also bear the 'Poison Gas' label."

b. "Explosive projectiles" and inserting in place thereof the words "Expl. A, except bombs, grenades, projectiles, or other containers loaded with a poisonous gas or liquid, Class A, and an explosive charge, either boxed or unboxed, must also bear the 'Poison gas' label."

c. "Ammunition for small arms with incendiary projectiles," and inserting in place thereof the abbreviation "Expl. A."

d. "Rocket ammunition with explosive projectiles" and inserting in place thereof the words "Expl. A, except Rocket Ammunition with gas projectiles loaded with a poisonous gas or liquid Class A, and an explosive charge, must also bear the 'Poison Gas' label."

9. § 146.20–100 is amended by striking the words "No label required" wherever they appear in the "Label required" column and inserting the abbreviation "Expl. A" in place thereof.

§ 146.20–200 [Amended]

10. § 146.20–200 is amended by striking the words "No label required" wherever they appear in the "Label required" column and inserting the abbreviation "Expl. B" in place thereof.

§ 146.20–300 [Amended]

11. § 146.20–300 is amended by inserting the words "Expl. C" in the "Label required" column for the articles "Blasting caps—1000 or less" and "Cartridges, practice ammunition", and by striking the words "No label required" whenever they appear in the "Label required" column and inserting the abbreviation "Expel. C" in place thereof.

§ 146.21–100 [Amended]

12. § 146.21–100 is amended by striking the word "Red" wherever it appears in the "Label required" column and inserting the abbreviation "Flam. L" in place thereof.

§ 146.22–100 [Amended]

13. § 146.22–100 is amended by striking the word "Yellow" wherever it appears in the "Label required" column and inserting the abbreviation "Flam. S" in place thereof.

§ 146.22–200 [Amended]

14. § 146.22–200 is amended by striking the word "Yellow" wherever it appears in the "Label required" column and inserting the abbreviation "Oxy" in place thereof.

§ 146.24–100 [Amended]

15. § 146.24–100 is amended by striking the words:

a. "Red gas" wherever they appear in the "Label required" column and inserting the abbreviation "Flam. G" in place thereof.

b. "Green gas" wherever they appar in the "Label required" column and inserting the abbreviation "Nonflam. G" in place thereof.

§ 146.25–300 [Amended]

16. § 146.25–300 is amended by striking the words "Tear gas" wherever they appear in the "Label required" column and inserting the word "Irritant" in place thereof.

NOMENCLATURE CHANGE

17. 46 CFR Part 146 is amended by striking the words "Inflammable" and "Noninflammable" wherever they appear, except in the Table of Contents

entry for § 146.03–9, § 146.03–9, and the "SOLAS 1960 classifications" column of § 146.01–4(a), and inserting in place thereof the words "FLAMMABLE" and "NONFLAMMABLE," respectively.

(49 U.S.C. 170; 49 CFR 1.53(f))

Effective date: March 31, 1976. However, immediate compliance with the regulations as amended herein is authorized immediately.

Issued in Washington, D.C. on December 24, 1975.

JAMES T. CURTIS, Jr.,
Director,
Materials Transportation Bureau.

[FR Doc.76–135 Filed 1–2–76;8:45 am]

CHAPTER IV—FEDERAL MARITIME COMMISSION

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[Docket No. 72–19; General Order 13]

PART 536—FILING OF TARIFFS BY COMMON CARRIERS BY WATER IN THE FOREIGN COMMERCE OF THE UNITED STATES AND BY CONFERENCES OF SUCH CARRIERS

Postponement of Effective Date

In order to permit additional time to evaluate petitions for reconsideration of final rules in this proceeding (40 FR 47770; October 10, 1975), it has been determined that further postponement of their effective date is warranted. Accordingly, it is ordered that the "January 2, 1976" effective date incorporated in the first sentence of § 536.16 of 46 CFR Part 536 is amended to read "February 2, 1976."

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–168 Filed 1–2–76;8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 69–19; Notice 11]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Lamps, Reflective Devices, and Associated Equipment

This notice amends 49 CFR 571.108, Motor Vehicle Safety Standard No. 108, *Lamps, Reflective Devices, and Associated Equipment*, primarily to modify requirements applicable to turn signal lamps. The amendments are effective January 5, 1976.

Triangle Home Products has petitioned for immediate adoption of SAE Standard J588e, *Turn Signal Lamps*, September 1970, as the referenced standard for that item of lighting equipment. This change was originally proposed by NHTSA in Notice 3, Docket No. 69–19 (37 FR 22801). SAE J588e differs from J588d in several respects, the principal one being that the minimum effective projected luminous area of all turn signal lamps is 8 square inches. SAE J588d had divided turn signal lamps into two classes, A and B, but this no longer occurs in J588e. Class A turn signal lamps were those with a lens area not less than 12 square inches, while Class B were those whose minimum lens area was not less than 3.5 square inches. The amendment means that the minimum required luminous area of turn signals on passenger cars, and on other vehicles (except motorcycles) less than 80 inches in overall width, is increased to 8 square inches from 3.5 square inches, while that of larger vehicles is reduced to 8 from 12 square inches. The agency expects there to be no effect upon safety from this reduction as the photometric requirements are unchanged.

This proposal was not uniformly supported, several manufacturers objecting that the increase in minimum area from 3.5 square inches to 8 square inches was unnecessary, and suggesting 5 square inches instead. The NHTSA notes, however, that the SAE adopted J588e after many tests that demonstrated that the increase to 8 square inches, by providing more signal area, resulted in better estimation of the position of the signaling vehicle as seen by drivers of oncoming and following vehicles. Because of the increased photometrics for turn signal lamps that became effective January 1, 1970, it is difficult to manufacture lamps smaller than 8 square inches and produce the required light output. Finally, an area smaller than 8 square inches would increase the unit area intensity to a level that is likely to be distressing to many drivers. It is likely, however, in spite of the objections to the proposal that the industry conforms at present. The NHTSA surveyed the turn signal lens area of 18 contemporary domestic and foreign passenger cars, finding no lens area less than 8 square inches, with the average at 14. However, the amendments permit continued compliance with J588d, on an optional basis, until September 1, 1978.

Notice 3 also proposed the adoption of updated SAE Standards, J585d and J586c, for taillamps and stop lamps respectively. There were no objections to these proposals. The principal difference in the updated standards is the inclusion of definitions of and photometering instructions for multiple compartment lamps and multiple lamp arrangements. SAE J586c also establishes a minimum of 8 square inches for the effective projected lamps and multiple lamp arrangements in a combination stop lamp-turn signal lamp, prohibits operation of the stop lamp while the turn signal is flashing. SAE J585d, in a change from J585c, requires measurement of photometrics not less than 10 feet from the photometer screen, the previous distance being a minimum of 4 feet. Because of these changes, the NHTSA is permitting continued compliance with J585c and J586b until September 1, 1978.

Accordingly, Standard No. 108 is being amended to incorporate the three new SAE Standards. Editorial amendments are also made to S4.1.1.6, S4.1.1.7, S4.1.1.12, S4.5.5 and S5.1 to conform them to the new requirements.

§ 571.108 [Amended]

In consideration of the foregoing, 49 CFR 571.108, Motor Vehicle Safety Standard No. 108, is amended as follows:

1. S4.1.1.1, S4.3.1.7, and S4.5.6 are revised by changing the words "SAE Standard J588d, *Turn Signal Lamps*, June 1966" to "SAE Standard J588e, *Turn Signal Lamps*, September 1970".

2. S4.1.1.6 is revised to read:

S4.1.1.6 Each stop lamp on any motor vehicle manufactured between January 1, 1973, and September 1, 1978, may be designed to conform to SAE Standard J586b, *Stop Lamps*, June 1966. It shall meet the photometric minimum candlepower requirements for class A red turn signal lamps specified in SAE Standard J575d, *Tests for Motor Vehicle Lighting Devices and Components*, August 1967. Each such lamp on a passenger car and on a multipurpose passenger vehicle, truck, trailer or bus less than 80 inches in overall width shall have an effective projected luminous area not less than 3½ square inches. If multiple compartment lamps or multiple lamps are used, the effective projected luminous area of each compartment or lamp shall be not less than 3½ square inches; however, the photometric requirements may be met by a combination of compartments or lamps.

3. S4.1.1.7 is revised to read:

S4.1.1.7 Each turn signal lamp on any motor vehicle, except motorcycles, manufactured between January 1, 1973, and September 1, 1978, may be designed to conform to SAE Standard J588d, *Turn Signal Lamps*, June 1966, and shall meet the photometric minimum candlepower requirements for Class A turn signal lamps specified in SAE Standard J575d, *Tests, for Motor Vehicle Lighting Devices and Components*, August 1967. Each such lamp on a passenger car and on a multipurpose passenger vehicle, truck, trailer or bus less than 80 inches in overall width shall have an effective projected luminous area not less than 3½ square inches. If multiple compartment lamps or multiple lamps are used, the effective projected luminous area of each compartment or lamp shall be not less than 3½ square inches; however, the photometric requirements may be met by a combination of compartments or lamps. Each such lamp on a multipurpose passenger vehicle, truck, trailer or bus 80 inches or more in overall width shall have an effective projected luminous area not less than 12 square inches.

4. S4.1.1.12 is revised to read:

S4.1.1.12 A taillamp, stop lamp, or turn signal lamp is not required to meet the minimum photometric values at each test point specified in the referenced SAE Standards, if the sum of the candlepower measured at the test points is not less than that specified for each group listed in Figure 1, or for motorcycle turn signal

V 41 2 JAN 5 76 XUM

lamps, not less than one-half of such sum.

5. New paragraphs S4.1.1.28, S4.1.1.29, S4.1.1.30, S4.1.1.31 and S4.1.1.32 are added to read:

S4.1.1.28 Each taillamp on any motor vehicle manufactured before September 1, 1978, may be designed to conform to SAE Standard J585c, *Tail Lamps*, June 1966.

S4.1.1.29 Each turn signal lamp on a motorcycle manufactured between January 1, 1973, and September 1, 1978, may be designed to conform to SAE Standard J588d, *Turn Signal Lamps*, June 1966.

S4.1.1.30 Except as provided in paragraph S4.1.1.12 of this standard, each turn signal lamp on a motorcycle shall meet one-half of the minimum photometric values at each test point specified for Class A turn signal lamps in SAE Standard J575d, *Tests for Motor Vehicle Lighting Devices and Components*, August 1967, or in SAE Standard J588e, *Turn Signal Lamps*, September 1970, as applicable.

S4.1.1.31 Each turn signal lamp on a motorcycle manufactured on and after January 1, 1973, shall have an effective projected luminous area not less than 3½ square inches.

S4.1.1.32 Note 6 of Table 1 in SAE Standard J588e, *Turn Signal Lamps*, September 1970, does not apply. A stop lamp that is not optically combined with a turn signal lamp shall remain activated when the turn signal is flashing.

6. S4.5.5 is revised to read:

S4.5.5 The vehicular hazard warning signal operating unit on each vehicle shall operate independently of the ignition or equivalent switch, and when activated, shall cause to flash simultaneously sufficient turn signal lamps to meet, as a minimum, the turn signal lamp photometric requirements of this standard.

7. S5.1 is revised to read:

S5.1 SAE Standards and Recommended Practices subreferenced by the SAE Standards and Recommended Practices included in Tables I and III and paragraphs S4.1.4 and S4.5.1 are those published in the 1970 edition of the SAE Handbook, except that the subreferenced SAE Standard referred to as "J575" is J575e, *Tests for Motor Vehicle Lighting Devices and Components*, August 1970, for taillamps, stop lamps, and turn signal lamps designed to conform to SAE Standards J585d, J586c, and J588e respectively.

8. In Table I, the requirements for turn signal lamps in Column 2 and Column 3 are amended by deletion of the words "Class A". Column 4 is revised to read "J588e, September 1970".

9. In Table III, the requirements for turn signal lamps in Column 2 and Column 3 are amended by deletion of the words "Class A", and in Column 4, by deletion of the words "Class B". The requirements are further amended by deletion of the words "J588d, June 1966" in Column 5 and addition of the words "J588e, September 1970".

10. In Table I and Table III the SAE Standard for taillamps in Column 4 and Column 5 respectively is revised to read: "J585d, August 1970".

11. In Table I and Table III the SAE Standard for stop lamps in Column 4 and Column 5 respectively is revised to read: "J586c, August 1970".

Effective date: January 5, 1976. Because the effect of the amendments is to allow compliance with either the new or the existing requirements until September 1, 1978, an immediate effective date imposes no additional burden on any person and is found for good cause shown to be in the public interest.

(Sec. 103, 119, Pub. L. 89–563, 80 Stat. 718, 15 U.S.C. 1392, 1407; delegation of authority at 49 CFR 1.50).

Issued on December 23, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.76–28 Filed 1–2–76;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Prime Hook National Wildlife Refuge, Del.

Correction

In FR Doc. 75–32063 appearing at page 55353 in the issue for Friday, November 28, 1975, the correct name of the wildlife refuge affected should appear in the document heading as set forth above.

Title 9—Animals and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 78—BRUCELLOSIS

Quarantined Areas; Extension of Effective Date

The purpose of this amendment is to postpone the effective date of amendments to Part 78, Title 9, Code of Federal Regulations, as published in the FEDERAL REGISTER December 24, 1975 (40 FR 59421–59422) from January 5, 1976 until January 9, 1976.

Statement of considerations. On December 24, 1975, there was published in the FEDERAL REGISTER (40 FR 59421–59422) amendments to Part 78, Title 9, Code of Federal Regulations, to take effect January 5, 1976, the purposes of which were: (1) to add a new section for quarantined areas, and (2) to add a new section and amend certain definitions in order to provide for the movement of cattle from quarantined areas.

Because of the failure on the part of the State of Texas to comply with the Uniform Methods and Rules for the eradication of brucellosis and because of the incidence of brucellosis infection that exists in that State, and because measures in effect in that State to eradicate brucellosis were not deemed adequate to prevent the interstate spread of that disease, it was determined that the interstate movement of cattle from Texas without further restriction constituted a threat to the livestock of the United States. Therefore, the entire State of Texas was quarantined effective January 5, 1976, to prevent the interstate spread of brucellosis from that State.

On December 30, 1975, the District Court of Castro County, Texas, 64th Judicial District in *Louis Hinders, et al* v. *Texas Animal Health Commission, et al* (Number 4170), issued a Temporary Restraining Order, enjoining and commanding the Texas Animal Health Commission and its commissioners to enforce certain of the Commission's rules and regulations as well as enumerated provisions of the Texas-Bovine Brucellosis Regulations (including proposed changes) dated July, 1975. By its own terms, this Temporary Restraining Order will expire January 8, 1976. On that date, the Court will hear plaintiff's motion for Preliminary Injunction against the defendants, pending a final decree in the case.

The rules and regulations which the Court's order requires the defendants to enforce contain provisions which are the equivalent of the Uniform Methods and Rules for the eradication of brucellosis. The defendants' adherence to the Temporary Restraining Order will place Texas in compliance with the Department's brucellosis eradication program until said order's expiration on January 8, 1976.

Therefore, in view of this court action, the effective date of amendments to Part 78, 9 CFR, as published in the FEDERAL REGISTER December 24, 1975 (40 FR 59421–59422), is postponed from January 5, 1976 until January 9, 1976.

(Secs. 4–7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791–792, as amended; secs. 1–4, 33 Stat. 1265, as amended; sec. 2, 65 Stat. 693; and secs. 3 and 11, 76 Stat. 130, 132 (21 U.S.C. 111–114a–1, 115, 117, 120, 121, 123–126, 134b, 134f); 37 FR 28464, 28477; 38 FR 19141).

Effective date. This amendment shall become effective January 2, 1976.

It does not appear that public participation in this rule making proceeding would make additional relevant information available to the Department. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this amendment are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 2nd day of January 1976.

J. M. HEJL,
Deputy Administrator,
Veterinary Services.

[FR Doc.76–313 Filed 1–2–76;1:00 pm]

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proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 41, 48, 142]

HIGHWAY VEHICLES

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by February 19, 1976. Pursuant to 26 CFR 601.601(b), designations of material as confidential or not to be disclosed, contained in such comments, will not be accepted. Thus, persons submitting written comments should not include therein material that they consider to be confidential or inappropriate for disclosure to the public. It will be presumed by the Internal Service that every written comments submitted to it in response to this notice of propose rule making is intended by the person submitting it to the subject in its entirety to public inspection and copying in accordance with the procedures of 26 CFR 601.702(d)(9). Any person submitting written comments who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit a request, in writing, to the Commissioner by February 19, 1976. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER, unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

This document contains proposed amendments to the Highway Motor Vehicle Use Tax Regulations (26 CFR Part 41) and the Manufacturers and Retailers Excise Tax Regulations (26 CFR Part 48) that are designed to clarify the definition of "highway vehicle" and to apply such definition uniformly for purposes of such sections of the Internal Revenue Code of 1954 as section 4041, relating to the imposition of diesel and special fuels taxes; section 4061(a), relating to the manufacturers excise tax in case of highway vehicles; section 4071(a)(1), relating to the tax imposed on tires of the types used on highway vehicles; section 4481, relating to the highway use tax imposed with respect to highway motor vehicles; and sections 6416(b)(2)(I) and (J), 6421(a), 6424, and 6427(a), relating to credits and refunds with respect to the special fuels, gasoline, and lubricating oil used otherwise than in highway vehicles. At the option of the taxpayer, in certain circumstances the amendment of the definition of "highway vehicle" shall not apply with respect to all periods prior to the date on which this documents is adopted as a Treasury decision. This option is extended to taxpayers in recognition of the fact that the amendment of the definition of highway vehicle represents a substantial elaboration of the present definition of highway vehicle, which elaboration is prompted by various industrial and technological developments of new forms of vehicles.

The revised definition is designed to alleviate problems that have arisen in connection with the classification of vehicles having highway and off-highway functions (dual-function vehicles) for purposes of the above-mentioned excise tax provisions. The proposed amendments also provide a procedure to enable a chassis or body manufacturer to sell tax free to another manufacturer in order that the classification of these articles may be made on the basis of a completed vehicle for purposes of the manufacturers excise tax imposed by section 4061(a) of the Code.

This document also amends the Manufacturers and Retailers Excise Tax Regulations to conform them to the changes made in section 4061 (a) by section 401 (a)(1) and (h)(1) of the Revenue Act of 1971 (Pub. L. 92-178, 85 Stat. 530, 534), relating to repeal of manufacturers excise tax on passenger automobiles, light-duty trucks, etc. It also amends such regulations to conform them to the amendment of section 6421(a) by section 205(b)(1)(A) of the Airport and Airway Revenue Act of 1970 (Pub. L. 91-258, 84 Stat. 241). Certain statutory provisions in such regulations are also being revised where relevant for purposes of the amendments being made by this document.

In addition to making the above-mentioned changes, this document also deletes § 142.1-1(d) of the Temporary Excise Regulations under the Revenue Act of 1971 (26 CFR 142.1-1(d)), relating to light-duty trucks, buses, and related articles, which was prescribed by T.D. 7186, as published in the FEDERAL REGISTER for May 17, 1972 (37 FR 9765). When promulgated, § 48.4061(a)-1(f) of the Manufacturers and Retailers Excise Regulations, hereby proposed, will supersede § 142.1-1(d) of such temporary regulations.

In view of the foregoing considerations, the Highway Motor Vehicle Use Tax Regulations, the Manufacturers and Retailers Excise Tax Regulations, and the Temporary Excise Tax Regulations under the Revenue Act of 1971 are hereby proposed to be amended as follows:

PART 41—EXCISE TAX ON USE OF CERTAIN HIGHWAY MOTOR VEHICLES

PARAGRAPH 1. Section 41.4482(a)-1 is revised to read as follows:

§ 41.4482(a)-1 Definition of highway motor vehicle.

(a) *Highway motor vehicle.* The term "highway motor vehicle" means any vehicle that is both—

(1) A vehicle propelled by means of its own motor, whether such motor is powered by gasoline, diesel fuel, special motor fuels, electricity, or otherwise, and

(2) A "highway vehicle" as defined in paragraph (c) of this section.

(b) *Treatment of certain excluded vehicles.* Although trailers and semitrailers used in combination with highway trucks or truck-tractors are not vehicles the use of which is subject to the tax imposed by section 4481 (a), trailers and semitrailers customarily used in combination with highway trucks or truck-tractors are taken into account in determining the taxable gross weight of the highway motor vehicle under § 41.4482(b)-1, which is the base of the tax.

(c) *Highway vehicle.* For the definition of the term "highway vehicle" as used in this subchapter, see § 48.4061(a)-1(d).

PART 48—MANUFACTURERS AND RETAILERS EXCISE TAX

PAR. 2. Section 48.4041 is amended by revising paragraphs (b) through (e) of section 4041, by adding new paragraphs (f), (g), and (h) to section 4041, and by revising the historical note, as follows:

§ 48.4041 Statutory provisions; imposition of tax.

Sec. 4041. *Imposition of tax.* • • •

(b) *Special motor fuels.* There is hereby imposed a tax of 4 cents a gallon upon bensol, benzene, naphtha, liquified petroleum gas, casinghead and natural gasoline, or any other liquid (other than kerosene, gas oil, or fuel oil, or any product taxable under section 4081 or subsection (a) of this section)—

(1) Sold by any person to an owner, lessee, or other operator of a motor vehicle or motorboat for use as a fuel in such motor vehicle or motorboat; or

(2) Used by any person as a fuel in a motor vehicle or motorboat unless there was a taxable sale of such liquid under paragraph (1).

In the case of a liquid taxable under this subsection sold for use or used otherwise than as a fuel in a highway vehicle (A) which (at the time of such sale or use) is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (B) which in the case of a highway vehicle owned by the United States, is used on the highway, the tax imposed by paragraph (1) or by paragraph (2) shall be 2 cents a gallon. If a liquid on which tax was imposed by paragraph (1) at the rate of 2 cents a gallon by reason of the preceding sentence is used as a fuel in a highway vehicle (A) which (at the time of such use) is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (B) which, in the case of a highway vehicle owned by the United States, is used on the highway, a tax of 2 cents a gallon shall be imposed under paragraph (2).

(c) *Nonocommercial aviation*—(1) *In general.* There is hereby imposed a tax of 7 cents a gallon upon any liquid (other than any product taxable under section 4081)—

(A) Sold by any person to an owner, lessee, or other operator of an aircraft, for use as a fuel in such aircraft in noncommercial aviation; or

(B) Used by any person as a fuel in an aircraft in nonocommercial aviation, unless there was a taxable sale of such liquid under this section.

(2) *Gasoline.* There is hereby imposed a tax (at the rate specified in paragraph (3)) upon any product taxable under section 4081—

(A) Sold by any person to an owner, lessee, or other operator of an aircraft, for use as a fuel in such aircraft in noncommercial aviation; or

(B) Used by any person as a fuel in an aircraft in noncommercial aviation, unless there was a taxable sale of such product under subparagraph (A).

The tax imposed by this paragraph shall be in addition to any tax imposed under section 4081.

(3) *Rate of tax.* The rate of tax imposed by paragraph (2) is as follows: 3 cents a gallon for the period ending September 30, 1977; and 5½ cents a gallon for the period after September 30, 1977.

(4) *Definition of noncommercial aviation.* For purposes of this chapter, the term "noncommercial aviation" means any use of an aircraft, other than use in a business of transporting persons or property for compensation or hire by air. The term also includes any use of an aircraft, in a business described in the preceding sentence, which is properly allocable to any transportation exempt from the taxes imposed by sections 4261 and 4271 by reason of section 4281 or 4282.

(5) *Termination.* On and after July 1, 1980, the taxes imposed by paragraphs (1) and (2) shall not apply.

(d) *Additional tax.* If a liquid on which tax was imposed on the sale thereof is taxable at a higher rate under subsection (c)(1) of this section on the use thereof, there is hereby imposed a tax equal to the difference between the tax so imposed and the tax payable at such higher rate.

(e) *Rate reduction.* On and after October 1, 1977—

(1) The taxes imposed by subsections (a) and (b) shall be 1½ cents a gallon, and

(2) The second and third sentences of subsections (a) and (b) shall not apply.

(f) *Exemption for farm use*—(1) *Exemption.* Under regulations prescribed by the Secretary or his delegate, no tax shall be imposed under this section on any liquid sold for use or used on a farm for farming purposes.

(2) *Use on a farm for farming purposes.* For purposes of paragraph (1) of this subsection, use on a farm for farming purposes shall be determined in accordance with paragraphs (1), (2), and (3) of section 6420(c).

(g) *Exemption for use as supplies for vessels.* Under regulations prescribed by the Secretary or his delegate, no tax shall be imposed under this section on any liquid sold for use or used as supplies for vessels or aircraft (within the meaning of section 4221(d)(3)).

(h) *Registration.* If any liquid is sold by any person for use as a fuel in an aircraft, it shall be presumed for purposes of this section that a tax imposed by this section applies to the sale of such liquid unless the purchaser is registered in such manner (and furnishes such information in respect of the use of the liquid) as the Secretary or his delegate shall by regulations provide.

[Sec. 4041 as amended and in effect Jan. 1, 1959, and as amended by sec. 201(b), Federal-Aid Highway Act 1959 (73 Stat. 613); sec. 201 (a), (c), and (d), Federal-Aid Highway Act 1961 (75 Stat. 123, 124); Sec. 802(a)(2), Excise Tax Reduction Act 1965 (79 Stat. 159); sec. 202 (a) and (b), Airport and Airway Rev. Act 1970 (84 Stat. 237, 238); sec. 301(a) (1) and (2), Act of Dec. 31, 1970 (Pub. L. 91-605, 84 Stat. 1743)]

PAR. 3. Section 48.4041-6 is revised to read as follows:

§ 48.4041-6 Dual use of taxable liquid.

Tax applies to all taxable liquid sold for use or used as a fuel in the motor which is used to propel a diesel-powered highway vehicle or in the motor used to propel a motor vehicle, motorboat, or airplane, even though the motor is also used for a purpose other than the propulsion of the vehicle. Thus, where the motor of a diesel-powered highway vehicle or of a motor vehicle, motorboat, or airplane operates special equipment by means of a power take-off or power transfer, tax applies to all taxable liquid sold for such use or so used, whether or not the special equipment is mounted on the vehicle. For example, tax applies to diesel fuel sold to operate the mixing unit on a concrete mixer truck if the mixing unit is operated by means of a power take-off from the motor of the vehicle. Similarly, tax applies to all taxable liquid sold for use or used in a motor propelling a fuel oil truck even though the same motor is used to operate the pump (whether or not mounted on the truck) for discharging the fuel into customers' storage tanks. However, tax does not apply to liquid sold for use or used in a separate motor to operate special equipment (whether or not the equipment is mounted on the vehicle). If the taxable liquid used in a separate motor is drawn from the same tank as the one which supplies fuel for the propulsion of the vehicle, a reasonable determination of the quantity of taxable liquid used in such separate motor will be acceptable for purposes of application of the tax. Such determination must be based, however, on the operating experience of the person using the taxable liquid and the taxpayer must maintain records which will support the allocation used. Devices to measure the number of miles the vehicle has traveled, such as hubometers, may be used in making a preliminary determination of the number of gallons of fuel used to propel the vehicle. In order to make a final determination of the number of gallons of fuel used to propel the vehicle, there must be added to this preliminary determination the amount of fuel consumed while idling or warming up the motor preparatory to propelling the vehicle.

PAR. 4. Section 48.4041-7 is amended by revising paragraphs (b) and (c) to read as follows:

§ 48.4041-7 Definitions.

• • • • •

(b) *Diesel-powered highway vehicle*—(1) *In general.* The term "diesel-powered highway vehicle" means any highway vehicle (within the meaning of paragraph (b)(2) of this section) which is also a motor vehicle (as defined in paragraph (c) of this section) and which uses diesel fuel (as defined by paragraph (e) of this section) for propulsion purposes.

(2) *Highway vehicle.* The term "highway vehicle" has the same meaning assigned to such term under § 48.4061(a)-1(d).

(c) *Motor vehicles.* The term "motor vehicle" includes all types of vehicles propelled by motor which are designed for carrying loads from one place to another, regardless of the type of load or material carried and whether or not the vehicle is registered or required to be registered for highway use, such as fork lift trucks used to carry loads at railroad stations, industrial plants, warehouses, etc. The term does not include farm tractors, trench diggers, power shovels, bulldozers, road graders or rollers, and similar equipment which does not carry a load; nor does it include any vehicle which moves exclusively on rails.

• • • • •

PAR. 5. Section 48.4061(a) is revised to read as follows:

§ 48.4061(a) Statutory provisions; imposition of tax.

Sec. 4061. *Imposition of tax*—(a) *Trucks, buses, tractors, etc.*—(1) *Tax imposed.* There is hereby imposed upon the following articles (including in each case parts and accessories therefor sold on or in connection therewith or with the sale thereof) sold by the manufacturer, producer, or importer a tax of 10 percent of the price for which so sold, except that on and after October 1, 1977, the rate shall be 5 percent—

Automobile truck chassis.
Automobile truck bodies.
Automobile bus chassis.
Automobile bus bodies.
Truck and bus trailer and semitrailer chassis.
Truck and bus trailer and semitrailer bodies.

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Tractors of the kind chiefly used for highway transportation in combination with a trailer or semitrailer.

A sale of an automobile truck, bus, truck or bus trailer or semitrailer shall, for the purposes of this subsection, be considered to be a sale of a chassis and of a body enumerated in this subsection.

(2) *Exclusion for light-duty trucks, etc.* The tax imposed by paragraph (1) shall not apply to a sale by the manufacturer, producer, or importer of the following articles suitable for use with a vehicle having a gross vehicle weight of 10,000 pounds or less (as determined under regulations prescribed by the Secretary or his delegate)—

Automobile truck chassis.
Automobile truck bodies.
Automobile bus chassis.
Automobile bus bodies.
Truck trailer and semitrailer chassis and bodies, suitable for use with a trailer or semitrailer having a gross vehicle weight of 10,000 pounds or less (as so determined).

[Sec. 4061(a) as amended and in effect January 1, 1959, and as amended by sec. 3(a)(1), Tax Rate Extension Act 1959 (73 Stat. 157); sec. 202(a)(1), Public Debt and Tax Rate Extension Act 1960 (74 Stat. 290); sec. 204, Federal-Aid Highway Act 1961 (75 Stat. 126); sec. 3(a)(1), Tax Rate Extension Act 1961 (75 Stat. 193); sec. 3(a)(1), Tax Rate Extension Act 1962 (76 Stat. 114); sec. 3(a)(1), Tax Rate Extension Act 1963 (77 Stat. 72); sec. 2(a)(1), Excise-Tax Rate Extension Act 1964 (78 Stat. 237); sec. 201(a), Excise Tax Reduction Act 1965 (79 Stat. 136); sec. 201(a), Tax Adjustment Act 1966 (80 Stat. 65); Joint Resolution of April 12, 1966 (Pub. L. 90-285, 82 Stat. 92); sec. 105(a)(1), Revenue and Expenditure Control Act 1968 (82 Stat. 265); sec. 702(a)(1), Tax Reform Act 1969 (83 Stat. 660); sec. 201(a)(1), Excise, Estate, and Gift Tax Adjustment Act 1970 (84 Stat. 1843); sec. 303(a)(3), Act of Dec. 31, 1970 (Pub. L. 91-608, 84 Stat. 1743); sec. 401(a)(1), Rev. Act 1971 (85 Stat. 530)]

PAR. 6. Section 48.4061(a)-1 is revised to read as follows:

§ 48.4061(a)-1 Imposition of tax; exclusion for light-duty trucks, etc.

(a) *Imposition of tax*—(1) *In general.* Section 4061(a)(1) imposes a tax on the sale by the manufacturer, producer, or importer of the following articles (including in each case parts and accessories therefor sold on or in connection therewith or with the sale thereof):

(i) Automobile truck and bus chassis and bodies;

(ii) Truck and bus trailer and semitrailer chassis and bodies; and

(iii) Tractors of the kind chiefly used for highway transportation in combination with a trailer or semitrailer.

For purposes of this section, a sale of an automobile truck or bus, or a truck or bus trailer or semitrailer, shall be considered to be a sale of a chassis and of a body enumerated in this paragraph (a)(1).

(2) *Special rule applicable to chassis and bodies.* A chassis or body enumerated in paragraph (a)(1) of this section is taxable under section 4061(a)(1) only if such chassis or body is, within the meaning of paragraph (e) of this section, sold for use as a component part of a highway vehicle (as defined in paragraph (d) of this section), which is an automobile truck or bus, a truck or bus trailer or semitrailer, or a tractor of the kind chiefly used for highway transportation in combination with a trailer or semitrailer. Furthermore, a chassis or body which is not enumerated in paragraph (a)(1) of this section is not taxable under section 4061(a)(1) even though such chassis or body is used as a component part of a highway vehicle (e.g., a chassis or body of a passenger automobile).

(3) *Equipment installed on chassis or bodies.* (i) For purposes of the tax imposed by section 4061(a)(1), equipment or machinery installed on a taxable chassis or body is considered to be an integral part of the taxable chassis or body if the machinery or equipment contributes toward the highway transportation function of the chassis or body, regardless of whether separate sales of the machinery or equipment would be subject to the tax on automotive parts or accessories imposed by section 4061(b). Therefore, the amount of the sale price of a taxable chassis or body that is attributable to such machinery or equipment must be included in the tax base when computing the tax due on a manufacturer's or importer's sale or use of a taxable chassis or body. Examples of the type of machinery or equipment that contribute to the highway transportation function of a chassis or body are the following: loading and unloading equipment; towing winches; and all other machinery or equipment contributing to either the maintenance or safety of the vehicle, the preservation of cargo, or the comfort or convenience of the driver or passengers.

(ii) Amounts charged for machinery or equipment that is installed on a taxable chassis or body are not part of the taxable sale price of the chassis or body if (A) such machinery or equipment does not contribute toward the highway transportation function of the chassis or body and (B) the reasonableness of the charge for the machinery or equipment is supportable by adequate records. Examples of such machinery or equipment are the following: equipment designed to spread materials on the highway; machinery or equipment used in the operation of mobile amusement rides; television equipment mounted in a mobile television studio; machine shop equipment mounted in a mobile machine shop; and car crushing equipment mounted on the chassis of a mobile car crusher.

(4) *Passenger automobile chassis and bodies, motorcycles, etc.* No tax is imposed under section 4061(a) on the sale of a motorcycle or, in the case of a sale made after December 10, 1971, on the sale of automobile chassis and bodies not enumerated in paragraph (a)(1) of this section, or of trailer and semitrailer chassis and bodies suitable for use in combination with passenger automobiles. For tax on certain sales made after December 31, 1958, and before December 11, 1971, see paragraph (b)(4) of this section.

(5) *Cross references.* For additional rules relating to the sale of a chassis or body enumerated in this paragraph for use as a component part of a highway vehicle, see paragraph (e) of this section. For exclusion of certain light-duty highway vehicles, see paragraph (f) of this section. For provisions relating to the tax-free sale of bodies to certain manufacturers, see section 4063(b) and the regulations thereunder. For other exemptions from the tax imposed under section 4061(a), see sections 4063 and 4221 and the regulations thereunder. For special rules relating to the sale by a manufacturer of a vehicle consisting of a tax-paid chassis and a body manufactured by him, see § 48.4061(a)-5.

(b) *Rate and computation of tax*—(1) *In general.* With respect to the articles enumerated in paragraph (a)(1) of this section, the rate of tax imposed by section 4061(a)(1) is:

	Percent
(i) For articles sold during the period beginning on January 1, 1959, and ending on September 30, 1977	10
(ii) For articles sold on or after October 1, 1977	5

(2) *Determination of price subject to tax.* The tax is computed by applying to the price for which the article is sold the rate in effect at the time of the sale. For definition of the term "price" and for application of the tax to leases of articles, see sections 4216 and 4217, respectively, and the regulations thereunder. If an article subject to tax under section 4061(a) has equipment mounted thereon to perform functions other than in connection with the transportation of persons or property, no tax under section 4061(a) attaches to that part of the selling price of the completed unit which is reasonably attributable to such equipment provided such part of the selling price is billed separately on the invoice to the customer or can otherwise be established by adequate records. For other rules relating to the sale of parts or accessories in connection with the sale of a chassis, body, or completed unit, see § 48.4061(a)-4. For special rules relating to the determination of selling price when equipment or machinery is permanently installed on a taxable chassis or body, see paragraph (a)(3) of this section.

(3) *Tax on trailers sold before December 11, 1971.* With respect to sales made after December 31, 1958, and before December 11, 1971, the rate of tax imposed under section 4061(a) on a trailer or semitrailer chassis or body that is a highway vehicle within the meaning of paragraph (d) of this section depends upon a classification of the article. The sale during this period of a trailer or semitrailer chassis or body (other than a house trailer) suitable for use in combination with passenger automobiles is subject to tax as set forth in paragraph (b)(4) of this section. A trailer suitable for use in combination with a passenger automobile which is designed for purposes other than living or sleeping, commonly referred to as a "utility trailer",

is an example of a trailer taxable at the 7 percent rate set forth in paragraph (b)(4) of this section. The sale of a trailer or semitrailer chassis or body that is not suitable for use in combination with passenger automobiles is subject to tax as set forth in paragraph (b)(1) of this section.

(4) *Passenger automobile chassis and bodies and related articles sold before December 11, 1971.* With respect to the sale after December 31, 1958, and before December 11, 1971, of (i) automobile chassis and bodies not enumerated in paragraph (a)(1) of this section or (ii) trailer and semitrailer chassis and bodies suitable for use in combination with passenger automobiles, the tax imposed by section 4061(a) is computed in accordance with paragraph (b)(2) of this section at the rate of 7 percent.

(c) *Liability for tax.* The tax imposed by section 4061(a) is payable by the manufacturer, producer, or importer making the sale.

(d) *Highway vehicle*—(1) *Definition.* For purposes of this subchapter, the term "highway vehicle" means any self-propelled vehicle, or any trailer or semitrailer, designed to perform a function of transporting a load over public highways, whether or not also designed to perform other functions, but does not include a vehicle described in paragraph (d)(2) of this section. For purposes of this definition, a vehicle consists of a chassis, or a chassis and a body if the vehicle has a body, but does not include the vehicle's load. Therefore, in determining whether a vehicle is a "highway vehicle", it is immaterial that the vehicle is designed to perform a highway transportation function for only a particular kind of load, such as passengers, furnishings and personal effects (as in a house, office, or utility trailer), a special type of cargo, goods, supplies, or materials, or, except to the extent otherwise provided in paragraph (d)(2)(i) of this section, machinery or equipment specially designed to perform some off-highway task unrelated to highway transportation. In the case of specially designed machinery or equipment, it is also immaterial, except as provided in paragraph (d)(2)(i) of this section, that such machinery or equipment is permanently mounted on the vehicle. For purposes of paragraph (d) of this section, the term "transport" includes the term "tow", and the term "public highway" includes any road (whether a Federal highway, State highway, city street, or otherwise) in the United States which is not a private roadway. A vehicle which is not a highway vehicle within the meaning of this paragraph shall be treated as a nonhighway vehicle for purposes of this subchapter. Examples of vehicles that are designed to perform a function of transporting a load over the public highways are passenger automobiles, motorcycles, buses, and highway-type trucks, truck tractors, trailers, and semi-trailers. Examples of vehicles that, although they may regularly use the public highways, are not designed to perform a function of transporting a load over the public highways are farm tractors, trench diggers, power shovels, bulldozers, road graders or rollers, and any vehicle designed to move exclusively on rails.

(2) *Exceptions*—(i) *Certain specially designed mobile machinery for nontransportation functions.* A self-propelled vehicle, or trailer or semi-trailer, is not a highway vehicle if it (A) consists of a chassis to which there has been permanently mounted machinery or equipment to perform a construction, manufacturing, farming, mining, timbering, or similar operation, if the operation of the machinery or equipment is unrelated to transportation on or off the public highways, (B) the chassis has been specially designed by its manufacturer to serve only as a mobile carriage and mount for the particular machinery or equipment involved when such machinery or equipment is in operation, and (C) by reason of such special design, such chassis could not, without substantial structural modification, be used as a component of a vehicle designed to perform a function of transporting any load other than that particular machinery or equipment.

(ii) *Certain vehicles specially designed for offhighway transportation.* A self-propelled vehicle, or a trailer or semi-trailer, is not a highway vehicle if it is (A) specially designed for the primary function of transporting a particular type of load other than over the public highway in connection with a construction, manufacturing, farming, mining, timbering, or similar operation, and (B) if by reason of such special design, the use of such vehicle to transport such load over the public highways is substantially limited and impaired. Solely for purposes of determinations under this paragraph (d)(2)(ii), loading, unloading, storing, vending, spreading, handling, processing, preserving, or otherwise caring for a load transported over the public highways are functions related to the transportation of a load over the public highways even though such functions may be performed off the public highways.

(iii) *Certain trailers and semi-trailers specially designed to perform non-transportation functions off the public highways.* A trailer or semi-trailer is not a highway vehicle if it is specially designed to serve no purpose other than providing an enclosed stationary shelter for the carrying on of a function which is directly connected with and necessary to, and at the off-highway site of, a construction, manufacturing, mining, farming, timbering, or similar operation, such as a trailer specially designed to serve as an office for such an operation.

(3) *Optional application.* For purposes of this subchapter, if any rules existing immediately prior to [the date on which this document is published as a Treasury decision] would, if applicable, unequivocally resolve an issue involving the definition of a highway vehicle with respect to a period prior to such date, at the option of the taxpayer, such rules existing prior to such date shall be applied to resolve the issue for all periods prior to such date, and the rules of paragraph (d)(1) and (2) of this section, which define the term "highway vehicle", shall not apply with respect to such issue for all periods prior to such date.

(4) *Highway vehicles not subject to section 4061 tax.* Although for purposes of this paragraph (d) passenger automobiles, automobile trailers and semi-trailers, motor homes, motorcycles, light-duty trucks, etc., will be considered to be highway vehicles because they are designed to perform a function of transporting a load over public highways, the tax imposed under section 4061(a) does not apply to the sale of such vehicles because they either are not articles subject to tax under such section or are excluded from tax under section 4061(a)(2). See also paragraphs (a)(4) and (f) of this section. Despite the fact that passenger automobiles, automobile trailers and semi-trailers, motor homes, motorcycles, light-duty trucks, etc., are not subject to the manufacturers excise tax on highway vehicles imposed by section 4061(a), the fact that they are nevertheless considered highway vehicles for purposes of this subchapter can be of material significance in determining the applicability of such excise taxes as the tax imposed by section 4041 (relating to diesel and special motor fuels), the tax imposed by section 4071(a)(1) (relating to tires of the type used on highway vehicles), or the tax imposed by section 4481 (relating to highway use tax on highway motor vehicles). In addition, the definition of the term "highway vehicle" is material in determining the credits or refunds provided by section 6416(b)(2)(I) (relating to diesel fuel used in certain highway vehicles), section 6421(a) relating to gasoline used for a nonhighway purpose), section 6424 (relating to lubricating oil used otherwise than in a highway motor vehicle), and section 6427(a) (relating to diesel or special motor fuel not used for a taxable purpose).

(e) *Sale of a chassis or body for use as a component of a vehicle other than a highway vehicle*—(1) *In general.* Except as otherwise provided in paragraphs (a)(4), (e)(2), or (f) of this section, the sale of a chassis or body shall be deemed to be a sale of a chassis or body enumerated in paragraph (a)(1) of this section for use as a component part of a highway vehicle (as defined in paragraph (d) of this section) if such chassis or body is suitable for use as a component part of a highway vehicle that is either an automobile truck or bus, a truck or bus trailer or semitrailer, or a tractor of the kind chiefly used for highway transportation in combination with a trailer or semitrailer.

(2) *Exceptions based on unitary concept*—(i) *Completed vehicles not qualifying as highway vehicles.* With respect to the sale of a vehicle after [the date on which this document is published as

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a Treasury decision] which would otherwise be treated under paragraph (e)(1) of this section as a sale of a chassis or body enumerated in paragraph (a)(1) of this section, the tax imposed under section 4061(a) shall not apply to such sale if the vehicle (considered as a completed unit) is not considered to be a highway vehicle within the meaning of paragraph (d) of this section.

(ii) *Tax-free sales of chassis and bodies.* With respect to the sale after [the date on which this document is published as a Treasury decision] of a chassis or body (not including the sale of a completed vehicle described in paragraph (e)(2)(i) of this section) which would otherwise be treated under paragraph (e)(1) of this section as a sale of a chassis or body enumerated in paragraph (a)(1) of this section, the tax imposed under section 4061(a) shall not apply to such sale if (A) the chassis or body is actually sold for use, or for resale for use, as a component part of a vehicle that is not a highway vehicle within the meaning of paragraph (d) of this section, (B) the manufacturer or reseller complies with the requirements set forth in paragraph (e)(2)(iii) of this section, and (C) the purchaser furnishes the statement set forth in paragraph (e)(2)(iv) of this section to the seller before the manufacturer files a return covering excise taxes for the period in which the sale was made. For purposes of this paragraph (e)(2)(ii), a manufacturer or reseller shall not be considered to have used reasonable diligence in accepting the purchaser's statement if the type of vehicle described in the statement is a highway vehicle described in paragraph (d) of this section the sale of which would be subject to tax under section 4061(a), or if he has received a written notification from the Internal Revenue Service that the purchaser does not qualify to purchase chassis or bodies tax-free pursuant to this paragraph (e)(2)(ii). Generally, notification of ineligibility of a purchaser to purchase free of tax will be issued if the purchaser is neither a bona fide manufacturer nor a purchaser reselling directly to manufacturers or exporters, or if for some other reason the purchaser is not eligible to purchase chassis or bodies tax free.

(iii) *Requirements to be met.* In order for an otherwise taxable chassis or body to be sold free of tax under paragraph (e)(2)(ii) of this section, the manufacturer or reseller must—

(A) Act in good faith in accepting the statement required to be furnished by the purchaser under paragraph (e)(2)(iv) of this section and use reasonable diligence to satisfy himself that the use of the statement is warranted;

(B) Indicate on the invoice with respect to the sale of the chassis or body that the sale of such article is made free of tax under paragraph (e)(2)(ii) of this section; and

(C) Retain in his possession the statement required to be furnished by the purchaser and such other evidence as may be furnished by the purchaser to support the tax-free sale. Such evidence shall be retained for at least 3 years from the due date of the tax that would be due if the transaction in question had been a taxable sale.

(iv) *Form of statement.* In order for an otherwise taxable chassis or body to be sold free of tax under paragraph (e)(2)(ii) of this section, the purchaser must execute and furnish to the manufacturer or reseller a statement that substantially complies with the following form:

_____, 19..

Under the penalty of perjury, the undersigned certifies that he, or the _____

_____;

(Name of purchaser if other than the undersigned)

of which he is _____, is in the business

(Title)

of _____;

(State nature of business)

and that the chassis and/or bodies covered by the accompanying order or contract for purchase, or to be purchased during the period from _____, 19.., (Not to exceed 4 calendar quarters) to _____, 19.., from _____

(Name and address of seller)

are purchased for (check one) ☐ use, or for ☐ resale for use, as components of the following type or types of nonhighway vehicles:

1. _____
2. _____
3. _____

The undersigned understands that he must be prepared to establish by satisfactory evidence the actual use or disposition of such chassis or bodies and that, upon their use or disposition other than use as components of a highway vehicle, he is treated as the manufacturer of any such chassis or body purchased by him free of the tax imposed by section 4061(a).

The undersigned also understands that he and all guilty parties will, for use of this statement to willfully attempt to evade or defeat the tax imposed under section 4061, be subject, under section 7201, to a fine of not more than $10,000, or imprisonment for not more than 5 years, or both, together with the costs of prosecution.

_____

(Signature)

_____

(Address)

(v) *Refund or credit of overpayment.* If a purchaser furnishes the manufacturer with the statement described in paragraph (e)(2)(iv) of this section after the time the manufacurer has filed a return covering excise taxes for the period in which the sale was made, the manufacturer must include the tax on the sale in his return for the period. However, in such case, if the conditions prescribed in paragraph (e)(2)(iii) of this section are met, a claim for refund of the tax paid on such sale may be filed by the manufacturer on Form 843, or a credit taken on a subsequent return, in accordance with the provisions of sections 6402(a) and 6416(a) and § 48.6416(a)–1.

(vi) *Cross reference.* For special rules relating to the sale by a manufacturer of a vehicle consisting of a tax-paid chassis and a body manufactured by him, see § 58.4061(a)–5.

(f) *Exclusion of light-duty trucks, buses, and related articles from tax—*(1) *In general.* (i) No tax is imposed by section 4061(a)(1) on the sale after December 10, 1971, of the following articles, if suitable for use with a vehicle having a gross vehicle weight of 10,000 pounds or less (as determined under paragraph (f)(3) of this section):

(A) Automobile truck and bus chassis and bodies, and

(B) Truck trailer and semitrailer chassis and bodies, suitable for use with a trailer or semitrailer having a gross vehicle weight of 10,000 pounds or less (as so determined).

(ii) For purposes of this part, a chassis or body is suitable for use with a vehicle having a gross vehicle weight of 10,000 pounds or less (hereafter referred to in this paragraph (f) as a "light-duty vehicle") if such chassis or body is commonly used with such a vehicle or possesses actual, practical, and commercial fitness for such use. A truck or bus chassis, sold after December 10, 1971, which is suitable for use with a light-duty vehicle, is not subject to the tax imposed by section 4061(a)(1) regardless of the body actually mounted thereon. Similarly, a truck trailer or semitrailer chassis sold after such date, suitable for use with a trailer or semitrailer having a gross vehicle weight of 10,000 pounds or less, which trailer or semitrailer is suitable for use in connection with a light-duty towing vehicle, is not subject to such tax regardless of the body actually mounted thereon. A truck or bus body, sold after such date, which is suitable for use with a light-duty vehicle, is not subject to such tax even though it may also be suitable for use with (and is actually a component of) a vehicle having a gross vehicle weight in excess of 10,000 pounds. Similarly, a truck trailer or semitrailer body sold after such date, suitable for use with a trailer or semitrailer having a gross vehicle weight of 10,000 pounds or less, which trailer or semitrailer is suitable for use with a light-duty towing vehicle, is not subject to such tax even though it may also be suitable for use with (and is actually a component of) a trailer or semitrailer having a gross vehicle weight of more than 10,000 pounds, or is used in connection with a vehicle having a gross vehicle weight of more than 10,000 pounds.

(iii) Where an exempt body is mounted on a taxable chassis, the chassis is nevertheless subject to such tax, if the resulting vehicle is a highway vehicle as defined in paragraph (d) of this section.

(2) *Parts and accessories.* (i) The sale of a part or accessory which, if sold on December 10, 1971, would be subject to the tax imposed by section 4061(a)(1) as in effect at such time, is not subject to the tax imposed by section 4061(a)(1) as in effect after such date if—

(A) It is sold by the manufacturer on or in connection therewith, or with the sale of, a vehicle enumerated in paragraph (f)(1)(i) of this section which is not subject to such tax, and

(B) It is not a replacement part (as defined in paragraph (f)(2)(ii) of this section).

(ii) For purposes of this paragraph (f)(2), a part or accessory is considered sold with a vehicle if, as of the time the article is sold by the manufacturer, the part or accessory has been ordered from such manufacturer for use with the vehicle. Thus, for example, original equipment sold after December 10, 1971, with a light-duty vehicle, consisting of parts and accessories which are ordered from the manufacturer of the vehicle not later than the time at which such vehicle is sold by him (whether or not installed as of such time) are not subject to such tax. For purposes of this paragraph (f)(2), a part is a replacement part, regardless of when ordered, if its use with a vehicle is as a replacement for a part of such vehicle. Therefore, spare parts or accessories sold separately or ordered with a light-duty truck are subject to the tax imposed on sales of parts or accessories by section 4061(b)(1), unless they are excluded from tax as articles used interchangeably between truck and passenger vehicles under the provisions of section 4061(b)(2).

(3) *Gross vehicle weight.* (i) For purposes of paragraph (f)(1) of this section, gross vehicle weight means the maximum total weight of a loaded vehicle. Except as otherwise provided in this paragraph (f)(3), such maximum total weight shall be the gross vehicle weight rating of the article (as manufactured) as specified or established by the manufacturer of the completed article, unless such rating is unreasonable in light of the facts and circumstances in a particular case.

(ii) A manufacturer must specify or establish a weight rating for each chassis, body, or vehicle sold by him after September 22, 1971, if such article requires no additional manufacture other than (A) the addition of readily attachable articles, such as tire or rim assemblies or minor accessories, (B) the performance of minor finishing operations, such as painting, or (C) in the case of a chassis, the addition of a body. If an article is specially manufactured to the purchaser's specifications, such specifications may be used to establish the gross vehicle weight of the article.

(iii) A manufacturer shall maintain a record of the gross vehicle weight rating of each truck, bus, trailer, and semitrailer sold by him and excluded from the tax imposed by section 4061(a)(1) by reason of section 4061(a)(2) and this paragraph (f). For this purpose, a record of the serial number of each such article shall be treated as a record of the gross vehicle weight rating of the article if such rating is indicated by the serial number.

(iv) If (A) the manufacturer's rating indicated in a label or identifying device affixed to an article, (B) the rating set forth in his sales invoice or warranty agreement, and (C) his advertised rating for that article (or two or more identical articles) are inconsistent, the highest of such ratings will be considered to be the manufacturer's gross vehicle weight rating specified or established for purposes of the tax imposed by section 4061(a)(1).

(v) With respect to articles sold after January 31, 1972, the manufacturer's gross vehicle weight rating must take into account the strength of the chassis frame, the axle capacity and placement, and the spring, brake, rim, and tire capacities. The component with the lowest weight rating ordinarily shall be considered determinative of the gross vehicle weight. If the capacity of any of the readily attachable components (springs, brakes, rims, or tires) would otherwise be determinative of a gross vehicle weight rating of 10,000 pounds or less, no readily attachable component will be taken into account in determining such rating unless the rating determined solely on the basis of the chassis frame or the total of the axle ratings is 12,000 pounds or less.

(vi) For purposes of paragraph (f)(3)(v) of this section, the term "total of the axle ratings" means the sum of the maximum load carrying capability of the axles (without regard to springs, brakes, rims, and tires) and, in the case of a trailer or semitrailer, the weight, if any, that is to be borne by a vehicle used in combination with the trailer or semitrailer for which gross vehicle weight is determined.

PAR. 7. Section 48.4061(a)–5 is revised to read as follows:

§ 48.4061(a)–5 Sale of automobile truck bodies and chassis.

(a) *Sale of completed vehicle.* An automobile truck (as defined by § 48.4061(a)–3(a)) for purposes of the tax imposed by section 4061(a) consists of two parts, namely, a body and a chassis. Generally, the tax applies to the sale by the manufacturer of each. Thus, if the purchaser of a tax-paid chassis attaches to it a taxable body manufactured by him and sells the completed vehicle, he is liable for tax based on the sale price of the body only. However, in such a case, the tax attaches to the selling price of the entire vehicle unless adequate records are available to show the portion of the total selling price attributable to the body.

(b) *Cross references.* For special rules relating to the sale of a chassis or body to a purchaser who will use it in the manufacture or assembly of a nonhighway vehicle, see § 48.4061(a)–1(e). With respect to bodies sold to a chassis manufacturer, see also section 4063(b) and the regulations thereunder.

PAR. 8. Section 48.4063–1 is revised to read as follows:

§ 48.4063–1 Tax-free sales of bodies to chassis manufacturers.

Under the provisions of section 4063(b), the tax imposed by section 4061(a) shall not apply to bodies sold by the manufacturer thereof to a manufacturer (but not an importer) of automobile trucks (as defined by § 48.4061(a)–3(a)) to be sold by the purchaser. Thus, a manufacturer of automobile truck bodies is permitted to sell such bodies tax free to manufacturers of automobile truck chassis. This section does not apply with respect to the sale of an automobile truck chassis to manufacturers of automobile truck bodies. However, see § 48.4061(a)–1(e) with respect to the sale of an automobile truck chassis for use in the manufacture or assembly of a nonhighway vehicle (within the meaning of § 48.4061(a)–1(d)). In order to effect a tax-free sale of a body as provided in this section both the seller and purchaser must comply with the registration and other requirements of section 4222 and the regulations thereunder. A chassis manufacturer who purchases a body tax free as provided in this section shall, for purposes of application of the tax imposed by section 4061(a), be considered the manufacturer of such body.

PAR. 9. Section 48.4072–1 is amended by revising paragraph (c) to read as follows:

§ 48.4072–1 Definitions.

* * * * *

(c) *Tires of the type used on highway vehicles.* The term "tires of the type used on highway vehicles", for purposes of §§ 48.4071 through 48.4073–3, means tires of the type used on (1) motor vehicles that are highway vehicles within the meaning of § 48.4061(a)–1(d), such as tires used on motor trucks, buses, passenger automobiles, motor homes, highway tractors, trolley buses or coaches, or motorcycles, and (2) vehicles of the type used in connection with motor vehicles that are highway vehicles within the meaning of § 48.4061(a)–1(d), such as tires used on truck or bus trailers, truck semitrailers, mobile homes, housetrailers, or utility trailers. The term "tires of the type used on highway vehicles" does not include bicycle tires. Bicycle tires, however, are included in the term "other tires" as used in section 4071(a)(2).

* * * * *

PAR. 10. Section 48.4081 is amended by revising paragraph (b) and the historical note to read as follows:

§ 48.4081 Statutory provisions; imposition of tax.

Sec. 4081. *Imposition of tax.* * * *

(b) *Rate reduction.* On and after October 1, 1977, the tax imposed by this section shall be 1½ cents per gallon.

[Sec. 4081 as amended and in effect Jan. 1, 1966, and as amended by sec. 201(a), Federal-Aid Highway Act 1968 (73 Stat. 613); sec. 201 (b), (c), and (d), Federal-Aid Highway Act 1961 (75 Stat. 133, 134); sec. 208(a)(6), Act of Dec. 31, 1970 (Pub. L. 91–606, 84 Stat. 1744)]

PAR. 11. Section 48.6421(a) is amended to read as follows:

§ 48.6421(a) Statutory provisions; gasoline used for certain nonhighway purposes or by local transit systems; nonhighway uses.

Sec. 6421. *Gasoline used for certain nonhighway purposes or by local transit sys-*

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tems—(a) *Nonhighway uses.* Except as provided in subsection (1), if gasoline is used otherwise than as a fuel in a highway vehicle (1) which (at the time of such use) is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (2) which, in the case of a highway vehicle owned by the United States, is used on the highway, the Secretary or his delegate shall pay (without interest) to the ultimate purchaser of such gasoline an amount equal to 1 cent for each gallon of gasoline so used on which tax was paid at the rate of 3 cents a gallon and 2 cents for each gallon of gasoline so used on which tax was paid at the rate of 4 cents a gallon. Except as provided in paragraph (3) of subsection (e) of this section, in the case of gasoline used after June 30, 1970, as a fuel in an aircraft, the Secretary or his delegate shall pay (without interest) to the ultimate purchaser of such gasoline an amount equal to the amount determined by multiplying the number of gallons of gasoline so used by the rate at which tax was imposed on such gasoline under section 4081.

[Sec. 6421(a) as added and in effect Jan. 1, 1959, and as amended by sec. 201(d)(2), Federal-Aid Highway Act 1959 (73 Stat. 615); sec. 809(b)(1)(A), Excise Tax Reduction Act 1965 (79 Stat. 166); sec. 205(b)(1)(A), Airport and Airway Rev. Act 1970 (84 Stat. 241)]

PAR. 12. Section 48.6421(a)–1 is amended by revising paragraphs (a)(1), (b), (c)(1), and (d) to read as follows:

§ 48.6421(a)–1 Payments to ultimate purchaser of gasoline used for certain nonhighway purposes.

(a) *In general.* (1) Section 6421(a) provides that if gasoline is used otherwise than as a fuel in a highway vehicle: (i) Which, at the time the gasoline is so used, is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (ii) which, in the case of a highway vehicle owned by the United States, is used on the highway, payment (without interest) in respect of such gasoline shall be made to the ultimate purchaser thereof. No payment is authorized, however, with respect to gasoline used after June 30, 1970, as a fuel in noncommercial aviation (as defined in section 4041(c)(4)). Except as hereinafter provided in this paragraph (a)(1), the payment shall be in an amount equal to 1 cent for each gallon of gasoline so used on which tax was paid under section 4081 at the rate of 3 cents a gallon, and 2 cents for each gallon of gasoline so used on which tax was paid under section 4081 at the rate of 4 cents a gallon. In the case of gasoline used after June 30, 1970, as a fuel in an aircraft (other than an aircraft in noncommercial aviation as defined in section 4041(c)(4)), the payment shall be in an amount equal to the amount determined by multiplying the number of gallons of gasoline so used by the rate at which tax was imposed on such gasoline under section 4081. However, payment in respect of gasoline used as provided in section 6421(a) shall be made only as to gasoline purchased by an ultimate purchaser after June 30, 1956, and before October 1, 1977, and only if a properly executed claim is filed by the ultimate purchaser within the time prescribed in section 6421(c). For the meaning of the term "gasoline", see § 48.4082–1(b); and for the definition of "State", see section 7701. For provisions relating to payments in respect of gasoline used on a farm for farming purposes, see section 6420 and the regulations thereunder.

* * * * *

(b) *Uses which qualify for payment.* Gasoline in respect of which payment may be made under section 6421(a) includes, for example, gasoline used in nonhighway vehicles, gasoline used in stationary engines to operate pumps, generators, compressors, etc., gasoline used for cleaning purposes, and gasoline used in motor boats, forklifts, etc., and, to the extent provided in paragraph (a)(1) of this section, aircraft. Payment may also be made in respect of gasoline used in a highway vehicle (other than one owned by the United States) if at the time the gasoline is used the vehicle (1) is not registered for highway use under the law of any State or foreign country and (2) is not required to be registered for highway use under the law of the State or foreign country in which it is operated or situated. A highway vehicle which is operated under a dealer's tag, license, or permit is considered to be registered. A highway vehicle is not considered to be registered solely by reason of the fact that there has been issued a special permit for operation of the vehicle at particular times and under specified conditions.

(c) *Meaning of terms*—(1) *Highway vehicle.* The term "highway vehicle" has the same meaning assigned to such term under § 48.4061(a)–1(d).

* * * * *

(d) *Dual use of gasoline.* No payment shall be made with respect to gasoline used in the propulsion motor of a highway vehicle solely on the basis of the fact that the motor in such vehicle is also used for a purpose other than the propulsion of the vehicle. Thus, if the propulsion motor of a highway vehicle also operates special equipment (such as a pump for discharging fuel from a tank truck) by means of a power take-off or power transfer, no payment shall be made with respect to the gasoline used to operate such special equipment, whether or not the special equipment is mounted on the highway vehicle. However, if a highway vehicle is equipped with a separate motor to operate special equipment (such as a refrigeration unit, pump, generator, or a mixing unit), a claim may be filed in respect of the gasoline used in the separate motor. In those cases where the gasoline used in a separate motor is drawn from the same tanks as the one which supplies gasoline for the propulsion of the vehicle, the determination as to the quantity of gasoline used in the separate motor operating the special equipment must be based on operating experience and supported by records. Devices to measure the number of miles the vehicle has traveled, such as hubometers, may be used in making a preliminary determination of the number of gallons of gasoline used to propel the vehicle. In order to make a final determination of the number of gallons of gasoline used to propel the vehicle, there must be added to this preliminary determination the number of gallons of gasoline consumed while idling or warming up the motor preparatory to propelling the vehicle.

* * * * *

PAR. 13. Section 48.6421(c) is revised to read as follows:

§ 48.6421(c) Statutory provisions; gasoline used for certain nonhighway purposes or by local transit systems; time for filing claims; period covered.

Sec. 6421. *Gasoline used for certain nonhighway purposes or by local transit systems.* * * *

(c) *Time for filing claims; period covered*—(1) *Gasoline used before July 1, 1965.* Except as provided in paragraphs (2) and (3), not more than one claim may be filed under subsection (a), and not more than one claim may be filed under subsection (b), by any person with respect to gasoline used during the one-year period ending on June 30 of any year. No claim shall be allowed under this paragraph with respect to any one-year period unless filed on or before September 30 of the year in which such one-year period ends.

(2) *Exception.* Except as provided in paragraph (3), if $1,000 or more is payable under this section to any person with respect to gasoline used during a calendar quarter, a claim may be filed under this section by such person with respect to gasoline used during such quarter. No claim filed under this paragraph shall be allowed unless filed on or before the last day of the first calendar quarter following the calendar quarter for which the claim is filed.

(3) *Gasoline used after June 30, 1965*—(A) *In general.* In the case of gasoline used after June 30, 1965—

(i) Except as provided in subparagraph (B), not more than one claim may be filed under subsection (a), and not more than one claim may be filed under subsection (b), by any person with respect to gasoline used during his taxable year; and

(ii) No claim shall be allowed under this subparagraph with respect to gasoline used during any taxable year unless filed by such person not later than the time prescribed by law for filing a claim for credit or refund of overpayment of income tax for such taxable year.

For purposes of this paragraph, a person's taxable year shall be his taxable year for purposes of subtitle A, except that a person's first taxable year beginning after June 30, 1965, shall include the period after June 30, 1965, and before the beginning of such first taxable year.

(B) *Exception.* If $1,000 or more is payable under this section to any person with respect to gasoline used during any of the first three quarters of his taxable year, a claim may be filed under this section by such person with respect to gasoline used during such quarter. No claim filed under this subparagraph shall be allowed unless filed on or before the last day of the first quarter following the quarter for which the claim is filed.

[Sec. 6421(c) as added and in effect Jan. 1, 1959, and as amended by sec. 809(b)(2), Excise Tax Reduction Act 1965 (79 Stat. 166); sec. 207(b), Airport and Airway Rev. Act 1970 (84 Stat. 248)]

PAR. 14. Section 48.6421(e) is amended by adding a new paragraph (e)(3) and by revising the historical note, as follows:

§ 48.6421(e) Statutory provisions; gasoline used for certain nonhighway purposes or by local transit systems; exempt sales; other payments or refunds available.

Sec. 6421. *Gasoline used for certain nonhighway purposes or by local transit systems.* * * *

(e) *Exempt sales;* other payments or refunds available. * * *

(3) *Gasoline used in noncommercial aviation.* This section shall not apply in respect of gasoline which is used after June 30, 1970, as a fuel in an aircraft in noncommercial aviation (as defined in section 4041(c)(4)).

[Sec. 6421(e) as added and in effect Jan. 1, 1959, and as amended by sec. 205(b)(1)(B), Airport and Airway Rev. Act 1970 (84 Stat. 241)]

PART 142—TEMPORARY EXCISE TAX REGULATIONS UNDER THE REVENUE ACT OF 1971

§ 142.1–1 [Amended]

Par. 15. Section 142.1–1 is amended by deleting paragraph (d).

[FR Doc.76–4 Filed 1–2–76;8:45 am]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[7 CFR Part 1430]

PRICE SUPPORT PROGRAM FOR MILK

Notice of Proposed Rulemaking

Notice is hereby given that the Secretary of Agriculture, under authority of section 201(c) of the Agricultural Act of 1949, as amended (63 Stat. 1051, as amended; 7 U.S.C. 1446), and sections 4 and 5 of the Commodity Credit Corporation Charter Act, as amended (62 Stat. 1070, as amended; 15 U.S.C. 714b and 714c), is considering the terms and conditions of the price support program for milk, for the 1976–77 marketing year beginning April 1, 1976, including the general level of prices to producers for milk and the prices for and terms of purchase by CCC of butter, nonfat dry milk, and Cheddar cheese. Section 201(c) of the Agricultural Act of 1949, as amended, provides as follows: "The price of milk shall be supported at such level not in excess of 90 per centum nor less than 75 percentum of the parity price therefore as the Secretary determines necessary in order to assure an adequate supply of pure and wholesome milk to meet current needs, reflect changes in the cost of production, and assure a level of farm income adequate to maintain productive capacity sufficient to meet anticipated future needs. * * * Such price support shall be provided through purchases of milk and the products of milk."

Consideration will be given to any data, views, and recommendations which are submitted in writing to the Director, Commodity Operations Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be received by the Director not later than February 4, 1976. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director during regular business hours (8:15 a.m.–4:45 p.m.). (7 CFR 1.27(b).)

Signed at Washington, D.C., on December 30, 1975.

E. J. PERSON,
Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc.76–170 Filed 1–2–76;8:45 am]

Rural Electrification Administration

[7 CFR Part 1701]

RURAL TELEPHONE PROGRAM

Common Control Central Office Equipment; Proposed Revisions in Specifications

Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 USC 901 et seq.), REA proposes to issue REA Bulletin 384–3 to announce the revisions in REA Form 524, General Specification for Common Control Central Office Equipment. On issuance of REA Bulletin 384–3, Appendix A to Part 1701 will be modified accordingly.

Persons interested in the revision of REA Form 524 may submit written data, views or comments to the Director, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, on or before February 4, 1976. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Telephone Operations and Standards Division during regular business hours.

A copy of the revised REA Form 524 may be secured in person or by written request from the Director, Telephone Operations and Standards Division.

The text of REA Bulletin 384–3 announcing the issuance of the revised Form 524 is as follows:

REA BULLETIN 384–3

SUBJECT: CENTRAL OFFICE EQUIPMENT CONTRACTS AND SPECIFICATIONS

I. *Purpose:* To announce the revision of REA Form 524, General Specification for Common Control Central Office Equipment, and list current editions of central office equipment contracts and specifications.

II. *General:* The standard forms and specifications are to be used by borrowers for all purchases of central office equipment for the initial system. For further detail, see REA Bulletin 344–1, Methods of Purchasing Materials and Equipment Used in Telephone Borrower's Facilities, and REA Bulletin 384–1, Procedure in Connection with Central Office Equipment Contracts.

III. *Contracts and Amendment:*

A. *REA Form 525 (9–46), Central Office Equipment Contract (Including Installation),* for use when the equipment is installed by the supplier.

B. *REA Form 545 (9–66), Central Office Equipment Contract (Excluding Installation),* for use when the equipment is installed by the borrower's own forces or by others under a separate contract.

C. *REA Form 460 (10–65), Telephone Equipment Contract (Installation Only),* for use when the equipment is to be installed by others than the supplier under a separate contract.

D. *REA Form 238 (4–72), Construction or Equipment Contract Amendment,* for use in amending the contracts to provide for any necessary changes in the equipment and materials or specifications and for any additional equipment and materials required in connection with the central offices included in the contract.

IV. *Specifications:*

A. REA Form 524 (1–76), General Specification for Common Control Central Office Equipment.

B. REA Form 528 (2–72), Specification for Private Automatic Branch Exchange.

C. REA Form 537 (10–73), Specification for Equipment for Automatic Number Identification—CAMA.

D. REA Form 538 (10–73), Specification for Equipment for Direct Distance Dialing.

E. REA Form 542 (4–63), Specifications for Toll Office Equipment.

F. REA Form 558 (9–66), Specification for Dial Central Office Equipment.

V. *Revision of REA Form 524, General Specification for Common Control Central Office Equipment.* This revision becomes effective *April 1, 1976.* All applicable equipment furnished REA projects through bids or negotiations or on orders placed by REA borrowers after that date shall comply with the revised specification. This does not preclude the adoption of the revised specification by manufacturers prior to the effective date. The principal reasons for the reissue are:

A. To make specific requirements for types of auxiliary equipment such as interrupters, wire chief test equipment, call progress indicators, test equipment, traffic metering, etc.

B. To clarify the requirements for simplification of growth additions with a minimum of service degradation.

C. To include a complete revision of the telephone traffic sections with additions to dimension traffic parameters such as "holding times" for trunks, registers, and senders, and "delay times" for marker completion, matching losses, etc., which had been left to the discretion of the suppliers.

D. To upgrade detailed switching requirements to reflect the improvement in the state of the art of common control switching and the toll network.

E. To add a requirement for a cost breakdown of the central office equipment on a discrete element basis in order to facilitate cost separation studies.

F. To redefine and upgrade transmission requirements for echo return loss, longitudinal balance, impulse noise and voice frequency crosstalk.

G. To change the electrical protection requirements for lightning and accidental contact of high voltages in accordance with the latest improvements in the state of the art.

H. To spell out the parameters of the particular central office being purchased (REA Form 534c) and to require more detailed, switching, translation and traffic information.

I. To give more complete information in the portion of the specification to be completed by the bidder on a particular central office (REA Form 534d) to cover such items as the number of lines and trunks that will

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be supplied, power consumption, heat dissipation, etc.

VI. *Source of Central Office Equipment Contracts, Specifications, Amendment, and Contractor's Bonds:*

A. REA Form 525, Central Office Equipment Contract (A copy of REA Form 558, Specification for Dial Central Office Equipment is attached to each copy of the Form 525 Contract) is to be purchased from the Superintendent of Documents, Public Documents Distribution Center, Pueblo Industrial Park, Pueblo, Colorado 81009. Orders for the purchase of Form 525 should be prepared on REA Form 33. Copies of Form 33 are available from REA upon request.

B. All other forms referred to in this bulletin are available from REA upon request. Each contract Form 400 and 525 contains one copy of the Contractor's Bond, REA Forms 400a and 525a, respectively. Additional copies of these bond forms are available from REA upon request.

C. Questions concerning the revised specifications may be referred to the Chief, Central Office Equipment Branch, Telephone Operations and Standards Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, telephone number 202 447-5773.

Dated: December 23, 1975.

C. R. BALLARD,
Assistant Administrator.

[FR Doc.76-99 Filed 1-2-76;8:45 am]

DEPARTMENT OF LABOR

Employment and Training Administration

[20 CFR Part 602]

STATE EMPLOYMENT SERVICES

Proposed Change of Symbol

Notice is hereby given that the Employment and Training Administration is proposing to amend paragraph (a) of 20 CFR 602.12 *Organization* by substituting for the present public employment service symbol a more modern symbol. The proposed symbol is already being used in many States and the Employment and Training Administration believes that the adoption of the new symbol will aid the public by standardizing the public employment service symbol throughout the nation.

Interested persons may submit data, arguments, and comments on the proposed change to the Assistant Secretary for Employment and Training, Attention: William B. Lewis, Room 8000, Patrick Henry Building, 601 D Street, N.W., Washington, D.C. 20213. Such data, arguments and comments will be accepted until February 4, 1976.

In consideration of the foregoing it is proposed to amend paragraph (a) of 20 CFR 602.12 Organization, to read as follows:

§ 602.12 Organization.

(a) *Official identification.* The official name of the statewide system of public employment offices and the name on all official signs, stationary and documents used in connection therewith shall be "_____ State Employment Service". Whenever the State Employment Service name is officially used, it shall be accompanied by the following symbol:

JOB SERVICE

(Sec. 12 of the Wagner-Peyser Act of 1963 (29 U.S.C. 49c-3, 557))

Signed at Washington, D.C. this 22 day of December, 1975.

WILLIAM H. KOLBERG,
Assistant Secretary for Employment and Training.

[FR Doc.76-68 Filed 1-2-76;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 37]

[Docket No. 15264; Notice No. 75-41]

AIRBORNE INTERIM STANDARD MICROWAVE LANDING SYSTEM CONVERTER EQUIPMENT

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Part 37 of the Federal Aviation Regulations by adding a new Technical Standard Order (TSO–C93) for airborne interim standard microwave landing system converter equipment (converter equipment).

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC–24, 800 Independence Avenue, SW., Washington, D.C. 20591. All communications received on or before March 5, 1976, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

On December 22, 1972, the Federal Aviation Administration published in the FEDERAL REGISTER (37 FR 28311) an invitation for comments on a policy statement concerning the development of a non-federal low approach landing system. That system, described as an interim standard microwave landing system (ISMLS), was selected by the FAA for ". . . use at locations where a VHF/UHF ILS will not perform in an effective manner, or where the needs for low approach service would be better served by the use of the (ISMLS)." In determining the suitability for an ISMLS at any given location, the invitation for comments stated that ". . . full consideration will be given to the nature of the operational requirement and to the economics of the situation including the cost of airborne avionics equipment." Furthermore, the invitation for comments announced that the selection of the ISMLS would be based upon a standard performance specification, and requested current and potential ISMLS users to comment on the operational, technical, and economic aspects of such a system.

As a result of the invitation for comments, and a subsequent notice of policy decision (38 FR 14784), wherein the comments were discussed, the FAA proceeded with the development of a performance specification and subsequently issued a request for proposals. That request led to several proposals which the FAA evaluated through flight tests. As a result of the evaluation, the FAA published on August 30, 1974, the selection of the system manufactured by Tull Aviation Corporation, 4 Kaysal Court, Armonk, New York 10504 (Tull), as the interim standard microwave landing system (see 39 FR 31681). That system includes both ground and airborne equipment.

In selecting the ISMLS proposed by Tull, the FAA has concluded an agreement whereby Tull has agreed to grant royalty-free licenses in their technical data for the manufacture, sale, and use of the Tull system only within the United States, its territories and possessions, the District of Columbia, Puerto Rico, and the Canal Zone. Licensees of the technical data only will be required to indemnify purchasers and users of equipment manufactured by the licensee from this data against liability from patent infringement arising from the manufacture or sale of the ISMLS. The data will be available to licensees from Tull for the cost of reproduction and handling. Tull has further agreed with the FAA to grant, on reasonable terms, nonexclusive licenses for the manufacture, use and sale of the ISMLS equipment claimed to be covered by patents, within the United States, its territories and possessions, the District of Columbia, Puerto Rico, and the Canal Zone.

[NOTE.—Copies of these agreements are contained in Docket No. 14120 and are available to interested persons upon request to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC–24, 800 Independence Avenue, S.W., Washington, D.C. 20591.]

Converter equipment that are the subject of this Notice are covered by these agreements.

The FAA takes no position on the scope, coverage, or validity of the patents claimed by Tull for its system, nor on any patents that may result from any pending applications.

On November 1, 1974, a notice of proposed rulemaking, Notice 74–34 (39 FR 39565; November 8, 1974) was issued that proposed an amendment to Part 171 of the Federal Aviation Regulations to prescribe procedures for the approval, installation, operation, and maintenance of ISMLS ground facilities. Amendment 171–10 (40 FR 36109; August 19, 1975) was issued pursuant to Notice 74–34.

To ensure the proper functioning of the overall ISMLS, necessary standards must be established for airborne ISMLS equipment. The Technical Standard Order (TSO) proposed in this notice contains such standards for converter equipment. This converter equipment is intended for operations in series with standard VHF/UHF ILS receiver equipment currently in use and would provide for the continued use of that receiver equipment with the presently installed instrumentation and receiving systems.

The technical standards contained in the TSO proposed herein deal, in part, with equipment sensitivity and conversion gain, signal stability, spurious response restrictions, intermodulation and antenna efficiency, polarization, and voltage standing wave ratios. These standards are compatible with the ISMLS ground equipment standards adopted under Amendment 171–10. It is also proposed that environmental testing of the equipment be accomplished in accordance with the Radio Technical Commission for Aeronautics (RTCA) Document No. DO–138, titled "Environmental Conditions and Test Procedures for Airborne Electronic/Electrical Equipment and Instruments," dated June 27, 1968, including Change Number 2, dated October 29, 1969 or Document No. DO–160, dated February 28, 1975, having the same title. In addition, the proposed TSO contains marking provisions, data requirements, and a requirement relating to the data that must be furnished with each unit manufactured under the TSO.

It should be noted that the ISMLS is designed to meet the temporary need for an instrument approach system where installation of current systems would be unfeasible. Allowing time for final selection and testing, as well as international adoption, the implementation of a final MLS may as much as two to three years away. Consequently, the ISMLS was adopted to fill an operational need for a period of time sufficient to warrant its adoption. Upon implementation of the final MLS, system approval of additional ISMLS would cease. Thus, the two systems will not compete with one another, but will merely serve as consecutive stages in the development of a microwave instrument landing capability.

These amendments are proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a) and 1421), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend Part 37 of the Federal Aviation Regualtions by adding a new § 37.203 to read as follows:

§ 37.203 Airborne interim standard microwave landing system converter equipment—TSO C–93.

(a) *Applicability.* This technical standard order prescribes the minimum performance standards that airborne interim standard microwave landing system converter equipment must meet in order to be identified with the applicable TSO marking. Equipment that is to be so identified must meet the requirements of the "Federal Aviation Administration Standard, Airborne Interim Standard Microwave Landing System Converter Equipment," set forth at the end of this section.

(b) *Environmental standards.* Radio Technical Commission for Aeronautics (RTCA) Document No. DO–138, titled "Environmental Conditions and Test Procedures for Airborne Electronic/Electrical Equipment and Instruments", dated June 27, 1968, including Change Number 2, dated October 29, 1969, or RTCA Document No. DO–160, dated February 28, 1975, having the same title, must be used to determine the environmental conditions over which the equipment has been designed to operate.

(c) *Markings.* In addition to the markings specified in § 37.7(d), the equipment must be marked as follows:

(1) The environmental categories over which it has been designed to operate, as set forth in Appendix B of RTCA Document DO–138 or Appendix A of RTCA Document DO–160 must be permanently and legibly marked on the equipment. Where an environmental test procedure is not applicable and the test is not conducted, an "X" must be placed in the space assigned for that category.

(2) Each separate component of the equipment must be permanently and legibly marked with at least the name of the manufacturer, model or part number, the TSO number, and the environmental categories over which it has been tested. Where an environmental test procedure described in DO–138 or DO–160 is not applicable to that component and the test is not conducted, and "X" must be placed in the space assigned for that environmental category.

(d) *Data requirements.* In accordance with § 37.5, the manufacturer must furnish to the Chief, Engineering and Manufacturing Branch, Flight Standards Division (or in the case of the Western Region, the Chief, Aircraft Engineering Division), Federal Aviation Administration, in the region in which the manufacturer is located, one copy of the followng technical data, except that additional copies mus be furnished upon request:

(1) Manufacturer's operating instructions and equipment limitations.

(2) Installation procedures with applicable schematic drawings, wiring diagrams, and specifications. Any limitations, restrictions, or other conditions pertinent to the installation must be included.

(3) Manufacturer's test reports.

(4) Equipment data sheets specifying, within the prescribed range of environmental conditions, the actual performance of equipment of that type with respect to each performance factor prescribed in the standard.

(5) A drawing list enumerating all the drawings and processes that are necessary to define the article design.

(e) *Data to be furnished with each manufactured unit.* A copy of the instructions specified in paragraphs (d)(1) and (d)(2) of this section must be furnished with each article manufactured under this TSO.

(f) *Availability of Documents.* RTCA Document Nos. DO–138, including Change Number 2, and DO–160 are incorporated herein in accordance with 5 U.S.C. 522(a)(1) and § 37.23 of the Federal Aviation Regulations and are available for inspection as indicated in § 37.23. Additionally, RTCA Document Nos. DO–138 and DO–160 may be examined at any FAA Regional Office of the Chief, Engineering and Manufacturing Branch (or in the case of the Western Region, the Chief, Aircraft Engineering Division). RTCA Document Nos. DO–138 and DO–160 may also be obtained from the RTCA Secretariat, Suite 655, 1717 H Street, N.W., Washington, D.C. 20006, at a cost of $16.00 per copy for DO–138 and $20.00 per copy for DO–160.

FEDERAL AVIATION ADMINISTRATION STANDARD

AIRBORNE INTERIM STANDARD MICROWAVE LANDING SYSTEM CONVERTER EQUIPMENT

1.0 *PURPOSE.* This standard contains minimum performance and test requirements for Airborne Interim Standard Microwave Landing System Converter Equipment (Converter equipment).

2.0 *GENERAL STANDARDS.*

2.1 *Operation of Controls.* The operation of controls intended for use during flight must not, in any possible combination or sequence, result in a condition whose presence or continuation would be detrimental to the proper functioning of the equipment.

2.2 *Accessibility of Controls.* Controls not intended for in-flight adjustment must be located so as not to be readily accessible to flight personnel.

2.3 *Effects of Tests.* Except as expressly provided in this standard, the design of the equipment must be such that subsequent to the application of the specified tests, no condition may exist which would be detrimental to the proper functioning of the equipment.

3.0 *MINIMUM PERFORMANCE STANDARDS UNDER STANDARD CONDITIONS.*

3.1 *Sensitivity.* The noise figure of the equipment must not be more than 20 db.

3.2 *Conversion Gain.* Input signals of not more than −43 dbm for localizer and −27 dbm for glide slope must produce outputs of at least −23 dbm for localizer and −17 dbm for glide slope.

3.3 *Spurious Response.* Spurious responses in the outputs must not exceed the values in the following table when input signals of −43 dbm for localizer and −27 dbm for glide slope are applied throughout the frequency bands specified.

Frequency band (megahertz):	Response limit (decibels)
0 to 4509.90	−100
4600 to 4899.90	−45
4900 to 4998.90	−30
4999 to 5249.90	−35
5250 to 5299.90	−40
5300 to 10,000	−60

3.4 *Stability.* The frequency of the output must be within ± 5 kHz of the assigned

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VHF localizer/UHF glide slope frequencies when assigned microwave channel frequencies are applied.

3.5 *Intermodulation.* When equal level two-tone test signals within the bands 5000 MHz to 5030 MHz for localizer and 5220 MHz to 5250 MHz for glide slope are applied at input signal levels of −43 dbm for localizer and −27 dbm for glide slope, intermodulation products must be down at least 30 db from the desired output signals.

3.6 *Antenna Efficiency.*

(a) Over the frequency band from 5000 MHz to 5250 MHz, the desired component of the radiated signal in the forward direction must be at least +8.5 db when compared to an isotropic source.

(b) At any frequency from 5000 MHz to 5250 MHz, the desired component of the radiated signal must not vary in field strength more than 3 bd from −37.5° to +37.5° from directly forward of the antenna in horizontal planes over an elevation range of ±17.5 degrees.

3.7 *Antenna Polarization.* Over the frequency range from 5000 MHz to 5250 MHz, the reception of signals with horizontal (H plane) polarization from the forward direction with respect to the antenna must be least 20 db below the reception of signals with the vertical (E plane) polarization from the same direction.

3.8 *Voltage Standing Wave Ratio (Antenna).* The voltage standing wave ratio on the transmission line connecting the antenna and a signal source may not exceed a value of 1.7:1 over the frequency range from 5000 MHz to 5250 MHz.

3.9 *Voltage Standing Wave Ratio (Receiver).* The voltage standing wave ratio on the transmission line connecting the receiver and a signal source may not exceed a value of 1.7:1 over the frequency range from 5000 MHz to 5250 MHz.

4.0 *MINIMUM PERFORMANCE REQUIREMENTS UNDER ENVIRONMENTAL CONDITIONS.*

Unless otherwise specified in this standard, the measurement procedures applicable to a determination of the performance of the equipment under the environmental conditions specified are those set forth in either RTCA Document DO–138 titled "Environmental Conditions and Test Procedures for Electronic/Electrical Equipment and Instruments" dated June 27, 1968, (DO–138), including Change Number 2, dated October 29, 1969, or ETCA Document No. 160 dated February 26, 1975, having the same title. Performance testing may be done following a series of environmental exposures. However, the order of tests must be in accordance with paragarph 3.2 of Document Nos. DO–138 or DO–160.

4.1 *Temperature—Altitude.*

(a) *Low Temperature.*

(1) When the equipment is subjected to this environment, the requirements of paragraphs 3.1, 3.2, and 3.4 of this standard must be met. All mechanical devices must perform their intended functions.

(2) After subjection to this environment, the requirements of paragraph 3.8 of this standard must be met.

(b) *High Temperature.*

(1) When operated at the High Short-Time Operating Temperature, the equipment must operate both electrically and mechanically.

(2) When the equipment is exposed to the High Operating Temperature, the requirements of paragraphs 3.1, 3.2, and 3.4 of this standard must be met.

(3) After the equipment is subjected to the environments specified in subparagraphs (1) and (2) of this paragraph, the requirements of paragraph 3.8 of this standard must be met.

(c) *Altitude.*

(1) When the equipment is subjected to this environment, the requirements of paragraphs 3.1, 3.2 and 3.4 of this standard must be met.

(2) After subjection to this environment, the requirements of paragraph 3.8 of this standard must be met.

4.2 *Humidity.* After subjection to the humidity environment and

(a) Within 15 minutes after the time primary power is applied, the noise figure may not be more than 26 db; and

(b) Within 4 hours from the time primary power is applied, the requirements of paragraphs 3.1, 3.2, and 3.4 of this standard must be met.

4.3 *Shock.*

(a) Following the application of the operational shocks, the requirements of paragraphs 3.1, 3.2, and 3.4 of this standard must be met.

(b) The equipment must remain in its mounting, and no part of the equipment or its mounting may become detached and free of the shock test table or the equipment under test during or following the application of the crash safety shocks. Paragraph 2.3 of this standard does not apply to the crash safety shock environment.

4.4 *Vibration.*

(a) When the equipment is subjected to this environment the requirements of paragraph 3.2 of this standard must be met.

(b) After subjection to this environment, the requirements of paragraphs 3.1, 3.2, 3.4, and 3.8 of this standard must be met.

4.5 *Temperature Variation.* When subjected to this environment, the noise figure may not be more than 26 db and the requirements of paragraphs 3.1, 3.2 and 3.4 of this standard must be met.

4.6 *Electrical Input Variation.* When subjected to this environment, the requirements of paragraphs 3.1, 3.2, and 3.4 of this standard must be met.

4.7 *Low Voltage.*

(a) *AC and DC Equipment.* When the primary power voltages of DC operated equipment is 80% of the design voltages, and when that of AC operated equipment is 87½% of the design voltages, the equipment must operate both mechanically and electrically. Degradation of performance is permitted.

(b) *DC Equipment.*

(1) DC operated equipment must meet the requirements of paragraphs 3.1, 3.2, and 3.4 of this standard within 2 minutes after the primary power voltages are returned to the design voltages after operating at 50% of the design voltages for at least 10 minutes.

(2) The reduction of the primary power voltages of DC operated equipment from 50% of design voltages to zero volts may not produce fire or smoke. Paragraph 2.3 of this standard does not apply to the low voltage environment for DC equipment.

4.8 *Conducted Voltage Transients.*

(a) *DC Equipment.*

(1) *Intermittent Transients.* Following the application of the intermittent transients, the requirements of paragraphs 3.1, 3.2, and 3.4 of this standard must be met.

(2) *Repetitive Transients.* While the repetitive transients are being applied, the requirements of paragraph 3.1 of this standard must be met.

(b) *AC Equipment.* While the transients are being applied, the requirements of paragraph 3.1 of this standard must be met.

4.9 *Radio-Frequency Susceptibility.* When subjected to this environment, the requirements of paragraph 3.1 of this standard must be met.

4.10 *Emission of Spurious Radio Frequency Energy.* The levels of conducted and radiated spurious radio frequency energy emitted by the equipment may not exceed those levels specified in Appendix A to RTCA Document No. DO–138 or paragraph 21 of Document No. DO–160.

Issued in Washington, D.C. on December 24, 1975.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc.76–91 Filed 1–2–76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 68]

[Docket No. 19528]

INTERSTATE AND FOREIGN MESSAGE TOLL TELEPHONE SERVICE (MTS) AND WIDE AREA TELEPHONE SERVICE (WATS)

New or Revised Classes; Extension of Time [1]

1. On December 19, 1975, public notice was given of the filing of petitions for reconsideration herein by Continental Telephone Corporation, The Bell System Companies, GTE Service Corporation, Exxon Enterprises, Inc., Computer and Business Equipmen. Manufacturers Association, and Rixon, Inc. Pursuant to § 1.106 of the Commission's rules, oppositions to such petitions may be filed within 10 days after such public notice is given, i.e. before December 29, 1975.

2. On December 22, 1975, IBM filed a Motion For Extension of Time for the filing of such oppositions. IBM points out that because of the holiday season, an adequate response cannot be prepared by December 29, and it accordingly requests that the filing date be extended to January 20, 1976.

3. While we agree that good cause has been shown for a limited extension of time, we do not believe that an extension of the length sought by IBM would be warranted. Therefore we will grant an extension of time to January 9, 1976, affording a full week after the New Year's holiday for the preparation of oppositions.

4. Accordingly, *it is ordered,* Pursuant to the authority delegated in § 0.303(C) of the Commission's rules, that the time for filing oppositions to petitions for reconsideration is extended to January 9, 1976.[2]

Adopted: December 23, 1975.

Released: December 24, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALTER R. HINCHMAN,
Chief, Common Carrier Bureau.

[FR Doc. 76–123 Filed 1–2–76;8:45 am]

[1] Extends time for proposal published at 40 FR 59045, Nov. 14, 1975.

[2] We have also received a "Petition For Amendment of Part 68 of FCC Rules" filed by Communication Certification Laboratory, and comments filed by T.A.D. Avanti, Inc., Gaines M. Crook and Associates, J. P. Neil, Interface Technology, Inc., Guardian Industries, Inc., and Phone Mate, Inc. These documents will all be considered along with the petitions for reconsideration.

INTERSTATE COMMERCE COMMISSION

[49 CFR Parts 1043, 1084]

[Ex Parte Nos. MC–6, 159]

MOTOR CARRIERS AND FREIGHT FORWARDERS

Cargo Insurance; Proposed Increase of Minimum Limits

In the matter of security for the protection of the public as provided in part II of the Interstate Commerce Act, and of rules and regulations governing filing of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities and agreements by motor carriers and brokers subject to part II of the Interstate Commerce Act.

In the matter of security for the protection of the public as provided in part IV of the Interstate Commerce Act, and of rules and regulations governing filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities and agreements by freight forwarders subject to Part IV of the Act.

Notice is hereby given, pursuant to secetion 4(a) of the Administrative Procedure Act (60 Stat. 237, 5 U.S.C. 1003), of the proposed amendment of § 1043.2 (b) of the Code of Federal Regulations governing the filing of insurance or other security for the protection of the public, under the authority contained in section 215 of the Interstate Commerce Act (49 Stat. 557, as amended; 49 U.S.C. 315), and the proposed amendment of § 1084.3 (a) of Part 1084 (49 CFR 1084.3(a)) of the Code of Federal Regulations governing the filing of insurance or other security for the protection of the public, under the authority contained in section 403(c) of the Interstate Commerce Act (56 Stat. 285; 49 U.S.C. 1003).

The purpose of such amendments is to increase the minimum limits of cargo insurance or other security required of motor carriers and freight forwarders subject to the security requirements of the Interstate Commerce Act. If approved, it is contemplated to adopt the increases effective July 1, 1976.

PART 1043—SURETY BONDS AND POLICIES OF INSURANCE

It is proposed that § 1043.2(b) be revised to read as follows:

§ 1043.2 Insurance, minimum amounts.

* * * * *

(b) Motor common carriers; cargo liability Security required to compensate shippers or consignees for loss or damage to property belonging to shippers or consignees and coming into the possession of motor common carriers in connection with their transportation service, (1) for loss of or damage to property carried on any one motor vehicle—$5,000; (2) for loss of or damage to or aggregate of losses or damages of or to property occurring at any one time or place—$10,000.

(Sec. 215, 49 Stat., as amended; 49 U.S.C. 315)

PART 1084—SURETY BONDS AND POLICIES OF INSURANCE

It is proposed that § 1084.3(a) be revised to read as follows:

§ 1084.3 Limits of liability.

* * * * *

(a) *Cargo.* Limits for loss of or damage to property with respect to which a freight forwarder performs service subject to Part IV of the Act:

(1) For loss of or damage to property while carried on or resting in any one conveyance, other than water craft—$5,000.

(2) For loss of or damage to or aggregate of losses of or damage to property occurring at any one time and place, or while carried on or resting in any one water craft—$10,000.

(Sec. 403(c), 56 Stat. 285; 49 U.S.C. 1003)

No oral hearing on the proposed revision is contemplated; however, interested parties may file with this Commission, on or before February 4, 1976, written statements of facts, opinions, or arguments concerning the herein proposed amendments. Any written statements so filed shall conform with the specifications provided in Rule 15 of the Commission's Rules of Practice (49 CFR 1100.15). An original signed copy and six additional copies shall be furnished for use of the Commission.

Notice to the general public will be given by depositing a copy of this notice in the Office of the Secretary of the Commission for inspection, and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Insurance Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76–175 Filed 1–2–76;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

[34 CFR Ch. I]

FEDERAL PROCUREMENT REGULATORY SYSTEM

Proposed Regulation; Invitation for Public Comment

The Office of Federal Procurement Policy (OFPP) plans to promulgate the following OFPP Regulation No. 1, pursuant to the authority and requirements of Public Law 93–400, and invites the written comments of interested parties for consideration in the drafting of the regulation.

Such comments should be addressed to the Administrator for Federal Procurement Policy, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503, and should be submitted by February 29, 1976.

Following receipt of comments a public meeting of the OFPP will be scheduled for the purpose of hearing oral presentations.

JAMES D. CURRIE,
Acting Administrator for Federal Procurement Policy.

OFFICE OF FEDERAL PROCUREMENT POLICY (OFPP) REGULATION NO. 1

FEDERAL PROCUREMENT REGULATORY SYSTEM

1. *Purpose.* a. The purpose of this regulation is to establish the Federal Procurement Regulatory System (FPRS), an integrated system of coordinated and, to the extent feasible, uniform procurement regulations for the executive agencies, under the direction of the Administrator for Federal Procurement Policy.

b. The objectives of the system are to bring greater coordination, simplicity, and uniformity into the Federal procurement process, to arrest and reduce the proliferation of diverse and inconsistent procurement regulations, including those implementing or supplementing the primary regulations, and to establish criteria and procedures for public participation in the regulatory process.

2. *Background.* Public Law 93–400, which established the Office of Federal Procurement Policy (OFPP), delineates the functions of the Administrator for Federal Procurement Policy. This regulation implements the following provisions of that law:

a. Establishment of a system of coordinated and, to the extent feasible, uniform procurement regulations for the executive agencies; and

b. Establishment of criteria and procedures for soliciting the viewpoints of interested parties in the development of procurement policies, regulations, procedures, and forms.

3. *Authority.* Under Public Law 93–400, authority for Federal procurement policy is vested in the Administrator for Federal Procurement Policy. All executive agency procurement policies, regulations, procedures, and forms are subject to those prescribed by the Administrator.

4. *Applicability.* The provisions of this regulation apply to all executive agencies of the Federal Government making procurements from appropriated funds of:

(a) Property other than real property in being;

(b) Services, including research and development; and

(c) Construction, alteration, repair, or maintenance of real property.

The term "executive agency" means an executive department, a military department, and an independent establishment within the meaning of section 101, 102, and 104(1), respectively, of title 5, United States Code, and also a wholly-owned Government corporation within the meaning of section 101 of the Government Corporation Control Act (31 U.S.C. 846).

5. *Federal Procurement Regulatory System (FPRS).* a. The FPRS, under the direction of the OFPP, is hereby established, and shall consist of: OFPP Regulations, applicable to all executive agencies; the Armed Services Procurement

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Regulation (ASPR), applicable to the Department of Defense (DOD) and the National Aeronautics and Space Administration (NASA); and the Federal Procurement Regulations (FPR), applicable, except for NASA, to the civilian executive agencies and in certain authorized areas to all executive agencies. In addition, the FPRS includes the secondary procurement regulations of executive agencies which implement or supplement OFPP Regulations, the ASPR, or the FPR.

b. The FPRS embraces not only the content of procurement regulations, but also their format, numbering, methods of publication and distribution, and controls over implementing and supplementing regulations.

c. ASPR and FPR policies, regulations, procedures, and forms shall be in accordance with Public Law 93-400, OFPP Regulations and other directives, and other applicable laws and regulations.

d. OFPP Regulations will be issued by the Administrator for Federal Procurement Policy, and will deal with major procurement policy issues. OFPP Regulations will be independent of the Office of Management and Budget (OMB) system of Circulars and Bulletins.

e. In addition to issuing regulations, OFPP will, on a selective basis, coordinate the development of, or approve in advance, the text of ASPR and FPR provisions. Such OFPP coordination or approval will be transmitted to DOD and the General Services Administration (GSA), by numbered letter, and the text, when published, shall be identified as having been so approved.

f. Implementing and supplementing regulations issued by executive agencies shall not contain provisions which duplicate, are inconsistent with, or increase the use of any authority, policy, or requirement provided in OFPP Regulations, the ASPR, or FPR. DOD and GSA shall review agency and department regulations to assure compliance and control.

g. One-time exceptions or deviations from the requirements of OFPP Regulations may be granted in the same manner as authorized by the ASPR and FPR for ASPR and FPR deviations. A copy of each such exception or deviation authorization shall be furnished the Administrator for Federal Procurement Policy. Other deviations from OFPP Regulations, such as continuing or class deviations, must be approved in advance by the Administrator.

h. Executive agencies authorized to issue collateral regulation which, although not primarily concerned with the procurement process, have an effect on Federal procurement, shall coordinate such regulations with the principal contracting agencies affected and the OFPP prior to publication for comment in the FEDERAL REGISTER.

6. *Development and issuance of the ASPR and FPR.* a. Subject to general guidance of the Administrator for Federal Procurement Policy, the Secretary of Defense and the Administrator of General Services may prescribe instructions and procedures for the development and issuance of the ASPR and FPR, respectively. Existing organizations for this purpose, such as the ASPR Committee in the Office of the Assistant Secretary of Defense (Installations and Logistics), DOD, and the FPR staff in GSA, may continue to be utilized.

b. DOD and GSA, jointly, shall establish a procedure for close coordination between the ASPR and FPR which will minimize duplication of effort and achieve the greatest feasible uniformity in the development and revision of the two regulations. Such procedure shall include provisions for consultation with the OFPP on significant issues, and for otherwise irreconcilable differences to be resolved by the Administrator for Federal Procurement Policy. In areas where both primary regulations now have coverage, neither agency will amend that coverage without the concurrence of the other. Changes or additions to the ASPR and FPR shall be uniform except to the extent necessary to accommodate significant differences in laws, program requirements, or agency operations. Such accommodations shall be kept to a minimum.

c. In the development of the ASPR and FPR, the views and, so far as possible, agreement of agencies and departments affected shall be obtained. For coordination and advisory purposes, existing mechanims, such as the ASPR Committee and its subcommittee structure within DOD, and the FPR staff and the FPR Committee (formerly the Interagency Procurement Policy Committee) under GSA cognizance may be utilized. In addition, the Planning Staff of the Interagency Procurement Policy Group may be consulted on significant issues.

7. *Public participation.* a. The views of interested non-Governmental parties and organizations shall be given due consideration in the formulation of Federal procurement policy. Accordingly, the public will be afforded an opportunity to comment on proposed OFPP Regulations and on proposed significant changes or additions to the ASPR and FPR by means of the publication of a notice in the FEDERAL REGISTER, and in other publications as appropriate. Such notice shall include a statement of purpose and the text or a summary of the proposed issuance, changes, or additions, and shall invite interested parties to comment on the proposals. If a summary is published, the notice shall advise where the text may be examined. The notice shall also advise whether a copy of any related agency or other official report or recommendation is available for examination. Any determination by the Secretary of Defense or the Administrator of General Services, or their designees for such purpose, as to whether a particular change or addition to the ASPR or FPR, respectively, is a "significant" change or addition as contemplated by this regulation, shall be final.

b. Lists will be maintained of industry associations, professional societies, and other interested parties that have expressed a continuing desire to comment on proposed OFPP Regulations or proposed changes in the ASPR and FPR, and comments on substantive changes will ordinarily be solicited directly from such associations and parties in addition to any notice that may be published in the FEDERAL REGISTER.

c. The solicitation of views from outside the Government may be waived, with the advance approval of the Administrator for Federal Procurement Policy, where circumstances make such solicitation impracticable, such as a requirement to implement a new statute in a relatively short time.

d. Normally, 60 days shall be provided for the submission of comments, unless a shorter time period is required by unusual circumstances.

e. When an executive agency or component determines that a public meeting would materially benefit the consideration of the issues in connection with the adoption, amendment, or repeal of a procurement policy or regulation, or would be likely to develop significant additional information or views, or provide useful public visibility to regulatory determinations, the agency or component may convene such a public meeting.

f. Unsolicited proposals for changes or additions to OFPP Regulations, the ASPR, and FPR shall be considered, and the reasons for any rejection shall be furnished to the proposers.

g. Regulations of executive agencies and their major components which amplify or otherwise depart from the substance of OFPP Regulations, the ASPR, and FPR will be issued in a manner consistent with the foregoing procedures, after first obtaining any necessary deviation authorization.

8. *Public meetings.* a. When a public meeting is to be held, notice shall be published in the FEDERAL REGISTER at least 10 days prior thereto. The notice shall give the time and place of the meeting and shall include a statement of purpose and either the text or a summary of the matter to be considered. If a summary is published, the notice shall advise where the text may be examined. The notice shall advise whether a copy of any related agency or other official report or recommendation is available for examination. The notice shall also invite interested organizations, associations, firms, and members of the public to submit data, views, or arguments in writing, and shall offer an opportunity for oral presentation by or on behalf of any interested party making a written submission at least 24 hours in advance of the meeting.

b. Criteria and procedures for public meetings involving proposed policies and regulations of the Office of Federal Procurement Policy are the subject of a separate OFPP Regulation.

9. *Advance notice to OFPP.* DOD and GSA shall give the Administrator for Federal Procurement Policy advance notice of all major procurement regulations under consideration. The purposes of this requirement are: (a) to enable the Administrator to keep the Congress fully and currently informed; (b) to permit timely designation by the Administrator of proposed procurement policies and regulations which shall be subject to formal public meetings of the OFPP (in accordance with Section 14(b) of Public Law 93-400); (c) to permit identification of regulations whose text is to be approved by the Administrator; and (d) to ensure the maximum feasible uniformity in the regulations.

10. *Reporting.* DOD and GSA shall submit to OFPP a quarterly listing of all open cases or actions in process to adopt, repeal, or amend either the primary procurement regulations (ASPR and FPR) or the subsidiary procurement regulations of other executive agencies. Such listing shall be brief, but descriptive enough to indicate the substance and purpose of each action contemplated.

[FR Doc.76-39 Filed 1-2-76;8:45 am]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 253, 399]

[EDR-290B/PSDR-44B; Docket 28460]

COMMISSIONS AND OTHER COMPENSATION; STATEMENTS OF GENERAL POLICY

Supplemental Notice of Proposed Rulemaking

DECEMBER 31, 1975.

The Board, by circulation of Notice of Proposed Rulemaking, EDR-290/PSDR-44, dated November 3, 1975, and Supplemental Notice of Proposed Rulemaking, EDR-290A/PSDR-44A, dated November 17, 1975 and published at 40 FR 54010, November 20, 1975, gave notice that it has under consideration adoption of a new Part 253 of its Economic Regulations (14 CFR Part 253) and amendment of Part 399 of its Policy Statements (14 CFR Part 399). The proposed Part 253 would require air carriers and foreign air carriers to file schedules showing the commissions and other compensation which they pay for the sale of air transportation and would prohibit the payment of commissions or other compensation differing from those set forth in the schedules. The proposed amendment of Part 399 would state that it would be Board policy to regard as an unfair practice and an unfair method of competition, the payment by a carrier—or the solicitation or receipt by a ticket agent or by another carrier—of such differing commissions or other compensation. Interested persons were invited to participate by submission of twelve (12) copies of written data, views or arguments to the Docket Section of the Board on or before December 22, 1975 and the submission of reply comments on or before January 6, 1976.

United Air Lines, Inc., by telephone request on December 30, 1975 (confirmed by written request on December 31, 1975), has requested a one week extension of the time within which to file reply comments, on the grounds that, apparently because of delays in mail delivery, it has not yet received all of the comments and will therefore be unable to file reply comments by the due date.

The undersigned finds that good cause has been shown for an extension of the time for filing reply comments.

Accordingly, pursuant to the authority delegated in § 385.20(d) of the Board's Organization Regulations (14 CFR Part 385), the undersigned hereby extends the time for submitting reply comments to January 13, 1976.

(Sec. 204(a) of the Federal Aviation Act, as amended, 72 Stat. 743, 49 U.S.C. 1324.)

[SEAL] SIMON J. EILENBERG,
Acting Associate General Counsel, Rules Division.

[FR Doc.76-276 Filed 1-2-76;8:45 am]

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notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE TREASURY

Customs Service

CHEESE FROM SWEDEN

Notice of Preliminary Countervailing Duty Determination

On August 15, 1975, a "Notice of Receipt of Countervailing Duty Petition" was published in the FEDERAL REGISTER (40 FR 34423). The petition alleged that payments or bestowals conferred by the Government of Sweden upon the manufacture, production, or exportation of cheese constitute the payment or bestowal of a bounty or grant within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303).

On the basis of an investigation conducted pursuant to § 159.47(c), Customs Regulations (19 CFR 159.47(c)), it has been determined preliminarily that payments are being made, directly or indirectly, on the manufacture, production or exportation of cheese from Sweden, which constitute the payment or bestowal of a bounty or grant within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303). Such payments are made to exporters of cheese in the form of export subsidy payments. In addition, further inquiry regarding the equalization fund will be made prior to a final determination.

A final decision in this case is required on or before June 18, 1976. Before a final decision is made, consideration will be given to any relevant data, views, or arguments submitted in writing with respect to the preliminary determination. Submissions should be addressed to the Commissioner of Customs, 1301 Constitution Avenue N.W., Washington, D.C. 20229, in time to be received by his office not later than Januray 19, 1976.

This preliminary determination is published pursuant to section 303(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1303(a)).

VERNON D. ACREE,
Commissioner of Customs.

DECEMBER 18, 1975.

Approved:

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76-56 Filed 1-2-76;8:45 am]

NON-RUBBER FOOTWEAR FROM ARGENTINA

Notice of Final Countervailing Duty Determination

On February 18, 1975, a "Notice of Preliminary Countervailing Duty Determination" was published in the FEDERAL REGISTER (40 FR 6993). The notice stated that on the basis of an investigation conducted pursuant to § 159.47(c), Customs Regulations (19 CFR 159.47(c)), a preliminary determination was made that no bounties or grants are being paid or bestowed, directly or indirectly, within the meaning of section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303), upon the manufacture, production, or exportation of non-rubber footwear from Argentina.

The notice stated that it had been determined that payments were made by the Government of Argentina upon the exportation of non-rubber footwear which would have constituted a bounty or grant of approximately 25 percent of the dutiable value of the footwear, but that the Government of Argentina had taken action, effective December 23, 1974, to abolish for footwear producers the program under which such payments were made.

The notice further stated that "[b]efore a final determination is made, the operation of a newly proposed export loan program of the Government of Argentina for the footwear industry, will be observed to make certain it is not operated so as to result in the payment or bestowal of a bounty or grant". The proposed export loan program was not promulgated by the Government of Argentina.

The notice also stated that before a final determination would be made in this proceeding, consideration would be given to any relevant data, views, or arguments submitted in writing within 30 days from the date of the notice with respect to the preliminary determination.

No written submissions having been received, it is hereby determined for the reasons stated in the preliminary determination, that no bounties or grants are being paid or bestowed, directly or indirectly, within the meaning of section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303), upon the manufacture, production, or exportation of non-rubber footwear from Argentina.

This notice is published pursuant to section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303).

VERNON D. ACREE,
Commissioner of Customs.

DECEMBER 23, 1975.

Approved:

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76-55 Filed 1-2-76;8:45 am]

Office of the Secretary

BUTADIENE ACRYLONITRILE RUBBER FROM JAPAN

Antidumping Determination of Sales at Less Than Fair Value

Information was received on February 26, 1975, that butadiene acrylonitrile rubber from Japan was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*) (referred to in this notice as "the Act").

A "Withholding of Appraisement Notice" was published in the FEDERAL REGISTER of September 29, 1975 (40 FR 44587).

Determination of Sales at Less Than Fair Value

I hereby determine that, for the reasons stated below, butadiene acrylonitrile rubber from Japan is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

Statement of Reasons On Which This Determination Is Based:

The reasons and bases for the above determination are as follows:

a. *Scope of the investigation.* It appears that all imports of the subject merchandise from Japan were manufactured by Nippon Zeon Company, Ltd., Chiyoda-ku, Tokyo, Japan. Therefore, the investigation was limited to this one manufacturer.

b. *Basis of comparison.* For the purpose of considering whether the merchandise in question is being, or is likely to be, sold at less than fair value within the meaning of the Act, the proper basis of comparison is between purchase price and the adjusted home market price of such merchandise. Purchase price, as defined in section 203 of the Act (19 U.S.C. 162), was used since all export sales were made to non-related Japanese trading companies. Home market price, as defined in section 153.3, Customs Regulations (19 CFR 153.3), was used since such merchandise was sold in the home market in sufficient quantities to provide a basis of comparison for fair value purposes.

c. *Purchase price.* In accordance with § 153.31(b), Customs Regulations, (19 CFR 153.31(b)), pricing information was obtained concerning imports of butadiene acrylonitrile rubber from Japan during the 6-month period November 1, 1974 through April 30, 1975.

In the import transactions, all of the merchandise was purchased or agreed to be purchased, prior to the time of exportation, by the persons by whom or for whose account it was purchased, within the meaning of section 203 of the Act. The purchase price was calculated on the basis of the f.o.b. vessel, Japanese port, packed price to the United States.

d. *Home market price.* The home market price was calculated on the basis of the delivered, net, packed price to the distributor. Adjustments were made for credit, transportation, technical assistance shown to be directly related to the sales in question, and packing costs, as appropriate, in accordance with section 153.8, Customs Regulations (19 CFR 153.8). Adjustments for credit relate to discounted promissory notes used for payment in the home market. Adjustments for technical assistance relate to salaries, fringe benefits, and travel expenses incurred in providing technical assistance to home market purchasers. Adjustments for transportation and packing expenses relate to differences in packing costs between home market sales and export sales, and to transportation costs involved in home market sales.

Adjustments for differences in circumstances of sale in accordance with section 153.8, Customs Regulations (19 CFR 153.8), salesmen's expenses, and depreciation of equipment in the home market were claimed by counsel for Nippon Zeon. These expenses do not bear a direct relationship to the sales under consideration and no adjustment has been allowed for these expenses. Counsel for Nippon Zeon also claimed an adjustment for warehousing costs. No adjustment for warehousing costs was allowed since inadequate information was submitted to justify that the warehousing costs incurred were directly related to the sales under consideration.

Adjustments to the home market price, in purchase price situations, are allowed only for circumstances of sale which bear a direct relationship to the sales under consideration. Accordingly, warehousing costs for inventory purposes are not an allowable adjustment since these expenses are a fixed cost which must be borne regardless of whether particular sales are made. An adjustment could be made to the extent to which warehousing costs are documented as being related to specific sales. Such costs, in effect, are incident to transportation, and therefore are considered directly related to sales under consideration. In this case, insufficient documentation was submitted to indicate that warehousing costs were directly related to sales. For these reasons, no adjustment was allowed for warehousing costs.

Salesmen's expenses, in this case, consisted of salaries, bonuses, and various fringe benefits which are fixed costs and must, unlike commissions, be paid by the company irrespective of whether sales are made. Accordingly, no adjustment to the home market price was granted for salesmen's expenses.

Adjustments for technical services rendered by a foreign company in its home market for purchasers of its product may or may not be allowable. Again, the standard for consideration is whether the technical services are directly related to the sales under consideration. Technical services which relate to research and development from which a company benefits would be considered not directly related to the sales under consideration, and no adjustments would be allowable.

On the other hand, technical services rendered to customers in the foreign market for advice on items, such as usage or application of the product sold, may be an allowable adjustment. Such adjustments would be granted only to the extent to which the specific direct costs of the services rendered are documented. The documentation submitted in the instant case relates to the salaries, fringe benefits, bonuses, and travel expenses of the technicians employed for rendering technical services. These expenses, contrary to the "Withholding of Appraisement Notice" in this investigation, have been determined to be directly related to the sales under consideration, and these have been allowed.

e. *Result of fair value comparison.* Using the above criteria, purchase price was found to be lower than the weighted average home market price of such merchandise. Comparisons were made on a month-by-month basis on all butadiene acrylonitrile rubber from Japan sold to the United States during the period of investigation. Margins were found, ranging from 7 to 12 percent, on 77 percent of the sales compared. The weighted average margin on all sales was found to be 5.2 percent.

The United States International Trade Commission is being advised of this determination.

This determination is being published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)).

DECEMBER 29, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76-53 Filed 1-2-76;8:45 am]

WATER CIRCULATING PUMPS, WET MOTOR TYPE, SUITABLE FOR USE IN RESIDENTIAL AND COMMERCIAL HYDRONIC HEATING SYSTEMS FROM SWEDEN

Discontinuance of Antidumping Investigation

On September 26, 1975, there was published in the FEDERAL REGISTER a notice of "Tentative Discontinuance of Antidumping Investigation" (40 FR 44340) concerning water circulating pumps of the wet motor type, suitable for use in residential and commercial hydronic heating systems, from Sweden.

The statement of reasons for the tentative action was published in the above-mentioned notice, and interested persons were offered an opportunity to make written submissions or to present oral views in connection with the tentative discontinuance.

No written submissions or requests to submit oral views have been received. For the reasons stated in the notice of "Tentative Discontinuance of Investigation", I hereby discontinue the investigation of water circulating pumps, wet motor type, suitable for use in residential and commercial hydronic heating systems from Sweden.

This "Discontinuance of Antidumping Investigation" is published pursuant to § 153.15(d) of the Customs Regulations (19 CFR 153.15(d)).

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76-54 Filed 1-2-76;8:45 am]

DEPARTMENT OF JUSTICE

VOTING RIGHTS ACT AMENDMENTS OF 1975

Partial List of Determinations Pursuant to Voting Rights Act of 1965, as Amended

Section 4(b) of the Voting Rights Act of 1965, 42 U.S.C. 1973 et seq., as amended by the Voting Rights Act Amendments of 1975 (Public Law 94-73) requires that the Director of the Census determine whether, in any state or any political subdivision of a State "less than 50 percentum of the citizens of voting age were registered on November 1, 1972, or that less than 50 percentum of such persons voted in the Presidental Election of November 1972." 42 U.S.C. 1973b(b). Section 4(b) requires the Attorney General to determine whether any State or political subdivision of a State "maintained on November 1, 1972, any test or device," 42 U.S.C. 1973b(b). For purposes of this deter-

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mination test or device is defined as "any practice or requirement by which any State or political subdivision provided any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, only in the English language, where the Director of the Census determines that more than 5 percentum of the citizens of voting age residing in such State or political subdivision are members of a single language minority." 42 U.S.C. 1973(f)(3).

The Director of the Bureau of the Census and the Attorney General have made their respective determinations pursuant to Sections 4(b) and 4(f)(3) with regard to some States and political subdivisions. Those jurisdictions which to date have been determined to meet the requirements of Section 4(b) are listed in the following table. Determinations of coverage of additional jurisdictions under Section 4(b) will appear in later issues of the FEDERAL REGISTER.

Dated: December 23, 1975.

EDWARD H. LEVI,
Attorney General.

DECEMBER 23, 1975.

DECEMBER 29, 1975.

STATES OR POLITICAL SUBDIVISIONS COVERED UNDER SECTION 4(b) OF THE VOTING RIGHTS ACT OF 1965, AS AMENDED BY THE VOTING RIGHTS ACT AMENDMENTS OF 1975

Specified language minority:	*State or political subdivision*
Spanish heritage	California
	Yuba County
	New Mexico
	Curry County
	McKinley County
	Otero County
American Indian	New Mexico
	McKinley County
	Oklahoma
	Choctaw County
	McCurtain County
	South Dakota
	Shannon County
	Todd County

[FR Doc.76-185 Filed 1-2-76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

COEUR D'ALENE DISTRICT MULTIPLE USE ADVISORY BOARD

Notice of Meeting

Pursuant to the requirements of the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Coeur d'Alene District Multiple Use Advisory Board will hold ad hoc committee meetings beginning at 10:00 a.m., February 4, 1976, at the Holiday Inn in Coeur d'Alene. These committees will discuss timber management, grazing, wildlife, occupancy trespass, and recreation permits. At 9:00 a.m., February 5, 1976, at the Holiday Inn in Coeur d'Alene, Idaho, the entire Advisory Board will meet to hear presentations on occupancy trespass and the District's timber management program. The committees will also act upon resolutions promulgated by the ad hoc committees.

The meeting is open to the public. Interested persons will have an opportunity at the end of committee business to make oral presentations to the committee or file written statements. Such requests should be made to the official listed below at least three days prior to the meeting.

Further information concerning this meeting may be obtained from BLM District Manager Larry Woodard, 1808 North Third Street, Coeur d'Alene, Idaho 83814. His telephone number is 208-664-8231. Minutes of the meeting will be available for public inspection and copying two weeks after the meeting at the BLM District Office in Coeur d'Alene, Idaho and the BLM Resource Area Headquarters in Cottonwood, Idaho.

LARRY L. WOODARD,
District Manager.

[FR Doc.76-24 Filed 1-2-76;8:45 am]

[Colorado C-23169-B/W]

WILLIAM GRUENERWALD & ASSOCIATES, INC.

Notice of Pipeline Application

DECEMBER 23, 1975.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), William Gruenerwald & Assocates, Inc., P.O. Box 909, Colorado Springs, Colorado, 80901, has applied for a right of way for 2 inch lateral gas pipeline connected to the existing Egnar Unit Gathering System. The line totals approximately 0.598 miles in length across the following lands in:

San Miguel County, Colorado across the NE¼SE¼, Sec. 19 and SE¼NW¼, and the SW¼, Sec. 20
T. 44 N., R. 19 W., N.M.P.M.

The facility will enable applicant to accommodate natural gas and condensate production from certain wells in San Miguel County, Colorado.

The purposes of this notice are: to inform the public that the Bureau of Land Management will be proceeding with the preparation of environmental and other analyses necessary for determining whether the application should be approved and, if so, under what terms and conditions; to allow interested parties to comment on the application, and to allow any persons asserting a claim to the lands or having bona fide objections to the proposed natural gas gathering pipeline right of way to file their objections in this office. Any person asserting a claim to the lands or having bona fide objections must include evidence that a copy thereof has been served on the applicant.

Any comment, claim, or objections must be filed with the Chief, Branch of Land Operations, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202, as promptly as possible after publication of this notice.

EVERETT K. WEEDIN,
Chief, Branch of Land Operations.

[FR Doc.76-23 Filed 1-2-76;8:45 am]

[Montana 32820]

MONTANA

Notice of Proposed Withdrawal and Reservation of Lands

DECEMBER 22, 1975.

This Bureau of Reclamation has filed an application, serial number M 32820, for the withdrawal of lands described below from all forms of appropriation under the public land laws including the mining laws, but not from leasing under the mineral leasing laws, subject to valid existing rights.

The applicant desires the land as a continuous source of material and rock for construction, operation, and maintenance of waterfowl nesting islands and dust abatement structures in connection with the Canyon Ferry Unit, Helena-Great Falls Division, Pick-Sloan Missouri Basin Program.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 316 North 26th Street, Billings, Montana 59101.

The Department's regulation (43 CFR 2351.4(c)) provides that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum utilization of the lands for the purpose other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

PRINCIPAL MERIDIAN, MONTANA

T. 7 N., R. 1 E.,
Sec. 26, NE¼,NE¼NW¼, S½NW¼

The area described contains 280 acres in Broadwater County, Montana.

EDGAR D. STARK,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.76-15 Filed 1-2-76;8:45 am]

Bonneville Power Administration

DRAFT FACILITY LOCATION SUPPLEMENT, WEST BURLEY, IDAHO

Public Meeting

Notice of a public information meeting is hereby given by the Bonneville Power Administration to solicit public comments on the Draft Facility Location Supplement to BPA's Fiscal Year 1977 Program Environmental Statement covering the proposed facilities for West Burley Service.

The Draft Facility Location Supplement on this proposal describes the environmental impact of constructing a 138-kV transmission line between the newly planned West Burley Substation (to be constructed by the customers) and BPA's Unity Substation, both near Burley, Idaho.

The purpose of this public information meeting is to present to the public alternative line locations relative to the proposed facility and to solicit comments from the public with respect to the environmental impacts of the alternatives.

A notice of availability on the Draft Facility Location Supplement for West Burley Service appeared in the FEDERAL REGISTER on December 23, 1975. Copies of the Draft Facility Location Supplement describing the proposal are available for inspection in the library of the Headquarters Office of BPA, 1002 N.E. Holladay Street, Portland, Oregon 97232; the BPA Walla Walla Area Office, West 101 Poplar Street, Walla Walla, Washington 99362; and at the Idaho Falls District Office, 531 Lomax Street, Idaho Falls, Idaho 83401.

A limited number of copies are also available and may be obtained by writing to the Environmental Office, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon 97208, or to the Walla Walla Area Manager or to the Idaho Falls District Manager at the above addresses.

The meeting covering the proposed West Burley Service Facilities will be held on Tuesday, February 10, 1976, at 8:00 p.m. in the Minidoka Room of The Ramada Inn, 800 N. Overland, Burley, Idaho.

All those wishing to comment must do so by February 20, 1976.

Dated: December 30, 1975.

WILLIAM H. CLAGETT,
Assistant Administrator.

[FR Doc.76-97 Filed 1-2-76;8:45 am]

PROCUREMENT CONTRACTING

Redelegations of Authority

Redelegations of authority published in the FEDERAL REGISTER on July 6, 1968 (33 FR 9784), and last amended on September 29, 1975 (40 FR 44590), are further amended by revising § 10.12 to read as follows:

10.12 *Materials, equipment, and other contracts.* a. The Chief, Branch of Materials and Procurement; the Head, Procurement Section; and the Heads of the Contract Units may exercise the authority delegated to the Contracts Manager in Subsection 10.10a to:

(1) Execute contracts, amendments to contracts, and procurement transactions for materials, equipment, and services, including the exchange or sale of personal property for replacement purposes;

(2) Execute contracts and amendments to contracts for construction or clearing when the amount involved does not exceed the limitation on negotiation found in Section 1-18.302 of the Federal Procurement Regulations.

(3) Authorize the publication of advertisements, notices, or proposals, pursuant to Section 3828 of the Revised Statutes, 82 Stat. 1305, 44 U.S.C. 3702 (1968).

(4) Execute contracts and amendments to contracts for the disposal of surplus personal property for which the Administration is the authorized disposal agency under delegations heretofore or hereafter made pursuant to the provisions of the Federal Property and Administrative Services Act of 1949, 63 Stat. 378, as amended, 40 U.S.C. 484 to 486 (1970).

b. The Purchasing Agents each may exercise the authority described in Subsections 10.12a (1) and (3) when the amount involved does not exceed the small purchase limitation found in 41 U.S.C. 252(c)(3), and the authority described in Subsection 10.12a(2) on construction and clearing contracts.

c. The Head of the Quality Control Section and his designees may exercise the authority of the Contracting Officers for materials and equipment contracts in administering the technical provisions of the contracts during manufacturing and production. This authority includes the functions of (1) acceptance or rejection of materials or equipment; (2) interpretation of technical specifications; (3) approval of tests; and (4) quality surveillance and review of factory operations.

d. The Head of the Receiving Inspection Unit and his designees may exercise the authority of the Contracting Officers for materials and equipment contracts in administering the technical provisions of the contracts at destination. This authority includes the (1) acceptance or rejection of materials or equipment; (2) approval of test results; and (3) determining corrections necessary to meet contract specifications or requirements.

(205 DM 5.1; 205 DM 9.3; 205 DM 9.4; 205 DM 10; 28 F.R. 9884; 205 DM 11.1; 39 F.R. 43630; 365 DM 1)

Dated: December 16, 1975.

RAY FOLEEN,
Acting Administrator.

[FR Doc.76-98 Filed 1-2-76;8:45 am]

V 41 2 JAN 5 76 XUM

Fish and Wildlife Service

ENDANGERED SPECIES PERMIT

Notice of Receipt of Application

DECEMBER 24, 1975.

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93–205).

Applicant: Tamir M. Ellis, Department of Biology, University of Miami, Coral Gables, Florida 33124.

OUR NO. 42-R1678

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)
☐ IMPORT OR EXPORT LICENSE ☒ PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
The Capture of five (5) American Crocodiles, (Crocodylus acutus), for research purposes.
American Crocodiles are an endangered species.

3. APPLICANT: (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)
Tamir M. Ellis
Department of Biology
University of Miami
Coral Gables, Florida 33124

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:

☒ MR. ☐ MRS. ☐ MISS ☐ MS.	HEIGHT	WEIGHT
	5' 10"	138 lbs.
DATE OF BIRTH	COLOR HAIR	COLOR EYES
March 13, 1975	Blond	Hazel
PHONE NUMBER WHERE EMPLOYED	SOCIAL SECURITY NUMBER	
(305) 284-4272	267-41-9913	

OCCUPATION
Student, Research Associate.

ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT
State of Florida, Game and Fresh Water Fish Commission.

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING.
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION
The University of Miami is a private teaching and research institution.

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.
Dr. David H. Evans, Assoc. Prof.
IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED
Phone number of above 284-4272.

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
Florida Keys, specifically Key Largo.

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? ☐ YES ☒ NO
(If yes, list license or permit numbers)

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☒ YES ☐ NO
(If yes, list jurisdictions and type of documents)
State of Florida permit attached.

9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF
$

10. DESIRED EFFECTIVE DATE
ASAP

11. DURATION NEEDED
1 year

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12(b)) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE SUBMITTED.
17.22 paragraphs: 1,2,3,5,6,i,ii,iii,iv,v,7,8,i,ii,iii.

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In ink)
Tamir Ellis
DATE
11/25/75.

3-200
10/74

RESPONSES TO FEDERAL PERMIT REGULATIONS, SECTION 17.22

NOVEMBER 25, 1975.

17.22 (1) The cover form 3–200 requests the authorization to capture from wild populations five (5) American Crocodiles, *Crocodylus acutus*, at the age of approximately 2 years and a size of approximately 3.5 feet. For our work the sex of the individuals is of no consequence.

(2) At present the specimens sought to be covered by the permit are still in the wild in the Key Largo area.

(3) The applicants have attempted to acquire the required specimens from several sources: (1) direct loan from the Crandon Park Zoo; however, the specimens maintained at the Zoo are much too large for our intents. (2) Through commercial means and animal dealers as Mr. Ross Allen and Cecil Clemmens, again the specimens offered by these individuals proved to be too large to be worked with safely, and exorbitantly expensive. In addition of the specimens presently in collections in captivity all are maintained in a completely fresh water media, which may hinder the developement of an ion excreting device.

The American Crocodiles we propose to capture will be maintained at the University of Miami, Coral Gables, Florida, within special control areas within the Department of Biology. The University itself is a teaching institution, with approximately 18,000 students, and is privately supported.

(6) i. The living specimens will be maintained in large wood and fiberglass aquaria measuring 8 feet in length, 4 feet in width and 2 feet in depth; each unit is heated and has its own filtration system that is responsible for the constant circulation of the water. A dry area will be provided for the animal so that it is at no time forced to remain in the water. The temperature in these rooms is 75° F. at all times, lighting is provided for 12 hour intervals, and access to the rooms is gained only by key of which two are issued, being held by Tamir M. Ellis and David H. Evans, who shall share responsibility for the animals. (A schematic diagram has been attached.)

ii. Tamir M. Ellis will be solely responsible for the care and maintenance of the Crocodiles; he has many years of experience in similar work, having raised juvenile crocodiles at this University in the course of his research, as well as serving as a consultant to the Museum of Science, 3280 South Miami Avenue, in Miami, in similar matters.

iii. It is our intention to work with 3.5 foot specimens which are not yet mature for a period of only one year. Therefore we would be unable to assist in any form of breeding program.

iv. Individuals captured will be placed in smooth fiberglass transport boxes as is customary for crocodiles. These boxes will be borrowed from Crandon Park Zoo, and the Florida Game and Fresh Water Fish Commission. Total transportation by car is not longer than 4 rours and no arrangements for feeding the specimens have been considered. (A diagram of the transporting boxes is attached).

v. In our work with juveniles of the species *C. acutus*, the only mortalities that have occurred were attributed to birth defects in the individuals, all carcasses have been preserved and saved for inspection purposes.

(7) No contracts or written agreements concerning the capture of the American Crocodiles have been entered. No persons other than Tamir M. Ellis or David H. Evans shall engage in activities of capture with the exception of the Florida Game and Fresh Water Fish Commission personnel.

(8) i. We request federal permitting for the following:

The capture and retention of five (5) American Crocodiles, and their transport and maintenance at the University of Miami, for research purposes, for a period of one (1) year.

A study of the Na balance of the species, by isotopic technique, which will not in any way be detrimental to the animals.

The return of the five (5) American Crocodiles back to the original wild population.

ii. A general outline of our preliminary data and our proposed research is appended. (A identical copy has been presented and approved by the State of Florida). Specifically, we propose to use the captured juvenile *C. acutus* to determine if salinity tolerance is age-dependent. (A graph of the typical response by hatchlings when immersed in 50% sea water has also been attached). These studies will involve placing the specimens in various brackish water salinities and monitoring their ability to regulate body fluid levels. This will involve measuring the weight of the animals at various intervals after transfer to a given salinity. If the animal is able to osmoregulate in the particular salinity its body weight will remain constant. If the animal is not osmoregulation and is losing water by osmosis his weight will decrease and his blood salt concentration will increase. Small blood samples will also be taken at intervals to monitor blood salt levels. It should be noted that animals will be removed from any salinity after a 10% loss in body weight has been found. This loss in body weight is far below critical levels but is enough to show the animals ability to osmoregulate.

If we find that these larger juveniles (3.5 feet) are able to tolerate salinities above the critical salinity maximum of the hatchlings (25% sea water) then we will determine the routes of salt efflux from the animal in this salinity. This will involve injecting the experimental animal with a small dose of radioactive sodium, having a short half life, ^{24}Na, cannulating the cloacal opening and placing the animal into a chamber with a partition separating the head and tail ends of the specimen. (See chamber drawing appended). We will then sample the external media to quantify the amount of radioactivity that leaves the animal via the head, cloaca, and integument. We can then compare these data with our preliminary data on the hatchling *C. acutus*.

We propose that these data should indicate directly if a functional salt excretory gland is found in the head region as it is in other marine reptiles and birds.

iii. Our research has relevance to both comparative physiology and the ecology/propagation of the species *Crocodylus acutus*. It is important to know if all marine or brackish water reptiles and birds have evolved the ability to tolerate high salinities by the acquisition of a specialized salt secretory gland. If the adult *C. acutus* can tolerate high salinities without a salt gland (as some have proposed) then what mechanisms are utilized? More importantly, if indeed hatchling *C. acutus* cannot tolerate salinities above 25% while adults can tolerate higher salinities then it is obvious that the decline in numbers of the species is due to the vastly lowered fresh water table in South Florida and that the species remaining populations could be enhanced by maintaining the wild populations in regions of low salinity until the young have acquired the ability to tolerate more brackish environments. It is a distinct possibility that the present range of *C. acutus*, which is almost entirely costal may, in fact, be unnatural and detrimental to the normal propagation of this species. It is hoped that our studies will give us some insight into this important question.

TAMIR M. ELLIS.

FLORIDA GAME AND FRESH WATER FISH COMMISSION

H.R. THOMAS, Chairman, Jacksonville
E.P. "SONNY" BURNETT, Vice Chairman, Tampa
LUDLIN M. MAYS, Miami
HOWARD ODOM, Marianna
RONALD G. RHODES, Sebring

DR. O.E. FRYE, JR., Director
H.E. WALLACE, Assistant Director

November 18, 1975

TO WHOM IT MAY CONCERN:

THIS IS TO AUTHORIZE MR. TAMIR ELLIS, DEPT. OF BIOLOGY, P. O. BOX 249118, UNIVERSITY OF MIAMI, CORAL GABLES, FLORIDA, 33124, TO CAPTURE AND TEMPORARILY POSSESS FIVE (5) AMERICAN CROCODILES APPROXIMATELY THREE (3) FEET IN LENGTH FOR RESEARCH PURPOSES, CONSISTENT WITH THE RULES AND REGULATIONS OF THE FLORIDA GAME AND FRESH WATER FISH COMMISSION AND THE U. S. FISH AND WILDLIFE SERVICE.

THIS PERMIT IS NOT VALID WITHOUT CORRESPONDING FEDERAL AUTHORIZATION.

THIS PERMIT WILL EXPIRE JUNE 30, 1976.

O. E. FRYE, JR., DIRECTOR

OEF:ms

cc: Major Louis Gainey
U. S. Fish & Wildlife Service

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before February 4, 1976, will be considered.

Dated: December 24, 1975.

C. R. HAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.75-82 Filed 1-2-76;8:45 am]

V 41 2 JAN 5 76 XUM

ENDANGERED SPECIES PERMIT

Notice of Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93–205).

Applicant: University of Nevada, Las Vegas, Department of Biological Sciences, 4505 Maryland Parkway, Las Vegas, Nevada 89154. Dr. James E. Deacon, Chairman, Department of Biological Sciences.

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only)
[ ] IMPORT OR EXPORT LICENSE
[XX] PERMIT

3. APPLICANT, (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)
Department of Biological Sciences
University of Nevada, Las Vegas

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
Research Associated with M.S. Thesis or Connected Work

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:
[ ] MR. [ ] MRS. [ ] MISS [ ] MS.
HEIGHT | WEIGHT
DATE OF BIRTH | COLOR OF HAIR | COLOR OF EYES
PHONE NUMBER WHERE EMPLOYED
SOCIAL SECURITY NUMBER
OCCUPATION

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION
Educational Institution

ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR ETC.
Dr. James E. Deacon, Professor of Biology, Department Chairman

IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
Refugium Below Hoover Dam
Within Nevada, Clark County

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT?
[XX] YES [ ] NO
(If yes, list license or permit numbers).
PRT8-135-C

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? [ ] YES [XX] NO
(If yes, list jurisdictions and type of documents)
Nevada Fish and Game permit applied for.

9. CERTIFIED CHECK OR MONEY ORDER (If applicable) PAYABLE TO U.S.FISH & WILDLIFE SERVICE IN AMOUNT OF$

10. DESIRED EFFECTIVE DATE
1 Nov. 1975

11. DURATION NEEDED
2 years

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12(b) MUST BE ATTACHED, IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.
Endangered Wildlife Permit Sections: 17.23-See Attachments

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In ink) J. E. Deacon
DATE

UNIVERSITY OF NEVADA,
Las Vegas, Nev., November 5, 1975.

U.S. FISH AND WILDLIFE SERVICE,
Division of Law Enforcement,
Washington, D.C.

GENTLEMEN: The enclosed permit application for an Endangered Species Permit is submitted to you as a request to permit collection of up to 50 Devils Hole Pupfish, an endangered species living in a refugium constructed by the Department of Interior below Hoover Dam, Nevada. This permit is submitted to cover proposed activities associated with a Masters thesis written by Jack Williams, a graduate student in the Department of Biological Sciences, University of Nevada, Las Vegas. The Research Director for the thesis project is Dr. James E. Deacon, Chairman of the Department of Biological Sciences, University of Nevada, Las Vegas. An earlier permit was submitted to allow observational activities associated with the development of data on the thesis. In the course of defining the scope of the research, it became obvious to us that it would be necessary to collect and preserve up to 50 individuals. We propose to make these collections after developing information on fluctuations in population size during the course of a year. Such data will assist us in defining the best times to remove individuals from the population. We will, of course, undertake the removal activities during that time of year just prior to maximum mortality so as to impose our man-induced mortality on the population at a time when it would otherwise be declining from natural mortality factors.

The primary purpose for these collections will be to evaluate whether or not changes have occurred in the morphology of the Devils Hole Pupfish since being transplanted into the Hoover Dam Refugium. There has been continuing comment from observers in the scientific community to the effect that the pupfish population in the Hoover Dam Refugium looks different from the population in Devils Hole. An evaluation of the extent of this difference has been continuously urged by Dr. R. R. Miller and by numerous other people associated with the efforts to save the Devils Hole Pupfish. Because the population at Hoover Dam was established from a relatively small number of individuals, it is extremely important to document whether or not such changes are taking place.

I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part XIII of the Code of Federal Regulations and the other applicable parts in subchapter B of Chapter I of Title 50 and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement hereon may subject me to the criminal penalties of 18 U.S.C. 1001.

Sincerely,

JAMES E. DEACON,
Chairman, Department of Biological Sciences.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before February 4, 1976, will be considered.

Dated: December 29, 1975.

C. R. BAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.76-83 Filed 1-2-76;8:45 am]

National Park Service

MIDWEST REGIONAL ADVISORY COMMITTEE

Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Midwest Regional Advisory Committee will be held beginning at 2:00 p.m. (CST), on Wednesday, February 4, and continuing until approximately 12:00 noon, Friday, February 6, 1976, in Omaha, Nebraska.

The committee was established pursuant to Public Law 91–383 to provide for the free exchange of ideas between the National Park Service and the public, and to facilitate the solicitation of advice or other counsel from members of the public on problems and programs pertinent to the Midwest Region of the National Park Service.

The members of the advisory committee are as follows:

Honorable Robert W. Berrey III (Chairman)
Mrs. Mildred Curtis
Mr. Norman G. Duke
Mr. John J. Franke, Jr.
Mr. Glenn C. Gregg
Mr. Fred D. Hartley
Mr. Lewis W. Jones
Mr. William L. Lieber
Mr. Erwin D. Sias

The committee will meet at 2:00 p.m. (CST) Wednesday, February 4, in the Training Room of the Midwest Regional Office, National Park Service, 1709 Jackson Street, Omaha, Nebraska. On Thursday, February 5 and Friday, February 6, it will meet at 8:30 a.m. (CST) at the Omaha Granada Royal Hometel, 72nd Street and Mercy Road, Omaha, Nebraska. Topics for the meeting include the following:

1. Committee evaluation of NPS public input efforts in the Midwest Region.
2. NPS urban park areas in the Midwest Region: special characteristics, problems and opportunities.
3. Progress report covering current problems and activities.

The meeting will be open to the public. It is expected that in addition to the committee and staff about 20 persons will be able to attend. Any member of the public may file with the committee a written statement concerning matters to be discussed.

Persons wishing further information concerning this meeting, or who wish to submit written statements, may contact Bill W. Dean, Associate Regional Director, Cooperative Activities, Midwest Regional Office at area code 402, 211–3481. Minutes of the meeting will be available for public inspection four weeks after the meeting at the office of the Midwest Region, 1709 Jackson Street, Omaha, Nebraska 68102.

MERRILL D. BEAL,
Regional Director,
Midwest Region.

[FR Doc.76-161 Filed 1-2-76;8:45 am]

OZARK NATIONAL SCENIC RIVERWAYS

Notice of Intention To Issue Concession Permit

Pursuant to the provisions of Section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Superintendent, Ozark National Scenic Riverways, proposes to issue a Concession Permit to Douglas Keeling authorizing him to provide concession facilities and services for the public at Ozark National Scenic Riverways for a period of one (1) year from January 1, 1976, through December 31, 1976.

An assessment of the environmental impact of this proposed action has been made and it has been determined that it will not significantly affect the quality of the environment and that it is not a major Federal action having a significant impact on the environment under the National Environmental Policy Act of 1969. The environmental assessment may be reviewed in the Midwest Regional Office, 1709 Jackson Street, Omaha, Nebraska 68102, and in the Office of the Superintendent, Ozark National Scenic Riverways, Van Buren, Missouri.

The foregoing Concessioner has performed his obligations under an expiring permit to the satisfaction of the National Park Service and therefore, pursuant to the Act of October 9, 1965, as cited above, is entitled to be given preference in the renewal of the permit and in the negotiation of a new permit. However, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted on or before February 4, 1976.

Interested parties should contact the Superintendent, Ozark National Scenic Riverways, for information as to the requirements of the proposed permit.

Dated: December 29, 1975.

DAVID B. BUTTS,
Acting Associate Director,
National Park Service.

[FR Doc.76-162 Filed 1-2-76;8:45 am]

SLEEPING BEAR DUNES NATIONAL LAKESHORE ADVISORY COMMISSION

Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Sleeping Bear Dunes National Lakeshore Advisory Commission will be held at 1 p.m. (EST), January 30, 1976, at the Sail Inn Restaurant, 1579 U.S. 31, one mile south of Benzonia, Michigan.

The commission was established by Public Law 91–479 to meet and consult with the Secretary of the Interior on general policies and specific matters related to the administration and development of the Sleeping Bear Dunes National Lakeshore.

The members of the commission are as follows:

Mr. Noble D. Travis (Chairman)
Mr. John B. Dougherty
Mr. Carl T. Johnson
Mr. William B. Bolton
Mr. John D. Stans
Mr. Charles H. Yeates
Mrs. C. R. Williams
Mr. Louis F. Twardzik
Mr. John H. Stahlin
Mr. Sam Eberly

The matters to be discussed at this meeting include:

1. Status of the Lakeshore land acquisition program.
2. Report of members Johnson and Stahlin on meetings with the Secretary of the Interior and others concerning the Lakeshore land acquisition program.
3. Superintendent's report.

The meeting will be open to the public. Any member of the public may file with the commission a written statement concerning the matters to be discussed.

Persons wishing further information concerning this meeting, or who wish to submit written statements, may contact J. A. Martinek, Superintendent, Sleeping Bear Dunes National Lakeshore, 400½ Main Street, Frankfort, Michigan 49635, telephone 616 352–9611. Minutes of this meeting will be available for public inspection four weeks after the meeting at the office of the Superintendent.

Dated: December 17, 1975.

MERRILL D. BEAL,
Regional Director,
Midwest Region.

[FR Doc.76-160 Filed 1-2-76;8:45 am]

FORT LARNED NATIONAL HISTORIC SITE

Notice of Public Meeting Regarding Environmental Assessment on Master Plan

A public meeting on an environmental assessment for the master plan for Fort Larned National Historic Site in Kansas will be held at 7:30 p.m. (CST), February 3 at the Pawnee County Courthouse in Larned, Kansas. Interested individuals, representatives of organizations and public officials are invited to express their views in person. Those not wishing to appear may submit written statements which should be filed with the Superintendent, Fort Larned National Historic Site, no later than March 3.

The assessment discusses the feasibility, environmental consequences and other aspects of the reasonable alternatives identified in preparation of a new master plan to take the place of the one now considered inadequate.

The environmental assessment may be reviewed in Room 1210 of the Department of the Interior Building at 18th and C Streets NW., Washington, D.C.; the Midwest Regional Office of the National Park Service, 1709 Jackson Street, Omaha, Ne.; or at the office of the Super-

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intendent, Fort Larned National Historic Site, six miles west of Larned, Ks., on U.S. Highway 156. Copies may be obtained by writing the Superintendent, Fort Larned National Historic Site, Route 3, Larned, Ks., 67550.

Dated: December 17, 1975.

MERRILL D. BEALL,
Regional Director,
Midwest Region.

[FR Doc.75-35247 Filed 12-31-75;10:24 am]

Office of Hearings and Appeals

[Docket No. M 76-42]

QUEEN ANNE COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Queen Anne Coal Company has filed a petition to modify the application of 30 CFR 77.1605(k) to its Queen Anne No. 3 Mine, Lake City, Tennessee.

30 CFR 77.1605(k) provides:

Berms or guards shall be provided on the outer bank of elevated roadways.

In support of its petition Petitioner states:

1. The subject haulage road is only 3 miles in length, very wide, and well-maintained. Petitioner's traffic system has worked extremely well in the avoidance of all accidents. In sum, Petitioner has an excellent safety record in its hauling operations due to careful maintenance of rolling stock, supervised traffic system and extra wide roads.

2. Installation of berms on the side of the road would interfere with drainage, and water, resulting from snow, would collect on the road. Thus, the berms would create a hazard to rather than a protection of the drivers.

3. Petitioner believes that the safety precautions presently taken on the haulage road will guarantee a greater measure of protection to the truck drivers than will be afforded by the installation of berms or guardrails.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before February 4, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID TORBETT,
Acting Director,
Office of Hearings and Appeals.

DECEMBER 23, 1975.

[FR Doc.76-130 Filed 1-2-76;8:45 am]

[Docket No. M 76-40]

BETHLEHEM MINES CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Bethlehem Mines Corporation has filed a petition to modify the application of 30 CFR 75.305 to its Mine No. 60, Ellsworth, Pennsylvania.

30 CFR 75.305 provides:

In addition to the preshift and daily examinations required by this Subpart D, examinations for hazardous conditions, including tests for methane, and for compliance with the mandatory health or safety standards, shall be made at least once each week by a certified person designated by the operator in the return of each split of air where it enters the main return, on pillar falls, at seals, in the main return, at least one entry of each intake and return aircourse in its entirety, idle workings, and, insofar as safety considerations permit, abandoned areas. Such weekly examinations need not be made during any week in which the mine is idle for the entire week, except that such examination shall be made before any other miner returns to the mine. The person making such examinations and tests shall place his initials and the date and time at the places examined, and if any hazardous condition is found, such condition shall be reported to the operator promptly. Any hazardous condition shall be corrected immediately. If such condition creates an imminent danger, the operator shall withdraw all persons from the area affected by such condition to a safe area, except those persons referred to in section 104(d) of the Act, until such danger is abated. * * *

For the reasons specified below, Petitioner seeks modification of that portion of 30 CFR 75.305 which requires a certified person to make a weekly examination in each return split of air with respect to the return air course from the right side of 3 Butt, A.F.M. and the right side of 53 Mains, 1 Slope section and the return air courses paralleling the following mainline haulages: E. Face North, D. Face North, 33 Mains from D. Face North to outby A.F.N. junction and 53 Mains from 6 Butt, G.F.N. junction out to E.F.N. haulage and J.F.S. haulage. This is approximately 4½ miles of haulage.

1. The Somerset Mine No. 60 was formerly known as Cokeburg Mine No. 53. Mine No. 53 was acquired from Lackawanna Steel Company in 1922. Mine No. 60 was operated with the coal being hand loaded until September 1953. Most of the return air courses for the locations in question were driven approximately 25 to 30 years ago. Since some of this development was done before the advent of roof bolts for roof support, timbers had been used for support as part of the mining cycle. These timbers have long since deteriorated due to adverse conditions (moisture, roof pressures, etc.), leaving much of the roof unsupported; thus, there have been numerous roof falls in these return airways. The roof falls that have been encountered in attempts to travel these returns are high and, in some areas, very tight. In addition, there are some accumulations of water that are impassable in parts of these return air courses.

2. The return air courses described above have not been maintained or used to ventilate active workings since the time they were driven; these returns are impassable today due to the adverse conditions which exist in the areas under consideration. A survey of these entries has been completed and indicates that it would require 65 man-years to make the returns travelable. As a result of these adverse conditions, the air courses cannot be safely traveled for examination purposes on a weekly basis as required by the Act.

3. Petitioner proposes an alternate method for achieving the result contemplated by 30 CFR 75.305, which will at all times guarantee no less than the same protection afforded by such standard. This alternate method also eliminates the hazards which would be encountered if attempts were made to travel and also to rehabilitate every portion of the return air courses in the areas in question.

ALTERNATE METHOD

a. Despite the above-described conditions which exist in the return air courses in the areas in question, preparations have been made to install six (6) safe monitoring stations at which examinations for hazardous conditions can be conducted, as well as examinations for compliance with the mandatory health or safety standards. Air and methane readings will also be made at these monitoring stations to assure the air flow is in its proper course and usual volume.

b. Methane and air readings shall be made by a certified, competent person on a weekly basis, if not more frequently.

c. Methane will not be permitted to accumulate in the return air courses, as determined at the underground measuring stations, beyond legal limits.

d. Both access to and the measuring stations themselves will continue to be kept in safe condition.

e. A date board shall be located at each measuring station, and air quantity and methane readings shall be taken and recorded, including the initials of the certified person taking such readings, as well as the date and time the readings are taken.

f. Examinations will be made at each measuring station at least once each week.

g. All employees required to perform measurements at the underground stations will be certified for such work on the basis of state examinations.

Persons interested in this petition may request a hearing on the petition or furnish comments by February 4, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID TORBETT,
Acting Director,
Office of Hearings and Appeals.

DECEMBER 23, 1975.

[FR Doc.76-138 Filed 1-2-76;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Navy

NAVAL RESEARCH ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. I), notice is hereby given that the Naval Research Advisory Committee will hold a closed meeting on 29–30 January 1976 at the Naval Weapons Center, China Lake, California. The agenda will consist of matters which are classified in the interest of national security including various matters pertaining to the committee's general mission to advise on whether research and development efforts being conducted by the Department of the Navy are adequate in relation to the problems to be solved. The Secretary of the Navy for that reason has determined in writing that this meeting of the Naval Research Advisory Committee should be closed to the public because it is concerned with matters listed in section 552 (b) (1) of title 5, United States Code.

Dated: December 23, 1975.

H. B. ROBERTSON, JR.,
Rear Admiral, JAGC, U.S. Navy,
Judge Advocate General.

[FR Doc.76-85 Filed 1-2-76;8:45 am]

Office of the Secretary

DOD ADVISORY GROUP ON ELECTRON DEVICES

Notice of Advisory Committee Meeting

Working Group D (Mainly Laser Devices) of the DOD Advisory Group on Electron Devices (AGED) will meet in closed session at the Institute for Defense Analysis, Science and Technology Division, 400 Army-Navy Drive, Arlington, VA 22202 on 20 January 1976.

The purpose of the Advisory Group is to provide the Director of Defense Research and Engineering, the Director, Defense Advanced Research Projects Agency and the Military Departments with technical advice on the conduct of economical and effective research and development programs in the area of electron devices.

The Working Group D meeting will be limited to review of research and development programs which the Military Departments propose to initiate with industry, universities or in their laboratories. The laser area includes programs on developments and research related to low energy lasers for such applications as battlefield surveillance, target designation, ranging, communications, weapon guidance and data transmission. The review will include classified program details and will result in advice or recommendations to government research and development agencies preliminary to decisions or actions, the preliminary disclosure of which would interfere with the orderly conduct of government.

In accordance with Section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Advisory Group meeting concerns matters listed in Section 552(b) of Title 5 of the United States Code, specifically Subparagraph (1) thereof, and that accordingly, this meeting will be closed to the public.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

JANUARY 2, 1976.

[FR Doc.76-293 Filed 1-2-76;10:24 am]

DEPARTMENT OF AGRICULTURE

Forest Service

ROCK CREEK ADVISORY COMMITTEE

Notice of Meeting

The Rock Creek Advisory Committee will meet at 7:00 p.m. on Tuesday, January 20, 1976. Meeting place will be in Drummond, Montana, in the St. Michael's Catholic Church basement.

The purpose of this meeting is to receive status report on the Upper Rock Creek study by the Deerlodge National Forest and to review completed resource inventory reports for the Lower Rock Creek Planning Unit.

The meeting will be open to the public. Any member of the public who wishes to do so shall be permitted to file a written statement with the Committee before or after the meeting. To the exent that time permits, the Committee Chairman may permit interested persons to present oral statements at the meeting.

General participation by members of the public or questioning of Committee members or other participants shall not be permitted unless approved by the majority of Committee members.

Dated: December 22, 1975.

CHARLES B. THEBE,
Multiple Use Coordinator,
Lolo National Forest.

[FR Doc.76-22 Filed 1-2-76;8:45 am]

BEARTRAP-DUTCHLER PLANNING UNIT

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for Beartrap-Dutchler Planning Unit, Salmon National Forest, Idaho. The Forest Service report number is USDA–FS–DES (Adm) R4–76–9.

A draft environmental statement has been prepared on the proposed land use plan for the Beartrap-Dutchler Planning Unit in the Salmon National Forest, Lemhi County, Idaho. Approximately 169,596 acres are involved and have been divided into three management areas. The plans sets forth the allocation of land to various uses and activities; establishes objectives; and documents management direction, decisions, and coordination.

This draft environmental statement was transmitted to CEQ on December 23, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St. and Independence Ave. SW., Washington, D.C. 20250.
Regional Planning Office, USDA, Forest Service, Federal Building, Room 4403, 324–25th Street, Ogden, Utah 84401.
Forest Supervisor, Salmon National Forest, Forest Service Building, P.O. Box 729, Salmon, Idaho 83467.
District Forest Ranger, North Fork Ranger District, North Fork, Idaho 83466.

A limited number of single copies are available upon request to Forest Supervisor John L. Emerson, Salmon National Forest, P.O. Box 729, Salmon, Idaho 83467.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ Guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor John L. Emerson, Salmon National Forest, P.O. Box 729, Salmon, Idaho 83467 by February 21, 1976, in order to be considered in the preparation of the final environmental statement.

Date: December 23, 1975.

DONALD A. SCHULTZ,
Acting Director,
Regional Planning and Budget.

[FR Doc.76-84 Filed 1-2-76;8:45 am]

Office of the Secretary

SUPERIOR NATIONAL FOREST

Transfer of Certain Lands

Correction

In FR Doc. 75–26173, appearing at page 45211, in the issue for Wednesday, October 1, 1975, in the third column, under the headings "St. Louis County, Fourth Principal Meridian", the fourth and fifth lines should read:

NE¼, SE¼NW¼, N½SE¼;
Sec. 3, lots 3 and 4, S½NW¼;

Rural Electrification Administration

SUNFLOWER ELECTRIC COOPERATIVE, INC.

Draft Environmental Impact Statement

Notice is hereby given that the Rural Electrification Administration has prepared a Draft Environmental Impact Statement in accordance with Section 102(2)(C) of the National Environmental Policy Act of 1969, in connection with a request for a loan guarantee from the

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Rural Electrification Administration for Sunflower Electric Cooperative, Inc., 401 First National Bank Building, Hays, Kansas 67601 to finance a 50 megawatt combustion turbine at the Garden City Power Plant, Garden City, Kansas.

Additional information may be secured on request, submitted to Mr. Richard F. Richter, Assistant Administrator—Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. Comments are particularly invited from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved from which comments have not been requested specifically.

Copies of the REA Draft Environmental Impact Statement have been sent to various Federal, State, and local agencies, as outlined in the Council on Environmental Quality Guidelines. The Draft Environmental Impact Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C., Room 4310 at the borrower's address indicated above.

Comments concerning the environmental impact of the construction proposed should be addressed to Mr. Richter at the address given above. Comments must be received on or before March 5, 1976, to be considered in connection with the proposed action.

Final REA action with respect to this matter (including any release of funds) will be taken only after REA has reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 22d day of December, 1975.

DAVID H. ASKEGAARD,
Acting Administrator,
Rural Electrification Administration.

[FR Doc.76-100 Filed 1-2-76;8:45 am]

CAJUN ELECTRIC POWER COOPERATIVE, INC. NEW ROADS, LA.

Final Environmental Statement

Notice is hereby given that the Rural Electrification Administration has prepared a Final Environmental Statement in accordance with Section 102(2)(C) of the National Environmental Policy Act of 1969, in connection with a proposed loan application from Cajun Electric Power Cooperative, Inc., P.O. Box 578, New Roads, Louisiana 70760. This proposed loan application, together with funds from other sources, will provide for the construction of two 540 MW coal-fired generating units and related facilities to be located on the Mississippi River in Pointe Coupee Parish, approximately four miles northeast of New Roads, Louisiana.

Additional information may be secured on request, submitted to Mr. Richard F. Richter, Assistant Administrator-Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. The Final Environmental Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue, SW., Washington, D.C., Room 4322, or at Cajun Electric Power Cooperative, Inc., P.O. Box 578, New Roads, Louisiana 70760. Final action may be taken with respect to this matter after February 4, 1976.

Any loan which may be made pursuant to this proposed application will be subject to, and release of funds thereunder will be contingent upon, REA's reaching satisfactory conclusions with respect to environmental effects and Final REA action will be taken only after compliance with Environmental Statement procedures required by the National Environmental Statement procedures required by the National Environmental Policy Act of 1969.

Dated at Washington, D.C., this 19th day of December 1975.

DAVID H. ASKEGAARD,
Acting Administrator,
Rural Electrification Administration.

[FR Doc.76-171 Filed 1-2-76;8:45 am]

Soil Conservation Service

COTTONWOOD-WALNUT CREEK WATERSHED PROJECT, N.M.

Availability of Final Environmental Impact Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental impact statement (EIS) for the Cottonwood-Walnut Creek Watershed Project, Chaves and Eddy Counties, New Mexico, USDA-SCS-EIS-WS-(ADM)-74-2-(F)-NM.

The environmental impact statement concerns a plan for watershed protection, flood prevention, and recreation. The planned works of improvement include conservation land treatment and structural measures. The structural measures include eleven floodwater retarding structures, one multipurpose structure with flood detention capacity and recreation storage with associated recreation facilities, five floodwater diversions and channel work. The channel work involves construction of about 4.8 miles of new channel and about 4.9 miles of channel enlargement on the lower end of Cottonwood Creek, an existing natural channel with limited intermittent and ephemeral flow in the reach where channel work is planned. The recreation development will provide an estimated 63,970 visitor-days of use annually.

Cottonwood-Walnut Creek Watershed Project, New Mexico. Notice of Availability of Final Environmental Impact Statement.

The final EIS has been filed with the Council on Environmental Quality.

A limited supply of the final statement is available to fill single copy requests at the following location.

Soil Conservation Service, USDA, 517 Gold Avenue, S.W., Albuquerque, New Mexico 87103.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: December 23, 1975.

JOSEPH W. HAAS,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.76-12 Filed 1-2-76;8:45 am]

ELK TWOMILE CREEK WATERSHED PROJECT, W. VA.

Availability of Negative Declaration

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; § 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and § 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for work remaining to be done in the Elk Twomile Creek Watershed Project, Kanawha County, West Virginia.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. James S. Bennett, State Conservationist, Soil Conservation Service, USDA, Federal Building, High Street, Morgantown, West Virginia 26505, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection and flood prevention. The remaining planned works of improvement as described in the Negative Declaration include conservation land treatment supplemented by four single-purpose floodwater retarding structures.

The environmental assessment file is available for inspection during regular working hours at the following location:

Soil Conservation Service, USDA, Federal Building High Street, Morgantown, West Virginia 26505

Requests for the Negative Declaration should be sent to the above address.

No administrative action on implementation of the proposal will be taken until January 20, 1976.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: December 22, 1975.

JOSEPH W. HAAS,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.76-13 Filed 1-2-76;8:45 am]

OKATOMA CREEK WATERSHED PROJECT, MISS.

Availability of Final Environmental Impact Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental impact statement (EIS) for the Okatoma Creek Watershed Project, Smith, Simpson, Covington, Jones and Forrest Counties, Mississippi, USDA-SCS-EIS-WS-(ADM)-75-1-(F)-MS.

The EIS concerns a plan for watershed protection, flood prevention, and recreation. The planned works of improvement provide for conservation land treatment, 14 floodwater retarding structures, one multiple-purpose structure for flood prevention and recreation, basic recreation facilities, 53.7 miles of channel work (31.9 miles of channel clearing, 10.2 miles of channel clearing and shaping, 9.7 miles of channel enlargement and 1.9 miles of channel excavation or excavated floodway), and a levee system around the Collins Airport.

The final EIS has been filed with the Council on Environmental Quality.

Okatoma Creek Watershed Project, Mississippi. Notice of Availability of Final Environmental Impact Statement.

A limited supply is available at the following location to fill single copy requests:

Soil Conservation Service, USDA, Room 590 Milner Building, 310 S. Lamar Street, or P.O. Box 610, Jackson, Mississippi 39205.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: December 22, 1975.

JOSEPH W. HAAS,
Deputy Administrator for Water Resources Soil Conservation Service.

[FR Doc.76-14 Filed 1-2-76;8:45 am]

SHAWNEE RESOURCE CONSERVATION AND DEVELOPMENT MEASURE NO. 578, BRIER CREEK FLOOD PREVENTION AND LAND DRAINAGE, ILL.

Availability of Negative Declaration

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, and § 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550), August 1, 1973; and § 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651), June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Brier Creek Flood Prevention and Land Drainage Measure, Saline County, Illinois.

The environmental assessment of this federal action indicates that the measure will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with it. As a result of these findings, Mr. Daniel E. Holmes, State Conservationist, Soil Conservation Service, USDA, Federal Building, 200 West Church Street, Champaign, Illinois 61820, has determined that the preparation and review of an environmental impact statement is not needed for this measure.

The measure concerns a plan for conservation land treatment, 2.5 miles of channel work on a previously manmodified intermittent channel, approximately 19 side inlet water control structures and selected environmental considerations.

The environmental assessment file for this measure is available for inspection during regular working hours at the following location:

Soil Conservation Service, USDA, 200 West Church Street, Champaign, Illinois 61820.

Requests for single copies of the negative declaration should be sent to the above address.

No administrative action on implementation of the proposal will be taken until 15 days after the date of this notice.

(Catalog of Federal Domestic-Assistance Program No. 10.901, National Archives Reference Service)

Dated: December 23, 1975.

NEIL F. BOGNER,
Acting Deputy Administrator for Field Services, Soil Conservation Service.

[FR Doc.76-21 Filed 1-2-76;8:45 am]

UPPER CHOPTANK RIVER WATERSHED PROJECT, DEL. AND MD.

Notice of Availability of Draft Environmental Impact Statement

Pursuant to Section 102(2)(C) of the National Environmental Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650.7(e) of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, has prepared a draft environmental impact statement for the Upper Choptank River Watershed Project, Kent County, Delaware, Caroline and Queen Anne's Counties, Maryland, USDA-SCS-EIS-WS-(ADM)-76-1-(D)-DE.

The environmental impact statement concerns a plan for watershed protection, flood prevention, and drainage. The planned works of improvement include conservation land treatment supplemented by channel work. The channel work remaining to be completed will involve clearing and excavation on 212 miles of existing channels to provide improved water management in a flatland watershed that is 43 percent agricultural cropland and grassland. Of the 212 miles of work proposed on existing streams or channels, 108 miles will involve those with only ephemeral flow, and 38 miles with intermittent flow. The balance involves either existing ponded or flowing water.

A limited supply of copies is available at the following location to fill single copy requests:

Soil Conservation Service, USDA, Treadway Towers, Suite 2-4, 9 E. Loockerman Street, Dover, Delaware 19901.

Copies of the draft environmental impact statement have been sent for comment to various federal, state, and local agencies as outlined in the Council on Environmental Quality Guidelines. Comments are also invited from others having knowledge of or special expertise on environmental impacts.

Comments concerning the proposed action or requests for additional information should be addressed to Otis D. Fincher, State Conservationist, Soil Conservation Service, Treadway Towers, Suite 2-4, 9 E. Loockerman Street, Dover, Delaware 19001.

Comments must be received on or before February 20, 1976 in order to be considered in the preparation of the final environmental impact statement.

Dated: December 24, 1975.

JOSEPH W. HAAS,
Deputy Administrator for Water Resources, Soil Conservation Service.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

[FR Doc.76-143 Filed 1-2-76;8:45 am]

DEPARTMENT OF COMMERCE

Bureau of the Census

VOTING RIGHTS ACT AMENDMENTS OF 1975

Partial List of Determinations Pursuant to Voting Rights Act of 1965, as Amended

CROSS REFERENCE: For a document issued jointly by the Department of Commerce, Bureau of the Census, and the Department of Justice, see FR Doc. 76-185 appearing in the notices section of this issue under the Department of Justice.

Domestic and International Business Administration

TEXAS CHRISTIAN UNIVERSITY, ET AL.

Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of

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scientific articles pursuant to Section 6 (c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before January 26, 1976.

Amended regulations issued under cited Act, (40 FR 12253 et seq, 15 CFR 701, 1975) prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket Number: 76–00218. Applicant: Texas Christian University, Chemistry Department, Fort Worth, Texas 76129. Article: Fourier Transformation Nuclear Magnetic Resonance Spectrometer Model JNM–FX–60. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for rapid proton and C–13 studies of CIDNP phenomena induced by the photochemical decomposition of dioxetanes and related materials, the determination of organic natural product structures using C–13 NMR. These will usually involve small amounts of materials and pose problems of line assignments which can only be resolved by using sophisticated experimental techniques. Application received by Commissioner of Customs: December 1, 1975.

Docket Number: 76–00220. Applicant: U.S. Environmental Protection Agency, Gulf Breeze Environmental Research Laboratory, Sabine Island, Gulf Breeze, Fla. 32561. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of biological materials, mainly fish and invertebrate tissues derived from experimental animals, exhibiting both normal and pathologic structure. The experiments to be conducted include experiments on the normal structure and physiological behavior of cells and tissues in regard to toxicant effect. In addition, variations in the behavior of cells and tissues under experimental pathological conditions will be studied. Application received by Commissioner of Customs: December 1, 1975.

Docket Number: 76–00221. Applicant: University of Miami, Coral Gables, Florida 33124. Article: Current Meter, Model RCM–4 with 30 minute timing plug. Manufacturer: Ivar Aanderaa, Norway. Intended use of article: The article is intended to be used in an experiment to distinguish between motions of the density surface due to internal waves and apparent motions of a temperature surface. This study has a significant bearing on the usual method of measuring internal waves by measuring the temperature field. Application received by Commissioner of Customs: December 1, 1975.

Docket Number: 76–00222. Applicant: Harvard University, Museum of Comparative Zoology, 26 Oxord Street, Cambridge, Mass. 02138. Article: Electron Microscope, Model EM 9S–2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for investigations of comparative morphology and embryology of both vertebrates and marine invertebrates. The materials that will be studied range from small but complex larvae of bivalve mollusks and bryozoans to specific tissues involved in respiratory and osmotic membranes of synbranchiform fishes.

Primary use of the article will be in the following projects: (1) comparative cytology and embryology of deuterostome invertebrates, (2) comparative life-histories of bivalve mollusks, and (3) comparative functional morphology of fish.

The article will also be used for instructing inexpecienced investigator in the use of electron microscope. Application received by Commissioner of Customs: December 1, 1975.

Docket Number: 76–00223. Applicant: Metropolitan Medical Center, 900 South 8th Street, Minneapolis, Minnesota 55405. Article: EMI Scanner System with Magnetic Tape System, Diagnostic Display Console and Data Transfer Module. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used to generate data regarding the brain and bony structures of the head. Clinical research on various neuro-abnormalities will be recorded and followed with the objective of increasing the diagnostic capacity of physicians in the area of the brain. In addition, the article will be used in the course Neuro-Radiology to thoroughly acquaint the student with the physical concept and principle of computerized axial tomography. Application received by Commissioner of Customs: December 1, 1975.

Docket Number: 76–00224. Applicant: Albany Medical Center Hospital, 47 New Scotland Avenue, Albany, New York 12208. Article: EMI Scanner System with Magnetic Tape System and Diagnostic Display Console. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used in two research projects relating to problems of hydrocephalus. The first hydrocephalus project is a study to determine the type and development of hydrocephalus following trauma to the head or nontraumatic subarachnoid hemorrhage and would involve weekly head scans following the bleeding incident for a period of about three months. The other hydrocephalus study will be carried out on children who have meningoceles in which it is anticipated that sequential EMI scanning might possibly classify these children into two groups, the first those with hydrocephalus and brain hypoplasia and the second those wtihout hydrocephalus. In a third project EMI scans will be done on tumor specimens obtained at either surgery or postmortem. It is also planned to utilize the EMI Scanner in residency training programs in Radiology, Neurology and Neurosurgery to teach individuals the value and usefulness of brain scanning in the diagnosis and treatment of intracranial disease. Application received by Commisioner of Customs: December 3, 1975.

Docket Number: 76—00225. Applicant: Smithsonian Institution. Astrophysical Observatory, 60 Garden Street, Cambridge, Mass. 02138. Article: Multiple Mirror Telescope Mount. Manufacturer: S.P.A. ——rni Ed Impianti Industriali, Italy. Intended use of article: The article is intended to be used as a major component of a large-ground-based astronomical telescope of new and unique concept utilizing six 72-inch mirrors. The mount system will support and position a telescope tube assembly (tube) and its associated optics. Application received by Commissioner of Customs: December 4, 1975.

Docket Number: 76–00226. Applicant: St. Vincent Charity Hospital, 2351 East 22nd Street, Cleveland, Ohio 44115. Article: Electron Microscope, Model EM 201C. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used in training of residents in pathology in which they will work intermittently with this instrumentation during their two years service in Anatomical Pathology. The objectives are to train these residents to add a new parameter to their studies in surgical pathology and autopsies. Application received by Commissioners of Customs: December 4, 1975.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director,
Special Import Programs Division.

[FR Doc.76–131 Filed 1–2–76;8:45 am]

National Oceanic and Atmospheric Administration

SEA GRANT ADVISORY PANEL

Notice of Public Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C., Appendix I (Supp. III, 1973), notice is hereby given of a special meeting of the Sea Grant Advisory Panel on Tuesday, February 10, 1976. The meeting will commence at 9:00 a.m. in Room 6802, Department of Commerce. The meeting will be open to the public. Approximately 30 seats will be available to the public on a first-come, first served basis.

The agenda for the meeting will be as follows:

9:00 a.m.—Sea Grant Legislation.
2:00 p.m.—Review of New Criteria for Sea Grant College Designation.
5:00 p.m.—Adjourn.

Interested persons may submit written statements relevant to the Panel's areas of interest before or after the meeting or by mailing such statements to the Executive Secretary at the address below.

Inquiries regarding the Panel or the meeting may be directed to the Executive Secretary, A. G. Alexiou, National Oceanic and Atmospheric Administration (SG), Page Building 1, 3300 Whitehaven Street, NW., Washington, D.C. 20235, (Telephone: 202/634–4019).

Dated: December 30, 1975.

T. P. GLEITER,
Assistant Administrator for Administration, National Oceanic and Atmospheric Administration.

[FR Doc.76–137 Filed 1–2–76;8:45 am]

Office of the Secretary

[Dept. Admin. Order 217–14]

ENVIRONMENTAL POLLUTION CONTROL AT DEPARTMENT FACILITIES

Policies and Procedures

Section 1. Purpose.

.01 This order prescribes policies, procedures, and responsibilities for the implementation of Executive Order 11752, dated December 17, 1973, a copy of which is appended hereto. A copy of the Appendix is on file with the original of this document with the Office of the Federal Register.

.02 Executive Order 11752 requires the Federal government, with respect to the design, construction, management, operation and maintenance of Federal facilities, to provide leadership in the nationwide effort to protect and enhance the quality of our air, water and land resources through compliance with applicable standards for the prevention, control and abatement of environmental pollution, in full cooperation with State and local governments.

Section 2. Definition.

The term "facilities" includes the buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property used to carry out Departmental activities.

a. Where the facility is owned by the Federal government and under the jurisdiction of the Department, the Department is responsible for complying with the provisions of the Executive Order.

b. Where Departmental activities are conducted at a facility leased by the Department, the owner of the facility is responsible for complying with the provisions of the Executive Order unless there is a specific agreement to the contrary giving the Department lessee such responsibility.

Section 3. Responsibilities.

.01 The *Deputy Assistant Secretary for Environmental Affairs*, Office of the Assistant Secretary for Science and Technology, shall:

a. Coordinate the activities required by the Executive Order within the Department and between Department organizations and other Federal agencies and State and local governments.

b. Submit reports required by the Executive Order and by Section 7 of OMB Circular No. A–106 to the Director, Office of Management and Budget (OMB).

.02 *Heads of operating units*, with regard to facilities under their jurisdiction, shall, as provided in section 3 of the Executive Order:

a. Cooperate with Federal, interstate, State and local agencies in the prevention, abatement and control of environmental pollution. This includes consultation, as needed, with officials of such agencies concerning the best methods available to attain prescribed levels of control.

b. In accordance with guidelines issued by the Administrator, Environmental Protection Agency (EPA), provide Federal, interstate, State and local agencies with all required information which is not otherwise protected from disclosure.

c. Develop an abatement plan and schedule for meeting the standards set forth in section 4 of the Executive Order.

d. Submit by November 30, each year, to the Deputy Assistant Secretary for Environmental Affairs, a plan to provide for such improvement in the design, construction, management, operation and maintenance of existing facilities as may be necessary to meet applicable standards developed to implement section 4 of the Executive Order. These plans must also conform with the provisions of Department Administrative Order 216–6, "Statement on Proposed Federal Actions Affecting the Environment."

e. Insure that new facilities are designed, constructed, managed, operated and maintained in accordance with the requirements of section 4 of the Executive Order.

f. Accommodate in all budget requests for the design and construction of new facilities or for modification of existing facilities funds for such measures as may be necessary to meet applicable standards specified in section 4 of the Executive Order.

Section 4. Approving Exemptions.

.01 *Heads of operating units* shall identify, to the Deputy Assistant Secretary for Environmental Affairs, facilities or uses thereof which should be exempted from applicable standards specified in section 4 of the Executive Order. The reasons for such identification shall be explained in complete detail, on the basis that (a) it is in the interest of national security, or (b) it is an extraordinary case and is in the paramount interest of the United States, and (c) it is permissible under applicable Federal law.

.02 The *Deputy Assistant Secretary for Environmental Affairs*, upon receipt of relevant information, shall evaluate it and communicate his recommendation on the proposed exemption to the Secretary.

.03 The *Secretary* shall approve or disapprove the exemption based upon:

a. The analysis and recommendation of the Deputy Assistant Secretary for Environmental Affairs;

b. Consultation with the Administrator, EPA, in cases of approval; and

c. After approval of the Director, OMB, if the Administrator, EPA did not concur in an exemption, and the Administrator, EPA, is not the final determiner of an exemption under applicable Federal statute.

Effective date: December 1, 1975.

GUY W. CHAMBERLIN, JR.,
Acting Assistant Secretary for Administration.

[FR Doc.76–134 Filed 1–2–76;8:45 am]

[Department Organization Order 25–5B]

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Organization

This order effective December 4, 1975, supersedes the materials appearing at 39 FR 17786 of May 20, 1974, 39 FR 26766 of July 23, 1974, 39 FR 43565 of December 16, 1974, and 40 FR 5553 of February 6, 1975.

SECTION 1. PURPOSE

.01 This order prescribes the organization and assignment of functions within the National Oceanic and Atmospheric Administration (NOAA). The scope of authority and functions of NOAA are set forth in Department Organization Order 25–5A.

.02 This revision incorporates all previously issued amendments. The functional statement of the Associate Administrator for Marine Resources has been revised to allow for the creation of an Office of Marine Minerals (Section 5.); it also substitutes the phrase "traffic management" for "transportation services" and adds the phrase "procurement and grants management" to the functional statement of the Administrative Operations Division under the Assistant Administrator for Administration (paragraph 8.01); retitles the Program Manager for Weather Modification as the Weather Modification Program Office (subparagraph 17.01d.); retitles the Program Manager for Marine Ecosystems Analysis as the Marine Ecosystems Analysis Program Office and more clearly defines its functions (subparagraph 17.01e.); and establishes the Outer Continental Shelf Environmental Assessment Program Office in the Environmental Research Laboratories (ERL) (subparagraph 17.01f).

SECTION 2. ORGANIZATION STRUCTURE

The organization structure and line of authority of NOAA shall be as depicted in the attached organization chart (Exhibit 1). A copy of the chart is on file with the original of this document with the Office of the Federal Register.

SECTION 3. OFFICE OF THE ADMINISTRATOR

.01 The *Administrator* of NOAA formulates policies and programs for achiev-

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ing the objectives of NOAA and directs the execution of these programs.

.02 The *Deputy Administrator* assists the Administrator in formulating policies and in managing NOAA.

.03 The *Associate Administrator* assists the Administrator and the Deputy Administrator in formulating policies and programs and in managing NOAA.

.04 The *Executive Office* shall perform such services as will facilitate the handling of matters and execution of actions by the Administrator and other officials within the Office fo the Administrator.

.05 The *Naval Deputy to the Administrator* shall insure necessary coordination and joint planning with the Navy on oceanographic programs of mutual organizational interest.

SECTION 4. SPECIAL STAFF OFFICES

.01 The *Office of General Counsel* shall provide legal services for all components of NOAA and shall be responsible for the preparation or review of all legislative proposals emanating from any component of NOAA, for the expression of NOAA's views as to the merits of proposed or pending legislation, and for statements concerning pending legislation to be made before committees of Congress. These activities shall be carried out subject to the overall authority of the Department's General Counsel as provided in Department Organization Order 10–6.

.02 The *Office of Congressional Liaison* shall coordinate contacts with the Congress, except for matters relating to appropriations. These activities shall be carried out in coordination with and in recogniton of the responsbilities of the Departmental Office of Congressional Affairs.

.03 The *Office of International Affairs* shall recommend policies and plans for U.S. participation in international activities relating to NOAA's programs; coordinate NOAA's policies on treaties and international multilateral and bilateral agreements; prepare and coordinate positions for U.S. participation in international organizations and maintain liaison with those organizations providing protocol and secretariat functions, as required, for U.S. representatives; manage NOAA's international training program; and coordinate and advise on special programs for bilateral cooperation with foreign countries including U.S. AID programs. The office shall provide a broad overview of international fisheries affairs. The Office of International Affairs will work through the offices of the Associate Administrator and appropriate major line components on matters of substance.

.04 The *Office of Public Affairs* shall recommend objectives and policies relating to public affairs; plan and conduct an information and education program to insure that the public, Congress, user groups, and employees are properly informed of matters relating to NOAA's activities and environmental safety and conservation; and provide direction to all public affairs activities within NOAA. These activities shall be carried out in collaboration with the Departmental Office of Communications.

.05 The *Office of Ecology and Environmental Conservation* shall act as a central point to which ecological and environmental conservation interests can communicate their views on NOAA activities; act as a focal point for the review of all NOAA activities which impinge upon ecological and environmental conservation matters; review NOAA activities to insure full compliance with the purposes and provisions of Sections 102 and 103 of the National Environmental Policy Act of 1969; coordinate preparation, within NOAA, of environmental statement and comments required by Section 102 of the Act; and represent NOAA within the interagency councils of the Govrenment on matters that involve ecology or environmental quality within NOAA's assigned responsibilities.

SECTION 5. ASSOCIATE ADMINISTRATOR FOR MARINE RESOURCES

The Associate Administrator for Marine Resources shall maintain cognizance over and establish policy for NOAA's marine resources, marine environment management and protection, mapping, charting, and geodetic programs, as well as those programs closely related thereto. He shall not maintain cognizance over or establish policy for NOAA's real time marine environmental predictions (including observations related thereto) which are assigned to the Associate Administrator for Environmental Monitoring and Prediction, or the coastal zone management and marine sanctuaries programs which are assigned to the Assistant Administrator for Coastal Zone Management. As the primary program policy officer for marine resources, marine environment management and protection, mapping, charting, and geodetic programs, he shall:

Undertake long-range policy planning and analysis; recommend NOAA policy to the Administrator; and provide guidance on long-range goals and plans to NOAA's operating elements.

Assure development of plans and programs for adequate operational services and research and technology for meeting user requirements.

Maintain current projections of resources required to implement approved plans, and make recommendations on existing and future programs.

Monitor and evaluate assigned programs in terms of planned accomplishments, quality and degree of responsiveness to user needs; and recommend, as necessary, program curtailments, redirections, expansion and new program initiatives.

Discharge Federal coordinating functions assigned to Commerce under OMB Circular A–16 (National Geodetic Control and Related surveys), Federal coordination of marine mapping, charting and geodesy, and others as may be assigned by the Administrator.

Act as NOAA's focal point for coordination of marine affairs with the National Science Foundation; develop and coordinate NOAA's posture for relevant deliberations by the Committees of the Federal Council for Science and Technology and the Committees of the National Academies of Science and Engineering.

Develop NOAA policy and provide continuing direction an doverview of international fisheries affairs, including participation in negotiation within international forums, commissions, and agreements; provide the NOAA focal point for management and coordination of NOAA's responsibilities in assigned marine science bilateral international agreements including those for which NOAA is assigned lead U.S. agency functions.

Provide direct policy and program overview of programs in marine environmental protection, including those of major regional significance; act as NOAA's focal point in developing NOAA's posture in dealing with related programs of other agencies, including the required interagency coordination to assure that assigned programs are coordinated with related programs of other agencies.

Provide management and coordination for the manned undersea science and technology program and other special programs assigned by the Administrator.

Develop NOAA policy and provide management and coordination for Marine Minerals Programs; and act as NOAA's focal point in developing and coordinating these programs in relation to programs and requirements of other agencies, industry and other elements of the private sector.

SECTION 6. ASSOCIATE ADMINISTRATOR FOR ENVIRONMENTAL MONITORING AND PREDICTION

The Associate Administrator for Environmental Monitoring and Prediction shall maintain cognizance over and establish policy: for environmental satellite, meteorological, hydrologic, marine environmental services, climatological, upper atmospheric and space, geomagnetic and seismological programs which entail monitoring and prediction of the environment; for activities in intentional and inadvertent environmental modification; and for aircraft resources. The marine environmental services program includes marine environmental observations necessary for the prediction of coastal zone and oceanic conditions and those required on a routine basis for the measurement of pollution and other ocean constituents. He shall also be the NOAA focal point for planning emergency readiness and preparedness against natural disasters. As the primary program policy officer for all activities indicated above, he shall:

Undertake long-range policy planning and analysis; recommend NOAA policy to the Administrator; and provide guidance on long-range goals and plans to NOAA's operating elements.

Assure the development of plans and programs for adequate research, technology and operational services for meeting user requirements. Maintain current projections of resources required to implement approved plans, and make recommendations on existing and future programs.

Monitor and evaluate assigned programs in terms of planned accomplishments, quality and degree of responsiveness to user needs; and recommend as necessary, program curtailments, redirections, expansions and new program initiatives.

Carry out Department of Commerce responsibilities under the Weather Modification Reporting Act, P.L. 92–205, 15 U.S.C. 330–330e.

Conduct or monitor studies of the economic, social, and legal ramifications of environmental modification and conduct or monitor studies of unwanted side effects.

Establish policy on the scheduling and utilization of Research Flight Facility aircraft in conjunction with the Director of the Environmental Research Laboratories; monitor the development of a plan for the modernization of the Research Flight Facility; and monitor the management and allocation of NOAA aircraft resources, including reviews of the adequacy of flying safety programs.

Provide management and coordination for the Global Atmospheric Research Program (GARP) of the World Weather Program, International Hydrologic Decade, the special foreign currency program and other special programs assigned by the Administrator.

Act as NOAA's focal point for coordination with the National Science Foundation; develop and coordinate NOAA's posture for relevant deliberations by the Committees of the Federal Council for Science and Technology; and participate in interagency and international coordination and negotiation to assure that assigned programs are coordinated with related programs of other agencies.

Act as NOAA's focal point for relevant coordination with Committees of the National Academy of Sciences and the National Academy of Engineering.

Discharge Federal coordinating functions assigned to Commerce under OMB Circular A–62 (Federal meteorological services), those assigned to NOAA for the World Weather Watch, the Global Atmospheric Research Program, the Integrated Global Ocean Station System, and others as may be assigned by the Administrator.

SECTION 7. ASSISTANT ADMINISTRATOR FOR COASTAL ZONE MANAGEMENT

The Assistant Administrator for Coastal Zone Management shall maintain cognizance over and establish policy for NOAA's coastal zone management and marine sanctuaries programs and other closely related programs. This shall not include NOAA's marine resources, marine environment management and protection, mapping, charting, or geodetic programs. As the primary program policy officer for coastal zone management and marine sanctuaries programs, he shall:

Serve as the focal point for the coordination with state, Federal and other governmental institutions concerned with the implementation of the Coastal Zone Management Act of 1972 (16 U.S.C. 1451–1464).

Develop policies and guidelines on a continuing basis to assist State and local governments in the effective management and, where possible, restoration and enhancement of the land and water resources of the coastal zone of the nation within the context of the coastal zone management program.

Administer and monitor annual grants to states in support of the development and administration of coastal zone management programs.

Administer and monitor annual grants to states in support of the acquisition, development and operation of estuarine sanctuaries.

Develop policies and guidelines and administer the marine sanctuaries program authorized under Title III of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1431–1434).

Develop NOAA policy, promulgate regulations, and implement procedures necessary for Federal review and approval of state coastal zone management programs and the execution of Federal consistency provisions which then come into force.

SECTION 8. ASSISTANT ADMINISTRATOR FOR ADMINISTRATION

The *Assistant Administrator for Administration* shall provide administrative management and support services for all components of NOAA except for elements of such services that appropriate components are directed to provide for themselves, exercise functional supervision over such decentralized services, and provide advice and guidance to the Administrator on the utilization of NOAA resources. To carry out his responsibilities, the Assistant Administrator shall have and direct the following units.

.01 The *Administrative Operations Division* shall perform the following functions: procurement and grants management; property and supply management; directives and paper work management; records and files management; space and facilities management; travel and traffic management; mail, messenger, and related office services; graphic services; safety; security; and processing of tort claims.

.02 The *Office of Management and Computer Systems* shall conduct studies and provide analytical assistance to develop or improve the organization and staffing structure and other management systems within NOAA; provide management staff services in the application of advanced management principles and techniques; carry out the NOAA committee and reports management functions; develop and maintain a central system for collecting, analyzing, presenting and disseminating information on program status and performance; develop systems for measuring productivity and performance; exercise overall management, planning and coordination of NOAA's automatic data processing and telecommunications needs and facilities, including serving as the focal point within NOAA for intra- and interagency matters, and the review and evaluation of proposals for automatic data processing and telecommunications requirements and systems; coordinate the Federal planning program for environmental telecommunications systems; and engage in research into advanced system concepts and apply or provide guidance in the application of these concepts. It shall provide systems analysis and programming support to NOAA's executive and administrative management functions and to other NOAA functions as requested, and shall operate and provide system and special software support for automatic data processing facilities for all NOAA components except where separate facilities are approved.

.03 The *Personnel Division* shall provide personnel management services by conducting recruitment, employment, classification and compensation, employee relations, labor relations, incentive awards, and career development activities for civilian personnel.

.04 The *Finance Division* shall provide centralized financial accounting for all components of NOAA, determine needs of managers for accounting data, and maintain a financial reporting system that will facilitate effective management of NOAA's financial resources.

.05 The *Radio Frequency Management Division* shall, as a Department-wide responsibility, coordinate the requirements and the management and use of radio frequencies by all organizations of the Department of Commerce.

.06 The *Northwest Administrative Service Office* shall provide administrative services responsive to the requirements of the National Marine Fisheries Service Northwest, Southwest, and Alaska Regions, the NOS Pacific Marine Center, and such other NOAA organizational units which can be accommodated. These services shall include personnel administration, finance, procurement and contracting, property management, motor vehicle pool operation, and office services.

SECTION 9. OFFICE OF SEA GRANT

The Office of Sea Grant shall provide support, primarily to institutions, for research, education, and advisory services aimed at assisting those who are interested in and responsible for the development, utilization, and management of the seas and the Great Lakes of the United States, including their resources, and shall manage NOAA's Marine Advisory Services to the user community.

SECTION 10. OFFICE OF PROGRAMS AND BUDGET

The Office of Programs and Budget shall provide NOAA management with overall program and budgetary control from program integration through budget execution. This Office shall be the focal point for contacts with the Office of the Secretary and the Office of Management and Budget on NOAA program and budgetary matters and shall guide the overall planning and budgetary functions

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so as to assure the effective development, justification and presentation of NOAA programs and budgets. The Office shall provide advice to the Office of the Administrator and other NOAA officials on program and budgetary matters and perform the following specific functions:

Plan and manage the annual review of NOAA programs.

Consolidate and integrate program guidance developed by the primary program policy officers on the development of issue studies and related supporting documentation requested by the Office of the Secretary and OMB in conjunction with the program-budget cycle.

Formulate and interpret budgetary policies and procedures.

Analyze and aggregate NOAA budgetary requirements.

Develop and recommend fiscal plans to assure optimum use of available funds; and allocate and maintain burdgetary control of funds.

Review and report on execution of approved budgets and associated fiscal plans in close collaboration with the Assistant Administrator for Administration.

SECTION 11. DIRECTOR NOAA CORPS

The Director of the NOAA Corps shall develope plans for the efficient utilization of the NOAA commissioned officers corps; develop and implement policies and procedures for the recruitment, commissioning, and assignment of commissioned officers; and represent NOAA in interdepartmental activities having to do with the uniformed services.

SECTION 12. NATIONAL MARINE FISHERIES SERVICE

The National Marine Fisheries Service (NMFS) shall conduct an intergrated program of research and services related to the protection and rational use of living marine resources for their aesthetic, economic, and recreational value by the American peole. The Service shall administer programs to determine the consequences of the naturally varying environment and man's activities on living marine resources; to provide knowledge and services to foster their efficient and judicious use; and to achieve domestic and international management, use and protection of living marine resources. The Service shall be organized as set forth below.

.01 *Office of the Director.* The *Director* shall formulate and execute basic policies and manage the Service. He shall be immediately assisted by a Deputy Director.

.02 The *Office of Resource Research* shall plan, develop, and manage research programs designed to better understand living marine resources and the environmental quality essential for their existence. The Office's activities shall include: biological surveys designed to monitor, assess and predict abundance and availability of living marine resources; collection and documentation of scientific data for protecting access of U.S. citizens to living marine resources; development and interpretation of data for use by managers of resources; and major regional ecological studies where NMFS is assigned the leadership role. It shall also conduct research on the potential of aquaculture, the assessment and characterization of the living resources, and the improvement of fish detection and harvesting systems.

.03 The *Office of Resource Utilization* shall plan, develop, evaluate and manage programs: of economic and marketing research including demand and supply projections, cost benefit studies, and foreign trade analysis; of collection, analysis, compilation, and dissemination of fisheries statistical and market news information; of financial assistance to the fishing industry in the form of loans, mortgages, loan insurance, and subsidies; of microbiological, chemical, and technological research to enhance the quality and utilization of fisheries resources; of voluntary national inspection and certificaton of fishery products; to improve marketing practices and to alleviate extraordinary short term supply-demand imbalances; and of fishery extension services. The Office shall also be responsible for the management of national research programs in fishery products technology.

.04 The *Office of Resource Management* shall manage programs concerning: promulgation and enforcement of domestic and international regulations for the protection of marine fisheries and marine mammal resources of the United States; the Pribilof Islands fur seal harvest; the Columbia River Anadromous Fisheries Resources Enhancement; water resources development projects and fisheries environment protection; and State-Federal fisheries management. It shall plan, develop, and evaluate programs to improve the management of fisheries resources so as to achieve the appropriate allocation of these resources among competing users and to protect their environment; establish national guidelines for managing fisheries for biological, economic, and social purposes; provide a mechanism through legislation, coordination, and cooperation for State and the Federal Government to jointly manage resources within these guidelines; and administer a grant-in-aid program to improve the capability of the States to conduct coordinated fisheries research, development and construction programs so as to provide the biological, social, and economic information required for management of fisheries resources.

.05 The *Office of International Fisheries* shall be the focal point and have primary staff responsibility for all matters involving international affairs within the purview of the NMFS. This shall include: coordinating all NMFS inputs to other government agencies, industry, other interested constituencies, and foreign and international entities; overseeing the implementation throughout NMFS of NOAA policy decisions in the area of international affairs; responsibility for all international negotiations in which NMFS is involved; acquiring data and providing analysis regarding the status and impacts of foreign fishing efforts, and foreign industry, and governmental attitudes and policies regarding fishing; monitoring and coordinating activities with regard to the U.S. Fisheries Attache Program; and responsibility for the NMFS Foreign Translation Program.

.06 a. The *Field Structure* shall consist of the following organizational elements:

(1) *Five Regional Offices* as shown in Exhibit 2. Regional Offices shall act as representatives of the Director with State conservation agencies, recreational interests, the fishing industry, universities, and the general public. Regional Offices shall also plan, organize and manage regionalized conservation, management, and utilization programs within the geographical area of responsibility. They shall also provide regional input for national plans pertaining to research, utilization, and management programs. A copy of the Exhibit is on file with the original of this document with the Office of the Federal Register.

(2) *Fisheries Research Centers*, and *Fisheries Utilization Research Centers* which shall report to the appropriate Associate Director at the headquarters of NMFS.

b. The *Southeast and Northeast Regions* shall provide their own administrative support except where it is determined to be more practical and advantageous to NOAA to have the services furnished by other NOAA components. They shall provide such services to other NOAA components as directed. The Northwest, Southwest and Alaska Regions shall obtain administrative support from the Northwest Administrative Service Office at Seattle, Washington. The Fisheries Research Centers and Fisheries Utilization Research Centers shall obtain administrative support from the nearest NMFS Regional Office, the Northwest Administrative Service Office or such NOAA components as is determined to be the most practical and feasible.

SECTION 13. NATIONAL OCEAN SURVEY

The National Ocean Survey (NOS) shall provide charts for the safety of marine and air navigation; provide a basic network of geodetic control; and provide basic data for engineering, scientific, commercial, industrial and defense needs, support the quest for more knowledge of our environment and undertake a program of marine technology development to observe, measure and chart oceanic phenomena and resources. In performance of these functions, it shall conduct surveys, investigations, analyses and research and technology development; and shall disseminate data in the fields of geodesy, gravity, astronomy, aeronautical charting, hydrography, oceanography, and marine technology. The NOS shall be organized as set forth below.

.01 *Office of the Director.* The *Director* shall formulate and execute basic policies and manage the NOS. He shall be immediately assisted by a Deputy Director.

.02 The *Office of National Geodetic Survey* shall fulfill national requirements for a system of geodetic control for precise gravimetric and global configuration and mensuration data. It shall establish and maintain a geodetic control network based on satellite observations; plan and direct geodetic, gravity, astronomic, earth movement and boundary surveys; make observations for variation of latitude and longitude; disseminate geodetic data; and conduct related research.

.03 The *Office of Fleet Operations* shall manage the NOAA fleet and the NOAA ship facilities in support of the NOAA marine program. It shall direct and monitor ship operating schedules and activities related to ship operations, repairs and maintenance of vessels, vessel complements, and special equipment and instrumentation unique to NOAA ships. The Office shall be responsive to overall NOAA fleet service requirements.

.04 The *Office of Marine Surveys and Maps* shall contribute to the safety of marine navigation through nautical charting and related publications, and seek added knowledge about the states and processes of the ocean. It shall plan and direct marine geophysical mapping and services, hydrographic and oceanographic surveys; analyze physical phenomena pertaining to the sea, including tide and current phenomena, the dynamic and physical properties of seawater and shoreline and bottom configuration as they affect seawave and current propagation and attenuation; operate a network of tide stations; compile survey data, including the compilation of nautical charts and marine geophysical maps; and conduct research. It shall also make studies and conduct photogrammetric surveys for coastal mapping, seaward boundaries and coastal evacuation maps.

.05 The *Office of Aeronautical Charting and Cartography* shall contribute to the safe navigation of air commerce and provide nautical and aeronautical charts for widespread use. It shall collect and evaluate air navigation information and compile aeronautical chart manuscripts; print and distribute nautical and aeronautical charts; maintain liaison with interests concerned with navigation regulations and information; and conduct research in support of these programs. The Office also shall print and distribute weather charts and related documents.

.06 The *Office of Marine Technology* shall act as the focus of the national effort for technology related to testing, evaluation and calibration of sensing systems for ocean use, and shall enhance the quality of such systems by the dissemination of operational results and technical information to the national oceanographic community. It shall serve NOAA with marine systems technology, ocean engineering, sensor systems, buoy systems, data automation systems and other technology functions as may be assigned, and shall assist with the design, development and procurement in these technical areas.

.07 The *Office of Program Development and Management* shall serve as the focal point for NOS planning, budgeting, and allocation and reprogramming of resources; provide executive and technical services in support of programs throughout the NOS; and provide executive management services to the Director.

.08 a. The *Field Structure* shall consist of the following organizational elements:

(1) The *Atlantic and Pacific Marine Centers* shall direct the operation of ocean-going survey ships; maintain ship bases at Norfolk, Miami, and Seattle; operate short facilities for processing oceanographic data and compiling photogrammetric survey data; and manage photogrammetric field units.

(2) The *Lake Survey Center* shall conduct surveys of the Great Lakes and their outflow rivers, Lake Champlain, New York State Barge Canal, and the Minnesota-Ontario Border Lakes. It shall plan and collect data relating to the Great Lakes including flood and storm protection, power generation, beach erosion, and shore structures as they apply to navigation.

(3) The *NOAA Data Buoy Office* and the *National Oceanographic Instrumentation Center* shall report to the Office of Marine Technology at the Headquarters of NOS.

b. The *Atlantic Marine Center* shall provide its own administrative support except where it is determined to be more practical and advantageous to NOAA to have the services furnished by other NOAA components. The Atlantic Marine Center shall provide such services to other NOAA components as directed. The Pacific Marine Center shall obtain its administrative support from the Northwest Administrative Service Office. All other NOS field units shall receive their administrative support from such NOAA components as is determined to be the most practical and feasible.

SECTION 14. NATIONAL WEATHER SERVICE

The National Weather Service (NWS) shall observe and report the weather, river, and ocean conditions of the United States and its possessions; issue forecasts and warnings of weather, flood and ocean conditions that affect the Nation's safety, welfare and economy; develop the National Meteorological, Hydrologic and Oceanic Service Systems; develop community preparedness programs; participate in international meteorological, hydrologic, oceanic and climatological activities, including exchange of data and forecasts; and provide forecasts for domestic and international aviation and for shipping on the high seas. The Service shall be organized as set forth below.

.01 *Office of the Director.* The *Director* shall formulate and execute basic policies and manage the service. He shall be immediately assisted by a Deputy Director.

.02 The *Office of Meteorology and Oceanography* shall have cognizance over the development of requirements, plans and procedures for operation of meteorological and oceanic field services; and serve as the primary channel for coordinating NWS field services operations and for technical aspects of meteorological and oceanic programs.

.03 The *Office of Hydrology* shall have cognizance over the development of requirements, plans and procedures to provide river and flood forecasts and warnings, and water supply forecasts; conduct research to improve river and flood forecasts and warnings; and analyze and process hydrometeorological data for use in water resource planning and operational problems.

.04 The *Office of Technical Services* shall have cognizance over the development of policies and procedures for the acquisition and communication of oceanic, hydrological and meterological information; and the procurement, test and evaluation, installation and maintenance of all meteorological, hydrological, and oceanic equipment.

.05 The *Systems Development Office* shall plan, design, and develop systems to meet all meteorological, hydrological and oceanic service requirements of the NWS; develop and evaluate techniques and equipment; and translate research results into operationally suitable methods.

.06 The *National Meteorological Center* shall provide analyses of current weather conditions over the globe and depict the current and anticipated state of the atmosphere for general national and international uses; conduct development programs in numerical weather prediction; and lead in the extension and application of advanced techniques.

.07 The *Field Structure* shall consist of six regions as shown in Exhibit 3. A region shall consist of a Regional Office managed by a Regional Director, and field offices reporting to the Regional Director. A copy of the Exhibit is on file with the original of this document with the Office of the Federal Register.

a. Each region shall provide weather, river and oceanic services within its prescribed geographical area by issuing forecasts and warnings of weather, flood and oceanic conditions, and shall conduct operational and scientific meteorological, hydrological, oceanographic and climatological service programs as are assigned to it.

b. Regional Offices shall provide administrative and technical support for all NWS components in their respective regions except where it is determined to be more practical and advantageous to NOAA to have the services furnished by other NOAA components. The Regional Offices shall provide such services to other NOAA components as directed.

SECTION 15. ENVIRONMENTAL SERVICE

The Environmental Data Service (EDS) shall acquire, process, archive, analyze, and disseminate worldwide environmental (solid earth, marine atmospheric, solar, and aeronomy) information, data, and products for use by commerce, industry, the scientific and engineering community, the general public and for Federal, State, and local governments; guide applied research per-

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tinent to the improvement of such services; provide relevant World Data Center facilities; coordinate international exchange activities in oceanic climatological, geophysical, solar and aeronomy data; and provide editorial, publishing, library and related information services. The Service shall be organized as set forth below.

.01 *Office of the Director.* The *Director* shall formulate and execute basic policies and shall manage the Service.

.02 The *Environmental Science Information Center* shall develop policies for and provide editorial and publishing services to NOAA components; manage the central library system; provide functional guidance to NOAA libraries; and develop and implement automated scientific information systems for NOAA and external use.

.03 The *National Climatic Center* shall acquire, process, archive and disseminate climatological data and develop analytical and descriptive products to meet user requirements, and shall provide facilities for the World Data Center—A (Meteorology and Nuclear Radiation).

.04 The *National Oceanographic Data Center* shall acquire, process, archive, and disseminate oceanographic data and develop analytical and descriptive products to meet user requirements and provide facilities for the World Data Center—A (Oceanography).

.05 The *National Geophysical and Solar-Terrestrial Data Center* shall acquire, process, archive, evaluate and disseminate solid earth and marine geophysical data and ionospheric, solar and other space environment data; develop analytical, climatological and descriptive products to meet user requirements; and provide facilities for World Data Center—A (Geomagnetism, Gravity, Seismology and Solar-Terrestrial Physics).

.06 The *Center for Experiment Design and Data Analysis* shall provide service and support in data management and scientific analysis for large-scale environmental field research projects, and assist in the planning, design, and implementation of such projects to ensure that data needs are met.

.07 The *Center for Climatic and Environmental Assessment* shall assess the impact of climate and weather changes and other natural phenomena on national and international socioeconomic events through development of assessment programs, statistical models and new applications of historical data bases; track and verify global climatic changes and weather pattern fluctuations; and determine the probable relationships between climatic patterns and man-made accidents.

SECTION 16. NATIONAL ENVIRONMENTAL SATELLITE SERVICE

The National Environmental Satellite Service (NESS) shall provide observations of the environment by operating the National Environmental Satellite System; increase the utilization of satellite data in environmental services; and manage and coordinate all operational satellite programs within NOAA and certain research-oriented satellite activities with NASA and DOD. The Service shall be organized as set forth below.

.01 *Office of the Director.* The *Director* shall formulate and execute basic policies and manage the Service. He shall be immediately assisted by a Deputy Director.

.02 *The Office of Operations* shall provide data from environmental satellites and increase the value and the use of these data by operating the NOAA environmental satellite systems, including collecting, processing and analyzing data from operational and specified research and development satellites, and developing new and improved applications of satellite data. The *Data Acquisition Stations* shall report to the Office of Operations.

.03 The *Office of Systems Engineering* shall provide conceptual and detailed engineering to implement new or modified environmental satellite systems. It shall conduct design studies; specify, procure, install and check out ground equipment required for the environmental satellite systems; modify existing hardware to accommodate spacecraft changes; and originate development of new equipment when required.

.04 The *Office of Research* shall improve understanding of the environment through satellite data and provide new and improved satellite measurement techniques and applications.

.05 The *Office of Systems Integration* shall conduct definition studies, provide overall planning, arrange for the development of major elements and coordinate the integration and check out the environmental satellite system. It shall coordinate the efforts of other NESS offices, other NOAA services, other agencies, and industrial and other groups for the establishment of these capabilities; establish system objectives, performance, cost criteria, and interface standards; and provide assessments of system performance and requirements for new system capabilites.

SECTION 17. ENVIRONMENTAL RESEARCH LABORATORIES

The Environmental Research Laboratories (ERL) shall conduct an integrated program of research, fundamental technology development, and services relating to the oceans and inland waters, the lower and upper atmosphere and the space environment so as to increase understanding of man's geophysical environment and thus provide the scientific basis for improved services. The ERL shall be organized as set forth below.

.01 *Office of the Director.* a. The *Director* shall formulate and execute basic policies and manage ERL. He shall be immediately assisted by a Deputy Director.

b. The *Office of Programs* shall provide policy and management advice to the Director; lead and coordinate program planning activities, including program planning and budgetary requirements; coordinate ERL's activities with national and international scientific programs; review and evaluate current programs; develop a management information system; and provide related staff assistance to the Director.

c. The *Office of Research Support Services* shall provide administrative and technical services to all ERL components at Boulder, Colorado, and at other locations except as otherwise specified.

d. The *Weather Modification Program Office* shall have technical cognizance over laboratory and field work in experimental weather modification; and, in particular, shall have line management authority over the hurricane and cumulus research and the flight and instrumentation support activities.

e. The *Marine Ecosystems Analysis Program Office* shall plan, conduct and coordinate comprehensive programs of basic and applied research directed toward the solution of resource-use problems which involve the functioning, health and restoration of selected near-coastal marine ecosystems.

f. The *Outer Continental Shelf Environmental Assessment Program Office* shall plan and direct assessments of the primary environmental effects of energy development along broad areas of the Outer Continental Shelf of the United States. The Office shall be responsible for coordinating the research activities of Federal, state and private institutions involved in these assessments. The major program will be a series of environmental studies for the Bureau of Land Management of the Department of the Interior to prepare for oil exploration and development on the Outer Continental Shelf.

0.2 *Oceanographic Laboratories.* a. The Atlantic Oceanographic and Meteorological Laboratories shall conduct research toward a fuller understanding of the ocean basins and borders, of oceanic processes and of ocean-atmosphere interactions.

b. The Pacific Marine Environmental Laboratory shall conduct basic and applied research directed at achieving a comprehensive understanding of the environmental process at work in the coastal areas of the Pacific Northwest, as well as in selected areas of the open ocean. Emphasis shall be placed on investigations of the natural physical processes, and on monitoring and predicting the effects of man's activities in the regions on physical and associated biological processes.

.03 *Space and Aeronomy Laboratories.* a. The Space Environment Laboratory shall conduct research in the field of solar-terrestrial physics; develop techniques necessary for forecasting of solar disturbances and their subsequent effects on the earth environment; and provide environment monitoring of forecasts.

b. The Aeronomy Laboratory shall study the nature of and the physicial and chemical process controlling the ionosphere and exosphere of the earth and other planets. Theoretical, laboratory, ground-based, rocket and satellite studies are included.

c. The Wave Propagation Laboratory shall act as a focal point for the development of new methods for remote sensing of man's geophysical environment. Special emphasis shall be given to the propagation of sound waves and electromagnetic waves at millimeter, infrared and optical frequencies.

.04 *Atmospheric Laboratories.* a. The Atmospheric Physics and Chemistry Laboratory shall perform research on processes of cloud physics and precipitation and the chemical composition and nucleating substances in the lower atmosphere. The Laboratory is NOAA's major focus for design and conduct of laboratory and field experiments towards developing feasible methods of practical, beneficial weather modification.

b. The Air Resources Laboratories shall conduct research on the diffusion, transport, and dissipation of atmospheric contaminants, using laboratory and field experiments to develop methods for prediction and control of atmospheric pollution.

c. The Geophysical Fluid Dynamics Laboratory shall conduct investigations of the dynamics and physics of geophysical fluid systems to develop a theoretical basis, by mathematical modeling and computer simulation, for the behavior and properties of the atmosphere and the ocean.

d. The National Severe Storms Laboratory shall conduct studies of tornadoes, squall lines, thunderstorms and other severe local convective phenomena in order to achieve improved methods of forecasting, detecting and providing advance warning of their occurrence and severity.

.05 The *Great Lakes Environmental Research Laboratory* shall conduct research directed toward an understanding of the environmental processes in the Great Lakes and their watersheds. Emphasis shall be placed upon an interdisciplinary systems approach to the solving of problems in resource management and environmental services for that region.

GUY W. CHAMBERLIN, JR.,
Acting Assistant Secretary for Administration.

[FR Doc.76-133 Filed 1-2-76;8:45 am]

[DEPARTMENT ORGANIZATION ORDER 25-7B]

OFFICE OF ENERGY PROGRAMS

Organization

SECTION 1. PURPOSE

This order prescribes the organization and assignment of functions within the Office of Energy Programs (OEP). The scope of authority and functions of OEP are set forth in Department Organization Order 25-7A.

SECTION 2. ORGANIZATION STRUCTURE

The principal organization structure and line of authority shall be as depicted in the attached organization chart. A copy of the chart is on file with the original of this document with the Office of the Federal Register.

SECTION 3. OFFICE OF THE DIRECTOR

.01 The *Director* shall formulate policies and programs and provide oversight and direction for all activities of the office.

.02 The *Deputy Director* shall be the principal assistant to the Director on formulation of policies and shall perform the functions of the Director in the latter's absence. The Deputy Director shall also arrange for staff support for the Department's Energy Working Group.

SECTION 4. ASSOCIATE DIRECTOR FOR ENERGY RESOURCES

The Associate Director for Energy Resources shall recommend policies and programs for the Department of Commerce and direct and manage all activities relating to the office's role in energy resources. The Associate Director also has primary Departmental responsibility on all matters related to the oil, gas and coal industries. As the chief policy officer for the office, the Associate Director shall be responsible for:

Maintaining a current overview of the main elements of energy supply and demand balance;

Identifying energy policy studies that need to be conducted;

Evaluating selected energy studies and analyses of other organizations;

Providing staff support for Commerce participation in committees which contribute to the formulation or execution of energy policy, such as, the Energy Resources Council, the Office of Export Administration's Hardship Committee and the National Power Survey;

Monitoring certain energy-related commodities to report to the Office of Export Administration regarding short supply export controls;

Preparing position papers and comments on energy-related programs and activities such as selected business and industrial programs;

Developing comments and presentations on energy-related testimony, legislation and other related subjects; and

Providing staff support for Departmental participation in energy-related task forces established to examine specific energy policy issues and problems pertinent to the U.S. business community.

SECTION 5. ASSOCIATE DIRECTOR FOR INDUSTRY PROGRAMS

The Associate Director for Industry Programs shall recommend policies and programs for, and direct and manage all activities of, the Business Awareness Division, the Industry/Association Programs Division, and the Technology Liaison Division.

.01 The *Business Awareness Division* shall work with business and industry to increase their awareness of, and to promote, energy conservation and efficiency; it shall provide an Executive Director and staff support for the National Industrial Energy Council (NIEC), and its subcouncils on Industry Programs, Program Development, and Business Awareness. The division shall carry out its responsibilities by:

a. Developing and evaluating approaches, methods, and programs to foster energy efficiency;

b. Coordinating, designing, developing, and producing such energy conservation/efficiency informational materials as films, brochures, and pamphlets for the business community;

c. Arranging and/or conducting seminars, meetings, and public appearances on energy conservation/efficiency;

d. Coordinating multiagency participation in energy conservation/efficiency trade shows and exhibits and directing the Department's participation in such shows and exhibits as a sole exhibitor;

e. Advising and counseling other Commerce organizations in the development and implementation of energy conservation programs;

f. Coordinating energy conservation activities with DIBA's Office of Field Operations and other Commerce organizations; and

g. Coordinating energy conservation awareness programs with other interested government agencies to insure that the business community has consistent goals in, and receives objective information on, energy conservation.

.02 The *Industry/Association Programs Division* shall: a. Establish and maintain liaison with key energy intensive industries and trade associations to implement energy management programs that will insure the efficient use by the business community of energy resources;

b. Establish reporting systems for energy management within the industrial and commercial sectors;

c. Insure, through the key identified industry associations, that the overall objectives of the Department's energy conservation programs for energy intensive industrial and business firms are met;

d. Provide a cohesive structure for managing and reporting on more efficient energy use within the business community; and

e. Support interagency energy conservation programs and manage those programs which may be established and operated by the Department in a lead agency role.

.03 The *Technology Liaison Division* shall: a. Advise the Director and Deputy, through the Associate Director for Industry Programs, on the technological ramifications of specific policy and/or program developments;

b. Provide liaison with other elements of the Department on technological aspects of energy programs;

c. Serve as the OEP point of contact on energy research and development matters;

d. As directed, develop and recommend programs to carry out selected Departmental energy policies; and

e. Conduct systems analyses, directly, by task force, contract, or other means

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to identify the comparative advantages of alternative program proposals.

GUY W. CHAMBERLIN, JR.,
Acting Assistant Secretary for Administration.

[FR Doc.76-132 Filed 1-2-76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control

OCCUPATIONAL SAFETY AND HEALTH

Request for Information on Certain Chemical Agents

Section 20(a)(3) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 669(a)(3)) provides that the Secretary of Health, Education, and Welfare, on the basis of information available to him, shall develop criteria dealing with toxic materials which will describe exposure levels that are safe for various periods of employment. Section 22(c) of the Act authorizes the National Institute for Occupational Safety and Health (NIOSH) to develop recommended occupational safety and health standards and to perform all functions of th Secretary of Health, Education, and Welfare, under sections 20 and 21 of the Act. NIOSH is proposing to develop criteria documents containing recommended occupational health standards for the following substances:

Alkanes
Antimony Compounds
Asphalt Fumes
Benzoyl Peroxide
Cloroprene
Coal Tar Products (Including Coal Tar Pitch, Creosote, Indene)
Cresols (Including Cresylic Acid)
Ethylene Dibromide
Fluorocarbons (Including Dibromodifluoromethane)
Hydrogen Sulfide
Hydroquinone
Ketones
Methyl Silicate
Nitroglycerine/Ethylene Glycol Dinitrate
Oil Mists
o-Tolidine
Hydrazines
Polychlorinated Biphenyls
Polytetrafluoroethylene Decomposition Products
Portland Cement
Styrene
Thallium and Its Compounds
Tungsten and Its Compounds
Vanadium and Its Compounds
Vinyl Acetate; Vinylidene Chloride; Vinyl Bromide

Each criteria document will include among other items an evaluation of available information relative to the areas listed below.

Any person having information or data in any of the areas listed below, or in other areas considered relevant to the establishment of a safe and healthful occupational environment involving these substances is requested to submit such information, with accompanying documentation to the Acting Director, Division of Criteria Documentation and Standards Development, NIOSH, 5600 Fishers Lane, Park Building, Room 3-18, Rockville, MD 20852, on or before April 5, 1976.

1. Establishment of safe occupational environmental levels for such agents including levels for acute and chronic exposure to airborne concentrations of the chemical agents as well as safe practices concerning direct contact with such agents.

2. Establishment of biologic standards, i.e., the levels of such agents, metabolites, or other effects of exposure which may be present within man without his suffering ill effects taking into consideration (a) the correlation of airborne concentrations of, and extent of exposure to, such substances with effects on specific biologic systems of man such as the circulatory, respiratory, urinary, and nervous system, and (b) the analytical methods for determining the amount of the substance which may be present within man.

3. Engineering controls, including ventilation, environmental temperature, humidity, and housekeeping and sanitation procedures, with attention to the technological feasibility of such controls.

4. Specifications for the conditions under which personal protective devices should be required.

5. Methods, including instruments, for air sampling and sample analysis of the chemical agents and methods of measuring levels of exposure to the physical agents.

6. The need for medical examinations for workers exposed to such agents, the frequency of such examinations, and the specific diagnostic tests which should be used and the rationale of their selection.

7. Work practices or procedures which may be instituted for control of the workplace environment in normal operations and those which may be instituted when occupational environmental levels are temporarily exceeded or where peak concentrations of chemical agents in man are reached.

8. The types of records concerning occupational exposure to such agents that employers should be required to maintain.

9. Warning devices and labels which should be required for the prevention of occupational diseases and hazards caused by such agents.

All information received concerning these substances will be available for public inspection after the development of the respective criteria document.

Dated: December 24, 1975.

JOHN F. FINKLEA,
Director, National Institute for Occupational Safety and Health.

[FR Doc.76-16 Filed 1-2-76;8:45 am]

OCCUPATIONAL SAFETY AND HEALTH

Request for Information on Certain Chemical Agents

Section 20(a)(3) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 669(a)(3)) provides that the Secretary of Health, Education, and Welfare, on the basis of information available to him, shall develop criteria dealing with toxic materials which will describe exposure levels that are safe for various periods of employment. Section 22(c) of the Act, authorizes the National Institute for Occupational Safety and Health (NIOSH) to develop recommended occupational safety and health standards and to perform all functions of the Secretary of Health, Education, and Welfare, under sections 20 and 21 of the Act. NIOSH is proposing to develop criteria documents and recommended standards on the following substances for completion in 1978-79.

p-Dichlorobenzene
Ammonium Nitrate
Carbon Black
Dichloroacetylene
Cyclohexanols
Mercaptans
Furfuryl Alcohol
Magnesium and Its Compounds
Alkali Metal Hydroxides
Dialkyl Ethers
Isobutyl Alcohol; Amyl Alcohol
Bromine Pentafluoride
Phenothiazine
Iron and Its Compounds (Includes Rouge)
Diazomethane
Dibutyl Phosphate
Indium and Its Compounds
Acetaldehyde
Boron Compounds
Glycidyl Ethers
Chromium and Its Compounds (Excluding Chromium (VI))

Prior to finalizing plans for the development of these documents, the public is invited to submit comments, including suggestions for additions or deletions, with accompanying documentation to Acting Director, Division of Criteria Documentation and Standards Development, National Institute for Occupational Safety and Health, 5600 Fishers Lane, Park Building, Room 3-18, Rockville, MD 20852, on or before April 5, 1976.

NIOSH is anticipating making a final decision in May 1976 on the documents to be developed in 1978-79.

Dated: December 24, 1975.

JOHN F. FINKLEA,
Director, National Institute for Occupational Safety and Health.

[FR Doc.76-17 Filed 1-2-76;8:45 am]

Food and Drug Administration

PANEL ON REVIEW OF TOPICAL ANALGESICS

Notice of Meeting Cancellation

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), the Food and Drug Administration announced in a notice published in the FEDERAL REGISTER of December 17, 1975 (40 FR 58479), public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a)(1) and (2) of the act.

Notice is hereby given that the meeting of the Panel on Review of Topical Analgesics scheduled for January 13 and 14 is cancelled due to conflict with previously scheduled obligations of several panel members.

Dated: December 29, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.76-95 Filed 1-2-76;8:45 am]

Office of Education

SPECIFIC LEARNING DISABILITIES

Extension of Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in section 661 of the Education of the Handicapped Act (20 U.S.C. 1461), the U.S. Commissioner of Education has extended the January 15, 1976 closing date for receipt of applications for new specific learning disabilities model demonstration centers. This date was previously published in the FEDERAL REGISTER on November 25, 1975 at 40 FR 54801. The new closing date is February 20, 1976.

Applicants have requested an extension of the closing date because they require more time to coordinate the comprehensive planning design with other groups organizations, and agencies as specified in program regulations. Also there were unanticipated delays in clearance and printing of the application forms that shortened the time originally given to applicants to submit proposals. Therefore a new closing date of February 20, 1976 has been established for receipt of applications for new specific learning disabilities model demonstration centers. Applications must be received by the U.S. Office of Education Application Control Center on or before the aforementioned date.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Grants and Procurement Management Division, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Attention: 13.520 specific learning disabilities. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than February 17, 1976, as evidenced by the U.S. Postal Services postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

B. *Hand delivered applications.* An application to be hand delivered must be delivered to the U.S. Office of Education Application Control Center, Room 5773, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand Delivered applications will be accepted daily between the hours of 8:00 a.m. and 4:00 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted by the Application Control Center after 4:00 p.m. Washington, D.C. time on the closing date.

C. *Program information and forms.* Information and applications may be obtained from the Specific Learning Disabilities Program, Program Development Branch, Bureau of Education for the Handicapped, U.S. Office of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

D. *Application regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) and the program regulations (45 CFR Part 121j) published in the FEDERAL REGISTER on February 20, 1975 at 40 FR 7428.

(20 U.S.C. 1461)

(Catalog of Federal Domestic Assistance, No. 13.520 Specific Learning Disabilities)

Dated: December 29, 1975.

DUANE J. MATTHEIS,
Acting U.S. Commissioner of Education.

[FR Doc.76-172 Filed 1-2-76;8:46 am]

NATIONAL ADVISORY COUNCIL ON ETHNIC HERITAGE STUDIES

Notice of Public Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92-463), that a meeting of the National Advisory Council on Ethnic Heritage Studies will be held February 5 and 6, 1976, from 9:00 a.m. to 4:30 p.m. at Holiday Inn, 1111 Lakeside, Cleveland, Ohio.

The National Advisory Council on Ethnic Heritage Studies was established by Title IX of the Elementary and Secondary Education Act of 1965, as amended. The Council is governed by the provision of Part D of the General Education Provisions Act and of the Federal Advisory Committee Act (P.L. 92-463). The Council shall advise the Secretary, the Assistant Secretary for Education, and the Commissioner of Education concerning matters of general policy arising from the administration of programs in ethnic heritage studies. Functions may include determination of needs and objectives of programs in the field and provisions of support in the implementation nationally of program goals of ethnic heritage studies.

This meeting of the Council shall be open to the public. The meeting will be devoted to reports of the various committees, discussions of priorities in future ethnic studies, preliminary reports on projects as of the end of 1975, and strengths and weaknesses of 1976 proposals.

Records shall be kept of all Council proceedings and shall be available for public inspection at the Office of the Chief of the Ethnic Heritage Studies Branch, Division of International Education, located in Room 3919, ROB No. 3, 7th and D Streets, S.W., Washington, D.C.

Signed at Washington, D.C. on December 30, 1975.

WILLIAM H. MARTIN,
Chief, Ethnic Heritage Studies Branch.

[FR Doc.76-141 Filed 1-2-76;8:45 am]

NATIONAL ADVISORY COUNCIL ON BILINGUAL EDUCATION

Notice of Public Meeting

Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92-463) that a meeting of the National Advisory Council on Bilingual Education will be held on January 20-23, 1976. The Council will meet in Plaza del Sol, 600 N. 2nd Street, N.W., Albuquerque, New Mexico.

The National Advisory Council on Bilingual Education is established pursuant to Section 732(a) of the Bilingual Education Act (20 U.S.C. 880b) to advise the Secretary of Health, Education and Welfare and the Commissioner of Education concerning matters arising in the administration of the Bilingual Education Act.

The Council sessions shall be opened to the public. The Council will meet each day from 9:00 a.m. to 4:00 p.m. except on January 20, when the Council will hold subcommittee meetings between 2:00 p.m. and 4:00 p.m. only.

The proposed agenda for the Council meetings is:

A. January 20—meetings of the Budget and Hearings sub-committees;

B. January 21-22—public hearings;

C. January 23—regular business meeting.

The following procedures shall be observed during the public hearings:

1. Witnesses shall limit their appearances to twenty-five minutes: ten to fifteen minutes of formal presentation followed by ten to fifteen minutes of questioning from Council members;

2. Two or more persons from the same organization shall designate one person to speak for the group;

3. Witnesses should present a written synopsis of their oral presentation. Witnesses who do not provide such a synopsis shall be placed last on the agenda;

4. The written synopsis must be in English, although any witness may address the Council in his native language if he so desires;

5. All testimony will be tape-recorded.

Records shall be kept of all meetings of the Council and shall be available for public inspection in Room 421, Reporter's Building, 300 7th Street, S.W., Washington, D.C. 20202.

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Signed at Washington, D.C. on December 30, 1975.

JOHN C. MOLINA,
Acting Director,
Office of Bilingual Education.

[FR Doc.76-254 Filed 1-2-76; 8:45 am]

Office of the Secretary

HEALTH RESOURCES ADMINISTRATION

Designation of Health Service Areas; Correction

Federal Register Document 75-2264, published as a notice in the FEDERAL REGISTER of September 2, 1975 (40 FR 40306-40315), contained a list of health service areas as designated under Section 1511 of the Public Health Service Act (Pub. L. 93-641). Inadvertently, a number of errors were made on the original list. Said notice is amended as follows:

1. On page 40306 the list of health service areas for the State of Alabama is amended to read as follows:

AREA 7

Insert "*Alabama*" as a sub-heading above "Russell"; under *Georgia*, delete "Russell"; insert "Baldwin" above Bibb.

2. On page 40306 the list of health service areas for the State of Alaska is amended to read as follows:

AREA 2

"ANTNA" is corrected to "AHTNA."

3. On page 40306 the list of health service areas for the State of Arizona is amended to read as follows:

AREA 1

"Maricopa" is corrected to "Maricopa County less a portion of the Papago Reservation."

"Pinal" is corrected to "Pinal County less a portion of the Papago Reservation."

"Gila" is corrected to "Gila County less a portion of the White Mountain Apache Reservation."

"Graham" is corrected to "San Carlos Apache Reservation portion of Graham County."

AREA 2

"Graham" is corrected to "Graham County less a portion of the San Carlos Apache Reservation."

After "Santa Cruz" insert "Papago Reservation portion of Pinal County," and "Papago Reservation portion of Maricopa County."

AREA 3

"Apache (parts of)" is corrected to "Apache County less a portion of the Navajo Reservation."

"Navajo (parts of)" is corrected to "Navajo County less a portion of the Navajo Reservation."

"Coconino (parts of)" is corrected to "Coconino County less a portion of the Navajo Reservation."

After the last entry insert "White Mountain Apache Reservation portion of Gila County," and "Hopi Reservation."

AREA 4

Delete "Area 4 is the geographic area comprised of a portion of the Navajo Nation:"

Under *Arizona*:

"Apache (parts of)" is corrected to "Navajo Reservation portion of Apache County."

"Coconino (parts of)" is corrected to "Navajo Reservation portion of Coconino County."

"Navajo (parts of)" is corrected to "Navajo Reservation portion of Navajo County."

Under *New Mexico*:

"San Juan (parts of)" is corrected to "Navajo Reservation portion of San Juan County."

"McKinley (parts of)" is corrected to "Navajo Reservation portion of McKinley County."

Under *Utah*:

"San Juan (parts of)" is corrected to "Navajo Reservation portion of San Juan County."

4. On page 40307 the list of health service areas for the State of Connecticut is amended to read as follows:

AREA 2

"Namden" is corrected to "Hamden."

AREA 3

After "Woodstock" insert the following towns:

Colchester
Columbia
Coventry
Cromwell
East Hampton
Portland
Willington

AREA 4

Delete the following towns:

Colchester
Columbia
Coventry
Cromwell
East Hampton
Portland
Willington
New Hartford

AREA 5

"Chesire" is corrected to "Cheshire."

After "Woodbury" insert "New Hartford."

5. On page 40307 the list of health service areas for the State of Colorado is amended to read as follows: after the listing for the State of California, insert "*Colorado*" as a sub-heading above the listing for Area 1.

6. On page 40309 the list of health service areas for the State of Indiana is amended to read as follows: under "Indiana-Continued" delete "Area 6-continued" and insert "Area 2-continued."

AREA 8

"Carrol" is corrected to "Carroll."

7. On page 40311 the list of health service areas for the State of Michigan is amended to read as follows:

AREA 8

"Barago" is corrected to "Baraga."

8. On page 40311 the list of health service areas for the State of Minnesota is amended to read as follows:

AREA 1

North Dakota: "Grand Folks" is corrected to "Grand Forks."

AREA 3

North Dakota: "LaMoure" is corrected to "La Moure."

9. On page 40312 the list of health service areas for the State of New Mexico is amended to read as follows:

AREA 1

"McKinley (parts of)" is corrected to "McKinley County less a portion of the Navajo Reservation."

"San Juan (parts of)" is corrected to "San Juan County less a portion of the Navajo Reservation."

AREA 2

Under *New Mexico*:

"McKinley (parts of)" is corrected to "Navajo Reservation portion of McKinley County."

"San Juan (parts of)" is corrected to Navajo Reservation portion of San Juan County."

Under *Arizona*:

"Apache (parts of)" is corrected to "Navajo Reservation portion of Apache County."

"Navajo (parts of)" is corrected to "Navajo Reservation portion of Navajo County."

"Coconino (parts of)" is corrected to "Navajo Reservation portion of Coconino County."

Under *Utah*:

"San Juan (parts of)" is corrected to "Navajo Reservation portion of San Juan County."

10. On page 40313 the list of health service areas for the State of North Dakota is amended to read as follows:

AREA 3

Under *North Dakota:* "LaMoure" is corrected to "La Moure."

11. On page 40314 the list of health service areas for the State of Tennessee is amended to read as follows:

AREA 1

Under *Virginia:* insert "Cities: Bristol."

12. On page 40315 the list of health service areas for the State of Virginia is amended to read as follows:

AREA 3

Under *Cities:* delete "Bristol."

AREA 5

Under *Cities:* delete "Nansemond."

AREA 6

Under *Virginia:* insert "Cities: Bristol."

13. On page 40315 the list of health service areas for the State of Utah is amended to read as follows:

AREA 1

"Health Service Area numbered 1 is the geographic area comprised of all counties except parts of San Juan County, which is a portion of the Navajo Nation." is corrected to "Health Service Area numbered 1 is the geographic area comprised of all counties except the Navajo Reservation portion of San Juan County"

AREA 2

Under *Utah:* "San Juan (parts of)" is corrected to "Navajo Reservation portion of San Juan County."

Under *Arizona:*

"Apache (parts of)" is corrected to Navajo Reservation portion of Apache County."

"Navajo (parts of)" is corrected to "Navajo Reservation portion of Navajo County."

"Coconino (parts of)" is corrected to Navajo Reservation portion of Coconino County."

Under *New Mexico:*

"McKinley (parts of)" is corrected to "Navajo Reservation portion of McKinley County."

"San Juan (parts of)" is corrected to Navajo Reservation portion of San Juan County."

Dated: November 21, 1975.

THEODORE COOPER,
Assistant Secretary for Health.

Approved: December 24, 1975.

DAVID MATHEWS,
Secretary.

[FR Doc.76-38 Filed 1-2-75;8:45 am]

Public Health Service

HEALTH SERVICES ADMINISTRATION

Qualified Health Maintenance Organizations

On November 25, 1975, the first list of qualified health maintenance organizations was published in the FEDERAL REGISTER (40 FR 54606). Notice is hereby given, pursuant to 42 CFR 110.605, that in the month of November 1975, the following entities have been determined to be qualified health maintenance organizations under section 1310(d) of the Public Health Service Act (42 U.S.C. 300e-9(d)).

LIST OF QUALIFIED HEALTH MAINTENANCE ORGANIZATIONS (OPERATIONAL QUALIFIED HEALTH MAINTENANCE ORGANIZATIONS: 42 CFR 110.603(a))

Name, address, and service area	*Date of Qualification*
1. North Communities Health Plan, Inc., 1718 Sherman Ave., Evanston, Ill. 60201. The following communities located in the State of Illinois: E. Rogers Park, Evanston, Glencoe, Glenview, Golf, Kenilworth, Lincolnwood, Morton Grove, Niles, North Brook, North Field, Park Ridge, Skokie, W. Rogers Park, Wilmette, and Winnetka.	Nov. 11, 1975.
2. Penn Group Health Plan, Inc., IBM Bldg., Pittsburgh, Pa. 15222. Allegheny and western Westmoreland Counties.	Nov. 28, 1975.

Files containing detailed information regarding the qualified health maintenance organizations will be available for public inspection between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday, at the Office of the Administrator, Health Services Administration, Department of Health, Education, and Welfare, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852.

Questions about the review process or requests for information about qualified health maintenance organizations should be sent to the same office.

Dated: December 19, 1975.

ROBERT VAN HOEK,
Acting Administrator.

[FR Doc.76-104 Filed 1-2-76;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RADIO TECHNICAL COMMISSION FOR AERONAUTICS

Notice of Meeting

Notice is hereby given of a meeting of the Radio Technical Commission for Aeronautics (RTCA) Special Committee 126—Airborne OMEGA Receivers, which is being utilized as an advisory committee within the meaning of the Federal Advisory Committee Act, 5 U.S.C. Appendix I. It will be held January 22, 1976, in Conference Room 8B and C, FAA Headquarters Building, 800 Independence Avenue, S.W., Washington, D.C. 20591, commencing at 9:30 A.M. Agenda items include:

1. Approval of December 4, 1975, meeting Minutes, RTCA Paper No. 246-75/SC126-32.

2. Editorial work on Reports.

Meetings of Special Committee 126 are open to the public, subject to limitations of space available. Subject to time being available, any member of the public may present oral statements at the meeting, or may submit written statements to the RTCA Secretariat. Requests to receive additional information or to be heard should be made by contacting 1717 H Street, N.W., Washington, D.C. 20006, or telephone Area Code (202) 296-0484.

Issued in Washington on December 24, 1975.

HUGH E. WATERMAN,
Designated Officer.

[FR Doc. 76-90 Filed 1-2-76; 8:45 am]

Federal Highway Administration

HIGHWAY SAFETY PROGRAM

Delay in Apportionment of Highway Safety Funds

The purpose of this notice is to announce a delay in the apportionment of highway safety funds pursuant to 23 U.S.C. 402 for fiscal year 1977. Such apportionments have historically been made for each fiscal year before January 1 of the year in which such fiscal year begins. Highway safety authorizations for fiscal year 1977 have not yet been enacted, thereby creating a likelihood that the funds will not be apportioned by January 1, 1976. Apportionment will instead be made immediately upon enactment of such authorizations and completion of the necessary computations.

Issued on December 29, 1975.

NORBERT T. TIEMANN,
Federal Highway Administrator.

JAMES B. GREGORY,
National Highway Traffic Safety Administrator.

[FR Doc.75-35242 Filed 12-30-75;1:18 pm]

National Highway Traffic Safety Administration

HIGHWAY SAFETY PROGRAM

Delay in Apportionment of Highway Safety Funds

CROSS REFERENCE: For a document issued jointly by the Federal Highway Administration, Department of Transportation and the National Highway Traffic Safety Administration, Department of Transportation, see FR Document 75-35242 appearing elsewhere in the notices section of this issue.

[Docket No. IP 76-1; Notice 1]

CIMATTI LTD.

Petition for Exemption From Notice and Recall for Inconsequential Noncompliance

Cimmatti Ltd. of Danbury, Connecticut, has petitioned to be exempted from the notification and recall requirements of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1381 *et seq.*) for a noncompliance with 49 CFR 571.123, Federal Motor Vehicle Safety Standard No. 123, *Motorcycle Controls and Displays*, on the basis that the noncompliance is inconsequential as it relates to motor vehicle safety.

Petitioner has imported 1,250 motor-driven cycles from Italy whose headlamp upper-lower beam control and horn location does not conform to Standard No. 123. That standard requires the controls to be located on the left handlebar. These controls are located on the right handlebar of Cimatti cycles. Cimatti argues that "This noncompliance poses no danger. . . . We have had no reports of accident or consumer inability to operate this switch." Motor-driven cycles manufactured since June 1975 incorporate switches that are correctly located.

Interested persons are invited to submit written data, views, and arguments on the petition of Cimatti described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street SW., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date

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indicated below will be considered. The application and supporting materials, and all comments received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice will be published in the FEDERAL REGISTER pursuant to the authority indicated below.

Comment closing date: February 19, 1976.

(Sec. 102, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1417); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on December 24, 1975.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

[FR Doc.76-40 Filed 1-2-76;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 28656]

FLYING TIGER TRANSPACIFIC RENEWAL CASE

Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on February 17, 1976, at 10:00 a.m. (local time), in Room 1003, Hearing Room C, Universal North Building, 1875 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge Arthur S. Present.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and four copies to the Judge of (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before January 30, 1976, and the other parties on or before February 10, 1976. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Operating Rights and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., December 24, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.76-65 Filed 1-2-76;8:45 am]

[Docket 27330]

DOMESTIC COMMON FARES INVESTIGATION

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in this proceeding will be held on January 27, 1976, at 10:00 a.m. (local time), in Room 1003C, Universal Building North, 1875 Connecticut Ave. NW., Washington, D.C., before the undersigned.

For information concerning the issues involved and other details, interested persons are referred to the prehearing conference report served September 2, 1975, and other documents in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., December 24, 1975.

[SEAL] HENRY WHITEHOUSE,
Administrative Law Judge.

[FR Doc.76-64 Filed 1-2-76;8:45 am]

[Docket 26494; Agreements CAB 25434, R-1 through R-3; CAB 25511, R-1 through R-3; CAB 25551, R-1 through R-5; CAB 25596; Order 75-12-143]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Passenger Fare Matters; Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 29th day of December, 1975.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers and other carriers embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreements were adopted at the Composite Passenger Traffic Conference held in Cannes, October/November 1974, or by mail vote, and affect fares in various world areas.

Agreement C.A.B. 25511 would amend fare levels and surcharge resolutions for travel within Traffic Conference 3 (Asia/Australia/Pacific Islands) to maintain fare levels adopted at the Freeport Conference (July/August 1975), which had increased fares by four percent; and at the same time to return the basic U.K. pound-specified fares to a nondirectional basis due to technical problems in implementing the Freeport agreement.[1] We will approve the agreement insofar as it directly affects air transportation as defined by the Act only to the extent it involves fares to Pago Pago, where the U.S. dollar selling prices would remain essentially unchanged.[2]

Agreement C.A.B. 25434 would increase most fares from Australia to points in the Pacific and the Western Hemisphere by 3.75 percent and 4 percent, respectively, because of increases in the price of fuel in Australia caused by the recent imposition of excise levies of approximately 3 Australian dollars per barrel. We will approve the increases inasmuch as they reflect increased costs to carriers operating from Australia and apply only to travel originating from that country.

Agreement C.A.B. 25551 would remove the present currency-related surcharge on fares from Finland to points in TC3, and would also clarify the language of several resolutions governing in-flight conditions of service without changing their substance. Agreement C.A.B. 25596 would common-rate Ahwaz with Abadan for North Atlantic travel.

The Board, acting pursuant to the Federal Aviation Act of 1958 and particularly sections 102, 204(a) and 412 thereof, does not find the following resolutions, incorporated in the agreements indicated, to be adverse to the public interest or in violation of the Act:

Agreement CAB	*IATA resolution*
25434:	
R-1	JT23(Mail 368) 003t, JT123 (Mail 764)003t.
R-2	JT31(Mail 294)022t.
R-3	300(Mail 458)022u.

[1] The Freeport agreement was approved by the Board in Order 75-9-100, September 26, 1975.

[2] Fares specified between Samoa and other Traffic Conference 3 points would not change, while fares constructed over Noumea would increase by less than one percent.

Agreement CAB	IATA No.	Title	Application
25511:			
R-1	003W	General Increases in Passenger Fares (Expedited) (Amending)	3.
R-2	022e	TC3 Special Rules for Sales of Passenger Air Transportation (Expedited) (Amending).	3.
R-3	022u	TC3 Special Rules for Sales of Passenger Air Transportation (Expedited) (Amending).	3.
25551:			
R-1	001mm	Special Escape for Currency Rules (Expedited) (New)	1;2;3.
R-2	022f	JT23/123 Special Rules for Sales of Passenger Air Transportation (Expedited) (Amending).	2/3;1/2/3.
R-3	050	(Mid-Atlantic) First-Class Conditions of Service (Expedited) (Amending).	1/2 Mid-Atlantic.
R-4	060	(North Atlantic) Economy-Class Conditions of Service (Expedited) (Amending).	1/2 North Atlantic.
R-5	060	(Mid-Atlantic) Economy-Class Conditions of Service (Expedited) (Amending).	1/2 Mid-Atlantic.
25596	003f	JT12 (North Atlantic) Normal and Special Fares Resolutions (Expedited) (Amending).	1/2 North Atlantic.

Accordingly, *it is ordered* That:

Agreements C.A.B. 25434, R-1 through R-3, C.A.B. 25511, R-1 through R-3, C.A.B. 25551, R-1 through R-5, and C.A.B. 25596, be and hereby are approved.

This order will be published in the Federal Register.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76-66 Filed 1-2-76;8:45 am]

[Docket 28655]

SEATTLE GATEWAY-JAPAN SERVICE INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on February 19, 1976, at 10:00 a.m. (local time), in Room 1003-A, North Universal Building, 1875 Connecticut Avenue NW., Washington, D.C., before Associate Chief Administrative Law Judge Ross I. Newmann.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and four copies to the Judge of (1) proposed statements of issues; (2) proposed stipulations; (3) proposed requests for information and for evidence; (4) statements of positions; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before January 29, 1976, and the other parties on or before February 11, 1976. The submissions of the other parties shall be limited to points on which they differ with the Bureau, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., December 24, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.76-63 Filed 1-2-76;8:45 am]

[Order 75-12-147; Docket 27573; Agreements C.A.B. 25171, 25185, 25202, R-1 through R-13, 25256, R-1 through R-9]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

North Atlantic Cargo Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 30th day of December, 1975.

In the matter of agreements adopted by the Joint Traffic Conferences of the International Air Transport Association relating to North Atlantic cargo rates.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Joint Traffic Conferences of the International Air Transport Association (IATA). The agreements propose cargo rates over the North Atlantic and over the Mid-Atlantic through September 30, 1977.

The major changes proposed in the North Atlantic agreement would eliminate minimum rates for cargo charters and replace the U.S.-Europe 30,000 kg. specific commodity rates with 10,000 kg. specific commodity rates. The minimum charges per consignment would be increased by two dollars to a level of $31. U.S.-Europe general cargo rates for 100 and 300 kg. shipments are proposed to be increased three cents per kilogram and 500 kg. shipments are proposed to be increased by five cents per kilogram. U.S.-Middle East general commodity rates are proposed to be increased by three cents per kilogram except the under -45 kg. and 45 kg. weightbreaks. U.S.-Africa general commodity rates are unchanged. With some exceptions specific commodity rates applicable to Europe and the Middle East are proposed to be increased by 5 cents per kilogram upon the effective date of this agreement and an additional 5 cents per kilogram increase is proposed to be implemented January 1, 1976. U.S.-Africa specific commodity rates would be increased three percent. Present pivot weights and minimum charges for containerized shipments are proposed to be adjusted upwards resulting in net increases in rates at the pivot weight ranging up to 5 percent while over-pivot rates would be decreased by approximately 8 percent. Presently effective general commodity high-weightbreak rates between the United States and Europe, established outside and independent of IATA, are contemplated to be canceled as a result of foreign government action. The estimated impact of the proposed agreement would be to increase minimum charges by 7 percent, general commodity rates by 2 percent, specific commodity rates by 6 percent, and containerized rates by 4 percent.[1]

Order 75-7-88, dated July 17, 1975, established dates for the submission of carrier justifications, comments and replies. Although the order called for carrier justifications to be submitted within fifteen days after the date of service of the order, Pan American was unable to comply with this date and finally submitted its justification on September 8, 1975. As a consequence, action on this agreement originally proposed by IATA to be placed into effect September 1, 1975, has been significantly delayed.

All three of the U.S. member carriers, National Airlines, Inc. (National), Pan American World Airways, Inc. (Pan American) and Trans World Airlines, Inc. (TWA) filed justifications in support of the agreement. Pan American and TWA urge its approval based upon their need for increased revenues to offset cost escalations; they contend that their composite rates of return will not exceed the Board's standards, and that the agreement conforms with the Board's policy statement issued prior to the start of the Nice conference. Seaboard World Airlines, Inc. (Seaboard), a non-IATA carrier, has submitted data, pursuant to Board request, indicating that the proposed agreement would provide very little basic earnings improvement.

National reports it is currently earning a 31.55 percent rate of return on investment (ROI) in total Atlantic scheduled combination cargo services. With the proposed rates in effect, it projects it would earn a 40.27 percent return. Even at a continuation of the present rates, National forecasts an increased ROI of 37.94 percent.

Based on their present transatlantic operating authority, Pan American and TWA project, for the year ending August 31, 1976, rates of return on cargo services at present rate levels of 10.84 percent and negative 4.7 percent, respectively. With the proposed rates in effect, Pan American anticipates it would earn 13.77 percent while TWA alleges it would realize a 2.8 percent return. Both carriers contend that the agreement, which increases specific commodity rates while providing lesser increases in general commodity rates, eliminates a number of specific commodity rates, and adopts a 10,000 kilogram specific commodity rate for goods tendered in containers, is in accord with the Board's policy statement. They assert that the 10,000 kilo specific commodity rate is cost-justified, meets individual shipper requirements, and eliminates undue diversion and malpractice abuses associated with presently effective higher weightbreaks. Both carriers indicate that the existing higher weightbreaks, including the 30,000 kilogram rates previously agreed to by IATA, are not cost-justified. TWA alleges that the proposed increase of $2 in minimum charge for shipments is cost-justified on the basis of ground handling costs alone. When capacity costs are added, the cost level exceeds the rate level by over $8 per shipment.

Seaboard, which like National has not experienced a change in route authority, as have Pan American and TWA, alleges that its rate of return of 4.17 percent in commercial operations for the year ended March 31, 1975 would decline in the forecast period to a negative 4.08 percent at the present rate levels and a negative 3.97 percent even under the proposed rates. Seaboard's projections assume that all of the currently effective high weightbreaks, except for the proposed 10,000 kilo specific commodity unitized high-weightbreak rate, are eliminated, and that present cargo charter-rate levels continue. Unlike Pan American and TWA, Seaboard's data include commercial charter operations.

Comments in opposition to the agreement were filed by Airborne Freight Corporation (Airborne), Members of the Air Freight Forwarders Association (AFFA), Emery Air Freight Corporation (Emery), the Puget Sound Traffic Association (PSTA), and Seaboard World Airlines, Inc. (Seaboard). The forwarder parties and Seaboard object to the intended removal by unilateral government action of the non-IATA high-weightbreak freight-all-kinds rates as contemplated by the agreement, and contend that the agreement fails to meet the Board's stated policy objectives. PSTA alleges that the presently available rates be-

[1] That portion of the Mid-Atlantic agreement which directly applies in air transportation to/from Puerto Rico and the Virgin Islands increases minimum charges by $3; increases westbound general commodity rates by from 3 to 5 percent and equates eastbound levels to westbound levels; increases specific commodity rates by 10 percent; and increases containerized rates by 5 percent.

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tween Seattle and Europe are greater on a rate-per-mile basis than rates between New York and Europe and between San Francisco and Europe, and that the proposed agreement seeks to perpetuate this unjust discrimination. It is contended that this conflicts with the Board's policy established in *Agreements Adopted by IATA Relating to North Atlantic Cargo Rates*, Docket 20522, and that Seattle users of air freight transportation should be placed on an equal footing with their counterparts in New York and California.

Seaboard urges the Board to disapprove the agreement as not being in the public interest. Seaboard indicates it reluctantly urges this action despite the much-needed additional revenue (albeit small) which would result if approved. The negative aspects of the agreement, Seaboard contends, so far exceed its potential gain that disapproval is the only proper course of action. The elimination of existing 15,000 kilo and 30,000 kilo IATA weightbreaks and the absence of the 34,000 and 42,500 kilo non-IATA weightbreaks and the IATA minimum charter rates would not only result in increases in scheduled service rates, but also divert large-shipment traffic from scheduled to charter operations, the rates for which will be reduced. Seaboard contends that because large-shipment traffic constitutes over a third of its business, the proposed agreement is destructive insofar as the revenue gains proposed by both Pan American and TWA are unattainable because of the anticipated charter diversion. In addition, Seaboard contends that the IATA proposals will discourage containerization and discriminate against carriers utilizing modern, more efficient aircraft, and that specific commodity rates have not been adjusted to reasonable levels.

In answer to Seaboard's comments, both Pan American and TWA assert that: the proposed rates will cause little diversion to charter service; Seaboard's forecast is unrealistic; the incentive to containerize will not be diminished; there is no cost justification for high weightbreaks; and there is no statutory or other obligation to provide high-weightbreak discounts except as cost savings justify. Seaboard, Pan American contends, wants retention of IATA's minimum charter rates, which were set in relation to the 30,000 kilogram specific commodity rate; however, that relationship was upset by Seaboard's filing of 34,000 and 42,500 kilogram FAK rates which undercut the charter levels. Pan American asserts that Sebaoard desires a charter-rate floor which would undercut scheduled rates. Both Pan American and TWA state that the proposed package does meet the Board's objectives as cited in the policy statement, in that: the rates are more in line with the carrier costs; high-weightbreak rates are set at levels consistent with cost savings; the nominal increase in general commodity rates is warranted; it eliminates a number of specific commodity rates; and the increases to be applied to specific commodity rates are higher than those proposed for general cargo.

In response to the PSTA parties, Pan American alleges that the PSTA comparisons are so selective that they are misleading and do not indicate unjust discrimination against the Seattle shipper/consignee. Pan American asserts that Seattle general commodity shippers of 100 kilograms or less are in fact favored, on a mileage basis, over New York shippers. At a 500 kilogram rate the difference in favor of New York is so small that it cannot be characterized as unjustly discriminatory. The carrier states that while the proposed electronic specific commodity rate per mile from Seattle is 2.7 percent higher than from New York to Frankfurt, and 1.4 percent higher than from New York to Rome, it is lower than the New York-London rate per mile.[2]

Pan American suggests that cargo profitability should be judged on all-cargo service. All-cargo service, the carrier contends, moves the bulk of the volume, is the only service on which profitability can be established with any degree of certainty, and avoids the judgments necessarily involved in capacity-cost allocations for belly traffic in combination aircraft. Generally, the Board considers both freighter and belly operations in its disposition of IATA rate agreements, but places the greater weight on all-cargo operations. While we will rely primarily on the economics of freighter operations in our disposition of the instant agreement, we are greatly concerned with the methodology used by the carriers to reach combination-aircraft results, and expect to explore whether corrective action should be taken to assure more usable data for belly-freight operations. In our reliance on the all-cargo operations, however, for the reasons set forth below, the Board is unable to accept, absent adjustments, the freighter forecasts as submitted by the two combination carriers.

We are concerned with what appears to be an inordinately high rate of return for lower-deck cargo operations and a below-standard return projected for freighter operations. We recognize that, in part, the high returns for lower-deck compartments could result from cost and investment allocations. In reviewing the carrier submissions, we note that Pan American and TWA anticipate 32 percent and 52 percent of their total freight tonnage will be carried in lower-deck compartments of their combination aircraft, while their freighter would experience load factors of 57.2 and 57.5 percent, respectively, considerably below Seaboard's experienced load factor of 66.7 percent.

The distribution of revenue freight traffic as between all-cargo and combination aircraft reflects the combination carriers' options to schedule freighter service. For present purposes, we deem it appropriate to adjust the freighter load factors of the combination carriers to Seaboard's level.[3] The Board's upward adjustment of freighter load factors to Seaboard's historical experience, and the attendant revenue increases and traffic-service cost adjustments, has the effect of increasing Pan American's forecast rate of return to approximately 10 percent (compared with 2 percent originally forecast by the carrier) and improving TWA's return to a negative 11 percent (compared with a negative 21 percent). As the adjusted rates of return are, in composite, below the Board's guidelines, we conclude that the proposed increases are justified.

Seaboard's projections are based on market expectations which would increase scheduled-service rates pursuant to the agreement but reduce the scheduled-service traffic available because of diversion to low-cost cargo charters. Seaboard further projects virtually no growth in traffic and a 3 percentage point decline in load factors stemming from increased capacity. We are not persuaded by Seaboard's dire projections; nevertheless, based on Seaboard's historical results (4.17 percent ROI for the 12-month period ending March 31, 1975) as well as reported cost escalations, it appears that rate relief is warranted.

Although we will approve the agreement before us, our approval of the general commodity rate increases is conditioned upon the retention of the 34,000 and 42,500 kilogram weightbreaks currently on file to both France and Germany.[4] These high freight-all-kinds weightbreaks for containerized cargo, originally filed to Germany and later extended to France, were established outside the auspices of IATA and, despite the Board's reservations as to their level,[5] continue to remain outside the bailiwick of IATA. To date, the Government of France has not taken any adverse action against the existing tariffs, although the Government of the Federal Republic of Germany has taken steps to have the tariff removed.

The agreement was adopted on the assumption that the high FAK weightbreaks, although established outside of IATA, would be eliminated by government action. If this were to come to pass the transatlantic rate strucure would be completely out of accord with the Board's policy statement, wherein the Board indicated "that general commodity rates should be established at levels related to fully allocated costs. Higher weightbreaks should be made available consistent with demonstrable cost savings." Absent the securing of an agreement along these lines the Board indicated that if "revenue increases can be demonstrated in selected areas, the increased revenues should be realized from increases on specific commodity rates—not from the general commodity rate." The agreement before us takes a little of each alternative, with results which are contrary to the intent of the statement. First, rather than make high weightbreaks available for the shipper of general commodities, the agreement would not only increase existing general commodity rates, but would have the effect of eliminating the only freight-all-kinds weightbreaks because of the contemplated action of governments. This is in direct contravention of the policy statement. Further, although the statement indicates a lesser reliance on specific commodity rates and increases only in specific commodity rates where revenue increases are required, the elimination of the high FAK weightbreaks would make the proposed 10,000 kilo specific commodity rate the lowest rate in the structure. We fail to see how the reliance on specific commodity rates could be reduced in these circumstances. In addition, despite the Board's admonitions to the contrary, the agreement would increase general cargo rates, albeit at a lesser level than those proposed for a majority of the specific commodity rates.

The agreement before us is considered regressive and the Board concludes that the approval is warranted only upon the continuation of the high freight-all-kinds weightbreaks to France and Germany. Our approval of the proposed increases in general commodity rates, container rates and minimum charges will be conditioned upon the reintroduction and maintenance of the previously filed FAK high-weightbreak rates. In this respect we would add that in the interest of stability the IATA carriers should seek to renegotiate certain portions of this agreement to incorporate very high freight-all-kinds weightbreaks.[6]

Our review of PSTA's comments, and the response by Pan American, indicates that there is some question as to the reasonableness of the rates proposed for Seattle *vis-a-vis* rates at New York, Los Angeles and San Francisco. While we note that the existing and proposed relationship of general commodity rates for Seattle *vis-a-vis* New York has some distortions, it is not clear that these differences are of such a magnitude as to necessitate definitive action by the Board to require adjustment. On the other hand, a comparison of the present and proposed relationship of specific commodity rates for Seattle *vis-a-vis* New York, and even Los Angeles and San Francisco, indicates problems of equity and reasonableness. In general it appears that the level of specific commodity rates, on a revenue-ton-mile basis, is significantly higher for Seattle than is the case for New York and the west coast cities.[7]

Our analyses indicates that we do not have before us a clear and adequate basis which, at this time, requires the corrective action taken by the Board in Docket 20522. However, considering the fact that the rate relationships are of long standing, the agreement will be approved for an interim period. Our continued approval is contingent upon the requirement that the carriers readdress themselves to the issue of rates to Seattle and to submit a new agreement to the Board for approval, within 90 days time, resolving the rate inequities.[8]

Finally, in acting on the agreements before us, we shall condition our approval of Resolution 022j, Rules for Sales of Cargo Air Transportation, to insure that currency-related surcharges from foreign points shall be applied only to the transatlantic portion of through rates constructed to interior U.S. points. We are also disposing of two IATA agreements on which action was deferred by Order 75-7-136.

The Board, acting pursuant to sections 102, 204(a), 404(b), 412 and 1002 of the Act, does not find the following resolutions, set forth in the agreements indicated, adverse to the public interest or in violation of the Act, provided that approval is subject to conditions set forth in ordering paragraph one below:

Agreement CAB	IATA No.	Title	Application
25202:			
R-1	001c	Cargo Tie-In Resolution—North Atlantic	1/2 North Atlantic.
R-2	001ff	Special Emergency Escape Resolution for JT12 (North Atlantic) Agreement (New).	1/2 North Atlantic.
R-3	001v	North Atlantic Escape Resolution	1/2 North Atlantic.
R-4	002 I	Standard Revalidation Resolution North Atlantic	1/2 North Atlantic.
R-5	002 II	Standard Revalidation Resolution North Atlantic	1/2 North Atlantic.
R-6	022j	JT12 (North Atlantic) Rules for Sales of Cargo Air Transportation (Revalidating and Amending).	1/2 North Atlantic.
R-7	002ff	JT12 (North Atlantic) Special Rules for Sales of Cargo Air Transportation (New).	1/2 North Atlantic.
R-8	115m	Mooring Rates, Charges, and Practices—North Atlantic (Revalidating and Amending).	1/2 North Atlantic.
R-9	501	Minimum Charges for Cargo—North Atlantic (Revalidating and Amending).	1/2 North Atlantic.
R-10	534a	Charges for Bulk Unitization—North Atlantic (Revalidating and Amending) (Except Attachment C).	1/2 North Atlantic.
R-11	554a	North Atlantic General Cargo Rates	1/2 North Atlantic.
R-12	590	Specific Commodity Rates Board (Revalidating and Amending)	1/2 North Atlantic.
R-13	590n	JT12 North Atlantic Specific Commodity Rates (Unitized) New	1/2.
25255:			
R-1	001c	Cargo Tie-In Resolutions—Mid-Atlantic	1/2 Mid-Atlantic.
R-2	001z	Mid-Atlantic Escape Resolution—Cargo	1/2 Mid-Atlantic.
R-3	002	Standard Revalidation Resolution	1/2 Mid-Atlantic.
R-4	022kl	JT12 (Mid-Atlantic and South Atlantic) Special Rules for Sales of Cargo Air Transportation (New).	1/2 Mid-Atlantic and South Atlantic.
R-5	022k	JT12 (Mid-Atlantic) Special Rules for Sales of Cargo Air Transportation (Revalidating and Amending).	1/2 Mid-Atlantic.
R-6	501	Minimum Charges for Cargo Mid-Atlantic (Revalidating and Amending).	1/2 Mid-Atlantic.
R-7	534b	Charges for Bulk Unitization—Mid-Atlantic (Revalidating and Amending).	1/2 Mid-Atlantic.
R-8	554b	Mid-Atlantic General Cargo Rates	1/2 Mid-Atlantic.
R-9	590	Specific Commodity Rates Board (Revalidating and Amending)	1/2 Mid-Atlantic.

Accordingly, it is ordered that:

1. Agreement C.A.B. 25202, be and hereby is approved subject, where applicable, to conditions previously imposed by the Board and subject to the following conditions:

a. Tariffs implementing the proposed specific commodity rates may be filed for effect no earlier than 15 days after the date of service of this order.

b. Tariffs implementing increases in minimum charges for cargo (R-9), charges for bulk unitization (R-10) and general cargo rates (R-11) may not be filed until such time as tariffs are filed and implemented reestablishing the previous 34,000 kilogram and 42,500 kilogram, freight-all-kinds containerized weightbreaks to Europe. Upon the satisfaction, and maintenance of this condition by the direct carriers, tariffs implementing these portions of the agreement may be filed on not less than 15 days notice thereafter. This condition shall remain in force until such time as a new IATA agreement is approved by the Board or altered by further Board order.

c. Application of the surcharge under resolution 022j to constructed rates to/from nonspecified U.S. points shall apply only to the specified portion of the through constructed rate.

d. The carrier members of IATA are hereby ordered to address the issue of the reasonableness of rates to/from Seattle *vis-a-vis* New York, Los Angeles and San Francisco and, within a 90 day period from date of service of this order, to submit an agreement for Board approval resolving the existing rate anomalies.

2. Agreement C.A.B. 25256, be and hereby is approved subject, where applicable, to conditions previously imposed

[2] In a motion to file a late reply, PSTA cites the selectivity of Pan American, cites various anomalies in San Francisco rates vis-a-vis Seattle, and indicates willingness to accept some rate increases to achieve equity with New York.

[3] National Airlines does not operate freighter aircraft over the Atlantic.

[4] However, we will defer action on the charges for loading and unloading unit load devices set forth in Attachment C of Resolution 534a and will act upon the charges in the order dealing with composite matters and related ancillary charges.

[5] The rates at issue are being investigated. See Docket 27557.

[6] In this connection we note that our action herein should not be construed as an acceptance of the levels of the high freight-all-kinds weightbreaks currently under investigation (See Order 75-3-68). The Board would be receptive to higher rate levels reflecting the costs of providing service.

[7] For example, on a rate-per-ton-mile basis, the Seattle shipper of a 200 kilogram shipment of athletic goods destined to London would be required to pay over 10 percent more than the New York shipper. On the other hand, shippers in Los Angeles and San Francisco would pay the equivalent of the New York rate on a rate-per-ton-mile basis.

[8] The disposition of PSTA's objections to the Pacific rate structure was deferred by Order.

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by the Board. Tariffs implementing this agreement may be filed for effect no earlier than 15 days after the date of service of this order.

3. Agreement C.A.B. 25185, action on which was deferred by Order 75–7–136, be and hereby is approved. Tariffs implementing this agreement may be filed for effect no earlier than 15 days after the date of service of this order.

4. Agreement C.A.B. 25171, action on which was deferred by Order 75–7–136, be and hereby is disapproved; and

5. Action be and hereby is deferred with respect to Attachment C of Resolution 534a.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

[FR Doc.76–152 Filed 1–2–76;8:45 am]

[Order 75–12–145; Docket 25280; Agreements C.A.B. 24488, 24569]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 30th day of December, 1975.

In the matter of agreement adopted by the Joint Traffic Conferences of the International Air Transport Association relating to specific commodity rates.

By Order 75–1–46, January 13, 1975, the Board approved increases in North/Central Pacific specific commodity rates for electronic components adopted by the carrier members of the International Air Transport Association (IATA).[1] On January 28 and January 31, 1975, respectively, General Instrument Corporation (GIC) and the Western Electronics Manufacturers Association (WEMA)[2] filed petitions for reconsideration of the Board's order. The petitioners also requested the Board to stay the effectiveness of Order 75–1–46, pending action on the petitions for reconsideration and/or judicial review of the Board's decision. A consolidated answer opposing the petitions has been filed by The Flying Tiger Line Inc. (Tiger), Pan American World Airways, Inc. (Pan American) and Japan Air Lines Company, Ltd. (JAL). The Board granted a stay of effectiveness in Order 75–2–43, February 11, 1975.

Background. The present specific commodity rates for electronic parts were introduced during the North/Central Pacific open-rate period which began in October 1971 and continued through June 1974. The subject agreement (C.A.B. 24488) was concluded at the Ft. Lauderdale Conference following the Board's disapproval in Order 74–6–93, June 19, 1974, of earlier IATA agreements to establish electronic commodity rates. Those earlier agreements were disapproved on the basis that they represented little improvement over the then present rates in terms of structural anomalies involving preference and prejudice among competing markets.[3] The present agreement, C.A.B. 24488, consolidated the previous six commodity item numbers into one description under Item 4416 and increased the subject rates substantially. The same shippers which now request reconsideration of the Board's decision, had submitted objections to the agreement when it was originally filed. The agreement was approved on the basis that the new description and structure removed the undue preference and prejudice reflected in the present rates and that the proposed rate levels, which represented substantial increases over the present rates, were reasonable and justified. The Board carefully considered the shippers' contentions and, in its order approving the agreement, stated that it could not find that their assertions warranted disapproval of the increases.

The Petitions for Reconsideration. The petitioners generally assert, *inter alia*, that the findings in the Board's orders are not supported by substantial evidence and disregard the public interest; that the Board's own figures, published in Order 75–1–47 issued concurrently with Order 75–1–46, demonstrate that the proposed increases would produce an excessive rate of return for the U.S. North/Central Pacific carriers; [4] that the proposed commodity rates do not eliminate unjust discrimination because they have no rational pattern or taper; that none of the carriers provided any cost information to show that the proposed rate increases were cost-justified; that the cost of carrying electronic products is not accurately reflected by the carriers' average costs per revenue ton-mile (rtm), particularly the costs of only one carrier (Tiger) in one quarter (third quarter 1974) used by the Board;[5] and the Board's calculation of the average yield for the carriage of electronic equipment, under present rates, contains numerous errors in that it was based on an arithmetic average of yields in selected markets at the highest available weight-breaks. Finally, the petitioners state that, in the event the Board denies the petition, it should grant a stay pending judicial review of its decision.[6]

WEMA contends further that the Board erred in stating that the Bureau of Economic's "cost-based formula" in the *Domestic Air Freight Rate Investigation* (DAFRI), Docket 22859, could not be applied to this case because DAFRI is still pending and because it resulted from analyses of domestic operations and international costs are allegedly higher; on the contrary, WEMA states, the Board has on two occasions adopted the Bureau formula to suspend proposed domestic rate increases and, in any event, Tiger's reported international unit costs are lower than its domestic costs. WEMA further alleges that the Board considered only all-cargo costs and completely ignored the costs of combination aircraft which are allegedly lower; that the carriers have not supplied the data necessary for the Board to make an accurate comparison of the costs and yields involved in the carriage of electronic traffic; that even if one accepts the Board's findings that rate increases are necessary to cover average costs, the amount of increase authorized is excessive and unreasonable; that the Board erred in attaching any significance to the fact that the proposed electronic commodity rates are lower than the general cargo rates, because Pacific general commodity rates are actually premium rates which carry little traffic; and that the Board should have weighed the impact of these drastic increases on the ailing electronics industry against the "need" of the airlines for excessive profits.

Response of the Carriers. In opposition to the petition, the joint respondents contend that discounted specific commodity rates such as those at issue are, by their nature, discriminatory, since they are available to only a limited segment of the marketplace, and the Board has never found that a shipper, for whose advantage such preferential rates are filed, has a vested interest in maintaining these rates. The carriers also state that the Board has never declared that such discount rates, once filed, may be increased only upon showing of a cost justification for the increase; that the Board's order approving the protested increases is consistent with the Board's policy on discounted specific commodity

[1] Commodity Items Nos. 4416, 4417, 4435, 4506, 9902 and 9903.

[2] The WEMA parties are: Signetics Corporation; Litronix, Inc.; Fairchild Camera and Instrument Corporation; Intel Corporation; National Semiconductor; Electronic Memories and Magnetics Corporation; Data General Corporation; Rockwell International; Intersil, Inc.; American Microsystems, Inc., RCA Corporation; and Hewlett-Packard Corp.

[3] Two previous IATA attempts to close the open-rate situation with respect to electronics commodity rates were disapproved for the same reason. See Orders 73X 8–124, August 24, 1973 and 72–6–136, June 29, 1972.

[4] It is alleged that Tiger will earn a 24.6 percent return on investment (ROI) under the proposal, while the U.S. carriers (Tiger, Pan American and Northwest) on a composite basis will earn a 13.6 percent ROI.

[5] The petitioners contend that, because of the favorable density and handling characteristics of electronic traffic, the rates for this traffic should not be compared to the average cost per rtm for all traffic.

[6] GIC reiterates its position that opportunity for comment is no substitute for an evidentiary hearing, citing *NACA v. CAB*, 436 F. 2d 185 (D.C. Cir. 1970) and 442 F 2d 862, 864 (D.C. Cir. 1971), and also requests that in the event the Board does not hold a hearing, it grant a stay because of the serious effect implementation of the rate increases would have on GIC in light of low profit margins in the electronics industry and competition from firms located in Mexico. WEMA suggests that, in the event its petition is denied, its members would be willing to post a bond representing the difference between the present and proposed rates, or that the carriers could hold this amount in escrow pending judicial review.

rates; and that the petitioners erroneously apply domestic ratemaking standards for general cargo rates to international specific commodity rates. It is alleged further that the findings in Order 75–1–46 are wholly consistent with those in Order 75–1–47, and merely reflect the Board's judgment that it is more appropriate to make up the revenue deficiency of the carriers from the electronics commodity rates than to further burden the general commodity shipper.[7] The carriers also object to application of the 12 percent domestic ROI standard in international ratemaking, based on alleged instability of many factors involved in international operations, but submit that, in any event, application of this standard should reflect the performance of the industry as a whole, rather than that of the most favorably situated carrier; and contend that the petitioners' estimate of the revenue improvement which would result from the subject agreement is overstated, and a more accurate assessment shows a composite ROI of 12.1 percent rather than 13.6 percent as indicated by the petitioners;[8] and that if the Board's unwarranted adjustments of the carriers' submissions are corrected, the composite ROI at the proposed electronic rates will fall below 10 percent.[9]

The carriers state further that the Board correctly concluded that the electronic rates are at levels below cost; that its use of Tiger's costs in this analysis was conservative since Tiger has lower costs than the other carriers; that the Board has used average unit costs in the past when considering rate increases; and that the relatively high average densities of the electronic traffic alleged by the petitioners would not result in cost savings in view of the weight-limited characteristics of transpacific cargo operations.[10] Finally, it is alleged that the petitioners have not made the requisite showing to support their request for a stay, and that the Act does not empower the Board to approve any sort of "escrow" or "bonding" arrangements such as those suggested by WEMA.

Answer of WEMA to Response of the Carriers. In a further document, submitted February 27, 1975, WEMA requests permission to file an otherwise unauthorized document in answer to certain points in the carriers' reply. WEMA's motion will be granted herein. WEMA argues that, contrary to the carriers' assertions, specific commodity rates must be cost justified and, even though it may be difficult to allocate costs to major specific commodities and markets, the Board is required to do so, citing *Payne v. Washington Metropolitan Area Transit Commission*, 415 F. 2d 901 (D.C. Cir., 1968). The shippers allege further that the carriers cannot simply rely on "value of service" considerations without making a showing as to such considerations; that specific commodity rates are not inherently discriminatory;[11] that the ratemaking standards of section 1002(e) of the Act apply to foreign rates and the Board, in Order 70–2–124, February 27, 1970, applied them to IATA rates; that the Board should rely on the return of Tiger as the only North/Central Pacific all-cargo carrier rather than rely on composite ROI figures as presented by the carriers, and must determine whether Pan American's high costs represent economical and efficient management as required by section 1002(e)(5) of the Act; that the carriers are not necessarily entitled to a full rate of return during the worst economic slump since the Great Depression; and that variations in yield between various markets must be justified on the basis of cost or other considerations, citing Docket 20522, *Agreements Adopted by IATA Relating to North Atlantic Cargo Rates*, Order 73–2–24, February 6, 1973. Finally, WEMA asserts that the drop-off in Tiger's load factor during the fourth quarter of 1974 raises the question whether the increase in capacity represented by introduction of B–747F service reflects economical and efficient management; that the carriers' calculations do not reflect the benefits of TWA's recent suspension of Pacific service; that the carriers challenge the Board's estimate of a 35 percent increase in the rates whereas the shippers estimate an increase of 48.7 percent and Tiger estimates 22 percent, and thus the Board does not have sufficient information to determine the impact of the proposed increase; and that the carriers' calculations which purport to demonstrate weight limitation of aircraft are not meaningful.

Findings. Upon full consideration of the petitions, the consolidated answer, and all other relevant factors, we will deny the petitions. The Board's approval of the agreement in issue was based on findings that the agreement represents an acceptable solution to the problem of removing the unjust discrimination present in the existing pattern of electronic commodity descriptions and rates; that the proposed rate levels are reasonable; that the carriers' costs have increased significantly in the recent period; that the present effective electronic parts rates are significantly below the carriers' costs of service; and that the Board's established policy of leaving to the carriers' initiative considerable flexibility in publishing specific commodity rates, while at the same time generally considering specific commodity rate increases as a source for increased yields when increased revenues are required, is justified.

The petitioners have not shown any of these findings to be in error. Their arguments that the proposed rates are unjustly discriminatory merely restate their previous allegations in this regard, which the Board previously found unconvincing.[12] Neither are we persuaded by the shippers' contentions that the rate increases are unreasonable and unjustified. Although Order 75–1–47 issued concurrently with the electronics order disapproved a general increase in all North/Central Pacific cargo rates on the basis that Tiger was then in an above-standard earnings position and that the three U.S. carriers would, with the increases, receive a composite return on investment (ROI) in excess of the Board's 12 percent standard, the Board estimated the U.S. carriers' composite ROI at only 7.8 percent under present rates. Thus, some yield improvement was required, and it was the Board's intention that this be accomplished through increases in low specific commodity rates such as the electronic rates, consistent with established Board policy.

Our review of more recent data reaffirms the conclusion that the carriers require revenue improvement. The decline in North/Central Pacific cargo profitability over the last two years is the result of a dramatic increase in operating costs which has not been matched by a corresponding increase in yields. For example, Tiger's overall Pacific unit cost per revenue ton-mile (rtm) increased 38.5 percent during the year ended March 31, 1975 over the previous 12 months, while overall yield increased only 25.6

[7] Order 75–1–47 disapproved a general increase in all North/Central Pacific rates on the basis that approval would place the U.S. carriers in an excess earnings position, but found that without any increase the carriers would earn an ROI of only 7.8 percent.

[8] The respondents assert that the petitioners erroneously apply the 30 percent share of traffic figure for electronics to total North/Central Pacific traffic when in fact it should be applied only to commercial freight traffic.

[9] The carriers specifically criticize the Board's adjustment of Tiger's traffic forecast, and its elimination of Pan American's anticipatory increases in fuel costs.

[10] Here the carriers have submitted an exhibit showing that at the average densities of electronics parts cited by the shippers, freighter aircraft reach their maximum weight long before maximum cubic capacity is attained on the critical Anchorage/Tokyo leg over which many transpacific flights are operated.

[11] WEMA cites *Revised Aggregate Rates Proposed by WTC Air Freight*, Order 73–2–61, February 14, 1973, which stated that "all shippers of the same commodity between the same points pay the same rates."

[12] As stated in Order 75–1–46, the proposed rates would remove the present discrimination inherent in anomalies such as conflicting and overlapping item descriptions, significant directional differentials unrelated to the costs of service or the movement of traffic, lower rates for more distant points, and wide variations in yields among competing markets; and nowhere have the petitioners shown that they would suffer undue preference or prejudice. We also note that Docket 20522, *Agreements Adopted by IATA Relating to North Atlantic Cargo Rates*, cited by the shippers, was directed to rate relationships involving North Atlantic-transportation between gateway cities in the United States, and the Board specifically permitted yield variations and common-rating of foreign points to maintain historical relationships among European points in the transatlantic IATA rate structure. See, Order 74–4–7, April 2, 1974.

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percent.[13] The increase in freight yield was 21.2 percent, and thus yields in scheduled freighter service have lagged behind costs even more than yields from other services.

The Board has also reviewed Tiger's load factor associated with its year ended March 31, 1975, ROI of 13.20 percent, and finds it consistent with the carrier's historical experience. In Order 75–1–47 the Board adjusted Tiger's traffic forecast upward to maintain the same load factor, 64.9 percent, experienced during the year ended September 30, 1973, the last 12 month period before the fuel crisis of late 1973 which resulted in substantial short-term declines in both traffic and capacity. Tiger experienced exactly this same 64.9 percent load factor during the year ended March 31, 1975, and the Board does not regard it as unreasonable.

Order 75–12–146, issued concurrently herewith, which deals with the new IATA North/Central Pacific rate structure proposed for effect through September 30, 1977, uses Tiger's experienced 64.9 percent load factor as a basis for adjustment of all three carriers' forecasts. As detailed in that order, the three carriers' composite ROI in scheduled freighter operations during the year ending September 30, 1976, at the adjusted load factor, is estimated at 7.18 percent under present rates, indicating a clear need for yield improvement. With the improved revenues flowing from the Ft. Lauderdale increases in electronics rates already approved but not yet effective, the carriers' return would be 11.98 percent, consistent with the Board's 12 percent guideline, and thus it does not appear that implementation of the electronic increases will produce excess earnings.[14]

It is apparent that if the present trend in revenue/cost relationships continues, the carriers' returns will continue to decline and preclude their earning a reasonable return over an extended period. The Board has established a 12 percent return as reasonable in domestic operations, and has applied it as a guideline in considering international rate agreements. The proposed increase in low specific commodity rates will not produce earnings above that level of profitability, and accordingly we cannot find it unreasonable. Thus, approval of the subject agreement is consistent with the Board's established rate policy of considering whether a particular rate structure will result in a reasonable rate of return to the carriers over an extended prospective period.[15] contrary to the contention of the shippers that our action merely represents a policy of guaranteeing the carriers a full rate of return during the present economic slump.

In approving the increased rates, the Board also stated that the present electronics rates are significantly below the carriers' average cost of service. While the shippers criticize the Board's comparison of electronic yields with average carrier costs, they have not presented any compelling reasons why this comparison, which the Board has applied in similar cases, is not valid.[16] Evaluation of rates on the basis of the carriers' average costs of service is a reasonable approach, and the petitioners' suggestion that the Board must make a precise allocation of costs in this case is contrary to established ratemaking principles.[17] Based on the information presently available, it is not possible for the Board to determine the precise costs relative to the transportation of this traffic.

It is evident from the record that the existing electronic commodity rates which, as noted above, reflect preference and prejudice among different markets,[18] have never had any basis in carrier costs. As stated in Order 75–1–46, the present rates, which were introduced during the open-rate period beginning in October 1971, resulted from the availability of empty backhaul capacity generated by one-way MAC operations during that period, as well as intervention by foreign governments. The unusual combination of circumstances which produced these low levels in the context of a "rate war" no longer exists, and there is no reason to delay further in raising the rates to the levels set for other commodities in line with current costs.

In this regard, the shippers have not shown that the costs of carrying electronics traffic differ significantly from those of carrying other cargo. Essentially, the shippers argue that the costs of carrying electronic traffic are lower than those of other cargo because of its high density and favorable handling characteristics. However, as stated in Order 75–1–46, there is no indication that electronic components are any denser or easier to handle than the general run of manufactured goods in the Pacific market. The petitioners contend that the alleged densities of electronic parts exceed the average for *general commodity traffic* moving under general cargo rates, but nowhere do they allege that electronic parts are any denser than other *specific commodity traffic*, which makes up the bulk of North/Central Pacific freight traffic. Moreover, the shippers' allegations that their traffic is unusually dense reflect average density estimates ranging widely from 12 to 40 lbs./cu. ft., are unsupported by any meaningful data, and apparently refer to dockside rather than stowed density which is the proper criterion for establishing the capacity costs for transporting the traffic.[19]

The shippers also criticize the Board's analysis of yields under the present electronic rates, but they have not shown any specific errors in the Board's findings, or any compelling reason why the Board's estimate is not valid. It is alleged that the Board's average-yield figure is understated because long-haul, low-yield, New York-Far East traffic is overstated; the average includes some rates no longer used; and the Board used Los Angeles-Far East mileages rather than San Francisco-Far East mileages which are shorter and would produce a higher yield, although San Francisco is a more important production area. We do not find these arguments convincing. The rates used to calculate average yield included all those specifically cited by the shippers in their initial complaints; included both high-yield Tokyo and low-yield Southeast Asia traffic; and emphasized the highest available weight-breaks since the shippers themselves stated this is how most of the traffic moves. Accepting, *arguendo*, WEMA's estimate of average yield under all weight-breaks of 20.30 cents/rtm, this is still well below Tiger's average cost of 23.63 cents/rtm for the first quarter, 1975.[20]

It has long been the Board's policy that where yield improvement is required, as is the case in the North/Central Pacific, it should be accomplished through increases in low specific commodity rates. Very few commodity rates are directly related to costs, but are introduced as low promotional rates at levels predicated on value of service considerations, with the ostensible purpose of developing new traffic. Rates established on this basis should then be increased as the particular traffic is able to absorb a greater proportion of the carrier's total costs. Although the shippers argue that the proposed increase is excessive and claim that they are considering other means of moving their goods, nevertheless we are not convinced that the bulk of this traffic will be lost to scheduled air service, since the shippers themselves state "the alternate transportation facilities available to the electronic shippers would impose substantial penalties in costs in the form of longer shipping times, higher inventory costs, delays and disruptions in production schedules, etc." [21]

As stated in Order 72–11–78, November 20, 1972, specific commodity rates are inherently preferential.[22] In this regard, it is well established that discount fares and rates, which discriminate among different categories of traffic, and which would otherwise constitute unjust discrimination proscribed by the Federal Aviation Act, may be justified on the basis of such factors as costs or competition.[23] However, there is a significant question as to whether factors now exist which would justify these rates. Moreover, no shipper has a vested right to the continuation of a low specific commodity rate.[24]

As the Board stated in its policy statement issued prior to convening of the IATA worldwide cargo conference in Nice, low specific commodity rates as they exist today, continuing long after their usefulness in generating new traffic has passed, should be abandoned. By no stretch of the imagination do the Pacific electronic rates meet the criteria for truly promotional commodity rates which can develop new traffic in air transportation without diluting present earnings, since they move a significant portion (30 percent) of North/Central Pacific freight traffic and, although still preferred by low promotional levels, are apparently generating no new traffic.

The subject agreement would still afford the electronic shippers commodity rates which are set below the general cargo rate level, and although the petitioners allege that the present general rates are, in fact, too high, the level of North/Central Pacific general rates is not an issue in this case and will not be considered herein. Concurrent Order 75–12–146 disapproves increases proposed in general cargo, container, and commodity rates other than electronics, on the basis that carrier earnings will be adequate under present levels plus the increased electronics rates. There is no reason to increase other rates when the required revenue improvements can be accomplished through implementation of electronics rate increases approved many months ago but which never became effective. In any event, the Board cannot review the entire structure of general cargo rates, which it has already approved every time a shipper has a problem with changes in a particular specific commodity rate.

In sum, the petitioners have not presented facts sufficient to convince the Board that its previous findings were in error. For almost four years the electronics shippers have had the benefit of commodity rates which not only offered a significant reduction from the general cargo rates, but were also lower than almost all other specific commodity rates. As stated in Order 75–1–46, the electronics shippers have no inherent right to the lowest freight rates in the Pacific. Increases in the subject rates have been delayed for almost four years, while other rates used by smaller and less vocal shippers have been increased substantially. The electronics shippers would still receive the benefit of discounts, and there is no reason to delay further in raising the electronics rates to more compensatory levels in line with other North/Central Pacific commodity rates.

We will also affirm our decision in Order 75–1–46 to deny GIC's motion for an evidentiary hearing. As we noted in that order, the Board is not required by section 412 of the Federal Aviation Act to hold evidentiary hearings in connection with Board consideration of IATA agreements.[25] Moreover, we do not believe that the holding of an evidentiary hearing in this case would be either necessary or desirable. The shippers have had full opportunity to comment formally on the subject and raise their objections for the Board's consideration. Further, presently available data, including the information provided by the parties in their pleadings, provide an adequate basis for approving the subject agreement. Thus the holding of an evidentiary hearing in this case would merely result in an unwarranted delay in the implementation of the agreement, and an unnecessary expenditure of the time and resources of the Board and the parties.

Upon consideration of the matters presented, we will also deny the petitions of the shippers for a stay pending judicial review. The Board has in the past granted such stays, where it has found that it would be in the public interest to maintain the *status quo* until conclusion of a court proceeding.[26] We cannot make such a finding in this case. Our decision not to grant the stay requested reflects our careful consideration of well-established judicial criteria, including an assessment of the probability that the shippers will succeed on the merits in the judicial proceeding; an analysis of any harm which the shippers might suffer if the stay is denied, balanced against injury to the carriers should the stay be granted; and, most importantly, our determination of the course of action which will best serve the public interest.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 102, 204(a), 412 and 1002(j) thereof,

It is ordered that:

1. The petitions of General Instrument Corporation and the Western Electronics Manufacturer's Association for reconsideration of Order 75–1–46 be and hereby are denied;

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[13] Pan American and Northwest demonstrate similar results: cost increases of 31.9 and 35.0 percent, respectively, and yield increases of only 18.7 and 28.2 percent. Similarly, more recent data for the year ended June 30, 1975, exhibit the same trend when compared to results for the year ended June 30, 1974, Tiger, for example, experienced an overall unit cost increase of 34.4 percent but only a 25.5 percent yield increase.

[14] See Order 75–12–146, Appendix. The increase in Tiger and Northwest's electronics revenue was derived from the adjusted traffic forecasts, with electronics traffic at 30 percent of scheduled freighter traffic, and from the estimated yield improvement ($0.0655/rtm). Pan American's increased electronics revenue was stated in a document submitted by the carrier on October 14, 1975. While the shippers criticize the Board's estimate of the yields and increases in electronic commodity rates, their own revised estimates indicate increases of only $0.0567 or $0.0592/rtm compared to the Board's estimate of $0.0655. Thus the Board's estimates result in higher ROI figures than would result under the petitioners' figures.

[15] See, *General Passenger-Fare Investigation*, 32 C.A.B. 291, 328 (1960). We also note under section 1002(e) of the Act, the Board considers the needs, under honest, economical and efficient management, of all carriers in determining the reasonableness of rates. Indeed, it is doubtful whether a competitive air transport system could long survive under rates which meet only the needs of the low cost carrier. The Board has previously applied 1002(e) standards to section 412 agreements, and we do not believe it inappropriate to consider these standards in making our determination as to whether or not the subject agreement is adverse to the public interest. See, *IATA Agreements Relating to Transatlantic Fares*, Order 70–2–124, February 27, 1970, at page 21.

[16] See, *United Airlines, Inc. Specific Commodity Rates on Periodicals Floral Products, and Seafood*, Order 72–11–78, November 20, 1972.

[17] See, *State of New York* v. *United States*, 331 U.S. 284, 328 (1947); *Colorado Interstate Gas Co.* v. *FPC*, 324 U.S. 581, 589–590 (1945); *Association of American Publishers, Inc.* v. *Governors of U.S. Postal Service*, 458 F. 2d 768, 773 (D.C. Cir. 1973); and *Mississippi River Fuel Corp.* v. *FPC*, 163 F. 2d 433, 439 (D.C. Cir. 1947). In addition, *Payne* v. *Washington Metropolitan Area Transit Commission*, 415 F. 2d 901 (D.C. Cir. 1968), cited by WEMA, cannot be construed to support the shippers' contention that a precise allocation of costs must be made before the Board approves increases in specific commodity rates. *Payne* involved an appeal of a decision by the Washington Area Transit Commission that *reduced* promotional fares for suburban, charter and contract services were not unjustly discriminatory. The appellants contended that these services were being subsidized by the more profitable central city bus operations. The Court found that the Commission had not shown the proposed reductions to be warranted by cost savings or any other substantial reason, and remanded the case to the Commission for further inquiry.

[18] Cf. fn 12 *supra*.

[19] See, *Nonpriority Mail Rate Case*, Orders 70–4–9 and 70–4–10, April 2, 1970.

[20] Nor can the Board accept the petitioners' repeated contention that the Bureau of Economics' "cost-based formula" in *DAFRI* shows the present electronic rate levels to be adequate. As noted in Order 75–1–46, all the data presented in *DAFRI* by the Bureau reflect domestic operations only. Moreover, contrary to the shippers' contentions, data reported to the Board indicate that on an available-ton-mile basis, cargo costs are considerably higher for Pacific than for domestic service (with the exception of Pan American which has negligible domestic operations). The Bureau formula and the entire investigation, which is still pending, involve the complete revision of a domestic rate structure, where the Board has the power to prescribe rates, rather than consideration of increases in individual IATA commodity rates.

[21] As stated in Order 75–1–46, the proposed rate increases will have a minimal impact on the final selling price of each component, and will not affect the shippers' competitive positions.

[22] WEMA's citation of Order 73–2–61, *Revised Aggregate Freight Rates Proposed by WTC Air Freight*, which stated that "all shippers of the same commodity between the same points pay the same rate," appears to be a gross misinterpretation of that order, which referred to specific commodity rates only to distinguish between the characteristics of specific commodity rates and WTC's proposed "shotgun" general cargo rates which were found unjustly discriminatory partly because "under the WTC proposal shippers of the same commodity may pay different rates depending upon their ability to tender at the same time other unrelated cargo." Order 73–2–61 did not consider the issue of whether specific commodity rates discriminate among different categories of traffic.

[23] See, *IATA Agreements Relating to Transatlantic Fares*, Order 70–2–124, February 27, 1970; *Revised Aggregate Freight Rates Proposed by WTC Air Freight*, Orders 73–2–61, February 14, 1973, and 73–4–34, April 6, 1973; and *Domestic Passenger-Fare Investigation* (Phase 5—Discount Fares), Order 72–12–18, December 5, 1972.

[24] See, *Southern Pac. Co.* v. *ICC*, 219 U.S. 433, 441(1911); *Atchinson T & SF Ry* v. *ICC*. 190 F. 591 594(1911); and *Atlantic Coast Line R. Co.* v. *Trammel*, 287 F. 741, 744(1923).

[25] See, *National Air Carrier Association* v. *C.A.B.*, 436 F 2d 185; 191 (C.A.D.C. 1970), and cases cited therein.

[26] See, *Alaska Service Investigation*, Order 72–1–94, January 26, 1972, at page 11.

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2. The petitions of General Instrument Corporation and the Western Electronics Manufacturer's Association for a stay pending judicial review of this order be and hereby are denied;

3. The petition of General Instrument Corporation for reconsideration of the Board's denial of its motion for an evidentiary hearing in Docket 25280 be and hereby is denied; and

4. The motions of the Western Electronics Manufacturer's Association, The Flying Tiger Line Inc., Japan Air Lines Company, Ltd., and Pan American World Airways, Inc. for leave to file otherwise unauthorized documents in Docket 25280 be and hereby are granted.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76-150 Filed 1-2-76;8:45 am]

CIVIL SERVICE COMMISSION

FEDERAL EMPLOYEES PAY COUNCIL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Federal Employees Pay Council will meet at 2:00 p.m. on Wednesday, January 21, 1976. This meeting will be held in room 5323 of the U.S. Civil Service Commission building, 1900 E Street, N.W., and will consist of continued discussions on future comparability adjustments for the statutory pay systems of the Federal Government, which are defined in section 5301 of title 5, United States Code.

The Chairman of the U.S. Civil Service Commission is responsible for the making of determinations under section 10(d) of the Federal Advisory Committee Act as to whether or not meetings of the Federal Employees Pay Council shall be open to the public. He has determined that this meeting will consist of exchanges of opinions and information which, if written, would fall within exemptions (2) or (5) of 5 U.S.C. 552(b). Therefore, this meeting will not be open to the public.

For the President's Agent.

RICHARD H. HALL,
Advisory Committee Management Officer for the President's Agent.

[FR Doc.76-148 Filed 1-2-76;8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COTTON AND MAN-MADE FIBER TEXTILE PRODUCTS FROM THE REPUBLIC OF CHINA

Import Control Levels

Correction

In FR Doc. 75-34722, appearing at page 59475 in the issue for Wednesday, December 24, 1975, make the following corrections in the table:

1. For the category "45/46/47", the 12 month level of restraint should read "13, 191, 486"/.

2. For the category "219*", the amount should read "dozen" and the 12 month restraint should read "4, 925, 555".

3. For the category "221*", the 12 months restraint level should read "3, 576, 597".

4. For the category "222", the 12 month restraint level should read "3, 562, 211".

COMMODITY FUTURES TRADING COMMISSION

ADVISORY COMMITTEE ON DEFINITION AND REGULATION OF MARKET INSTRUMENTS

Public Hearings and Meeting

Notice is hereby given, pursuant to Section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I., § 10(a), that the Commodity Futures Trading Commission Advisory Committee on Definition and Regulation of Market Instruments ("Advisory Committee on Market Instruments") will conduct a public hearing on January 21, 1976, at the Madison Hotel, 15th and M Streets NW., Washington, D.C., in Executive Chambers 1 and 2 beginning at 9:30 a.m. The Advisory Committee on Market Instruments was chartered to consider and submit reports and recommendations to the Commission on the following subjects:

(1) Appropriate standards to be utilized by the Commission in regulating forms of transactions that are subject to the Commodity Exchange Act, as amended, including consideration of such matters as:

(i) Appropriate standards to be utilized by the Commodity Futures Trading Commission regarding the definition of commodity futures contracts; and

(ii) Appropriate restrictions or prohibitions for options relating to commodity transactions and margin or leverage transactions subject to Section 217 of the CFTC Act.

(2) Responsibilities of the Commission over cash commodity markets. This will include consideration of such matters as:

(i) Contracts for forward delivery;

(ii) Cash market manipulations; and

(iii) Data and reporting needs for cash markets.

The Committee is seeking testimony on the following questions:

(1) To what extent and in what manner may and should the Commodity Futures Trading Commission exercises regulatory authority over cash commodity markets?

(2) Under what terms and conditions, if any, should the Commodity Futures Trading Commission allow the public offering and sale of "leverage contracts" or "margin contracts" involving gold or silver bullion or gold or silver bulk coins?

(3) Under what terms and conditions, if any, should the Commodity Futures Trading Commission allow the public offering and sale of commodity option contracts?

In addition to a public hearing to be conducted by the full Committee, the three subcommittees will conduct separate meetings open to the public.

The Subcommittee on Cash Commodity Markets will meet at the conclusion of the public hearing on January 21 in Executive Chambers 1 and 2 of the Madison Hotel. The Subcommittee will consider the preliminary report to the full committee on the extent to which, and the manner in which, the CFTC should implement its cash commodity market regulatory authority.

The Subcommittee on Futures, Forward and Leverage Contracts will meet at 9:00 a.m., January 22 in the Monticello Room of the Madison Hotel. The Subcommittee will continue discussion and consideration of the legal and economic distinctions among futures, forward and leverage contracts.

The Subcommittee on Commodity Options will meet at 1:00 p.m., January 22 in the Monticello Room of the Madison Hotel. The Subcommittee will continue discussion of the terms and conditions which should apply to the public offering and sale of options, should the CFTC decide to approve such transactions. The Subcommittee will also continue discussion of what additional considerations, if any, should apply to the public offering and sale within the United States of foreign commodity options.

All meetings are open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgement, facilitate the orderly conduct of business. Any member of the public that wishes to testify at the public hearing should write or call Mr. Edward J. Nowicki, Jr., Commodity Futures Trading Commission, 1120 Connecticut Avenue NW., Washington, D.C. 20036, telephone (202) 254-6575 by January 16, 1976. Any member of the public that wishes to file a written statement with the Committee should mail a copy of the statement to Mrs. Harrison, The Advisory Committee on Market Instruments, Commodity Futures Trading Commission, 1120 Connecticut Avenue NW., Washington, D.C. 20036, by January 16, 1976.

The Commission is maintaining a list of persons interested in the operations of this advisory committee and will mail notice of the meetings to those persons. Interested persons may have their names placed on this list by writing DeVan L. Shumway, Director, Office of Public Information, Commodity Futures Trading Commission, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

Dated: December 30, 1975.

WILLIAM T. BAGLEY,
Chairman, Commodity Futures Trading Commission.

[FR Doc.75-136 Filed 1-2-76;8:45 am]

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST 1976

Addition to Procurement List

Notice of proposed addition to Procurement List 1976, November 25, 1975 (40 FR 54742) was published in the FEDERAL REGISTER on September 8, 1975 (40 FR 41551).

Pursuant to the above notice the following commodity is added to the Procurement List:

Class 7530: *Price*
Refill, Appointment Book (E3) $0.91 Each.
7530-00-497-1539.

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76-129 Filed 1-2-76;8:45 am]

PROCUREMENT LIST 1976

Proposed Additions

Notice is hereby given pursuant to section 2(a)(2) of Pub. L. 92-28; 85 Stat. 79, of the proposed addition of the following commodities to Procurement List 1976, November 25, 1975 (40 FR 54742).

Class 7340:
Spoon, Picnic, Unplated, Plastic
7340-00-J19-1300
Flatware, Plastic
7340-00-205-3187 Knife
7340-00-205-3342 Fork
7340-00-170-8374 Spoon
Class 7360:
Flatware Set
7360-00-634-4800

Comments and views regarding these proposed additions may be filed with the Committee on or before February 4, 1976. Communications should be addressed to the Executive Director, Committee for Purchase from the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

This notice is automatically cancelled July 6, 1976.

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76-130 Filed 1-2-76;8:45 am]

PROCUREMENT LIST 1976

Establishments; Corrections

In FR Doc. 75-31726 appearing at page 54757 in the FEDERAL REGISTER of Tuesday, November 25, 1975, the following italicized changes should be made:

Repair and Maintenance of Adding Machines and Calculators
32 Old Slip
New York, New York (*SH*)
1515 Broadway
New York, New York (*SH*)

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76-128 Filed 1-2-76;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

[Petition No. CP-75-27]

OFFICE OF CITY ATTORNEY, LOS ANGELES, CALIF.

Denial of Petition To Ban Products Containing Fluorocarbons

The purpose of this notice is to announce the decision of the Consumer Product Safety Commission (CPSC or Commission) to deny the petition submitted by the Office of the Los Angeles City Attorney and members of the Los Angeles City Council (City of Los Angeles) to declare products containing certain fluorocarbon compounds to be "banned hazardous products" under section 8 of the Consumer Product Safety Act (15 U.S.C. 2057) (CPSA).

Section 10 of the CPSA (15 U.S.C. 2059) provides that any interested person may petition the CPSC to commence a proceeding for the issuance of a consumer product safety rule. This section also provides that if the Commission denies such a petition, it shall publish in the FEDERAL REGISTER its reasons for the denial.

On April 24, 1975, the City Attorney of Los Angeles, California, on behalf of the City Attorney's Office, and several Los Angeles City Council members, submitted a petition to the Commission requesting the initiation of a proceeding to declare as banned hazardous substances (1) certain fluorocarbon compounds used as aerosol propellants, and (2) certain refrigerants containing fluorocarbon compounds. Both banning requests were stated as being conditional on the absence of a "scientifically documented and explicit showing by proponents (1) that said fluorocarbon compounds are not hazardous to human health, or (2) that alternatives are not economically or technically feasible."

The City of Los Angeles petition under consideration here is very similar to another petition recently before the Commission filed by the Natural Resources Defense Council (NRDC) to ban certain fluorocarbon-containing products (Petition No. CP-75-8). The NRDC petition sought a ban on all aerosol products containing certain fluorocarbon compounds. However, unlike the present petition, the NRDC petition did not request that regulatory action be taken with respect to refrigerants containing fluorocarbons, and did not phrase the request in terms contingent upon proof that fluorocarbons were not hazardous or that alternatives to the use of fluorocarbons were not feasible.

The hazard alleged in both petitions is based on the premise that fluorocarbon compounds found in products under the Commission's jurisdiction are diffused into the stratosphere where they decompose chemically releasing free chlorine atoms when exposed to ultraviolet radiation from the sun. The free chlorine, it is further contended, reacts with ozone in the stratosphere, converting it to ordinary oxygen. This stratospheric ozone depletion, it is argued, will permit excessive ultraviolet radiation to reach the earth's surface resulting in human health hazards, principally consisting of an increase in the incidence of skin cancer.

The Commission, after carefully considering the NRDC petition and other available information pertinent to it, concluded that it should be denied because sufficient definitive information was not presently available. The detailed reasons for this decision were set forth in a notice published in the FEDERAL REGISTER on August 20, 1975 (40 FR 36419). Following an extensive discussion in that notice of the scope of the Commission's jurisdiction, as well as the factual basis upon which the petitioner relied, uncertainties in relevant available information, and the statutory findings necessary before the Commission could commence a rulemaking proceeding, and based primarily on the Report of the Task Force on Inadvertent Modification of the Stratosphere (a federal interagency study group (IMOS) formed in January, 1975), the Commission reached the following conclusion:

> Accordingly, based on information provided in the petition, the IMOS Report and other information available to the Commission, it is concluded that the Commission cannot at this time make the necessary preliminary finding that an "unreasonable risk of injury" is presented by aerosol products under the Commission's jurisdiction containing fluorocarbons. The information presently available is insufficient for the Commission to determine the correctness of the hypothesis of ozone depletion by fluorocarbons in the stratosphere, the basic phenomenon from which any risk of death, personal injury, or serious or frequent illness to humans could follow. Since the Commission is unable at the present time to determine the probability that any harm will result, it is clearly unable to balance this probability against the economics and other relevant factors, discussed above, to make its preliminary findings. Therefore, being unable to determine whether an "unreasonable risk of injury" is presented, the Commission, pursuant to section 10(d) of the CPSA, 15 U.S.C. 2059(d), must deny the petition. However, this denial is without prejudice to petitioner and others to re-petition at such time as more definitive information becomes available sufficient to permit the Commission to responsibly initiate rulemaking procedures. (40 FR 36419 at 36421)

As mentioned previously, the principal difference between the NRDC petition and the City of Los Angeles petition under consideration here are that the City of Los Angeles petition would include refrigerants in the product category to be regulated, and would condition the regulatory action on the absence of proof of a hazard or that alternatives are not feasible. The basic hypothesis of ozone depletion and consequent human health hazards, however, remains the same. Therefore, since, as recognized in the IMOS Report, and summarized in the NRDC denial notice, more definitive information is needed to fill in the gaps of existing knowledge, and since the Commission is aware of no new information sufficient to fill in these gaps, the Commission is still, at the present time, unable to find sufficient available information to warrant a preliminary determination that certain fluorocarbon compounds, whether found in aerosol con-

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sumer products or in refrigeration systems, present an unreasonable risk of injury. Moreover, the fact that the City of Los Angeles petition is conditional in nature does not assist the petitioner's case because in instituting regulatory action under the CPSA the burden remains on the Commission to affirmatively establish the risk of injury.

Accordingly, for the foregoing reasons, and the reasons set forth in the notice of denial of the NRDC petition cited above, which is hereby incorporated by reference in this decision, the Commission, pursuant to section 10 of the Consumer Product Safety Act (15 U.S.C. 2059) gives notice that the City of Los Angeles petition is denied.

As in the case of the NRDC petition, this denial is without prejudice to petitioner and others to re-petition at such time as sufficiently definitive information becomes available to permit the Commission to take the requested action. Should such information become available, the Commission will take whatever action is deemed appropriate even if a petition has not been filed.

Dated: December 30, 1975.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc.76-92 Filed 1-2-76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[OPP 180062; FRL 475-4]

NEW HAMPSHIRE DIVISION OF PUBLIC HEALTH SERVICES

Crisis Exemption To Use DDT To Eradicate Bats

Pursuant to the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136), the Environmental Protection Agency (EPA) hereby gives notice that the New Hampshire Division of Public Health Services (hereafter referred to as "New Hampshire") has availed itself of a crisis exemption. New Hampshire used approximately two pounds of pesticide (50% DDT, 50% talc) in a private home located in Nashua, New Hampshire, to eradicate a colony of bats. This exemption is in accordance with, and subject to, the provisions of §§ 166.2, 166.8, and 166.9 of 40 CFR Part 166. These regulations concerning exemption of Federal and State agencies for the use of pesticides under emergency conditions were published in the FEDERAL REGISTER on December 3, 1973 (38 FR 33303). As required, New Hampshire has submitted in writing the following certified information regarding the crisis exemption.

According to New Hampshire, the emergency was created when a colony of bats, specifically *Myotis lucifugus*, took up residence in a private dwelling located in Nashua, New Hampshire. Incidents of this kind are relatively infrequent in New Hampshire, occurring perhaps 6–8 times a year, and generally may be solved by using the appropriate repellents and "bat proofing" methods. However, in this particular case, the only registered product, naphthalene, was utilized by a licensed exterminator, but was not successful in eliminating the bats. The homeowner took appropriate steps to seal the entrances and exits which might have been used by the bats.

There are no other pesticides currently registered for use in eradicating bats. The time element was so critical that there was no time to request a specific exemption. Furthermore, a rabid bat was found in the same vicinity during 1975. The family was advised by their physician to leave the home until the bats had been eliminated, since there was likelihood of exposure of young children to bat bites. Such bites would result in the necessity of administering rabies post-exposure prophylaxis, painful as well as dangerous where young children are involved. The use of repellents had increased the appearance of bats in the living space of the home, and because of the outside temperature, the bats would not leave the premises. It was felt that the only solution was to attempt to eradicate the entire colony.

On November 18, 1975, two pounds of the pesticide (50% DDT, 50% talc) was applied using a blow duster to wall voids at both entrances of the house. The dust was applied through wall openings, drilled for that purpose, and then sealed. The application was made by an exterminator licensed by the State of New Hampshire. The DDT dust was applied entirely within the confines of this specific dwelling. The family was advised not to occupy their home for at least 5 days. No adverse effects on man or the environment are anticipated.

The official file concerning this exemption is available for inspection in the Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M Street SW., Room E-315, Washington, D.C. 20460.

Dated: December 17, 1975.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.76-67 Filed 1-2-76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

FIXED SATELLITE ADVISORY COMMITTEE 1979 WORLD ADMINISTRATIVE RADIO CONFERENCE

Meeting

In further preparation for the 1979 World Administrative Radio Conference, a meeting of the Fixed Satellite Advisory Committee chaired by Raymond B. Crowell, will be held on Thursday, January 29, 1976, at 10 a.m., room 8210, located at 2025 M Street, NW., Washington, D.C.

The meeting will be opened to the public and any member of the public is invited to participate and present oral or written statements of relevance to the agenda upon recognition by the Chairman. Any such oral statements should be cleared with the Chairman at least one day prior to the meeting.

The meeting will be conducted in accordance with the following agenda:

1. Chairman's Opening Remarks.
2. Approval of Minutes of December 5 Meeting.
3. Report of Informal Task Group 1 (Allocations).
4. Discussion of Draft Allocation Table distributed early in January.
5. Approval of Preliminary Allocations Table for Submission to the Steering Committee.
6. Discussion and review of further work assignments.
7. Suggestions for matters to be covered at next meeting.
8. Date of next meeting.
9. Any other business.
10. Adjournment.

No part of this meeting will be concerned with matters which are within the exemptions of the Public Information Act, 5 U.S.C. 55a(b).

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76-124 Filed 1-2-76;8:45 am]

[FCC 75-1406]

USE OF TELEPHONE RECORDING DEVICES BY BROADCASTERS

Tariff Regulations

1. We have before us a letter dated March 18, 1975, and subsequent correspondence, from National Public Radio (NPR) requesting a ruling on the applicability to it of the "broadcast licensee" exception to the "beep tone" requirement.[1] NPR is the interconnected system, or network, of noncommercial public radio stations in the United States. It was created, is composed of, and is managed by licensees of noncommercial radio stations but is not a licensee itself. NPR provides broadcast programming material to its licensee owners. NPR states that if permitted to record without a "beep tone", it would voluntarily follow the notice requirements of § 73.-1206 of the Commission's rules.[2]

2. Under the currently effective tariff provisions,[3] NPR is precluded from recording an interstate telephone call for broadcast purposes without the "beep fone" because it does not possess a broadcast license from this Commission. Also precluded under the tariff for the same reason are such independent broadcast networks as Mutual Broadcasting Company.

[1] Recording Devices, 38 FCC 2d 679 (1972).
[2] Section 73.1206 provides that a broadcast licensee prior to recording a telephone conversation for broadcast shall inform any party to the call that the conversation is being recorded for broadcast purposes.
[3] AT&T Tariff F.C.C. No. 263, § 2.6.4(D) (1) (a) (1) (1) and Tariff F.C.C. No. 259, § 2.7.4 (D) (1) (a) (1) (1).

3. We imposed the "beep tone" requirement because telephone conversations should be free from unknown or unauthorized invasions of privacy. Use of Recording Devices, 11 F.C.C. 1033 (1948). Subsequently, we relaxed this requirement for licensed broadcast stations. (Note 1 above). We believed that the oral warning required in § 73.1206 would adequately preserve the underlying policy of the "beep tone" and at the same time improve the broadcast transmission quality of the conversation. The exception was limited to broadcast licensees because compliance with § 73.1206 could only be compelled of a licensee. This has led to an anomalous situation. When a licensee provides its own program material, it can take advantage of the exception; but when it seeks the program material from an outside source (e.g., as an affiliate of an independent broadcast network or through a cooperative effort with other licensees), it cannot avail itself of the exception unless that outside source is also a licensee.

4. It was not our intent to create this anomaly. When material to be recorded by entities such as NPR and Mutual is for broadcast purposes only, we see no reason why the broadcast exception should not be broadened to include these entities. Inasmuch as the conversations to be recorded are to be broadcast, each licensee which would use such material is obligated under Section 73.1206 to make sure that the oral warning has been given and each entity which does the recording would have to provide the warning if it wishes to have a marketable product. Thus, the underlying policy of the "beep tone" would be preserved.[4]

5. Accordingly, *it is ordered*, That the automatic tone warning requirements of our orders of November 26, 1947, May 20, 1948 (12 F.C.C. 1005 and 1008) and December 20, 1972 (38 F.C.C. 2d 579) are hereby amended to permit the recording without the "beep tone" of two-way telephone conversations made solely for the over the air use of a licensed broadcast station by a broadcast network or by a cooperative programming effort composed exclusively of Commission broadcast licensees.

6. *It is further ordered*, That the American Telephone and Telegraph Company shall amend its tariff regulations consistent with this Memorandum Opinion and Order after coordination with the Chief, Common Carrier Bureau, as to appropriate tariff language.

Adopted: December 16, 1975.

Released: December 29, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76-127 Filed 1-2-76;8:45 am]

[4] If we discover that this broader exception is being abused, we will take appropriate remedial action, including the possibility of rescinding the exception, to preserve the underlying policy of the "beep tone" regulation.

WARC ADVISORY COMMITTEE FOR AMATEUR RADIO

Meeting Announcement

Date: January 20th, 1976.
Time: 9:15 a.m.
Location: Room 8210, 2025 M. Street, NW., Washington, D.C.
Agenda:

Chairmen's remarks,
Call of the agenda,
Review and approval of minutes, 12 Dec 75 meeting,
Reports on action items,
Review and discussion of a proposed frequency table for the Amateur Radio Service,
Reports of research by Task Force Chairmen,
Future FCC milestones for WARC,
Discussion of the ACAR report format,
Discussion of Committee operation and organization,
Review of action items pending,
Other business to be determined,
Adjournment.

Public participation: Meetings of the WARC Advisory Committee for Amateur Radio are open to the public. Persons not members of the committee who desire to make an oral presentation at scheduled meetings should coordinate their presentation with the Secretary, WARC Advisory Committee for Amateur Radio: Peter M. Hurd, 6425 Cygnet Drive, Alexandria, Virginia, 22307. Telephone: (202) 695-7219 or (703) 768-9535. Required information includes: Name, mailing address and telephone number of person making the presentation; outline of material to be presented; duration of presentation; audio/visual aids required. Written statements may also be submitted to the committee, and should be addressed to the Chairman, WARC Advisory Committee for Amateur Radio (Safety and Special), Room 5114, Federal Communications Commission, Washington, D.C. 20554.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76-126 Filed 1-2-76;8:45 am]

WARC ADVISORY COMMITTEE FOR AMATEUR RADIO; STEERING COMMITTEE

Meeting Announcement

Date: Jan. 19, 1976.
Time: 1 p.m.–5 p.m.
Location: Room 752, 1919 M Street, NW., Washington, D.C.
Agenda:

Chairmen's remarks,
Call of the agenda,
Review and approval of minutes, 10 Dec. 75 meeting,
Reports on action items,
Review and discusison of a proposed frequency table for the Amateur Radio Service,
Reports of research by Task Force Chairmen,
Assignment of future task force research,
Discussion of the ACAR report format,
Committee operation and organization,
Review of action items,
Other business to be determined,
Adjournment.

Public participation. Meetings of the WARC Advisory Committee for Amateur Radio are open to the public. Persons not members of the committee who desire to make an oral presentation at scheduled meetings should coordinate their presentation with the Secretary, WARC Advisory Committee for Amateur Radio: Peter M. Hurd, 6425 Cygnet Drive, Alexandria, Virginia, 22307. Telephone: (202) 695-7219 or (703) 768-9535. Required information includes: Name, mailing address and telephone number of person making the presentation; outline of material to be presented; duration of presentation; audio/visual aids required. Written statements may also be submitted to the committee, and should be addressed to the Chairman, WARC Advisory Committee for Amateur Radio (Safety and Special), Room 5114, Federal Communications Commission, Washington, D.C. 20554.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76-125 Filed 1-2-76;8:45 am]

FEDERAL MARITIME COMMISSION

PACIFIC COAST—AUSTRALASIAN TARIFF BUREAU

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., San Juan, Puerto Rico, and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before January 16, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

F. Conger Fawcett, Esq.,
Graham & James,
One Maritime Plaza,
San Francisco, California 94111.

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Agreement No. 50–32 is an application on behalf of the member lines of the Pacific Coast-Australasian Tariff Bureau (PCATB) to (1) further extend the conference's intermodal authority beyond December 15, 1975, and (2) permit any member line of the PCATB, pursuant to the formal action and authorization of the conference, to independently establish its own intermodal service, subject to certain notice requirements, in situations where the conference has not already acted collectively to establish an intermodal tariff.

By Order of the Federal Maritime Commission.

Dated: December 24, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–19 Filed 1–2–76;8:45 am]

[Independent Ocean Freight Forwarder License No. 1602]

TRANSPORTATION INTERNATIONAL LTD.

Order of Revocation

By letter dated November 20, 1975, Transportation International Ltd., 9687 West Allen Street, Rosemont, Illinois 60618, was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 1602 would be automatically revoked or suspended unless a valid surety bond was filed with the Commission on or before December 16, 1975.

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.9 of Federal Maritime Commission General Order 4, further provides that a license will be automatically revoked or suspended for failure of a licensee to maintain a valid bond on file.

Transportation International Ltd. has failed to furnish a valid surety bond.

By virture of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Revised) Section 5.01(c) (dated 6/30/75);

It is ordered, that Independent Ocean Freight Forwarder License No. 1602, issued to Transportation International Ltd., be returned to the Commission for cancellation.

It is further ordered, that Independent Ocean Freight Forwarder License No. 1602 be and is hereby revoked effective December 16, 1975.

It is further ordered, that a copy of this Order be published in the FEDERAL REGISTER and served upon Transportation International Ltd.

LEROY F. FULLER,
Director, Bureau of Certification and Licensing.

[FR Doc.76–20 Filed 1–2–76;8:45 am]

CITY OF ANCHORAGE AND TOTEM OCEAN TRAILER EXPRESS, INC.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before January 26, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Stanley O. Sher, Esquire, Billig, Sher & Jones, P.C., Suite 300, 1126 Sixteenth Street, N.W., Washington, D.C. 20036.

Agreement No. T–3130–1, between the City of Anchorage (City) and Totem Ocean Trailer Express, Inc., (Tote) modifies the parties' basic agreement providing for Tote's preferential use of the Petroleum Terminal and Terminal No. 1 at the Anchorage City Dock, a portion of the City's Transit Area "B", the south apron adjacent to the transit shed at Terminal 1, and certain trestles. Agreement No. T–3130 is presently the subject of Federal Maritime Commission Docket No. 75–35. The purpose of the modification is to reduce the period of time during which Tote has preferential berthing rights at the facility from 36 to 24 hours after a vessel's arrival and mooring at the Anchorage City Dock.

By Order of the Federal Maritime Commission.

Dated: December 30, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–165 Filed 1–2–76;8:45 am]

CITY OF LOS ANGELES AND MATSON TERMINALS, INC.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before January 15, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Burt Pines, Esquire, City Attorney, City of Los Angeles, P.O. Box 151, San Pedro, California 90733.

Agreement No. T–2356–1, between the City of Los Angeles (City) and Matson Terminals, Inc., (Matson) amends the parties' basic preferential berth assignment covering the use of approximately forty-five (45) acres and wharf area at Berths 207–9. The purpose of the modification is to extend the basic agreement's term for a period of six months or until such time as a new preferential berth assignment superseding Agreement No. T–2356 is approved by the Federal Maritime Commission and becomes effective, if such effective date occurs prior to August 1, 1976. As compensation during the extended term, Matson shall continue to pay at the rate set forth in the basic agreement as a credit against the amount of compensation due under the new preferential berth assignment that will succeed Agreement No. T–2356–1 provided that the new preferential berth assigned is approved by the Federal Maritime Commission.

By Order of the Federal Maritime Commission.

Dated: December 30, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–164 Filed 1–2–76;8:45 am]

PORT OF SAN FRANCISCO AND CALIFORNIA STEVEDORE AND BALLAST COMPANY

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before January 26, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Mr. Edward L. David, Port of San Francisco, Ferry Building, San Francisco, California 94111.

Agreement No. T–2813–2, between Port of San Francisco and California Stevedore and Ballast Company (CS & B), modifies the basic agreement which provides for the ten-year operation by CS & B of a wharfinger facility and marine terminal at the Port of San Francisco, California. The purpose of the modification is to: (1) terminate occupancy of Piers 27 and 29 except for the Administration Building located thereon; (2) reduce the minimum guarantee of tariff charges; (3) modify the division of excess tariff charges; and (4) shift the liability for possessory interest tax exclusively to CS & B.

By order of the Federal Maritime Commission.

Dated: December 30, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–166 Filed 1–2–76;8:45 am]

PUERTO RICO MARITIME SHIPPING AUTHORITY AND MATSON NAVIGATION COMPANY

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before January 26, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

R. J. Sheppard, Esquire, Morgan, Lewis & Bockius, 1800 M Street N.W., Washington, D.C. 20036.

Agreement No. DC–84, between the Puerto Rico Maritime Shipping Authority and Matson Navigation Company provides for a two-year discussion agreement between the parties. In particular, the parties agree to meet and exchange information and documents pertaining to environmental controls, federal regulations, technological developments, fuel and energy requirements, vessel and equipment operations, fiscal policies, and port developments.

By Order of the Federal Maritime Commission.

Dated: December 30, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–167 Filed 1–2–76;8:45 am]

STEAMSHIP OPERATORS INTERMODAL COMMITTEE

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the

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Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before January 26, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

John K. Cunningham, Executive Secretary, Steamship Operators Intermodal Committee, Atlantic Regional Committee, 67 Broad Street, New York, New York 10004.

Agreement 9735–8 would permit the Steamship Operators Intermodal Committee members to "... establish uniform free time practices and per diem charges to be applied by them for the use of containers and equipment during the period between their delivery to and redelivery from motor and rail carriers."

By Order of the Federal Maritime Commission.

Dated: December 30, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–163 Filed 1–2–76;8:45 am]

FEDERAL POWER COMMISSION

[Docket Nos. RP75–75 and AP76–5]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Tariff Filing

DECEMBER 29, 1975.

Take notice that Transcontinental Gas Pipe Line Corporation (Transco) on December 16, 1975, tendered for filing certain revised tariff sheets to its FPC Gas Tariff (First Revised Volume No. 1 and Original Volume No. 2 to become effective November 16, 1975, January 1, 1976 and February 1, 1976. Transco states that the principal purpose of the filing is to "track", in accordance with Article V of the "Agreement as to Rates" in Docket No. RP75–75, advance payments made by Transco and to adjust the settlement rates in such docket to reflect subsequent rate changes. Transco also states that the above agreement was certified to the Commission for its approval on December 4, 1975, and, therefore, that such filing is subject to the Commission's approval of the aforesaid agreement.

Transco states that the revised tariff sheets filed to be effective November 16, 1975, and January 1, 1976, reflect the settlement rates adjusted for rate changes filed in Docket No. BP72–99 implementing Transco's 1975–1976 curtailment plan and "tracking" rate decrease of 1.6¢ per Mcf for curtailment related credits and debits, respectively.

Transco states further that the revised tariff sheets filed to be effective February 1, 1976, reflect, on top of the settlement rates as adjusted, a "tracking" increase of 0.6¢ per Mcf as a result of inclusion in rate base of $27,833,016 which amount represents the net increase in advance payment amounts not previously reflected in rates.

The Company states that copies of the filing have been mailed to each of its jurisdictional customers and interested State Commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 8, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–169 Filed 1–2–76;8:45 am]

FEDERAL RESERVE SYSTEM

ALLEN BANCSHARES, INC.

Order Denying Formation of Bank Holding Company

Allen Bancshares, Inc., Allen, Oklahoma ("Applicant"), has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 90 per cent or more of the voting shares of Farmers State Bank, Allen, Oklahoma, Allen, Oklahoma ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and none has been received. The Board has considered the application in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is a nonoperating corporation organized under the laws of the State of Oklahoma for the purpose of becoming a bank holding company through the acquisition of shares of Bank.

Upon acquisition of Bank, Applicant would hold .05 per cent of total deposits in commercial banks in that State. Bank, with deposits of approximately $4.8 million,[1] is the fourth largest of 5 commercial banks in the relevant banking market[2] and holds 5.1 per cent of total deposits in commercial banks in the market. Inasmuch as this proposal represents merely a reorganization of existing ownership interests, the acquisition of Bank by Applicant would not have any significantly adverse effect upon either existing or potential competition within the relevant market.

The Board has indicated on previous occasions that it believes that a holding company should constitute a source of financial and managerial strength to its subsidiary bank(s), and that the Board will closely examine the condition of an applicant in each case with this consideration in mind. While the Board considers the managerial resources of Applicant and Bank to be adequate, the Board notes that Applicant would incur a sizable debt in connection with the proposed acquisition. Applicant proposes to service this debt over a 13-year period through dividends to be declared by Bank and the tax benefit to be derived from filing consolidated tax returns. In the Board's view, the debt servicing obligation to be incurred by Applicant would significantly limit Applicant's ability to meet unforeseen financial problems that might arise, and thereby potentially impair Bank's overall ability to continue to serve its community. Accordingly, the Board views the sizable acquisition debt to be incurred by Applicant as a significantly adverse factor in the consideration of the subject proposal and finds that the considerations relating to financial resources and future prospects weigh against approval of the application.

As indicated above, the proposed formation essentially involves the reorganization of the ownership interests of Bank. No significant changes in Bank's operations or in the services offered to customers of Bank are anticipated. Consequently, considerations relating to the convenience and needs of the community to be served lend no weight toward approval of the application.

On the basis of the circumstances concetrning this application, the Board concludes that the banking considerations involved in this proposal present adverse factors bearng upon the financial condition and future prospects of both Applicant and Bank. Such adverse factors are not outweighed by any procompetitive effects, managerial resources, or by benefits that would result in serving the convenience and needs of the community. Accordingly, it is the Board's judgment that approval of the application would not be in the public interest and that the application should be denied.

On the basis of the facts of record, the application is denied for the reasons summarized above.

By order of the Board of Governors,[3] effective December 23, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76–25 Filed 1–2–76;8:45 am]

[1] All banking data are as of June 30, 1975.

[2] The relevant banking market is approximated by Pontotoc County.

[3] Voting for this action: Vice Chairman Mitchell and Governors Holland, Wallich, Goldwell, and Jackson. Absent and not voting: Chairman Burns and Governor Bucher.

CAMERON BANCSHARES, INC.

Formation of Bank Holding Company

Cameron Bancshares, Inc., Cameron, Missouri, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80 percent or more of the voting shares of Cameron State Bank, Cameron, Missouri. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Cameron Bancshares, Inc., Cameron, Missouri has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and section 225.4(b)(2) of the Board's Regulation Y, for permission to conduct a general insurance agency business. Notice of the application was published on July 25, 1975 in The Cameron Citizens Observer, a newspaper circulated in Cameron, Clinton County, Missouri.

Applicant states that the proposed subsidiary would engage in the activities of a general insurance agency business in a town with a population of less than 5,000. Such activities have been specified by the Board in section 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of section 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 21, 1976.

Board of Governors of the Federal Reserve System, December 22, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76–20 Filed 1–2–76;8:45 am]

CHESTER INSURANCE AGENCY, INC.

Formation of Bank Holding Company

Chester Insurance Agency, Inc., Chester, Nebraska, has applied for the Board's approval under Section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80 percent or more of the voting shares of State Bank of Chester, Chester, Nebraska. The factors that are considered in acting on the application are set forth in Section 3(c) of the Act (12 U.S.C. 1842(c)).

Chester Insurance Agency, Inc., Chester, Nebraska, has also applied, pursuant to Section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and Section 225.4(b)(2) of the Board's Regulation Y, for permission to retain Chester Insurance Agency, Inc., Chester, Nebraska. Notice of the application was published on October 29, 1975, in The Chester Herald, a newspaper circulated in Chester, Nebraska.

Applicant states that the proposed subsidiary would engage in the activities of a general insurance agency located in a community of less than 5,000 population. Such activities have been specified by the Board in Section 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of Section 225.4(b).

Interested persons may express their views on the question whether consum-

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mation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submtited in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 22, 1976.

Board of Governors of the Federal Reserve System, December 23, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-30 Filed 1-2-76;8:45 am]

GALLATIN BANCSHARES, INC.

Order Approving Formation of Bank Holding Company

Gallatin Bancshares, Inc., Gallatin, Tennessee, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 80 per cent of the voting shares of Bank of Gallatin, Gallatin, Tennessee ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired and none has been received. The application has been considered in light of the facts set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, a nonoperating corporation with no subsidiaries, was recently organized for the purpose of becoming a bank holding company through acquisition of shares of Bank (20.4 million in deposits).[1] Bank is the 122nd largest banking organization in Tennessee and holds 0.2 per cent of the total deposits held by commercial banks in the State. Bank competes in the Nashville banking market,[2] and is the 12th largest banking organization therein with approximately 0.64 per cent of the total deposits in commercial banks in the market. Since the subject proposal represents merely a restructuring of existing ownership interests of Bank, and in view of Bank's relative size in the market, consummation of the proposal herein would not eliminate existing or potential competition nor have an adverse effect on other banks in the area. Accordingly, from the facts of record, the Board regards competitive considerations as being consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant, which are dependent upon those same factors in Bank, are considered to be generally satisfactory, particularly in view of Applicant's commitment to inject $900,000 in additional equity capital into Bank and the commitment by Applicant's principal to personally support the additional capital injection. The Board has relied on these commitments and, based upon these and other facts of record, the Board concludes that considerations relating to banking factors are consistent with approval of the application. Although consummation of the proposal would have no immediate effect on the banking services offered by Bank, considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. It is the Board's judgment that consummation of the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order, or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors,[3] effective December 24, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-26 Filed 1-2-76;8:45 am]

SOUTH DAKOTA BANCSHARES, INC.

Formation of Bank Holding Company; Correction

In FR document 75-33970 appearing at page 58513 of the issue for Wednesday, December 17, 1975, the comment period date on the last line of the second paragraph should read January 9, 1976.

Board of Governors of the Federal Reserve System, December 29, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary to the Board.

[FR Doc.76-27 Filed 1-2-76;8:45 am]

FIRST BANCSHARES OF FLORIDA, INC.

Order Conditionally Approving Acquisition of Bank

First Bancshares of Florida, Inc., Boca Raton, Florida, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 90 per cent of the voting shares of Vero Beach National Bank, Vero Beach, Florida ("Bank"), a proposed new bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the thirteenth largest banking organization in Florida, controls 14 banks with aggregate deposits of $486 million, representing approximately 2 percent of the total deposits in commercial banks in the State. (All banking data are as of June 30, 1975.) Since Bank is a proposed new bank, its acquisition would not increase the concentration of banking resources in Florida nor change Applicant's rank in the State.

Applicant is seeking to make its initial entry into the Indian River County banking market. All of the six banks in the market are subsidiaries of multibank holding companies, with the two largest banks controlling approximately 70 per cent of the deposits therein. Applicant's closest subsidiary bank is located about 15 miles south of Bank in a separate banking market. Since Bank is a new bank, consummation of the proposal would not eliminate any existing competition; nor does it appear from the record that consummation of the transaction would have an adverse effect on potential competition. On the other hand, Applicant's establishment of Bank should stimulate competition in the market by introducing an additional banking alternative to compete with the two largest organizations in the market. On the basis of the facts of record, the Board concludes that the competitive considerations of the transaction are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant and its subsidiary banks are regarded as generally satisfactory, particularly in view of Applicant's commitment to inject $500,000 as additional equity capital into one of its subsidiary banks, Sunrise American National Bank of Fort Lauderdale, Fort Lauderdale, Florida. Bank, as a proposed new bank, has no financial or operating history; however, its future prospects as a subsidiary of Applicant appear favorable. These considerations relating to banking factors are consistent with approval of the application. In regard to convenience and needs considerations, Applicant indicates that Bank will offer the maximum rates of interest on savings deposits, as well as longer banking hours than are presently available in the area. Furthermore, Bank's formation and acquisition by Applicant will provide an alternative source of banking services for customers in the market. Accordingly, considerations relating to the convenience and needs of the community to be served lend some weight toward approval of the application. It is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved, conditioned upon the aforementioned injection of additional equity capital into Sunrise American National Bank of Fort Lauderdale within 120 days from the effective date of this Order.

On the basis of the record, the application is conditionally approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after that date and (c) Vero Beach National Bank shall be opened for business not later than six months after the effective date of this Order. Each of the periods described in (b) and (c) may be extended for good cause by the Board or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors,[1] effective December 9, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-31 Filed 1-2-76;8:45 am]

FIRST PENN CORP.

Order Approving Formation of Bank Holding Company

First Penn Corporation, Oklahoma City, Oklahoma, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of an additional 50,929 shares of Penn Square Bank, N.A., Oklahoma City, Oklahoma ("Bank"). Upon consummation of the proposal, Applicant would own 80.4 per cent of the voting shares of Bank.[1]

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, a recently formed corporation with no subsidiaries, was organized for the purpose of becoming a bank holding company through the acquisition of Bank (deposits of $34.3 million).[2] Bank is the 15th largest of 69 banks in the relevant banking market[3] and controls 1.1 per cent of the total commercial bank deposits therein. Upon consummation of the proposal, Applicant would control the 45th largest of 463 banks in Oklahoma, holding 0.36 per cent of total commercial bank deposits in the State. Since this proposal represents a corporate reorganization of the existing ownership of Bank, consummation of the proposal would not eliminate existing or potential competition, nor have an adverse effect on other area banks.

The financial and managerial resources and future prospects of Applicant, which are dependent on those of Bank, are considered to be generally satisfactory and consistent with approval of the application. The debt to be assumed by Applicant as a result of the proposal appears to be serviceable from the income to be derived from Bank without having an adverse effect on the financial condition of either Applicant or Bank. Accordingly, banking factors are regarded as being consistent with approval. Although consummation of the transaction would have no immediate effect on the area's banking needs, considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. It is the Board's judgment that consummation of the proposed transaction would be consistent with the public interest and that the application to acquire Bank should be approved.

On the basis of the record,[4] the application is approved for the reasons set forth above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,[5] effective December 23, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-32 Filed 1-2-76;8:45 am]

MICHIGAN NATIONAL CORP.

Order Approving the Acquisition of a Bank

Michigan National Corporation, Bloomfield Hills, Michigan ("Applicant"), a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to Commercial National Bank, Cassopolis, Michigan ("Bank"). The bank into which Cassopils Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Cassopolis Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the second largest banking organization and bank holding company in Michigan, controls 15 banks with aggregate deposits of approximately $2.7 billion, representing about 9.4 percent of the total commercial bank deposits in the State.[1] Acquisition of Bank would increase Applicant's share of Statewide deposits by 0.16 of 1 percent and would not result in a significant increase in the concentration of banking resources in Michigan.

Bank holds deposits of $47.5 million and operates a total of eight offices, which are located in three banking markets. In the South Bend-Elkhart market, Bank holds 1.2 percent of the total deposits in commercial banks and ranks as the 12th largest of 17 banks; in the Cass County market, Bank holds 26.3 percent of total deposits, ranking as the largest of five banks operating therein; and in the St. Joseph County market, Bank holds 10.9 percent of deposits, ranking as the fourth largest of nine banks.[2] The office of one of Applicant's subsidiary banks nearest to an office of Bank is located 35 miles away.

[1] Unless otherwise indicated, all banking data are as of June 30, 1975, and reflect bank holding company formations and acquisitions aproved through November 30, 1975.

[2] The relevant geographic markets for purposes of analyzing the competitive effects of the proposed acquisition are described as follows: the South Bend-Elkhart market is approximately by the South Bend-Elkhart, Indiana RMA and some contiguous rural areas; the Cass County market is approximated by all of Cass County, Michigan excepting therefrom the southwest portion; and the St. Joseph County market is approximated by all of St. Joseph County, Michigan. Market data are as of December 31, 1974.

[1] All banking data are as of December 31, 1974.

[2] The Nashville banking market is approximated by Davidson, Wilson, Rutherford, and Williamson Counties, the southern three-quarters of Robertson County, and all but the northernmost portion of Sumner County.

[3] Voting for this action: Vice Chairman Mitchell and Governors Holland, Wallich, Coldwell and Jackson. Absent and not voting: Chairman Burns and Governor Bucher.

[1] All banking data are as of June 30, 1975.

[2] The relevant banking market is approximated by the Oklahoma City SMSA which consists of Canadian, Cleveland, McClain, Oklahoma and Pottawatomie Counties.

[3] Dissenting Statement of Vice Chairman Mitchell filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Kansas City.

[4] Voting for this action: Governors Holland, Wallich, Coldwell, and Jackson. Voting against this action: Vice Chairman Mitchell. Absent and not voting: Chairman Burns and Governor Bucher.

[1] On February 28, 1975, Applicant acquired 7.6 per cent of the shares of Bank.

[2] Voting for this action: Vice Chairman Mitchell and Governors Bucher, Holland, Wallich, Coldwell and Jackson. Absent and not voting: Chairman Burns.

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In view of the distances involved and the number of intervening banks, it appears that no meaningful competition presently exists between any of Applicant's subsidiary banks and Bank, nor is any such competition likely to develop in the foreseeable future. Therefore, the Board concludes that consummation of the proposal would not have any significant adverse effects on existing or potential competition in any relevant area and that the competitive considerations are consistent with approval of the application.

By its Order of May 27, 1975, the Board denied Applicant's earlier application to acquire Bank. At that time, Applicant proposed to incur a debt of approximately $6 million in order to finance the cash acquisition of Bank. The Board stated that the financial condition of Applicant and its subsidiaries appeared to be generally satisfactory; however, in the Board's view, for Applicant to incur such a sizeable debt at a time when certain of its subsidiaries were in need of capital was an inappropriate use of Applicant's resources. Since that time, Applicant has continued to show meaningful progress in strengthening the overall capital positions of the holding company and its subsidiaries. Moreover, the subject proposal does not involve any acquisition debt. Rather, Applicant proposes to purchase Banks' shares through the use of internally-generated funds. Considerations relating to the financial condition and managerial resources and future prospects of Applicant, its subsidiaries, and Bank are satisfactory and consistent with approval of the application.

Applicant proposes to broaden Bank's lending program to include additional forms of lending, improve its physical facilities, initiate Saturday banking hours, and provide trust services. It is the Board's view that public benefits in the form of greater convenience and expanded banking services will result from Applicant's proposed changes in Bank's services. Therefore, the considerations relating to the convenience and needs of the communities to be served lend weight toward approval of the application. Accordingly, it is the Board's judgment that consummation of the proposal to acquire Bank would be in the public interest and that the subject application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Chicago pursuant to delegated authority.

By order of the Board of Governors,[2] effective December 22, 1975.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-33 Filed 1-5-76;8:45 am]

P.B.C., INC.

Formation of Bank Holding Company

P.B.C., Inc., Pine City, Minnesota, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 48.93 percent or more of the voting shares of First National Bank of Pine City, Pine City, Minnesota. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

P.B.C., Inc., Pine City, Minnesota, has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to retain voting shares of and continue the business of a general insurance agency. Notice of the application was published on December 5, 1975 in the Pine City Pioneer, a newspaper circulated in Pine City, Minnesota.

Applicant states that the proposed subsidiary would continue to engage in the business of a general insurance agency in a town with a population of less than 5,000. Such activities have been specified by the Board in section 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 21, 1976.

Board of Governors of the Federal Reserve System, December 22, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76—34 Filed 1-2-76;8:45 am]

[2] Voting for this action: Vice Chairman Mitchell and Governors Bucher, Holland, Wallich, Coldwell and Jackson. Absent and not voting: Chairman Burns.

POPULAR BANCSHARES CORP.

Order Denying Acquisition of Bank

Popular Bancshares Corporation, Miami, Florida, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. section 1842(a)(3)) to acquire 97.42 per cent of the voting shares of The Security State Bank of Pompano Beach, Pompano Beach, Florida ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and the views of the Comptroller of Florida in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the twenty-first largest banking organization in Florida, controls four banks with aggregate deposits of approximately $150 million, representing approximately 0.6 of 1 per cent of the total deposits in commercial banks in Florida.[1] Acquisition of Bank (deposits of $4.5 million) would increase Applicant's share of the total commercial bank deposits in the State by less than 0.1 of 1 per cent and would not significantly increase the concentration of banking resources in Florida.

Bank is the nineteenth largest of 23 banking organizations in the North Broward County banking market[2] and controls approximately 0.3 of 1 per cent of the total deposits in commercial banks in the market. Applicant's subsidiary bank closest to Bank is located approximately 40 miles south of Bank in a separate banking market, and there is no meaningful competition between any of Applicant's banking subsidiaries and Bank; nor does it appear likely that such competition would develop in the future in view of the distances involved. Ease of entry into the market would not be significantly diminished by the proposed acquisition since a number of other small banks would remain as potential entry points. Also, Bank's relatively small size precludes it from being considered as the potential lead bank of a holding company structure. Therefore, the Board concludes that consummation of the proposal would not have a significant adverse effect on existing or potential competition in any relevant area.

The overall financial condition of Applicant and its subsidiaries could be regarded as generally satisfactory after Applicant's plans to inject $750,000 of additional equity capital into its lead bank subsidiary have been consummated. The managerial resources of Applicant and its subsidiaries are also regarded as generally satisfactory. Bank is relatively new, having been formed February 15, 1973, and has yet to establish profitable operations. It has, since its opening, experienced continuing management changes and a poor earnings record. It appears that additional equity capital and better management are needed. Applicant could provide Bank with the financial and managerial assistance needed to remedy its problems, but it appears the acquisition would divert Applicant's financial and managerial resources from current demands being made on those resources by Applicant's existing subsidiaries. Applicant is already obligated to contribute at least $750,000 in additional equity capital to its lead bank and, were this acquisition completed, additional commitments to inject capital would have to be met.[3] Therefore, it is the Board's view that the proposed acquisition under present circumstances would place too severe a drain on the financial and managerial resources of Applicant. Accordingly, the Board concludes that considerations relating to banking factors lend substantial weight for denial of the subject application.

In regard to considerations relating to the convenience and needs of the community to be served, it may be that Bank's affiliation with Applicant would result in some improvements in Bank's services. However, Applicant's inability to provide assistance without significantly adversely affecting its own financial and managerial resources and those of its existing subsidiary banks substantially negates any weight toward approval that convenience and needs factors might carry.

On the basis of all the circumstances concerning this application, the Board concludes that the banking considerations involved in this proposal present adverse factors bearing upon the financial condition and prospects of Applicant, its subsidiaries, and Bank. Such adverse factors are not outweighed by any other favorable considerations reflected in the record. Accordingly, it is the Board's judgment that approval of the application would not be in the public interest and that the application should be denied.

On the basis of the facts of record, the application is denied for the reasons summarized above.

[1] All banking data are as of June 30, 1975, and reflect bank holding company formations and acquisitions approved through November 30, 1975.

[2] The North Broward County banking market is approximated by the northern two-thirds of Broward County lying north of the Dania Canal.

[3] In addition to Applicant's obligation to add $750,000 additional equity capital into its lead bank, Applicant, if it consummates the proposed acquisition of Bank, would be required to add another $750,000 additional equity capital into its lead bank pursuant to a condition in the Certificate of Approval issued by the Comptroller of Florida relating to the proposed acquisition of Bank. Another condition of the aforementioned Certificate of Approval requires the addition of $750,000 equity capital into Bank.

By order of the Board of Governors,[4] effective December 23, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-35 Filed 1-2-76;8:45 am]

RIBANCO, INC.

Proposed Acquisition of Rising City Insurance Agency, Inc.

Ribanco, Inc., North Loup, Nebraska, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of Rising City Insurance Agency, Inc., Rising City, Nebraska. Notice of the application was published on October 30, 1975, in The Banner-Press, a newspaper circulated in David City, Nebraska.

Applicant states that the proposed subsidiary would engage in the activities of a general insurance agency business in a community having a population of less than 5,000 persons. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 22, 1976.

Board of Governors of the Federal Reserve System, December 22, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-36 Filed 1-2-76;8:45 am]

[4] Voting for this action: Vice Chairman Mitchell and Governors Holland, Wallich, Coldwell and Jackson. Absent and not voting: Chairman Burns and Governor Bucher.

TORONTO-DOMINION BANK

Order Approving Retention of The Toronto-Dominion Bank Trust Company

The Toronto-Dominion Bank, Toronto, Ontario, Canada, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y, to retain 99.3 percent of the voting shares of The Toronto-Dominion Bank Trust Company, New York, New York ("Company"), a company that engages in the activities of a trust company, including the performance of services as paying agent, co-paying agent, transfer agent, custodian, registrar, dividend disbursing agent, depository, and related functions for public and private issuers of securities. Such activities have been determined by the Board to be closely related to banking [12 CFR 225.4(a)(4)].

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published [40 FR 23544 (1975)]. The time for filing comments and views has expired, and the Board has considered all comments received in the light of the public interest factors set forth in section 4(c)(8) of the Act [12 U.S.C. 1843(c)(8)].

Applicant (total deposits of $12.1 billion and total assets of $13.6 billion)[1] is chartered pursuant to the laws of Canada and maintains its corporate headquarters in Toronto, Ontario, Canada. In Canada, Applicant maintains 874 branch banking offices, as well as interests in various other affiliates. It also maintains international branch banking offices and affiliates overseas. In addition to Company, Applicant maintains a commercial banking subsidiary,[2] two banking agencies,[3] and three representative offices[4] in the United States.

By Order dated May 20, 1971 (57 Federal Reserve *Bulletin* 534 (1971); 36 FR 9884 (1971)), the Board, pursuant to section 3(a)(1) of the Act [12 U.S.C. 1842(a)(1)], granted its approval for Applicant to become a bank holding company through the acquisition of 80.1 per cent of the voting shares of Toronto Dominion Bank of California, San Francisco, California, a *de novo* bank. The acquisition was consummated on June 28, 1971, and Applicant registered with the Board as a bank holding company on October 31, 1971. At the time of the Board's approval Order, Applicant owned Company, which was organized *de novo* on December 19,

[1] All banking data are as of October 31, 1975, unless otherwise indicated.

[2] Toronto Dominion Bank of California, San Francisco, California, with total deposits of $35 million, as September 30, 1975.

[3] One each in New York, New York, and San Francisco, California.

[4] One each in Chicago, Illinois; Houston, Texas; and Los Angeles, California.

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1960, and whose shares were acquired by Applicant on that same date. The trust company activities of Company at that time included acting as paying agent or co-paying agent for municipalities and corporations; acting as transfer agent, custodian, registrar, dividend disbursing agent and depository in connection with securities issues and, related thereto, receiving funds for the payment of principal of, or interest or dividends on, securities, which funds are carried by Company until disbursed; and investing excess funds in "call" loans to brokers. Inasmuch as Company was considered to be a nonbanking subsidiary of Applicant, the Board required that Applicant apply to the Board within a period of two years from the date of the above-mentioned Order for approval to retain Company, pursuant to section 4(c)(8) of the Act and the regulations promulgated thereunder. Pursuant to section 4(a)(2) of the Act, the Board granted an extension of time to Applicant for the purpose of making its application.

Company (total deposits of $395,000 and total assets of $3 million) continues to engage in the limited trust activities described above, principally in connection with Canadian securities that are held in the United States. In addition, Company occasionally invests excess funds (received as income from its operations and the sale of capital investments) in participations in "call" loans made to brokers by Applicant's New York City Agency ("Agency"). These excess funds are derived principally from monies that Company receives from its corporate and municipal customers in order to meet their maturing interest and principal obligations on issues of which Company acts as trustee.

Under § 225.4(a)(4)(iii) of Regulation Y, a trust company in which a bank holding company has an interest may engage in making "call" loans to securities dealers or purchasing money market instruments such as certificates of deposit, commercial paper, government or municipal securities, and bankers' acceptances (such authorized loans and investments, however, may not be used as a method of channeling funds to nonbanking affiliates of the trust company). In the Board's judgment, Company's participation in brokers' "call" loans made by Applicant's New York Agency is a permissible method of investing its temporarily idle funds within the scope of § 225.4(a)(4)(iii) of Regulation Y.[5] It should be noted, however, that it would not be permissible for Company to participate in commercial loans made by Applicant's Agency.[6]

Inasmuch as Applicant has continuously owned Company since the latter's formation in December, 1960, this application merely represents Applicant's request to continue the trust company activities of Company that are permissible for a bank holding company pursuant to § 225.4(a)(4) of Regulation Y. Inasmuch as Applicant only proposes to continue to engage in activities previously engaged in for a number of years through Company, and as Applicant neither engaged in the past nor engages in the present in trust company activities in New York[7] (other than those for which it now seeks approval to retain), Applicant's acquisition of Company in 1960 did not eliminate any existing or potential competition and its continued retention of Company would not have any significantly adverse effects on either actual or potential competition. Furthermore, in view of the fact that Company would be offering only a limited type of financial service in the highly competitive New York financial markets, it does not appear that consummation of this proposal would result in any adverse effects such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices.

Approval of this application would allow Applicant to continue to engage in the permissible trust activities of Company and would enable Company to continue to provide a convenient and efficient source of trust services to those members of the public who are located in the United States and who hold Canadian securities.

Based upon the foregoing and other consideration reflected in the record, the Board has determined, in accordance with the provisions of section 4(c)(8) of the Act, that Applicant's retention of Company can reasonably be expected to produce benefits to the public that outweigh possible adverse effects. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company, or any of its subsidiaries, as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,[8] effective December 23, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-37 Filed 1-2-76;8:45 am]

CENTRAL MORTGAGE BANCSHARES, INC.

Proposed Acquisition of Cenco Insurance Company

Central Mortgage Bancshares, Inc., Warrensburg, Missouri, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of Cenco Insurance Company, Phoenix, Arizona. Notice of the application was published on November 11, 1975 in the Arizona Weekly Gazette, a newspaper of general circulation in Phoenix, Arizona, and on November 7, 1975 in The Daily-Journal, a newspaper circulated in Warrensburg, Missouri, and on November 11, 1975 in the Kansas City Star, a newspaper circulated in Kansas City, Missouri.

Applicant states that the proposed subsidiary would engage in the activities of underwriting, as reinsurer, credit life and accident and health insurance in connection with extensions of credit to customers of Applicant's subsidiary banks. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of

[5] As its participations in Agency's brokers' "call" loans are presently structured, Company neither deals directly with the brokers nor do the brokers have knowledge of Company's participation in Agency's loans. Agency is advised by Company of the amount of funds that the latter would desire to invest in Agency's "call" loans and Company remits this amount to Agency, which then advises Company of the identity and terms of the loan that Company will participate in for a given period. Agency's brokers' loans, which are considered to be on a daily renewable basis, may be terminated or decreased at the request of either Agency or the broker. Agency accrues, collects, and remits, at the appropriate time, all participation interest owing to Company. Through the use of a blanket collateral agreement, Agency handles all aspects of the brokers' loans, including the custody of the loan collateral. Thus, Company, as a loan participant, merely has the role of a passive investor in these brokers' loans originated by Applicant's Agency. As of the fiscal year ending October 31, 1974, the daily average participation in "call" loans was $614,000 (18.19 per cent of Company's average funds), and fiscal year "call" loan revenue was $71,708.33 (34.62 per cent of total revenue).

[6] Canadian agencies have long been active in the New York market for "call" loans to securities dealers and brokers. "Call" loans have been very attractive to Canadian agencies because they can be terminated at any time and thus constitute an excellent source of dollar liquidity. Canadian agencies have, however, been making increasing use of alternative sources of United States dollar liquidity, notably the Federal funds and Eurodollar markets. They have, however, also been expanding their commercial loan activities including working capital loans for the financing of a variety of short- and long-term capital expenditures and revolving credits for general purposes.

[7] Applicant's Agency has not been able to exercise fiduciary powers in New York because of specific prohibitions in New York law (N.Y. Bank. Law § 202-a). Since Applicant's acquisition of Company, however, New York has enacted provisions allowing for the establishment of branches of foreign banks in New York, and such branches may with the Superintendent's approval, exercise certain fiduciary powers (N.Y. Bank. Law § 201-b). Applicant cannot establish a branch, however, because of reciprocity requirements in New York law (N.Y. Bank. Law § 202-a).

[8] Voting for this action: Vice Chairman Mitchell and Governors Holland, Wallich, Coldwell, and Jackson. Absent and not voting: Chairman Burns and Governor Bucher.

resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 28, 1976.

Board of Governors of the Federal Reserve System, December 28, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-93 Filed 1-2-76;8:45 am]

FIRST ARKANSAS BANKSTOCK CORP.

Notice of Request for Determination

Notice is hereby given that a request has been made to the Board of Governors of the Federal Reserve System, pursuant to the provisions of the Bank Holding Company Act of 1956, as amended (12 U.S.C. 1841 *et seq.*), and the Board's Regulation Y [12 CFR 225], by First Arkansas Bankstock Corporation ("FABCO"), Little Rock, Arkansas, for a determination that FABCO presently exercises a controlling influence over the management and policies of United Banks of Arkansas, Inc. ("United"), a registered bank holding company; and that through United, FABCO exercises a controlling influence over the management and policies of the First National Bank in Mena ("Bank"), Mena, Arkansas. FABCO further requests that the Board determine that FABCO has continuously exercised a controlling influence over United and Bank since prior to December 31, 1970.

An opportunity is hereby provided to interested persons for the filing of written comments and/or requests for hearing. Any such written comments or requests for hearing should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received on or before February 4, 1976. Any request for hearing should contain a statement of the nature of the requesting person's interest in the matter, his reasons for requesting a hearing, and a summary of the matters concerning which said person wishes to give testimony at such hearing. In the absence of a request for a hearing, the Board will proceed with consideration of the requested determination on the basis of documentary evidence filed in connection with the application.

Board of Governors of the Federal Reserve System, December 29, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-94 Filed 1-2-76;8:45 am]

GENERAL SERVICES ADMINISTRATION

ADMINISTRATOR, ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Administrator, Energy Research and Development Administration, to represent the consumer interests of the executive agencies of the Federal Government in proceedings before the Missouri Public Service Commission.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Administrator, Energy Research and Development Administration, to represent the consumer interests of the executive agencies of the Federal Government before the Missouri Public Service Commission in a rate increase proceeding involving the Kansas City Power and Light Company (Case No. 18433).

b. The Administrator, Energy Research and Development Administration, may redelegate this authority to any officer, official, or employee of the Energy Research and Development Administration.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

JACK ECKERD,
Administrator of General Services.

DEC. 19, 1975.

[FR Doc.76-86 Filed 1-2-76;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

MUSEUM ADVISORY PANEL

Notice of Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), notice is hereby given that a meeting of the Museum Advisory Panel to the National Council on the Arts will be held on January 19, 1976 from 10:00 a.m.–5:30 p.m. and on January 20, 1976 from 10:00 a.m.–4:00 p.m. in the fourteenth floor conference room of the Columbia Plaza Building, 2401 E St., N.W., Washington, D.C.

A portion of this meeting will be open to the public on January 19 from 10:00 a.m.–5:30 p.m. and on January 20 from 11:00 a.m.–4:00 p.m. on a space available basis. Accommodations are limited. On January 19, there will be a discussion of January 20 there will be planning discussions. general policy and planning and on January 20 there will be planning

The remaining sessions of this meeting on January 20 from 10:00 a.m.–11:00 a.m. are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of June 16, 1975, these sessions, which involve matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b), (4), (5), and (6)) will not be open to the public.

Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6377.

ROBERT M. SIMS,
Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.76-140 Filed 1-2-76;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-313]

ARKANSAS POWER AND LIGHT CO.

Issuance of Amendment to Facility Operating License and Negative Declaration

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 8 to Facility Operating License No. DPR-51 issued to Arkansas Power and Light Company which revised Technical Specifications for operation of Arkansas Nuclear One, Unit 1, located in Pope County, Arkansas. The amendment is effective as of its date of issuance.

The amendment deletes limits on chemical concentration of substances discharged during operation of Arkansas Nuclear One, Unit 1, which are now covered by National Pollutant Discharge Elimination System (NPDES) Permit (No. AR 0001392) issued by the Environmental Protection Agency. The amendment does retain a limit on total quantities of chemicals discharged. In addition, the amendment incorporates changes; (1) in chemical monitoring re-

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quirements; and (2) in administrative reporting requirements.

The applications for the amendment comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has prepared an environmental impact appraisal for the revised Technical Specifications and has concluded that an environmental impact statement for this particular action is not warranted because there will be no environmental impact attributable to the proposed action other than that which has already been predicted and described in the Commission's Final Environmental Statement for Arkansas Nuclear One, Unit 1, published in February 1973, and that a negative declaration to this effect is appropriate.

For further details with respect to this action, see (1) the applications for amendment dated July 8, 1975, September 26, 1975, and October 9, 1975, (2) Amendment No. 8 to License No. DPR-51, with Change No. 8, and (3) the Commission's Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Arkansas Polytechnic College, Russellville, Arkansas.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Rockville, Maryland, this 23rd day of December, 1975.

For the Nuclear Regulatory Commission.

B. J. YOUNGBLOOD,
Chief, Environmental Projects Branch 3, Division of Reactor Licensing.

[FR Doc.76-108 Filed 1-2-76;8:45 am]

[Docket No. 50-358]

CINCINNATI GAS AND ELECTRIC COMPANY, ET AL. (WILLIAM H. ZIMMER NUCLEAR POWER STATION, UNIT 1)

Hearing and Order Convening Special Prehearing Conference

The Atomic Safety and Licensing Board appointed by Order issued December 24, 1975, consisting of Glenn O. Bright, John R. Lyman and the undersigned, to conduct the evidentiary hearing has determined that a hearing should be held in this proceeding to consider the issues required to be determined. The Notice of Hearing Order herein provides that a later Order will be issued to designate the time and place for the commencement of the evidentiary hearing.

In further review of the petitions which have been filed and in an endeavor to procure additional specificity for the general allegations of interest and contentions and for other matters specified in the Rules, this Board has concluded to convene a special prehearing conference in accordance with § 2.751 (a) (10 CFR) of the Commission's Rules of Practice.

Wherefore *it is ordered* in accordance with the Atomic Energy Act, as amended, and the Rules of Practice of the Nuclear Regulatory Commission, the Notice of Hearing is issued to provide for the evidentiary hearing which will be convened to consider the issues that are required to be determined at a time and place to be designated by later Order.

In addition and in accordance with the Rules of Practice, particularly § 2.751(a) thereof, a special prehearing conference shall convene at 12:00 noon, local time, on Friday, January 23, 1976, at a place in Cincinnati, Ohio to be designated by a later Order, to give further consideration to the Petitions to Intervene filed in this proceeding. The parties are encouraged to confer and stipulate if possible respecting the interests and contentions presented in the petitions.

Dated at Bethesda, Maryland this 24th day of December 1975.

For the Atomic Safety and Licensing Board.

SAMUEL W. JENSCH,
Chairman.

[FR Doc.76-109 Filed 1-2-76;8:45 am]

[Docket No. 50-286]

CONSOLIDATED EDISON CO. OF NEW YORK, INC. POWER AUTHORITY OF THE STATE OF NEW YORK

Notice of Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 1 to Facility Operating License No. DPR-64 issued to Consolidated Edison Company of New York, Inc. (Consolidated Edison) which authorized the Power Authority of the State of New York (Authority) to acquire title to the Indian Point Nuclear Generating Unit No. 3, located in Westchester County, New York. The amendment is effective as of its date of issuance. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration. The Commission has determined that no environmental impact different from that assessed in the Final Environment Statement will be attributable to the issuance of the amendment.

By application dated April 25, 1975, Consolidated Edison and the Authority requested that any operating license issued for the Indian Point Nuclear Generating Unit No. 3 (Indian Point Unit 3) be amended to allow the Authority to purchase and acquire title to the facility. Notice of receipt of this application was published in the FEDERAL REGISTER on July 24, 1975 (40FR31044). Facility Operating License No. DPR-64 was issued to Consolidated Edison on December 12, 1975. The license authorizes fuel loading and subcritical testing of the Indian Point Unit 3, but at no time shall the reactor be made critical following fuel loading.

The requested change has been accomplished by amending the existing facility operating license. The amended license authorizes the Authority to own but not operate Indian Point Unit 3. Consolidated Edison retains responsibility for operation of the facility at the location described above with the same restriction on subcritical operation.

The Nuclear Regulatory Commission has reviewed the application and has determined that it complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has also determined that the ownership change of the license is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

By February 4, 1976, the licensees may file a request for a hearing and any person whose interest may be affected by the proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's "Rules of Practice" in CFR Section 2.714.

For further details concerning this proposed action, see the application for amendment to the license dated April 25, 1975 and the Commission's related Safety Evaluation dated December 24, 1975. Both documents are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, New York.

Dated at Bethesda, Maryland, this 24th day of December, 1975.

For the Nuclear Regulatory Commission.

D. B. VASSALLO,
Chief, Light Water Reactors, Project Branch 1-1, Division of Reactor Licensing.

[FR Doc.76-105 Filed 1-2-76;8:45 am]

[Docket Nos. 50-269, 50-270 and 50-287]

DUKE POWER CO.

Issuance of Amendments to Facility Operating Licenses

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments No. 16, 16, and 13 to Facility Operating Licenses No. DPR-38, DPR-47, and DPR-55, respectively, issued to Duke Power Company which revised Technical Specifications for operation of the Oconee Nuclear Station, Units 1, 2, and 3, located in Oconee County, South Carolina. The amendments are effective January 1, 1976.

These amendments revise the provisions in the Technical Specifications relating to Reporting Requirements.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments is not required since the amendments do not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendments dated January 15, 1975, (2) Amendments No. 16, 16, and 13 to Licenses No. DPR-38, DPR-47, and DPR-55, with Changes No. 26, 21, and 13, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Oconee County Library, 201 South Spring Street, Walhalla, South Carolina 29691.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 22nd day of December 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch No. 1, Division of Reactor Licensing.

[FR Doc.76-110 Filed 1-2-76;8:45 am]

[Docket No. 50-335]

FLORIDA POWER AND LIGHT CO. (ST. LUCIE PLANT UNIT NO. 1)

Order Extending Construction Completion Date

Florida Power and Light Company is the holder of Provisional Construction Permit No. CPPR-74 issued by the Commission on July 1, 1970 for construction of the St. Lucie Plant Unit No. 1, presently under construction on Florida Power and Light Company's site on Hutchinson Island about halfway between Ft. Pierce and Stuart on the east coast of Florida.

On November 5, 1975, Florida Power and Light filed a request for an extension of the completion date because (1) final stages of construction and testing necessary to complete the plant have taken more time than originally anticipated; (2) schedular delays have resulted from certain labor difficulties which were pointed out in the previous extension request. Labor productivity has continued to be lower than anticipated, and there has been a continuing shortage of qualified welders; and (3) slippages of electrical and mechanical equipment deliveries have occurred because of material shortages and demand in overseas markets. Such slippages have been particularly significant during the final stages of construction because of their impact on the scheduling and sequencing of system completion.

This action involves no significant hazards consideration; good cause has been shown for the delay; and the requested extension is for a reasonable period, the bases for which are set forth in a staff evaluation dated December 19, 1975.

It is hereby ordered, That the latest completion date for CPPR-74 is extended from December 31, 1975 to July 1, 1976.

For the Nuclear Regulatory Commission.

Date of Issuance: December 24, 1975.

OLAN D. PARR,
Acting Assistant Director for Light Water Reactors Group 1, Division of Reactor Licensing.

[FR Doc.76-111 Filed 1-2-76;8:45 am]

[Docket Nos. 50-424, 50-425 (CP Amendment)]

GEORGIA POWER CO. (ALVIN W. VOGTLE NUCLEAR PLANT, UNITS 1 AND 2)

Notice of Public Hearing

Please take notice that pursuant to the Atomic Energy Act of 1954, as amended, and the Commission's Regulations (10 CFR Part 50), a public, evidentiary hearing will be held before an Atomic Safety and Licensing Board (the Board) starting at 9:30 A.M., EST, on January 27, 1976 at the following location:

U.S. District Courtroom, 2nd Floor, U.S. Courthouse, 8th and Telfair Streets, Augusta, Georgia 30902.

The purpose of this public hearing, to be conducted in accordance with the Commission's Rules of Practice, is to consider certain proposed amendments[1] to the Applicant's construction permits, which the Applicant has already received, to build two pressurized water nuclear reactors to be known as the Alvin W. Vogtle Nuclear Plant, Units 1 and 2, near the Savannah River in Burke County Georgia, about 26 miles southeast of Augusta and 15 miles east of Waynesboro, Georgia.

If there are any requests from organizations or individuals to make limited appearance statements, pursuant to the Commission's Rules of Practice (10 CFR § 2.715(a)), these will be heard on the morning of January 27.

[1] See this Board's "Notice of Supplemental Hearing on Proposed Amendment to Construction Permits," dated Sept. 3, 1975, which was published in the FEDERAL REGISTER on Sept. 8, 1975 (40 FR 41560). See also this Board's "Prehearing Conference Order And Rulings on Contentions," issued December 1, 1975.

Interested members of the public are invited to attend the hearing.

It is so ordered.

Issued at Bethesda, Maryland, this 29th day of December, 1975.

For the Atomic Safety and Licensing Board.

THOMAS W. REILLY,
Chairman.

[FR Doc.76-112 Filed 1-2-76;8:45 am]

[Docket No. 50-321]

GEORGIA POWER CO. (EDWIN I. HATCH NUCLEAR POWER PLANT UNIT 1)

Negative Declaration Regarding Change to Technical Specifications

The U.S. Nuclear Regulatory Commission (the Commission) has reviewed the licensee's proposed change to the Appendix A Technical Specifications of Facility Operating License DPR-57. This change would authorize the Georgia Power Company to operate the Edwin I. Hatch Nuclear Plant Unit 1 with certain revisions to the present limiting conditions for operation specified in Appendix A of the referenced license. These revisions result from the implementation of the Acceptance Criteria for the Emergency Core Cooling System for Light Water Nuclear Power Reactors (ECCS) as specified in § 50.46 of Part 50 CFR. No revisions to the Environmental Technical Specifications (Appendix B) were required as a result of this proposed change.

The Commission's Division of Reactor Licensing has prepared an environmental impact appraisal for the proposed change to the Appendix A Technical Specifications for Facility Operating License DPR-57.

On the basis of the environmental impact appraisal presented in this document, we have concluded that an environmental impact statement for this particular action is not warranted because, pursuant to the Commission's regulations in 10 CFR Part 51 and the Council of Environmental Quality's Guidelines, 40 CFR 1500.6, the Commission has determined that this proposed change to the Appendix A Technical Specifications is not a major Federal action significantly affecting the quality of the human environment. The environmental impact appraisal is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555, and at the Appling County Public Library, Parker Street, Baxley, Georgia 31513. Dated at Rockville, Maryland, this 15th day of December 1975.

For the Nuclear Regulatory Commission.

GEORGE W. KNIGHTON,
Chief, Environmental Projects Branch No. 1, Division of Reactor Licensing.

[FR Doc.76-114 Filed 1-2-76;8:45 am]

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[Docket No. 50-366]

GEORGIA POWER CO. OGLETHORPE ELECTRIC MEMBERSHIP CORP. (EDWIN I. HATCH NUCLEAR PLANT, UNIT 2)

Receipt of Application for Facility Operating License; Availability of Environmental Report; Opportunity for Hearing

Notice is hereby given that the Nuclear Regulatory Commission (the Commission) has received an application for facility operating license from Georgia Power Company and Oglethorpe Electric Membership Corporation (the applicants) to possess, use, and operate Edwin I. Hatch Nuclear Plant, Unit 2, a boiling water nuclear reactor (the facility), located on the applicants' site in Appling County, Georgia, at a steady-state power level of 2436 megawatts thermal.

The applicants have also filed an environmental report pursuant to the National Environmental Policy Act of 1969 and the regulations of the Commission in 10 CFR Part 51. The report which discusses environmental considerations related to the proposed operation of the facility is being made available at the Georgia State Clearinghouse, Office of Planning and Budget, 270 Washington Street S.W., Atlanta, Georgia 30334, and at the Altamaha Area Planning and Development Commission, P.O. Box 328, Baxley, Georgia 31513.

After the environmental report has been analyzed by the Commission's Director of Nuclear Reactor Regulation or his designee, a draft environmental statement will be prepared by the Commission's staff. Upon preparation of the draft environmental statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft statement, requesting comments from interested persons on the draft statement. The summary notice will also contain a statement to the effect that any comments of Federal agencies and State and local officials will be made available when received. The draft environmental statement will focus only on any matters which differ from those previously discussed in the final environmental statement prepared in connection with the issuance of the construction permit. Upon consideration of comments submitted with respect to the draft environmental statement, the regulatory staff will prepare a final environmental statement, the availability of which will be published in the FEDERAL REGISTER.

The Commission will consider the issuance of a facility operating license to Georgia Power Company and Oglethorpe Electric Membership Corporation which would authorize the applicants to possess, use, and operate the Edwin I. Hatch Nuclear Plant, Unit 2, in accordance with the provisions of the license and the technical specifications appended thereto, upon: (1) the completion of a favorable safety evaluation on the application by the Office of Nuclear Reactor Regulation; (2) the completion of the environmental review required by the Commission's regulations in 10 CFR Part 51; (3) the receipt of a report on the applicants' application for a facility operating license by the Advisory Committee on Reactor Safeguards; and (4) a finding by the Commission that the application for the facility license, as amended, complies with the requirements of the Atomic Energy Act of 1954, as amended (Act), and the Commission's regulations in 10 CFR Chapter 1. Construction of the facility was authorized by Construction Permit No. CPPR-90, issued by the Commission on December 27, 1972. Construction of the facility is anticipated to be completed by July 1, 1978.

Prior to issuance of any operating license, the Commission will inspect the facility to determine whether it has been constructed in accordance with the application, as amended, and the provisions of the Construction Permit. In addition, the license will not be issued until the Commission has made the findings reflecting its review of the application under the Act, which will be set forth in the proposed license, and has concluded that the issuance of the license will not be inimical to the common defense and security or to the health and safety of the public and that requirements of Sections 102(2) (A), (C), and (D) of the National Environmental Policy Act of 1969 have been met. Upon issuance of the license, the applicants will be required to execute an indemnity agreement as required by section 170 of the Act and 10 CFR Part 140 of the Commission's regulations.

On or before February 4, 1976, the applicants may file a request for a hearing, with respect to issuance of the facility operating license and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed within the time prescribed in this notice, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

A petition for leave to intervene must be filed under oath or affirmation in accordance with the provisions of 10 CFR Part 2, Section 2.714. As required in Section 2.714, a petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, or may be delivered to the Commission's Public Document Room 1717 H Street NW., Washington, D.C., by February 5, 1976. A copy of the petition and/or request should also be sent to the Executive Legal Director, United States Nuclear Regulatory Commission, Washington, D.C. 20555, and to George F. Trowbridge, Esq., Shaw, Pittman, Potts and Trowbridge, 910 17th Street NW., Washington, D.C. 20006, attorney for the applicants.

A petition for leave to intervene which is not timely will not be granted unless the Commission, the presiding officer, or the Atomic Safety and Licensing Board designated to rule on the petition determines that the petitioner has made a substantial showing of good cause for failure to file on time and after considering those factors specified in 10 CFR Part 2, §§ 2.714(a)(1)-(4) and 2.714(d).

For further details, see the application for the facility operating license, dated October 20, 1975, and the applicants' environmental report dated September 29, 1975, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Appling County Public Library, Parker Street, Baxley, Georgia 31513. As they become available, the following documents may be inspected at the above locations: (1) the safety evaluation report prepared by the Office of Nuclear Reactor Regulation; (2) the draft environmental statement; (3) the final environmental statement; (4) the report of the Advisory Committee on Reactor Safeguards on the application for facility operating license; (5) the proposed facility operating license; and (6) the technical specifications, which will be attached to the proposed facility operating license.

Copies of the proposed operating license and the ACRS report, when available, may be obtained by request to the Director, Division of Reactor Licensing, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Copies of the Office of Nuclear Reactor Regulation's safety evaluation and final environmental statement, when available, may be purchased at current rates, from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Bethesda, Maryland, this 23d day of December, 1975.

For the Nuclear Regulatory Commission.

KARL KNIEL, *Chief*
Light Water Reactors Branch 2-2, Division of Reactor Licensing.

[FR Doc.76-106 Filed 1-2-76;8:45 am]

[Docket No. 50-321]

GEORGIA POWER CO. OGLETHORPE ELECTRIC MEMBERSHIP CORP.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 27 to Facility Operating License No. DPR-57 issued to Georgia Power Company and Oglethorpe Electric Membership Corporation which revised Technical Specifications for operation of the Edwin I. Hatch Nuclear Plant, Unit 1, located in Appling County, Georgia. The amendment is effective as of its date of issuance.

The amendment authorizes operation of Hatch Unit 1 (1) with the lower core support bypass flow holes plugged, (2) using operating limits based on the General Electric Thermal Analysis Basis (GETAB), and (3) with modified operating limits based on an acceptable evaluation model that conforms with the requirements of Section 50.46 of 10 CFR Part 50 of the Commission's regulations.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with items (2) and (3) above was published in the FEDERAL REGISTER on August 26, 1975 (40 FR 37273). No request for a hearing or petition for leave to intervene has been filed following notice of the proposed action on items (2) and (3) above. Prior public notice of item (1) above is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the applications for amendment dated July 9, 1975, December 2, 1975, and December 8, 1975, and supplements thereto dated August 6, 1975, August 29, 1975, September 24, 1975, October 14, 1975, October 21, 1975, and December 10, 1975, (2) Amendment No. 27 to License No. DPR-57, with Change No. 26, (3) the Commission's concurrently issued related Safety Evaluation, and (4) the Commission's Negative Declaration dated December 15, 1975, (which is also being published in the FEDERAL REGISTER) and associated Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Appling County Public Library, Parker Street, Baxley, Georgia 31513.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 17th day of December, 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Reactor Licensing.

[FR Doc.76-113 Filed 1-2-76;8:45 am]

[Docket Nos. STN 50-498 and STN 50-499]

HOUSTON LIGHTING & POWER COMPANY, ET AL. (SOUTH TEXAS PROJECT, UNITS 1 AND 2)

Issuance of Construction Permits

Notice is hereby given that, pursuant to the Initial Decisions of the Atomic Safety and Licensing Board, dated August 8, 1975, and December 17, 1975, the Nuclear Regulatory Commission (the Commission) has issued Construction Permits Nos. CPPR-128 and CPPR-129 to the Houston Lighting & Power Company, the City Public Service Board of San Antonio, Central Power and Light Company, and the City of Austin for construction of two pressurized water nuclear reactors at the applicant's site in Matagorda County, Texas. The proposed reactors, known as the South Texas Project, Units 1 and 2 are each designed for a rated core power level of 3,800 megawatts thermal with a net electrical output of 1,250 megawatts.

The Initial Decisions are subject to review by an Atomic Safety and Licensing Appeal Board prior to their becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the Initial Decision may be reviewed by the Commission.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the construction permits. The application for the construction permits complies with the standards and requirements of the Act and the Commission's rules and regulations.

The construction permits are effective as of their date of issuance. The earliest date for the completion of Unit No. 1 is May 1, 1980, and the latest date for completion is May 31, 1982. The earliest date for completion of Unit No. 2 is October 1, 1981, and the latest date for completion is October 31, 1983. Each permit shall expire on the latest date for completion of the facility for which it is issued.

A copy of (1) the Initial Decisions, dated August 8, 1975, and December 17, 1975; (2) Construction Permits Nos. CPPR-128 and CPPR-129; (3) the report of the Advisory Committee on Reactor Safeguards, dated September 19, 1975, (4) the Office of Nuclear Reactor Regulation's Safety Evaluation Report dated August 1, 1975, and Supplement No. 1 thereto dated October 29, 1975; (5) the Preliminary Safety Analysis Report and amendments thereto; (6) the applicant's Environmental Report dated July 1, 1974, and supplements thereto; (7) the Draft Environmental Statement dated November 1974; and (8) the Final Environmental Statement dated March 1975 are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C., and the Matagorda County Courthouse, 1700 Seventh Street, Bay City, Texas. A copy of the construction permits may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Copies of the Safety Evaluation and Supplement No. 1 thereto (Document Nos. NUREG-75/075 and NUREG-75/075, Supplement No. 1) and the Final Environmental Statement (Document No. NUREG-75/019) may be purchased, at current rates, from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Bethesda, Maryland, this 22nd day of December, 1975.

For the Nuclear Regulatory Commission.

D. B. VASSALLO,
Chief, Light Water Reactors Project Branch 1-1, Division of Reactor Licensing.

[FR Doc.76-115 Filed 1-2-76;8:45 am]

[Docket Nos. 50-516, 50-517]

LONG ISLAND LIGHTING CO. (JAMESPORT NUCLEAR POWER STATION, UNITS 1 AND 2)

Notice of Reconstitution of Board

Dr. A. Dixon Callihan was a Member of the Atomic Safety and Licensing Board established to consider the above application. Because of other Board commitments, Dr. Callihan is unable to continue in his duties as a Member of this Board.

Accordingly, Mr. Ralph S. Decker, whose address is Route 1, Box 190 D, Cambridge, Maryland 21613, is appointed a Member of the Board. Reconstitution of the Board. Reconstitution of the Board in this manner is in accordance with the Rules of Practice of the Commission.

Dated at Bethesda, Maryland, this 23d day of December, 1975.

JAMES R. YORE,
Acting Chairman, Atomic Safety and Licensing Board Panel.

[FR Doc.76-116 Filed 1-2-76;8:45 am]

V 41 2 JAN 5 76 XUM

[Provisional Operating License No. DPR-21, Amdt. No. 12 Docket No. 50-254]

NORTHEAST NUCLEAR ENERGY CO. (MILLSTONE NUCLEAR POWER STATION, UNIT 1)

Negative Declaration

The U.S. Nuclear Regulatory Commission has considered, pursuant to 10 CFR Part 51, the issuance of changes to the Technical Specifications, Appendix A to the Part 50 Provisional Operating License DPR-21, that result from the incorporation of Environmental Technical Specifications as Appendix B to the License.

The Commission's Division of Reactor Licensing has prepared an environmental Impact Appraisal on the proposed action. On the basis of this appraisal, we have concluded that a detailed environmental impact statement for the proposed action is not warranted, because there will be no significant environmental impact attributable to the proposed action and the environmental effects will be within the scope of those already considered for the operation of the Station. The Environmental Impact Appraisal is available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. 20555, and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut 06385.

Dated at Bethesda, Maryland, this 17th day of December, 1975.

For the Nuclear Regulatory Commission.

G. DICKER,
Chief, Environmental Projects Branch 2, Division of Reactor Licensing.

[FR Doc.76-118 Filed 1-2-76;8:45 am]

[Docket No. 50-245]

NORTHEAST NUCLEAR ENERGY CO., ET AL.

Notice of Issuance of Amendment to Provisional Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 12 to Provisional Operating License No. DPR-21 issued to Northeast Nuclear Energy Company, The Hartford Electric Light Company, Western Massachusetts Electric Company, and Connecticut Light and Power Company, which revised Technical Specifications for operation of the Millstone Nuclear Power Station, Unit 1, located in Waterford, Connecticut. The amendment is effective as of its date of issuance.

The amendment incorporates the Environmental Technical Specifications into the Provisional Operating License as Appendix B. In addition, the Environmental Monitoring Program of the Radiological Technical Specifications (Appendix A) will be replaced by a more rigorous program in Appendix B.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated October 26, 1973, (2) Amendment No. 12 to License No. DPR-21, with Change No. 25, (3) the Commission's related Safety Evaluation, and (4) the Commission's Negative Declaration dated (which is also being published in the FEDERAL REGISTER) and associated Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut 06385.

A copy of items (2), (3), and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 19th day of December, 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Reactor Licensing.

[FR Doc.76-117 Filed 1-2-76;8:45 am]

[Docket No. 50-344]

PORTLAND GENERAL ELECTRIC CO., ET AL.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 2 to Facility Operating License No. NPF-1 issued to Portland General Electric Company, the City of Eugene, Oregon, Pacific Power and Light Company which revised Technical Specifications for operation of the Trojan Nuclear Plant, located on the left shore of the Columbia River in Columbia County, Oregon. The amendment is effective as of December 11, 1975.

The amendment allows performance of certain rod drop and flow coastdown tests which are required by the NRC staff to be performed during the pre-Startup phase of the Trojan Nuclear Plant.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5 (d) (4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated December 10, 1975, (2) Amendment No. 2 to License No. NPF-1 and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Columbia County Courthouse, Low Library, Circuit Court Room, St. Helens, Oregon 97501.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland this 23rd day of December, 1975.

For the Nuclear Regulatory Commission.

RAYMOND B. POWELL,
Acting Chief, Light Water Reactors Branch 1-2, Division of Reactor Licensing.

[FR Doc.76-119 Filed 1-2-76;8:45 am]

[Docket No. 50-267]

PUBLIC SERVICE CO. OF COLORADO

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 9 to Facility Operating License No. DPR-34 issued to Public Service Company of Colorado which revised Technical Specifications for operation of the Fort St. Vrain Nuclear Generating Station, located in Weld County, Colorado. The amendment is effective as of its date of issuance.

The amendment permits a reduction from 11,500 rpm to 8,800 rpm in the helium circulator high-speed trip when operating on water-driven Pelton turbines.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with this action was published in the Federal Register on January 8, 1975, (40 FR 1549). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated October 23, 1974, and revision dated October 23, 1975, (2) Amendment No. 9 to License No. DPR-34, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Greeley Public Library, City Complex Building, Greeley, Colorado 80631.

A copy of items (2), and (3) may be obtained upon request addressed to the United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Project Management.

Dated at Bethesda, Maryland, this 29th day of December, 1975.

For the Nuclear Regulatory Commission.

ROBERT A. CLARK,
Chief, Special Reactors Branch, Division of Project Management.

[FR Doc.76-120 Filed 1-2-76;8:45 am]

[Docket No. 50-206]

SOUTHERN CALIFORNIA EDISON CO. AND SAN DIEGO GAS AND ELECTRIC CO. (SAN ONOFRE NUCLEAR GENERATING STATION, UNIT 1)

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 17 to Facility Operating License No. DPR-13 issued to Southern California Edison Company which revised Technical Specifications for operation of the San Onofre Nuclear Generating Station, Unit 1, located near Camp Pendleton, San Diego County, California. The amendment is effective as of its date of issuance.

The amendment applies to administrative details, to definitions, and changes the environmental surveillance reporting from semi-annual to annual.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental statement, negative declaration, or environmental impact appraisal need not be prepared in connection with the issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated November 11, 1975, and (2) Amendment No. 17 to License No. DPR-13. Both of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and in the San Clemente Public Library, 233 Granada Street, San Clemente, California.

A copy of Amendment No. 17 may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C., 20555, Attention: Director, Division of Reactor Licensing.

Dated at Rockville, Maryland, this 19th day of December, 1975.

For the Nuclear Regulatory Commission.

B. J. YOUNGBLOOD,
Chief, Environmental Projects Branch 3, Division of Reactor Licensing.

[FR Doc.76-121 Filed 1-2-76;8:45 am]

[Docket No. 50-460]

WASHINGTON PUBLIC POWER SUPPLY SYSTEM (WASHINGTON PUBLIC POWER SUPPLY SYSTEM NUCLEAR POWER PROJECT NO. 1)

Issuance of Construction Permit

Notice is hereby given that, pursuant to the Initial Decision of the Atomic Safety and Licensing Board, dated December 22, 1975, the Nuclear Regulatory Commission (the Commission) has issued Construction Permit No. CPPR-134 to the Washington Public Power Supply System for construction of a pressurized water nuclear reactor at the applicant's site in Benton County, Washington. The proposed reactor, known as the Washington Public Power Supply System Nuclear Project No. 1 is designed for a rated power of 3600 megawatts thermal with a net electrical output of 1218 megawatts.

The Initial Decision is subject to review by an Atomic Safety and Licensing Appeal Board prior to its becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the Initial Decision may be reviewed by the Commission.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the construction permit.

The application for the construction permit complies with the standards and requirements of the Act and the Commission's rules and regulations.

The construction permit is effective as of its date of issuance. The earliest date for the completion of the facility is January 1, 1980, and the latest date for completion is January 1, 1982. The permit shall expire on the latest date for completion of the facility.

A copy of (1) the Initial Decision, dated December 22, 1975; (2) Construction Permit No. CPPR-134; (3) the report of the Advisory Committee on Reactor Safeguards dated June 11, 1975; (4) the Office of Nuclear Reactor Regulation's Safety Evaluation Report dated May 2, 1975, and supplements thereto dated June 2, 1975, and August 6, 1975, respectively; (5) the Preliminary Safety Analysis Report and amendments thereto; (6) the applicant's Environmental Report dated July 10, 1974, and supplements thereto; (7) the Draft Environmental Statement dated December 5, 1974; and (8) the Final Environmental Statement dated March 5, 1975, are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. and the Richland Public Library, Swift and Northgate Streets, Richland, Washington. A copy of the construction permit may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Copies of the Safety Evaluation and supplements thereto (Document No. NUREG-75/036, Supplement No. 1 and Supplement No. 2, respectively) and the Final Environmental Statement (Document No. NUREG-75/012) may be purchased, at current rates, from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Bethesda, Maryland, this 23d day of December, 1975.

For the Nuclear Regulatory Commission.

A. SCHWENCER,
Chief, Light Water Reactors Branch 2-3, Division of Reactor Licensing.

[FR Doc.76-122 Filed 1-2-76;8:45 am]

COMMISSION SEAL

Correction

In FR Doc. 75-33310, appearing at page 57722, in the issue for Thursday, December 11, 1975, beneath the authority citation which appears one paragraph below the replica of the official seal, and immediately above the paragraph numbered "(1)", insert the following:

USE OF THE SEAL OR REPLICAS

a. The use of the seal or replicas is restricted to the following:

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OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on December 29, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202–395–4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education:
- Women Students in Non-Traditional Vocational Training, OE–465 1–2, single-time, women students, Joan Turek.
- Survey of the Secondary-Postsecondary Articulation, process in vocational education, OE–464, single-time, State advisory councils on vocational education, Lowry, R. L., 395–3772.
- Title. IX Technical Needs Assessment Questionnaire, OE–463 1–2, single-time, LEA's and IHE's, Sunderhauf, M. B., Lowry, R. L., 395–6140.

REVISIONS

FEDERAL RESERVE SYSTEM

Report of Negotiable Orders of Withdrawal (NOW) Accounts, R & S 48, monthly, depository institutions in New England, Hulett, D. T., 395–4730.

DEPARTMENT OF COMMERCE

Bureau of Census: Sampling questionnaire and Sample Person List, SIP–1, SIP–2, and SIP–3, single-time, facility administrators, Dick Eisinger, Maria Gonzales, 395–6140.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Center for Education Statistics: Fall Enrollment Survey and Compliance Report of Institutions of Higher Education, 1976, 2300–2.3, annually, colleges and universities, Joan Turek, Sunderhauf, M. B.

DEPARTMENT OF THE INTERIOR

Bureau of Outdoor Recreation: (Interview) St. Lawrence River Winter Recreation Survey, BOR 8–201, single-time, winter outdoor recreation, Lowry, R. L., 395–3772.

EXTENSIONS

DEPARTMENT OF THE INTERIOR

National Park Service: Park Visitation Survey, NPS10–157A, on occasion, park visitors, Marsha Traynham, 395–4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.76–144 Filed 1–2–76;8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on December 24, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

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Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202–395–4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service: School Breakfast Program Evaluation, FNS–1064, single-time, schools, Human Resources Division, Raynsford, R., 395–3532.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institute of Education: Rural School and Commodity Questionnaires, NIE 141, on occasion, community members, Joan Turek.

REVISIONS

ENVIRONMENTAL PROTECTION AGENCY

Summary Report of inventions and subagreements on Subcontracts, annually, recipients of EPA grants, Marsha Traynham, 395–4529.

Contractor's or Grantee's Invention Disclosure, EPA3340, on occasion, recipients of EPA grants, Marshal Traynham, 395–4529.

VETERANS ADMINISTRATION

Request to correspondent for identifying Info Re Veteran, FL 07–2, on occasion, Veterans and Beneficiaries, Harry B. Sheftel, 395–5870.

EXTENSIONS

DEPARTMENT OF COMMERCE

Bureau of Census: Annual Survey of Oil and Gas, MA 13K, MA 13–K–C, annually, operators of oil properties, Lowry, R. L., 395–3772.

DEPARTMENT OF TRANSPORTATION

Coast Guard: Masters Oath for New or Lost Document, and Declaration of New or Alternate Master, CG–1905, on occasion, documented vessels, Marsha Traynham, 395–4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc. 76–145 Filed 1–2–76; 8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on December 23, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

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Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202–395–4529), or from the reviewer listed.

NEW FORMS

ENVIRONMENTAL PROTECTION AGENCY

Sulfur Content of Unleaded Gasoline, Quarterly, oil companies, Lowry, R. L., 395–3772.

DEPARTMENT OF COMMERCE

Bureau of Census:
- (Travis Co., Texas) Census Employment Inquiry, DD 323, other (see SF–83), job applicants, Harry B. Sheftel, 395–5870.

National Longitudinal Surveys, Survey of Work Experience of Mature Women—1976 Questionnaire and Advance Letter, LGT 371, LGT–373, annually, women between ages 30–44, Strasser, A., 395–5867.

Maritime Administration:
- Confidential Survey of Major U.S. Shippers, MA 806, single-time, exporters and importers, Strasser, A., 395–5867.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary:
- Survey Questionnaire to Current and Former Students of Advance Schools, Inc., OS 61–75, single-time, students, Lowry, R. L., 395–3772.

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration:
- Railroad Employee Assistance programs: Alcoholism and Drug Abuse, single-time, U.S. Railroads, Economics and

General Government Division, Strasser, A., 395–3451.

REVISIONS

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration:
- Application for an Airman Certificate and/or Rating (airline transport pilot), FAA 8410–2, on occasion, airmen, Lowry, R. L., 395–3772.

Federal Highway Administration:
- Supplemental Information—Trip Detail or Driver Rest, MCS 5, on occasion, Motor Carriers, Lowry, R. L., 395–3772.

EXTENSIONS

VETERANS' ADMINISTRATION

Daily Report of Workmen and Material, other (see SF–83), contractors, Caywood, D. P., 395–3443.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration: Shrimp Log Book—Shrimp Landings-U.S. Flag Vessels, 88–23, 88–24, monthly, U.S. Shrimp Boat Fleet, Marsha Traynham, 395–4529.

DEPARTMENT OF THE INTERIOR

Mining Enforcement and Safety Administration: Health and Safety Training (Plan and Individual Record), 6000–1, on occasion, mines, Marsha Traynham, 395–4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.76–146 Filed 1–2–76;8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on December 22, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received: the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after the brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202–395–4529), or from the reviewer listed.

NEW FORMS

NATIONAL SCIENCE FOUNDATION

Bilateral Cooperative Science Agreements: followup questionnaire, single-time, OIP supported scientists, Lowry, R. L., 395–3772.

GENERAL SERVICES ADMINISTRATION

Monthly Profit and Loss Statement, R3–1527, monthly, minority concessionaires, Lowry, R. L., 395–3772.

REVISIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Center for Education Statistics: Adult/Continuing Education: Noncredit Activities in Institutions of Higher Education, 1975–76, OE–2300–6, single-time, Institutions of Higher Education, Joan Turek.

National Institute of Education Safe School Study—Phases I and II, 142 A–F, monthly, school personnel, Joan Turek and George Hall.

Office of Human Development: Project Screening Questionnaire, single-time, directors of nutrition projects, Human Resources Division, Raynsford, R., 395–3532.

Health Resources Administration: Guidelines for Applications for HSA Designation and Grant, 1216, single-time, Health Systems Agencies, Lowry, R. L., 395–3772.

REVISIONS

VETERANS ADMINISTRATION

Letter Questionnaire to Veterans Regarding Quality of Service Rendered by Contact Personnel (at VA Regional Office), FL23–652, on occasion, veterans, Caywood, D. P., 395–3443.

DEPARTMENT OF AGRICULTURE

Agriculture Research Service: Request for Proposal for Exploratory Study of Food, consumption measurements, single-time, households, Lowry, R. L., 395–3772.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Center for Education Statistics: Employees in Institutions of Higher Education, 1976–77, OE 2300–3, annually, college and universities, Joan Turek.

EXTENSIONS

NATIONAL SCIENCE FOUNDATION

Industrial Panel on Science and Technology, on occasion, R. & D. performing companies, Marsha Traynham, 395–4529.

DEPARTMENT OF DEFENSE

Departmental and Other Claim for Exemption from Submission of Certified Cost or Pricing Data, DD 633–7, on occasion, suppliers, Marsha Traynham, 395–4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.76–147 Filed 1–2–76;8:45 am]

Report of Concessions Operations, R3–1463, monthly, minority concessionaires, Lowry, R. L., 395–3772.

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–11949;
File No. SR–DSE–75–2]

DETROIT STOCK EXCHANGE

Self-Regulatory Organization; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94–29, 16 (June 4, 1975), notice is hereby given that on December 15, 1975, the above mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

Amendments to the DSE Constitution to effect changes in Officer designations and responsibilities.

STATEMENT OF BASIS AND PURPOSES

The basis and purpose of the foregoing proposed rule change is as follows:

The proposed amendments, were adopted and approved by the Governing Committee to update the present Government of the Exchange by providing for a full time paid President. It is anticipated that the proposed amendments will provide a more responsive leadership for the Exchange and a direct line of communications for the membership and the investing public.

The foregoing rule change has become effective, pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934. At any time within sixty days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before February 4, 1976.

For the Commission by the Division of Market Regulation pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 23, 1975.

[FR Doc.76–48 Filed 1–2–76;8:45 am]

[File No. 500–1]

GAC CORP. AND GAC PROPERTIES CREDIT INC.

Suspension of Trading

DECEMBER 24, 1975.

The common stock of GAC Corporation being traded on the New York Stock Exchange, Midwest Stock Exchange, Pacific Coast Stock Exchange, PBW Stock Exchange and Boston Stock Exchange, the voting preference $1.00 series stock of GAC Corporation being traded on the PBW Stock Exchange, the convertible preferred $1.06 cumulative stock of GAC Corporation being traded on the New York Stock Exchange and PBW Stock Exchange, the preferred $4.50 series cumulative stock of GAC Corporation being traded on the PBW Stock Exchange, the 5¼% convertible subordinated debentures due 1994 of GAC Corporation being traded on the New York

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Stock Exchange; the 11% senior debentures due 1977 of GAC Properties Credit Incorporated being traded on the New York Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of GAC Corporation and GAC Properties Credit Incorporated being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from December 29, 1975 through January 7, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-43 Filed 1-2-76;8:45 am]

[Administrative Proceeding File No. 3-4857; File No. 81-191]

MAGMETCO, INC.

Application and Opportunity for Hearing

DECEMBER 19, 1975.

Notice is hereby given that Magmetco, Inc. ("Applicant") has filed, as successor to Magnetic Metals Company ("Magnetic Metals"), an application pursuant to Section 12(h) of the Securities Exchange Act of 1934, as amended (the "1934 Act"), for a finding that an exemption from the requirement to file, pursuant to Sections 13 and 15(d) of the 1934 Act, a quarterly report on Form 10-Q for the quarter ended September 30, 1975, and an annual report on Form 10-K for the year ending December 31, 1975, would not be inconsistent with the public interest or the protection of investors.

Section 12(g) of the 1934 Act requires the registration of the equity securities of every issuer which is engaged in a business affecting interstate commerce, or whose securities are traded by use of the mails or any means or instrumentality of interstate commerce, and on the last day of the fiscal year has total assets exceeding $1 million and a class of equity securities held of record by 500 or more persons.

Sections 13 and 15(d) of the 1934 Act require that issuers of securities registered pursuant to Section 12 or that have filed a registration statement that has become effective pursuant to the Securities Act of 1933, must file certain periodic reports with the Commission for the protection of investors and to insure fair dealing in the security.

Section 12(h) of the 1934 Act empowers the Commission to exempt, in whole, or in part, any issuer or class of issuers from the provisions of Sections 12(g), 13, 14, or 15(d) of the 1934 Act, if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, income or assets of the issuer or otherwise, that such exemption is not inconsistent with the public interest or protection of investors.

The Applicant states in part that:

(1) Magnetic Metals (and Applicant, as successor corporation) is subject to the provisions of Section 15(d) of the 1934 Act and its common stock is registered pursuant to Section 12(g) of the 1934 Act.

(2) Prior to the merger of Magnetic Metals into Applicant, Applicant owned all of the issued and outstanding shares of Magnetic Metals preferred stock, and 580,935 shares (approximately 74%) of Magnetic Metals issued and outstanding common stock.

(3) A plan to merge Magnetic Metals into Applicant was submitted to the shareholders of Magnetic Metals at a special meeting held on June 25, 1975, and proxy soliciting materials containing detailed information, including financial statements, concerning Magnetic Metals and the terms of the merger were filed with the Commission and distributed to shareholders. The plan was approved by the shareholders of Magnetic Metals and the merger was consummated on September 4, 1975.

(4) Pursuant to the terms of the merger, the shares of Magnetic Metals common stock owned by persons other than Applicant have become the right to receive $6.50 a share in cash.

(5) There is no trading in Magnetic Metals common stock.

In the absence of an exemption, Applicant is required to file, pursuant to Sections 13 and 15(d) of the 1934 Act and the rules and regulations thereunder, a quarterly report on Form 10-Q for the quarter ended September 30, 1975, and an annual report on Form 10-K for the year ending December 31, 1975. Applicant believes that its request for an order exempting it from the provisions of Sections 13 and 15(d) of the 1934 Act, to the extent that these sections would require such reports to be filed, is appropriate in view of the fact that Magnetic Metals no longer exists as a corporation and there is no trading in its securities. Applicant believes that the time, effort and expense involved in the preparation of such reports would be disproportionate to the limited, if any, benefit to the public or the former security holders of Magnetic Metals.

For a more detailed statement of the information presented, all persons are referred to said application which is on file in the Commission's Public Reference Room at 1100 L St. NW., Washington, D.C.

Notice is further given that any interested person, not later than January 13, 1975, may submit to the Commission in writing his views or any substantial facts bearing on this application or the desirability of a hearing thereon. Any such communication or request should be addressed to: Secretary, Securities and Exchange Commission, 500 North Capitol Street NW., Washington, D.C. 20549, and should briefly state the nature of the interest, the reason for such request and the issues of fact and law raised by the application which he desires to controvert. At any time after said date, an order granting the application in whole or in part may be issued upon request or upon the Commission's own motion.

By the Commission.

SHIRLEY E. HOLLIS,
Assistant Secretary.

[FR Doc.76-44 Filed 1-2-76;8:45 am]

[Release No. 34-11951; File No. SR-NASD-75-8]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

Self-Regulatory Organization; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975) notice is hereby given that on December 15, 1975, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

A. STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

1. *Text of Modification.* The following is the full text of the proposed amendment to Sections 1(a)2 and 1(b)2 of Schedule G under Article XVIII of the By-laws of the National Association of Securities Dealers, Inc. Section 1(a)(2).

Designated Reporting Members shall transmit last sale reports for eligible securities for all purchases and sales in such securities except transactions for less than a round-lot at the price recorded on the trade ticket exclusive of commissions, taxes, or other charges (provided however, that principal transactions which are effected at a price plus or minus a commission, commission equivalent, or differential shall be reported at the net price after addition or subtraction of the Commission, Commission equivalent, or differential) Section 1(b)(2).

Non-designated Reporting Members shall transmit last sale reports for eligible securities for all purchases and sales in such securities except transactions for less than a round-lot at the price recorded on the trade ticket exclusive of commissions, taxes, or other charges (provided however, that principal transactions which are effected at a price plus or minus a commission, commission equivalent, or differential shall be reported at the net price after addition or subtraction of the commission, commission equivalent, or differential.)

2. *Procedures of Self-Regulatory Organization.* The proposed rule change is an amendment to File No. SR-1 which was put into effect summarily pursuant to Section 19(b)(3)(B) of the Act until such time as the Commission takes action pursuant to Section 19(b)(2) of the Act.

On March 21, 1975, pursuant to Rule 15Aj-1 under the Act (17 CFR 240.15Aj-1), the NASD filed Amendatory and/or Supplementary Statement No. 2 to the NASD's March 1, 1975, Registration Statement which contained proposed Article XVIII of the NASD's By-Laws and Schedule G thereunder. Article XVIII and Schedule G govern the reporting by NASD members of over-the-counter transactions in listed securities to the Consolidated Tape. On June 4, 1975, the NASD amended such filing to incorporate certain changes in Schedule G.

The Commission treated the above-mentioned proposals as filed pursuant to Section 19(b) of the Act, as amended. On June 11, 1975, pursuant to Section 19(b)(3)(B) of the Act, the proposals were put into effect summarily effective June 16, 1975, until such time as the Commission, pursuant to Section 19(b)(2) of the Act, approved the proposals or instituted proceedings to determine whether such proposals should be disapproved. The proposals were announced in Securities Exchange Act Release No. 11461 (June 11, 1975), and published in the FEDERAL REGISTER on June 18, 1975 (40 FR 25730). The comment period was extended by the Commission on June 30 (Securities Exchange Act Release No. 11508), July 23 (Securities Exchange Act Release No. 11546) (40 FR 32000), and September 15, 1975, (Securities Exchange Act Release No. 11653) (40 FR 43284). The Commission specifically invited comment on that portion of the rule proposal relating to the proper method of reporting principal transactions to the Consolidated Tape in which a commission, commission equivalent, or differential has been charged.

The proposed rule change was adopted by the Board of Governors on November 21, 1975. Article XVIII of the NASD By-Laws authorizes the Board of Governors to adopt rules and procedures with respect to the manner of collecting and reporting last sale information to the Consolidated Tape. Article XVIII also gives the Board of Governors the power to alter, amend or modify such rules and procedures.

B. NASD's STATEMENT OF BASIS AND PURPOSE

1. *Purpose of Proposed Rule Change.* The amendments to Section 1(a)(a) and 1(b)(2) of Schedule G would provide that principal transactions be reported to the Consolidated Tape without taking into account the differential or commission in the reported price. These sections presently provide that principal transactions be reported to the Consolidated Tape after addition or subtraction of the differential or commission. Since the present requirements provide for the reporting to the Consolidated Tape of over-the-counter principal transactions in a different manner than stock exchange principal transactions are reported, the proposed rule change would eliminate the dissimilarities in reporting requirements. In addition, the NASD believes that the inclusion of the differential or commission in the reported price would negatively impair the industry's ability to engage in block positioning activity. The NASD believes that the economic benefits of block positioning are generated by the disposition of the block position and if this income were negatively impaired, it would remove the economic incentive for firms to engage in block positioning. If the block transactions were reported on the Consolidated Tape at the "net" price taking into account the differential or commission, the buyers in the market place would key their negotiations on the price reported on the Consolidated Tape and block positioners would be forced to negotiate from the "net" price.

2. *Basis Under the Act for Proposed Rule Change.* Under the provisions of Rule 17a-15 (17 CFR 240.17a-15) adopted by the Commission under Section 17 of the Securities Exchange Act of 1934 the NASD filed with the Securities and Exchange Commission a written plan meeting specified standards concerning the collection and dissemination by the NASD of information relating to over-the-counter transactions executed by its members in securities registered or admitted to unlisted trading privilege on an exchange. Article XVIII of the NASD By-Laws and Schedule G thereunder contains the rules and procedures necessary to carry out the NASD's responsibilities and duties under Rule 17a-15.

3. *Comments Received from the Members, Participants or Others on the Proposed Rule Change.* Article XVIII of the By-Laws gives the Board of Governors the power to adopt, alter, amend, supplement or modify the provisions of Schedule G and provides that Schedule G as adopted, altered, amended, supplemented or modified shall become effective as the Board of Governors shall prescribe unless disapproved by the Commission. The Commission has published Article XVIII and Schedule G for public comment and specifically invited comments on the issue of the proper method of reporting principal transactions to the Consolidated Tape.

In light of the above, comments of the membership were not solicited or received.

4. *Burden on Competition.* Because the proposed rule change would eliminate the differences in reporting requirements between over-the-counter principal transactions and stock exchange principal transactions reported in the Consolidated Tape, it is felt that there is no burden on competition imposed by the proposed rule change.

On or before February 9, 1976, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(a) by order approve such proposed rule change, or

(b) institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying at the Commission's Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before January 26, 1976.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 24, 1975.

[FR Doc.76-50 Filed 1-2-76;8:45 am]

NATIONAL MARKET ADVISORY BOARD

Notice of Meeting; Change of Location

This is to give notice pursuant to Section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I 10(a), that the National Market Advisory Board will conduct open meetings on January 19 and 20, 1976, at 500 North Capitol Street,

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Washington, D.C., 20549, Room 776, beginning at 9:30 a.m. on January 19, and 8:30 a.m. on January 20. Initial notice of the meeting was published in the FEDERAL REGISTER on November 10, 1975, stating the location of the meeting to be Los Angeles, California.

The summarized agenda for the meeting is as follows:

1. Discussion of responsibilities given to the Board by the Securities and Exchange Commission in its announcement of the adoption of Rule 19c–1 (Securities Exchange Act Release Number 11942, December 19, 1975).

2. Discussion of such other matters as may be properly brought before the Board.

Further information may be obtained by writing Andrew P. Steffan, Director of Economic and Policy Research, Securities and Exchange Commission, Washington, D.C. 20549.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–51 Filed 1–2–76;8:45 am]

[SR–NYSE–75–8]

NEW YORK STOCK EXCHANGE, INC.

Order Disapproving Proposed Rule Change

DECEMBER 19, 1975.

The New York Stock Exchange, Inc. ("NYSE"), 11 Wall Street, New York, New York 10005, submitted on October 24, 1975, a proposed rule change (the "New NYSE Rule") under Rule 19b–4 to replace the NYSE's current Rule 394 which limits the ability of NYSE members to effect transactions otherwise than on an exchange.

Publication of the submission was made in the FEDERAL REGISTER on November 14, 1975 (40 FR 53085) [1] and interested persons were invited to submit written data, views and arguments concerning the submission by November 29, 1975.

The New NYSE Rule has been considered by the Commission in conjunction with its proceeding, initiated on September 2, 1975, and concluded today, under Section 19(c) of the Securities Exchange Act of 1934 (the "Act"), concerning rules of national securities exchanges which limit or condition the ability of members to effect transactions in securities listed or admitted to unlisted trading privileges on such exchanges otherwise than on such exchanges ("off-board trading rules").[2]

As a result of that proceeding, the Commission has adopted today Rule 19c–1 under the Act, which prohibits, after January 2, 1977, all off-board trading rules which impose, directly or indirectly, any requirements, limitations or restrictions on members of national securities exchanges with respect to the execution of agency orders over-the-counter with a third market maker or nonmember block positioner, and, after March 31, 1976 and until that date, permits exchanges to limit or condition each transaction only to the extent specified in that Rule.

In light of the adoption of Rule 19c–1, the Commission is unable to find that the New NYSE Rule is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular the requirements of Section 6 of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change referenced above be, and it hereby is, disapproved.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–45 Filed 1–2–76;8:45 am]

[SR–OCC–75–1]

OPTIONS CLEARING CORP.

Order Approving Proposed Rule Change

DECEMBER 23, 1975.

On October 29, 1975, The Options Clearing Corporation ("OCC") Chicago, Illinois, submitted proposed changes to OCC Rule 913(a) pursuant to Rule 19b–4 under the Securities Exchange Act of 1934, 15 U.S.C. 78(s) ("the Act").

In accordance with Section 19(b) of the Act and Rule 19b–4 thereunder, the rule change was published in the FEDERAL REGISTER (40 FR 52987, November 13, 1975) and the public was invited to comment thereon. Notice of the filing and an invitation for comments also appeared in the SEC Docket on November 25, 1975 (Securities Exchange Act Release No. 11810, November 7, 1975). No letters of comment were received.

As described in Securities Exchange Act Release No. 11810, the rule change eliminates the requirement that delivery advices issued by OCC to exercising and assigned Clearing Members provide the name and address of the other party to the exercise in cases where settlement is to be made through a correspondent clearing corporation and eliminates the requirement that copies of delivery advices be issued to such correspondent clearing corporations.

The Commission has reviewed the proposed rule change and finds that it is consistent with the requirements of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the rule change referenced above, be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–46 Filed 1–2–76;8:45 am]

[SR–PSE–75–7]

PACIFIC STOCK EXCHANGE

Order Approving Proposed Rule Change

DECEMBER 23, 1975.

On November 11, 1975, the Pacific Stock Exchange ("PSE"), 301 Pine Street, San Francisco, California 94104, filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Acts Amendments of 1975, and Rule 19b–4 thereunder, copies of a proposed rule change. The proposed rule change would (i) prohibit the imposition of floor brokerage with respect to round-lot limit orders executed through COMEX, the automatic execution system operated by the PSE, and (ii) expand the COMEX system to make executions through COMEX available for orders up to 300 shares.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 11828, (November 14, 1975)) and by publication in the FEDERAL REGISTER (40 FR 53638 (November 19, 1975)).

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of Section 6 of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change filed with the Commission on November 11, 1975, be, and it hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–47 Filed 1–2–76;8:45 am]

[Release No. 34–11950; File No. SR–MSE–75–7]

MIDWEST STOCK EXCHANGE, INC.

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94–29, 16 (June 4, 1975), notice is hereby given that on December 17, 1975 the above mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

"RULES AND PRACTICES FOR TRADING ON THE MIDWEST STOCK EXCHANGE"—REFERENCE

Specialists' Liability on Split Orders. 1. The Specialist is responsible for a fill if the stock trades through the limit while he is awaiting a report price from the house.

2. In the absence of a report the Specialists' responsibility on split orders ceases after the close of the second business day subsequent to the trade date of a New York Stock Exchange execution.

MIDWEST STOCK EXCHANGE'S STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

The purpose of the proposed rule change is to limit the liability of specialists on split orders when a timely report of the New York Stock Exchange execution price does not arrive. This policy would negate a specialist's burden of having to take an open-ended commitment on a split order and allow him to have a precise knowledge of his long and short positions.

The proposed rule change promotes just and equitable principles of trade. In the absence of a report the specialist's responsibility on split orders ceases after the close of the second business day subsequent to the trade date of a New York Stock Exchange execution. The proposed rule limits the specialist's obligation to fill the split order to a reasonable time and enables him to make a more accurate determination of his long or short positions.

Oral requests from the Midwest Stock Exchange floor membership for the proposed rule were received by members of the Executive Committee of the Board of Governors and the Committee on Floor Procedure of the Midwest Stock Exchange.

The Midwest Stock Exchange believes that the proposed rule change places no burdens on competition.

On or before February 9, 1976, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before February 4, 1976.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 23, 1975.

[FR Doc.76–49 Filed 1–2–76;8:45 am]

[Release No. 19316]

ALABAMA POWER CO.

Notice of Proposed Transactions Related to Financing of Pollution Control Facilities

Notice is hereby given that Alabama Power Company ("Alabama"), 600 North 18th Street, Birmingham, Alabama 35291, an electric utility subsidiary company of The Southern Company, a registered holding company, has filed an application with this Commission designating Sections 6(b) and 9(a) of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50(a)(5) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Alabama states that in order to comply with prescribed air and water quality control standards of the State of Alabama, it has been and will be necessary to construct certain pollution control facilities. The filing relates to Alabama's proposal for its disposition and acquisition and the financing of its 60% undivided interest in pollution control facilities for use in connection with the Greene County Steam Plant ("Eutaw Project") and to the completion of transactions consummated pursuant to authority of this Commission (HCAR Nos. 18269 and 18289 dated January 30, 1974, and February 22, 1974, respectively) in respect of certain pollution control facilities at Alabama's Unit No. 5 at the Ernest C. Gaston Steam Plant ("Wilsonville Project"), located near the Town of Wilsonville, Alabama. It is intended that the Industrial Development Board of the City of Eutaw and of the Town of Wilsonville will issue their respective pollution control revenue bonds for the purpose of paying the costs of constructing and equipping pollution control facilities at said plants.

Alabama proposes to enter into an Installment Sale Agreement ("Eutaw Agreement") with the Eutaw Board which will provide for the acquisition, construction, installation, and equipping of the Eutaw Project by the Eutaw Board and the issuance by the Eutaw Board of Revenue Bonds in aggregate principal amount presently estimated not to exceed $11,000,000 to cover a portion of the Cost of Construction (as defined in the Eutaw Agreement) of the Eutaw Project. The proceeds of the sale of the Eutaw Revenue Bonds will be deposited by the Eutaw Board with the Trustee ("Eutaw Trustee") under an indenture to be entered into between the Eutaw Board and such Trustee ("Eutaw Indenture") pursuant to which the Eutaw Revenue Bonds are to be issued and secured. Such proceeds, other than accrued interest, will be applied to payment of the Cost of Construction of the Eutaw Project. The Eutaw Agreement also will provide for the sale of the Eutaw Project to Alabama, the payment by Alabama of the purchase price of the Eutaw Project in semi-annual installments over a term of years, and the assignment to the Trustee of the Eutaw Board's interest in, and of the moneys receivable by the Eutaw Board, under the Eutaw Agreement. The Eutaw Agreement will provide that the purchase price of the Eutaw Project payable by Alabama will be such amount, including interest thereon, as shall be sufficient (together with other moneys held by the Trustee under the Eutaw Indenture for that purpose) to pay the principal of and interest on the Eutaw Revenue Bonds as the same become due and payable. The Eutaw Agreement will also obligate Alabama to pay the fees and charges of the Trustee. The Eutaw Agreement will provide (a) that Alabama may at any time prepay the purchase price, including interest thereon, of the Eutaw Project, in whole or in part, such payment to be sufficient to redeem or purchase the outstanding Eutaw Revenue Bonds in the manner and to the extent provided in the Eutaw Indenture, including applicable premiums which will be 3% of the principal amount in the eleventh year and which will reduce by ½ of 1% each year thereafter and (b) that Alabama may prepay the purchase price of the Eutaw Project, including interest thereon, in whole at the option of Alabama without premium in certain situations. The Eutaw Revenue Bonds will mature in 30 years and will be entitled to the benefit of serial maturities and/or a mandatory redemption sinking fund calculated to retire not less than 25% of the aggregate principal amount of such bonds prior to maturity.

Alabama also proposes to enter into an amendment ("Wilsonville Amendment") to the Installment Sale Agreement dated as of February 1, 1974, between the Wilsonville Board and Alabama ("Wilsonville Agreement") pursuant to which the Wilsonville Board purchased the then existing portions of the Wilsonville Project, undertook to complete its construction, and agreed to sell the completed Wilsonville Project to Alabama for a purchase price payable in semiannual installments over a term of years. The Wilsonville Board issued its pollution control revenue bonds ("Wilsonville Original Bonds") in the aggregate principal amount of $19,600,000, then estimated to be sufficient to cover the Cost of Construction (as defined in the Wilsonville Agreement) of the Wilsonville Project.

[1] *See also* Securities Exchange Act Release No. 11815 (November 10, 1975).

[2] In initiating that proceeding, the Commission determined that such rules impose burdens on competition, and gave notice that it was considering abrogating or amending any such rule which did not appear to be necessary or appropriate in furtherance of the purposes of the Act. In conjunction with that proceeding, the Commission held oral hearings. On October 22, 1975, the NYSE introduced the New NYSE Rule in connection with its testimony at those hearings. *See* Securities and Exchange Commission File No. 4–180.

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The proceeds of the sale of the Wilsonville Original Bonds were deposited by the Wilsonville Board with the trustee ("Wilsonville Trustee") under an indenture entered into between the Wilsonville Board and the Wilsonville Trustee ("Wilsonville Indenture") pursuant to which the Wilsonville Original Bonds were issued and secured. Such proceeds have been applied to payment of the Cost of Construction of the Wilsonville Project. However, Alabama has determined that the total Cost of Construction of the Wilsonville Project will exceed the proceeds of the Wilsonville Original Bonds. Consequently, Alabama proposes to enter into the Wilsonville Amendment with the Wilsonville Board as required by the Wilsonville Agreement to provide for additional payments of purchase price for the Wilsonville Project sufficient (together with other moneys held by the Wilsonville Trustee under the Wilsonville Indenture) to pay the principal of and interest on up to $3,500,000 of Wilsonville Revenue Bonds as they become due and payable. Alabama will have options to prepay the additional purchase price on the terms and as provided in the Wilsonville Agreement. The Wilsonville Board and the Wilsonville Trustee will enter into a supplement ("Wilsonville Supplement") to the Wilsonville Indenture pursuant to which the Wilsonville Revenue Bonds will be issued and secured. The Wilsonville Supplement will provide for redemption provisions for the Wilsonville Revenue Bonds comparable to those provided for the Wilsonville Original Bonds. The Wilsonville Revenue Bonds will mature in not more than 30 years and will be entitled to the benefit of serial maturities and/or a mandatory redemption sinking fund calculated to retire not less than 25% of the aggregate principal amount of such bonds prior to maturity.

In order to obtain the benefit of a rating for the Eutaw Revenue Bonds equivalent to the rating enjoyed by the first mortgage bonds outstanding under its Indenture dated as of January 1, 1942, between Alabama and Chemical Bank, as Trustee ("Indenture Trustee"), as supplemented and amended ("Mortgage"), which rating Alabama has been advised may be thus attained, Alabama proposes to obtain the authentication of a new series of such first mortgage bonds ("Eutaw Collateral Bonds") under the Mortgage, as proposed to be supplemented by a further supplemental indenture ("Eutaw Supplemental Indenture"). To secure its obligations under the Eutaw Agreement, Alabama proposes to deliver to the Eutaw Trustee to be held as collateral the Eutaw Collateral Bonds in principal amount (not to exceed $11,000,000) equal to the principal amount of the Eutaw Revenue Bonds. The Eutaw Collateral Bonds will bear interest at a rate equal to the interest rate per annum to be borne by the Eutaw Revenue Bonds, will mature on the maturity date of the Eutaw Revenue Bonds, and will be nontransferable by the Eutaw Trustee. The Eutaw Supplemental Indenture will provide, however, that the obligation of Alabama to make payments with respect to the Eutaw Collateral Bonds will be satisfied to the extent that payments are made under the Eutaw Agreement sufficient to meet payments when due in respect of the Eutaw Revenue Bonds. The Eutaw Supplemental Indenture will provide that upon acceleration by the Eutaw Trustee of the principal amount of all outstanding Eutaw Revenue Bonds under the Eutaw Indenture, the Eutaw Trustee may demand the mandatory redemption of the Eutaw Collateral Bonds then held by it as collateral at a redemption price equal to the principal amount thereof plus accrued interest, if any, to the date fixed for redemption. The Eutaw Supplemental Indenture will also provide that upon the optional redemption of the Eutaw Revenue Bonds, in whole or in part, at any time after they have been outstanding for 10 years, an equal principal amount of the Eutaw Collateral Bonds will be redeemed at an initial premium of 3 percent declining by ½ percent every year.

In order to obtain the benefit of a rating for the Wilsonville Revenue Bonds equivalent to the rating enjoyed by the first mortgage bonds outstanding under the Mortgage, Alabama also proposes to obtain the authentication of a new series of such first mortgage bonds ("Wilsonville Collateral Bonds") under the Mortgage, as proposed to be supplemented by a further supplemental indenture ("Wilsonville Supplemental Indenture"). To further secure its obligations under the Wilsonville Agreement, including its additional obligations to be incurred pursuant to the Wilsonville Amendment, Alabama proposes to deliver the Wilsonville Collateral Bonds (in principal amount, not to exceed $3,500,000, equal to the principal amount of the Wilsonville Revenue Bonds to be issued by the Wilsonville Board) to the Wilsonville Trustee to be held as collateral. The Wilsonville Indenture requires that the Wilsonville Supplemental Indenture be of like tenor to the supplemental indenture providing for the collateral first mortgage bonds heretofore delivered to the Wilsonville Trustee. Consequently, the Wilsonville Collateral Bonds will have, when, as and interest is if payable thereon, a stated interest rate equal to the interest rate per annum to be borne by the Wilsonville Revenue Bonds, will mature on the maturity date of such bonds, and will be nontransferable by the Wilsonville Trustee. The Wilsonville Supplemental Indenture will provide, however, that until the Wilsonville Trustee shall have demanded mandatory redemption of the Wilsonville Collateral Bonds (as provided in the Wilsonville Indenture), no interest in respect of the Wilsonville Collateral Bonds shall accrue or become payable.

So long as no interest accrues or becomes payable in respect of the Wilsonville Collateral Bonds, there will be no interest accrual on Alabama's books or interest payments made by Alabama in respect of the Wilsonville Collateral Bonds. Consequently, Alabama and the Indenture Trustee agree that during such time there will be no "annual interest charges" in respect of the Wilsonville Collateral Bonds to be included in computing the "interest earnings requirement" restricting the amount of first mortgage bonds which may be issued and sold to the public in relation to Alabama's net earnings. The Wilsonville Indenture provides that upon acceleration by the Wilsonville Trustee of all revenue bonds outstanding under the Wilsonville Indenture, as amended, the Wilsonville Trustee may demand the mandatory redemption of all of Alabama's collateral first mortgage bonds then held by the Wilsonville Trustee as collateral at a redemption price equal to the principal amount thereof plus accrued interest, if any, to the date fixed for redemption.

Each of the Collateral Bonds will be issued on the basis of unfunded net property additions. Each of the Indentures will provide that, upon deposit with the Trustee thereunder of funds sufficient to pay or redeem all or any part of the respective Revenue Bonds, or upon direction to the Trustee thereunder by Alabama to so apply funds available therefor, or upon delivery of outstanding respective Revenue Bonds to the respective Trustee by or for the account of Alabama, the respective Trustee will be obligated to deliver to Alabama or for the account of Alabama, the respective Collateral Bonds then held as collateral in an aggregate principal amount equal to the aggregate principal amount of the respective Revenue Bonds for the payment or redemption of which such funds have been deposited or applied or which shall have been so delivered.

In order to comply with Alabama law, it will be necessary for Alabama to convey to the Eutaw Board the portion of the Eutaw Project as is now owned by Alabama ("Existing Facilities"), subject to the Mortgage. Under the Eutaw Agreement, Alabama will receive, out of the proceeds of the Eutaw Revenue Bonds, an amount equal to Alabama's original cost for the Existing Facilities. The Existing Facilities will thereupon become a part of the Eutaw Project which is to be provided by the Eutaw Board and which Alabama proposes to purchase as provided in the Eutaw Agreement. Such conveyance with respect to the Wilsonville Project was made at the time the Wilsonville Original Bonds were issued and no further such conveyance is now necessary.

It is contemplated that the Eutaw and Wilsonville Revenue Bonds will be sold by the Eutaw and Wilsonville Boards pursuant to separate arrangements with a group of underwriters represented by Smith, Barney & Co., Incorporated. In accordance with the laws of the State of Alabama, the interest rate to be borne by the respective Revenue Bonds will be fixed by the respective Boards. Alabama will not be party to the underwriting arrangements for such Revenue Bonds. Bond Counsel will issue opinions that interest on such Revenue Bonds will be exempt from Federal income taxation.

Alabama has been advised that the annual interest rates on obligations, the interest on which is tax exempt, historically have been and can be expected at the time of issue of the Revenue Bonds, to be 1½% to 2½% lower than the rates of obligations of like tenor and comparable quality, interest on which is fully subject to Federal income tax.

Alabama has requested an exception from the competitive bidding requirements of Rule 50 inasmuch as the Collateral Bonds are to be issued and pledged solely to secure Alabama's obligation to the respective Boards and no public offering by Alabama of such Collateral Bonds is to be made.

The application states that the fees and expenses in connection with the proposed disposition of the Existing Facilities and the acquisition of the Eutaw Project and in connection with the Wilsonville Amendment (as distinguished from and excluding fees and expenses in connection with the sale of the respective Revenue Bonds by the respective Boards payable out of the proceeds of such sale and in connection with the determination of the tax exempt status of the respective Revenue Bonds) will be filed by amendment. It is further stated that the issuance of collateral bonds and the incurring of the obligations under the respective Agreements by Alabama have been authorized by the Alabama Public Service Commission. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than January 16, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20 (a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.76-153 Filed 1-2-76;8:45 am]

[Rel. No. 9086]

ASTRON FUND, INC. AND FRANK RUSSELL CO., INC.

Notice of Filing of Application for Order Pursuant to Section 6(c) for Certain Exemptions From the Provisions of Sections 15(a), 16(a), 17(e), 30(a), 30(b) and 30(d) of the Act and Applicable Rules Thereunder and Pursuant to Section 17(d) of the Act and Rule 17d-1 for an Order Permitting Certain Proposed Transactions

Notice is hereby given that Astron Fund, Inc. ("Fund"), a closed-end investment company registered under the Investment Company Act of 1940 ("Act"), and Frank Russell Co., Inc. ("Russell"), 1100 One Washington Plaza, Tacoma, Washington 98402, a broker-dealer registered under the Securities Exchange Act of 1934 (Fund and Russell are collectively referred to herein as "Applicants"), filed an application on October 9, 1974, and amendments thereto on October 31, 1975, and December 22, 1975, for an order pursuant to Section 6(c) of the Act exempting Applicants to the extent requested from the provisions of Sections 15(a), 16(a), 17(e), 30(a), 30(b), and 30(d) of the Act and applicable rules thereunder and pursuant to Section 17(d) and Rule 17d-1 for an order permitting certain transactions. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

At a meeting held on April 26, 1974, Fund's shareholders approved a Plan of Liquidation and Dissolution ("Plan of Liquidation"), and pursuant to the provisions of the Plan of Liquidation, on June 1, 1974, Fund made an initial liquidating distribution amounting to approximately 83% of its then net assets. Fund states that as a result of such distribution, its net assets at October 31, 1974, were approximately $281,000.

Fund represents that it has retained, pursuant to the Plan of Liquidation, approximately 17% of its assets (on the date of the initial liquidating distribution) to enable Fund to continue to investigate and assert claims it may have against others for apparent misconduct in connection with the management of Fund's investment portfolio. Fund states, among other things, that from November, 1973 to March, 1974, a series of events occurred which suggest that Fund may have claims against one of its former officers and others, including the insurance company which has underwritten its fidelity bond, for losses on several portfolio transactions as a result of alleged or possible misconduct by the former officer and others. Fund states that it is presently not able to assess the merits of the potential claims, to estimate with certainty the amount of losses which might have been suffered or to estimate the amount or likelihood that Fund might ultimately recover.

Upon recovery by Fund of any amounts to which it is entitled or at such time as Fund's Board of Directors concludes that it is no longer reasonable to continue to pursue the claims, the remaining assets of Fund will be distributed to shareholders and Fund will be dissolved. Pending the final liquidating distribution, Fund's assets have been and will continue to be held in cash or Treasury bills.

In July 1975, Fund filed suit against the insurance company which underwrote its fidelity bond and which has thus far refused to honor Fund's Proofs of Loss. Fund has also instituted civil suits against a former officer, and certain issuers and others involved in the apparent misconduct relating to the management of Fund's investment portfolio. In view of Fund's pending litigation against the underwriter of its fidelity bond, Fund's directors have not elected to institute litigation at this time against Russell, which may or may not be liable to some extent for the apparent misconduct. However, Fund has secured and intends to continue to secure as long as is appropriate written agreements from Russell extending the time during which Fund may file suit against Russell. If Russell should at any time refuse to grant such an extension, Fund would immediately commence appropriate legal action to preserve its rights. In order to reduce the expenses of operating Fund until its claims have been recovered or abandoned and its assets distributed, Applicants have filed this application seeking certain exemptions from the Act.

Section 15(a) of the Act provides, in pertinent part, that it shall be unlawful for any person to serve or act as investment adviser to a registered investment company except pursuant to a written contract that has been approved by the vote of a majority of the outstanding voting securities of such registered company. Fund proposes to enter into an advisory agreement with Russell without shareholder approval, which would provide (a) that Russell will receive no compensation for acting as Fund's adviser and (b) that the agreement may be terminated at any time, on not more than 60 days written notice to Russell and without the payment of any penalty, by Fund's Board of Directors or by a vote of the majority of the outstanding voting securities of Fund. Fund is seeking relief from Section 15(a) to permit it to enter into such agreement without incurring the expense of holding a shareholders meeting to approve it.

Section 16(a) of the Act, in pertinent part, generally prohibits a person from serving as a director of a registered investment company unless he has been elected at an annual or special meeting of shareholders. Fund's Plan of Liquidation provides that the directors elected at Fund's April 26, 1974 meeting shall remain in office until Fund is dissolved and that the remaining directors are authorized to fill any vacancies which occur. The application states that such procedure conforms to the Washington corporation law applicable to a liquidation plan which shareholders have approved. Fund is requesting an exemption from Section 16(a) to the extent that it creates an obligation to convene an-

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nually a meeting of shareholders to elect directors.

Section 17(d) and Rule 17d–1 taken together, as here pertinent, prohibit Russell, acting as principal, from effecting any transactions in which Fund is a joint or a joint and several participant absent a Commission order. Rule 17d–1 provides that in passing upon applications filed pursuant to its provisions for approval of transactions otherwise prohibited by Section 17(d), the Commission shall consider whether the participation of the registered investment company in the joint enterprise on the basis proposed is consistent with the provisions, policies and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

Section 17(e) prohibits Russell from accepting, in its capacity as agent, any compensation from any source for the purchase or sale of any property to or for Fund except in the course of Russell's business as an underwriter or broker.

Russell is requesting an order under Rule 17d–1 and relief from Section 17(e), to the extent such provisions may be applicable, in order to permit Russell (1) to continue to administer the dissolution of Fund and the prosecution of Fund's claims; (2) to be reimbursed by Fund, upon approval by Fund's Board of Directors, if Russell elects to seek such compensation, in an amount not to exceed its actual costs in providing administrative assistance, said costs to include its personnel expenses, but not to include any amount representing reimbursement for office space and facilities; and (3) to permit Russell to continue to serve as Fund's transfer agent and to continue to be compensated therefor in an amount not to exceed that provided for under the existing transfer agency agreement between Fund and Russell. Russell has waived payments for services for the period of November 1, 1974, through April 30, 1975. In addition, Fund undertakes in the application to develop a less expensive transfer agency relationship with Russell within 90 days after the application is granted by the Commission. Such new agreement would be made possible through the elimination of the requirement that financial and stockholder reports be mailed to shareholders.

Applicants represent that the participation of Fund and Russell in the described relationships is in the best interests of Fund and its shareholders and is consistent with the provisions, policies and purposes of the Act.

Sections 30(a), 30(b), and 30(d) of the Act and the rules thereunder generally require that registered investment companies prepare and file with the Commission and prepare and mail to their shareholders certain periodic reports and financial statements, some of which are required to include audited financial data.

In order to reduce expenses, Fund is seeking an exemption from such provisions. However, Fund has agreed to file with the Commission within 60 days following each six-month period commencing May 1, 1975, a report in letter form describing any material developments in the prosecution of Fund's claims and including a statement of assets and liabilities, a statement of operations, and a statement of changes in net assets (or their substantial equivalents), all of which will be unaudited but prepared in accordance with generally accepted accounting principles.

In support of such request, the application asserts that Fund's operations are now and will be limited, i.e., the holding of reserve funds in U.S. Treasury Bills; conducting business incidental to Fund's winding up; and pursuing claims. It is further stated that the expenditure of assets of Fund required for an audit and mailing in conformity with Section 30 and the applicable rules would far outweigh any benefits to Fund and its shareholders.

Section 6(c) of the Act provides, in part, that the Commission may conditionally or unconditionally exempt any person, security, or transaction from any provisions of the Act or of any rule or regulation under the Act, if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than January 19, 1976, at 5:30 p.m., submit to the Commission in writing a request for hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.76–154 Filed 1–2–76;8:45 am]

[Rel. No. 19312]

MIDDLE SOUTH UTILITIES, INC. AND MIDDLE SOUTH ENERGY, INC.

Notice of Proposed Issue and Sale of Common Stock by Subsidiary Company to Holding Company

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), a registered holding company, and Middle South Energy, Inc. ("MSEI"), 225 Baronne Street, New Orleans, Louisiana 70112, a subsidiary company of Middle South, have filed an application-declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6 (a), 7, 9(a), 10, and 12(f) of the Act and Rules 43 and 50(a)(3) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

MSEI proposes to issue and sell to Middle South (the holder of all of the issued and outstanding shares of MSEI's common stock no par value per share), and Middle South proposes to acquire, 53,000 additional shares of MSEI's common stock, for an aggregate purchase price of $53,000,000 in cash. Middle South and MSEI believe it preferable for the additional common stock to be sold at times coinciding with MSEI's cash needs, which are primarily determined by the nature and pace of the construction work on its Grand Gulf Nuclear Electric Station near Vicksburg, Mississippi. Accordingly, the applicants-declarants request authority to consummate the proposed transactions at various times through December 31, 1976.

It is stated that no State commission, and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. It is further stated that no special or separate expenses are anticipated in connection with the issuance and sale of the common stock except legal fees estimated not to exceed $5,000.

Notice is further given that any interested person may, not later than January 19, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.76–155 Filed 1–2–76;8:45 am]

[Rel. No. 33–5657; File No. 20–2063A17, 20–2063A18, 20–2063A19]

PETCO OIL & GAS, INC.

Temporary Suspension Order and Notice of Opportunity for Hearing

In the matter of the following offering sheet(s) filed by Petco Oil & Gas, Inc.:

(File No. 20–2063A17) on July 17, 1975, covering non-producing working interests in the Petco Oil & Gas, Inc.-W. Nekuza #1.

(File No. 20–2063A18) on August 27, 1975, covering non-producing working interests in the Petco Oil & Gas, Inc.-South Tuskegee #1.

(File No. 20–2063A19) on September 11, 1975, covering non-producing working interests in the Petco Oil & Gas, Inc.-#2 C. H. Marley

Petco Oil & Gas, Inc., having filed the above offering sheets with the Securities and Exchange Commission pursuant to Regulation B of the General Rules and Regulations under the Securities Act of 1933, as amended, for the purpose of obtaining an exemption from registration with respect to a proposed public offering of securities as specified in said offering sheet; and

The Commission having reason to believe, after filing of the offering sheets that:

1. No exemption is available for this offering under Regulation B according to Rule 306(a)(ii) [17 CFR 230.306(a)(2)] because Petco Oil and Gas, Inc. was restrained and enjoined preliminarily on October 16, 1975, by the District Court of the State of Oklahoma, in and for the County of Oklahoma, from offering or selling securities in the form of fractional undivided working interests in oil and gas leases, without complying with Sections 201 and 301 of the Oklahoma Securities Act.

2. No exemption is available for this offering under Regulation B because the offering sheet used failed to comply with Rules 330(a) and 330(b) of Regulation B [17 CFR 230.330(a) and (b)] by failing to disclose that on October 16, 1975, Petco Oil and Gas, Inc., was restrained and enjoined preliminarily by the District Court of the State of Oklahoma in and for the County of Oklahoma from offering or selling securities within and from the State of Oklahoma, including securities in the form of fractional undivided working interests in oil and gas leases, without complying with Sections 201 and 301 of the Oklahoma Securities Act.

It is ordered, Pursuant to Rule 334(a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the exemption available pursuant to Regulation B under Section 3(b) of said Act with respect to said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon with respect to the objections hereinbefore enumerated.

It is further ordered, That each person, on whose behalf said offering sheet was filed, be, and hereby is, given notice that each such person is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from such a person within thirty days after the date of this order the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within thirty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

Notice is directed to Rule 336(b) which provides that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

DECEMBER 22, 1975.

[FR Doc.76–156 Filed 1–2–76;8:45 am]

[Rel. No. 33–5657; File No. 20–2083A21, 20–2083A22]

PETCO OIL & GAS, INC.

Temporary Suspension Order and Notice of Opportunity for Hearing

In the matter of the following offering sheet(s) filed by Petco Oil & Gas, Inc.:

(File No. 20–2083A20) on September 29, 1975, covering non-producing working interests in the Petco Oil & Gas, Inc.-#19 Rockelman.

(File No. 20–2083A21) on October 3, 1975, covering non-producing working interests in the Petco Oil & Gas, Inc.-#20 Eck.

(File No. 20–2083A22) on October 3, 1975, covering non-producing working interests in the Petco Oil & Gas, Inc.-Petco #18 Victoria.

Petco Oil & Gas, Inc. having filed the above offering sheets with the Securities and Exchange Commission pursuant to Regulation B of the General Rules and Regulations under the Securities Act of 1933, as amended, for the purpose of obtaining an exemption from registration with respect to a proposed public offering of securities as specified in said offering sheet; and

The Commission having reason to believe, after filing of the offering sheets that:

1. No exemption is available for this offering under Regulation B according to Rule 306(a)(ii) [17 CFR 230.306(a)(2)] because Petco Oil & Gas, Inc. was restrained and enjoined preliminarily on October 16, 1975, by the District Court of the State of Oklahoma, in and for the County of Oklahoma, from offering or selling securities in the form of fractional undivided working interests in oil and gas leases, without complying with Sections 201 and 301 of the Oklahoma Securities Act.

2. No exemption is available for this offering under Regulation B because the offering sheet used failed to comply with Rules 330(a) and 330(b) of Regulation B [17 CFR 230.330 (a) and (b)] by misrepresenting the effect of an order entered on October 16, 1975, by the District Court of the State of Oklahoma in and for the County of Oklahoma which preliminarily enjoined Petco Oil & Gas, Inc. from offering or selling securities within and from the State of Oklahoma, including securities in the form of fractional undivided working interests in oil and gas leases, without complying with Sections 201 and 301 of the Oklahoma Securities Act.

It is ordered, Pursuant to Rule 334(a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the exemption available pursuant to Regulation B under Section 3(b) of said Act with respect to said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon with respect to the objections hereinbefore enumerated.

It is further ordered, That each person, on whose behalf said offering sheet was filed, be and hereby is, given notice that each such person is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from such a person within thirty days after the date of this order the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within thirty days after receipt of such requests; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

Notice is directed to Rule 336(b) which provides that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall re-

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main in effect unless or until it is modified or vacated by the Commission.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 22, 1975.

[FR Doc.76-157 Filed 1-2-76;8:45 am]

[Rel. No. 33-5659; File No. 20-1830A7]

SHAY OIL CO.

Temporary Suspension Order and Notice of Opportunity for Hearing

In the matter of the following offering sheet filed by Shay Oil Company:

(File No. 20-1830A7) on May 24, 1974, covering non-producing working interests in the Shay Oil Company—#1 Kimball—State Prospect.

Shay Oil Company having filed the above offering sheets with the Securities and Exchange Commission pursuant to Regulation B of the General Rules and Regulations under the Securities Act of 1933, as amended, for the purpose of obtaining an exemption from registration with respect to proposed public offering of securities as specified in said offering sheet; and

The Commission having reason to believe, after filing of the offering sheets that:

1. No exemption is available for this offering under Regulation B under the Securities Act of 1933 because the offeror failed to comply with Rule 318(a) [17 CFR 230.318(a)] by publishing and distributing written advertisements or other written communications which contained more than the information set forth by Rule 318(a) that may be used in connection with an offering of securities.

2. No exemption is available for this offering under Regulation B under the Securities Act of 1933 because the offeror failed to comply with Rule 318(b) [17 CFR 230.318(b)] by utilizing, in addition to the offering sheet, sales literature that does not conform to Rule 318(a) in connection with the offering of securities.

3. The offering was made in violation of the anti-fraud provisions of Section 17(a) of the Securities Act of 1933 and Section 10(b) of the Securities Exchange Act of 1934, and Rule 10b-5 thereunder, in that the offeror, while engaged in the offer and sale of fractional undivided interests in the #1 Kimball-State Prospect, directly and indirectly made use of the mails and means and instruments of transportation and communication in interstate comerce and of the means and instrumentalities of interstate commerce, and in such connection with such offer and sale made to prospective investors and purchasers untrue statements of material facts and omitted to state material facts necessary to make the statements made, in light of the circumstances under which they were made, not misleading, including but not limited to:

(a) On or about September 5, 1974, an investor was told that only 20% of the interests which were being offered were left, when in fact the offeror had sold at best only 66⅔% of the interests at that time.

(b) An investor was told that a $4750 investment representing 5% of the well plus $6000 in completion costs totalling an investment of $10,750 would return $2000 a month. There was no basis in fact to support the statement.

It is ordered, Pursuant to Rule 334(a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the exemption available pursuant to Regulation B under Section 3(b) of said Act with respect to said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon with respect to the objections hereinbefore enumerated.

It is further ordered, That each person, on whose behalf said offering sheet was filed, be, and hereby is, given notice that each such person is entitled to a hearing before the Commission, or an officer or officers of, and designated by the Commission, for the purpose of determining such matters; that upon receipt of a written request from such a person within thirty days after the date of this order the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within thirty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

Notice is directed to Rule 336(b) which provides that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 22, 1975.

[FR Doc.76-158; Filed 1-2-76;8:45 am]

[Rel. No. 33-5658; File No. 20-2107A3, 20-2107A6]

U.S. CRUDE OIL & GAS, INC.

Temporary Suspension Order and Notice of Opportunity for Hearing

In the matter of the following offering sheet(s) filed by U.S. Crude Oil & Gas, Inc.:

(File No. 20-2107A3) on August 5, 1975, covering non-producing working interests in the U.S. Crude Oil & Gas, Inc.-#1 Pratt.

(File No. 20-2107A6) on September 12, 19975, covering non-producing working interests in the U.S. Crude Oil & Gas, Inc.-#1 Chase Heirs.

U.S. Crude Oil & Gas, Inc. having filed the above offering sheets with the Securities and Exchange Commission pursuant to Regulation B of the General Rules and Regulations under the Securities Act of 1933, as amended, for the purpose of obtaining an exemption from registration with respect to proposed public offering of securities as specified in said offering sheet; and

The Commission having reason to believe, after filing of the offering sheets that:

1. No exemption is available for this offering under Regulation B according to Rule 306(a)(ii) [17 CFR 230.306(a)(2)] because Petco Oil & Gas, Inc., an affiliate of U.S. Crude Oil & Gas, Inc., was restrained and enjoined preliminarily on October 16, 1975, by the District Court of the State of Oklahoma, in and for the County of Oklahoma, from offering or selling securities in the form of fractional undivided working interests in oil and gas leases, without complying with Section 201 and 301 of Oklahoma Securities Act,

2. No exemption is available for this offering under Regulation B because the offering sheet used failed to comply with Rules 330(a) and 330(b) of Regulation B [17 CFR 230.330 (a) and (b)] by failing to disclose that on October 16, 1975, Petco Oil and Gas, Inc., an affiliate of U.S. Crude Oil & Gas, Inc., was restrained and enjoined preliminarily by the District Court of the State of Oklahoma in and for the County of Oklahoma from offering or selling securities within and from the State of Oklahoma, including securities in the form of fractional undivided working interests in oil and gas leases, without complying with Sections 201 and 301 of the Oklahoma Securities Act.

It is ordered, Pursuant to Rule 334(a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the exemption available pursuant to Regulation B under Section 3(b) of said Act with respect to said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon with respect to the objections hereinbefore enumerated.

It is further ordered, That each person, on whose behalf said offering sheet was filed, be, and hereby is, given notice that each such person is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from such a person within thirty days after the date of this order the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within thirty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

Notice is directed to Rule 336b) which provides that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall

remain in effect unless or until it is modified or vacated by the Commission.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 22, 1975.

[FR Doc.76-159 Filed 1-2-76;8:45 am]

SMALL BUSINESS ADMINISTRATION

MONTPELIER DISTRICT ADVISORY COUNCIL

Public Meeting

The Small Business Administration Montpelier District Advisory Council will hold a public meeting at 11:00 a.m., Wednesday, January 21, 1976, at the Holiday Inn, Waterbury, Vermont, to discuss such business as may be presented by members, staff of the Small Business Administration, and others attending. For further information, write or call David C. Emery, P.O. Box 605, Montpelier, Vermont 05602, (802) 832-4422.

Dated: December 23, 1975.

ANTHONY S. STASIO,
Chief Counsel for Advocacy,
Small Business Administration.

[FR Doc.76-103 Filed 1-2-76;8:45 am]

[Declaration of Disaster Loan Area No. 1203]

ALASKA

Declaration of Disaster Loan Area

As a result of the President's declaration, I find that the City of Bethel in the State of Alaska, constitutes a disaster area because of damage resulting from a fire and freezing beginning about December 2, 1975. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on February 17, 1976, and for economic injury until the close of business on September 16, 1976, at:

Small Business Administration
District Office
Suite 200, Anchorage Legal Center
1016 West Sixth Avenue
Anchorage, Alaska 99501

or other locally announced locations.

Dated: December 23, 1975.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.76-142 Filed 1-2-76;8:45 am]

VETERANS ADMINISTRATION

STATION COMMITTEE ON EDUCATIONAL ALLOWANCES

Notice of Meeting

Notice is hereby given pursuant to Section V, Review Procedure and Hearing Rules, Station Committee on Educational Allowances that on January 28, 1976, at 9:30 a.m., the Montgomery, Alabama, Station Committee on Educational Allowances shall at 474 South Court Street, Montgomery, Alabama, conduct a hearing to determine whether Veterans Administration benefits to all eligible persons enrolled in Alverson-Draughon College, College Level, Huntsville, Alabama, shall be discontinued, as provided in 38 CFR 21.4134, because a requirement of law has been violated. All interested persons shall be permitted to attend, appear before, or file statements with the committee at that time and place.

Dated: December 23, 1975.

WILEY H. PARKMAN,
Director,
VA Regional Office.

[FR Doc. 76-88 Filed 1-2-76;8:45 am]

STATION COMMITTEE ON EDUCATIONAL ALLOWANCES

Notice of Meeting

Notice is hereby given pursuant to Section V, Review Procedure and Hearing Rules, Station Committee on Educational Allowances, that on January 28, 1976, at 11:00 a.m., the Montgomery, Alabama, Station Committee on Educational Allowances shall at 474 South Court Street, Montgomery, Alabama, conduct a hearing to determine whether Veterans Administration benefits to all eligible persons enrolled in Alverson-Draughon College, Vocational Level, Huntsville, Alabama, shall be discontinued, as provided in 38 CFR 21.4134, because a requirement of law is not being met or a provision of the law has been violated. All interested persons shall be permitted to attend, appear before, or file statements with the Committee at that time and place.

Dated: December 23, 1975.

WILEY H. PARKMAN,
Director,
VA Regional Office.

[FR Doc.76-89 Filed 1-2-76;8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

[TA-W-398]

BENZENOID ORGANICS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Benzenoid Organics, Incorporated, Bellingham, Massachusetts (TA-W-398).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with dyes used for textiles produced by Benzenoid Organics, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 12, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of
Trade Adjustment Assistance.

[FR Doc.76-69 Filed 1-2-76;8:45 am]

[TA-W-396]

B. F. GOODRICH TIRE CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the United Rubber, Cork, Linoleum and Plastic Workers of America on behalf of the workers and former workers of B. F. Goodrich Tire Company, Commerce, California plant of The B. F. Goodrich Company, Akron, Ohio (TA-W-396).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with bias-belted & radial passenger car tires, light heavy-duty truck tires and heavy-duty truck tires produced by B. F. Goodrich Tire Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such

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firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 12, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-70 Filed 1-2-76;8:45 am]

[TA-W-400]

BRISTOL KNITTING MILLS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Ladies' Garment Workers Union, on behalf of the workers and former workers of Bristol Knitting Mills, Inc., Cornwells Heights, Pennsylvania (TA-W-400).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with children's and ladies' knitwear produced by Bristol Knitting Mills, Inc., or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separtion of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 12, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-71 Filed 1-2-76;8:45 am]

[TA-W-178]

CLUETT-PEABODY, INC.

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-178; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on September 26, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suits, sportcoats, and trousers at four J. Schoeneman plants located at Owings Mills and Cumberland, Maryland; Winchester and Chambersburg, Pennsylvania. During the course of the Department's investigation it was determined that J. Schoeneman also operates plants at Souderton, Pennsylvania; Newark, Delaware; and Wilmington, Delaware. J. Schoeneman is a division of Cluett, Peabody and Company, Inc., Troy, New York.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 47847) on October 10, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of J. Schoeneman, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Company-wide average annual employment at Schoeneman declined 4 percent in 1974 compared to 1973. In the first 10 months of 1975 employment declined 10 percent compared to the like period in 1974. In each of the first three quarters of 1974, employment declined 2 percent compared to the corresponding quarter in 1973. In the 4th quarter of 1974 employment declined 6 percent compared to the same quarter in 1973.

SALES OR PRODUCTION, OR BOTH HAVE DECREASED ABSOLUTELY

Company-wide annual sales at Schoeneman declined one percent in 1974 compared to 1973. Sales declined 24 percent in the first 9 months of 1975 compared to the same period in 1974.

Company-wide production of men's suit coats and sportcoats decreased 6 percent in 1974 compared to 1973. Production declined 26 percent in the first 9 months of 1975 compared to the same period in 1974. From the second quarter of 1974 through the third quarter of 1975, production of coats declined in every quarter when compared to the same quarter in the previous year.

Company-wide production of trousers increased 3 percent in 1974 compared 1973. Production declined 16 percent in the first 9 months of 1975 compared to the same period in 1974. From the fourth quarter of 1974 to the third quarter of 1975, production of men's trousers declined in every quarter compared to the same quarter in the previous year.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

Imports of men's and boys' suits have increased relative to domestic consumption and production in each year from 197 to 1973. After declining from 1973 to 1974 imports of men's and boys' suits increased 131 percent compared to the first 7 months of 1975 compared to the first 7 months of 1974.

Imports of men's boys' sportcoats increased their share of the domestic market each year from 1972 to 1974. The ratio of imports to domestic production and consumption increased from 17.1 percent and 14.6 percent respectively in 1972 to 22.3 percent and 18.2 percent respectively in 1974. The ratio of imports to domestic production increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1975.

Imports of men's and boys' tailored trousers decreased their relative share of domestic production and consumption from 25.7 percent and 20.5 percent in 1972 to 19.7 percent and 16.4 percent in 1974. In the first seven months of 1975 imports of men's and boys' tailored trousers increased 29 percent compared to the first seven months of 1974.

The evidence developed in the Department's investigation indicates that as prices of imported suits, sportcoats and trousers became more attractive, consumers in the U.S. switched from the domestic product to the imported product. The competitive pressure caused by lower-priced garments caused Schoeneman's sales to decline beginning in the 4th quarter of 1974 and continue to the present. As a result, Schoeneman has cutback production, laid off workers and reduced hours of work company-wide. The Cumberland plant was permanently closed in March 1975.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suits, sportcoats, and trousers produced at J. Schoeneman's plants contributed importantly to the total or partial separation of the workers at their seven plants. In accordance with the provisions of the Act, I make the following certification:

All workers, hourly, piecework, and salaried at the Owings Mills, Maryland plant; the Winchester, Virginia plant; the Chambersburg, Pennsylvania plant; the Cumberland, Maryland plant; the Souderton, Pennsylvania plant; the Newark, Delaware plant; and the Wilmington, Delaware plant of J. Schoeneman, who became totally or partially separated from employment on or after October 2, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 5th day of December 1975.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.

[FR Doc.76-80 Filed 1-2-76;8:45 am]

[TA-W-182]

FRIEDMAN-MARKS CLOTHING CO.

Notice of Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-182; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America (AFL-CIO) on behalf of workers formerly producing men's suits and sportcoats at Friedman-Marks Clothing Company, Richmond, Virginia, a subsidiary of Rapid-American Corporation, New York, New York.

The notice of investigation was published in the Federal Register (40 FR 46370-46371) on October 7, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Rapid-American Corporation, customers of Friedman-Marks Clothing Company, industry analysts, the U.S. Department of Commerce, the U.S. International Trade Commission, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act must be met:

(1) that a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) that sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) that increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or prdouction.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of production workers at Friedman-Marks increased two percent in 1974 from 1973, and then declined 23 percent in the first quarter of 1975 compared to the like period of 1974. All production-related employment at Friedman-Marks was terminated by the end of March 1975. Average weekly hours for production workers declined ten percent in 1974 from 1973 and declined six percent in the first quarter of 1975 compared to the like period in 1974.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Production of suits and sportcoats at Friedman-Marks increased one percent in value in 1974 compared to 1973. All production operations at Friedman-Marks were terminated in January 1975.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

Imports of men's and boys' tailored suits increased their share of domestic consumption from 5.7 percent in 1971 to 9.5 percent in 1973. Imports declined absolutely and relatively compared to domestic production and consumption in 1974 from 1973.

The evidence developed by the Department's investigation of Friedman-Marks Clothing Company indicates that the closing of the firm followed a decision by officials of Rapid-American Corporation to reduce its number of establishments manufacturing suits and sportcoats in an attempt to improve the corporation's cash flow. Following its move to new and larger facilities in 1971 Friedman-Marks was unable to increase sales and production sufficiently to adequately utilize the firm's increased capacity. Thus, the closing of the Friedman-Marks plant was not due to declines in sales or production resulting from increased imports, but rather to an inability of Friedman-Marks to increase sales and production to the profitable levels anticipated when the firm expanded in 1971. A major customer of Friedman-Marks, accounting for approximately 40 percent of that firm's total sales in 1974, indicated that it had not reduced purchases from Friedman-Marks prior its closing, and with the closing of Friedman-Marks the customer shifted its purchases to other domestic manufacturers.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suits and sportcoats produced at Friedman-Marks Clothing Company did not contribute importantly to the total or partial separations of the workers at that firm.

Signed at Washington, D.C. this 4th day of December 1975.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.

[FR Doc.76-79 Filed 1-2-76;8:45 am]

[TA-W-395]

HARRIS CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the United Auto Workers on behalf of the workers and former workers of Sheet Fed Press Division of the Harris Corporation, Cleveland, Ohio (TA-W-395).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with sheet fed off-set printing presses produced by Harris Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision

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and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 12, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc 76-72 Filed 1-2-76; 8:45 am]

[TA-W-401]

JAY KNITWEAR, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Ladies' Garment Workers Union, on behalf of the workers and former workers of Jay Knitwear, Inc., Philadelphia, Pennsylvania (TA-W-401).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's, boys', and ladies' knit outerwear produced by Jay Knitwear, Inc., or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 12, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-73 Filed 1-2-76;8:45 am]

[TA-W-403]

MBH CHEMICAL CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of MBH Chemical Corporation, a wholly-owned subsidiary of H. Reisman Corporation, Orange, New Jersey (TA-W-403).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with chlorpromazine hydrochloride (sedative) produced by MBH Chemical Corporation, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number of proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other, person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 12, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave. NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-74 Filed 1-2-76;8:45 am]

[TA-W-185]

MICHAELS STERN AND CO., INC.

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, the Department of Labor herein presents the results of TA-W-185; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on September 26, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers formerly producing men's suits, slacks and sportcoats at the Clinton Avenue and Hand Street, Rochester, and Penn Yan, New York plants of Michaels Stern and Company, Incorporated, Rochester, New York.

The Notice of Investigation was published in the FEDERAL REGISTER (40 FR 43417 and 43418) on October 15, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Michaels Stern, its customers, U.S. Department of Commerce, U.S. International Trade Commission, the National Cotton Council of America, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of production workers at all three plants declined 9.2 percent from 1973 to 1974. Employment declined 37.1 percent in the first three quarters of 1975 compared to the first three quarters of 1974. Employment was terminated at the Hand St. plant in November, 1975.

Average weekly hours declined 3.9 percent from 1973 to 1974. In the first three quarters of 1975 average weekly hours declined 22.7 percent when compared to the first three quarters of 1974.

SALE OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Total unit sales declined 20.4 percent from 1973 to 1974. In the first eight months of 1975, total unit sales declined 32.9 percent compared to the first eight months of 1974. Unit sales of suits, slacks, and sportcoats declined 17.1 percent, 37.2 percent, and 51.7 percent respectively in the first eight months of 1975 compared to the like period in 1974.

Total production declined 19.3 percent from 1973 to 1974. In the first eight months of 1975, total production declined 61.1 percent compared to the first eight months of 1974. All production at the Hand St. plant was terminated on November 7, 1975.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

Imports of men's and boys' suits have increased relative to domestic consumption and production in each year from 1971 to 1973. While imports of men's and boys' suits fell slightly in 1974 compared to 1973 the ratios of imports to domestic production and consumption in 1974 of 9.9 percent and 9.0 percent respectively were well above the 1971–1973 average of 8.6 percent and 7.8 percent, respectively. In the first 7 months of 1975 imports of men's and boys' suits increased 131 percent compared to the first 7 months of 1974. The ratio of imports to domestic production increased from 7.7 percent in the first seven months of 1974 to 23.1 percent in the first seven months of 1975.

Imports of men's and boys' sportcoats increased their share of the domestic market each year from 1972 to 1974. The ratio of imports to domestic production and consumption increased from 17.1 percent and 14.6 percent respectively in 1972 to 22.3 percent and 18.2 respectively in 1972. The ratio of imports to domestic production increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1975.

Imports of men's and boys' tailored trousers decreased their relative share of domestic production and consumption from 25.7 percent and 20.5 percent in 1972 to 19.7 percent and 16.4 percent in 1974. In the first seven months of 1975 imports of men's and boys' tailored trousers increased 29 percent compared to the first seven months of 1974.

Major customers indicate that they are purchasing men's apparel from foreign sources because of intense price competition in the industry and in response to the switch of consumer of preferences from the traditional types of men's apparel to casual type apparel.

A survey being conducted by the Office of Trade Adjustment Assistance of major apparel distributors, including large U.S. chain stores, indicates to date that the ratio of purchases of imported tailored men's suits and sportcoats after remaining at about 15% in 1973 and 1974 increased from 13.4 percent in the first six months of 1974 to 16.5 percent in the first half of 1975.

Customers of Michaels Stern reduced purchases in favor of imports for reasons of style and price. Michaels Stern's sales declined throughout 1974 and 1975. This led to production cutbacks reduced hours of work, and finally, substantial layoffs beginning in the third quarter of 1974. Production was terminated at the Hand Street Plant on November 4, 1975.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with suits, slacks, and sportcoats produced at the Rochester and Penn Yan plants contributed importantly to the total or partial separation of the workers at those plants. In accordance with the provisions of the Act, I make the following certification:

All hourly, piecework, and salaried workers engaged in employment related to the production of suits, slacks, and sportcoats at the Clinton Avenue and Hand Street, Rochester, New York and Penn Yan, New York plants of Michaels Stern and Company, Incorporated who became totally or partially separated from employment on or after October 3, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 8th day of December 1975.

GLORIA G. PRATT,
Director, Office of Foreign Economic Policy.

[FR Doc.76-81 Filed 1-2-76;8:45 am]

[TA-W-394]

PERFECT TEXTILE MILLS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Perfect Textile Mills, Incorporated, Paterson, New Jersey (TA-W-394).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with polyester for men's and ladies wear produced by Perfect Textile Mills, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provision of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 12, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-75 Filed 1-2-76;8:45 am]

[TA-W-399]

RUSSELL, BURDSALL & WARD, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Russell Burdsall & Ward, Incorporated, Los Angeles, California, a division of Russell, Burdsall & Ward, Incorporated, Mentor, Ohio (TA-W-399).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with iron and steel

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nuts, bolts and cap screws produced by Russell, Burdsall & Ward, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 12, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-76 Filed 1-2-76;8:45 am]

[TA-W-397]

SPORT FASHION, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Sport Fashion, Incorporated, Nutley, New Jersey (TA-W-397).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with women's and girls' blouses, skirts, slacks, and dresses produced by Sport Fashion, Incorporated, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 12, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-77 Filed 1-2-76;8:45 am]

[TA-W-402]

TRIANGLE KNITTING MILLS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 12, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Ladies' Garment Workers Union, on behalf of the workers and former workers of Triangle Knitting Mills, Inc., Pennsauken, New Jersey (TA-W-402).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's and boys' sweaters produced by Triangle Knitting Mills, Inc., or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 12, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 12th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-78 Filed 1-2-76;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Rule 19; Ex Parte No. 241; Amdt. 8, Exemption 63]

BESSEMER AND LAKE ERIE RAILROAD CO. ET AL.

Exemption Under Mandatory Car Service Rules

To: Bessemer and Lake Erie Railroad Company, Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees.

Upon further consideration of Exemption No. 63 issued February 12, 1974.

It is ordered, That, under authority vested in me by Car Service Rule 19, Exemption No. 63 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 be, and it is hereby, amended to *expire February 29, 1976.*

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-60 Filed 1-2-76;8:45 am]

[Rule 19; Ex Parte No. 241; Amdt. 11, Exemption 56]

ERIE LACKAWANNA RAILWAY CO., ET AL.

Exemption Under Mandatory Car Service Rules

To: Erie Lackawanna Railway Company, Thomas F. Patton and Ralph S. Tyler, Jr. Trustees; Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees.

Upon further consideration of Exemption No. 56 issued October 31, 1973.

It is ordered, That, under authority vested in me by Car Service Rule 19, Exemption No. 56 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 be, and it is hereby, amended to *expire February 29, 1976.*

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-58 Filed 1-2-76;8:45 am]

[Rule 19; Ex Parte No. 241; Amdt. 4, Exemption 93]

GRAND TRUNK WESTERN RAILROAD CO., ET AL.

Exemption Under Mandatory Car Service Rules

To: Grand Trunk Western Railroad Company, Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees.

Upon further consideration of Exemption No. 93 issued January 15, 1975.

It is ordered, That, under the authority vested in me by Car Service Rule 19, Exemption No. 93 to the Mandatory Car Services Rules ordered in Ex Parte No. 241, be, and it is hereby amended to *expire February 29, 1976.*

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-61 Filed 1-2-76;8:45 am]

[Ex Parte No. 241; Amdt. 3, Corrected Exemption No. 59]

ALL RAILROADS

Exemption Under Mandatory Car Service Rules

Upon further consideration of Corrected Exemption No. 59 issued December 28, 1973.

It is ordered, That, under authority vested in me by Car Service Rule 19, Corrected Exemption No. 59 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 be, and it is hereby, amended to *expire December 31, 1976.*

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-59 Filed 1-2-76;8:45 am]

[AB 7 (Sub-No. 89)]

CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD CO.

Abandonment Between Waukesha and Whitewater, in Waukesha, Jefferson, and Walworth Counties, Wisconsin

Present: Virginia Mae Brown, Commissioner, to whom the matter which is the subject of this order has been assigned for action thereon.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321, *et seq.*, and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Waukesha, Jefferson and Walworth Counties, Wisc., on or before January 7, 1976 and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested persons.

Dated at Washington, D.C., this 16th day of December, 1975.

By the Commission, Commissioner BROWN.

[SEAL] ROBERT L. OSWALD,
Secretary.

CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY ABANDONMENT BETWEEN WAUKESHA AND WHITEWATER, IN WAUKESHA, JEFFERSON, AND WALWORTH COUNTIES, WISCONSIN

The Interstate Commerce Commission hereby gives notice that by order dated December 16, 1975, it has been determined that the proposed abandonment of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company of a section of its branch extending 27.46 miles between Waukesha and Whitewater, Wisc., if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321, *et seq.*, and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that traffic handled on the line is low and declining, consequently the environmental impacts attendant to the diversion of traffic from rail to motor carrier should be minimal. Additionally, the limited industrial development occurring in the area is located primarily at Waukesha and Whitewater which will continue to have rail service upon abandonment. Interest has been expressed toward State acquisition of the right-of-way for either trails use or development of an excursion train operation to the planned Old World Wisconsin Museum, a Wisconsin Bicentennial project.

Although the action could adversely affect a biological feature unique to the area and described as "remnant prairie," other such areas exist in the county and acquisition of the land corridor by the State could reduce the impact of the action.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-7908.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C., 20423, on or before January 22, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-62 Filed 1-2-76;8:45 am]

[Notice No. 943]

ASSIGNMENT OF HEARINGS

DECEMBER 30, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 95920 Sub 41, Santry Trucking Company, now assigned January 16, 1976, at St. Paul, Minn., is canceled and application dismissed.

F.D. 26115, Boston and Maine Corporation Trustees' Plan of Reorganization, now being assigned January 21, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-C-8516, Willard Richardson—Revocation of Certificate, now assigned January 14, 1975, *Lexington, Ky.*, is cancelled and reassigned to January 14, 1976, *Frankfort, Ky.*, Room 230, 3rd Floor, State Office Bldg.

MC 52186 Sub 413, Schneider Transport, Inc., now assigned January 20, 1975, at Washington, D.C., is postponed to February 5, 1976, at Washington, D.C., in a hearing room to be later designated.

MC-F-12880, Bush Motor Freight, Inc.—Purchase—Interocean Service Corp. and MC-F-12881, Crouch Freight Systems, Inc.—Pur. Per.—Interocean Service Corporation, now being assigned February 23, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

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MC 61592 Sub 358, Jenkins Truck Line, Inc., now being assigned February 25, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.
MC 123048 Sub 325, Diamond Transportation System, now being assigned February 26, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.
MC 51146 Sub 433, Schneider Transport, Inc., now being assigned March 2, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.
MC 123407 Sub 242, Sawyer Transport, Inc., now being assigned March 9, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.
MC 115331 Sub 387, Truck Transport, Incorporated, now assigned January 29, 1975, at Washington, D.C., is postponed to February 5, 1976, at Washington, D.C., in a hearing room to be later designated.
MC 116763 Sub 305, Carl Subler Trucking, Inc., now assigned January 29, 1975, at Washington, D.C., is postponed to February 5, 1976, at Washington, D.C., in a hearing room to be later designated.
MC 121060 Sub 33, Arrow Truck Lines, Inc., now assigned January 29, 1975, at Washington, D.C., is postponed to February 5, 1976, at Washington, D.C., in a hearing room to be later designated.
MC 128273 Sub 165, 170, Midwestern Distribution, Inc., now assigned January 29, 1975, at Washington, D.C., is postponed to February 5, 1976, at Washington, D.C., in a hearing room to be later designated.
MC-C-8775, Bobby E. Manees—Investigation of Operations, now being assigned February 24, 1976, at Memphis, Tenn.; (1 day) in a hearing room to be later designated.
MC 61592 Sub 363, Jenkins Truck Line, Inc., now being assigned February 25, 1976 (1 day), at Memphis, Tenn.; in a hearing room to be later designated.
MC 139306 Sub 5, Del R. Stanage and Joe R. Stanage d/b/a Stanage Transportation, now being assigned February 26, 1976 (2 days) at Memphis, Tenn.; in a hearing room to be later designated.
MC 113495 Sub 72, Gregory Heavy Haulers, Inc., now being assigned March 1, 1976 (2 days), at Memphis, Tenn.; in a hearing room to be later designated.
AB 3 Sub 5, Missouri Pacific Railroad Company Abandonment Between Marvell and Holly Grove, In Monroe and Philips Counties, Arkansas, now being assigned March 3, 1976 (2½ days), at Helena, Arkansas; in a hearing room to be later designated.
MC 133095 Sub 85, Texas-Continental Express, Inc., application dismissed.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-180 Filed 1-2-76;8:45 am]

BESSEMER AND LAKE ERIE RAILROAD COMPANY AND NORFOLK AND WESTERN RAILWAY COMPANY

Exemption Under Mandatory Car Service Rules

[Rule 19, Ex Parte 241, Amdt. 4 to Exemption 95]

Upon further consideration of Exemption No. 95 issued February 5, 1975.

It is ordered, That, under the authority vested in me by Car Service Rule 19, Exemption No. 95 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby amended to expire March 31, 1976.

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-179 Filed 1-2-76;8:45 am]

[Rule 19, Ex Parte 241, Amdt. 5 to Exemption 85]

CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY ET AL.

Exemption Under Mandatory Car Service Rules

Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Missouri Pacific Railroad Company, and Southern Railway Company.

Upon further consideration of Exemption No. 85 issued September 11, 1974.

It is ordered, That, under the authority vested in me by Car Service Rule 19, Exemption No. 85 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby amended to expire March 31, 1976.

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-177 Filed 1-2-76;8:45 am]

[Rule 19, Ex Parte 241, Amdt. 4 to Exemption 94]

DETROIT, TOLEDO AND IRONTON RAILROAD COMPANY AND PENN CENTRAL TRANSPORTATION COMPANY

Exemption Under Mandatory Car Service Rules

The Detroit, Toledo and Ironton Railroad Company and Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees.

Upon further consideration of Exemption No. 94 issued February 5, 1975.

It is ordered, That, under the authority vested in me by Car Service Rule 19, Exemption No. 94 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby amended to expire February 29, 1976.

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-178 Filed 1-2-76;8:45 am]

[Notice No. 151]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JANUARY 5, 1976.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to Sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before January 26, 1976. Pursuant to Section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-76229. By order of December 29, 1975, the Motor Carrier Board approved the transfer to Charles A. McCauley, Inc., New Bethlehem, Pa., of Certificates Nos. MC 115557 and MC 115557 Subs 2, 3, 4, 5, 7, 8, 9, 10, and 11, issued October 30, 1956, September 25, 1956, March 28, 1957, December 18, 1959, March 29, 1966, December 12, 1967, April 4, 1972, March 7, 1973, December 10, 1975, and August 12, 1975, respectively, to Charles A. McCauley, New Bethlehem, Pa., authorizing the transportation of various commodities from and to specified points in the United States. Henry M. Wick, Jr., Wick, Vuono & Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219, Attorney for Applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-181 Filed 1-2-76;8:45 am]

NORFOLK AND WESTERN RAILWAY COMPANY AND PENN CENTRAL TRANSPORTATION COMPANY

Exemption Under Mandatory Car Service Rules

[Rule 19, Ex Parte 241, Exemption No. 55; Amdt. 11]

Norfolk and Western Railway Company and Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees

Upon further consideration of Exemption No. 55 issued October 31, 1973.

It is ordered, That under authority vested in me by Car Service Rule 19, Exemption No. 55 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 be, and it is hereby, amended to expire February 29, 1976.

This amendment shall become effective December 31, 1975.

Issued at Washington, D.C., December 23, 1975.

INTERSTATE COMMERCE COMMISSION
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-176 Filed 1-2-76;8:45 am]

federal register

MONDAY, JANUARY 5, 1976

PART II:

ENVIRONMENTAL PROTECTION AGENCY

ORGANIC CHEMICALS MANUFACTURING POINT SOURCE CATEGORY

Significant Organic Products Segment, Effluent Guidelines and Standards

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Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

[FRL 473–7]

PART 414—SIGNIFICANT ORGANIC PRODUCTS SEGMENT OF THE ORGANIC CHEMICALS MANUFACTURING POINT SOURCE CATEGORY

Notice of Interim Final Rulemaking

Notice is hereby given that effluent limitations guidelines for existing sources to be achieved by the application of best practicable control technology currently available as set forth in interim final form below are promulgated by the Environmental Protection Agency (EPA). On April 25, 1974, EPA promulgated a regulation adding Part 414 to Title 40 of the Code of Federal Regulations (39 FR 14676). That regulation with subsequent amendments established effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources for the major organic products segment of the organic chemicals manufacturing point source category.

The regulations set forth below will amend 40 CFR 414, organic chemicals manufacturing point source category, by adding 27 product-process segments and a new subcategory to the point source category. The regulations will be applicable to existing sources for the nonaqueous processes subcategory (Subcategory A); the processes with process water contact only as steam diluent, quench or vent gas absorbant subcategory (Subcategory B); the aqueous liquid phase reaction systems subcategory (Subcategory C); and the batch and semi-continuous processes subcategory (a new Subcategory D); of the organic chemical manufacturing point source category. These regulations are issued pursuant to sections 301, 304 (b) and (c), of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1311, 1314 (b) and (c), 86 Stat. 816 et seq.; P.L. 92–500) (the Act).

Simultaneously, the Agency is publishing in proposed form effluent limitations guidelines for existing sources to be achieved by the application of best available technology economically achievable and, standards of performance for new point sources.

(a) Legal authority

Section 301(b) of the Act requires the achievement by not later than July 1, 1977, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of the best practicable control technology currently available, as defined by the Administrator pursuant to section 304(b) of the Act. Section 301(b) also requires the achievement by not later than July 1, 1983, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of best available technology economically achievable which will result in reasonable further progress toward the national goal of eliminating the discharge of all pollutants, as determined in accordance with regulations issued by the Administrator pursuant to section 304(b) of the Act.

Section 304(b) of the Act requires the Administrator to publish regulations providing guidelines for effluent limitations setting forth the degree of effluent reduction attainable through the application of the best practicable control technology currently available and the degree of effluent reduction attainable through the application of the best control measures and practices achievable including treatment techniques, process and procedural innovations, operating methods and other alternatives. The regulation herein sets forth effluent limitations guidelines, pursuant to sections 301 and 304(b) of the Act, for the four subcategories, A through D of the organic chemical manufacturing point source category.

Section 304(c) of the Act requires the Administrator to issue to the States and appropriate water pollution control agencies information on the processes, procedures or operating methods which result in the elimination or reduction of the discharge of pollutants to implement standards of performance under section 306 of the Act. The "Development Document" referred to below provides information on such processes, procedures and operating methods.

(b) Summary and basis of interim final effluent limitations and guidelines.

(1) General methodology.

The point source category was first studied for the purpose of determining whether separate limitations are appropriate for different segments within the category. This analysis included a determination of whether differences in raw materials, products, manufacturing processes, age, size of plant, waste water constituents and other factors require development of separate limitations for different segments of the point source category. The raw waste characteristics for each such segment were then identified. This included an analysis of the source, flow and volume of water used in the process employed, the sources of waste waters and the constituents of the waste waters.

The control and treatment technologies existing within each segment were identified. This included an identification of each distinct control and treatment technology, including both in-plant and end-of-process technologies, which exists or is capable of being designed for each segment. It also included an identification of the effluent level resulting from the application of each of the technologies, in terms of the amount of constituents and the chemical, physical, and biological characteristics of pollutants. The problems, limitations and reliability of each treatment and control technology were also identified. In addition, the nonwater quality environmental impact, such as the effects of the application of such technologies upon other pollution problems, including air, solid waste, noise and radiation, were identified. The energy requirements of each control and treatment technology were determined as well as the cost of the application of such technologies.

The information outlined above was then evaluated in order to determine what levels of technology constitute the "best practicable control technology currently available." In identifying such technologies, various factors were considered. These included the total cost of application of technology in relation to the effluent reduction benefits to be achieved from such application, the age of equipment and facilities involved, the process employed, the engineering aspects of the application of various types of control techniques, process changes, nonwater quality environmental impact (including energy requirements) and other factors.

The data upon which the above analyses were performed included EPA NPDES permit applications, EPA sampling and inspections, consultant reports, and industry submissions.

(2) Summary of conclusions.

The organic chemicals industry is a highly complex and integrated industry in which there are 454 companies and 665 establishments manufacturing several thousand products. The industry is described for this purpose by the following Standard Industrial Classification Groups: (SIC) 2865, Cyclic Intermediates, Dyes, Organic Pigments and Coal Tar Crudes and (SIC) 2869, Industrial Organic Chemicals, not elsewhere classified. In these two classifications 260 product segments are identified, of which 40 product-process segments were covered in the Phase I regulations (40 CFR 414). Phase II regulations, for which interim final limitations guidelines are proposed herein, will amend 40 CFR 414 regulations to include 27 additional product-process segments and a new subcategory. These 27 product-processes were selected from data and information gathered by a contractor for the Agency on 55 product-processes investigated subsequent to the Phase I. The selection was made on the basis of economic and environmental impact. Twenty eight of the product-process segments initially investigated are not covered in the proposed regulations because initial analysis indicates that additional technical or economic analysis will be required to ascertain the appropriate regulations for these segments.

The effluent limitations proposed herein are based on a product-by-product determination within each of the four major subcategories of process types. This approach differs from the methodology for determining effluent limitations in the Phase I regulations promulgated April 25, 1974. The approach taken in Phase I involved the grouping of product-processes within each of the four major subcategories on the basis of similarities in process operation and thus similarities of raw waste loads. Long term or design effluent limits were derived by the application of an appropriate reduction factor or effluent concentration to the mean raw waste load for each group of product-processes. Effluent limitations for the daily maximum and 30 day maximum average were then derived by multiplying the mean of the subcategory by the appropriate variability factor. This approach is being modified to make the Phase I regulations consistent with those issued today in which the regulation applying to each product-process is determined individually. The Agency intends to propose revised Phase I regulations as soon as possible.

Those product-processes which are included in these interim final regulations are listed in Table I.

TABLE I

Subcategory A—Nonaqueous Processes

Significant Products and Processes

Products	Processes
BTX	Fractional distillation.
Cumene	Alkylation of benzene with propylene.
p-Xylene	Isomerization, crystallization and filtration of mixed xylenes.

Subcategory B—Processes With Process Water Contact Only As Steam Diluent, Quench or Vent Gas Absorbent

Significant Products and Processes

Products	Processes
Adiponitrile	Chlorination of butadiene.
Benzoic Acid and Benzaldehyde	Catalytic oxidation of toluene with air.
Chloromethanes	Chlorination of methyl chloride and methane mixture.
Diphenylamine	Deamination of aniline.
Hexamethylenediamine	Hydrogenation of adiponitrile.
Hexamethylenediamine	Ammonolysis of 1,6-hexanediol.
Maleic anhydride	Oxidation of benzene with hydrochloric acid.
Methyl ethyl ketone	Dehydrogenation of sec-butyl alcohol.
Phthalic anhydride	Oxidation of o-xylene.

Subcategory C—Aqueous Liquid-Phase Reaction Systems

Significant Products and Processes

Products	Processes
Ethyl acetate	Esterification of ethyl alcohol with acetic acid.
Acrylonitrile	Ammoxidation of propylene.
p-Aminophenol	Catalytic reduction of nitrobenzene.
Calcium stearate	Neutralization of stearic acid.
Hydrazine solutions	The Raschig process.
Isobutylene	Extraction from a mixture of C4 hydrocarbons.
Isopropanol	Hydrolysis of propylene carbohydrates.
Sec-butyl alcohol	Sulfonation and hydrolysis of mixed butylenes.

Subcategory D—Batch and Semi-Continuous Processes

Significant Products and Processes

Products	Processes
Citronellol and geraniol	Citronella oil distillation.
Ionone and methylionone	Condensation and cyclization of citral.
Methyl salicylate	Esterification of salicylic acid with methanol.
o-Nitroaniline	Ammonolysis of o-nitrochlorobenzene.
p-Nitroaniline	Ammonolysis of p-nitrochlorobenzene.
Plasticisers	Condensation of phthalic anhydride.
Tannic acid	Extraction of natural vegetable matter.

The organic chemicals subcategories A, B, and C are characterized as continuously operated processes. Subcategory D is defined as those processes which are of a batch or semi-continuous nature. The following are descriptions for each major subcategory:

Nonaqueous Processes Subcategory: (Subcategory A)

These processes have minimal contact between water and reactants or products within the process. Water is not required as a reactant or diluent and is not formed as a reaction product. The only water usage stems from periodic washes of working fluids or catalyst hydration.

Processes With Process Water Contact Only as Steam Diluent, Quench or Vent Gas Absorbent Subcategory: (Subcategory B)

Process water usage is in the form of dilution steam, direct contact quench, or as an absorbent for reactor effluent gases. Reactions are all vapor-phase and carried out over solid catalysts. Most processes have an absorber coupled with steam stripping of chemicals for purification and recycle.

Aqueous Liquid-phase Reaction Systems Subcategory: (Subcategory C)

These are liquid-phase reactions where the catalyst is generally in aqueous media such as dissolved or emulsified mineral salt, or acid and caustic solutions. Continuous regeneration of catalyst system requires extensive water usage. Substantial removal of spent inorganic salt by-products may also be required. Working aqueous catalyst solution is normally corrosive. Additional process water is required in final purification or neutralization of products.

Batch and Semi-Continuous Processes Subcategory: (Subcategory D)

Processes are carried out in reaction kettles equipped with agitators, scrapers, reflux condensers, etc. depending on the nature of the operation. Many reactions are liquid-phase with aqueous catalyst systems. Reactants are transferred to batch reactors by gravity flow, pumping, or pressurization with air or inert gas. Much of the material handling is manual and there is limited use of automatic process control. Filter presses and centrifuges are commonly used to separate solid products from liquid. Where drying is required, air or vacuum ovens are used. Cleaning of noncontinuous production equipment constitutes a major source of process waste water.

The Agency has recently published amendments to four Phase I product-process segments in the FEDERAL REGISTER (August 15, 1975, 40 FR 34409). These amendments were based on the average of the best plants (raw waste loads below the median plant). In this announcement, the Agency indicated that Phase I regulations would be amended at a future date to reconsider the other product-process segment effluent limitations on a product-by-product basis. Additionally, the Agency also announced its intentions in this FEDERAL REGISTER Notice to propose at some future date the extention of the mean of the subcategories to those product-process segments which can logically be included in the descriptions and definitions of the subcategories.

The Phase II BPCTCA regulations for the BOD5 parameters were calculated in the following manner for the BOD5 pollutant parameters:

1. A reduction factor of 93% of raw waste load of BOD5 was used whenever the resultant effluent concentration of BOD5 was 20–30 mg/l.

2. If the resultant effluent concentration was less than 20 mg/l, a less stringent limit, 20 mg/l, was selected as the design basis.

3. If the resultant effluent concentration was greater than 30 mg/l the design basis was 30 mg/l BOD5 up to but not to exceed 99 percent reduction of the BOD5 raw waste load.

The values derived in this matter were considered long term design limitations. The limitations for a daily maximum and 30 day maximum average basis were established by multiplying the design limitation by the appropriate variability factor. Varability factors for the daily maximum and 30 day maximum average limitations are 3.9 and 2.1 respectively for BOD, COD and TSS limitations.

Derivation of the variability factors is discussed in the Development Document Section XIII and is summarized below. The choice of variability factors has been the focus of many comments from industry, and arguments by industry petitioners in the case of Union Carbide et. al. v. Train, No. 74–1459, etc., (the "Phase I" litigation) now pending before the United States Court of Appeals for the Fourth Circuit. Variability factors are used by the Agency to convert long term treatment plant performance data into regulations based on daily maxima and monthly averages, which regulations would reasonably take into account the irregular performance of treatment facilities. As noted in the FEDERAL REGIS-

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TER announcement of August 15, 1975, (40 FR 34409) which proposed revisions to the regulations for the four Phase I product-processes, the Agency has reconsidered all the variability factors in light of the extensive criticisms offered by industry and a review of all available information.

Based upon data from 21 organic chemical, plastics and petrochemical plants, the variability factors of 2.1 and 3.9 (as opposed to 2.0 and 4.5) are used to establish Phase II regulations published today. The variability factors for the Phase I 1983 regulations were less than those for the 1977 regulations. The justification for this difference was the assumption that effluent which had passed through biological treatment and mixed media filtration would have a waste the variability of which would be tempered. This assumption may be correct but there are few data points in the organic chemical field to support it at the present time. There is even less factual support for the assertion by some commenters that by reducing the concentration of BOD entering a waste treatment system employing, for example, activated carbon, one actually enhances the range of variability in advanced treatement plant performance. The most reliable data base is the analysis of the variability of 21 comparable (for purposes of variability calculations) organic, plastic and petrochemical plants. This data source, commonly referred to as the "Cook Memo" is now to be used as the basis for the 1983 variability factors. Thus, instead of the 1.7 and 1.8 values for monthly average, and the 2.5 and 3.0 values for daily maxima, which were used in Phase I, the Agency has used values of 2.1 and 3.9 respectively. The use of these new values will increase the allowable discharges for all product-process for 1983. Of course, the Phase I regulations have been or will shortly be revised to make the variability factors used for Phase I new source and 1983 regulations consistent with those used for Phase II.

The Agency is conducting several studies with respect to the performance of carbon adsorption devices, and other approaches suitable for complying with the 1983 regulations. Included in these studies are analyses of variability in performance. There are also several private studies underway which should produce information in this area. The Agency will examine these results and may change the variability factors used in generating the 1983 regulations if this is appropriate. Indeed, consistent with the instruction of 33 U.S.C. Section 1311(d), the Agency attempts to review new information and modify regulations if appropriate on a continuous basis.

In determining the major pollutants and effectiveness of various treatment alternatives, the following pollutant parameters were evaluated: biochemical oxygen demand (BOD5), chemical oxygen demand (COD), total organic carbon (TOC), oil and grease, total suspended solids (TSS), phenols, pH, cyanide (CN), ammonia (NH3-N), total Kjeldahl nitrogen (TKN), zinc (Zn), copper (Cu), iron (Fe), chromium (Cr), and cadmium (Cd).

The following major pollutant parameters were limited for the best practicable control technology currently available: BOD5, TSS and pH. For the best available technology economically achievable, the COD pollutant parameter was included. The major pollutant parameters for new source performance standards are the same as for BPCTCA.

Other pollutants, such as total Kjeldahl nitrogen and ammonia nitrogen, phenols, cyanide and heavy metals were detected in significant concentrations in certain waste streams.

High concentrations of cyanide which could be inhibitory to biological systems were observed in waste streams from the manufacture of hexamethylenediamine, adiponitrile and acrylonitrile. Effluent limitations were established for this pollutant in these segments.

Heavy metals in significant concentrations were detected in the waste streams of the following product-process segments: adiponitrile (Cu, Fe, Cr), chloromethanes (Fe, Cr), hexamethylenediamine (Zn), maleic anhydride (Cd), hydrazine (Cd), and plasticizers (Cu). These metals could interfere with biological treatment systems when present in significant concentrations. Only for the plasticizers product-process was a limit established for total copper. Effluent limitations for heavy metals present in the effluents from other segments were not established, because the technology used to attain BPCTCA levels will reduce the concentration of these metals significantly.

Pollutant parameters for the organic chemical industry pertain to waste waters from process operations. Process waste water pollutants are proportional to the level of production and it was therefore possible to establish limitations and standards on the basis of production.

(c) Treatment and control technology.

Waste water treatment and control technologies have been studied for the industry to determine what is (a) the best practicable control technology currently available, (b) the best available technology economically achievable, and (c) the best available demonstrated control technology, processes, operating methods or other alternatives.

The best practicable control technology currently available (BPCTCA) has been identified in the organic chemicals manufacturing industry as biological waste treatment. This treatment consists of various combinations of biological processes: activated sludge, trickling filters, aerated lagoons, anaerobic and aerobic lagoons, and similar processes. The following model system was used for cost estimating purposes (it does not limit the BPCTCA solely to these processes): equalization with pH control and oil separation and activated sludge. Biological treatment does not preclude the use of equivalent chemical, physical, or in-process reduction of loads.

Best practicable control technology requires suitable disposal of the pollutants remvoed from waste waters in this industry. In most cases these are non-hazardous substances requiring only minimal custodial care. However, some constituents may be hazardous and may require special consideration. In order to insure long-term protection of the environment from these hazardous or harmful constituents, special consideration of disposal sites must be made. All landfill sites where such hazardous wastes are disposed should be selected so as to prevent migration of these contaminants to ground or surface waters. In cases where geologic conditions may not reasonably ensure this, adequate precautions (e.g., installation of impervious liners) should be taken to ensure long term protection to the environment from hazardous materials. Where appropriate, the location of hazardous materials disposal sites should be permanently recorded in the appropriate office of legal jurisdiction.

Capital and annual costs were computed for each product-process segment on the basis of the cost per pound of production and per 1000 gallons of waste water treated. Due to the complexity and degree of integration in this industry, it was necessary to make some simplifying assumptions in order to determine costs on a product by product basis. These assumptions are:

(1) that each product-process segment is a discrete plant whose process waste water is treated in a single end-of-process waste treatment system.

(2) that all waste waters are treated by the model end-of-process system regardless of alternate disposal techniques and in-process changes.

In some cases, costs appeared to be high due to diseconomies of scale such as with process segments with low waste water flow rates. For these situations, substantial reductions in costs per unit of production are realized in multi-product plant situations. In other situations high costs are apparently due to the extremely high concentrations and flows of waste water pollutants to the model system. For these cases, the need for cost saving in-process controls are apparent in addition to end-of-process treatment. Alternate disposal methods such as incineration or like processes are also commonly used for disposal of highly concentrated and difficult wastes. In any specific case, the manufacturer can best determine the most attractive economic alternatives for in-process controls and end-of-process treatment which will meet the limitations required.

The major nonwater quality consideration which may be associated with in-process control measures is the use of alternative means of ultimate disposal. As the process raw waste load (RWL) is reduced in volume, alternate disposal techniques may become feasible. Recent regulations are tending to limit the use of ocean discharge and deep-well injection because of the potential long-term detrimental effects associated with these disposal procedures. Therefore, these disposal methods are not considered to be viable alternatives at this time. Incineration is a viable alternative for concentrated waste streams. Associated air pollution and the need for auxiliary fuel, depending on the heating value of the waste, are considerations which must be evaluated on an individual basis for each use.

Other nonwater quality aspects, such as noise levels, will not be perceptibly affected. Most chemical plants generate fairly high noise levels (85–95 db) within the battery limits because of equipment such as pumps, compressors, steam jets, flare stacks, etc. Equipment associated with in-process or end-of-pipe control systems would not add significantly to these levels.

Energy requirements associated with treatment and control technologies are not significant when compared to the total energy requirements for this industry.

(d) Economic impact analysis.

Generally the costs of compliance are low and are not expected to significantly affect prices, profitability, industry production, or growth in the product-process segments covered by these guidelines. These costs range from $29 to 33 million annually for BPT by 1977 with an additional $12 to 22 million annually for BAT by 1983. In most cases, it is expected that these costs can be passed on to the consumer through price increases ranging from 0.03 to 24.9 percent for 1977 and from 0.03 to 26.9 percent by 1983. However, in four segments; isobutylene, isopropanol, methyl ethyl ketone, and secondary butanol, some producers will have to absorb these costs in their profit margins. It is not expected, however, that this will result in any plant closures, significant output changes, or impact on employment or communities.

An increase in imports to about $6 million in 1977 and $18 million in 1983 (in 1973 dollars and prices) is anticipated in the maleic anhydride from benzene segment resulting from the combination of abatement costs and changes in duty rate. Although difficult to evaluate in this study, impacts on industry growth attributable to pollution control requirements are expected to be minimal.

Executive Order 11821 (November 27, 1974) requires that major proposals for legislation and promulgation of regulations and rules by Agencies of the executive branch be accompanied by a statement certifying that the inflationary impact of the proposal has been evaluated.

OMB Circular A–107 (January 28, 1975) prescribes guidelines for the identification and evaluation of major proposals requiring preparation of inflationary impact certifications. The circular provides that during the interim period prior to final approval by OMB of criteria developed by each Agency, the Administrator is responsible for identifying those regulations which require evaluation and certification. The Administrator has directed that all regulatory actions which are likely to result in capital investment exceeding $100 million or annualized costs in excess of $50 million will require certification.

As the Agency's analysis of the potential economic impacts of these regulations indicates, the capital investment and annualized costs associated with compliance are estimated to exceed these amounts. Therefore the Agency has reviewed and identified the projected effect on prices and the economics of the industry as summarized above. Since the time of this analysis, the regulations referred above have been finalized and the required criteria are still met.

(e) Potential environmental benefits to be achieved.

The effluents from plants manufacturing significant organic products contain many hazardous substances in addition to the organic by-products listed above, and in addition to the oxygen consuming constituents regulated by BOD and COD parameters. The regulations covering the "Phase II" organics published today address a few of these pollutants, for several of the industrial product-process lines. As more information becomes available on both the severity of risk resulting from exposure to the pollutants in organic chemical plant waste streams, and the availability of reasonably priced technology which can be used to reduce the levels of these pollutants, additional substances and product lines will be covered by effluent limitation guidelines on those materials.

The dangerous substances dealt with in the regulations published today include cyanide and copper. As pointed out in Water Quality Criteria 1972, a report of the National Academy of Sciences and National Academy of Engineering, cyanide is one of the most acutely toxic substances investigated by aquatic scientists. As low a level as 10 parts per billion has been found to have lasting deleterious effects on game fish. Cyanide is a well-known toxicant to man, with concentrations in the low parts per million range shown to have adverse effects.

Copper is also a potent toxicant at low concentrations to aquatic life. One part per billion suppresses growth in some organisms. Twenty parts per billion in the water will cause oysters to turn green; less than a part per million causes death to shellfish and game fish.

While it is useful to review the toxicity information on individual pollutants, the waste streams from organic chemical plants contain many substances that create multiple stresses on the fish and other life trying to exist in the receiving waters, and introduce combinations of metals and chemicals into the raw water supplies used for drinking water, the synergetic effects of which have been little examined. The hazards which attach to discharges of wastewater effluent from organic chemical plants are heightened by the clustering of these plants on major rivers used as drinking water sources as well as major recreational areas. There are many plants covered by the regulations published today, for example, on the lower Mississippi River and stretches of the Ohio and Kanawha Rivers. Research conducted as long as 13 years ago revealed that raw water taken from the Kanawha River below organic chemical plants, as well as "finished water" which has passed from that source through common filters in water supply facilities designed to make water bacteriologically safe, cause cancer in test animals. Heuper and Payne, "Carcinogenic Effects of Adsorbates of Raw and Finished Water Supplies," 39 American Journal of Clinical Pathology pp. 475–481 (May, 1963). The adsorbates used in the experiments were taken from the vicinity of Nitro, West Virginia, "a short distance downstream from large chemical plants and rubber factories . . ." Effects noted in the test animals included leukemia, tumors of the lung, papilloma of the urinary tract, and spindle-cell sarcomas.

The presence of organic chemicals (products, by-products, intermediate chemicals and raw materials) in the nation's waters is a significant—in some scientists' views, the most significant—threat to human health. Many organic chemicals, including many product-processes covered by the "Phase I" and "Phase II" Organic Chemical regulations, are highly acutely toxic to people and aquatic life, cause cancer in test animals and man, bring about first generation birth deformities or alter genetic patterns abnormally. A majority of those product-processes regulated by the Phases I and II of the Organics Chemicals Manufacturing Point Source Category are listed in the Departmnet of Health, Education, and Welfare's Toxic Substances List (1974 ED.).

Recent disclosures that many synthetic organic chemicals are present in the drinking water supplies of this country have resulted in incressed Congressional and Agency concern that the problem initially may have been grosaly underestimated. Following hearings on proposed safe drinking water legislation, the House of Representatives Committee on Interstate and Foreign Commerce stated:

> It must be noted that more than 12,000 chemical compounds are now being used commercially, not counting additional variants and fractions. About 500 new chemical compounds are added each year. Many of these will find their way into the Nation's drinking water supplies. H. Rep. No. 93–1185, (92nd Cong., Second Sess., 1975).

EPA has conducted several recent surveys of contamination of drinking water by organic chemicals. It recently discovered, for example, that at least 187 organic compounds are present in one or more of randomly selected water supplies. Suspect Carcinogens in Water Supplies, April, 1975. As that report states, "This list will undoubtedly grow as work continues in the analysis of drinking waters and as analytical techniques are improved for the concentration, separation, identification and measurement of organic compounds in drinking water." Id., p. 1. With few exceptions, all the organic compounds found in drinking water are also found in the effluent of organic chemical plants regulated by Phases I and II. Many synthetic organics have their origins only in the effluent of organic chemical plants.

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While the Agency has the authority to require public water supplies to reduce the quantities of organic chemicals in the water provided to the public for drinking purposes, it has found that the costs associated with reductions of the quantities of organics in raw drinking water at the water supplier stage, and the financial burdens on communities, are substantial. Many commenters on proposed drinking water regulations, under the Safe Drinking Water Act, P.L. 93–523, 88 Stat. 1660, have protested directly placing the pollution abatement burden on the public sector, while the main cause of the problem, industrial sources of the chemicals, are required to reduce only BOD and TSS loadings prior to 1983. It is more difficult to remove troublesome organics from raw drinking water supplies because the constituent organics are in low concentrations, the presence of any one organic is hard to predict, and monitoring costs for detection of a changing number of synthetic chemicals may be extreme. On the other hand, the operator of an organic chemical plant is able to deal with a predictable number of synthetic products and by-products in high enough concentrations to make treatment effective. Moreover, it is more equitable to ask the party who introduces a pollutant to remove it, rather than placing that burden on downstream users. For these reasons the Agency has relied to a great extent on equitable, industry-wide, technology-based standards to achieve significant public health benefits.

The pollution parameters chosen for reference in the Phase I and Phase II Organics regulations do not specifically deal with the toxic effluent; rather, the more conventional BOD, TSS and COD parameters are addressed. This was done because the effluent limitations guidelines are technology-based regulations in which these familiar parameters more accurately reflect the proper operation of treatment systems considered in the preparation of the regulations. Nevertheless, by using methods such as activated sludge, mixed media filtration and carbon adsorption, large percentages and quantities of toxic synthetic organic materials are removed.

Examples follow of products expressly regulated under Phase II which have troublesome public health implications. As noted above, there are many by-products produced in manufacturing organic chemicals, and these by-products often have toxic properties. While the Agency has considered the general benefits to be achieved by constructing treatment facilities and reducing the combined waste flows resulting from organic chemicals manufacturing, it is impractical to attempt to list the by-products and their properties individually. The representative products listed below follow the order in which they appear in this notice.

1. Cumene p-Xylene, and adiponitrile are listed in The Toxic Substances List (TSL), 1974 ed., published by the Department of Health, Education, and Welfare.

2. Benzoic acid is also on the TSL, and in addition to having high acute toxicity, produces skin effects.

3. Maleic Anhydride is a carcinogen. The United States Occupational Standard as a time weighted average is 0.25 ppm.

4. Phthalic anhydride and acrylonitrile are on the TSL, and occupational exposure standards have been set.

5. Hydrazine causes neoplastic effects (causes new growth of different or abnormal tissues, or a tumor).

6. Isopropanol, butyl alcohol, citronellol, ionone, methyl salicylate and nitroaniline are all highly toxic and all on the TSL.

7. Tannic acid has neoplastic properties.

The report entitled "Development Document for Interim Final Effluent Limitations and New Source Performance Standards for the Significant Organic Products Segment of the Organic Chemicals Manufacturing Point Source Category" details the analysis undertaken in support of the interim final regulation set forth herein and is available for inspection in the EPA Public Information Reference Unit, Room 2922, (EPA Library), Waterside Mall, 401 M St., SW., Washington, D.C. 20460, at all EPA regional offices, and at State water pollution control offices. A supplementary analysis prepared for EPA of the possible economic effects of the regulation is also available for inspection at these locations. Copies of both of these documents are being sent to persons or institutions affected by the proposed regulation or who have placed themselves on a mailing list for this purpose (see EPA's Advance Notice of Public Review Procedures, 38 F.R. 21202, August 6, 1973). An additional limited number of copies of both reports are available. Persons wishing to obtain a copy may write the Environmental Protection Agency, Effluent Guidelines Division, Washington, D.C. 20460, Attention: Distribution Officer, WH–452.

When this regulation is promulgated in final rather than interim form, revised copies of the Development Document will be available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the economic analysis document will be available through the National Technical Information Service, Springfield, VA 22151.

(f) Summary of public participation.

Prior to this publication, the agencies and groups listed below were consulted and given an opportunity to participate in the development of effluent limitations, guidelines and standards proposed for the organic chemicals manufacturing category. All participating agencies have been informed of project developments. An initial draft of the Development Document was sent to all participants and comments were solicited on that report. The following are the principal agencies and groups consulted: (1) Effluent Standards and Water Quality Information Advisory Committee (established under section 515 of the Act); (2) all State and U.S. Territory Pollution Control Agencies; (3) New England Interstate Water Pollution Control Commission; (4) Ohio River Valley Sanitation Commission; (5) Delaware River Basin Commission; (6) The American Society of Civil Engineers; (7) The American Society of Mechanical Engineers; (8) Hudson River Sloop Restoration, Inc.; (9) The Conservation Foundation; (10) Environmental Defense Fund; (11) National Resources Defense Fund, Inc.; (12) National Resources Defense Council; (13) Water Pollution Control Federation; (14) The National Wildlife Federation; (15) The New York Scientists Committee for Public Information; (16) Department of Interior; (17) Department of Commerce; (18) Water Resources Council; (19) Department of Treasury; (20) Department of Defense; (21) Atomic Energy Commission; (22) Department of Health, Education, and Welfare; (23) Manufacturing Chemists Association; and (24) Synthetic Organic Chemical Manufacturers Association.

The following responded with comments:

Allied Chemical Corporation; American Dye Manufacturers Institute, Inc.; American Institute of Chemical Engineers, South Texas Section; Department of Defense; Fatty Acids Producers Council; Federal Energy Administration; Department of Interior; Effluent Standards and Water Quality Information Advisory Committee; Krafico Corporation; New York Department of Environmental Conservation; North Carolina Department of Natural and Economic Resources; Manufacturing Chemists Association; Texas Water Quality Board; Union Carbide Corporation; and U.S. Water Resources Council; United States Department of Commerce.

The primary issues raised in the development of the interim final effluent limitations guidelines and standards of performance and the treatment of these issues herein are as follows:

(1) A common criticism was that Phase II raw waste load data does not support the subcategorization due to variations from sampling, testing, process and variations between product-processes segments.

The subcategorization of the organic chemicals manufacturing industry is considered adequate on the basis of the following observations of Phase I and Phase II raw waste load data:

a. Raw waste load data for continuously operated processes are significantly different from those data from batch and semi-continuous processes.

b. Major subcategories have provided a basic framework for classifying over 260 major product-process segments. Moreover, the Agency has modified its methodology in deriving effluent limitations for those product-process segments for which sufficient data is presently available by adopting the product-by-product determination of effluent limitations. This change recognizes variations in raw waste loads among product-process segments and accounts for them.

(2) EPA's BOD5 raw waste load data obtained by use of adapted seed procedure are in error and consistently lower than BOD5 data obtained by the use of an acclimated seed procedure.

An in-depth study has been completed for four Phase I product-processes: methyl amines, oxo chemicals, ethylene oxide and ethylene glycol. Selection of these segments was made on the basis that the industry suggested that the BOD5 raw waste load data might have been in error due to nonacclimation of the biological seed in the analyses by the contractor of waste waters from these processes. The EPA contractor used a seed adapted to certain organic chemicals. Twenty-four sets of data were obtained from raw waste loads from the four product-processes at several locations. Statistical analysis of the 24 data sets received from the industry revealed that there was no measurable difference for 15 sets. For eight data sets a measurable difference was indicated with the acclimated seed data higher than the nonacclimated seed for 6 data sets and the reverse being true for 2 data sets. One set had insufficient data points for statistical analysis.

Only in the case of methyl amines could a reliable difference be ascribed to the use of acclimated seed data, and the regulations applicable to that product-process have been modified.

It was concluded that the adapted seed procedure used by EPA's contractor is a technically sound and reasonable procedure.

(3) The "building block" approach in applying regulations for organic chemicals to permits is inadequate since the industry has not been completely studied.

Phase I and II industry studies have covered a significant portion of the industry's production capacity. Other segments which would apply to point sources such as from nonprocess waste waters or others should also be considered in preparing permits. The Agency intends to publish regulations in the future which are applicable to product-process segments not described presently by Phase I or Phase II segments. Therefore the building block approach aided by the inference of these limitations continues to be the most logical system.

(4) Organic chemicals regulations should be considered only as general guidelines and serve as a basis for negotiating permits on a plant-by-plant basis.

Effluent limitations for the organic chemical industry segments are required by statutory and regulatory requirements to be uniform and nationally applicable and not subject to area or regional variation except as they may be made more stringent to attain water quality requirements.

(5) Effluent limitations should be expressed as a range of values for industry segments rather than single number values. Some product-process segments within subcategory groups that are below the mean value may not be able to achieve the required reductions of BOD5.

The BOD5 reductions for each of these subcategory groups are within the range of achievable reductions of exemplary BPCTCA treatment processes. Also, the spread in raw waste load values among product-processes has been eliminated by the establishment of effluent limitations on a product-by-product basis for the described product-process segments. Further, the statutory basis for these regulations requires that plants achieve, at a minimum, the level represented by the average of the best.

(6) Phase I and II segments may only represent 50 percent of the industry's effluent although 90–95 percent of the production capacity is covered.

The exact quantity of the overall industry effluent covered by these regulations is not known. However, the many segments of the industry not covered by these regulations are known to constitute a smaller share of the industry production capacity. It is believed that essentially all of the point source discharges are regulated to some extent by Phase I and Phase II segments. As a result, regulation of a portion of the discharge will require treatment of substantially all of the discharge at a point source. Further, as stated before, EPA intends to extend coverage of these regulations to all of the industry.

(7) Daily composite sample data of exemplary biological plants produces an average value of 87 percent reduction BOD5 although long term historical data shows an average of 93 percent BOD5 removal for exemplary biological waste treatment systems. Effluent reductions based upon historical data (93% BOD5 removal) are inequitable.

EPA uses the best data available to it and considers that long term data is more reliable than short term samples. The Agency has translated long term averages into realistic daily and monthly limitations by use of variability factors.

(8) Concentrations associated with TSS limits are not uniformly achievable.

The average of exemplary plants for TSS agrees well with TSS limits.

(9) Removal efficiency data for BOD5 in the New Source Performance Standards (BADCT) are based upon laboratory filtration studies of BPCTCA effluents. Stated efficiencies may not be achievable since data does not represent demonstrated technology.

Since plants visited by the contractor did not have filtration systems in operation, operating data was not available. However, the incremental 17 percent BOD5 reduction which is required by end-of-process filtration is within the range of values for other industries which employ filtration equipment and is confirmed by laboratory studies on waste streams from biological waste treatment plants in this industry. BOD5 reductions are by no means limited to end-of-process filtration systems. Other methods of achieving the incremental 17 percent BOD5 reduction are also applicable for new sources.

(10) Reductions of BOD5 and COD via activated carbon for BATEA cannot be uniformly achieved in all segments of the organic chemical industry since amenability to carbon adsorption varies for organic chemical compounds.

The model treatment system which was adopted for BATEA (1983 standard) is biological treatment combined with carbon adsorption systems. Carbon adsorption was selected for its unique capability to selectively remove high molecular weight refractory organic compounds. Biological and carbon systems are complementary in that refractory organic compounds which are not removed by biological treatment are removed by carbon adsorption and low molecular weight organic compounds which may not be well removed by carbon are usually removed in the biological treatment system. Recent data obtained by the Agency from ten plants of this industrial type confirm the selected models technical feasibility.

The Agency is subject to an order of the United States District Court for the District of Columbia entered in Natural Resources Defense Council v Train et. al. (Cv. No. 1609–73) which requires the promulgation of regulations for this industry category at this time. This order also requires that such regulations become effective immediately upon publication. In addition, it is necessary to promulgate regulations establishing limitations on the discharge of pollutants from point sources in this category so that the process of issuing permits to individual dischargers under section 402 of the Act is not delayed.

It is not practicable to develop and publish regulations for this category in proposed form, to provide a 30 day comment period, and to make any necessary revisions in light of the comments received, within the time constraints imposed by the court order referred to above. Accordingly, the Agency has determined pursuant to 5 USC § 553(b) that notice and comment on the interim final regulations would be impracticable and contrary to the public interest. Good cause is also found for these regulations to become effective immediately upon publication. There is continuing Agency review of all of these product-processes.

Interested persons are encouraged to submit written comments. Comments should be submitted in triplicate to the Environmental Protection Agency, 401 M St. S.W., Washington, D.C. 20460. Attention: Distribution Officer, WH–552. Comments on all aspects of the regulation are solicited. In the event comments are in the nature of criticism as to the adequacy of data which are available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data are essential to the amendment or modification of the regulation. In the event comments address the approach taken by the Agency in establishing an effluent limitation or guideline EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301 and 304(b) of the Act.

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A copy of all public comments will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2922, (EPA Library) Waterside Mall, 401 M St., S.W., Washington, D.C. 20460. A copy of preliminary draft contractor reports, the Development Document and economic study referred to above, and certain supplementary materials supporting the study of the industry concerned will also be maintained at this location for public review and copying. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

All comments received on or before February 4, 1976, will be considered. Steps previously taken by the Environmental Protection Agency to facilitate public response within this time period are outlined in the advance notice concerning public review procedures published on August 6, 1973 (38 FR 21202). In the event that the final regulation differs substantially from the interim final regulation set forth herein the Agency will consider petitions for reconsideration of any permits issued in accordance with these interim final regulations.

In consideration of the foregoing, 40 CFR Part 414 is revised as set forth below.

Dated: December 15, 1975.

RUSSELL E. TRAIN,
Administrator.

Subpart A—Nonaqueous Processes Subcategory

Sec.
414.50 Applicability; description of the nonaqueous processes subcategory.
414.51 Specialized definitions.
414.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart B—Processes With Process Water Contact Only as Steam Diluent, Quench or Vent Gas Absorbent Subcategory

Sec.
414.60 Applicability; description of the processes with process water contact only as steam diluent, quench or vent gas absorbent subcategory.
414.61 Specialized definitions.
414.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart C—Aqueous Liquid-Phase Reaction Systems Subcategory

Sec.
414.70 Applicability; description of the aqueous liquid-phase reaction systems subcategory.
414.71 Specialized definitions.
414.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart D—Batch and Semi-Continuous Processes Subcategory

Sec.
414.80 Applicability; description of the batch and semi-continuous processes subcategory.
414.81 Specialized definitions.
414.82 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart A—Nonaqueous Processes Subcategory

§ 414.50 Applicability; description of the nonaqueous processes subcategory.

The provisions of this subpart are applicable to discharges of process waste water resulting from the manufacture of the following products:

Products	*Process descriptions*
BTX aromatics	Fractional distillation.
Cumene	Alkylation of benzene with propylene.
P-xylene	Isomerization, crystallization and filtration of mixed xylenes.

§ 414.51 Specialized definitions.

For the purpose of this subpart:

(a) The general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

§ 414.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cumene by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

(1) There shall be no discharge of process waste water pollutants to navigable waters.

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacturing of p-xylene by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.0035	0.0019
TSS	0.0052	0.0028
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.0035	0.0019
TSS	0.0052	0.0028
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of benzene, toluene and xylene (BTX) by fractional distillation by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.0089	0.0021
TSS	0.0065	0.0029
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.0089	0.0021
TSS	0.0065	0.0029
pH	Within the range 6.0 to 9.0.	

Subpart B—Processes With Process Water Contact Only as Steam Diluent, Quench or Vent Gas Absorbent Subcategory

§ 414.60 Applicability; description of the processes with process water contact only as steam diluent, quench or vent gas absorbent subcategory.

The provisions of this subpart are applicable to discharges of process waste water resulting from the manufacture of the following products:

Products	*Processes*
Chloromethanes	Chlorination of methyl chloride and methane mixture.
Diphenylamine	Deamination of aniline.
Phthalic anhydride	Oxidation of o-xylene.
Hexamethylenediamine	Hydrogenation of adiponitrile.
Hexamethylenediamine	Ammonolysis of 1, 6 hexanediol.
Methyl ethyl ketone	Dehydrogenation of sec-butyl alcohol.
Adiponitrile	Chlorination of butadiene.
Benzoic acid and benzaldehyde.	Catalytic oxidation of toluene and air.
Maleic anhydride	Oxidation of benzene.

§ 414.61 Specialized definitions.

For the purpose of this subpart:

(a) The general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

§ 414.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of chloromethanes by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.22	0.12
TSS	0.33	0.18
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.22	0.12
TSS	0.33	0.18
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of diphenylamine by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.041	0.021
TSS	0.062	0.033
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.041	0.021
TSS	0.062	0.033
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of phthalic anhydride (oxidation of o-xylene) by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.046	0.025
TSS	0.069	0.038
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.046	0.025
TSS	0.069	0.038
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of hexamethylenediamine (from adiponitrile) by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.16	0.084
TSS	0.12	0.062
Cyanide	0.0010	0.00050
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.16	0.084
TSS	0.12	0.062
Cyanide	0.0010	0.00050
pH	Within the range 6.0 to 9.0.	

(e) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of hexamethylenediamine (from hexanediol) by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

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Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.16	0.064
TSS	0.13	0.069
Cyanide	0.0011	0.00055
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.16	0.064
TSS	0.13	0.069
Cyanide	0.0011	0.00055
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of methyl ethyl ketone by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.16	0.067
TSS	0.16	0.067
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.16	0.067
TSS	0.16	0.067
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of adiponitrile by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.1	0.61
TSS	1.1	0.61
Cyanide	0.0098	0.0049
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.1	0.61
TSS	1.1	0.61
Cyanide	0.0098	0.0049
pH	Within the range 6.0 to 9.0.	

(h) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of benzoic acid and benzaldehyde, by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.0	0.55
TSS	0.33	0.18
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.0	0.55
TSS	0.33	0.18
pH	Within the range 6.0 to 9.0.	

(i) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of maleic anhydride by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	4.2	2.3
TSS	0.27	0.15
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	4.2	2.3
TSS	0.27	0.15
pH	Within the range 6.0 to 9.0.	

Subpart C—Aqueous Liquid-Phase Reaction Systems Subcategory

§ 414.70 Applicability; description of the aqueous liquid-phase reaction systems subcategory.

The provisions of this subpart are applicable to discharges of process waste water resulting from the manufacture of the following products:

Ethyl acetate	Esterification of ethyl-alcohol with acetic acid.
Isopropanol	Hydrolysis of propylene.
Calcium stearate	Neutralization of stearic acid.
Hydrazine Solutions.	Raschig process.
Isobutylene	Extraction from BTX hydrocarbon mixture.
Sec-Butyl alcohol	Sulfonation and hydrolysis of mixed butylenes.
Acrylonitrile	Ammoxidation of propylene.
p-Aminophenol	Catalytic reduction of nitrobenzene.

§ 414.71 Specialized definitions.

For the purpose of this subpart:

(a) The general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

§ 414.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of ethyl acetate by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.10	0.055
TSS	0.16	0.082
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.10	0.055
TSS	0.16	0.082
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of isopropanol by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.27	0.15
TSS	0.29	0.16
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.27	0.15
TSS	0.29	0.16
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of calcium stearate by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	4.2	2.3
TSS	6.3	3.4
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	4.2	2.3
TSS	6.3	3.4
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of hydrazine solutions by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.5	1.3
TSS	3.5	1.9
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	2.5	1.3
TSS	3.5	1.9
pH	Within the range 6.0 to 9.0.	

(e) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of isobutylene by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.4	1.3
TSS	2.4	1.3
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	2.4	1.3
TSS	2.4	1.3
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of sec-butyl alcohol by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.55	0.30
TSS	0.074	0.040
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.55	0.30
TSS	0.074	0.040
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of acrylonitrile by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.6	0.82
TSS	0.51	0.27
Cyanide	0.0045	0.0022
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.6	0.82
TSS	0.51	0.27
Cyanide	0.0045	0.0022
pH	Within the range 6.0 to 9.0.	

(h) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of p-aminophenol by a point source subject to the provisions of this paragraph after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.6	0.82
TSS	1.3	0.66
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.6	0.82
TSS	1.3	0.66
pH	Within the range 6.0 to 9.0.	

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Subpart D—Batch and Semi-Continuous Processes Subcategory

§ 414.80 Applicability; description of the batch and semi-continuous process subcategory.

The provisions of this subpart are applicable to discharges of process waste water resulting from the manufacture of the following products:

o-Nitroaniline	Ammonolysis of o-nitro chlorobenzene.
p-Nitroaniline	Ammonolysis of p-nitro chlorobenzene.
Ionone and methylionone.	Condensation and cyclization of Citral.
Methyl salicylate	Esterification of salicylic acid with methanol.
Citronellol and Geraniol.	Citronella oil distillation.
Plasticizers	Condensation of phthalic anhydride.
Tannic acid	Extraction of natural vegetable matter.

§ 414.81 Specialized definitions.

For the purpose of this subpart:

(a) The general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

§ 414.82 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such funndamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of o-nitroaniline by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	21	12
TSS	31	17
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	21	12
TSS	31	17
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of p-nitroaniline by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.5	1.7
TSS	4.6	2.5
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	2.5	1.7
TSS	4.6	2.5
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of ionone and methylionone by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.1	0.59
TSS	1.1	0.59
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.1	0.59
TSS	1.1	0.59
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of methyl salicylate by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.87	0.46
TSS	0.19	0.11
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.87	0.46
TSS	0.19	0.11
pH	Within the range 6.0 to 9.0.	

(e) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of citronellol and geraniol by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.2	1.3
TSS	1.2	0.66
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	2.2	1.3
TSS	1.2	0.66
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of plasticizers by a point source subject to the provisions of this paragraph after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.1	1.2
TSS	0.076	0.041
Total Copper	0.00065	0.00032
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	2.1	1.2
TSS	0.076	0.041
Total Copper	0.00065	0.00027
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of tannic acid by a point source after application of the best practical control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	6.0	3.7
TSS	1.2	0.62
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	6.0	3.7
TSS	1.2	0.62
pH	Within the range 6.0 to 9.0.	

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ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 414]

[FRL 473-3]

SIGNIFICANT ORGANIC PRODUCTS SEGMENT OF THE ORGANIC CHEMICALS MANUFACTURING POINT SOURCE CATEGORY

Proposed Effluent Guidelines and Standards

Notice is hereby given that effluent limitations for existing sources, standards of performance for new sources, pretreatment standards for new sources, and pretreatment standards for existing sources, set forth below are proposed by the Environmental Protection Agency (EPA). On April 25, 1974, EPA promulgated a regulation adding Part 414 to Chapter 40 of the Code of Federal Regulations (39 FR 14676). That regulation with subsequent amendments established effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources for the major organic products segment of the organic chemicals manufacturing point source category. The regulation proposed below will amend 40 CFR 414—organic chemicals manufacturing point source category by adding §§ 414.53, 414.54, 414.55 and 414.56 to the nonaqueous processes subcategory (Subcategory A); §§ 414.63, 414.64, 414.65 and 414.66 to the processes with process water contact only as steam diluent, quench or vent gas absorbent subcategory (Subcategory B); §§ 414.73, 414.74, 414.75 and 414.76 to the aqueous liquid-phase reaction systems subcategory (Subcategory C); and §§ 414.83, 414.84, 414.85 and 414.86 to the batch and semi-continuous processes subcategory (Subcategory D, a new subcategory). These additions are made pursuant to sections 306(b) and 307 (b) and (c) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1316(b) and 1317 (b) and (c), 86 Stat. 816 et seq.; P.L. 92-500) (the Act). Simultaneously, with this proposed rulemaking, EPA is promulgating interim final regulations which establish the appropriate subparts.

(a) Legal authority.

Section 301(b) of the Act requires the achievement by not later than July 1, 1977, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of the best practicable control technology currently available, as defined by the Administrator pursuant to section 304(b) of the Act. Section 301(b) also requires the achievement by not later than July 1, 1983, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of best available technology economically achievable which will result in reasonable further progress toward the national goal of eliminating the discharge of all pollutants, as determined in accordance with regulations issued by the Administrator pursuant to section 304(b) of the Act.

Section 304(b) of the Act requires the Administrator to publish regulations providing guidelines for effluent limitations setting forth the degree of effluent reduction attainable through the application of the best practicable control technology currently available and the degree of effluent reduction attainable through the application of the best control measures and practices achievable including treatment techniques, process and procedural innovations, operating methods and other alternatives. The regulation herein sets forth effluent limitations guidelines, pursuant to sections 301 and 304(b) of the Act, for the nonaqueous processes subcategory (Subcategory A); the processes with process water contact only as steam diluent, quench or vent gas absorbent subcategory (Subcategory B); the aqueous liquid-phase reaction systems subcategory (Subcategory C); and the batch and semi-continuous processes subcategory (Subcategory D); of the organic chemical manufacturing point source category.

Section 304(c) of the Act requires the Administrator to issue to the States and appropriate water pollution control agencies information on the processes, procedures or operating methods which result in the elimination or reduction of the discharge of pollutants to implement standards of performance under section 306 of the Act. The "Development Document" referred to below provides information on such processes, procedures and operating methods.

Section 306 of the Act requires the achievement by new sources of a Federal standard of performance providing for the control of the discharge of pollutants which reflects the greatest degree of effluent reduction which the Administrator determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants.

Section 306(b)(1)(B) of the Act requires the Administrator to propose regulations establishing Federal standards of performance for categories of new sources included in a list published pursuant to section 306(b)(1)(A) of the Act. The Administrator published in the FEDERAL REGISTER of January 16, 1973, (38 FR 1624) a list of 27 source categories, including the organic chemicals manufacturing category. The regulations proposed herein set forth the standards of performance applicable to new sources for the subcategories noted above.

Section 307(c) of the Act requires the Administrator to promulgate pretreatment standards for new sources at the same time that standards of performance for new sources are promulgated pursuant to section 306. Sections 414.56, 414.66, 414.76 and 414.86 provide pretreatment standards for new sources within the above noted subcategories. Section 307(b) of the Act requires the establishment of pretreatment standards for pollutants introduced into publicly owned treatment works pursuant to 40 CFR Part 128. Sections 414.54, 414.64, 414.74 and 414.84 provide proposed pretreatment standards for existing sources within the above noted subcategories. These proposed pretreatment standards do not limit the release of BOD5 and it is recognized that some additional regulation of certain biochemical oxygen demanding (or COD) materials may be necessary in any final promulgation of these regulations.

(b) Summary and basis of proposed standards of performance for new sources.

The general methodology and summary of conclusions are discussed in considerable detail in the preamble of the interim final regulations promulgated today. The information contained in the preamble to the interim final regulation is incorporated herein by reference.

Questions were raised during the public comment period on the proposed general pretreatment standard (40 CFR Part 128) about the propriety of applying a standard based upon best practicable control technology currently available to all plants subject to pretreatment standards. In general, EPA believes the analysis supporting the effluent limitations guidelines is adequate to make a determination regarding the application of those standards to users of publicly owned treatment works. However, to ensure that those standards are appropriate in all cases, EPA now seeks additional comments focusing upon the application of effluent limitations guidelines to users of publicly owned treatment works.

The report entitled "Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Significant Organic Products Segment of the Organic Chemicals Manufacturing Point Source Category" details the analysis undertaken in support of the regulation being proposed herein and is available for inspection at the EPA Public Information Reference Unit, Room 2922, (EPA Library) Waterside Mall, 401 M St., S.W., Washington, D.C. 20460, at all EPA regional offices, and at State water pollution control offices. A supplementary analysis prepared for EPA of the possible economic impact of the proposed regulation is also available for inspection at these locations. Copies of both of these documents are being sent to persons or institutions affected by the proposed regulation or who have placed themselves on a mailing list for this purpose (see EPA's Advance Notice of Public Review Procedures, 38 FR 21202, August 6, 1973). An additional limited number of copies of both reports are available. Persons wishing to obtain a copy may write the Environmental Protection Agency, Effluent Guidelines Division, Washington, D.C. 20460. Attention: Distribution Officer, WH-552.

When this regulation is promulgated, revised copies of the Development Document will be available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the Economic Analysis will be available through the National Technical Information Service, Springfield, Virginia 22151.

(c) Summary of public participation.

A full listing of participants and discussion of comments and responses is included in the preamble of the interim final regulation for the significant organic product segment of the organic chemicals manufacturing point source category being simultaneously promulgated by EPA and are incorporated herein by reference.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the Environmental Protection Agency, 401 M St., S.W., Washington, D.C. 20460, Attention: Distribution Officer, WH-552. Comments on all aspects of the proposed regulation are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which are available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data are essential to the development of the regulations. In the event comments address the approach taken by the Agency in establishing a standard of performance or pretreatment standard, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 306 and 307(b) and (c) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2992, (EPA Library), Waterside Mall, 401 M Street, S.W., Washington, D.C. A copy of preliminary draft contractor reports, the Development Document and economic study referred to above, and certain supplementary materials supporting the study of the industry concerned will also be maintained at this location for public review and copying. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

All comments received on or before February 4, 1976, will be considered. Steps previously taken by the Environmental Protection Agency to facilitate public response within this time period are outlined in the advance notice concerning public review procedures published on August 6, 1973 (38 FR 21202).

Dated: December 15, 1975.

RUSSELL E. TRAIN,
Administrator.

It is proposed to revise Part 414 to read as follows.

PART 414—SIGNIFICANT ORGANIC PRODUCTS SEGMENT OF THE ORGANIC CHEMICALS MANUFACTURING POINT SOURCE CATEGORY

Subpart A—Nonaqueous Processes Subcategory

Sec.

414.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

414.54 Pretreatment standards for existing sources.

414.55 Standards of performance for new sources.

414.56 Pretreatment standards for new sources.

Subpart B—Processes With Process Water Contact Only as Steam Diluent, Quench or Vent Gas Absorbent Subcategory

414.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

414.64 Pretreatment standards for existing sources.

414.65 Standards of performance for new sources.

414.66 Pretreatment standards for new sources.

Subpart C—Aqueous Liquid-Phase Reaction Systems Subcategory

414.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

414.74 Pretreatment standards for existing sources.

414.75 Standards of performance for new sources.

414.76 Pretreatment standards for new sources.

Subpart D—Batch and Semi-Continuous Processes Subcategory

414.83 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

414.84 Pretreatment standards for existing sources.

414.85 Standards of performance for new sources.

414.86 Pretreatment standards for new sources.

Subpart A—Nonaqueous Processes Subcategory

§ 414.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged by a point source from the manufacture of cumene subject to the provisions of this subpart after application of the best available technology economically achievable.

(1) There shall be no discharge of process waste water pollutants to navigable waters.

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of p-xylene by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.016	0.0080
BOD5	0.0018	0.00068
TSS	0.0026	0.0015
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.016	0.0080
BOD5	0.0018	0.00068
TSS	0.0026	0.0015
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of benzene, toluene, xylene (BTX) by fractional distillation by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.016	0.0080
BOD5	0.0018	0.00068
TSS	0.0026	0.0015
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.016	0.0080
BOD5	0.0018	0.00068
TSS	0.0026	0.0015
pH	Within the range 6.0 to 9.0.	

§ 414.54 Pretreatment standard for existing sources.

The pretreatment standard under section 307(b) of the Act for a source within the nonaqueous processes subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of

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pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of cumene shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of p-xylene shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of benzene, toluene, xylene (BYX) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

§ 414.55 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cumene by a new source subject to the provisions of this paragraph:

(1) There shall be no discharge of process waste water pollutants to navigable waters.

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by the paragraph which may be discharged from the manufacture of p-xylene by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.0029	0.0016
TSS	0.0028	0.0015
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.0029	0.0016
TSS	0.0028	0.0015
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of benzene, toluene and xylene (BTX) by fractional distillation by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.0032	0.0018
TSS	0.0028	0.0015
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.0032	0.0018
TSS	0.0028	0.0015
pH	Within the range 6.0 to 9.0.	

§ 414.56 Pretreatment standards for new sources.

The pretreatment standard under section 307(b) of the Act for a source within the nonaqueous processes subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR, Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of cumene shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of p-xylene shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of benzene, toluene, xylene (BYX) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

Subpart B—Processes With Process Water Contact Only as Steam Diluent, Quench or Vent Gas Absorbent Subcategory

§ 414.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties controlled by this paragraph, which may be discharged from the manufacture of chloromethanes by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.55	0.20
BOD5	0.11	0.059
TSS	0.17	0.086
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.55	0.20
BOD5	0.11	0.059
TSS	0.17	0.086
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties controlled by this paragraph, which may be discharged from the manufacture of diphenylamine by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.10	0.055
BOD5	0.021	0.011
TSS	0.031	0.017
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.10	0.055
BOD5	0.021	0.011
TSS	0.031	0.017
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of phthalic anhydride, (oxidation of o-xylene) by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.22	0.11
BOD5	0.023	0.013
TSS	0.035	0.018
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.22	0.11
BOD5	0.023	0.012
TSS	0.035	0.018
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacturer of hexmethylenediamine (from adiponitrile) by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	6.6	3.5
BOD5	0.039	0.021
TSS	0.059	0.032
Cyanide	0.00050	0.00025
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	6.6	3.5
BOD5	0.039	0.021
TSS	0.059	0.032
Cyanide	0.00050	0.00025
pH	Within the range 6.0 to 9.0.	

(e) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of hexamethylenediamine (from hexanediol) by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	2.7	2.0
BOD5	0.043	0.023
TSS	0.062	0.033
Cyanide	0.00055	0.00022
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	2.7	2.0
BOD5	0.043	0.023
TSS	0.062	0.033
Cyanide	0.00055	0.00022
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of methyl ethyl ketone by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.67	0.36
BOD5	0.051	0.027
TSS	0.078	0.041
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.67	0.36
BOD5	0.051	0.027
TSS	0.078	0.042
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of adiponitrile by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

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Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	42	22
BOD_5	0.30	0.21
TSS	0.55	0.30
Cyanide	0.0049	0.0024
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	42	22
BOD_5	0.30	0.21
TSS	0.55	0.30
Cyanide	0.0049	0.0024
pH	Within the range 6.0 to 9.0.	

(h) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of benzoic acid and benzaldehyde by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	16	8.5
BOD_5	0.11	0.080
TSS	0.17	0.096
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	16	8.5
BOD_5	0.11	0.080
TSS	0.17	0.096
pH	Within the range 6.0 to 9.0.	

(i) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of maleic anhydride by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	90	48
BOD_5	0.67	0.25
TSS	0.13	0.074
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	90	48
BOD_5	0.67	0.25
TSS	0.13	0.074
pH	Within the range 6.0 to 9.0.	

§ 414.64 Pretreatment standards for existing sources.

The pretreatment standard under section 307(b) of the Act for a source within the processes with process water contact only as the steam diluent, quench or vent gas absorbent subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of chlorobenzene shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of chloromethanes shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of diphenylamine shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(d) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of phthalic anhydride, (oxidation of naphthalene or oxidation of o-xylene) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(e) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of hexmethylenediamine (from adiponitrile) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(f) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of hexamethylenediamine (from hexanediol) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(g) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of methyl ethyl ketone shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(h) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of adiponitrile shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(i) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of benzoic acid and benzaldehyde shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(j) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of maleic anhydride shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

§ 414.65 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of chloromethanes by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	0.18	0.098
TSS	0.16	0.090
pH	W thin the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	0.18	0.098
TSS	0.16	0.090
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of diphenylamine by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	0.033	0.018
TSS	0.031	0.017
pH	Within the range 6.0 to 9.0	
(English units) lb/1,000 lb of product		
BOD_5	0.033	0.018
TSS	0.031	0.017
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of phthalic anhydride (oxidation of o-xylene) by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	0.099	0.054
TSS	0.085	0.049
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	0.099	0.054
TSS	0.085	0.049
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of hexamethylenediamine (from adiponitrile) by a new point source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	0.013	0.009
TSS	0.009	0.002
Cyanide	0.0010	0.00060
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	0.13	0.089
TSS	0.089	0.022
Cyanide	0.0010	0.00060
pH	Within the range 6.0 to 9.0.	

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(e) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of hexamethylenediamine (from hexanediol) by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.12	0.060
TSS	0.065	0.034
Cyanide	0.0011	0.00055
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.12	0.060
TSS	0.065	0.034
Cyanide	0.0011	0.00055
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of methyl ethyl ketone by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.95	0.50
TSS	0.55	0.28
Cyanide	0.0008	0.0040
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.95	0.50
TSS	0.55	0.28
Cyanide	0.0008	0.0040
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or properties, controlled by this paragraph, which may be discharged from the manufacture of adiponitrile by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.95	0.50
TSS	0.55	0.28
Cyanide	0.0008	0.0040
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.95	0.50
TSS	0.55	0.28
Cyanide	0.0008	0.0040
pH	Within the range 6.0 to 9.0.	

(h) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of benzoic acid and benzaldehyde by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.87	0.46
TSS	0.16	0.080
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.87	0.46
TSS	0.16	0.080
pH	Within the range 6.0 to 9.0.	

(i) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of maleic anhydride by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	3.5	1.9
TSS	0.14	0.074
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	3.5	1.9
TSS	0.14	0.074
pH	Within the range 6.0 to 9.0.	

§ 414.66 Pretreatment standards for new sources.

The pretreatment standard under section 307(b) of the Act for a source within the processes with process water contact only as the steam diluent, quench or vent gas obsorbent subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of chloromethanes shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of diphenylamine shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of phthalic anhydride, (oxidation of oxylene) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(d) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of hexmethylenediamine (from adiponitrile) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(e) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of hexamethylenediamine (from hexanediol) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(f) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of methyl ethyl ketone shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(g) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of adiponitrile shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(h) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of benzoic acid and benzaldehyde shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(i) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of maleic anhydride shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

Subpart C—Aqueous Liquid-Phase Reaction Systems Subcategory

§ 414.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of ethyl acetate by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.25	0.14
BOD	0.051	0.027
TSS	0.078	0.042
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.25	0.14
BOD	0.051	0.027
TSS	0.078	0.042
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of isopropanol by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	0.94	0.50
BOD5	0.098	0.052
TSS	0.14	0.080
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	0.94	0.50
BOD5	0.098	0.052
TSS	0.14	0.080
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of calcium stearate by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	11.0	5.7
BOD5	2.1	1.1
TSS	3.1	1.7
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	11.0	5.7
BOD5	2.1	1.1
TSS	3.1	1.7
pH	Within the range 6.0 to 9.0.	

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(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of hydrazine solutions by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	36	19
BOD_5	1.2	0.63
TSS	1.8	0.94
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	36	19
BOD_5	1.2	0.63
TSS	1.8	0.94
pH	Within the range 6.0 to 9.0.	

(e) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of isobutylene by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	20	11
BOD_5	0.78	0.42
TSS	1.2	0.63
pN	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	20	11
BOD_5	0.78	0.42
TSS	1.2	0.63
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of sec-butyl alcohol by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	12	6.5
BOD_5	0.062	0.034
TSS	0.088	0.200
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	12	6.5
BOD_5	0.062	0.034
TSS	0.088	0.020
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of acrylonitrile by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	42	22
BOD_5	0.18	0.095
TSS	0.26	0.14
Cyanide	0.0022	0.0011
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	42	22
BOD_5	0.18	0.095
TSS	0.26	0.14
Cyanide	0.0022	0.0011
pH	Within the range 6.0 to 9.0.	

(h) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of p-aminophenol by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	28	13
BOD_5	0.51	0.27
TSS	0.74	0.40
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	28	13
BOD_5	0.51	0.27
TSS	0.74	0.40
pH	Within the range 6.0 to 9.0.	

§ 414.74 Pretreatment standards for existing sources.

The pretreatment standard under section 307(b) of the Act for a source within the aqueous liquid-phase reaction systems subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of ethyl acetate shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of isopropanol shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of calcium stearate shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(d) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of hydrazine solutions shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(e) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of isobutylene shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(f) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of sec-butyl alcohol shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(g) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of acrylonitrile shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(h) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of p-aminophenol shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

§ 414.75 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of ethyl acetate by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	0.087	0.046
TSS	0.078	0.042
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	0.087	0.046
TSS	0.078	0.042
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of isopropanol by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	0.22	0.12
TSS	0.15	0.080
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	0.22	0.12
TSS	0.15	0.080
pH	Within the range 6.0 to 9.0.	

(c) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of calcium stearate by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	2.5	1.9
TSS	2.1	1.7
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	2.5	1.9
TSS	2.1	1.7
pH	Within the range 6.0 to 9.0.	

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(d) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of hydrazine solutions by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.1	1.1
TSS	1.8	0.94
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	2.1	1.1
TSS	1.8	0.94
pH	Within the range 6.0 to 9.0.	

(e) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of isobutylene by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	2.0	1.1
TSS	1.2	0.63
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	2.0	1.1
TSS	1.2	0.63
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of sec-butyl alcohol by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	0.47	0.25
TSS	0.037	0.020
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	0.47	0.25
TSS	0.037	0.020
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of acrylonitrile by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.2	0.67
TSS	0.26	0.14
Cyanide	0.0045	0.0022
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.2	0.67
TSS	0.26	0.14
Cyanide	0.0045	0.0022
pH	Within the range 6.0 to 9.0.	

(h) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of p-aminophenol by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD5	1.4	0.74
TSS	0.74	0.36
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD5	1.4	0.74
TSS	0.74	0.36
pH	Within the range 6.0 to 9.0.	

§ 414.76 Pretreatment standards for new sources.

The pretreatment standard under section 307(b) of the Act for a source within the aqueous liquid-phase reaction systems subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of ethyl acetate shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of isopropanol shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of calcium stearate shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(d) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of hydrazine solutions shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(e) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of isobutylene shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(f) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of sec-butyl alcohol shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(g) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of acrylonitrile shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(h) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of p-aminophenol shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

Subpart D—Batch and Semi-Continuous Processes Subcategory

§ 414.83 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of o-nitroaniline by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	50	27
BOD5	11	5.7
TSS	16	8.5
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	50	27
BOD5	11	5.7
TSS	16	8.5
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of p-nitroaniline by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	25	13
BOD5	2.6	0.82
TSS	2.2	1.2
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	25	13
BOD5	2.6	0.82
TSS	2.2	1.2
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of ionone and methylionone by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	30	16
BOD5	0.35	0.20
TSS	0.55	0.30
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	30	16
BOD5	0.35	0.20
TSS	0.55	0.30
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of methyl salicylate by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	30	16
BOD5	0.094	0.059
TSS	0.10	0.054
pH	Within the range 6.0 to 9.0.	

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Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(English units) lb/1,000 lb of product		
COD	34	16
BOD_5	0.39	0.11
TSS	0.59	0.09
pH	Within the range 6.0 to 9.0.	
(Metric units) kg/kkg of product		
COD	34	16
BOD_5	0.39	0.11
TSS	0.59	0.09
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of plasticizers (condensation of phthalic anhydride) by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	27	14
BOD_5	0.21	0.11
TSS	0.035	0.027
Total Copper	0.00082	0.00016
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	27	14
BOD_5	0.21	0.11
TSS	0.035	0.027
Total Copper	0.00082	0.00016
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of tannic acid, by a point source subject to the provisions of this paragraph after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
COD	335	180
BOD_5	0.66	0.36
TSS	0.60	0.32
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
COD	335	180
BOD_5	0.66	0.36
TSS	0.60	0.32
pH	Within the range 6.0 to 9.0.	

§ 414.84 Pretreatment standards for existing sources.

The pretreatment standard under section 307(b) of the Act for a source within the batch and semi-continuous processes subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR Part 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of o-nitroaniline shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of p-nitroaniline shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of ionone and methylionone shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(d) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of methyl salicylate shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(e) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of citronellol and geraniol shall (from adiponitrile) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(f) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of plasticizers (condensation of phthalic anhydride) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

(g) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of tannic acid shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard: Maximum for any 1 day	Pretreatment standard: Average of daily values for 30 consecutive days shall not exceed—
BOD_5	No limitation	No limitation.
TSS	do	Do.

§ 414.85 Standards of performance for new sources.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of o-nitroaniline by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	17	9.4
TSS	16	8.4
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	17	9.4
TSS	16	8.4
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of p-nitroaniline by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	2.5	1.4
TSS	2.2	1.3
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	2.5	1.4
TSS	2.2	1.3
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of ionone and methylionone by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	0.87	0.48
TSS	0.55	0.29
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	0.87	0.48
TSS	0.55	0.29
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of methyl salicylate by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	1.9	1.0
TSS	0.09	0.32
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	1.9	1.0
TSS	0.50	0.32
pH	Within the range 6.0 to 9.0.	

(e) The following limitations establish the quantity or quality of pollutants or pollutant properties controlled by this paragraph, which may be discharged from the manufacture of citronellol and geraniol by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	0.71	0.38
TSS	0.10	0.075
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	0.71	0.38
TSS	0.10	0.075
pH	Within the range 6.0 to 9.0.	

(f) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of plasticizers (condensation of phthalic anhydride) by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	1.7	0.94
TSS	0.038	0.021
Total Copper	0.00085	0.00032
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	1.7	0.94
TSS	0.038	0.021
Total Copper	0.00085	0.00032
pH	Within the range 6.0 to 9.0.	

(g) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of tannic acid by a new source subject to the provisions of this paragraph:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
(Metric units) kg/kkg of product		
BOD_5	4.9	2.6
TSS	0.59	0.39
pH	Within the range 6.0 to 9.0.	
(English units) lb/1,000 lb of product		
BOD_5	4.9	2.6
TSS	0.59	0.39
pH	Within the range 6.0 to 9.0.	

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§ 414.86 Pretreatment standards for new sources.

The pretreatment standard under section 307(b) of the Act for a source within the batch and semi-continuous processes subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

(a) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of o-nitroaniline shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(b) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of p-nitroaniline shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(c) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of ionone and methylionone shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(d) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of methyl salicylate shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(e) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of citronellol and geraniol shall (from adiponitrile) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(f) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of plasticizers (condensation of phthalic anhydride) shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

(g) The quantity of pollutants discharged to publicly owned treatment works in wastes from the manufacture of tannic acid shall not exceed the quantity set forth in the following table:

[Metric units, kg/kkg of product; English units, lb/1,000 lb of product]

Pollutant or pollutant property	Pretreatment standard	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
BOD5	No limitation	No limitation.
TSS	do	Do.

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federal register

MONDAY, JANUARY 5, 1976

PART III:

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions, Modifications and Supersedeas Decisions; Index

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DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138), and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

MODIFICATIONS AND SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilising the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the orginal General Wage Determination Decision.

MODIFICATIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State.

Indiana:		
IN75–2131		Dec. 19, 1975.
Iowa:		
IA75–4170		Oct. 31, 1975.
Texas:		
TX75–4003;	TX75–4004;	Jan. 17, 1975.
TX75–4006;	TX75–4010;	
TX75–4011;	TX75–4159.	
TX75–4164;	TX75–4167;	Oct. 24, 1975.
TX75–4165.		
TX75–4188		Nov. 21, 1975.
Virginia:		
AM–8320		May 19, 1972.
AP–406; AP–407		July 28, 1972.
MD75–3100		Sept. 26, 1975.
Washington, D.C.:		
DC75–3099		Do.

SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State. Supersedeas Decision numbers are in parentheses following the numbers of the decision being superseded.

California:		
CA75–5085(CA75–5151);		July 25, 1975.
CA75–5086(CA75–5152).		
Tennessee:		
AR–4046(TN76–1001)		Jan. 3, 1974.

Signed at Washington, D.C., this 24th day of December 1975.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

MODIFICATIONS P. 2

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Apprn. Tr.
DECISION #TX75-4006 - Mod. #1 (40 FR 3163 - January 17, 1975) Crane, Ector, Loving, Midland, Pecos, Reeves, Upton & Winkler Counties, Texas					
Change:					
Laborers	$2.30				
Truck drivers	2.30				
Incidental Paving & Utilities & Site Preparation:					
Form builder helper (structures)	2.30				
Laborer, common	2.30				
Power equipment operators:					
Roller, steel wheel (other-flat wheel or tamping)	2.30				
Roller, pneumatic (self-propelled)	2.30				
Truck drivers:					
Single axle, light	2.30				
Single axle, heavy	2.30				
Tandem axle or semitrailer	2.30				
Weighman (truck scales)	2.30				
DECISION #TX75-4010 - Mod. #1 (40 FR 3172 - January 17, 1975) Diamit, Jim Hogg, Lasalle, Maverick, Webb, Zapata & Zavala Counties, Texas					
Change:					
Laborers:					
Laborers	2.30				
Asphalt rakers	2.30				
Truck drivers	2.30				

MODIFICATIONS P. 1

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Apprn. Tr.
DECISION #IA75-4170 - Mod. #2 (40 FR 50870 - October 31, 1975) Black Hawk County (City of Waterloo); Iowa					
Change:					
Heavy & Highway Construction: Carpenters & piledrivermen	$7.75	.38			
DECISION #TX75-4003 - Mod. #1 (40 FR 3158 - January 17, 1975) Bailey, Cochran, Crosby, Floyd, Garza, Hale, Hockley, Lamb, Lubbock, Lynn, Terry & Yoakum Counties, Texas					
Change:					
Power builders	$2.30				
Laborers	2.30				
Incidental Paving & Utilities & Site Preparation:					
Asphalt shoveler	2.30				
Laborer, common	2.30				
Power equipment operators:					
Bruch driver/spreader operator	2.30				
Truck drivers:					
Single axle, light	2.30				
Tandem axle or semitrailer	2.30				
DECISION #TX75-4004 - Mod. #1 (40 FR 3160 - January 17, 1975) Bee, Kleberg, Nueces & San Patricio Counties, Texas					
Change:					
Laborers	2.30				

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	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX75-4011 - Mod. #1 (40 FR 3173 - January 17, 1975) Hood, Johnson, Palo Pinto, Parker & Wise Counties, Texas					
Change:					
Laborers:					
Laborers	$2.30				
Truck drivers	2.30				
Incidental Paving & Utilities & Site Preparation:					
Laborer, common	2.30				
Reinforcing steel setter (paving)	2.30				
DECISION #TX75-4159 - Mod. #2 (40 FR 48872 - October 17, 1975) Statewide Texas (excluding Dallas-Fort Worth Regional Airport)					
Change:					
Laborer, common:					
Zone 4	2.30				
Zone 5	2.30				
Pipelayer helper:					
Zone 4	2.30				
DECISION #TX75-4164 - Mod. #2 (40 FR 49969 - October 24, 1975) Bexar County, Texas					
Change:					
Truck drivers	2.30				
Incidental Paving & Utilities & Site Preparation:					
Laborer, common	2.30				

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX75-4167 - Mod. #2 (40 FR 49958 - October 24, 1975) Cameron, Hidalgo, Starr & Willacy Counties, Texas					
Change:					
Laborers:					
Common laborers	$2.30				
Mason tenders	2.30				
Pipelayers (concrete & clay)	2.30				
Roofers:					
Kettlemen	2.30				
Soft floor layers	2.30				
Terrazzo workers' helpers	2.30				
Tile setters' helpers	2.30				
Truck drivers	2.30				
DECISION #TX75-4168 - Mod. #1 (40 FR 49959 - October 24, 1975) Cameron, Hidalgo, Starr & Willacy Counties, Texas					
Change:					
Laborers:					
Common laborers	2.30				
Mason tenders	2.30				
Pipelayers (concrete & clay)	2.30				
Roofers:					
Kettlemen	2.30				
Soft floor layers	2.30				
Terrazzo workers' helpers	2.30				
Tile setters' helpers	2.30				
Truck drivers	2.30				
DECISION #TX75-4188 - Mod. #2 (40 FR 54390 - November 21, 1975) Wichita County, Texas					
Change:					
Truck drivers	$2.30				

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #AM-9320 - Mod. #2 (37 FR 10267 - May 19, 1972) Augusta County, Virginia					
Change:					
Laborers	$ 2.30				
Truck drivers	2.30				
DECISION #AP-406 - Mod. #2 (37 FR 13234 - July 28, 1972) Clarke, Frederick, Rockingham, Shenandoah and Warren Counties, Virginia					
Change:					
Laborers	2.30				
Mason tenders	2.30				
Plumbers' helpers	2.30				
Truck drivers	2.30				
DECISION #AP-407 - Mod. #1 (37 FR 13235 - July 28, 1972) James City and York Counties, Virginia					
Change:					
Truck drivers	2.30				
DECISION #MD75-3100 - Mod. #4 (40 FR 44447 - September 26, 1975) Montgomery and Prince Georges Counties, Maryland, Arlington and Fairfax Counties, the City of Alexandria and Dulles International Airport, Virginia					
Change:					
Electricians	$10.50	.65	1% + .80		.10

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #DC75-3099 - Mod. #4 (40 FR 44449 - September 26, 1975) Washington, D. C.					
Change:					
Building and Heavy Construction:					
Electricians	$10.50	.65	1% + .80		.10

MODIFICATION P. 7

DECISION NO. IN75-2131 - Mod. #1
(40 FR 59137 - December 19, 1975)
Allen, Bartholomew, Benton,
Boarborn, Delaware, Grant,
Marion, Monroe, Tippecanoe,
Vanderburgh, & Vigo Counties,
Indiana

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Appr. Tr.
Change: Truck drivers: Bartholomew, Dearborn, Delaware, Grant, & Monroe Cos.					
GROUP 1	$ 7.45	12.50a	13.00a	b	
GROUP 2	7.50	12.50a	13.00a	b	
GROUP 3	7.55	12.50a	13.00a	b	
GROUP 4	7.60	12.50a	13.00a	b	
GROUP 5	7.65	12.50a	13.00a	b	
GROUP 6	7.70	12.50a	13.00a	b	
GROUP 7	7.80	12.50a	13.00a	b	
GROUP 8	7.85	12.50a	13.00a	b	
GROUP 9	7.90	12.50a	13.00a	b	
GROUP 10	7.95	12.50a	13.00a	b	
GROUP 11	8.10	12.50a	13.00a	b	

CLASSIFICATIONS

GROUP 1: Drivers on single axle, lowboy helper or flagman, drivers on air compressors and welding machines including those pulled by cars, pick-up trucks, tractors, fork-lifts, dumpsters

GROUP 2: Drivers on Mixer Trucks 2 yards

GROUP 3: Mechanic Helpers and Greasers

GROUP 4: Drivers on Batch Trucks wet or dry 3 batches or under

GROUP 5: Drivers on Tandem Axle Trucks (including Hog-Legs), Drivers on Oil Distributors Drivers on Mixers Trucks 3 yards, Winch Trucks

GROUP 6: Drivers on Single axle, semi-trucks, Drivers on batch trucks wet or dry or dry over 3 batchus, Drivers on pavement breakers

GROUP 7: Drivers on Tandem-Axle semi-trucks, Drivers on trac-o-trucks, Euclids, Tournapull when pulling other than self-loading equipment up to and including 10 yards, Drivers on mixer trucks 4 yards, Mechanics

GROUP 8: Drivers on Tri-axle Trucks

GROUP 9: Drivers on Low-Boy, Drivers on Tandem, Tandem Axle Semi-trucks

GROUP 10: Drivers on Trac-O-Trucks, Euclids, Tournapulls when pulling other than self-loading equipment 11 yards to and including 16 yards, Drivers on mixer trucks above 4 yards

GROUP 11: Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equipment over 16 yards, Helicopter pilot

FOOTNOTES:
a. Per Week per employee
b. 1 week paid vacation after 1 year service, 2 weeks after 3 years, and 3 weeks after 10 years.

SUPERSEDEAS DECISION

STATE: California

COUNTIES: Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, Eldorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Plumas, Placer, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba Counties, California

DECISION NUMBER: CA75-5151 DATE: Date of Publication
Supersedes Decision No. CA75-5085 dated July 25, 1975, in 40 FR 31457
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction and dredging.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$ 12.15	.90	.87	1.07	.06
BOILERMAKERS	10.85	.65	1.00	.50	.02
BRICKLAYERS; Stonemasons:					
Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, Siskiyou, Solano, Sonoma and Trinity Counties	10.02	.90	.58	1.00	
Alameda and Contra Costa Counties	11.15	.95	.95		.20
Fresno, Kings, Madera, Mariposa, and Merced Counties	9.77	.48	1.00		
Butte, Colusa, Eldorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo and Yuba Cos.	10.65	.73	.92		.22
Monterey and Santa Cruz Counties	10.75	.93	1.10	.75	
San Benito and Santa Clara Counties	10.15	.85	.95		.15
Alpine, Amador, Calaveras, San Joaquin, Stanislaus and Tuolumne Counties	10.30	.55	.60	1.00	
Tulare County	9.30	.70	1.00		.07
BRICK TENDERS:					
Alpine, Amador, Eldorado, Nevada, Placer, Sacramento, Sierra and Yolo Counties	8.80	.80	1.40		
Alameda and Contra Costa Counties	7.70	.55	.95		
Marin County	6.90	.65	.50	.65	
Napa County	5.90	.65	1.35	.80	
San Benito, Santa Clara and Santa Cruz Counties	8.61	.70	.90		
Lassen, Modoc, Shasta, Siskiyou, Tehama and Trinity Counties	5.65	.65	1.35	.80	
Stanislaus and Tuolumne Counties	5.75	.65	1.35	.80	
San Francisco and San Mateo Counties	10.00	.65	.80		
Fresno, Kings, Madera and Tulare Counties	8.60	.80	1.40		

DECISION NO. CA75-5151 Page 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS:					
Carpenters	$ 10.70	$ .74	$ 1.26	$ .75	.04
Hardwood floor layers; Power saw operator; Saw filers; Shinglers Steel scaffold erectors and/or steel shoring erectors	10.85	.74	1.26	.75	.04
Millwrights	11.20	.74	1.26	.75	.04
Piledrivermen, bridge, wharf and Dock builders	10.83	.72	1.26	.75	.04
CEMENT MASONS:					
Cement Masons	9.46	1.02	1.35	1.25	.05
Mastic; Magnesite; All comp. masons	9.71	1.02	1.35	1.25	.05
Men working from swinging or slip form scaffolds	9.71	1.02	1.35	1.25	.05
DRYWALL INSTALLERS	10.97	.74	1.26	.75	.07
ELECTRICIANS:					
Alameda County					
Electricians	11.41	.70	1% + .50		.03
Cable Splicers	12.84	.70	1% + .50		.03
Amador, Colusa, Sacramento, Sutter, Yolo, Yuba and those portions of Alpine, El Dorado, Nevada, Placer and Sierra Counties West of the Main Sierra Mountain Watershed					
Electricians	11.34	.60	1% + .75		.045
Cable Splicers	12.47	.60	1% + .75		.045
Tunnel:					
Electricians	11.47	.60	1% + .75		.045
Cable Splicers	12.60	.60	1% + .75		.045
Lake Tahoe Area					
Electricians	10.34	.53	1% + .55		.03
Cable Splicers	11.37	.53	1% + .55		.03
Butte, Glenn, Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama and Trinity Counties					
Electricians	11.07	.75	1% + .505		.02
Cable Splicers	12.18	.75	1% + .505		.02

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS (Cont'd)					
Inyo:					
Electricians; Cable Splicers' Helpers	$ 10.33	.60	1% + .40		.005
Cable Splicers	11.37	.60	1% + .40		.005
Calaveras and San Joaquin Cos.					
Electricians; Technicians	11.00	.78	1% + .89		1%
Cable Splicers	12.38	.78	1% + .89		1%
Contra Costa County					
Electricians	11.95	.70	1% + .50		
Cable Splicers	13.20	.70	1% + .50		
Del Norte and Humboldt Counties					
Electricians	9.50	.47	1% + 1.35		.02
Cable Splicers	10.26	.47	1% + 1.35		.02
Fresno, Kings, Madera and Tulare Counties					
Electricians	11.01	.60	1% + .95		.05
Cable Splicers	11.41	.60	1% + .95		.05
Lake, Marin, Mendocino and Sonoma Counties					
Electricians	11.25	.61	1% + .30		.02
Cable Splicers	12.38	.61	1% + .30		.02
Mariposa, Merced, Stanislaus and Tuolumne Counties					
Electricians	9.83	.62	1%		1%
Cable Splicers	10.81	.62	1%		1%
Monterey County					
Electricians	12.60	.60	1%		.01
Cable Splicers	13.92	.60	1%		.01
Napa and Solano Counties					
Electricians	9.67	.58	1% + .60		.04
Cable Splicers	10.17	.58	1% + .60		.04
San Benito, Santa Clara and Santa Cruz Counties					
Electricians	12.10	.82	1% + .60		.05
Cable Splicers	13.61	.82	1% + .60		.05
San Francisco County					
Electricians	10.67	.705	1% + .50		.04
Cable Splicers	12.00	.705	1% + .50		.04
San Mateo County					
Electricians	10.55	.69	1% + .35		.03

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELEVATOR CONSTRUCTORS	$ 10.70	.445	$ .29	3% + a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3% + a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS:					
Alameda, Contra Costa, Lake, Marin, Mendocino (Southern half of County from North of Ft. Bragg), Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, (S.W. from E. to Fairfield) and Sonoma Counties	9.135	.60	.83		.01
IRONWORKERS:					
Fence Erectors	9.34	.93	1.65	$ 1.10	.03
Reinforcing	10.23	.93	1.65	1.10	.03
Ornamental; Structural	10.23	.93	1.65	1.10	.03
LATHERS:					
Alameda and Contra Costa Counties	9.81	.74	.71%		.025
Butte, Colusa, Glenn, Humboldt, Lake, (That portion of County from Lakeport up to County Line) Nevada, Placer, Plumas, Shasta, Sierra, Tehama and Trinity Cos.	10.10	.48	.50		.01
Calaveras and San Joaquin Cos.	9.90	.56	.55		.01
Lake (from City of Lakeport down to County Line), Marin, Mendocino and Sonoma Counties	8.14	.40	.45	1.00	1/8%
Monterey and Santa Cruz Counties	10.37	.58	.50	.95	.01
Napa and Solano Counties	8.88	.65	.40		.01
San Francisco and N. 1/2 of San Mateo County	10.98	.46	.65	1.00	.01
San Benito and Santa Clara Cos.	10.14	.73	.75		
Fresno County	10.33	.35	.45		
Mariposa, Merced, Stanislaus and Tuolumne Counties	9.75				.01
Amador, El Dorado, Sacramento and Yolo Counties	8.40	.40	.95	1.00	
Southern Half of San Mateo Co.	10.03	.32	1.00		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION:					
Contra Costa County					
Groundmen	$ 8.96	.70	1% + .50		
Line Equipment Operators	10.75	.70	1% + .50		
Linemen	11.95	.70	1% + .50		
Cable Splicers	13.20	.70	1% + .50		
Del Norte, Modoc and Siskiyou Counties					
Tree trimmer helper; Groundman	7.12	.35	1%	.10	1/2%
Head groundman; Headgroundman (Chipper); Powderman; Jackhammerman	7.56	.35	1%	.10	1/2%
Line equipment men	8.65	.35	1%	.10	1/2%
Linemen Polesprayer; Heavy line equipment men; Certified lineman; Welder	10.04	.35	1%	.10	1/2%
Tree trimmer	9.06	.35	1%	.10	1/2%
Cable splicer; Leadman; Pole sprayer	11.12	.35	1%	.10	1/2%
Fresno, Kings, Madera and Tulare Counties					
Line equipment operators	9.86	.50	1% + .70		.05
Linemen	9.86	.50	1% + .70		.05
Cable splicers	10.26	.50	1% + .70		.05
Mariposa, Merced, Stanislaus and Tuolumne Counties					
Linemen	9.83	.62	1%		1%
Cable Splicers	10.81	.62	1%		1%
Monterey County					
Groundmen	9.46	.60	1%		.01
Linemen; Technicians	12.61	.60	1%		.01
Cable Splicers	13.93	.60	1%		.01
Napa and Solano Counties					
Linemen	9.67	.58	1% + .60		.03
Cable Splicers	10.17	.58	1% + .60		.03
Alameda County					
Groundmen	8.56	.70	1% + .50		.03
Linemen	11.41	.70	1% + .50		.03
Line Equipment Operators	10.27	.70	1% + .50		.03
Cable Splicers	12.24	.70	1% + .50		.03

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION: (Cont'd)					
Amador, Colusa, Sacramento, Sutter, Yolo, Yuba and those portions of Alpine, El Dorado, Nevada, Placer and Sierra Counties West of the Main Sierra Mountain Watershed					
Groundmen	$ 9.07	.60	1% + .75		.045
Linemen	11.34	.60	1% + .75		.045
Cable Splicers	12.47	.60	1% + .75		.045
Humboldt County					
Groundmen	7.60	.47	1% + 1.35		.01
Linemen	9.50	.47	1% + 1.35		.01
Cable Splicers	10.26	.47	1% + 1.35		.01
San Francisco County					
Groundmen	9.07	.705	1% + .50		.04
Linemen	10.67	.705	1% + .50		.04
Cable Splicers	12.00	.705	1% + .50		.04
MARBLE SETTERS	9.26	.81	.51	1.03	
PAINTERS:					
Alpine, Amador, Calaveras and San Joaquin Counties					
Brush	8.72	.70	1.45	1.00	
Spray; Sheetrock taper; Swingstage; Scaffold, sandblaster; Structural steel	9.12	.70	1.45	1.00	
Fresno, Kings, Madera and Tulare Counties					
Brush; Tapers	10.22	.40	.20		
Spray; Structural steel	10.47	.40	.20		
Monterey, San Benito, San Mateo, Santa Clara and Santa Cruz Counties (excluding portions of Counties in the Lake Tahoe Area)					
Brush	10.40	.79	.90	.80	.03
Spray	10.65	.79	.90	.80	.03
Tapers	10.95	.79	.90	.80	.03
Lake Tahoe Area					
Brush	10.50	.70	.20		
Spray; Structural steel; Tapers	10.75	.70	.20		
Lake, Marin, Mendocino, San Francisco and Sonoma Counties					
Brush	10.15	.79	.90	.80	.03
Spray	10.40	.79	.90	.80	.03
Tapers	11.10	.79	.90	.80	.03

NOTICES

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Lassen County (that portion that lies Eastward of Hwy. #395, Northward to and including Honey Lake)					
Brush	$ 10.50	.70	.20		
Spray; Structural steel; Tapers	10.75	.70	.20		
Alameda, Contra Costa, El Dorado, Napa, Nevada, Placer, Sacramento, Sierra, Solano and Yolo Counties (excluding portions of Counties in the Lake Tahoe Area)					
Brush	10.30	.79	.90	.40	.03
Spray	10.55	.79	.90	.40	.03
Tapers	11.10	.79	.90	.40	.03
PAINTERS:					
Parking Lot Striping Work and/or Highway Markers:					
Fresno, Kings and Tulare Cos.					
Traffic delineating device applicator	6.82	.40	.20	a	
Wheel stop installer; Traffic surface sandblaster; Striper; Traffic surface protective coating applicator	6.43	.40	.20	a	
Helper (Traffic surface sandblaster; Wheel stop installer, traffic surface protective coating applicator, striper)	5.43	.40	.20	a	
Remaining Counties:					
Traffic delineating device applicator; Traffic surface protective coating applicator; Wheel stop installer; Traffic surface sandblaster	6.82	.35	.20	b	
Helper (Traffic surface sandblaster; Wheel stop installer, protective coating applicator)	6.32	.35	.20	b	
Striper	7.92	.35	.20	b	
Striper, Helper	6.82	.35	.20	b	

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLASTERERS:					
Alameda and Contra Costa Cos.	$ 10.10	.745	$ 1.05		.03
Butte, Colusa, Glenn, Lassen (South eastern half of Lassen County), Plumas, Sierra, Sutter and Yuba Counties	9.79	.56	1.00		
Monterey County	10.60	.71	.35		.01
Fresno, Kings, Madera and Tulare Counties	8.24	.66	1.00	.75	.01
El Dorado, Nevada, Placer, Sacramento and Yolo Counties	9.79	.56	1.00		
San Francisco County	11.42	.63	1.00		.03
San Mateo County	7.72	.48	.90	$ 1.50	.025
Del Norte, Humboldt, Lassen, (North western half of Lassen County), Marin, Modoc, Napa, Shasta, Siskiyou, Solano, Sonoma, Tehama and Trinity Cos.	8.65	.63	.50	1.00	.01
Mariposa, Merced, Stanislaus and Tuolumne Counties	8.50	.70	1.25	1.00	
PLASTERERS' TENDERS:					
Alameda and Contra Costa Cos.	8.87	.60	1.10		
Fresno, Kings and Madera Cos.	8.65	.80	1.40		
Napa County	7.95	.80		.90	
Alpine, Amador, El Dorado, Nevada, Placer, Sacramento, Sierra and Yolo Counties	7.455	.455	1.40	.80	
Calaveras and San Joaquin Cos.	8.43	.80	1.40	.90	
Monterey County	8.40	.80	1.40		
PLUMBERS					
Alameda County	13.10	.83	1.55		.12
Contra Costa County	12.72	.90	1.72		.20
Del Norte and Humboldt Counties	10.83	.61	1.12	1.06	.05
PLUMBERS; Steamfitters:					
Amador (Northern half of County) Sacramento, Yolo, El Dorado, Nevada, Placer and Sierra Counties (excluding Lake Tahoe Area)	12.58	.91	1.35		.11
Lake Tahoe Area	10.99	.58	.60	1.95	.10
Marin, Mendocino, San Francisco, and Sonoma Counties	11.015	$1.70	1.11	1.11	.15

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLUMBERS; Steamfitters: (Cont'd)					
San Benito and Santa Clara Cos.	$ 13.03	$ .82	$ 1.65		.14
San Mateo County	11.04	.95	1.65	$ 1.20	.25
Alpine, Amador (Southern portion of County), Butte, Calaveras, Colusa, Fresno, Glenn, Kings, Lassen, Madera, Mariposa, Merced, Modoc, Monterey, Plumas, San Joaquin, Santa Cruz, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne and Yuba Counties	12.10	1.15	1.74		.10
Lake, Napa and Solano Counties	11.85	.77	1.40		.12
ROOFERS:					
Alameda and Contra Costa Cos.					
Roofers	10.19	.92	1.10	.60	.04
Mastic workers; Kettlemen (2 Kettles w/o pumps)	10.44	.92	1.10	.60	.04
Bitumastic; Enamelers; Pipewrappers; Coal tar built up	11.19	.92	1.10	.60	.04
Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus and Tuolumne Counties					
Roofers (slate, tile composition and built up)	10.29	.85	.55		
Felt machine operator	10.44	.85	.55		
Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity and Yuba Counties					
Roofers	10.14	.95	.40		
Fresno, Kings, Madera and Tulare Counties					
Roofers	9.45	.50	.50		

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS: (Cont'd)					
Lake, Marin, Mendocino, Napa, Solano and Sonoma Counties					
Roofers	$ 9.63	.65	$ 1.10	$ 1.43	.04
Mastic workers; Kettlemen (2 Kettles w/o pumps)	9.88	.65	1.10	1.43	.04
Bitumastic; Enamelers; Pipewrappers; Coal tar pitch	10.63	.65	1.10	1.43	.04
~~Del Norte and Humboldt Counties~~					
Roofers	9.32	.40	.75	.35	
Monterey and Santa Cruz Counties					
Roofers	8.65	.60	.60	1.00	
San Francisco and San Mateo Cos.					
Roofers	10.23	.50	1.10	.95	.04
Mastic workers and kettlemen (2 kettles) without pumps	10.48	.50	1.10	.95	.04
Bitumastic; Enamelers; Pipewrappers; Coal tar	11.23	.50	1.10	.95	.04
Amador, Sacramento and Yolo Cos.					
Roofers (slate, tile and composition)	9.36	.82	1.10	1.00	.04
Enameler and pitch	10.36	.82	1.10	1.00	.04
San Benito and Santa Clara Cos.					
Roofers; Kettlemen (1 kettle)	8.51	.61	1.03		
SHEET METAL WORKERS:					
Alameda, Contra Costa, Napa and Solano Counties	10.84	.60	1.60	12%	.04
Alpine, Calaveras and San Joaquin Counties	7.62	.36	.95	1.40	
Amador, Butte, Colusa, El Dorado, Glenn, Lassen, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo and Yuba Counties	8.46	.48	1.20	12%	.08
Fresno, Kings, Madera and Tulare Counties	8.05	.38	.69	.80	.07
Mariposa, Merced, Stanislaus and Tuolumne Counties	8.83	.36	.60	-	.03
Monterey, San Benito, Santa Cla Clara and Santa Cruz Counties	9.45	.48	1.555	.945	
Del Norte, Humboldt, Lake, Marin, Mendocino, San Francisco, Sonoma and Trinity Counties	10.86	.48	1.20		10%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SHEET METAL WORKERS: (Cont'd)					
San Mateo County	$ 11.76	.48	$ 1.61		.12
Modoc and Siskiyou Counties	8.67	.42	.34		.005
SOFT FLOOR LAYERS:					
Alpine, Amador, Butte, Calaveras, Colusa, Glenn, Lassen (excluding Honey Lake Area), Merced, (east of San Joaquin River), Plumas, San Joaquin, Shasta, Sacramento, Stanislaus, Sutter, Tehama, Trinity, Tuolumne, Yolo and Yuba Counties and those portions of El Dorado, Nevada, Placer and Sierra Counties (excluding Lake Tahoe Area)	9.44	.64	1.00	$ 1.00	.09
Honey Lake Area and Lake Tahoe Area	9.55	.70	.20		
SPRINKLER FITTERS:					
Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma Counties	14.56	.50	.80		.09
Remaining Counties	13.72	.50	.80		.08
STEAMFITTERS:					
Alameda and Contra Costa Cos.	10.065	.75	1.25		.12
Del Norte and Humboldt Counties	11.13	.61	1.12	1.06	.05
TERRAZZO WORKERS:					
Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, Siskiyou, Solano, Sonoma and Trinity Counties	8.78	.85	.58	1.00	
Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo and Yuba Counties	10.65	.75	.91		.22

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TILE SETTERS:					
Alameda, Butte, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Marin, Mendocino, Modoc, Napa, Nevada, Plumas, Placer, Sacramento, San Benito, San Francisco, San Mateo, Santa Clara, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Yolo and Yuba Counties	$ 10.10	.78	.90	.90	.025
Alpine, Amador, Calaveras, San Joaquin, Stanislaus and Tuolumne Counties	9.17	.55	.30	1.00	
Fresno, Kings, Madera, Mariposa, Merced and Tulare Counties	8.97	.40	.35		
Monterey and Santa Cruz Cos.	9.72	.845	.73	.87	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Employer contributes 4% of basic hourly rate for over 5 years' service, and 2% of basic hourly rate for 6 months to 5 years as Vacation Pay Credit. Six Paid Holidays: A through F.

b. Employer contributes $.17 per hour to Holiday Fund plus $.10 per hour to Vacation Fund in 1st year of employment; $.30 per hour after 1 year, but less than 5 years' service; $.40 per hour after 5 years, but less than 10 years' service and $.50 per hour after 10 years' service.

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS: DREDGING SCHEDULE I CLAMSHELL AND DIPPER DREDGING (New Construction)					
Group 1					
Bargeman; Deckhand; Fireman; Oiler					
Area 1	$7.76	.85*	1.37	.60	.14
Area 2	8.42	.85*	1.37	.60	.14
Area 3	8.67	.85*	1.37	.60	.14
Area 4	8.92	.85*	1.37	.60	.14
Group 2					
Deck Engineers; Deck Hels					
Area 1	9.23	.85*	1.37	.60	.14
Area 2	9.89	.85*	1.37	.60	.14
Area 3	10.14	.85*	1.37	.60	.14
Area 4	10.39	.85*	1.37	.60	.14
Group 3					
Welder; Mechanic Welder; Watch Engineer					
Area 1	9.39	.85*	1.37	.60	.14
Area 2	10.25	.85*	1.37	.60	.14
Area 3	10.50	.85*	1.37	.60	.14
Area 4	10.75	.85*	1.37	.60	.14
Group 4					
Clamshell Operator (up to and including 7 cu. yds. m.r.c.) (Long Boom Pay)					
Area 1	10.23	.85*	1.37	.60	.14
Area 2	10.89	.85*	1.37	.60	.14
Area 3	11.14	.85*	1.37	.60	.14
Area 4	11.39	.85*	1.37	.60	.14
Group 4-A					
Clamshell Operator (Over 7 cu. yds. m.r.c.) (Long Boom Pay)					
Area 1	11.20	.85*	1.37	.60	.14
Area 2	11.86	.85*	1.37	.60	.14
Area 3	12.11	.85*	1.37	.60	.14
Area 4	12.36	.85*	1.37	.60	.14

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (Cont'd) DREDGING SCHEDULE II HYDRAULIC SUCTION DREDGING AND ALL OTHER CLAMSHELL AND DIPPER DREDGING					
Group A-1					
Bargeman; Deckhand; Leverhand; Fireman; Oiler					
Area 1	$7.74	.85*	1.37	.60	.14
Area 2	8.40	.85*	1.37	.60	.14
Area 3	8.65	.85*	1.37	.60	.14
Area 4	8.90	.85*	1.37	.60	.14
Group A-2					
Winchman (stern winch on dredge); Deckmate; Deck Engineer					
Area 1	8.59	.85*	1.37	.60	.14
Area 2	9.25	.85*	1.37	.60	.14
Area 3	9.50	.85*	1.37	.60	.14
Area 4	9.75	.85*	1.37	.60	.14
Group A-3					
Watch Engineer; Welder; Welder Mechanic					
Area 1	9.18	.85*	1.37	.60	.14
Area 2	9.84	.85*	1.37	.60	.14
Area 3	10.09	.85*	1.37	.60	.14
Area 4	10.34	.85*	1.37	.60	.14
Group A-4					
Leverman; Clamshell Operator					
Area 1	9.94	.85*	1.37	.60	.14
Area 2	10.60	.85*	1.37	.60	.14
Area 3	10.85	.85*	1.37	.60	.14
Area 4	11.10	.85*	1.37	.60	.14

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Tow Boats (Dredging): Work on self-propelled vessels (except skiffs powered by outboard motors) engaged in towing and shifting of barges, vessels and water born craft or in the transportation by water of personnel, materials, equipment and supplies					
Deckhand/Mechanic					
Area 1	$ 9.01	.64	$ 1.36	$ 1.05	
Area 2	9.51	.64	1.36	1.05	
Area 3	9.76	.64	1.36	1.05	
Area 4	10.01	.64	1.36	1.05	
Deckhand/Mechanic (Continuous Service Vessels)					
Area 1	8.13	.64	1.24	1.00	
Area 2	8.63	.64	1.24	1.00	
Area 3	8.88	.64	1.24	1.00	
Area 4	9.13	.64	1.24	1.00	
Operator/Mechanic; Watch Engineer					
Area 1	10.03	.57	1.36	1.00	
Area 2	10.53	.57	1.36	1.00	
Area 3	10.78	.57	1.36	1.00	
Area 4	11.03	.57	1.36	1.00	
Operator/Mechanic; Watch Engineer (Continuous Service Vessels)					
Area 1	9.03	.57	1.36	1.00	
Area 2	9.53	.57	1.36	1.00	
Area 3	9.78	.57	1.36	1.00	
Area 4	10.03	.57	1.36	1.00	

	Basic Hourly Rates	Fringe Benefits Payments			
POWER EQUIPMENT OPERATORS (Cont'd)		H & W	Pensions	Vacation	App. Tr.
Building and Heavy Construction Tow Boats (Dredging): Work on self-propelled vessels (except skiffs powered by outboard motors) engaged in towing and shifting of barges, vessels and water borne craft or in the transportation by water of personnel, materials, equipment and supplies					
Deckhands					
Area 1	$ 7.15	.52	.84	1.00	
Area 2	7.68	.52	.84	1.00	
Area 3	7.93	.52	.84	1.00	
Area 4	8.18	.52	.84	1.00	
Boat Operators	8.60	.45	.93	1.00	

FOOTNOTES:
Four Centers designated: City Halls of Oakland, San Francisco, Sacramento and Stockton, California.

Area 1 - Up to 20 road miles from said Centers.
Area 2 - More than 20 road miles to and including 30 road miles from said Centers.
Area 3 - Outside of 30 road miles from said Centers.
Area 4 - An area extending 25 road miles from shoreline of Lake Tahoe.

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BULK CEMENT SPREADER (w/wo auger, under 4 yds. water level); Bus or manhaul driver, Concrete pump machine; Concrete pump truck (when flat rack truck is used appropriate flat rack rate shall apply); Dump (under 4 yds. water level); Dumpcrete truck (under 4 yds. water level); Dumpster (under 4 yds. water level); Escort or pilot car driver; Nipper truck (when flat rack truck is used appropriate flat rack rate shall apply); Pickups; Skids (debris box, under 4 yds. water level); Team drivers; Trucks (dry pre-batch concrete mix, under 4 yds. water level); Helpers; Warehousemen	$ 7.795	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, 4 yds. and under 6 yds. water level); Dump (4 yds. & under 6 yds. water level); Dumpcrete (4 yds. & under 6 yds. water level); Dumpster (4 yds. & under 6 yds. water level); Skids (debris box, 4 yds. & under 6 yds. water level); Single unit flat rack (2 axle unit) Industrial Lift Truck (Mechanical Tailgate) Trucks (dry pre-batch concrete mix, 4 yds. & under 6 yds. water level)	7.89	1.195	.65	1.00	
JETTING TRUCK & WATER TRUCK (under 2,500 gals.)	7.905	1.195	.65	1.00	
LIFT JITNEYS, Fork lift	7.925	1.195	.65	1.00	
TRANSIT MIX, AGITATOR (under 6 yds.)	7.945	1.195	.65	1.00	
TRUCK REPAIRMAN HELPER	7.965	1.195	.65	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
VACUUM TRUCK (UNDER 3,500 gals)	$ 7.975	1.195	.65	1.00	
SCISSOR TRUCK; Single unit flat rack (3 axle unit); Industrial Lift Truck (Mechanical Tailgate); Small rubber tired tractor (when used within teamsters' jurisdiction)	7.99	1.195	.65	1.00	
JETTING TRUCK & WATER TRUCK (2,500 gals. under 4,000 gals.)	8.005	1.195	.65	1.00	
COMBINATION WINCH TRUCK WITH HOIST; Transit mix, agitator (6 yds. & under 8 yds.)	8.045	1.195	.65	1.00	
VACUUM TRUCK (3,500 gals. & under 5,500 gals.)	8.055	1.195	.65	1.00	
RUBBER-TIRED MUCK CAR (not self-loaded)	8.065	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, 6 yds. & under 8 yds. water level) Dump (6 yds. & under 8 yds. water level); Dumpcrete (6 yds. & under 8 yds. water level); Dumpster (6 yds. & under 8 yds. water level); Skids (debris box, 6 yds. & under 8 yds. water level); Trucks (dry pre-batch concrete mix, 6 yds. & under 8 yds. water level)	8.09	1.195	.65	1.00	
A-FRAME, WINCH TRUCKS; Buggymobile Hydro-lift, Swedish crane type (jerting), latting & water truck (4,000 gals. & under 5,000 gals.); Rubber tired jumbo	8.105	1.195	.65	1.00	
HEAVY DUTY TRANSPORT (high bed)	8.11	1.195	.65	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROSS HYSTER and SIMILAR STRADDLE CARRIER	$8.135	1.195	.65	1.00	
TRANSIT MIX AGITATOR (8 yds. through 10 yds.)	8.145	1.195	.65	1.00	
VACUUM TRUCK (5,500 gals. and under 7,500 gals.)	8.155	1.195	.65	1.00	
JETTING TRUCK and WATER TRUCK (5,000 gals. & under 7,000 gals.)	8.205	1.195	.65	1.00	
TRANSIT MIX AGITATOR (over 10 yds. through 12 yds.)	8.245	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, 8 yds. and incl. 12 yds. water level); Dump (8 yds. and incl. 12 yds. water level); Dumpcrete (8 yds. and incl. 12 yds. water level); Self-propelled street sweeper with self-contained refuse bin; Skids (debris box, 8 yds. and incl. 12 yds. water level); Snow go and/or snow plow; Truck (dry pre-batch concrete mix, 8 yds. and incl. 12 yds. water level); Dumpster (8 yds. and incl. 12 yds. water level)	8.33	1.195	.65	1.00	
HEAVY DUTY TRANSPORT (gooseneck lowbed)	8.34	1.195	.65	1.00	
TRANSIT MIX AGITATOR (over 12 yds. through 14 yds.)	8.345	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 12 yds. and incl. 18 yds. water level); Dump (over 12 yds. and incl. 18 yds. water level); Dumpcrete (over 12 yds. and incl. 18 yds. water level); Dumpster (over 12 yds. and incl. 18 yds. water level); Skids (debris box, over 12 yds. and incl. 18 yds. water level); Trucks (dry pre-batch concrete mix, over 12 yds. and incl. 18 yds. water level)	8.37	1.195	.65	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
P. B. OR SIMILAR TYPE SELF-LOADING TRUCK	$ 8.43	1.195	.65	1.00	
TRUCK REPAIRMAN	8.465	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 18 yds. & incl. 24 yds. water level); Combination dump & dump trailer; Dump (over 18 yds. & incl. 24 yds. water level); Dumpcrete (over 18 yds. & incl. 24 yds. water level); Dumpster (over 18 yds. & incl. 24 yds. water level); Skid (debris box, over 18 yds. & incl. 24 yds. water level); Transit mix agitator (over 14 yds. through 16 yds.); Trucks (dry pre-batch concrete mix, over 17 yds. & incl. 24 yds. water level)	8.475	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 24 yds. & incl. 35 yds. water level); Dump (over 24 yds. & incl. 35 yds. water level); Dumpcrete (over 24 yds. & incl. 35 yds. water level); Dumpster (over 24 yds. & incl. 35 yds. water level); DW 10's, 20's, 21's & other similar cat type, Terra Cobra, LeTourneau-pulls, Tournorocker, Euclid & similar type equipment when pulling Aqua/Pak or water tank trailers & fuel and/or grease tank trailers or other misc. trailers; Skids (debris box, over 24 yds. & incl. 35 yds. water level); Truck (dry pre-batch concrete mix, over 24 yds. & incl. 35 yds. water level)	8.53	1.195	.65	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BULK CEMENT SPREADER (w/wo auger, over 35 yds. & incl. 50 yds. water level); Dump (over 35 yds. & incl. 50 yds. water level); Dumpcrete (over 35 yds. & incl. 50 yds. water level); Dumpster (over 35 yds. & incl. 50 yds. water level); Skids (debris box, over 35 yds. & incl. 50 yds. water level); Trucks (dry pre-batch concrete mix, over 35 yds. & incl. 50 yds. water level)	$ 8.68	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 50 yds. & under 65 yds. water level); Dump (over 50 yds. & under 65 yds. water level); Dumpcrete (over 50 yds. & under 65 yds. water level); Dumpster (over 50 yds. & under 65 yds. water level); Helicopter pilot (when transporting men or materials); Skids (debris box, over 50 yds. & under 65 yds. water level); Trucks (dry pre-batch concrete mix, over 50 yds. & under 65 yds. water level)	8.83	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 65 yds. & incl. 80 yds. water level); Dump (65 yds. & incl. 80 yds. water level); Dumpcrete (65 yds. & incl. 80 yds. water level); Dumpster (65 yds. & incl. 80 yds. water level); Skids (debris box, 65 yds. & incl. 80 yds. water level); Trucks (dry pre-batch concrete mix, 65 yds. & incl. 80 yds. water level)	8.98	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 80 yds. & incl. 95 yds. water level); Dump (over 80 yds. & incl. 95 yds. water level); Dumpcrete (over 80 yds. & incl. 95 yds. water level); Dumpster (over 80 yds. & incl. 95 yds. water level);					

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Skids (debris box, over 80 yds. & incl. 95 yds. water level); Trucks (dry pre-batch concrete mix, over 80 yds. & incl. 95 yds. water level)	$9.13	1.195	.65	1.00	

LABORERS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1 :	$ 7.785	.80	$ 1.40	.90	.10
GROUP 1(a):	8.01	.80	1.40	.90	.10
GROUP 1(b):	7.835	.80	1.40	.90	.10
GROUP 1(c):	8.335	.80	1.40	.90	.10
GROUP 1(d):	7.985	.80	1.40	.90	.10
GROUP 2 :	7.635	.80	1.40	.90	.10
GROUP 3 :	7.535	.80	1.40	.90	.10
LABORERS (Gunnite)					
GROUP 1: Nozzleman (incl. Gunman; Potman); Rodman; Groundman	8.245	.80	1.40	.90	.10
GROUP 2: Reboundman	7.655	.80	1.40	.90	.10
GROUP 3: General Laborer	7.535	.80	1.40	.90	.10
LABORERS (Tunnel & Shaft Work)					
GROUP 1:	8.195	.80	1.40	.90	.10
GROUP 2:	7.915	.80	1.40	.90	.10
GROUP 3:	7.745	.80	1.40	.90	.10
GROUP 4:	7.635	.80	1.40	.90	.10
LABORERS (Wrecking Work)					
GROUP 1:	7.785	.80	1.40	.90	.10
GROUP 2:	7.635	.80	1.40	.90	.10
GROUP 3:	7.535	.80	1.40	.90	.10
POWER EQUIPMENT OPERATORS (Piledriving)					
GROUP 1 :	8.38	$1.07*	1.78	.80	.24
GROUP 1(a):	8.71	1.07*	1.78	.80	.24
GROUP 1(b):	8.86	1.07*	1.78	.80	.24
GROUP 2 :	9.49	1.07*	1.78	.80	.24
GROUP 2(a):	9.70	1.07*	1.78	.80	.24
GROUP 3 :	10.00	1.07*	1.78	.80	.24
GROUP 3(a):	10.38	1.07*	1.78	.80	.24
GROUP 4 :	10.93	1.07*	1.78	.80	.24
GROUP 5 :	11.08	1.07*	1.78	.80	.24

*Includes $.20 per hour to Vacation Health & Welfare Fund.

LABORERS

GROUP 1: Asphalt ironers and rakers; Barko, wacker and similar type tampers; Buggymobile; Chainsaw, faller, logloader and bucker; Compactors of all types; Concrete and magnesite mixer 1/2 yd. and under; Concrete pan work; Concrete saw; Concrete sander; Cribber and/or shoring; Cut granite curb setter; Form raisers; slip forms; Green cutters, Headerboardmen, hubsetters, aligners; Jackhammer Ops.; Jacking of pipe over 12 in.; Jackson and similar type compactors; Kettlemen, potmen and men applying asphalt, lay-Kold, creosote, lime, caustic and similar type materials; Lagging, sheeting, whaling, bracing, trench-jacking, hand-guided lagging hammer; Magnesite, epoxyresin, fiberglass, and mastic workers (wet or dry); Pavement breakers and spaders, incl. tool grinder; Pipelayers, caulkers, banders, pipewrappers, conduit layers, plastic pipelayers; Post hole diggers - air, gas and electric; Power broom sweepers; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap-stonepaver and rock-slinger, incl. placing of sacked concrete and/or sand (wet or dry); Rotary scarifier, multiple head concrete chipper; Davis Trencher - 300 or similar type (and all small trenchers); Roto and ditch witch; Roto-tiller; Sandblasters, potman, gunman, nozzleman; Signalling and rigging; Tank cleaners; Tree climbers; Vibra-screed - bull float in connection with laborers' work; Vibrators; Dri-pak-it machine; High pressures blow pipe (1 1/2" or over, 100 lbs. pressure or over); Hydro seeder and similar type; Laser beam in connection with laborers' work

GROUP 1(a): Joy drill Model TWM-2A; Gardener-Denver Model DH143 and similar type drills; Track drillers; Jack Leg drillers; Diamond drillers; Wagon drillers; Mechanical drillers - all types regardless of type or method of power; Multiple unit drills; Blasters and powdermen; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High scalers (incl. drilling of same); Tree topper; Bit grinder

GROUP 1(b): Burning and Welding

GROUP 1(c): Laborers on general construction work on or in Bell Hole footings and shaft

GROUP 1(d): Contra Costa County Only: Pipelayers, Caulkers, Banders, Pipewrappers, Conduit Layers and Plastic pipelayers; Pressure pipe tester, no joint pipe & stripping of same, incl. repair of voids, Precast manhole setters, cast in place, manhole form setters

GROUP 2: Asphalt Shovelers; Cement dumpers and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chuteman; Concrete chipping and grinding; Concrete Laborers (wet or dry); Driller's helper; Chuck Tender; Nipper; Guinea Chaser (Stakeman); Grout Crew; High Pressure Nozzleman, adductors; Hydraulic Monitor (over 100 lbs. pressure); Loading and unloading, carrying and handling of all rods and materials for use in reinforcing concrete

LABORERS (Cont'd)

construction; Pittsburgh Chipper, and similar type brush shredders; Sloper; Singlefoot, hand held, pneumatic tamper; All pneumatic, air, gas, and electric tools; Jacking of pipe under 12 in.

GROUP 3: All cleanup work of debris, grounds and buildings incl. but not limited to street cleaners; Cleaning and washing windows; Construction Laborers incl. bridge and general laborers; Dumpman, load spotter; Fire watcher; Street cleaners; Gardeners, horticultural and landscape laborers; Jetting; Limbers; Brush loaders; Pilers, Maintenance landscape laborers on new construction; Maintenance, repair trackmen and road beds; Streetcar and railroad construction track laborers; Temporary air and water lines, Victaulic or similar; Tool room attendant; Fence erectors; Guardrail erectors; Pavement markers (button setters)

LABORERS (Tunnel and Shaft Work)

GROUP 1: Diamond Driller; Groundmen; Gunite or Shotcrete Nozzlemen; Rodman; Shaft Work and Raise (below actual or excavated ground level)

GROUP 2: Bit Grinder; Blaster, Drillers, Powderman-heading; Cherry Pickermen - where car is lifted; Concrete Finisher in Tunnel; Concrete Screed man; Grout Pumpman and Potman; Gunite and Shotcrete Gunmen and Potmen; Headermen; High Pressure Nozzleman; Miners - Tunnel, including top and bottom man on shaft and raise work; Nipper Nozzleman on slick line; Sandblaster-potman (work assignment interchangeable) Steel Form Raisers and Setters; Timberman, Retimberman - wood or steel or substitute materials therefore; Tugger

GROUP 3: Cabletender; Chucktender; Powderman-primer house; Vibratorman, Pavement Breakers

GROUP 4: Bull Gang - Muckers, Trackmen; Concrete Crew - includes rodding and spreading; Dumpmen (any method); Grout Crew; Reboundmen; Swamper

LABORERS (Wrecking Work)

GROUP 1: Skilled wrecker (Removing and salvaging of sash, windows, doors, plumbing and electric fixtures

GROUP 2: Semi-skilled wrecker (Salvaging of other building materials)

GROUP 3: General laborer (Includes all cleanup work, loading, lumber, loading and burning of debris)

POWER EQUIPMENT OPERATORS (Piledriving)

GROUP 1: Assistant to Engineer (Fireman, Oiler, Deckhand)

GROUP 1-A: Compressor Operator

GROUP 1-B: Truck Crane Oiler

GROUP 2: Tugger Hoist (hoisting material only)

GROUP 2-A Compressor operator (2-7); Generator (100 K. W. or over); Pump (2-7); Welding Machine (2-7) powered other than by electricity)

GROUP 3: Deck Engineer; Fork Lift; A-Frame; Self-propelled Boom Type Lifting Machine

GROUP 3-A: Heavy Duty Repairman and/or Welder

GROUP 4: Operating Engineer in lieu of Assistant to Engineer tending boiler or compressor attached to crane piledriver; Operator of Piledriving Rigs, Skid or Floating and Derrick Barges; Operator of diesel or gasoline powered crane piledriver (w/o boiler) up to and incl. 1 cu. yd.; Truck Crane (up to and incl. 25 tons hoisting material only)

GROUP 5: Operator of Diesel or Gasoline powered Crane Piledriver without boiler, over 1 cu. yd.; Operator of Crane (w/steam, flash boiler, pump or compressor attached); Operator of steam powered Crawler or Universal type driver (Raymond or similar type); Truck Crane (over 25 tons hoisting material or performing piledriving work)

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments				
			H & W	Pensions	Vacation	App. Tr.	Others
	AREA 1	AREA 2					
GROUP 1 :	$ 8.30	$ 9.70	$ 1.07*	$ 1.78	.80	.24	
GROUP 2 :	8.65	10.05	1.07*	1.78	.80	.24	
GROUP 3 :	8.86	10.26	1.07*	1.78	.80	.24	
GROUP 4 :	9.41	10.81	1.07*	1.78	.80	.24	
GROUP 5 :	9.62	11.02	1.07*	1.78	.80	.24	
GROUP 6 :	9.77	11.17	1.07*	1.78	.80	.24	
GROUP 7 :	9.92	11.32	1.07*	1.78	.80	.24	
GROUP 8 :	10.32	11.72	1.07*	1.78	.80	.24	
GROUP 9 :	10.54	11.94	1.07*	1.78	.80	.24	
GROUP 10 :	10.74	12.14	1.07*	1.78	.80	.24	
GROUP 10-A:	10.85	12.25	1.07*	1.78	.80	.24	
GROUP 11 :	11.02	12.42	1.07*	1.78	.80	.24	
GROUP 11-A:	12.09	13.49	1.07*	1.78	.80	.24	
GROUP 11-B:	12.37	13.77	1.07*	1.78	.80	.24	
GROUP 11-C:	12.66	14.06	1.07*	1.78	.80	.24	

* Includes $.20 per hour to Pensioned Health and Welfare Fund.

POWER EQUIPMENT OPERATORS (AREAS I & II)
(Except Piledriving and Steel Erection)

GROUP 1: Assistants to Engineers (Brakeman; Fireman; Heavy Duty Repairman Helper; Oiler; Deckhand; Signalman; Switchman; Tar Pot Fireman); Partsman (Heavy Duty Repair shop parts room)

GROUP 2: Compressor Op.; Concrete Mixer (up to and incl. 1 yd.); Conveyor Belt Operator (tunnel); Fireman Hot Plant; Hydraulic; Monitor; Mechanical Conveyor (handling building materials); Mixer Box Op. (concrete plant); Pump Operator; Spreader Boxman (with screeds); Tar Pot Fireman (power agitated)

GROUP 3: Box Operator (bunker); Helicopter Radioman (signalman); Motorman; Locomotive; Oiler; Rodman or Chainman; Ross Carrier (construction job site); Rotomist Operator; Screedman (except asphaltic concrete paving); Self-propelled, automatically applied concrete curing machine (on streets, highways, airports and canals); Trenching Machine (Maximum digging capacity 3 ft. depth); Tugger Hoist, single drum; Truck Crane Oiler

GROUP 4: Ballast Jack Tamper; Ballast Regulator; Ballast Tamper Multi-purpose; Boxman (asphalt plant); Elevator Op. (inside); Fork Lift or Lumber Stacker (construction job site); Line Master; Lubrication and Service Engineer (mobile and grease rack); Material Hoist (1 drum); Shuttlecar; Tie Spacer; Towermobile

GROUP 5: Compressor Op. (2 to 7); Concrete Mixers (over 1 yd.); Concrete Pumps or Pumpcrete Guns; Generators (100 K.W. or over); Grouting Machine; Press-weld (air-operated); Pumps (2 to 7); Welding Machines (powered other than by electricity) (2 to 7)

GROUP 6: BLH Lima Road Factor or similar; Boom Truck or Dual Purpose A-Frame Truck; Concrete Batch Plants (wet or dry); Concrete Saws (self-propelled unit) on streets, highways, airports and canals; Drilling and Boring Machinery, vertical and horizontal (not to apply to waterliners, wagon drills or jack-hammers); Gradesetter, Grade Checker (mechanical or otherwise); Highline Cableway Signalman; Locomotives (steam or over 30 tons) Maginnis Internal Full Slab Vibrator (on airports, highways, canals and warehouses); Mechanical Finishers (concrete) (Clary, Johnson, Bidwell Bridge Deck or similar types); Mechanical Burm, Curb and/or Curb and Gutter Machine, concrete or asphalt; Portable Crusher; Post Driver (H-1500 and similar); Power Jumbo Operator (setting slip forms, etc. in tunnels); Roller; Screedman (Barber-Greene and similar) (asphaltic concrete paving); Self-propelled Compactor (single engine); Self-propelled Pipeline Wrapping Machine, Perault, CMC, or similar types); Slip Forms Pumps (lifting device for concrete forms); Small Rubber Tired Tractors; Surface Heater

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POWER EQUIPMENT OPERATORS (AREAS I & II) (Cont'd)
(Except Piledriving and Steel Erection)

GROUP 7: Concrete Conveyor or Concrete Pump, Truck or Equipment mounted (boom length to apply); Concrete Conveyor, building site; Deck Engineers; Dual Drum Mixer; Fuller Kenyon Pump and similar types; Gantry Rider (or similar); Hydra-Hammer (or similar); Instrument Man; Material Hoist (2 or more drums); Mechanical Finishers or Spreader Machine (asphalt, Barber-Greene and similar; Mine or Shaft Hoist; Mixermobile; Pavement Breaker with or without Compressor Combination; Pavement Breaker, Truck mounted with Compressor Combination; Pipe Bending Machine (pipelines only); Pipe Cleaning Machine (tractor propelled and supported); Pipe Wrapping Machine (tractor propelled and supported); Refrigeration Plant; Roller Operator (finish asphalt); Self-propelled boom type lifting device (center mount) (10 tons or less M.R.C.); Self-propelled Elevating Grade Plane; Slusher Op.; Small Tractor (with boom) Soil Tester; Truck type Loader

GROUP 8: Amor-Coater (or similar); Asphalt Plant Engineer; Cast-in-place Pipe Laying Machine; Combination Slusher and Motor Op.; Concrete Batch Plant (multiple units); Dozer; Heading Shield Op.; Heavy Duty Repairman and/or Welder; Ken Seal Machine (or similar); Kolman Loader; Loader (up to 2 yds.); Mechanical Trench Shield; Portable Crushing and Screening Plants; Push Cat; Rubber Tired Earth-moving Equipment (up to and incl. 45 cu. yds. "struck" m.r.c., Euclids, T-Pulls, DW-10, 20, 21, and similar; Rubber Tired Dozer; Self-propelled Compactor with Dozer; Sheepfoot; Timber Skidder (Rubber tired or similar equipment); Tractor drawn Scraper; Trench Trenching Machine; Tri-Batch Paver; Tunnel Mole Boring Machine; Welder; Woods-mixer (and other similar Pugmill equipment)

GROUP 9: Canal Finger Drain Digger; Chicago Boom; Combination Mixer and Compressor (gunite); Combination Slurry Mixer and/or Cleaner; Highline Cableway (5 tons and under); Lull Hi-Lift or similar (20 ft. or over); Mucking Machine (rubber tire, rail or track type); Tractor (with boom) (D-6 or larger and similar)

GROUP 10: Boom-type Backfilling Machine; Bridge Crane; Cary-Lift (or similar); Chemical Grouting Machine; Chief of Party; Combination Backhoe and Loader (up to and incl. 1/2 cu. yd. m.r.c.); Derrick (2 ops. required when swing engine remote from hoist); Derrick Barges (except excavation work); Do-Mor Loader; Adams Elegrader; Elevating Grader; Heavy Duty Rotary Drill Rig (incl. Caisson foundation work and Robbins type drills); Koehring Skooper (or similar); Lift Slab Machine (Vagtborg and similar types); Loader (2 yds. up to and incl. 4 yds.); Locomotive (over 100 tons) (single or multiple units); Multiple Engine Earthmoving Machine (Euclids, Dozers, etc.) (no tandem scraper); Pre-Stress Wire Wrapping Machine; Reservoir-Debris Tug (self-propelled floating); Rubber-tired Scraper, Self-loading(Paddle wheels, etc.); Shuttle Car (reclaim station); Single Engine Scraper over 45 yds.; Soil Stabilizer (P & H or equal); Sub-grader (Gurries or other automatic type); Tractor, Compressor Drill Combination; Track laying type earth moving machine (single engine with tandem scrapers); Train loading station; Vacuum Cooling Plant; Whirley Crane (up to and incl. 25 tons)

POWER EQUIPMENT OPERATORS (AREAS I & II) (Cont'd)
(Except Piledriving and Steel Erection)

GROUP 10-A: Backhoe (hydraulic) (up to and incl. 1 cu. yd. m.r.c.); Backhoe (cable) (up to and incl. 1 cu. yd. m.r.c.); Combination Backhoe and Loader over 1/2 cu. yd. m.r.c.); Continuous Flight Tie Back Auger (up to and incl. 1 cu. yd.) (crane attached); Cranes (not over 25 tons, hammerhead and gantry); Grade-alls (up to and incl. 1 cu. yd.); Power Shovels, Clamshells, Draglines, (up to and incl. 1 cu. yd. m.r.c.); Power Blade (single engine); Self-propelled Boom-type Lifting Device (center mount) (over 10 tons); Self-propelled Boom-type Lifting Device (center mount) (over 15 tons)

GROUP 11: Automatic Concrete Slip Form Paver; Automatic Railroad Car Dumper; Canal Finger Drain Backfiller; Canal Trimmer; Canal Trimmer w/ ditching attachments; Cranes (over 25 tons up to and incl. 125 tons); Continuous Flight Tie Back Auger over 1 cu. yd. (incl. crane); Drott Travelift 650-A-1 or similar (45 tons or over); Highline Cableway (Over 5 tons); Loader (over 4 yds., up to and incl. 12 cu. yds.); Power Blade (multi-engine); Power Shovels, Clamshells, Draglines, Backhoes, Grade-alls (over 1 yd. and up to and incl. 7 cu. yds. m.r.c.); Rubber-tired earth moving machines (multiple propulsion power units and two or more scrapers) (up to and incl. 75 cu. yds. "struck" m.r.c.); Self-propelled Compactor (with multiple propulsion power units); Single engine Rubber-tired Earthmoving Machines (with tandem scrapers); Slip Form Paver (concrete or asphalt); Tandem Cats; Tower Cranes Mobile; Trencher (pulling attached shield); Universal Liebher and Tower Cranes (and similar types); Wheel Excavator (up to and incl. 750 cu. yd. per hour); Whirley Crane (over 25 tons

GROUP 11-A: Band Wagons (in conjunction with Wheel Excavator); Cranes (over 125 tons); Loader (over 12 cu. yds., up to and incl. 18 cu. yds.); Power Shovels and Draglines (over 7 cu. yds., m.r.c.); Rubber Tired Multi-Purpose Earth Moving Machines (2 units over 75 cu. yds. "struck" m.r.c.); Wheel excavator (over 750 cu. yds. per hour)

GROUP 11-B: Loader (over 18 cu. yds.)

GROUP 11-C: Operator of Helicopter (when used in erection work); Remote controlled earthmoving equipment

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CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS

**AREA 2: All areas not included within Area 1 as defined below.

*AREA 1: All areas included in the description defined below which is based upon township and range lines of Areas 1 and 2.

Commencing in the Pacific Ocean on the extension of the Southerly line of Township 19S.
Thence Easterly along the Southerly line of Township 19S, crossing the Mt. Diablo meridian to the S.W. corner of township 19S, range 6E, Mt. Daiblo base line and meridian,
Thence Southerly to the S.W. corner of township 20S, range 6E,
Thence Easterly to the S.W. corner of township 20S, range 13E,
Thence Southerly to the S.W. corner of township 21S, range 13E,
Thence Easterly to the S.W. corner of township 21S, range 17E,
Thence Southerly to the S.W. corner of township 22S, range 17E,
Thence Easterly to the S.E. corner of township 22S, range 17E,
Thence Southerly to the S.W. corner of township 23S, range 18E,
Thence Easterly to the S.E. corner of township 23S, range 18E,
Thence Southerly to the S.W. corner of township 24S, range 19E, falling on the Southerly line of Kings County, thence Easterly along the Southerly boundary of Kings County and the Southerly boundary of Tulare County, to the S.E. corner of township 24S, range 29E,
Thence Northerly to the N.E. corner of township 21S, range 29E,
Thence Westerly to the N.W. corner of township 21S, range 29E,
Thence Northerly to the N.E. corner of township 13S, range 28E,
Thence Westerly to the N.W. corner of township 13S, range 28E,
Thence Northerly to the N.E. corner of township 11S, range 27E,
Thence Westerly to the N.W. corner of township 11S, range 27E,
Thence Northerly to the N.E. corner of township 10S, range 26E,
Thence Westerly to the N.W. corner of township 10S, range 26E,
Thence Northerly to the N.E. corner of township 9S, range 25E,
Thence Westerly to the N.W. corner of township 9S, range 25E,
Thence Northerly to the N.E. corner of township 8S, range 24E,
Thence Westerly to the N.W. corner of township 8S, range 24E,
Thence Northerly to the N.E. corner of township 6S, range 23E,
Thence Westerly to the S.E. corner of township 5S, range 19E,
Thence Northerly to the N.E. corner of township 5S, range 19E,
Thence Westerly to the N.W. corner of township 3S, range 19E,
Thence Northerly to the N.E. corner of township 3S, range 18E,
Thence Westerly to the N.W. corner of township 3S, range 18E,
Thence Northerly to the N.E. corner of township 2S, range 17E,
Thence Westerly to the N.W. corner of township 2S, range 17E,
Thence Northerly crossing the Mt. Diablo baseline to the N.E. corner of township 2N, range 16E,
Thence Westerly to the N.W. corner of township 2N, range 16E,
Thence Northerly to the N.E. corner of township 3N, range 15E,
Thence Westerly to the N.W. corner of township 3N, range 15E,
Thence Northerly to the N.E. corner of township 4N, range 14E,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (cont'd)

*Area 1 (cont'd):
Thence Westerly to the N.W. corner of township 4N, range 14E,
Thence Northerly to the N.E. corner of township 5N, range 13E,
Thence Westerly to the N.W. corner of township 5N, range 13E,
Thence Northerly to the N.E. corner of township 10N, range 12E,
Thence Easterly to the S.E. corner of township 11N, range 14E,
Thence Northerly to the N.E. corner of township 11N, range 14E,
Thence Westerly to the N.E. corner of township 11N, range 10E,
Thence Northerly to the N.E. corner of township 15N, range 10E,
Thence Easterly to the S.E. cotner of township 16N, range 11E,
Thence Northerly to the N.E. corner of township 16N, range 11E,
Thence Easterly to the S.E. corner of township 17N, range 14E,
Thence Southerly to the S.W. corner of township 14N, range 15E,
Thence Easterly to the S.E. corner of township 14N, range 15E,
Thence Southerly to the S.W. corner of township 13N, range 16E,
Thence Easterly to the S.E. corner of township 13N, range 16E,
Thence Southerly to the S.W. corner of township 12N, range 17E,
Thence Easterly along the Smuthern line of township 12N to the Eastern boundary of the state of California,
Thence Northwesterly, thence Nurtherly along the Eastern boundary of the state of California to the N.E. corner of township 17N, range 18E,
Thence Westerly to the N.W. corner of township 17N, range 11E,
Thence Northerly to the N.E. corner of township 20N, range 10E,
Thence Westerly to the N.W. corner of township 20N, range 10E,
Thence Northerly to the N.E. corner of township 21N, range 9E,
Thence Westerly to the N.W. corner of township 21N, range 9E,
Thence Northerly to the N.E. corner of township 22N, range 8E,
Thence Westerly to the N.W. corner of township 22N, range 8E,
Thence Northerly to the S.W. corner of township 27N, range 8E,
Thence Easterly to the S.E. corner of township 27N, range 8E,
Thence Northerly to the N.E. corner of township 28N, range 8E,
Thence Westerly to the N.W. corner of township 28N, range 7E,
Thence Northerly to the N.E. corner ot township 30N, range 6E,
Thence Westerly tm the N.W. corner of township 30N, range 1E,
Thence Northerly along the Mt. Diablo meridian to the N.E. corner of township 34N, range 1W,
Thence Westerly to the N.W. corner of township 34N, range 6W,
Thence Southerly to the N.E. corner of township 32N, range 7W,
Thence Westerly to the N.W. corner of township 32N, range 7W,
Thence Southerly to the S.W. corner of township 30N, range 7W,
Thence Easterly to the S.E. corner of township 30N, range 7W,
Thence Southerly to the S.W. corner of township 16N, range 6W,
Thence Easterly to the S.E. corner of township 16N, range 6W,
Thence Southerly to the S.W. corner of township 14N, range 5W,
Thence Westerly to the S.E. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 14N, range 7W,
Thence Westerly to the N.W. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 15N, range 8W,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (cont'd)

*Area 1 (cont'd)
Thence Westerly to the S.E. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 16N, range 12W,
Thence Westerly to the N.W. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 18N, range 13W,
Thence Westerly to the N.W. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 18N, range 14W,
Thence Easterly to the S.E. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 16N, range 13W,
Thence Westerly to the N.W. corner of township 15N, range 14W,
Thence Southerly to the S.W. corner of township 14N, range 14W,
Thence Easterly to the S.E. corner of township 14N, range 14W,
Thence Southerly to the S.W. corner of township 13N, range 13W,
Thence Easterly to the S.E. corner of township 13N, range 13W,
Thence Southerly to the S.W. corner of township 11N, range 12W,
Thence Easterly to the S.E. corner of township 11N, range 12W,
Thence Southerly along the Eastern line of range 12W to the Pacific Ocean excluding that portion of Northern California within Santa Clara County included within the following line:
Commencing at the N.W. corner of township 6S, range 3E, Mt. Diablo baseline and Meridian:
Thence in a Sontherly direction to the S.W. corner of township 7E, range 3E,
Thence in a Easterly direction to the S.E. corner of township 7S, range 4E,
Thence in a Nortberly direction to the N.E. corner of township 6S, range 4E,
Thence in a Westerly direction to the N.W. corner of township 6S, range 3E, to the point of beginning which portion is a part of Area 2.
Area 1 also includes that portion of Northern California within the following lines:
Commencing in the Pacific Ocean on an extension of the Southerly line of township 2N, Humboldt baseline and meridian:
Thence Easterly along the Southerly line of township 2N to the S.W. corner of township 2N, range 1W,
Thence Southerly to the S.W. corner of township 1N, range 1W,
Thence Easterly along the Humboldt baseline to the S.W. corner of township 1N, range 2E,
Thence Southerly to the S.W. corner of township 2S, range 2E,
Thence Easterly to the S.E corner of township 2S, range 2E,
Thence Southerly to the S.W. corner of township 4S, range 3E,
Thence Easterly to the S.E. corner of township 4S, range 3E,
Thence Northerly to the N.E. corner of township 2S, range 3E,
Thence Westerly to the N.W. corner of township 2S, range 3E,
Thence Northerly crossing the Humboldt baseline to the S.W. corner of township 1N, range 3E,
Thence Easterly along the Humboldt baseline to the S.E. corner of township 1N, range 3E,
Thence Northerly to the N.E. corner of township 9N, range 3E,
Thence Westerly to the N.W. corner of township 9N, range 2E,
Thence Northerly to the N.E. corner of township 10N, 1E,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (Cont'd)

*Area 1: (Cont'd)
Thence Westerly along the Northerly line to township 10N, into the Pacific Ocean.
Area 1 also includes that portion of Northern California included within the following line:
Commencing at the Northerly boundary of the State of California at the N.W. corner of township 48N, range 7W, Mt. Diablo baseline and meridian:
Thence Southerly to the S.W. corner of township 44N, range 7W,
Thence Easterly to the S.E. corner of township 44N, range 7W,
Thence Southerly to the S.W. corner of township 43N, range 6W,
Thence Easterly to the S.E. corner of township 43N, range 5W,
Thence Northerly to the N.E. corner of township 48N, range 5W, on the Northerly boundary of the State of California,
Thence Westerly along the Northerly boundary of the State of California to the point of beginning.

SUPERSEDEAS DECISION

STATE: California

COUNTIES: Alameda, Alpine, Amador, Calaveras, Contra Costa, Del Norte, Eldorado, Fresno, Humboldt, Marin, Mariposa, Merced, Monterey, Napa, Nevada, Placer, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Solano, Sonoma, Sutter, Tehama, Tuolumne, Yolo and Yuba

DATE: Date of Publication

DECISION NUMBER: CA75-5152

Supersedes Decision No. CA75-5086 dated July 25, 1975, in 40 FR 31474

DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$12.15	.90	.87	1.07	.06
BOILERMAKERS	10.85	.65	1.00	.50	.02
BRICKLAYERS; Stonemasons:					
Del Norte, Humboldt, Marin, Napa, San Francisco, San Mateo, Solano and Sonoma Counties	10.02	.90	.58	1.00	.20
Alameda and Contra Costa Cos.	11.15	.95	.95		
Fresno, Mariposa and Merced Cos.	9.77	.48	1.00		
El Dorado, Nevada, Placer, Sacramento, Shasta, Sutter, Tehama, Yolo and Yuba Counties	10.65	.73	.92		.22
Monterey and Santa Cruz Counties	10.75	.93	1.10	.75	
San Benito and Santa Clara Cos.	10.15	.85	.95		.15
Alpine, Amador, Calaveras, San Joaquin and Tuolumne Counties	10.30	.55	.60	1.00	
BRICK TENDERS:					.10
Alameda and Contra Costa Cos.	7.70	.55	.95		
Marin County	6.90	.65	.50	.65	
Napa County	5.90	.65	1.35	.80	
San Benito, Santa Clara and Santa Cruz Counties	8.61	.70	.90		
San Francisco and San Mateo Cos.	10.00	.50	.65		
Shasta and Tehama Counties	5.65	.65	1.35	.80	
Alpine, Amador, El Dorado, Nevada, Placer, Sacramento and Yolo Counties	8.00	.80	1.40		
Fresno County	8.60	.80	1.40		
CARPENTERS:					
Carpenters	10.70	.74	1.26	.75	.04
Hardwood Floor Layers; Power Saw Operators; Saw Filers; Shinglers; Steel Scaffold Erectors and/or Steel Shoring Erectors	-	-	-	-	-
	10.85	.74	1.26	.75	.04
Millwrights	11.20	.74	1.26	.75	.04
Piledrivermen, bridge, wharf and dock builders	10.83	.71	1.26	.75	.04

DECISION NO. CA75-5152

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CEMENT MASONS:	$9.46	1.02	1.35	1.25	.05
Cement Masons					
Mastic; Magnesite; All Composition Masons	9.71	1.02	1.35	1.25	.05
Men Working from swinging or slip form scaffolds	9.71	1.02	1.35	1.25	.05
DRYWALL INSTALLERS	10.97	.74	1.26	.75	.07
ELECTRICIANS:					
Alameda County					
Electricians	11.41	.70	1%+.50		.03
Cable Splicers	12.84	.70	1%+.50		.03
Amador, Sacramento, Sutter, Yolo, Yuba and those portions of Alpine, El Dorado, Nevada and Placer Counties West of the Main Sierra Mountain Watershed					
Electricians	11.34	.60	1%+.75		.045
Cable Splicers	12.47	.60	1%+.75		.045
Lake Tahoe Area					
Electricians	10.34	.53	1%+.55		.03
Cable Splicers	11.37	.53	1%+.55		.03
Shasta and Tehama Counties					
Electricians (Family residences limited to 3 stories)	7.08	.60	1%+.40		.005
Electricians (4 stories):					
Electricians	11.07	.75	1%+.505		.02
Cable Splicers	12.18	.75	1%+.505		.02
Calaveras and San Joaquin Cos.					
Electricians	11.00	.78	1%+.89		1%
Cable Splicers	12.38	.78	1%+.89		1%
Contra Costa County					
Electricians	11.95	.70	1%+.50		
Cable Splicers	13.20	.70	1%+.50		
Del Norte and Humboldt Counties					
Electricians	9.50	.47	1%+1.35		.02
Cable Splicers	10.26	.47	1%+1.35		.02

NOTICES

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS: (Cont'd)					
Fresno County					
Electricians (Family residences not to exceed 2 stories)	$7.75	.60	1%+.95		.05
Electricians (3-4 stories):					
Electricians	10.01	.60	1%+.95		.05
Cable Splicers	11.41	.60	1%+.95		.05
Marin and Sonoma Counties					
Electricians	11.25	.81	1%+.30		.02
Cable Splicers	12.38	.61	1%+.30		.02
Mariposa, Merced and Tuolumne Counties					
Electricians	9.83	.62	1%		1%
Cable Splicers	10.81	.62	1%		1%
Monterey County					
Electricians	12.80	.60	1%		.01
Cable Splicers	13.92	.60	1%		.01
Napa and Solano Counties					
Electricians	9.67	.58	1%+.60		.04
Cable Splicers	10.17	.58	1%+.60		.04
San Benito, Santa Clara and Santa Cruz Counties					
Electricians	12.10	.62	1%+.60		.05
Cable Splicers	13.61	.62	1%+.60		.05
San Francisco County					
Electricians	10.67	.705	1%+.50		.04
Cable Splicers	12.00	.705	1%+.50		.04
San Mateo County					
Electricians	10.55	.69	1%+.38		.03
ELEVATOR CONSTRUCTORS	10.70	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS:					
Alameda, Contra Costa, Marin, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, (SW from E of Fairfield), Sonoma Counties	9.135	.60	.83		.01

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
IRONWORKERS:	$9.34	.93	1.65	1.10	.03
Fence Erectors	10.23	.93	1.65	1.10	.03
Reinforcing	10.23	.93	1.65	1.10	.03
Ornamental; Structural					
LATHERS:	9.81	.74	.715		.025
Alameda and Contra Costa Cos.					
Humboldt, Nevada, Placer, Shasta and Tehama Counties	10.18	.48	.80		.01
Amador, El Dorado, Sacramento and Yolo Counties	8.40	.40	.95	1.00	
Calaveras and San Joaquin Cos.	9.90	.58	.55		.01
Marin and Sonoma Counties	8.14	.40	.45	1.00	1/8%
Monterey and Santa Cruz Counties	10.37	.58	.50	.95	.01
Napa and Solano Counties	8.88	.65	.40		.01
San Francisco and N 1/2 of San Mateo County	10.98	.46	.65	1.00	.01
San Benito and Santa Clara Cos.	10.14	.73	.75		
Fresno County	10.33	.35	.45		
Mariposa, Merced and Tuolumne Counties	9.75				.01
Southern Half of San Mateo Co.	10.03	.32	1.00		
PAINTERS:					
Alpine, Amador, Calaveras and San Joaquin Counties					
Brush	8.72	.70	1.45	1.00	
Spray; Sheetrock Tapers; Swing Stage; Scaffold; Sandblaster; Structural Steel	9.12	.70	1.45	1.00	
Fresno County					
Brush; Tapers	10.22	.40	.20		
Spray; Structural Steel	10.47	.40	.20		
Monterey, San Benito, San Mateo, Santa Clara and Santa Cruz Cos. (excluding portions of the Lake Tahoe Area)					
Brush	10.40	.79	.90	.80	.03
Spray	10.65	.79	.90	.80	.03
Tapers	10.95	.79	.90	.80	.03

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Lake Tahoe Area					
Brush	$10.50	.70	.20		
Spray; Structural Steel; Tapers	10.75	.70	.20		
Marin, San Francisco and Sonoma Counties					
Brush	10.15	.79	.90	.80	.03
Spray	10.40	.79	.90	.80	.03
Tapers	11.10	.79	.90	.80	.03
Alameda, Contra Costa, El Dorado, Napa, Nevada, Placer, Sacramento, Solano and Yolo Counties (excluding portions of Counties in the Lake Tahoe Area)					
Brush	10.30	.79	.90	.80	.03
Spray	10.55	.79	.90	.80	.03
Tapers	11.10	.79	.90	.80	.03
PLASTERERS:					
Alameda and Contra Costa Counties	10.10	.745	1.05		.03
Sutter and Yuba Counties	9.79	.56	1.00		
Fresno County	8.24	.66	1.00	.75	.01
Monterey County	10.60	.71	.35		.01
El Dorado, Nevada, Placer, Sacramento, and Yolo Counties	9.79	.56	1.00		
San Francisco County	11.42	.63	1.00		.03
San Mateo County	7.72	.48	.90	1.50	.025
Del Norte, Humboldt, Marin, Napa, Shasta, Solano, Sonoma and Tehama Counties	8.65	.63	.50	1.00	.01
Mariposa, Merced and Tuolumne Counties	8.80	.70	1.25	1.00	
PLASTERERS' TENDERS:					
Alameda and Contra Costa Counties	8.87	.60	1.10		
Fresno County	8.65	.80	1.40		
Marin County	6.66	.65	.65	1.00	
Napa County	7.95	.80		.90	
Alpine, Amador, El Dorado, Nevada, Placer, Sacramento and Yolo Counties	7.455	.435	1.40	.80	
Calaveras and San Joaquin Cos.	8.43	.80	1.40	.90	

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLASTERERS' TENDERS: (Cont'd)					
Monterey County	$8.40	.80	1.40		
PLUMBERS:					
Alameda County	13.10	.83	1.55		.12
Contra Costa County	12.72	.90	1.72		.20
Del Norte and Humboldt Counties	10.83	.61	1.12	1.06	.05
PLUMBERS; Steamfitters:					
Amador (Northen half of County), El Dorado, Sacramento, Yolo, Nevada, Placer (excluding Lake Tahoe Area)	12.58	.92	1.35		.11
Lake Tahoe Area	10.99	.58	.60	1.95	.10
Marin, San Francisco and Sonoma Counties	11.015	1.70	1.15	1.11	.15
San Benito and Santa Clara Cos.	13.03	.82	1.65		.14
San Mateo County	11.04	.95	1.65	1.20	.25
Alpine, Amador (Southern portion of County), Calaveras, Fresno, Mariposa, Merced, Monterey, San Joaquin, Santa Cruz, Shasta, Sutter, Tehama, Tuolumne and Yuba Counties	12.10	1.15	1.74		.10
Napa and Solano Counties	11.85	.77	1.40		.12
ROOFERS:					
Alameda and Contra Costa Counties					
Roofers	10.19	.92	1.10	.60	.04
Mastic workers; Kettlemen (2 kettles w/o pumps)	10.44	.92	1.10	.60	.04
Bitumastic; Enamelers; Pipe-wrapper; Coal tar built up	11.19	.92	1.10	.60	.04
Alpine, Calaveras, Mariposa, Merced, San Joaquin and Tuolumne Counties					
Roofers (slate, tile composition and built up)	10.29	.85	.55		
Felt Machine Operator	10.44	.85	.55		
El Dorado, Placer, Shasta, Sutter and Yuba Counties					
Roofers	10.14	.95	.90		

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS: (Cont'd)					
Fresno County					
Roofers	$9.45	.50	.50		
Marin, Napa, Solano and Sonoma Counties					
Roofers	9.63	.65	1.10	1.43	.04
Mastic workers; Kettlemen (2 kettles w/o pump)	9.88	.65	1.10	1.43	.04
Bitumastic; Enamelers; Pipe-wrappers; Coal Tar Pitch	10.63	.65	1.10	1.43	.04
Del Norte and Humboldt Counties					
Roofers	9.32	.40	.75	.35	
Monterey and Santa Cruz Counties					
Roofers	8.85	.60	.60	1.00	
San Francisco and San Mateo Cos.					
Roofers	10.13	.50	1.10	.95	.04
Mastic workers and Kettlemen(2 kettles) without pumps)	10.48	.50	1.10	.95	.04
Bitumastic; Enamelers; Pipe-wrappers;; Coal tar	11.23	.50	1.10	.95	.04
Amador, Sacramento and Yolo Cos.					
Roofers	9.36	.82	1.10	1.00	.04
Enamelers and Pitch	10.36	.82	1.10	1.00	.04
San Benito and Santa Clara Cos.					
Roofers; Kettlemen (1 kettle)	8.51	.81	1.03		
SHEET METAL WORKERS:					
Alameda, Contra Costa, Napa and Solano Counties	10.84	1.60	1.40	12%	.04
Alpine, Calavaras and San Joaquin Counties	7.62	.36	.95	1.40	
Amador, El Dorado, Nevada, Placer, Sacramento, Shasta, Sutter, Tehama, Yolo and Yuba Counties	8.46	.48	1.20	12%	.08
Fresno County	8.05	.36	.69	.80	.07
Mariposa, Merced and Tuolumne Counties	8.83	.36	.80	-	.03
Monterey, San Benito, Santa Clara and Santa Cruz Counties	9.45	.48	1.555	.945	
San Mateo County	11.76	.48	1.31		.12
Del Norte, Humboldt, Marin, San Francisco and Sonoma Counties	10.86	.48	1.20		10%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SOFT FLOOR LAYERS:					
Alpine, Amador, Calaveras, Merced (East of the San Joaquin River), San Joaquin, Shasta, Sacramento, Sutter, Tehama, Tuolumne, Yolo and Yuba Counties; and those portions of El Dorado, Nevada and Placer Counties (excluding Lake Tahoe Area)	$9.44	.64	1.00	1.00	.09
Lake Tahoe Area	9.55	.70	.20		
SPRINKLER FITTERS:					
Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma Counties	14.56	.50	.80		.09
Remaining Counties	13.72	.50	.80		.08
STEAMFITTERS:					
Alameda and Contra Costa Counties	10.069	.75	1.25		.12
Del Norte and Humboldt Counties	11.13	.61	1.12	1.06	.05
TERRAZZO WORKERS:					
Alameda, Contra Costa, Del Norte, Humboldt, Marin, Napa, San Francisco, San Mateo, Solano and Sonoma Counties	8.78	.85	.58	1.00	
El Dorado, Nevada, Placer, Sacramento, Shasta, Sutter, Tehama, Yolo and Yuba Counties	10.65	.73	.92		.22
TILE SETTERS:					
Alameda, Contra Costa, Del Norte, El Dorado, Humboldt, Marin, Napa, Nevada, Placer, Sacramento, San Benito, San Francisco, San Mateo, Santa Clara, Shasta, Solano, Sonoma, Sutter, Tehama, Yolo and Yuba Counties	10.10	.78	.90	.90	.025
Alpine, Amador, Calaveras, San Joaquin and Tuolumne Counties	9.17	.55	.30	1.00	
Fresno, Mariposa and Merced Cos.	8.97	.40	.35		
Monterey and Santa Cruz Counties	9.72	.840	.73	.87	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTE:
a. Employer contributes 4% of basic hourly rate for over 5 years' service and 2% of basic hourly rate for 6 months to 5 years as Vacation Pay Credit. Six Paid Holidays: A through F.

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
BULK CEMENT SPREADER (w/wo auger, under 4 yds. water level); Bus or manhaul driver, Concrete pump machine; Concrete pump truck (when flat rack truck is used appropriate flat rack rate shall apply); Dump (under 4 yds. water level); Dumpcrete truck (under 4 yds. water level); Dumpster (under 4 yds. water level); Escort or pilot car driver; Nipper truck (when flat rack truck is used appropriate flat rack rate shall apply); Pickups; Skids (debris box, under 4 yds. water level); Team drivers; Trucks (dry pre-batch concrete mix, under 4 yds. water level); Helpers; Warehousemen	$ 7.795	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, 4 yds. and under 6 yds. water level); Dump (4 yds. & under 6 yds. water level); Dumpcrete (4 yds. & under 6 yds. water level); Dumpster (4 yds. & under 6 yds. water level); Skids (debris box, 4 yds. & under 6 yds. water level); Single unit flat rack (2 axle unit) Industrial Lift Truck (Mechanical Tailgate) Trucks (dry pre-batch concrete mix, 4 yds. & under 6 yds. water level)	7.89	1.195	.65	1.00	
JETTING TRUCK & WATER TRUCK (under 2,500 gals.)	7.905	1.195	.65	1.00	
LIFT JITNEYS, Fork lift	7.925	1.195	.65	1.00	
TRANSIT MIX, AGITATOR (under 6 yds.)	7.945	1.195	.65	1.00	
TRUCK REPAIRMAN HELPER	7.965	1.195	.65	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
VACUUM TRUCK (UNDER 2,500 gals)	$ 7.975	1.195	.65	1.00	
SCISSOR TRUCK; Single unit flat rack (3 axle unit); Industrial Lift Truck (Mechanical Tailgate); Small rubber tired tractor (when used within teamsters' jurisdiction)	7.99	1.195	.65	1.00	
JETTING TRUCK & WATER TRUCK (2,500 gals. under 4,000 gals.)	8.005	1.195	.65	1.00	
COMBINATION WINCH TRUCK WITH HOIST; Transit mix, agitator (6 yds. & under 8 yds.	8.045	1.195	.65	1.00	
VACUUM TRUCK (3,500 gals. & under 5,500 gals.)	8.055	1.195	.65	1.00	
RUBBER-TIRED MUCK CAR (not self-loaded)	8.065	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, 6 yds. & under 8 yds. water level) Dump (6 yds. & under 8 yds. water level); Dumpcrete (6 yds. & under 8 yds. water level); Dumpster (6 yds. & under 8 yds. water level); Skids (debris box, 6 yds. & under 8 yds. water level); Trucks (dry pre-batch concrete mix, 6 yds. & under 8 yds. water level)	8.09	1.195	.65	1.00	
A-FRAME, WINCH TRUCKS; Buggymobile Hydro-lift, Swedish crane type (jetting); Jetting & water truck (4,000 gals. & under 5,000 gals.); Rubber tired jumbo	8.105	1.195	.65	1.00	
HEAVY DUTY TRANSPORT (high bed)	8.11	1.195	.65	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
ROLL HYSTER and SIMILAR STRADDLE CARRIER	$8.135	1.195	.65	1.00	
TRANSIT MIX AGITATOR (8 yds. through 10 yds.)	8.145	1.195	.65	1.00	
VACUUM TRUCK (5,500 gals and under 7,500 gals.)	8.155	1.195	.65	1.00	
JETTING TRUCK and WATER TRUCK (5,000 gals. & under 7,000 gals.)	8.205	1.195	.65	1.00	
TRANSIT MIX AGITATOR (over 10 yds. through 12 yds.)	8.245	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, 8 yds. and incl. 12 yds. water level); Dump (8 yds. and incl. 12 yds. water level); Dumpcrete (8 yds. and incl. 12 yds. water level); Self-propelled street sweeper with self-contained refuse bin; Skids (debris box, 8 yds. and incl. 12 yds. water level); Snow go and/or snow plow; Truck (dry pre-batch concrete mix, 8 yds. and incl. 12 yds. water level); Dumpster (8 yds. and incl. 12 yds. water level)	8.33	1.195	.65	1.00	
HEAVY DUTY TRANSPORT (gooseneck lowbed)	8.34	1.195	.65	1.00	
TRANSIT MIX AGITATOR (over 12 yds. through 14 yds.)	8.345	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 12 yds. and incl. 18 yds. water level); Dump (over 12 yds. and incl. 18 yds. water level); Dumpcrete (over 12 yds. and incl. 18 yds. water level); Dumpster (over 12 yds. and incl. 18 yds. water level); Skids (debris box, over 12 yds. and incl. 18 yds. water level); Trucks (dry pre-batch concrete mix, over 12 yds. and incl. 18 yds. water level)	8.37	1.195	.65	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
P. B. OR SIMILAR TYPE SELF-LOADING TRUCK	$ 8.43	1.195	.65	1.00	
TRUCK REPAIRMAN	8.465	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 18 yds. & incl. 24 yds. water level); Combination dump & dump trailer; Dump (over 18 yds. & incl. 24 yds. water level); Dumpcrete (over 18 yds. & incl. 24 yds. water level); Dumpster (over 18 yds. & incl. 24 yds. water level); Skid (debris box, over 18 yds. & incl. 24 yds. water level); Transit mix agitator (over 14 yds. through 16 yds.); Trucks (dry pre-batch concrete mix, over 17 yds. & incl. 24 yds. water level)	8.475	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 24 yds. & incl. 35 yds. water level); Dump (over 24 yds. & incl. 35 yds. water level); Dumpcrete (over 24 yds. & incl. 35 yds. water level); Dumpster (over 24 yds. & incl. 35 yds. water level); DW 10's, 20's, 21's & other similar cat type, Terra Cobra, LaTourneau-pule, Tournorocker, Euclid & similar type equipment when pulling Aqua/Pak or water tank trailers & fuel and/or grease tank trailers or other misc. trailers; Skids (debris box, over 24 yds. & incl. 35 yds. water level); Truck (dry pre-batch concrete mix, over 24 yds. & incl. 35 yds. water level)	8.53	1.195	.65	1.00	

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BULK CEMENT SPREADER (w/wo auger, over 35 yds. & incl. 50 yds. water level); Dump (over 35 yds. & incl. 50 yds. water level); Dumpcrete (over 35 yds. & incl. 50 yds. water level); Dumpster (over 35 yds. & incl. 50 yds. water level); Skids (debris box, over 35 yds. & incl. 50 yds. water level); Trucks (dry pre-batch concrete mix, over 35 yds. & incl. 50 yds. water level)	$ 8.68	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 50 yds. & under 65 yds. water level); Dump (over 50 yds. & under 65 yds. water level); Dumpcrete (over 50 yds. & under 65 yds. water level); Dumpster (over 50 yds. & under 65 yds. water level); Helicopter pilot (when transporting men or materials); Skids (debris box, over 50 yds. & under 65 yds. water level); Trucks (dry pre-batch concrete mix, over 50 yds. & under 65 yds. water level)	8.83	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 65 yds. & incl. 80 yds. water level); Dump (65 yds. & incl. 80 yds. water level); Dumpcrete (65 yds. & incl. 80 yds. water level); Dumpster (65 yds. & incl. 80 yds. water level); Skids (debris box, 65 yds. & incl. 80 yds. water level); Trucks (dry pre-batch concrete mix, 65 yds. & incl. 80 yds. water level)	8.98	1.195	.65	1.00	
BULK CEMENT SPREADER (w/wo auger, over 80 yds. & incl. 95 yds. water level); Dump (over 80 yds. & incl. 95 yds. water level); Dumpcrete (over 80 yds. & incl. 95 yds. water level); Dumpster (over 80 yds. & incl. 95 yds. water level);					

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Skids (debris box, over 80 yds. & incl. 95 yds. water level); Trucks (dry pre-batch concrete mix, over 80 yds. & incl. 95 yds. water level)	$9.13	1.195	.65	1.00	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS					
Group 1:	$7.785	.80	1.40	.90	.10
Group 1(a):	8.01	.80	1.40	.90	.10
Group 1(b):	7.835	.80	1.40	.90	.10
Group 1(c):	8.335	.80	1.40	.90	.10
Group 1(d):	7.985	.80	1.40	.90	.10
Group 2:	7.635	.80	1.40	.90	.10
Group 3:	7.535	.80	1.40	.90	.10
LABORERS (Gunite)					
Group 1:	8.245	.80	1.40	.90	.10
Group 2:	7.655	.80	1.40	.90	.10
Group 3:	7.535	.80	1.40	.90	.10

LABORERS

GROUP 1: Asphalt ironers and rakers; Barko, wacker and similar type tampers; Buggymobile; Chainsaw, faller, logloader and bucker; Compactors of all types; Concrete and magnesite mixer 1/2 yd. and under; Concrete pan work; Concrete saw; Concrete sander; Cribber and/or shoring; Cut granite curb setter; Form raisers; slip forms; Green cutters, Headerboardmen, hubsetters, aligners; Jackhammer Ops.; Jacking of pipe over 12 in.; Jackson and similar type compactors; Kettlemen, potmen and men applying asphalt, lay-Kold, creosote, lime, caustic and similar type materials; Lagging, sheeting, whaling, bracing, trench-jacking, hand-guided lagging hammer; Magnesite, epoxyresin, fiberglass, and mastic workers (wet or dry); Pavement breakers and spaders, incl. tool grinder; Pipelayers, caulkers, banders, pipewrappers, conduit layers, plastic pipelayers; Post hole diggers - air, gas and electric; Power broom sweepers; Power tampers of all types (except as shown in Group 2); Ram set gun and stud gun; Riprap-stonepaver and rock-slinger, incl. placing of sacked concrete and/or sand (wet or dry); Rotary scarifier, multiple head concrete chipper; Davis Trencher - 300 or similar type (and all small trenchers); Roto and ditch witch; Rototiller; Sandblasters, potman, gunman, nozzleman; Signalling and rigging; Tank cleaners; Tree climbers; Vibra-screed - bull float in connection with laborers' work; Vibrators; Dri-pak-it machine; High pressures blow pipe (1 1/2" or over, 100 lbs. pressure or over); Hydro seeder and similar type; Laser beam in connection with laborers' work

GROUP 1(a): Joy drill Model TWM-2A; Gardemer-Denver Model DH143 and similar type drills; Track drillers; Jack Leg drillers; Diamond drillers; Wagon drillers; Mechanical drillers - all types regardless of type or method of power; Multiple unit drills; Blasters and powdermen; All work of loading, placing and blasting of all powder and explosives of whatever type regardless of method used for such loading and placing; High scalers (incl. drilling of same); Tree topper; Bit grinder

GROUP 1(b): Burning and Welding

GROUP 1(c): Laborers on general construction work on or in bell hole footings and shaft

GROUP 1(d): Contra Costa County Only: Pipelayers, Caulkers, Banders, Pipewrappers, Conduit Layers and Plastic pipelayers; Pressure pipe tester, no joint pipe & stripping of same, incl. repair of voids, Precast manhole setters, cast in place, manhole form setters

GROUP 2: Asphalt Shovelers; Cement dumpers and handling dry cement or gypsum; Choke-setter and rigger (clearing work); Concrete bucket dumper and chuteman; Concrete chipping and grinding; Concrete Laborers (wet or dry); Driller's helper; Chuck Tender; Nipper; Guinea Chaser (Stakeman); Grout Crew; High Pressure Nozzleman, adductors; Hydraulic Monitor (over 100 lbs. pressure); Loading and unloading, carrying and handling of all rods and materials for use in reinforcing concrete

LABORERS (Cont'd)

construction; Pittsburgh Chipper, and similar type brush shredders; Sloper; Singlefoot, hand held, pneumatic tamper; All pneumatic, air, gas, and electric tools; Jacking of pipe under 12 in.

GROUP 3: All cleanup work of debris, grounds and buildings incl. but not limited to street cleaners; Cleaning and washing windows; Construction laborers incl. bridge and general laborers; Dumpman, load spotter; Fire watcher; Street cleaners; Gardeners, horticultural and landscape laborers; Jetting; Limbers; Brush loaders; Pilers, maintenance landscape laborers on new construction; Maintenance, repair trackmen and road beds; Streetcar and railroad construction track laborers; Temporary air and water lines, Victaulic or similar; Tool room attendant; Fence erectors; Guardrail erectors; Pavement markers (button setters)

LABORERS (Gunite)

GROUP 1: Nozzleman (incl. Gunman, Potman); Rodmen; Groundman

GROUP 2: Reboundman

GROUP 3: General laborers

POWER EQUIPMENT OPERATORS (Except Piledriving and Steel Erection)	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	App. Tr.
	AREA 1	AREA 2				
Group 1:	$8.30	$9.70	$1.07*	$1.78	.80	.24
Group 2:	8.65	10.05	1.07*	1.78	.80	.24
Group 3:	8.86	10.26	1.07*	1.78	.80	.24
Group 4:	9.41	10.81	1.07*	1.78	.80	.24
Group 5:	9.62	11.02	1.07*	1.78	.80	.24
Group 6:	9.77	11.17	1.07*	1.78	.80	.24
Group 7:	9.92	11.32	1.07*	1.78	.80	.24
Group 8:	10.32	11.72	1.07*	1.78	.80	.24
Group 9:	10.54	11.94	1.07*	1.78	.80	.24
Group 10:	10.74	12.14	1.07*	1.78	.80	.24
Group 10-A:	10.85	12.25	1.07*	1.78	.80	.24
Group 11:	11.02	12.42	1.07*	1.78	.80	.24
Group 11-A:	12.09	13.49	1.07*	1.78	.80	.24
Group 11-B:	12.37	13.77	1.07*	1.78	.80	.24
Group 11-C:	12.66	14.06	1.07*	1.78	.80	.24

*Includes $.20 per hour to Pensioned Health and Welfare Fund.

POWER EQUIPMENT OPERATORS (AREAS I & II)
(Except Piledriving and Steel Erection)

GROUP 1: Assistants to Engineers (Brakeman; Fireman; Heavy Duty Repairman Helper; Oiler; Deckhand; Signalman; Switchman; Tar Pot Fireman); Partsman (Heavy Duty Repair shop parts room)

GROUP 2: Compressor Op.; Concrete Mixer (up to and incl. 1 yd.); Conveyor Belt Operator (tunnel); Fireman Hot Plant; Hydraulic; Monitor; Mechanical Conveyor (handling building materials); Mixer Box Op. (concrete plant); Pump Operator; Spreader Boxman (with screeds); Tar Pot Fireman (power agitated)

GROUP 3: Box Operator (bunker); Helicopter Radioman (signalman); Motorman; Locomotive; Oiler; Rodman or Chainman; Ross Carrier (construction job site); Rotomist Operator; Screedman (except asphaltic concrete paving); Self-propelled, automatically applied concrete curing machine (on streets, highways, airports and canals); Trenching Machine (Maximum digging capacity 3 ft. depth); Tugger Hoist, single drum; Truck Crane Oiler

GROUP 4: Ballast Jack Tamper; Ballast Regulator; Ballast Tamper Multi-purpose; Boxman (asphalt plant); Elevator Op. (inside); Fork Lift or Lumber Stacker (construction job site); Line Master; Lubrication and Service Engineer (mobile and grease rack); Material Hoist (1 drum); Shuttlecar; Tie Spacer; Towermobile

GROUP 5: Compressor Op. (2 to 7); Concrete Mixers (over 1 yd.); Concrete Pumps or Pumpcrete Guns; Generators (100 K.W. or over); Grouting Machine; Press-weld (air-operated); Pumps (2 to 7); Welding Machines (powered other than by electricity) (2 to 7)

GROUP 6: BLH Lima Road Pactor or similar; Boom Truck or Dual Purpose A-Frame Truck; Concrete Batch Plants (wet or dry); Concrete Saws (self-propelled unit) on streets, highways, airports and canals; Drilling and Boring Machinery, vertical and horizontal (not to apply to waterliners, wagon drills or jackhammers); Gradesetter, Grade Checker (mechanical or otherwise); Highline Cableway Signalman; Locomotives (steam or over 30 tons) Maginnis Internal Full Slab Vibrator (on airports, highways, canals and warehouses); Mechanical Finishers (concrete) (Clary, Johnson, Bidwell Bridge Deck or similar types); Mechanical Burm, Curb and/or Curb and Gutter Machine, concrete or asphalt; Portable Crusher; Post Driver (M-1500 and similar); Power Jumbo Operator (setting slip forms, etc. in tunnels); Roller; Screedman (Barber-Greene and similar) (asphaltic concrete paving); Self-propelled Compactor (single engine); Self-propelled Pipeline Wrapping Machine, Perault, CRC, or similar types); Slip Forms Pumps (lifting device for concrete forms); Small Rubber Tired Tractors; Surface Heater

POWER EQUIPMENT OPERATORS (AREAS I & II) (CONT'D)
(Except Piledriving and Steel Erection)

GROUP 7: Concrete Conveyor or Concrete Pump, Truck or Equipment mounted (boom length to apply); Concrete Conveyor, building site; Deck Engineers; Dual Drum Mixer; Fuller Kenyon Pump and similar types; Gantry Rider (or similar); Hydra-Hammer (or similar); Instrument Man; Material Hoist (2 or more drums); Mechanical Finishers or Spreader Machine (asphalt, Barber-Greene and similar; Mine or Shaft Hoist; Mixermobile; Pavement Breaker with or without Compressor Combination; Pavement Breaker, Truck mounted with Compressor Combination; Pipe Bending Machine (pipelines only); Pipe Cleaning Machine (tractor propelled and supported); Pipe Wrapping Machine (tractor propelled and supported); Refrigeration Plant; Roller Operator (finish asphalt); Self-propelled boom type lifting device (center mount) (10 tons or less M.R.C); Self-propelled Elevating Grade Plane; Slusher Op.; Small Tractor (with boom) Soil Tester; Truck type Loader

GROUP 8: Amor-Coater (or similar); Asphalt Plant Engineer; Cast-in-place Pipe Laying Machine; Combination Slusher and Motor Op.; Concrete Batch Plant (multiple units); Dozer; Heading Shield Op.; Heavy Duty Repairman and/or Welder; Ken Seal Machine (or similar); Kolman Loader; Loader (up to 2 yds.); Mechanical Trench Shield; Portable Crushing and Screening Plants; Push Cat; Rubber Tired Earth-moving Equipment (up to and incl. 45 cu. yds. "struck" m.r.c., Euclids, T-Pulls, DW-10, 20, 21, and similar; Rubber Tired Dozer; Self-propelled Compactor with Dozer; Sheepsfoot; Timber Skidder (Rubber tired or similar equipment); Tamutor drawn Scraper; Tractor Trenching Machine; Tri-Batch Paver; Tunnel Hole Boring Machine; Welder; Woods-mixer (and other similar Pugmill equipment)

GROUP 9: Canal Finger Drain Digger; Chicago Boom; Combination Mixer and Compressor (gunite); Combination Slurry Mixer and/or Cleaner; Highline Cableway (5 tons and under); Lull Hi-Lift or similar (20 ft. or over); Mucking Machine (rubber tire, rail or track type); Tractor (with boom) (D-6 or larger and similar)

GROUP 10: Boom-type Backfilling Machine; Bridge Crane; Cary-Lift (or similar); Chemical Grouting Machine; Chief of Party; Combination Backhoe and Loader (up to and incl. 1/2 cu. yd. m.r.c.); Derrick (2 ops. required when swing engine remote from hoist); Derrick Barges (except excavation work); Do-Mor Loader; Adams Elegrader; Elevating Grader; Heavy Duty Rotary Drill Rig (incl. Caisson foundation work and Robbins type drills); Koehring Skooper (or similar); Lift Slab Machine (Vagtborg and similar types); Loader (2 yds. up to and incl. 4 yds.); Locomotive (over 100 tons) (single or multiple units); Multiple Engine Earthmoving Machine (Euclids, Dozers, etc.) (no tandem scraper); Pre-Stress Wire Wrapping Machine; Reservoir-Debris Tug (self-propelled floating); Rubber-tired Scraper, Self-loading(Paddle wheels, etc.); Shuttle Car (reclaim station); Single Engine Scraper over 45 yds.; Soil Stabilizer (P & H or equal); Sub-grader (Gurries or other automatic type); Tractor, Compressor Drill Combination; Track laying-type earth moving machine (single engine with tandem scrapers); Train-loading station; Vacuum Cooling Plant; Whirley Crane (up to and incl. 25 tons)

POWER EQUIPMENT OPERATORS (AREAS I & II) - (cont'd)
(Except Piledriving and Steel Erection)

GROUP 10-A: Backhoe (hydraulic) (up to and incl. 1 cu. yd. m.r.c.); Backhoe (cable) (up to and incl. 1 cu. yd. m.r.c.); Combination Backhoe and Loader over 1/2 cu. yd. m.r.c.); Continuous Flight Tie Back Auger (up to and incl. 1 cu. yd.) (crane attached); Cranes (not over 25 tons, hammerhead and gantry); Grade-alls (up to and incl. 1 cu. yd.); Power Shovels, Clamshells, Draglines, (up to and incl. 1 cu. yd. m.r.c.); Power Blade (single engine); Self-propelled Boom-type Lifting Device (center mount) (over 10 tons); Self-propelled Boom-type Lifting Device (center mount) (over 15 tons)

GROUP 11: Automatic Concrete Slip Form Paver; Automatic Railroad Car Dumper; Canal Finger Drain Backfiller; Canal Trimmer; Canal Trimmer w/ ditching attachments; Cranes (over 25 tons up to and incl. 125 tons); Continuous Flight Tie Back Auger over 1 cu. yd. (incl. crane); Drott Travelift 650-A-1 or similar (45 tons or over); Highline Cableway (Over 5 tons); Loader (over 4 yds., up to and incl. 12 cu. yds.); Power Blade (multi-engine); Power Shovels, Clamshells, Draglines, Backhoes, Grade-alls (over 1 yd. and up to and incl. 7 cu. yds. m.r.c.); Rubber-tired earth moving machines (multiple propulsion power units and two or more scrapers) (up to and incl. 75 cu. yds. "struck" m.r.c.); Self-propelled Compactor (with multiple propulsion power units); Single engine Rubber-tired Earthmoving Machines (with tandem scrapers); Slip Form Paver (concrete or asphalt); Tandem Cats; Tower Cranes Mobile; Trencher (pulling attached shield); Universal Liebher and Tower Cranes (and similar types); Wheel Excavator (up to and incl. 750 cu. yd. per hour); Whirley Crane (over 25 tons

GROUP 11-A: Band Wagons (in conjunction with Wheel Excavator); Cranes (over 125 tons); Loader (over 12 cu. yds.; up to and incl. 18 cu. yds.); Power Shovels and Draglines (over 7 cu. yds., m.r.c.); Rubber Tired Multi-Purpose Earth Moving Machines (2 units over 75 cu. yds. "struck" m.r.c.); Wheel excavator (over 750 cu. yds. per hour)

GROUP 11-B: Loader (over 18 cu. yds.)

GROUP 11-C: Operator of Helicopter (when used in erection work); Remote controlled earthmoving equipment

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS

**AREA 2: All areas not included within Area 1 as defined below.

*AREA 1: All areas included in the description defined below which is based upon township and range lines of Areas 1 and 2.

Commencing in the Pacific Ocean on the extension of the Southerly line of Township 19S.
Thence Easterly along the Southerly line of Township 19S, crossing the Mt. Diablo meridian to the S.W. corner of township 19S, range 6E, Mt. Diablo base line and meridian,
Thence Southerly to the S.W. corner of township 20S, range 6E,
Thence Easterly to the S.W. corner of township 20S, range 13E,
Thence Southerly to the S.W. corner of township 21S, range 13E,
Thence Easterly to the S.W. corner of township 21S, range 17E,
Thence Southerly to the S.W. corner of township 22S, range 17E,
Thence Easterly to the S.E. corner of township 22S, range 17E,
Thence Southerly to the S.W. corner of township 23S, range 18E,
Thence Easterly to the S.E. corner of township 23S, range 18E,
Thence Southerly to the S.W. corner of township 24S, range 19E, falling on the Southerly line of Kings County, thence Easterly along the Southerly boundary of Kings County and the Southerly boundary of Tulare County, to the S.E. corner of township 24S, range 29E,
Thence Northerly to the N.E. corner of township 21S, range 29E,
Thence Westerly to the N.W. corner of township 21S, range 29E,
Thence Northerly to the N.E. corner of township 13S, range 28E,
Thence Westerly to the N.W. corner of township 13S, range 28E,
Thence Northerly to the N.E. corner of township 11S, range 27E,
Thence Westerly to the N.W. corner of township 11S, range 27E,
Thence Northerly to the N.E. corner of township 10S, range 26E,
Thence Westerly to the N.W. corner of township 10S, range 26E,
Thence Northerly to the N.E. corner of township 9S, range 25E,
Thence Westerly to the N.W. corner of township 9S, range 25E,
Thence Northerly to the N.E. corner of township 8S, range 24E,
Thence Westerly to the N.W. corner of township 8S, range 24E,
Thence Northerly to the N.E. corner of township 6S, range 23E,
Thence Westerly to the S.E. corner of township 5S, range 19E,
Thence Northerly to the N.E. corner of township 5S, range 19E,
Thence Westerly to the N.W. corner of township 5S, range 19E,
Thence Northerly to the N.E. corner of township 3S, range 18E,
Thence Westerly to the N.W. corner of township 3S, range 18E,
Thence Northerly to the N.E. corner of township 2S, range 17E,
Thence Westerly to the N.W. corner of township 2S, range 17E,
Thence Northerly crosing the Mt. Diablo baseline to the N.E. corner of township 2N, range 16E,
Thence Westerly to the N.W. corner of township 2N, range 16E,
Thence Northerly to the N.E. corner of township 3N, range 15E,
Thence Westerly to the N.W. corner of township 3N, range 15E,
Thence Northerly to the N.E. corner of township 4N, range 14E,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (cont'd)

*Area 1 (cont'd):
Thence Westerly to the N.W. corner of township 4N, range 14E,
Thence Northerly to the N.E. corner of township 5N, range 13E,
Thence Westerly to the N.W. corner of township 5N, range 13E,
Thence Northerly to the N.E. corner of township 10N, range 12E,
Thence Easterly to the S.E. corner of township 11N, range 14E,
Thence Northerly to the N.E. corner of township 11N, range 14E,
Thence Westerly to the N.E. corner of township 11N, range 10E,
Thence Northerly to the N.E. corner of township 15N, range 10E,
Thence Easterly to the S.E. corner of township 16N, range 11E,
Thence Northerly to the N.E. corner of township 16N, range 11E,
Thence Easterly to the S.E. corner of township 17N, range 14E,
Thence Southerly to the S.W. corner of township 14N, range 15E,
Thence Easterly to the S.E. corner of township 14N, range 15E,
Thence Southerly to the S.W. corner of township 13N, range 16E,
Thence Easterly to the S.E. corner of township 13N, range 16E,
Thence Southerly to the S.W. corner of township 12N, range 17E,
Thence Easterly along the Southern line of township 12N to the Eastern boundary of the state of California,
Thence Northwesterly, thence Northerly along the Eastern boundary of the state of California to the N.E. corner of township 17N, range 18E,
Thence Westerly to the N.W. corner of township 17N, range 11E,
Thence Northerly to the N.E. corner of township 20N, range 10E,
Thence Westerly to the N.W. corner of township 20N, range 10E,
Thence Northerly to the N.E. corner of township 21N, range 9E,
Thence Westerly to the N.W. corner of township 21N, range 9E,
Thence Northerly to the N.E. corner of township 22N, range 8E,
Thence Westerly to the N.W. corner of township 22N, range 8E,
Thence Northerly to the S.W. corner of township 27N, range 8E,
Thence Easterly to the S.E. corner of township 27N, range 8E,
Thence Northerly to the N.E. corner of township 28N, range 8E,
Thence Westerly to the N.W. corner of township 28N, range 7E,
Thence Northerly to the N.E. corner of township 30N, range 6E,
Thence Westerly to the N.W. corner of township 30N, range 1E,
Thence Northerly along the Mt. Diablo meridian to the N.E. corner of township 34N, range 1W,
Thence Westerly to the N.W. corner of township 34N, range 6W,
Thence Southerly to the N.E. corner of township 32N, range 7W,
Thence Westerly to the N.W. corner of township 32N, range 7W,
Thence Southerly to the S.W. corner of township 30N, range 7W,
Thence Easterly to the S.E. corner of township 30N, range 7W,
Thence Southerly to the S.W. corner of township 16N, range 6W,
Thence Easterly to the S.E. corner of township 16N, range 6W,
Thence Southerly to the S.W. corner of township 14N, range 5W,
Thence Westerly to the S.E. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 14N, range 7W,
Thence Westerly to the N.W. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 15N, range 6W,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (cont'd)

*Area 1 (cont'd)
Thence Westerly to the S.E. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 16N, range 12W,
Thence Westerly to the N.W. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 18N, range 13W,
Thence Westerly to the N.W. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 18N, range 14W,
Thence Easterly to the S.E. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 16N, range 13W,
Thence Westerly to the N.W. corner of township 15N, range 14W,
Thence Southerly to the S.W. corner of township 14N, range 14W,
Thence Easterly to the S.E. corner of township 14N, range 14W,
Thence Southerly to the S.W. corner of township 13N, range 13W,
Thence Easterly to the S.E. corner of township 13N, range 13W,
Thence Southerly to the S.W. corner of township 11N, range 12W,
Thence Easterly to the S.E. corner of township 11N, range 12W,
Thence Southerly along the Eastern line of range 12W to the Pacific Ocean excluding that portion of Northern California within Santa Clara County included within the following line:
Commencing at the N.W. corner of township 6S, range 3E, Mt. Diablo Baseline and Meridian;
Thence in a Southerly direction to the S.W. corner of township 7S, range 3E,
Thence in a Easterly direction to the S.E. corner of township 7S, range 4E,
Thence in a Northerly direction to the N.E. corner of township 6S, range 4E,
Thence in a Westerly direction to the N.W. corner of township 6S, range 3E, to the point of beginning which portion is a part of Area 2.
Area 1 also includes that portion of Northern California within the following lines:
Commencing in the Pacific Ocean on an extension of the Southerly line of township 2N, Humboldt baseline and meridian:
Thence Easterly along the Southerly line of township 2N to the S.W. corner of township 2N, range 1W,
Thence Southerly to the S.W. corner of township 1N, range 1W,
Thence Easterly along the Humboldt baseline to the S.W. corner of township 1N, range 2E,
Thence Southerly to the S.W. corner of township 2S, range 2E,
Thence Easterly to the S.E corner of township 2S, range 2E,
Thence Southerly to the S.W. corner of township 4S, range 3E,
Thence Easterly to the S.E. corner of township 4S, range 3E,
Thence Northerly to the N.E. corner of township 2S, range 3E,
Thence Westerly to the N.W. corner of township 2S, range 3E,
Thence Northerly crossing the Humboldt baseline to the S.W. corner of township 1N, range 3E,
Thence Easterly along the Humboldt baseline to the S.E. corner of township 1N, range 3E,
Thence Northerly to the N.E. corner of township 9N, range 3E,
Thence Westerly to the N.W. corner of township 9N, range 2E,
Thence Northerly to the N.E. corner of township 10N, 1E,

CALIFORNIA
AREA DEFINITIONS for
POWER EQUIPMENT OPERATORS (cont'd)

*Area 1 (cont'd)
Thence Westerly along the Northerly line to township 10N, into the Pacific Ocean.
Area 1 also includes that portion of Northern California included within the following line:
Commencing at the Northerly boundary of the state of California at the N.W. corner of township 48N, range 7W, Mt. Diablo baseline and meridian:
Thence Southerly to the S.W. corner of township 44N, range 7W,
Thence Easterly to the S.E. corner of township 44N, range 7W,
Thence Southerly to the S.W. corner of township 43N, range 6W,
Thence Easterly to the S. E. corner of township 43N, range 5W,
Thence Northerly to the N.E. corner of township 48N, range 5W, on the Northerly boundary of the state of California,
Thence Westerly along the Northerly boundary of the state of California to the point of beginning.

SUPERSEDEAS DECISION

STATE: Tennessee
DECISION NUMBER: TN-76-1001
Supersedes Decision No.: AR-4046 dated January 3, 1974 in 40 FR 940
DESCRIPTION OF WORK: Highway Construction

COUNTY: Statewide
DATE: Date of Publication

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Bricklayers	6.40				
Carpenters or leadsman	5.35				
Cement masons	5.35				
Electricians	6.15				
Ironworkers, reinforcing	5.10				
Ironworkers, structural	5.70				
Laborers:					
Laborers, unskilled, Flagman	3.85				
Chain saw, Concrete rubber, Mortar mixer, Pipelayer	3.50				
Air tool operator, firemen	3.55				
Concrete edger	3.65				
Concrete saw operator, fence erector, guard rail erector	3.75				
Asphalt raker	3.85				
Sign erector	3.95				
Form setter, Steel road	4.25				
Powderman	4.55				
Nozzleman or gunman (gunite)	5.35				
Painters or sand blaster	5.35				
Truck drivers:					
2 & 3 axles	3.65				
4 & 5 axles or more or heavy duty off-the-road trucks	4.30				
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					
POWER EQUIPMENT OPERATORS:					
Pump operator, welder helper	3.40				
Ditch paver, mechanic helper	3.55				
Curb machine	3.65				
Motor crane driver, mulcher or seeder, scale operator	3.75				
Tractor, farm	3.80				
Concrete mixer, less than 1 yd.					
Earth drill	3.85				
Truck drill	4.00				
Dozer or loader - stock pile only	4.10				
Oiler, roller, other than finish	4.15				

TN 76 - 1001 (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS (CONT'D)					
Distributor (bituminous)	4.35				
Tractor, crawler, utility	4.40				
Spreader (self-propelled)	4.50				
Asphalt paver, central mixing (asphalt or concrete), Concrete finishing machine, mechanic, Class II, Motor patrol (rough), Roller (high-type), Soil cement machine	4.65				
Tractor - boom & hoist, trenching machine	4.80				
Bulldozer or push dozer, scraper	5.15				
Backhoe, concrete paver, Cranes, end loader, Mechanic, Class I, Motor patrol finish, piledriver, Shovel	5.35				

[FR Doc.76-8 Filed 1-2-76;8:45 am]

INDEX TO GENERAL WAGE DETERMINATION DECISIONS AND MODIFICATIONS AS OF DECEMBER 5, 1975

There is set forth below an index to general wage determination decisions and modifications as published in the FEDERAL REGISTER pursuant to the Davis-Bacon and related Acts. The index lists general wage determination decisions and modifications by State and County. An updated index is published on the first Friday of each month.

The index is published for the convenience of the public and the Department of Labor will endeavor to keep it accurate and up to date. In the event the data in the index and published general decisions do not coincide, the published general decisions shall control.

ABBREVIATIONS:

(B)—Building Construction
(D)—Dredging
(F)—Flood Control Construction
(H)—Heavy Construction
(Hw)—Highway Construction
(R)—Residential Construction
Mod.—Modification
(HE)—Heavy Engineering
(LE)—Light Engineering
(U)—Utility
(W&S)—Water and Sewer

Signed at Washington, D.C., this 24th day of December 1975.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

ALABAMA

STATEWIDE
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
Decision #AL75-1112 (Hw)(Excluding Airport Construction)
40 FR 55620 - 11/28/75
AUTAUGA COUNTY
(D,Hw) - See Statewide
BALDWIN COUNTY
Decision #AL75-1043 (R)
40 FR 15286 - 4/4/75
(Hw) - See Statewide
BARBOUR COUNTY
(D,Hw) - See Statewide
BIBB COUNTY
(D,Hw) - See Statewide
BLOUNT COUNTY
Decision #AL75-1047 (R)
40 FR 17474 - 4/18/75
(D,Hw) - See Statewide
BULLOCK COUNTY
(D,Hw) - See Statewide
BUTLER COUNTY
(D,Hw) - See Statewide
CALHOUN COUNTY
(D,Hw) - See Statewide
CHAMBERS COUNTY
(D,Hw) - See Statewide
CHEROKEE COUNTY
(D,Hw) - See Statewide
CHILTON COUNTY
(D,Hw) - See Statewide
CHOCTAW COUNTY
(D,Hw) - See Statewide
CLARKE COUNTY
(D,Hw) - See Statewide

ALABAMA (Cont'd.

CLAY COUNTY
(D,Hw) - See Statewide
CLEBURNE COUNTY
(D,Hw) - See Statewide
COFFEE COUNTY
(D,Hw) - See Statewide
COLBERT COUNTY
Decision #AL75-1046 (R)
40 FR 17451 - 4/18/75
Decision #AL75-1061 (B)
40 FR 24462 - 6/6/75
Mod. #1 - 40 FR 29439 - 7/11/75
(D,Hw) - See Statewide
CONECUH COUNTY
(D,Hw) - See Statewide
(R) - See Baldwin County
COOSA COUNTY
(D,Hw) - See Statewide
COVINGTON COUNTY
(D,Hw) - See Statewide
CRENSHAW COUNTY
(D,Hw) - See Statewide
CULLMAN COUNTY
(D,Hw) - See Statewide
DALE COUNTY
(D,Hw) - See Statewide
DALLAS COUNTY
(D,Hw)- See Statewide
DE KALB COUNTY
(D,Hw) - See Statewide
ELMORE COUNTY
(D,Hw)- See Statewide
ESCAMBIA COUNTY
(D,Hw) - See Statewide
(R) - See Baldwin County
ETOWAH COUNTY
(D,Hw)-See Statewide

ALABAMA (Cont'd.

FAYETTE COUNTY
(D,Hw) - See Statewide
FRANKLIN COUNTY
(D,Hw) - See Statewide
(R) - See Colbert County
GENEVA COUNTY
(D,Hw) - See Statewide
GREENE COUNTY
(D,Hw) - See Statewide
HALE COUNTY
(D,Hw) - See Statewide
HENRY COUNTY
(D,Hw) - See Statewide
HOUSTON COUNTY
(D,Hw) - See Statewide
JACKSON COUNTY
(D,Hw) - See Statewide
JEFFERSON COUNTY
Decision #AL75-1086 (B)
40 FR 44447 - 9/26/75
Mod. #1 - 40 FR 52241 - 11/7/75
Mod. #2 - 40 FR 54383 - 11/21/75
(D) - See Statewide
(R) - See Blount County
(Hw) - See Statewide
LAMAR COUNTY
(D,Hw) - See Statewide
LAUDERDALE COUNTY
(B,R) - See Colbert County
(D,Hw) - See Statewide
LAWRENCE COUNTY
Decision #AL75-1027 (B)
40 FR 8701 - 2/28/75
Mod. #1 - 40 FR 27403 - 6/27/75
Mod. #2 - 40 FR 29439 - 7/11/75
Mod. #3 - 40 FR 40003 - 8/29/75
(D,Hw) - See Statewide
(R) - See Colbert County
LEE COUNTY
(D,Hw) - See Statewide
LIMESTONE COUNTY
(B) - See Lawrence County
(D,Hw) - See Statewide

ALABAMA (cont'd)

LOWNDES COUNTY
(D,Hw) - See Statewide
MACON COUNTY
(D,Hw) - See Statewide
MADISON COUNTY
Decision #AL75-1063 (B)
40 FR 26188 - 6/20/75
Mod. #1 - 40 FR 29440 - 7/11/75
Mod. #2 - 40 FR 40003 - 8/29/75
Mod. #3 - 40 FR 52241 - 11/7/75
(D,Hw) - See Statewide
MARENGO COUNTY
(D,Hw) - See Statewide
MARION COUNTY
(R) - See Colbert County
(D,Hw) - See Statewide
MARSHALL COUNTY
(D,Hw) - See Statewide
MOBILE COUNTY
Decision #AL75-1111 (B)
40 FR 55617 - 11/28/75
(D,Hw) - See Statewide
(R) - See Baldwin County
MONROE COUNTY
(D,Hw) - See Statewide
MONTGOMERY COUNTY
Decision #AL75-1071 (R)
40 FR 30392 - 7/18/75
Decision #AL75-1073 (B)
40 FR 33580 - 8/8/75
Mod. #1 - 40 FR 42483 - 9/12/75
Mod. #2 - 40 FR 52241 - 11/7/75
MORGAN COUNTY
(B) - See Lawrence County
(D,Hw) - See Statewide
PERRY COUNTY
(D,Hw) - See Statewide
PICKENS COUNTY
(D,Hw) - See Statewide

ALABAMA (Cont'd)

PIKE COUNTY
(D,Hw) - See Statewide
RANDOLPH COUNTY
(D,Hw) - See Statewide
RUSSELL COUNTY
(D,Hw) - See Statewide
SAINT CLAIR COUNTY
(D,Hw) - See Statewide
(R) - See Blount County
SHELBY COUNTY
(B) - See Jefferson County
(D,Hw) - See Statewide
(R) - See Blount County
SUMTER COUNTY
(D,Hw) - See Statewide
TALLADEGA COUNTY
(D,Hw) - See Statewide
(R) - See Blount County
TALLAPOOSA COUNTY
(D,Hw) - See Statewide
TUSCALOOSA COUNTY
Decision #AL75-1048 (B)
40 FR 17475 - 4/18/75
Mod. #1 - 40 FR 27403 - 6/27/75
Mod. #2 - 40 FR 57070 - 12/5/75
(D,Hw) - See Statewide
WALKER COUNTY
(D,Hw) - See Statewide
(R) - See Blount County
WASHINGTON COUNTY
(D,Hw) - See Statewide
(R) - See Baldwin County
WILCOX COUNTY
(D,Hw) - See Statewide
WINSTON COUNTY
(D,Hw) - See Statewide
(R) - See Colbert County

ALASKA

STATEWIDE
Decision #AK75-5134 (B,h,Hw,R)
40 FR 52248 - 11/7/75

ARIZONA

STATEWIDE
Decision #AZ75-5076 (B,H,Hw)
40 FR 28313 - 7/3/75
Mod. #1 - 40 FR 33571 - 8/8/75
Mod. #2 - 40 FR 43417 - 9/19/75
Mod. #3 - 40 FR 50865 - 10/31/75
APACHE COUNTY
Decision #AZ75-5003 (R)
(Navajo and Hopi Indian Reservations in Apache, Coconino, Navajo Cos.)
40 FR 3868 - 1/24/75
(B,H,Hw) - See Statewide
COCHISE COUNTY
(B,H,Hw) - See Statewide
COCONINO COUNTY
(B,H,Hw) - See Statewide
(R) - See Apache County
GILA COUNTY
(B,H,Hw) - See Statewide
GRAHAM COUNTY
(B,H,Hw) - See Statewide
GREENLEE COUNTY
(B,H,Hw) - See Statewide
MARICOPA COUNTY
(B,H,Hw) - See Statewide
Decision #AZ75-5077 (R)
40 FR 28322 - 7/3/75
Mod. #1 - 40 FR 33572 - 8/8/75
Mod. #2 - 40 FR 43417 - 9/19/75
MOHAVE COUNTY
(B,H,Hw) - See Statewide
NAVAJO COUNTY
(B,H,Hw) - See Statewide
(R) - See Apache County
PIMA COUNTY
(B,H,Hw) - See Statewide
Decision #AZ75-5078 (R)
40 FR 28328 - 7/3/75
Mod. #1 - 40 FR 33572 - 8/8/75
Mod. #2 - 40 FR 43417 - 9/19/75
PINAL COUNTY
(B,H,Hw) - See Statewide
SANTA CRUZ COUNTY
(B,H,Hw) - See Statewide
YAVAPAI COUNTY
(B,H,Hw) - See Statewide
YUMA COUNTY
(B,H,Hw) - See Statewide

ARKANSAS

STATEWIDE
Decision #AR-71 (Construction, Alteration, and/or repair of streets, highways, runways, and water & sewer utilities)
39 FR 40409 - 11/15/74
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
ARKANSAS COUNTY
(D,H,Hw) - See Statewide
Decision #AR75-5074 (F)
40 FR 26189 - 6/20/75
ASHLEY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BAXTER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BENTON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BOONE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
BRADLEY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CALHOUN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CARROLL COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CHICOT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CLARK COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd.

CLAY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CLEBURNE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CLEVELAND COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
COLUMBIA COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CONWAY COUNTY
Decision #AR75-4084 (B)
40 FR 19321 - 5/2/75
Mod. #1 - 40 FR 25319 - 6/13/75
Mod. #2 - 40 FR 54384 - 11/21/75
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CRAIGHEAD COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CRAWFORD COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
Decision #AR75-4082 (B)
40 FR 17452 - 4/18/75
Mod. #1 - 40 FR 25319 - 6/13/75
Mod. #2 - 40 FR 45951 - 10/3/75
Mod. #3 - 40 FR 49941 - 10/24/75
Mod. #4 - 40 FR 54383 - 11/21/75
CRITTENDEN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
CROSS COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
DALLAS COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
DESHA COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

DREW COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
FAULKNER COUNTY
(B) - See Conway County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
FRANKLIN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
FULTON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
GARLAND COUNTY
Decision #AR75-4083 (B)
40 FR 18271 - 4/25/75
Mod. #1 - 40 FR 25319 - 6/13/75
Mod. #2 - 40 FR 45951 - 10/3/75
Mod. #3 - 40 FR 54383 - 11/21/75
(D,H,Hw) - See Statewide
(F) - See Arkansas County
GRANT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
GREENE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
HEMPSTEAD COUNTY
(D,H,Hw) - See Statewide
(F(- See Arkansas County
HOT SPRING COUNTY
(B) - See Garland County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
HOWARD COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
INDEPENDENCE COUNTY
(H,Hw) (D) - See Statewide
(F) - See Arkansas County
IZARD COUNTY
(H,Hw) (D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd.)

JACKSON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
JEFFERSON COUNTY
(D,H,Hw) - See Statewide
(F)- See Arkansas County
JOHNSON COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
LAFAYETTE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LAWRENCE COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
LEE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LINCOLN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LITTLE RIVER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
LOGAN COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
LENOKE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MADISON COUNTY
(D,Hw,H) - See Statewide
(F) - See Arkansas County
MARION COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

MILLER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MISSISSIPPI COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MONROE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
MONTGOMERY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
NEVADA COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
NEWTON COUNTY
(D,H,Hw) - See Statewide
(F) - Arkansas County
OUACHITA COUNTY
(B) - See Union County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
PERRY COUNTY
(B) - See Conway County
(D,H,Hw) - See Statewide
(F) - See Arkansas County
PHILLIPS COUNTY
(D,H,HW) - See Statewide
(F) - See Arkansas County
PIKE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
POINSETT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
POLK COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
POPE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (CONT'D)

PRAIRIE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
PULASKI COUNTY
(D,H,Hw)- See Statewide
(F) - See Arkansas County
Decision #AR75-4134 (B)
40 FR 31455 - 7/25/75
Mod. #1 - 40 FR 43418 - 9/19/75
Mod. #2 - 40 FR 45951 - 10/3/75
Mod. #3 - 40 FR 54384 - 11/21/75
Decision #AR75-4068 (R)
40 FR 14218 - 3/28/75
RANDOLPH COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
ST. FRANCIS COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SALINE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SCOTT COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SEARCY COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SEBASTIAN COUNTY
(F) - See Arkansas County
(D,H,Hw) - See Statewide
(B) - See Crawford County
SEVIER COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
SHARP COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

ARKANSAS (CONT'D)

STONE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
UNION COUNTY
Decision #AR75-4073 (B)
40 FR 15287 - 4/4/75
Mod. #1 - 40 FR 19323 - 5/2/75
Mod. #2 - 40 FR 25319 - 6/13/75
Mod. #3 - 40 FR 45951 - 10/3/75
Mod. #4 - 40 FR 49941 - 10/24/75
Mod. #5 - 40 FR 54383 - 11/21/75
(F) - See Arkansas County
(D,H,Hw) - See Statewide
VAN BUREN COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
WASHINGTON COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
WHITE COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
WOODRUFF COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County
YELL COUNTY
(D,H,Hw) - See Statewide
(F) - See Arkansas County

CALIFORNIA

ALAMEDA COUNTY
Decision #CA75-5085 (B,H,Hw,D)
40 FR 31457 - 7/25/75
Mod. #1 - 40 FR 40003 - 8/29/75
Mod. #2 - 40 FR 44439 - 9/26/75
Mod. #3 - 40 FR 50865 - 10/31/75
Mod. #4 - 40 FR 55605 - 11/28/75
Decision #CA75-5086 (R)
40 FR 31474 - 7/25/75
Mod. #1 - 40 FR 40005 - 8/29/75
Mod. #2 - 40 FR 44440 - 9/26/75
Mod. #3 - 40 FR 50866 - 10/31/75
ALPINE COUNTY
(B,D,H,Hw,R) - See Alameda County
AMADOR COUNTY
(B,D,H,Hw,R) - See Alameda County
BUTTE COUNTY
(B,H,Hw,D) - See Alameda County
CALAVERAS COUNTY
(B,H,Hw,D,R) - See Alameda County
COLUSA COUNTY
(B,H,Hw,D) - See Alameda County
CONTRA COSTA COUNTY
(B,D,H,Hw,R) - See Alameda County
DELNORTE COUNTY
(B,D,H,Hw,R) - See Alameda County
ELDORADO COUNTY
(B,D,H,Hw,R) - See Alameda County
FRESNO COUNTY
(B,D,H,Hw,R) - See Alameda County

CALIFORNIA (Cont'd)

GLENN COUNTY
(B,H,Hw,D) - See Alameda County
HUMBOLDT COUNTY
(B,D,H,Hw,R) - See Alameda County
IMPERIAL COUNTY
Decision #CA75-5087 (B,D,H,Hw)
40 FR 31487 - 7/25/75
Mod. #1 - 40 FR 41349 - 9/5/75
Mod. #2 - 40 FR 45952 - 10/3/75
Mod. #3 - 40 FR 53163 - 11/14/75
Decision #CA75-5088 (R)
40 FR 31496 - 7/25/75
Mod. #1 - 40 FR 41350 - 9/5/75
Mod. #2 - 40 FR 45952 - 10/3/75
Mod. #3 - 40 FR 53166 - 11/14/75
INYO COUNTY
(B,H,Hw,D) - See Imperial County
KERN COUNTY
(B,D,H,Hw,R) - See Imperial County

CALIFORNIA (Cont'd)

KING COUNTY
(B,H,Hw,D) - See Alameda County
LAKE COUNTY
(B,H,Hw,D) - See Alameda County
LASSEN COUNTY
(B,H,Hw,D) - See Alameda County
LOS ANGELES COUNTY
(B,D,H,Hw,R) - See Imperial County
MADERA COUNTY
(B,H,Hw,D) - See Alameda County
MARIN COUNTY
(B,H,Hw,D,R) - See Alameda County
MARIPOSA COUNTY
(B,D,H,Hw,R) - See Alameda County
MENDOCINO COUNTY
(B,H,Hw, D) - See Alameda County
MERCED COUNTY
(B,D,H,Hw,R) - See Alameda County
MODOC COUNTY
(B,H,Hw,D) - See Alameda County
MONO COUNTY
(B,H,Hw,D) - See Imperial County
MONTEREY COUNTY
(B,D,H,Hw,R) - See Alameda County
NAPA COUNTY
(B,D,H,Hw,R) - See Alameda County
NEVADA COUNTY
(B,D,H,Hw,R) - See Alameda County
ORANGE COUNTY
(B,D,H,Hw,R) - See Imperial County
PLACER COUNTY
(B,D,H,Hw,R)- See Alameda County
PLUMAS COUNTY
(B,H,Hw,D) - See Alameda County
RIVERSIDE COUNTY
(B,D,H,Hw,R) - See Imperial County
SACRAMENTO COUNTY
(B,D,H,Hw,R) - See Alameda County
SAN BENITO COUNTY
(B,H,Hw,D,R) - See Alameda County
SAN BERNARDINO COUNTY
(B,D,H,Hw,R) - See Imperial County
SAN DIEGO COUNTY
Decision #CA75-5141 (B,H,Hw,D)
40 FR 57079 - 12/5/75

CALIFORNIA (Cont'd.)

SAN DIEGO COUNTY (Cont'd.)
Decision #CA75-5142 (R)
40 FR 57085 - 12/5/75
SAN FRANCISCO COUNTY
(B,D,Hw,H,R) - See Alameda County
SAN JOAQUIN COUNTY
(B,D,H,Hw,R) - See Alameda County
SAN LUIS OBISPO COUNTY
(B,D,H,Hw,R) - See Imperial County
SAN MATEO COUNTY
(B,D,H,Hw,R) - See Alameda County
SANTA BARBARA COUNTY
(B,D,H,Hw,R) - See Imperial County
SANTA CLARA COUNTY
(B,D,H,Hw,R) - See Alameda County
SANTA CRUZ COUNTY
(B,D,H,Hw,R) - See Alameda County
SHASTA COUNTY
(B,D,H,Hw,R) - See Alameda County
SIERRA COUNTY
(B,D,H,Hw) - See Alameda County
SISKIYOU COUNTY
(B,H,Hw,D) - See Alameda County
SOLANO COUNTY
(B,D,H,Hw,R) - See Alameda County
SONOMA COUNTY
(B,D,H,Hw,R) - See Alameda County
STANISLAUS COUNTY
(B,H,Hw,D) - See Alameda County
SUTTER COUNTY
(B,D,H,Hw,R) - See Alameda County
TEHAMA COUNTY
(B,D,H,Hw,R) - See Alameda County
TRINITY COUNTY
(B,H,Hw,D) - See Alameda County
TULARE COUNTY
(B,H,Hw,D) - See Alameda County
TUOLUMNE COUNTY
(B,D,H,Hw,R) - See Alameda County
VENTURA COUNTY
(B,D,H,Hw,R) - See Imperial County
YOLO COUNTY
(B,H,Hw,D,R) - See Alameda County
YUBA COUNTY
(B,H,Hw,D,R))- See Alameda County

COLORADO

STATEWIDE
Decision #CO75-5118 (Hw)
40 FR 43449 - 9/19/75
Mod. #1 - 40 FR 48843 - 10/17/75
Mod. #2 - 40 FR 53168 - 11/14/75
Mod. #3 - 40 FR 54385 - 11/21/75
ADAMS COUNTY
Decision #CO75-5129 (B,H)
40 FR 48848 - 10/17/75
Mod. #1 -40 FR 53168 - 11/14/75
Mod. #2 -40 FR 54385 - 11/21/75
(Hw) - See Statewide
Decision #CO75-5061 (R)
40 FR 22744 - 5/23/75
(Hw) - See Statewide
ALAMOSA COUNTY
(Hw) - See Statewide
ARAPAHOE COUNTY
(Hw) - See Statewide
(B,H,R) - See Adams County
ARCHULETA COUNTY
(Hw) - See Statewide
BACA COUNTY
(Hw) - See Statewide
BENT COUNTY
(Hw) - See Statewide
BOULDER COUNTY
(Hw) - See Statewide
(B,H) - See Adams County
CHAFFEE COUNTY
(Hw) - See Statewide
CHEYENNE COUNTY
(Hw) - See Statewide

COLORADO (cont'd)

CLEAR CREEK
(B,H) - See Adams County
(Hw) - See Statewide
CONEJOS COUNTY
(Hw) - See Statewide
COSTILLA COUNTY
(Hw) - See Statewide
CROWLEY COUNTY
(Hw) - See Statewide
CUSTER COUNTY
(Hw) - See Statewide
DELTA COUNTY
Decision #CO75-5135 (B,H)
40 FR 54391 - 11/21/75
(Hw) - See Statewide
DENVER COUNTY
(Hw) - See Statewide
(B,H,R) - See Adams County
DOLORES COUNTY
(Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide
(B,H) - See Adams County
EAGLE COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
ELBERT COUNTY
(Hw) - See Statewide
(B,H) - See Adams County
EL PASO COUNTY
Decision #CO75-5137 (B,H)
40 FR 55622 - 11/28/75
(Hw) - See Statewide
FREMONT COUNTY
(Hw) - See Statewide
GARFIELD COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
GILPIN COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
GRAND COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
GUNNISON COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
HINSDALE COUNTY
(Hw) - See Statewide
HUERFANO COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(Hw) - See Statewide

COLORADO (Cont'd.)

JEFFERSON COUNTY
(Hw) - See Statewide
(B,H,R) - See Adams County
KIOWA COUNTY
(Hw) - See Statewide
KIT CARSON COUNTY
(Hw) - See Statewide
LAKE COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
LA PLATA COUNTY
(Hw) - See Statewide
LARIMER COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
LAS ANIMAS COUNTY
Decision #CO75-5136 (B,H)
40 FR 54398 - 11/21/75
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
LOGAN COUNTY
(Hw) - See Statewide
MESA COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
MINERAL COUNTY
(Hw) - See Statewide
MOFFAT COUNTY
(Hw) - See Statewide
MONTEZUMA COUNTY
(Hw) - See Statewide
MONTROSE COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
MORGAN COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
OTERO COUNTY
(B,H) - See Las Animas County
(Hw) - See Statewide
OURAY COUNTY
(Hw) - See Statewide
PARK COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
PHILLIPS COUNTY
(Hw) - See Statewide
PITKIN COUNTY
(B,H) - See Delta County
(Hw) - See Statewide
PROWERS COUNTY
(Hw) - See Statewide
PUEBLO COUNTY
(Hw) - See Statewide
(B,H) - See Las Animas County

COLORADO (Cont'd)

RIO BLANCO COUNTY
(Hw) - See Statewide
RIO GRANDE COUNTY
(Hw) - See Statewide
ROUTT COUNTY
(Hw) - See Statewide
SAGUACHE COUNTY
(Hw) - See Statewide
SAN JUAN COUNTY
(Hw) - See Statewide
SAN MIGUEL COUNTY
(Hw) - See Statewide
SEDGWICK COUNTY
(Hw) - See Statewide
SUMMIT COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
TELLER COUNTY
(Hw) - See Statewide
WASHINGTON COUNTY
(Hw) - See Statewide
WELD COUNTY
(B,H) - See Adams County
(Hw) - See Statewide
YUMA COUNTY
(Hw) - See Statewide

CONNECTICUT

FAIRFIELD COUNTY
Decision #CT75-2113 (B,H,Hw,R)
40 FR 45962 - 10/3/75
Mod. #1 - 40 FR 55605 - 11/28/75
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
HARTFORD COUNTY
Decision #CT75-2114 (B,H,Hw)
40 FR 45970 - 10/3/75
Mod. #1 - 40 FR 55607 - 11/28/75
Decision #CT75-2067 (R)
40 FR 18304 - 4/25/75
LITCHFIELD COUNTY
(B,H,Hw,R) - See Fairfield County
MIDDLESEX COUNTY
(B,H,Hw) - See Hartford County
(D) - See Fairfield County
NEW HAVEN COUNTY
(B,H,Hw) - See Hartford County
(D) - See Fairfield County
NEW LONDON COUNTY
(B,H,Hw,D,R) - See Fairfield County
TOLLAND COUNTY
(B,H,Hw) - See Hartford County
WINDHAM COUNTY
(B,H,Hw,D,R) - See Fairfield County

DELAWARE

STATEWIDE
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
Decision #DE75-3092 (B,H,Hw)
40 FR 36903 - 8/-2/75
Mod. #1 - 40 FR 34539 - 8/15/75
Mod. #2 - 40 FR 42483 - 9/12/75
Mod. #3 - 40 FR 54386 - 11/21/75
KENT COUNTY
(B,H,Hw,D) - See Statewide
NEW CASTLE COUNTY
(B,H,Hw,D) - See Statewide
SUSSEX COUNTY
(B,H,Hw,D) - See Statewide

FLORIDA

ALACHUA COUNTY
Decision #FL75-1089 (B)
40 FR 42489 - 9/12/75
(Hw) - See Bay County
BAKER COUNTY
Decision #FL75-1081 (Hw)
40 FR 41359 - 9/5/75
BAY COUNTY
Decision #FL75-1012 (B)
40 FR 4805 - 1/31/75
Decision # AL75-5131 (D)
40 FR 49947 - 10/24/75
Decision #FL75-1080 (Hw)
40 FR 41358 - 9/5/75

FLORIDA (Cont'd.)

BRADFORD COUNTY
(Hw) - See Alachua County
BREVARD COUNTY (Cape Kennedy Kennedy Space Flight Center & Patrick AFB only)
Decision #FL75-1087 (B,H,Hw)
40 FR 41364 - 9/5/75
Decision #FL75-5138 (D)
40 FR 55628 - 11/28/75
(Remainder of County)
Decision #FL75-1082 (Hw)
40 FR 41360 - 9/5/75
BROWARD COUNTY
Decision #FL75-1084 (Hw)
40 FR 41362 - 9/5/75
Mod. #1 - 40 FR 53168 - 11/14/75
Decision FL75-1011 (B,H)
40 FR 3886 - 1/24/75
Mod. #1 - 40 FR 8694 - 2/28/75
Mod. #2 - 40 FR 12952 - 3/21/75
(D) - See Brevard County
CALHOUN COUNTY
(Hw) - See Bay County
CHARLOTTE COUNTY
(Hw) - See DeSoto County
(D) - See Brevard County
CITRUS COUNTY
Decision #FL75-1104 (R)
40 FR 49949 - 10/24/75
(Hw) - See Bay County
(D) - See Brevard County
CLAY COUNTY
(Hw) - See Baker County
COLLIER COUNTY
(D) - See Brevard County
(Hw) - See Charlotte County
COLUMBIA COUNTY
(B) - See Alachua County
DADE COUNTY
Decision #FL75-1090 (B)
40 FR 42491 - 9/12/75
Decision #AR-4050 (R)
39 FR 38077 - 10/25/74
(D) - See Brevard County
(Hw) - See Broward County

FLORIDA (cont'd)

DESOTO COUNTY
Decision #AR-4065 (R)
40 FR 43468 - 12/13/74
Decision #FL75-1083 (Hw)
40 FR 41361 - 9/5/75
Mod. #1 - 40 FR 53168 - 11/14/75
DIXIE COUNTY
(D) - See Brevard County
DUVAL COUNTY
Decision #FL75-1091 (B)
40 FR 42493 - 9/12/75
(D) - See Brevard County
(Hw) - See Baker County
ESCAMBIA COUNTY
Decision #FL75-1024 (B)
40 FR 7801 - 2/21/75
Mod. #1 - 40 FR 12953 - 3/21/75
Mod. #2 - 40 FR 18275 - 4/25/75
Mod. #3 - 40 FR 25324 - 6/13/75
Decisimn #AP-178 (R)
38 FR 11259 - 5/4/73
Mod. #1 - 39 FR 12002 - 3/14/75
Decisimn #FL75-1030 (Hw)
40 FR 10891 - 3/7/75
Mod. #1 - 40 FR 14196 - 3/28/75
(D) - See Bay County
FLAGLER COUNTY
(D) - See Brevard County
(Hw) - See Baker County
FRANKLIN COUNTY
(D) - See Bay County
(Hw) - See Bay County
GADSDEN COUNTY
Decision #AP-179 (R)
38 FR 11260 - 5/4/73
Mod. #1 - 39 FR 15604 - 5/3/74
Mod. #2 - 40 FR 12003 - 3/14/75
(Hw) - See Bay County
GILCHRIST COUNTY

GLADES COUNTY
(Hw) - See Charlotte County
GULF COUNTY
(D) - See Bay County
(Hw) - See Alachua County
HAMILTON COUNTY

HARDEE COUNTY
(Hw, R) - See DeSoto County
HENDRY COUNTY
(Hw) - See Charlotte County
HERNANDO COUNTY
(D) - See Brevard County
(Hw, R) - See Citrus County

FLORIDA (cont'd)

HIGHLANDS COUNTY
(R) - See Citrus County
(Hw) - See De Soto County
HILLSBOROUGH COUNTY
Decision #FL75-1075 (B)
40 FR 34556 - 8/15/75
(Hw) - See Brevard County
(D) - See Brevard County
(R) - See Citrus County
HOLMES COUNTY
(Hw) - See Bay County
INDIAN RIVER COUNTY
(D) - See Brevard County
(Hw) - See Brevard Co. (Remainder of Co.)
JACKSON COUNTY
(Hw) - See Bay County
JEFFERSON COUNTY
(D,Hw) - See Bay County
(R) - See Gadsden County
LAFAYETTE COUNTY
(H) - See Alachua County
LAKE COUNTY
Decision #FL75-1066 (R)
40 FR 28332 - 7/3/75
(Hw) - See Brevard Co. (Remainder of Co.)
LEE COUNTY
(D) - See Brevard County
(Hw) - See Charlotte County
LEON COUNTY
Decision #FL75-1036 (B)
40 FR 14221 - 3/28/75
Mod. #1 - 40 FR 32551 - 8/1/75
(Hw) - See Bay County
(R) - See Gadsden County
LEVY COUNTY
(D) - See Brevard County
(Hw) -See Citrus County
LIBERTY COUNTY
(Hw) - See Bay County
MADISON COUNTY
(R) - See Gadsden County

MANATEE COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
MARION COUNTY
(Hw) - See Citrus County
MARTIN COUNTY
Decision #FL75-1033 (B)
40 FR 14219 - 3/28/75
Mod. #1 - 40 FR 19327 - 5/2/75
Mod. #2 - 40 FR 25342 - 6/13/75
Mod. #3 - 40 FR 32551 - 8/1/75
(D) - See Brevard County
(Hw) - See Broward County

FLORIDA (cont'd)

MONROE COUNTY
(D) - See Brevard County
(Hw) - See Broward County
NASSAU COUNTY
(D) - See Brevard County
(Hw) - See Baker County
OKALOOSA COUNTY
(B) - See Escambia County
(D) - See Bay County
(Hw) - See Escambia County
Decision #AP-180 (R)
38 FR 11260 - 5/4/73
Mod. #1 - 39 FR 15604 - 5/3/74
Mod. #2 - 40 FR 12002 - 3/14/75
OKEECHOBEE COUNTY
(Hw) - See DeSoto County
ORANGE COUNTY
Decision #FL75-1009 (B)
40 FR 3882 - 1/24/75
Mod. #1 - 40 FR 12952 - 3/21/75
Mod. #2 - 40 FR 25324 - 6/13/75
(Hw) - See Brevard Co. (Remainder of Co
(R) - See Lake County
OSCEOLA COUNTY
(Hw) - See Brevard Co. (Remainder of Co
(R) - See Lake County
PALM BEACH COUNTY
(D) - See Brevard County
(B) - See Martin County
(Hw) - See Broward County
PASCO COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
(R) - See Citrus County
PINELLAS COUNTY
Decision #FL75-1034 (B)
40 FR 12970 - 3/21/75
Mod. #1 - 40 FR 16477 - 4/11/75
Mod. #2 - 40 FR 25324 - 6/13/75
Mod. #3 - 40 FR 32551 - 8/1/75
(R) - See Citrus County
(D) - See Brevard County
(Hw) - See Hillsborough County
POLK COUNTY
(Hw) - See DeSoto County
(R) - See DeSoto County
PUTNAM COUNTY
(Hw) - See Baker County
ST. JOHNS COUNTY
(D) - See Brevard County
(Hw) - See Baker County
ST. LUCIE COUNTY
(D) - See Brevard County
(Hw) - See Broward County
SANTA ROSA COUNTY
(B) - See Escambia County
(D,Hw) - See Bay County
(R) - See Okaloosa County

FLORIDA (Cont'd)

SARASOTA COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
SEMINOLE COUNTY
(Hw) - See Brevard Co. (Remainder of Co.)
(R) - See Lake County
SUMTER COUNTY
(Hw, R) - See Citrus County
SUWANNEE COUNTY

TAYLOR COUNTY
(D) - See Brevard County
(R) - See Gadsden County
UNION COUNTY

VOLUSIA COUNTY (Except Cape Kennedy, Kennedy Space Flight Center & Patrick Air Force Base only and including Melaber Radar Site)
Decision #FL75-1040 (B)
40 FR 14223 - 3/28/75
Mod. #1 - 40 FR 25324 - 6/13/75
(B,H,Hw) - See Brevard Co. (Cape Kennedy, Etc.)
(D) - See Brevard County
(Hw) - See Brevard County (Remainder of Co.)
WAKULLA COUNTY
(D) - See Bay County
(Hw) - See Bay County
WALTON COUNTY
(B) - See Escambia County
(D,Hw) - See Bay County
(R) - See Okaloosa County
WASHINGTON COUNTY
(Hw) - See Bay County

GEORGIA

STATEWIDE
Decision #AR-4038 (Hw)
39 FR 34984 - 9/27/74
Mod. #1 - 39 FR 36711 - 10/11/74
Mod. #2 - 40 FR 23629 - 5/30/75
APPLING COUNTY
(Hw) - See Statewide
ATKINSON COUNTY
(Hw) - See Statewide
BACON COUNTY
(Hw) - See Statewide
BAKER COUNTY
Decision #AQ-4089 (R)
39 FR 10067 - 3/15/74
Mod. #1 - 40 FR 3083 - 1/17/75
(Hw) - See Statewide

GEORGIA (Cont'd.)

BALDWIN COUNTY
(Hw) - See Statewide
BANKS COUNTY
(Hw) - See Statewide
BARROW COUNTY
Decision #AQ-4108 (R)
39 FR 14841 - 4/26/74
(Hw) - See Statewide
BARTOW COUNTY
(Hw) - See Statewide
BEN HILL COUNTY
(Hw) - See Statewide
BERRIEN COUNTY
(Hw) - See Statewide
BIBB COUNTY
(Hw) - See Statewide
BLECKLEY COUNTY
(Hw) - See Statewide
BRANTLEY COUNTY
(Hw) - See Statewide
BROOKS COUNTY
(Hw) - See Statewide
BRYAN COUNTY
(Hw) - See Statewide
Decision #AQ-4058 (R)
39 FR 3394 - 1/25/74
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
BULLOCH COUNTY
(R) - See Bryan County
(Hw) - See Statewide
BURKE COUNTY
Decision #AQ-4085 (R)
39 FR 9333 - 3/8/74
(Hw) - See Statewide
BUTTS COUNTY
(Hw) - See Statewide
CALHOUN COUNTY
(Hw) - See Statewide
(R) - See Baker County
CAMDEN COUNTY
(R) - See Bryan County
(Hw) - See Statewide
CANDLER COUNTY
(Hw) - See Statewide
CARROLL COUNTY
(Hw) - See Statewide
CATOOSA COUNTY
(Hw) - See Statewide
CHARLTON COUNTY
Decision #AR-4037 (R)
39 FR 33919 - 9/20/74
Mod. #1 - 40 FR 3088 - 1/17/75
(Hw) - See Statewide

GEORGIA (Cont'd.)

CHATHAM COUNTY
Decision #AR-4064 (B)
39 FR 42817 - 12/6/74
Mod. #1 - 40 FR 16478 - 4/11/75
Mod. #2 - 40 FR 25325 - 6/13/75
Mod. #3 - 40 FR 32552 - 8/1/75
Mod. #4 - 40 FR 34539 - 8/15/75
(D,R) - See Bryan County
CHATTAHOOCHEE COUNTY
Decision #GA75-1039 (B)
40 FR 49942 - 10/24/75
Decision #AQ-4086 (R)
39 FR 9334 - 3/8/74
Mod. #1 - 40 FR 3083 - 1/17/75
(Hw) - See Statewide
CHATTOOGA COUNTY
(Hw) - See Statewide
CHEROKEE COUNTY
(Hw) - See Statewide
CLARKE COUNTY
(Hw) - See Statewide
(R) - See Barrow County
CLAY COUNTY
(R) - See Baker County
(Hw) - See Statewide
CLAYTON COUNTY
Decision #GA75-1092 (B)
40 FR 42495 - 9/12/75
Decision #AQ- 4052 (R)
39 FR 2328 - 1/18/74
Mod. #1 - 40 FR 3861 - 1/24/75

(B) - See Fulton County
(Hw) - See Statewide
CLINCH COUNTY
(Hw) - See Statewide
COBB COUNTY
(B,R) - See Fulton County
(Hw) - See Statewide
COFFEE COUNTY
(Hw) - See Statewide
COLQUITT COUNTY
(Hw) - See Statewide
COLUMBIA COUNTY
(R) - See Burke County
(Hw) - See Statewide
COOK COUNTY
(Hw) - See Statewide
COWETA COUNTY
(Hw) - See Statewide
CRAWFORD COUNTY
(Hw) - See Statewide
CRISP COUNTY
(Hw) - See Statewide

GEORGIA (Cont'd.)

DEKALB COUNTY
(B,R) - See Clayton County
(Hw) - See Statewide
DODGE COUNTY
(Hw) - See Statewide
DOOLY COUNTY
(Hw) - See Statewide
DOUGHERTY COUNTY
(Hw) - See Statewide
(R) - See Baker County
DOUGLAS COUNTY
(Hw) - See Statewide
EARLY COUNTY
(Hw) - See Statewide
(R) - See Baker County
ECHOLS COUNTY
(Hw) - See Statewide
EFFINGHAM COUNTY
(R) - See Bryan County
(Hw) - See Statewide
ELBERT COUNTY
(Hw) - See Statewide
(R) - See Barrow County
EMANUEL COUNTY
(Hw) - See Statewide
EVANS COUNTY
(R) - See Bryan County
(Hw) - See Statewide
FANNIN COUNTY
(Hw) - See Statewide
FAYETTE COUNTY
(Hw) - See Statewide
FLOYD COUNTY
(Hw) - See Statewide
FORSYTH COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
(Hw) - See Statewide
FULTON COUNTY
(Hw) - See Statewide
(B,R) - See Clayton County
GILMER COUNTY
(Hw) - See Statewide
GLASCOCK COUNTY
(Hw) - See Statewide
(R) - See Burke County
GLYNN COUNTY
(D) - See Bryan County
(Hw) - See Statewide
GORDON COUNTY
(Hw) - See Statewide
GRADY COUNTY
(Hw) - See Statewide
(R) - See Baker County
GREENE COUNTY
(R) - See Barron County
(Hw) - See Statewide

GEORGIA (Cont'd.)

GWINNETT COUNTY
(R) - See Clayton County
(Hw) - See Statewide
HABERSHAM COUNTY
(Hw) - See Statewide
HALL COUNTY
Decision #GA75-1025 (B)
40 FR 8691 - 2/28/75
Mod. #1 - 40 FR 12003 - 3/14/75
Mod. #2 - 40 FR 49942 - 10/24/75
(Hw) - See Statewide
HANCOCK COUNTY
(Hw) - See Statewide
(R) - See Burke County
HARALSON COUNTY
(Hw) - See Statewide
HARRIS COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
HART COUNTY
(Hw) - See Statewide
(R) - See Barrow County
HEARD COUNTY
(Hw) - See Statewide
HENRY COUNTY
(Hw) - See Statewide
HOUSTON COUNTY
(Hw) - See Statewide
IRWIN COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(Hw) - See Statewide
(R) - See Barrow County
JASPER COUNTY
(Hw) - See Statewide
JEFF DAVIS COUNTY
(Hw) - See Statewide
JEFFERSON COUNTY
(Hw) - See Statewide
(R) - See Burke County
JENKINS COUNTY
(Hw) - See Statewide
(R) - See Burke County
JOHNSON COUNTY
(Hw) - See Statewide
JONES COUNTY
(Hw) - See Statewide
LAMAR COUNTY
(Hw) - See Statewide
LANIER COUNTY
(Hw) - See Statewide
LAURENS COUNTY
Decision #AQ-4124 (B)
39 FR 20912 - 6/14/74
(Hw) - See Statewide
LEE COUNTY
(Hw) - See Statewide
(R) - See Baker County

GEORGIA (Cont'd.)

LIBERTY COUNTY
(D,R) - See Bryan County
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
(R) - See Burke County
LONG COUNTY
(Hw) - See Statewide
(R) - See Bryan County
LOWNDES COUNTY
(Hw) - See Statewide
LUMPKIN COUNTY
(Hw) - See Statewide
MCDUFFIE COUNTY
(Hw) - See Statewide
(R) - See Burke County
McINTOSH COUNTY
(D) - See Bryan County
(Hw) - See Statewide
MACON COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
MADISON COUNTY
(Hw) - See Statewide
(R) - See Barrow County
MARION COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
MERIWETHER COUNTY
(R) - See Chattahoochee County
(Hw) - See Statewide
MILLER COUNTY
(Hw) - See Statewide
(R) - See Baker County
MITCHELL COUNTY
(Hw) - See Statewide
(R) - See Baker County
MONROE COUNTY
(Hw) - See Statewide
MONTGOMERY COUNTY
(Hw) - See Statewide
MORGAN COUNTY
(Hw) - See Statewide
(R) - See Barrow County
MURRAY COUNTY
(Hw) - See Statewide
MUSCOGEE COUNTY
(b,R) - See Chattahoochee County
(Hw) - See Statewide
NEWTON COUNTY
(Hw) - See Statewide
(R) - See Barrow County
OCONEE COUNTY
(Hw) - See Statewide
(R) - See Barrow County
OGLETHORPE COUNTY
(Hw) - See Statewide
(R) - See Barrow County

GEORGIA (Cont'd.

PAULDING COUNTY
(Hw) - See Statewide
PEACH COUNTY
(Hw) - See Statewide
PICKENS COUNTY
(Hw) - See Statewide
PIERCE COUNTY
(Hw) - See Statewide
(R) - See Charlton County
PIKE COUNTY
(Hw) - See Statewide
POLK COUNTY
(Hw) - See Statewide
PULASKI COUNTY
(Hw) - See Statewide
PUTNAM COUNTY
(Hw) - See Statewide
QUITMAN COUNTY
(Hw) - See Statewide
(R) - See Baker County
RABUN COUNTY
(Hw) - See Statewide
RANDOLPH COUNTY
(Hw) - See Statewide
(R) - See Baker County
RICHMOND COUNTY
Decision #GA75-1005 (B)
40 FR 3091 - 1/17/75
Mod. #1 - 40 FR 6900 - 2/14/75
Mod. #2 - 40 FR 19328 - 5/2/75
Mod. #3 - 40 FR 28305 - 7/3/75
Mod. #4 - 40 FR 48844 - 10/17/75
Mod. #5 - 40 FR 53169 - 11/14/75
(Hw) - See Statewide
(R) - See Burke County
ROCKDALE COUNTY
(Hw) - See Statewide
SCHLEY COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
SCREVEN COUNTY
(Hw) - See Statewide
SEMINOLE COUNTY
(Hw) - See Statewide
(R) - See Baker County
SPALDING COUNTY
(Hw) - See Statewide
STEPHENS COUNTY
(Hw) - See Statewide
STEWART COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
SUMTER COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TALBOT COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TALIAFERRO COUNTY
(Hw) - See Statewide
(R) - See Burke County
TATTNALL COUNTY
(Hw) - See Statewide
TAYLOR COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County

GEORGIA (Cont'd.)

TELFAIR COUNTY
(Hw) - See Statewide
TERRELL COUNTY
(Hw) - See Statewide
(D) - See Baker County
THOMAS COUNTY
(Hw) - See Statewide
TIFT COUNTY
(Hw) - See Statewide
TOOMBS COUNTY
(Hw) - See Statewide
TOWNS COUNTY
(Hw) - See Statewide
TREUTLEN COUNTY
(Hw) - See Statewide
TROUP COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TURNER COUNTY
(Hw) - See Statewide
TWIGGS COUNTY
(Hw) - See Statewide
UNION COUNTY
(Hw) - See Statewide
UPSON COUNTY
(Hw) - See Statewide
WALKER COUNTY
(Hw) - See Statewide
WALTON COUNTY
(Hw) - See Statewide
(R) - See Barron County
WARE COUNTY
Decision #GA75-1008 (B)
40 FR 3093 - 1/17/75
(R) - See Charlton County
(Hw) - See Statewide
WARREN COUNTY
(Hw) - See Statewide
(R) - See Burke County
WASHINGTON COUNTY
(Hw) - See Statewide
(R) - See Burke County
WAYNE COUNTY
(Hw) - See Statewide
WEBSTER COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
WHEELER COUNTY
(Hw) - See Statewide
WHITE COUNTY
(Hw) - See Statewide
WHITEFIELD COUNTY
(Hw) - See Statewide
WILCOX COUNTY
(Hw) - See Statewide
WILKES COUNTY
(R) - See Burke County
(Hw) - See Statewide
WILKINSON COUNTY
(Hw) - See Statewide
WORTH COUNTY
(Hw) - See Statewide

GUAM

GUAM
Decision #AR-1029 (B,H,Hw,R)
39 FR 32448 - 9/6/74

HAWAII

STATEWIDE
Decision #H175-5098 (B,H,Hw,D,R)
40 FR 32555 - 8/1/75
Mod. #1 - 40 FR 44440 - 9/26/75

IDAHO

STATEWIDE
Decision #ID75-5120 (B,H,Hw)
40 FR 45978 - 10/3/75
Mod. #1 - 40 FR 49942 - 10/24/75
ADA COUNTY
Decision #AQ-1029 (R)
38 FR 24513 - 9/7/73
Mod. #1 - 38 FR 26543 - 9/21/73
(B,H,Hw) - See Statewide
ADAMS COUNTY
(B,H,Hw) - See Statewide
BANNOCK COUNTY
(B,H,Hw) - See Statewide
BEAR LAKE COUNTY
(B,H,Hw) - See Statewide
BENEWAH COUNTY
(B,H,Hw) - See Statewide
BINGHAM COUNTY
(B,H,Hw) - See Statewide
BLAINE COUNTY
(B,H,Hw) - See Statewide
BOISE COUNTY
(B,H,Hw) - See Statewide
BONNER COUNTY
(B,H,Hw) - See Statewide
BONNEVILLE COUNTY
(B,H,Hw) - See Statewide
BOUNDARY COUNTY
(B,H,Hw) - See Statewide
BUTTE COUNTY
(B,H,Hw) - See Statewide
CAMAS COUNTY
(B,H,Hw) - See Statewide
CANYON COUNTY
(B,H,Hw) - See Statewide
CARIBOU COUNTY
(B,H,Hw) - See Statewide
CASSIA COUNTY
(B,H,Hw) - See Statewide
CLARK COUNTY
(B,H,Hw) - See Statewide
CLEARWATER COUNTY
(B,H,Hw) - See Statewide
CUSTER COUNTY
(B,H,Hw) - See Statewide
ELMORE COUNTY
(B,H,Hw) - See Statewide
FRANKLIN COUNTY
(B,H,Hw) - See Statewide
FREMONT COUNTY
(B,H,Hw) - See Statewide
GEM COUNTY
(B,H,Hw) - See Statewide
GOODING COUNTY
(B,H,Hw) - See Statewide
IDAHO COUNTY
(B,H,Hw) - See Statewide
JEFFERSON COUNTY
(B,H,Hw) - See Statewide
JEROME COUNTY
(B,H,Hw) - See Statewide

IDAHO (Cont'd.)

KOOTENAI COUNTY
(B,H,Hw) - See Statewide
LATAH COUNTY
(B,H,Hw) - See Statewide
LEMHI COUNTY
(B,H,Hw) - See Statewide
LEWIS COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
MADISON COUNTY
(B,H,Hw) - See Statewide
MINIDOKA COUNTY
(B,H,Hw) - See Statewide
NEZ PERCE COUNTY
(B,H,Hw) - See Statewide
ONEIDA COUNTY
(B,H,Hw) - See Statewide
OWYHEE COUNTY
(B,H,Hw) - See Statewide
PAYETTE COUNTY
(B,H,Hw) - See Statewide
POWER COUNTY
(B,H,Hw) - See Statewide
SHOSHONE COUNTY
(B,H,Hw) - See Statewide
TETON COUNTY
(B,H,Hw) - See Statewide
TWIN FALLS COUNTY
(B,H,Hw) - See Statewide
VALLEY COUNTY
(B,H,Hw) - See Statewide
WASHINGTON COUNTY
(B,H,Hw) - See Statewide

ILLINOIS

ADAMS COUNTY
Decision #IL75-2055 (B)
40 FR 15265 - 4/4/75
Mod. #1 - 40 FR 29444 - 7/11/75
Decision #IL75-2082 (H,Hw)
40 FR 26190 - 6/20/75
ALEXANDER COUNTY
Decision #IL75-2084 (H,Hw)
40 FR 27419 - 6/27/75
Mod. #1 - 40 FR 29445 - 7/11/75
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
BOND COUNTY
Decision #IL75-2100 (H,Hw)
40 FR 32562 - 8/1/75
Mod. #1 - 40 FR 34539 - 8/15/75
Mod. #2 - 40 FR 36894 - 8/22/75
BOONE COUNTY
Decision #IL75-2044 (B)
40 FR 10893 - 3/7/75
Mod. #1 - 40 FR 31436 - 7/25/75

ILLINOIS (Cont'd.)

BOONE COUNTY (Cont'd.)
Decision #IL75-2078 (H,Hw)
40 FR 23637 - 5/30/75
Mod. #1 - 40 FR 26182 - 6/20/75
Mod. #2 - 40 FR 29444 - 7/11/75
Mod. #3 - 40 FR 31437 - 7/25/75
BROWN COUNTY
(B,H,Hw) - See Adams County
(D) - See Alexander County
BUREAU COUNTY
Decision #IL75-2035 (B)
40 FR 5961 - 2/7/75
Mod. #1 - 40 FR 8694 - 2/21/75
Mod. #2 - 40 FR 12004 - 3/14/75
Mod. #3 - 40 FR 19325 - 5/2/75
Mod. #4 - 40 FR 29443 - 7/11/75
Mod. #5 - 40 FR 30384 - 7/18/75
Mod. #6 - 40 FR 31435 - 7/25/75
Decision #IL75-2079 (H,Hw)
40 FR 25382 - 6/13/75
Mod. #1 - 40 FR 27403 - 6/27/75
Mod. #2 - 40 FR 29445 - 7/11/75
Mod. #3 - 40 FR 31437 - 7/25/75
Mod. #4 - 40 FR 43419 - 9/19/75
CALHOUN COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
CARROLL COUNTY
(H,Hw) - See Bureau County
CASS COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
CHAMPAIGN COUNTY
Decision #IL75-2105 (B)
40 FR 36907 - 8/22/75
Decision #IL75-2081 (H,Hw)
40 FR 25395 - 6/13/75
CHRISTIAN COUNTY
(H,Hw) - See Adams County
Decision #IL75-2041 (B)
40 FR 7769 - 2/21/75
Mod. #1 - 40 FR 29444 - 7/11/75
CLARK COUNTY
(H,Hw) - See Champaign County
CLAY COUNTY
Decision #IL75-2083 (H,Hw)
40 FR 26194 - 6/20/75
CLINTON COUNTY
(H,Hw) - See Bond County
COLES COUNTY
(H,Hw) - See Champaign County
COOK COUNTY
Decision #IL75-2092 (B,H,Hw,R)
40 FR 28343 - 7/3/75
Mod. #1 - 40 FR 31438 - 7/25/75
Decision #IL75-5051 (D)
40 FR 16529 - 4/11/75
Decision #IL75-2015 (H,Hw)
40 FR 6927 - 2/14/75

ILLINOIS

CRAWFORD COUNTY
(H,Hw) - See Clay County
CUMBERLAND COUNTY
(H,Hw) - See Champaign County
DEKALB COUNTY
(H,Hw) - See Boone County
DEWITT COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
DOUGLAS COUNTY
(H,Hw) - See Champaign County
DU PAGE COUNTY
Decision #IL75-2050 (B,R)
40 FR 12029 - 3/7/75
Mod. #1 - 40 FR 18276 - 4/25/75
Mod. #2 - 40 FR 19325 - 5/2/75
Mod. #3 - 40 FR 29444 - 7/11/75
Mod. #4 - 40 FR 31436 - 7/25/75
(H,Hw) - See Boone County
EDGAR COUNTY
(H,Hw) - See Champaign County
EDWARDS COUNTY
(H,Hw) - See Clay County
EFFINGHAM COUNTY
(H,Hw) - See Clay County
FAYETTE COUNTY
(H,Hw) - See Clay County
FORD COUNTY
Decision #IL75-2052 (B)
40 FR 15261 - 4/4/75
Mod. #1 - 40 FR 19325 - 5/2/75
Mod. #2 - 40 FR 29443 - 7/11/75
Mod. #3 - 40 FR 30385 - 7/18/75
Mod. #4 - 40 FR 31436 - 7/25/75
Decision #IL75-2086 (H,Hw)
40 FR 28333 - 7/3/75
Mod. #1 - 40 FR 30385 - 7/18/75
Mod. #2 - 40 FR 31437 - 7/25/75
FRANKLIN COUNTY
(H,Hw) - See Alexander County
FULTON COUNTY
Decision #IL75-2080 (H,Hw)
40 FR 25389 - 6/13/75
Mod. #1 - 40 FR 27404 - 6/27/75
Mod. #2 - 40 FR 29445 - 7/11/75
Mod. #3 - 40 FR 30385 - 7/18/75
GALLATIN COUNTY
(H,Hw) - See Alexander County
(D) - See Alexander County
GREENE COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
GRUNDY COUNTY
(H,Hw) - See Ford County
HAMILTON COUNTY
(H,Hw) - See Clay County
HANCOCK COUNTY
(H,Hw) - See Fulton County
HARDIN COUNTY
(H,Hw) - See Alexander County
(D) - See Alexander County

ILLINOIS (Cont'd)

HENDERSON COUNTY
(H,Hw) - See Fulton County
HENRY COUNTY
(H,Hw) - See Bureau County
IROQUOIS COUNTY
(B,H,Hw) - See Ford County
JACKSON COUNTY
(H,Hw) - See Alexander County
(D) - See Alexander County
JASPER COUNTY
(H,Hw) - See Clay County
JEFFERSON COUNTY
(H,Hw) - See Clay County
JERSEY COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
JO DAVIESS COUNTY
(H,Hw) - See Bureau County
JOHNSON COUNTY
(H,Hw) - See Alexander County
KANE COUNTY
(B,R) - See Du Page County
(H,Hw) - See Boone County
KANKAKEE COUNTY
(B,H,Hw) - See Ford County
KENDALL COUNTY
(H,Hw) - See Boone County
KNOX COUNTY
(H,Hw) - See Fulton County
LAKE COUNTY
(B,R) - See Du Page County
(D) - See Cook County
(H,Hw) - See Boone County
LA SALLE COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
LAWRENCE COUNTY
(H,Hw) - See Clay County
LEE COUNTY
(B,Hw) - See Bureau County
LIVINGSTON COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
LOGAN COUNTY
(H,Hw) - See Adams County
MCDONOUGH COUNTY
(H,Hw) - See Fulton County
MCHENRY COUNTY
(H,Hw) - See Fulton County
Mc LEAN COUNTY
(H,Hw) - See Ford County
MACON COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
MACOUPIN COUNTY
(H,Hw) - See Bond County
MADISON COUNTY
Decision #IL75-2099 (B,R)
40 FR 32559 - 8/1/75
(H,Hw) - See Bond County

ILLINOIS (Cont'd)

MARION COUNTY
(H,Hw) - See Clay County
MARSHALL COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
MASON COUNTY
(H,Hw) - See Adams County
MASSAC COUNTY
(H,Hw) - See Alexander County
MENARD COUNTY
(H,Hw) - See Adams County
MERCER COUNTY
(H,Hw) - See Fulton County
MONROE COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
MONTGOMERY COUNTY
(H,Hw) - See Bond County
MORGAN COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
MOULTRIE COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
OGLE COUNTY
(H,Hw) - See Bureau County
PEORIA COUNTY
Decision #IL75-2106 (B,R,D)
40 FR 40010 - 8/29/75
(H,Hw) - See Fulton County
PERRY COUNTY
(H,Hw) - See Alexander County
PIATT COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
PIKE COUNTY
(B,H,Hw) - See Adams County
(D) - See Alexander County
POPE COUNTY
(H,Hw,D) - See Alexander County
PULASKI COUNTY
(H,Hw,D) - See Alexander County
PUTNAM COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County
RANDOLPH COUNTY
(H,Hw,D) - See Alexander County
RICHLAND COUNTY
(H,Hw) - See Clay County
ROCK ISLAND COUNTY
Decision #IL75-2051 (B)
40 FR 12976 - 3/21/75
Mod. #1 - 40 FR 29443 - 7/11/75
Mod. #2 - 40 FR 52242 - 11/7/75
(H,Hw) - See Bureau County
SAINT CLAIR COUNTY
(B,R) - See Madison County
(H,Hw) - See Bond County
(D) - See Alexander County

ILLINOIS (Cont'd)

SALINE COUNTY
(H,Hw) - See Alexander County
SANGAMON COUNTY
Decision #IL75-2107 (B,R)
40 FR 40014 - 8/29/75
(H,Hw) - See Adams County
SCHUYLER COUNTY
(H,Hw) - See Adams County
SCOTT COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
SHELBY COUNTY
(B) - See Christian County
(H,Hw) - See Champaign County
STARK COUNTY
(H,Hw) - See Fulton County
STEPHENSON COUNTY
(H,Hw) - See Bureau County
TAZEWELL COUNTY
(B,R,D) - See Peoria County
(H,Hw) - See Fulton County
UNION COUNTY
(H,Hw,D) - See Alexander County
VERMILLION COUNTY
(H,Hw) - See Champaign County
(B) - See Champaign County
WABASH COUNTY
(H,Hw) - See Clay County
WARREN COUNTY
(H,Hw) - See Fulton County
WASHINGTON COUNTY
(H,Hw) - See Bond County
WAYNE COUNTY
(H,Hw) - See Clay County
WHITE COUNTY
(H,Hw) - See Clay County
WHITESIDE COUNTY
(H,Hw) - See Bureau County
WILL COUNTY
(B,R) - See Du Page County
(H,Hw) - See Boone County
WILLIAMSON COUNTY
Decision #IL75-2043 (B)
40 FR 8736 - 2/28/75
Mod. #1 - 40 FR 18276 - 4/25/75
(H,Hw) - See Alexander County
WINNEBAGO COUNTY
(B) - See Boone County
(H,Hw) - See Bureau County
WOODFORD COUNTY
(B) - See Bureau County
(H,Hw) - See Ford County

INDIANA

STATEWIDE
Decision #IN75-2093 (H,Hw)
40 FR 29491 - 7/11/75
Mod. #1 - 40 FR 33675 - 8/8/75
Mod. #2 - 40 FR 45963 - 10/3/75
Mod. #3 - 40 FR 5068 - 10/31/75
Mod. #4 - 40 FR 53172 - 11/14/75
ADAMS COUNTY
(H,Hw) - See Statewide
ALLEN COUNTY
Decision #IN75-2088 (B)
40 FR 27422 - 6/27/75
Mod. #1 - 40 FR 33573 - 8/8/75
Mod. #2 - 40 FR 44441 - 9/26/75
Mod. #3 - 40 FR 52243 - 11/7/75
Mod. #4 - 40 FR 53169 - 11/14/75
Decision #AQ-3000 (R)
38 FR 22341 - 8/17/73
(H,Hw) - See Statewide
BARTHOLOMEW COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
BENTON COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
BLACKFORD COUNTY
(H,Hw) - See Statewide
BOONE COUNTY
Decision #AP-668 (R)
38 FR 13247 - 5/18/73
(H,Hw) - See Statewide
BROWN COUNTY
(H,Hw) - See Statewide
CARROLL COUNTY
(H,Hw) - See Statewide
CASS COUNTY
(H,Hw) - See Statewide
CLARK COUNTY
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide
CLAY COUNTY
(H,Hw) - See Statewide
CLINTON COUNTY
(H,Hw) - See Statewide
CRAWFORD COUNTY
(H,Hw) - See Statewide
(D) - See Clark County
DAVIESS COUNTY
(H,Hw) - See Statewide
DEARBORN COUNTY
(B) - See Allen County
(H,Hw) - See Statewide

INDIANA (Cont'd.

DECATUR COUNTY
(H,Hw) - See Statewide
DEKALB COUNTY
(H,Hw) - See Statewide
DELAWARE COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
DUBOIS COUNTY
(H,Hw) - See Statewide
ELKHART COUNTY
(H,Hw) - See Statewide
FAYETTE COUNTY
(H,Hw) - See Statewide
FLOYD COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
FOUNTAIN COUNTY
(H,Hw) - See Statewide
FRANKLIN COUNTY
(H,Hw) - See Statewide
FULTON COUNTY
(H,Hw) - See Statewide
GIBSON COUNTY
(H,Hw) - See Statewide
GRANT COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
GREEN COUNTY
(H,Hw) - See Statewide
HAMILTON COUNTY
(H,Hw) - See Statewide
(R) - See Boone County
HANCOCK COUNTY
(H,Hw) - See Statewide
(R) - See Boone County
HARRISON COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
HENDRICKS COUNTY
(H,Hw) - See Statewide
(R) - See Boone County
HENRY COUNTY
(H,Hw) - See Statewide
HOWARD COUNTY
(H,Hw) - See Statewide
HUNTINGTON COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JASPER COUNTY
(H,Hw) - See Statewide
JAY COUNTY
(H,Hw) - See Statewide

INDIANA (Cont'd.

JEFFERSON COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
JENNINGS COUNTY
(H,Hw) - See Statewide
JOHNSON COUNTY
(H,Hw) - See Statewide
(R) - See Boone County
KNOX COUNTY
(H,Hw) - See Statewide
KOSCIUSKO COUNTY
(H,Hw) - See Statewide
LAGRANGE COUNTY
(H,Hw) - See Statewide
LAKE COUNTY
Decision #IM75-2089 (B,H,Hw)
40 FR 28346 - 7/3/75
Mod. #1 - 40 FR 33574 - 8/8/75
Mod. #2 - 40 FR 44442 - 9/26/75
Mod. #3 - 40 FR 52243 - 11/7/75
Mod. #4 - 40 FR 53171 - 11/14/75
Decision #AQ-3095 (D)
39 FR 5982 - 2/15/74
Mod. #1 - 39 FR 44161 - 12/20/74
LAPORTE COUNTY
(B,H,Hw) - See Lake County
(D) - See Lake County
LAWRENCE COUNTY
(H,Hw) - See Statewide
MADISON COUNTY
(H,Hw) - See Statewide
MARION COUNTY
(B) - See Allen County
(R) - See Boone County
(H,Hw) - See Statewide
MARSHALL COUNTY
(H,Hw) - See Statewide
MARTIN COUNTY
(H,Hw) - See Statewide
MIAMI COUNTY
(H,Hw) - See Statewide
MONROE COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(H,Hw) - See Statewide
MORGAN COUNTY
(R) - See Boone County
(H,Hw) - See Statewide
NEWTON COUNTY
(H,Hw) - See Statewide
NOBLE COUNTY
(H,Hw) - See Statewide

INDIANA (Cont'd.)

OHIO COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
ORANGE COUNTY
(H,Hw) - See Statewide
OWEN COUNTY
(H,Hw) - See Statewide
PARKE COUNTY
(H,Hw) - See Statewide
PERRY COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
PIKE COUNTY
(H,Hw) - See Statewide
PORTER COUNTY
(B,H,Hw) - See Lake County
(D) - See Lake County
POSEY COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
PULASKI COUNTY
(H,Hw) - See Statewide
PUTNAM COUNTY
(H,Hw) - See Statewide
RANDOLPH COUNTY
(H,Hw) - See Statewide
RIPLEY COUNTY
(H,Hw) - See Statewide
RUSH COUNTY
(H,Hw) - See Statewide
SAINT JOSEPH COUNTY
(B,H,Hw) - See Lake County
SCOTT COUNTY
(H,Hw) - See Statewide
SHELBY COUNTY
(R) - See Boone County
(H,Hw) - See Statewide
SPENCER COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
STARKE COUNTY
(H,Hw) - See Statewide
STEUBEN COUNTY
(H,Hw) - See Statewide
SULLIVAN COUNTY
(H,Hw) - See Statewide
SWITZERLAND COUNTY
(D) - See Clark County
(H,Hw) - See Statewide

INDIANA (Cont'd)

TIPPECANOE COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
TIPTON COUNTY
(H,Hw) - See Statewide
UNION COUNTY
(H,Hw) - See Statewide
VANDERBURGH COUNTY
(B) - See Allen County
(D) - See Clark County
(H,Hw) - See Statewide
VERMILLION COUNTY
(H,Hw) - See Statewide
VIGO COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
WABASH COUNTY
(H,Hw) - See Statewide
WARREN COUNTY
(H,Hw) - See Statewide
WARRICK COUNTY
(D) - See Clark County
(H,Hw) - See Statewide
WASHINGTON COUNTY
(H,Hw) - See Statewide
WAYNE COUNTY
(H,Hw) - See Statewide
WELLS COUNTY
(H,Hw) - See Statewide
WHITE COUNTY
(H,Hw) - See Statewide
WHITLEY COUNTY
(H,Hw) - See Statewide

IOWA

ADAIR COUNTY
None
ADAMS COUNTY
None
ALLAMAKEE COUNTY
None
APPANOOSE COUNTY
Decision #IA75-4192 (Hw)
40 FR 55629 - 11/28/75
AUDUBON COUNTY
None
BENTON COUNTY
Decision #IA75-4081 (Hw)
40 FR 17607 - 4/10/75
BLACK HAWK COUNTY
Decision #IA75-4170 (B,H,Hw)(City of Waterloo & abutting Municipalities
40 FR 50870 - 10/31/75
BOONE COUNTY
None
BREMER COUNTY
None
BUCHANAN COUNTY
None
BUENA VISTA COUNTY
None
BUTLER COUNTY
None
CALHOUN COUNTY
None
CARROLL COUNTY
Decision #AM-6712 (H,Hw)
37 FR 7429 - 4/14/72
Mod. #1 - 39 FR 40404 - 11/15/74
Mod. #2 - 40 FR 52243 - 11/7/75
CASS COUNTY
(H,Hw) - See Carroll County
CEDAR COUNTY
None
CERRO GORDO COUNTY (MASON CITY)
Decision #IA75-4171 (B,H,Hw)
40 FR 50873 - 10/31/75
Mod. #1 - 40 FR 57070 - 12/5/75
CHEROKEE COUNTY
None
CHICKASAW COUNTY
None
CLARKE COUNTY
None

IOWA (Cont'd)

CLAY COUNTY
(H,Hw) - See Carroll County
CLAYTON COUNTY
None
CLINTON COUNTY (City of Clinton and abbutting municipalities)
Decision #IA75-4172 (B,H,Hw)
40 FR 50876 - 10/31/75
Mod. #1 - 40 FR 57071 - 12/5/75
CRAWFORD COUNTY
(H,Hw) - See Carroll County
DALLAS COUNTY
None
DAVIS COUNTY
(Hw) - See Appanoose County
DECATUR COUNTY
None
DELAWARE COUNTY
None
DES MOINES COUNTY (City of Burlington and Abutting Municipalities; and Burlington Ordnance Plant)
Decision #IA75-4173 (B,H,Hw)
40 FR 50879 - 10/31/75
DICKINSON COUNTY
None
DUBUQUE COUNTY (City of Dubuque and abutting municipalities)
Decision #IA75-4174 (B,H,Hw)
40 FR 50882 - 10/31/75
Mod. #1 - 40 FR 55609 - 11/28/75
Mod. #2 - 40 FR 57070 - 12/5/75
EMMET COUNTY
None
FAYETTE COUNTY
None
FLOYD COUNTY
None
FRANKLIN COUNTY
None
FREMONT COUNTY
Decision #NE75-4054 (Channel Stabilization)
40 FR 8739 - 2/28/75
GREENE COUNTY
None
GRUNDY COUNTY
None

IOWA (Cont'd)

GUTHRIE COUNTY
None
HAMILTON COUNTY
None
HANCOCK COUNTY
None
HARDIN COUNTY
None
HARRISON COUNTY
(Chann. Stab.) - See Fremont Co.
HENRY COUNTY
None
HOWARD COUNTY
None
HUMBOLDT COUNTY
None
IDA COUNTY
None
IOWA COUNTY
(Hw) - See Benton County
JACKSON COUNTY
None
JASPER COUNTY
None
JEFFERSON COUNTY
(Hw) - See Appanoose County
JOHNSON COUNTY (City of Iowa City and abutting municipalities)
Decision #IA75-4175 (B,H,Hw)
40 FR 50885 - 10/31/75
(Hw) - See Benton County
JONES COUNTY
None
KEOKUK COUNTY
(Hw) - See Benton County
KOSSUTH COUNTY
None
LEE COUNTY
None
LINN COUNTY
Decision #IA75-4176 (B,H,Hw)
40 FR 50888 - 10/31/75

IOWA (Cont'd.)

LOUISA COUNTY
None
LUCAS COUNTY
None
LYON COUNTY
None
MADISON COUNTY
None
MAHASKA COUNTY
(Hw) - See Benton County
MARION COUNTY
None
MARSHALL COUNTY
None
MILLS COUNTY
(Channel Stab.) - See Freemont Co.
MITCHELL COUNTY
None
MONONA COUNTY
(Channel Stab.) - See Freemont Co.
MONROE COUNTY
None
MONTGOMERY COUNTY
None
MUSCATINE COUNTY
None
O'BRIEN COUNTY
(H,hw) - See Carroll County
OSCEOLA COUNTY
(H,Hw) - See Carroll County
PAGE COUNTY
None
PALO ALTO COUNTY
None
PLYMOUTH COUNTY
None
POCAHONTAS COUNTY
None
POLK COUNTY
Decision #IA75-4177 (B,H,Hw)
40 FR 50891 - 10/31/75
POTTAWATTAMIE COUNTY (City of Council Bluffs and the area within 3 miles from the City Limits)
Decision #IA75-4128 (B,H,Hw)
40 FR 34558 - 8/15/75
(Chann. Stab.) - See Freemont County

IOWA (Cont'd)

POWESHIEK COUNTY
(Hw) - See Benton County
RINGGOLD COUNTY
(H,Hw) - See Carroll County
SAC COUNTY
None
SCOTT COUNTY
Decision #IA75-4178 (B,H,Hw)
40 FR 50894 - 10/31/75
SHELBY COUNTY
None
STOUX COUNTY
None
STORY COUNTY (City of Ames and abutting municipalities)
Decision #IA75-4179 (B,H,Hw)
40 FR 50897 - 10/31/75
TAMA COUNTY
(Hw) - See Benton County
TAYLOR COUNTY
(H,Hw) - See Carroll County
UNION COUNTY
None
VAN BUREN COUNTY
(Hw) - See Appanoose County
WAPELLO COUNTY
(Hw) - See Appanoose County
WARREN COUNTY
None
WASHINGTON COUNTY
(Hw) - See Benton County
WAYNE COUNTY
None
WEBSTER COUNTY (City of Fort Dodge)
Decision #IA75-4180 (B,H,Hw)
40 FR 50900 - 10/31/75
WINNEBAGO COUNTY
None
WINNESHIEK COUNTY
None

IOWA (Cont'd.)

WOODBURY COUNTY (City of Sioux City and abutting municipalities)
Decision #IA75-4190 (B)
40 FR 53180 - 11/14/75
Mod. #1 - 40 FR 55609 - 11/28/75
(Chann. Stab.) - See Freemont Co.
WORTH COUNTY
None
WRIGHT COUNTY
None

KANSAS

ALLEN COUNTY
Decision #KS75-4197 (Hw, W&S)
40 FR 57091 - 12/5/75
ANDERSON COUNTY
(Hw, W&S) - See Allen County
ATCHISON COUNTY
Decision #M075-4070 (D)
40 FR 14825 - 3/28/75
(Hw, W&S) - See Allen County
BARBER COUNTY
Decision #KS75-4198 (Hw, W&S)
40 FR 57090 - 12/5/75
BARTON COUNTY
(Hw, W&S) - See Barber County
BOURBON COUNTY
(Hw, W&S) - see Allen County
BROWN COUNTY
(Hw, W&S) - See Allen County
BUTLER COUNTY
(Hw, W&S) - See Allen County
CHASE COUNTY
(Hw, W&S) - See Allen County
CHAUTAUQUA COUNTY
(Hw, W&S) - See Allen County
CHEROKEE COUNTY
(Hw, W&S) - See Allen County
CHEYENNE COUNTY
(Hw, W&S) - See Barber County
CLARK COUNTY
(Hw, W&S) - See Barber County

KANSAS (Cont'd.)

CLAY COUNTY
(Hw, W&S) - See Allen County
CLOUD COUNTY
(Hw, W&S) - See Allen County
COFFEY COUNTY
(Hw, W&S) - See Allen County
COMANCHE COUNTY
(Hw, W&S) - See Barber County
COWLEY COUNTY
(Hw, W&S) - See Allen County
CRAWFORD COUNTY
(Hw, W&S) - See Allen County
DECATUR COUNTY
(Hw, W&S) - See Barber County
DICKINSON COUNTY
(Hw, W&S) - See Allen County
DONIPHAN COUNTY
(D) - See Atchison County
(Hw, W&S) - See Allen County
DOUGLAS COUNTY
Decision #KS75-4063 (Hw)
40 FR 12041 - 3/14/75
Mod. #1 - 40 FR 19326 - 5/[illegible]/75
EDWARDS COUNTY
(Hw, W&S) - See Barber County
ELK COUNTY
(Hw, W&S) - See Allen County
ELLIS COUNTY
(Hw, W&S) - See Barber County
ELLSWORTH COUNTY
(Hw, W&S) - See Barber County
FINNEY COUNTY
(Hw, W&S) - See Barber County
FORD COUNTY
(Hw, W&S) - See Barber County
FRANKLIN COUNTY
(Hw, W&S) - See Allen County
GEARY COUNTY
Decision #AQ-88 (R)
38 FR 11791 - 3/29/74
(Hw, W&S) - See Allen County
GOVE COUNTY
(Hw, W&S) - See Barber County
GRAHAM COUNTY
(Hw, W&S) - See Barber County
GRANT COUNTY
(Hw, W&S) - See Barber County
GRAY COUNTY
(Hw, W&S) - See Barber County
GREELEY COUNTY
(Hw, W&S) - See Barber County
GREENWOOD COUNTY
(Hw, W&S) - See Allen County

KANSAS (Cont'd.)

HAMILTON COUNTY
(Hw, W&S) - See Barber County
HARPER COUNTY
(Hw, W&S) - See Allen County
HARVEY COUNTY
(Hw, W&S) - See Allen County
HASKELL COUNTY
(Hw, W&S) - See Barber County
HODGEMAN COUNTY
(Hw, W&S) - See Barber County
JACKSON COUNTY
(Hw, W&S) - See Allen County
JEFFERSON COUNTY
(Hw) - See Douglas County
JEWELL COUNTY
(Hw, W&S) - See Barber County
JOHNSON COUNTY
Decision #M075-4144 (B,H,Hw)
40 FR 32611 - 8/1/75
Decision #M075-4145 (R)
40 FR 32617 - 8/1/75
KEARNY COUNTY
(Hw, W&S) - See Barber County
KINGMAN COUNTY
(Hw, W&S) - See Allen County
KIOWA COUNTY
(Hw, W&S) - See Barber County
LABETTE COUNTY
(Hw, W&S) - See Allen County
LANE COUNTY
(Hw, W&S) - See Barber County
LEAVENWORTH COUNTY
Decision #KS75-4191 (B)
40 FR 57096 - 12/5/75
(Hw) - See Douglas County
(D) - See Atchison County
LINCOLN COUNTY
(Hw, W&S) - See Barber County
LINN COUNTY
(Hw, W&S) - See Allen County
LOGAN COUNTY
(Hw, W&S) - See Barbee County

KANSAS (Cont'd.)

LYON COUNTY
(Hw, W&S) - See Allen County
McPHERSON COUNTY
(Hw, W&S) - See Allen County
MARION COUNTY
(Hw, W&S) - See Allen County
MARSHALL COUNTY
(Hw, W&S) - See Allen County
MEADE COUNTY
(Hw, W&S) - See Barber County
MIAMI COUNTY
(Hw) - See Douglas County
MITCHELL COUNTY
(Hw, W&S) - See Barber County
MONTGOMERY COUNTY
(Hw, W&S) - See Allen County
MORRIS COUNTY
(Hw, W&S) - See Allen County
MORTON COUNTY
(Hw, W&S) - See Barber County
NEMAHA COUNTY
(Hw, W&S) - See Allen County
NEOSHO COUNTY
(Hw, W&S) - See Allen County
NESS COUNTY
(Hw, W&S) - See Barber County
NORTON COUNTY
(Hw, W&S) - See Barber County
OSAGE COUNTY
(Hw, W&S) - See Allen County
OSBORNE COUNTY
(Hw, W&S) - See Barber County
OTTAWA COUNTY
(Hw, W&S) - See Allen County
PAWNEE COUNTY
(Hw, W&S) - See Barber County
PHILLIPS COUNTY
(Hw, W&S) - See Barber County
POTTAWATOMIE COUNTY
(Hw, W&S) - See Allen County
PRATT COUNTY
(Hw, W&S) - See Barber County
RAWLINS COUNTY
(Hw, W&S) - See Barber County

KANSAS (Cont'd.)

RENO COUNTY
(Hw, W&S) - See Allen County
REPUBLIC COUNTY
(Hw, W&S) - See Allen County
RICE COUNTY
(Hw, W&S) - See Barber County
RILEY COUNTY
(Hw, W&S) - See Allen County
(R) - See Geary County
ROOKS COUNTY
(Hw, W&S) - See Barber County
RUSH COUNTY
(Hw, W&S) - See Barber County
RUSSELL COUNTY
(Hw, W&S) - See Barber County
SALINE COUNTY
(Hw, W&S) - See Allen County
SCOTT COUNTY
(Hw, W&S) - See Barber County
SEDGWICK COUNTY
Decision #AP-533 (R)
38 FR 16873 - 6/22/73
Decision #KS75-4199 (B)
40 FR 57100 - 12/5/75
Decision #KS75-4052 (Hw, W&S)
40 FR 6087 - 2/7/75
Mod. #1 - 40 FR 7775 - 2/21/75
SEWARD COUNTY
(Hw, W&S) - See Barber County
SHAWNEE COUNTY
Decision #KS75-4193 (B)
40 FR 54405 - 11/21/75
Decision #KS75-4194 (R)
40 FR 57093 - 12/5/75
(Hw) - See Douglas County

KANSAS (Cont'd.)

SHERIDAN COUNTY
(Hw, W&S) - See Barber County
SHERMAN COUNTY
(Hw, W&S) - See Barber County
SMITH COUNTY
(Hw, W&S) - See Barber County
STAFFORD COUNTY
(Hw, W&S) - See Barber County
STANTON COUNTY
(Hw, W&S) - See Barber County
STEVENS COUNTY
(Hw, W&S) - See Barber County
SUMNER COUNTY
(Hw, W&S) - See Allen County
THOMAS COUNTY
(Hw, W&S) - See Barber County
TREGO COUNTY
(Hw, W&S) - See Barber County
WABAUNSEE COUNTY
(Hw, W&S) - See Allen County
WALLACE COUNTY
(Hw, W&S) - See Barber County
WASHINGTON COUNTY
(Hw, W&S) - See Allen County
WICHITA COUNTY
(Hw, W&S) - See Barber County
WILSON COUNTY
(Hw, W&S) - See Allen County
WOODSON COUNTY
(Hw, W&S) - See Allen County
WYANDOTTE COUNTY
(B,H,Hw,R) - See Johnson County
(D) - See Atchison County

KENTUCKY

ADAIR COUNTY
Decision #KY75-1103 (H,Hw)
40 FR 48860 - 10/17/75
Mod. #1 - 40 FR 55609 - 11/28/75
ALLEN COUNTY
Decision #KY75-1093 (H,Hw)
40 FR 43456 - 9/19/75
ANDERSON COUNTY
Decision #KY75-1096 (H,Hw)
40 FR 43459 - 9/19/75
BALLARD COUNTY
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
(H,Hw) - See Allen County
BARREN COUNTY
(H,Hw) - See Adair County
BATH COUNTY
(H,Hw) - See Anderson County
Decision #KY75-1105 (R)
40 FR 49950 - 10/24/75
BELL COUNTY
(H,Hw) - See Adair County
Decision #AQ-4126 (B)
39 FR 22359 - 6/21/74
BOONE COUNTY
Decision #KY75-1096 (H,Hw)
40 FR 44457 - 9/26/75
Mod. #1 - 40 FR 49943 - 10/24/75
Decision #AR-4034 (B)
39 FR 33158 - 9/13/74
Mod. #1 - 40 FR 10877 - 3/7/75
Mod. #2 - 40 FR 25325 - 6/13/75
Decision #IL75-2036 (D)
40 FR 6923 - 2/7/75
BOURBON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
BOYD COUNTY
Decision #KY75-1100 (B)
40 FR 4454 - 9/26/75
(H,Hw) - See Anderson County
(D) - See Boone County
BOYLE COUNTY
(H,Hw) - See Anderson County
BRACKEN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
BREATHITT COUNTY
(H,Hw) - See Adair County

KENTUCKY (Cont'd.)

BRECKINRIDGE COUNTY
Decision #AP-183 (R)
38 FR 11278 - 5/4/73
(H,Hw) - See Anderson County
(D) - See Boone County
BULLITT COUNTY
(D) - See Boone County
(H,Hw) - See Anderson County
(R) - See Breckinridge County
BUTLER COUNTY
(H,Hw) - See Allen County
CALDWELL COUNTY
(H,Hw) - See Allen County
CALLOWAY COUNTY
(H,Hw) - See Allen County
CAMPBELL COUNTY
(B,H,D,Hw) - See Boone County
CARLISLE COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
CARROLL COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
CARTER COUNTY
(H,Hw) - See Anderson County
CASEY COUNTY
(H,Hw) - See Adair County
CHRISTIAN COUNTY
(H,Hw) - See Allen County
CLARK COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
CLAY COUNTY
(H,Hw) - See Adair County
CLINTON COUNTY
(H,Hw) - See Adair County
CRITTENDEN COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
CUMBERLAND COUNTY
(H,Hw) - See Adair County
DAVIESS COUNTY
Decision #AQ-4122 (B)
39 FR 20281 - 6/7/74
(H,Hw) - See Allen County
(D) - See Boone County
EDMONSON COUNTY
(H,Hw) - See Allen County
ELLIOTT COUNTY
(H,Hw) - See Anderson County
ESTILL COUNTY
(H,Hw) - See Adair County

KENTUCKY (Cont'd)

FAYETTE COUNTY
Decision #KY75-1101 (B)
40 FR 48857 - 10/17/75
(H,Hw) - See Anderson County
(R) - See Bath County
FLEMING COUNTY
(H,Hw) - See Anderson County
FLOYD COUNTY
Decision #AR-4002 (B)
39 FR 24777 - 7/5/74
(H,Hw) - See Adair County
FRANKLIN COUNTY
Decision #AQ-4101 (B)
39 FR 14113 - 4/19/74
Mod. #1 - 39 FR 30665 - 8/23/74
Mod. #2 - 39 FR 38803 - 11/1/74
Mod. #3 - 40 FR 10879 - 3/7/75
Mod. #4 - 40 FR 34541 - 8/15/75
(H,Hw) - See Anderson County
FULTON COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
GALLATIN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
GARRARD COUNTY
(H,Hw) - See Adair County
GRANT COUNTY
(H,Hw) - See Anderson County
GRAVES COUNTY
(H,Hw) - See Allen County
GRAYSON COUNTY
(H,Hw) - See Anderson County
GREENE COUNTY
(H,Hw) - See Adair County
GREENUP COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
HANCOCK COUNTY
(H,Hw) - See Allen County
(D) - See Boone County

KENTUCKY (Cont'd)

HARDIN COUNTY
(B) - See Jefferson County
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
HARLAN COUNTY
(H,Hw) - See Adair County
HARRISON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
HART COUNTY
(H,Hw) - See Adair County
HENDERSON COUNTY
Decision #AR-4025 (B)
39 FR 31796 - 8/30/74
Mod. #1 - 40 FR 10877 - 3/7/75
Mod. #2 - 40 FR 31439 - 7/25/75
(H,Hw) - See Allen County
(D) - See Boone County
HENRY COUNTY
(H,Hw) - See Anderson County
HICKMAN COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
HOPKINS COUNTY
(H,Hw) - See Allen County
JACKSON COUNTY
(H,Hw) - See Adair County
JEFFERSON COUNTY
Decision #KY75-1102 (B)
40 FR 48863 - 10/17/75
(D) - See Boone County
(R) - See Breckinridge County
(H,Hw) - See Anderson County
JESSAMINE COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County

KENTUCKY (Cont'd)

JOHNSON COUNTY
(H,Hw) - See Anderson County
KENTON COUNTY
(B,H,Hw,D) - See Boone County
KNOTT COUNTY
(H,Hw) - See Adair County
KNOX COUNTY
(H,Hw) - See Adair County
LARUE COUNTY
(H,Hw) - See Anderson County
LAUREL COUNTY
(H,Hw) - See Adair County
LAWRENCE COUNTY
(H,Hw) - See Anderson County
LEE COUNTY
(H,Hw) - See Adair County
LESLIE COUNTY
(H,Hw) - See Adair County
LETCHER COUNTY
(H,Hw) - See Adair County
LEWIS COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
LINCOLN COUNTY
(H,Hw) - See Adair county
LIVINGSTON COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
LOGAN COUNTY
(H,Hw) - See Allen County
LYON COUNTY
(H,Hw) - See Allen County
McCRACKEN COUNTY
Decision #KY75-1065 (B)
40 FR 26201 - 6/20/75
(D) - See Boone County
(H,Hw) - See Allen County

KENTUCKY (Cont'd)

McCREARY COUNTY
(H,Hw) - See Adair County
McLEAN COUNTY
(H,Hw) - See Allen County
MADISON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
MAGOFFIN COUNTY
(H,Hw) - See Adair County
MARION COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
MARSHALL COUNTY
(H,Hw) - See Allen County
MARTIN COUNTY
(H,Hw) - See Adair County
MASON COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
MEADE COUNTY
(H,Hw) - See Anderson County
(B) - See Jefferson County
(R) - See Breckinridge County
(D) - See Boone County
MENIFEE COUNTY
(H,Hw) - See Adair County
MERCER COUNTY
(H,Hw) - See Anderson County
METCALFE COUNTY
(H,Hw) - See Adair County
MONROE COUNTY
(H,Hw) - See Adair County
MONTGOMERY COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
MORGAN COUNTY
(H,Hw) - See Anderson County
MUHLENBERG COUNTY
(H,Hw) - See Allen County

KENTUCKY (Cont'd)

NELSON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
NICHOLAS COUNTY
(H,Hw) - See Anderson County
OHIO COUNTY
(H,Hw) - See Allen County
OLDHAM COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
OWEN COUNTY
(H,Hw) - See Anderson County
OWSLEY COUNTY
(H,Hw) - See Adair County
PENDLETON COUNTY
(B)(D) - See Boone County
(D) - See Boone County
PERRY COUNTY
(H,Hw) - See Adair County
PIKE COUNTY
(B) - See Floyd County
(H,Hw) - See Adair County
POWELL COUNTY
(H,Hw) - See Adair County
PULASKI COUNTY
(H,Hw) - See Adair County
ROBERTSON COUNTY
(H,Hw) - See Anderson County
ROCKCASTLE COUNTY
(H,Hw) - See Adair County
ROWAN COUNTY
(H,Hw) - See Anderson County
RUSSELL COUNTY
(H,Hw) - See Adair County
SCOTT COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
SHELBY COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County

KENTUCKY (Cont'd.)

SIMPSON COUNTY
(H,Hw) - See Allen County
SPENCER COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
TAYLOR COUNTY
(H,Hw) - See Allen County
TODD COUNTY
(H,Hw) - See Allen County
TRIGG COUNTY
(H,Hw) - See Allen County
TRIMBLE COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
UNION COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
WARREN COUNTY
Decision #AR-4023 (B)
39 FR 32449 - 9/6/74
Mod. #1 - 40 FR 10876 - 3/7/75
Mod. #2 - 40 FR 31438 - 7/25/75
(H,Hw) - See Allen County
WASHINGTON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
WAYNE COUNTY
(H,Hw) - See Adair County
WEBSTER COUNTY
(H,Hw) - See Allen County
WHITLEY COUNTY
(H,Hw) - See Adair County
WOLFE COUNTY
(H,Hw) - See Adair County
WOODFORD COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County

LOUISIANA

STATEWIDE
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
Decision #LA75-4200 (B,Hw,R)
40 FR 57103 - 12/5/75
ACADIA PARISH
Decision #AR75-5074 (F)
40 FR 26109 - 6/20/75
(B,D,Hw) - See Statewide
ALLEN PARISH
(F) - See Acadia Parish
(D,B,Hw) - See Statewide
ASCENSION PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ASSUMPTION PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
AVOYELLES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
BEAUREGARD PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
BIENVILLE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
BOSSIER PARISH
(F) - See Acadia Parish
(B,D,Hw,R) - See Statewide
CADDO PARISH
(B,D,Hw,R) - See Statewide
CALCASIEU PARISH
(F) - See Acadia Parish
(B,D,Hw,R) - See Statewide

LOUISIANA (Cont'd)

CALDWELL PARISH
(F) - See Acadia Parish
(B,D,Hw)- See Statewide
CAMERON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
CATAHOULA PARISH
(F) - See Acadia Parish
(D,B,Hw) - See Statewide
CLAIBORNE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
CONCORDIA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
DE SOTO PARISH
(F) - See Acadia Parish
(B,D,Hw)-See Statewide
EAST BATON ROUGE PARISH
(B,D,Hw) - See Statewide
EAST CARROLL PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
EAST FELICIANA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
EVANGELINE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
FRANKLIN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
GRANT PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
IBERIA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide

LOUISIANA (Cont'd)

IBERVILLE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
JACKSON COUNTY
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
JEFFERSON PARISH
Decision #AR-3 (R)
39 FR 25777 - 7/12/74
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
JEFFERSON DAVIS PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LAFAYETTE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LAFOURCHE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LA SALLE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LINCOLN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
LIVINGSTON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
MADISON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
MOREHOUSE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
NATCHITOCHES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ORLEANS PARISH
(B,D,Hw) - See Statewide
(R) - See Jefferson Parish
OUACHITA PARISH
Decision #AQ-116 (R)
39 FR 22397 - 6/21/74
(B,D,Hw) - See Statewide

LOUISIANA (Cont'd)

PLAQUEMINES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
(R) - See Jefferson Parish
POINTE COUPEE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
RAPIDES PARISH
(B,D,Hw) - See Statewide
RED RIVER PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
RICHLAND PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
SABINE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. BERNARD PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
(R) - See Jefferson Parish
ST. CHARLES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. HELENA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. JAMES PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. JOHN THE BAPTIST PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. LANDRY PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. MARTIN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
ST. MARY PARISH
(F) - See Acadia Parish
(B,D) - See Statewide

LOUISIANA (Cont'd)

ST. TAMMANY PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
TANGIPAHOA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
TENSAS PARISH
(F) - See Acadia Parish
(B,Hw,D) - See Statewide
TERREBONNE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
UNION PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
VERMILION PARISH
(F) - See Acadia Parish
(D,B,Hw) - See Statewide
VERNON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WASHINGTON PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEBSTER PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST BATON ROUGE PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST CARROLL PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WEST FELICIANA PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide
WINN PARISH
(F) - See Acadia Parish
(B,D,Hw) - See Statewide

MAINE

ANDROSCOGGIN COUNTY
None
AROOSTOOK COUNTY
None
CUMBERLAND COUNTY
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
FRANKLIN COUNTY
None
HANCOCK COUNTY
(D) - See Cumberland County
KENNEBEC COUNTY
None
KNOX COUNTY
(D) - See Cumberland County
LINCOLN COUNTY
(D) - See Cumberland County
OXFORD COUNTY
None
PENOBSCOT COUNTY
None
PISCATAQUIS COUNTY
None
SAGADAHOC COUNTY
(D) - See Cumberland County
SOMERSET COUNTY
None
WALDO COUNTY
(D) - See Cumberland County
WASHINGTON COUNTY
(D) - See Cumberland County
YORK COUNTY
(D) - See Cumberland County

MARYLAND

ALLEGANY COUNTY
Decision #AR-2091 (B)
39 FR 41651 - 11/29/74
Mod. #1 - 40 FR 928 - 1/3/75
Decision #AR-2084 (H,Hw)
39 FR 41125 - 11/22/74
ANNE ARUNDEL COUNTY
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
Decision #AR-2086 (B,H)
39 FR 41127 - 11/22/74
Mod. #1 - 40 FR 928 - 1/3/75
Mod. #2 - 40 FR 14204 - 3/28/75
Mod. #3 - 40 FR 17460 - 4/18/75
Decision #MD75-3109 (Hw)
40 FR 50905 - 10/31/75
Mod. #1 - 40 FR 55609 - 11/28/75
BALTIMORE CITY
Decision #MD75-3110 (Hw)
40 FR 53182 - 11/14/75
Decision #MD75-3064 (B,H)
40 FR 27431 - 6/27/75
Mod. #1 - 40 FR 57070 - 12/5/75
Decision #AQ-2072 (R)
39 FR 8122 - 3/1/74
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
BALTIMORE COUNTY
Decision #AR-2062 (Hw)
39 FR 34904 - 9/27/74
Mod. #1 - 40 FR 27405 - 6/27/75
(B,H,R) - See Baltimore City
CALVERT COUNTY
(D,Hw) - See Anne Arundel County
CAROLINE COUNTY
Decision #MD75-3052 (Hw)
40 FR 20555 - 5/9/75
(Hw) - See Anne Arundel County
CARROLL COUNTY
(Hw) - See Anne Arundel County
CECIL COUNTY
(Hw) - See Caroline County
(R) - See Baltimore County
CHARLES COUNTY
(D,Hw) - See Anne Arundel County
DORCHESTER COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
FREDERICK COUNTY
Decision #AQ-2076 (R)
39 FR 10069 - 3/15/74
Mod. #1 - 40 FR 15272 - 4/4/75
(Hw) - See Anne Arundel County
GARRETT COUNTY
(B,H,Hw) - See Allegany County

MARYLAND (Cont'd,)

HARFORD COUNTY
(B,H,R) - See Baltimore City
(Hw) - See Anne Arundel County
HOWARD COUNTY
(B,H) - See Baltimore City
(R) - See Baltimore County
(Hw) - See Anne Arundel City
KENT COUNTY
(Hw) - See Caroline County
(D) - See Arundel County
MONTGOMERY COUNTY
Decision #MD75-3100 (B)
40 FR 44477 - 9/26/75
(Hw) - See Anne Arundel County
PRINCE GEORGES COUNTY
(B) - See Montgomery County
(D,Hw) - See Anne Arundel County
QUEEN ANNES COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
ST. MARYS COUNTY
(D,Hw) - See Anne Arundel County
SOMERSET COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
TALBOT COUNTY
(Hw) - See Caroline County
(D) - See Anne Arundel County
WASHINGTON COUNTY
(Hw) - See Anne Arundel County
WICOMICO COUNTY
Decision #AQ-2075 (R)
39 FR 10068 - 3/15/74
Mod. #1 - 39 FR 14849 - 4/26/74
(D) - See Anne Arundel County
(Hw) - See Caroline County
WORCESTER COUNTY
(D) - See Baltimore County
(Hw) - See Caroline County
Decision #AR-2012 (B)
39 FR 27991 - 8/2/74

MASSACHUSETTS

BARNSTABLE COUNTY
Decision #MA75-2117 (B,H,Hw, & Marine)
40 FR 50906 - 10/31/75
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
BERKSHIRE COUNTY
Decision #MA75-2118 (B,H,Hw)
40 FR 49951 - 10/24/75
BRISTOL COUNTY
Decision #MA75-2119 (B,H,Hw,R, & Marine)
40 FR 52254 - 11/7/75
DUKES COUNTY
(D) - See Barnstable County
ESSEX COUNTY
Decision #MA75-2121 (B,H,Hw, & Marine)
40 FR 52259 - 11/7/75
(D) - See Barnstable County
FRANKLIN COUNTY
Decision #MA75-2110 (B,H,Hw)
40 FR 42499 - 9/12/75
HAMPDEN COUNTY
Decision #MA75-2122 (B,H,Hw)
40 FR 52264 - 11/7/75
Decision #MA75-2054 (R)
40 FR 15297 - 4/4/75
HAMPSHIRE COUNTY
Decision #MA75-2123 (B,H,Hw)
40 FR 52268 - 11/7/75
MIDDLESEX COUNTY
Decision #MA75-2124 (B,H,Hw,R, & Marine)
40 FR 53184 - 11/14/75
(D) - See Barnstable County
NANTUCKET COUNTY
(D) - See Barnstable County

MASSACHUSETTS (Cont'd.)

NORFOLK COUNTY
Decision #MA75-2125 (B,H,Hw,R)
40 FR 53189 - 11/14/75
(D) - See Barnstable County
PLYMOUTH COUNTY
Decision #MA75-2126 (B,H,Hw,R)
40 FR 53193 - 11/14/75
SUFFOLK COUNTY
Decision #MA75-2130 (B,H,Hw,D,R)
& Marine)
40 FR 54408 - 11/21/75
WORCESTER COUNTY
Decision #MA75-2128 (B,H,Hw,R)
40 FR 53198 - 11/14/75

MICHIGAN

STATEWIDE
Decision #MI75-2098 (Hw, W&S)
40 FR 30415 - 7/18/75
ALCONA COUNTY
Decision #MI75-2103 (B,H)
40 FR 36928 - 8/22/75
Mod. #1 - 40 FR 57070 - 12/5/75
Decision #IL75-5079 (D)
40 FR 29490 - 7/11/75
Mod. #1 - 40 FR 32552 - 8/1/75
Mod. #2 - 40 FR 40006 - 8/29/75
Mod. #3 - 40 FR 50868 - 10/31/75
Mod. #4 - 40 FR 52242 - 11/7/75
(Hw, W&S) - See Statewide
ALGER COUNTY
Decision #MI75-2104 (B,H)
40 FR 36932 - 8/22/75
(D) - See Alcona County
(Hw, W&S) - See Statewide
ALLEGAN COUNTY
Decision #MI75-2108 (B,H)
40 FR 40016 - 8/29/75
Decision #AM-398 (R)
36 FR 15891 - 8/18/71
(Hw, W&S) - See Statewide
(D) - See Alcona County
ALPENA COUNTY
(B,H) - See Alcona County
(Hw, W&S) - See Statewide
ANTRIM COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
ARENAC COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
BARAGA COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
BARRY COUNTY
(Hw, W&S) - See Statewide
BAY COUNTY
Decision #MI75-2061 (B,H)
40 FR 17511 - 4/18/75
Mod. #1 - 40 FR 19328 - 5/2/75
(D) - See Alcona County
(Hw, W&S) - See Statewide
BENZIE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.)

BERRIEN COUNTY
(B,H) - See Allegan County
Decision #AM-399 (R)
36 FR 15892 - 8/18/71
(D) - See Alcona County
(Hw, W&S) - See Statewide
BRANCH COUNTY
Decision #AM-401 (R)
36 FR 15894 - 8/18/71
(Hw, W&S) - See Statewide
CALHOUN COUNTY
(B,H) - See Allegan County
Decision #AM-400 (R)
36 FR 15892 - 8/18/71
(Hw, W&S) - See Statewide
CASS COUNTY
(Hw, W&S) - See Statewide
(R) - See Branch County
CHARLEVOIX COUNTY
(B,H) - See Allegan County
(D) - See Alcona County
(Hw, W&S) - See Statewide
CHEBOYGAN COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
CHIPPEWA COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
CLARE COUNTY
(Hw, W&S) - See Statewide
CLINTON COUNTY
(B,H) - See Allegan County
(Hw, W&S) - See Statewide
CRAWFORD COUNTY
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.)

DELTA COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
DICKINSON COUNTY
(Hw, W&S) - See Statewide
EATON COUNTY
Decision #AM-8041 (R)
36 FR 24027 - 12/17/71
(B,H) - See Allegan County
(Hw, W&S) - See Statewide
EMMET COUNTY
(B,H) - See Charlevoix County
(D) - See Alcona County
(Hw, W&S) - See Statewide
GENESEE COUNTY
(B,H) - See Bay County
Decision #MI75-2062 (R)
40 FR 17515 - 4/18/75
Mod. #1 - 40 FR 47999 - 10/10/75
(Hw, W&S) - See Statewide
GLADWIN COUNTY
(Hw) - See Statewide
GOGEBIC COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
GRAND TRAVERSE COUNTY
(B,H) - See Alcona County
(D) - See Alcona County
(Hw, W&S) - See Statewide
GRATIOT COUNTY
(Hw, W&S) - See Statewide
HILLSDALE COUNTY
(Hw, W&S) - See Statewide
HOUGHTON COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
HURON COUNTY
(D) - See Alcona County
(Hw, W&S) - See Allegan County
(RH) - See Bay County
INGHAM COUNTY
(B,H) - See Allegan County
(R) - See Eaton County
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.

IONIA COUNTY
(Hw, W&S) - See Statewide
IOSCO COUNTY
(Hw, W&S) - See Statewide
(D) - See Alcona County
IRON COUNTY
(Hw, W&S) - See Statewide
ISABELLA COUNTY
(Hw, W&S) - See Statewide
JACKSON COUNTY
(B,H) - See Allegan County
(Hw, W&S) - See Statewide
KALAMAZOO COUNTY
(B,H) - See Allegan County
(Hw, W&S) - See Statewide
(R) - See Branch County
KALKASKA COUNTY
(Hw, W&S) - See Statewide
KENT COUNTY
Decision #AR-3054 (B,H)
39 FR 25858 - 7/12/74
Mod. #1 - 39 FR 33155 - 9/13/74
Mod. #2 - 39 FR 34920 - 9/27/74
Mod. #3 - 40 FR 3862 - 1/24/75
Decision #AM-402 (R)
36 FR 15895 - 8/18/71
(Hw, W&S) - See Statewide
KEWEENAW COUNTY
(B,H) - See Alger County
(Hw, W&S) - See Statewide
LAKE COUNTY
(R) - See Genesee County
LAPEER COUNTY
(R) - See Genesee County
(B,H) - See Bay County
(Hw, W&S) - See Statewide
LEELANAU COUNTY
(B,H) - See Grand Traverse County
(Hw, W&S) - See Statewide
LENAWEE COUNTY
(Hw, W&S) - See Statewide
LIVINGSTON COUNTY
(Hw, W&S) - See Statewide
LUCE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
MACKINAC COUNTY
(B,H) - See Alger County
(Hw, W&S) - See Statewide
MACOMB COUNTY
Decision #MI75-2129 (B,H,R)
40 FR 53204 - 11/14/75
(D) - See Alcona County
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.)

MANISTEE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
MARQUETTE COUNTY
Decision #AR-3178 (R)
39 FR 44166 - 12/20/74
Mod. #1 - 40 FR 22734 - 5/23/75
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide
MASON COUNTY
(B,H) - See Charlevoix County
(D) - See Alcona County
MECOSTA COUNTY
(Hw, W&S) - See Statewide
MENOMINEE COUNTY
(D) - See Alcona COunty
(Hw, W&S) - See Statewide
MIDLAND COUNTY
(Hw, W&S) - See Statewide
MISSAUKEE COUNTY
(Hw, W&S) - See Statewide
MONROE COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
MONTCALM COUNTY
(Hw, W&S) - See Statewide
(R) - See Kent County
MONTMORENCY COUNTY
(B,H) - See Alcona County
(Hw, W&S) - See Statewide
MUSKEGON COUNTY
Decision #MI75-2120 (R)
40 FR 49955 - 10/24/75
(B,H) - See Alconrn County
(D) - See Alcona County
(Hw, W&S) - See Statewide
NEWAYGO COUNTY
(Hw, W&S) - See Statewide
OAKLAND COUNTY
(B,H,R) - See Macomb County
(D) - See Alcona County
(Hw, W&S) - See Statewide
OCEANA COUNTY
(B,H,R) - See Alcorn County
(D) - See Alcona County
(Hw, W&S) - See Statewide
OGEMAW COUNTY
(Hw, W&S) - See Statewide
ONTONAGON COUNTY
(B,H) - See Alger County
(D) - See Alcona County
(Hw, W&S) - See Statewide

MICHIGAN (Cont'd.)

OSCEOLA COUNTY
(Hw, W&S) - See Statewide
OSCODA COUNTY
(B,H) - See Alcorn County
(Hw, W&S) - See Statewide
OTSEGO COUNTY
(Hw, W&S) - See Statewide
OTTAWA COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
(R) - See Allegan County
PRESQUE ISLE COUNTY
(B,H) - See Alcona County
(D) - See Alcona County
(Hw, W&S) - See Statewide
ROSCOMMON COUNTY
(Hw, W&S) - See Statewide
SAGINAW COUNTY
(B,H) - See Bay County
(R) - See Genessee County
(Hw, W&S) - See Statewide
SAINT CLAIR COUNTY
(B,H) - See Bay County
(R) - See Genessee County
(Hw, W&S) - See Statewide
SAINT JOSEPH COUNTY
(Hw, W&S) - See Statewide
(R) - See Branch County
SANILAC COUNTY
(B,H) - See Bay County
(D) - See Alcona County
(Hw, W&S) - See Statewide
SCHOOLCRAFT COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
SHIAWASSEE COUNTY
(B,H) - See Bay County
(R) - See Genessee County
(Hw, W&S) - See Statewide
TUSCOLA COUNTY
(B,H) - See Bay County
(D) - See Alcona County
(Hw, W&S) - See Statewide
VAN BUREN COUNTY
(D) - See Alcona County
(Hw, W&S) - See Statewide
WASHTENAW COUNTY
(B,H,R) - See Macomb County
(Hw, W&S) - See Statewide
(D) - See Alcona County
WAYNE COUNTY
(B,H,R) - See Macomb County
(D) - See Alcona County
(Hw, W&S) - See Statewide
WEXFORD COUNTY
(Hw, W&S) - See Statewide

MINNESOTA

AITKIN COUNTY
Decision #MN75-2068 (H,Hw)
40 FR 19349 - 5/2/75
Mod. #1 - 40 FR 34547 - 8/15/75
ANOKA COUNTY
Decision #AR-3166 (B,R)
39 FR 39705 - 11/8/74
Mod. #1 - 40 FR 12007 - 3/14/75
Mod. #2 - 40 FR 17461 - 4/18/75
Mod. #3 - 40 FR 22734 - 5/23/75
Mod. #4 - 40 FR 34543 - 8/15/75
(H,Hw) - See Aitkin County
BECKER COUNTY
Decision #AQ-3104 (H,Hw)
39 FR 9369 - 3/8/74
BELTRAMI COUNTY
Decision #AR-3147 (H,Hw)
39 FR 36704 - 10/11/74
BENTON COUNTY
(H,Hw) - See Aitkin County
BIG STONE COUNTY
Decision #AQ-3105 (H,Hw)
39 FR 9370 - 3/8/74
BLUE EARTH COUNTY
(H,Hw) - See Aitkin County
BROWN COUNTY
None
CARLTON COUNTY
(H,Hw) - See Aitkin County
CARVER COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin County
CASS COUNTY
(Hw) - See Becker County
CHIPPEWA COUNTY
(Hw) - See Big Stone County
CHISAGO COUNTY
(H,Hw) - See Aitkin County
CLAY COUNTY
(Hw) - See Becker County
CLEAR WATER COUNTY
(H,Hw) - See Beltrami County
COOK COUNTY
Decision #IL75-5079 (D)
40 FR 29400 - 7/11/75
Mod. #1 - 40 FR 32552 - 8/1/75
Mod. #2 - 40 FR 40006 - 8/29/75
Mod. #3 - 40 FR 50868 - 10/31/75
Mod. #4 - 40 FR 52242 - 11/7/75
(H,Hw) - See Aitkin County
COTTONWOOD COUNTY
Decision #AQ-3134 (H,Hw)
39 FR 93583 - 3/8/74
CROW WING COUNTY
(H,Hw) - See Aitkin County
DAKOTA COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin County

MINNESOTA (Cont'd.)

DODGE COUNTY
(H,Hw) - See Aitkin County
DOUGLAS COUNTY
(H,Hw) - See Big Stone County
FAIRBAULT COUNTY
(H,Hw) - See Aitkin County
FILLMORE COUNTY
(H,Hw) - See Aitkin County
FREEBORN COUNTY
(H,Hw) - See Aitkin County
GOODHUE COUNTY
(H,Hw) - See Aitkin County
GRANT COUNTY
(H,Hw) - See Big Stone County
HENNEPIN COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin Count
HOUSTON COUNTY
(H,Hw) - See Aitkin County
HUBBARD COUNTY
(H,Hw) - See Becker County
ISANTI COUNTY
(H,Hw) - See Aitkin County
ITASKA COUNTY
(H,Hw) - See Aitkin County
JACKSON COUNTY
(H,Hw) - See Aitkin County
KANABEC COUNTY
(H,Hw) - See Aitkin County
KANDIYOHI COUNTY
(H,Hw) - See Big Stone County
KITTSON COUNTY
(H,Hw) - See Beltrami County
KOOCHICHING COUNTY
(H,Hw) - See Aitkin County
LAC QUI PARLE COUNTY
(H,Hw) - See Big Stone County
LAKE COUNTY
(H,Hw) - See Aitkin County
(D) - See Cook County
LAKE OF THE WOODS COUNTY
(H,Hw) - See Beltramie County
LE SHUEUR COUNTY
(H,Hw) - See Aitkin County
LINCOLN COUNTY
(H,Hw) - See Cottonwood County
LYON COUNTY
(H,Hw) - See Cottonwood County
MCLEOD COUNTY
(H,Hw) - See Aitkin County

MINNESOTA (Cont'd.)

MAHNOMEN COUNTY
(H,Hw) - See Beltrami County
MARSHALL COUNTY
(H,Hw) - See Beltrami County
MARTIN COUNTY
(H,Hw) - See Aitkin County
MEEKER COUNTY
(H,Hw) - See Aitkin County
MILLE LACS COUNTY
(H,Hw) - See Aitkin County
MORRISON COUNTY
(H,Hw) - See Aitkin County
MOWER COUNTY
(H,Hw) - See Aitkin County
MURRAY COUNTY
(H,Hw) - See Cottonwood County
NICOLLET COUNTY
(H,Hw) - See Aitkin County
NOBLES COUNTY
(H,Hw) - See Aitkin County
NORMAN COUNTY
(H,Hw) - See Beltrami County
OLMSTEAD COUNTY
Decision #MN75-2058 (B,R)
40 FR 17454 - 4/18/75
Mod. #1 - 40 FR 34546 - 8/15/75
(H,Hw) - See Aitkin Counth
OTTER TAIL COUNTY
(H,Hw) - See Becker County
PENNINGTON COUNTY
(H,Hw) - See Beltrami County
PINE COUNTY
(H,Hw) - See Aitkin County
PIPESTONE COUNTY
(H,Hw) - See Cottonwood County
POLK COUNTY
(H,Hw) - See Beltrami County
POPE COUNTY
(H,Hw) - See Big Stone County
RAMSEY COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin County
RED LAKE COUNTY
(H,Hw) - See Beltrami County
REDWOOD COUNTY
(H,Hw) - See Cottonwood County
RENVILLE COUNTY
None
RICE COUNTY
(H,Hw) - See Aitkin County
ROCK COUNTY
(H,Hw) - See Aitkin County

MINNESOTA (Cont'd.)

ROSEAU COUNTY
(H,Hw) - See Beltrami County
SAINT LOUIS COUNTY
(D) - See Cook County
(H,Hw) - See Aitkin County
Decision #MN75-2042 (B,R)
40 FR 7837 - 2/21/75
Mod. #1 - 40 FR 12007 - 3/14/75
Mod. #2 - 40 FR 18278 - 4/25/75
Mod. #3 - 40 FR 34544 - 8/15/75
SCOTT COUNTY
(H,Hw) - See Aitkin County
(B,R) - See Anoka County
SHERBURNE COUNTY
(H,Hw) - See Aitkin County
SIBLEY COUNTY
(H,Hw) - See Aitkin County
STEARNS COUNTY
Decision #MN75-2059 (B,R)
40 FR 16472 - 4/11/75
Mod. #1 - 40 FR 18279 - 4/25/75
Mod. #2 - 40 FR 34551 - 8/15/75
(H,Hw) - See Aitkin County
STEELE COUNTY
(H,Hw) - See Aitkin County
STEVENS COUNTY
(H,Hw) - See Big Stone County
SWIFT COUNTY
(H,Hw) - See Big Stone County
TODD COUNTY
(Hw) - See Bekcer County
TRAVERSE COUNTY
(H,Hw) - See Big Stone County
WABASHA COUNTY
(H,Hw) - See Aitkin County
WADENA COUNTY
(H,Hw) - See Becker County
WASECA COUNTY
(H,Hw) - See County
WASHINGTON COUNTY
(B,R) - See Anoka County
(H,Hw) - See Aitkin County
WATONWAN COUNTY
None
WILKIN COUNTY
(H,Hw) - See Becker County
WINONA COUNTY
(H,Hw) - See Aitkin County
WRIGHT COUNTY
(H,Hw) - See Aitkin County
YELLOW MEDICINE COUNTY
(H,Hw) - See Cottonwood County

MISSISSIPPI

STATEWIDE
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
Decision #AR75-5074 (F)
40 FR 26180 - 6/20/75
Decision #MS75-1067 (Hw, W&S)
40 FR 28354 - 7/3/75
Mod. #1 - 40 FR 31439 - 7/25/75
Mod. #2 - 40 FR 33677 - 8/8/75
ADAMS COUNTY
(D,F,Hw, W&S) - See Statewide
ALCORN COUNTY
(D,F,Hw, W&S) - See Statewide
AMITE COUNTY
(D,F,Hw, W&S) - See Statewide
ATTALA COUNTY
(D,F,Hw, W&S) - See Statewide
BENTON COUNTY
(D,F,Hw, W&S) - See Statewide
BOLIVAR COUNTY
(D,F,Hw, W&S) - See Statewide
CALHOUN COUNTY
(D,F,Hw, W&S) - See Statewide
CARROLL COUNTY
(D,F,Hw, W&S) - See Statewide
CHICKASAW COUNTY
(D,F,Hw, W&S) - See Statewide
CHOCTAW COUNTY
(Hw, W&S) - See Statewide
CLAIBORNE COUNTY
(D,Hw,F, W&S) - See Statewide
CLARK COUNTY
(D,F,Hw, W&S) - See Statewide
CLAY COUNTY
(Hw, W&S) - See Statewide
COAHOMA COUNTY
Decision #AR-4024 (R)
39 FR 31771 - 8/30/74
Mod. #1 - 40 FR 3086 - 1/17/75
(D,F,Hw, W&S) - See Statewide
COPIAH COUNTY
Decision #AQ-4120 (R)
39 FR 20302 - 6/7/74
(D,F,Hw, W&S) - See Statewide
COVINGTON COUNTY
(D,Hw, F, W&S) - See Statewide

MISSISSIPPI (Cont'd.

DE SOTO COUNTY
(D,F,Hw, W&S) - See Statewide
FORREST COUNTY
Decision #MS75-1076 (R)
40 FR 36935 - 8/22/75
Mod. #1 - 40 FR 55609 - 11/28/75
Decision #MS75-1020 (B)
40 FR 5966 - 2/7/75
Mod. #1 - 40 FR 7798 - 2/21/75
(D,F,Hw, W&S) - See Statewide
FRANKLIN COUNTY
(D,F,Hw, W&S) - See Statewide
GEORGE COUNTY
Decision #MS75-1077 (R)
40 FR 36935 - 8/22/75
(D,F,Hw, W&S) - See Statewide
GREENE COUNTY
(D,F,Hw, W&S) - See Statewide
GRENADA COUNTY
(D,F,Hw, W&S) - See Statewide
HANCOCK COUNTY
Decision #MS75-1107 (B,H,Hw, W&S)
40 FR 50916 - 10/24/75
Mod. #1 - 40 FR 53177 - 11/14/75
(D,F) - See Statewide
(R) - See George County
HARRISON COUNTY
(B,H,Hw, W&S) - See Hancock County
(R) - See George County
(D,F) - See Statewide
HINDS COUNTY
Decision #MS75-1106 (B)
40 FR 50914 - 10/31/75
Mod. #1 - 40 FR 53176 - 11/14/75
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
HOLMES COUNTY
(D,F,Hw, W&S) - See Statewide
HUMPHREYS COUNTY
(D,F,Hw, W&S) - See Statewide
ISSAQUENA COUNTY
(D,F,Hw, W&S) - See Statewide
ITAWAMBA COUNTY
(D,F,Hw, W&S) - See Statewide
JACKSON COUNTY
(D,F) - See Statewide
(B,H,Hw, W&S) - See Hancock County
(R) - See George County

MISSISSIPPI (Cont'd,)

JASPER COUNTY
(D,F,Hw, W&S) - See Statewide
JEFFERSON COUNTY
(D,F,Hw, W&S) - See Statewide
JEFFERSON DAVIS COUNTY
(D,F,Hw, W&S) - See Statewide
JONES COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Forest County
KEMPER COUNTY
(D,F,Hw, W&S) - See Statewide
LAFAYETTE COUNTY
(D,F,Hw, W&S) - See Statewide
LAMAR COUNTY
(D,F,Hw, W&S) - See Statewide
LAUDERDALE COUNTY
(D,F,Hw, W&S) - See Statewide
LAWRENCE COUNTY
(D,F,Hw, W&S) - See Statewide
LEAKE COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
LEE COUNTY
(D,F,Hw, W&S) - See Statewide
LEFLORE COUNTY
(D,F,Hw, W&S) - See Statewide
LINCOLN COUNTY
(D,F,Hw, W&S) - See Statewide
LOWNDES COUNTY
(D,F,Hw, W&S) - See Statewide
MADISON COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
MARION COUNTY
(D,F,Hw, W&S) - See Statewide
MARSHALL COUNTY
(D,F,Hw, W&S) - See Statewide
MONROE COUNTY
(D,F,Hw, W&S) - See Statewide
MONTGOMERY COUNTY
(D,F,Hw, W&S) - See Statewide
NESHOBA COUNTY
(D,F,Hw, W&S) - See Statewide
NEWTON COUNTY
(D,F,Hw, W&S) - See Statewide
NOXUBEE COUNTY
(D,F,Hw, W&S) - See Statewide
OKTIBBEHA COUNTY
(D,F,Hw, W&S) - See Statewide
PANOLA COUNTY
(D,F,Hw, W&S) - See Statewide
PEARL RIVER COUNTY
(D,F) - See Statewide
(B,H,Hw, W&S) - See Hancock County
(R) - See George County

MISSISSIPPI (Cont'd,)

PERRY COUNTY
(D,F,Hw, W&S) - See Statewide
PIKE COUNTY
(D,F,Hw, W&S) - See Statewide
PONTOTOC COUNTY
(D,F,Hw, W&S) - See Statewide
PRENTISS COUNTY
(D,F,Hw, W&S) - See Statewide
QUITMAN COUNTY
(D,F,Hw, W&S) - See Statewide
RANKIN COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
SCOTT COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
SHARKEY COUNTY
(D,F,Hw, W&S) - See Statewide
SIMPSON COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County
SMITH COUNTY
(D,F,Hw, W&S) - See Statewid
(R) - See Copiah County
STONE COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See George County
SUNFLOWER COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Coahoma County
TALLAHATCHIE COUNTY
(D,F,Hw, W&S) - See Statewide
TATE COUNTY
(D,F,Hw, W&S) - See Statewide
TIPPAH COUNTY
(D,F,Hw, W&S) - See Statewide
TISHOMINGO COUNTY
(D,F,Hw, W&S) - See Statewide
TUNICA COUNTY
(D,F,Hw, W&S) - See Statewide
UNION COUNTY
(D,F,Hw, W&S) - See Statewide
WALTHALL COUNTY
(D,F,Hw, W&S) - See Statewide
WARREN COUNTY
Decision #MS75-1109 (B)
40 FR 53208 - 11/14/75
(D,F,Hw, W&S) - See Statewide
(R) - See Coahoma County
WASHINGTON COUNTY
Decision #AQ-4072 (B)
39 FR 5933 - 2/15/74
(D,F,Hw, W&S) - See Statewide
(R) - See Coahoma County

MISSISSIPPI (Cont'd.)

WAYNE COUNTY
(D,F,Hw, W&S) - See Statewide
WEBSTER COUNTY
(D,F,Hw, W&S) - See Statewide
WILKINSON COUNTY
(D,F,Hw, W&S) - See Statewide
WINSTON COUNTY
(D,F,Hw, W&S) - See Statewide
YALOBUSHA COUNTY
(D,F,Hw, W&S) - See Statewide
YAZOO COUNTY
(D,F,Hw, W&S) - See Statewide
(R) - See Copiah County

MISSOURI

STATEWIDE
Decision #M075-4146 (H,Hw)
40 FR 32662 - 8/1/75
ADAIR COUNTY
(H,Hw) - See Statewide
ANDREW COUNTY
Decision #M075-4070 (D)
40 FR 14225 - 3/28/75
(H,Hw) - See Statewide
ATCHISON COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
AUDRAIN COUNTY
(H,Hw) - See Statewide
BARRY COUNTY
(Hw) - See Statewide
BARTON COUNTY
(H,Hw) - See Statewide
BATES COUNTY
(H,Hw) - See Statewide
BENTON COUNTY
(H,Hw) - See Statewide
BOLLINGER COUNTY
(H,Hw) - See Statewide
BOONE COUNTY
(H,Hw) - See Statewide
(D) - See Andrew County
BUCHANAN COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
BUTLER COUNTY
(Hw) - See Statewide
CALDWELL COUNTY
(H,Hw) - See Statewide
CALLAWAY COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CAMDEN COUNTY
(H,Hw) - See Statewide
CAPE GIRARDEAU COUNTY
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide
CARROLL COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CARTER COUNTY
(Hw) - See Statewide

MISSOURI (Cont'd)

CASS COUNTY
Decision #M075-4144 (B,H,Hw)
40 FR 32611 - 8/1/75
Mod. #1 - 40 FR 44442 - 9/26/75
Decision #M075-4145 (R)
40 FR 32617 - 8/1/75
Mod. #1 - 40 FR 44442 - 9/26/75
(H,Hw) - See Statewide
CEDAR COUNTY
(H,Hw) - See Statewide
CHARITON COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CHRISTIAN COUNTY
(Hw) - See Statewide
CLARK COUNTY
(H,Hw) - See Statewide
CLAY COUNTY
(B,R) - See Cass County
(D) - See Andrew County
(H,Hw) - See Statewide
CLINTON COUNTY
(H,Hw) - See Statewide
COLE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
COOPER COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
CRAWFORD COUNTY
(H,Hw) - See Statewide
DADE COUNTY
(H,Hw) - See Statewide
DALLAS COUNTY
(H,Hw) - See Statewide
DAVIESS COUNTY
(H,Hw) - See Statewide
DE KALB COUNTY
(H,Hw) - See Statewide
DENT COUNTY
(Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide
DUNKLIN COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
Decision #M075-4143 (B)
40 FR 32608 - 8/1/75
Decision #M075-4142 (R)
40 FR 32605 - 8/1/75
(D) - See Andrew County
(H,Hw) - See Statewide
GASCONADE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
GENTRY COUNTY
(H,Hw) - See Statewide
GREENE COUNTY
(H,Hw) - See Statewide

MISSOURI (Cont'd)

GRUNDY COUNTY
(H,Hw) - See Statewide
HARRISON COUNTY
(H,Hw) - See Statewide
HENRY COUNTY
(H,Hw) - See Statewide
HICKORY COUNTY
(H,Hw) - See Statewide
HOLT COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
HOWARD COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
HOWELL COUNTY
(Hw) - See Statewide
IRON COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(B,R) - See Cass County
(D) - See Andrew County
(H,Hw) - See Statewide
JASPER COUNTY
None
JEFFERSON COUNTY
(D) - See Cape Girdeau County
(H,Hw) - See Statewide
JOHNSON COUNTY
(H,Hw) - See Statewide
KNOX COUNTY
(H,Hw) - See Statewide
LACLEDE COUNTY
(H,Hw) - See Statewide
LAFAYETTE COUNTY
(H,Hw) - See Statewide
(D) - See Andrew County
LAWRENCE COUNTY
(H,Hw) - See Statewide
LEWIS COUNTY
(H,Hw) - See Statewide
LINCOLN COUNTY
(B,R) - See Franklin County
(H,Hw) - See Statewide
LINN COUNTY
(H,Hw) - See Statewide
LIVINGSTON COUNTY
(H,Hw) - See Statewide
MC DONALD COUNTY
(H,Hw) - See Statewide
MACON COUNTY
(H,Hw) - See Statewide
MADISON COUNTY
(H,Hw) - See Statewide
MARIES COUNTY
(H,Hw) - See Statewide

MISSOURI (Cont'd)

MARION COUNTY
(H,Hw) - See Statewide
MERCER COUNTY
(H,Hw) - See Statewide
MILLER COUNTY
(H,Hw) - See Statewide
MISSISSIPPI COUNTY
(D) - See Cape Girardeau County
(Hw) - See Statewide
MONITEAU COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
MONROE COUNTY
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
MORGAN COUNTY
(H,Hw) - See Statewide
NEW MADRID COUNTY
(Hw) - See Statewide
NEWTON COUNTY
(H,Hw) - See Statewide
NODAWAY COUNTY
(H,Hw) - See Statewide
OREGON COUNTY
(Hw) - See Statewide
OSAGE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
OZARK COUNTY
(Hw) - See Statewide
PEMISCOT COUNTY
(Hw) - See Statewide
PERRY COUNTY
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
PETTIS COUNTY
(H,Hw) - See Statewide
PHELPS COUNTY
(H,Hw) - See Statewide
PIKE COUNTY
(H,Hw) - See Statewide
PLATTE COUNTY
(B,R,H,Hw) - See Cass County
(D) - See Andrew County
POLK COUNTY
(H,Hw) - See Statewide

MISSOURI (Cont'd)

PULASKI COUNTY
(H,Hw) - See Statewide
PUTNAM COUNTY
(H,Hw) - See Statewide
RALLS COUNTY
(H,Hw) - See Statewide
RANDOLPH COUNTY
(H,Hw) - See Statewide
RAY COUNTY
(B,R) - See Cass County
(H,Hw) - See Statewide
(D) - See Andrew County
REYNOLDS COUNTY
(Hw) - See Statewide
RIPLEY COUNTY
(Hw) - See Statewide
ST. CHARLES COUNTY
(B,R) - See Franklin County
(D) - See Andrew County
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
ST. CLAIR COUNTY
(H,Hw) - See Statewide
ST. FRANCOIS COUNTY
(H,Hw) - See Statewide
ST. LOUIS COUNTY
(B,R) - See Franklin County
(D) - See Cape Girardeau County
(D) - See Andrew County
(H,Hw) - See Statewide
STE. GENEVIEVE COUNTY
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
SALINE COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
SCHUYLER COUNTY
(H,Hw) - See Statewide
SCOTLAND COUNTY
(H,Hw) - See Statewide
SCOTT COUNTY
(D) - See Cape Girardeau County
(H,Hw) - See Statewide
SHANNON COUNTY
(Hw) - See Statewide
SHELBY COUNTY
(H,Hw) - See Statewide
STODDARD COUNTY
(Hw) - See Statewide

MISSOURI (Cont'd)

STONE COUNTY
(Hw) - See Statewide
SULLIVAN COUNTY
(H,Hw) - See Statewide
TANEY COUNTY
(Hw) - See Statewide
TEXAS COUNTY
(Hw) - See Statewide
VERNON COUNTY
(H,Hw) - See Statewide
WARREN COUNTY
(D) - See Andrew County
(H,Hw) - See Statewide
WASHINGTON COUNTY
(H,Hw) - See Statewide
WAYNE COUNTY
(Hw) - See Statewide
WEBSTER COUNTY
(Hw) - See Statewide
WORTH COUNTY
(H,Hw) - See Statewide
WRIGHT COUNTY
(Hw) - See Statewide

MONTANA

STATEWIDE
Decision #MT75-5125 (B)
40 FR 48002 - 10/10/75
Decision #MT75-5128 (H,Hw)
40 FR 48046 - 10/10/75
Mod. #1 - 40 FR 54387 - 11/21/75
BEAVERHEAD COUNTY
(B,H,Hw) - See Statewide
BIG HORN COUNTY
(B,H,Hw) - See Statewide
BLAINE COUNTY
(B,H,Hw) - See Statewide
BROADWATER COUNTY
(B,H,Hw) - See Statewide
CARBON COUNTY
(B,H,Hw) - See Statewide
CARTER COUNTY
(B,H,Hw) - See Statewide
CASCADE COUNTY
Decision #MT75-5126 (R)
40 FR 48027 - 10/10/75
(B,H,Hw) - See Statewide
CHOUTEAU COUNTY
(B,H,Hw) - See Statewide
CUSTER COUNTY
(B,H,Hw) - See Statewide
DANIELS COUNTY
(B,H,Hw) - See Statewide
DAWSON COUNTY
(B,H,Hw) - See Statewide
DEER LODGE COUNTY
(B,H,Hw) - See Statewide
Decision #MT75-5127 (R)
40 FR 48038 - 10/10/75
FALLON COUNTY
(B,H,Hw) - See Statewide
FERGUS COUNTY
(B,H,Hw) - See Statewide
FLATHEAD COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County

MONTANA (Cont'd.

GALLATIN COUNTY
(B,H,Hw) - See Statewide
(R) - See Deer Lodge County
GARFIELD COUNTY
(B,H,Hw) - See Statewide
GLACIER COUNTY
(R) - See Cascade County
(B,H,Hw) - See Statewide
GOLDEN VALLEY COUNTY
(B,H,Hw) - See Statewide
GRANITE COUNTY
(B,H,Hw) - See Statewide
HILL COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
JEFFERSON COUNTY
(B,H,Hw) - See Statewide
JUDITH BASIN COUNTY
(B,H,Hw) - See Statewide
LAKE COUNTY
(B,H,Hw) - See Statewide
LEWIS & CLARK COUNTY
(B,H,Hw) - See Statewide
LIBERTY COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
MC CONE COUNTY
(B,H,Hw) - See Statewide
MADISON COUNTY
(B,H,Hw) - See Statewide
MEAGHER COUNTY
(B,H,Hw) - See Statewide
MINERAL COUNTY
(B,H,Hw) - See Statewide
MISSOULA COUNTY
(R) - See Cascade County
(B,H,Hw) - See Statewide
MUSSELSHELL COUNTY
(B,H,Hw) - See Statewide
PARK COUNTY
(B,H,Hw) - See Statewide
PETROLEUM COUNTY
(B,H,Hw) - See Statewide
PHILLIPS COUNTY
(B,H,Hw) - See Statewide
PONDERA COUNTY
(B,H,hw) - See Statewide
POWDER RIVER COUNTY
(B,H,Hw) - See Statewide
POWELL COUNTY
(B,H,Hw) - See Statewide
PRAIRIE COUNTY
(B,H,Hw) - See Statewide
RAVALLI COUNTY
(B,H,Hw) - See Statewide

MONTANA (Cont'd

RICHLAND COUNTY
(B,H,Hw) - See Statewide
ROOSEVELT COUNTY
(B,H,Hw) - See Statewide
ROSEBUD COUNTY
(B,H,Hw) - See Statewide
SANDERS COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
SHERIDAN COUNTY
(B,H,Hw) - See Statewide
SILVER BOW COUNTY
(R) - See Deerlodge County
(B,H,Hw) - See Statewide
STILLWATER COUNTY
(B,H,Hw) - See Statewide
SWEET GRASS COUNTY
(B,H,Hw) - See Statewide
TETON COUNTY
(B,H,Hw) - See Statewide
TOOLE COUNTY
(B,H,Hw) - See Statewide
TREASURE COUNTY
(B,H,Hw) - See Statewide
VALLEY COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
WHEATLAND COUNTY
(B,H,Hw) - See Statewide
WIBAUX COUNTY
(B,H,Hw) - See Statewide
YELLOWSTONE COUNTY
(B,H,Hw) - See Statewide

NEBRASKA

ADAMS COUNTY
Decision #AR-92 (H,Hw)
39 FR 44917 - 12/27/74
ANTELOPE COUNTY
(H,Hw) - See Adams County
ARTHUR COUNTY
(H,Hw) - See Adams County
BANNER COUNTY
Decision #NE75-4113 (B)
40 FR 26218 - 6/20/75
(H,Hw) - See Adams County
BLAINE COUNTY
(H,Hw) - See Adams County
BOONE COUNTY
(H,Hw) - See Adams County
BOX BUTTE COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
BOYD COUNTY
(H,Hw) - See Adams County
Decision #NE75-4054 (Channel Stabilization)
40 FR 8739 - 2/28/75
BROWN COUNTY
(H,Hw) - See Adams County
BUFFALO COUNTY
(H,Hw) - See Adams County
BURT COUNTY
(H,Hw) - See Adams County
(Chann. Stab.) - See Boyd County
BUTLER COUNTY
(H,Hw) - See Adams County
CASS COUNTY
(Chann. Stab.) - See Boyd County
Decision #NE75-4112 (H,Hw)
40 FR 25400 - 6/13/75
Mod. #1 - 40 FR 27416 - 6/27/75
Mod. #2 - 40 FR 32553 - 8/1/75
CEDAR COUNTY
Decision #AQ-93 (B)
39 FR 15653 - 5/3/74
(H,Hw) - See Adams County
(Chann. Stab.) - See Boyd County
CHASE COUNTY
(H,Hw) - See Adams County
CHERRY COUNTY
(H,Hw) - See Adams County
CHEYENNE COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
CLAY COUNTY
(H,Hw) - See Adams County
COLFAX COUNTY
(H,Hw) - See Adams County

NEBRASKA (Cont'd,)

CUMING COUNTY
(B) - See Cedar County
(H,Hw) - See Adams County
CUSTER COUNTY
(H,Hw) - See Adams County
DAKOTA COUNTY
(Chann. Stab.) - See Boyd County
(H,Hw) - See Adams County
DAWES COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
DAWSON COUNTY
(H,Hw) - See Adams County
DEUEL COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
DIXON COUNTY
(Chann. Stab.) - See Boyd County
(H,Hw) - See Adams County
DODGE COUNTY
(H,Hw) - See Adams County
DOUGLAS COUNTY
Decision #NE75-4111 (B,R)
40 FR 25399 - 6/13/75
(H,Hw) - See Cass County
(Chann. Stab.) - See Boyd County
DUNDY COUNTY
(H,Hw) - See Adams County
FILLMORE COUNTY
(H,Hw) - See Adams County
FRANKLIN COUNTY
(H,Hw) - See Adams County
FRONTIER COUNTY
(H,Hw) - See Adams County
FURNAS COUNTY
(H,Hw) - See Adams County
GAGE COUNTY
(H,Hw) - See Adams County
GARDEN COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
GARFIELD COUNTY
(H,Hw) - See Adams County
GOSPER COUNTY
(H,Hw) - See Adams County
GRANT COUNTY
(H,Hw) - See Adams County
GREELEY COUNTY
(H,Hw) - See Adams County

NOTICES

NEBRASKA (Cont'd)

HALL COUNTY
Decision #NE75-4155 (B)
40 FR 41366 - 9/5/75
(H,Hw) - See Adams County
HAMILTON COUNTY
(H,Hw) - See Adams County
HARLAN COUNTY
(H,Hw) - See Adams County
HAYES COUNTY
(H,Hw) - See Adams County
HITCHCOCK COUNTY
(H,Hw) - See Adams County
HOLT COUNTY
(H,Hw) - See Adams County
HOOKER COUNTY
(H,Hw) - See Adams County
HOWARD COUNTY
(H,Hw) - See Adams County
JEFFERSON COUNTY
(H,Hw) - See Adams County
JOHNSON COUNTY
(H,Hw) - See Adams County
KEARNEY COUNTY
(H,Hw) - See Adams County
KEITH COUNTY
(H,Hw) - See Adams County
KEYAPAHA COUNTY
(H,Hw) - See Adams County
KIMBALL COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
KNOX COUNTY
(H,Hw) - See Adams County
(Chann. Stab.) - See Boyd County
LANCASTER COUNTY
Decision #NE75-4085 (B)
40 FR 20599 - 5/9/75
Decision #NE75-4157 (R)
40 FR 42502 - 9/12/75
(H,Hw) - See Adams County
LINCOLN COUNTY
(H,Hw) - See Adams County
LOGAN COUNTY
(H,Hw) - See Adams County
LOUP COUNTY
(H,Hw) - See Adams County
MC PHERSON COUNTY
(H,Hw) - See Adams County
MADISON COUNTY
(H,Hw) - See Adams County
MERRICK COUNTY
(H,Hw) - See Adams County

NEBRASKA (Cont'd,)

MORRILL COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
NANCE COUNTY
(H,Hw) - See Adams County
NEMAHA COUNTY
Decision #NE75-4070 (B)
40 FR 14225 - 3/28/75
(H,Hw) - See Adams County
(Chann. Stab.) - See Boyd County
NUCKOLLS COUNTY
(H,Hw) - See Adams County
OTOE COUNTY
(Chann. Stab.) - See Boyd County
(H,Hw) - See Adams County
PAWNEE COUNTY
(H,Hw) - See Adams County
PERKINS COUNTY
(H,Hw) - See Adams County
PHELPS COUNTY
(H,Hw) - See Adams County
PIERCE COUNTY
(B) - See Cedar County
(H,Hw) - See Adams County
PLATTE COUNTY
(H,Hw) - See Adams County
POLK COUNTY
(H,Hw) - See Adams County
RED WILLOW COUNTY
(H,Hw) - See Adams County
RICHARDSON COUNTY
(Chann. Stab.) - See Boyd County
(D) - See Nemaha County
(H,Hw) - See Adams County
ROCK COUNTY
(H,Hw) - See Adams County
SALINE COUNTY
(H,Hw) - See Adams County
SARPY COUNTY
(Chann. Stab.) - See Boyd County
(B,R) - See Douglas County
(H,Hw) - See Cass County
SAUNDERS COUNTY
(H,Hw) - See Adams County
(H,Hw) - See Cass County
SCOTTS BLUFF COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
SEWARD COUNTY
(H,Hw) - See Adams County
SHERIDAN COUNTY
(B) - See Banner County
(H,Hw) - See Adams County
SHERMAN COUNTY
(H,Hw) - See Adams County
SIOUX COUNTY
(B) - See Banner County
(H,Hw) - See Adams County

NEBRAKSA (Cont'd.)

STANTON COUNTY
(B) - See Cedar County
(H,Hw) - See Adams County
THAYER COUNTY
(H,Hw) - See Adams County
THOMAS COUNTY
(H,Hw) - See Adams County
THURSTON COUNTY
(Chann. Stab.) - See Boyd County
(H,Hw) - See Adams County
VALLEY COUNTY
(H,Hw) - See Adams County
WASHINGTON COUNTY
(H,Hw) - See Cass County
(Chann. Stab.) - See Boyd County
WAYNE COUNTY
(B) - See Cedar County
(H,Hw) - See Adams County
WEBSTER COUNTY
(H,Hw) - See Adams County
WHEELER COUNTY
(H,Hw) - See Adams County
YORK COUNTY
(H,Hw) - See Adams County

NEVADA

STATEWIDE (Excluding the Nevada Test Site & Tonopah Test Range)
Decision #NV75-5095 (B,H,Hw)
40 FR 32635 - 8/1/75
Mod. #1 - 40 FR 43419 - 9/19/75
Mod. #2 - 40 FR 47999 - 10/10/75
Mod. #3 - 40 FR 52243 - 11/7/75
CHURCHILL COUNTY
(B,H,Hw) - See Statewide
CLARK COUNTY
Decision #NV75-5096 (R)(Excluding the Nevada Test Site)
40 FR 32646 - 8/1/75
Mod. #1 - 40 FR 43420 - 9/19/75
Mod. #2 - 40 FR 52243 - 11/7/75
(B,H,Hw) - See Statewide
Decision #NV75-5057 (B,H,Hw) (Nevada Test Site including the Tonopah Test Range
40 FR 20602 - 5/9/75
Mod. #1 - 40 FR 25326 - 6/13/75
Mod. #2 - 40 FR 43419 - 9/19/75
DOUGLAS COUNTY
(B,H,Hw) - See Statewide
ELKO COUNTY
(B,H,Hw) - See Statewide
ESMERALDA COUNTY
(B,H,Hw) - See Statewide
EUREKA COUNTY
(B,H,Hw) - See Statewide
HUMBOLDT COUNTY
(B,H,Hw) - See Statewide
LANDER COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
LYON COUNTY
(B,H,Hw) - See Statewide
MINERAL COUNTY
(B,H,Hw) - See Statewide
NYE COUNTY
(B,H,Hw) - See Clark Co. (Nevada Test Site)
(B,H,Hw) - See Statewide
ORMSBY COUNTY
(B,H,Hw) - See Statewide
PERSHING COUNTY
(B,H,Hw) - See Statewide
STOREY COUNTY
(B,H,Hw) - See Statewide
WASHOE COUNTY
Decision #NV75-5097 (R)
40 FR 32650 - 8/1/75
Mod. #1 - 40 FR 43420 - 9/19/75
Mod. #2 - 40 FR 52244 - 11/7/75
(B,H,Hw) - See Statewide
WHITE PINE COUNTY
(B,H,Hw) - See Statewide

NOTICES

NEW HAMPSHIRE

BELKNAP COUNTY
None
CARROLL COUNTY
None
CHESHIRE COUNTY
None
COOS COUNTY
None
GRAFTON COUNTY
None
HILLSBORO COUNTY
Decision #NH75-2096 (B,H,Hw,R)
40 FR 30419 - 7/18/75
Mod. #1 - 40 FR 36897 - 8/22/75
MERRIMACK COUNTY
Decision #NH75-2097 (B,H,Hw, & Marine)
40 FR 30422 - 7/18/75
Mod.#1 - 40 FR 36898 - 8/22/75
ROCKINGHAM COUNTY
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
Decision #NH75-2098 (B,H,Hw,R, & Marine)
40 FR 30426 - 7/18/75
Mod. #1 - 40 FR 36898 - 8/22/75
STRAFFORD COUNTY
Decision #NH75-2099 (B,H,Hw, & Marine)
40 FR 30430 - 7/18/75
Mod. #1 - 40 FR 36899 - 8/22/75
SULLIVAN COUNTY
None

NEW JERSEY

ATLANTIC COUNTY
Decision #NJ75-3049 (B,H,Hw)
40 FR 26219 - 6/20/75
Mod. #1 - 40 FR 36899 - 8/22/75
Mod. #2 - 40 FR 44443 - 9/26/75
Mod. #3 - 40 FR 48000 - 10/10/75
Mod. #4 - 40 FR 55610 - 11/28/75
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
BERGEN COUNTY
Decision #NJ75-3098 (R)
40 FR 44433 - 9/26/75
Mod. #1 - 40 FR 48844 - 10/17/75
Mod. #2 - 40 FR 55610 - 11/28/75
Decision #NJ75-3050 (B,H,Hw)
40 FR 29501 - 7/11/75
Mod. #1 - 40 FR 40007 - 8/29/75
Mod. #2 - 40 FR 44444 - 9/26/75
Mod. #3 - 40 FR 48001 - 10/10/75
Mod. #4 - 40 FR 50869 - 10/31/75
Mod. #5 - 40 FR 55610 - 11/28/75
(D) - See Atlantic County

NEW JERSEY (Cont'd.)

BURLINGTON COUNTY
Decision #NJ75-3096 (R)
40 FR 43413 - 9/19/75
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
CAMDEN COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
CAPE MAY COUNTY
Decision #NJ75-3068 (R)
40 FR 29437 - 7/11/75
(B,H,Hw,D) - See Atlantic County
CUMBERLAND COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
ESSEX COUNTY
(B,H,Hw,R) - See Bergen County
(D) - See Atlantic County
GLOUCESTER COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
HUDSON COUNTY
(B,H,Hw,R) - See Bergen County
(D) - See Atlantic County
HUNTERDON COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
MERCER COUNTY
(B,H,Hw) - See Atlantic County
MIDDLESEX COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
MONMOUTH COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County

NEW JERSEY (Cont'd.)

MORRIS COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
OCEAN COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
PASSAIC COUNTY
(B,H,Hw,R) - See Bergen County
(D) - See Atlantic County
SALEM COUNTY
(B,H,Hw) - See Atlantic County
(D) - See Atlantic County
SOMERSET COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
SUSSEX COUNTY
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
UNION COUNTY
Decision #NJ75-3097 (R)
40 FR 43414 - 9/19/75
(B,H,Hw) - See Bergen County
(D) - See Atlantic County
WARREN COUNTY
(B,H,Hw) - See Bergen County

NEW MEXICO

STATEWIDE
Decision #NM75-4137 (Streets, Highways, Utilities and Light Engineering Construction)
40 FR 32656 - 8/1/75
Mod. #1 - 40 FR 57073 - 12/5/75
Decision #NM75-4136 (Building, including residential in McKinley, Santa Fe, San Juan & Bernalillo Cos., but not on the Indian Reservation, and Heavy engineering construction.
40 FR 32658 - 8/1/75
Mod. #1 - 40 FR 43420 - 9/19/75
Mod. #2 - 40 FR 45954 - 10/3/75
Mod. #3 - 40 FR 57071 - 12/5/75
BERNALILLO COUNTY
(B,H,Hw,R) - See Statewide
CATRON COUNTY
(B,H,Hw) - See Statewide
CHAVES COUNTY
(B,H,Hw) - See Statewide
COLFAX COUNTY
(B,H,Hw) - See Statewide
CURRY COUNTY
(B,H,Hw) - See Statewide
DE BACA COUNTY
(B,H,Hw) - See Statewide
DONA ANA COUNTY
(B,H,Hw) - See Statewide
Decision #NM75-4014 (R)
40 FR 3148 - 1/17/75
EDDY COUNTY
(B,H,Hw) - See Statewide
GRANT COUNTY
(B,H,Hw) - See Statewide
GUADALUPE COUNTY
(B,H,Hw) - See Statewide
HARDING COUNTY
(B,H,Hw) - See Statewide
HIDALGO COUNTY
(B,H,Hw) - See Statewide
LEA COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
LOS ALAMOS COUNTY
(B,H,Hw) - See Statewide
LUNA COUNTY
(B,H,Hw) - See Statewide
McKINLEY COUNTY
(R) - See San Juan County
(B,H,Hw,R) - See Statewide
MORA COUNTY
(B,H,Hw) - See Statewide

NEW MEXICO (Cont'd.)

MORA COUNTY
(B,H,Hw) - See Statewide
OTERO COUNTY
(R) - See Dona Ana County
(B,H,Hw) - See Statewide
QUAY COUNTY
(B,H,Hw) - See Statewide
RIO ARRIBA COUNTY
(B,H,Hw) - See Statewide
ROOSEVELT COUNTY
(B,H,Hw) - See Statewide
SANDOVAL COUNTY
(B,H,Hw) - See Statewide
SAN JUAN COUNTY
Decision #NM75-5004 (R)(Navajo Indian Reservation)
40 FR 3921 - 1/24/75
(B,H,Hw,R) - See Statewide
SAN MIGUEL COUNTY
(B,H,Hw) - See Statewide
SANTE FE COUNTY
(B,H,Hw,R) - See Statewide
SIERRA COUNTY
(B,H,Hw) - See Statewide
SOCORRO COUNTY
(B,H,Hw) - See Statewide
TAOS COUNTY
(B,H,Hw) - See Statewide
TORRANCE COUNTY
(B,H,Hw) - See Statewide
UNION COUNTY
(B,H,Hw) - See Statewide
VALENCIA COUNTY
(B,H,Hw) - See Statewide

NEW YORK

ALBANY COUNTY
Decision #NY75-3031 (B,H,Hw)
40 FR 16545 - 4/11/75
ALLEGANY COUNTY
None
BRONX COUNTY
Decision #AR-2101 (B,H,Hw)
39 FR 44925 - 12/27/74
Mod. #1 - 40 FR 5984 - 2/7/75
Mod. #2 - 40 FR 7799 - 2/21/75
Mod. #3 - 40 FR 33578 - 8/8/75
Decision #NY75-3016 (R)
40 FR 7852 - 2/21/75
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
BROOME COUNTY
Decision #NY75-3032 (B,H,Hw)
40 FR 16549 - 4/11/75
CATTARAUGUS COUNTY
None
CAYUGA COUNTY
Decision #NY75-3033 (D)
40 FR 16554 - 4/11/75
CHAUTAUGUA COUNTY
Decision #AR-2014 (B,H,Hw)
39 FR 28735 - 8/9/74
Mod. #1 - 40 FR 3863 - 1/24/75
(D) - See Cayuga County
CHEMUNG COUNTY
None
CHENANGO COUNTY
None
CLINTON COUNTY
None
COLUMBIA COUNTY
None
CORTLAND COUNTY
None
DELAWARE COUNTY
None

NEW YORK (Cont'd)

DUTCHESS COUNTY
Decision #NY75-3034 (B,H,Hw)
40 FR 16559 - 4/11/75
(D) - See Bronx County
ERIE COUNTY
Decision #NY75-3111 (B,H,Hw)
40 FR 57123 - 12/5/75
(D) - See Cayuga County
ESSEX COUNTY
None
FRANKLIN COUNTY
(D) - See Cayuga County
FULTON COUNTY
None
GENESEE COUNTY
None
GREENE COUNTY
None
HAMILTON COUNTY
None
HERKIMER COUNTY
None
JEFFERSON COUNTY
Decision #NY75-3036 (B,H,Hw)
40 FR 16571 - 4/11/75
Mod. #1-40 FR 24455 - 6/6/75
(D) - See Cayuga County
KINGS COUNTY
(B,H,Hw,R,D) - See Bronx County
LEWIS COUNTY
None
LIVINGSTON COUNTY
None
MADISON COUNTY
None

NEW YORK (Cont'd)

MONROE COUNTY
Decision #NY75-3063 (B, H,Hw)
40 FR 26233 - 6/20/75
Mod. #1 - 40 FR 27416 - 6/27/75
Mod. #2 - 40 FR 55610 - 11/28/75
(D) - See Cayuga County
MONTGOMERY COUNTY
None
NASSAU COUNTY
Decision #NY75-3038 (B,H,Hw)
40 FR 16581 - 4/11/75
(D) - See Bronx County
NEW YORK COUNTY
(B,H,Hw,R,D) - See Bronx County
NIAGARA COUNTY
Decision #NY75-3039 (B,H,Hw)
40 FR 16586 - 4/11/75
(D) - See Cayuga County
ONEIDA COUNTY
Decision #NY75-3114 (B,H,Hw)
40 FR 57130 - 12/5/75
ONONDAGA COUNTY
Decision #NY75-3041 (B,H,Hw)
40 FR 16595 - 4/11/75
Mod. #1 - 40 FR 24457 - 6/6/75
Mod. #2 - 40 FR 45955 - 10/3/75
ONTARIO COUNTY
None
ORANGE COUNTY
Decision #NY75-3042 (B,H,Hw)
40 FR 16599 - 4/11/75
Mod. #1 - 40 FR 25327 - 6/13/75
Mod. #2 - 40 FR 45955 - 10/3/75
(D) - See Bronx County
ORLEANS COUNTY
(D) - See Cayuga County
OSWEGO COUNTY
(D) - See Cayuga County
OTSEGA COUNTY
None
PUTNAM COUNTY
None
QUEENS COUNTY
(B,H,Hw,R) - See Bronx County

NEW YORK (Cont'd)

RENSSELAER COUNTY
Decision #NY75-3043 (B,H,Hw)
40 FR 16606 - 4/11/75
RICHMOND COUNTY
(B,H,Hw,R,D) - See Bronx County
ROCKLAND COUNTY
(D) - See Bronx County
ST LAWRENCE COUNTY
(D) - See Cayuga County
SARATOGA COUNTY
Decision #AR-2097 (B,H,Hw)
39 FR 44919 - 12/27/74
SCHENECTADY COUNTY
Decision #NY75-3044 (B,H,Hw)
40 FR 16610 - 4/11/75
SCHOHARIE COUNTY
None
SCHUYLER COUNTY
None
SENECA COUNTY
None
STEUBEN COUNTY
Decision #NY75-3046 (B,H,Hw)
40 FR 16619 - 4/11/75
SUFFOLK COUNTY
Decision #NY75-3045 (B,H,Hw)
40 FR 16614 - 4/11/75
(D) - See Bronx County
SULLIVAN COUNTY
None
TIOGA COUNTY
None

NEW YORK (cont'd)

TOMPKINS COUNTY
None
ULSTER COUNTY
None
WARREN COUNTY
None
WASHINGTON COUNTY
None
WAYNE COUNTY
Decision #NY75-3047 (B,H,Hw)
40 FR 16624 - 4/11/75
Mod. #1 - 40 FR 45955 - 10/3/75
(D) - See Cayuga County
WESTCHESTER COUNTY
Decision #NY75-3048 (B,H,Hw)
40 FR 16631 - 4/11/75
(D) - See Bronx County
WYOMING COUNTY
None
YATES COUNTY
None

NORTH CAROLINA

STATEWIDE
Decision #NC75-1015 (H,Hw)
40 FR 4857 - 1/31/75
Mod. #1 - 40 FR 41351 - 9/5/75
Decision #NC75-1078 (Sewer & Water)
40 FR 41367 - 9/5/75
ALAMANCE COUNTY
Decision #AQ-4078 (R)
39 FR 7010 - 2/22/74
(Sewer & Water, H,Hw) - See Statewide
ALEXANDER COUNTY
(Sewer & Water, H,Hw) - See Statewide
ALLEGHANY COUNTY
(Sewer & Water, H,Hw) - See Statewide
ANSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
ASHE COUNTY
(Sewer & Water, H,Hw) - See Statewide
AVERY COUNTY
Decision #AR-4017 (B)
39 FR 28739 - 8/9/74
Mod. #1 - 39 FR 43466 - 12/13/74
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

BEAUFORT COUNTY
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
(Sewer & Water, H,Hw) - See Statewide
BERTIE COUNTY
Decision #AQ-4079 (R)
39 FR 7010 - 2/22/74
Mod. #1 - 40 FR 3087 - 1/17/75
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
BLADEN COUNTY
(Sewer & Water, H,Hw) - See Statewide
BRUNSWICK COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
Decision #AR-4031 (R)
39 FR 32441 - 9/6/74
BUNCOMBE COUNTY
Decision #AR-4005 (B)
39 FR 24778 - 7/5/74
Mod. #1 - 39 FR 43465 - 12/13/74
Decision #NC75-1014 (R)
40 FR 6111 - 2/7/75
(Sewer & Water, H,Hw) - See Statewide
BURKE COUNTY
Decision #AQ-4105 (B)
39 FR 14842 - 4/26/74
Decision #AQ-4117 (R)
39 FR 18397 - 5/24/74
(Sewer & Water, H,Hw) - See Statewide
CABARRUS COUNTY
(Sewer & Water, H,Hw) - See Statewide
CALDWELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
CAMDEN COUNTY
(Sewer & Water, H,Hw) - See Statewide
CARTERET COUNTY
Decision #AQ-4083 (R)
39 FR 8101 - 3/1/74
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
CASWELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
CATAWBA COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
CHATHAM COUNTY
Decision #NC75-1049 (B)
40 FR 19873 - 4/25/75
Decision #AR-4044 (R)
39 FR 34892 - 10/11/74
Mod. #1 - 40 FR 3087 - 1/17/75
(Sewer & Water, H,Hw) - See Statewide
CHEROKEE COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd)

CHOWAN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
(R) - See Bertie County
CLAY COUNTY
(Sewer & Water, H,Hw) - See Statewide
CLEVELAND COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
COLUMBUS COUNTY
(Sewer & Water, H,Hw) - See Statewide
CRAVEN COUNTY
(R) - See Carteret County
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
CUMBERLAND COUNTY
(R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
CURRITCUCK COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
DARE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
DAVIDSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
DAVIE COUNTY
(Sewer & Water, H,Hw) - See Statewide
DUPLIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
DURHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
EDGECOMBE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
FORSYTH COUNTY
Decision #AR-4019 (R)
39 FR 29702 - 8/16/74
(Sewer & Water, H,Hw) - See Statewide
FRANKLIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
GASTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
GATES COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
GRAHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
GRANVILLE COUNTY
(Sewer & Water, H,Hw) - See Statewide
GREENE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
GUILFORD COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Alamance County

NORTH CAROLINA (Cont'd.)

HALIFAX COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
HARNETT COUNTY
(B,R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
HAYWOOD COUNTY
(R) - See Buncombe County
(R) - See Cumberland County
(Sewer & Water, H,Hw) - See Statewide
HENDERSON COUNTY
R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
HERTFORD COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
(R) - See Bertie County
HOKE COUNTY
(R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
HYDE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
IREDELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
JACKSON COUNTY
(R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
JOHNSTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
JONES COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
LEE COUNTY
(B,R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
LENOIR COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
LINCOLN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Burke County
MCDOWELL COUNTY
(R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
MACON COUNTY
(Sewer & Water, H,Hw) - See Statewide
MADISON COUNTY
(R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
MARTIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
MECKLENBURG COUNTY
Decision #AP-161 (B)
38 FR 5753 - 3/2/73
Mod. #1 - 38 FR 7166 - 3/16/73
Mod. #2 - 38 FR 31770 - 11/16/73
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

MITCHELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
(B) - See Avery County
MONTGOMERY COUNTY
(Sewer & Water, H,Hw) - See Statewide
MOORE COUNTY
(B,R) - See Chatham County
(Sewer & Water, H,Hw) - See Statewide
NASH COUNTY
(Sewer & Water, H,Hw) - See Statewide
NEW HANOVER COUNTY
Decision #NC75-1054 (B)
40 FR 22723 - 5/23/75
Mod. #1 - 40 FR 43420 - 9/19/75
(R) - See Brunswick County
(D) - See BeaufortCounty
(Sewer & Water, H,Hw) - See Statewide
NORTHAMPTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
ONSLOW COUNTY
Decision #AR-4048 (B)
39 FR 38078 - 10/25/74
(Sewer & Water, H,Hw) - See Statewide
(R) - See Brunswick County-
ORANGE COUNTY
(Sewer & Water, H,Hw) - See Statewide
PAMLICO COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
PASQUOTANK COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
PENDER COUNTY
(R) - See Brunswick County
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
PERQUIMANS COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
PERSONS COUNTY
(Sewer & Water, H,Hw) - See Statewide
PITT COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
POLK COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
RANDOLPH COUNTY
(R) - See Alamance County
(Sewer & Water, H,Hw) - See Statewide
RICHMOND COUNTY
(Sewer & Water, H,Hw) - See Statewide
ROBESON COUNTY
(Sewer & Water, H,Hw) - See Statewide
ROCKINGHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Alamance County
ROWAN COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

RUTHERFORD COUNTY
(R) - See Burke County
(Sewer & Water, H,Hw) - See Statewide
SAMPSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Chatham County
SCOTLAND COUNTY
(Sewer & Water, H,Hw) - See Statewide
STANLY COUNTY
(Sewer & Water, H,Hw) - See Statewide
STOKES COUNTY
(Sewer & Water, H,Hw) - See Statewide
SURRY COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Forsyth County
SWAIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
TRANSYLVANIA COUNTY
Decision #NC75-1097 (B)
40 FR 43462 - 9/19/75
(R) - See Buncombe County
(Sewer & Water, H,Hw) - See Statewide
TYRRELL County
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
UNION COUNTY
(Sewer & Water, H,Hw) - See Statewide
VANCE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
WAKE COUNTY
Decision #AQ-4032 (B)
38 FR 31093 - 11/9/73
Mod. #1 - 39 FR 5066 - 2/8/74
(Sewer & Water, H,Hw) - See Statewide
WARREN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
WASHINGTON COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
WATAUGA COUNTY
(B) - See Avery County
(Sewer & Water, H,Hw) - See Statewide
WAYNE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Carteret County
WILKES COUNTY
Decision #AR-4063 (B)
39 FR 42803 - 12/6/74
Mod. #1 - 40 FR 3087 - 1/17/75
Mod. #2 - 40 FR 5984 - 2/7/75
(Sewer & Water, H,Hw) - See Statewide
WILSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
YADKIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
YANCEY COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH DAKOTA (Cont'd)

ROLETTE COUNTY
(Hw) - See Statewide
SARGENT COUNTY
(Hw) - See Statewide
SHERIDAN COUNTY
(Hw) - See Statewide
SIOUX COUNTY
(Hw) - See Statewide
SLOPE COUNTY
(Hw) - See Statewide
STARK COUNTY
(Hw) - See Statewide
STEELE COUNTY
(Hw) - See Statewide
STUTSMAN COUNTY
(B) - See Burleigh County
TOWNER COUNTY
(Hw) - See Statewide
TRAILL COUNTY
(Hw) - See Statewide
WALSH COUNTY
(Hw) - See Statewide
WARD COUNTY
(B) - See Burleigh County
WELLS COUNTY
(B) - See Burleigh County
WILLIAMS COUNTY
(Hw) - See Statewide

OHIO

STATEWIDE
Decision #OH75-2056 (H,Hw)
40 FR 1530 - 4/4/75
Mod. #1 - 40 FR 18282 - 4/25/75
Mod. #2 - 40 FR 25328 - 6/13/75
Mod. #3 - 40 FR 49943 - 10/24/75
ADAMS COUNTY
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide

NORTH DAKOTA

STATEWIDE
Decision #ND75-5109 (Hw)
40 FR 40022 - 8/29/75
ADAMS COUNTY
(Hw) - See Statewide
BARNES COUNTY
(Hw) - See Statewide
BENSON COUNTY
(Hw) - See Statewide
BILLINGS COUNTY
(Hw) - See Statewide
BOTTINEAU COUNTY
(Hw) - See Statewide
BOWMAN COUNTY
(Hw) - See Statewide
BURKE COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
BURLEIGH COUNTY
Decision #ND75-5130 (B)
40 FR 49866 - 10/17/75
Mod. #1 - 40 FR 52244 - 11/7/75
Mod. #2 - 40 FR 57073 - 12/5/75
(Hw) - See Statewide
CASS COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
CAVALIER COUNTY
(Hw) - See Statewide
DICKEY COUNTY
(Hw) - See Statewide
DIVIDE COUNTY
(Hw) - See Statewide
DUNN COUNTY
(Hw) - See Statewide
EDDY COUNTY
(Hw) - See Statewide
EMMONS COUNTY
(Hw) - See Statewide
FOSTER COUNTY
(Hw) - See Statewide
GOLDEN VALLEY COUNTY
(Hw) - See Statewide

OHIO (Cont'd.)

PREBLE COUNTY
(R) - See Greene County
(Hw) - See Statewide
PUTNAM COUNTY
(H,Hw) - See Statewide
RICHLAND COUNTY
(H,Hw) - See Statewide
ROSS COUNTY
(B) - See Pike County
SANDUSKY COUNTY
(B) - See Erie County
(D) - See Ashtabula County
SCIOTO COUNTY
(B) - See Pike County
(D) - See Adams County
SENECA COUNTY
(H,Hw) - See Statewide
SHELBY COUNTY
(H,Hw) - See Statewide
STARK COUNTY
Decision #AR-3045 (B,R)
39 FR 30796 - 8/23/74
Mod. #1 - 40 FR 17463 - 4/18/75
Mod. #2 - 40 FR 33578 - 8/8/75
SUMMIT COUNTY
Decision #AR-3046 (B,R)
39 FR 30798 - 8/23/74
Mod. #1 - 39 FR 34927 - 9/27/74
Mod. #2 - 40 FR 17463 - 4/18/75
TRUMBULL COUNTY
Decision #AR-3047 (B,R)
39 FR 30800 - 8/23/74
Mod. #1 - 40 FR 17463 - 4/18/75
Mod. #2 - 40 FR 44445 - 9/26/75
TUSCARAWAS COUNTY
(H,Hw) - See Statewide
UNION COUNTY
(H,Hw) - See Statewide
VAN WERT COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
VINTON COUNTY
(H,Hw) - See Statewide
WARREN COUNTY
(R) - See Butler County
(H,Hw) - See Statewide
WASHINGTON COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
WAYNE COUNTY
(H,Hw) - See Statewide
WILLIAMS COUNTY
(H,Hw) - See Statewide
WOOD COUNTY
(H,Hw) - See Statewide
WYANDOT COUNTY
(H,Hw) - See Statewide

OHIO (Cont'd.)

MAHONING COUNTY
Decision #AR-3042 (B,R)
39 FR 30790 - 8/23/74
Mod. #1 - 40 FR 18343 - 4/21/75
Mod. #2 - 40 FR 23116 - 6/2/75
Mod. #3 - 40 FR 49448 - 10/31/75
Mod. #4 - 40 FR 52244 - 11/7/75
MARION COUNTY
(H,Hw) - See Statewide
MEDINA COUNTY
(H,Hw) - See Statewide
MEIGS COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
MERCER COUNTY
(B) - See Allen County
(H,Hw) - See Statewide
MIAMI COUNTY
(R) - See Greene County
(H,Hw) - See Statewide
MONROE COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(B) - See Greene County
(H,Hw) - See Statewide
MORGAN COUNTY
(H,Hw) - See Statewide
MORROW COUNTY
(H,Hw) - See Statewide
MUSKINGUM COUNTY
Decision #AR-3043 (B)
39 FR 30792 - 8/23/74
Mod. #1 - 40 FR 17462 - 4/18/75
(H,Hw) - See Statewide
NOBLE COUNTY
(H,Hw) - See Statewide
OTTAWA COUNTY
(R) - See Erie County
(D) - See Ashtabula County
(H,Hw) - See Statewide
PAULDING COUNTY
(H,Hw) - See Statewide
PERRY COUNTY
(H,Hw) - See Statewide
PICKAWAY COUNTY
(B) - See Franklin County
(R) - See Delaware County
(H,Hw) - See Statewide
PIKE COUNTY
Decision #AR-3176 (B)
39 FR 43451 - 12/13/74
Mod. #1 - 40 FR 3087 - 1/17/75
Mod. #2 - 40 FR 5985 - 2/7/75
Mod. #3 - 40 FR 17464 - 4/18/75
(H,Hw) - See Statewide
PORTAGE COUNTY
Decision #AR-3044 (B,R)
39 FR 30784 - 8/23/74

OHIO (Cont'd)

CRAWFORD COUNTY
(H,Hw) - See Statewide
CUYAHOGA COUNTY
Decision #AR-3035 (B,R)
39 FR 30778 - 8/23/74
Mod. #1 - 40 FR 15274 - 4/4/75
Mod. #2 - 40 FR 54387 - 11/21/75
(H,Hw) - See Statewide
DARKE COUNTY
(H,Hw) - See Statewide
DEFIANCE COUNTY
(H,Hw) - See Statewide
DELAWARE COUNTY
Decision #AR-420 (H)
36 FR 15963 - 8/18/71
Mod. #1 - 38 FR 4630 - 2/18/73
(H,Hw) - See Statewide
ERIE COUNTY
Decision #AR-3172 (B)
39 FR 41102 - 11/22/74
Mod. #1-40 FR 15276 - 4/4/75
(D) - See Ashtabula County
(H,Hw) - See Statewide
FAIRFIELD COUNTY
(R) - See Delaware County
(H,Hw) - See Statewide
FAYETTE COUNTY
(H,Hw) - See Statewide
FRANKLIN COUNTY
Decision #AR-3036 (B)
39 FR 30780 - 8/23/74
Mod. #1 - 40 FR 37330 - 10/18/74
Mod. #2 - 40 FR 15274 - 4/4/75
Mod. #3 - 40 FR 33578 - 8/8/75
Mod. #4 - 40 FR 50869 - 10/31/75
(R) - See Delaware County
(H,Hw) - See Statewide
FULTON COUNTY
(B) - See Lucas County
(H,Hw) - See Statewide
GALLIA COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
GEAUGA COUNTY
(H,Hw) - See Statewide
GREENE COUNTY
Decision #AR-3037 (B)
39 FR 30782 - 8/23/74
Mod. #1 -40 FR 15275 - 4/4/75
Decision #OH75-2109 (H)
40 FR 42498 - 9/12/75
(H,Hw) - See Statewide
GUERNSEY COUNTY
(H,Hw) - See Statewide
HAMILTON COUNTY
Decision #AR-3038 (B)
39 FR 30784 - 8/23/74
Mod. #1 - 40 FR 15275 - 4/4/75
(D) - See Adams County
(R) - See Clermont County
(H,Hw) - See Statewide

OHIO (Cont'd)

HANCOCK COUNTY
Decision #AR-3173 (B)
39 FR 41105 - 11/22/74
Mod. #1 - 40 FR 15276 - 4/4/75
(H,Hw) - See Statewide
HARDIN COUNTY
(H,Hw) - See Statewide
HARRISON COUNTY
(H,Hw) - See Statewide
HENRY COUNTY
(H,Hw) - See Statewide
HIGHLAND COUNTY
(H,Hw) - See Statewide
HOCKING COUNTY
(H,Hw) - See Statewide
HOLMES COUNTY
(H,Hw) - See Statewide
HURON COUNTY
(B) - See Erie County
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JEFFERSON COUNTY
(H,Hw) - See Statewide
KNOX COUNTY
(H,Hw) - See Statewide
LAKE COUNTY
(B,R) - See Cuyahoga County
(D) - See Ashtabula County
LAWRENCE COUNTY
(D) - See Adams County
(H,Hw) - See Statewide
LICKING COUNTY
Decision #AR-3039 (B)
39 FR 30786 - 8/23/74
Mod. #1-40 FR 16492 - 4/11/75
Mod. #2-40 FR 27416 - 6/27/75
(H,Hw) - See Statewide
LOGAN COUNTY
(R) - See Delaware County
(H,Hw) - See Statewide
LORAIN COUNTY
Decision #AR-3040 (B,R)
39 FR 30663 - 8/23/74
Mod. #1 - 40 FR 16493 - 4/11/75
(D) - See Ashtabula County
(H,Hw) - See Statewide
LUCAS COUNTY
Decision #OH75-2060 (B)
40 FR 17529 - 4/18/75
(D) - See Ashtabula County
(H,Hw) - See Statewide
MADISON COUNTY
(B) - See Franklin County
(R) - See Delaware County
(H,Hw) - See Statewide

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OKLAHOMA

STATEWIDE (Except the City of Muskogee
Decision #AQ-124 (Constr., alteration and/or repair of streets, highways, runways, erosion control structures, well drilling, and water and sewer utilities)
39 FR 24194 - 6/28/74
ADAIR COUNTY
(B) - See Muskogee County
(H,Hw) - See Statewide
ALFALFA COUNTY
(H,Hw) - See Statewide
ATOKA COUNTY
(H,Hw) - See Statewide
BEAVER COUNTY
(H,Hw) - See Statewide
BECKHAM COUNTY
(H,Hw) - See Statewide
BLAINE COUNTY
(H,Hw) - See Statewide
BRYAN COUNTY
(H,Hw) - See Statewide
Decision #OK75-4016 (R)
40 FR 3151 - 1/17/75
CADDO COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
CANADIAN COUNTY
(H,Hw) - See Statewide
Decision #OK75-4080 (B)
40 FR 17531 - 4/18/75
Mod. #1 - 40 FR 22736 - 5/23/75
Mod. #2 - 40 FR 26185 - 6/20/75
Mod. #3 - 40 FR 30387 - 7/18/75
Mod. #4 - 40 FR 31440 - 7/25/75
Mod. #5 - 40 FR 41352 - 9/5/75
Mod. #6 - 40 FR 45956 - 10/3/75
Decision #AP-304 (R)
37 FR 15789 - 8/4/72
Mod. #1 - 37 FR 28799 - 12/28/72
Mod. #2 - 38 FR 4078 - 2/9/73
CARTER COUNTY
(H,Hw) - See Statewide
CHEROKEE COUNTY
(B) - See Muskogee County
(H,Hw) - See Statewide
CHOCTAW COUNTY
(H,Hw) - See Statewide
CIMARRON COUNTY
(H,Hw) - See Statewide
CLEVELAND COUNTY
(H,Hw) - See Statewide
(B,R) - See Canadian County
COAL COUNTY
(H,Hw) - See Statewide
COMANCHE COUNTY
(H,Hw) - See Statewide
Decision #OK75-4017 (R)
40 FR 3152 - 1/17/75
Decision #OK75-4116 (B)
40 FR 27434 - 6/27/75
Mod. #1 - 40 FR 34554 - 8/15/75
Mod. #2 - 40 FR 42484 - 9/12/75
Mod. #3 - 40 FR 45956 - 10/3/75
COTTON COUNTY
(H,Hw) - See Statewide

OKLAHOMA (cont'd)

CRAIG COUNTY
(H,Hw) - See Statewide
CREEK COUNTY
(B) - See Tulsa County
(H,Hw) - See Statewide
CUSTER COUNTY
(H,Hw) - See Statewide
DELAWARE COUNTY
(H,Hw) - See Statewide
DEWEY COUNTY
(H,Hw) - See Statewide
ELLIS COUNTY
(H,Hw) - See Statewide
GARFIELD COUNTY
Decision #OK75-4133 (B)
40 FR 31558 - 7/25/75
Mod. #1 - 40 FR 41353 - 9/5/75
Mod. #2 - 40 FR 45956 - 10/3/75
Mod. #3 - 40 FR 57074 - 12/5/75
(H,Hw) - See Statewide
GARVIN COUNTY
(H,Hw) - See Statewide
GRADY COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
GRANT COUNTY
(H,Hw) - See Statewide
GREER COUNTY
(H,Hw) - See Statewide
HARMON COUNTY
(H,Hw) - See Statewide
HARPER COUNTY
(H,Hw) - See Statewide
HASKELL COUNTY
(H,Hw) - See Statewide
HUGHES COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JEFFERSON COUNTY
(H,Hw) - See Statewide
JOHNSTON COUNTY
(H,Hw) - See Statewide
KAY COUNTY
(H,Hw) - See Statewide
KINGFISHER COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
KIOWA COUNTY
(H,Hw) - See Statewide
LATIMER COUNTY
(H,Hw) - See Statewide
LEFLORE COUNTY
(H,Hw) - See Statewide
LINCOLN COUNTY
(H,Hw) - See Statewide
(B,R) - See Canadian County
LOGAN COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
LOVE COUNTY
(H,Hw) - See Statewide

OKLAHOMA (Cont'd.)

McCLAIN COUNTY
(H,Hw) - See Statewide
(B) - See Canadian County
McCURTAIN COUNTY
(H,Hw) - See Statewide
McINTOSH COUNTY
Decision #OK75-4148 (B)
40 FR 34567 - 8/15/75
Mod. #1 - 40 FR 42486 - 9/12/75
Mod. #2 - 40 FR 45957 - 10/3/75
(H,Hw) - See Statewide
MAJOR COUNTY
(H,Hw) - See Statewide
MARSHALL COUNTY
(H,Hw) - See Statewide
MAYES COUNTY
(H,Hw) - See Statewide
MURRAY COUNTY
(H,Hw) - See Statewide
MUSKOGEE COUNTY
Decision #OK75-4156 (B,H,Hw)
40 FR 41369 - 9/5/75
Mod. #1 - 40 FR 45957 - 10/3/75
Mod. #2 - 40 FR 57074 - 12/5/75
(H,Hw) - See Statewide
NOBLE COUNTY
(H,Hw) - See Statewide
NOWATA COUNTY
(H,Hw) - See Statewide
OKFUSKEE COUNTY
(H,Hw) - See Statewide
OKLAHOMA COUNTY
(B,R) - See Canadian County
(H,Hw) - See Statewide
OKMULGEE COUNTY
(H,Hw) - See Statewide
OSAGE COUNTY
(H,Hw) - See Statewide
(R) - See Tulsa County
OTTAWA COUNTY
(H,Hw) - See Statewide
PAWNEE COUNTY
(H,Hw) - See Statewide
PAYNE COUNTY
(H,Hw) - See Statewide
PITTSBURG COUNTY
Decision #OK75-4138 (B)
40 FR 32668 - 8/1/75
Mod. #1 - 40 FR 34555 - 8/15/75
Mod. #2 - 40 FR 42485 - 9/12/75
Mod. #3 - 40 FR 45956 - 10/3/75
(H,Hw) - See Statewide
PONTOTOC COUNTY
(H,Hw) - See Statewide
POTTAWATOMIE COUNTY
(H,Hw) - See Statewide
(B,R) - See Canadian County
PUSHMATAHA COUNTY
(H,Hw) - See Statewide

OKLAHOMA (Cont'd.)

ROGERS COUNTY
(H,Hw) - See Statewide
ROGERS MILLS COUNTY
(H,Hw) - See Statewide
SEMINOLE COUNTY
(B) - See Canadian County
(H,Hw) - See Statewide
SEQUOYAH COUNTY
(H,Hw) - See Statewide
STEPHENS COUNTY
(H,Hw) - See Statewide
TEXAS COUNTY
(H,Hw) - See Statewide
TILLMAN COUNTY
(H,Hw) - See Statewide
TULSA COUNTY
Decision #OK75-4140 (B)
40 FR 32672 - 8/1/75
Mod. #1 - 40 FR 41354 - 9/5/75
Mod. #2 - 40 FR 45956 - 10/3/75
Mod. #3 - 40 FR 57074 - 12/5/75
(H,Hw) - See Statewide
Decision #OK75-4015 (R)
40 FR 3150 - 1/17/75
WAGONER COUNTY
Decision #OK75-4158 (B)
40 FR 42503 - 9/12/75
Mod. #1 - 40 FR 45957 - 10/3/75
(H,Hw) - See Statewide
WASHINGTON COUNTY
(H,Hw) - See Statewide
WASHITA COUNTY
(H,Hw) - See Statewide
WOODS COUNTY
(H,Hw) - See Statewide
WOODWARD COUNTY
(H,Hw) - See Statewide

OREGON

STATEWIDE
Decision #MI75-5133 (B,H,Hw,D)
40 FR 53210 - 11/14/75
BAKER COUNTY
(B,H,Hw,U) - See Statewide
BENTON COUNTY
(B,H,Hw,D) - See Statewide
CLACKAMAS COUNTY
Decision #OR75-5042 (R)
40 FR 15312 - 4/4/75
Mod. #1 - 40 FR 48001 - 10/10/75
Mod. #2 - 40 FR 52244 - 11/7/75
(B,H,Hw,D) - See Statewide
CLATSOP COUNTY
(B,H,Hw,U) - See Statewide
COLUMBIA COUNTY
(B,H,Hw,D) - See Statewide
COOS COUNTY
(B,H,Hw,D) - See Statewide
CROOK COUNTY
(B,H,Hw,D) - See Statewide
CURRY COUNTY
(B,H,Hw,U) - See Statewide
DESCHUTES COUNTY
(B,H,Hw,D) - See Statewide
DOUGLAS COUNTY
(B,H,Hw,D) - See Statewide
GILLIAM COUNTY
(B,H,Hw,D) - See Statewide
GRANT COUNTY
(H,Hw,B,D) - See Statewide
HARNEY COUNTY
(B,H,Hw,D) - See Statewide
HOOD RIVER COUNTY
(H,Hw,B,D) - See Statewide
JACKSON COUNTY
(H,Hw,B,D) - See Statewide
JEFFERSON COUNTY
(B,H,Hw,D) - See Statewide
JOSEPHINE COUNTY
(B,H,Hw,D) - See Statewide
KLAMATH COUNTY
(B,H,Hw,D) - See Statewide
LAKE COUNTY
(B,H,Hw,D) - See Statewide
LANE COUNTY
Decision #OR75-5122 (R)
40 FR 45989 - 10/3/75
Mod. #1 - 40 FR 52244 - 11/7/75
(B,H,Hw,D) - See Statewide
LINCOLN COUNTY
(B,H,Hw,D) - See Statewide
LINN COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Lane County

OREGON (Cont'd.)

MALHEUR COUNTY
(B,H,Hw,D) - See Statewide
MARION COUNTY
(R) - See Lane County
(B,H,Hw,D) - See Statewide
MORROW COUNTY
(B,H,Hw,D) - See Statewide
MULTNOMAH COUNTY
(R) - See Clackamas County
(B,H,Hw,D) - See Statewide
POLK COUNTY
(B,H,Hw,D) - See Statewide
SHERMAN COUNTY
(B,H,Hw,D) - See Statewide
TILLAMOOK COUNTY
(B,H,Hw,D) - See Statewide
UMATILLA COUNTY
(B,H,Hw,D) - See Statewide
UNION COUNTY
(B,H,Hw,D) - See Statewide
WALLOWA COUNTY
(B,H,Hw,D) - See Statewide
WASCO COUNTY
(B,H,Hw,D) - See Statewide
WASHINGTON COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clackamas County
WHEELER COUNTY
(B,H,Hw,D) - See Statewide
YAMHILL COUNTY
(B,H,Hw,D) - See Statewide

PENNSYLVANIA

ADAMS COUNTY
Decision #PA75-3067 (H,Hw)
40 FR 29519 - 7/11/75
Decision #PA75-3113 (B)
40 FR 57137 - 12/5/75
ALLEGHENY COUNTY
Decision #PA75-3071 (B)
40 FR 36936 - 8/22/75
Decision #PA75-3070 (R)
40 FR 30433 - 7/18/75
Mod. #1 - 40 FR 34555 - 8/15/75
ARMSTRONG COUNTY
Decision #PA75-3029 (H,Hw)
40 FR 15316 - 4/4/75
Mod. #1 - 40 FR 17471 - 4/18/75
Mod. #2 - 40 FR 19332 - 5/2/75
Mod. #3 - 40 FR 31447 - 7/25/75
Mod. #4 - 40 FR 45960 - 10/3/75
Decision #PA75-3073 (B)
40 FR 36943 - 8/22/75
Mod. #2 - 40 FR 55613 - 11/28/75
BEAVER COUNTY
Decision #PA75-3026 (H,Hw)
40 FR 14266 - 3/28/75
Mod. #1 - 40 FR 17467 - 4/18/75
Mod. #2 - 40 FR 31444 - 7/25/75
Mod. #3 - 40 FR 36900 - 8/22/75
Mod. #4 - 40 FR 45960 - 10/3/75
Decision #PA75-3074 (B)
40 FR 36946 - 8/22/75
Mod. #1 - 40 FR 43421 - 9/19/75
Mod. #2 - 40 FR 55613 - 10/3/75
Mod. #3 - 40 FR 55613 - 11/28/75
BEDFORD COUNTY
Decision #PA75-3028 (H,Hw)
40 FR 15313 - 4/4/75
Mod. #1 - 40 FR 17468 - 4/18/75
Mod. #2 - 40 FR 31445 - 7/25/75
Mod. #3 - 40 FR 45960 - 10/3/75
Decision #PA75-3072 (B)
40 FR 36940 - 8/22/75
Mod. #1 - 40 FR 45959 - 10/3/75
Mod. #2 - 40 FR 54389 - 11/21/75
Mod. #3 - 40 FR 55613 - 11/28/75
BERKS COUNTY
Decision #PA75-3055 (B)
40 FR 27436 - 6/27/75
Mod. #1 - 40 FR 29452 - 7/11/75
Mod. #2 - 40 FR 48846 - 10/17/75
Mod. #3 - 40 FR 50869 - 10/31/75
Mod. #4 - 40 FR 55612 - 11/28/75
(H,Hw) - See Adams County

PENNSYLVANIA (Cont'd.

BLAIR COUNTY
Decision #PA75-3057 (B)
40 FR 23686 - 5/30/75
Mod. #1 - 40 FR 31450 - 7/25/75
Mod. #2 - 40 FR 43421 - 9/19/75
Mod. #3 - 40 FR 45958 - 10/3/75
Mod. #4 - 40 FR 53177 - 11/14/75
Mod. #5 - 40 FR 55613 - 11/28/75
(H,Hw) - See Armstrong County
BRADFORD COUNTY
(H,Hw) - See Adams County
BUCKS COUNTY
Decision #PA75-3082 (B)
40 FR 36976 - 8/22/75
Mod. #1 - 40 FR 48846 - 10/17/75
Decision #PA75-3087 (R)
40 FR 40031 - 8/29/75
Mod. #1 - 40 FR 48847 - 10/17/75
Decision #PA75-3088 (H,Hw)
40 FR 36992 - 8/22/75
BUTLER COUNTY
Decision #PA75-3080 (B)
40 FR 36968 - 8/22/75
Mod. #1 - 40 FR 42487 - 9/12/75
Mod. #2 - 40 FR 54389 - 11/21/75
Decision #PA75-3051 (H,Hw)
40 FR 17583 - 4/18/75
Mod. #1 - 40 FR 31449 - 7/25/75
Mod. #2 - 40 FR 45951 - 10/3/75
CAMBRIA COUNTY
Decision #PA75-5059 (B)
40 FR 28361 - 7/3/75
Mod. #1 - 40 FR 31451 - 7/25/75
Mod. #2 - 40 FR 43421 - 9/19/75
Mod. #3 - 40 FR 54388 - 11/21/75
Mod. #4 - 40 FR 55613 - 11/28/75
(H,Hw) - See Butler County
CAMERON COUNTY
Decision #PA75-3121 (B)
40 FR 12947 - 3/21/75
Mod. #1 - 40 FR 15282 - 4/4/75
Mod. #2 - 40 FR 16495 - 4/11/75
Mod. #3 - 40 FR 22741 - 5/23/75
(H,Hw) - See Bedford County
CARBON COUNTY
(H,Hw) - See Adams County
CENTRE COUNTY
Decision #AQ-2061 (H,Hw)
39 FR 6008 - 2/15/74
Mod. #1 - 39 FR 9357 - 3/8/74
Mod. #2 - 39 FR 14121 - 4/19/74
Mod. #3 - 39 FR 22373 - 6/21/74
Mod. #4 - 39 FR 33918 - 9/20/74
CHESTER COUNTY
(H,Hw,R) - See Bucks County

PENNSYLVANIA (Cont'd.)

CHESTER COUNTY (Cont'd.)
Decision #PA75-3083 (B)
40 FR 36980 - 8/22/75
Mod. #1 - 40 FR 48846 - 10/17/75
Mod. #2 - 40 FR 55615 - 11/28/75
CLARION COUNTY
(B) - See Cameron County
(H,Hw) - See Bedford County
CLEARFIELD COUNTY
Decision #PA75-3093 (B)
40 FR 44462 - 9/26/75
Mod. #1 - 40 FR 54389 - 11/21/75
COLUMBIA COUNTY
(H,Hw) - See Adams County
CRAWFORD COUNTY
Decision #AR-2098 (B)
39 FR 44928 - 12/27/74
Mod. #1 - 40 FR 15282 - 4/4/75
Mod. #2 - 40 FR 22740 - 5/23/75
Mod. #3 - 40 FR 31443 - 7/25/75
Mod. #4 - 40 FR 43421 - 9/19/75
Mod. #5 - 40 FR 55611 - 11/28/75
(H,Hw) - See Armstrong County
CUMBERLAND COUNTY
Decision #PA75-3027 (B)
40 FR 14268 - 3/28/75
Mod. #1 - 40 FR 22741 - 5/23/75
Mod. #2 - 40 FR 29451 - 7/11/75
Mod. #3 - 40 FR 45959 - 10/3/75
Mod. #4 - 40 FR 49946 - 10/24/75
Mod. #5 - 40 FR 55611 - 11/28/75
(H,Hw) - See Adams County
DELAWARE COUNTY
Decision #PA75-3004 (B)
40 FR 36983 - 8/22/75

Mod. #1 - 40 FR 48847 - 10/17/75
Mod. #2 - 40 FR 50869 - 10/31/75
(H,Hw,R) - See Bucks County
ELK COUNTY
Decision #PA75-3058 (B)
40 FR 28368 - 7/3/75
Mod. #1 - 40 FR 31449 - 7/25/75
Mod. #2 - 40 FR 43421 - 9/19/75
(H,Hw) - See Bedford County
ERIE COUNTY
Decision #PA75-3054 (B)
40 FR 28355 - 7/3/75
Mod. #1 - 40 FR 31450 - 7/25/75
Mod. #2 - 40 FR 45960 - 10/3/75
Mod. #3 - 40 FR 55612 - 11/38/75
(H,Hw) - See Butler County
FAYETTE COUNTY
(B) - See ButlerCounty
(H,Hw) - See Butler County
FOREST COUNTY
Decision #PA75-3078 (B)
40 FR 36961 - 8/22/75

PENNSYLVANIA (Cont'd.)

FOREST COUNTY (Cont'd.)
Mod. #1 - 40 FR 42487 - 9/12/75
Mod. #2 - 40 FR 43421 - 9/19/75
Mod. #3 - 40 FR 45961 - 10/3/75
Mod. #4 - 40 FR 55614 - 11/28/75
FRANKLIN COUNTY
Decision #PA75-3060 (B)
40 FR 54412 - 11/21/75
(H,Hw) - See Bedford County
FULTON COUNTY
(H,Hw) - See Bedford County!
GREENE COUNTY
(H,Hw) - See Centre County
HUNTINGDON COUNTY
(H,Hw)- See Bedford County
INDIANA COUNTY
Decision #PA75-3075 (B)
40 FR 36949 - 8/22/75
Mod. #1 - 40 FR 43421 - 9/19/75
Mod. #2 - 40 FR 45961 - 10/3/75
Mod. #3 - 40 FR 54389 - 11/21/75
Mod. #4 - 40 FR 55614 - 11/28/75

JEFFERSON COUNTY
(B) - See Cameron County
(H,Hw) - See Centre County
JUNIATA COUNTY
(B) - See Cumberland County
(H,Hw) - See AdamsCounty
LACKAWANNA COUNTY
Decision #PA75-3102 (B)
40 FR 45993 - 10/3/75
Mod. #1 - 40 FR 49946 - 10/24/75
Mod. #2 - 40 FR 54388 - 11/21/75
Mod. #3 - 40 FR 55616 - 11/28/75
LANCASTER COUNTY
Decision #PA75-3112 (B)
40 FR 57317 - 12/5/75
(H,Hw) - See Adams County
LAWRENCE COUNTY
Decision #AR-2045 (B)
39 FR 37345 - 10/18/74
Mod. #1 - 30 FR 44913 - 12/27/74
Mod. #2 - 40 FR 15280 - 4/4/75
Mod. #3 - 40 FR 28310 - 7/3/75
Mod. #4 - 40 FR 31441 - 7/25/75
Mod. #5 - 40 FR 45959 - 10/3/75
(H,Hw) - See Butler County

PENNSYLVANIA (Cont'd.)

LEBANON COUNTY
Decision #PA75-3053 (B)
40 FR 22782 - 5/23/75
Mod. #1 - 40 FR 29451 - 7/11/75
Mod. #2 - 40 FR 45959 - 10/3/75
Mod. #3 - 40 FR 48846 - 10/17/75
Mod. #4 - 40 FR 55612 - 11/28/75
LEHIGH COUNTY
Decision #PA75-3104 (B)
40 FR 45998 - 10/3/75
Mod. #1 - 40 FR 49946 - 10/24/75
Mod. #2 - 40 FR 55616 - 11/28/75
(H,Hw) - See Adams County
LUZERNE COUNTY
Decision #PA75-3025 (B)
40 FR 12982 - 3/21/75
Mod. #1 - 40 FR 25333 - 6/13/75
Mod. #2 - 40 FR 29450 - 7/11/75
Mod. #3 - 40 FR 45960 - 10/3/75
Mod. #4 - 40 FR 48846 - 10/17/75
Mod. #5 - 40 FR 55611 - 11/28/75
(H,Hw) - See Adams County
LYCOMING COUNTY
Decision #PA75-3065 (B)
40 FR 29517 - 7/11/75
Mod. #1 - 40 FR 45958 - 10/3/75
Mod. #2 - 40 FR 48846 - 10/17/75
Mod. #3 - 40 FR 55613 - 11/28/75
(H,Hw) - See AdamsCounty
MC KEAN COUNTY
(H,Hw) - See Adams County
(B) - See Forest County
MERCER COUNTY
Decision #AR-2046 (B)
39 FR 37349 - 10/18/74
Mod. #1 - 39 FR 44913 - 12/27/74
Mod. #2 - 40 FR 15281 - 4/4/75
Mod. #3 - 40 FR 28310 - 7/3/75
Mod. #4 - 40 FR 31442 - 7/25/75
Mod. #5 - 40 FR 45959 - 10/3/75
Mod. #6 - 40 FR 54388 - 11/21/75
(H,Hw) - See Butler County
MIFFLIN COUNTY
(H,Hw) - See Bedford County
MONROE COUNTY
(H,Hw) - See Adams County
MONTGOMERY COUNTY
Decision #PA75-3085 (B)
40 FR 36986 - 8/22/75
Mod. #1 - 40 FR 45958 - 10/3/75
Mod. #2 - 40 FR 48847 - 10/17/75
Mod. #3 - 40 FR 55615 - 11/28/75
(H,Hw,R) - See Bucks County
MONTOUR COUNTY
(H,Hw) - See Adams County

PENNSYLVANIA (Cont'd)

NORTHAMPTON COUNTY
Decision #PA75-3101 (B)
40 FR 45990 - 10/3/75
Mod. #1 - 40 FR 49946 - 10/24/75
Mod. #2 - 40 FR 55616 - 11/28/75
(H,Hw) - See Adams County
NORTHUMBERLAND COUNTY
Decision #AR-2095 (B)
39 FR 43494 - 12/13/74
Mod. #1 - 40 FR 12016 - 3/14/75
Mod. #2 - 40 FR 22739 - 5/23/75
Mod. #3 - 40 FR 29449 - 7/11/75
Mod. #4 - 40 FR 45958 - 10/3/75
Mod. #5 - 40 FR 48845 - 10/17/75
Mod. #6 - 40 FR 55611 - 11/28/75
(H,Hw) - See Adams County
PERRY COUNTY
(H,Hw) - See Adams County
PHILADELPHIA COUNTY
Decision #PA75-3086 (B)
40 FR 36989 - 8/22/75
Mod. #1 - 40 FR 41355 - 9/5/75
Mod. #2 - 40 FR 48847 - 10/17/75
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
(H,Hw,R) - See Bucks County
PIKE COUNTY
(H,Hw) - See Adams County
POTTER COUNTY
(H,Hw) - See Bedford County
SCHUYKILL COUNTY
Decision #PA75-3103 (B)
40 FR 45996 - 10/3/75
Mod. #1-40 FR 49946 - 10/24/75
Mod. #2 - 40 FR 55616 - 11/28/75
(H,Hw) - See Adams County
SNYDER COUNTY
(H,Hw) - See Adam s County
SOMERSET COUNTY
(H,Hw) - See Butler County
SULLIVAN COUNTY
Decision #AQ-2070 (B)
39 FR 10070 - 3/15/74
Mod. #1 - 39 FR 26562 - 7/19/74
Mod. #2 - 39 FR 44911 - 12/27/74
Mod. #3 - 40 FR 4789 - 1/31/75
Mod. #4 - 40 FR 15278 - 4/4/75
Mod. #5 - 40 FR 24459 - 6/6/75
Mod. #6 - 40 FR 29448 - 7/11/75
Mod. #7 - 40 FR 45957 - 10/3/75
(H,Hw) - See Adams County

PENNSYLVANIA (Cont's.)

SUSQUEHANNA COUNTY
(B) - See Lackawanna County
(H,Hw) - See Adams County
TIOGA COUNTY
(H,Hw) - See Adams County
UNION COUNTY
(H,Hw) - See Adams County
VENANGO COUNTY
Decision #PA75-3079 (B)
40 FR 36985 - 8/22/75
Mod. #1 - 40 FR 55615 - 11/28/75
(H,Hw) - See Armstrong County
WARREN COUNTY
Decision #PA75-3077 (B)
40 FR 36957 - 8/22/75
Mod. #1 - 40 FR 42487 - 9/12/75
Mod. #2 - 40 FR 45960 - 10/3/75
Mod. #3 - 40 FR 55614 - 11/28/75
(H,Hw) - See Armstrong County
WASHINGTON COUNTY
Decision #PA75-3081 (B)
40 FR 36972 - 8/22/75
Mod. #1 - 40 FR 41355 - 9/5/75
Mod. #2 - 40 FR 54389 - 11/21/75
(H,Hw) - See Butler County
WAYNE COUNTY
(H,Hw) - See Adams County
WESTMORELAND COUNTY
Decision #PA75-3076 (B)
40 FR 36953 - 8/22/75
Mod. #1 - 40 FR 54389 - 11/21/75
Mod. #2 - 40 FR 55614 - 11/28/75
(H,Hw) - See Butler County
WYOMING COUNTY
(H,Hw) - See Adams County
YORK COUNTY
(B,H,Hw) - See Adams Co. (Excluding New Cumberland Depot)
(B) - See Cumberland County (New Cumberland Depot)
(H,Hw) - See Adams County (New Cumberland Depot)
(B) - See Lackawanna County

PUERTO RICO

PUERTO RICO
Decision #PR75-3091 (R)
40 FR 33644 - 8/8/75
Decision #AQ-2052 (B)
39 FR 5161 - 2/8/74
Decision #PR75-3089 (H,Hw)
40 FR 33643 - 8/8/75

RHODE ISLAND

STATEWIDE
Decision #CT75-5139 (D)
40 FR 55621 - 11/28/75
BRISTOL COUNTY
Decision #RI75-2116 (B,H,Hw,R, & Marine)
40 FR 48066 - 10/10/75
(D) - See Statewide
KENT COUNTY
(B,H,Hw, & Marine) - See Bristol County
(D) - See Statewide
NEWPORT COUNTY
Decision #RI75-2111 (B,H,Hw,R, & Marine)
40 FR 44467 - 9/26/75
Mod. #1 - 40 FR 48001 - 10/10/75
(D) - See Statewide
PROVIDENCE COUNTY
(D) - See Statewide
(B,H,Hw,R, & Marine) - See Bristol County
WASHINGTON COUNTY
Decision #RI75-2112 (B,H,Hw, R, & Marine)
40 FR 44471 - 9/26/75
Mod. #1 - 40 FR 48001 - 10/10/75
(D) - See Statewide

SOUTH CAROLINA

STATEWIDE
Decision #SC75-1031 (H,Hw)
40 FR 12058 - 3/14/75
Mod. #1 - 40 FR 41365 - 9/5/75
Decision #SC75-1079 (Sewer & Water, H)
40 FR 41380 - 9/5/75
Decision #AP-157 (Sewer & Water)
38 FR 4619 - 2/16/73
ABBEVILLE COUNTY
Decision #AR-4003 (B)
39 FR 26554 - 7/19/74
(Sewer & Water, H,Hw) - See Statewide
AIKEN COUNTY
Decision #SC75-1029 (R)
40 FR 10900 - 3/7/75
(Sewer & Water, H,Hw) - See Statewide
ALLENDALE COUNTY
Decision #SC75-1045 (R)
40 FR 16636 - 4/11/75
(Sewer & Water, H,Hw) - See Statewide
ANDERSON COUNTY
Decision #SC75-1004 (R)
40 FR 3154 - 1/17/75
(Sewer & Water, H,Hw) - See Statewide
BAMBERG COUNTY
(R) - See Allendale County
(Sewer & Water, H,Hw) - See Statewide
BARNWELL COUNTY
(R) - See Aiken County
(Sewer & Water, H,Hw) - See Statewide
BEAUFORT COUNTY
Decision #SC75-1026 (B)
40 FR 8692 - 2/28/75
Decision #WD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
(Sewer & Water, H,Hw) - See Statewid
BERKELEY COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
Decision #SC75-1021 (R)
40 FR 7859 - 2/21/75
Decision #SC75-1055 (B)
40 FR 22785 - 5/23/75
Mod. #1 - 40 FR 25336 - 6/13/75
CALHOUN COUNTY
(R) - See Allendale County
(Sewer & Water, H,Hw) - See Statewide
CHARLESTON COUNTY
(B,R) - See Berkeley County
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
CHEROKEE COUNTY
Decision #SC75-1017 (R)
40 FR 4785 - 1/31/75
Mod. #1 - 40 FR 12017 - 3/14/75
(B) - See Abbeville County
(Sewer & Water, H,Hw) - See Statewide

SOUTH CAROLINA (Cont'd.

CHESTER COUNTY
Decision #AR-4009 (B)
39 FR 25778 - 7/12/74
(Sewer & Water, H,Hw) - See Statewide
CHESTERFIELD COUNTY
(Sewer & Water, H,Hw) - See Statewide
CLARENDON COUNTY
Decision #AR-4052 (R)
39 FR 39671 - 11/8/74
(Sewer & Water, H,Hw) - See Statewide
COLLETON COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
Decision #AR-4052 (R)
39 FR 39671 - 11/8/74
DARLINGTON COUNTY
Decision #SC75-1041 (B)
40 FR 14194 - 3/28/75
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
DILLON COUNTY
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
DORCHESTER COUNTY
(R) - See Berkeley County
EDGEFIELD COUNTY
(R) - See Aiken County
(Sewer & Water, H,Hw) - See Statewide
FAIRFIELD COUNTY
(B) - See Chester County
(Sewer & Water, H,Hw) - See Statewide
FLORENCE COUNTY
(R) - See Clarendon County
(Sewer & Water, H,hw) - See Statewide
GEORGETOWN COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
GREENVILLE COUNTY
Decision #SC75-1038 (B)
40 FR 12951 - 3/21/75
Mod. #1 - 40 FR 16496 - 4/11/75
Mod. #2 - 40 FR 43422 - 9/19/75
(R) - See Anderson County
(Sewer & Water, H,Hw) - See Statewide
GREENWOOD COUNTY
(Sewer & Water, H,Hw) - See Statewide
HAMPTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
HORRY COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
JASPER COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
KERSHAW COUNTY
(Sewer & Water, H,Hw) - See Statewide

SOUTH CAROLINA (Cont'd.

LANCASTER COUNTY
(B) - See Chester County
(Sewer & Water, H,Hw) - See Statewide
LAURENS COUNTY
(B) - See Abbeville County
(Sewer & Water, H,Hw) - See Statewide
LEE COUNTY
(R)-SSee Clarendon County
(Sewer & Water, H,Hw) - See Statewide
LEXINGTON COUNTY
Decision #AR-4004 (R)
39 FR 24779 - 7/7/74
Decision #SC75-1042 (R)
40 FR 14271 - 3/28/75
(Sewer & Water, H,Hw) - See Statewide
McCORMICK COUNTY
(Sewer & Water, H,Hw) - See Statewide
MARION COUNTY
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
MARLBORO COUNTY
(R) - See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
NEWBERRY COUNTY
(B) - See Abbeville County
(Sewer & Water, H,Hw) - See Statewide
OCONEE COUNTY
(R) - See Anderson County
(Sewer & Water, H,Hw) - See Statewide
ORANGEBURG COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Allendale County
PICKENS COUNTY
(R) - See Anderson County
(Sewer & Water, H,Hw) - See Statewide
RICHLAND COUNTY
(B,R) - See Lexington County
(Sewer & Water, H,Hw) - See Statewide
SALUDA COUNTY
(Sewer & Water, H,Hw) - See Statewide
SPARTANBURG COUNTY
(R) - See Cherokee County
(Sewer & Water, H,Hw) - See Statewide
SUMTER COUNTY
Decision #AQ-4097 (D)
39 FR 12581 - 4/5/74
(Sewer & Water, H,Hw) - See Statewide
(R) - See Clarendon County
UNION COUNTY
(R) - See Cherokee County
(Sewer & Water, H,Hw) - See Statewide
(B) - See Abbeville County
WILLIAMSBURG COUNTY
(R)- See Clarendon County
(Sewer & Water, H,Hw) - See Statewide
YORK COUNTY
(Sewer & Water, H,Hw) - See Statewide

SOUTH DAKOTA

STATEWIDE
Decision #SD75-6013 (H,Hw)
40 FR 4858 - 1/31/75
AURORA COUNTY
(H,Hw) - See Statewide
BEADLE COUNTY
(H,Hw) - See Statewide
BENNET COUNTY
(H,Hw) - See Statewide
BON HOMME COUNTY
(H,Hw) - See Statewide
BROOKINGS COUNTY
(H,Hw) - See Statewide
BROWN COUNTY
(H,Hw) - See Statewide
BRULE COUNTY
(H,Hw) - See Statewide
BUFFALO COUNTY
(H,Hw) - See Statewide
BUTTE COUNTY
(H,Hw) - See Statewide
CAMPBELL COUNTY
(H,Hw) - See Statewide
CHARLES MIX COUNTY
(H,Hw) - See Statewide
CLARK COUNTY
(H,Hw) - See Statewide
CLAY COUNTY
(H,Hw) - See Statewide
CODINGTON COUNTY
(H,Hw) - See Statewide
CORSON COUNTY
(H,Hw) - See Statewide
CUSTER COUNTY
(H,Hw) - See Statewide
DAVISON COUNTY
(H,Hw) - See Statewide
DAY COUNTY
(H,Hw) - See Statewide
DEUEL COUNTY
(H,Hw) - See Statewide
DEWEY COUNTY
(H,Hw) - See Statewide
DOUGLAS COUNTY
(H,Hw) - See Statewide
EDMUNDS COUNTY
(H,Hw) - See Statewide
FALL RIVER COUNTY
(H,Hw) - See Statewide
FAULK COUNTY
(H,Hw) - See Statewide
GRANT COUNTY
(H,Hw) - See Statewide

SOUTH DAKOTA (Cont'd.)

GREGORY COUNTY
(H,Hw) - See Statewide
HAAKON COUNTY
(H,Hw) - See Statewide
HAMLIN COUNTY
(H,Hw) - See Statewide
HAND COUNTY
(H,Hw) - See Statewide
HANSON COUNTY
(H,Hw) - See Statewide
HARDING COUNTY
(H,Hw) - See Statewide
HUGHES COUNTY
(H,Hw) - See Statewide
HUTCHINSON COUNTY
(H,Hw) - See Statewide
HYDE COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(H,Hw) - See Statewide
JERAULD COUNTY
(H,Hw) - See Statewide
JONES COUNTY
(H,Hw) - See Statewide
KINGSBURY COUNTY
(H,Hw) - See Statewide
LAKE COUNTY
(H,Hw) - See Statewide
LAWRENCE COUNTY
(H,Hw) - See Statewide
LINCOLN COUNTY
(H,Hw) - See Statewide
LYMAN COUNTY
(H,Hw) - See Statewide

SOUTH DAKOTA (Cont'd)

MARSHALL COUNTY
(H,Hw) - See Statewide
Mc COOK COUNTY
(H,Hw) - See Statewide
Mc PHERSON COUNTY
(H,Hw) - See Statewide
MEADE COUNTY
Decision #SD75-5119 (B)
40 FR 44475 - 9/26/75
(H,Hw) - See Statewide
MELLETTE COUNTY
(H,Hw) - See Statewide
MINER COUNTY
(H,Hw) - See Statewide
MINNEHAHA COUNTY
Decision #SD75-5121 (B)
40 FR 46000 - 10/3/75
(H,Hw) - See Statewide
Decision #AQ-1091 (R)
39 FR 8146 - 3/1/74
Mod. #1 - 39 FR 14856 - 4/26/74
(H,Hw) - See Statewide
MOODY COUNTY
(H,Hw) - See Statewide
PENNINGTON COUNTY
(B) - See Meade County
(H,Hw) - See Statewide
PERKINS COUNTY
(H,Hw) - See Statewide
POTTER COUNTY
(H,Hw) - See Statewide
ROBERTS COUNTY
(H,Hw) - See Statewide
SANBORN COUNTY
(H,Hw) - See Statewide
SHANNON COUNTY
(H,Hw) - See Statewide
SPINK COUNTY
(H,Hw) - See Statewide
STANLEY COUNTY
(H,Hw) - See Statewide
SULLY COUNTY
(H,Hw) - See Statewide

SOUTH DAKOTA (Cont'd.)

TODD COUNTY
(H,Hw) - See Statewide
TRIPP COUNTY
(H,Hw) - See Statewide
TURNER COUNTY
(H,Hw) - See Statewide
UNION COUNTY
(H,Hw) - See Statewide
WALWORTH COUNTY
(H,Hw) - See Statewide
WASHABAUGH COUNTY
(H,Hw) - See Statewide
YANKTON COUNTY
(H,Hw) - See Statewide
ZIEBACH COUNTY
(H,Hw) - See Statewide

TENNESSEE

STATEWIDE
Decision #AR75-5074 (F)
40 FR 26189 - 6/20/75
Decision #AR-4046 (Hw)
40 FR 940 - 1/3/75
ANDERSON COUNTY
Decision #TN75-1053 (B)(Oak Ridge, Energy Research Development Administration Only)
40 FR 24464 - 6/6/75
Mod. #1 - 40 FR 31452 - 7/25/75
(Hw) - See Statewide
(F) - See Statewide
BEDFORD COUNTY
(F,Hw) - See Statewide
BENTON COUNTY
(F,Hw) - See Statewide
BLEDSOE COUNTY
(F,Hw) - See Statewide
BLOUNT COUNTY
(F,Hw) - See Statewide
BRADLEY COUNTY
(F,Hw) - See Statewide
CAMPBELL COUNTY
(F,Hw) - See Statewide
CANNON COUNTY
(F,Hw) - See Statewide
CARROLL COUNTY
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
(F,Hw) - See Statewide
CARTER COUNTY
Decision #TN75-1068 (B)
40 FR 30434 - 7/18/75
Decision #TN75-1098 (R)
40 FR 44476 - 9/26/75
(F,Hw) - See Statewide
CHEATHAM COUNTY
Decision #AQ-4061 (R)
39 FR 3426 - 1/25/74
Mod. #1 - 40 FR 7800 - 2/21/75
(F,Hw) - See Statewide
CHESTER COUNTY
(F,Hw) - See Statewide
CLAIBORNE COUNTY
(F,Hw) - See Statewide

TENNESSEE (CONT'D.)

CLAY COUNTY
(F,Hw) - See Statewide
COCKE COUNTY
(F,Hw) - See Statewide
COFFEE COUNTY
(F,Hw) - See Statewide
CROCKETT COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
CUMBERLAND COUNTY
(F,Hw) - See Statewide
DAVIDSON COUNTY
Decision #TN75-1088 (B)
40 FR 42505 - 9/12/75
Mod. #1 - 40 FR 55616 - 11/##/75
(R) - See Cheatham County
(F,Hw) - See Statewide
DECATUR COUNTY
(F,Hw) - See Statewide
DEKALB COUNTY
(F,Hw) - See Statewide
DICKSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
DYER COUNTY
Decision #TN75-1074 (R)
40 FR 33645 - 8/8/75
Decision #AQ-4073 (B)
39 FR 5947 - 2/15/74
Mod. #1 - 39 FR 9357 - 3/8/74
(F,Hw) - See Statewide
(D) - See Carroll County
FAYETTE COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
FENTRESS COUNTY
(F,Hw) - See Statewide
FRANKLIN COUNTY
(F,Hw) - See Statewide
GIBSON COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
(B,R) - See Dyer County

TENNESSEE (Cont'd)

GILES COUNTY
(F,Hw) - See Statewide
GRAINGER COUNTY
(F,Hw) - See Statewide
GREENE COUNTY
(F,Hw) - See Statewide
GRUNDY COUNTY
(F,Hw) - See Statewide
HAMBLEN COUNTY
(F,Hw) - See Statewide
HAMILTON COUNTY
Decision #TN75-1110 (B,H)
40 FR 55630 - 11/28/75
(F,Hw) - See Statewide
HANCOCK COUNTY
(F,Hw) - See Statewide
HARDEMAN COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
HARDIN COUNTY
(F,Hw) - See Statewide
HAWKINS COUNTY
(F,Hw) - See Statewide
HAYWOOD COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
HENDERSON COUNTY
(F,Hw) - See Statewide
HENRY COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
HICKMAN COUNTY
(F,Hw) - See Statewide
HOUSTON COUNTY
(F,Hw) - See Statewide
HUMPHREYS COUNTY
(F,Hw) - See Statewide
JACKSON COUNTY
(F,Hw) - See Statewide

TENNESSEE (CONT'D)

JEFFERSON COUNTY
(F,Hw) - See Statewide
JOHNSON COUNTY
(F,Hw)- See Statewide
KNOX COUNTY
Decision #TN75-1052 (B)
40 FR 23688 - 5/30/75
Mod. #1 - 40 FR 31452 - 7/25/75
Mod. #2 - 40 FR 57075 - 12/5/75
Decision #AQ-4051 (R)
39 FR 2321 - 1/18/74
(F,Hw) - See Statewide
LAKE COUNTY
(R) - See Dyer County
(F,Hw) - See Statewide
LAUDERDALE COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
LAWRENCE COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
LEWIS COUNTY
(F,Hw) - See Statewide
LINCOLN COUNTY
(F,Hw) - See Statewide
LOUDON COUNTY
(F,Hw) - See Statewide
MC MINN COUNTY
(F,Hw) - See Statewide
MC NAIRY COUNTY
(F,Hw) - See Statewide
MACON COUNTY
(F,Hw) - See Statewide
MADISON COUNTY
Decision #TN75-1051 (B)
40 FR 21666 - 5/16/75
Mod. #1 - 40 FR 57075 - 12/5/75
(D) - See Carroll County
(F,Hw) - See Statewide
MARION COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide

TENNESSEE (Cont'd)

MARSHALL COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
MAURY COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
MEIGS COUNTY
(F,Hw) - See Statewide
MONROE COUNTY
(F,Hw) - See Statewide
MONTGOMERY COUNTY
(F,Hw) - See Statewide
MOORE COUNTY
(F,Hw) - See Statewide
MORGAN COUNTY
(F,Hw) - See Statewide
OBION COUNTY
(R) - See Dyer County
(D) - See Carroll County
(F,Hw) - See Statewide
OVERTON COUNTY
(F,Hw) - See Statewide
PERRY COUNTY
(F,Hw) - See Statewide
PICKETT COUNTY
(F,Hw) - See Statewide
POLK COUNTY
(F,Hw) - See Statewide
PUTNAM COUNTY
(F,Hw) - See Statewide
RHEA COUNTY
(F,Hw) - See Statewide
ROANE COUNTY
(B) - See Anderson Co. (Oak Ridge Energy Research Development Administration Only)
(F,Hw) - See Statewide
ROBERTSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County

TENNESSEE (Cont'd)

RUTHERFORD COUNTY
Decision #AQ-4114 (B)
39 FR 16980 - 5/10/74
Mod. #1 - 39 FR 28013 - 8/2/74
Mod. #2 - 39 FR 29726 - 8/16/74
Mod. #3 - 39 FR 31782 - 8/30/74
Mod. #4 - 40 FR 3088 - 1/17/75
(F,Hw) - See Statewide
(R) - See Cheatham County
SCOTT COUNTY
(F,Hw) - See Statewide
SEQUATCHIE COUNTY
(F,Hw) - See Statewide
SEVIER COUNTY
(F,Hw) - See Statewide
SHELBY COUNTY
Decision #TN75-1108 (B,H,W&S, & Utility)
40 FR 53219 - 11/14/75
Mod. #1 - 40 FR 57075 - 12/5/75
Decision #AP-152 (R)
38 FR 4176 - 2/9/73
(D) - See Carroll County
(F,Hw) - See Statewide
SMITH COUNTY
(F,Hw) - See Statewide
STEWART COUNTY
(F,Hw) - See Statewide
SULLIVAN COUNTY
(B) - See Carter County
(F,Hw) - See Statewide
(R) - See Carter County
SUMNER COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
TIPTON COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
TROUSDALE COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County

TENNESSEE (cont'd)

UNICOI COUNTY
(F,Hw) - See Statewide
UNION COUNTY
(F,Hw) - See Statewide
VAN BUREN COUNTY
(F,Hw) - See Statewide
WARREN COUNTY
(F,Hw) - See Statewide
WASHINGTON COUNTY
(B) - See Carter County
(F,Hw) - See Statewide
WAYNE COUNTY
(F,Hw) - See Statewide
WEAKLEY COUNTY
(D) - See Carroll County
(F,Hw) - See Statewide
(R) - See Dyer County
WHITE COUNTY
(F,Hw) - See Statewide
WILLIAMSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County
WILSON COUNTY
(F,Hw) - See Statewide
(R) - See Cheatham County

TEXAS

STATEWIDE (Excluding Dallas-Fort Worth Regional Airport)
Decision #TX75-4159 (H (Excluding tunnels and dams), Hw incidental shore work, and paving and utilities incidental to general building construction)
40 FR 48872 - 10/17/75
Mod. #1 - 40 FR 50869 - 10/31/75
ANDERSON COUNTY
(H,Hw) - See Statewide
ANDREWS COUNTY
(H,Hw) - See Statewide
ANGELINA COUNTY
(H,Hw) - See Statewide
ARANSAS COUNTY
(H,Hw) - See Statewide
Decision #AL75-5131 (D)
40 FR 49947 - 10/24/75
ARCHER COUNTY
(H,Hw) - See Statewide
ARMSTRONG COUNTY
Decision #TX75-4183 (B)
40 FR 52271 - 11/7/75
Mod. #1 - 40 FR 54390 - 11/21/75
Decision #TX75-4161 (R)
40 FR 48880 - 10/17/75
Mod. #1 - 40 FR 57075 - 12/5/75
(H,Hw) - See Statewide
ATASCOSA COUNTY
(H,Hw) - See Statewide
AUSTIN COUNTY
(H,Hw) - See Statewide
BAILEY COUNTY
(H,Hw) - See Statewide
Decision #TX75-4003 (R)
40 FR 3158 - 1/17/75
BANDERA COUNTY
(H,Hw) - See Statewide
BASTROP COUNTY
Decision #AR-1 (R)
39 FR 24809 - 7/5/74
(H,Hw) - See Statewide
BAYLOR COUNTY
(H,Hw) - See Statewide
BEE COUNTY
Decision #TX75-4004 (R)
40 FR 3160 - 1/17/75
(H,Hw) - See Statewide
BELL COUNTY
(H,Hw) - See Statewide
Decision #TX75-4162 (B)
40 FR 49971 - 10/24/75
Mod. #1 - 40 FR 53178 - 11/14/75
Mod. #2 - 40 FR 57075 - 12/5/75

TEXAS (Cont'd)

BEXAR COUNTY
Decision #TX75-4164 (R)
40 FR 49969 - 10/24/75
(H,Hw) - See Statewide
Decision #TX75-4169 (B)
40 FR 54417 - 11/21/75
BLANCO COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
BORDEN COUNTY
(H,Hw) - See Statewide
BOSQUE COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
BOWIE COUNTY
Decision #TX75-4165 (B)
40 FR 49965 - 10/24/75
Mod. #1 - 40 FR 53178 - 11/14/75
(H,Hw) - See Statewide
BRAZORIA COUNTY
(H,Hw) - See Statewide
Decision #AR-11 (R)
39 FR 29910 - 8/16/74
(D) - See Aransas County
BRAZOS COUNTY
Decision #TX75-4166 (B)
40 FR 49967 - 10/24/75
Mod. #1 - 40 FR 52246 - 11/7/75
Mod. #2 - 40 FR 57075 - 12/5/75
(H,Hw) - See Statewide
BREWSTER COUNTY
(H,Hw) - See Statewide
BRISCOE COUNTY
(H,Hw) - See Statewide
BROOKS COUNTY
(H,Hw) - See Statewide
BROWN COUNTY
(H,Hw) - See Statewide
BURLESON COUNTY
(H,Hw) - See Statewide
BURNETT COUNTY
(H,Hw) - See Statewide
CALDWELL COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
CALHOUN COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County
CALLAHAN COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

CAMERON COUNTY
Decision #TX75-4167 (B)
40 FR 49958 - 10/24/75
Mod. #1 - 40 FR 57076 - 12/5/75
(H,Hw) - See Statewide
Decision #TX75-4168 (R)
40 FR 49959 - 10/24/75
CAMP COUNTY
(H,Hw) - See Statewide
CARSON COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
CASS COUNTY
(H,Hw) - See Statewide
CASTRO COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
CHAMBERS COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County
CHEROKEE COUNTY
(H,Hw) - See Statewide
CHILDRESS COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
CLAY COUNTY
(H,Hw) - See Statewide
COCHRAN COUNTY
(H,Hw) - See Statewide
(R) - See Bailey County
COKE COUNTY
(H,Hw) - See Statewide
COLEMAN COUNTY
(H,Hw) - See Statewide
COLLIN COUNTY
Decision #AQ-87 (R)
39 FR 10106 - 3/15/74
Decision #TX75-4195 (B-excluding Dallas-Fort Worth Regional Airport)
40 FR 54413 - 11/21/75
(H,Hw) - See Statewide
COLLINGSWORTH COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
COLORADO COUNTY
(H,Hw) - See Statewide
COMAL COUNTY
(H,Hw) - See Statewide
COMANCHE COUNTY
(H,Hw) - See Statewide
CONCHO COUNTY
(H,Hw) - See Statewide
COOKE COUNTY
(H,Hw) - See Statewide
CORYELL COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
COTTLE COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

CRANE COUNTY
(H,Hw) - See Statewide
Decision #TX75-4006 (R)
40 FR 3163 - 1/17/75
CROCKETT COUNTY
(H,Hw) - See Statewide
CROSBY COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
CULBERSON COUNTY
(H,Hw) - See Statewide
DALLAM COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
DALLAS COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
DAWSON COUNTY
(H,Hw) - See Statewide
DEAF SMITH COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
DELTA COUNTY
(H,Hw) - See Statewide
DENTON COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
DE WITT COUNTY
(H,Hw) - See Statewide
DICKENS COUNTY
(H,Hw) - See Statewide
DIMMIT COUNTY
Decision #TX75-4010 (B,R)
40 FR 3172 - 1/17/75
(H,Hw) - See Statewide
DONLEY COUNTY
(B,R) - See Armstrong County
(H,Hw) - See Statewide
DUVAL COUNTY
(H,Hw) - See Statewide
EASTLAND COUNTY
(H,Hw) - See Statewide
ECTOR COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
EDWARDS COUNTY
(H,Hw) - See Statewide
ELLIS COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
EL PASO COUNTY
Decision #TX75-4182 (B)
40 FR 50919 - 10/31/75
Mod. #1 - 40 FR 53178 - 11/14/75
(H,Hw) - See Statewide
ERATH COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

FALLS COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
FANNIN COUNTY
(H,Hw) - See Statewide
FAYETTE COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
FISHER COUNTY
(H,Hw) - See Statewide
FLOYD COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
FOARD COUNTY
(H,Hw) - See Statewide
FORT BEND COUNTY
(R) - See Brazoria County
(H,Hw) - See Statewide
FRANKLIN COUNTY
(H,Hw) - See Statewide
FREESTONE COUNTY
(H,Hw) - See Statewide
FRIO COUNTY
(H,Hw) - See Statewide
GAINES COUNTY
(H,Hw) - See Statewide
GALVESTON COUNTY
(R) - See Brazoria County
(D) - See Aransas County
(H,Hw) - See Statewide
Decision #TX75-4154 (B)
40 FR 36996 - 8/22/75
Mod. #1 - 40 FR 43424 - 9/10/75
Mod. #2 - 40 FR 52245 - 11/7/75
Mod. #3 - 40 FR 53177 - 11/14/75
Mod. #4 - 40 FR 54390 - 11/21/75
Mod. #5 - 40 FR 57075 - 12/5/75
GARZA COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
GILLESPIE COUNTY
(H,Hw) - See Statewide
GLASSCOCK COUNTY
(H,Hw) - See Statewide
GOLIAD COUNTY
(H,Hw) - See Statewide
GONZALES COUNTY
(H,Hw) - See Statewide
GRAY COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
GRAYSON COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
GREGG COUNTY
Decision #TX75-4092 (B)
40 FR 21682 - 5/16/75
(H,Hw) See Statewide

TEXAS (Cont'd)

GRIMES COUNTY
(H,Hw) - See Statewide
GUADALUPE COUNTY
(H,Hw) - See Statewide
HALE COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
HALL COUNTY
(H,Hw) - See Statewide
HAMILTON COUNTY
(H,Hw) - See Statewide
HANSFORD COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
HARDEMAN COUNTY
(H,Hw) - See Statewide
HARDIN COUNTY
(H,Hw) - See Statewide
HARRIS COUNTY
(B) - See Galveston County
(R) - See Brazoria County
(D) - See Aransas County
(H,Hw) - See Statewide
HARRISON COUNTY
Decision #TX75-4103 (B)
40 FR 22795 - 5/23/75
Mod. #1 - 40 FR 30388 - 7/18/75
Mod. #2 - 40 FR 31452 - 7/25/75
Mod. #3 - 40 FR 52245 - 11/7/75
(H,Hw) - See Statewide
HARTLEY COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
HASKELL COUNTY
(H,Hw) - See Statewide
HAYS COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
HEMPHILL COUNTY
(R,B) - See Armstrong County
(H,Hw) - See Statewide
HENDERSON COUNTY
(H,Hw) - See Statewide
HIDALGO COUNTY
(R,B) - See Cameron County
(H,Hw) - See Statewide
HILL COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
HOCKLEY COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
HOOD COUNTY
(B) - See Collin County
Decision #TX75-4011 (R)
40 FR 3173 - 1/17/75
(H,Hw) - See Statewide

TEXAS (Cont'd)

HOPKINS COUNTY
(H,Hw) - See Statewide
HOUSTON COUNTY
(H,Hw) - See Statewide
HOWARD COUNTY
Decision #TX75-4184 (B,R)
40 FR 52273 - 11/7/75
(H,Hw) - See Statewide
HUDSPETH COUNTY
(H,Hw) - See Statewide
HUNT COUNTY
(R)(B) - See Collin County
(H,Hw) - See Statewide
HUTCHINSON COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
IRION COUNTY
(H,Hw) - See Statewide
JACK COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(D) - See Aransas County
(H,Hw) - See Statewide
JASPER COUNTY
(H,Hw) - See Statewide
JEFF DAVIS COUNTY
(H,Hw) - See Statewide
JEFFERSON COUNTY
Decision #TX75-4201 (B,R)
40 FR 57139 - 12/5/75
(D) - See Aransas County
(Hw) - See Statewide
JIM HOGG COUNTY
(H,Hw) - See Statewide
(B,R) - See Dimmit County
JIM WELLS COUNTY
(H,Hw) - See Statewide
JOHNSON COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
(R) - See Hood County
JONES COUNTY
(H,Hw) - See Statewide
KARNES COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

KAUFMAN COUNTY
(B,R) - See Collin County
(H,Hw) - See Statewide
KENDALL COUNTY
(H,Hw) - See Statewide
KENEDY COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County
KENT COUNTY
(H,Hw) - See Statewide
KERR COUNTY
(H,Hw) - See Statewide
KIMBLE COUNTY
(H,Hw) - See Statewide
KING COUNTY
(H,Hw) - See Statewide
KINNEY COUNTY
(H,Hw) - See Statewide
KLEBERG COUNTY
Decision #TX75-4185 (B)
40 FR 52276 - 11/7/75
Mod. #1 - 40 FR 54390 - 11/21/75
(D) - See Aransas County
(H,Hw) - See Statewide
(R) - See Bee County
KNOX COUNTY
(H,Hw) - See Statewide
LAMAR COUNTY
(H,Hw) - See Statewide
LAMB COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
LAMPASAS COUNTY
(H,Hw) - See Statewide
LA SALLE COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide
LAVACA COUNTY
(H,Hw) - See Statewide
LEE COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County

TEXAS (Cont'd)

LEON COUNTY
(H,Hw) - See Statewide
LIBERTY COUNTY
(H,Hw) - See Statewide
LIMESTONE COUNTY
(H,Hw) - See Statewide
LIPSCOMB COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
LIVE OAK COUNTY
(H,Hw) - See Statewide
LLANO COUNTY
(H,Hw) - See Statewide
LOVING COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
LUBBOCK COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
Decision #TX75-4186 (B)
40 FR 52277 - 11/7/75
LYNN COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
McCULLOCH COUNTY
(H,Hw) - See Statewide
McLENNAN COUNTY
(B) - See Bell County
(H,Hw) - See Statewide
McMULLEN COUNTY
(H,Hw) - See Statewide
MADISON COUNTY
(H,Hw) - See Statewide
MARION COUNTY
(H,Hw) - See Statewide
MARTIN COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

MASON COUNTY
(H,Hw) - See Statewide
MATAGORDA COUNTY
(R) - See Brazoria County
(H,Hw) - See Statewide
(D) - See Aransas County
MAVERICK COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide
MEDINA COUNTY
(H,Hw) - See Statewide
MENARD COUNTY
(H,Hw) - See Statewide
MIDLAND COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
MILAM COUNTY
(H,Hw) - See Statewide
MILLS COUNTY
(H,Hw) - See Statewide
MITCHELL COUNTY
(H,Hw) - See Statewide
MONTAGUE COUNTY
(H,Hw) - See Statewide
MONTGOMERY COUNTY
(R) - See Brazoria County
(H,Hw) - See Statewide
MOORE COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
MORRIS COUNTY
(H,Hw) - See Statewide
MOTLEY COUNTY
(H,Hw) - See Statewide
NACOGDOCHES COUNTY
(H,Hw) - See Statewide
NAVARRO COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

NEWTON COUNTY
(H,Hw) - See Statewide
NOLAN COUNTY
(H,Hw) - See Statewide
NUECES COUNTY
(B) - See Kleberg County
(D) - See Aransas County
(H,Hw) - See Statewide
(R) - See Bee County
OCHILTREE COUNTY
(R) (B) - See Armstrong County
(H,Hw) - See Statewide
OLDHAM COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
ORANGE COUNTY
(R)(B) - See Jefferson County
(Hw) - See Statewide
(D) - See Aransas County
PALO PINTO COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
(R) - See Hood County
PANOLA COUNTY
(H,Hw) - See Statewide
PARKER COUNTY
(H,Hw) - See Statewide
(R) - See Hood County
PARMER COUNTY
(H,Hw) - See Statewide
PECOS COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
POLK COUNTY
(H,Hw) - See Statewide
POTTER COUNTY
(H,Hw) - See Statewide
(B) (R) - See Armstrong County
PRESIDIO COUNTY
(H,Hw) - See Statewide
RAINS COUNTY
(H,Hw) - See Statewide
RANDALL COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
REAGAN COUNTY
(H,Hw) - See Statewide
REAL COUNTY
(H,Hw) - See Statewide
RED RIVER COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

REEVES COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
REFUGIO COUNTY
(D) - See Aransas County
(H,Hw) - See Statewide
ROBERTS COUNTY
(H,Hw) - See Statewide
(B) (R) - See Armstrong County
ROBERTSON COUNTY
(H,Hw) - See Statewide
ROCKWALL COUNTY
(R)(B) - See Collin County
(H,Hw) - See Statewide
RUNNELS COUNTY
(H,Hw) - See Statewide
RUSK COUNTY
(H,Hw) - See Statewide
SABINE COUNTY
(H,Hw) - See Statewide
SAN AUGUSTINE COUNTY
(H,Hw) - See Statewide
SAN JACINTO COUNTY
(H,Hw) - See Statewide
SAN PATRICIO COUNTY
(R) - See Bee County
(D) - See Aransas County
(H,Hw) - See Statewide
SAN SABA COUNTY
(H,Hw) - See Statewide
SCHLEICHER COUNTY
(H,Hw) - See Statewide
SCURRY COUNTY
(H,Hw) - See Statewide
SHACKELFORD COUNTY
(H,Hw) - See Statewide
SHELBY COUNTY
(H,Hw) - See Statewide
SHERMAN COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
SMITH COUNTY
(H,Hw) - See Statewide
SOMERVELL COUNTY
(H,Hw) - See Statewide
STARR COUNTY
(H,Hw) - See Statewide
(B)(R) - See Cameron County
STEPHENS COUNTY
(H,Hw) - See Statewide

TEXAS (Cont'd)

STERLING COUNTY
(H,Hw) - See Statewide
STONEWALL COUNTY
(H,Hw) - See Statewide
SUTTON COUNTY
(H,Hw) - See Statewide
SWISHER COUNTY
(H,Hw) - See Statewide
(B)(R) - See Armstrong County
TARRANT COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
Decision #AQ-117 (R)
39 FR 22409 - 6/21/74
TAYLOR COUNTY
Decision #TX75-4098 (B)
40 FR 22786 - 5/23/75
Mod. #1 - 40 FR 36901 - 8/22/75
Mod. #2 - 40 FR 52245 - 11/7/75
Mod. #3 - 40 FR 54390 - 11/21/75
(H,Hw) - See Statewide
TERRELL COUNTY
(H,Hw) - See Statewide
TERRY COUNTY
(H,Hw) - See Statewide
(R) - See Bailey County
THROCKMORTON COUNTY
(H,Hw) - See Statewide
TITUS COUNTY
(H,Hw) - See Statewide
TOM GREEN COUNTY
Decision #TX75-4066 (B)
40 FR 21677 - 5/16/75
Mod. #1 - 40 FR 33578 - 8/8/75
Mod. #2 - 40 FR 52245 - 11/7/75
(H,Hw) - See Statewide
TRAVIS COUNTY
Decision #TX75-4187 - (B)
40 FR 52279 - 11/7/75
(R) - See Bastrop County
(H,Hw) - See Statewide
TRINITY COUNTY
(H,Hw) - See Statewide
TYLER COUNTY
(H,Hw) - See Statewide
UPSHUR COUNTY
(H,Hw) - See Statewide
UPTON COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
UVALDE COUNTY
(H,Hw) - See Statewide
VAL VERDE COUNTY
(H,Hw) - See Statewide
VAN ZANDT COUNTY
(H,Hw) - See Statewide
VICTORIA COUNTY
(H,Hw) - See Statewide
(D) - See Aransas County

TEXAS (Cont'd.)

WALKER COUNTY
(H,Hw) - See Statewide
(R) - See Brazoria County
WALLER COUNTY
(H,Hw) - See Statewide
WARD COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
WASHINGTON COUNTY
(H,Hw) - See Statewide
WEBB COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide
WHARTON COUNTY
(H,Hw) - See Statewide
WHEELER COUNTY
(R)(B) - See Armstrong County
(H,Hw) - See Statewide
WICHITA COUNTY
Decision #TX75-4189 (R)
40 FR 52283 -11/7/75
Decision #TX75-4188 (B)
40 FR 52281 - 11/7/75
Mod. #1 - 40 FR 54390 - 11/21/75
(H,Hw) - See Statewide
WILBARGER COUNTY
(H,Hw) - See Statewide
WILLACY COUNTY
(R)(B) - See Cameron County
(H,Hw) - See Statewide
(D) - See Aransas County
WILLIAMSON COUNTY
(H,Hw) - See Statewide
(R) - See Bastrop County
WILSON COUNTY
(H,Hw) - See Statewide
WINKLER COUNTY
(H,Hw) - See Statewide
(R) - See Crane County
WISE COUNTY
(B) - See Collin County
(H,Hw) - See Statewide
(R) - See Hood County
WOOD COUNTY
(H,Hw) - See Statewide
YOAKUM COUNTY
(R) - See Bailey County
(H,Hw) - See Statewide
YOUNG COUNTY
(H,Hw) - See Statewide
ZAPATA COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide
ZAVALA COUNTY
(B,R) - See Dimmit County
(H,Hw) - See Statewide

UTAH

STATEWIDE
Decision #UT75-5107 (B,H,Hw)
40 FR 36998 - 8/22/75
BEAVER COUNTY
(B,H,Hw) - See Statewide
BOX ELDER COUNTY
(B,H,Hw) - See Statewide
CACHE COUNTY
(B,H,Hw) - See Statewide
CARBON COUNTY
(B,H,Hw) - See Statewide
DAGGETT COUNTY
(B,H,Hw) - See Statewide
DAVIS COUNTY
(B,H,Hw) - See Statewide
DUCHESNE COUNTY
(B,H,Hw) - See Statewide
EMERY COUNTY
(B,H,Hw) - See Statewide
GARFIELD COUNTY
(B,H,Hw) - See Statewide
GRAND COUNTY
(B,H,Hw) - See Statewide
IRON COUNTY
(B,H,Hw) - See Statewide
JUAB COUNTY
(B,H,Hw) - See Statewide
KANE COUNTY
(B,H,Hw) - See Statewide
MILLARD COUNTY
(B,H,Hw) - See Statewide
MORGAN COUNTY
(B,H,Hw) - See Statewide
PIUTE COUNTY
(B,H,Hw) - See Statewide
RICH COUNTY
(B,H,Hw) - See Statewide
SALT LAKE COUNTY
(B,H,Hw) - See Statewide
SAN JUAN COUNTY
(B,H,Hw) - See Statewide
SANPETE COUNTY
(B,H,Hw) - See Statewide
SEVIER COUNTY
(B,H,Hw) - See Statewide
SUMMIT COUNTY
(B,H,Hw) - See Statewide
TOOELE COUNTY
(B,H,Hw) - See Statewide
UINTAH COUNTY
(B,H,Hw) - See Statewide
UTAH COUNTY
(B,H,Hw) - See Statewide
WASATCH COUNTY
(B,H,Hw) - See Statewide
WASHINGTON COUNTY
(B,H,Hw) - See Statewide

UTAH (Cont'd)

WAYNE COUNTY
(B,H,Hw) - See Statewide
WEBER COUNTY
(B,H,Hw) - See Statewide

VERMONT

Statewide (Except Rutland County)
Decision #AQ-3184 (Hw)
39 FR 24203 - 6/28/74
Mod. #1 - 39 FR 27397 - 7/26/74
Mod. #2 - 40 FR 16497 - 4/11/75
Mod. #3 - 40 FR 21657 - 5/16/75
ADDISON COUNTY
(Hw) - See Statewide
BENNINGTON COUNTY
(Hw) - See Statewide
CALEDONIA COUNTY
(Hw) - See Statewide
CHITTENDEN COUNTY
(Hw) - See Statewide
ESSEX COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
(Hw) - See Statewide
GRAND ISLE COUNTY
(Hw) - See Statewide
LAMOILLE COUNTY
(Hw) - See Statewide
ORANGE COUNTY
(Hw) - See Statewide
ORLEANS COUNTY
(Hw) - See Statewide
RUTLAND COUNTY
None
WASHINGTON COUNTY
(Hw) - See Statewide
WINDHAM COUNTY
(Hw) - See Statewide
WINDSOR COUNTY
(Hw) - See Statewide

VIRGINIA

ACCOMACK COUNTY
Decision #AP-805 (Hw)
38 FR 11279 - 5/4/73
Mod. #1 - 38 FR 13127 - 5/18/73
Mod. #2 - 40 FR 15284 - 4/4/75
Mod. #3 - 40 FR 23631 - 5/30/75
Decision #MD75-3008 (D)
40 FR 3094 - 1/17/75
Mod. #1 - 40 FR 14204 - 3/28/75
ALBEMARLE COUNTY
Decision #VA75-3094 (B)
40 FR 43415 - 9/19/75
Mod. #1 - 40 FR 48847 - 10/17/75
Decision #AM-1874 (Hw)
36 FR 16342 - 8/20/71
Mod. #1 - 40 FR 15284 - 4/4/75
ALEXANDRIA CITY
Decision #MD75-3100 (B)
40 FR 44477 - 9/26/75
Mod. #1 - 40 FR 52247 - 11/7/75
Mod. #2 - 40 FR 57076 - 12/5/75
ALLEGHANY COUNTY
Decision #AM-1875 (Hw)
36 FR 16343 - 8/20/71
Mod. #1 - 37 FR 5169 - 3/10/72
Mod. #2 - 40 FR 15284 - 4/4/75
AMELIA COUNTY
Decision #AR-2032 (Hw)
39 FR 31871 - 8/30/74
AMHERST COUNTY
Decision #AQ-2032 (Hw)
38 FR 33259 - 11/30/73
APPOMATTOX COUNTY
(Hw) - See Amherst County
ARLINGTON COUNTY
(B) - See Alexandria City
(D) - See Accomack County
AUGUSTA COUNTY
Decision #AM-9320 (R)
37 FR 10267 - 5/19/72
Mod. #1 - 40 FR 15284 - 4/4/75
(Hw) - See Alleghany County
BATH COUNTY
(Hw) - See Alleghany County
BEDFORD CITY
(Hw) - See Bedford County
BEDFORD COUNTY
Decision #AQ-2021 (Hw)
38 FR 27744 - 10/5/73
BLAND COUNTY
Decision #AQ-2020 (Hw)
38 FR 27744 - 10/5/73
Mod. #1 - 40 FR 15285 - 4/4/75
BOTETOURT COUNTY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

BRISTOL CITY
(Hw) - See Bland County
BRUNSWICK COUNTY
(Hw) - See Amelia County
BUCHANAN COUNTY
(Hw) - See Bland County
BUCKINGHAM COUNTY
(Hw) - See Amherst County
BUENA VISTA CITY
(Hw) - See Alleghany County
CAMPBELL COUNTY
Decision #VA75-3095 (B)
40 FR 43416 - 9/19/75
(Hw) - See Amherst County
CAROLINE COUNTY
Decision #AQ-2031 (Hw)
38 FR 33258 - 11/30/73
CARROLL COUNTY
(Hw) - See Bedford County
CHARLES CITY COUNTY
(Hw) - See Amelia County
CHARLOTTE COUNTY
(Hw) - See Amherst County
CHARLOTTSVILLE CITY
(Hw) - See Albemarle County
CHESAPEAKE CITY
Decision #VA75-3005 (B)
40 FR 944 - 1/3/75
Mod. #1 - 40 FR 14217 - 3/28/75
Mod. #2 - 40 FR 17473 - 4/18/75
Mod. #3 - 40 FR 22742 - 5/23/75
Mod. #4 - 40 FR 29455 - 7/11/75
Decision #AP-494 (Hw)
38 FR 7693 - 3/23/73
Mod. #1 - 40 FR 44446 - 9/26/75
(D) - See Accomack County
CHESTERFIELD COUNTY
(Hw) - See Amelia County
CLARKE COUNTY
Decision #AP-406 (R)
37 FR 15234 - 7/28/72
Mod. #1 - 40 FR 15284 - 4/4/75
(Hw) - See Alleghany County
CLIFTON FORGE CITY
(Hw) - See Alleghany County
COLONIAL HEIGHTS CITY
(Hw) - See Amelia County
COVINGTON CITY
(Hw) - See Alleghany County
CRAIG COUNTY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

CULPEPER COUNTY
(Hw) - See Albermarle County
CUMBERLAND COUNTY
(Hw) - See Amherst County
DANVILLE CITY
(Hw) - See Amherst County
DICKENSON COUNTY
(Hw) - See Bland County
DINWIDDIE COUNTY
(Hw) - See Amelia County
EMPORIA CITY
(Hw) - See Accomack County
ESSEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
FAIRFAX COUNTY
(D) - See Alexandria City
(D) - See Accomack County
FAIRFAX CITY
(B) - See Alexandria City
FALLS CHURCH CITY
(B) - See Alexandria City
FAUQUIER COUNTY
(Hw) - See Albermarle County
FLOYD COUNTY
(Hw) - See Bedford County
FLUVANNA COUNTY
(Hw) - See Albermarle County
FORT MONROE CITY
(Hw) - See Chesapeake City
(B,H,W&S) - See York County
FRANKLIN CITY
(Hw) - See Accomack County
FRANKLIN COUNTY
(Hw) - See Bedford County
FREDERICK COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County

VIRGINIA (Cont'd)

FREDERICKSBURG CITY
(Hw) - See Caroline County
GALAX CITY
(Hw) - See Bedford County
GILES COUNTY
(Hw) - See Bedford County
GLOUCESTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
GOOCHLAND COUNTY
(Hw) - See Amelia County
GRAYSON COUNTY
(Hw) - See Bland County
GREENE COUNTY
(Hw) - See Albermarle County
GREENSVILLE COUNTY
(Hw) - See Accomack County
HALIFAX COUNTY
(Hw) - See Amherst County
HAMPTON CITY
Decision #AQ-2103 (R)
39 FR 14119 - 4/19/74
Mod. #1 - 15612 - 5/3/74
(B,H,W&S) - See York County
(Hw) - See Chesapeake City
(D) - See Accomack County
HANOVER COUNTY
(Hw) - See Amelia County
HARRISONBURG CITY
(Hw) - See Alleghany County
HENRICO COUNTY
Decision #VA75-3006 (B)
40 FR 946 - 1/3/75
Mod. #1 - 40 FR 14217 - 3/28/75
Mod. #2 - 40 FR 17473 - 4/18/75
Mod. #3 - 40 FR 22743 - 5/23/75
Mod. #4 - 40 FR 29455 - 7/11/75
Mod. #5 - 40 FR 57076 - 12/5/75
(Hw) - See Amelia County

VIRGINIA (Cont'd.)

HENRY COUNTY
(Hw) - See Bedford County
HIGHLAND COUNTY
(Hw) - See Alleghany County
HOPEWELL CITY
(Hw) - See Amelia County
ISLE OF WIGHT COUNTY
(D,Hw) - See Accomack County
JAMES CITY COUNTY
Decision #AP-407 (R)
37 FR 15235 - 7/28/72
(D,Hw) - See Accomack County
KING AND QUEEN COUNTY
(Hw) - See Caroline County
KING GEORGE COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
KING WILLIAM COUNTY
(Hw) - See Caroline County
LANCASTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
LEE COUNTY
(Hw) - See Bland County
LOUDOUN COUNTY
(Hw) - See Albermarle County
LOUISA COUNTY
(Hw) - See Albemarle County
LUNENBURG COUNTY
(Hw) - See Amelia County
LYNCHBURG CITY
(Hw) - See Amherst County
MADISON COUNTY
(Hw) - See Alemarle County
MARTINSVILLE CITY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

MATHEWS COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MECKLENBURG COUNTY
(Hw) - See Amelia County
MIDDLESEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MONTGOMERY COUNTY
(Hw) - See Bedford County
NANSEMOND COUNTY
(D,Hw) - See Accomack County
NELSON COUNTY
(Hw) - See Amherst County
NEW KENT COUNTY
(Hw) - See Amelia County
NEWPORT NEWS CITY
(B,H,W&S) - See York County
(Hw) - See Chesapeake City
(D) - See Accomack County
(R) - See Hampton City
NORFOLK CITY
(Hw,B) - See Chesapeake City
(D) - See Accomack County
NORTHAMPTON COUNTY
(D,Hw) - See Accomack County
NORTON CITY
(Hw) - See Bland County
NORTHUMBERLAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
NOTTOWAY COUNTY
(Hw) - See Amelia County
ORANGE COUNTY
(Hw) - See Albemarle County

VIRGINIA (Cont'd)

PAGE COUNTY
(Hw) - See Alleghany County
PATRICK COUNTY
(Hw) - See Bedford County
PETERSBURG CITY
(Hw) - See Amelia County
PITTSYLVANIA COUNTY
(Hw) - See Amherst County
PORTSMOUTH CITY
(Hw,B) - See Chesapeake City
(D) - See Accomack County
POWHATAN COUNTY
(Hw) - See Amelia County
PRINCE EDWARD COUNTY
(Hw) - See Amherst County
PRINCE GEORGE COUNTY
(Hw) - See Amelia County
PRINCE WILLIAM COUNTY
(Hw) - See Albermarle County
(D) - See Accomack County
PULASKI COUNTY
(Hw) - See Bedford County
RADFORD CITY
Decision #VA75-3069 (B)
40 FR 29438 - 7/11/75
Mod. #1 - 40 FR 36902 - 8/22/75
Mod. #2 - 40 FR 48847 - 10/17/75
(Hw) - See Bedford County
RAPPAHANNOCK COUNTY
(Hw) - See Albermarle County
RICHMOND CITY
(B) - See Henrico County
(Hw) - See Amelia County
RICHMOND COUNTY
(Hw) - See Caroline County
ROANOKE CITY
(Hw) - See Bedford County
ROANOKE COUNTY
(Hw) - See Bedford County
ROCKBRIDGE COUNTY
(Hw) - See Alleghany County
ROCKINGHAM COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County
RUSSELL COUNTY
(Hw) - See Bland County
SALEM CITY
(Hw) - See Bedford County
SCOTT COUNTY
(Hw) - See Bland County
SHENANDOAH COUNTY
(Hw) - See Alleghany County
(R) - See Clarke County
SMYTH COUNTY
(Hw) - See Bland County
SOUTHAMPTON COUNTY
(Hw) - See Accomack County

VIRGINIA (Cont'd.)

SOUTH BOSTON CITY
(Hw) - See Amherst County
SPOTSYLVANIA COUNTY
(Hw) - See Caroline County
STAUNTON CITY
(Hw) - See Alleghany County
STAFFORD COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
SUFFOLK CITY
(Hw) - See Accomack County
SURRY COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
SUSSEX COUNTY
(Hw) - See Accomack County
TAZEWELL COUNTY
(Hw) - See Bland County
VIRGINIA BEACH CITY
Decision #AM-9321 (R)
37 FR 10266 - 5/19/72
(Hw,B) - See Chesapeake City
(D) - See Accomack County
WARREN COUNTY
(R) - See Clarke County
(Hw) - See Alleghany County
WASHINGTON COUNTY
(Hw) - See Bland County
WAYNESBORO CITY
(Hw) - See Alleghany County
WESTMORELAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
WILLIAMSBURG CITY
(Hw) - See Accomack County
WINCHESTER CITY
(Hw) - See Alleghany County
WISE COUNTY
(Hw) - See Bland County
WYTHE COUNTY
(Hw) - See Bland County
YORK COUNTY
Decision #VA75-3004 (B,H,S&W)
40 FR 941 - 1/3/75
Mod. #1 - 40 FR 14217 - 3/28/75
Mod. #2 - 40 FR 21657 - 5/16/75
Mod. #3 - 40 FR 22742 - 5/23/75
Mod. #4 - 40 FR 29454 - 7/11/75
(R) - See James City
(D,Hw) - See Accomack County

WASHINGTON

STATEWIDE
Decision #WA75-5132 (B,H,Hw,D)
40 FR 50921 - 10/31/75
ADAMS COUNTY
(B,H,Hw,D) - See Statewide
ASOTIN COUNTY
(B,H,Hw,D) - See Statewide
BENTON COUNTY
(B,H,Hw,D) - See Statewide
CHELAN COUNTY
(B,H,Hw,D) - See Statewide
CLALLAM COUNTY
Decision #WA75-5064 (R)
40 FR 23695 - 5/30/75
Mod. #1 - 40 FR 25335 - 6/13/75
Mod. 2 - 40 FR 29455 - 7/11/75
(B,H,Hw,D) - See Statewide
CLARK COUNTY
(B,H,Hw,D) - See Statewide
COLUMBIA COUNTY
(B,H,Hw,D) - See Statewide
COWLITZ COUNTY
(B,H,Hw,D) - See Statewide
DOUGLAS COUNTY
(B,H,Hw,D) - See Statewide
FERRY COUNTY
(B,H,Hw, D) - See Statewide
FRANKLIN COUNTY
(B,H,Hw,D) - See Statewide
GARFIELD COUNTY
(B,H,Hw,D) - See Statewide
GRANT COUNTY
(B,H,Hw,D) - See Statewide
GRAYS HARBOR COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
ISLAND COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
JEFFERSON COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
KING COUNTY
(R) - See Clallam County
(B,H,Hw,D) - See Statewide
KITSAP COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
KITTITAS COUNTY
(B,H,Hw,D) - See Statewide
KLICKITAT COUNTY
(B,H,Hw,D) - See Statewide

WEST VIRGINIA

STATEWIDE
Decision #WV75-3105 (H,Hw)
40 FR 48884 - 10/17/75
Mod. #1 - 40 FR 53178 - 11/14/75
BARBOUR COUNTY
Decision #WV75-3007 (B)
40 FR 6136 - 2/7/75
Mod. #1 - 40 FR 8700 - 2/28/75
Mod. #2 - 40 FR 10883 - 3/7/75
Mod. #3 - 40 FR 14217 - 3/28/75
Mod. #4 - 40 FR 16497 - 4/11/75
Mod. #5 - 40 FR 21659 - 5/16/75
(H,Hw) - See Statewide
BERKELEY COUNTY
(H,Hw) - See Statewide
BOONE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
BRAXTON COUNTY
Decision #WV75-3107 (B)
40 FR 57061 - 12/5/75
(H,Hw) - See Statewide
BROOKE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
CABELL COUNTY
(B) - See Barbour County
Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75
(H,Hw) - See Statewide
CALHOUN COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
CLAY COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
DODDRIDGE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
FAYETTE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
GILMER COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
GRANT COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
GREENBRIER COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
HAMPSHIRE COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
HANCOCK COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
HARDY COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide

WEST VIRGINIA (Cont'd)

HARRISON COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
JACKSON COUNTY
(D) - See Cabell County
(H,Hw) - See Statewide
(B) - See Barbour County
JEFFERSON COUNTY
(H,Hw) - See Statewide
KANAWHA COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
Decision #AR-2058 (R)
39 FR 35948 - 10/4/74
Mod. #1 - 39 FR 44913 - 12/27/74
(H,Hw) - See Statewide
LEWIS COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
LINCOLN COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
LOGAN COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
MC DOWELL COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
MARION COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
MARSHALL COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
MASON COUNTY
(B) - See Barbour County
(D) - See Cabell County
(H,Hw) - See Statewide
MERCER COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
MINERAL COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
MINGO COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
MONOGALIA COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
MONROE COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
MORGAN COUNTY
(H,Hw) - See Statewide
NICHOLAS COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide

WEST VIRGINIA (Cont'd.)

OHIO COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
PENDLETON COUNTY
(B)-See Braxton County
(H,Hw) - See Statewide
PLEASANT COUNTY
(D) - See Cabell County
(H,Hw) - See Statewide
(B) - See Barbour County
POCAHONTAS COUNTY
(H,Hw) - See Statewide
(B) - See Braxton County
PRESTON COUNTY
(H,Hw) - See Statewide
PUTNAM COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
RALEIGH COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
RANDOLPH COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
RITCHIE COUNTY
(H,Hw) - See Statewide
(B) - See Barbour County
ROANE COUNTY
(H,Hw) - See Statewide
SUMMERS COUNTY
(H,Hw) - See Statewide
(B) - See Braxton County
TAYLOR COUNTY
(H,Hw) - See Statewide
TUCKER COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
TYLER COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
UPSHUR COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
WAYNE COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide
WEBSTER COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide
WETZEL COUNTY
(B) - See Barbour County
(D) - See Cabell County
(H,Hw) - See Statewide
WIRT COUNTY
(B) - See Barbour County
(H,Hw) - See Statewide

WEST VIRGINIA (Cont'd.)

WOOD COUNTY
(B) - See Barbour County
(D) - See Cabell County
(H,Hw) - See Statewide
WYOMING COUNTY
(B) - See Braxton County
(H,Hw) - See Statewide

WISCONSIN

STATEWIDE
Decision #WI75-2115 (Hw)
40 FR 48089 - 10/10/75
Decision #WI75-2048 (H, Sewer, Tunnel, & Water)
40 FR 12059 - 3/14/75
ADAMS COUNTY
(H,Hw,W&S) - See Statewide
ASHLAND COUNTY
Decision #IL75-5079 (D)
40 FR 29490 - 7/11/75
Mod. #1 - 40 FR 32552 - 8/1/75
Mod. #2 - 40 FR 40006 - 8/29/75
Mod. #3 - 40 FR 50868 - 10/31/75
Mod. #4 - 40 FR 52242 - 11/7/75
(H,Hw,W&S) - See Statewide
Decision #AR-3151 (B,R)
39 FR 36706 - 10/11/74
Mod. #1 - 40 FR 21657 - 5/16/75
BARRON COUNTY
(B) - See Polk County
(H,Hw,W&S) - See Statewide
BAYFIELD COUNTY
(B,R,D) - See Ashland County
(H,Hw,W&S) - See Statewide
BROWN COUNTY
Decision #AR-3153 (B)
39 FR 36825 - 10/11/74
Mod. #1 - 40 FR 21658 - 5/16/75
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
BUFFALO COUNTY
(H,Hw,W&S) - See Statewide
BURNETT COUNTY
(H,Hw,W&S) - See Statewide
CALUMET COUNTY
(H,Hw,W&S) - See Statewide
CHIPPEWA COUNTY
(H,Hw,W&S) - See Statewide
(B,R) - See Eau Claire County
CLARK COUNTY
(H,Hw,W&S) - See Statewide
COLUMBIA COUNTY
(H,Hw,W&S) - See Statewide
CRAWFORD COUNTY
(H,Hw,W&S) - See Statewide
DANE COUNTY
(H,Hw,W&S) - See Statewide
Decision #AR-3155 (B,R)
39 FR 36829 - 10/11/74
Mod. #1 - 40 FR 18284- 4/25/75
DODGE COUNTY
(H,Hw,W&S) - See Statewide
DOOR COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
DOUGLAS COUNTY
(B,R) - See Ashland County
DUNN COUNTY
(B) - See Polk County
(H,Hw, W&S) - See Statewide

WISCONSIN (Cont'd.)

EAU CLAIR COUNTY
Decision #AR-3154 (B,R)
39 FR 36827 - 10/11/74
Mod. #1 - 40 FR 18284 - 4/25/75
(H,Hw, W&S) - See Statewide
FLORENCE COUNTY
(H,Hw,W&S) - See Statewide
FOND DU LAC COUNTY
(H,Hw,W&S) - See Statewide
FOREST COUNTY
(H,Hw,W&S) - See Statewide
GRANT COUNTY
(H,Hw,W&S) - See Statewide
GREEN COUNTY
(B) - See Rock County
(H,Hw,W&S) - See Statewide
GREEN LAKE COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - See Statewide
IOWA COUNTY
(B) - See Dane County
(H,Hw,W&S) - See Statewide
IRON COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
JACKSON COUNTY
(H,Hw,W&S) - See Statewide
JEFFERSON COUNTY
(H,Hw,W&S) - See Statewide
JUNEAU COUNTY
(H,Hw,W&S) - See Statewide
Decision #AR-3158 (B)
39 FR 36835 - 10/11/74
Mod. #1 - 40 FR 18285 - 4/25/75
KENOSHA COUNTY
(H,Hw,W&S) - See Statewide
Decision #AR-3159 (B,R)
39 FR 36837 - 10/11/74
Mod. #1 - 39 FR 41662 + -1/29/74
KEWAUNEE COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
LA CROSSE COUNTY
Decision #AR-3160 (B,R)
39 FR 36839 - 10/11/74
Mod. #1 - 40 FR 18286 - 4/25/75
(H,Hw,W&S) - See Statewide
LA FAYETTE COUNTY
(H,Hw,W&S) - See Statewide
LANGLADE COUNTY
(B) - See Marathon County
(H,Hw,W&S) - See Statewide
LINCOLN COUNTY
(B) - See Marathon County
(H,Hw,W&S) - See Statewide

WISCONSIN (Cont'd.)

SAINT CROIX COUNTY
(B) - See Polk County
(H,Hw,W&S) - See Statewide
SAUK COUNTY
(B) - See Dane County
(H,Hw,W&S) - See Statewide
SAWYER COUNTY
(H,Hw,W&S) - See Statewide
SHAWANO COUNTY
(H,Hw,W&S) - See Statewide
SHEBOYGAN COUNTY
(D) - See Ashland County
TAYLOR COUNTY
(H,Hw,W&S) - See Statewide
TREMPEALEAU COUNTY
(H,Hw,W&S) - See Statewide
VERNON COUNTY
(H,Hw,W&S) - See Statewide
VILAS COUNTY
(H,Hw,W&S) - See Statewide
WALWORTH COUNTY
(H,Hw,W&S) - See Statewide
WASHBURN COUNTY
(H,Hw,W&S) - See Statewide
WASHINGTON COUNTY
(B,R) - See Milwaukee County
(H,Hw,W&S) - See Statewide
WAUKESHA COUNTY
(B,R) - See Milwaukee County
(H,Hw,W&S) - See Statewide
WAUPACA COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - See Statewide
WASHARA COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - SeeStatewide
WINNEBAGO COUNTY
Decision #AR-3157 (B)
39 FR 36833 - 10/11/74
Mod. #1 - 40 FR 20562 - 5/9/75
(H,Hw,W&S) - See Statewide
WOOD COUNTY
(H,Hw,W&S) - See Statewide

WISCONSIN (Cont'd.)

MANITOWOC COUNTY
(H,Hw,W&S) - See Statewide
MARATHON COUNTY
Decision #AR-3161 (B)
39 FR 36840 - 10/11/74
(H,Hw, W&S) See Statewide
MARINETTE COUNTY
(D) - See Ashland County
MARQUETTE COUNTY
(B) - See Winnebago County
(H,Hw,W&S) - See Statewide
MENOMINEE COUNTY
(H,Hw,W&S) - See Statewide
MILWAUKEE COUNTY
Decision #AR-3162 (B,R)
39 FR 36843 - 10/11/74
Mod. #1 - 40 FR 18287 - 4/25/75
(H,Hw,W&S) - See Statewide
MONROE COUNTY - See Statewide
(H,Hw,W&S) -
OCONTO COUNTY
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
ONEIDA COUNTY - See Statewide
(H,Hw,W&S) -
OUTAGAMIE COUNTY - See Statewide
(H,Hw,W&S) -
OZAUKEE COUNTY - See Milwaukee County
(B,R) - See Ashland County
(D) - See Statewide
(H,Hw,W&S) -
PEPIN COUNTY - See Eau Clair County
(B,R) - See Statewide
PIERCE COUNTY - See Statewide
(H,Hw,W&S) -
POLK COUNTY
Decision #AR-3152 (B)
39 FR 36023 - 10/11/74
Mod. #1 - 40 FR 18284 - 4/25/75
(H,Hw,W&S) - See Statewide
PORTAGE COUNTY
(H,Hw,W&S)
PRICE COUNTY
(H,Hw,W&S) - See Statewide
RACINE COUNTY
Decision #M175-2064 (H,R)
40 FR 21691 - 5/16/78
(D) - See Ashland County
(H,Hw,W&S) - See Statewide
RICHLAND COUNTY
(H,Hw, W&S) - See Statewide
ROCK COUNTY
Decision #AR-3156 (B)
39 FR 36831 - 10/11/74
Mod. #1 - 40 FR 21658 - 5/16/75
(H,Hw,W&S) - See Statewide
RUSK COUNTY
(H,Hw,W&S) - See Statewide

WYOMING

STATEWIDE
Decision #M175-5011 (Hw)
40 FR 48/9 - 1/31/75
Mod. #1 - 40 FR 16497 - 4/11/75
Mod. #2 - 40 FR 26187 - 6/20/75
ALBANY COUNTY
(Hw) - See Statewide
BIG HORN COUNTY
(Hw) - See Statewide
CAMPBELL COUNTY
(Hw) - See Statewide
CARBON COUNTY
(Hw) - See Statewide
CONVERSE COUNTY
Decision #M175-5106 (B,H)
40 FR 34578 - 8/15/75
(Hw) - See Statewide
CROOK COUNTY Statewide
(Hw) - See
FREMONT County
(Hw) - See Statewide
GOSHEN COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
HOT SPRINGS COUNTY
(Hw) - See Statewide
JOHNSON COUNTY
(Hw) - See Statewide
LARAMIE COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
NATRONA COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
NIOBRARA COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
PARK COUNTY
(Hw) - See Statewide
PLATTE COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
SHERIDAN COUNTY
(Hw) - See Statewide
SUBLETTE COUNTY
(Hw) - See Statewide
SWEETWATER COUNTY
(Hw) - See Statewide
TETON COUNTY
(Hw) - See Statewide
UINTA COUNTY
(Hw) - See Statewide
WASHAKIE COUNTY
(Hw) - See Statewide
WESTON COUNTY
(Hw) - See Statewide
YELLOWSTONE NATIONAL PARK
(Hw) - See Statewide

[FR Doc.76-6 Filed 1-2-76;8:45 am]

federal register

MONDAY, JANUARY 5, 1976

PART IV:

FEDERAL ENERGY ADMINISTRATION

NATIONAL UTILITY RESIDUAL FUEL OIL ALLOCATION

Supplier Percentage Notice for January 1976

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FEDERAL ENERGY ADMINISTRATION

NATIONAL UTILITY RESIDUAL FUEL OIL ALLOCATION

Supplier Percentage Notice for January 1976

Pursuant to the provisions of 10 CFR 211.163(b)(2), 211.165 and 211.166(d)(2), the Federal Energy Administration (FEA) hereby provides notice of the volumes of residual fuel oil allocated to each utility and the precentage of such volumes required to be supplied by each supplier for delivery in January 1976. This information is set forth in the Appendix to this notice. Adjustments of certain supplier base period percentages have been made at the request of affected utilities and suppliers, pursuant to the criteria of 10 CFR 205.25 and are reflected in the Appendix.

The utility allocations were determined after review of the relative availability of supplies of residual fuel oil for allocation to both utility and non-utility uses. In calculating the allocation level for each utility the FEA considered all of the factors enumerated in 10 CFR 211.163(b)(2) and also the following other factors:

1. The data contained in the Federal Power Commission (FPC) Form 23B submitted by utilities;

2. Natural gas curtailments;

3. FEA's prediction that the supply level of residual fuel oil is expected to generally equate to the total demand.

The amounts shown in the Appendix are the quantities of residual fuel oil that suppliers are obligated to make available for January 1976. Some utilities will not recieve any allocation for this month for various reasons including the fact that these utilities burn other fuels primarily and use residual fuel oil only for standby purposes. The Appendix provides the names of the suppliers obligated to supply each utility and each supplier's percentage and volume of each month's allocation to a utility. The first column of the Appendix lists each utility with its suppliers. The second column sets forth the recommended FEA burn level. The third and fourth columns provide each supplier's respective percentage and volume share of a utility's allocated volume of residual fuel oil. The fifth column provides the total volume of residual fuel oil for each utility from all suppliers. Following the name of certain suppliers, an additional supplier is shown in parentheses. The supplier in parentheses is presumed, on the basis of the best information available, to be the supplier of the utility's supplier. This information is provided for the convenience of such suppliers and the FEA requests that any additions or corrections in this regard be forwarded to FEA Electrical Utilities Reports, Code 47, Washington, D.C. 20461.

It is contemplated that corrections or adjustments to delivery levels for certain utilities may be required during the month of January to avoid undue hardship. FEA will consider special circumstances such as unexpected outages which cause fuel consumption to exceed FEA burn levels in any month. Such corrections or adjustments shall be made pursuant to Subparts B and C of 10 CFR Part 205.

FEA expects the utilities to consume supplies at or below FEA burn levels, which are based on the utilities' proposed burn levels.

The utility residual fuel oil allocation program is based in part on the date derived from utilities' filings of FPC Form 23B. Thus, the timely submission of FPC Form 23B will be a necessary prerequisite to receiving future allocations if the Mandatory Petroleum Allocation Program is extended beyond its December 15, 1975, expiration date.

Reports should be addressed to FEA Electrical Utilities Reports, Code 47, Washington, D.C. 20461.

Issued in Washington, D.C., December 23, 1975.

MICHAEL F. BUTLER,
General Counsel.

APPENDIX

RESIDUAL FUEL ALLOCATIONS TO UTILITIES FOR JANUARY 1975

	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BY SUPPLIER BARRELS	TOTAL (BARRELS)
1. NORTHEAST POWER COORDINATING COUNCIL AREA (NPCC)				
CONNECTICUT				
UNITED ILLUMINATING CO	966,000			966,000
WYATT INC (EXXON)		6.00	57,960	
TEXACO		94.00	908,040	
NORTHEAST UTILITIES	1,953,000			1,953,000
HN-HARTWELL&SONS-INC		1.00	19,530	
WYATT-INC-(EXXON)		10.00	195,300	
AMERADA-HESS		68.00	1,328,040	
TAD-JONES-CO-(GULF)		21.00	410,130	
MAINE				
BANGOR HYDRO ELEC. CO.	28,333			28,333
SPRAGUE		100.00	28,333	
CENTRAL MAINE POWER CO.	330,000			330,000
TEXACO		100.00	330,000	
MAINE PUBLIC SERVICE CO.	15,898			15,898
DEAD RIV.O.(SPRAGUE)		100.00	15,898	
MASSACHUSETTS				
BOSTON EDISON CO.	1,577,000			1,577,000
SPRAGUE		12.00	189,240	
WHITE FUEL (TEXACO)		46.00	725,420	
EXXON		42.00	662,340	
FITCHBURG GAS & EL.	8,000			8,000
NORTHEAST PETROLEUM		100.00	8,000	
E.UTIL.ASSOC.(MONTAUP&BL	251,000			251,000
TEXACO		100.00	251,000	
BRAINTREE ELEC. LT. DEPT	20,027			20,027
CK SMITH(GOLD.EAGLE)		100.00	20,027	
HOLYOKE GAS AND ELECTRIC	19,459			19,459
WYATT INC (EXXON)		100.00	19,459	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
PEABODY ELECTRIC LT DEPT	0			0
TAUNTON MUN. LT.	104,844			104,844
QUINCY OIL CO (EXXON		100.00	104,844	
NEW ENG. G & E	929,000			929,000
NEW ENGLAND PETRO		84.80	787,792	
WHITE FUEL(TEXACO)		15.20	141,208	
NEW ENG. ELEC	1,769,000			1,769,000
ASIATIC PETRO CORP		60.00	1,061,400	
PRULEASE		.10	1,769	
PETRO-MKT-CORP		39.90	705,831	
NEW HAMPSHIRE				
PUB SER OF N.H.	796,000			796,000
SPRAGUE		26.30	209,348	
CONOCO		73.70	586,652	
NEW YORK				
CENTRAL HUDSON GAS & ELE	799,230			799,230
AMERADA HESS CORP		100.00	799,230	
CONSOL EDISON OF NY	4,387,000			4,387,000
NEW ENGLAND PETRO		45.50	1,996,085	
AMERADA HESS CORP		22.30	978,301	
EXXON		20.80	912,496	
TEXACO		11.40	500,118	
LONG ISLAND LIGHT CO.	1,755,000			1,755,000
NEW ENGLAND PETRO		100.00	1,755,000	
ORANGE & ROCKLAND UTILIT	804,476			804,476
HOWARD-FUEL-CORP		11.20	90,101	
NEW ENGLAND PETRO		51.50	414,305	
AMERADA-HESS-CORP		29.90	240,538	
ASIATIC-PETRO-CORP		7.40	59,531	
ROCHESTER GAS & ELECTRIC	39,254			39,254
ALLIED U		29.70	11,658	
MONOCO OIL COMPANY		70.30	27,595	
FREEPORT, VILLAGE OF	0			0

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
NIAGARA MOHAWK POWER CO.	652,355			652,355
NEW ENGLAND PETRO		100.00	652,355	
RHODE ISLAND				
NEWPORT ELECTRIC CORP	3,600			3,600
CK SMITH		100.00	3,600	

2. MID-ATLANTIC AREA COORDINATION AGREEMENT (MAAC)

DELAWARE				
DELMARVA PWR & LT	596,500			596,500
GULF		8.00	47,720	
STEUART PETROLEUM CO		22.00	131,230	
CONOCO		65.00	387,725	
TEXACO		5.00	29,825	
DOVER, CITY OF	75,300			75,300
TEXACO		100.00	75,300	
DISTRICT OF COLUMBIA				
POTOMAC ELEC. PWR.	553,000			553,000
STEUART PETROLEUM CO		21.00	116,130	
ASIATIC PETRO CORP		79.00	436,870	
MARYLAND				
BALTIMORE GAS & ELECTRIC	796,123			796,123
AMERADA HESS CORP		52.70	419,556	
EXXON		47.30	376,566	
NEW JERSEY				
PUBLIC SERVICE ELECTRIC	1,367,100			1,367,100
AMERADA HESS CORP		78.00	1,066,338	
EXXON		22.00	300,762	
VINELAND, CITY OF ELEC.	42,206			42,206
BRITISH PETROLEUM		100.00	42,206	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
ATLANTIC CITY ELECTRIC C	621,524			621,524
AMERADA HESS CORP		60.00	372,914	
CONOCO		40.00	248,609	
GPU INTEGRATED SYSTEM	316,571			316,571
SHIPLEY-HUMBLE		1.00	3,165	
AMERADA HESS CORP		94.00	297,576	
SWANN OIL INC		5.00	15,828	
PENNSYLVANIA				
PENNSYLVANIA PWR & LT	451,000			451,000
AMERADA-HESS-CORP		100.00	451,000	
PHILADELPHIA ELECTRIC CO	1,198,400			1,198,400
NEW ENGLAND PETRO		2.10	25,166	
AMERADA HESS CORP		21.50	257,656	
ARCO		28.50	341,544	
GULF		9.00	107,856	
CONOCO		14.90	178,561	
TEXACO		24.00	287,616	

3, SOUTHEASTERN ELECTRIC RELIABILITY COUNCIL (SERC)

FLORIDA				
FLORIDA P & L	1,634,000			1,634,000
EXXON		15.00	245,100	
BELCHER OIL(EXXON)		85.00	1,388,900	
FLORIDA POWER CORPORATIO	1,690,000			1,690,000
AMERADA HESS CORP		40.00	676,000	
EXXON		60.00	1,014,000	
GULF POWER CO,	35,163			35,163
BAKER SERVICE(EXXON)		100.00	35,163	
TAMPA ELECTRIC CO,	269,370			269,370
WESTERN (NEW ENG PET		100.00	269,370	
FORT PIERCE, CITY OF	49,500			49,500
BELCHER-OIL-(EXXON)		100.00	49,500	
GAINESVILLE, CITY OF	85,163			85,163
EASTERN SEABOARD		100.00	85,163	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
JACKSONVILLE ELEC. AUTH.	658,334			658,334
VEN FUEL INC		82.60	543,783	
NEW ENGLAND PETRO		8.70	57,275	
AMERADA HESS CORP		8.70	57,275	
KEY WEST UTILITIES	54,000			54,000
STD.OIL-KY		100.00	54,000	
LAKE WORTH UTIL AUTHORIT	5,547			5,547
BELCHER OIL(EXXON)		100.00	5,547	
LAKELAND LIGHT & WTR DEP	134,100			134,100
BELCHER(STD.OIL-KY)		100.00	134,100	
NEW SMYRNA BEACH	1,000			1,000
BELCHER OIL(EXXON)		100.00	1,000	
ORLANDO UTILITIES COMM.	357,000			357,000
BELCHER		100.00	357,000	
SEBRING UTILITIES COMM.	7,575			7,575
UNION OIL OF CA		100.00	7,575	
TALLAHASSEE, CITY OF	133,836			133,836
UNION OIL OF CA		100.00	133,836	
VERO BEACH MUNICIPAL POW	33,693			33,693
BELCHER OIL(EXXON)		100.00	33,693	
FLORIDA KEYS ELEC COOP	6,480			6,480
BELCHER OIL(EXXON)		100.00	6,480	
GEORGIA				
GEORGIA POWER COMPANY	110,675			110,675
NEW ENGLAND PETRO		100.00	110,675	
SAVANNAH ELECTRIC & POWE	255,000			255,000
COLONIAL OIL(EXXON)		100.00	255,000	
MISSISSIPPI				
MISSISSIPPI POWER CO,	41,650			41,650
BAKER SERVICE(EXXON)		55.00	22,907	
ERGON(INTL TRADING)		45.00	18,742	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
SOUTH MISSISSIPPI ELEC	42,090			42,090
SOUTHLND OIL		83.00	34,934	
AMERADA HESS CORP		17.00	7,155	
NORTH CAROLINA				
CAROLINA POWER & LT.	0			0
SOUTH CAROLINA				
S.CAROLINA PUB SERV AUTH	0			0
S.CAROLINA ELEC & GAS CO	405,200			405,200
EXXON		100.00	405,200	
VIRGINIA				
VIRGINIA ELECTRIC POWER	1,403,100			1,403,100
ASIATIC PETRO CORP		16.60	232,914	
NEW-ENGLAND-PETRO		15.60	218,883	
EXXON		67.80	951,301	
4. SOUTHWEST POWER POOL COORDINATION COUNCIL (SPP)				
ARKANSAS				
JONESBORO WATER AND LIGH	0			0
ARKANSAS ELEC COOP	166,434			166,434
LOGICON INC (SHELL)		80.00	133,147	
E L BRIDE(TEXACO)		20.00	33,286	
COLORADO				
CT&U, S.COLO PWR DIV,	1,240			1,240
CONOCO		100.00	1,240	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
KANSAS				
CENTRAL KANSAS PWR	8,795			8,795
GR.PLS(CRA-FARMLAND)		100.00	8,795	
CT&U, WESTERN PWR DIV	101,470			101,470
CARTER-WTR		4.00	4,058	
AMOCO		73.00	74,073	
NO-AMER-PETRO		23.00	23,338	
KANSAS GAS & ELEC	343,500			343,500
ASPH&PETRO INDUST		84.70	290,944	
FRONTIER PRODUCTION		15.30	52,555	
KANSAS POWER & LIGHT	343,000			343,000
GR.PLS		38.40	131,712	
NTL COOP REFINERY		15.50	53,165	
PHILLIPS PETROLEUM		46.10	158,123	
CHANUTE,CITY OF	1,641			1,641
MID AMER.REFINING		100.00	1,641	
CLAY CENTER LT&WTR	0			0
COFFEYVILLE LT & PWR	4,020			4,020
CRA-FARMLAND		100.00	4,020	
LARNED WTR & ELEC	0			0
MCPHERSON BD OF PUB UTIL	10,640			10,640
NTL COOP REFINERY		100.00	10,640	
OTTAWA WTR & LT	0			0
LOUISIANA				
CENTRAL LOUISIANA ELECTR	31,000			31,000
FALCO		66.70	20,677	
ATLAS(PENNZOIL)		33.30	10,323	
JONESBORO POWER & LIGHT	0			0
SOUTHWESTERN ELECTRIC PO	106,345			106,345
FALCO		100.00	106,345	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
MIDDLE SOUTH SERVICES	1,890,000			1,890,000
E L BRIDE(OKC REF.)		1.70	32,130	
TAUBER OIL CO		20.50	387,450	
ERGON INC (EXXON)		3.80	71,820	
REESE OIL(SUN OIL)		.30	5,670	
SHELL		21.30	402,570	
EXXON		12.90	243,810	
MURPHY OIL CORP		30.00	567,000	
TEXACO		9.50	179,550	
MISSISSIPPI				
CLARKSDALE WTR & LT	9,859			9,859
SOUTHLND OIL		100.00	9,859	
YAZOO CITY PUB SERV	4,285			4,285
SOUTHLND OIL(HOWELL)		100.00	4,285	
MISSOURI				
ST JOSEPH LT & PWR	64,900			64,900
E L BRIDE		100.00	64,900	
EMPIRE DIST ELEC	12,743			12,743
E L BRIDE		100.00	12,743	
OKLAHOMA				
OKLAHOMA GAS & ELEC	0			0
BLACKWELL WTR & LT	0			0
WESTERN FARMERS ELEC COO	0			0
TEXAS				
GULF STATES UTILITIES	0			0

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
5. ELECTRIC RELIABILITY COUNCIL OF TEXAS (ERCOT)				
DALLAS POWER &LT.	43,000			43,000
WINSTON REF CO		18.20	7,826	
BEE OIL&REFINING		15.60	6,708	
KERR MCGEE OIL CO		18.90	8,127	
J&W REFINING		47.20	20,296	
HOUSTON LIGHT & PWR	0			0
TEXAS ELEC SERV	0			0
TEXAS PWR & LT	117,419			117,419
LA GLORIA OIL&GAS CO		31.10	36,517	
KERR MCGEE		19.90	23,366	
J&W REFINING		49.00	57,535	
WEST TEXAS UTIL	167,000			167,000
PRIDE REFINING INC		100.00	167,000	
AUSTIN CITY ELEC DEPT	35,714			35,714
TESORO		100.00	35,714	
BRYAN, CITY OF	20,280			20,280
PETROLEUM T&T(3 RIVE		100.00	20,280	
GARLAND,CITY OF	10,697			10,697
DELTA REFINING CO		25.30	2,706	
PRIDE REFINERY INC		74.70	7,990	
LOWER COLORADO RIVER AUT	0			0
SAN ANTONIO PUB SERV	30,000			30,000
TESORO		100.00	30,000	
BRAZOS ELEC COOP	0			0
MEDINA ELEC COOP	2,100			2,100
TESORO		100.00	2,100	
6. MID-AMERICA INTERPOOL NETWORK (MAIN)				

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BY SUPPLIER BARRELS	TOTAL (BARRELS)
ILLINOIS				
COMMONWEALTH EDISON CO.	375,000			375,000
ALLIED O.		98.00	367,500	
CLARK OIL&REF.CORP		2.00	7,500	
ILLINOIS POWER CO	32,000			32,000
ALLIED O.		100.00	32,000	
MISSOURI				
UNION ELECTRIC	90,800			90,800
APEX OIL CO		100.00	90,800	
WISCONSIN				
SUPERIOR WTR & LT	10,715			10,715
MURPHY OIL CORP		100.00	10,715	
WISCONSIN ELEC PWR	0			0

7. MID-CONTINENT AREA RELIABILITY COORDINATION AGREEMENT (MARCA)

IOWA				
ATLANTIC MUNICIPAL UTILI	8,194			8,194
MCMILLAN OIL CO		100.00	8,194	
LAMONI MUNIC	0			0
INTERSTATE POWER	18,388			18,388
NORTHWESTERN REF		100.00	18,388	
MINNESOTA				
MINNESOTA PWR & LT	31,200			31,200
MURPHY OIL		100.00	31,200	
AUSTIN UTILITIES	8,099			8,099
GUSTAFSON OIL CO		33.00	2,672	
NORTHWESTERN REF		48.30	3,911	
W H BARBER		18.70	1,514	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BY SUPPLIER BARRELS	TOTAL (BARRELS)
FAIRMONT WTR & LT	2,088			2,088
NORTHWESTERN REF		100.00	2,088	
MARSHALL MUNICIPAL UTIL	0			0
OWATONNA MUN UTIL	22,751			22,751
GUSTAFSON OIL CO		40.00	9,100	
NORTHWESTERN REF		60.00	13,650	
WORTHINGTON, CITY OF	4,166			4,166
ALLIED O.		100.00	4,166	
NORTHERN STATES PWR	6,260			6,260
E L BRIDE(TEXACO,WC)		100.00	6,260	
NEBRASKA				
CENTRAL NEBRASKA PUBLIC	61,440			61,440
FARMLAND INDUSTRIES		100.00	61,440	
FAIRBURY LT & WTR	4,285			4,285
CARTER WTR(TEXACO)		100.00	4,285	
GRAND ISLAND ELEC	38,967			38,967
E L BRIDE		100.00	38,967	
HASTINGS UTILITIES DEPT	11,763			11,763
CARTER WTR		100.00	11,763	
LINCOLN ELECTRIC SYSTEM	5,414			5,414
E.L. BRIDE CO		100.00	5,414	
NEBRASKA PUBLIC POWER DI	32,360			32,360
PANHANDLE COOP ASSOC		100.00	32,360	
OMAHA PUB PWR DIST	0			0
WISCONSIN				
LAKE SUPERIOR DIST PWR	0			0

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BY SUPPLIER BARRELS	TOTAL (BARRELS)
8. EAST CENTRAL AREA RELIABILITY COORDINATION AGREEMENT (ECAR)				
MICHIGAN				
CLINTON LT & WTR	0			0
GRAND HAVEN BD PUB	3,072			3,072
OSCEOLA REF		100.00	3,072	
HILLSDALE BD OF PUB WORK	2,800			2,800
LEWIS(GLADIEUX REF)		100.00	2,800	
CONSUMERS POWER	1,561,106			1,561,106
MURPHY MI.DIV.AMOCO		6.00	93,666	
ENTERPRISE OIL CO		6.00	93,666	
INDUST FUEL&ASPHALT		2.00	31,222	
RUPP OIL COMPANY		2.00	31,222	
CONSUMERS PWR-CRUDE		54.00	842,997	
BORON OIL(STANDARD)		3.00	46,833	
GLADIEUX REF		1.00	15,611	
LAKESIDE REFINING CO		14.00	218,554	
TOTAL LEONARD INC		4.00	62,444	
OSCEOLA REFINING CO		8.00	124,888	
DETROIT EDISON CO.	542,505			542,505
ENTERPRISE OIL CO		4.80	26,040	
CANADIAN FUEL MKTRS		9.90	53,707	
PETRO PRODUCTS		5.40	29,295	
SUN OIL LTD		70.00	379,753	
MARATHON OIL		9.90	53,707	
OHIO				
CLEVELAND ELEC ILLUMIN	25,833			25,833
ALLIED O.(ASHLAND)		100.00	25,833	
TOLEDO EDISON	0			0
PENNSYLVANIA				
ALLEGHENY POWER SERVICE	21,800			21,800
ALLIED O.(NEPCO)		100.00	21,800	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BY SUPPLIER BARRELS	TOTAL (BARRELS)
9. WESTERN SYSTEMS COORDINATING COUNCIL (WSCC)				
ARIZONA				
TUCSON GAS & ELEC	224,493			224,493
GOLDEN GATE PETRO		22.00	49,388	
HOLLAND OIL(TOSCO)		5.00	11,224	
SO-UNION-OIL		51.00	114,491	
NAVAJO-REFINING		22.00	49,388	
SALT RIVER PROJECT	173,000			173,000
GUSTAFSON OIL CO		.90	1,557	
DOUGLAS OIL CO		2.80	4,844	
LITTLE AMERICA		19.70	34,081	
TESORO		12.40	21,452	
MACMILLAN		17.00	29,410	
POWERINE OIL CO		18.10	31,313	
SAN JOAQUIN REF		29.10	50,343	
ARIZONA PUBLIC SERVICE C	160,949			160,949
PACIFIC SOUTHWEST		16.50	26,556	
BASIN FUELS		4.00	6,437	
UNION OIL OF CAL		63.00	101,397	
SAN JOAQUIN REF		16.50	26,556	
CALIFORNIA				
PACIFIC GAS & ELECTRIC C	4,246,000			4,246,000
ARCO		71.30	3,027,398	
PHILLIPS PETROLEUM		24.00	1,019,040	
UNION OIL OF CA		4.70	199,562	
SAN DIEGO GAS & ELECTRIC	1,050,000			1,050,000
HIRI		60.00	630,000	
TESORO		40.00	420,000	
BURBANK CITY PUBLIC SER.	104,000			104,000
ARCO		100.00	104,000	
GLENDALE PUBLIC SERVICES	107,000			107,000
POWERINE OIL CO		100.00	107,000	
IMPERIAL IRRIGATION DIST	111,800			111,800
CRESCENT REF&O(GULF)		100.00	111,800	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BY SUPPLIER BARRELS	TOTAL (BARRELS)
LOS ANGELES DEPT OF WATE	1,578,000			1,578,000
PETROBAY		7.60	119,928	
ARCO		59.80	943,644	
EDGINGTON OIL CO		20.90	329,802	
NEWHALL REFINING CO		5.00	78,900	
POWERINE OIL CO		3.20	50,496	
SAN JOAQUIN REF		3.50	55,230	
SOUTHERN CALIF EDISON	2,406,000			2,406,000
EXXON		20.40	490,824	
ARCO		7.80	187,668	
CONOCO		2.20	52,932	
TEXACO		9.70	233,382	
STD.OIL-CAL		50.10	1,205,406	
MACMILLAN R.F.OIL		3.00	72,180	
PACIFIC RESOURCES		6.80	163,608	
PASADENA POWER CO.	73,562			73,562
GOLD.EAGLE		100.00	73,562	
COLORADO				
PUB SERV COLORADO	152,289			152,289
CONOCO		36.40	55,433	
REF.CORP		43.50	66,245	
PLATEAU INC		20.10	30,610	
COLORADO SPRINGS LT & PW	0			0
LAMAR LT & PWR	0			0
MONTANA				
MONTANA POWER	0			0
NEVADA				
NEVADA POWER COMPANY	112,000			112,000
GUSTAFSON OIL CO		54.00	60,480	
HUSKY OIL COMPANY		46.00	51,520	
SIERRA PACIFIC POWER	209,612			209,612
GOLDEN GATE PETRO		100.00	209,612	

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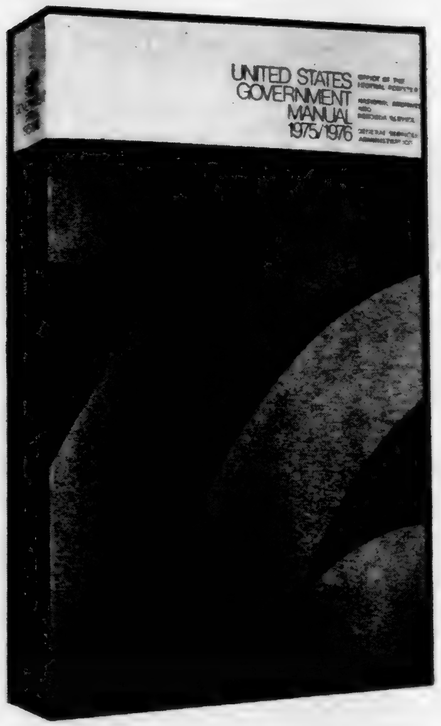
	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BY SUPPLIER BARRELS	TOTAL (BARRELS)
NEW MEXICO				
PUB SERV NEW MEXICO	106,657			106,657
SHELL		26.40	28,157	
STD.OIL-TEXAS		4.30	4,586	
PLATEAU INC		39.80	42,449	
THRIFTWAY		5.40	5,759	
NAVAJO REFINING		24.10	25,704	
PLAINS ELEC GEN & TRANSM	71,969			71,969
CARIBOU 4 CORNERS		2.20	1,583	
PLATEAU INC		97.80	70,385	
OREGON				
PACIFIC POWER & LIGHT CO	204			204
STD.OIL(IND)		100.00	204	
TEXAS				
COMMUNITY PUB SERV	23,893			23,893
STD.OIL-TEXAS		100.00	23,893	
EL PASO ELECTRIC	102,600			102,600
SOUTHERN UNION		74.50	76,437	
TESORO		25.50	26,163	
UTAH				
UTAH POWER &LIGHT CO.	17,288			17,288
BLACKLINE ASPH.SALES		100.00	17,288	
WASHINGTON				
PUGET SOUND POWER &LIGHT	137,622			137,622
CASCADE		8.00	11,009	
HOME OIL CO		2.00	2,752	
LILYBLAD		8.50	11,697	
PACIFIC NORTHERN		16.00	22,019	
OLDS OLYMPIC		4.00	5,504	
ROSSO INC		1.00	1,376	
SOUTH CENTER OIL		16.50	22,707	
SHELL		44.00	60,553	

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	19 RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
SEATTLE DEPT OF LI	8,928			8,928
SHELL		100.00	8,928	
TACOMA DEPT OF PUBLIC UT	0			0
10. ALASKA SYSTEMS COORDINATING COUNCIL (ASCC)				
ALASKA				
CORDOVA, TOWN OF	0			0
HAWAII				
HAWAIIAN ELECTRIC COMPAN	678,167			678,167
STD.OIL-CA		100.00	678,167	
HILO ELEC LT	39,284			39,284
STD.OIL-CA		100.00	39,284	
KAUAI ELECTRIC	14,045			14,045
STD.OIL--CA		100.00	14,045	
MAUI ELECTRIC	35,398			35,398
STD.OIL-CA		100.00	35,398	
11. NOT OTHERWISE CLASSIFIED (NOC)				
UNKNOWN				
GUAM PWR AUTH	12,743			12,743
U.S.NAVY		100.00	12,743	
UNKNOWN				
PUERTO RICO WATER RESOUR	1,599,428			1,599,428
COMMONWEALTH OIL		50.00	799,714	
PUERTO RICO SUN OIL		30.00	479,828	
CARIBBEAN GULF REF		20.00	319,885	
ST CROIX, V.I. WTR PWR	44,374			44,374
AMERADA HESS CORP		100.00	44,374	
ST THOMAS, V.I. WTR PWR	38,633			38,633
AMERADA HESS CORP		100.00	38,633	

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Rules Going Into Effect Today

NOTE: There were no items published after October 1, 1972, that are eligible for inclusion in the list of RULES GOING INTO EFFECT TODAY.

List of Public Laws

This is a listing of public bills enacted by Congress and approved by the President, together with the law number, the date of approval, and the U.S. Statute citation. The list is kept current in each issue of the Federal Register and copies of the laws may be obtained from the U.S. Government Printing Office.

H.R. 3474 ..... Pub. Law 94–187
An act to authorize appropriations to the Energy Research and Development Administration in accordance with section 261 of the Atomic Energy Act of 1954, as amended, section 305 of the Energy Reorganization Act of 1974, and section 16 of the Federal Nonnuclear Energy Research and Development Act of 1974, and for other purposes
(Dec. 31, 1975; 89 Stat. 1063)

H.R. 4016 ..... Pub. Law 94–189
An act to provide for the disposition of funds appropriated to pay certain Indian Claims Commission judgments in favor of the Sac and Fox Indians, and for other purposes
(Dec. 31, 1975; 89 Stat. 1093)

H.R. 4073 ..... Pub. Law 94–188
Regional Development Act of 1975
(Dec. 31, 1975; 89 Stat. 1079)

H.R. 4287 ..... Pub. Law 94–191
An act to provide for additional law clerks for the judges of the District of Columbia Court of Appeals
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H.R. 5541 ..... Pub. Law 94–190
Small Business Emergency Relief Act
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H.R. 6461 ..... Pub. Law 94–192
Public Broadcasting Financing Act of 1975
(Dec. 31, 1975; 89 Stat. 1099)

H.R. 8304 ..... Pub. Law 94–194
An act to amend the national reading improvement program to provide more flexibility in the types of projects which can be funded, and for other purposes
(Dec. 31, 1975; 89 Stat. 1103)

H.R. 8631 ..... Pub. Law 94–197
An act to amend the Atomic Energy Act of 1954, as amended, to provide for the phaseout of governmental indemnity as a source of funds for public remuneration in the event of a nuclear incident, and for other purposes
(Dec. 31, 1975; 89 Stat. 1111)

H.R. 10035 ..... Pub. Law 94–193
An act to establish the Judicial Conference of the District of Columbia
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H.R. 11172 ..... Pub. Law 94–195
An act to insure that the compensation and other emoluments for any person filling the vacancy on the Federal Maritime Commission caused by the resignation of Commissioner George Henry Hearn shall be those which were in effect on January 1, 1975, and for other purposes
(Dec. 31, 1975; 89 Stat. 1108)

H.R. 11184 ..... Pub. Law 94–196
An act to amend title 3, United States Code, to provide for foreign diplomatic missions, to increase the size of the Executive Protective Service, and for other purposes
(Dec. 31, 1975; 89 Stat. 1109)

S. 322 ..... Pub. Law 94–199
An act to establish the Hells Canyon National Recreation Area in the States of Oregon and Idaho, and for other purposes
(Dec. 31, 1975; 89 Stat. 1117)

S. 1281 ..... Pub. Law 94–200
An act to extend the authority for the flexible regulation of interest rates on deposits and share accounts in depository institutions, to extend the National Commission on Electronic Fund Transfers, and to provide for home mortgage disclosure
(Dec. 31, 1975; 89 Stat. 1124)
The following bill was vetoed by the President:

S. 2350, An act to amend the National Security Act of 1947, as amended, to include the Secretary of the Treasury as a member of the National Security Council. Veto message dated December 31, 1975; Weekly Compilation of Presidential Documents, Vol. 12, No. 1.

S.J. Res. 157 ..... Pub. Law 94–198
Joint resolution to provide a 2-month extension of the exemption for loans made to finance the acquisition of previously occupied residential dwellings from the prohibition against financing by Federally-related financial institutions for property located in communities not participating in the national flood insurance program
(Dec. 31, 1975; 89 Stat. 1116)

The following bill was vetoed by the President:

H.R. 5900, An act to protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers and to establish a national framework for collective bargaining in the construction industry, and for other related purposes. Veto message dated January 2, 1976; Weekly Compilation of Presidential Documents, Vol. 12, No. 1.

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Title 3—The President

PROCLAMATION 4411

The Bicentennial Year

By the President of the United States of America

A Proclamation

In the year 1776, the people of our land dedicated themselves in word and deed to the principles of liberty, equality, individual dignity, and representative government. It was a hectic but heroic beginning of a process which led to the creation of a great Republic symbolizing then, as it does today, the hope of the future.

The year 1776 was a year of revolution, not merely in the rejection of colonial rule, but in the thoughtful, eloquent, and enduring expression of a government to foster and perpetuate the development of a free and independent people.

Now, two hundred years later, we have settled our continent and turned our vision to the limits of the universe. We are the richest nation in the world—rich in our resources, rich in our creativity, rich in our strength, and rich in our people—from our Native Americans to those who have come from every country on earth to share in the hope, the work, and the spirit of our Republic.

The challenges faced by our forebears were not only to their physical capabilities but also to their faith in the future. Their response to these challenges affirmed their deep belief that by their actions they could create a better world for themselves and those that would follow. As we enter America's third century, let us emulate in word and deed, their resolve and vision.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, do hereby proclaim the year of our Lord nineteen hundred seventy-six as The Bicentennial Year. Let 1976 be a year of reflection, a year of sharing, and foremost, a year of achievement.

I urge all Americans to reflect, from time to time during this Bicentennial Year, on the historic events of our past, on the heroic deeds of those whose legacy we now enjoy, and on the compelling visions of those who helped shape our constitutional government.

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I call upon educators, clergy and labor, business and community leaders, as well as those in the communications media, to review our history and publicize the shaping events, people, and ideas of our historic beginnings.

I call upon every man, woman, and child to celebrate the diversity of tradition, culture and heritage that reflects our people and our patrimony. Let each of us resolve to cherish and protect what we have achieved in the United States of America and to build upon it in the years ahead, not by words alone, but by actions which bespeak a continuing commitment to a heritage of individual initiative, creativity, and liberty.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of December, in the year of our Lord nineteen hundred seventy-five, and of the Independence of the United States of America the two hundredth.

Gerald R. Ford

[FR Doc.76-440 Filed 1-2-76;5:03 pm]

Modifying Proclamation No. 3279,[1] as Amended, Relating to Imports of Petroleum and Petroleum Products, and Providing for the Long-Term Control of Imports of Petroleum Products Through a System of License Fees

By the President of the United States of America

A Proclamation

WHEREAS, pursuant to Section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862), the Secretary of the Treasury investigated the effects on the national security of imports of crude oil and the principal crude oil derivatives and products, and advised me that crude oil, the principal crude oil derivatives and products, and related products derived from natural gas and coal tar, were being imported in such quantities and under such circumstances as to threaten to impair the national security, and recommended that I take action to reduce such imports; and

WHEREAS, having considered the matters required by me to be considered by the said Trade Expansion Act of 1962, as amended, I issued Proclamation No. 4341 to adjust such imports by accelerating the base fees and imposing a supplemental fee; and

WHEREAS, Congress has passed, and I have approved, legislation which establishes programs to reduce the vulnerability of the United States to interruptions in the importation of petroleum; and

WHEREAS, such legislation also provides for a system of price controls which will allow gradual increases in the cost of domestic petroleum to levels substantially above those which prevail at present and should, in the long term, promote petroleum conservation and tend to discourage the importation into the United States of petroleum and petroleum products; and

WHEREAS, I have thus determined that the purposes of the supplemental fee will be served by such legislation, and that it is consistent with the national security to eliminate the supplemental fee effective December 22, 1975; and

WHEREAS, in order to offset the relative advantages of locating refining capacity abroad, and to carry out the other long term objectives of the import program established pursuant to Proclamation No. 4210 of April 18, 1973, I have determined to retain the base fees at this time; and

WHEREAS, certain modifications to the Mandatory Oil Import Program are necessary to facilitate the availability of crude oil supplies to United States users through exchanges of Canadian and United States crude oil, and for other purposes;

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and the laws of the United States, in-

[1] 24 FR 1781; 3 CFR, 1959–1963 Comp., p. 11.

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cluding Section 232 of the Trade Expansion Act of 1962, as amended, do hereby proclaim that, effective as of December 22, 1975, Proclamation No. 3279, as amended, is hereby amended as follows:

SECTION 1. The last sentence of paragraph (c) of Section 1 is deleted.

SEC. 2. Subparagraph (1) of paragraph (a) of Section 3 is amended by deleting clauses (iii) through (viii), by redesignating clauses (ix) and (x) as clauses (iv) and (v) respectively, by substituting the words "paragraph 3(a)(1)(i)–(ii)" for the words "paragraph(s) 3(a)(1)(i)–(iii)" wherever they may appear, and by adding clauses (iii), (vi), and (vii) to read as follows:

"(iii) with respect to the fees imposed pursuant to paragraph 3(a)(1)(i)–(ii), the amount of such fees shall be reduced, in such manner as may be provided by the Administrator, by an amount equal to any applicable duties;

"(vi) with respect to licenses issued against a surety bond pursuant to paragraph 3(a)(1)(i)–(ii), fees shall be paid no later than the last day of the month following the month in which such imports were released from customs custody or entered or withdrawn from warehouse for consumption, whichever occurs first; and

"(vii) with respect to imports made on or before December 21, 1975, all supplemental fees payable under paragraph 3(a)(1)(iii) of this Proclamation as in effect on December 21, 1975, shall be payable in accordance with this Proclamation as in effect on that date.".

SEC. 3. Subparagraph (3) of paragraph (a) of Section 3 is amended to read as follows:

"(3) The Administrator is authorized to refund or reduce fees, whether in whole or in part, (i) where the licensee failed to use, wholly or in part, the license issued to him, (ii) where refunds or reductions, whether in whole or in part, are ordered pursuant to Section 5, (iii) where refunds or reductions, whether in whole or in part, are called for by reason of a person having exported finished products or petrochemicals, (iv) where crude oil imported by virtue of a license for which a fee was paid has been manufactured into asphalt, (v) for payment to the importer of record of sums refunded pursuant to clauses (iii), (iv), (v) and (vii) of paragraph 3(a)(1), as amended by this Proclamation, (vi) where the importer of record participates in an exchange in accordance with the next to last sentence of paragraph 4(b)(1), (vii) where refund of a license fee is called for by reason of the same having been improperly charged.".

SEC. 4. Subparagraph (2) of paragraph (c) of Section 3 is deleted. Subparagraph (3) of paragraph (c) of Section 3 is redesignated as paragraph (2).

SEC. 5. Subparagraph (1) of paragraph (b) of Section 4 is amended by inserting the following sentence immediately before the last sentence:

"Notwithstanding the levels established in Section 2 of this Proclamation, the Administrator may make allocations to which license fees under paragraph 3(a)(1)(i)–(ii) shall not be applicable, with respect to crude oil or unfinished oils imported from Canada in exchange for crude oil, unfinished oils, or finished products produced in the United States or entered into United States customs territory and exported to Canada.".

SEC. 6. Paragraph "n" of Section 11 is deleted.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of January, in the year of our Lord nineteen hundred seventy-six, and of the Independence of the United States of America the two hundredth.

Gerald R. Ford

[FR Doc.76–445 Filed 1–5–76;10:24 am]

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Executive Order 11893 • December 31, 1975

Transferring Certain Functions From the General Services Administration to the Office of Management and Budget

By virtue of the authority vested in me as President by the Constitution and Statutes of the United States, particularly by section 301 of title 3 of the United States Code, the Federal Property and Administrative Services Act of 1949, as amended, the Budget and Accounting Act, 1921, as amended, the Budget and Accounting Procedures Act of 1950, as amended, Reorganization Plan No. 2 of 1970; and section 5317 of title 5 of the United States Code, it is hereby ordered as follows:

SECTION 1. There are hereby transferred to the Director of the Office of Management and Budget all policy functions that were transferred to the Administrator of General Services by Section 1 (1) of Executive Order No. 11717, dated May 9, 1973, and Executive Order No. 11867, dated June 19, 1975.

SEC. 2. The Director of the Office of Management and Budget shall continue to perform policy formulation and general oversight functions with regard to the other transfers made by Executive Order No. 11717 and Executive Order No. 11867. No function vested by statute in the Administrator shall be deemed to be affected by the provisions of this order.

SEC. 3. So much of the personnel, property and records attendant to the functions transferred by this order as the Director of the Office of Management and Budget shall determine, shall be transferred to the Office of Management and Budget, at such times as the Director shall specify.

SEC. 4. Executive Order No. 11717 of May 9, 1973, and Executive Order No. 11867 of June 19, 1975, are hereby superseded to the extent that they are inconsistent with this order. Any circulars, directives, or regulations issued pursuant to functions transferred by this order shall remain in effect until modified or rescinded by the Office of Management and Budget.

SEC. 5. Section 2 of Executive Order No. 11861 of May 21, 1975, as amended, placing certain positions in level V of the Executive Schedule, is further amended by deleting "(9) Associate Administrator for Federal Management Policy, General Services Administration.".

SEC. 6. This order shall be effective as of December 31, 1975.

Gerald R. Ford

THE WHITE HOUSE,
December 31, 1975.

[FR Doc.76-441 Filed 1-2-76;5:04 pm]

Executive Order 11894 • January 3, 1976

Adding to the Membership of the East-West Foreign Trade Board

By virtue of the authority vested in me by Section 411 of the Trade Act of 1974 (88 Stat. 2065, 19 U.S.C. 2441), and as President of the United States of America, the Secretary of Defense is added as a member of the East-West Foreign Trade Board and the list of ex officio members of the East-West Foreign Trade Board set forth in Section 7(a) of Executive Order No. 11846 of March 27, 1975, is accordingly amended to read as follows:

"(1) The Secretary of State.

(2) The Secretary of the Treasury.

(3) The Secretary of Defense.

(4) The Secretary of Agriculture.

(5) The Secretary of Commerce.

(6) The Special Representative for Trade Negotiations.

(7) The Director of the Office of Management and Budget.

(8) The Executive Director of the Council on International Economic Policy.

(9) The President of the Export-Import Bank of the United States.

(10) The Assistant to the President for Economic Affairs.".

Gerald R. Ford

THE WHITE HOUSE,
January 3, 1976.

[FR Doc.76-446 Filed 1-5-76;10:25 am]

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rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 7—Agriculture

CHAPTER VII—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (AGRICULTURAL ADJUSTMENT), DEPARTMENT OF AGRICULTURE

PART 730—RICE

1976–77 Marketing Year

PROCLAMATIONS AND DETERMINATIONS WITH RESPECT TO MARKETING QUOTAS AND NATIONAL ACREAGE ALLOTMENT FOR 1976 CROP RICE, AND APPORTIONMENT OF 1976 NATIONAL ACREAGE ALLOTMENT OF RICE AMONG THE SEVERAL STATES

The provisions of §§ 730.1501 to 730.1503 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.) (referred to as the "act"), with respect to the 1976 crop of rice. The purpose of these provisions is to (1) proclaim that marketing quotas shall be in effect for the 1976 crop of rice, (2) establish the national acreage allotment for such crop, and (3) apportion the national acreage allotment among the States. The latest available statistics of the Federal Government have been used in making determinations under these provisions.

Notice that the Secretary was preparing to make determinations with respect to these provisions was published in the FEDERAL REGISTER on October 30, 1975 (40 FR 50542–3) in accordance with the provisions of 5 U.S.C. 553. Data, views and recommendations were submitted pursuant to such notice and consideration was given thereto to the extent permitted by law.

It is essential that these provisions be made effective as soon as possible, since the proclamation of quotas is required to be made not later than December 31, 1975, and a referendum to determine whether rice producers favor or oppose the quotas must be held within 30 days after proclamation of the quotas. Accordingly, it is hereby found and determined that compliance with the 30-day effective date requirement of 5 U.S.C. 553 is impracticable and contrary to the public interest and §§ 730.1501 to 730.1503 shall be effective December 31, 1975.

Sections 730.1501 through 730.1503 are amended with respect to the 1976 crop of rice to provide as follows:

§ 730.1501 Marketing quotas for the 1976 crop of rice.

The total supply of rice in the United States for the marketing year beginning August 1, 1975, is determined to be 134.7 million hundredweight (rough basis). The normal supply of rice for such marketing year is determined to be 112.2 million hundredweight (rough basis). Since the total supply of rice for the 1975–76 marketing year exceeds the normal supply for such marketing year, marketing quotas shall be in effect for the 1976 crop of rice.

§ 730.1502 National acreage allotment of rice for 1976.

The normal supply of rice for the marketing year commencing August 1, 1976, is determined to be 96.6 million hundredweight (rough basis). The carryover of rice on August 1, 1976, is estimated at 32.5 million hundredweight. Therefore, the production of rice needed in 1976 to make available a supply of rice for the 1976–77 marketing year equal to the normal supply for such marketing year is 64.1 million hundredweight. The national average yield of rice for the 5 calendar years 1971 through 1975 is determined to be 4,512 pounds per planted acre. The national acreage allotment of rice for 1976 computed on the basis of the normal supply for 1976, less estimated carryover, and the national average yield per planted acre for the 5 calendar years, 1971 through 1975, is 1,420,656 acres. Since such amount is less than the minimum national acreage allotment of 1,652,596 acres prescribed under section 353(e)(6) of the act, the national acreage allotment for rice for the calendar year 1976 shall be 1,652,596 acres.

§ 730.1503 Apportionment of 1976 national acreage allotment of rice among the several States.

The national acreage allotment proclaimed in § 730.1502, less a national reserve of 300 acres, is hereby apportioned among the several rice producing States as follows:

State:	Acres
Arizona	229
Arkansas	399,021
California	299,766
Florida	957
Illinois	30
Louisiana:	
Farm administrative area	458,057
Producer administrative area	16,951
State total	475,008
Mississippi	46,674
Missouri	4,758
North Carolina	38
Oklahoma	149
South Carolina	2,646
Tennessee	517
Texas	422,313
Total apportioned to States	1,652,296
Unapportioned national reserve	300
U.S. total	1,652,596

(Sec. 301, 352, 353, 354, 375, 52 Stat. 38, 60, 61, 66, as amended; 7 U.S.C. 1301, 1352, 1353, 1354, 1375)

Effective date: These amendments are effective on December 31, 1975.

Signed at Washington, D.C. on December 31, 1975.

EARL L. BUTZ,
Secretary.

[FR Doc.75-35244 Filed 12-31-75;9:17 am]

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

PART 916—NECTARINES GROWN IN CALIFORNIA

Increase in Expenses for the 1975–76 Fiscal Period

This document authorizes an increase from $655,581 to $660,000 in the expenses that are reasonable and likely to be incurred during the 1975–76 fiscal period by the Nectarine Administrative Committee established under Marketing Order No. 916.

Notice was published in the December 8, 1975, issue of the FEDERAL REGISTER (40 FR 57221) that consideration was being given to a proposal regarding an increase in the expenses previously approved for the fiscal period March 1, 1975, through February 29, 1976, pursuant to the marketing agreement, as amended, and Order No. 916, as amended (7 CFR Part 916), regulating the handling of nectarines grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The notice provided that all written data, views, or arguments in connection with said proposal be submitted by December 23, 1975. None were received.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice and the recommendation thereof which was submitted by the Nectarine Administrative Committee (established pursuant to the said marketing agreement and order), it is hereby ordered that the provisions of paragraph (a) of § 916.214 *Expenses and rate of assessment* (40 FR 31592) be, and hereby are, amended to read as follows:

§ 916.214 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Nectarine Administrative Committee during the period March 1, 1975, through February 29, 1976, will amount to $660,000.

* * * * *

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It is hereby found that good cause exists for not postponing the effective date hereof until February 5, 1976 (5 U.S.C. 553), in that (1) the increase in the expenses set forth does not involve an increase in the rate of assessment heretofore established by the Secretary (40 FR 31592); (2) the said committee has incurred expenses in excess of those previously thought likely to be incurred; and (3) it is essential that the specification of expenses herein provided be issued immediately so that said committee can meet its obligations and perform its duties and functions within the fiscal period in accordance with the said amended marketing agreement and order.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: December 31, 1975.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.76-287 Filed 1-5-76;8:45 am]

Title 10—Energy

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 211—MANDATORY PETROLEUM ALLOCATION REGULATIONS

Emergency Amendment Adopting Special Rule No. 6 for Subpart C

On December 22, 1975, the President signed the Energy Policy and Conservation Act (the "EPCA") (Pub. L. 94–163). Section 403(a) of the EPCA amends the Emergency Petroleum Allocation Act of 1973 (the "EPAA") to add a new section 4(e) that would exempt refiners whose refining capacity did not exceed on January 1, 1975 and does not thereafter exceed 100,000 barrels per day from the entitlement purchase requirements of FEA's Old Oil Allocation Program as to the first 50,000 barrels per day of their inputs or receipts, or both. Section 403 (b) of the EPCA provides that such exemption shall be applicable to payments due on or after thelast day of the month during which the EPCA is enacted.

Since, pursuant to § 211.67(b), payments for October 1975 entitlements are due December 31, 1975, FEA is required to make the small refiner purchase exemption provided by the EPCA applicable to the purchase and sale obligations set forth in the October 1975 entitlement notice (40 FR 58619; December 17, 1975).

Accordingly, on December 24, 1975, the FEA issued a notice revoking the previously-issued October 1975 entitlement notice and is hereby adopting Special Rule No. 6 for Subpart C effective immediately in order to implement in a timely fashion the requirements of section 403(a) of the EPCA. FEA is concurrently issuing a revised entitlement notice for October 1975 reflecting the adoption of the Special Rule.

The Special Rule adopted hereby applies only to small refiners whose total refining capacity on January 1, 1975 or any day thereafter did not exceed 100,000 barrels per day. The Special Rule exempts all such small refiners from any purchase requirements they would otherwise have as to the first 50,000 barrels per day of their daily average volume of crude oil runs to stills. Thus, such small refiners having run levels under 50,000 barrels per day will have no purchase obligations. For small refiners having run levels in excess of 50,000 barrels per day, the Special Rule is applicable only to that number of entitlements which bears the same proportion to the total number of entitlements required to be purchased that 50,000 barrels per day bears to the average daily volume of crude oil runs to stills of that refiner.

Section 403(a) of the EPCA, in amending the EPAA, provides that the exemption applies to the "first 50,000 barrels per day of input, or receipts, or both." Since the statutory provision is in the alternative, FEA has determined to base its calculations implementing the exemption on refiners' crude runs, since the latter are the best indicator of the level of a particular firm's operations for a month. In addition, utilization of crude runs instead of crude inventory receipts minimizes distortions associated with fluctuations in inventory levels and timing of crude deliveries. However, since the statutory language refers to both inputs and receipts, or both, the Special Rule also provides that old oil receipts of a refiner in excess of 50,000 barrels per day for a particular month will not be exempted.

In addition, in implementing the entitlement purchase exemption under the EPCA, FEA was concerned that the availability of the exemption might result in the restructuring of crude oil processing and exchange agreements currently in effect so as to result in the transfer of old oil to refiners benefiting from the exemption. Therefore, the Special Rule provides that the Rule shall in no event exempt from the requirements of § 211.67(b) volumes of old oil included in a refiner's adjusted crude oil receipts for a particular month where the volumes are attributable to a processing agreement, an exchange or purchase and sale agreement involving crude oil or refined products, a purchase agreement for old oil, or any other agreement or arrangement having a similar effect, and where such agreement or arrangement was not in effect on December 1, 1975 and the volumes of old oil subject to the agreement or arrangement were not delivered, sold or otherwise transferred in the month December 1975 in substantially the regular monthly volumes and in the normal manner contemplated by the agreement or arrangement.

In view of the date the EPCA became effective and the additional time that will be required for refiners to arrange their entitlement transactions for October 1975, the Special Rule extends the date by which such transactions must be consummated from December 31, 1975 to January 9, 1976. However, for purposes of calculating product prices for the month of January 1976 and thereafter, cost increases or reductions resulting from October 1975 entitlement transactions consummated by January 9, 1976 shall be deemed to have been incurred on or before December 31, 1975. In addition, the Special Rule extends the date by which reports for October 1975 entitlement transactions shall be filed from January 10 to January 15, 1976.

It is recognized by the FEA that the small refiner exemption required by section 403(a) of the EPCA and initially implemented by this Special Rule may grant certain small refiners benefits disproportionate to their actual needs and thereby provide them with an unwarranted competitive advantage over other refiners, which would be inconsistent with the objectives set forth in Section 4(b)(1) of the EPAA. The EPCA specifically recognizes that such unjustified advantages may occur and, in Section 455, amends the EPAA by adding a new Section 12(g) which authorizes FEA to amend its regulations to avoid such a result. Any such amendment is required to be submitted to the Congress under the procedures specified in Section 551 of the EPCA and may be disapproved by a majority vote of either House. As soon as possible, the FEA intends to propose an amendment to 10 CFR 211.67 that would, first, implement the small refiner exemption from entitlement purchase obligations now set forth in this Special Rule, and, secondly, would solicit comments and data on the regulatory action, if any, that should be taken by FEA to prevent any unwarranted competitive advantages caused by a blanket exemption like that provided by this Special Rule. At the conclusion of this rulemaking proceeding, if FEA determines that a further amendment is required to avoid any inconsistency with the objectives of the EPAA and if this amendment is not disapproved by either House of Congress (assuming it will require submission thereto), the amendment would be issued and the Special Rule adopted hereby would then be revoked.

The Special Rule is effective immediately because any delay in its effective date would not permit FEA to apply the exemption granted by section 403 of the EPCA to payments due on or after the last day of the month during which the EPCA was enacted. Any delay in the effective date would also potentially be detrimental to the financial and competitive position of certain small refiners that would benefit from the exemption, and retroactive adjustments reflected in future entitlement issuances might not provide adequate compensation in these cases.

Section 7(1)(1)(B) of the Federal Energy Administration Act of 1974 (Pub. L. 93–275) (the "FEAA") provides for waiver of the requirements of that section as to time of notice and opportunity to comment prior to promulgation of regulations where strict compliance with such requirements is found to cause serious harm or injury to the public health, safety, or welfare. The FEA has determined for the reasons outlined above that strict compliance with the requirements of section 7(1)(1)(B) of the FEAA would thus cause serious harm and injury to the public welfare. Accordingly, these requirements must be waived and this Special Rule is made effective immediately, prior to opportunity to comment thereon.

The review provisions of section 7(c)(2) of the FEAA are hereby waived for a period of fourteen days, as provided for in that section, upon a finding that there is an emergency situation which requires immediate action. FEA is submitting the text of this emergency amendment concurrently with its issuance to the Administrator of the Environmental Protection Agency for his review.

Because this Special Rule is being issued on an emergency basis, an opportunity for oral presentation of views will not be possible prior to its promulgation. A public hearing on the Special Rule, however, will be held beginning at 9:30 a.m. on January 22, 1976, in Room 2105, 2000 M Street NW., Washington, D.C., to receive comments from interested persons. Any person who has an interest in the subject of the hearing, or who is a representative of a group or class of persons which has an interest in the subject of the hearing, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, and must be received before 4:30 p.m., e.s.t., January 14, 1976. Such a request may be hand delivered to Room 3309, Federal Building, 12th and Pennsylvania Avenue NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned; if appropriate, to state why he or she is a proper representative of a group or class of persons which has such an interest; and to give a concise summary of the proposed oral presentation and a phone number where he or she may be contacted through January 21, 1976. Each person selected to be heard will be so notified by the FEA before 5:30 p.m. January 16, 1976, and must submit 100 copies of his or her statement to the Office of Regulations Management, FEA, Room 2214 B, 2000 M Street NW., Washington, D.C., before 4:30 p.m., e.s.t. on January 21, 1976.

The FEA reserves the right to select the persons to be heard at the hearing, to schedule their respective presentations, and to establish the procedures governing the conduct of the hearing. Each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearing. It will not be a judicial or evidentiary type hearing. Questions may be asked only by those conducting the hearing, and there will be no cross-examination of persons presenting statements. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he or she so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any interested person may submit questions, to be asked of any person making a statement at the hearing, to Executive Communications, FEA, before 4:30 p.m., January 16, 1976. Any person who makes an oral statement and who wishes to ask a question at the hearing may submit the question, in writing, to the presiding officer. The FEA or the presiding officer, if the question is submitted at the hearing, will determine whether the question is relevant and whether time limitations permit it to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearing will be announced by the presiding officer.

A transcript of the hearing will be made and the entire record of the hearing, including the transcript, will be retained by the FEA and made available for inspection at the Administrator's Reception Area of the FEA, Room 3400, Federal Building, 12th and Pennsylvania Avenue N.W., Washington, D.C., between the hours of 8 a.m. to 4:30 p.m., Monday through Friday. Anyone may purchase a copy of the transcript from the reporter.

Interested persons are invited to submit data, views, or arguments with respect to the Special Rule to Executive Communications, Federal Energy Administration, Box FC, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on documents submitted to Executive Communications, FEA, with the designation "Emergency Amendment—Special Rule No. 6". Fifteen copies should be submitted. All comments received by January 16, 1976, and all relevant information will be considered by FEA.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination.

FEA is currently reviewing this Special Rule in light of Executive Order 11821, issued November 27, 1974, to determine whether the provisions of Sections 403 and 455 of the EPCA as finally implemented by FEA will require an evaluation of their inflationary impact under this executive order. FEA will publish the results of its review of this issue at the time it proposes further amendments to 10 CFR 211.67 to implement fully these provisions of the EPCA.

(Emergency Petroleum Allocation Act of 1973, Pub. 93–159, as amended by Pub. L. 94–163; Federal Energy Administration Act of 1974, Pub. L. 93–275; E.O. 11790, 39 F.R. 23185)

In consideration of the foregoing, Part 211, Chapter II of Title 10, Code of Federal Regulations, is amended as set forth below, effective immediately.

Issued in Washington, D.C., December 31, 1975.

MICHAEL F. BUTLER,
General Counsel.

The Appendix to Subpart C of Part 211 is amended by the addition of a Special Rule No. 6 to read as follows:

SPECIAL RULE NO. 6

1. *Scope.* This Special Rule provides for a reduction in the entitlement purchase requirements under § 211.67(b) for certain refiners for October 1975 and subsequent months and sets forth certain other provisions relating to entitlement transactions for October 1975.

2. *Applicability of purchase exemption.* (a) The provisions of section 3 of this Special Rule shall be applicable only to refiners whose total refining capacity (including the refining capacity of any person who controls, is controlled by, or is under common control with such refiner) on January 1, 1975, or at any time thereafter did not exceed 100,000 barrels per day.

(b) The provisions of Section 3 of this Special Rule shall in no event exempt from the requirements of § 211.67(b) entitlement purchase obligations related to volumes of old oil in excess of 50,000 barrels per day included in a refiner's adjusted crude oil receipts for a particular month.

(c) The provisions of Section 3 of this Special Rule shall in no event exempt from the requirements of § 211.67(b) volumes of old oil included in a refiner's adjusted crude oil receipts for a particular month where the volumes are attributable to a processing agreement, an exchange or purchase and sale agreement involving crude oil or refined products, a purchase agreement for old oil, or any other agreement or arrangement having similar effect, and where such agreement or arrangement was not in effect on December 1, 1975 and the volumes of old oil subject to the agreement or arrangement were not delivered, sold or otherwise transferred in the month December 1975 in substantially the regular monthly volumes and in the normal manner contemplated by the agreement or arrangement.

3. *Reduction in entitlement purchase requirements for certain refiners.* (a) Each refiner with a volume of crude oil runs to stills of 50,000 barrels per day or less in the month concerned, that would otherwise be required to purchase entitlements under § 211.67(b), shall not be required to purchase any entitlements for the month of October 1975 and each month following October 1975.

(b) Each refiner with a volume of crude oil runs to stills in excess of 50,000 barrels per day in the month concerned, that is required to purchase entitlements under § 211.67(b), shall not be required to purchase a number of entitlements for the month of October 1975 and each month following October 1975 which is in the same proportion to the total number of entitlements otherwise required to be purchased by that refiner under § 211.67(b) for that month that 50,000 barrels per day is to the daily average volume of that refiner's crude oil runs to stills for that month.

(c) The exemption from the purchase obligations of § 211.67(b) provided for by this section shall be given effect in the calculations under § 211.67 by proportionately increasing entitlement purchase and reducing entitlement sale obligations

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4. *Extension of Date for Consummation of October 1975 Entitlement Transactions.* (a) Notwithstanding the provisions of § 211.67 (b), entitlement purchases for October 1975 shall not be required to be effected until January 9, 1976.

(b) For purposes of calculating maximum lawful prices under Part 212 of this chapter, entitlement transactions for October 1975 shall be deemed to have occurred in December 1975, notwithstanding any consummation of these transactions subsequent to December 31, 1975 and on or prior to January 9, 1976 in accordance with the provisions of paragraph (a) of this section.

(c) Notwithstanding the provisions of § 211.66(1), each refiner that was required to purchase or sell entitlements for October 1975 shall file the report provided for by § 211.66(1) on or prior to January 15, 1976.

5. *Provisions of Subpart C.* The provisions of Subpart C of Part 211 shall remain in full force and effect except as expressly modified by the provisions of this Special Rule.

[FR Doc.75-35255 Filed 12-31-75;4:50 pm]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 75-CE-12-AD; Amdt. 39-2482]

PART 39—AIRWORTHINESS DIRECTIVES

Beech Model 18 Series Airplanes

On September 29, 1975, the Federal Aviation Administration published a supplemental notice of proposed rule making (Docket No. 75-CE-12-AD, 40 FR 44570 thru 44575) relating to the Beech 18 series airplane wing structure. Specifically, the supplemental notice proposed to amend Part 39 of the Federal Aviation Regulations by issuing an Airworthiness Directive (AD) to establish safe life limits for the basic wing structure configuration of the Beech Model 18 series airplanes. Alternatively, the proposal would allow reinforcing of the aircraft's main wing spar between left and right wing station 181 accompanied by recurring inspections of the basic wing structure and reinforcements.

Approximately 22 comments were received from or on behalf of owners in response to the proposal. These comments, along with those submitted in connection with the Notice of Proposed Rule Making, have been reviewed and considered by the agency before issuing the AD hereinafter set forth.

Several commentators opposed establishing life limits on either the basic wing structure or the straps. The proposal did not establish life limits for the straps although the possibility was discussed in the preamble of the Supplemental Notice. The FAA believes that at the present time the data is insufficient to justify life limits on the straps. On the other hand, the data and service history substantiate that life limits on the unreinforced spar are reasonable. These limits are being adopted with some variations. Specifically, the 8,000 hour estimated life for the 6,700 pound weight was in error and is being reduced to 3,500 hours. This life will also apply to any unreinforced aircraft below 6,700 pounds. Additionally, the life for the 10,200 and up weight has been changed to 1,500 hours to more realistically reflect the actual life. Although from a technical standpoint the straight line variation for weights between those listed in the AD is not strictly accurate, it provides a reasonable method for establishing safe life limitations for the numerous gross weight variations on these airplanes.

One commentator questioned the need for reinforcing the main spar and recommended relying on inspections only. Others recommended the reinforcement without inspection and cited the fact that there have been no failures on the reinforced airplanes. Still others indicated that retirement of the center section and outboard panel main spar was unreasonable. The FAA does not agree that reliance can be placed on inspections alone. Fatal accidents have occurred on airplanes that were on a mandatory inspection schedule required by previous ADs. Also to delete the inspection requirement after the main spar is reinforced is contrary to the basic fail safe concept which relies on detection and repair or replacement of unairworthy structure. Finally, although replacement of the main spar at the indicated life limits may not be economically feasible the FAA has no basis to prohibit this option. To assure safety the main spar components must either be retired at the specified intervals or be reinforced and inspected on a reasonable basis. Additionally, the design criteria for reinforcement straps has been deleted from the rule since it is not pertinent.

One commentator recommended the inspection interval be changed to 1,500 hours and another proposed 3,000 hours. Service history indicates the 3,000 hour interval cannot be justified. However, additional service information received subsequent to this proposal and a review thereof together with previously accumulated service reports, substantiates that the inspection interval can be extended from 1,200 hours to 1,500 hours without compromising safety.

Two commentators recommended that the AD should allow for new reinforcement strap STCs and the adopted Rule so provides. Additionally, two commentators indicated it was unreasonable not to recognize STC SA643CE. This STC was not listed in the Supplemental Notice since it only reinforces the spar to left and right wing stations 94. It is understood that work is in progress to extend this reinforcement to left and right wing stations 181. Upon approval this would be an acceptable reinforcement strap.

One commentator suggested that the numerous cracks and failures that have occurred at Wing Station 81 are caused by landing loads. It is the FAA's position that although landing loads may contribute to the failures all studies indicate that the cracks are caused primarily by flight loads.

Another commentator recommended that Wing Stations 73 and 81 be inspected by dye penetrant or magnetic particle methods at each 100 hour intervals. This appears unduly restrictive to the agency on reinforced spars. The proposal, however, has merit with respect to unmodified aircraft and the inspection will be required at 100 hour intervals at left and right wing stations 73, 81 and 90 until the main spar is reinforced.

Several commentators questioned the need for the clamps during the X-ray inspections and one proposed using solder wire instead of clamps. The FAA believes that the clamps are necessary to determine whether the X-ray was shot perpendicular to the inspection site. Properly installed solder wire is a reasonable substitute and can be approved as an alternate method. Other commentators recommended changes in the inspection or repair procedures for specified reinforced straps. The rule provides for alternate methods of compliance and any such changes can be approved on this basis as justified.

Editorial and other changes have been made to the inspection procedures set forth in the proposal. These changes are not substantive but merely clarifying in nature.

Commentators had differing opinions on the crack detection system. One proposed that the detection system be required and the inspections deleted. Another believed no credit should be given for the system. The FAA does not agree completely with either position. Since the crack detection system is basically fail safe in nature and is an optional measure of protection, relief from the inspection intervals is being provided. However, because of lack of service experience with this device the proposed 3,600 hour inspection interval is left unchanged in the rule.

Several commentators objected to the proposed comprehensive wing inspection at 6,000 hour intervals and indicated that required annual and periodic inspection should be adequate. On further study and review of service history of the wing (other than the front spar) the FAA agrees that this position is reasonable and the proposed requirement is being deleted from the rule.

Several commentators indicated that inspection credit should be given for aircraft equipped with the .120 inch wall thickness outer wing panel spars or alternatively that those panels should be exempt from reinforcement. The FAA does not agree at the present time that credit can be given for the .120 inch wall spar caps. A catastrophic failure occurred on the .095 inch wall spar cap at less than 2,400 hours. Although stress levels would decrease approximately 26% the change in the cross sectional area at wing station 111 would be more pronounced with the heavier wall spar. This would increase the stress concentration factor. Since an undetected crack in this area would result in a catastrophic failure on an unreinforced spar, the FAA does not agree that these aircraft can be exempted from reinforcement. Also, the FAA has no basis to extend the inspection interval on reinforced aircraft.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.89 (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD.

BEECH. Applies to all Beech 18 series airplanes, including all military counterparts thereof and those Beech Model 18 airplanes modified in accordance with Supplemental Type Certificates.

Compliance: Required as indicated.

To prevent possible failure of the aircraft wing structure, accomplish the following:

(A) Except as provided in Paragraphs B and C, on or before the accumulation of the total hours' time in service specified in Column (2) for wing components of the various aircraft weights specified in Column (1), or within 300 hours' time in service after the effective date of this AD, whichever occurs later, comply with Paragraph B; or, alternately, within four months after the effective date of this AD, comply with Paragraph C.

(1) Certified maximum gross weight (in pounds):	(2) *Safe life limit Hours' time in service*
6,700 or less	3,500
7,850	3,000
8,750	2,500
9,700	1,600
10,200	1,500

Assume a straight line variation for weights between those listed above.

(B) Replace the wing center section and outboard wing panel with a part that has accumulated less time in service than the service life specified in Column (2) in A above. Thereafter, continue to replace wing components in accordance with the life limit hours' time in service specified in Column (2) in A above.

(C) Install approved wing strap modifications which cover the lower main wing spar tube between at least left and right wing stations 181.

NOTE.—Presently approved modifications are SA832SW with SA895SW, SA2000WE, SA962EA, SA814SO, SA1533WE, with SA2737 WE, SA1581SW with SA1582SW, SA3009WE, SA3010WE, and SA3021WE. Additional STCs approved that satisfy Paragraph C will include a notation so indicating.

(D) To facilitate the inspections specified in this AD, at the time of first inspection, unless already accomplished, modify the lower wing skin in accordance with Figure (1) or Figure (2) or in accordance with other FAA-approved equivalent.

(E) On aircraft that have approved strap modifications, within 1,500 hours' time in service since installation of straps or upon accumulation of 1,500 hours' time in service since the last X-ray inspection of the wing and for which X-rays have been submitted for evaluation, and thereafter at each 1,500 hour intervals inspect as follows:

1. If installed, remove and inspect wing strap assemblies for corrosion, fretting, cracks and other defects in accordance with the STC holder's or other FAA-approved inspection procedures. If defects are found in these components as a result of any such inspection, prior to reinstallation and further flight, replace the defective components with airworthy parts.

2. Inspect the front spar lower cap of the wing center section and outer wing panel on each side of the airplane by methods specified below, including inspection sites reinforced by Beech Aircraft Corporation Kits 18-4024, 791 or 792:

Wing station	Site (see fig. 3)[1]	Method
90	Tips of welds at clevis tangs, upper and lower surfaces of cap.	Visual, X-ray and either magnetic particle or penetrant.
81, 73, 64, and 57	Tips of welds at gussets, upper surface of cap.	Do.
46	Outboard ends of splice in cap, upper and lower surface of cap.	Do.
32	Tips of welds at wing splice plate, fore and aft surfaces of cap.	Do.
45 to 48	Tip of weld around cluster upper surface of cap.	Visual and either magnetic particle or penetrant.
61	Lower surface of spar cap below tube cluster, as seen from wheel well.	Do.
102 and 111	Tips of the weld as shown in figs. 5 and 6	X-ray only.

[1] Weld spatters, welds around Beech kits, and corrosion pits are also inspection sites.

3. Inspect the front spar upper cap at Wing Station 90 by X-ray method only primarily for detection of corrosion inside the tube.

4. Temporarily move clamps and other equipment as necessary to eliminate interference with the above inspections.

5. Prior to X-raying, temporarily or permanently install steel "hose" clamps squarely around the spar cap so that two clamps will appear in each radiograph. No clamp may be closer than one inch to an inspection site or closer than two inches to another clamp. Clamp screws must be on the underside of the spar cap.

6. Flex the wing during visual and dye penetrant inspections by applying and relieving a 75 to 100 pound upward force at or near the wing tip on the (left or right) side being inspected. This may be done by hand. (If outboard wing fuel remains in the tank, additional flexing force equal to one-half (½) the weight of the fuel will be required to compensate for the extra weight.)

7. Load the wing on the side being inspected by applying 75 to 100 pound upward force at the junction of wing rib number 10 and the front spar. Place material such as lumber under and along the number 10 rib so as to distribute the force. (If outboard wing fuel remains in the tank, additional flexing force equal to one-half (½) the weight of the fuel will be required to compensate for the extra weight.)

8. Accomplish visual inspection before and after cleaning and while the wing is being flexed. Use a flashlight or other illumination and a low power magnifying device.

9. When the magnetic particle method is chosen, conduct the inspection while the wing is either flexed or loaded. Conduct the inspection before magnetism is induced and again while magnetism across the inspection site is induced by a Magniflux Corp. Model Y-6 or YM-5 yoke or when any equivalent is used in accordance with the manufacturer's instructions.

10. When the penetrant method is chosen, perform the inspection while the wing is being flexed. Use either dye or flouorescent materials in accordance with the penetrant manufacturer's instructions.

11. For each site where X-ray inspection is specified by Paragraph B, accomplish X-ray inspection while the wing is loaded. X-ray inspection is to be performed in accordance with MIL Standard-453 or MIL Standard-00453A. Figures 4, 5 and 6 are aids to the following instruction. Place fine grain film (such as GAF 800, DuPont NDT-65 or Kodak AA) sandwiched between lead screens of 0.005 inch thickness on the upper surface of the lower spar cap (over inspection sites 32, 46, 57, 64, 73, 81, and 90), with identification symbols for at least the site (e.g. LWS 81, RWS 81, etc.) date and airplane registration number. Also secure a steel penetrameter of 0.005 inch thickness to the lower surface of the spar cap at a location clear of the inspection site. Position the X-ray source approximately 36 inches from and generally below the film so that the center of the X-ray beam will be perpendicular to the major axis of the elliptical spar cap and perpendicular to the spanwise centerline of the spar cap at each inspection site. Use a flashlight and a protractor level as necessary to see that aiming of the X-ray beam compensates for wing dihedral and nose up attitude. At those areas covered by aluminum skin, a locally fabricated jig may be used to position the X-ray source. Expose film so that density of the radiograph of the spar cap material near the inspection site is 1.5 to 2.5 on the densitometer or National Bureau of Standards density scale. View film to see that the inspection site, the 0.020 inch diameter hole in the penetrameter, and its entire outline are plainly shown. Under these viewing conditions, use a low power magnifying device, and examine the inspection site portion of each radiograph for faint thin shadows which indicate presence of cracks in unwelded spar cap material transverse to the spanwise centerline. Also, examine each radiograph for light or dark spots which indicate corrosion.

Use same procedures at Wing Stations upper 90, 102 and 111 except that the lead screen is placed below the desired spar cap and the X-ray source is to be located above the wing. At upper Wing Station 90 the penetrameter should be 0.010 inches thick and at Station 111 it should be 0.007 inches thick. Note that two X-ray exposures are required on Stations 102 and 111 when the X-ray source is above the wing.

(F) On those aircraft which do not have approved straps installed, perform the repetitive, visual, X-ray and magnetic particles or dye penetrant inspections required by Paragraph E at each 500 hour interval. In addition, at each 100 hours time in service after the effective date of this AD perform repetitive, visual, magnetic particle or dye penetrant inspections required by Paragraph E on right and left Wing Stations 73, 81 and 90.

(G) On those aircraft which have a STC-approved crack detector system installed, perform the repetitive, visual, X-ray and magnetic particle or penetrant inspections required by Paragraph E at each 3,600 hour interval. Perform inspection of the crack detector system as specified in the STC holder's maintenance instructions. NOTE: Presently approved crack detector installations are SA1151CE through SA1155CE. Additional STCs approved that satisfy Paragraph G will include a notation so indicating.

(H) Until July 1, 1976, within 48 hours after completion of the inspection, transmit all X-rays and related X-ray reports taken as a result of this AD to Beech Aircraft Corporation, Wichita, Kansas 67201. Post evaluation of facility findings will be transmitted to the sender by Beech Aircraft Corporation. After July 1, 1976, all X-ray inspections required by this AD must be performed at facilities and by personnel holding a letter issued by the Chief, Engineering and Manufacturing Branch, Central Region, specifically authorizing the performance of X-ray inspections under this AD.

(I) If either a crack or corrosion is found as a result of inspections required by this AD:

1. Repair each crack by installing appropriate Beech Kit in accordance with instructions in the Kit and FAR 43. Obtain and follow Beech Aircraft Corporation instructions for treatment of corrosion, and

2. Send a written report to the Chief, Engineering and Manufacturing Branch, FAA,

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Central Region, and describe therein any corrosion found, as well as the location and length of each crack, the total operating time of the airplane and the method used to repair the crack or corrosion at the time of discovery. (Reporting approved by the Office of Management and Budget under OMB No. 04–R0174.

(J) Upon request of the operator, except for Paragraph F, an FAA maintenance inspector may extend the repetitive inspection intervals specified in this AD up to 100 hours' time in service to permit compliance at an established inspection period of the operator.

(K) Aircraft may be flown in accordance with FAR 21.197 to a location where the inspections required by this AD may be performed.

(L) Any alternative method of compliance with this AD must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

Currently effective Beech Aircraft Corporation's Service Bulletin 64–15, 64–16, 64–17 and 66–10 and some STC Holder's Inspection Provisions consider this subject but this AD takes precedence in any conflicting detail.

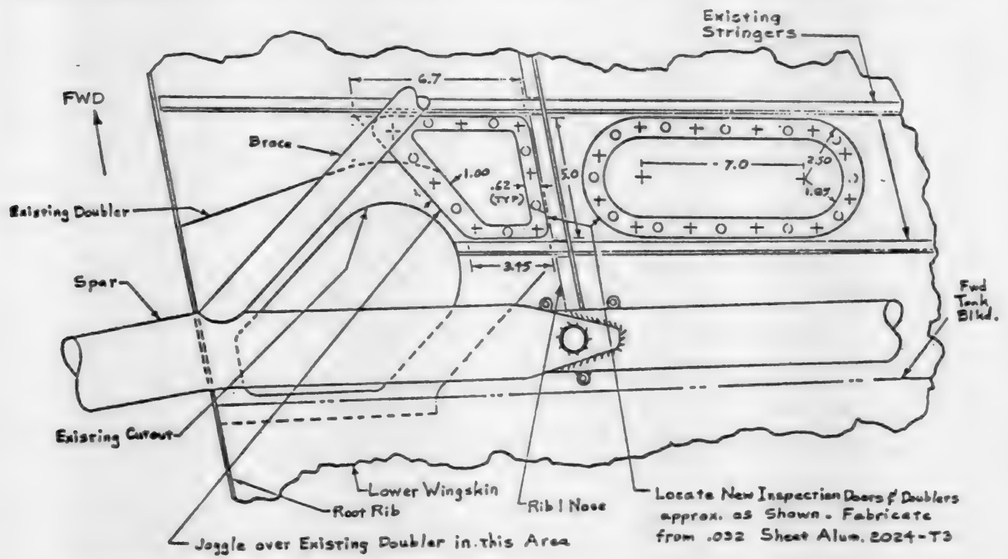
This AD supersedes AD 64–21–01 (Amdt. 810 of Part 507), AD 64–21–03 (Amdt. 812 of Part 507), AD 72–20–5 (Amdt. 39–2222), AD 73–18–04 (Amdt. 39–1708) and AD 75–09–13 (Amdt. 39–2241).

This amendment becomes effective January 5, 1976.

(Sec. 313(a), 601 and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 and 1423), and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655 (c)).)

Issued in Kansas City, Missouri, on December 18, 1975.

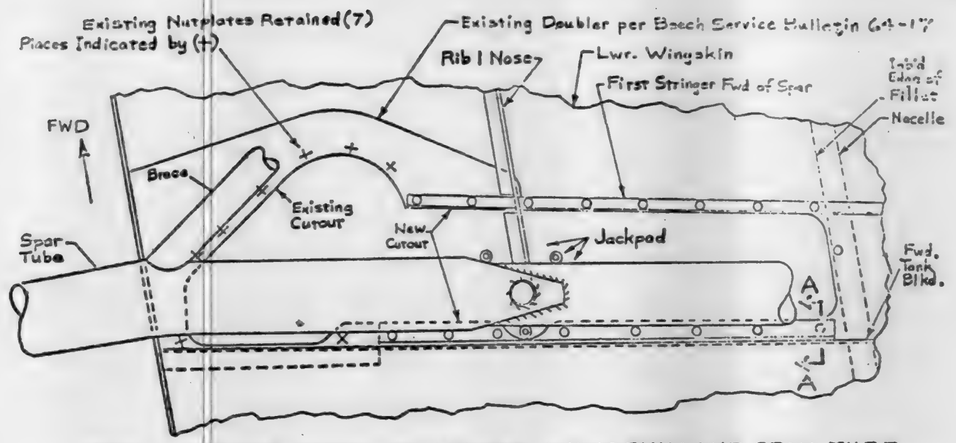
C. R. MELUGIN, Jr.,
Director, Central Region.



OPERATIONS:
Drill #10($\frac{.200}{.193}$) hole thru new doors, wingskin & doublers as shown by (O) 19 places (approx. 24" spaces).
Attach (19) nutplates to doublers with countersunk AD3 rivets. (MK1000-3 Nutplates Recommended).
Attach doublers to skin with AD4 rivets shown by (+) 19 places (approx. 2.4" spaces).
Install doors on lower side with #10 screws 19 places.

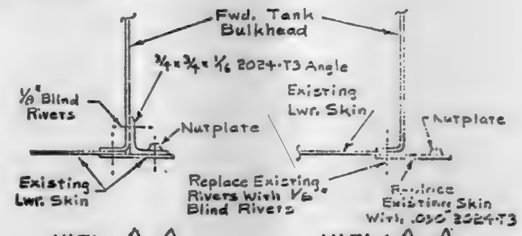
R.H. WING SHOWN – VIEW LOOKING DOWN ON LOWER WINGSKIN & SPAR
L.H. Opposite (Upper Wingskin Omitted for Clarity)

FIGURE 1



VIEW LOOKING DOWN ON LOWER WINGSKIN AND SPAR TUBE
by Bob Grober

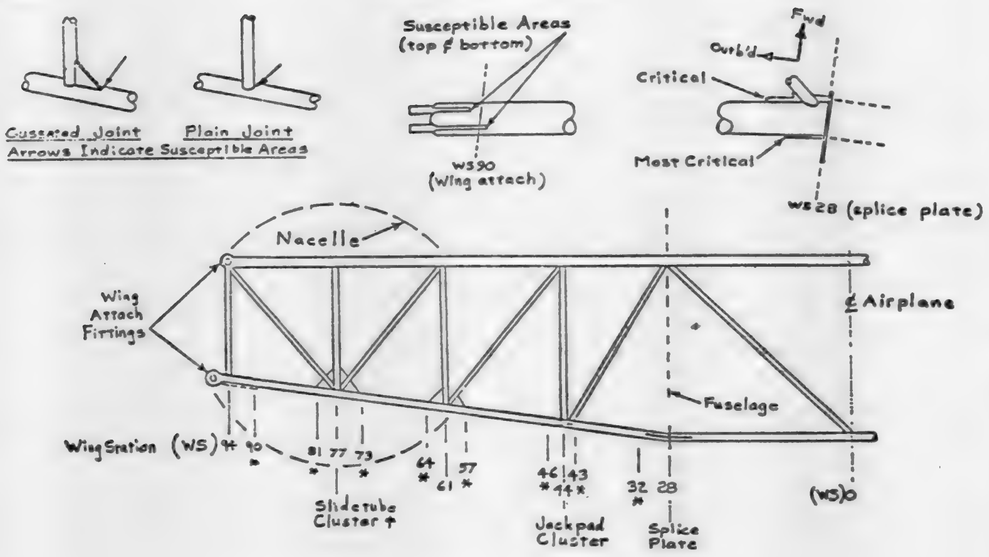
Attach MK1000-3 Nutplates (or equiv.) (17 places) as shown by (O). Cut inspection door from .032 2024-T3 Alum. Allow ½" edge margin around all screws (min). Install door on lower side with #10 screws (25 places); cut three holes for jackpad access. Inspection door not shown.



VIEW A-A VIEW A-A
OPTIONAL MEANS OF ATTACHING INSPECTION PLATE AFT EDGE

FIGURE 2

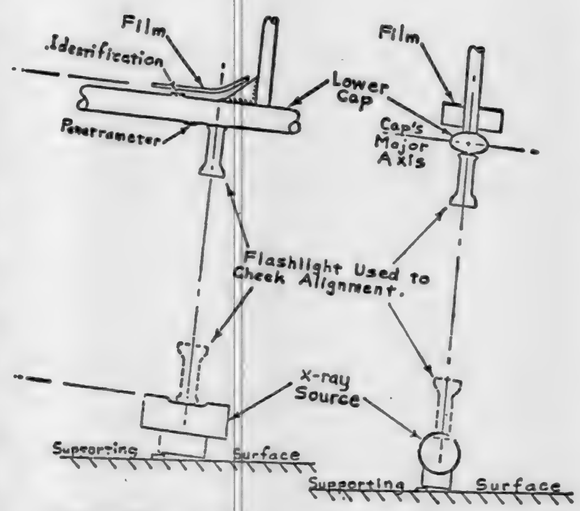
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Half of Main Spar Center Section Truss

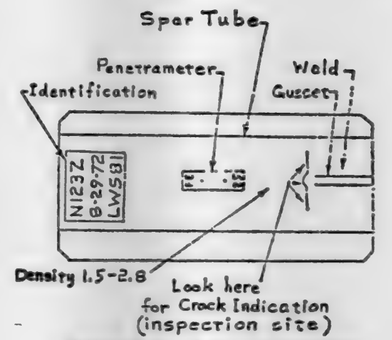
* INDICATES AREAS TO BE INSPECTED PER THIS A.D.
† SEE AD 64-21-1, part (b) and AD 64-21-3, part (b).

FIGURE 3

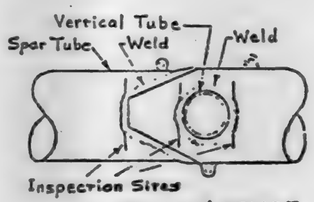


FRONT VIEW
SHOWING SETUP FOR DIHEDRAL - TYPICAL GUSSETED JOINT

SIDE VIEW
SHOWING SETUP FOR NOSE-UP ATTITUDE



EXAMPLE of RADIOGRAPH
TYPICAL CRACK SHOWN
GUSSETED JOINT

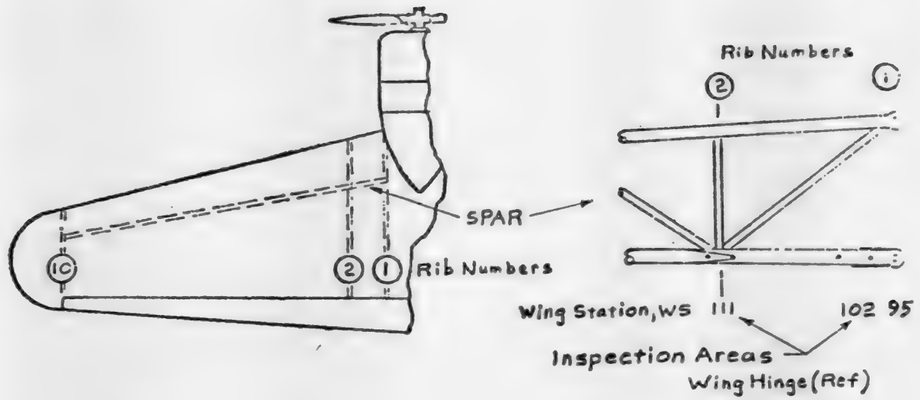


JACKPAD & SPLICE

FIGURE 4

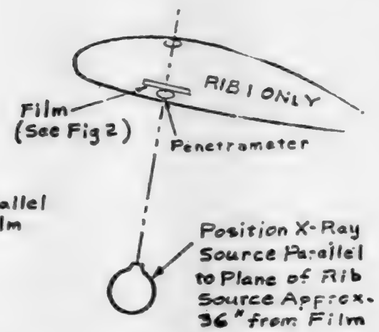
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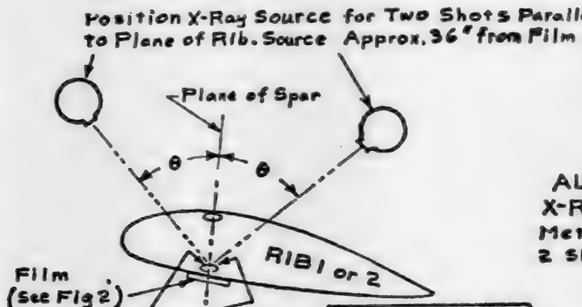
FIGURE 5





Apply 75 to 100 Lbs as Shown at Tip of Wing Being X-Rayed





WS	Angle, θ
102	20°
111	45°

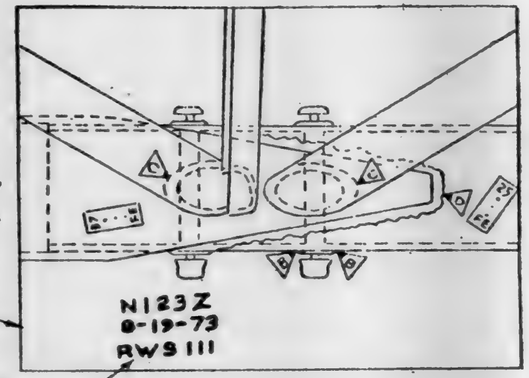
ALTERNATE METHOD for X-RAYING WS 102 ONLY
Method shown at left requires 2 Shots - This Method only One

COMPENSATE For DIHEDRAL AFTER WING LOAD is APPLIED And For NOSE-UP ATTITUDE

FIGURE 6

EXAMPLE of X-RAY FILM at WS 111

Double Film to Accomodate 0.166" & 0.356" Thickness Spar Cap Material. KODAK AA & M or Equivalent.



Required Identification

Required Penetrameter

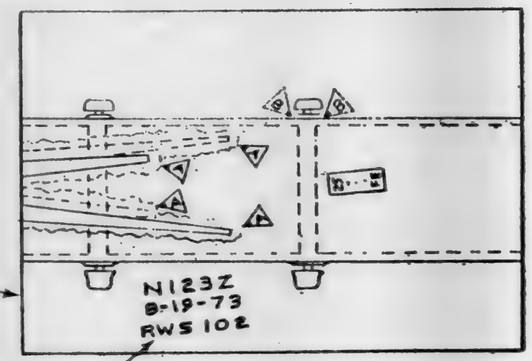
Size	Hole Dia.
25	.010
FE	.020
	.040
37	.010
FE	.020
	.040

LEGEND of INSPECTION SITES

SYMBOL	DESCRIPTION	NO. of SITES/WING
A	Tips of Tang Welds, Top & Bottom of Spar Tube	4
B	Edges of Thru-Bolt Tube Welds	16
C	Edges of Diagonal Brace Welds	2
D	Tips of 'Fishmouth' Splice Welds, Top & Bottom of Spar Tube	2

EXAMPLE of X-RAY FILM at WS 102

Single Film for 0.19" Thickness Spar Cap Material. KODAK AA or M or Equivalent.



Required Identification

[FR Doc.76-7 Filed 1-5-76;8:45 am]

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[Docket No. 75–CE–31–AD; Amdt. 39–2484]

PART 39—AIRWORTHINESS DIRECTIVES

Beech Model 99 Series Airplanes

Amendment 39–1108 (35 FR 17534, 17535), as amended by 39–1237 (36 FR 12282, 12283) and by 39–1768 (39 FR 1576), AD 70–23–6, applicable to Beech Model 99 series airplanes is an Airworthiness Directive (AD) which requires repetitive inspections of specific wing components to detect fatigue cracks and establish a life limit on these components.

Subsequent to the issuance of AD 70–23–6, as amended, investigative findings and service reports have disclosed that the eddy current inspections required by the AD have not been completely effective in detecting cracks during early stages. In addition, cracks have occurred in the wing components of these aircraft both prior to the attainment of the basic service life established in the AD and prior to extensions granted to the basic service life. These cracks, if not detected, could eventually result in wing failure. Since this condition is likely to exist or develop in other aircraft of the same type design, an AD is being issued applicable to Beech Model 99 series airplanes, superseding AD 70–23–6. The new AD will set forth improved eddy current inspection procedures, prescribe an additional x-ray inspection procedure at critical locations and reflect the FAA decision to discontinue additional wing service life extensions.

This AD incorporates changes and additional requirements based on current information. Additional information is being obtained in a continuing program designed to identify critical areas and improved inspection techniques. Further AD action based on this information is anticipated.

Since a situation exists which requires expeditious adoption of the amendment, notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.89 (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD.

BEECH. Applies to all Model 99 Series (Serial Number U–1 and up) Airplanes with 2,000 or more hours' time in service.

This AD incorporates changes and additional requirements based on current information. Additional information is being obtained in a continuing program designed to identify critical areas and improved inspection techniques. Further AD action based on this information is anticipated.

Compliance: Required as indicated.

To detect any cracking of certain wing center section and other wing panel front spar carry through structural components, within the next 300 hours' time in service after the effective date of this AD, or within the indicated time in service since the last comparable inspection required by AD 70–23–6, unless already accomplished, acomplish the following:

(A) On airplanes with 2,000 or more hours' time in service or upon accumulation of the first 2,000 hours' time in service or upon accumulation of 2,000 hours' time in service after compliance with Paragraph E and thereafter at intervals not to exceed 100 hours, visually inspect the lower wing skin area adjacent to each outer wing panel front spar attachment fitting for cracks in accordance with Beechcraft Service Instruction No. 0388–018, Rev. IV, or later revision approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

1. If wing panel skin cracks are found in the area indicated in Figure 1 of Beechcraft Service Instruction No. 0388–018, Rev. IV, or later revision, inspection of the wing structure must be performed in accordance with Paragraph B of this AD prior to returning the aircraft to service. Skin cracks located at the most inboard screw hole (corner screw) of the attach fitting are not critical and are excluded from this AD.

2. In addition, if a skin crack is found at the most outboard screw hole, as indicated in said Figure 1, the Paragraph B inspection must be performed not only prior to returning the aircraft to service but thereafter at not more than 300 hour intervals, except that the intervals between x-ray inspections is 600 hours' time in service.

(B) On all airplanes with 3,000 hours' time in service or upon accumulation of 3,000 hours' time in service and thereafter at intervals not to exceed 600 hours, except as noted in Paragraph A–2 and Paragraph B–8, inspect the structural components set forth below and in Beechcraft Service Instruction No. 0388–018, Rev. IV or later revision approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region, by visual, eddy current, x-ray and dye penetrant methods, as specified in the Service Instruction. The structural components to be inspected are as follows:

1. The right and left lower forward inboard and outboard wing attachment fittings.

2. The lower forward wing fitting-to-spar attachment area and the edges of the forward and aft flanges on the lower forward spar cap in the center section (outboard of each main gear wheel well).

3. The lower forward spar cap in each main gear wheel well.

4. The lower surface forward and aft flanges of the lower forward spar cap in the nacelle inboard of each main gear wheel well.

5. The lower surface of the lower forward spar cap between each nacelle and the fuselage.

6. The four Jo-bolt holes in the forward flange of the lower forward spar cap inboard of each nacelle in the area of the wing root rib.

7. The lower forward spar cap within the fuselage.

8. The centerline skin splice in the area between the forward and aft center section spars, and the fuselage formers along the centerline between the forward and aft center section spars. If fuselage former cracks are found in this area, they must be repaired in accordance with said Service Instruction prior to returning the aircraft to service and the 600 hour inspection interval must be reduced to not more than 300 hours, except that the intervals between x-ray inspections must stay at 600 hours.

(C) If cracks are found in any of the components required to be inspected by Paragraph B, prior to further flight, replace all components or assembly with new parts as specified in, and in accordance with, Beechcraft Service Instruction No. 0388–018, Rev. IV, or later revision approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

(D) Aircraft logbook entries must be made and notification in writing sent to Chief, Engineering and Manufacturing Branch, FAA, Central Region, stating the location and length of any cracks found during inspections required by this AD and also the total time in service of the component at the time the crack was discovered. Reports may be submitted by letter or through M and D or MRR procedures. (Reporting approved by the Office of Management and Budget under OMB No. 04–R0174.)

(E) On all airplanes (1) upon accumulating 10,000 hours' time in service (2) or 10,000 hours' time in service after complying with Paragraph C and (3) at 10,000 hour intervals thereafter, or at the attainment of service lives granted prior to the effective date of this AD, replace the wing center section lower forward spar cap, both the right and left outer wing panel lower forward spar caps including the wing attachment fittings and the skin panels adjacent to the outer panel wing attachment fittings with new production parts in accordance with Beechcraft Service Instruction No. 0388–018, Rev. IV, or later revision approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

(F) On all aircraft, regardless of time in service, replacement of parts in compliance with Paragraph C or E of this AD will permit the owner/operator to establish new initial inspection times in compliance with Paragraphs A and B.

(G) Equivalent methods of compliance with this AD must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

(H) The eddy current inspections required by this AD must be performed by personnel who have received training and are qualified in the operation of eddy current equipment and this equipment must be calibrated using a specimen obtained from the manufacturer which simulates cracking of the spar cap. The replacement of critical parts such as the spar caps and wing attach fittings required by this AD must be performed by personnel or facilities properly equipped and certificated to perform such repairs.

(I) Within two (2) days after each x-ray inspection, send the radiographs for review and comment by most rapid means to Beech Aircraft Corporation, Wichita, Kansas 67201.

(J) Aircraft may be flown in accordance with FAR 21.197 to a base where this AD can be accomplished providing no cracks or unusual conditions are disclosed by visual inspection in the area of the aft inboard-most Huck bolts attaching the spar cap to the lower forward wing attach fitting.

(K) The inspection intervals required in this AD may be adjusted 25± hours where required to fit users maintenance cycles if authorized by FAA Flight Standards Inspectors.

This amendment supersedes AD 70–23–6.

This amendment becomes effective January 7, 1976.

(Secs. 313(a), 601 and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 and 1423), and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Kansas City, Missouri, on December 24, 1975.

GEORGE R. LACAILLE,
Acting Director, Central Region.

[FR Doc.76–190 Filed 1–6–76;8:45 am]

[Airworthiness Docket No. 75–WE–55–AD; Amdt. 39–2483]

PART 39—AIRWORTHINESS DIRECTIVES

Cessna Acrobatic Models A150K, A150L and Reims Aviation Acrobatic Models FA150K, FA150L Modified in Accordance With STC SA1809WE

Compliance with the flutter requirements of CAR 3.311 was not demonstrated prior to addition of the A150K, A150L, FA150K, FA150L acrobatic airplanes to the approved list of Cessna 150 utility models listed on STC SA1809WE. Since the "never exceed" speed of the acrobatic airplanes is significantly higher than that of the utility category airplanes, catastrophic wing flutter could occur on the acrobatic airplanes at the higher flight speeds with fuel in the auxiliary fuel tanks in the outboard wing panels.

The agency has determined that the pilot must be advised of the foregoing by way of an operational limitation on the airplane. The placard will provide notice of the limitation. The placard may be removed only after an individual demonstration of the aircraft design as free from flutter has been completed and approved by the Chief, Aircraft Engineering Division, FAA Western Region.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

CESSNA AND REIMS AVIATION. Applies to Cessna Models A150K and A150L and Reims Aviation Models FA150K and FA150L airplanes certified in the acrobatic category, which have been modified in accordance with STC SA1809WE, incorporating Flint Aero auxiliary fuel tanks in the outboard wing panels.

Compliance is required within ten days after the effective date of this AD, unless already accomplished.

To prevent the possibility of encountering high speed flutter with fuel in these auxiliary fuel tanks, accomplish the following:

(a) Adjacent to the airspeed indicator and in full view of the pilot, attach a placard which reads:

Airspeed Limits when auxiliary tanks contain any amount of fuel:

V_{ne} (never exceed) = 163 MPH (141 knots)
V_{no} (max. structural cruising) = 120 MPH (104 knots)
V_a (maneuvering) = 109 MPH (95 knots)

(b) Any equivalent method of showing compliance with this AD or any demonstration of freedom from flutter of this design must be approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment becomes effective January 9, 1976.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Los Angeles, California, on December 22, 1975.

LYNN L. HINK,
Acting Director, FAA Western Region.

[FR Doc.76–193 Filed 1–5–76;8:45 am]

[Airspace Docket No. 75–WE–8]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Change of Airway Floor

On November 7, 1975, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (40 FR 52053), stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would lower the airway floor of V–244 between Mono Lake, Calif., and Coaldale, Nev.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. One comment was received in which no objection was offered.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 25, 1976, as hereinafter set forth.

Section 71.123 (41 FR 307) is amended as follows:

§ 71.123 [Amended]

In V–244 all between "Stockton 246° radials;" and "Coaldale, Nev.;" is deleted and "76 miles 12 AGL, 27 miles 145 MSL, 59 miles 12 AGL," is substituted therefor.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on December 29, 1975.

WILLIAM E. BROADWATER,
Chief, Airspace and Air Traffic Rules Division.

[FR Doc.76–191 Filed 1–6–76;8:45 am]

[Airspace Docket No. 75–WE–20]

PART 73—SPECIAL USE AIRSPACE

Designation of Temporary Restricted Areas; Correction

On December 9, 1975, FR Doc. 75–33002 was published in the FEDERAL REGISTER (40 FR 57354) amending Part 73 of the Federal Aviation Regulations to designate temporary restricted areas in the vicinity of Nellis AFB, Nev., and Edwards AFB/NAS China Lake, Calif., to contain a joint military training exercise, BOLD EAGLE 76, scheduled from 0800 PST, February 4, 1976, through 1800 PST, February 17, 1976. The document also amended Part 71 of the Federal Aviation Regulations to include the temporary restricted areas in the continental control area for the time of designation.

The geographical coordinates for Pioche Airport listed in the boundary description of Restricted Area R–2514D–1 were then incorrectly given as Lat. 38°–21'58" N., Long. 114°33'04" W. The correct location is Lat. 38°00'00" N., Long. 114°31'00" W.

Since correcting the location of the Pioche Airport is a minor amendment upon which the public is not particularly interested, notice and public procedure thereon are unnecessary. However, as it is essential that the correct location of the Pioche Airport be identified, good cause exists for making this amendment effective immediately.

In consideration of the foregoing, FR Doc. 75–33002 (40 FR 57354) is amended, effective January 6, 1976, as hereinafter set forth.

§ 73.25 [Amended]

In the boundaries for R–2514D–1 Bold Eagle 76 "Pioche (Lat. 38°21'58" N., Long. 114°33'04" W.)" is deleted and "Pioche (Lat. 38°00'00" N., Long. 114°31'00" W.)" is substituted therefor.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on December 29, 1975.

WILLIAM E. BROADWATER,
Chief, Airspace and Air Traffic Rules Division.

[FR Doc.76–192 Filed 1–6–76;8:45 am]

[Docket No. 18283; Amdt. No. 95–263]

PART 95—IFR ALTITUDES

Miscellaneous Changes

The purpose of this amendment to Part 95 of the Federal Aviation Regulations (14 CFR Chapter I) is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or any portion of a route. These altitudes, when used in conjunction with the current changeover points for the routes or portions of routes, also assure navigational coverage that is adequate and free of frequency interference.

Since situations exist which demand immediate action in the interest of safety, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

(Secs. 307 and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348 and 1510); and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

In consideraiton of the foregoing and pursuant to the authority delegated to me by the Administrator (24 FR 5662), Subpart C of Part 95 of the Federal Aviation Regulations is amended as follows, effective January 29, 1976.

Issued in Washington, D.C., on December 30, 1975.

JAMES M. VINES,
Chief, Aircraft Programs Division.

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§95.115 AMBER FEDERAL AIRWAY 15
Is amended to read in part:

FROM	TO	MEA
Haines, Alas. LF/RBN	U.S. Canadian Border	#11000
#For that airspace over U.S. territory.		
U.S. Canadian Border	Nabesna, Alas. NDB	#9600
#For that airspace over U.S. territory.		
Chena, Alas. LF/RBN	*Chandalar Lake, Alas. LF/RBN	7000
*10000—MCA Chandalar Lake LF/RBN, NW-bound		
Chandalar Lake, Alas. LF/RBN	Put River, Alas. LF/RBN	10000
Put River, Alas. LF/RBN	Oliktok, Alas. LF/RBN	2000

§95.1001 DIRECT ROUTES—U.S.
Is amended to delete:

FROM	TO	MEA
Boulaville INT, N.C.	Seymour Johnson, N.C. RBN	*2000
*1500—MOCA		

§95.1001 DIRECT ROUTES—U.S.
Is amended to read in part:

FROM	TO	MEA
INT 216 M rad Monroe VOR & 121 M rad Shreveport VOR	Jamestown INT, La.	*5000
*1500—MOCA		
Klamath Falls, Ore. VORTAC	35NM/331 M rad Klamath Falls VORTAC	9300
Temple, Tex. VOR Via TPL 338 M rad	Gorell INT, Tex.	2200
Gorell INT, Tex. Via ACT 202 M rad	Waco VOR, Tex.	2200
Temple, Tex. VOR Via TPL 029 M rad	Bostick INT, Tex.	2700
College Station, Tex. VOR	Greater Southwest, Tex. VOR	*9000
*3300—MOCA		

§95.1001 DIRECT ROUTES—U.S.
Is amended to read in part:

Atlantic Routes

FROM	TO	MEA
AR 1		
Tarpe INT, Fla.	Terry INT, Fla.	25000 MAA—45000
Terry INT, Fla.	Netts INT, S.C.	25000 MAA—45000
Netts INT, S.C.	Carolina Beach, S.C. NDB	25000 MAA—45000

§95.1001 DIRECT ROUTES—U.S.
Is amended to read:

Bahama Routes

FROM	TO	MEA
52V		
Biscayne Bay, Fla. VOR	INT 112 M rad Biscayne Bay VOR & 230 M rad Bimini VOR	*2000
*1200—MOCA		
INT 112 M rad Biscayne Bay VOR & 230 M rad Bimini VOR	INT 112 M rad Biscayne Bay VOR & 278 M rad Nassau VOR	*5000
*1200—MOCA		
INT 112 M rad Biscayne Bay VOR & 278 M rad Nassau VOR	Rumba INT, Bh.	*3000
1200—MOCA		
Rumba INT, Bh.	Nassau, Bh. VOR	*2000
*1400—MOCA		

§95.1001 DIRECT ROUTES—U.S.
Is amended to read in part:

Bahama Routes

FROM	TO	MEA
53V		
Soursop INT, Bh.	Prune INT, Bh.	*2000
*1200—MOCA		
Prune INT, Bh.	Nassau, Bh. VOR	*2000
*1400—MOCA		
55V		
Soursop INT, Bh.	Prune INT, Bh.	*2000
*1200—MOCA		
Prune INT, Bh.	Nassau, Bh. VOR	*2000
*1400—MOCA		
65V		
Nassau, Bh. VOR	Peach INT, Bh.	*2000
*1400—MOCA		
Peach INT, Bh.	**Sidney INT, Bh.	*2000
*1200—MOCA		
**4000—MRA		

§95.1001 DIRECT ROUTES—U.S.

Bahama Routes

11 Line is deleted.

§95.6002 VOR FEDERAL AIRWAY 2
Is amended to read in part:

FROM	TO	MEA
Marion INT, N.Y.	*Kendo INT, N.Y.	**2400
*3000—MRA		
*1700—MOCA		
Kendo INT, N.Y.	*Whitford INT, N.Y.	**2400
*3000—MRA		
**1700—MOCA		

§95.6005 VOR FEDERAL AIRWAY 5
Is amended to read in part:

FROM	TO	MEA
Dublin, Ga. VOR	Macon, Ga. VOR	
Via W alter.	Via W alter.	2100
Macon, Ga. VOR	Norcross, Ga. VOR	
Via W alter.	Via W alter.	*4500
*2286—MOCA		MAA—7000
Norcross, Ga. VOR	Nello INT, Ga.	5400
Via W alter.	Via W alter.	MAA—7000

§95.6006 VOR FEDERAL AIRWAY 6
Is amended to read in part:

FROM	TO	MEA
College INT, Calif.	*Pitts INT, Calif.	5000
*4580—MCA Pitts INT, S-bound		
Pitts INT, Calif.	*Rio INT, Calif.	
	S-bound	**5000
	N-bound	**4000
*4000—MCA Rio INT, S-bound		
**2500—MOCA		
Altamont INT, Calif.	*Oakey INT, Calif.	
Via S alter.	Via S alter.	5000
*3000—MCA Oakey INT, S-bound		
Oakey INT, Calif.	Sacramento, Calif. VOR	
Via S alter.	Via S alter.	2000

§95.6007 VOR FEDERAL AIRWAY 7
Is amended to read in part:

FROM	TO	MEA
Rose INT, Ga.	Pansey INT, Ala.	2000

§95.6013 VOR FEDERAL AIRWAY 13
Is amended to read in part:

FROM	TO	MEA
Butler, Mo. VOR	*Pleasant Hill INT, Mo.	2600
*4000—MRA		
Pleasant Hill INT, Mo.	Blue Springs, Mo. VOR	2600

§95.6018 VOR FEDERAL AIRWAY 18
Is amended to read in part:

FROM	TO	MEA
Atlanta, Ga. VOR	Social Circle INT, Ga.	*3000
*2200—MOCA		
Social Circle INT, Ga.	**Maddi INT, Ga.	*4000
*2100—MOCA		
**2500—MRA		
Maddi INT, Ga.	**Crawford INT, Ga.	*5000
*1800—MOCA		
**4500—MRA		
Crawford INT, Ga.	Raytown INT, Ga.	*6000
*2200—MOCA		

§95.6019 VOR FEDERAL AIRWAY 19
Is amended to delete:

FROM	TO	MEA
Pueblo, Colo. VOR Via E alter.	Squirrel INT, Colo. Via E alter.	7500
Squirrel INT, Colo. Via E alter.	Kiowa, Colo. VOR Via E alter.	8700

§95.6023 VOR FEDERAL AIRWAY 23
Is amended to read in part:

FROM	TO	MEA
Stockton, Calif. VOR Via W alter.	Laddi INT, Calif. Via W alter.	2000
Laddi INT, Calif. Via W alter.	Sacramento, Calif. VOR Via W alter.	2500

§95.6071 VOR FEDERAL AIRWAY 71
Is amended to read in part:

FROM	TO	MEA
Springfield, Mo. VOR	*Shire INT, Mo.	**3000
*4000—MRA		
**2500—MOCA		
Shire INT, Mo.	Butler, Mo. VOR	*3000
*2500—MOCA		

§95.6083 VOR FEDERAL AIRWAY 83
Is amended to read in part:

FROM	TO	MEA
Pueblo, Colo. VOR	Hanover INT, Colo.	*8000
*7500—MOCA		
Hanover INT, Colo.	Colorado Springs, Colo. VOR	9000

§95.6101 VOR FEDERAL AIRWAY 101
Is amended to read in part:

FROM	TO	MEA
*Reno INT, Colo.	Vernal, Utah VOR	11000
*13000—MRA		

§95.6108 VOR FEDERAL AIRWAY 108
Is amended to delete:

FROM	TO	MEA
Colorado Springs, Colo. VOR Via S alter.	Hanover INT, Colo. Via S alter.	9600
Hanover INT, Colo. Via S alter.	Hugo, Colo. VOR Via S alter.	8000
San Francisco, Calif. VOR	Sutro INT, Calif.	2500
Sutro INT, Calif.	Golden Gate INT, Calif.	3000
Golden Gate INT, Calif.	Sausalito, Calif. VOR	4000
Sausalito, Calif. VOR	Commodore INT, Calif.	4000
Commodore INT, Calif.	Richmond INT, Calif.	
	SW-bound	4000
	NE-bound	3000
Richmond INT, Calif.	Crockett INT, Calif.	3000

§95.6108 VOR FEDERAL AIRWAY 108
Is amended by adding:

FROM	TO	MEA
Santa Rosa, Calif. VOR	Napa, Calif. VOR	4500
Napa, Calif. VOR	Crockett INT, Calif.	3000

§95.6109 VOR FEDERAL AIRWAY 109
Is amended to read in part:

FROM	TO	MEA
Crockett INT, Calif.	Concord, Calif. VOR	3000
Concord, Calif. VOR	Oakey INT, Calif.	3500
Oakey INT, Calif.	Linden, Calif. VOR	2000

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§95.6139 VOR FEDERAL AIRWAY 139
Is amended to read in part:

FROM	TO	MEA
Florence, S.C. VOR *2500–MRA	*Delco INT, N.C.	2000
Delco INT, N.C.	Wilmington, N.C. VOR	2000

§95.6154 VOR FEDERAL AIRWAY 154
Is amended by adding:

FROM	TO	MEA
Rome, Ga. VOR *3400–MOCA	Macon, Ga. VOR	*4000 MAA–7000

§95.6161 VOR FEDERAL AIRWAY 161
Is amended to read in part:

FROM	TO	MEA
Butler, Mo. VOR *4000–MRA	*Pleasant Hill INT, Mo.	2600
Pleasant Hill INT, Mo.	Blue Springs, Mo. VOR	2600

§95.6261 VOR FEDERAL AIRWAY 261
Is added to read:

FROM	TO	MEA
Manhattan, Kans. VOR	INT 204 M rad Manhattan, Kans. VOR & 013 M rad Wichita, Kans. VOR	3000

§95.6293 VOR FEDERAL AIRWAY 293
Is amended by adding:

FROM	TO	MEA
Grand Canyon, Ariz. VOR *9800–MCA Abasi INT, S-bound	*Abasi INT, Ariz.	11000
Abasi INT, Ariz.	Page, Ariz. VOR	8500
Page, Ariz. VOR	Caber INT, Utah	8500
Caber INT, Utah	Bryce Canyon, Utah VOR	11000

§95.6321 VOR FEDERAL AIRWAY 321
Is amended by adding:

FROM	TO	MEA
Albany, Ga. VOR *5000–MCA Prest INT, NW-bound	*Prest INT, Ga.	2500
*Prest INT, Ga. *5000–MCA Prest INT, NW-bound **5000–MCA Columbus VOR, SE-bound ***3200–MOCA	**Columbus, Ga. VOR	***5000

§95.6334 VOR FEDERAL AIRWAY 334
Is amended to read:

FROM	TO	MEA
San Jose, Calif. VOR *3000–MCA Oakey INT, S-bound	*Oakey INT, Calif.	5000
Oakey INT, Calif.	Sacramento, Calif. VOR	2000

§95.6402 HAWAII VOR FEDERAL AIRWAY 2
Is amended to read in part:

FROM	TO	MEA
Lihue, Hawaii VOR	Hydes INT, Hawaii SE-bound NW-bound	3000 4000
Hydes INT, Hawaii *1200–MOCA	Morey INT, Hawaii	*2000
Morey INT, Hawaii *1200–MOCA	Broms INT, Hawaii	*3000

§95.6436 VOR FEDERAL AIRWAY 436
Is amended to read in part:

FROM	TO	MEA
Nenana, Alas. VOR	Golly INT, Alas.	4000
Golly INT, Alas. *3400–MOCA	Tollo INT, Alas.	*4000
Tollo INT, Alas.	Liven INT, Alas.	5000
Liven INT, Alas. *5500–MOCA	Beaty INT, Alas.	*10000
Beaty INT, Alas. *6900–MOCA	Chandalar Lake, Alas. NDB	*10000

§95.6463 VOR FEDERAL AIRWAY 463
Is amended to read in part:

FROM	TO	MEA
Logan INT, Ga. *3800–MOCA	Dawsonville INT, Ga.	*5000

§95.7029 JET ROUTE NO. 29 is amended to read in part:

FROM	TO	MEA	MAA
U.S. Mexican Border	Corpus Christi, Tex. VORTAC	24000	45000

§95.7065 JET ROUTE NO. 65 is amended by adding:

FROM	TO	MEA	MAA
Abilene, Tex. VORTAC	Roswell, N.M. VORTAC	25000	45000

§95.7110 JET ROUTE NO. 110 is amended to read in part:

FROM	TO	MEA	MAA
Fresno, Calif. VORTAC	Fuzzy INT, Nev.	#24000	45000
#MEA is established with a gap in navigation signal coverage.			
Fuzzy INT, Nev.	Boulder City, Nev. VORTAC	18000	45000

§95.7143 JET ROUTE NO. 143 is added to read:

FROM	TO	MEA	MAA
Eugene, Ore. VORTAC	The Dalles, Ore. VORTAC	18000	45000
The Dalles, Ore. VORTAC	Spokane, Wash. VORTAC	18000	45000

§95.7159 JET ROUTE NO. 159 is added to read:

FROM	TO	MEA	MAA
Redmond, Ore. VORTAC	Portland, Ore. VORTAC	18000	45000

§95.7181 JET ROUTE NO. 181 is added to read:

FROM	TO	MEA	MAA
Phoenix, Ariz. VORTAC	Newman, Tex. VORTAC	25000	45000

§95.7507 JET ROUTE NO. 507 is amended to read in part:

FROM	TO	MEA	MAA
Barrow, Alas. VORTAC	Oliktok, Alas. LF/RBN	18000	45000
Oliktok, Alas. LF/RBN	Deadhorse, Alas. VOR/DME	18000	45000

§95.7552 JET ROUTE NO. 552 is deleted.

§95.8005 JET ROUTES CHANGEOVER POINTS

AIRWAY SEGMENT FROM	TO	CHANGEOVER POINTS DISTANCE FROM	
J-89 is amended to read:			
Atlanta, Ga. VORTAC	Louisville, Ky. VORTAC	126	Atlanta
J-110 is amended to delete:			
Fresno, Calif. VORTAC	Boulder City, Nev. VORTAC	100	Fresno
J-123 is amended to read:			
Kotzebue, Alas. VORTAC	Barrow, Alas. VORTAC	105	Barrow

2. By amending Sub-Part D as follows:

§95.8003 VOR FEDERAL AIRWAY CHANGEOVER POINTS

AIRWAY SEGMENT FROM	TO	CHANGEOVER POINTS DISTANCE FROM	
V-436 is amended to read in part:			
Talkeetna, Alas. VOR	Nenana, Alas. VOR	65	Talkeetna
V-520 is added to read:			
Jackson, Wyo. VOR	Dubois, Ida. VOR	10	Jackson

[FR Doc.76-189 Filed 1-5-76;8:45 am]

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[Docket No. 14237; Special Federal Aviation Regulation No. 29–1]

LIMITED IFR OPERATIONS OF ROTORCRAFT

FAA Study

The purpose of this Special Federal Aviation Regulation is to extend the expiration date of Special Federal Aviation Regulation No. 29 (SFAR No. 29) to provide for further time for the collection of operational data in connection with an FAA study of limited rotorcraft operations in IFR conditions. SFAR No. 29 was issued for a period of one year to provide for the issue by the Administrator of approvals for limited operations under instrument flight rules (IFR) of certain transport category rotorcraft that are limited by their type certificates to operations under visual flight rules (VFR).

Under the current Federal Aviation Regulations a transport category rotorcraft is certificated for VFR operation only unless it has been shown that the rotorcraft fully complies with all of the airworthiness requirements for IFR operations. The FAA believes that certain IFR operations can safely be conducted over low density routes, in off-airways operations, and in uncontrolled airspace with transport category rotorcraft that do not meet all of the present flight characteristics requirements. As stated in the preamble to SFAR No. 29, the FAA is conducting a study to determine whether a "limited" IFR category should be established for these rotorcraft, including flight characteristics and equipment requirements, operating procedures and limitations, flight crew requirements, and training requirements.

Before the issuance of SFAR No. 29 the FAA had already collected data from an operator of specially equipped Bell Model 212 helicopters that are flown by flight crews trained in operating those rotorcraft in IFR conditions in the Gulf of Mexico. Those operations were conducted under the authority of an exemption from the Federal Aviation Regulations. Based on information and data collected during those operations, the FAA decided the study should be expanded to include operations in other geographic areas. In this connection, the FAA determined that it would be in the public interest and would not compromise safety to allow any operator of transport category rotorcraft to participate in the study, if its aircraft equipment, procedures, and area of operation ensure a level of safety under limited IFR operations equivalent to that provided by the present requirements of Part 29.

Although the FAA expected a number of helicopter operators to participate in the study, during the first six months after the effective date of SFAR No. 29, no additional operators expressed an interest in participating in the study. A number of operators have indicated to the FAA a belief that the one-year effective period of SFAR No. 29 would not enable them to complete the actions necessary for limited helicopter IFR authorization, or to defray the necessary expenses through additional revenues.

Moreover, a number of navigational systems are under development and not yet fully operational that the FAA anticipates would be used in rotorcraft engaged in limited IFR operations. Information on operations using this equipment will be important to the FAA's decision on whether to initiate rulemaking.

In view of the foregoing, the FAA has determined that it is necessary to extend its study for an additional three year period to provide sufficient data upon which to base a decision whether to initiate rulemaking action to amend the Federal Aviation Regulations to permit limited IFR operations with transport category rotorcraft that do not meet all of the present airworthiness requirements of Part 29 for unlimited operation under IFR. Accordingly, this SFAR is being issued for a period of three years.

It should be noted that this SFAR, as did SFAR No. 29, provides as part of the study that the FAA may approve the carriage in IFR operations of less than the 45 minutes of additional fuel reserve required by § 91.23(c). In pertinent part, § 91.23 requires that, in IFR conditions, the rotorcraft must have enough fuel to complete the contemplated flight, to fly from the airport of intended landing to the alternate airport, and fly thereafter for 45 minutes at normal cruising speed. This Special Federal Aviation Regulation permits the approval of less than 45 minutes, but not less than 30 minutes, of additional fuel reserve. A factor considered in granting this approval will be the environment in which the rotorcraft is to be operated.

In view of the fact that this amendment temporarily relieves a restriction in connection with operations conducted as part of an FAA study, and since there is an immediate need for the data to be derived from the study, I find that notice and public procedure thereon are impractical and unnecessary, and good cause exists for making this amendment effective in less than 30 days.

(Sections 313(a), 601(a), and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354 (a), 1421(a), and 1423. Section 6(c) of the Department of Transportation Act; 49 U.S.C. 1655(c).)

In consideration of the foregoing, the following Special Federal Aviation Regulations is adopted, effective December 31, 1975.

SPECIAL FEDERAL AVIATION
SFAR 29–1

1. Contrary provisions of Parts 21 and 29 of the Federal Aviation Regulations notwithstanding, an operator of a rotorcraft that is not otherwise certificated for IFR operations may conduct an approved limited IFR operation in the rotorcraft when—

(a) FAA approval for the operation has been issued under paragraph 2 of this SFAR;

(b) The operator complies with all conditions and limitations established by this SFAR and the approval; and

(c) A copy of the approval and this SFAR are set forth as a supplement to the rotorcraft flight manual.

2. FAA approval for the operation of a rotorcraft in limited IFR operations may be issued when the following conditions are met:

(a) The operation is approved as part of the FAA study of limited rotorcraft IFR operations.

(b) Specific FAA approval has been obtained for the following:

(i) The rotorcraft (make, model, and serial number).

(ii) The flight crew.

(iii) The routes over which the rotorcraft is to be flown or its area of operation.

(iv) The procedures to be followed in the operation of the rotorcraft under IFR and the equipment that must be operable during such operations.

(c) The conditions and limitations necessary for the safe operation of the rotorcraft in limited IFR operations have been established, approved, and incorporated in the operating limitations section of the Rotorcraft Flight Manual.

3. An approval issued under paragraph 2 of this Special Federal Aviation Regulation and the change to the Rotorcraft Flight Manual specified in paragraph 2(c) of this Special Federal Aviation Regulation constitute a supplemental type certificate for each rotorcraft approved under paragraph 2 of this SFAR. Each approval issued under this SFAR terminates on December 31, 1978, unless sooner superseded, rescinded, or otherwise terminated by the Administrator.

4. Notwithstanding § 91.23(c) of the Federal Aviation Regulations, a person may operate a rotorcraft in a limited IFR operation approved under paragraph 2(a) of this Special Federal Aviation Regulation with enough fuel to fly, after reaching the alternate airport, for not less than 30 minutes, when that period of time has been approved.

This Special Federal Aviation Regulation terminates on December 31, 1978, unless sooner superseded or rescinded.

Issued in Washington, D.C., on December 30, 1975.

JOHN L. MCLUCAS,
Administrator.

[FR Doc.76–252 Filed 1–5–76;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

[Reg. OR–101, Amdt. 49]

PART 385—DELEGATIONS AND REVIEW OF ACTION UNDER DELEGATION; NONHEARING MATTERS

Organizational Change Within the Office of the General Counsel: Rules Division and Routes Division

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., December 30, 1975.

This amendment reflects a recent organizational change within the Office of the General Counsel whereby the former Rules and Rates Division has been divided into two divisions, the Rules Division and the Rates and Agreements Division, and the name of the Routes and Relationships' Division has been changed to the Routes Division. These changes require an amendment of the delegation of authority in § 385.20 to reflect the fact that the Associate General Counsel, Rules now exercises the authority formerly delegated to the Associate General Counsel, Rules and Rates as well as an amendment to § 385.21 to reflect the new title of the Associate General Counsel, Routes.

Since the amendments pertain to a rule of agency organization and procedure, and not a substantive rule, notice and public procedure hereon are not required and the rule may be made effective immediately.

Accordingly, the Board hereby amends Part 385 of the Organization Regulations (14 CFR Part 385), effective December 30, 1975, as follows:

1. Amend the Table of Contents for Subpart B of Part 385 by revising the description of §§ 385.20 and 385.21 to read as follows:

Sec.

• • • • •

385.20 Delegation to Associate General Counsel, Rules.

385.21 Delegation to Associate General Counsel, Routes.

• • • • •

2. Amend the caption and introductory paragraph of § 385.20 to read as follows:

§ 385.20 Delegation to Associate General Counsel, Rules.

The Board hereby delegates to the Associate General Counsel, Rules, the authority to:

• • • • •

3. Amend the caption and introductory paragraph of § 385.21 to read as follows:

§ 385.21 Delegation to Associate General Counsel, Routes.

The Board hereby delegates to the Associate General Counsel, Routes, the authority to:

• • • • •

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324.)

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76–253 Filed 1–5–76;8:45 am]

Title 16—Commercial Practices

CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

PART 1512—REQUIREMENTS FOR BICYCLES

Bicycle Safety; Correction

Minor corrections and editorial changes are made to Part 1512 as amended November 13, 1975 (40 FR 52815, 52828) as set forth below:

§ 1512.4 [Amended]

Paragraph (j) is corrected by changing the word "exist" in the fifth line to "exit".

§ 1512.5 [Amended]

1. Paragraph (b)(1) is corrected by changing the eighth line to read "than 4.57m (15 ft.) from the actual test".

2. Paragraph (c)(1) is amended to read as follows:

• • • • •

(c) • • •

(1) *Stopping distance.* Bicycles equipped with footbrakes (except sidewalk bicycles) shall be tested in accordance with the performance test, § 1512.18 (e)(3), by a rider of at least 68.1 kg (150 lb) weight and shall have a stopping distance of no greater than 4.57 m (15 ft) from an actual test speed of at least 16 km/h (10 mph). If the bicycle has a footbrake only and the equivalent groundspeed of the bicycle is in excess of 24 km/h (15 mph) (in its highest gear ratio at a pedal crank rate of 60 revolutions per minute),[2] the stopping distance shall be 4.57 m (15 ft) from an actual test speed of 24 km/h (15 mph) or greater.

• • • • •

3. Paragraph (e)(2) is amended by changing the second line to read "height of 560 mm (22 in.) or greater (with", and by placing in lower case letters the words "sidewalk bicycle footbrake force test".

4. Paragraph (e)(3) is amended by changing the second line to read "height less than 560 mm (22 in.) (with seat"; by removing the hyphen between the words "free" and "wheel"; and by changing the words "distance of 3.0 m (10 ft.)" to read "distance of 3.1 m (10 ft.)".

§ 1512.6 [Amended]

In paragraph (c) change the number "712" in the fifth line to "711".

§ 1512.16 [Amended]

The fourth line in paragraph (h)(2) should read "50°±3° C (122°±5.4° F) for 30 minutes,".

§ 1512.17 [Amended]

Change "30 m (100 ft.)" in the fifth line to read "30.5 m (100 ft.)".

§ 1512.18 [Amended]

1. In paragraph (d)(2)(v) redesignate subdivisions (1) through (10) with capital letters (A) through (J).

2. Under paragraph (d)(2)(v)(G) correct the first line of narrative under the equation to read "The test is invalid if at the commence—", and change the third line to read "of the bicycle is not less than nor greater".

3. In paragraph (d)(2)(vi) change the seventh line to read "mph) (in its highest gear ratio at a pedal".

4. In paragraph (h)(1)(ii) change the third line to read "when a torque of 47+3, —0 N–m (35+2, ", and change the eighth line to read "visible signs of damage to the stem-to-fork".

5. In paragraph (j)(3)(i) change the sixth line to read "111 N (25 lbf) shall be applied to the hub".

6. Change the third and fourth lines in paragraph (n)(1)(i) to read "for at least one hour at 50°±5° C (122°±5.4° F). A pedal reflector may be condi-".

7. In paragraph (n)(2)(i) change "30 m (100 ft.)" to "30.5 m (100 ft.)".

8. In paragraph (o)(1) italicize the "D" in "D/500" in the fifth line.

9. The first sentence in paragraph (q)(1) should read "the bicycle shall be loaded with weights of 13.6 kg (30 lb.) on the seat surface and 4.5 kg (10 lb.) attached to the end of each handle grip for a total load of 22.7 kg (50 lb.)".

(Secs. 2(f)(1)(D), (q)(1)(A), (s), 3(e)(1), 74 Stat. 372, 374, 375, as amended 80 Stat. 1304–05, 83 Stat. 187–89 (15 U.S.C. 1261, 1262))

Dated: December 23, 1975.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc.75–35257 Filed 12–31–75;4:53 pm]

CODIFICATION AND TRANSFER OF REGULATIONS

Correction

In FR Doc. 75–34878 appearing at page 59884 of the issue for Tuesday, December 30, 1975, make the following changes:

PART 1615—STANDARD FOR THE FLAMMABILITY OF CHILDREN'S SLEEPWEAR: SIZES 0 THROUGH 6X (FF 3–71)

1. The diagrams now appearing as Figures 1 and 2 under § 1616.5(a)(1), should appear under § 1615.4(a)(6), page 59904.

2. In the authority to Subpart C of Part 1615, page 59917, "67 Stat. H1–15" should read "67 Stat. 111–15".

PART 1616—STANDARD FOR THE FLAMMABILITY OF CHILDREN'S SLEEPWEAR: SIZES 7 THROUGH 14 (FF 5–74)

3. The diagram now appearing as Figure 1, Vertical Test Cabinet, under § 1615.4(a)(6), page 59904, should appear under § 1616.5(a)(1), page 59920.

4. Delete the fine line reading "[FR Doc. 74–9712 Filed 4–30–74; 8:45 am]" from drawing 7 in § 1616.5(a)(1), page 59927.

PART 1630—STANDARD FOR THE SURFACE FLAMMABILITY OF CARPETS AND RUGS (FF 1–70)

5. In the authority to Subpart C of Part 1630, page 59934, "81 Stat. 561–570" should read "81 Stat. 569–570".

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 121—FOOD ADDITIVES

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Lincomycin

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (34–085V) filed by the Upjohn Co., Kalamazoo, MI 49001, providing that labeling for the safe and effective use of lincomycin alone or in combination with other drugs in the feed of broiler chickens need not be limited to floor-raised broilers. The supplemental application is approved, effective January 6, 1976.

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The Commissioner is amending Parts 121 and 558 (21 CFR Parts 121, 558) to reflect this approval.

In accordance with § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)) of the animal drug regulations, a summary of the safety and effectiveness data and information submitted to support the approval of this application is released publicly. The summary is available for public examination at the office of the Hearing Clerk, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852, Monday through Friday from 9 a.m. to 4 p.m., except on Federal legal holidays.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))), in accordance with § 510.6 (21 CFR 510.6), and under authority delegated to the Commissioner (21 CFR 2.120), Parts 121 and 558 are amended as follows:

1. Part 121 is amended:

§ 121.207 [Amended]

a. In § 121.207 *Zoalene*, paragraph (c), item 2.8 of the table, in the fifth column, "Limitations," by deleting the term "floor raised."

§ 121.210 [Amended]

b. In § 121.210 *Amprolium*, paragraph (c), items 2.10, 2.11, in the fifth column, "Limitations," by deleting the term "floor raised."

§ 121.262 [Amended]

c. In § 121.262 *3-Nitro-4-hydroxyphenylarsonic acid*, paragraph (c), items 1.16 and 1.23 in table 1, in the fifth column, "Limitations," by deleting the term "floor raised."

2. Part 558 is amended:

§ 558.105 [Amended]

a. In § 558.105 *Buquinolate*, paragraph (f)(1)(viii)(b) by deleting the term "floor raised."

§ 558.175 [Amended]

b. In § 558.175 *Clopidol*, by deleting the introductory text of paragraph (e)(3) and marking it "Reserved," and redesignating paragraphs (e)(3)(i), (ii), and (iii) as paragraphs (e)(1)(vi), (vi)(*a*), and (vi)(*b*), respectively.

§ 558.195 [Amended]

c. In § 558.195 *Decoquinate*, paragraph (g)(5)(ii), by deleting the term "floor raised."

§ 558.325 [Amended]

d. In § 558.325 *Lincomycin*, paragraph (e)(1), by deleting the term "floor raised."

§ 558.355 [Amended]

e. In § 558.355 *Monensin* by:

1. Amending paragraph (b)(2) by deleting the reference "(iv) and (v) and (2) (i) and (ii)" and by inserting "(iv), (v), (ix), and (x)" in its place; and

2. Deleting the introductory text of paragraph (f)(2) and marking it "Reserved" and redesignating paragraphs (f)(2)(i), (2)(i)(*a*), (2)(i)(*b*) and (f)(2)(ii), (2)(ii)(*a*), (2)(ii)(*b*) as (f)(i)(ix), (lx)(*a*), (ix)(*b*) and (f)(1)(x), (x)(*a*), (x)(*b*), respectively.

§ 558.515 [Amended]

f. In § 558.515 *Robenidine hydrochloride*, by deleting the introductory text of paragraph (f)(2) and marking it "Reserved," and redesignating paragraphs (f)(2)(i), (ii), and (iii) as paragraphs (f)(1)(viii), (viii)(*a*), and (viii)(*b*), respectively.

Effective date. This amendment shall be effective January 6, 1976.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: December 23, 1975.

FRED J. KINGMA,
Acting Director,
Bureau of Veterinary Medicine.

[FR Doc.76-223 Filed 1-5-76;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-76-365]

PART 1909—GENERAL PROVISIONS

PART 1914—AREAS ELIGIBLE FOR SALE OF INSURANCE

Extension

The Federal Insurance Administration, pursuant to a delegation from the Secretary of Housing and Urban Development, is amending Parts 1909 and 1914 of Title 24 of the Code of Federal Regulations to reflect the extension of the emergency implementation of the National Flood Insurance Program (42 U.S.C. §§ 4001–4128) by Public Law 94–173 (effective December 23, 1975) until December 31, 1976.

Since the revision of the Parts 1909 and 1914 reflects statutory language and intent, the Federal Insurance Administrator finds that notice and public procedure are impracticable and contrary to the public interest. Therefore, the amendment to 24 CFR Parts 1909 and 1914 is effective January 6, 1976.

Accordingly, Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended as follows:

1. By revising § 1909.3 to read as follows:

§ 1909.3 Emergency Program.

The 1968 Act required a ratemaking study to be undertaken for each community before it could become eligible for the sale of flood insurance. Since this requirement resulted in a delay in providing insurance, the Congress, in Section 408 of the Housing and Urban Development Act of 1969 (Public Law 91–152, December 24, 1969), established an Emergency Flood Insurance Program as a new Section 1336 of the National Flood Insurance Act (42 U.S.C. 4056) to permit the early sale of insurance in flood-prone communities. The emergency program (which was extended for the period ending December 31, 1976) does not affect the requirement that a community must adopt adequate flood plain management regulations pursuant to Part 1910 of this subchapter but permits insurance to be sold before a study is conducted to determine actuarial rates for the community. The program still requires the charging of actuarial rates for higher limits of coverage for existing structures and for all new construction in areas having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards on and after the effective date of the FIRM. Under existing law, the emergency program expires December 31, 1976, and unless extended no properties can be initially insured nor can existing policies be renewed except those in communities for which actuarial rates are available.

2. Section 1914.1 is amended to read as follows:

§ 1914.1 Purpose of part.

(a) 42 U.S.C. 4101 and 4014 require that flood insurance in the maximum limits of coverage under the regular program shall be offered in communities only after the Administrator has (1) identified the areas of special flood, mudslide (i.e., mudflow) and flood-related erosion hazards within the community under Part 1915 of this subchapter; (2) completed a detailed rate-making study for the applicant community; (3) approved the flood plain management measures pursuant to Part 1910 of this subchapter. A period of 15 years ending July 31, 1983, was allotted for this purpose. The priorities for conducting such ratemaking studies are set forth in §§ 1909.23 and 1910.26 of this subchapter. A purpose of this part is periodically to list those communities in which the sale of insurance under the regular program has been authorized.

(b) 42 U.S.C. 4054 authorizes an emergency implementation of the National Flood Insurance Program whereby, for a period ending on December 31, 1976, the Administrator may make subsidized coverage available to eligible communities prior to the completion of detailed ratemaking studies for such areas. This part also describes procedures under the emergency program and lists communities which become eligible under that program.

(National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968); effective January 28, 1969 (33 FR 17804, November 28, 1968) as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969) as amended, 39 FR 2787, January 24, 1974.)

Issued: December 29, 1975.

HOWARD B. CLARK,
Acting Federal
Insurance Administrator.

[FR Doc.76-245 Filed 1-5-76;8:45 am]

[Docket No. R-75-363]

PART 1912—SALE OF INSURANCE AND ADJUSTMENT OF CLAIMS

Technical Amendments; Correction

The purpose of this notice is to provide a correction of § 1912.2 and § 1912.5 of Title 24 of the Code of Federal Regulations as published on December 8, 1975 at 40 FR 57210.

The entries are corrected to read as follows:

§ 1912.2 National Flood Insurers Association.

* * * * *

(c) Communications concerning membership and cooperation with the association, and its operations, should be directed to the National Flood Insurers Association, 1755 South Jefferson Davis Highway, Suite 1102, Arlington, Virginia 22202. (703–920–8830).

* * * * *

§ 1912.5 Servicing Companies.

* * * * *

ILLINOIS

State Farm Fire & Casualty Company, 2309 East Oakland Avenue, Bloomington, Illinois 61709, (309) 557–7211.

TENNESSEE

CNA Insurance Company, P.O. Box 410, 1101 Kermit Drive, Nashville, Tennessee 37217, (615) 256–3350.

* * * * *

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001–4128), and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969; as amended by 39 FR 2787; January 24, 1974)

Issue date: December 17, 1975.

J. ROBERT HUNTER,
Acting Federal
Insurance Administrator.

[FR Doc.76-286 Filed 1-5-76;8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 7395]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Extension of Reliance Period for Certain Charitable, etc., Organizations

Preamble. The prior regulations under section 508 of the Internal Revenue Code of 1954 generally allow certain contributors to organizations who have notified the Commissioner of Internal Revenue that they are not private foundations to rely upon such notice with respect to grants, contributors, and distributions made before January 1, 1976. The amendment to the regulations which appears below extends the period of reliance to grants, contributions, and distributions made before the dates which are 6 months after the dates on which regulations with respect to community trusts and medical research organizations, respectively, become final. This will permit grantors, contributors, and distributors who make grants, contributions, and distributions during this period to rely upon the claimed public charity status of such organizations.

Amendments to the regulations. The Income Tax Regulations (26 CFR Part 1) are amended as follows:

1. Paragraph (b)(4) of § 1.508–1 is amended to read as follows:

§ 1.508–1 Notices.

* * * * *

(b) *Presumption that old and new organizations are private foundations.* * * *

(4) *Effect of notice upon grantors or contributors to the filing organization.* In the case of grants, contributions, or distributions made prior to—

(i) In the case of community trusts, 6 months after the date on which corrective and clarifying regulations designated as § 1.170A–9(e)(10) become final;

(ii) In the case of medical research organizations, 6 months after the date on which corrective and clarifying regulations designated as § 1.170A–9(b)(2), become final, and

(iii) In all other cases, January 1, 1976, any organization which has properly filed the notice described in section 508(b) prior to March 22, 1973 will not be treated as a private foundation for purposes of making any determination under the internal revenue laws with respect to a grantor, contributor or distributor (as for example, a private foundation distributing all of its net assets pursuant to a section 507(b)(1)(A) termination) thereto, unless the organization is controlled directly or indirectly by such grantor, contributor or distributor, if by the 30th day after the day on which such notice is filed, the organization has not been notified by the Commissioner that the notice filed by such organization has failed to establish that such organization is not a private foundation. See subparagraph (6) of this paragraph for the effect of an adverse notice by the Internal Revenue Service. For purposes of this subparagraph, an organization which has properly filed notice described in section 508(b) prior to March 22, 1973, and which has claimed recognition of its status under only one paragraph of section 509(a) in such notice, will be treated only for purposes of grantors, contributors or distributors as having the classification claimed in the notice if the provisions of this subparagraph are otherwise satisfied.

Because this Treasury decision extends certain transitional rules and because of the need for immediate guidance with respect to the provisions contained in the Treasury decision, it is found impracticable to issue it with notice and public procedure thereon under section 553(b) of title 5 of the United States Code, or subject to the effective date of limitations of subsection (d) of such section.

(Secs. 508 and 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).)

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

Approved: December 30, 1975.

CHARLES M. WALKER,
Assistant Secretary
of the Treasury.

[FR Doc.76-280 Filed 1-5-76;8:45 am]

Title 27—Alcohol, Tobacco Products and Firearms

CHAPTER I—BUREAU OF ALCOHOL, TOBACCO AND FIREARMS, DEPARTMENT OF THE TREASURY

[T.D. ATF-22; Ref. No. 283]

PART 4—LABELING AND ADVERTISING OF WINE

Bottles Per Case Requirement

On July 31, 1975, there appeared in the FEDERAL REGISTER (40 FR 32129) a notice of proposed rulemaking to amend 27 CFR 4.74. The proposed amendment would lower from 120 to 60, the number of 100 milliliter wine bottles which must be packed per shipping case or shipping container. This amendment was intended to make cases of miniature wine bottles smaller and lighter in weight in order to permit easier handling and to insure compliance with requirements of rail freight tariff schedules.

Interested persons were given 60 days in which to comment on the proposed amendment. No unfavorable comments have been received. Therefore, the Bureau is adopting the amendment without change, as set forth below.

This Treasury decision is issued under the authority contained in section 5 of the Federal Alcohol Administration Act (49 Stat. 981, as amended (27 U.S.C. 205)).

Effective date. This Treasury decision shall become effective on March 1, 1976.

Signed: December 16, 1975.

REX D. DAVIS,
Director.

Approved: December 24, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

§ 4.74 Bottles per shipping case.

Wines bottled subject to the standards of fill prescribed by § 4.73 shall be packed with the following number of bottles per shipping case or shipping container:

Bottle sizes:	Bottles per case
3 liters	4
1.5 liters	6
1 liter	12
750 milliliters	12
375 milliliters	24
187 milliliters	48
100 milliliters	60

[FR Doc.76-239 Filed 1-5-76;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19859; FCC 75-1431]

PART 76—CABLE TELEVISION SERVICES

Carriage of Network News Programs on Cable Television Systems

1. On October 31, 1975, the Commission adopted its Notice of proposed rule making in Docket No. 19859, FCC 75-1139, 43 FCC 2d 913, which proposed an amendment to § 76.61 of the Commission's Rules to allow a cable television system to carry a network news program

from any television station unless the program simultaneously duplicated a signal which the system normally carries. We issued the Notice in response to the question[1] whether a separate network news "feed" constituted a different "program" which a cable television system may carry if it were "not carried by a station normally carried on the system" pursuant to § 76.61(e)(2) of the Commission's rules.[2] In considering the issue, we observed that:

> To be sure, there usually is little or no difference between the contents of each feed. More than fifty percent of the time, the feeds are identical. And most differences just consist of technical mistakes in one of the feeds. Only rarely is a change substantial or substantive—e.g., addition of new film or coverage of a late-breaking story.[3]

We thus concluded that "the difference usually is not sufficient to create a separate program within the meaning of § 76.61(e)(2)."[4] We found this result "less than satisfactory," however, on the grounds that it forced cable subscribers "to miss a small but significant amount of news coverages," did not allow a cable system to carry the correction of "a particular feed's technical mistakes," and went against "the broad national policy of diversity in news programming."[5] The Commission therefore concluded that "a relaxation of present restrictions would be appropriate" and issued the Notice of proposed rulemaking.

2. The Commission has now received comments on the proposed rule from the following parties: American Broadcasting Co., Inc.; Columbia Broadcasting System, Inc.; CBS Television Affiliates Association; NBC Television Affiliates; Association of Maximum Service Telecasters; Post-Newsweek Stations; Flower City Television Corporation; a group of television station licensees; Channel 6, Inc.; Rocky Mountain Broadcasters Association; Bi-States Company; McGraw-Hill Broadcasting Company, Inc.; Metro Cable Company; Cablecom-General, Inc.; a group of cable television systems. These comments are summarized in the following paragraphs.

3. *Comments by Broadcast Interests.* The American Broadcasting Company supports the Commission's conclusion that separate feeds are not different "programs" within § 76.61(e)(2), but opposes adoption of the rule. ABC maintains that the rule would allow a cable system to carry network news while an affiliate broadcast a local news program, thus fragmenting the affiliate's audience and decreasing the local news program's revenues. Decreasing the financial viability of local news programming, it argued, would be inconsistent with the Commission's traditional policy of encouraging local news programming. ABC also asserted that pre-release of network news programs would be quite common and would aggravate this situation, since more than half of its affiliates take the second or third news feed.

4. The Columbia Broadcasting System also opposed adoption of the rule. Noting that cable systems do not pay for use of distant signals, it argued that the proposed rule would "aggravate the oneway, unfair competition." Local stations would have an incentive under the rule to schedule local news programming at earlier times in order to avoid competition with network news programs carried by cable systems, thus inconveniencing many viewers. CBS also argued that audience fragmentation would hurt local news programming. CBS also asserted that a cable system would have an incentive to insert additional programming after the end of a network news program in order to keep subscribers tuned to the same channel, thus further fragmenting a local affiliate's audience.

5. The CBS Affiliates Association noted that roughly 148 affiliates take the 6:30 p.m. (e.s.t.) feed and 27 the 7 p.m. (e.s.t.) feed. The network's Los Angeles owned and operated station, KNXT, tapes the network news and then feeds it to West Coast affiliates at 6, 6:30, and 7 p.m. (p.s.t.). According to the CBS Affiliates, the network makes "substantive changes" in a feed only "once every one or two months" and corrects technical errors only rarely. The Association thus argued that the rule would not benefit the public and would hurt television stations. Subscribers could see new material or technical corrections only if they watched all network feeds, it maintained, and the rule would undercut the economic viability of local news programming. The Association gave examples of situations in which a station would face pre- as well as post-release, and asserted that the rule's simultaneous exclusivity protection would not protect stations sufficiently. It also pointed out that the rule would create particularly acute problems for the few stations which start network news programs on the quarter, rather than half hour.

6. The NBC Television Affiliates argued that the Commission's past policy favored cable carriage of all networks' news programs, but nothing more. They maintained that increased availability of network news programs was unnecessary, since subscribers presently can watch more than one network's news program or get news from other mass media. The affiliates also maintained that the proposed rule would hurt not only affiliates' local news programs, but also independent station's national news programs. The proposed rule's emphasis on network news, they maintained, was inconsistent with the Commission's existing policies in favor of increased local programming and decreased network program control.

7. The Association of Maximum Service Telecasters argued that separate news feeds were not substantially different and thus were "not comparable to the different editions of a metropolitan daily newspaper." In any event, it maintained, it would be inappropriate to allow a cable system to carry a news program irrespective of whether it was a separate feed. AMST argued that subscribers would need to watch two or more versions of the same news program in order to get the benefit of any changes and that this would create no real diversity in news programming. The proposed rule not only would fragment a local news program's audience, AMST maintained, but also would "sandwich" an affiliate's network news between the same program on both sides—as illustrated by several examples. AMST argued that the rule actually would decrease scheduling diversity for stations, since affiliates would schedule their network news programs to avoid duplication and would request networks to cease their present multiple feeds.

8. The Post-Newsweek Stations noted that the rule would allow a cable television system in a "footnote 69" situation[6] to carry otherwise prohibited signals. The rule would not only fragment local news audiences, Post-Newsweek argued, but also not benefit subscribers where the affiliate took the latest feed. Post-Newsweek also maintained that the rule would encourage affiliates to adopt uniform news schedules, in order to get exclusivity protection.

9. Flower City Television Corporation, licensee of Television Broadcast Station WOKR, Rochester, New York, asserted that the rule was unjustifiable if not based upon different feeds, rather than different broadcast schedules. It viewed the rule as "a change in current program exclusivity" protection, and asserted that it would fragment audiences for local news programs. The rule might actually be counter-productive, Flower City

[1] See, e.g., Orange Cablevision, Inc., FCC 73-1140, 43 FCC 2d 562.

[2] Section 76.61 provides in pertinent part: (e) In addition to the television broadcast signals carried pursuant to paragraphs (a) through (d) of this section, any such cable television system may carry: (2) Any television station broadcasting a network program that will not be carried by a station normally carried on the system. Carriage of such additional stations shall be only for the duration of the network programs not otherwise available, and shall not require prior Commission notification or approval in the certificating process.

[3] 43 FCC 2d 913.

[4] *Id.*

[5] *Id.*

[6] Section 76.61 provides in pertinent part: A cable television system operating in a community located in whole or in part within one of the first fifty major television markets listed in § 76.51(a) shall carry television broadcast signals only in accordance with the following provisions: (a) Any such cable television system may carry, or on request of the relevant station licensee or permittee, shall carry the signals of: (1) Television broadcast stations within whose specified zone the community of the system is located, in whole or in part: *Provided, however,* That where a cable television system is located in the designated community of a major television market, it shall not carry the signal of a television station licensed to a designated community in another major television market, unless the designated community in which the cable system is located is wholly within the specified zone (see § 76.5(f) of the station, except as otherwise provided in this section . . .

Accordingly, a system in Washington, D.C. could not carry signals from Baltimore, Maryland, except as additional distant signals, even though Baltimore stations place predicted Grade A contours over the District.

maintained, by encouraging subscribers to watch earlier and deficient feeds on cable systems rather than later and corrected feeds on television stations.

10. A group of television licensees supported the Commission's conclusion that a separate feed was not a different "program," but opposed adoption of the proposed rule. The benefits of time diversity in the scheduling of news programs were minimal, they argued, and were outweighed by the potential harm to local news programs. They maintained that subscribers currently miss little updated news, since a station normally will broadcast the latest and most complete feed.

11. Channel 6, Inc., licensee of Station KCEN-TV, Temple, Texas, opposed the rule, on the grounds that subscribers currently get all three network news services, that most feeds have few errors or omissions, and that the rule would "orient" subscribers to distant signals. The rule would invite cable systems to carry distant signals illegally, it argued, and the Commission should require a certificate of compliance for carriage of any news programs under the rule. Channel 6 also maintained that the Commission would find it impossible to distinguish clearly between news and public affairs programs, thus inviting an inevitable expansion of the rule.

12. The Rocky Mountain Broadcasters Association requested clarification as to whether the same-day exclusivity provisions of § 76.93(b) were fully applicable to carriage of news programming. If they were not, the Association opposed the rule, on the grounds that it would not benefit subscribers and would harm local news programming.

13. The Bi-State Company, licensee of Station KHOL-TV, Kearney, Nebraska, opposed the rule on the grounds that it was unnecessary and disruptive. It argued that the rule would hurt local news programming, be impossible to police effectively, and would ultimately expand to cover other forms of programming.

14. The McGraw-Hill Broadcasting Company argued that cable subscribers did not need additional news and that only "news buffs and television professionals" would bother to watch more than one version of the same program. The rule would fragment audiences for affiliates' national as well as local news programming, McGraw-Hill maintained, thus harming stations' economic viability and contravening the Prime Time Access Rule's priority on local programming.

15. *Comments by Cable Interests.* The Metro Cable Company favored adoption of the rule on the grounds that it would increase time diversity of news programs, give updated news, allow subscribers to watch otherwise simultaneous local network news programs, and enable subscribers to police networks' mistakes. Metro pointed out that in many situations a viewer must choose between a local and a network news program which are mutually exclusive, since both are broadcast at the same time. The rule also would increase competition among the networks, Metro argued, because subscribers would be able to select more freely among them. Though Metro thus supported the proposed rule, it urged that the Commission should extend it to public affairs programs, on the ground that these were equally vital to a fully informed public.

16. Cablecom-General viewed the proposed rule as consistent with a general Commission policy trend away from strict exclusivity requirements, since a cable system presently may carry a network news program which does not simultaneously duplicate a local station's broadcast. The rule would be beneficial in major market situations, Cablecom maintained, where a system could not carry an otherwise receivable signal.

17. A group of cable television systems hailed the proposed rule as a "small, but significant step," which would allow subscribers to watch more news programs at more convenient times. The cable systems argued that the Commission should not narrow the rule where all affiliates broadcast the same feed,[7] however, since this would decrease time diversity in viewing news programs. And since the purpose of the rule was to make news programs more available, the systems maintained, the Commission should apply it to stations in the Mountain Time Zone.

Discussion

18. Although we take note of the proposed rule's possible effects on network and local news programming, we believe that some relaxation of our present rules in this area is in the public interest. Accordingly, we are adopting a modified version of the proposed rule which will permit some additional carriage of network news but which will also afford some protection to local news programming.

19. In our view, the rule as proposed had a number of public interest benefits. First, the rule would have made available to subscribers any substantive or technical differences between feeds. These are comparatively rare, as the Notice indicated; in a time of fast-breaking news, however, even minor up-dates are significant.

20. Second, and most important, the rule would increase time diversity for network news programs. This would have a beneficial effect on the availability of both network and local news. In terms of network news, the subscriber would have a wider option of times at which to watch a particular program; accordingly, a subscriber could view programs which otherwise would be unavailable, because the subscriber was engaged in another activity or because another program conflicted with them.

21. Finally, the rule would heighten competition between networks by removing mutual exclusivity between network news programs. Giving subscribers the option to watch all three network news programs presumably would make them more selective in their choices and would diminish the effects of adjacent channel programming.

22. As the broadcast comments herein point out, however, the rule proposed also has potential public interest disadvantages. By increasing distant signal competition precisely during those time periods when stations are typically presenting local news, the rule could have a result precisely contrary to that desired—that is a weakening of the audience base of local news programs and a consequential reduction in news availability rather than the hoped for increase.

23. Bearing these considerations in mind, we have decided to adopt a rule which will allow cable carriage of alternative feeds of network news not broadcast on signals otherwise carried when no station licensed to the market in which the cable system is operating is broadcasting a local news program.

24. The approach taken is a cautious one in view of the particular importance our system of regulation places on the presentation of local news by television stations. The introduction of additional news competition could tend to discourage the production and broadcast of the local news which we have otherwise sought to encourage. The rule adopted will provide the Commission an opportunity to view the operational impact of the introduction of a limited amount of network news before further steps in this area are taken.

25. Some comments received tend to suggest that even the adoption of limited rules of this type may force network affiliates into "lock step" so that each network has only one "feed" of the news which all affiliates air simultaneously. The availability of different national news feeds is a substantial convenience to stations which we are not persuaded they would forego simply to assure that cable subscribers do not have the additional viewing option the rule makes available. Moreover, the various feeds now distributed are a competitive tool between stations in individual markets and between the three networks, the usefulness of which should, we believe, outweigh any incentive the rule here adopted may create for the elimination of the present news distribution practices.

26. In addition, we find no merit in some of the miscellaneous arguments against the proposed rule which are put forth in the comments. Thus, a system arguably might program other attractive material after the end of a news program, in order to keep subscribers tuned to that channel, and might carry illegal signals in order to do so. Pragmatically, however, a system has no economic incentive to attract subscribers to a particular channel—particularly at the cost of investment in equipment—and liberalizing carriage of network news programs should decrease rather than increase the temptation of illegal carriage. Similarly, the Commission should have no difficulty in drawing a line between news and pub-

[7] In Par. 6, n. 3 of the Notice, the Commission stated that "where both the normally carried stations and the other stations consistently use the same feed, we will entertain requests for waiver."

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lic affairs programs; as Par. 7 of the Notice explicitly pointed out, the Commission has had a long-standing and clearly defined distinction between the two. Section 73.112, Note 1 (c), (d). In sum, we believe the rule adopted will afford some cable subscribers with a modest increase in news availability without significant risk of adverse impact on over-the-air broadcast service to the public.

Authority for the rule amendment adopted herein is contained in Sections 2, 4 (i) and (j), 303, 307, and 308 of the Communications Act of 1934, as amended.

Accordingly, *it is ordered*, That effective February 13, 1976, Part 76 of the Commission's rules and regulations is amended as set forth below.

It is further ordered, That this proceeding is terminated.

(Secs. 2, 3, 4, 301, 303, 307, 308, 309, 48 Stat., as amended, 1064, 1065, 1066, 1081, 1082, 1083, 1084, 1085; 47 U.S.C. 152, 153, 154, 301, 303, 307, 308, 309.)

Adopted: December 22, 1975.

Released: January 2, 1976.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

Part 76 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. In § 76.5, paragraphs (ii) and (jj) are added, to read as follows:

§ 76.5 Definitions.

* * * * *

(ii) *Network news program.* Network programming which (1) includes reports dealing with current events, stock market reports, commentary, analysis, and sports news; and (2) is offered by one of the three major national television networks to its affiliated stations on a daily or weekly basis at a regularly scheduled time or times.

(jj) *Local news program.* Local programming originated or produced by a station, or for the production of which the station is primarily responsible, employing live talent more than 50 percent of the time, which includes reports dealing with current local events including weather and stock market reports.

2. In § 76.59, paragraph (d)(4) is added, to read as follows:

§ 76.59 Provisions for smaller television markets.

* * * * *

(d) * * *

(4) Any television station broadcasting a network news program at any time when no station regularly carried is broadcasting the same program and when no station licensed to the market in which the system is located is broadcasting a local news program. Carriage of such additional stations shall be for the duration of the news program only and shall not require prior Commission notification or approval in the certificating process.

* * * * *

3. In § 76.61, paragraph (e)(4) is added, to read as follows:

§ 76.61 Provisions for the first 50 major television markets.

* * * * *

(e) * * *

(4) Any television station broadcasting a network news program at any time when no station regularly carried is broadcasting the same program and when no station licensed to the market in which the system is located is broadcasting a local news program. Carriage of such additional stations shall be for the duration of the news program only and shall not require prior Commission notification or approval in the certificating process.

* * * * *

[FR Doc.76-247 Filed 1-5-76;8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 75-27; Notice 02]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

PART 575—CONSUMER INFORMATION REGULATIONS

Hydraulic Brake Standard and Consumer Information Item

This notice amends Standard No. 105-75, *Hydraulic Brake Systems*, 49 CFR 571.105-75, to revise the parking brake test procedure (S7.7). In addition, this notice amends Subpart B of Part 575, *Consumer Information*, 49 CFR 575.101, by replacing the present test procedures in that section for passenger car testing with equivalent procedures from Standard No. 105-75.

The NHTSA proposed a modification of the parking brake test procedures in Standard No. 105-75 to permit a reapplication of the parking brake if the first application of the brake failed to hold the vehicle stationary on the test incline. Toyo Kogyo requested the modification as representative of normal driver action (in cases where the application appears to be insufficient to hold the vehicle), justifying the change as necessary to permit new vehicle components to stretch or "set" during the initial application as occurs in any vehicle delivered to a purchaser. The NHTSA agreed that reapplication would be a reasonable test procedure and proposed a revision of S7.7.

Comments were received from Toyo Kogyo, General Motors, American Motors Corporation, and Chrysler Corporation in support of the change. No comments were received that objected to the proposal. The standard is amended accordingly.

The NHTSA also proposed that the consumer information item requiring publication of the stopping ability of passenger cars and motorcycles (49 CFR 575.101) be modified for passenger cars so that test data developed under Standard No. 105-75 could be the basis for the required consumer information. The existing test procedures of the consumer information item would be replaced by Standard No. 105-75 test procedures, and a transition period until January 1, 1977, would be provided to allow manufacturers latitude in adopting the new procedures.

The Motor Vehicle Manufacturers Association (MVMA), Chrysler Corporation, American Motors Corporation, Ford Motor Company, and General Motors Corporation supported the modifications. The MVMA and Ford pointed out an inadvertent omission in the proposal of a required change in the present loading specification (maximum loaded vehicle weight) to the Standard No. 105-75 loading specification (gross vehicle weight rating (GVWR)). No comments opposed the modification, and the consumer information item is therefore amended as proposed, with the additional modification noted by the MVMA and Ford. The transition period for use of either loading specification conforms to the transition period for use of either test procedure (until January 1, 1977). The MVMA asked for a June 1, 1977, date for transition to the new loading specification but did not explain the need for more time. The NHTSA will consider any data on this subject submitted by the MVMA.

With regard to test loading, Chrysler Corporation repeated a request for revision of the loading conditions of Standard No. 105-75. The request was earlier submitted improperly as a petition for reconsideration of an NHTSA action which did not deal with test loading (40 FR 24525, June 9, 1975). Section 553.35 of NHTSA regulations (49 CFR 553.35) allows petitions for reconsideration of rules issued by the NHTSA, but in this case no rule was issued on test loading that could form the basis for reconsideration. the NHTSA discussed Chrysler's request at a meeting with Chrysler officials on August 21, 1975. Based on the limited information presented by Chrysler at that meeting, the NHTSA has concluded that a reduction in test weight would not be justified. At the meeting it was agreed that Chrysler would submit any additional data it had in support of the request. To date no data have been received, and the NHTSA cannot meaningfully reconsider Chrysler's request without further data.

The NHTSA also proposed modification of the means for establishing the skid number of the surface on which stopping distance tests are conducted in Standard No. 105-75, Standard No. 121, *Air Brake Systems*, Standard No. 122, *Motorcycle Brake Systems*, and the Consumer Information Item on brake performance. Comments received were not in agreement on how to accomplish the transition from the former ASTM method to the new one. The skid number proposal will therefore be treated separately at a later date so that its resolution will not delay this amendment of the parking brake and consumer information item test procedures.

In consideration of the foregoing, the following amendments are made in Chapter V of Title 49, Code of Federal Regulations.

I. Standard No. 105-75 (49 CFR 571.105-75) is amended as follows:

§ 571.105-75 [Amended]

1. Paragraphs S7.7 and S7.7.1 are amended to read:

S7.7 Parking brake test. The parking brake tests for any vehicle on different grades, in different directions, and for different loads may be conducted in any order. The force required for actuation of a hand-operated brake system shall be measured at the center of the hand grip area or at a distance of 1½ inches from the end of the actuation lever, as illustrated in Figure II.

S7.7.1 Test procedure for requirements of S5.2.1.

S7.7.1.1 Condition the parking brake friction elements so that the temperature at the beginning of the test is at any level not more than 150° F. (when the temperature of components on both ends of an axle are averaged).

S7.7.1.2 Drive the vehicle, loaded to GVWR, onto the specified grade with the longitudinal axis of the vehicle in the direction of the slope of the grade, stop the vehicle and hold it stationary by application of the service brake control, and place the transmission in neutral.

S7.7.1.3 With the vehicle held stationary by means of the service brake control, apply the parking brake by a single application of force of not more than 125 pounds in the case of a foot-operated system, and not more than 90 pounds in the case of a hand-operated system, except that a series of applications to achieve the specified force may be made in the case of a parking brake system design that does not allow the application of the specified force in a single application.

S7.7.1.4 Following the application of force in accordance with S7.7.1.3, release all force on the service brake control and commence the measurement of time if the vehicle remains stationary. If the vehicle does not remain stationary, reapplication of the service brake to hold the vehicle stationary, with application of a force of not more than 125 pounds in the case of a foot-operated system and not more than 90 pounds in the case of a hand-operated system (without release of the ratcheting or other holding mechanism of the parking brake), may be used twice to attain a stationary position.

S7.7.1.5 Following observation of the vehicle in a stationary condition for the specified time in one direction, repeat the same test procedure with the vehicle orientation in the opposite direction on the specified grade.

S7.7.1.6 Check the operation of the parking brake application indicator required by S5.3.1(d).

2. The title of S7.7.2 is amended to read:

S7.7.2 Test procedures for requirements of S5.2.2.

II. Section 575.101 of Subpart B of the Consumer Information Regulations (49 CFR Part 575) is amended as follows:

1. Section 575.101(c) introductory text, last sentence of flush material and (2), (3) and (4) are revised as follows:

§ 575.101 Vehicle stopping distance.

* * * * *

(c) *Required information.* Each manufacturer shall furnish the information in (1) through (5) below, in the form illustrated in Figure 1, except that with respect to paragraphs (c)(2) and (3) of this section, a manufacturer whose total motor vehicle production does not exceed 500 annually is only required to furnish performance information for the loaded condition. Each motorcycle in the group to which the information applies shall be capable, under the conditions specified in paragraph (d) of this section, and utilizing the procedures specified in paragraph (e) of this section, of performing at least as well as the information indicates. Each passenger car in the group to which the information applies shall be capable of performing at least as well as the information indicates, under the test conditions and procedures specified in S6 and S7 of Standard No. 105-75 of this chapter (49 CFR 571.105-75) or, in the case of passenger cars manufactured before January 1, 1977, and at the option of the manufacturer, under the conditions specified in paragraph (e) of this section.

* * * The weight requirements indicated in paragraphs (c) (2), (3), and (4) of this section are modified for motorcycles (and at the option of the manufacturer, in the case of passenger cars manufactured before January 1, 1977) by the fuel tank condition specified in paragraph (d)(4) of this section.

(1) * * *

(2) *Minimum stopping distance with fully operational service brake system.* The minimum stopping distance attainable, expressed in feet, from 60 mph, using the fully operational service brake system—

(i) In the case of a motorcycle, at lightly loaded and maximum loaded vehicle weight; and

(ii) In the case of a passenger car, at lightly loaded vehicle weight and at gross vehicle weight rating (GVWR), except for a passenger car manufactured before January 1, 1977, and tested, at the option of the manufacturer, under the conditions and procedures of paragraphs (d) and (e) of this section, which passenger car shall be tested at lightly loaded vehicle weight and at maximum loaded vehicle weight.

(3) *Minimum stopping distance with partially failed service brake system.* (Applicable only to passenger cars with more than one service brake subsystem.) The minimum stopping distance attainable using the service brake control, expressed in feet, from 60 mph, for the most adverse combination of GVWR or lightly loaded vehicle weight and partial failure as specified in S5.1.2 of Standard No. 105-75 of this chapter. However, a passenger car manufactured before January 1, 1977, and tested, at the option of the manufacturer, under the conditions and procedures of paragraphs (d) and (e) of this section, shall be tested at maximum loaded vehicle weight instead of GVWR.

(4) *Minimum stopping distance with inoperative brake power assist unit or brake power unit.* (Applicable only to passenger cars equipped with brake power assist unit or brake power unit.) The minimum stopping distance, expressed in feet, from 60 mph, using the service brake system, tested in accordance with the requirements of S5.1.3 of Standard No. 105-75 of this chapter. However, in the case of a passenger car manufactured before January 1, 1977, vehicle loading may, at the option of the manufacturer, be maximum loaded vehicle weight in place of the GVWR loading specified under S5.1.3 of Standard No. 105-75.

* * * * *

Effective date: January 6, 1976. Because these amendments, to the extent that they impose new substantive requirements, are made optional for an interim period, and because manufacturers must plan future testing based on the test procedures as they exist in the present standard, it is found for good cause shown that an immediate effective date is in the public interest.

(Sec. 103, 119 Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegation of authority at 49 CFR 1.51).

Issued on December 31, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.75-35248 Filed 12-31-75;10:54 am]

Title 50—Wildlife and Fisheries

CHAPTER II—NATIONAL MARINE FISHERIES SERVICE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 240—REGULATED COMMERCIAL FISHERIES

Revision of Regulations

At the 25th Annual Meeting held in Edinburgh, Scotland, June 10-20, 1975, and the Special Meeting held in Montreal, Canada, September 26, 1975, the International Commission for Northwest Atlantic Fisheries (ICNAF) recommended that member nations adopt certain conservation measures for 1976.

Therefore, it is the purpose of these revised regulations to carry out the recommendations of the Commission and to accomplish various administrative changes for clarification purposes. The revised regulations deal with the following matters:

1. Changes the effective period of the regulations from 1975 and provides that these regulations become effective January 1, 1976, and remain in force until superseded, amended, or otherwise suspended so as to provide continuity (see § 240.1).

2. Amends the definition of the term "convention area" in accordance with the recommendation of the Commission (see § 240.2(a)).

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3. Amends the listing of Regulated Species by the subareas in which they are included (see §§ 240.2(c)(3), 240.2(c)(4), 240.2(c)(5), and 240.2(c)(6)).

4. Amends § 240.3(d) by deleting the provision for oral requests for temporary suspension or modification of licenses.

5. Amends § 240.4(b) by changing the limitations on the incidental taking of haddock in Subareas 4 or 5 or Statistical Area 6.

6. Amends § 240.13(c) by establishing in paragraph (2) a closure to vessels over 155 feet in length encompassing a large portion of Georges Bank proper, limiting fishing operations to true mid-water trawls only.

7. Amends § 240.25—General Restrictions—by establishing in paragraph (b) quantities of regulated flatfish that may be taken incidentally.

8. Amends § 240.46 by establishing a size limit of 25 centimeters for mackerel stocks in Subareas 3, 4, 5, and Statistical Area 6.

9. Changes the catch quotas for the Groundfish Fisheries, the Flatfish Fisheries, the Hake Fisheries, the Pelagic Fisheries, all other Finfish, the Squid Fisheries and Shellfish (see §§ 240.11, 240.21, 240.31, 240.41, 240.51 and 240.61).

10. Amends the Closed Seasons and Areas for the Groundfish Fisheries, the Flatfish Fisheries, the Hake Fisheries, and the Pelagic Fisheries (see §§ 240.13, 240.23, 240.33 and 240.43).

11. Amends Subpart G—Squid Fisheries and Shellfish by adding provisions for an open season, a closed season and area, gear restrictions and general restrictions (see §§ 240.62, 240.63, 240.64 and 240.65).

12. Amends Subpart H—Overall Quota by establishing a new U.S. overall quota for all stocks and species in Subarea 5 and Statistical Area 6 (see § 240.71).

13. Amends the existing Optional Settlement Agreement and establishes an Incidental Catch Agreement for Yellowtail Flounder (see Appendixes I and II).

14. Amends the regulations so as to make numerous administrative changes which do not have a substantial effect on U.S. fishermen.

Accordingly, 50 CFR Part 240 is revised as set forth below.

In accordance with Executive Order 11821, dated November 27, 1974, it is hereby certified that the inflationary impact of this action on the Nation has been carefully evaluated. The additional federal expenditures required are so minimal that no substantial impact on the Nation is anticipated.

These regulations are issued under the authority contained in the Northwest Atlantic Fisheries Act of 1950 (16 U.S.C. 986). Because of the need for immediate guidance with respect to the provisions contained in these regulations and the fact that they relate to a foreign affairs function of the United States under 5 U.S.C. 553(a)(1), it is found unnecessary to issue a notice of proposed rule making under 5 U.S.C. 553(b) or subject these regulations to the effective date limitation of 5 U.S.C. 553(d). Therefore, under the provisions of 5 U.S.C. 553(d)(3) and 553(b)(B), these regulations are effective at 0001 hours, January 1, 1976, and will remain in force until superseded, amended, or otherwise suspended.

Adopted by the National Marine Fisheries Service at its office in Washington, D.C., on the 31st day of December, 1975.

JACK W. GEHRINGER,
Deputy Director,
National Marine Fisheries Service.

In consideration of the foregoing, Part 240 is revised to read as follows:

Subpart A—General Provisions

Sec.
240.1 Effective period of regulations.
240.2 Definitions.
240.3 Licensing provisions.
240.4 Persons and vessels exempted.
240.5 Reports and records.

Subpart B—Groundfish Fisheries

240.10 Definitions.
240.11 Catch quota.
240.12 Open season.
240.13 Closed season and areas.
240.14 Gear restrictions.
240.15 General restrictions.

Subpart C—Flatfish Fisheries

240.20 Definitions.
240.21 Catch quota.
240.22 Open season.
240.23 Closed season and areas.
240.24 Gear restrictions.
240.25 General restrictions.

Subpart D—Hake Fisheries

240.30 Definitions.
240.31 Catch quota.
240.32 Open season.
240.33 Closed season and areas.
240.34 Gear restrictions.
240.35 General restrictions.

Subpart E—Pelagic Fisheries

240.40 Definitions.
240.41 Catch quota.
240.42 Open season.
240.43 Closed season and areas.
240.44 Gear restrictions.
240.45 General restrictions.
240.46 Size limits.

Subpart F—All Other Finfish

240.50 Definitions.
240.51 Catch quota.

Subpart G—Squid Fisheries and Shellfish

240.60 Definitions.
240.61 Catch quota.
240.62 Open season.
240.63 Closed season.
240.64 Gear restrictions.
240.65 General restrictions.

Subpart H—Overall Quota

240.70 Definitions.
240.71 Catch quota.
Appendix I: Optional Settlement Agreement
Appendix II: Incidental Catch Agreement for Yellowtail Flounder

AUTHORITY: Northwest Atlantic Fisheries Act of 1950 as amended (64 Stat. 1069, 16 USC 986).

Subpart A—General Regulations

§ 240.1 Effective period of regulations.

These regulations become effective January 1, 1976, and remain in force until superseded, amended, or otherwise suspended.

§ 240.2 Definitions.

(a) *Convention area.* The term "Convention area" means and includes all waters, except territorial waters, bounded by a line beginning at a point on the coast of Rhode Island in 71°40′ west longitude; thence due south to 39°00′ north latitude; thence due east to 42°00′ west longitude; thence due north to 59°00′ north latitude; thence due west to 44°00′ west longitude; thence due north to the coast of Greenland; thence along the west coast of Greenland to 86°10′ north latitude; thence southward to a point in 75°00′ north latitude and 73°30′ west longitude, thence along a rhumb line to a point in 69°00′ north latitude and 50°00′ west longitude; thence due south to 61°00′ north latitude; thence due west to 64°30′ west longitude; thence due south to the coast of Labrador; thence in a southerly direction along the coast of Labrador to the southern terminus of its boundary with Quebec; thence in a westerly direction along the coast of Quebec, and in an easterly and southerly direction along the coasts of New Brunswick, Nova Scotia, and Cape Breton Island, to Cabot Strait; thence along the coasts of Cape Breton Island, Nova Scotia, New Brunswick, Maine, New Hampshire, Massachusetts and Rhode Island to the point of beginning.

(b) *Regulatory area.* The term "Regulatory Area" means and includes the whole of those portions of the Convention area and those adjacent waters to the west and south inhabited by species of fish which are regulated by the Commission and which are separately described as follows:

(1) *Subarea 1.* The term "Subarea 1" means that portion of the Convention area, including all waters except territorial waters, which lies to the north and east of a rhumb line from a point in 75°00′ north latitude and 73°30′ west longitude to a point in 69°00′ north latitude and 59°00′ west longitude; east of 59°00′ west longitude; and to the north and east of a rhumb line from a point in 61°00′ north latitude and 59°00′ west longitude to a point in 52°15′ north latitude and 42°00′ west longitude.

(2) *Subarea 2.* The term "Subarea 2" means that portion of the Convention area, including all waters except territorial water, lying to the south and west of Subarea 1, as defined in subparagraph (1) of this paragraph, and to the north of the parallel of 52°15′ north latitude.

(3) *Subarea 3.* The term "Subarea 3" means that portion of the Convention area, including all waters except territorial waters, lying south of the parallel of 52°15′ north latitude; and to the east of a line extending due north from Cape Bauld on the north coast of Newfoundland to 52°15′ north latitude; to the north of the parallel of 39°00′ north latitude; and to the east and north of a rhumb line extending in a northwesterly direction which passes through a point in 42°30′ north latitude, 55°00′ west longitude in the direction of a point in 47°50′ north latitude, 60°00′ west longitude, until it intersects a straight line connecting Cape Ray, on the coast of Newfoundland, with Cape North on Cape Breton Island; thence in a northeasterly direction along said line to Cape Ray.

(4) *Subarea 4.* The term "Subarea 4" means that portion of the Convention area, including all waters except territorial waters, lying to the west of Subarea 3 as described in subparagraph (3) of this paragraph, and to the east of a line described as follows: Beginning at the terminus of the international boundary between the United States of America and Canada in Grand Manan Channel, at a point 44°46′35.34″ north latitude, 66°54′11.23″ west longitude; thence due south to the parallel of 43°50′ north latitude; thence due west to the meridian of 67°40′ west longitude; thence due south to the parallel of 42°40′ north latitude; thence due east to a point in 66°00′ west longitude; thence along a rhumb line in a southeasterly direction to a point in 42°00′ north latitude, 65°40′ west longitude; thence due south to the parallel of 30°00′ north latitude.

(5) *Subarea 5.* The term "Subarea 5" means that portion of the Convention area, including all waters except territorial waters, bounded by a line beginning at the terminus of the international boundary between the United States of American and Canada in Grand Manan Channel at a point in 44°46′35.34″ north latitude, 66°54′11.23″ west longitude; thence due south to the parallel of 43°50′ north latitude; thence due west to the meridian of 67°40′ west longitude; thence due south to the parallel of 42°20′ north latitude; thence due east to a point in 66°00′ west longitude; thence along a rhumb line in a southeasterly direction to a point in 42°00′ north latitude, 65°40′ west longitude; thence due south to the parallel of 39°00′ north latitude; thence due west to the meridian of 71°40′ west longitude; thence due north to a point 3 statute miles off the coast of the State of Rhode Island; thence along the coasts of Rhode Island, Massachusetts, New Hampshire, and Maine at a distance of 3 statute miles to the point of beginning.

(6) *Statistical Area 6.* The term "Statistical Area 6" means that portion of the waters inhabited by species of fish which are regulated by the Commission including all waters except territorial waters bounded by a line beginning at a point on the coast of Rhode Island at 71°40′ W. long.; thence due south to 39°00′ N. lat.; thence due east to 42°00′ W. long.; thence due south to 35°00′ N. lat., thence due west to the coast of North America, thence northwards along the east coast of Hatteras Island, past Oregon Inlet along the coast of North Carolina, Virginia, Maryland, Delaware, New Jersey, New York, Connecticut, and Rhode Island to the point on Rhode Island at 71°40′ W. long.

(c) *Regulated species.* The regulations in this part shall apply to the following species by the subareas they are included in and wherever in the regulations in this part the term "regulated species" is used, it shall apply to those in this list.

(1) *In Subarea 1.* (i) Cod (*Gadus morhua* (L.)).

(ii) Haddock (*Melanogrammus aeglefinus* (L.)).

(iii) Ocean perch (redfish) (*Sebastes*).

(iv) Halibut (*Hippoglossus hippoglossus* (L.)).

(v) Grey sole (witch) (*Glyptocephalus cynoglossus* (L.)).

(vi) Dab (American plaice) (*Hippoglossoides platessoides* (Fab.)).

(vii) Greenland halibut (*Reinhardtius hippoglossoides* (Walb.)).

(2) *In Subarea 2.* (i) Cod (*Gadus morhua* (L.)).

(ii) Hadock (*Melanogrammus aeglefinus* (L.)).

(iii) Ocean perch (redfish) (*Sebastes*).

(iv) Halibut (*Hippoglossus hippoglossus* (L.)).

(v) Grey sole (witch) (*Glyptocephalus cynoglossus* (L.)).

(vi) Dab (american plaice) (*Hippoglossoides platesoides* (Fab.)).

(vii) Greenland halibut (*Reinhardtius hippoglossoides* (Walb.)).

(3) *In Subarea 3.* (i) Cod (*Gadus morhua* (L.)).

(ii) Haddock (*Melanogrammus aeglefinus* (L.)).

(iii) Ocean perch (Redfish) (*Sebastes*).

(iv) Mackerel (*Scomber scombrus*).

(v) Dab (American Flaice) (*Hippoglossodes platessoides*).

(vi) In aggregate: Halibut (*hippoglossus hyppoglossus* (L.)), grey sole (witch) (*Glyptocephalus cynglossus* (L.)), yellowtail flounder (*Limanda ferruginea* (Storer)), Greenland halibut (*Reinharditus hippoglossoides* (Walb.)), pollock (saithe) (*Pollachius virens* (L.)), white hake (*Urophycis tenuis* (Mitch.)).

(4) *In Subarea 4.* (i) Cod (*Gadus morhua* (L.)).

(ii) Haddock (*Melanogrammus aeglefinus* (L.)).

(iii) Herring (*Clupea Harengus*).

(iv) Ocean perch (Redfish) (*Sebastes*).

(v) Pollock (*Pollachius Virens*).

(vi) In aggregate: Flounders: grey sole (witch) (*Glyptocephalus cynoglossus* (L.)), yellowtail flounder (*Limanda ferruginea* (Storer)), blackback or lemon sole (winter flounder) (*Pseudopleuronectes americanus* (Walb.)), dab, *American plaice*) (*Hippoglossoides platessoides* (Fab.)).

(5) *In subarea 5,* (i) God (*Gadua morhua* (L.)).

(ii) Haddock (*Melanogrammus aeglefinus* (L.)).

(iii) Yellowtail flounder (*Limanda ferruginea* (Storer)).

(iv) Silver hake (*Merluccius bilinearis* (Mitch.)).

(v) Red hake (*Urophycis chuss* (Walb.)).

(vi) Herring (*Clupea harengus* (L.)).

(vii) Mackerel (*Scomber scombrus* (L.)).

(viii) Pollock (*Pollachius virens* (L.)).

(ix) Ocean perch (Redfish) (*Sebastes*).

(x) In aggregate: Flounders: grey sole (witch) (*Glyptocephalus cynoglossus* (L.), dab (American plaice) (*Hippoglossoides platessoides* (Fab) fluke (summer flounder) (*Poralichithys dentatus* (L), blackback or lemon sole (winter flounder) (*Pseudopleuronectes americanus* (Walb.)).

(xi) Short Finned Squid (*Illex illecebrosus*).

(xii) Long Finned Squid (*Loligo pealei*).

(xiii) Other finfish: All other finfish not mentioned by name excluding menhaden, tuna, billfish and sharks other than dogfish).

(6) *In Statistical Area 6,* (i) Red hake (*Urophycis chuss*).

(ii) Silver hake (*Merluccius bilimearis*)

(iii) In aggregate: Flounders: Grey sole (witch (*Glyptocephalus cynoglossus* (L), dab (American plaice) (*Hippoglossoides platessoides* (*Fab*), fluke (summer flounder) (*Poralichithys dentatus* (L), blackback or lemon sole (winter flounder) (*Pseudopleuronectes americanus* (Walb.)).

(iv) Short-finned squid (*Illex illecebrosus*).

(v) Long-finned squid (*Loligo pealei*).

(vi) Other finfish: All other finfish not mentioned by name excluding menhaden, tuna, billfish and sharks, other than dogfish.

(d) *Chafer.* A protective covering of canvas, netting, or other material attached to the underside of the cod end only of the net to reduce and prevent damage, and a rectangular piece or pieces of netting attached to the upper side of the cod end only of the net to reduce and prevent damage, so long as the netting attached to the upper side of the cod end conforms to the specifications of either the "ICNAF-type chafer," the "multiple flap-type chafer," or the "Polish-type chafer," described below. For the purposes of this paragraph, the required mesh size, when measured wet after use, shall be deemed to be the average of the measurements of 20 consecutive meshes in a series across the nettings.

(1) ICNAF chafer. A chafer having the following characteristics:

(i) The width of the netting shall be at least 1½ times the width of the area of the cod end which is covered, such width to be measured at right angles to the long axis of the cod end.

(ii) Such netting may be fastened to the cod end of the trawl net only along the forward and lateral edges of the netting and at no other place in the netting.

(iii) On cod ends having a splitting strap, the netting shall be fastened in such a manner that it extends forward of the splitting strap no more than four meshes and ends not less than four meshes in front of the cod line mesh.

(iv) On cod ends not having a splitting strap, the netting shall not extend to more than one-third the length of the cod end measured from not less than four meshes in front of the cod line mesh.

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(v) The netting shall not have a mesh size less than that specified for the cod end to which it is attached.

(2) *Multiple flap-type chafer.* A chafer having the following characteristics:

(i) Each piece of netting shall not exceed 10 meshes in length; each shall be at least the width of the cod end, such width being measured at right angles to the long axis of the cod end at the point of attachment; each shall be fastened by its forward edge only across the cod end at right angles to its long axis.

(ii) The aggregate length of all pieces of netting shall not exceed two-thirds the length of the cod end.

(iii) The netting shall not have a mesh size less than that specified for the cod end to which it is attached.

(3) *Polish-type chafer.* A chafer having the following characteristics:

(i) The rectangular piece of netting attached to the upper side of the cod end shall have a mesh size at least twice as large as that specified for the cod end to which it is attached and shall have a width the same as that for the cod end.

(ii) It shall be fastened to the cod end only along the forward, lateral, and rear edges of the netting so that the meshes exactly overlay the meshes of the cod end.

(iii) The netting shall be the same twine size and material as that of the cod end.

(c) *Closed season.* The time during which regulated species in specified areas may not be taken in quantities exceeding the amounts specified as incidental fisheries.

(f) *Cod end.* The bag-like extension attached to the after end of the belly of the trawl net and used to retain the catch.

(g) *Commission.* The International Commission for the Northwest Atlantic Fisheries established pursuant to the Convention.

(h) *Convention.* The International Convention for the Northwest Atlantic Fisheries signed at Washington, D.C., February 8, 1949, and amendments.

(i) *Contracting governments.* Governments party to the Convention.

(j) *Demersal species.* Fishes living at the bottom of the sea.

(k) *Executive Secretary.* The Executive Secretary of the International Commission for the Northwest Atlantic Fisheries.

(l) *Fishing.* The catching, taking or fishing for, or the attempted catching, taking, or fishing for any regulated species.

(m) *Incidental fisheries.* The inadvertent taking of regulated species while conducting fishing operations primarily for other species.

(n) *Mesh size.* Any part of the net, the average of the measurements of any 20 consecutive meshes in any row located at least 10 meshes from the side lacings measured when wet after use.

(o) *License.* A license issued by the National Marine Fisheries Service to enable the holder thereof to fish for, possess, transport, or deliver, by means of any fishing vessel, any regulated species.

(p) *Official or authorized official.* Any representative of the National Marine Fisheries Service (NMFS), U.S. Coast Guard, or US Bureau of Customs, authorized to enforce this part.

(q) *Open season.* The time during which regulated species may lawfully be captured and taken on board a fishing vessel without limitation of the quantity permitted to be retained during each fishing voyage, except as otherwise provided in this part.

(r) *Person.* Any owner, master, or operator of a vessel.

(s) *Regional Director.* The Regional Director, Northeast Region, National Marine Fisheries Service, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930. Telephone number: Area code (617) 281–0640.

(t) *Service.* The National Marine Fisheries Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

(u) *Service Director.* The Director of the National Marine Fisheries Service.

(v) *Trawl net.* Any large bag net dragged in the sea by a vessel or vessels for the purpose of fishing.

(w) *Vessel.* Every kind, type or description of watercraft subject to the jurisdiction of the United States, used, or capable of being used, as a means of transportation on water.

(x) *Trip.* As used in connection with the trip exemption provided in § 240.3(b) means a departure from port, transit to the Convention area, participation in the fisheries, including incidental fisheries, and discharges any part of the catch on board.

§ 240.3 Licensing provisions.

(a) Any person or vessel desiring to fish for any regulated species within the waters under regulation by the Commission, or possess, transport, or deliver for sale, any regulated species taken within waters regulated by the Commission, must first obtain a license for that purpose.

(b) The owner or operator of a vessel may obtain the appropriate license by furnishing on the registration form provided by the National Marine Fisheries Service information specifying the names and addresses of the vessel owner and master, the name of the vessel, official number, fish hold capacity (nearest 100 pounds), and the homeport of the vessel. The registration form shall be submitted, in duplicate, to the Regional Director, National Marine Fisheries Service, Gloucester, Massachusetts, 01930, who shall grant the requested license, without fee, for an indefinite term of years, such term to include the calendar year in which the license is issued. New licenses will be issued to replace lost or mutilated licenses. A license shall expire whenever vessel ownership changes, or there exists an intent by the owner or the master of the vessel to change the directed fishery or fisheries of such vessel. Application for new license, because of a change in vessel ownership (which shall include the names and addresses of both the purchaser and seller and be submitted by the purchaser), a change in the directed fishery or fisheries of the vessel, or the removal of a vessel from the directed fisheries for regulated species within the Convention Area, must be filed with the Regional Director no later than 10 days following the change on a form provided by the Regional Director.

(c) The owner or operator of any licensed vessel which is proposed to be used in fishing outside the Convention area may obtain a temporary suspension of the license until such time that the vessel returns to fish within the Convention area.

(d) The temporary suspension or modification of the license shall be granted upon a written request, specifying the period of suspension or modification desired by an authorized State official or by an authorized official of the National Marine Fisheries Service, or Coast Guard. Such official shall make appropriate endorsement on the license evidencing the duration of its suspension or modification.

(e) The license issued by the National Marine Fisheries Service must be carried, at all times, on board the vessel for which it is issued and such license, the vessel, its gear and equipment shall be subject to inspection, at reasonable times, by authorized officials.

(f) Licenses issued under this part may be revoked by the Regional Director for violations of this part.

§ 240.4 Persons and vessels exempted.

(a) *Scientific investigations.* Any person operating a vessel authorized by the Secretary of Commerce to engage in fishing for scientific purposes is exempt from all the requirements of this part.

(b) *Trip Exemption.* A person or vessel subject to the jurisdiction of the United States possessing a valid license and abiding by existing fishing gear restrictions, but subject to all seasonal, area, or species quota limitation closing for regulated species, may possess regulated species except haddock in 4VW as follows:

(1) Fishing vessels conducting fishing operations, or vessels in support of such operations, within Subarea 4 and/or 5, and/or Statistical Area 6, may catch or possess amounts of regulated species taken as an incidental catch not to exceed 5,510 pounds or 10 percent of the weight of the entire catch on board such vessel, whichever is greater.

(c) *Special Exemption.* Notwithstanding paragraph (b) of this section or § 240.11(a)(3) the Regional Director, at his discretion, and under such terms and conditions as he deems necessary, may enter into agreements with owners or operators fishing in Subareas 4 or 5 or Statistical Area 6, setting forth the method of computing an annual or quarterly exemption instead of trip exemptions. A form of such agreement is attached to these Regulations as Appendix I.

(d) *Special Exemption.* Notwithstanding paragraph (b) of this section or § 240.21(a)(4) the Regional Director, at his discretion, and under such terms and conditions as he deems necessary, may enter into agreements with owners or operators fishing in Subareas 4 or 5 or Statistical Area 6, setting forth the method of computing a biweekly exemption instead of trip exemptions. A form of such agreement is attached to these Regulations as Appendix II.

(e) *Excess taking.* The taking of excess amounts of such regulated species under these exemptions by a vessel fishing within Subarea 5 or Statistical Area 6 during the first 48 hour period subsequent to leaving port or off loading will not constitute a violation of these regulations.

§ 240.5 Reports and records.

(a) *Dealers.* (1) All persons, individuals, firms or corporations, at any port or place within the United States, that buy from other U.S. flag vessels or from a carrier licensed as a common carrier engaged in either interstate or intrastate commerce, any regulated species taken within the Convention area by any fishing vessel, shall make and shall furnish to an authorized officer of the National Marine Fisheries Service, within 72 hours of sale or within 72 hours after buying or receiving, or upon the vessel's return to any port of the United States, a complete record of each purchase, on forms supplied by the National Marine Fisheries Service.

(2) All persons purchasing or receiving any regulated species in the Convention area for transport to any port of the United States must maintain records identical to those required under paragraph (a)(1) of this section.

(3) The possession by any person, firm or corporation of regulated species which such person, firm, or corporation knows to have been taken by a vessel of the United States without a valid license, is prohibited.

(b) *Owner or master.* (1) In the case of a vessel licensed under § 240.3, and fishing for any of the regulated species, the owner or master of vessels of 100 gross tons or more must maintain an accurate log of fishing operations showing date, type and size of gear used, locality fished, duration of fishing time or tow, and the estimated weight in pounds of each species taken at 12-hour intervals. Such logbooks shall be available for inspection by an authorized official in accordance with the ICNAF International Inspection Scheme adopted at the Twenty-first Annual Meeting, May 27–June 4, 1971. The logbook shall be presented for examination and subsequent return to the master or owner of the vessel upon proper demand by any authorized official at any time during or at the completion of a fishing trip. Such required documentation will be maintained by the owner or master of the vessel for one year subsequent to the date of the last entry in the logbook.

(2) In the case of vessels of less than 100 gross tons licensed under § 240.3, and fishing for any of the regulated species, the owner or master may be required to maintain the logbook for sampling purposes at the option of an appropriate official of the United States.

(3) In the case of vessels desiring to fish for nonregulated species on a trip basis, no reports are required of the owner or master.

Subpart B—Groundfish Fisheries

§ 240.10 Definitions.

(a) Unless otherwise defined herein, the terms used in this subpart will have the meanings ascribed to them in § 240.2.

(b) Regulations in this subpart will apply to haddock (*Melanogrammus aeglefinus* (L.)), cod (*Gadus morhua* L.)), pollock (*Pollachius virens* (L.)), and redfish (ocean perch) (*Sebates marinus* (L.)).

§ 240.11 Catch quota.

(a) An annual catch limitation is placed upon the quantity of haddock permitted to be taken in Division 4X of Subarea 4, and Subarea 5. There will be no directed fishery for haddock within the regulatory area by persons or fishing vessels subject to the jurisdiction of the United States. The annual incidental catch of haddock by persons or fishing vessels subject to the jurisdiction of the United States in each of the subsequent divisions and/or areas is as follows:

(1) The annual incidental catch of haddock by persons or fishing vessels fishing in Division 4X of Subarea 4 shall not exceed 1,500 metric tons.

(2) The annual incidental catch of haddock by persons or fishing vessels fishing in Subarea 5, shall not exceed 4,450 metric tons.

(3) The incidental fishery for haddock, within Subareas 4 and 5, and Statistical Area 6, by persons or vessels subject to the jurisdiction of the United States shall be in accordance with the provisions of § 240.4(b)(1) except as otherwise specifically provided by agreement with the Regional Director in accordance with § 240.4(c).

(b) An annual catch limitation is placed upon the quantity of cod permitted to be taken in Subdivision 4X of Subarea 4, and Subdivisions 5Y, and 5Z, of Subarea 5. The aggregate catch of cod by persons or fishing vessels subject to the jurisdiction of the United States, in each area, is as follows:

(1) The annual catch of cod in Subarea 4 defined as that portion of Subdivision 4X lying south and east of the straight lines joining coordinates, in the order listed: 44°22′N, 63°20′W; 43°00′N, 65°40′W; 43°00′N, 67°40′W; shall not exceed 200 metric tons.

(2) The annual catch of cod in Subdivision 5Y of Subarea 5 shall not exceed 7,800 metric tons.

(3) The annual catch of cod in Subdivision 5Z of Subarea 5 shall not exceed 20,000 metric tons.

(c) An annual catch limitation is placed upon the quantity of pollock permitted to be taken in Subdivisions 4V, 4W, and 4X, of Subarea 4, and Subarea 5. The aggregate catch of pollock in the above areas by persons or fishing vessels subject to the jurisdiction of the United States shall not exceed 11,500 metric tons.

(d) An annual catch limitation is placed upon the quantity of red fish (ocean perch) permitted to be taken in Subarea 2, Subdivision 3K of Subarea 3, Subdivisions 4V, 4W, and 4X of Subarea 4, and Subarea 5. The aggregate catch of red fish (ocean perch) by persons or fishing vessels subject to the jurisdiction of the United States in each area, is as follows:

(1) The annual catch of red fish (ocean perch) by persons or fishing vessels fishing in Subarea 2, and Subdivision 3K of Subarea 3, shall not exceed 750 metric tons.

(2) The annual catch of red fish (ocean perch) by persons or fishing vessels fishing in Subdivisions 4V, 4W, and 4X of Subarea 4 shall not exceed 6,000 metric tons.

(3) The annual catch of red fish (ocean perch) by persons or fishing vessels fishing in Subarea 5, shall not exceed 13,000 metric tons.

§ 240.12 Open season.

(a) The open season for regulated groundfish species in Subdivision 4Vs, Division 4X and Division 4W of Subarea 4, and Subarea 5, shall begin at 0001 hours of the 1st day of January 1975, and terminate at a time and a date to be determined and announced in the FEDERAL REGISTER: *Provided*, That the areas described in § 240.13 shall be closed to any vessel using gear capable of catching demersal species.

§ 240.13 Closed seasons and areas.

(a) The Director shall announce the closure of the season by publication of a notice in the FEDERAL REGISTER, specifying the time and date for the termination of specialized fishing for regulated groundfish species in Subarea 4 or 5, or any division thereof. The closure is determined in the following manner:

(1) The National Marine Fisheries Service maintains records of the catches of regulated groundfish species, except haddock, made in Subdivision 4Vs, Division 4X and Division 4W of Subarea 4 and Subarea 5, during the open season, by vessels under the jurisdiction of the United States participating in the fishery.

(2) When the accumulative and estimated prospective catch of regulated groundfish species, except haddock in each subarea, making allowance for the incidental catch for the remainder of the year, equals 100 percent of the allowable catch permitted under § 240.11, the Director shall promptly publish the notice, in the FEDERAL REGISTER, required in paragraph (a) of this section, and shall notify the Executive Secretary of the date on which vessels subject to the jurisdiction of the United States have ceased a specialized fishery.

(b) It shall be unlawful for any person or fishing vessel subject to the jurisdiction of the United States to use, during the period from 0001 hours March 1 to 2400 hours May 31 fishing gear capa-

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ble of catching demersal species, including any trawl gear or similar devices, gillnet or hook and line except that in the area delineated in (1) below, hooks having a gape of not less than 3 cm may be used, in:

(1) Subarea 5, two areas bounded by straight lines connecting the following coordinates in the order listed:

(i) 69°55′W–42°10′N, 69°10′W–41°10′N, 68°30′W–41°35′N, 68°45′W–41°50′N, 69°–00′W–41°50′N, such closed area being known as Closed Area "A".

(ii) 67°00′W–42°20′N, 67°00′W–41°15′–N, 65°40′W–41°15′N, 65°40′W–42°00′N, 66°00′W–42°20′N, such closed area being known as Closed Area "B".

(2) It shall be unlawful for any person or fishing vessel subject to the jurisdiction of the United States to use, during the period from 0001 hours, February 1, to 2400 hours, May 31 fishing gear capable of catching demersal species, including any trawl gear or similar devices, gill net, or hook and line in Division 4X of Subarea 4 bounded by straight lines connecting the following coordinates, in the order listed:

67°00′ W.–43°00′ N., 66°32′ W.–42°42′ N., 66°32′ W.–42°20′ N., 66°00′ W.–42°20′ N., 65°44′ W.–42°04′ N., 64°00′ W.–42°49′ N., 64°00′ W.–43°30′ N., 65°40′ W.–43°00′ N., such area being known as Closed Area "C".

(c) (1) It shall be unlawful for any person or fishing vessel subject to the jurisdiction of the United States to use fishing gear capable of catching demersal species including any trawl gear or similar devices, gillnet, or hook and line, for other than crustacea species, with or by fishing vessels over 130 feet or more in length in the area adjacent to the United States coast within such parts of Subarea 5, and Statistical Area 6, which lies north of 39°00′ N., and north of straight lines connecting 73°30′ W.–39°00′ N., 72°33′ W.–40°20′ N., and 68°15′ W.–40°20′ N., and south and west of a straight line drawn between the points: 68°15′ W.–40°20′ N., and 70°00′ W.–43° 17′ N. Such closed Area being known as Closed Area "I".

(2) It shall be unlawful for any person or fishing vessel subject to the jurisdiction of the United States to use fishing gear capable of catching demersal species including any trawl gear or similar devices, gillnet, or hook and line for other than crustacea species, with or by fishing vessels over 155 feet or more in length in Division 5Z or Subarea 5 bounded by straight lines connecting the following coordinates in the order listed: 67°00′ W.–42°20′ N., 67 30′ W.– 42°15′ N., 68°50′ W.–41°17′ N., 68°24′ W.–40°37′ N., 67°00′ W.–41°03′ N., 65°40′ W.–42°00′ N. Such Area being known as Closed Area "II".

(d) It shall be unlawful for any person or fishing vessel subject to the jurisdiction of the United States permitted to fish in the areas defined according to § 240.13 (b) and (c) to attach any protective device to pelagic fishing gear or employ any means that would, in effect, make it possible to fish for demersal species.

§ 240.14 Gear restrictions.

(a) In Subareas 1, 2, and 3, no person shall fish for regulated species with a trawl net or nets, parts of nets, or netting of manila or of the trade named twines, under the chemical category of polypropylene, having a mesh size of less than 5⅛ inches (130 mm.), or a trawl net or nets or parts of nets, or netting of material other than manila or polypropylene twine, unless it shall have a selectivity equivalent to that of a 5⅛ inch (130 mm.) manila trawl net.

(b) In Subareas 4 and 5, no person shall fish for haddock or cod with a trawl net or nets, parts of nets, other than the cod end, or netting of manila or of the trade named twines, under the chemical category of polypropylene having a mesh size of less than 4½ inches (114 mm.) and having a cod end of meshes of less than 5⅛ inches (130 mm.).

(c) The use in fishing for haddock or cod within Subareas 4 and 5 of any device or method which would, or otherwise, have the effect of diminishing the size of said meshes of the trawl net is prohibited: *Provided*, That an approved chafer described in § 240.2(d) may be used.

§ 240.15 General restrictions.

(a) Except as provided in paragraphs (b), (c), and (d), of this section, after the dates announced in the manner provided in § 240.13(a), for the closing of the unrestrictive fishing for certain species in Division 4X or Division 4W of Subarea 4 and Subarea 5, it shall be unlawful for any master or other person in charge of a fishing vessel to possess such regulated ground fish species on board such vessel in those areas or to land such regulated ground fish species in those areas in any port or place until the next succeeding fishing season reopens on January 1 next.

(b) (1) Any fishing vessel which had departed port to engage in fishing for regulated groundfish species under the provisions of § 240.3 prior to the date of the closure for such regulated species in either Division 4X or 4W in Subarea 4, or Subarea 5, may continue to take and retain such species in the Division or Subarea for which the closure has been announced, for a period of time not to exceed 10 days, at which time fishing for such species in the closed Division or Subarea shall be prohibited. Within 48 hours after the expiration of the 10-day period, each such vessel must return to a port or place in the United States, and the master or person in charge must immediately, on his return, notify any officer of the National Marine Fisheries Service, U.S. Bureau of Customs or Coast Guard, of his arrival.

(2) Any master or person in charge of a fishing vessel, licensed pursuant to § 240.3, may continue to fish after the date of closure, in any subarea or division, the provisions of the next preceding paragraph notwithstanding, but should he elect to do so, the quantity of such regulated species in his possession on each trip must not exceed 5,510 pounds or 10 percent of the weight of the entire catch on board such vessel, whichever is greater.

(c) Any master or person in charge of a fishing vessel, which has departed port after the date of closure of unrestrictive fishing for certain regulated groundfish species in Division 4X or 4W in Subarea 4, or Subarea 5, may take, possess on board, and land in any port or place, such regulated species as may be taken incidentally to a fishery for nonregulated species: *Provided*, That the master of the said vessel has on board the appropriate license as required under § 240.3(a) and complies with the limitations specified in § 240.4, and the reporting requirements, where required, in § 240.5(b): *Provided further*, That nothing contained herein shall be construed to amend, modify, or repeal those portions of the regulations relating to areas closed to all demersal fishing, which may be found in § 240.13(d).

(d) The provisions of this subpart shall apply to all fishing trips begun during the current calendar year, whether completed before January 1, or not.

(e) The provisions of this subpart shall be enforced in accordance with, and not supersede the provisions of § 240.4.

Subpart C—Flatfish Fisheries

§ 240.20 Definitions.

(a) Unless otherwise defined herein, the terms used in this subpart will have the meanings ascribed to them in § 240.2.

(b) Regulations in this subpart will apply to American plaice (*Hippoglossoides platessoides* (Fab.)), Yellowtail flounder (*Limanda ferruginea* (Storer)), and other flounders in aggregate grey sole or with (*Glyptocephalus gynoglossus* (L)), dab or American plaice (*Hippoglossoides platessoides* (Fab.)), fluke or summer flounder (*Paralichthys dentatus* (L)), blackback, lemon sole or winter flounder (*Pseudopleuronectes americanus* (Walb.)).

§ 240.21 Catch quota.

(a) An annual catch limitation is placed upon the total quantity of yellowtail flounder, witch flounder, and American plaice permitted to be taken by persons or fishing vessels subject to the jurisdiction of the United States. The catch limitations are as follows:

(1) There will be no directed fishery for yellowtail flounder in the Regulatory Area, except in Subarea 5, east of 69°00′ West Longitude.

(2) In subdivision 4V, 4W, and 4X, of Subarea 4, the total catch of witch flounder, American plaice, and the incidental catch of yellowtail flounder shall not exceed 350 metric tons.

(3) In Subarea 5 east of 69°00′ West Longitude, the total annual catch of yellowtail flounder shall not exceed 15,900 metric tons, and shall be taken in quarterly increments as follows:

Quarter	Catch quota	Expected accumulated catch
Jan. 1 to Mar. 31	3,850	3,850
Apr. 1 to June 30	3,850	7,700
July 1 to Sept. 30	4,900	12,600
Oct. 1 to Dec. 31	3,300	15,900

(4) The incidental catch of yellowtail flounder west of 69°00′ West Longitude in Subarea 5, and in Statistical Area 6 shall not exceed 3,990 metric tons and shall be in accordance with the provisions of § 240.41(b)(1) except as otherwise specifically provided by agreement with the Regional Director in accordance with § 240.4(d).

(b) The Director may adjust the quarterly increments of this subpart by publication of a notice in the FEDERAL REGISTER.

(c) An annual catch limitation is placed upon the aggregate quantity of flounder other than yellowtail permitted to be taken by persons or fishing vessels subject to the jurisdiction of the United States in Subarea 5, and in Statistical Area 6. The aggregate catch of such species in the above areas by persons or fishing vessels subject to the jurisdiction of the United States shall not exceed 19,500 metric tons.

§ 240.22 Open season.

(a) The open season for regulated flatfish species in areas under quota in § 240.21, shall begin at 0001 hours local time on the 1st day of January 1975 and terminate at a time and date to be announced by the Director, by publication of a notice in the FEDERAL REGISTER. In the event of a closure during any quarter, open season fishing for yellowtail flounder shall resume on the first day of the next quarter.

§ 240.23 Closed season and areas.

(a) The Director shall announce the closure of the season by publication of a notice in the FEDERAL REGISTER, specifying the time and date for the termination of specialized fishery for certain regulated flatfish species in Subarea 3, and Subarea 5, and Statistical Area 6.

(b) The National Marine Fisheries Service maintains records of the catches of regulated flatfish species made during the open seasons in those areas under quota limitations specified in § 240.21 by vessels under the jurisdiction of the United States, participating in the fishery.

(c) When the accumulative and estimated catch of certain regulated flatfish species, making allowance for the incidental catch for the remainder of the year, equals 100 percent of the allowable catch permitted under § 240.21, the Director shall promptly notify the Executive Secretary of the date on which vessels subject to the jurisdiction of the United States have ceased a specialized fishery.

(d) Announcement shall also be made by publication of a notice in the FEDERAL REGISTER of the closing time and date of the first, second, and third quarters when the Director has determined, on the basis of catch data and catch rates, that the accumulative catch (landings plus discards) of yellowtail flounder in Subarea 5, and in Statistical Area 6 in either area (east or west of 69°00′ W.), will equal the quarterly quota established in § 240.21(b).

§ 240.24 Gear restrictions.

(a) In Subareas 4 and 5, no person shall fish for yellowtail flounder with a trawl net or nets, parts of nets, other than the cod end, or netting of manila or of the trade named twines, under the chemical category of polypropylene having a mesh size of less than 4½ inches (114 m.m.) and having a cod end of meshes of less than 5⅛ inches (130 m.m.).

(b) The use in fishing for regulated species within any device of diminishing the size of said meshes or obstruct the meshes of the trawl net, is prohibited: *Provided*, That an approved chafer, described in § 240.2(d) may be used.

§ 240.25 General restrictions.

(a) Except as provided in paragraphs (a)(1) or (2) and (b) of this section, after the dates announced in the manner provided in § 240.23 for the closing of the fishing season or seasons, it shall be unlawful for any master or other person in charge of a fishing vessel to possess such regulated flatfish species in the closed Regulatory areas or to land such species taken in those areas in any port or place until the next succeeding open season.

(1) In the event of a closure of any of the first three quarters, as provided under § 240.23(d), any fishing vessel which had departed port to engage in yellowtail flounder fishing in Subarea 5 and in Statistical Area 6, prior to the date of the closure, may continue to take and retain yellowtail flounder in the area subject to the closure for a period of time not to exceed 5 days, at which time fishing for yellowtail flounder in the closed area shall be prohibited.

(2) In the event of an annual closure as provided under § 240.23, any fishing vessel which had departed port to engage in fishing for regulated flatfish species in Subarea 5, prior to date of the closure, may continue to take and retain such species in the area subject to the closure, for a period of time not to exceed 10 days, at which time fishing in the closed area shall be prohibited. Within 24 hours after the expiration of either the 10-day or 5-day period, provided under the preceding paragraph, each such vessel must return to a port or place in the United States and the master or person in charge must immediately, on the return, notify any appropriate official of the National Marine Fisheries Service, U.S. Customs Service, or Coast Guard, of his arrival.

(b) Any master or person in charge of a fishing vessel licensed pursuant to § 240.3, which has departed port after the date of closure in any of the Regulatory Areas, may catch regulated species in Subareas affected by the closure if, during the trip begun subsequent to such closure, the quantity of regulated species subject to the closure in his possession does not exceed 5,510 pounds or 10 percent of the weight of the entire catch on board, whichever is the greater, in accordance with § 240.4.

(c) Nothing contained herein shall be construed to amend, modify, or repeal those provisions of § 240.13 regarding areas closed to demersal fishing. The provisions of this section apply to fishing trips begun during the current calendar year.

Subpart D—Hake Fisheries

§ 240.30 Definitions.

(a) Unless otherwise defined herein, the terms used in this subpart will have the meanings ascribed to them in § 240.2.

(b) Regulations in this subpart will apply to silver hake, (*Merluccius bilinearis* (Mitch.)), and red hake, (*Urophycis chuss* (Walb.)).

§ 240.31 Catch quota.

(a) An annual catch limitation is placed upon the quantity of silver hake permitted to be taken in Division 5Y and Subdivisions 5Ze and 5Zw of Subarea 5, and in Statistical Area 6. The aggregate catch of silver hake permitted to be taken by persons or fishing vessels subject to the jurisdiction of the United States in each area is as follows:

(1) The annual catch of silver hake in Division 5Y of Subarea 5 shall not exceed 9,500 metric tons.

(2) The annual catch of silver hake in Subdivision 5Ze of Subarea 5 east of 70°00′ W. Longitude shall not exceed 8,500 metric tons.

(3) The annual catch of silver hake in both Subdivision 5Zw of Subarea 5 west of 70°00′ W. Longitude and in Statistical Area 6 shall not exceed 9,000 metric tons.

(b) An annual catch limitation is placed upon the quantity of red hake permitted to be taken east of 69° West longitude in Division 5Z of Subarea 5 and West of 69° West longitude in Division 5Z of Subarea 5 and in Statistical Area 6. The aggregate catch of red hake by persons or fishing vessels subject to the jurisdiction of the United States, in each area is as follows:

(1) The annual catch of red hake east of 69°00′ West longitude in Division 5Z of Subarea 5, shall not exceed 1,000 metric tons.

(2) The annual catch of red hake west of 69°00′ West longitude in Division 5Z of Subarea 5 and in Statistical Area 6 shall not exceed 6,000 metric tons.

It shall be unlawful for any person subject to the jurisdiction of the United States to conduct a directed fishery for silver hake or red hake after closure of the fishery.

§ 240.32 Open season.

(a) The open season for silver hake fishing in Division 5Y and 5Z of Subarea 5, and red hake fishing in Division 5Z of Subarea 5, and in Statistical Area 6 shall begin at 0001 hours of the 1st day of January 1976, and terminate at a time and a date to be determined pursuant to § 240.33.

§ 240.33 Closed season and areas.

(a) The Director shall announce the closure of the season by publication of a

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notice in the FEDERAL REGISTER, specifying the time and date for the termination of specialized fishery for silver hake or red hake in Subarea 5.

(b) The National Marine Fisheries Service maintains records of the catches of silver hake or red hake made in each Division of Subarea 5 during the open season by vessels, under the jurisdiction of the United States, participating in the fishery.

(c) When the accumulative and estimated prospective catch of silver hake and red hake in each Division of Subarea 5, and in Statistical Area 6, making allowance for the incidental catch for the remainder of the year, equals 100 percent of the allowable catch permitted under § 240.31, the Director shall promptly notify the Executive Secretary of the date on which its vessels have ceased a specialized fishery.

§ 240.34 Gear restrictions.

There are no gear restrictions regarding fishing for silver or red hake.

§ 240.35 General restrictions.

(a) Any fishing vessel which had departed port to engage in silver or red hake fishing under the provisions of § 240.3(a), prior to the date of closure of silver or red hake fishing in either Division 5Y or 5Z of Subarea 5 and in Statistical Area 6 may continue to take and retain silver or red hake in the Divisions for which the closure has been announced for a period of time not to exceed 5 days, at which time fishing for silver or red hake in the closed Division shall be prohibited. Within 48 hours after the expiration of the 5-day period, each such vessel must return to a port or place in the United States and the master or person in charge must immediately, on his return, notify any appropriate officer of the National Marine Fisheries Service, U.S. Customs Service, or Coast Guard, of his arrival.

(b) Any master or person in charge of a fishing vessel licensed pursuant to § 240.3, which has departed port after the date of closure in any of the Regulatory Areas, may catch regulated species in Subareas affected by the closure if, during the trip begun subsequent to such closure, the quantity of regulated species subject to the closure in his possession does not exceed 5,510 pounds, or 10 percent of the weight of the entire catch on board, whichever is greater, in accordance with § 240.4.

(c) Nothing contained herein shall be construed to amend, modify, or repeal those provisions of § 240.13 regarding areas closed to demersal fishing. The provisions of this section apply to fishing trips begun during the currrent calendar year.

Subpart E—Pelagic Fisheries

§ 240.40 Definitions.

(a) Unless otherwise defined herein, the terms used in this Subpart will have the meanings ascribed to them in Subpart A, § 240.2.

(b) Regulations in this subpart will apply to herring (Clupea harengus L.), mackerel (Scomber scombrus L.), and squid (all species).

§ 240.41 Catch quota.

(a) An annual catch limitation is placed upon the quantity of herring permitted to be taken in Divisions 4X and 4W of Subarea 4, Divisions 5Y and 5Z of Subarea 5, and in Statistical Area 6. The aggregate catch by persons or fishing vessels subject to the jurisdiction of the United States in each area is as follows:

(1) The annual catch of herring by persons or fishing vessels fishing in Division 4X and 4W in Subarea 4 shall be determined at a later date and published in the FEDERAL REGISTER.

(2) The annual catch of herring by persons or fishing vessels fishing in Division 5Y of Subarea 5 shall be determined at a later date and published in the FEDERAL REGISTER.

(3) The annual catch of herring by persons or fishing vessels fishing in Division 5Z of Subarea 5, and in Statistical Area 6, shall be determined at a later date and published in the FEDERAL REGISTER.

(b) An annual catch limitation is placed upon the quantity of mackerel permitted to be taken in Subareas 3 and 4 and 5 and in Statistical Area 6. The aggregate catch by persons or fishing vessels subject to the jurisdiction of the United States fishing in each area is as follows:

(1) The annual catch of mackerel by persons or fishing vessels fishing in Subareas 3 and 4 shall not exceed 500 metric tons.

(2) The annual catch of mackerel by persons or fishing vessels fishing in Subarea 5 and in Statistical Area 6 shall not exceed 4,700 metric tons.

§ 240.42 Open season.

The open season for herring or mackerel shall begin at 0001 hours of the first day of January each year and terminate in each subarea at a time and date to be determined and announced as provided in § 240.43.

§ 240.43 Closed season and areas.

(a) The Service Director shall maintain records of the catches of herring or mackerel by fishing vessels subject to quota allocations in the specific areas and/or Subareas and Statistical Areas, or combination of such, as previously stated in § 240.41, during the open season. The Service Director shall announce the closure dates for herring or mackerel fishing in Divisions 5Y and 5Z of Subarea 5, and in Statistical Area 6 when the accumulated catch and estimated catch of herring or mackerel, the quantity estimated to be taken before closure could be introduced, and the likely incidental catch for the remainder of the year, equal 100 percent of the allowable catch permitted under § 240.41. Such announcement of the season closure dates shall be made by publication of a notice in the FEDERAL REGISTER.

(b) The Executive Secretary shall maintain records of the catches by fishing vessels, of all contracting governments participating in fishing for herring, subject to quota regulations in Subarea 4, during open seasons for which specific allocations have not been assigned. The Executive Secretary shall notify the United States when the accumulated catch and estimated catch of herring in Divisions 4W and 4X of Subarea 4, the quantity estimated to be taken before closure could be introduced, and the likely incidental catch for the remainder of the year, equal 100 percent of the allowable catch permitted under § 240.41. The Service Director shall announce the closure dates for the herring fishing season for the specific areas and/or Subearas and Statistical Areas, or combination of such, as previously stated in § 240.41, within 10 days of the receipt of such notification from the Executive Secretary. Such announcement of the season closure dates shall be made by publication of a notice in the FEDERAL REGISTER.

§ 240.44 Gear restrictions.

There are no gear restrictions regarding fishing for herring or mackerel.

§ 240.45 General restrictions.

(a) Except as provided in § 240.4, and as provided below, after the date announced in manner provided in § 240.43, for the closing of the herring or mackerel fishing season, it shall be unlawful for any master or other person in charge of a fishing vessel to possess herring or mackerel taken in the closed subareas or to land herring taken in those subareas in any port or place until the next succeeding open season for herring or mackerel.

(b) In the event of an annual closure in the specific areas, and/or or Subareas, and Statistical Areas, or combination of such, as previously stated in § 240.41, any fishing vessel, which had departed port to engage in herring or mackerel fishing in Subarea 5 and in Statistical Area 6 prior to the date of closure, may continue to take and retain herring or mackerel in that subarea after the closure, for a period of time not to exceed 2 days, at which time fishing for herring or mackerel in the closed subarea shall be prohibited. Within 24 hours after the expiration of the 2-day period, each fishing vessel must return to a port or place in the United States, and the master or person in charge of the fishing vessel must then immediately notify an authorized official of the vessel's arrival in port.

(c) In the event of an annual closure as provided in § 240.43(b) in the specific areas and/or Subareas, and Statistical Areas, or combination of such, as previously stated in § 240.41, any fishing vessel, which had departed port to engage in herring fishing in Subarea 4 prior to the date of closure, may continue to take and retain herring in that subarea after the closure, for a period of time not to exceed 4 days, at which time fishing for herring in the closed subarea shall be prohibited.

Within 24 hours after the expiration of the 4-day period, each fishing vessel must return to a port or place in the United States, and the master or person in charge of the fishing vessel must then immediately notify an authorized official of the vessel's arrival in port.

(d) For the purposes of law enforcement and inspection, duly authorized officials shall have reasonable access to any area on board a fishing vessel, transport, or shore facility where fish are landed, handled, stored, or processed, and to areas where fishing gear or parts of fishing gear are used, assembled, or stored.

§ 240.46 Size limits.

Size limits are placed on the length of herring and mackerel permitted to be taken or possessed by persons or fishing vessels under the jurisdiction of the United States.

(a) The taking or possession of herring less than 9 inches (22.7 cm), measured from the tip of the snout to the end of the tail, in those portions of Division 4W south of 44°52′ N. Latitude and Division 4X south of 44°50′ N. Latitude of Subarea 4, and in Subares 5, and in Statistical Area 6, is prohibited except as provided in paragraph (b) of this section.

(b) A person on any trip may take herring less than 9 inches (22.7 cm), measured as specified in paragraph (a) of this section: Provided, that the total amount taken does not exceed 10 percent by weight or 25% by count of all herring caught in the areas above, specified by that fishing vessel during such trip. A trip shall be considered to be not more than 90 days on grounds as determined by examination of the logbook.

(c) The taking or possession of mackerel less than 10 inches (25 cm.), measured from the tip of the snout to the end of the tail, in Subareas 3, 4, and 5, and in Statistical Area 6, is prohibited except as provided in paragraph (d) of this section.

(d) A person on any trip may take mackerel less than 10 inches (25 cm.) measured as specified in paragraph (a) of this section provided: that the total amount taken does not exceed 10 percent by weight or 25 percent by count of all mackerel caught in those areas specified in paragraph (c), by that fishing vessel during such trip. A trip shall be considered to be not more than 90 days on grounds as determined by examination of the logbook.

Subpart F—All Other Finfish

§ 240.50 Definitions.

(a) Unless otherwise defined herein, the terms used in this subpart will have the meaning ascribed to them in Subpart A, § 240.2.

(b) Regulations of this subpart will apply to all other finfish taken by persons or fishing vessels subject to the jurisdiction of the United States in Subarea 5 and Statistical Area 6, and such other finfish not previously mentioned in § 240.10, 20, 30, and 40.

§ 240.51 Catch quota.

An annual catch limitation is placed upon the quantity of other finfish as defined in § 240.2(c)(5) permitted to be taken in Subarea 5 and in Statistical Area 6. The aggregate catch of all other finfish in the above areas by persons or fishing vessels subject to the jurisdiction of the United States shall not exceed 68,000 metric tons.

Subpart G—Squid Fisheries and Shellfish

§ 240.60 Definitions.

(a) Unless otherwise defined herein, the terms used in this subpart will have the meanings ascribed to them in Subpart A, § 240.2

(b) Regulations of this section apply to all short finned squid (*Illex illecebrosus*), long finned squid (*Loligo peales*) and shellfish taken by persons or fishing vessels subject to the jurisdiction of the vessels subject to the jurisdiction of the United States in Subarea 5 and Statistical Area 6.

§ 240.61 Catch quota.

(a) An annual catch limitation is placed upon the quantity of short finned squid and long finned squid permitted to be taken in Subarea 5 and Statistical Area 6 by persons and fishing vessels subject to the jurisdiction of the United States, and is as follows:

(1) The annual catch of short finned squid in Subarea 5 and/or Statistical Area 6, shall not exceed 7,500 metric tons.

(2) The annual catch of long finned squid in Subarea 5 and/or Statistical Area 6, shall not exceed 8,500 metric tons.

§ 240.62 Open season.

The open season for short finned squid and long finned squid under quota shall begin at 0001 hours of the first day of January in each calendar year and terminate in each Subarea or Statistical Area at a time and date determined and announced as provided in § 240.63.

§ 240.63 Closed season and area.

(a) The Director shall announce the closure of a season by publication of proper notice in the FEDERAL REGISTER, specifying the time and the date for the termination of any directed fishery for any regulated squid species in Subarea 5 and/or Statistical Area 6.

(b) The National Marine Fisheries Service maintains the records of the catches of any regulated squid species made during the open season in those areas under quota limitations specified in § 240.61 by persons or fishing vessels subject to the jurisdiction of the United States, participating in such fishery.

(c) When the accumulated and estimated catch of any regulated squid species equals 100 percent of the allowable catch specified in § 240.61, the Director shall promptly notify the Executive Secretary of the date vessels subject to the jurisdiction of the United States ceased a directed fishery for regulated squid. In determining when the accumulated and estimated catch of any regulated squid equals 100 percent, the Director shall include the estimated incidental squid catch for the remainder of the year.

§ 240.64 Gear restriction.

(a) There are no gear restrictions for a directed squid fishery.

(b) Persons or fishing vessels conducting a directed squid fishery with unrestricted mesh size trawl gear or any other unrestricted fishing gear, may take incidental to such directed squid fishery, regulated species having mesh size or other fishing gear restrictions not to exceed 5,510 pounds or 10 percent of the weight of the entire catch on board, whichever is greater, per fishing trip.

§ 240.65 General restrictions.

(a) Except as provided in § 240.4, and as provided for below, subsequent to the announcement of a closure date for any squid fishery in accordance with § 240.63, it shall be unlawful for persons or fishing vessels subject to the jurisdiction of the United States to catch, or possess such regulated squid species taken in the properly closed Subarea or Statistical Area until the next succeeding open season for such regulated squid species.

(b) In the event of the proper closure of a squid fishery in Subarea 5 or Statistical Area 6, such fishery for the remainder of the calendar year will be in accordance with § 240.15 as that section applies to Subarea 5 or Statistical Area 6.

Subpart H—Overall Quota

§ 240.70 Definitions.

(a) Unless otherwise defined herein, the terms used in this subpart will have the meanings ascribed to them in Subpart A, § 240.2.

(b) Regulations of this subpart will apply to all stocks and species in Subarea 5 and in Statistical Area 6 excluding menhaden, tuna, billfish and sharks other than dogfish.

§ 240.71 Catch quota.

The aggregate catch of all such stocks and species in the above areas by persons or fishing vessels subject to the jurisdiction of the United States shall not exceed 230,000 metric tons.

APPENDIX I

OPTIONAL SETTLEMENT AGREEMENT FORM

This agreement is entered into between the United States Government and _____ (hereinafter "the owner"), owner of vessel _____, official number _____ (hereinafter "the vessel"), operating in the groundfisheries in Subarea(s) _____ (hereinafter "settlement area") of the ICNAF regulatory area, as defined in Chapter II, Subchapter E, Part 240 of Title 50 Code of Federal Regulations. This agreement covers the following species: _____ (hereinafter "settlement fish").

The purpose of this agreement is to provide for the settlement of cases involving violations of the Northwest Atlantic Fisheries Act of 1950, and in particular violations set forth in 50 CFR 240 ____.____ regarding regulations governing the taking of settlement fish in the settlement area. The purpose of this settlement agreement is to assure compliance with the principles of the Northwest Atlantic Fisheries Act of and, in accordance with the Fish and Wildlife Act of 1956, as amended, to take required steps for the development, advancement, management, conservation, and protection of the fisheries resources of the United

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States. The parties to this agreement agree as follows:

1. This agreement shall cover the period commencing on ---------- and continuing for a period of ------ days and terminating on ---------- Settlement under the provisions of ---------- shall take place within ten (10) days of the conclusion of each quarter or period if otherwise stated.

2. The owner agrees that the master or other person in charge of the vessel shall maintain an accurate log of the fishing operations of the vessel, showing the date, type and size of gear used, locality fished, duration of fishing, time of tow, and the estimated weight of each species taken at 12-hour intervals. For the purpose of providing information useful in the implementation of the agreement and detecting violations thereof, the log book shall be made available for inspection and copying by an authorized official of the National Marine Fisheries Service within 48 hours of completion of each fishing voyage conducted by the vessel during the period set forth in paragraph 1.

3. The owner shall also notify the Regional Director in writing, within 48 hours of the sale of the catch of the vessel, of the total quantity of fish landed and the gross sales price and the quantity of settlement fish landed and the total price received for such settlement fish and shall supply a copy of a settlement sheet which accurately reflects the selling price of the catch and each species (to the extent species are separately sold) and the distribution thereof.

4. (a) In the event that the quantity of settlement fish taken on a trip exceeds 15 percent (the quantity permitted), the owner shall deposit with the Regional Director a sum representing 20 percent of the value to the owner of the excess settlement fish over that amount permitted.

(b) The value to the owner of excess settlement fish on each voyage during the period shall be computed by determining the value of the haddock taken in excess of the amount permitted by paragraph 4 on the basis of the average price received for all settlement fish on the trip.

5. The Regional Director shall maintain a record of the quantity of all fish including settlement fish taken by the vessel, and the maximum amount of settlement fish permitted by the regulations for each trip completed during the period set forth in paragraph 1. At the end of such period, the Regional Director shall compute the total quantity of settlement fish taken during the period and the total amount of settlement fish permitted by regulation during that period, which is the sum of the maximum quantities of settlement fish permitted by paragraph 4 for each trip during the period.

6. If the total quantity of settlement fish taken during the period is equal to or less than the total amount permitted, the entire amount deposited shall be returned to the owner.

7. (a) If the total quantity of settlement fish taken during the period exceeds the total amount permitted during the period, the Regional Director shall retain from the amounts deposited during the period a sum representing the net value to the owner of the total net quantity of excess settlement fish for the period and shall return the remainder to the owner.

(b) The amount retained by the Regional Director shall be determined by:

(1) Subtracting the total quantity of settlement fish permitted during the period from the total quantity of settlement fish actually taken during the period.

(2) Multiplying the quantity of excess settlement fish by the average unit price actually received by the vessel for settlement fish on a trip for which a deposit was made pursuant to paragraph 4(a).

8. (a) Fishing voyages of a duration of four days or less shall be excluded from the computations provided herein unless the Regional Director determines that the trip is a bona fide fishing trip.

(b) A fishing voyage in respect of which the settlement fish on board exceeds ------- percent by weight of all fish on board caught in the settlement area shall not be included in the calculations as provided in paragraphs 6 and 7 of this agreement, but the owner agrees to forfeit to the Regional Director the value to the owner of the excess quantity of settlement fish with respect to that vessel. The amount of the forfeiture shall be computed as in paragraph 4.

9. (a) In the event of a proper closed season being announced by the Director, such closure pertaining to the settlement fish as specified in this agreement, the vessel owner agrees that the fishing vessel(s) subject to this agreement will not catch, take, or possess quantities of the settlement fish subject to the closure, subsequent to the announcement of such closure, in excess of 5,510 pounds or 10 percent of the weight of the entire catch on board, whichever is the greater, per fishing trip.

(b) Failure by the vessel owner(s) to comply with the terms of this agreement will cause the Regional Director to declare the agreement null and void, as such agreement pertained to the named vessel owner(s) and/or named fishing vessels(s), such parties then to fish in accordance with the regulations as provided by Title 50, Code of Federal Regulations, Part 240 in its entirety.

Vessel Owner

Date

United States ofAmerica, Secretary of Commerce, Administrator, National Oceanic and Atmospheric Administration.

By: ----------

Regional Director, Northeast Region, National Marine Fisheries Service

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Date

APPENDIX II—INCIDENTAL CATCH AGREEMENT FORM FOR YELLOWTAIL FLOUNDER

This Agreement is entered into between the United States Goverment acting by and through the Regional Director, Northeast Region, National Marine Fisheries Service ("the Director"), and ---------- ("the Owner"), owner of the fishing vessel ----------, official number ------, ("the Vessel"), operating in the flatfish fisheries in Subarea 5 and Statistical Area 6 of the ICNAF regulatory zone, as defined in Chapter II, Subchapter E, Part 240 of Title 50 Code of Federal Regulations.

The purpose of this Agreement is to provide for greater flexibility in conducting an incidental fishery for Yellowtail Flounder in Subarea 5, in the area West of 69° west longitude, and in Statistical Area 6 ("the Agreement area"), while complying with the Northwest Atlantic Fisheries Act of 1950, as amended, 16 U.S.C. 981–991, and the provisions of 50 CFR 240, in particular section 240.21(a)(4), governing the incidental taking of Yellowtail Flounder in the Agreement area.

The parties to this Agreement agree as follows:

1. This Agreement shall cover the period commencing at 0001 hours on January --, 1976, and terminating at 2400 hours on December 31, 1976.

2. The Master or other person in charge of the Vessel shall maintain an accurate log at 12-hour intervals of the fishing operations of the Vessel, showing the date, type and size of gear used; locality fished, duration of fishing, time of tow, and the estimated weight of each specie taken. For the purpose of providing information useful in the implementation of the Agreement and detecting violations thereof, the log book shall be made available for inspection and copying by an authorized official of the National Marine Fisheries Service within 48 hours of completion of each fishing voyage conducted by the Vessel during the period set forth in paragraph 1.

3. The Owner shall notify the Regional Director in writing, within 48 hours of the sale of the catch of the Vessel, the total quantity of fish landed and, specifically, the total quantity of Yellowtail Flounder landed. A copy of the sales slip(s) which accurately reflect(s) the volume of each specie in the catch will serve as the required written notification to the Regional Director.

4. Notwithstanding the incidental catch limitations established by 50 CFR 240.21(a)(4), the Vessel may possess and land up to 11,000 pounds of Yellowtail Flounder taken as an incidental catch in the Agreement area, *provided*, That not more than 11,000 pounds of such Yellowtail Flounder may be landed during any fourteen day period.

5. If the Owner violates this Agreement by failing to furnish the information as required by paragraphs 2 and 3 above for any trip, the provisions of paragraph 4 above shall not apply with resoect to the incidental catch of such trip and such incidental catch shall be subject to the limitations established by 50 CFR 240.21(a)(4).

6. This Agreement, may be terminated by the Regional Director, if the Owner violates this Agreement by failing to furnish the information provided for in paragraphs 2 and 3, above or violates parasgraph 4, above.

7. The Regional Director may, at any time prior to December 31, 1976, order a blanket termination of all such existing agreements, if, in the opinion of the Regional Director, scientific evidence indicates serious damage to the Yellowtail Flounder resources in Subarea 5 West of 69° and Subarea 6 is being experienced as a result of these agreements.

Vessel Owner

Date

United States of America, Secretary of Commerce, National Oceanic & Atmospheric Administration

By: ----------

Regional Director, Northeast Region National Marine Fisheries Service

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Date

[FR Doc.76-277 Filed 1-5-76;8:45 am]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

[27 CFR Part 5]

[Notice No. 238]

LABELING AND ADVERTISING OF DISTILLED SPIRITS

Standards of Identity for Liqueurs

The Director, Bureau of Alcohol, Tobacco and Firearms, with the approval of the Secretary of the Treasury or his delegate, is considering rulemaking to establish standards of identity for "rum liqueur", "gin liqueur", and "brandy liqueur".

Currently, the standard of identity for cordials and liqueurs is set forth at 27 CFR 5.22(h). In general, cordials and liqueurs are products produced by mixing or redistilling distilled spirits with fruit, fruit juices, flowers or other natural flavors. These products must contain a minimum of 2½ percent sugar by weight.

In addition to the general standard of identity for liqueurs and cordials, the Bureau has recognized several distinctive liqueurs and has accorded them standards of identity which may be used in labeling and advertising; these products are rye liqueur, bourbon liqueur, sloe gin, rock and rye, rock and bourbon, rock and brandy, and rock and rum. The Bureau has permitted other cordials and liqueurs to be named according to recognized trade and consumer understanding such as "Creme de Menthe", or to be designated "cordial" or "liqueur" together with the predominant flavoring ingredient, for example "apricot liqueur." In the past, however, the Bureau has held that the terms "rum liqueur", "gin liequeur", and "brandy liqueur" are improper and that these liqueurs must be labeled as "liqueur-made from rum" (or gin or brandy), since they derive their predominant flavor from distilled spirits rather than from fruit or other natural flavoring.

Recently it has come to the Bureau's attention that these cordial and liqueur products are commonly known to the beverage trade and to many consumers simply as "rum (or gin or brandy) liqueur" even though these products may not be labeled in this manner. Thus, the Bureau believes that to the average consumer there would be little difference between a product labeled as "rum liqueur" and one labeled as "liqueur-made from rum," and that the term "rum liqueur" would not mislead a consumer. Similarly, the terms "gin liqueur" and "brandy liqueur" would seem to denote the same products as those currently labeled "liqueur-made from gin" and "liqueur-made from brandy." In each case the consumer expects to receive a liqueur which derives its predominant flavor from the distilled spirits indicated on the label, and which distilled spirits component is exclusively rum, gin, or brandy as indicated. Therefore, it is proposed to amend the standards of identity by adding to them "rum liqueur", "gin liqueur" and "brandy liqueur". These products will be defined as liqueurs bottled at not less than 60° proof, in which the distilled spirits used are entirely rum, gin or brandy, and which derive their predominant flavor from the distilled spirits component. This proposed amendment of § 5.22(h) will permit these liqueur designations to be used for labeling and advertising purposes.

Prior to the final adoption of this regulation, the Bureau will consider any relevant data, views or arguments. Persons wishing to comment upon this proposed change may submit, in duplicate, their written data, views or arguments to the Director, Bureau of Alcohol, Tobacco and Firearms, Washington, D.C. 20226, Attention: Regulations and Procedures Division, not later than February 5, 1976. Any written comments or suggestions not specifically designated as confidential in accordance with 27 CFR 71.22(d)(7) may be inspected by any person upon written request. The provisions of 27 CFR 71.31(b) shall apply with respect to designation of portions of comments or suggestions as exempt from disclosure. Any interested person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on this proposed regulation should submit his or her request, in writing, to the Director within the 30-day period.

In view of the foregoing, it is proposed to amend 27 CFR 5.22 by redesignating paragraphs (h)(4) and (5) as paragraphs (h)(5) and (6), and by adding a new paragraph (h)(4) which prescribes standards of identity for "rum liqueur", "gin liqueur", and "brandy liqueur." As amended, § 5.22 reads as follows:

§ 5.22 The standards of identity.

* * * * * * *

(h) *Class 8; cordials and liqueurs.*

* * *

(4) "Rum liqueur", "gin liqueur", "brandy liqueur" are liqueurs, bottled at not less than 60° proof, in which the distilled spirits used are entirely rum, gin, or brandy, respectively, and which possess, respectively, a predominant characteristic rum, gin, or brandy flavor derived from the distilled spirits used. Wine, if used, must be within the 2½ percent limitation provided in § 5.23 for harmless coloring, flavoring, and blending materials.

(5) The designation of a cordial or liqueur may include the word "dry" if the sugar, dextrose, or levulose, or a combination thereof, are less than 10 percent by weight of the finished product.

(6) Cordials and liqueurs shall not be designated as "distilled" or "compound".

* * * * *

The proposed regulation is to be issued under the authority contained in Section 5 of the Federal Alcohol Administration Act (49 Stat. 981, as amended (27 U.S.C. 205)).

Signed: December 11, 1975.

REX D. DAVIS,
Director.

Approved: December 24, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76-240 Filed 1-5-76;8:45 am]

Fiscal Service

[31 CFR Part 223]

SURETY COMPANIES DOING BUSINESS WITH THE UNITED STATES

Proposed Fee Schedule Revision

Correction

In FR Doc. 75-34742 appearing on page 59600 in the issue of Monday, December 29, 1975, make the following changes:

1. In the last paragraph, the date reading "January 28, 1975" should read "January 28, 1976".

2. The signature should read "David Mosso".

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 928]

HANDLING OF PAPAYAS GROWN IN HAWAII

Proposed Rulemaking With Respect to Expenses, Rate of Assessment, and Carryover of Unexpended Funds

This notice invites written comment relative to the proposed expenses of $270,000 and rate of assessment of $0.005 per pound of papayas to support the activities of the Papaya Administrative Committee for the 1976 fiscal period under marketing agreement and Order No. 928.

Consideration is geing given to the following proposals submitted by the Pa-

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paya Administrative Committee, established under the marketing agreement, and Order No. 928 (7 CFR Part 928), regulating the handling of papayas grown in Hawaii, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof:

(a) That expenses which are reasonable and likely to be incurred by the Papaya Administrative Committee, during the period January 1, 1976, through December 31, 1976, will amount to $270,000.

(b) That there be fixed, at five mills ($0.005) per pound of papayas, the rate of assessment payable by each handler in accordance with § 928.41 of the aforesaid marketing agreement and order during the fiscal year beginning January 1, 1976.

(c) That unexpended assessment funds in excess of expenses incurred during the fiscal period ended December 31, 1975, shall be carried over as a reserve in accordance with the applicable provisions of § 928.42 of the marketing agreement and order.

Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than January 30, 1976. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: January 2, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.76-308 Filed 1-2-76;12:52 pm]

Agricultural Stabilization and Conservation Service

[7 CFR Part 730]

RICE

Marketing Quota Referendum for the 1976 Crop

Marketing quotas for the crop of rice to be produced in 1976 have been duly proclaimed pursuant to provisions of the Agricultural Adjustment Act of 1938, as amended. Said act requires a referendum to be conducted within 30 days after the date of the issuance of said proclamation of farmers who were engaged in the production of rice in 1975 to determine whether such farmers are in favor of or opposed to such quotas. Prior to establishing the date for the referendum on the 1976 crop rice, public notice (40 FR 50542–3) was given in accordance with 5 U.S.C. 553. Data, views, and recommendations were submitted pursuant to such notice. They have been considered to the extent permitted by law. It is hereby determined that the rice marketing quota referendum under said act for the 1976 crop of rice shall be held during the period January 26 to 30, 1976, each inclusive by mail ballot in accordance with 7 CFR Part 717 (33 FR 18345, 34 FR 12940, 36 FR 12730).

Signed at Washington, D.C. on: December 31, 1975.

WILLIAM L. RUBLE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.75-35245 Filed 12-31-75;9:17 am]

Food and Nutrition Service

[7 CFR Part 225]

SUMMER FOOD SERVICE PROGRAM FOR CHILDREN

Proposed Regulations

The Food and Nutrition Service hereby publishes proposed regulations governing the Summer Food Service Program for Children established by the National School Lunch Act and Child Nutrition Act of 1966 Amendments of 1975.

The proposed regulations are summarized below: (1) The Program will be administered by the Child Nutrition Division at the national level. Within the States, the Program will be administered by the State educational agency or alternate State agency designated by the Governor, or the appropriate Regional office of the Food and Nutrition Service.

(2) The Program is available upon request to any nonresidential public or private nonprofit institution, or a residential public or private nonprofit summer camp that develops a special summer program providing food service to children similar to the National School Lunch Program and School Breakfast Program. These service institutions must offer a regularly scheduled program at site locations where organized recreational activities or food services are provided for children from areas in which poor economic conditions exist. In the case of residential summer camps, at least one-third of the children in attendance must be eligible for free or reduced price meals.

(3) In order to be approved for participation, service institutions must: (a) Accept financial and administrative responsibility for total Program operations; (b) Have adequate supervisory and operational personnel for overall monitoring and management of each food service operation; (c) Certify that all sites where they plan to conduct a food service have been visited and evaluated for suitability regarding the meal service planned and the number of children to be fed; (d) Have tax exempt status or be a public entity; (e) Document the need of the area served; (f) Agree to train personnel with regard to duties and responsibilities.

(4) In addition to an application, service institutions must submit to State agencies or FNS Regional offices a site information sheet which must include: (a) A description of the meal service system; (b) a description of the delivery, holding and storage facilities available; (c) a description of the access to a means of communication for making daily adjustments in the number of meals.

(5) Available data will be reviewed and evaluated: (a) To minimize the number of service institutions approved in one area; (b) to assure that school food service facilities are utilized as fully as possible; and (c) to determine the capability of the facility to serve more than one meal per day.

(6) Program assistance from the State agency or FNSRO includes consultive, technical and managerial personnel to administer and monitor the Program including visits to all participating service institutions during the first 4 weeks of operations to ensure compliance with Program regulations and with the Department's non-discrimination regulations. In addition, State agencies must visit service institutions which operate 25 or more sites prior to approval of their applications. Documentation of such assistance must be maintained on file.

(7) A system of accounting must be set up by the State agency or FNSRO to facilitate reporting by the service institutions.

(8) Service institutions, if otherwise eligible, which develop food service programs for children on a school vacation at any time under a continuous school calendar may participate.

(9) Funds for start-up costs may be furnished.

(10) Advance funding is required in an amount not less than the greater of the total payment made for the same month for the previous year or 65 percent of the amount estimated by the State to be needed to reimburse institutions for meals served in that month. Advanced payments would be subtracted from payments subsequently made to participating institutions.

(11) For each fiscal year, the Department will pay to each State for its administrative costs of the Program, an amount equal to 2 percent of funds disbursed to that State for meals.

(12) Current accounting records of Program operations will be maintained by the State agency or FNSRO. They will identify funds authorizations, obligations, unobligated balances, assets, liabilities, outlays and income. Funds reports must be submitted to FNS until all unpaid obligations have been liquidated.

(13) Reimbursement rates for the period ending March 1, 1976 are authorized as follows:

75.5¢—Lunch and Supper (+6¢ administrative cost)
42¢—Breakfast (+3¢ administrative cost)
19.75¢—Supplemental food (+1.5¢ administrative cost)

The above-mentioned rates will be adjusted annually by March 1 of each fiscal year to the nearest one-fourth cent to reflect changes in the series for food away from home of the Consumer Price Index by the Bureau of Labor Statistics of the Department of Labor.

(14) Service of Meals. Meals served under the Program are to be served without cost and institutions may contract for furnishing of meals or administration of the Program or both.

Interested persons are invited to comment on the proposed regulations. Written views, arguments, and data postmarked no later than February 15, 1976, will be considered in the promulgation of final Summer Food Service Program for Children regulations. Comments should be submitted to William G. Boling, Manager, Child Nutrition Programs, Food and Nutrition Service, U.S. Department of Agriculture, 500 12th Street, SW., Washington, D.C. 20250. Copies of all written comments received will be available for inspection by the public during normal business hours in room 560 at the foregoing address. The proposed regulations would replace the existing Part 225 of Chapter II of Title 7 of the Code of Federal Regulations, as follows:

Subpart A—General

Sec.
225.1 General purpose and scope.
225.1 Definitions.
225.3 Administration.

Subpart B—State Agency and Regional Office Provisions

225.4 State agency criteria for approval of service institutions.
225.5 Responsibilities of State agencies.
225.6 Payment to State agencies and FNSROS and use of funds.

Subpart C—Service Institution Provisions

225.7 Requirements for participation.
225.8 Meal requirements.
225.9 Food service management companies.
225.10 Reimbursement payments.
225.11 Reimbursement procedures.

Subpart D—Miscellaneous Provisions

225.12 Claims against service institutions.
225 13 Management evaluations and audits.
225.14 Prohibitions.
225.15 Other provisions.
225.16 Program information.

AUTHORITY: Sec. 10, Pub. L. 89–642, 80 Stat. 889 (42 U.S.C. 1779), sec. 3, Pub. L. 90–302, 82 Stat. 117 (42 U.S.C. 1761).

Subpart A—General

§ 225.1 General purpose and scope.

This part announces the policies and the Secretary will carry out a program to assist States through grants-in-aid and other means, to initiate, maintain, and expand nonprofit food service programs for children in service institutions, as defined herein, during the summer months and at other approved times. Payments will be made by States to service institutions to reimburse them in connection with the costs of operating a food service program, or if any State is unable to disburse funds to any service institution in the State, payments will be made by the Department to all service institutions in the State.

§ 225.2 Definitions.

(a) "Act" means the National School Lunch Act, as amended.

(b) "Administrative costs" means operating costs related to planning, organizing, and supervising the Program (excluding interest costs).

(c) "Areas in which poor economic conditioned exist" means areas in which at least 33⅓ percent of the children are eligible for free and reduced price school meals under the National School Lunch Program and School Breakfast Program.

(d) "CND" means the Child Nutrition Division, Food and Nutrition Service of the Department.

(e) "Children" means persons 18 years of age or under.

(f) "Cost of obtaining food" means the cost of obtaining agricultural commodities and other food for consumption by children during any fiscal year. Such costs may include, in addition to the purchase price of agricultural commodities and other food, the cost of processing, distributing, transporting, storing, or handling any food purchased for, or donated to, the Program.

(g) "Continuous school calendar" means a situation in which all or part of the student body of a school or school district are on a vacation for periods of 15 continuous school days or more during the period October through April.

(h) "Department" means the U.S. Department of Agriculture.

(i) "Fiscal year" means a period of 12 months beginning with July 1, 1975 and ending with June 30, 1976, the period beginning July 1, 1976 and ending September 30, 1976 and the period of 12 calendar months beginning with October 1, 1976 and each October 1 of any calendar year thereafter and ending with September 30 of the following calendar year.

(j) "FNS" means the Food and Nutrition Service of the Department.

(k) "FNSRO" means the appropriate Food and Nutrition Service Regional Office of the Food and Nutrition Service of the Department.

(l) "Meals" means food which is served to children during their attendance at a service institution and which meets the nutritional requirements set out in this part.

(m) "Milk" means fluid types of unflavored whole milk or lowfat milk or skim milk or cultured buttermilk which meet State and local standards for such types of milk and flavored milk made from such types of milk which meets such standards; and, in those areas of Alaska, Guam, Hawaii, American Samoa, Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands, where a sufficient supply of such types of milk or of recombined or reconstituted whole milk cannot be obtained, shall include reconstituted nonfat dry milk.

(n) "OA" means the Office of Audit of the Department.

(o) "OI" means the Office of Investigation of the Department.

(p) "Operating costs" means costs of obtaining, preparing, and serving food under the Program (including administrative costs and the rental or depreciation of equipment and office space).

(q) "Private nonprofit" means tax exempt under section 501(c)(3) of the Internal Revenue Code of 1954.

(r) "Program" means the Summer Food Service Program for Children authorized by section 13 of the Act.

(s) "Reimbursement" means financial assistance paid or payable to participating service institutions for meals meeting the requirements of this part served to eligible children. The term "reimbursement" also includes financial assistance made available through advances or payment of start-up funds to service institutions.

(t) "Residential summer camp" means public or private nonprofit residential camps in which at least one-third of the children enrolled are from families meeting the State family-size income standards for free or reduced price school meals and which are operated during the months of May through September.

(u) "Secretary" means the Secretary of Agriculture.

(v) "Service institution" means a nonresidential public or private nonprofit institution or a residential summer camp that develops a food service similar to the National School Lunch Program or School Breakfast Program.

(w) "Start-up funds" means funds made available to a service institution to enable it to effectively plan a food service under this part and to establish efficient management procedures therefor.

(x) "State" means any of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(y) "State agency" means the State educational agency or any other State agency that has been designated by the Governor or other appropriate executive or legislative authority of the State and approved by the Department to administer the program.

(z) "State educational agency" means, as the State legislature may determine, the chief State school officer (such as the State superintendent of public instruction, Commissioner of Education, or similar officer) or a board of education controlling the State department of education.

§ 225.3 Administration.

(a) Within the Department, FNS shall act on behalf of the Department in the administration of the Program. Within FNS, the CND shall be responsible for Program administration. The Secretary shall publish proposed regulations relating to the implementation of the Program by January 1 of each fiscal year, and shall publish final regulations, guidelines, applications, and handbooks by March 1 of each fiscal year.

(b) Within the States, responsibility for the administration of the Program shall be in the State agency, except that FNSRO shall administer the Program in any State where the State agency is not permitted by law or is otherwise unable

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to disburse Federal funds paid to it under the Program to any service institution in the State. References in this part to "FNSRO where applicable" are to FNSRO as the agency administering the Program within a State.

(c) Each State agency desiring to take part in the Program shall enter into a written agreement with the Department for the administration of the Program in the State in accordance with the provisions of this part. Such agreements shall cover the operation of the Program during the period specified therein and may be extended at the option of the Department.

Subpart B—State Agency and Regional Office Provisions

§ 225.4 State agency criteria for approval of service institutions.

(a) The State agency, or FNSRO where applicable, shall use the following minimum criteria for the approval of service institutions. No service institution shall be approved unless it:

(1) Accepts final financial and administrative responsibility for total program operations at all sites at which it plans to conduct a food service;

(2) Has adequate supervisory and operational personnel for overall monitoring and management of each food service operation, including adequate personnel to visit all food service sites at least once in the first 4 weeks of operations under the Program and to promptly take such actions as are necessary to correct deficiencies found at the time of the initial visit, and thereafter to maintain a reasonable level of site monitoring. Documentation of such visits must be kept on file by the service institution;

(3) Provides a regularly scheduled organized activity or food service, for the children attending each site. The State agency, or FNSRO where applicable, shall assess the maximum number of meals to be served at each site, and the maximum number of sites that the service institution can reasonably expect to administer effectively;

(4) Agrees to maintain children on site during the food service;

(5) Certifies that all sites where it plans to conduct a food service have been visited and have the capability and the facilities for the meal service planned for the number of children anticipated to be served;

(6) Has tax exempt status under section 501(c)(3) of the Internal Revenue Code of 1954 or is a public entity;

(7) Documents that its activity or food service serves an area in which poor economic conditions exist;

(8) Agrees to hold training sessions for its own personnel and site personnel with regard to Program duties and responsibilities.

(b) The State agency, or FNSRO where applicable, shall develop, in accordance with the requirements of this part and such other guidance as may be furnished by the Department, criteria for the approval of food service sites. The service institution must submit in addition to the application, a site information sheet for each site where a food service operation will be held. A residential summer camp must also include income information on all children enrolled in each session. As a minimum, the site information sheet shall include the following information:

(1) A description of the organized and supervised system for serving meals to attending children;

(2) A description of the arrangements, within acceptable standards prescribed by the local health authorities, for delivery and holding of meals until time of service, and, if there are excess meals, arrangements for storing them until they are served;

(3) A description of the arrangements for food service during periods of inclement weather;

(4) A description of the access to a means of communication for making daily adjustments in the number of meals delivered in accordance with the number of children attending daily at each site. A food service site need not be at the same location as an organized activity provided by the service institution.

(c) The State agency, or FNSRO where applicable, shall review available data on the areas from which the proposed sites will draw attendance, including the number of needy children from such areas in relation to the capacity of the service institution, so as to minimize the number of service institutions which may be approved in the same area.

(d) The State agency, or FNSRO where applicable, shall work closely with the service institution in developing its food service to assure that school food service facilities are utilized as fully as possible in the preparation, service and delivery of meals served as part of the Program.

(e) In approving applications, the State agency, or FNSRO where applicable, shall not approve applications for more than one meal per day unless facilities capable of holding hot and cold meals within the temperatures required by local health regulations are available at each food service site or arrangements have been made for separate meal delivery to each site within one hour of the meal service. Four hours shall elapse between each meal when a breakfast, lunch or supper are served. However, when supplemental food is served between a breakfast, lunch, or supper, only three hours need elapse between the service of such supplemental food and breakfast, lunch, or supper.

§ 225.5 Responsibilities of State agencies.

(a) *Program assistance.* Each State agency, or FNSRO where applicable, shall provide Program assistance as follows:

(1) Each State agency, shall provide consultive, technical, and managerial personnel to administer the Program and monitor performance and to measure progress towards achieving Program goals;

(2) Such assistance shall include visits to all participating service institutions which operate 25 or more sites prior to the approval of the application and visits to all service institutions which operate 10 or more sites during the first 4 weeks of operation to ensure compliance with Program regulations and with the Department's non-discrimination regulations (Part 15 of this title), issued under Title VI of the Civil Rights Act of 1964. In addition, all service institutions and 10 percent of the food service sites must be visited at least once during the duration of the Program.

(3) Documentation of such assistance shall be maintained on file by the State agency, or FNSRO where applicable.

(b) *Accounting procedures for service institutions.* Each State agency shall establish a system of accounting under which service institutions shall report the information required in this part. The system shall be such as to permit determination of the operating balances available to service institutions.

(c) *Payment of claims.* A State agency may make full or partial reimbursement upon receipt of a Claim for Reimbursement, but shall make any necessary adjustments in payments following the administrative approval of such Claim. With regard to the use of advances, if the State agency, or FNSRO where applicable, has reason to believe, through monitoring and audit activities, that a service institution will not be able to submit an adequate claim for Reimbursement, the next month's advance payment will be withheld until such a time as a valid Claim has been received.

(d) *Approval of agreements with service institutions.* An agreement with a service institution may not be approved in a subsequent fiscal year until all the Claims for Reimbursement and the information required under § 225.11 of this part for the current fiscal year have been received by such authority.

(e) *Plentiful foods.* State agencies shall provide service institutions with information on foods available in plentiful supply, including those so designated by the Department.

(f) *Records and reports.* (1) Each State agency shall submit information on Program operations on a form provided by FNS. Each State agency shall maintain current accounting records of Program operations which will adequately identify funds authorizations, obligations, unobligated balances, assets, liabilities, outlays, and income. The records may be kept in their original form or on microfilm, and shall be retained for a period of three years after the date of submission of the final Financial Status Report, except that if audit findings have not been resolved, the records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit.

(2) Each State agency shall report information on the use of Program funds to FNS on a form provided by FNS. Reports shall continue to be submitted on a regular basis after the end of the fiscal year to which they pertain until all unpaid obligations have been liquidated at which time the next report made shall be marked "Final" and submission discontinued for the fiscal year.

(g) *Investigations.* Each State agency shall promptly investigate complaints received or irregularities noted in connection with the operation of the Program, and shall take appropriate action to correct any irregularities. State agencies shall maintain on file evidence of such investigations and actions. FNS or OI shall make investigations at the request of the State agency or where FNS or OI determines investigations are appropriate.

(h) *Commodity distribution information.* If the State agency is other than the agency of the State which handles the distribution of food commodities donated by the Department, a list of service institutions which are to receive food commodities shall be prepared each fiscal year by the State agency with accompanying information on the average daily number of meals to be served in such service institutions. This information shall be prepared as early as practicable each fiscal year (no later than June 1) and forwarded to the agency of the State which handles the distribution of donated commodities. The State agency shall be responsible for promptly revising the information to reflect additions or deletions of service institutions and for providing such adjustments in participation data as are determined necessary by the State agency.

(i) *Training.* The State agency, or FNSRO where applicable, shall offer training to the supervisory personnel of all service institutions approved for participation in the Program, at locations convenient to the areas of operation, prior to the opening of the Program.

(j) *FNSRO responsibilities.* FNSRO will, in the States in which it administers the Program assume all of the responsibilities of State agencies set forth in this section.

(k) *Compliance.* State agencies shall require service institutions to comply with applicable provisions of this part.

§ 225.6 Payment to State agencies and FNSROS and use of funds.

(a) For each fiscal year, no later than May 1, June 1 and July 1, the Secretary shall make available to each State by Letter of Credit an advance payment for meals to be served in that month in an amount no less than the total payment made to such State for meals served in the same calendar month of the preceding calendar year or 65 per centum of the amount estimated by the State, on the basis of approved applications, to be needed to reimburse service institutions for meals to be served in that month, whichever is the greater. Notwithstanding the above, for States which administer the Program in institutions which operate under a continuous school calendar, advance payments of 65 per centum of the amount estimated to be needed by such institutions will be made available by Letter of Credit on the first day of the month during which the food service will be conducted. The Secretary shall make available any remaining payments due no later than 60 days following receipt of valid claims. Any funds withdrawn by a State for which valid claims have not been received within 180 days shall be deducted from the next monthly advance payment unless the claimant requests a hearing with the Secretary prior to the 180th day.

(b) Federal funds made available under the Program shall be used by State agencies, or FNSRO and where applicable, to reimburse or make advance payment to service institutions in connection with meals served to children in accordance with the provisions of this part. However, with the approval of FNS, any State agency, or FNSRO where applicable, may reserve for use in carrying out special developmental projects, an amount up to 1 per centum of the funds earned in any fiscal year under the Program.

(c) For each fiscal year, the Secretary shall pay to each State agency for administrative costs incurred pursuant to this part, an amount equal to 2 per centum of the Program funds paid to that State under § 225.6: *Provided, however,* That no State which has received $50,000 or more of Program funds shall receive less than $10,000 each fiscal year for its administrative costs. Administrative expense funds paid to any State shall be used by State agencies to employ additional personnel to supervise and give technical assistance to service institutions in their initiation, expansion, and conduct of any food service for which the funds are made available. State agencies may also use these funds, in an amount approved by CND, for their general administrative expenses in connection with the Program, including travel and related expenses.

(d) The State agency shall release to FNS any Program funds which are unobligated at the end of each fiscal year. Release of funds by the State agency shall be made as soon as practicable, but in no event later than 30 days following demand by FNSRO, and shall be reflected by a related adjustment in the State agency's Letter of Credit.

Subpart C—Service Institution Provisions

§ 225.7 Requirements for participation.

(a) Service institutions shall annually make written application 30 days prior to anticipated opening date of their food service to the State agency, or FNSRO where applicable, for participation in the Program. The service institution shall serve all meals from and will make no discrimination against any child because of race, color or national origin, and a statement to this effect shall be made available to the local news media.

(b) Applications shall include information in sufficient detail to enable the State agency, or FNSRO where applicable, to determine whether the service institution is eligible to participate in the Program and extent of the need for Program payments, and shall include information on each site where food service is planned. In addition, all service institutions which plan to operate 10 or more food service sites must include a management plan for review and approval by the State agency, or FNSRO where applicable. Such a plan shall include the service institution's budget and staffing plan. Residential summer camps must also include in the applications income information for all children enrolled in each session.

(c) Service institutions selected for participation in the Program shall enter into written agreements with the State agency, or, in these States in which FNSRO administers the Program, service institutions shall enter into written agreements with the Department. Such agreements shall provide that the service institution shall:

(1) Operate a nonprofit food service and observe the limitations on the use of Program income set forth in § 225.10(e);

(2) Serve meals which meet the minimum requirements prescribed in § 225.8 during a period designated as the attendance period by the service institution;

(3) Supply meals without cost to all children at sites approved for participation in the Program;

(4) Make no discrimination against any child because of race, color, or national origin;

(5) Claim reimbursement only for the type or types of meals specified in the agreement;

(6) Submit Claims for Reimbursement in accordance with procedures established by the State agency, or FNSRO where applicable;

(7) Maintain, in the storage, preparation and service of food, proper sanitation and health standards in conformance with all applicable State and local laws and regulations;

(8) Purchase, in as large quantities as may be efficiently utilized in the Program, such foods designated as plentiful by the State agency, or the Department;

(9) Accept and use, in as large quantities as may be efficiently utilized in the Program, such foods as may be offered as a donation by the Department;

(10) Maintain facilities necessary for storing, preparing and serving food;

(11) Maintain a financial management system as prescribed by the State agency, or FNSRO where applicable;

(12) Upon request, make all accounts and records pertaining to the Program available to the State agency and to FNS for audit or administrative review, at a reasonable time and place. Such records shall be retained for a period of three years after the end of the fiscal year to which they pertain, except that if audit findings have not been resolved, the records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit.

(d) Any service institution participating in the National School Lunch Program, School Breakfast Program or ticipate in the Program. *Provided, however,* That:

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(1) The same children are not served in each program, (2) separate Claims for Reimbursement are maintained for each program.

(e) Service institutions approved for participation shall operate their food service in accordance with the provisions of this part and any instructions and handbooks issued by FNS or the State agency which are not inconsistent with the provisions of this part.

§ 225.8 Meal requirements.

(a) Each service institution participating in the Program shall serve one or more of the following types of meals, as provided in its approved application:

(1) Breakfast;

(2) Lunch;

(3) Supper;

(4) Supplemental food served between such other meals, except that supplemental food shall not be approved if the service institution also participates in the Special Milk Program for Children (7 CFR Part 215).

(b) Except as otherwise provided in this section and any appendices to this part, each meal served in the Program shall contain, as a minimum, the indicated food components;

(1) A breakfast shall contain:

(i) One-half pint of milk as a beverage;

(ii) One-half cup of fruit or full strength fruit or vegetable juice;

(iii) One slice of whole-grain or enriched bread; or an equivalent quantity of cornbread, biscuits, rolls, muffins, etc., made of whole-grain or enriched meal or flour; or three-fourths cup (volume) or one ounce (weight), whichever is less, of whole-grain or enriched or fortified cereal, or an equivalent quantity of any combination of these foods.

(2) Lunch or supper shall contain:

(i) One-half pint of milk as a beverage.

(ii) Two ounces (edible portion as served) of lean meat, poultry or fish; or two ounces of cheese; or one egg; or one-half cup of cooked dry beans or peas; or four tablespoons of peanut butter; or an equivalent quantity of any combination of the above-listed foods.

(iii) A three-fourths cup serving consisting of two or more vegetables or fruit or both. Full-strength vegetable or fruit juice may be counted to meet not more than one-fourth cup of this requirement.

(iv) One slice of whole-grain or enriched bread, or an equivalent quantity of cornbread, biscuits, rolls, muffins, etc., made of whole-grain or enriched meal or flour.

(3) Supplemental food shall include:

(i) One-half pint of milk or 8 fluid ounces of full-strength fruit or vegetable juice or 1 cup of fruit or vegetable.

(ii) One slice of whole-grain or enriched bread, or an equivalent quantity of cornbread, biscuits, rolls, muffins, etc., made of whole-grain or enriched meal or flour; or three-fourths cup (volume) or one ounce (weight), whichever is less, of whole-grain or enriched or fortified cereal, or an equivalent quantity of any combination of these foods.

(c) The quantities of food specified in paragraphs (b) (1) and (2) of this section are approximate amounts of food to serve 10 to 12 year-old boys and girls. Greater or lesser amounts of these foods may be served if participating children are older or younger.

(d) If emergency conditions prevent a service institution normally having a supply of milk from temporarily obtaining delivery thereof, the State agency, or FNSRO where applicable, may approve the service of breakfasts, lunches or suppers or supplemental food without milk during the emergency period.

(e) The inability of service institution to obtain a supply of milk on a continuing basis shall not bar it from participation in the Program. In such cases the State agency, or FNSRO where applicable, may approve the service of meals without milk, provided that an equivalent amount of canned, whole dry, or nonfat dry milk is used in the preparation of the components of all meals.

(f) In American Samoa, Puerto Rico, the Virgin Islands and the Trust Territory of the Pacific Islands the following variations from the meal requirements are authorized: A serving of a starchy vegetable, such as ufi, tanniers, yams, plantains, sweet potatoes, or a serving of enriched rice or enriched or whole-grain cereal products such as macaroni, dumplings or noodles may be substituted for the bread requirement.

(g) Substitutions may be made in paragraphs (a), (1), (2), and (3) and in paragraph (b) of this section if individual participating children are unable, because of medical or other special dietary needs, to consume such foods. Such substitutions shall be made only when supported by a statement from a recognized medical authority which include recommended alternate foods.

(h) FNS may approve variations in the food components of the meals on an experimental or a continuing basis in any service institution where there is evidence that such variations are nutritionally sound and are necessary to meet ethnic, religious, economic, or physical needs.

§ 225.9 Food service management companies.

(a) Any service institution may contract with a food service management company (including other commercial enterprise) for the preparation or delivery at food service sites of unitized meals or for the delivery of individual meal components. Any service institution may employ a food service management company to operate its entire food service. A service institution that so employs a food service management company shall remain responsible for seeing that the feeding operation is in conformity with its agreement with the State agency, or FNSRO where applicable. Any service institution operating a food service serving 500 children or more daily and contracting with a food service management company shall use a competitive bid procedure in the selection of any such company. Any public service institution must follow applicable State or local laws governing bid procedures. In the absence of any applicable State or local laws, any public or private service institution shall, at a minimum, adhere to the following requirements:

(1) The proposed contract must be publicly announced at least 14 days prior to the opening of the bid;

(2) The bid must be publicly opened;

(3) The bid may not specify a minimum price;

(4) The service institution shall make available to the State agency, or FNSRO where applicable, the reason for selecting the food service management company chosen.

(b) The service institution and the food service management company shall enter into a written contract which shall expressly provide that:

(1) The service institution shall provide the food service management company with a list of approved food service sites and shall update the list as needed;

(2) The food service management company shall maintain such records (supported by invoices, receipts, or other evidence) as the service institution will need to meet its responsibilities under this part, and shall report thereon to the service institution promptly at the end of each month;

(3) The food service management company shall have local health certification;

(4) Any federally donated commodities received by the service institution and made available to the food service management company shall enure only to the benefit of the service institution's feeding operation, and shall be utilized therein;

(5) The books and records of the food service management company pertaining to the service institution's feeding operation shall be available for a period of 3 years from the date of submission of the Final Financial Status Report for inspection and audit by representatives of the State agency, of the Department, and the United States General Accounting Office at any reasonable time and place;

(6) The requirements of § 225.8 shall be met for all meals;

(7) Health and sanitation requirements shall be met at all times;

(8) Unitized meals or meal components shall be delivered in accordance with a delivery schedule prescribed in the contract;

(9) Increases and decreases in the number of meal orders may be made by the service institution daily within a period of prior notice mutually agreed upon;

(10) No payment shall be made for meals that do not meet nutritional requirements, are spoiled or unwholesome at time of delivery, or do not otherwise meet the requirements of the contract;

(11) The food service management company's charge to the service institution shall reflect the fair wholesale market value of all federally donated food. Menus meeting the meal requirements specified in § 225.8 shall be an integral part of each contract, and remedies for nonperformance shall be stipulated in each contract.

(c) The State agency, or FNSRO where applicable, may review and approve any contract between a service institution and a food service management company.

(d) Each State agency, or FNSRO where applicable, shall notify all applicant service institutions of the contract requirements specified in this section, and such contract requirements, when applicable, shall be made part of the agreement between the State agency, or FNSRO where applicable, and the service institution.

§ 225.10 Reimbursement payments.

(a) Reimbursement payments shall be made only to service institutions operating under an agreement with the State agency or the Department, and shall be made only after execution of and in accordance with the terms of the agreement. Payments may include reimbursement in connection with meals served in accordance with provisions of the Program in the calendar month preceding the calendar month in which the agreement is executed, provided that both months are in the same fiscal year.

(b) For the period ending March 1, 1976, reimbursement to any service institution shall be whichever is the lesser: The full operating cost of the food service, or 81.5 cents for a lunch or supper, of which 6 cents may be used only for administrative costs, 45 cents for 2 breakfast, of which 3 cents may be used only for administrative costs, and 21.25 cents for supplemental food, of which 1.5 cents may be used only for administrative costs. In no event may reimbursement be made for administrative cost in excess of 6 cents for a lunch or supper, 3 cents for a breakfast or 1.5 cents for supplemental food. Reimbursement shall be made on the basis of the number of meals, by types served to children times the above rates. The last claim at the end of the service institution's food operation may be paid at a rate in excess of the aforementioned rates; *Provided, however,* That the total reimbursement paid to a service institution does not exceed the lesser of (1) rates times total meals served during the operation of the Program or (2) the full cost of the food service.

(c) The Secretary shall prescribe by March 1 of the fiscal year, by notice published in the FEDERAL REGISTER, an annual adjustment to the nearest one-fourth cent in the reimbursement rates set forth in paragraph (b) of this section, to reflect changes for the year ending January 31 in the series for food away from home of the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor. The initial such adjustment shall reflect the change in the series for food away from home during the period January 31, 1975 to January 31, 1976.

(d) Service institutions who wish to claim only for food costs shall maintain accurate records to justify their food costs. In no instance shall the reimbursement for food cost exceed the per meal reimbursement rates, minus the amount set aside for administrative costs.

(e) Income accruing to the Program in any service institution shall be used only for Program purposes: *Provided, however,* That such income shall not be used to purchase land, to acquire or construct buildings, or to make alterations of existing buildings.

§ 225.11 Reimbursement procedures.

(a) To be entitled to reimbursement under this part, each service institution shall submit to the State agency, or FNSRO where applicable, a monthly Claim for Reimbursement. Claims for Reimbursement may be submitted more frequently, at the discretion of the State agency for FNSRO. Any Claim for Reimbursement not received by the State agency, or FNSRO where applicable, within 90 days after the close of the service institution's food service operations may be disqualified from payment, except where the State agency, or FNSRO where applicable, considers that a Claim for Reimbursement has been filed late because of circumstances beyond the control of the service institution.

(b) Service institutions which have executed an agreement may, at the discretion of the State agency, or FNSRO where applicable, receive start-up funds not earlier than 2 months before beginning food service operations. For service institutions which received Federal funds for a summer food service during the preceding calendar year, start-up funds shall not exceed 1 per centum of the amount received. For service institutions which did not receive Federal funds for a summer food service during the preceding calendar year, start-up funds shall not exceed 1 per centum of the amount estimated by the State agency, or FNSRO where applicable, to be needed for Program operations. Start-up funds shall be deducted from subsequent payments made to the service institutions for allowable administrative costs.

(c) No later than June 1, July 1, and August 1, or, in the case of service institutions which operate under a continuous school calendar, the first day of the month of operation, the State agency, or FNSRO where applicable, shall forward advance payments to each participating service institution with which it has a signed agreement: *Provided; however:* That, (1) the State agency, or FNSRO where applicable, shall not release the first month's advance to any service institution which has not certified that it has held training sessions for its own personnel and the site personnel with regard to Program duties and responsibilities; and (2) for any month in which the service institution operates for less than 2 weeks, no advance payment will be made. Each month's advance shall be computed by pro-rating the number of days of operation in the month by 65 percent of the total expenditures anticipated by the State agency, or FNSRO where applicable. If the State agency, or FNSRO where applicable, has reason to believe, through monitoring and audit activities, that a service institution will not be able to submit an adequate Claim for Reimbursement, the subsequent month's advance payment shall be withheld until such time as the State agency, or FNSRO where applicable, has received a valid claim. Any interest earned on advance or start-up funds shall accrue to the Program.

(d) Claims for Reimbursement shall include data in sufficient detail to justify the reimbursement claimed and to enable the State agency to provide the required information for Program reports. Claims for Reimbursement shall be filed with the State agency, or FNSRO where applicable, by the 10th of the month following the month covered. Not more than 10 days of the beginning or ending month of the service institution's food service operation in a fiscal year may be combined on a Claim for Reimbursement with the operations of the month immediately following the beginning month, or preceding the ending month. Claims for Reimbursement may not combine months from different fiscal years.

(e) In submitting a Claim for Reimbursement, each service institution shall certify that the Claim is true and correct and that records are available to support the Claim.

(f) In no event shall service institutions claim reimbursement under the Program for any meal for which reimbursement is requested under the National School Lunch Program (7 CFR Part 210), the School Breakfast Program (7 CFR Part 220), or the Child Care Food Program (7 CFR Part 226).

(g) Funds advanced to service institutions which are not subsequently deducted from a valid Claim for Reimbursement must be repaid to the State agency, or FNSRO where applicable.

Subpart D—Miscellaneous Provision

§ 225.12 Claims against service institutions.

(a) State agencies shall disallow any portion of a claim and recover any payments, including start-up costs, made to a service institution that was not properly payable under this part. State agencies will use their own procedure to disallow claims and recover overpayments already made.

(b) The State agency may refer to CND, through FNSRO, for determination, any action it propoees to take under this section.

(c) The State agency shall maintain all records pertaining to action taken under this section. Such records shall be retained for a period of three years after the date of the submission of a final Financial Status Report, except that if audit findings have not been resolved the records shall be retained beyond the three-year period as long as required for the resolution of the issues raised in the audit.

(d) If CND does not concur with the State agency's action in paying a Claim for Reimbursement or a portion of a Claim, or in failing to collect an overpayment, CND shall assert a claim

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against the State agency for the amount of such Claim paid or for the overpayment. In all such cases, the State agency shall have full opportunity to submit to CND evidence or information concerning the action taken. If, in the determination of CND, the State agency's action was unwarranted, the State agency shall promptly pay to FNS the amount of the Claim or overpayment.

(e) The amounts recovered by the State agency from service institutions may be utilized, first, to make payments to service institutions for the period for which the funds were initially available, and second, to repay any State funds expended in the payment of Claims for Reimbursement under the Program not otherwise repaid. Any amounts recovered which are not so utilized shall be returned to FNS in accordance with the requirements of this part.

(f) When FNSRO administers the Program with respect to service institutions, and disallows a Claim for Reimbursement or a portion of a Claim, or makes a demand for refund of as alleged overpayment, it shall notify the service institutions of the reasons for such disallowances or demand, and the service institution shall have full opportunity to submit evidence or to resumbit a Claim for any amount disallowed or demanded in the same manner afforded in this section to service institutions with respect to which the Program is administered by the State agencies.

(g) In the event that the State agency, or FNSRO where applicable, finds that a service institution is failing to meet the meal requirements of § 225.8, the State agency, or FNSRO where applicable, need not disallow payment or collect an overpayment arising out of such failure, if the State agency, or FNSRO where applicable, takes such other action as, in its opinion, will have a corrective effect.

§ 225.13 Management evaluations and audits.

(a) Each State agency shall provide for audits at the State and service institution levels of the funds and operations of the Program. Such audits shall be made with reasonable frequency, but beginning in fiscal year 1978 once every two years. The audits shall determine the fiscal integrity of financial transactions and reports, and the compliance with applicable laws and regulations and with the administrative requirements set forth in Attachment H of Federal Management Circular 74–7 (34 CFR Part 256). Audits may be made by State agency internal auditors, by State Auditors General, by State controllers, or other comparable State audit groups, or by Certified Public Accountants or State licensed public accountants.

(b) While CA shall rely to the fullest extent feasible upon State sponsored audits, it shall, whenever considered necessary: (1) Make audits on a statewide basis, (2) perform on-site test audits, and (3) review audit reports and related working papers of audits performed by or for State agencies.

(c) State agencies shall provide FHS and OA with full opportunity to conduct management evaluations (including visits to service institutions) and audits of all operations of the State agency under this part. Each State agency shall make available its records including records of the receipt and expenditure of funds, upon a reasonable request by FNS or OA. OA shall also have the right to make audits of the records and operations of any service institution.

(d) Use of audit guides available from OA is encouraged. When these guides are utilized, OA will coordinate its audits with State sponsored audits to form a network of intergovernmental audit systems.

(e) In making management evaluations or audits for any fiscal year, the State agency, or OA, may disregard any overpayment which does not exceed $35 or, in the case of State agency administered programs, does not exceed the amount established under State Law, regulations or procedure as a minimum amount for which claims will be made for State losses generally. No overpayment shall be disregarded, however, where there are unpaid claims of the same fiscal year from which the overpayment can be deducted, or where there is substantial evidence of violation of criminal law or civil fraud statutes.

§ 225.14 Prohibitions.

(a) As provided by the Act, the value of assistance to children under the Program shall not be considered to be income or resources for any purposes under any Federal or State laws, including, but not limited to, laws relating to taxation, welfare, and public assistance programs.

(b) Expenditure of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under the Act.

§ 225.15 Other provisions.

(a) *Grant closeout procedures.* Grant closeout procedures for the Program shall be in accordance with Attachment L of Federal Management Circular 74–7 (34 CFR 256).

(b) *Termination for cause.* FNS may terminate a State agency's participation in the Program in whole, or in part, whenever it is determined that the State agency has failed to comply with the conditions of the Program. FNS shall promptly notify the State agency in writing of the termination and the reasons for the termination, together with the effective date. A State agency, or FNSRO where applicable, shall terminate a service institution's participation in the Program by written notice whenever it is determined by FNS or the State agency that the service institution has failed to comply with the conditions of the Program. When a Program has been terminated for cause, any payments made to the State agency or any recoveries by FNS from the State agency shall be in accordance with the legal rights and liabilities of the parties.

(c) *Termination for convenience.* FNS and the State agency may terminate the State agency's participation in the Program in whole, or in part, when both parties agree that the continuation of the Program would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated. The State agency shall not incur new obligations for the terminated portion after the effective date, and shall cancel as many outstanding obligations as possible. FNS shall allow full credit to the State agency for the Federal share of the noncancellable obligations, properly incurred by the State agency prior to termination. A State agency, or FNSRO where applicable, may terminate an institution's participation in accordance with these provisions.

(d) *State requirements.* Nothing contained in this part shall prevent a State agency from imposing additional operating requirements which are not inconsistent with the provisions of this part.

§ 225.16 Program information.

Service institutions desiring information concerning the Program shall write to the appropriate Regional office of FNS as indicated below:

(a) In the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont: New England Regional Office; FNS; U.S. Department of Agriculture; 34 Third Avenue; Burlington, Massachusetts 01803.

(b) In the States of Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, Virginia, Virgin Islands, and West Virginia: Mid-Atlantic Regional Office; FNS; U.S. Department of Agriculture; 729 Alexander Road; Princeton, New Jersey 08540.

(c) In the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina and Tennessee: Southeast Regional Office; FNS; U.S. Department of Agriculture; 1100 Spring Street, NW.; Atlanta, Georgia 30309.

(d) In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin: Midwest Regional Office; FNS; U.S. Department of Agriculture; 536 South Clark Street; Chicago, Illinois 60605.

(e) In the States of Arkansas, Colorado, Louisiana, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Wyoming: West-Central Regional Office; FNS; U.S. Department of Agriculture; 1100 Commerce Street, Room 5–D–22; Dallas, Texas 75202.

(f) In the States of Alaska, American Samoa, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, Trust Territory of the Pacific Islands, and Washington: Western Regional Office FNS; U.S. Department of Agriculture; 550 Kearny Street; Room 400; San Francisco, California 94108.

(Catalog of Federal Domestic Assistance Program No. National Archives Reference Services)

NOTE: The reporting and/or recordkeeping requirements contained herein have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

JOHN DAMGARD,
Assistant Secretary.

DECEMBER 31, 1975.

[FR Doc.75-35250 Filed 12-31-75;11:32 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Parts 121 and 129]

[Docket No. 15286; Notice No. 76/]

AIRCRAFT SECURITY

Proposed Rule Making

The Federal Aviation Administration is considering amending Part 129 of the Federal Aviation Regulations to ensure that X-ray systems used by foreign air carriers for carry-on baggage inspection in the United States meet minimum guidelines and standards prescribed by the U.S. Food and Drug Administration and are operated in accordance with certain operating requirements. The FAA is also considering amending Parts 121 and 129 of those regulations to be consistent with certain provisions of the Air Transportation Security Act of 1974 (Pub. L. 93–366) that apply to air carriers and foreign air carriers in the conduct of operations governed by Parts 121 and 129.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC–24, 800 Independence Avenue, SW., Washington, D.C. 20591. All communications received on or before February 9, 1976, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Section 129.25 provides that each foreign air carrier landing or taking off a large aircraft in the United States, in scheduled passenger operations, shall use a security program in the conduct of those operations that requires all passengers and all property intended to be carried in the aircraft cabin to be screened by weapon-detecting procedures or facilities prior to boarding, and meets the requirements prescribed in the section. Foreign air carriers are not required to use X-ray systems to effect the screening of passenger carry-on baggage and are not prohibited by Part 129 from using such systems. However, if an X-ray system is to be used in the United States by a foreign air carrier, public health and safety considerations dictate that there be adequate regulations in effect governing its use. Accordingly, it is proposed to add a new § 129.26 to Part 129 to specify requirements governing the use by foreign air carriers of X-ray systems to inspect carry-on baggage in the United States.

The requirements that are proposed for § 129.26 for the use of X-ray systems are the same as those previously adopted by the FAA in Amendment 121–117 to Part 121 of the Federal Aviation Regulations for U.S. air carriers. Amendment 121–117 became effective April 4, 1975 (40 FR 10173) and was adopted following publication of a notice of proposed rule making (Notice 74–22; 39 F.R. 22275) in accordance with a Court Order issued by the United States District Court for the District of Columbia. As more fully explained in Notice 74–22, the performance standards for X-ray systems that are proposed for new § 129.26 are based on guidelines and standards that have been adopted by the U.S. Food and Drug Administration (FDA), Department of Health, Education and Welfare to ensure the protection of public health and safety. The operating rules proposed in § 129.26 for the use of X-ray systems are also considered by the FAA to be necessary to ensure the protection of passenger carry-on items and public health and safety.

The FAA considers the environmental analysis prepared in conjunction with the adoption of Amendment 121–117 to Part 121 to be appropriate support for its conclusion that the use of an X-ray system in accordance with the requirements prescribed in § 129.26 by this proposal will not have a significant impact on the human environment. A copy of the FAA's environmental analysis prepared in conjunction with rule making involving Amendment 121–117 is on file at the FAA. Copies may be obtained by writing to the Federal Aviation Administration, Civil Aviation Security Service, Attention: ACS–200, 800 Independence Avenue, SW., Washington, D.C. 20591.

Section 204 of the Air Transportation Security Act of 1974 amended section 1111 of the Federal Aviation Act of 1958 to require that the Administrator, by regulation, require any air carrier, intrastate air carrier, or foreign air carrier to refuse to tansport: (1) any person who does not consent to a search of his person, as prescribed in section 315(a) of the Act, to determine whether he is unlawfully carrying a dangerous weapon, explosive, or other destructive substance; or (2) any property of any person who dose not consent to a search or inspection of such property to determine whether it unlawfully contains a dangerous weapon, explosive, or other destructive substance. It is proposed to implement this statutory requirement by adding a new paragraph (k) to § 121.538 and by adding a new paragraph (e) to § 129.25.

Section 203 of that Pub. L. amended § 902(1) of the Federal Aviation Act of 1958 and, among other things, included therein an exception to the prohibition against the carriage of weapons aboard aircraft operated in air transportation. The exception applies to persons transporting weapons contained in baggage not accessible to passengers in flight if the presence of such weapons has been declared to the air carrier. It is proposed to add that statutory exception to Part 129 by amending § 129.27.

Provision for the carriage of weapons aboard aircraft contained in baggage not accessible to passengers in flight and with knowledge of the operator of the aircraft was made in § 121.585(b) by Amendment 121–118 (40 FR 17551; published April 21, 1975). Accordingly, Part 121 is already consistent with the Congressional intent expressed in section 203.

(Secs. 313(a), 315, 316, 601, and 1111 of the Federal Aviation Act of 1958 (49 U.S.C. 1354 (a), 1356, 1357, 1421, and 1511), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

In consideration of the foregoing, it is proposed to amend Parts 121 and 129 of the Federal Aviation Regulations as follows:

1. By amending § 121.538 by adding a new paragraph (K) to read as follows:

§ 121.538 Aircraft security.

* * * * *

(k) Each certificate holder shall refuse to transport—

(1) Any person who does not consent to a search of his person in accordance with the screening system prescribed by paragraph (b) of this section; and

(2) Any property of any person who does not consent to a search or inspection of that property in accordance with the screening system prescribed by paragraph (b) of this section.

2. By adding a new paragraph (e) to § 129.25 to read as follows:

§ 129.25 Aircraft security.

* * * * *

(e) Each foreign air carrier conducting operations governed by paragraph (a) of this section shall refuse to transport—

(1) Any person who does not consent to a search of his person in accordance with the security program prescribed by paragraphs (a) and (b) of this section; and

(2) Any property of any person who does not consent to a search or inspection of such property in accordance with the security program prescribed by paragraphs (a) and (b) of this section.

3. By adding a new § 129.26 after § 129.25 to read as follows:

§ 129.26 Use of X-ray system.

(a) No foreign air carrier may use an X-ray system in the United States, to inspect carry-on baggage on items, unless:

(1) For a system manufactured prior to April 25, 1974, it meets either the guidelines issued by the Food and Drug Administration (FDA), Department of Health, Education, and Welfare and published in the FEDERAL REGISTER (38 FR 21442, August 8, 1973); or the performance standards for cabinet X-ray systems designed primarily for the inspec-

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tion of carry-on baggage issued by the FDA and published in 21 CFR 1020.40 (39 FR 12985, April 10, 1974);

(2) For a system manufactured after April 24, 1974, it meets the standards for cabinet X-ray systems designed primarily for the inspection of carry-on baggage issued by the FDA and published in 21 CFR 1020.40 (39 FR 12985, April 10, 1974);

(3) A program for initial and recurrent training of operators of the system has been established, which includes training in radiation safety, the efficient use of X-ray systems, and the identification of weapons and other dangerous articles;

(4) Procedures have been established to ensure that each operator of the system will be provided with a personnel dosimeter (such as a film badge or thermo luminescent dosimeter), each dosimeter used will be evaluated at the end of each calendar month, and records of operator duty time and the results of dosimeter evaluations will be maintained by the certificate holder; and

(5) The system has the capability of distinguishing an insulated 24-gauge, solid copper wire.

(b) No foreign air carrier may use an X-ray system as specified in paragraph (a) of this section—

(1) Unless within the preceding 6 calendar months a radiation survey has been conducted which shows that the system meets the applicable performance standards in 21 CFR 1020.40 or guidelines published by the Food and Drug Administration in the FEDERAL REGISTER of August 8, 1973 (38 FR 21442);

(2) After the system is initially installed or after it has been moved from one location to another, unless a radiation survey is conducted which shows that the system meets the applicable performance standards in 21 CFR 1020.40 or guidelines published by the Food and Drug Administration in the FEDERAL REGISTER on August 8, 1973 (39 FR 21442); except that a radiation survey is not required for an X-ray system that is moved to another location, if the certificate holder shows that the system is so designed that it can be moved without altering its performance;

(3) That is not in full compliance with any defect notice or modification order issued for that system by the Food and Drug Administration, Department of Health, Education, and Welfare, unless that Administration has advised the FAA that the defect or failure to comply is not such as to create a significant risk or injury, including genetic injury, to any person; and

(4) Unless a sign is posted in a conspicuous place which notifies passengers that carry-on baggage or items are being inspected by an X-ray system and advises them to remove all X-ray and scientific film from ther carry-on baggage and items before inspection. If the X-ray system exposes any carry-on baggage or item to more than one milliroentgen of radiation during the inspection, the foreign air carrier shall post a sign which advises passengers to remove film of all kinds from their carry-on baggage and items before inspection. If requested by a passenger, his photographic equipment and film packages shall be physically inspected without exposure to an X-ray system.

4. By amending § 129.27 to read as follows:

§ 129.27 Prohibition against carriage of weapons.

(a) No person may, while on board an aircraft being operated by a foreign air carrier in the United States, carry on or about his person a deadly or dangerous weapon, either concealed or unconcealed. This paragraph does not apply to—

(1) Officials or employees of the state of registry of the aircraft who are authorized by that state to carry arms; and

(2) Crewmembers and other persons authorized by the foreign air carrier to carry arms.

(b) No foreign air carrier may knowingly permit any passenger to carry, nor may any passenger carry, while aboard an aircraft being operated in the United States by that certificate holder, in checked baggage, a deadly or dangerous weapon, unless:

(1) The passenger has notified the certificate holder before checking the baggage that the weapon is in the baggage; and

(2) The baggage is carried in an area inaccessible to passengers.

Issued in Washington, D.C., on December 31, 1975.

RICHARD F. LALLY,
Director, Civil Aviation Security Service.

[FR Doc.76-253 Filed 1-5-76;8:45 am]

EXPORT-IMPORT BANK

[12 CFR Part 406]

BOOK-ENTRY PROCEDURES

Proposed Rulemaking

Notice is hereby given that the Export-Import Bank of the United States ("Eximbank") has under consideration rulemaking action to amend 12 CFR by establishing a new Part 406 providing for the application of book-entry procedures to securities heretofore and hereafter issued by or on behalf of Eximbank.

The proposed addition authorizes Federal Reserve Banks to issue book-entry Eximbank securities by means of entries on their records, to effect conversions between book-entry Eximbank securities and definitive Eximbank securities and to otherwise service and maintain book-entry Eximbank securities. The proposed addition also provides rules for the transfer or pledge of book-entry Eximbank securities.

Interested persons are invited to submit written comments on these proposed rules to the General Counsel, Export-Import Bank of the United States, 811 Vermont Avenue, NW., Room 947, Washington, D.C. 20571 by February 15, 1976.

These rules are proposed under authority of Section 2(a)(1) of the Export-Import Bank Act of 1945, as amended (12 U.S.C. 635(a)(1)).

Part 406 is proposed to read as follows:

PART 406—BOOK-ENTRY PROCEDURES

Sec.
406.1 Definition of terms.
406.2 Authority of Reserve Banks.
406.3 Scope and effect of book-entry procedure.
406.4 Transfer or pledge.
406.5 Withdrawal of Eximbank Securities.
406.6 Delivery of Eximbank Securities.
406.7 Registered Debentures and Participation Certificates.
406.8 Servicing book-entry Eximbank securities; payment of interest, payment at maturity or upon call.

AUTHORITY: Sec. 2(a)(1), Pub. L 79-173, 59 Stat. 526, as amended, (12 U.S.C. 635(a)(1)).

§ 406.1 Definition of terms.

In this part, unless the context otherwise requires or indicates:

(a) "Eximbank" means the Export-Import Bank of the United States.

(b) "Reserve Bank" means the Federal Reserve Bank of New York (and any other Federal Reserve Bank which agrees to issue Eximbank securities in book-entry form) as fiscal agent of the United States acting on behalf of Eximbank and when indicated acting in its individual capacity.

(c) "Eximbank security" means any obligation of Eximbank issued by Eximbank under the Export-Import Bank Act of 1945, as amended (12 U.S.C. 635 et seq.) in the form of a definitive Eximbank security or a book-entry Eximbank security.

(d) "Definitive Eximbank Security" means an Eximbank security in engraved or printed form.

(e) "Book-entry Eximbank Security" means an Eximbank security in the form of an entry made as prescribed in these regulations on the records of a Reserve Bank.

(f) "Pledge" includes a pledge of, or any other security interest in, Eximbank securities as collateral for loans or advances or to secure deposits of public monies or the performance of an obligation.

(g) "Date of call" is the date fixed in the authorizing resolution of the Board of Directors of Eximbank on which the obligor will make payment of the security before maturity in accordance with its terms.

(h) "Member bank" means any national bank, State bank, or bank or trust company which is a member of the Reserve Bank.

§ 406.2 Authority of Reserve Banks.

Each Reserve Bank is hereby authorized, in accordance with the provisions of this part, to (a) issue book-entry eximbank securities by means of entries on its records which shall include the name of the depositor, the amount, the loan title (or series) and maturity date; (b) effect conversions between book-entry eximbank securities and definitive eximbank securities; (c) otherwise service and maintain book-entry Eximbank securities; and (d) issue a confirmation of transaction in the form of written advice (serially numbered or otherwise) which specifies the amount and description of any securities, that is, loan title (or series) and maturity dates, sold or transferred, and the date of the transaction.

§ 406.3 Scope and effect of book-entry procedure.

(a) A Reserve Bank as fiscal agent of the United States acting on behalf of Eximbank may apply the book-entry procedure provided for in this part to any Eximbank securities which have been or are hereafter deposited for any purpose in accounts with it in its individual capacity under terms and conditions which indicate that the Reserve Bank will continue to maintain such deposit accounts in its individual capacity, notwithstanding application of the book-entry procedure to such securities. This paragraph is applicable, but not limited, to securities deposited:

(1) As collateral pledged to a Reserve Bank (in its individual capacity) for advances by it;

(2) By a member bank for its sole account;

(3) By a member bank held for the account of its customers;

(4) In connection with deposits in a member bank of funds of States, municipalities, or other political subdivisions; or

(5) In connection with the performance of an obligation or duty under Federal, State, municipal, or local law, or judgments or decrees of courts.

The application of the book-entry procedure under this paragraph shall not derogate from or adversely affect the relationships that would otherwise exist between a Reserve Bank in its individual capacity and its depositors concerning any deposits under this paragraph. Whenever the book-entry procedure is applied to such Eximbank securities, the Reserve Bank is authorized to take all action necessary in respect of the book-entry procedure to enable such Reserve Bank in its individual capacity to perform its obligations as depositary with respect to such Eximbank securities.

(b) A Reserve Bank as fiscal agent of the United States acting on behalf of Eximbank shall apply the book-entry procedure to Eximbank securities deposited as collateral pledged to the United States under Treasury Department Circulars Nos. 92 and 176, both as revised and amended, and may apply the book-entry procedure, with the approval of the Secretary of the Treasury, to any other Eximbank securities deposited with a Reserve Bank as fiscal agent of the United States.

(c) Any person having an interest in Eximbank securities which are deposited with a Reserve Bank (in either its individual capacity or as fiscal agent of the United States) for any purpose shall be deemed to have consented to their conversion to book-entry Eximbank securities pursuant to the provisions of this part, and in the manner and under the procedures prescribed by the Reserve Bank.

(d) No deposits shall be accepted under this section on or after the date of maturity or call of the securities.

§ 406.4 Transfer or pledge.

(a) A transfer or pledge of book-entry Eximbank securities to a Reserve Bank (in its individual capacity or as fiscal agent of the United States), or to the United States, or to any transferee or pledgee eligible to maintain an appropriate book-entry account in its name with a Reserve Bank under this part, is effected and perfected, notwithstanding any provisions of law to the contrary, by a Reserve Bank making an appropriate entry in its records of the securities transferred or pledged. The making of such an entry in the records of a Reserve Bank shall (1) have the effect of a delivery in bearer form of definitive Eximbank securities; (2) have the effect of a taking of delivery by the transferee or pledgee; (3) constitute the transferee or pledgee a holder; and (4) if a pledge, effect a perfected security interest therein in favor of the pledgee. A transfer or pledge of book-entry Eximbank securities effected under this paragraph shall have priority over any transfer, pledge, or other interest, theretofore or thereafter effected or perfected under paragraph (b) of this section or in any other manner.

(b) A transfer or pledge of transferable Eximbank securities, or any interest therein, which is maintained by a Reserve Bank in bearer definitive form, ity or as a fiscal agent of the United States) in a book-entry account under this part, including securities in book-entry form under § 406.3(a)(3), is effected, and a pledge is perfected, by means that would be effective under applicable law to effect a transfer or to effect and perfect a pledge of the Eximbank securities, or any interest therein, if the securities were maintained by the Reserve Bank in bearer definitive form. For purposes of transfer or pledge hereunder, book-entry Eximbank securities maintained by a Reserve Bank shall, notwithstanding any provision of law to the contrary, be deemed to be maintained in bearer definitive form. A Reserve Bank maintaining book-entry Eximbank securities either in its individual capacity or as fiscal agent of the United States is not a bailee for purposes of notification of pledges of those securities under this paragraph, or a third person in possession for purposes of acknowledgment of transfers thereof under this paragraph. Where transferable Eximbank securities are recorded on the books of a depositary (a bank, banking institution, financial firm, or similar party, which regularly accepts in the course of its business Eximbank securities as a custodial service for customers, and maintains accounts in the names of such customers reflecting ownership of or interest in such securities) for account of the pledgor or transferor thereof and such securities are on deposit with a Reserve Bank in a book-entry account hereunder, such depositary shall, for purposes of perfecting a pledge of such securities or effecting delivery of such securities to a purchaser under applicable provisions of law, be the bailee to which notification of the pledge of the securities may be given or the third person in possession from which acknowledgment of the holding of the securities for the purchaser may be obtained. A Reserve Bank will not accept notice or advice of a transfer or pledge effected or perfected under this paragraph, and any such notice or advice shall have no effect. A Reserve Bank may continue to deal with its depositor in accordance with the provisions of this part, notwithstanding any transfer or pledge effected or perfected under this paragraph.

(c) No filing or recording with a public recording office or officer shall be necessary or effective with respect to any transfer or pledge of book-entry Eximbank securities or any interest therein.

(d) A Reserve Bank shall, upon receipt of appropriate instructions, convert book-entry Eximbank securities into definitive Eximbank securities and deliver them in accordance with such instructions; no such conversion shall affect existing interests in such Eximbank securities.

(e) A transfer of book-entry Eximbank securities within a Reserve Bank shall be made in accordance with procedures established by the Bank not inconsistent with this part. The transfer of book-entry Eximbank securities by a Reserve Bank may be made through a telegraphic transfer procedure.

(f) All requests for transfer or withdrawal must be made prior to the maturity or date of call of the securities.

§ 406.5 Withdrawal of Eximbank securities.

(a) A depositor of book-entry Eximbank securities may withdraw them from a Reserve Bank by requesting delivery of like definitive Eximbank securities to itself or on its order to a transferee.

(b) Eximbank securities which are actually to be delivered upon withdrawal may be issued either in registered or in bearer form unless otherwise specified in the authorizing resolution of the Board of Directors of Eximbank.

§ 406.6 Delivery of Eximbank securities.

A Reserve Bank which has received Eximbank securities and effected pledges, made entries regarding them, or transferred or delivered them according to the instructions of its depositor is not liable for conversion or for participation in breach of fiduciary duty even though the depositor had no right to dispose of or take other action in respect of the securities. A Reserve Bank shall be fully discharged of its obligations under this part by the delivery of Eximbank securities in definitive form to its depositor or upon the order of such depositor. Customers of a member bank or other depository (other a Reserve Bank) may obtain Eximbank securities in definitive form only by causing the depositor of the Reserve

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Bank to order the withdrawal thereof from the Reserve Bank.

§ 406.7 Registered bonds and notes.

No formal assignment shall be required for the conversion to book-entry Eximbank securities of registered Eximbank securities held by a Reserve Bank (in either its individual capacity or as fiscal agent of the United States) on the effective date of this part for any purpose specified in § 406.3(a). Registered Eximbank securities deposited thereafter with a Reserve Bank for any purpose specified in § 406.3 shall be assigned for conversion to book-entry Eximbank securities. The assignment, which shall be executed in accordance with the provisions of Subpart F of 31 CFR Part 306, so far as applicable, shall be to "Federal Reserve bank of ---------- as fiscal agent of the United States acting on behalf of the Export-Import Bank of the United States for conversion to book-entry Eximbank securities."

§ 406.8 Servicing book-entry Eximbank securities; payment of interest, payment at maturity or upon call.

Interest becoming due on book-entry Eximbank securities shall be charged in the Eximbank's symbol account with the Treasurer of the United States on the interest due date and remitted or credited in accordance with the depositor's instructions. Such securities shall be redeemed and charged in the same account on the date of maturity, call or advance refunding, and the redemption proceeds, principal, and interest, shall be disposed of in accordance with the depositor's instructions.

Dated: December 30, 1975.

WALTER C. SAUER,
First Vice President and Vice Chairman.

[FR Doc.76-241 Filed 1-5-76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

FM BROADCAST STATIONS

Table of Assignments

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Ankeny, Iowa; *Copperas Cove, Tex.*; Davis, Calif.; Emmetsburg, Ia.; Frankfort, Mich.; Hiawatha, Kans.; Howell, Mich.; Jewett, Ohio; New Lexington, Ohio; Ottawa, Ohio; Selmer, Tenn.; Yoakum, Tex.) Docket No. 20413; RM-2416, RM-2470, RM-2505, RM-2510, RM-2492, RM-2511, RM-2496, RM-2508, RM-2486, RM-2504, RM-2509, RM-2483.

1. The Commission, by the Chief, Broadcast Bureau, is reopening the above-entitled proceeding in Docket No. 20413 for the limited purpose of considering an additional FM channel assignment at Copperas Cove, Texas (pop. 10,818), as proposed in comments submitted jointly by Ted Connell and Gaylon Christi. Channel 276A was assigned in this proceeding by report and order, 40 FR 49335, adopted October 14, 1975, to Copperas Cove, as its first FM channel. Connell and Christi filed timely comments in support of the Channel 276A assignment, and in addition proposed a second FM assignment of Channel 288A to Copperas Cove. Because of an oversight, consideration of this proposal was omitted from the report and order.

2. While the Connell and Christie proposal is not strictly a counterproposal, we are dealing with it in this proceeding because it is related to broadcast service at Copperas Cove. Connell and Christie state that their proposal will comply with the Commission's minimum mileage separation requirements, and an engineering study is presented. They state that if the channel is assigned, they will either individually or through a corporation, promptly file an application for a construction permit. Also, Connell and Christie argue that the additional assignment of Channel 288A would avoid a comparative hearing with regard to Channel 276A and thereby advance the public interest.[1]

3. Furthermore, Connell and Christie have supplied demographic data to substantiate their argument that Copperas Cove can support not only one, but two FM broadcast stations. They state that Copperas Cove is located in Coryell County in the central part of Texas. They assert that the 1970 Copperas Cove population of 10,818 represents an increase of 136.9 percent from the 1960 population, and estimate the 1975 population at 17,000. Connell and Christie attribute the rapid increase in population, in the community and its county, to the proximity of Fort Hood, a U.S. Army base. In addition, Connell and Christie say that Copperas Cove has an agricultural economy of *cotton, corn, oats, and live stock*, and is near central Texas recreation areas.

4. The Connell and Christie proposal has merit, but a Commission engineering analysis indicates that such an assignment would preclude certain communities from obtaining Channel 288A or adjacent Channels 289 or 290 in future assignments. A summary of our study listing the precluded communities is attached as Appendix I. We issue this Further Notice so that the interested parties may show, if possible, that alternative FM channels are available for use in these communities.

5. Accordingly, it is proposed to amend the FM Table of Assignments, § 73.202 (b) of the Commision's rules and regulations as follows for the below named community:

City	Channel No.	
	Present	Proposed
Copperas Cove, Tex.....	276A	276A, 288A

6. The Commission's authority to conduct rule making proceedings, including showings required, cut-off procedures, and filing requirements are contained in attached Appendix II and are incorporated herein.

7. Interested parties may file comments on or before February 9, 1976, and replies to such comments on or before March 1, 1976.

Adopted: December 11, 1975.

Released: December 17, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[1] A request for an additional assignment merely to eliminate a comparative hearing will not normally be considered a sufficient showing. Additional FM Assignments, 8 F.C.C. 2d 79 (1967).

APPENDIX I.—*Copperas Cove, Tex.; RM-2505, preclusion effects*

[If channel 228A is assigned to Copperas Cove as proposed, preclusion will occur on 3 channels: 288A, 289, and 290[

Communities precluded	Population	Amplitude modulation stations	Frequency modulation stations	Frequency modulation assignments
CHANNEL 288A PRECLUSION				
Goldthwaite	1,603	None	None	None
San Saba	2,555	KBAL (class III) D	None	210A, 244A
Killeen	35,507	KIXS (class II) D	KNCT-FM	217
			KIXS-FM	277
Cameron	5,546	KMIL (class III) D	None	209A
CHANNEL 289 PRECLUSION				
Mason	1,400	None	None	None
Llano	2,598	do	None	288A, 285A
Brady	5,567	KNEL (class IV) U	None	213A, 237A
San Saba	2,555	KBAL (class III) D	None	210A, 244A
Goldthwaite	1,603	None	None	None
Brownwood	17,366	KBWD (class III) U	KFRN-FM	257A
		KEAN (class IV) U	KOXE	269
				281, 205, 212A
Comanche	3,923	KCOM (class II) D	None	232A
Dublin	2,810	None	None	None
De Leon	2,170	do	None	None
Stephenville	9,277	KSTV (class II) D	KWWM	261A
CHANNEL 290 PRECLUSION				
San Saba	2,555	KBAL (class III) D	None	210A, 244A
Llano	2,608	None	None	288A, 285A

APPENDIX II

1. Pursuant to authority found in sections 4(i), 5(d)(1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's rules, it is proposed to amend the FM Table of Assignments, § 73.202(b) of the Commission's rules and regulations, as set forth in the further notice of proposed rule making to which this Appendix is attached.

2. *Showings required.* Comments are invited to the proposal(s) discussed in the notice of proposed rule making to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build the station promptly. Failure to file may lead to denial of the request.

3. *Cut-off procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of Commission rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this notice, they will be considered as comments in the proceeding, and public notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If filed later than that, they will not be considered in connection with the decision in this docket.

4. *Comments and reply comments; service.* Pursuant to applicable procedures set out in §§ 1.415 and 1.420 of the Commission's rules and regulations, interested parties may file comments and reply comments on or before the dates set forth in the notice of proposed rule making to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420 (a), (b) and (c) of the Commission rules.)

5. *Number of copies.* In accordance with the provisions of Section 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public inspection of filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

[FR Doc.76-9 Filed 1-5-76;8:45 am]

[47 CFR—Part 73]

[Docket No. 20414; RM-2432, RM-2420, RM-2396]

TABLE OF ASSIGNMENTS, FM BROADCAST STATIONS

Harlan and Red Oak, Iowa; and Blair, Nebraska

1. On November 13, 1975, the Commission issued a Further notice of proposed rule making in this proceeding. On November 24, 1975, John W. Talbott, a party in this proceeding, filed a pleading entitled "Application for Immediate Review of Staff Action Creating Severe Prejudice to Applicant and Harm to the Public Interest and the Commission's own rules and procedures." This is a request for Commission review (pursuant to § 1.115 of the Commission's rules) of the action by the Broadcast Bureau issuing the Further notice under delegated authority. Talbott's argument is that the Commission erred in issuing the Further notice and in calling for additional submissions. Doing so is seen by Talbott as contrary to the established "cut-off" procedures employed by the Commission in rule making proceedings. He argues that the filing dates should be extended while his application for review is considered. No opposition to this request has been filed by any other party.

2. Talbott's application for review is directed to the issuance of the Further notice and its requirement for further comments. Thus, to require that the parties proceed with the filings without having first acted on the application for review would have the effect of denying the application for review without having afforded Talbott an opportunity to have the merits of his application for review examined. We are of the view that the public interest would be served by an extension of the filing dates in this proceeding while the Commission considers the application for review. Therefore, *it is ordered*, That the dates for filing comments and reply comments are extended indefinitely subject to further order of the Commission.

3. This action is taken pursuant to authority found in Sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and Sections 0.281 and 1.46 of the Commission's Rules.

Adopted: December 29, 1975.

Released: December 30, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.76-248 Filed 1-5-76;8:45 am]

FEDERAL TRADE COMMISSION

[16 CFR Part 455]

SALE OF USED MOTOR VEHICLES

Disclosure and Other Regulations

Notice of proceeding, proposed trade regulation rules, statement of reason for proposed rules, invitation to propose disputed issues of fact for consideration in public hearings, and invitation to comment on proposed rules.

Notice is hereby given that the Federal Trade Commission, pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41, et seq., the Magnuson-Moss Warranty-Federal Trade Commission Improvement Act, 15 U.S.C. 2301, et seq., the provisions of Part 1, Subpart B of the Commission's procedures and rules of practice, 16 CFR 1.7, et seq., and section 553 of Subchapter II, Chapter 5, Title 5, U.S. Code (Administrative Procedure), has initiated a proceeding for the promulgation of Trade Regulation Rules concerning the disclosure of certain material information and other regulations concerning used motor vehicles offered for sale.

Accordingly, the Commission proposes the following Trade Regulation Rules and would amend Subchapter D, Trade Regulation Rules, Chapter 1 of CFR by adding a new Part 455 as follows:

PART 455—DISCLOSURE AND OTHER REGULATIONS CONCERNING THE SALE OF USED MOTOR VEHICLES

Sec.
455.1 Definitions.
455.2 Vehicle information disclosure.
455.3 "As is" disclosure.
455.4 Prohibition of contrary oral statements.
455.5 Retention of documents.

AUTHORITY: 38 Stat. 717, as amended, 15 U.S.C. 41, *et seq.*

§ 455.1 Definitions.

For the purpose of this Part, the following terms and definitions shall apply:

(a) "Person" means any individual, partnership or corporation.

(b) "Used motor vehicle dealer" means any person, partnership, or corporation, or any employee or agent thereof, engaged in the business of offering for sale, sale or distribution of any used motor vehicle to the general public.

(c) "Motor vehicle" means an automobile, truck, recreational vehicle or other motorized vehicle designed to transport not more than fifteen (15) individuals upon the public roads, streets and highways.

(d) "Used motor vehicle" means a motor vehicle which is offered for sale after:

(1) A prior sale to a person who purchased the motor vehicle in good faith for a purpose other than resale; or

(2) Use of the motor vehicle as a rental, driver education, or demonstration motor vehicle, or for the personal or business transportation of the manufacturer and/or dealer or any of their employees or for any use other than the limited use necessary in moving or road testing a vehicle prior to delivery to a customer.

(e) "Warranty" means:

(1) Any written or oral affirmation of fact or promise made in connection with the sale or any used motor vehicle, which relates to nature of the material or workmanship of such used motor vehicle and affirms or promises that such material or workmanship is free of any mechanical defect or will meet any specified level of performance over any specified period of time, or

(2) Any written or oral undertaking made in connection with the sale of any used motor vehicle, to the effect that any person will refund, repair, replace or take other remedial action with respect to such used motor vehicle in the event said use motor vehicle fails to meet the specifications set forth in the undertaking, which written or oral affirmation, promise, or undertaking becomes part of the basis of the bargain between a used

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motor vehicle dealer and a buyer for purposes other than resale of such used motor vehicle.

(f) "Service contract" means a contract to perform, over any period of time or for any specified mileage, services relating to the maintenance or repair (or both) of any used motor vehicle.

(g) "Mechanical defect" means any defective or damaged part of the mechanical, electrical, or hydraulic system of any used motor vehicle including, but not limited to, the motor and transmission, and any defective or damaged part of the body, chassis, suspension or other part of said used motor vehicle.

(h) "Potential purchaser" means any person other than a used motor vehicle dealer, who expresses an interest or intention to purchase a used motor vehicle. Such person shall be of at least minimum legal driving age, possess sufficient credit worthiness to purchase the used motor vehicle under consideration and have no infirmities which would bar consummation of the sales transaction.

§ 455.2 Vehicle Information Disclosure.

In connection with the offering for sale, sale or distribution of any used motor vehicle to the public, in or affecting commerce as "commerce" is defined in the Federal Trade Commission Act, as amended, it is an unfair or deceptive act or practice for any used motor vehicle dealer to fail to affix to the right rear window of any used motor vehicle offered for sale a disclosure statement containing the following information in the order it appears below and in a clear, and conspicuous manner:

(a) The name, address, and chief executive officer of the used motor vehicle dealer.

(b) The make, model and year of manufacture of the used motor vehicle.

(c) The approximate odometer reading reflecting the amount of mileage the used motor vehicle has been driven.

(d) If known to the used motor vehicle dealer, the identity of any commercial or governmental entity which previously used, owned or leased the used motor vehicle and the nature of the principal prior use of such vehicle including but not limited to rental, lease, driver education, taxi and police vehicles.

(e) A description of any work (including reconditioning) performed by, or on behalf of the used motor vehicle dealer or otherwise known to such dealer and relating to any damaged or defective component (including bent frame) or condition (including flooding) of the used motor vehicle which may affect the performance or useful life of the vehicle or which exceeded one hundred dollars ($100.00) in dealer costs.

(f) A description of the extent of component coverage, allocation of costs and duration of any warranty or service contract provided with the used motor vehicle and a statement that the potential purchaser may obtain a copy of any warranty or service contract offered from the used motor vehicle dealer.

(g) If the used motor vehicle is sold without a warranty and the seller attempts to disclaim any implied warranty, the following statement shall appear:

This vehicle is sold *without* any *warranty*. The purchaser will bear the *entire expense* of repairing or correcting any defects that presently exist and/or may occur in the vehicle unless the salesperson promises *in writing* to correct such defects." [Rule 1]

§ 455.3 "As is" disclosure.

In connection with the offering for sale, sale or distribution of any used motor vehicle to the public, other than to used motor vehicle dealers, in or affecting commerce as commerce is defined in the Federal Trade Commission Act, as amended, it is an unfair or deceptive act or practice for any used motor vehicle dealer to fail to disclose, in any sales contract, or any other writing used to evidence the sale of any used motor vehicle for which no warranty, either, expressed or implied, is given, the following information in a clear, concise and conspicuous manner on the face of such document:

"AS IS

THIS USED MOTOR VEHICLE IS SOLD AS IS *WITHOUT* ANY *WARRANTY*, EITHER EXPRESSED OR IMPLIED. THE PURCHASER WILL BEAR THE *ENTIRE EXPENSE* OF REPAIRING OR CORRECTING ANY DEFECTS THAT PRESENTLY EXIST OR THAT MAY OCCUR IN THE VEHICLE.'" [Rule 2]

§ 455.4 Prohibition of contrary oral statements.

In connection with the offering for sale, sale, or distribution of any used motor vehicle in or affecting commerce as 'commerce' is defined in the Federal Trade Commission Act, as amended, it is an unfair or deceptive act or practice for any used motor vehicle dealer:

(a) To make any statements or claims, written or oral, or engage in any practices which directly or by implication contradict, mitigate, disparage or detract from any printed disclosure required by §§ 455.2 and 455.3; or

(b) To make any false, misleading or deceptive representation, directly or by implication, of the quality, performance, reliability or lack of mechanical defects of any used motor vehicle offered for sale.

(c) To make any representation, directly or by implication, of the quality, performance, reliability or lack of mechanical defects of any used motor vehicle offered for sale without possessing at the time of such representation a reasonable basis. [Rule 3]

§ 455.5 Retention of Documents.

To assure compliance with the provisions of this part, it is an unfair practice for all used motor vehicle dealers subject to such provisions to fail to retain and make available for inspection by officials of the Federal Trade Commission, upon request, true and correct copies of the written disclosures required by § 455.2 for at least three (3) years after the date on which the used motor vehicle subject to the disclosure was sold, and a copy of any sales contract, or other agreement used to consummate the sale of a used motor vehicle containing the disclosure required by § 455.3 for at least three (3) years from the date the used motor vehicle subject to the disclosure was sold." [Rule 4]

STATEMENT OF REASON FOR THE PROPOSED RULE

It is the Commission's purpose, in issuing this statement, to set forth its reasons for proposing this Trade Regulation Rule with sufficient particularity to allow informed comment. The precise format of such statements may vary from rule to rule depending on the complexity of the issues involved. In this proceeding, the Commission has determined that meaningful comment by the public will be facilitated by presenting (1) a statement describing the basic factual and legal premises underlying the Commision's determination to propose the Rule, and (2) a series of questions designed to draw to the public's attention matters which the Commission deems particularly pertinent and on which comment is especially solicited.

The Commission emphasizes that neither the statement of factual and legal premises nor the questions set out in the materials accompanying the proposed Rule should be interpreted as a designation of disputed issues of fact. Such designations shall be made by the Commission or its duly authorized presiding official pursuant to the Commission's procedures and rules of practice.

STATEMENT

The Commission has reason to believe that a substantial number of used motor vehicles, as that term is defined in the proposed rule, are offered for sale or sold to the general public with mechanical defects which affect the performance or reliability of the vehicles. Potential purchasers are not in a position to determine the mechanical condition of the used motor vehicles under consideration and dealers, who know or should know of the defects do not inform the prospective purchaser of such defects. In addition, some dealers misrepresent the mechanical performance and reliability of the vehicles they offer for sale.

The Commission also has reason to believe that used motor vehicle dealers frequently recondition the appearance of the vehicles they offer for sale. Such reconditioning, which includes body work, painting and cleaning eliminates signs of the vehicle's previous use and normal wear and tear. Because of reconditioning, consumers often make erroneous assumptions concerning the prior use and care and of the mechanical performance and reliability of the used vehicles which are offered for sale.

The Commission further has reason to believe that a substantial number of used vehicles are sold or offered for sale by dealers who do not disclose other significant information which purchasers do not know or cannot readily ascertain for themselves and which the dealers know or should know. For example, a consumer may not be aware of certain basic facts concerning the vehicle's identification, the make, model and year in which it was manufactured. More significantly, the prior use of vehicle is frequently not disclosed. This information is important because a substantial number of used motor vehicles are offered for sale after use by governmental or commercial entities and such prior use may make a vehicle less desirable than one operated by a private party. Furthermore, dealers frequently do not disclose the mechanical work which the dealer has performed. Such information regarding prior use and mechanical repairs cannot be determined by a potential purchaser upon inspection and is likely to affect a decision to buy. In addition, the absence of the information tends to mislead the consumer regarding the condition of the vehicles which are offered for sale.

The Commission has reason to believe, too, that some dealers disclaim all warranties which would otherwise apply to the sale of used motor vehicles by operation of law while other dealers create express warranties of limited coverage and duration. The failure to provide adequate and valid descriptions of the warranties prior to the sale of the vehicles may mislead consumers regarding the dealer's obligations under such warranties. Furthermore, the Commission has reason to believe that some dealers orally represent that they will provide service even though they disclaim all warranties. Such representations may mislead consumers that the dealers are legally bound to perform such service.

The Commission believes that § 455.2 of the proposed rule is necessary to prevent deception from misrepresentations regarding the condition and reliability of used motor vehicles and regarding service which dealers provide. In addition, the disclosures required by that section and § 455.3 are necessary to remedy the unfair withholding of information essential to informed consumer purchase decisions and to prevent the future use of unfair and deceptive sales practices in connection with the sale of used motor vehicles.

The proposed rule is necessary to implement national policy regarding the protection of purchasers of used vehicles. Rules regarding warranty protection and practices are mandated by the Magnuson-Moss Warranty Federal Trade Commission Improvement Act Section 109(b).

Although the Commission has reason to believe that a substantial number of used motor vehicles are offered for sale with mechanical defects affecting the performance and reliability of such vehicles, the Commission has not determined that the inspection opportunity proposal submitted by the staff is an appropriate solution. In order to facilitate the receipt of relevant comment from interested persons on the issue of appropriate Commission action in response to the defect problem, the Commission had determined to set forth the staff's proposal in the form of subject matter issues accompanying the proposed rule. The Commission would like interested parties to comment on the staff's proposal and to consider alternative proposals if such are warranted.

The Commission has reason to believe the foregoing based on information compiled by the staff during a comprehensive industry-wide investigation.

In the course of the investigation, the Commission staff has received extensive documentary evidence bearing upon the issues and has consulted with other governmental agencies and with numerous experts, industry members and consumer representatives. In addition, the staff has conducted surveys of dealers, State Attorneys General and consumer groups; evaluated consumer complaints; and conducted a review of the literature on this subject.

The Commission has not adopted any findings or conclusions of the staff. All findings in this proceeding shall be based solely on the matter in the rulemaking record.

QUESTIONS

Interested persons are urged to consider carefully the questions accompanying the proposed rule. Although the proposed rule was drafted in specific language, the Commission retains its authority to promulgate a final rule in ways suggested by the following questions.

1. In the accompanying Statement of Reason for the proposed rule the Commission has outlined its tentative appraisal of deception and unfairness in the context of used motor vehicle sales. How prevalent are the challenged practices set forth in the Statement, and in what manner and context are such acts and practices unfair or deceptive?

2. Section 455.2 requires the posting of a disclosure statement on a window of each used motor vehicle offered for sale. Is there any particular location which would be more visible for the posting of the statement? Do any state laws restrict or prohibit the utilization of a window statement?

3. Section 455.2(d) provides for the disclosure of the identity of the prior owner and the type of prior use of any used motor vehicle offered for sale. Are vehicles formerly used by commercial or governmental entities less desirable than vehicles formerly owned by private parties? Are used motor vehicle dealers generally aware of the identity of the prior owner and the nature of the prior use? If used motor vehicle dealers have this information, is it generally disclosed to potential purchasers? If the information is not disclosed, are purchasers injured by the non-disclosure? Would disclosure of the identity of the prior user or the nature of the prior use create any warranties under state law? If dealers are not aware of the identity of prior users or the nature of the prior use, is there a feasible and inexpensive method to so inform the dealers? What are the costs of the disclosures required by this section? Are there more effective alternative methods of providing the prospective buyer with the requisite information?

4. Section 455.2(e) requires the used motor vehicle dealer to disclose certain work performed by the dealer on the used motor vehicle. Do used motor vehicle dealers generally perform work of the types designated by Section 455.2(e) on used vehicles prior to offering the vehicle for sale? If dealers do perform such work, is the work generally disclosed to potential purchasers? What types of work performed affect the performance or reliability of used motor vehicles? If dealers do not disclose such work, how are purchasers harmed, if they are harmed at all, especially if the work is properly performed? Would disclosure of work performed on the vehicle operate to create any warranty under state law? What are the costs, if any, of disclosing work performed? Are there more effective alternative methods for making disclosures regarding the performance of work by dealers?

5. Section 455.2(f) provides for used motor vehicle dealers to disclose the terms of any warranty or service contract prior to sale. To what extent are purchasers of used motor vehicles presently misinformed of the terms of the warranties or service contracts which accompany the sale of used motor vehicles? Would the disclosures required by § 455.2(f) adequately inform potential purchasers of the terms of the warranty or service contract? What are the costs of the disclosures required by section 455. (f) as presently drafted? Are there more effective alternative methods for disclosing the terms of warranties or service contracts prior to sale?

6. Sections 455.2(g) and 455.4 provide for disclosures of the effect of an "as is" sale. Do potential purchasers generally understand the meaning of the term "as is"? Do used motor vehicle dealers generally misrepresent the meaning of the term "as is" or make oral representations which are contradicted by the "as is" term? Are the "as is" disclosures as presently drafted adequate to accurately inform potential purchasers of the significance of an "as is" sale? What costs, if any, are created by the "as is" disclosures? Are there more effective alternative methods of making the "as is" disclosures?

7. To what extent do used motor vehicles offered for sale by dealers contain mechanical defects? Are dealers generally knowledgeable of defects in the used motor vehicles they offer for sale? Do dealers generally disclose to potential purchasers the existence of defects of which they are aware? Are potential purchasers generally aware of some risk of defects, to what extent is their perception of the risk accurate? How are purchasers harmed by the nondisclosure of defects by dealers?

8. Should the Commission promulgate rules similar to those recommended by the staff or other rules relating to notice of the risk of defects in used motor vehicles offered for sale and the availability of a prepurchase inspection opportunity? In this regard, should the Commission

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supplement section 455 by requiring used motor vehicle dealers to provide an adequate opportunity to prospective purchasers to inspect, prior to purchase, used motor vehicles offered for sale? Should the inspection opportunity be at least eight (8) hours to enable the vehicle be inspected by anyone selected by the prospective purchaser? In order to protect used motor vehicle dealers from potential misuse of the inspection opportunity, should the dealer have an absolute right to have an employee or agent accompany the vehicle to and from the inspection site and be present during the inspection and where the prospective purchaser fails to exhibit a valid driver's license and proof of vehicle liability insurance or financial responsibility, should the dealer have an absolute right to have his employee or agent also drive the vehicle to and from the inspection site? In addition in order to insure that prospective purchasers have been afforded this inspection opportunity, should dealers be required to provide prospective purchasers with a written explanation of the duties and responsibilities of the dealer and the prospective purchaser in the event said purchaser chooses to have the vehicle inspected? Should such an explanation be set forth in a form which could be signed and dated by the purchaser? In addition, should the Commission supplement § 455.2 to include: a) A disclosure of the risk of defeats in used motor vehicles offered for sale; b) a suggestion that the prospective purchaser consider having the vehicle inspected by a mechanic prior to purchase which cost will be borne by said purchaser; and c) a statement that Federal law requires that the dealer provide the inspection opportunity?

9. The staff's inspection opportunity proposals provides potential purchasers of used motor vehicles an opportunity to obtain inspections of such vehicles prior to purchase. Would the inspection opportunity provide potential purchasers information on the existence of mechanical defects in used motor vehicles offered for sale by dealers? Are there any other benefits which would flow to the potential purchaser from the inspection opportunity? What costs could be incurred by potential purchasers who obtain prepurchase inspections? What costs, if any, could the inspection opportunity place on purchasers who do not obtain prepurchase inspection? Should the inspection opportunity be modified in any way to either increase its utility in making defect information available or to decrease any costs for potential purchasers or dealers? Are prepurchase inspections generally available from used motor vehicle dealers? Do used motor vehicle dealers currently attempt to discourage potential purchasers from obtaining a prepurchase inspection or deny an inspection opportunity? What restrictions or costs, if any, do dealers currently place on inspection opportunities? Will the inspection opportunity proposed by staff work any hardships on smaller dealers? If any hardships would be created, how should the inspection opportunity be modified to eliminate such hardships?

10. The inspection opportunity proposal does not place any limits on the extent of the inspection which may be performed during the inspection opportunity. For example, disassembly of the various components of the used vehicle would be permitted under the proposed rule. What problems, if any, does this lack of restriction create for the used motor vehicle dealer? Does the lack of restriction create costs for the used motor vehicle dealer which could be avoided by establishing limits on the inspection? What would be reasonable limits to establish on the inspection? What costs to the dealer would be avoided by such limits? What effect would the limits have on the potential purchaser's ability to obtain information on the existence of mechanical defects through a prepurchase inspection?

11. The inspection opportunity proposal allows the used vehicle dealer to require that dealer personnel drive the used motor vehicle to and from the inspection site if the potential purchaser lacks either a valid driver's license or proof of insurance. It also allows the dealer to require that dealer personnel accompany the used motor vehicle at all times. Are the restrictions set forth adequate to shield the dealer from risk during the inspection opportunity? Are there costs to the dealer from any risks created by the inspection opportunity? If there are costs, what effect do such costs have on the price of used motor vehicles? What effect do the restrictions on the inspection opportunity have on the potential purchaser's ability to obtain defect information through a prepurchase inspection? Are there more effective alternative methods of protecting dealers against risk from the inspection opportunity while preserving an opportunity for meaningful inspection?

12. The inspection opportunity proposal establishes a minimum 8 hour period for the inspection opportunity. Is an 8 hour period the minimum period sufficient for a potential purchaser to obtain a prepurchase inspection? What costs, if any, to the used motor vehicle dealer would be avoided if the minimum period were less than 8 hours? What costs, if any, would remain for the dealers?

13. Do used motor vehicle dealers generally improve the appearance of used motor vehicles prior to offering such vehicles for sale? Do potential purchasers generally associate the appearance of used motor vehicles with the vehicles' mechanical condition? Is the notice of the risk of defects presently provided by staff's proposal sufficient to apprise potential purchasers of the risk of defects assuming consumers do associate physical appearance with mechanical condition?

14. Sections 455.2, 455.3 and the inspection opportunity proposal provide for a prepurchase inspection opportunity, disclosure of vehicle information and disclosure of "as is" terms of sale. To what extent are these provisions consistent or in conflict with applicable state law? Do any of the provisions of §§ 455.2, 455.3, or the inspection opportunity proposal operate to either create or negate protections to consumers or dealers under state law?

15. Should the rule include special provisions for particular types of used motor vehicles, e.g., motorcycles or trucks?

16. Section 455.5 requires used motor vehicle dealers to retain certain documents for a three year period. What costs, if any, would be created by this requirement? If such costs would be created, how should § 455.5 be modified to reduce the costs?

17. Section 455.4 prohibits certain representations and practices in connection with the offering for sale of any used motor vehicle or the protections provided by §§ 455.2 and 455.3. Is § 455.4 adequate to protect consumers against such representations and practices?

18. In what ways should Title I of the Magnuson-Moss Warranty-Federal Trade Commission Improvement Act, Pub. L. 93-637, and the rules promulgated thereunder be further supplemented with respect to the offering for sale or sale of used motor vehicles?

In addition to the above questions, the Commission desires, for each of the individual requirements contained in the proposed rule, comments on:

1. Any benefits which flow from any acts or practices which would be proscribed by the proposed rule;

2. Any detrimental effects which will result from the imposition of any requirement of the proposed rule; and

3. The economic effect of the proposed rule on consumers and small businesses.

The Commission wishes to know whether consumer injury associated with practices restricted by the rule or with the failure to utilize practices required by the rule, may be eliminated without eliminating the practices entirely, or without utilizing the practices required by the rule. That is, are there alternative and more desirable ways of attaining the results that the proposed rule seeks to achieve?

Invitation to Propose Issues of Fact for Consideration in Public Hearings

All interested persons are hereby given notice of opportunity to propose any disputed issues which are material and necessary to resolve. The Commission, or its duly authorized presiding official, shall, after reviewing submissions hereunder, identify any such issues in a notice which will be published in the Federal Register. Such issues shall be considered in accordance with section 18(c) of the Federal Trade Commission Act as amended by Pub. L. 93-637, and rules promulgated thereunder. Proposals shall be accepted until March 8, 1976 by the Special Assistant Director for Rulemaking, Federal Trade Commission, Washington, D.C. 20580. A proposal should be identified as a "Proposal Identifying Issues of Fact—Used Motor Vehicles," and furnished when feasible and not burdensome, in five copies. The times and places of public hearings will be set forth in a notice which will be published in the Federal Register.

Invitation to Comment on the Proposed Rule

All interested persons are hereby notified that they may also submit to the Special Assistant Director for Rulemaking, Federal Trade Commission, Washington, D.C. 20580, data, views or arguments on any issue of fact, law or policy which may have some bearing upon the proposed rule. Written comments, other than proposals identifying issues of fact will be accepted until forty-five days before commencement of public hearings, but at least until March 23, 1976. To assure prompt consideration of a comment, it should be identified as a "Used Motor Vehicle Comment" and furnished, when feasible and not burdensome, in five copies.

Issued: December 23, 1975.

By direction of the Commission.

Virginia M. Harding,
Acting Secretary.

[FR Doc.76-238 Filed 1-5-76;8:45 am]

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notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Segregation of Lands

Notice is hereby given that pursuant to the Act of May 24, 1928 (49 U.S.C. 211214) the State of Alaska, Division of Aviation, has applied for an airport lease for land located in:

SW¼NW¼, SW¼, W½SW¼SE¼ section 14, T. 17 S., R. 47 W., Seward Meridian, lying and being in the Kvichak Recording District, Third Judicial District, State of Alaska.

The purpose of this notice is to inform the public that the filing of this application segregates the described land from all other forms of use or disposal under the public land laws.

Interested persons desiring to express their views should promptly send their name and address to State Director, Alaska State Office, Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501.

ROBERT W. ARNDORFER,
Acting State Director.

[FR Doc.76-256 Filed 1-5-76;8:45 am]

NEW MEXICO

New Mexico Multiple Use Advisory Board

Notice is hereby given that the New Mexico Multiple Use Advisory Board of the Bureau of Land Management will meet at Santa Fe, New Mexico, January 21 and 22, 1976, at the Hilton Inn, 100 Sandoval Street, as follows:

Membership will be divided into four committees of three members each to study, discuss, and formulate recommendations if practicable but not necessarily as a requirement, and gather information on four broad questions chosen at the November 1975 board meeting. Meetings will be four in number, occupying one-half day each beginning at 8 a.m. January 21 and continuing until 4 p.m. each day through January 22 in sequence to be announced and posted at the meeting place at 8 a.m. January 21, 1976.

The questions posed for each committee will be as follows: How Can BLM Improve its Interagency Relationships? (Committee on Interagency Relationships); Which Lands Should Be Opened to Off-Road Vehicles? (Committee on Off-Road Vehicles); How Can The Environmental Assessment Process Be Expedited? (Committee on Environmental Assessments); and How Should BLM Approach Land Title Questions and Unauthorized Occupancy? (Committee on Land Titles).

Committees may but are not required to make recommendations to the full Board at its next regular meeting as appropriate and as previously assigned by the Board. Such recommendations may be accepted or rejected by the full Board at its discretion.

Meetings will be open to the public. Effort will be made on a space-available and time-available basis to accommodate members of the public wishing to participate in the sessions, and wishing to make written or oral statements to the committees, provided that notice of such desire and intent are communicated to the New Mexico State Director of the Bureau of Land Management not later than 4 p.m. January 20, 1976.

Written communications and requests for information on the meetings should be directed to the Office of Public Affairs, Bureau of Land Management, P.O. Box 1449, Santa Fe, New Mexico 87501. Telephone requests or messages on the same subjects should be directed to Mr. Doyle Kline (505) 988-6316.

Dated: December 29, 1975.

ARTHUR W. ZIMMERMAN,
State Director.

[FR Doc.76-257 Filed 1-5-76;8:45 am]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[Amdt. 8]

SALES PRICES FOR MILK

Sales of Certain Commodities; Monthly Sales List (Fiscal Year Ending June 30, 1976)

The CCC Monthly Sales List for the fiscal year ending June 30, 1976, published at 40 FR 30510, as amended, is further amended by revising the provisions of Section 27 entitled "Nonfat Dry Milk—Unrestricted Use Sales", published at 40 FR 58474 to read as follows: Market price, but not less than the following announced prices for spray process nonfat dry milk (NDM) in 50 pound bags:

U.S. EXTRA GRADE

PRODUCED BEFORE SEPTEMBER 1, 1974

7175 cents per pound for NDM in bags type specified in ASCS Announcement CMO-1.

71.50 cents per pound for NDM in commercial type bags.

PRODUCED SEPTEMBER 1 THROUGH DECEMBER 31, 1975

Price for NDM produced before September 1, 1974 (indicated above) *plus* 1.5 cent.

U.S. STANDARD GRADE (REGARDLESS OF AGE)

Price for Extra Grade NDM produced before September 1, 1974 (indicated above) *minus* 1.0 cent.

Sales are made under Announcement MP-14.

(Sec. 4, 62 Stat. 1070, as amended (15 U.S.C. 714b); sec. 407, 63 Stat. 1055, as amended (7 U.S.C. 1427))

Effective date: 2:30 p.m. (e.s.t.), November 28, 1975.

Signed at Washington, D.C. on December 30, 1975.

E. J. PERSON,
Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc.76-310 Filed 1-2-76;12:53 pm]

Forest Service

COOPERATIVE FALL CANKERWORM SUPPRESSION IN PENNSYLVANIA—1976

Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture has prepared a Draft Environmental Statement on the 1976 Cooperative Fall Cankerworm Suppression Project in Pennsylvania, USDA-FS (Adm). NA-76-01.

The Draft Environmental Statement concerns a cooperative suppression project with the State of Pennsylvania to treat approximately 20,000 acres of high value state and private woodlands in Cameron, Elk, McKean and Potter Counties. Trichlorfon will be aerially applied, if registered, to protect forest resources from unacceptable damage by the fall cankerworm.

This Draft Statement was filed with CEQ on December 31, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, So. Agriculture Bldg., Room 3230, 12th St. and Independence Ave., SW., Washington, D.C. 20250.

USDA, Forest Service, 6816 Market Street, Upper Darby, Pa. 19082.

A limited number of single copies are available upon request from Robert D. Raisch, Director, Northeastern Area State and Private Forestry, 6816 Market Street, Upper Darby, Pennsylvania 19082.

Copies of the Draft Environmental Statement for Cooperative Fall Cankerworm Suppression in Pennsylvania—1976 have been sent to various Federal, State and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Mr. Robert D. Raisch, Area Director, Forest Service, Northeastern Area, State and Private Forestry, 6816 Market St., Upper Darby, Pa. 19082, telephone 215/596-1660. Comments must be received by March 1, 1976, in order to be considered in preparation of the Final Environmental Statement.

Dated: December 24, 1975.

W. M. DOTY,
Acting Director, Northeastern Area State and Private Forestry.

[FR Doc.76-309 Filed 1-2-76;12:52 pm]

SALINA PLANNING UNIT

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for Salina Planning Unit, Fishlake National Forest, Utah. The Forest Service report number is USDA-FS-DES (Adm) R4-76-8.

A draft environmental statement has been prepared on the proposed land use plan for the Salina Planning Unit in the Fishlake National Forest, Utah. Approximately 328,900 acres are involved and have been divided into five management areas. The plan establishes land capabilities, determines resource demands, and makes allocation of lands to resource uses and activities.

This draft environmental statement was transmitted to CEQ on December 29, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St. and Independence Ave. SW., Washington, D.C. 20250.

Regional Planning Office, USDA, Forest Service, Federal Building, Room 4408, 324 25th Street, Ogden, Utah 84401.

Forest Supervisor, Fishlake National Forest, 170 North Main Street, Richfield, Utah 84701.

District Forest Ranger, Loa Ranger District, Loa, Utah 84747.

District Forest Ranger, Richfield Ranger District, 55 South 1st East, Richfield, Utah 84701.

A limited number of single copies are available upon request to Forest Supervisor Ralph C. Cisco, Fishlake National Forest, 170 North Main Street, Richfield, Utah 84701.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ Guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor Ralph C. Cisco, Fishlake National Forest, 170 North Main Street, Richfield, Utah 84701 by February 27, 1976, in order to be considered in the preparation of the final environmental statement.

Dated: December 29, 1975.

P. M. REES,
Director, Regional Planning and Budget.

[FR Doc.76-255 Filed 1-5-76;8:45 am]

Office of the Secretary

MEAT IMPORT LIMITATIONS

First Quarterly Estimates

Pub. L. 88-482, approved August 22, 1964 (hereinafter referred to as the Act), provides for limiting the quantity of fresh, chilled, or frozen cattle meat (TSUS 106.10) and fresh, chilled, or frozen meat of goats and sheep, except lamb (TSUS 106.20), which may be imported into the United States in any calendar year. Such limitations are to be imposed when it is estimated by the Secretary of Agriculture that imports of such articles, in the absence of limitations during such calendar year, would equal or exceed 110 percent of the estimated quantity of such articles, prescribed by section 2(a) of the Act.

In accordance with the requirements of the Act, the following first quarterly estimates for 1976 are published.

1. The estimated quantity of such articles prescribed by section 2(a) of the Act during the calendar year 1976 is 1,120.9 million pounds.

2. The estimated aggregate quantity of such articles which would, in the absence of limitations under the Act, be imported during calendar year 1976 is less than 110 percent of the estimated quantity prescribed in section 2(a) of the Act.

Since the estimated quantity of imports does not equal or exceed 110 percent of the estimated quantity prescribed by Section 2(a) of the Act, limitations for the calendar year 1976 on the importation of fresh, chilled, or frozen cattle meat (TSUS 106.10) and fresh, chilled or frozen meat of goats and sheep (TSUS 106.20), are not authorized to be imposed pursuant to Pub. L. 88-482 at this time.

This estimate is based on the expectation that voluntary arrangements to limit imports into the United States being negotiated by the State Department will be successful. Were it not for the expected voluntary arrangements with supplying countries, the estimate of imports would have exceeded 110 percent of the estimated quantity prescribed by section 2(a) of the Act.

Done at Washington, D.C., this 31st day of December 1975.

EARL L. BUTZ,
Secretary.

[FR Doc.76-268 Filed 1-5-76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institute of Education

NATIONAL COUNCIL ON EDUCATIONAL RESEARCH

Meeting

Notice is hereby given that the next meeting of the National Council on Educational Research will be held on January 15 and 16, 1976, at the National Institute of Education, 1200—19th Street NW., Washington, D.C., in Room 823. The meeting will convene at 9:30 a.m. and adjourn at 4:30 p.m. on both days.

The National Council on Educational Research is established under section 405(b) of the General Education Provisions Act (20 U.S.C. 1221e(b)). Its statutory duties include:

(a) Establishing general policies for, and reviewing the conduct of the Institute;

(b) Advising the Assistant Secretary for Education and the Director of the Institute on development of programs to be carried out by the Institute;

(c) Recommending to the Assistant Secretary and the Director ways to strengthen educational research, to improve the collection and dissemination of research findings, and to insure the implementation of educational renewal and reform based upon the findings of educational research.

This meeting will be open to the public except for the closed sessions. The tentative agenda includes:

January 15, 1976

9:30	Convene open session.
9:30–9:35	Approval of minutes of Nov. 21, 1975, meeting.
9:35–10	Director's report.
10–11	Staff briefings on followup to Sept. 18, 1975, resolutions.
11–12	Pending legislation on NIE authorization and other considerations bearing on the fiscal year 1977 budget.
12–1	Luncheon.
1–3:30	Closed session: fiscal year 1977 budget.
3:30	Recess.

January 16, 1976

9	Convene: Closed session.
9–12	Fiscal year 1977 budget.
12–2	Luncheon.
2–3:30	Open session: Review of council actions and identification of issues for further reviews.
3:30	Adjourn.

Members of the public are invited to attend the open sessions. Written statements relevant to an agenda item (or to any other item considered of interest to the Institute) may be submitted at any time and should be sent to the Chairman and the Executive Secretary of the Council at the address shown below.

Requests to address the Council meeting should be submitted in writing to the Chairman and the Executive Secretary at least ten days in advance of the meeting. The Chairman will determine whether a presentation should be scheduled.

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In accordance with Council policy (NCER Resolution No. 013074–8) copies of Council resolutions and minutes of Council meetings can be obtained by contacting the Executive Secretary. Resolutions are available shortly after the particular meeting at which adopted. Because minutes require approval by the Council at a subsequent meeting, they are usually available approximately four to six weeks after the date of the meeting to which they refer.

In order to verify the tentative agenda, assure adequate seating arrangements, or to obtain summaries of this meeting and copies of any resolutions adopted by the Council at this meeting, interested persons are requested to contact the Executive Secretary, National Council on Educational Research, whose address and telephone number are listed below:

National Council on Educational Research, National Institute of Education, Washington, D.C. 20208, 202–254–7900.

Dated: December 30, 1975.

HAROLD L. HODGKINSON,
Director, National Institute of Education.

[FR Doc.76–273 Filed 1–5–76;8:45 am]

Office of Education

ARTS EDUCATION PROGRAM

Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in section 409 of Pub. L. 93–380 (20 U.S.C. 1867), applications are being accepted from State and local educational agencies for Arts Education project grants.

Applications must be received by the U.S. Office of Education Application Control Center on or before March 8, 1976.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue SW., Washington, D.C. 20202, Attention: 13.566. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than March 3, 1976, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

B. *Hand delivered applications.* An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8:00 a.m. and 4:00 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4:00 p.m. on the closing date.

C. *Program information and forms.* Information and application forms may be obtained from the Arts and Humanities Staff, U.S. Office of Education, 400 Maryland Avenue SW., Reporter's Building, Room 421, Washington, D.C. 20202. (Telephone: 202–245–8912 or 202–245–9097); or from the Alliance for Arts Education, John F. Kennedy Center for the Performing Arts, Washington, D.C. 20566. (Telephone: 202–245–3250 or 202–254–3437).

D. *Applicable regulations.* A proposed regulation for the Arts Education program was published in the FEDERAL REGISTER on June 30, 1975 at 40 FR 27486–27491. Subject to revision, when this proposed regulation is published as a final rule, it will govern operations of the program, including grants made under the above noted closing date. Consideration is being given to (a) including among the criteria which will be used in selecting applications (1) from local educational agencies (§ 160g.22), the extent to which special provision is made in the proposed project for provision of activities specially designed to encourage participation of handicapped children in the arts education program, (10 points) and (2) from State educational agencies (§ 160g.34), the extent to which the proposed project takes into account the special needs related to participation of handicapped children and is designed to encourage this participation (10 points); and (b) eliminating the criterion in § 160g.22(g) of the proposed regulation with respect to coordination with other programs under the Special Projects Act.

If substantive changes, other than these, are made in the final regulation affecting the preparation of applications, applicants will be afforded additional time to respond to such changes if there are less than 30 calendar days between the date of publication of the final regulation in the FEDERAL REGISTER and the above mentioned closing date.

In addition, awards under the Arts Education program will be governed by the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a), and the General Provisions Regulations for the Special Projects Act (45 CFR Part 160, notice of proposed rulemaking which was published in the FEDERAL REGISTER at 40 FR 27035–27038 on June 26, 1975).

(20 U.S.C. 1867)

(Catalog of Federal Domestic Assistance No. 13.566 Arts Education Program)

Dated: December 29, 1975.

DUANE J. MATTHEIS,
Acting U.S. Commissioner of Education.

[FR Doc.76–187 Filed 1–5–76;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. ER76–110]

ARKANSAS POWER AND LIGHT CO.

Extension of Procedural Dates

DECEMBER 18, 1975.

On December 2, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued November 14, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of Staff Testimony, March 16, 1976.
Service of Intervenor Testimony, March 30, 1976.
Service of Company Rebuttal, April 13, 1976.
Hearing, April 27, 1976 (10 a.m., e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–218 Filed 1–5–76;8:45 am]

[Docket No. ER76–110]

ARKANSAS POWER AND LIGHT CO.

Order Denying Application for Rehearing

DECEMBER 18, 1975.

On September 8, 1975, Arkansas Power and Light Company (AP&L of Company) tendered for filing an Application for Increase in Electric Rates for service to its municipal and rural electric cooperative sale-for-resale customers. Notice of the Company's filing was issued on September 17, 1975. In response to a letter from the Commission, AP&L on October 1, 1975, supplemented its application with additional data. On October 7, 1975, we found AP&L's filing to be deficient in that its Period I test data for the period ending March 31, 1975, was not the "most recently available", as required by the Regulations. On October 15, 1975, AP&L filed an Application for Rehearing of our deficiency letter of October 7, 1975.

By order dated October 31, 1975, the Commission accepted for filing as of October 1, 1975, AP&L's filing of September 8, 1975, as supplemented by the data filed October 1, 1975, and suspended the proposed rate increase for thirty days, or until December 1, 1975, when it was permitted to become effective subject to refund. On November 14, 1975, we issued an order in response to AP&L's October 15, 1975 Application for Rehearing in which we, inter alia, vacated our October 7, 1975 deficiency letter, granted intervention to nine city and cooperatively-owned electric plants and departments[1] (Intervenors), and established hearing procedures on AP&L's proposed rate increase.

On November 21, 1975, Intervenors filed the subject Application for Rehearing of our orders of October 31 and November 14, 1975. Intervenors contend that a suspension period of five months, or at least longer than the 30 days imposed by our order, is justified in light of the data submitted with the filing, the price squeeze effect of the increase, and alleged anticompetitive conduct of the Company. In support of their position, Intervenors state that although the Supreme Court has granted certiorari to the Commission in Conway Corporation v. F.P.C., 510 F. 2d 1264 (D.C. Cir. 1975), "that fact alone should not determine whether the Commission should take price squeeze and other competitive aspects of the proposed increase into account in determining the appropriate period of suspension." Intervenors renew their argument regarding the detrimental effect the proposed increase will have on its competitive position, and state that no explanation was given the Commission in either of the two orders as to the basis for the suspension period. Intervenors seek rehearing to ascertain what reasons support the Commission's suspension period and to request reconsideration thereof.

The statements offered in support of the Application for Rehearing renew arguments already presented by Intervenors in their initial Petition to Intervene in this docket. Our decision to suspend for 30 days was based on our review of AP&L's filing and the testimony and exhibits in support thereof. Based on such review we exercised our independent judgment in light of our expertise in this area and concluded that a 30 day suspension was sufficient to protect the public interest and the parties to this proceeding. Upon further review, we reaffirm our prior order and conclude that the 30 day suspension was proper. The period of suspension is a matter of discretion and not subject to judicial review. Municipal Light Board v. F.P.C., 450 F. 2d 1341, 1352 (1971).

Furthermore, we believe that our order of November 14, 1975, in which we stated:

> This Commission has consistently held that it must utilize a cost plus fair return standard for establishing the justness and reasonableness of the wholesale rate and does not have the authority under the Federal Power Act to set the wholesale rate predicated upon retail rates over which we have no jurisdiction. We shall therefore limit this proceeding so as to exclude consideration of the price squeeze issue. We are aware of Petitioners' reliance upon Conway Corporation v. F.P.C., 510 F. 2d 1264 (1975). However, the Court in Conway stayed its mandate pending appeal by the Commission. Accordingly, Petitioners may renew their request for consideration of the price squeeze issue when and if the Conway decision becomes final. (footnote omitted, mimeo at 5)

adequately disposed of the price squeeze arguments raised in the Petition to Intervene and The Application for Rehearing.

The Commission finds. Intervenors' application for rehearing filed November 21, 1975, in the subject docket presents no new facts or principles of law which warrant modification of our orders of October 31 and November 14, 1975.

The Commission orders. (A) Intervenors' November 21, 1975, Application for Rehearing of our orders of October 31 and November 14, 1975, is hereby denied.

(B) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76–217 Filed 1–5–76;8:45 am]

[1] The nine parties represented are the following seven municipals: Conway Corporation, Benton Municipal Light and Water Works, Hope Water and Light Commission, City of North Little Rock, City of Osceola, City of Prescott, and City of West Memphis; and the following two cooperatives: Farmers Electric Cooperative Corporation and Mississippi County Electric Cooperative, Inc.

[Docket No. CP76–190]

COLUMBIA GULF TRANSMISSION CO. ET AL.

Application

DECEMBER 18, 1975.

Take notice that on December 5, 1975, Columbia Gulf Transmission Company (Columbia Gulf), P.O. Box 683, Houston, Texas 77001, Columbia Gas Transmission Corporation (Columbia Gas), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, and Texas Eastern Transmission Corporation (Texas Eastern), P.O. Box 2521, Houston, Texas 77001, jointly Applicants, filed in Docket No. CP76–190 an aplication pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange and transportation of natural gas, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicants states that pursuant to the proposed transportation and exchange agreement, Texas Eastern would receive, for the account of Columbia Gas, gas which is not expected to exceed 1,000 Mcf per day from Exxon Company, U.S.A. (Exxon), in the Lake Raccourci Field, Lafourche Parish, Louisiana, from Exxon's interest in said field. Texas Eastern would deliver an equivalent volume of natural gas to Columbia Gulf for the account of Columbia Gas at the tailgate of a gas processing plant near Venice, Plaquemines Parish, Louisiana, less adjustments for shrinkage, plant fuel, and plant and other losses.

Said deliveries would be made pursuant to a gas exchange and transportation agreement among Applicants dated October 1, 1975. It is stated that Texas Eastern has existing facilities in the Lake Raccourci area and capacity available to accept the gas dedicated to Columbia Gas and would render the proposed service on a best-efforts basis. Applicants allege that the proposed arrangements will preclude the need for a duplication of existing facilities and will assist in making contracted gas reserves available to Columbia Gas' system.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before January 14, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–220 Filed 1–5–76;8:45 am]

[Docket No. CP76–177]

COLORADO INTERSTATE GAS CO.

Application

DECEMBER 18, 1975.

Take notice that on December 2, 1975, Colorado Interstate Gas Company, a division of Colorado Interstate Corporation (Applicant), P.O. Box 1087, Colorado Springs, Colorado 80944, filed in Docket No. CP76–177 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a 450 horsepower compressor station in Weld County, Colorado, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant proposes to construct and operate a 450 horsepower compressor station consisting of two 225 horsepower units near the tailgate of Amoco Production Company's (Amoco) Spindle Gasoline Plant in Weld County, Colorado, adjacent to Applicant's existing Spindle purchase meter station. Applicant estimates that the cost of the proposed facilities would be approximately $578,949.

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The application states that under an existing agreement with Amoco, Applicant receives all gas delivered from the tailgate of Amoco's Spindle plant. This gas flows through Applicants 6-inch Spindle Lateral to the 22-inch Wyoming main line for transport to Denver, Colorado, for resale or for delivery to Applicant's Fort Morgan Storage Field. The contract between Applicant is said to provide that the delivery pressure from Amoco to CIG is not to exceed 600 psig and that based on the peak day design pressure of 512 psia, the 600 psig contract pressure is adequate. Applicant states that on Applicant's peak day, and during the winter season generally, there is normally no problem; however, during the off-peak period, fluctuation of gas usage in the Denver area complex and certain other operational requirements necessitate the frequent operation of Applicant's Wyoming main line at pressures considerably in excess of 600 psig. Inasmuch as when Applicant's main line pressure exceeds the 600 psig contract pressure, Amoco cannot deliver the total available volume and because a major portion of the available gas is casinghead production dependent upon oil production, downward adjustments in gas flow cannot be made without adversely affecting the producer's ability to maintain oil recovery levels. To prevent any impediment to Amoco's oil production and to assure that Applicant is able to accept all gas available from Amoco's Spindle plant, Applicant proposes herein to construct the proposed facilities.

Applicant estimates that there are approximately 18,200 Mcf per day available for delivery to CIG from the Spindle area during calendar year 1976 and that although it is anticipated that some deliverability decline will occur from existing sources; exploration and drilling activity is quite active in the area, and it is expected that additional gas will become available to partially offset the decline.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 13, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-219 Filed 1-5-76;8:45 am]

[Docket No. CP76-178]

COLORADO INTERSTATE GAS CO.

Application

DECEMBER 17, 1975.

Take notice that on December 2, 1975, Colorado Interstate Gas Company, a division of Colorado Interstate Corporation (Applicant), P.O. Box 1087, Colorado Springs, Colorado 80944, filed in Docket No. CP76-178 an application for a certificate of public convenience and necessity authorizing the construction of an additional point for the delivery of natural gas to Natural Gas Pipeline Company of America (Natural) and delivery of natural gas thereby, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that it controls certain volumes of natural gas in Wheeler County, Texas, pursuant to a gas purchase agreement between itself and Amarex, Inc. (Amarex), dated February 19, 1975. Applicant states that these volumes of natural gas, estimated to average approximately 1,025 Mcf per day for the first year, are distant from Applicant's pipeline system, but are relatively close to Natural's pipeline system. Applicant therefore proposes to construct approximately 4.17 miles of 4-inch pipeline, a dehydrator and a meter setting and further proposes to reimburse Natural for the cost of facilities necessary to receive the gas. The estimated cost of the facilities that Applicant proposes to construct is said to be approximately $168,411, and the estimated cost of the facilities for which Applicant would reimburse Natural is said to be approximately $2,000.

Applicant requests that the Commission authorize the proposed construction as an additional point of delivery for natural gas to Natural under Applicant's Rate Schedule F-1. It is stated that Natural will not realize an increase in gas purchase entitlement as a result of the instant proposal; however, in applying the proposed deliveries towards Applicant's obligation to Natural, a like amount of gas will be freed for service to Applicant's other customers.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 14, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-208 Filed 1-5-76;8:45 am]

CONSERVATION-TECHNICAL ADVISORY TASK FORCE-CONSERVATION WITHIN THE GAS INDUSTRY

Meeting

Conference Room 6200; Federal Power Commission, Union Plaza Building, 825 North Capitol Street, NE., Washington, D.C. 20426; January 21, 1976, 9:30 a.m.; Presiding: Mr. Edward A. Albares, Coordinating Representative and Secretary, Federal Power Commission.

1. Call to order and introductory remarks—Mr. Edward A. Albares.
2. Introduction of technical advisory Task Force Chairman—Mr. Clifford R. Horn, Petroleum Engineer-Consultant, Liberal, Kansas and introduction of Technical Advisory Task Force Vice Chairman—Mr. Thomas E. Huzzey, West Virginia Oil & Gas Conservation Commission, Charleston, West Virginia.
3. Discussion of Task Force Work Scope and Goals—Mr. Clifford R. Horn.
4. Assignment of work to Task Force members—Mr. Clifford R. Horn.
5. Establishment of priorities and completion dates for work of the Task Force—Mr. Clifford R. Horn.
6. Selection of next meeting date.

7. Discussion of other matters.
8. Adjournment—Mr. Edward A. Albares.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the Committee—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the Committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-206 Filed 1-5-76;8:45 am]

CONSERVATION-TECHNICAL ADVISORY TASK FORCE-NET ENERGY COST OF COMPETITIVE ENERGY SYSTEMS

Meeting

Conference Room 5200: Federal Power Commission, Union Plaze Building, 325 North Capitol Street, NE., Washington, D.C. 20426; January 22, 1976, 8:30 a.m.; Presiding: Dr. Richard F. Hill, Coordinating Representative and Secretary, Federal Power Commission.

1. Call to order and introductory remarks—Dr. Richard F. Hill.
2. Introduction of the Technical Advisory Task Force Chairman—Dr. Robert Rosenberg, Vice President, Engineering Research, Institute of Gas Technology, Chicago, Illinois and Introduction of the Technical Advisory Task Force Vice Chairman—Dr. Carol Zarley, Kansas Geological Survey, Lawrence, Kansas.
3. Discussion of Task Force Work Scope and Goals—Dr. Robert Rosenberg.
4. Assignment of Work to Task Force Members—Dr. Robert Rosenberg.
5. Establishment of priorities and completion dates for work of the Task Force—Dr. Robert Rosenberg.
6. Selection of next meeting date.
7. Discussion of other matters.
8. Adjournment—Dr. Richard F. Hill.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the Committee—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the Committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-204 Filed 1-5-76;8:45 am]

[Docket No. RP75-91]

CONSOLIDATED GAS SUPPLY CORP.

Further Extension of Procedural Dates

DECEMBER 12, 1975.

On November 20, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued May 19, 1975, as most recently modified by notice issued August 22, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of Staff Testimony, February 17, 1976.
Service of Intervenor Testimony, March 9, 1976.
Service of Company Rebuttal, March 30, 1976.
Hearing, April 30, 1976 (10:00 a.m., e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-207 Filed 1-5-76;8:45 am]

[Docket No. ER76-151]

DELMARVA POWER AND LIGHT CO.

Order Granting Late Intervention

DECEMBER 18, 1975.

On September 29, 1975, Delmarva Power and Light Company, a utility operating and holding company, and its two wholly-owned subsidiaries, Delmarva Power and Light Company of Maryland and Delmarva Power and Light Company of Virginia (jointly, Delmarva) tendered for filing proposed changes in the intercompany Power Supply Agreement. The proposed effective date was November 1, 1975.

Notice of Delmarva's proposed rate changes was issued on October 2, 1975, with protests and petitions to intervene due on or before October 15, 1975. On October 31, 1975, we issued an order accepting Delmarva's proposed changes for filing. We suspended the effectiveness of the proposed rate schedules for ninety (90) days and set the matter for hearing.

An untimely notice of intervention was filed by the State Corporation Commission of the State of Virginia ("the State Corporation Commission") on December 8, 1975. Having reviewed said notice, we believe that the State Corporation Commission has an interest in this proceeding which is sufficient to warrant its intervention herein.

The Commission finds. It is desirable and in the public interest to allow the State Corporation Commission to intervene in these proceedings.

The Commission orders. (A) The State Corporation Commission is hereby permitted to intervene in these proceedings subject to the rules and regulations of the Federal Power Commission; *Provided, however,* That participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in the notice of intervention; and *Provided, further,* That the admission of such intervenor shall not be construed as recognition by the Federal Power Commission that it might be aggrieved because of any order or orders of the Federal Power Commission entered in this proceeding.

(B) The intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-221 Filed 1-5-76;8:45 am]

[Docket No. CP75-96, etc.]

EL PASO ALASKA CO., ET AL.

Application, Supplements to Applications, and Consolidation of Proceedings

DECEMBER 17, 1975.

Take notice that on November 28, 1975, Interstate Transmission Associates (Arctic) (ITAA), Pacific Interstate Transmission Company (Pacific Interstate), 720 West Eighth Street, Los Angeles, California 90017, and Northwest Alaska Company (Northwest Alaska), 315 East Second South Street, Salt Lake City, Utah 84111, filed in Docket No. CP75-292 a fourth supplement to their application filed in that docket pursuant to Section 7(c) of the Natural Gas Act for authorization to construct and operate a gas transmission system as a part of a series of interrelated proposals to make available to markets in the lower forty-eight states gas from Alaska and northern Canada. The stated purpose of the fourth supplement is to refine the proposal set forth in the third supplement and to promulgate Applicant's election to request authorization for what has previously been presented as an alternative pipeline system. Take further notice that on November 28, 1975, Pacific Interstate filed in Docket No. CP75-249 a second supplement to its application filed in that docket pursuant to section 7(c) of the Natural Gas Act for authorization for the sale for resale of natural gas in interstate commerce to Southern California Gas Company (SoCal), which gas is to emanate from Alaska and northern Canada and is to be transported through the system of ITAA. The stated purpose of the second supplement is to set before the Commission additional supply and market data, as well as further letter agreements between Pacific Interstate and others for the transportation of the gas. Take further notice that on November 28, 1975, Northwest Pipeline Corporation (Northwest Pipeline), 315 East Second South Street, Salt Lake City, Utah 84111, filed in Docket No. CP76-174 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of up to 200,000 Mcf of natural gas per day for the account of Pacific Interstate. These three related proposals are more fully set forth in the application and supplements to applications which are on file with the Commission and open to public inspection.

The instant filings all relate to a collective effort known as the Arctic Gas Proj-

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ect pursuant to which gas from Alaska and northern Canada would be delivered into the system of ITAA at the U.S.-Canadian border. ITAA, acting as a contract carrier, would transport gas for the accounts of Pacific Interstate, Northwest Alaska, and other shippers to appropriate delivery points in the U.S.

ITAA has previously proposed in Docket No. CP74–292 to construct an 877-mile transmission system extending from Kingsgate, British Columbia, to a point near Oasis, California, for the transportation of approximately 1.1 million Mcf of gas per day. The third supplement to the application in Docket No. CP74–292 proposes an alternative pipeline system consisting of 277 miles of high pressure (1680 psia) 30-inch pipeline extending from Kingsgate to Stanfield, Oregon, and substantially paralleling the existing line of Pacific Gas Transmission Company (PGT). In this fourth supplement, ITAA proposes additionally to construct approximately 111 miles of pipeline loop between Stanfield and Rye Valley, Oregon, paralleling the existing facilities of Northwest Pipeline. ITAA specifically proposes to construct a 76-mile, 30-inch pipeline from Stanfield south to within 23.5 miles of Northwest Pipeline's Station 13 and to construct a 24.9-mile, 30-inch pipeline from Station 13 to Rye Valley. Thus, ITAA requests, in lieu of its previous proposals, authorization to construct approximately 390 miles of high pressure (1440 psig), 30-inch pipeline from Kingsgate to Rye Valley. The cost of the proposal in Docket No. CP74–292, at July 1, 1975, prices, is estimated to be $223,557,000. It is said that because the proposed pipeline is designed to operate at 1440 psig it will be compatible with the delivery pressure of the system of Canadian Artic Gas Pipeline Limited (Canadian Artic) at Kingsgate and no additional compression will be necessary between Kingsgate and Stanfield.

ITAA also files as part of its fourth supplement in Docket No. CP74–292 amended Exhibits F, F–I, G, G–II, K, L, N, O, and P, updating certain previously provided calculations, costs and maps, a revised environmental report, and an exhibit showing how the proposed system can be expanded to transport directly to southern California large volumes of gas, in excess of the presently proposed 600,000 Mcf per day, that may become available from Alaska and northern Canada.

ITAA's proposed system will initially carry 600,000 Mcf of gas per day, it is stated, of which 150,000 Mcf per day will be delivered for the account of Northwest Alaska into the Northwest Pipeline system at Spokane, Washington, and Stanfield and 450,000 Mcf per day will be delivered for the account of Pacific Interstate. Of the 450,000 Mcf per day delivered for the account of Pacific Interstate, 250,000 will be delivered to PGT at Stanfield. From Stanfield, PGT will deliver the gas to Pacific Gas and Electric Company (PG&E) at its delivery point on the California-Oregon border and PG&E will deliver thermally equivalent volumes into the system of SoCal. The remaining 200,000 Mcf per day will be delivered into the facilities of Northwest Pipeline at Stanfield, transported by Northwest Pipeline for delivery to El Paso Natural Gas Company (El Paso) at an existing interconnection at Ignacio, Colorado, then transported by El Paso for delivery to SoCal at the Arizona-California border. It is stated that Northwest Pipeline, El Paso, PGT, and PG&E will be supplied sufficient volumes to provide for the fuel required to carry out their transport obligations.

For its portion of the transportation, Northwest Pipeline states that it will charge Pacific Interstate in accordance with the then-effective transportation rate as reflected in Northwest Pipeline's FPC Gas Tariff. To effect the proposed transportation, Northwest Pipeline proposes, in Docket No. CP76–174, to small and operate six additional compressors totalling approximately 11,000 compressor horsepower at three existing compressor stations on its transmission system. These additional compressors would be located at Northwest Pipeline's Baker, Oregon, Compressor Station No. 13; Caldwell, Idaho, Compressor Station No. 12; and Mountain Home, Idaho, Compressor Station No. 11. Northwest Pipeline also proposes changes in the Kemmerer, Wyoming, Compressor Station No. 7 and the Pocatello, Idaho, Compressor Station No. 9 to allow for direction control of the gas flow. The estimated cost of the proposed facilities is said to be approximately $8,415,000 in 1975 dollars.

In its second supplement to the application in Docket No. CP75–249 Pacific Interstate includes five letter agreements covering the transportation of its gas by Canadian Arctic, ITAA, Northwest Pipeline, PGT and PG&E. Pacific Interstate also includes in its second supplement and exhibit demonstrating the feasibility of El Paso's transporting for Pacific Interstate 200,000 Mcf of gas per day. Finally, Pacific Interstate's second supplement updates, in amended Exhibit I, the estimates of SoCal's requirements, deliveries and curtailment and describes the market impact of the additional supplies expected to become available as a result of the proposed Arctic Gas Project.

On the basis of apparent common issues of fact, the application of Northwest Pipeline in Docket No. CP76–174 is consolidated for hearing with the proceedings in Docket No. CP75–96, et al.[1]

Any person desiring to be heard or to make any protest with reference to the application in Docket No. CP76–174 and/or the supplements in Docket Nos. CP74–292, and CP75–249 should on or before January 6, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules. Persons who have heretofore filed protests, petitions to intervene in the instant dockets or in the consolidated proceeding in Docket No. CP75–96 need not file again.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-200 Filed 1-5-76;8:45 am]

[1] The proceedings in Docket Nos. CP74–292 and CP75–249 were heretofore consolidated for hearing with the proceedings in Docket No. CP75–96, et al., by order issued January 23, 1975, and by notice issued March 12, 1975, respectively.

[Docket No. CP76–187]

EL PASO NATURAL GAS CO.

Application

DECEMBER 18, 1975.

Take notice that on December 4, 1975, El Paso Natural Gas Company (Applicant), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP76–187 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain natural gas production area facilities located on its interstate system, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant requests permission and approval to abandon facilities as are identified and described below:

A. PERMIAN BASIN AREA

1. *Jameson Area.* a. Jameson Compressor Station—2 60-horsepower Cooper Bessemer CMXD–10 compressor units, with appurtenances, located in the H&TC RR Survey, Coke County, Texas.

b. Southlake Trammel Gathering System Compressor Units—3 220-horsepower Ingersoll-Rand JVG–8 compressor units, with appurtenances, located in the T&P Survey, Nolan County, Texas.

2. *Snyder-Goldsmith Area.* a. Stanton Compressor Station—1 2,710-horsepower Solar Centaur turbine unit, with appurtenances, located in the Boyer and Cockrell Survey, Martin County, Texas.

b. Field Transmission Pipeline—Approximately 36.74 miles of 12¾-inch O.D. pipeline, with appurtenances, commencing at Applicant's Goldsmith plant in the T&P Survey, Ector County, Texas, and terminating at the 12¾-inch O.D. crossover valve in La Salle County School Land, Martin County, Texas.

3. *South Andrews–TXL Area.* a. South Andrews Field Compressor Station—5 880-horsepower Clark HRA–8 compressor units, with appurtenances located in Andrews County, Texas.

b. South Andrews Gas Lift Service Compressor and Dehydration Facilities—7 880-horsepower Clark HRA–8, 2 330-horsepower Clark HMAB–6, 1 440-horsepower Clark HMB–8 compressor units, with appurtenances, and 1 20,000-Mcf-per-day capacity absorption-dehydration unit, with appurtenances, located at Applicant's South Andrews Field Plant in Andrews County, Texas.

c. Emma Field Compressor Station—1 286-horsepower Waukesha F–3520, and 2 153-horsepower Climax K–75 compressor units, with appurtenances, located in the University Land Survey, Block 9, Andrews County, Texas.

d. TXL Compressor Station—3 660-horsepower Clark HRA–6 and 2 2,000-horsepower Ingersoll-Rand 412 KVS compressor units, with appurtenances, located in the 4 T&P RR Survey, Factor County, Texas.

e. TXL-to-Keyston Field Pipeline—Approximately 18.23 miles of 16-inch O.D. pipeline, with appurtenances, commencing at Applicant's TXL Plant in T&P Survey, Block 45, Ector County, Texas, and terminating at Applicant's Keystone Field Plant in P.S.L. Survey, Winkler County, Texas.

4. *Warren Tatum Area.* a. Warren Tatum Pipeline—Approximately 8.57 miles of 6⅝-inch O.D. pipeline, commencing at the Warren Tatum Plant and terminating at Applicant's Permian-San Juan mainline, all in Lea County, New Mexico.

5. *Miscellaneous Facilities.* a. Fullerton Field Plant—1 46,000-Mcf-per-day capacity purification and dehydration plant, with appurtenances, located at the Fullerton Field Plant, B.S.L. Survey, Andrews County, Texas.

b. Monument Field Plant—1 75,000-Mcf-per-day capacity remote absorber and 1 60,000-Mcf-per-day capacity glycol dehydration plant, with appurtenances, located at the Monument Field Plant in Lea County, New Mexico.

c. Keystone Mainline Station—1 675,000-Mcf-per-day capacity amine recovery plant, with appurtenances, located at the Keystone Mainline Station in P.S.L. Survey, Winkler County, Texas.

d. Dumas Field Plant—1 71,000-Mcf-per-day capacity dry-bed dehydration plant, with appurtenances, located at Applicant's Dumas Field Plant in H&T.C. Survey, Moore County, Texas.

B. SAN JUAN BASIN AREA

1. *San Juan River Plant.* a. San Juan River Treating Plant—1 48,000-Mcf-per-day capacity regeneration train, with appurtenances, located at Applicant's San Juan River treating plant in San Juan County, New Mexico.

Applicant proposes to abandon these facilities due to declining production and deliverability of gas supplies. Applicant alleges that, except with respect to amine recovery plant served by the Keystone mainline station in Winkler County, Texas, Applicant's remaining facilities will be sufficient to acquire, process, compress, and transport gas expected to be available. Applicant states that amount and content of the gas at the amine recovery plant do not require amine recovery in Applicant's pipeline operations; and, therefore the facilities are not required and their former amine recovery function need not be performed elsewhere.

The application further states that the total original book cost of the facilities proposed to be abandoned is $10,074,657. The total cost of abandonment of such facilities is estimated to be approximately $1,589,050. Applicant proposes to abandon a majority of such facilities and thereafter to remove and dispose of salvable materials in the most economical manner available and to abandon the remainder of such facilities in place and to account for salvable materials as stock items pending their future use in Applicant's operations, all with consequent reductions in Applicant's cost of service.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 12, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-222 Filed 1-5-76;8:45 am]

[Docket No. CP75–20 and CI75–116]

FLORIDA GAS TRANSMISSION CO., ET AL.

Intent To Act

DECEMBER 19, 1975.

Petroleum Management, Inc. (PMI) and Skelly Oil Company on November 21, 1975, filed a motion requesting the Commission to retract its order of November 19, 1975, in the above-entitled proceedings or, alternatively, for a stay of paragraph (C) of such order. The Commission intends to issue an order on this matter in the near future. Therefore the motion shall not be deemed denied under § 1.12(e) of the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75–201; Filed 1–5–76;8:45 am]

[Docket No. E–9239]

INDIANA AND MICHIGAN ELECTRIC CO.

Extension of Procedural Dates

DECEMBER 18, 1975.

On November 28, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued September 17, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of Staff Testimony, February 20, 1976.
Service of Intervenor Testimony, March 5, 1976.
Service of Company Rebuttal, March 19, 1976.
Hearing, April 7, 1976 (10:00 a.m., e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–194 Filed 1–5–76;8:45 am]

[Docket Nos. RP75–104; RP75–110 and RP76–48]

LAWRENCEBURG GAS TRANSMISSION CORP.

Order Accepting for Filing and Suspending Proposed Rate Change and Curtailment Plan Filing, Granting Waiver, Severing Issue, Consolidating Proceedings, and Rejecting Duplicative Filing

DECEMBER 17, 1975.

On November 17, 1975, in Docket No. RP75–104 Lawrenceburg Gas Transmission Corporation (Transmission Corporation) tendered for filing; its proposed F.P.C. Gas Tariff, First Revised Volume No. 1 which would supersede its presently effective Original Volume No. 1 in its entirety; two revised service agreements; and supporting schedules in support of the filing pursuant to the Commissions' Regulations. Transmission Corporation states that the filing is in compliance with the Commission's order issued October 31, 1975, in Docket No. CP75–370, which approved certain changes in terms and conditions of sales made to its affiliate, Lawrenceburg Gas Company (Gas Company) and its parent, Cincinnati Gas & Electric Company (Cincinnati). Under the proposal, redesign of rates, terms and conditions will occur, but there will be no change in revenues over the level being collected, subject to refund in Docket No. RP75–104, as adjusted for a subsequent PGA filing.[2] Transmission Corporation requests waiver of the notice requirements to permit an effective date of November 1, 1975, for the entire filing, including the curtailment plan. Transmission Corpora-

[2] The filing also contains a revised curtailment plan filed pursuant to Ordering Paragraph (B) of the Commission's October 31, 1975, order in Docket No. CP75–370.

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tion states that it is imperative that the entire filing have the same effective date.

Also, on November 17, 1975, Transmission Corporation made a filing in Docket No. RP75–110 containing only the curtailment portion of the November 17, 1975, filing in Docket No. RP75–104. Since the filing in Docket No. RP75–110 is duplicative of material contained in the Docket No. RP75–104 filing, we shall reject that filing.

The filing was noticed on December 3, 1975, with comments due on or before December 27, 1975. To date, no comments have been received.

Our review of Transmission Corporation's filing indicates that it is in substantial compliance with the Commission's October 31, 1975, order in Docket No. CP75–370. However, we note that the rate levels reflected in the revised rates are based upon costs which are subject to investigation in Docket No. RP75–104. Moreover, the proposed curtailment plan has not been shown to be just and reasonable. Therefore, the filing raises certain issues which may require development in an evidentiary proceeding. Accordingly, for good cause shown, we shall grant Transmission Corporation's request for waiver of the notice requirements and shall suspend its filing for one day until November 1, 1975, when it may become effective, subject to refund. The trial of the rate issues raised herein shall be consolidated for purposes of hearing and decision with the proceedings in Docket No. RP75–104, and the consolidated proceedings shall be governed by the procedures prescribed in that docket. The justness and reasonableness of the proposed revised curtailment plan shall be docketed in Docket No. RP76–48 severed from Docket No. RP75–104, and made subject to such procedures as the Commission may prescribe by further order in Docket No. RP76–48.

The Commission finds. Good cause exists to grant waiver of the notice requirements and to accept for filing and suspend Transmission Corporation's November 17, 1975, filing in Docket No. RP75–104.

The Commission orders. (A) For good cause shown, waiver of the Commission's notice requirements in Section 154.22 of the regulations is granted and Transmission Corporation's November 17, 1975, submittal in Docket No. RP75–104 is accepted for filing and suspended for one day until November 1, 1975, when they may become effective, subject to refund.

(B) Pursuant to the Natural Gas Act, particularly sections 4 and 5 thereof, the hearing shall be held regarding the rate issues raised in the instant filing. The trial of the rate issues raised in the instant filing is consolidated for purposes of hearing and decision with the proceedings in Docket No. RP75–104, and the consolidated proceedings are hereby made subject to the procedures prescribed in Docket No. RP75–104.

(C) The curtailment issues raised by the November 17, 1975 filing in Docket No. RP75–104 is hereby severed from said docket, re-docketed as RP76–48 and made subject to such procedures as the Commission may prescribe by further order in Docket No. RP76–48.

(D) Transmission Corporation's filing in Docket No. RP75–110 is rejected.

(E) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–210 Filed 1–5–76;8:45 am]

[Docket No. CP76–170]

MISSISSIPPI RIVER TRANSMISSION CORP.

Application

DECEMBER 17, 1975.

Take notice that on November 26, 1975, Mississippi River Transmission Corporation (Applicant), 9900 Clayton Road, St. Louis, Missouri 63124, filed in Docket No. CP76–170 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale of natural gas to Laclede Gas Company (Laclede), all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that it transports and sells natural gas to utility distributor customers for resale and its principal sales are made to Laclede and Illinois Power Company. Applicant requests authorization in the instant application to sell natural gas to Laclede in accordance with the provisions of a Special Winter Service Contract dated November 1, 1975. It is proposed that Applicant resell to Laclede a portion of the natural gas that Laclede has sold to Applicant from Laclede's interest (approximately 8 percent) in gas production from the Mills Ranch (Hunton) Field, Wheeler County, Texas. It is stated that Applicant is presently purchasing gas from seven completed wells in the field, from various producers including Laclede. Applicant states that the sales by Laclede to Applicant are being made pursuant to a certificate which was issued by the Commission on January 11, 1974 (51 FPC 169), and which terminates February 16, 1976.

The service proposed to be rendered by Applicant is a winter service and would consist of Applicant's selling to Laclede for 100 days out of a 120-day period beginning November 15 the volume of natural gas that Laclede has sold to Applicant during the prior 12-month period, subject to certain adjustments and less the volume of gas attributable to Laclede that Applicant was obligated to sell to Natural Gas Pipeline Company of America to have the remaining gas delivered to Applicant's main pipeline system. Applicant is said to receive from Natural 66⅔ percent of the gas delivered to Natural and the remaining 33⅓ percent is purchased by Natural under its transportation agreement. Laclede would be obligated to bear its proportionate share of such costs.

The total initial price of the gas proposed to be sold to Laclede is said to be (1) the purchase cost to Applicant of the gas delivered to Laclede, (2) the cost of having such gas delivered to Applicant by Natural, and (3) 60 cents per Mcf for gathering costs in the field, transportation through Applicant's system, and storage and other costs. Applicant states that no new facilities would be necessary to institute the proposed sale and that the sale would have no adverse affect on any of Applicant's existing customers.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 13, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–211 Filed 1–5–76;8:45 am]

[Docket No. CP76–163]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Application

DECEMBER 18, 1975.

Take notice that on November 19, 1975, Natural Gas Pipeline Company of America (Applicant), 122 South Michigan Avenue, Chicago, Illinois 60603, filed in Docket No. CP76–163 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of approximately 15.29 miles of 30-inch loop pipeline to increase the capacity of its Louisiana supply pipeline in Harris, Liberty and Jefferson Counties, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the certificated capacity of its Louisiana supply pipeline, at 1,078,000 Mcf of gas per day, is insufficient to accommodate the increased deliveries of gas from certain sources of supply off-shore Louisiana and offshore Texas which are dedicated to Applicant. It is stated that part of the production from the West Cameron Block 543 and most of the production from the West Cameron Block 533 and the East Cameron Block 322 fields, offshore Louisiana, and all of the production from the West Cameron Block 28, Vermilion Block 314, Vermilion Block 321 fields, offshore Louisiana and High Island Block 23–L field, offshore Texas, is dedicated to Applicant. Applicant states that production from these sources of supply have just recently commenced or will soon commence flowing into Applicant's Louisiana supply pipeline. Applicant adds that in December 1975, its Louisiana supply line will also experience increased flow from a second production platform in the Eugene Island Block 331 field. In addition Applicant states, the capability of its Louisiana supply line to deliver certificated capacity has been affected by minor variations of input and increases in offshore volumes so that the line is presently incapable of delivering full certificated capacity to Station 302 on its system.

In order to accommodate the increased deliveries and Station 302 requirements Applicant proposed to construct and operate approximately 8.95 miles of loopline in Jefferson Parish, Louisiana, and 6.34 miles of loopline in Liberty and Harris Counties, Texas. Applicant states that the proposed facilities will increase the capacity of Applicant's onshore Louisiana supply pipeline to approximately 1,172,700 Mcf of gas per day. The estimated cost to construct the proposed facilities is $7,164,000, which will be financed through interim and permanent borrowing.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB, *Secretary.*

[FR Doc 76–195 Filed 1–5–76; 8:45 am]

[Docket No. CP75–361]

NORTHERN NATURAL GAS CO.

Postponing Prehearing Conference

DECEMBER 17, 1975.

By letter filed December 16, 1975, Northern Natural Gas Company requested a postponement of the prehearing conference scheduled for December 18, 1975, by order issued December 2, 1975. The letter states that intervenor, Southwest Kansas Cooperative, supports the request. The letter also states that Staff Counsel has no objection to the postponement of the prehearing conference.

Upon consideration, notice is hereby given that the prehearing conference is postponed to January 8, 1976, at 10 a.m., e.s.t. The other dates remain unchanged.

Service of Applicant and Supporting parties Testimony, January 16, 1976.
Hearing, January 23, 1976 (10 a.m., e.s.t.).

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–212 Filed 1–5–76;8:45 am]

[Docket No. CP76–166]

PEOPLES NATURAL GAS DIVISION OF NORTHERN NATURAL GAS CO.

Application

DECEMBER 18, 1975.

Take notice that on November 20, 1975, Peoples Natural Gas Division of Northern Natural Gas Company (Applicant), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP76–166 an application for an order declaring that the construction and operation of a liquefied natural gas (LNG) liquifaction, storage and vaporization facility in Hancock County, Iowa, is not subject to the jurisdiction of the Commission or, in the alternative, for a certificate of public convenience and necessity authorizing said construction and operation pursuant to section 7(c) of the Natural Gas Act, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant proposes to construct and operate a LNG facility in Hancock County, Iowa, with a capability of liquefying 15,000 Mcf of natural gas per day for storage in a holding tank having a net capacity of 1,500,000 Mcf. The stated maximum vaporization and send-out rate would be 50,000 Mcf per day, which rate the proposed facility is said to be capable of sustaining for 30 days. At the vaporization rate of 15,000 Mcf per day, Applicant states that the send-out would be for a period of 100 days, or the entire heating season. It is stated that the gas which would be liquefied would be normally consumed by low priority users during the summer months and that the proposed project would make such gas available to high priority users during the winter months. It is stated further that the proposed LNG facility would provide peak shaving during the winter heating season which would enable Applicant to provide service to new residential and small volume firm customers on Applicant's distribution system.

Applicant submits that the proposed facility should be declared exempt from the jurisdiction of the Commission pursuant to section 1(b) of the Natural Gas Act because it would be used by Applicant to aid and assist Applicant in the local distribution of natural gas in Iowa, Nebraska and Minnesota. The application states that the volumes of natural gas made available for liquefaction would otherwise be distributed and sold within Applicant's contract demand and that the volumes vaporized and made available by displacement by Applicant during the winter would be utilized in the various distribution systems operated by Applicant for sale and delivery to small commercial and residential customers. Applicant further states that the distribution systems, which would be served by the proposed facility are so small in size and are so scattered in the three-state area that Applicant could not feasibly construct and operate an LNG plant for any single community. Applicant submits that the fact that the plant is to be located not within a particular community, but at a point where all Applicant's distribution systems can be served should not convert what would otherwise be a facility used for local distribution into a facility used for the transportation of natural gas in interstate commerce.

Applicant estimates that the cost of the proposed facility would be approximately $28,406,350.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 9, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding.

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Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-196 Filed 1-5-76;8:45 am]

[Docket No. ER76-285]

PUBLIC SERVICE CO. OF NEW HAMPSHIRE

Order Accepting for Filing and Suspending Proposed Fuel Adjustment Clause, Establishing Procedure, and Granting Interventions

On November 21, 1975 Public Service Company of New Hampshire (PSNH) tendered for filing amendments to its contracts for resale service[1] which purport to conform the fuel clause in each contract to the requirements set forth in Commission Order No. 517, 18 CFR 35.14 (1975). PSNH's amended fuel clause would reflect a base cost of fuel of approximately 1.5c per Kwh on the basis of PSNH's fuel costs for the twelve month period ending September 30, 1975. The amendment also increases the energy charge to approximately 1.8c per Kwh to reflect the increase in the base cost of fuel as proposed over the base cost in the presently effective fuel clause. PSNH proposes a temporary surcharge for one year of 0.155c per Kwh, or approximately $1,282,571 over the year, to recover unbilled fuel costs existing as of November 30, 1975 which PSNH claims would otherwise be unrecovered due to the switch from its present two month lag between the time costs are incurred and the application of the fuel adjustment clause. PSNH requests waiver of the thirty day notice requirement to permit the proposed fuel clause to become effective December 1, 1975.

Notice of PSNH's proposal was issued on December 3, 1975 with protests, comments or petitions to intervene due on or before December 11, 1975. On November 26, 1975 a Motion to Reject, Protest and Petition to Intervene was filed by New Hampshire Electric Cooperative, Inc., the Towns of Ashland and Wolfeboro, New Hampshire and the Village Precinct of New Hampton, New Hampshire (Customers). The Customers Motion requests that waiver of the thirty day notice provision be denied; urges that the proposed fuel clause be rejected for failure to comply with the Commission's Regulations; requests rejection of the proposed surcharge; and, protests the increase. On December 11, 1975 Petitions to Intervene were filed separately by Concord Electric Company and Exeter & Hampton Electric Company (Electrics). Both Petitions request that PSNH's request for waiver of the thirty day notice requirement be denied. PSNH filed on December 11, 1975 an Answer to the Customers' Motion in which they asserted "[r]ejection in the instant proceeding without a hearing would be clearly inappropriate when the Commission still has the surcharge question before it" in Maine Public Service Company, Docket No. E-8264,[2] wherein the surcharge question is presently set for hearing and decision.

Our review of the proposed fuel adjustment clause which is the same in each of the contracts previously listed indicates that its format and the computed base fuel cost do not conform with the requirements of Order No. 517. Furthermore, it has not been shown that the proposed temporary surcharge will operate in a manner consistent with Section 35.14 of the Commission's regulations, 18 CFR 35.14 (1975). The proposed fuel clause and the temporary surcharge may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

As noted above, PSNH has requested that we waive the 30-day notice requirement of our Regulations to permit the proposed fuel clause to become effective December 1, 1975. In its "Answer" filed December 11, 1975, PSNH requests that its filing be made effective on January 1, 1976, if waiver of the notice requirement is denied. We see no reason to waive such requirement. Accordingly, we shall accept PSNH's proposals for filing and suspend their use until January 1, 1976, when they will be permitted to become effective, subject to refund, pending hearing and decision on the justness and reasonableness of the charges contained therein.

The Commission finds (1) Good cause exists to deny PSNH's request for waiver of the thirty day notice requirement.

(2) Good cause exists to accept PSNH's filing and suspend its operation until January 1, 1976, when it will be permitted to become effective, subject to refund.

(3) Good cause exists to permit the Customers' and the Electrics' to intervene.

The Commission orders. (A) Pending hearing and decision on the lawfulness of the increased charges proposed, PSNH's amendments are hereby accepted for filing and suspended, until January 1, 1976, when they will be permitted to become effective, subject to refund.

(B) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d), shall preside at an initial conference in this proceeding on January 22, 1976 at 10:00 A.M., in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates for this proceeding and to rule upon all motions (except petitions to intervene).

(C) The above-mentioned petitioners are hereby permitted to intervene in this proceeding, subject to the Rules and Regulations of the Commission; *Provided, however,* That the participation of such intervenors shall be limited to matters affecting the rights and interests specifically set forth in the respective petitions to intervene; and *Provided, further,* That the admission of such intervenors shall not be construed as recognition that they or any of them might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(D) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to § 1.18 of the Commission's rules of practice and procedure.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

Issued December 19, 1975.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-202 Filed 1-5-76;8:45 am]

[Docket No. ID-1686]

ROBERT E. MAGUIRE

Supplemental Application

DECEMBER 18, 1975.

Take notice that on May 19, 1975, Robert E. Maguire (Applicant), Vice President, Montaup Electric Company, Boston, Massachusetts, filed a supplemental application with the Federal Power Commission. Pursuant to Section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Director,[1] Blackstone Valley Electric Company[4] (Blackstone Valley), Public Utility.
Director,[2] Brockton Edison Company[4] (Brockton Edison), Public Utility.

[1] The contracts involved in this filing are designated as PSNH's Rate Schedules: FPC No. 24, Concord Electric Company; FPC No. 28, Town of Ashland, New Hampshire; FPC No. 29, The New Hampton Village Precinct; FPC No. 35, Exeter & Hampton Electric Company; FPC Nos. 50 and 71, New Hampshire Electric Cooperative, Inc.; FPC No. 72, Town of Wolfeboro.

[2] Order issued May 5, 1975.

[1] Elected to this position on April 8, 1975.
[2] Elected to these positions on April 16, 1975.

Director,[2] Fall River Electric Light Company[4] (Fall River), Public Utility.
Director & Vice Pres.,[2] Montaup Electric Company[4] (Montaup Electric), Public Utility.

By order dated May 15, 1973, the Commission authorized the Applicant to hold the positions of Director of Massachusetts Electric Company and the Narragansett Electric Company. The Applicant resigned these positions December 18 and 20, 1974.

Blackstone Valley is engaged in the generation, purchase, transmission and distribution of electric energy in the entire Blackstone Valley of Rhode Island. Brockton Edison is engaged in the transmission and distribution of electric energy in the city of Brockton and 16 surrounding towns in Massachusetts. Fall River is engaged in the distribution of electric energy in the city of Fall River and neighboring towns. Montaup Electric is engaged in the generation and transmission of electric energy to Blackstone Valley, Brockton Edison and Fall River which companies own all of Montaup's outstanding securities except short-term notes representing bank borrowings. The Company also supplies electric energy to Newport Electric Corporation and Narragansett Electric Company for resale.

Any person desiring to be heard or to make any protest with reference to such application should, on or before January 8, 1976, file with the Federal Power Commission, in accordance with the requirements of the Commission's rules of practice and procedure (18 C.F.R. 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to the proceding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-197 Filed 1-5-76;8:45 am]

[Docket No. CI66-176]

SKELLY OIL CO. (OPERATOR), ET AL.

Extension of Procedural Dates

DECEMBER 18, 1975.

On December 15, 1975, Skelly Oil Company filed a telegram requesting a postponement of the procedural dates established by the order issued December 8, 1975, in the above-designated proceeding. The telegram states that Arkansas Louisiana Gas Company has no objection to the request.

Upon consideration, notice is hereby given that the procedural dates in the above-designated matter are postponed as follows:

Filing of case in chief evidence, January 15, 1976.
Hearing, February 3, 1976 (10 a.m., e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-198 Filed 1-5-76;8:45 am]

[Docket No. CP76-172]

TEXAS EASTERN TRANSMISSION CORP.

Application

DECEMBER 17, 1975.

Take notice that on November 26, 1975, Texas Eastern Transmission Corporation (Applicant), P.O. Box 2521, Houston, Texas 77001, filed in Docket No. CP76-172 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the receipt of natural gas by displacement from Algonquin Gas Transmission Company (Algonquin) and the redelivery of such gas by displacement to Transcontinental Gas Pipe Line Corporation (Transco) for the account of Delmarva Power & Light Company (Delmarva), all as more fully set forth in the application on file with the Commission and open to public inspection.

The application states that Delmarva has entered into an arrangement with Algonquin LNG, Inc. (Algonquin LNG), a subsidiary of Algonquin, under which Delmarva is in the process of storing approximately 300,000 Mcf of gas in liquid form (LNG) in the tank of Algonquin LNG at Providence, Rhode Island, for use during the 1975-76 winter to supplement Delmarva's supply in its Wilmington, Delaware, service area. It is said that Delmarva has requested the assistance of Algonquin, Applicant, and Transco in having equivalent quantities of gas delivered to it during the 1975-76 winter at the rate of approximately 10,000 Mcf of gas per day beginning on or about December 1, 1975.

Applicant states that Delmarva, Algonquin, Applicant and Transco have entered into an agreement, under the terms of which Algonquin, upon the request of Delmarva, would receive from Algonquin LNG by displacement and would transport to Applicant by displacement gas equal to quantities of LNG gasified and delivered by Algonquin LNG for the account of Delmarva from Algonquin's LNG's tank and equal to the quantities Delmarva desires to have delivered to it. Applicant would receive such gas from Algonquin by displacement at Applicant's existing delivery point to Algonquin near Hanover, New Jersey, such deliveries may be made at another existing delivery point, and would transport and deliver it by displacement to Transco. Transco would receive such gas from Applicant at mutually agreeable existing exchange points in the New Jersey-Pennsylvania area and would transport and deliver it to Delmarva at existing points of delivery.

It is said that the delivery of gas to Delmarva would be interruptible and on a best efforts basis, and such deliveries would occur whenever in the opinion of Algonquin, Applicant, and Transco operating conditions on their respective pipeline systems permit such delivery; and in no event would Algonquin, Applicant, and Transco be obligated deliver more than 10 billion Btu of gas per day to Delmarva. The delivery of gas by Algonquin to Applicant and the delivery of gas by Applicant to Transco would be on an equivalent heat content basis to the quantity of gas delivered by Algonquin LNG on any given day. Deliveries of gas by Transco to Delmarva would be equivalent to the volume delivered by Applicant to Transco on any given day.

It is stated further that the quantities of gas sold by Applicant to Algonquin under Applicant's sales rate schedules shall include the volume of gas scheduled to be delivered to Delmarva on any day when deliveries are made.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 15, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-212 Filed 1-5-76;8:45 am]

[Docket No. CP76-175]

TEXAS GAS TRANSMISSION CORP.

Application

DECEMBER 17, 1975.

Take notice that on November 28, 1975, Texas Gas Transmission Corporation

[4] Elected to these positions on April 15, 1975.
[4] Subsidiary of Eastern Utilities Associates.

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(Applicant), 3800 Frederica Street, Owensboro, Kentucky 42301, filed in Docket No. CP76–175 an application pursuant to section 7(b) and (c) of the Natural Gas Act and § 157.7(g) of the Regulations thereunder [18 CFR 157.7 (g)] for a certificate of public convenience and necessity authorizing the construction and for permission and approval for the abandonment during the twelve-month period commencing November 5, 1975, and the operation of field gas compression and related metering and appurtenant facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in the construction and abandonment of facilities which will not result in changing Applicant's system salable capacity or service from that authorized prior to the filing of the instant application.

Applicant states that the total cost of the proposed construction would not exceed $3,000,000 nor would the cost of any single project exceed $500,000 which cost Applicant states would be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 13, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–214 Filed 1–5–76;8:45 am]

TRANSMISSION, DISTRIBUTION & STORAGE-TECHNICAL ADVISORY TASK FORCE-IMPACT OF GAS SHORTAGE ON CONSUMERS

Meeting

Conference Room 6200, Federal Power Commission Union Plaza Building, 825 North Capitol Street, NE., Washington, D.C. 20426. January 16, 1976, 9:30 a.m.

Presiding: Mr. Michael C. Bachman, Coordinating Representative and Secretary Federal Power Commission.

1. Call to Order and Introductory Remarks—Mr. Michael C. Bachman.
2. Introduction of the Technical Advisory Task Force Chairman—Mr. Louis Santone, Department of Commerce, Washington, D.C., and Introduction of Technical Advisory Task Force Vice Chairman—Mr. Thomas J. Joyce, Independent Consultant, Fairfax, Virginia.
3. Discussion of Task Force Work Scope and Goals—Mr. Louis Santone.
4. Assignment of Work to Task Force Members—Mr. Louis Santone.
5. Establishment of Priorities and Completion Dates for Work to the Task Force—Mr. Louis Santone.
6. Selection of Next Meeting Date.
7. Discussion of Other Matters.
8. Adjournment—Mr. Michael C. Bachman.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–203 Filed 1–5–76;8:45 am]

TRANSMISSION, DISTRIBUTION & STORAGE-TECHNICAL ADVISORY TASK FORCE-IMPACT OF GAS SHORTAGE ON TRANSMISSION, DISTRIBUTION & STORAGE

Meeting

Conference Room 5200, Federal Power Commission, Union Plaza Building, 825 North Capitol Street NE., Washington, D.C. 20426, January 27, 1976, 9:30 a.m.

Presiding: Mr. Michael C. Bachman, Coordinating Representative and Secretary, Federal Power Commission.

1. Call to Order and Introductory Remarks—Mr. Michael C. Bachman.
2. Introduction of the Technical Advisory Task Force Chairman—Mr. James Amspoker, Senior Vice President, Columbia Gas Transmission Corporation, Charleston, West Virginia, and Introduction of Technical Advisory Task Force Vice Chairman—Mr. Everett Morris, Senior Vice President of Corporate Development, Public Service Electric & Gas Company, Newark, New Jersey.
3. Discussion of Task Force Work Scope and Goals—Mr. James Amspoker.
4. Assignment of Work to Task Force Members—Mr. James Amspoker.
5. Establishment of Priorities and Completion Dates for Work of the Task Force—Mr. James Amspoker.
6. Selection of Next Meeting Date.
7. Discussion of Other Matters.
8. Adjournment—Mr. Michael C. Bachman.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–205 Filed 1–5–76;8:45 am]

[Docket No. CP76–179]

UNITED GAS PIPE LINE CO.

Application

DECEMBER, 18, 1975.

Take notice that on December 1, 1975, United Gas Pipe Line Company (Applicant), 1500 Southwest Tower, Houston, Texas 77002, filed in Docket No. CP76–179 an application pursuant to section 7(b) of the Natural Gas Act and § 157.7 (e) of the regulations thereunder [18 CFR 157.7(e)] for permission and approval to abandon service and facilities therefor no longer required by Applicant's direct sales customers, all as more fully set forth in the application on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to enable an Applicant to act with reasonable dispatch during the twelve-month period commencing October 1, 1975, to cease service and remove direct sales measuring, regulating and related minor facilities no longer required for service to Applicant's direct sales customers. The deliveries to any one direct sale customer to be abandoned would not have exceeded 100,000 Mcf in the last year of service. No facilities or service would be abandoned by Applicant unless it has received a written request from or obtained written permission from the customer for such abandonment; except that where a request or permission cannot be obtained, Applicant would certify to the Commission that the customer has no further need for service.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 12, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act 18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–199 Filed 1–5–76;8:45 am]

[Docket No. CP76–176]

UNITED GAS PIPE LINE CO.

Application

DECEMBER 17, 1975.

Take notice that on December 1, 1975, United Gas Pipe Line Company (Applicant), 1500 Southwest Tower, Houston, Texas 77002, filed in Docket No. CP76–176 an application pursuant to section 7(c) of the Natural Gas Act for authorization to construct two farm taps for the rendition of service to two right-of-way grantors, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that in December 1960, it obtained right-of-way easements for its South Louisiana-North Louisiana pipeline from Paul Thistlewaite (Thistlewaite) and from Thistlewait. Planting Company (Thistlewaite Planting) and that in partial consideration for the granting of said easements Applicant agreed to construct taps and deliver natural gas for Thistlewaite and Thistlewaite Planting. Applicant proposes to construct two farm taps for the right-of-way grantors, both in St Landry Parish, Louisiana, at a total cost estimated to be $2,190. Deliveries of approximately 80 Mcf annually of natural gas to each consumer would be made by the local distributor, Entex, Inc. (Entex). Applicant states that the proposed service can be provided by Entex out of its authorized seasonal volumetric limitation of gas purchased from Applicant.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 16, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–216 Filed 1–5–76;8:45 am]

[Docket No. RP75–30]

UNITED GAS PIPE LINE CO.

Further Extension of Procedural Dates

DECEMBER 18, 1975.

On November 11, 1975, United Gas Pipe Line Company filed a motion to extend the procedural dates fixed by order issued December 19, 1974, as most recently modified by notice issued October 22, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of Intervenor Testimony, March 1, 1976.

Service of Company Rebuttal, March 15, 1976.

Hearing, April 5, 1976 (10 a.m., e.s.t).

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–200 Filed 1–5–76; 8:45 am]

U.S. DEPARTMENT OF THE INTERIOR, SOUTHWESTERN POWER ADMINISTRATION

[Docket No. E–6043]

Request for Confirmation and Approval of Rate Schedule

DECEMBER 17, 1975.

Take notice that on December 9, 1975, the Department of the Interior, acting on behalf of Southwestern Power Administration (SPA) filed a request for the Federal Power Commission to confirm and approve a contract rate of compensation in the amount of $556,000 annually for the period September 30, 1975, through June 30, 1980, for the Power and Energy generated at the Narrows Dam Reservoir Project.

The Power and Energy generated at the Narrows Dam is sold under the contract dated May 11, 1960, between the United States of America and the Texas La Electric Cooperative, Inc. (Tex-La) (Contract 14–02–0001–92), a copy of which is on file with the Commission. The contract provides that at any time after May 31, 1965, and from time to time thereafter, but not more than once every five years, the schedule of compensation for the purchase and sale of Narrows Dam Power and Energy may be reviewed and redetermined by SPA and, with the confirmation and approval of the Commission, modified, amended, or superseded.

The Rate and Rate and Repayment Study submitted with the request demonstrates that an increase in the annual rate of compensation from $465,000 to $556,000 is necessary to meet annual operating costs for the production of Power and Energy at Narrows Dam, and to repay the investment allocated to power at a 50-year rate. SPA states that the primary reason for the rate increase is that the annual cost of the operation and maintenance of the Narrows Dam allocated to power has exceeded the estimates of such cost utilized in SPA's 1970 Repayment Study, which was submitted to the Commission in support of the current rate.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with SS 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed by January 9, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–215 Filed 1–5–76;8:45 am]

[Docket No. ER76–150]

WISCONSIN PUBLIC SERVICE CORP.

Order Accepting for Filing and Suspending Proposed Rate Increase, Permitting Intervention and Providing for Hearing

DECEMBER 19, 1975.

On September 25, 1975, Wisconsin Public Service Corporation (Wisconsin) tendered for filing a proposed increase in rates[1] for electric service to eight municipal customers.[2] By letters dated October 20 and November 11, 1975, the Secretary informed Wisconsin that its submittal was deficient with respect to the Commission's requirement that the

[1] See Attachment for list of designations and descriptions.

[2] The Cities of Algoma, Eagle River, New Holstein, Sturgeon Bay, Two Rivers, and the Village of Stratford, all located in Wisconsin, and the City of Stephenson and the Village of Daggett, both located in Michigan.

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period for which Period I cost of service data is submitted should end no more than seven months prior to the filing date of the submittal. Wisconsin subsequently completed its filing on November 21, 1975, by submitting updated cost of service data for Period I. The proposed rates would increase revenues from jurisdictional sales and service by $1,186,277 based upon a 12-month test period ending August 31, 1975. Wisconsin proposes that the rates be made effective as of November 25, 1975, but that if suspension is ordered, it be for no more than one day.

Notice of the filing was issued on October 2, 1975, with comments, protests, or petitions to intervene due on or before October 20, 1975. On October 20, 1975, a petition to intervene[2] was filed by seven of the municipal customers.[4] The Cities contend that the proposed rate schedules may not be just, reasonable, lawful or nondiscriminatory. In particular, the Cities maintain that Wisconsin's claimed return on common equity of 15% and 10.29% on rate base are excessive, unreasonable, unlawful and discriminatory. They believe the Company's computations of cost allocations to the wholesale customers may be erroneous and result in excessive, unreasonable, unlawful and discriminatory allocations of costs to the petitioners. In addition, they claim that the proposed rates for wholesale electric services are generally higher than retail rates for large commercial and industrial service. Said difference, the Cities state, diminishes their ability to compete with the Company for retail customers and is discriminatory and anticompetitive. Finally, the Cities allege that the proposed time of day rate is inconsistent with Wisconsin's position on time of day pricing for retail customers and will put wholesale customers at a disadvantage. They aver that, whereas Wisconsin is carefully studying the application of time of day rates to its retail customers, it is precipitously imposing time of day rates on its wholesale customers, substantial numbers of whom have residential and rural customers whose liability under time of day rates requires further study. Therefore, the Cities request that they be permitted to intervene in the proceedings, that the proposed rate schedules be suspended for the maximum suspension period and that the proposed rates be investigated.

On October 31, Wisconsin filed its answer to the Cities' pleading, wherein it objected to their petition to intervene and to their request for the maximum suspension period. Wisconsin denies that the proposed rate increase and cost allocations are unreasonable, unlawful and discriminatory. Wisconsin also maintains that the Cities' contentions regarding the "price-squeeze" impact of the proposed rates are outside the jurisdiction of this Commission. With respect to time of day pricing, Wisconsin contends that the method represents a movement toward the better reflection of costs and that conditions make it possible to implement time of day pricing for wholesale customers at this time, whereas that is not the case for the Company's commercial and industrial customers.

Our review of Wisconsin's filing indicates that the proposed rate increase has not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential or otherwise unlawful. Accordingly, pursuant to authority vested in us by Section 205 of the Federal Power Act, we shall accept Wisconsin's submittal for filing and suspend the use thereof for two months until February 22, 1976. In addition, we shall establish hearing procedures to determine the justness and reasonableness of the changes proposed by Wisconsin.

The Commission must utilize a cost plus fair return standard for establishing the justness and reasonableness of wholesale rates and does not have the authority under the Federal Power Act to set wholesale rates predicated upon retail rates over which we have no jurisdiction.[5] We shall therefore limit this proceeding so as to exclude consideration of the price squeeze issue. We are aware of Cities' reliance upon Conway Corporation v. F.P.C., 510 F. 2d 1264 (1975). However the court in Conway stayed its mandate pending appeal by the Commission and has subsequently granted certiorari.[6] Accordingly, Cities may renew its request for consideration of the price squeeze issue when and if the Conway decision becomes final.

Evidence relevant to the issues raised by the instant filing should be submitted by all parties, including our Staff. Without limiting the rights of the parties, including Staff, to present such further evidence as they deem relevant and material, we hereby direct the parties and our Staff to present evidence which addresses itself to the following issues:

(1) The justness and reasonableness of the rate of return, including the claimed return on common equity of 15%, to be earned by Wisconsin from the rates and charges proposed herein;

(2) The appropriateness of the Company's computations with respect to cost allocations to the wholesale customers; and

(3) The appropriateness of Wisconsin's implementing time of day pricing for these wholesale customers at this time.

The Commission finds. (1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the rates and charges contained in Wisconsin Public Service Corporation's filing in Docket No. ER76–150.

(2) Good cause exists to accept for filing and suspend the proposed changes in Wisconsin's rates to these wholesale customers, as hereinafter ordered.

(3) "Price-squeeze" issues should be excluded from the proceeding hereinafter established.

(4) The participation of Cities in this proceeding may be in the public interest.

The Commission orders. (A) Pursuant to the authority of the Federal Power Act, particularly Section 205 thereof, the Commission's rules of practice and procedure, and the Regulations under the Federal Power Act (18 CFR, Chapter I), a public hearing shall be held concerning the lawfulness of the rates and charges contained in Wisconsin's instant rate filing.

(B) Pending a hearing and a decision thereon, Wisconsin's proposed changes in rates and charges, tender of which was completed on November 21, 1975, are accepted for filing and suspended for two months, the use thereof deferred until February 22, 1976, when said proposed rates and charges shall become effective, subject to refund.

(C) The Cities are hereby permitted to intervene in these proceedings, subject to the Rules and Regulations of the Commission: *Provided, however,* That the participation of such intervenors shall be limited to matters affecting rights and interests specifically set forth in their petition to intervene, with the exclusion of price-squeeze issues; and *Provided, further,* That the admission of such intervenors shall not be considered as recognition by the Commission that they might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose, (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at an initial conference on January 14, 1976 at 10 a.m. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates for this proceeding and to rule upon all motions (except petitions to intervene).

(E) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to § 1.18 of the Commission's rules of practice and procedure.

(F) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[2] As revised by letter dated October 20, 1975 and filed herein on October 23, 1975.

[4] The Village of Daggett, Michigan did not petition to intervene.

[5] See e.g., Virginia Electric and Power Company, Docket No. E–9147, order issued January 22, 1976. Carolina Power and Light Company, Docket No. E–8884, order issued August 20, 1974; Wisconsin Public Service Corporation, Docket No. E–8867, order issued August 23, 1974; and Pacific Gas and Electric Company, Docket No. E–7777, order issued March 14, 1974.

[6] November 11, 1975, in Docket No. 75–342.

WISCONSIN PUBLIC SERVICE CORP.

DATED: NOV. 25, 1975. FILED: NOV. 21, 1975.

Designation	*Other party*
Supp. No. 9 to rate schedule FPC No. 3 (supersedes supp. No. 8 to rate schedule FPC No. 3).	City of Algoma, Wis.
Supp. No. 8 to rate schedule FPC No. 25 (supersedes supp. No. 7 to rate schedule FPC No. 25).	Village of Daggett, Mich.
Supp. No. 8 to rate schedule FPC No. 24 (supersedes supp. No. 7 to rate schedule FPC No. 24).	City of Eagle River, Wis.
Supp. No. 9 to rate schedule FPC No. 6 (supersedes supp. No. 8 to rate schedule FPC No. 6).	City of New Holstein, Wis.
Supp. No. 8 to rate schedule FPC No. 27 (supersedes supp. No. 7 to rate schedule FPC No. 27).	City of Stephenson, Mich.
Supp. No. 9 to rate schedule FPC No. 7 (supersedes supp. No. 8 to rate schedule FPC No. 7).	Village of Stratford, Mich.
Supp. No. 10 to rate schedule FPC No. 13 (supersedes supp. No. 9 to rate schedule FPC No. 13).	Sturgeon Bay, Wis.
Supp. No. 9 to rate schedule FPC No. 9 (supersedes supp. No. 8 to rate schedule FPC No. 9).	City of Two Rivers, Wis.

[FR Doc.76–225 Filed 1–5–76;8:45 am]

[Docket No. ER76–195]

ARKANSAS-MISSOURI POWER CO.

Filing of Certificate of Concurrence to Cancellation

DECEMBER 24, 1975.

Take notice that on December 16, 1975, Middle South Services, Inc., as agent for Arkansas-Missouri Power Company, tendered for filing a certificate of concurrence by Union Electric Company to the Notice of Cancellation of Supplement No. 6 to Rate Schedule FPC No. 68, filed with the Commission by Middle South Services, Inc., as agent for Arkansas-Missouri Power Company. This notice of cancellation was dated October 23, 1975.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 6, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–426 Filed 1–5–76;8:45 am]

[Docket No. RP76–36]

EASTERN SHORE NATURAL GAS CO.

Adjustments to Rates and Charges

DECEMBER 24, 1975.

Take notice that Eastern Shore Natural Gas Company (Eastern Shore) on December 11, 1975, tendered for filing Revised Sixteenth Revised Sheet No. 3A and Revised Sixteenth Revised PGA–1 to its FPC Gas Tariff, Original Volume No. 1, to become effective December 4, 1975. The above revised tariff sheets incorporate a $.077 increase in Eastern Shore's commodity charges for its Rate Schedules CD–1, CD–E, G–1, E–1, I–1, GSS–1, PS–1 and LGA. These changes were approved by the Commission in the above-captioned docket to become effective on December 4, 1975.

Copies of the filing have been mailed to each of the Company's jurisdictional customers and to interested State Commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 7, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–427 Filed 1–5–76;8:45 am]

[Docket No. RP72–134 (PGA76–6)]

EASTERN SHORE NATURAL GAS CO.

Purchased Gas Cost Adjustments to Rates and Charges

DECEMBER 29, 1975.

Take notice that Eastern Shore Natural Gas Company (Eastern Shore) on December 15, 1975, tendered for filing Seventeenth Revised Sheet No. 3A and Seventeenth Revised PGA–1 to its FOC Gas Tariff, Original Volume No. 1, to become effective January 1, 1976. The proposed change would decrease by $.016 per Mcf in the commodity charge of Eastern Shore's Rate Schedules CD–1, CD–E, E–1, PS–1 and I–1 to reflect the equivalent decrease of Eastern Shore's sole supplier, Transcontinental Gas Pipe Line Corporation (Transco), in FPC Docket No. RP72–99.

Copies of this filing have been mailed to each of the Company's jurisdictional customers and to interested State Commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 7, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–423 Filed 1–5–76;8:45 am]

[Docket No. RP75–97]

HAMPSHIRE GAS CO.

Conference

DECEMBER 24, 1975.

Take notice that on January 6, 1976, Staff is convening an informal conference of all interested persons for the purpose of discussing the issues in the above-referenced docket in Room No. 8402, at the offices of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C., at 10 a.m.

Customers and other interested persons will be permitted to attend, but if such persons have not previously been permitted to intervene by order of the Commission, attendance at the conference will not be deemed to authorize intervention as a party in the proceedings.

All parties will be expected to come fully prepared to discuss the merits of all issues concerning the lawfulness of the proposed rate increase and any procedural matters preparatory to a full evidentiary hearing or to make commitments with respect to such issues and any offers of settlement or stipulations discussed at the conference.

Letters concerning this conference are being mailed to all parties to the proceeding, and all of the jurisdictional customers.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–425 Filed 1–5–76;8:45 am]

[Docket Nos. RP71–125, RP75–108 (PGA No. 76–3a)]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Filing Revised Purchased Gas Cost Adjustment Reflecting Increase Costs Other Than That Portion of Emergency and Small Producer Rates in Excess of the Applicable Rate Levels Prescribed in Opinion Nos. 699–H and 742

DECEMBER 22, 1975.

Take notice that on December 12, 1975, Natural Gas Pipeline Company of America (Natural) tendered for filing as part of its FPC Gas Tariff, Third Revised Volume No. 1 the below listed tariff sheets to be effective as indicated:

V 41 3 JAN 6 76 XUM

	To be effective
Second Substitute Twenty-fifth Revised Sheet No. 5.	Dec. 1, 1975
Second Substitute Original Sheet No. 5A.	Do.
Third Substitute Twenty-fifth Revised Sheet No. 5.	Dec. 2, 1975
Third Substitute Original Sheet No. 5A.	Do.

Natural states the purpose of the submittal is to file revised tariff sheets to become effective December 1, 1975, to reflect increased costs other than those increased costs associated with that portion of small producer purchases in excess of the rate levels resulting from the "130% formula" prescribed by Opinion 742 and that portion of the 60-day and 180-day emergency purchases from other than small producers in excess of the rate levels prescribed in Opinion 699–H in accordance with Ordering Paragraph (H) of the Commission's Order issued November 28, 1975, at Docket No. RP71–125 (PGA76–3). Natural states that included in the filing are Schedules A through C giving the details for the current unit adjustments to be effective December 1, 1975 and December 2, 1975. Natural states that the tariff sheets effective December 2, 1975 reflect the PGA recovery rates that were suspended by the above referenced Commission Order and were permitted to become effective December 2, 1975, subject to refund.

Natural states that the base rates on the filed tariff sheets are the alternate rates that were permitted to become effective December 1, 1975, subject to refund, by Commission Order issued November 28, 1975 at Docket No. RP75–108.

Natural states that it also filed in accordance with Ordering Paragraph (B) of the Commission's November 28 Order in PGA76–3, a list of the small producers from whom Natural is purchasing gas at rates in excess of the "130% formula" and a list of producers other than small producers from whom Natural purchased gas under 60-day emergency contracts at rates in excess of the rate levels prescribed in Opinion 699–H.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 6, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–424 Filed 1–5–76;8:45 am]

[Docket No. E–9544]

OTTER TAIL POWER CO.

Complaint Filing

DECEMBER 23, 1975.

Take notice that on November 28, 1975, the Cities of Alexandria, Barnesville, Benson, Detroit Lakes, Henning, Tyler and Warren, Minnesota (Cities) filed a complaint against Otter Tail Power Company (Otter Tail) pursuant to section 206(a) of the Federal Power Act and § 1.6 of the rules promulgated thereunder, whereby Cities petition the Commision to (1) confirm the termination of certain Special Municipal Electric Service Agreements between Otter Tail and Alexandria and Tyler which expired by their terms on October 28, 1973 and March 22, 1972 respectively, and (2) compel Otter Tail to file appropriate Notices of Termination for similar service rendered Barnesville, Benson, Detroit Lakes, Henning and Warren, as of the contractual expiration dates of their respective Special Municipal Electric Service Agreements, or, in the alternative, confirm the termination thereof pursuant to their terms.

Cities note that they have heretofore notified Otter Tail of their intent to discontinue receiving transmission firming service and other services under the expired Special Municipal Electric Service Agreements, in response to which Otter Tail indicates its intent to continue to provide such services notwithstanding the Cities' notification. Cities request that the Commission remedy Otter Tail's failure to file notices of termination or cancellation of FPC Rate Schedules Nos. 125, 135, 133, 139, 134, 116 and 140 pursuant to § 35.15 of the Commission's rules.

Any person desiring to be heard or to make any protest with reference to said application should, on or before January 9, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–422 Filed 1–5–76;8:45 am]

[Docket No. ID–1443]

PORTER E. NOBLE

Application

DECEMBER 24, 1975.

Take notice that on December 1, 1975, Porter E. Noble (Applicant) filed an application with the Federal Power Commission. Pursuant to section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Vice President and Assistant Secretary	Orange and Rockland Utilities, Inc.	Public Utility
Do.	Rockland Electric Co.	Do.
Do.	Pike County Light & Power Co.	Do.

Orange and Rockland Utilities, Inc. (formerly Rockland Light and Power Company) has its principal place of business at Spring Valley, New York. The Company is engaged in the generation, distribution and sale of electric current in Rockland County and portions of Orange County and the easterly portion of Sullivan County, all in the state of New York, and owns and operates facilities for the transmission of electric energy across the New Jersey and Pennsylvania state lines to its wholly-owned subsidiary companies, Pike County Light & Power Company, Milford, Pennsylvania; and Rockland Electric Company, Ramsey, New Jersey. The Company also distributes natural gas in parts of the territory.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 6, 1976 file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–426 Filed 1–5–76;8:45 am]

[DocketNo.ER76–362]

UNITED ILLUMINATING CO.

Initial Rate Schedule Filing and Request for Waiver of Prior Notice

DECEMBER 23, 1975.

Take notice that on December 15, 1975, The United Illuminating Company (Company) tendered for filing as an initial rate schedule six copies of Power Contract No. 2 With Respect to New Haven Harbor Station Unit No. 1, dated as of December 1, 1975, between The United Illuminating Company and Littleton Electric Department.

Company requests a waiver under Section 35.11 of the Commission Rules and Regulations to permit the Agreement to become effective December 1, 1975.

Company states that a copy of the rate schedule has been sent to Littleton Electric Department, the sole party receiving service thereunder.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 9, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–420 Filed 1–5–76;8:45 am]

[Docket No. ER76–361]

UNITED ILLUMINATING CO.

Initial Rate Schedule Filing and Request for Waiver of Prior Notice

DECEMBER 23, 1975.

Take notice that on December 15, 1975, The United Illuminating Company (Company) tendered for filing as an initial rate schedule six copies of Power Contract No. 3 With Respect to New Haven Harbor Station Unit No. 1, dated as of December 1, 1975, between the Company and North Attleborough Electric Department.

Company requests a waiver under Section 35.11 of the Commission Rules and Regulations to permit the Agreement to become effective December 1, 1975.

Company states that a copy of the rate schedule has been sent to North Attleborough Electric Department, the sole party receiving service thereunder.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 9, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–421 Filed 1–5–76;8:45 am]

[Docket No. ER76–272]

UTAH POWER & LIGHT CO.

Filing of Certificate of Concurrence

DECEMBER 24, 1975.

Take notice that on December 15, 1975, Tucson Gas & Electric Company filed a Certificate of Concurrence to Utah Power & Light Company's filing of December 1, 1975 of a November 4, 1975 Interconnection Agreement and two November 4, 1975 Service Schedules, Service Schedule A–1, Emergency Assistance and Service Schedule B–1, Surplus Energy Sale between Utah Power & Light Company and Tucson Gas & Electric Company. Utah Power & Light Company's filing was noticed on December 1, 1975.

Any person desiring to be heard or to make any protest with reference to said Certificate of Concurrence should on or before January 5, 1976, file with the Federal Power Commission, Washington, D.C., 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The Certificate of Concurrence is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–429 Filed 1–5–76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[FDAA–492–DR]

WASHINGTON

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Washington, dated December 13, 1975, and amended on December 19, 1975, is hereby further amended to include the following county among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of December 13, 1975:

The County of: Yakima.

Dated: December 22, 1975.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance.)

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.76–243 Filed 1–5–76;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[75–246]

CHEMICAL TRANSPORTATION INDUSTRY ADVISORY COMMITTEE—TASK GROUP ON LIQUEFIED GASES

Open Meeting

This is to give notice in accordance with section 10(a) of the Federal Advisory Committee Act (Pub. L. 92–463; 5 U.S.C. App. 1) of October 6, 1972, that the Chemical Transportation Industry Advisory Committee's Task Group on Liquefied Gas Carriers will conduct an open meeting on February 11 and 12, 1976, in Room 8240 of the NASSIF Building, 400 7th Street SW., Washington, D.C. The meeting is scheduled to begin at 9:30 a.m.

Items on the agenda are:

1. International Association of Classification Societies proposed amendments to the IMCO Gas Code.
2. Addition of new products to the Gas Code.
3. The IMCO Code for existing liquefied gas carriers.

The Chemical Transportation Industry Advisory Committee was chartered by the Commandant of the Coast Guard on July 1, 1975, to provide advice and consultation with respect to the safe water transportation of hazardous materials. Under the Committee, a task group was formed to advise the Coast Guard on revisions to the regulations for liquefied gas ships. Public members of the task group serve voluntarily without compensation from the Federal Government, either travel or per diem.

Interested persons may seek additional information by writing:

Commandant (G–CMC), U.S. Coast Guard, Washington, D.C. 20590.

or by calling: 202–426–1477

Dated: December 31, 1975.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard, Chief, Office of Merchant Marine Safety.

[FR Doc.76–274 Filed 1–5–76;8:45 am]

[75–245]

CHEMICAL TRANSPORTATION INDUSTRY ADVISORY COMMITTEE TASK GROUP ON LIQUEFIED GAS FACILITIES

Open Meeting

This is to give notice in accordance with section 10(a) of the Federal Advisory Committee Act (Pub. L. 92–463; 5 U.S.C. App. 1) of October 6, 1972 that the Chemical Transportation Industry Advisory Committee's Task Group on Liquefied Gas Facilities will conduct an open meeting on January 21 and 22, 1976, in Room 8332 of the Nassif Building, 400 7th Street, SW., Washington, D.C. The meeting of the 21st is scheduled to begin at 9:30 a.m. and is expected to last all day.

Item on the agenda is:

1. Review of working draft of proposed regulations for Liquefied Gas Facilities.

The Chemical Transportation Advisory Committee was chartered by the Commandant of the Coast Guard on 1 July 1975, to provide advice and consultation with respect to safe water transportation of hazardous materials. Public members of the committee serve voluntarily without compensation from the Federal Government, either travel or per diem.

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Interested persons may seek additional information by writing:

Commandant (G-CMC), U.S. Coast Guard, Washington, D.C. 20590.

or by calling: 202-426-1477.

Dated: December 31, 1975.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard, Chief, Office of Merchant Marine Safety.

[FR Doc.76-275 Filed 1-5-76;8:45 am]

Materials Transportation Bureau

TRANSPORTATION OF HAZARDOUS MATERIALS

Applications for Exemptions or Renewals

In accordance with the procedures governing the applications for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Operations has received applications for exemptions and renewals of exemptions, that are described below. The modes of transportation requested are identified by a number in the "Nature of Application" portion of the table below as follows: 1—Motor Vehicle, 2—Rail Freight, 3—Cargo Vessel, 4—Cargo-only Aircraft, 5—Passenger-carrying Aircraft.

Complete copies of the applications are available for inspection and copying at the Public Docket Room, Office of Hazardous Materials Operations, Department of Transportation, Room 6213, Trans Point Building, 2100 Second Street, SW., Washington, D.C.

Interested persons are invited to submit views or comments with respect to any one or more of the applications. Comments should refer to the application number and be submitted in tripilicate to the Docket Section Office of Hazardous Materials Operation, Department of Transportation, Washington, D.C. 20590. All comments received before the close of business on the specified comment closing date will be considered and will be available in the docket for inspection and copying, both before and after the closing date.

This notice of receipt of applications for exemptions and renewals of exemptions is published in accordance with section 107(a) of the Hazardous Materials Transportation Act (49 U.S.C. 1806(a)) and the Materials Transportation Bureau's regulations on this subject (49 CFR 107.109(a)), and does not represent any agency decision or other exercise of judgment concerning the merits of the petitions.

New exemptions

Application number	Applicant	Regulation(s) affected	Nature of application
75-143	Air Products and Chemicals, Allentown, Pa.	49 CFR 173.316	To allow the use of new design tank motor vehicles for liquified hydrogen (mode 1).
75-144	Thyssen Industries GMBH, Dusseldorf, Germany.	49 CFR 173.315	To allow the use of foreign manufactured portable tanks, comparable to DOT specification 51, for propane (mode 1).
75-145	Luxfer USA Ltd., Riverside, Calif.	49 CFR 173.302	To allow the use of FRP DOT SP 6408 aluminum cylinders for the shipment of compressed air (mode 1).
75-146	United States Steel Corp., McKeesport, Pa.	49 CFR 173.302	To allow the use of wire-wrapped DOT-3AA cylinders of special design for the shipment of certain compressed gases (mode 1).
75-147	Minnesota Valley Engineering, New Prague, Minn.	49 CFR 173.315	To allow the use of cargo tanks, similar to those now authorized under DOT SP 6299, except for physical size, for the transportation of liquid oxygen, pressurized (mode 1).
75-148	Ungine Kuhlmann of America, Inc., Englewood Cliffs, N.J.	49 CFR 173.314	To allow the use of foreign manufactured intermodal portable multiunit tank car tanks for the shipment of bromotrifluoromethane (modes 1, 2, 3).
75-149	Hydraulic Research, Pacoima, Calif.	49 CFR 173.304 and 173.47.	To allow the use of modified DOT 4D8 cylinders for the shipment of bromotrifluoromethane, pressurized with nitrogen (mode 4).
75-150	Ruan Transport Corp., Des Moines, Iowa.	49 CFR 173.245	To allow the use of stainless steel tank motor vehicles built to non-DOT specifications, for the transportation of phosphoric acid and similar corrosive liquids (mode 1).
75-151	Chemtech Industries, Inc., St. Louis, Mo.	49 CFR 173. 265	To allow the use of DOT-111A100W2 tank cars for the shipment of hydrofluosilicic acid (mode 2).
75-152	Union Carbide Corp., Bound Brook, N.J.	49 CFR 173.245b	To allow the use of a steel portable tank of over 660 gal. capacity, for the shipment of corrosive solids (mode 2).
75-153	Tennessee Eastman Co., Kingsport, Tenn.	49 CFR 173.28 and 173.233.	To allow the reuse of non-reconditioned DOT 37A drums, and 90 foreign manufactured drums similar to the 37A for one shipment of spent nickel catalyst, a flammable solid (modes 1, 2).
75-154	Grief Brothers Corp., Union, N.J.	49 CFR pt. 173, subpart E.	To allow the use of non-DOT specification polyethylene drums having rated capacity of 55 gal., for corrosive liquids (modes 1, 2).
75-155	Mobay Chemical Corp., Pittsburgh, Pa.	49 CFR 173.346 and 173.245b.	To allow the use of foreign manufactured drums similar to the DOT 17E for poisonous liquids and corrosive solids (modes 1, 2).
75-156	Hooker Chemical Co., Niagara Falls, N.Y.	49 CFR 173.198	To allow the use of foreign drums manufactured to specifications similar to DOT 37A drums for shipment of phosphoric anhydride (mode 1).
75-157	Delta Airlines, Inc., Atlanta, Ga.	49 CFR 103.3 and 103.31.	To allow the shipment of organ transport modules, equipped with oxygen cylinders in the cabin of a passenger-carrying aircraft (mode 5).
75-158	Vulcan Containers, Inc., Hillside, Ill.	49 CFR 173.119	To allow the use of removable head 5 gal polyethylene pails for the shipment of flammable liquids (modes 1, 2).

Application number	Applicant	Regulation(s) affected	Nature of application
75-159	Trinity Industries, Inc., Dallas, Tex.	49 CFR 178.315	To allow the transportation of chlorine in DOT-51 portable tanks (modes 1, 3).
75-160	Platte Chemical Co., Greeley, Colo.	49 CFR 173.377	To allow the use of DOT specification 44D bags for shipments of certain organic phosphate compounds, dry, containing 15 percent active ingredients by weight (modes 1, 2).
75-161	Platte Chemical Co., Greeley, Colo.	49 CFR 173.28	To allow the shipment of certain liquid organic phosphates in DOT-17C and DOT-17E drums reconditioned in accordance with 173.28(m) (mode 1).
75-162	E. I. DuPont De Nemours, Wilmington, Del.	49 CFR 173.128	To allow the use of DOT-34 polyethylene containers for flammable paints (mode 1).

The closing date for filing comments on the above applications is: February 3, 1976.

Renewals

Application Number	Applicant	Regulation(s) affected	Nature of application
75-163	BASF Wyandotte Corp., Parsippany, N.J.	49 CFR 173.119 and 178.245.	To amend special permit 6756 by adding certain corrosive and flammable liquids (modes 1, 2 3,).
75-164	Alcoa, New York, N.Y.	46 CFR 146.27-100	To renew U.S. Coast Guard Permit 49-74 allowing the shipment of atomized metal powder in non-DOT specification steel drums. (mode 3).
75-165	Department of the Navy,	46 CFR 146.29-75	To renew U.S. Coast Guard permit 75-72, which waives requirements for closing hatches when loading or unloading explosives for the military (mode 3).
75-166	Chemagro, Kansas City, Mo. and FMC Corp., Philadelphia, Pa.	49 CFR 173.377	To renew special permit 5167 allowing shipments of certain organic phosphate compounds in polyvinyl film pouches overpacked in a DOT 12H box. (modes 1, 2).
75-167	Air Reduction Co., Inc., Springfield, N.J.	49 CFR 173.315	To amend special permit 6299 to authorize an additional design for cargo tanks used in cryogenic service (mode 1).
75-168	Harshaw Chemical Co., Cleveland, Ohio.	49 CFR 173.346	To renew special permit 6307 allowing the use of the DOT 34 polyethylene container for certain class B poisons (modes 1, 2).
75-169	Dow Chemical Co., Midland, Mich.	49 CFR 173.242, 173.25, 173.286.	To renew special permit 6702 allowing the shipment of chemical kits and certain corrosive material in non-DOT specification packaging (modes 1, 4).
75-170	Stauffer Chemical Co., Westport, Conn.	49 CFR 178.276	To renew special permit 5867 with allows shipments of unstabilized sulfur trioxide in certain MC 312 cargo tanks (mode 1).
75-171	State of Alaska	14 CFR 103.7 and 103.31.	To renew special permit 6469 allowing the shipment of oxygen cylinders as part of an incubator (mode 5).
75-172	Armstrong Laboratories, West Roxbury, Mass.	49 CFR 173.306	To renew special permit 4697 allowing the shipment of nonflammable, nonpoisonous compressed gas in plastic-coated glass bottles not over 6 cubic inches capacity (modes 1, 2, 3, 4).
75-173	New England Industrial Chemical Corp., Hyde Park, Mass.	49 CFR 173.124, 14 CFR 103.9.	To renew special permit 4662 allowing the shipment of ethylene oxide in aluminum cartridges overpacked in a DOT 12B fiberboard box (modes 1, 2, 4).
75-174	Roper Plastics, Inc., Norwalk, Calif.	49 CFR 173.119 and 178.245.	To convert special permit 6738 to an exemption for shipping corrosive liquids and flammable liquids in removable head polyethylene pails (modes 1, 2, 3).
75-175	J. T. Baker Chemical Co., Phillipsburg, N.J., and Fisher Scientific Co., Fair Lawn, N.J.	49 CFR pt. 173, subpart E.	To renew special permit 5486 allowing the shipment of corrosive liquids in glass carboys not over 6.5 gal capacity overpacked in a polystyrene drum (modes 1, 2, 3).
75-176	Air Products and Chemicals, Allentown, Pa.	49 CFR 173.304 and 46 CFR 146.24-100.	To renew special permit 6194 allowing the use of a non-DOT specification portable tank for shipments of certain cryogenic materials (modes 1, 3).
75-177	Union Carbide Corp., Bound Brook, N.J.	49 CFR 173.365 and 46 CFR 146.25-200.	To renew special permit 6904 allowing the use of a non-DOT specification polybutylene multiwall bag for shipments of a certain class B poison, dry (modes 1, 3).
75-178	Allied Chemical, Morristown, N.J.	49 CFR 173.304	To renew special permit 5454 which allows the use of DOT specification cylinders not presently authorized for the shipment of sulfur hexafluoride (mode 1).
75-179	Allied Chemical, Morristown, N.J.	49 CFR 173.315	To renew special permit 1479 allowing the use of a specially designed cargo tank for transportation of liquified fluorine and mixtures thereof (mode 1).
75-180	Synthatron Corp., Edgewater, N.J.	49 CFR 173.135	To amend special permit 6543 to allow for the addition of dimethyldichlorosilane as an authorized commodity under the terms of the permit (modes 1, 2, 4).
75-181	Synthatron Corp., Edgewater, N.J.	49 CFR 173.135	To amend special permit 5528 to allow for the addition of dimethyldichlorosilane as an authorized commodity under the terms of the permit (modes 1, 2).
75-182	Eaton Corp., Washington, D.C.	49 CFR 173.302, 178.65	To renew special permit 6692 allowing the use of modified DOT specification 39 seamless steel cylinders for shipments of compressed gas (modes 1, 2, 3, 4).
75-183	Military Traffic Management Command (MTMC), Department of the Army, Washington, D.C.	46 CFR 146.29	To amend U.S. Coast Guard permit 44-74 to include Military Ocean Terminal, Sunny Point, N.C., as an authorized port under the terms of the permit (mode 3).

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Application Number	Applicant	Regulation(s) affected	Nature of application
75-184	MTMC, Washington, D.C.	46 CFR 146.29-41, 146.29-100.	To renew U.S. Coast Guard permit 39-74 which allows an increase of 15 percent maximum weight per draft for shipments of explosives (mode 3).
75-185	Foote Mineral Co., Exton, Pa.	49 CFR 173.34	To renew special permit 4061 allowing visual inspection and pressure testing with hexane or nitrogen gas, for cylinders in butyl-lithium service (modes 1, 2, 3).
75-186	MTMC, Washington, D.C.	49 CFR 173.400	To renew special permit 3737 allowing shipments of munitions bearing markings that were applied prior to December 20, 1961 (modes 1, 2).
75-187	MTMC, Washington, D.C.	49 CFR 173.242	To amend special permit 7045 to allow shipments of a liquid nonhazardous material, with a liquid hazardous material, as a photographic chemical kit (modes 1, 2, 3).
75-188	Siegal Chemical Export Corp., Brooklyn, N.Y.	46 CFR 146.23-100	To renew U.S. Coast Guard permit 28-73 which waives certain stowage requirements for corrosive liquids, and corrosive solids (mode 3).
75-189	Air Products and Chemicals, Allentown, Pa.	46 CFR 146.24-100	To renew U.S. Coast Guard permit 1-75 allowing the use of non-DOT specification portable tanks for shipments of liquified nitrogen (mode 3).
75-190	Process Engineering, Inc., Plaistow, N.H.	49 CFR 173.315	To amend special permit 6113 to allow for an increase in length of tank for cryogenic materials (mode 1).
75-191	Bio-Lab, Decatur, Ga	49 CFR 173.217	To amend special permit 6607 to allow shipments of chloride cartridges in a polystyrene overpack without overpacking in a fiberboard box (mode 1).
75-192	Law Offices of Lawrence W. Bierlein, on behalf of certain specifically identified shippers; Washington, D.C.	46 CFR Part 148	To convert U.S. Coast Guard permit 8-75 to an exemption, for waiver of certain stowage requirements for consumer products (mode 3).
75-193	Publicker Industries, Inc., Philadelphia, Pa.	49 CFR 173.315	To renew special permit 6173 which allows shipments of liquified ethylene in modified DOT 331 cargo tanks (mode 1).
75-194	Manufacturing Chemists (MCB) Norwood, Ohio	49 CFR 173.25	To renew special permit 6092 allowing the shipment of certain corrosive liquids in glass bottles not over 5 pt capacity overpacked in DOT 33A polystyrene cases, and in a fiberboard carton (modes 1, 2).
75-195	E. I. du Pont de Nemours, Wilmington, Delaware.	46 CFR 146.30-35	To renew U.S. Coast Guard permit 6-71, allowing the loading of blasting caps by use of a loading chute (mode 3).
75-196	Hooker Chemical, Niagara Falls, N.Y.	49 CFR 173.247	To renew special permit 6723 which allows the use of DOT 4BW240 cylinders for antimony pentachloride service (mode 1).
75-197	Ozark-Mahoning Co., Tulsa, Okla.	49 CFR 172.245	To renew special permit 2901 which allows the use of DOT specification cylinders for a certain corrosive liquid (modes 2, 4).
75-198	MCB, Norwood, Ohio	49 CFR pt. 173, subpart E.	To renew special permit 5526 which allows the use of DOT 1D and 1K glass carboys overpacked in a polystyrene shipping container (modes 1, 2).
75-199	Superintendence Co., Inc., New York, N.Y.	49 CFR 173.346, 173.247, 173.119, 46 CFR 146.21-100, 146.23-100.	To amend special permit 6793 to allow shipments of octyl phenol in non-DOT portable tanks as described in the permit (modes 1, 3).
75-200	Trafpak Ltd., Buckinghamshire, England.	do	To amend special permit 6793 to allow shipments of penta-chloropropene, methyl acrylate, methyl trichlorosilane, trimethylchlorosiland, dimethyldichlorosilane, phenyltrichlorosilane, and methylphenyldichlorosilane (modes 1, 3).
75-201	Bignier Schmid-Laurent, Paris, France.	49 CFR 173.141, 46 CFR 146.21-100,	To amend special permit 7005 to allow for an increase in the maximum gross weight for ethyl mercaptan in non-DOT specification portable tanks (modes 1, 3).
75-202	United States Navigation, New York, N.Y.	46 CFR 146.21-100, 146.23-100, 49 CFR pt. 173, subparts C and D.	To amend special permit 6253 to allow the shipment of acetic anhydride in non-DOT specification portable tanks (modes 1, 2, 3).
75-203	United States Navigation, New York, N.Y.	49 CFR 173.119, 173.247, 46 CFR 146.26-100 and 146.23-100.	To amend special permit 6128 to allow the shipment of acetic anhydride in non-DOT specification portable tanks (modes 1, 3).
75-204	Sea-Land Service, Inc., Elizabeth, N.J.	46 CFR 146.26-100	To amend U.S. Coast Guard letter of authorization 3-69 to include the following combustible liquids: ethylene glycol ethyl ether, ethylene glycol n-butyl ether, morpholine, propylene glycol methyl ether (mode 3).
75-205	Bio-Lab, Decatur, Ga	49 CFR 173.217	To amend special permit 6749 to update the packaging reference because of a change in suppliers product line (modes 1, 2).
75-206	Douglas Aircraft Co., Long Beach, Calif.	49 CFR 173.108	To amend special permit 6638 to permit the use of the DOT 19B plywood box in lieu of the DOT 19A box for transportation of band signal devices (modes 1, 4, 5).

The closing date for filing comments on the above applications for renewal is: January 23, 1976.

J. R. GROTHE,
Chief, Exemptions Branch, Office of Hazardous Materials Operations.

[FR Doc.76-8 Filed 1-5-76;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 25398; Agreement C.A.B. 24277; Order 75-12-149]

AIR CARRIER AGREEMENT

Freight Credit Billing and Collection Procedures

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 30th day of December, 1975. In the matter of Air Carrier Agreement concerning air freight credit billing and collection practices.

By Order 73-6-8, June 1, 1973, the Board authorized joint carrier discussions for the purpose of developing new uniform interstate and overseas air freight credit billing and collection practices. During a series of meetings ended September 28, 1973, the direct air carriers reached the subject Agreement which was filed with the Board on March 11, 1974, by the Air Transport Association (ATA) on behalf of 21 carrier parties thereto.[1] The Agreement, inter alia, provides for:

1. A new Air Freight Settlement Plan (the Plan), which initially would be mandatorily applicable to the credit billings by participating direct air carriers to, and their credit collections from, all air freight forwarders and no other shippers. After the Plan has been in operation for one year, it is to be open on a voluntary basis to other commercial shippers whose domestic scheduled air freight billings have aggregated $1 million or more in the preceeding year, or such other lower figure as the Steering Committee[2] of the Plan shall adopt.

Under the Plan:

a. Each covered forwarder/shipper would be billed directly by each carrier on a 10-day billing cycle (i.e., on the 10th, 20th, and last day of each month). These direct billings would include the details of all shipments, and a forwarder/shipper seeking adjustment or rejection of any billing would be required to do so directly with the Settlement Bank (see below).

b. Each carrier would furnish to a designated Settlement Bank (the Bank) within the next 10 days a recapitulation (Carrier Recap) of its covered credit billings to each forwarder/shipper, without shipment details. The Bank would regroup the Carrier Recaps by forwarder/shipper, and furnish each forwarder/shipper a Settlement Recap of all of the latter's carrier billings for the preceding period within 10 days of the Bank's receipt of the Carrier Recaps.

c. The forwarder/shipper would be required to pay to the Bank the total shown due on its Settlement Recap within 10 days from the date thereof, less any pending adjustments. No collective sanctions for late payment or nonpayment of amounts shown due on a Settlement Recap are embraced in the proposed Agreement, although a Shipper (forwarder) Delinquency List will be generated and distributed by the Bank for such individual carrier action as may be appropriate. A similar Shipper Delinquency List will be disseminated by the Bank on commercial shippers not covered by the Plan, based wholly on individual carrier delinquency reports to the Bank.

2. The continuation of the existing credit billing and collection agreement[3] as to all billings by carriers not electing

[1] Appendix A lists the carriers who are parties to both the existing and new Agreements.

[2] The Steering Committee is to consist of seven airline representatives, elected by the airline parties to the Agreement, who are to administer and manage the Plan.

[3] Agreement C.A.B. 6150-A32.

to become parties to the Plan, and as to billings by all carriers to shippers not covered by the Plan.[4]

Complaints in opposition to the proposed agreemnt—in whole or in part—as well as comments thereon have been received from the Air Freight Forwarders Association (AFFA),[5] National Industrial Traffic League (NITL),[6] Hawaii Air Cargo Shipper Association (HACSA),[7] Logistics Management Consultants, Inc. (LOMANCO),[8] and National Small Shipments Traffic Conference (NSSTC).[9]

The complaining forwarders dispute the need for the new Agreement and Plan; deny that there is any special credit collection problem as to forwarders; and oppose the mandatory coverage of forwarder accounts payable to direct carriers under the Plan. They assert, inter alia, that: The data submitted by the airlines on the ageing of their receivables is unreliable in that no uniform industry criteria exist for computation of such ageing; in addition, a high percentage of late billings and items in dispute may distort the data; the greater writeoffs of uncollectible receivables for forwarders as compared to other shippers appear to be attributable to certain extraordinarily large and unexplained disproportions in such writeoffs by only two or three airlines; the varying credit or writeoff practices of the airlines may account for such greater forwarder writeoffs; the confidential nature of the airline questionnaire used to develop the data makes the data of questionable value and dubious credibility; and limitation on new entry of forwarders into the industry and the growing of stability of substantial portions of the present forwarder industry should reduce the rate of forwarder failure to zero.

The forwarders argue that, as an alternative to the new Plan: the carriers should, as a first step, establish sound extension-of-credit practices; the present 10-day collection period should be extended to 30 days; and the airlines should develop and exchange delinquency lists among themselves, covering both forwarders and nonforwarders, and the forwarders (as carriers) should be permitted to participate in such exchange. The forwarders conclude, however, that the Plan, if opened to forwarders and nonforwarders alike on a voluntary basis, might have some appeal. Lastly, the forwarders state that they do not see any value in participating in the Plan as carriers.

The nonforwarder objectors variously contend that:

1. The Plan favors forwarders and discriminates against nonforwarder commercial shippers, by extending longer credit to the former; the $1-million threshold for commercial shippers is arbitrary and discriminatory, as is the one-year delay in opening the Plan to nonforwarders; and the Plan does not, but should, provide for the participation of cooperative shippers' associations.

2. The Plan does not, but should, provide for shipper exposure to and input on the criteria to be developed for implementing a nonforwarder Shipper Delinquency List; and it discriminates by providing for such a list while not providing for a similar Forwarder Delinquency List.[10]

3. The proposed Steering Committee will exclude shippers (forwarders and nonforwarders), and would thus be biased in favor of the airlines ([10] supra); hence, the Plan constitutes an unfair method of competition.

4. The Agreement would permit the airlines to combine and conspire with respect to the granting or denial of credit to shippers.

In response to the foregoing, ATA filed an initial answer to LOMANCO and NSSTC on April 29, 1974, and a consolidated answer to all comments on June 3, 1974. As to the mandatory application of the Plan to all forwarder billings, ATA argues that serious problems peculiar to forwarders do exist as to receivables and writeoffs, citing several corroborating references, and defends the initial forwarder-only Settlement Plan as an important step towards improvement in the industry's credit billing and collection practices. In addition, ATA cites the benefits to forwarders resulting from uniform billing and collection forms and procedures, as well as the new proposed bank procedure for billing adjustments.

As to nonforwarder shipper participation, ATA points out that the Agreement provides (after a one-year delay) for a threshold entry figure of $1 million in annual airline freight billings, or such lesser amount as shall be determined by the Steering Committee. Thus, shippers will have an opportunity to comment on this criterion as it may evolve. Earlier coverage of nonforwarder shippers, according to ATA, would complicate, delay, or even prevent effective implementation of the Plan.

ATA contends that the opposition to the nonforwarder Shipper Delinquency List is without merit and that the respondents have misread the Agreement in that: the Delinquency List will not be implemented until objective, reasonable, and uniform criteria are established for placing shippers' names on such a List; such criteria will be developed based upon, inter alia, input by shippers; in any event, the criteria and implementation will be totally subject to prior Board approval, as will any future modifications; and the Agreement's procedures for addition of shippers' names to the list and their removal therefrom already reflect careful procedures to doubly ensure accuracy and notice to all affected parties.

In Order 74-4-126, the Board requested clarification on resolving certain conflicts between the present Agreement and the proposed Plan. The ATA responds that the carriers intend to revise their present tariff rules (filed pursuant to Agreement C.A.B. 6150-A32) concurrent with the implementation of the Plan.

Upon consideration of the Agreement and the comments thereon as outlined above, the Board has decided to approve the Agreement, subject to certain conditions.

Dealing first with the general idea of a new airline Agreement in the area of domestic air freight credit billing and collection practices, the Board is convinced that a problem of sufficient magnitude exists with respect to all freight receivables, forwarder and nonforwarder alike, as to have a potentially adverse economic impact upon the carriers. It further appears that these problems are not readily susceptible to unilateral carrier action and that it would be in the public interest to approve some concerted action by the airline industry to meet or minimize this problem.

Data for 1972, even as cited by AFFA, indicate and corroborate a substantial percentage of past-due accounts and writeoffs. Thus, Attachment C to the AFFA comments, "Receivables Over 30 Days Old," indicates that 75.9% of forwarder receivables (or $7,965,459), and 42.8% of other freight open accounts (or $7,700,163) were over 30 days old. Data for calendar year 1973 corroborate the general picture of substantial delinquencies and writeoffs for both forwarder and other freight accounts.[11] The reported industry aggregate for freight

[4] The existing Agreement calls for billing within 10 days of shipment and collection within 10 days of billing. Thus, the new Plan contemplates a longer extension of credit to covered participants (a maximum of 40 days following shipment) than does the old Agreement (a maximum of 20 days following shipment).

[5] On behalf of eight member carriers: WTC Air Freight, Air Land Freight Consolidators, Inc., LaBelle Air Freight, Inc., Profit by Air, Inc., Burlington Northern Air Freight, Inc., Shulman Air Freight, Inc., WITS Air Cargo Service, and Airborne Freight Corporation.

[6] NITL is a voluntary organization of approximately 1,800 shippers, both large and small, throughout the country.

[7] HACSA is a cooperative shippers' association in Hawaii pursuant to Part 296 of the Board's Regulations.

[8] LOMANCO represents 17 firms in the Portland, Oregon area, namely:
Atlas Hotel Supply
Atlas Sheet Metal
Central Distributors
Central Electronics Distributors
Ford Industries
Johnstone Corporation
Mitchell Lewis & Staver
Mitchell Manufacturing Co.
Omark Industries, Inc., Construction Tool Division
Peerless Division, Royal Industries
Peerless Pacific Co., ACR Division
Peerless Pacific Co., Inc.
Portland Willamette School Products, Inc.
The Independent Fitting Co.
Viking Automatic Sprinkler
Viking Automatic Sprinkler of Idaho

[9] NSSTC represents 268 members, of whom 22 are industry associations; thus, the NSSTC states it represents several thousand shippers and receivers to and from all points in the U.S.

[10] These criticisms appear to be in error, as the Plan clearly provides for (a) shipper input in the development of list criteria, as well as (b) the Settlement Bank to generate and maintain a current Forwarder Delinquency List.

[11] Data for CY 1973 is available for inspection in the office of the Director, Bureau of Accounts and Statistics.

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writeoffs in 1973 of approximately $6 million is relatively small in terms of gross revenues, i.e., approximately 0.62 percent; however, in terms of potential contribution to industry freight profit, the amount is significant. Unfortunately, numerous carriers state that their write-off expenses are not separated as to freight or passenger traffic, and/or forwarder and nonforwarder freight traffic, or that a writeoff estimate is expensed in anticipation of such actions, and the actual writeoffs are not known.

Whether the true figures for delinquencies and writeoffs are precisely as set forth is not controlling, in our view, since any data of this magnitude confirm the need for carrier action. In these circumstances, and subject to the conditions noted hereinafter, the Board finds that the Agreement is not adverse to the public interest nor in violation of the Federal Aviation Act and warrants general approval for a temporary period.[12]

However, the Board does not view the new Agreement as a panacea. The data described above concerning past-due accounts, and a number of the comments received,[13] indicate that the carriers are not uniformly enforcing their present billing and collection agreement or their tariff rules calling for credit billing within 10 days of shipment and collection within 10 days of billing. This situation is not one which the Board can continue to tolerate, since long continuance of unenforced tariff rules inevitably breeds disrespect for all rules. Moreover, the situation provides a fertile environment for arbitrary discriminations among shippers, with the rules being invoked against some and ignored as to others.

The Board accordingly calls on the carriers to promptly review their existing billing and collection agreement. If the existing agreement and tariffs are indeed so far out of line with existing practices and commercial realities as to be genuinely unenforceable as they stand, the carriers should rewrite their terms so as to bring them into line with such practices and realities.[14] Otherwise, the terms of the existing agreement and tariffs should be rigorously and impartially enforced. After a reasonable period to allow review and revision, if necessary, the Board will refer to its Bureau of Enforcement for investigation and appropriate action any instances or practices coming to light involving a carrier's disregard of its tariff rules as to credit billings and collections.

Turning now to specific elements of the comments, we agree with respondents that nonforwarder commercial shippers, including cooperative shippers' associations, should not be arbitrarily excluded from the Plan. We agree with forwarder comments to the effect that the greater delinquencies are with nonforwarders, and we believe that coverage of all substantial shippers under the Plan should be made mandatory. Furthermore, if there is to be a minimum aggregate billing threshold for participation in the Plan, it should apply impartially to forwarders and nonforwarder shippers alike. The Plan should also include small forwarders and other shippers with respect to the preparation and distribution of Shipper Delinquency Lists.[15] Accordingly, the Board will disapprove the one-year delay in the applicability of the Plan to nonforwarders, and will condition the Agreement to require immediate participation by any shipper, whether forwarder or nonforwarder, who satisfies appropriate entry criteria.[16] We recognize the difficulties in setting up a new billing and collection procedure, but believe that a $250,000 entry and participation limit, at least initially, will allow the Plan to be inaugurated and tested on a manageable basis. In the long run, we will not view favorably any form of discrimination between large and small forwarders/shippers which is not shown to be absolutely necessary.[17]

Turning next to comments with respect to the initial extension of credit, it appears that carriers apply varying criteria, or, perhaps more importantly, a lack of criteria for withdrawal of credit, which may be the root of part of the problem. The Board therefore strongly urges the carriers to reconsider their credit criteria (extension and withdrawal) as an adjunct to implementation of the instant agreement. We do not infer that such criteria need to be totally uniform, or necessarily covered by carrier agreement, but rather, that sound business practice requires attention to the initial extension of credit as well as to overdue bills and appropriate follow-up. No uniform industry regime can improve the delinquency problem without individual carrier attention to their accounts. We note in this connection that the amount of overdue bills varies considerably among individual carriers.

Insofar as the complaints are concerned, however, we do not find that the Plan has been shown to be unfair or discriminatory, except in the coverage aspects discussed above. As to the nonforwarder Shipper Delinquency List, we understand that this is not to be implemented until after further discussions and submission of a supplementary Agreement to the Board for prior approval, at which time shippers and all other interested parties will have an opportunity to comment and criticize the supplementary Agreement. If the criteria developed are unfair or discriminatory, they will not be approved. The fact that carriers only will be represented on the Steering Committee is not inconsistent with other intercarrier agreements that the Board has approved, and is not inherently discriminatory, unfair, or harmful to forwarder or shipper interests, since the Board retains ultimate authority over the manner in which the Agreement is implemented or revised. Finally, we see nothing in the Agreement that supports the claim that it represents an unlawful attempt by the carriers to conspire to grant or withhold credit to forwarders/shippers. The Delinquency List for covered forwarders/shippers is to be made up on a purely objective basis by the Settlement Bank, and in any event, the Agreement does not attempt to prescribe how any participating carrier is to make use of these Lists.

Lastly, and with respect to the existing (1962) credit agreement (C.A.B. 6150–A32), the carriers were requested in Order 74–4–126 to explain how they propose to resolve conflicts (e.g., handling interline traffic, and prepaid vs. collect shipments) when only one of the interline parties participates in the new Agreement. For example, if a large forwarder covered by the new Settlement Plan ships a consignment prepaid via United to (say) Atlanta, thence via Southern[18] to destination, the freight charges would presumably be billed by United through the plan; but if the consignment is shipped with the charges to be borne by the same large forwarder at destination, Southern as the billing carrier would presumably not bill through the Plan. Again, if the shipment is prepaid, the old Agreement provides for 10 days' credit by United, whereas the new Agreement provides 30 days plus. Hence the same shipper would receive differing credit periods on the same shipment, depending upon whether shipped prepaid or collect. In our view, there should be but one Agreement covering both large and small shippers, with all carriers participating. To date, the carriers have not satisfactorily indicated how they propose to resolve such conflicts; we will expect them to do so before the new Agreement is put into operation.

In summary, the Board believes an experimental program along the lines outlined here is a worthy endeavor, and we have so considered the instant Agreement. On the other hand, a temporary approval will permit a later determination based on experience of whether such an Agreement is necessary or in the public interest in the long run.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a), 412, and 414 thereof,

It is ordered, That. 1. Agreement C.A.B. No. 24277 is approved, subject to the conditions that:

(a) the deferral period set forth in Article 3.01.1, with respect to the participation of nonforwarder commercial shippers in the Plan, is disapproved; and

(b) Article 3.01.1 is further conditioned to require that coverage of the Plan shall be mandatory as to all (and only those) air freight forwarders and other commercial shippers whose annual aggregate volume of direct air carrier domestic freight billings exceeds $250,000, or such lower figure as the Steering Committee may determine; and that the Steering Committee may also set a lower figure for voluntary participation by smaller forwarders and shippers in the Plan; and

(c) Article 8.01 is conditioned to permit: (1) All U.S. certificated route air carriers engaged in interstate or overseas air transportation to engage in discussions, with respect to air freight credit billing and collection practices in interstate or overseas air transportation, for a period of 90 days beginning with March 1, 1977, provided that:

(2) An agenda of matters to be discussed shall be filed with the Board in this docket at least 5 calendar days in advance, with respect to any meeting called pursuant to this order, to be attended by only direct air carriers;

(3) An agenda of matters to be discussed shall be filed with the Board in this docket at least 15 calendar days in advance, with respect to any meeting called pursuant to this order, to be attended by both direct air carriers and shippers (including indirect air carriers);

(4) Any interested shipper (including indirect air carriers) may advise the Air Transport Association that it is interested in these discussions, and all meeting notices and agendas shall also be mailed to such interested shippers and indirect air carriers, with such notice to include an invitation to submit comments upon the agenda matters, and to request appointments for personal appearances at the carriers' meetings;

(5) The Board reserves the right to have one or more observers in attendance at all meetings of the carriers;

(6) Complete and accurate minutes shall be kept of all meetings, and a true copy thereof filed with the Board not later than 15 days (excluding Saturdays and Sundays) after the conclusion of each meeting; and

(7) Any agreements or agreements reached as a result of such discussions shall be filed with the Board in accordance with Section 412 of the Act and approved by the Board prior to being filed in tariffs or otherwise placed into effect;

2. The Board's approval of Agreement C.A.B. No. 24277 will expire with July 1, 1977; and

3. This order shall be served upon all certificated scheduled direct air carriers, all domestic air freight forwarders, and all persons participating in Docket 25398, as listed in the Certificate of Service accompanying Agreement C.A.B. No. 24277 filed in such docket.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

APPENDIX A.—*Carrier participants in air freight credit billing and collection agreements*

[× denotes participation]

	CAB No. 6150-A32[1]	CAB No. 24277
Airlift International, Inc.	×	×
Alaska Airlines, Inc.	×	×
Allegheny Airlines, Inc.	×	×
Aloha Airlines, Inc.		×
American Airlines, Inc.	×	×
Braniff Airways, Inc.	×	×
Canadian Pacific Air Lines, Ltd.	×	
Continental Air Lines, Inc.	×	×
Delta Air Lines, Inc.	×	×
Eastern Air Lines, Inc.	×	
The Flying Tiger Line, Inc.	×	
Frontier Airlines, Inc.	×	×
Hawaiian Airlines, Inc.		×
Hughes Air Corp., d.b.a. Hughes Airwest.		×
National Airlines, Inc.	×	×
New York Airways, Inc.	×	
North Central Airlines, Inc.	×	×
Northwest Airlines, Inc.	×	×
Ozark Air Lines, Inc.	×	×
Piedmont Aviation, Inc.	×	×
Southern Airways, Inc.	×	
Trans Canada Air Lines	×	
Texas International Airlines, Inc.	×	×
Trans World Airlines, Inc.	×	×
United Air Lines, Inc.	×	×
Western Air Lines, Inc.	×	×
Wien Air Alaska, Inc.		×

[1] Earlier carrier participants in agreement C.A.B. 6150-A32 who are no longer in operation have been omitted, e.g., AAXICO Airlines, Inc.

[FR Doc.76-280 Filed 1-5-76;8:45 am]

[Docket 20421, etc.; Order 75-12-150]

AMERICAN AIRLINES ET AL.

Oklahoma-Denver-Southeast Points Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 30th day of December, 1975.

By Order 75-10-135, served November 3, 1975, the Board instituted the *Oklahoma-Denver-Southeast Points Investigation*, Docket 20421, *et al.* The order provided that additional applications conforming to the scope of the proceeding, motions to consolidate, and petitions for reconsideration of Order 75-10-135 should be filed by November 24, 1975.

Applications for air service and motions to consolidate have been filed by the following carriers:

American, Docket 28535.
Braniff, Docket 28536.
Braniff, Docket 24259 (Amendment No. 1).
Continental, Docket 28514.
Delta, Docket 28541.
Eastern, Docket 28530.
Frontier, Docket 28531.
National, Docket 28525.
Northwest, Docket 28540.
Piedmont, Docket 28534.
Southern, Docket 28533.
TWA, Docket 28538.
TWA, Docket 28539.
United, Docket 28544.
Western, Docket 28527.

Petitions for reconsideration were filed by the City of Shreveport, Shreveport Chamber of Commerce, and Shreveport Airport Authority; the Utah Agencies and the Utah Department of Transportation; Braniff; and the City and Chamber of Commerce of Memphis. TWA and Delta filed petitions for clarification and/or reconsideration of the scope of the proceeding and Northwest filed a conditional petition for reconsideration. Twenty-one answers to these pleadings have been filed.

The petitions for reconsideration generally fall into three categories: (1) The inclusion of additional intermediate or coterminal points within the general area under consideration; (2) expansion of the geographical scope of the proceeding; and (3) the imposition of additional pretrial restrictions.

Shreveport and Memphis want to be included as additional intermediate points on the routes in issue, and the Utah Agencies request that Salt Lake City be designated as a coterminal point with Denver.

The request of Memphis to be designated as an intermediate point was carefully considered by the Board in Order 75-10-135 and rejected. On reconsideration, Memphis claims it is uniquely affected since it may lose service but cannot gain new service. While the termination of the Braniff-Eastern interchange is an issue and Memphis could lose its interchange service, it will not lose any carrier authority. Eastern and Delta will retain their nonstop authority in the Memphis-Atlanta market; Braniff will retain its nonstop authority in the Memphis-Denver and Memphis-Oklahoma City markets; and Delta, Eastern and Southern will continue to hold nonstop authority between Memphis and Miami. Between Memphis and Tampa, Eastern holds nonstop authority and Delta's Subpart N application is being processed (Order 75-9-95). Since the designation of Memphis as an intermediate point was fully considered by the Board in Order 75-10-135 and since no new matters have been presented on

[12] Article 13.01 of the Agreement provides for implementation of the Plan approximately four months following Board approval thereof. To permit one year of operation under the Plan and review (see also fn. 15), we will condition our approval to expire with July 1, 1977.

[13] Particularly the contradictory comments of the forwarders and nonforwarder shippers, with the latter seeing the Plan as a means whereby forwarders will be granted longer extensions of credit than nonforwarders, while the forwarders see the Plan as an attempt to tighten up on the credit terms they

[14] The Board would of course expect carriers participating in the Plan to file an appropriate amendment to their present tariff.

[15] The Agreement provides for renewed carrier discussions for purposes of review at the end of the first year of the Plan. The Board will condition this Article in order to apply the conditions set forth in Ordering Paragraphs 1 through 7 of Order 73-6-8 for the same reasons as set forth therein.

[16] The Board recognizes that large commercial shippers (nonforwarders) have not had formal prior notice of the Board's intention to condition the carriers' agreement so as to require their mandatory participation. It is not the Board's desire to prejudice or adversely affect such shippers. Rather, it is our impression that such shippers will welcome the opportunity to participate in the Plan. To insure procedural fairness, however, any shipper having objections is reminded that he has the privilege to promptly file an appropriate petition for reconsideration of this Order.

[17] At any time prior to July 1, 1977, the Board will be receptive to a lowering of the specified billing figure of $250,000. If the carriers should desire to request renewal of this Agreement at a later date, the Board will expect the carriers to reduce the $250,000 entry limit, and, additionally, to open the Plan to *all* other shippers on a voluntary basis, although possibly subject to some further dollar minimum below which very-low-volume shippers would be excluded. The Board will also expect any request to renew the Agreement, as well as any failure to effect the changes noted above, to be accompanied by persuasive factual data.

[18] Southern is a party only to the 1962 Agreement, while United is a party to both old and new Agreements; thus, for small shippers not in the Plan, United would presumably continue the present 10-day Agreement and tariff rule, as would Southern for all its accounts.

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reconsideration, we will deny Memphis' petition for reconsideration.

Salt Lake City exchanges only a fraction of the amount of traffic with the southeast points as do Denver, Tulsa, and Oklahoma City. The same is true with respect to Shreveport. As we stated in our order instituting this proceeding, if we were to include several additional cities and many others which could subsequently claim inclusion on the same criteria, it would transform a moderate-sized, manageable case into a gigantic area proceeding. We will therefore deny the petitions for reconsideration of the Utah Agencies and Shreveport.

Northwest's application in Docket 28540 to include the question of nonstop service between Seattle/Portland and Atlanta is clearly outside the scope of this case. The granting of Northwest's motion to consolidate would shift the focus of the investigation from the needs of Oklahoma and Denver to the southeast to the entirely unrelated issue of transcontinental Pacific Northwest-Southeast service. Northwest's conditional petition for reconsideration and its motion to consolidate Docket 28540 will be denied.

Braniff's petition for reconsideration seeks to impose a pretrial restriction against single-plane service between Seattle/Portland and the southwest points in issue. Alternatively, Braniff requests expansion of the issues to include the elimination of Condition 17(b) of Route 9 which prohibits Braniff from operating single-plane service between Seattle/Portland and the Florida points here in issue.

The Board dealt with the question of imposing a pretrial restriction at length in Order 75–10–135 and concluded that it would consider the evidence before deciding whether to impose such a restriction "since the evidentiary record or events occurring prior to final decision may show such a restriction to be either unduly restrictive or altogether unnecessary." Nothing has been advanced in the petitions for reconsideration to change our view. The parties will be given a full opportunity to submit evidence on the need or lack of need for a single-plane or some other type of restriction. This will give us the necessary flexibility to deal with this matter after considering the complete evidentiary record. We will therefore deny Braniff's request to impose a pretrial restriction. For reasons hereinbefore stated with respect to Northwest's application in Docket 28540, Braniff's motion to consolidate its application in Docket 24259 (Amendment No. 1) will be denied.

TWA filed a petition seeking either clarification or reconsideration of Order 75–10–135 to the extent necessary to place in issue the elimination of Condition 29 of Route 2 to enable it to operate single-plane service between Denver, Oklahoma City and Tulsa, on the one hand, and the southeast points, on the other hand, via St. Louis. It is clear from the language of Order 75–10–135 that the elimination of TWA's Condition 29 is outside the scope of this case. Ordering paragraph 3(b) specifically states that any authority granted in this case shall be in the form of a separate segment or segments except where a carrier holds "on segment authority subject to a restriction." TWA's authority between Denver, Oklahoma City and Tulsa, on the one hand, and the southeast points, on the other hand, is not "on-segment" but derives from a combination of several segments. Moreover, the expansion of the geographical scope to include St. Louis would not only detract from a consideration of the service improvement opportunities between the Oklahoma cities and the southeast but would require further expansion to include additional cities who would claim entitlement to the same treatment as St. Louis. We will therefore deny TWA's petition for reconsideration and motion to consolidate Docket 28539.[1]

Delta's petition for reconsideration or clarification regarding subsidy eligibility will be denied. Delta is free during the course of this proceeding to argue its position regarding the conditions which it believes should be attached to the granting of a certificate of any particular applicant. We will therefore not impose a pretrial restriction. We will also deny Delta's request regarding further participation by the Bureau. This matter is currently under consideration by the Board's Procedural Advisory Committee and it would be premature to consider Delta's request in this proceeding.

On the basis of the foregoing and upon consideration of all the relevant facts, the petitions for reconsideration and/or clarification of Order 75–10–135 will be denied. The following applications, insofar as they conform to the scope of this proceeding, will be consolidated: American, Docket 28535; Braniff, Docket 28536; Continental, Docket 28514; Delta, Docket 28541; Eastern, Docket 28530; Frontier, Docket 28531; National, Docket 28525; Piedmont, Docket 28534; Southern, Docket 28533; TWA, Docket 28538; United, Docket 28544; and Western, Docket 28527.[2]

The applications of Braniff in Docket 24259 (Amendment No. 1); Northwest in Docket 28540; and TWA in Docket 28539 involve issues beyond the scope of the investigation and will not be consolidated.

Accordingly, it is ordered, That 1. the petitions for reconsideration and/or clarification of Northwest Airlines, Inc.; Trans World Airlines, Inc.; Delta Air Lines, Inc.; Braniff Airways, Inc.; the City of Shreveport, the Shreveport Chamber of Commerce, and the Shreveport Airport Authority; the Utah Agencies and the Utah Department of Transportation; and the City and Chamber of Commerce of Memphis be and they hereby are denied.

2. That ordering paragraph 4 of Order 75–10–135 be and it hereby is amended to read as follows:

"4. There are hereby consolidated into said proceeding, to the extent that they conform to the scope of the issues as hereinabove stated, the following applications and petitions or the conforming portions thereof:

American, Docket 28535.
Braniff, Docket 28536.
Continental, Docket 28514.
Delta, Docket 28541.
Eastern, Docket 28530.
Frontier, 28531.
National, Docket 28525.
Piedmont, Docket 28534.
Southern, Docket 28533.
TWA, Docket 28538.
United, Docket 28544.
Western, Docket 28527.
Denver Parties, Docket 19314.
Oklahoma Parties, Docket 27286."

3. That the motions to consolidate the applications of Braniff in Docket 24259 (Amendment No. 1); Northwest in Docket 28540; and TWA in Docket 28539 be and they hereby are denied and the underlying applications of Braniff, Northwest, and TWA be and they hereby are dismissed without prejudice pursuant to Rule 12(e) of the Board's Rules of Practice.

4. That the applications of the air carriers which were previously consolidated in old paragraph 4 of Order 75–10–135 and United's application in Docket 25318 be and they hereby are dismissed.

5. That, except to the extent granted herein, all motions, petitions, and requests for relief be and they hereby are denied.

6. That this order be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76–279 Filed 1–5–76;8:45 am]

[Docket 28672; Agreement CAB 25606 R–1 through R–4; Order 75–12–141]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Deferring Action and Establishing Procedures

Issued under delegated authority December 29, 1975. Agreements among Members of the International Air Transport Association involving Agency Matters.

There have been filed, pursuant to section 412(a) of the Federal Aviation Act of 1958, as amended (Act), and Part 261 of the Board's Economic Regulations, four agreements among the members of the International Air Transport Association (IATA) to establish or amend certain IATA resolutions on agency matters. The Resolutions were adopted at the Reconvened Composite Traffic Conference held in Geneva on December 8–11, 1975.

A new Special Readoption Resolution (Resolution 002z) establishes commission rates for the sale of air transportation effective February 1, 1976. A new Tour and Travel Organizers Study Resolution (Resolution 016d), would institute a study to develop recommendations to be implemented April 1, 1977, regarding (1) control of tour and group travel organizers, (2) members' in-house tours, and (3) remuneration of tour organizers. Also adopted, was a new resolution termed the Industry Incentive Scheme for Approved Agents (Resolution 815) which proposes to provide an incentive commission for approved agents as a reward for increased productivity. Resolution 860, Commission on Interline Sales, was amended to allow a member carrier an increased commission on interline sales 0.25% above the proposed Industry Incentive Scheme. The first three resolutions have an intended effective date of January 15, 1976, and the final resolution, an intended effective date of January 1, 1977.

Copies of the agreements are attached as an Appendix.[1]

The above agreements, filed on behalf of the U.S. members of IATA, were undocketed at the time of filing and were subsequently docketed (Docket 28672) by the Director, Bureau of Operating Rights pursuant to Rule 1207 of the Board's rules of practice. (14 CFR 302.1207)

In view of the likely interest in the agreements by members of the travel agency industry and others and in an effort to develop a full record in the proceeding, procedures, similar to those established by Subpart P of the Board's Rules of Practice applicable to agreements filed for prior Board approval (14 CFR 302.1601–08), are hereby established for the processing of the agreements. Therefore pursuant to authority duly delegated by the Board's Regulations (14 CFR 385.3) it has been decided to defer action on the agreements and to establish procedural guidelines applicable thereto.[2]

Accordingly, it is ordered That 1. Action be and it hereby is deferred on Agreements CAB 25606 R1 through R4;

2. The U.S. air carrier members of IATA are hereby afforded a period of 20 days from date of service of this order within which to submit (1) comments explaining the nature and purpose of the agreements and how they change any practices existing under previously approved contracts and agreements, (2) economic data and other material which the carriers desire the Board to officially notice, and (3) argument in support of approval of the agreements;

3. Within the same 20-day period any other person may file comments in support of or in opposition to the agreements;

4. Rebuttal comments will be due 10 days thereafter and may be filed by any person filing initial comments; and

5. This order will be served on IATA and its U.S. member air carriers, the American Society of Travel Agents, Inc., the Association of Retail Travel Agents, the American Automobile Association, the Association of Bank Travel Bureaus, the Travel Agents' Legal Action Committee, and the United States Departments of Justice and Transportation.

Persons entitled to petition the Board for review of this order pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective immediately and the filing of such petitions shall not stay its effectiveness.

This order will be published in the FEDERAL REGISTER.

BRUCE E. CUNNINGHAM,
Director, Bureau of Operating Rights.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76–278 Filed 1–5–76;8:45 am]

[Order 75–12–146; Docket 27573; Agreement C.A.B. 25203, R–1 through R–10, Agreement C.A.B. 25207, R–1 through R–6, Agreement C.A.B. 25281, R–9 through R–12]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

North/Central Pacific Cargo Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 30th day of December, 1975.

By Order 75–7–88, July 17, 1975, the Board established procedural dates for the receipt of carrier justifications, comments and responses pertaining to agreements among the carrier members of the International Air Transport Association (IATA) to establish North/Central Pacific and intra-Pacific cargo rates through September 30, 1977. Minimum charges for all consignments would increase by $3 to a total of $21 for West Coast gateways, and by $4 to a total of $26 for interior U.S. points. West Coast-Tokyo under-45 kg., 45 kg., and 100 kg. general rates would remain at present levels, with a 5 cent decrease in the 300 kg. rate and a 5 cent increase in the 500 kg. rate. Other general rates from the West Coast to points beyond Tokyo would increase 4 to 10 percent based upon mileage taper. Specific commodity rates between the U.S. and the Indian subcontinent would increase 8 percent, while the other commodity rates with minimum weights under 1,000 kgs. would increase by 10 percent, and those over 1,000 kgs., 12 percent. Certain commodity rates would take lesser increases and a few such as Item 4416 (Semiconductors and other electronic components) would remain at present agreed-upon levels. Finally, present pivot weights for containerized shipments would be decreased and minimum charges for containers increased, for a net 3 to 11 percent increase in West Coast Tokyo container rates at the pivot weight. Container rates to other Asian points beyond Tokyo would be increased 6 to 21 percent at the pivot weight, and over-pivot rates would take similar increases.[1]

Statements of justification and supporting data have been submitted by the Flying Tiger Line Inc. (Tiger) and Pan American World Airways, Inc. (Pan American). Historical financial data have been submitted by Northwest Airlines, Inc. (Northwest), a U.S. non-IATA carrier which operates all-cargo services in the North/Central Pacific market but is not party to the agreement. Other comments have been received from Japan Air Lines Company, Ltd. (JAL), the State and County of Hawaii (Hawaii), and from the Puget Sound Traffic Association (PSTA). A motion "for more definite statement and other relief" has been submitted by the Western Electronics Manufacturers Association (WEMA) in connection with the agreement.

Tiger asserts that the proposed increases in minimum charges are justified because the present charges are still at 1969 levels, do not cover costs, and are significantly below comparable charges on the North Atlantic, and that the somewhat greater increase in minimum charges for interior U.S. points is justified by the recently increased prorate requirements fo the U.S. domestic carriers. Regarding the increases in general cargo rates (GCR's), Tiger contends that while there is an apparent conflict with the Board's policy statement issued prior to the Nice Conference, in fact the agreement aligns these rates much more closely with long-standing Board policy: By eliminating unproductive 200 and 400 kg. weightbreaks which produce only only 10.1 percent of GC revenue; increasing proportionals for construction of through rates to interior U.S. points to compensate for pro-rate dilution, but still producing rates less than would result from combination of the locals; reducing the 300 kg. U.S.-Tokyo rates; and increasing beyond Tokyo rates to alleviate the present differentials in yields per mile between Tokyo and other Asian points. It is further stated that the 5 cent per kg. increase in the U.S.-Tokyo rates was necessary to secure agreement. Tiger alleges further that the amend-

[1] Appendix filed as part of the original document.

[2] It is found, pursuant to § 385.6 of the Board's Regulations, that the action taken herein is governed by prior Board precedent and policy, and because the three new resolutions have an early intended effective date, immediate action is required to facilitate expedited processing. Therefore, it is determined that the filing of petitions for review of this order will not preclude this order from becoming effective immediately.

[1] Within the Pacific, minimum charges between Guam and the Far East would increase by 1.35 U.K. pounds ($3.26 at the official IATA exchange rate) to 5.00 U.K. pounds ($13.08), and general cargo rates would increase approximately 8 percent. Specific commodity rates would be increased by about 10 percent.

[1] On December 17, 1974, St. Louis and TWA filed motions for leave to file replies to Delta's answer to the petitions for reconsideration. We will grant the motions of St. Louis and TWA and have considered their respective answers in reaching our determination herein.

[2] As a technical matter, the air carrier applications set forth in the original ordering paragraph 4 of Order 75–10–135 will be dismissed since they will be superseded by the applications set forth in revised ordering paragraph 4.

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ments to the container rate structure will make container rates more available to shippers by reducing the pivot weights, and that the increases in minimum charges and over-pivot rates will more closely relate the container rates with actual cost savings.[3] The proposed increases in SCR's will, Tiger claims, reduce the spread between SCR's and general rates, particularly at Tokyo, and represents the maximum amount of restructuring the carriers could achieve in the current distressed economic atmosphere. Here the carrier goes on to cite substantial cost increases which have not been matched by corresponding revenue improvements, and alleges that the proposed structure will not result in earnings in excess of the Board's guidelines. Tiger's financial statement shows a return on investment in scheduled all-cargo operations of 13.20 percent during the year ended March 31, 1975, and forecast returns during the year ending September 30, 1976 of 9.01 percent under present rates and 11.21 percent under proposed rates. These forecasts are based on a forecast load factor of 60.9 percent which, although reflecting a decline from the 64.9 percent load factor experienced during the historical period, is nevertheless alleged to be reasonable in light of the recent addition of a third B–747 freighter to accommodate heavy eastbound traffic demand.

Pan American supports the increases and revisions to the structure generally for the same reasons set forth by Tiger; forecasts a revenue improvement of $5.6 million under the agreement, most of which will flow from specific-commodity rate increases; and forecasts a return on investment of −12.69 percent on all-cargo operations and 10.99 percent on total (freighter plus belly) cargo operations under the proposed rates. The forecast reflects a 53.0 percent load factor, an improvement over the 50.4 percent experienced during the historical period.

Northwest has submitted a statement of financial results during the historical period, but states that it is preparing its own proposal for a new North/Central Pacific cargo rate structure, and that the major modifications included in its own proposal "make it impossible to provide a Northwest forecast of any value for use in reviewing the IATA carriers' agreement." More generally, Northwest contends that the proposed IATA structure not only continues the heavy dependence on bulk specific commodity rates, but would also widen considerably the disparity between the specific commodity rates and the general-commodity container rates.

JAL defends the proposed increase in the 500 kg. GCR rate to Tokyo, as well as the other increases, as absolutely essential due to the carriers' drastic need for increased revenue; it forecasts a $7.6 million operating loss under the agreement, which, however, offers a significant improvement over the $12.5 million loss forecast under present rates. JAL states further that the exceptions were made to the GCR mileage taper in rates beyond Tokyo only to continue common-rating of Manila and Taipei; to maintain the existing Singapore-Jakarta differential; to introduce rates for Kuala Lumpur pursuant to a government requirement; and to limit increases to 10 percent so as to avoid widening the gap between general cargo and specific commodity rates.

Hawaii opposes the proposed increase in commodity rates for papayas, contending that the increased rates, if approved, will make it difficult to sell the current papaya crop, expected to be the largest on record, in Japan which is its primary market. Papayas, it is alleged, must move by air due to their perishability, and although they sell for up to $2.00 per pound in Tokyo, air freight costs already amount to twice the 17 cents per pound paid to the Hawaiian farmer, and a rate increase will seriously undermine their marketability and the profitability of growing the product. Hawaii further asserts that this traffic moves exclusively in the belly compartments of B–747 passenger aircraft, and, as Pan American is currently earning an exorbitant 30.21 percent return on investment in belly-cargo operations, no rate increase is required.

PSTA alleges that the present and proposed North/Central Pacific cargo rate structure unlawfully discriminates against Seattle, which is common-rated with Los Angeles and San Francisco, with the result that rates per mile are much higher to/from Seattle than to/from the other West Coast gateways. PSTA cites the Board's decisions in Docket 20522, Agreements Adopted by IATA Relating to North Atlantic Cargo Rates, which found that North Atlantic rates to/from seven U.S. gateway cities must be placed on an equal per-mile basis with rates to/from New York; and also refers to Board actions relating to Philadelphia / Baltimore / Washington-Europe passenger fares and the relationships of Seattle-Europe and Vancouver-Europe fares.

WEMA states that it cannot determine whether the justifications submitted by the IATA carriers include revenues attributable to the proposed increases in commodity rates for electronic parts, which were adopted at the 1974 Ft. Lauderdale Conference and incorporated in the present agreement. Accordingly, WEMA requests that the Board direct the carriers to state whether or not their justifications and financial forecasts include the Ft. Lauderdale increases, and to submit full details relating to the revenue impact of the proposed electronic rates, as well as "the source of each figure in their justifications and complete details as to how they were derived."[5]

In a reply to Hawaii, Pan American contends that the increased commodity rates for papayas will amount to about 3.75 cents per pounds in the Hawaii-Japan market under Hawaii's own calculations, and that when the $2.00 per pound selling price of papayas in Tokyo is considered, it is evident that the proposed rate increase will have little impact on papayas' marketability. Pan American further alleges that if Hawaii-Far East traffic continues to grow at the present rate, the market will require all-cargo service which must be priced at remunerative levels, regardless of the current earnings on belly-cargo operations; and that if there is not an orderly increase in commodity rates to keep pace with costs, the carriers will be unable to offer the increased capacity when it is needed.

Pan American, in answer to PSTA, asserts that while Seattle-Far East rates would be lower than Los Angeles or San Francisco-Far East rates if they were calculated on the basis of shortest operated mileages, the historical commonrating of the three major West Coast gateways is a competitive necessity due to the differing route authorities of the various carriers serving Seattle. Lowering Seattle rates would seriously disadvantage carriers such as Pan American which may carry Seattle-Far East traffic only via Honolulu, Los Angeles or San Francisco, over which routings the mileages are substantially greater than on direct Seattle-Far East flights. Finally, Pan American notes that PSTA does not seek to terminate common-rating of West Coast gateways with respect to South Pacific service, where Seattle would be disadvantaged by application of a mileage formula.[6]

Both Tiger and Pan American have filed answers in opposition to WEMA's motion. Tiger alleges that its justification clearly indicated that the impact of the Ft. Lauderdale electronic rates is not included in its forecasts; that if the movants believe the carrier justification to be insufficient, the proper procedure is to file comments to that effect rather than to request the Board to require any

[3] Tiger contends that the higher 6 to 21 percent increases in beyond-Tokyo container rates will have a minimum impact, since the bulk of the traffic to/from these points moves on specific commodity rates, and thus the rates are only "paper" increases.

[5] WEMA also faults the carrier justifications on several specific points, and contends that the proposed increases, including electronics rates, are not justified because Pan American's high return in belly operations and its low freighter load factors indicate overcapacity, as well as failure to reflect the impact of the Pan American-TWA route exchange; that although Tiger forecasts only 9.01 percent ROI, it has enjoyed very favorable returns in recent years which should be balanced against the forecast; and that Tiger's forecast of operations also reflects overcapacity.

[6] PSTA, in a response to Pan American's answer, faults the carrier's arguments relating to competitive considerations and route authority, and alleges that the Board, in Docket 20522, rejected similar arguments with respect to Atlantic rates.

information which the movants deem relevant; and the ultimate objective is to further delay approval of the Ft. Lauderdale increases which, it is alleged, were fully justified previously.[6] Pan American states that its justification and financial forecast fully reflect the increased revenues under the proposed electronic rate increases; submits further details of the revenues derived from the carriage of this traffic; asserts that its justification fully supports the proposed increases in electronic parts and other items; and alleges that the shippers' motion should, therefore, be denied.[6]

The Board has carefully reviewed the justifications, comments and responses, and concludes that increases of the magnitude proposed are not warranted by carrier needs under economical and efficient management. It is true that carrier costs have increased significantly and that some yield improvement is required as discussed infra and in Order 75–12–145, issued concurrently herewith.[7]

It is particularly doubtful whether the carriers have done all that is possible to bring capacity into line with the present needs of the market, and to achieve load factors which will result in profitable operations. Tiger forecasts a significant decline in load factor, attributable to a 25 percent increase in capacity over the historical period due to the introduction of a third B–747F aircraft, which the carrier claims is needed to handle strong traffic demand in the eastbound direction. Although there may be, at the present time, enough of a directional traffic imbalance to require some response from the carriers, this does not mean that Tiger, which already has by far the largest market share in the North/Central Pacific, must necessarily increase its overall capacity by 25 percent. While introduction of more efficient B–747 freighters is certainly a desirable long-term goal, overall capacity must still be held in line with the actual requirements of the market, by rationalizing capacity offered on existing narrow-body equipment or other means. As stated by IATA's Director General in his report on "The State of the Air Transport Industry" delivered to the 21st Annual General Meeting of IATA, September 29–October 2, 1975:

> . . . In today's economic environment, system disequilibrium and resultant waste can no longer be tolerated by the uncoordinated introduction of new generations of aircraft. The carriers' role in the overcapacity scenario cannot be overlooked, for it is they that have the ultimate choice of whether to increase capacity. Carriers' equipment orders may reflect an anticipated increase in market share at the expense of others, and thus the sum total of individual capacity forecasts and hence equipment orders may well considerably exceed projected industry figures. . . . (IATA Review, October 1975)

As stated above, it is the carriers which have "the ultimate choice of whether to increase capacity," and the pattern of operations is, indeed, a managerial prerogative of each airline. However, the Board is not prepared to approve fare and rate increases based on load-factor forecasts which would, in effect, force the flying and shipping public to pay for capacity increases not reasonably related to the actual needs of the market. For this reason, we are adjusting Tiger's traffic forecast to maintain the 64.9 percent load factor experienced in the historical year ended March 31, 1975.

Historically, Pan American and Northwest both indicate much lower load factors in their freighter operations than Tiger (50.4 and 45.9 percent, respectively, during the historical period), with corresponding operating losses and negative returns on investment. This is partially due, however to the fact that both show healthy results in their belly-cargo operations, 30.21 percent ROI for Pan American and 12.51 percent ROI for Northwest during the historical period. Generally the Board considers both freighter and belly operations in its disposition of IATA rate agreements, but places the greater weight on the results in all-cargo operations. Pan American states in its justification, and amplifies in its answer to WEMA, that the cost allocations between passenger and freight on the basis of which belly-cargo service return is computed are unrealistic or do not provide a proper basis for costing or pricing cargo service. In this instance such difficulties are readily apparent. Faced with the absence of reliable data, particularly in the allocation of belly operating costs, the Board must rely on results in all-cargo operations. Such a reliance on all-cargo results must, however, assume that the freighters are operated in an efficient manner. Due to the disappointing freighter load factors cited above, a considerable adjustment must be made to Pan American and Northwest's historical and forecast all-cargo results before they can be considered reasonable as a basis for measuring cargo profitability. For these reasons, we have adjusted Pan American and Northwest's traffic and revenue to maintain the historical load factor level experienced by Tiger.

These adjustments to the carriers' financial statements, set forth in further detail in the Appendix, result in returns on investment of 13.20, −4.84 and −2.57 percent for Tiger, Pan American and Northwest, respectively, during the historical period (or 6.12 percent on a weighted composite basis); and 14.41, −10.66, and −2.57 percent, respectively, during the forecast period at present rates (or 7.18 percent on a composite basis).[8] It is clear, considering the U.S. carriers' composite results in accordance with the Board's policy in reviewing IATA agreements, that earnings are inadequate and some revenue improvement is required. However, it also appears that approval of the agreement as proposed would result in excess earnings. Under the Nice package now before us, the carriers would earn a composite return of 16.75 percent, well above the Board's 12 percent guideline, and accordingly the proposed increases must be disapproved.

This figure includes a 21.98 percent return on investment for Tiger, which reflects a $7.3 million upward adjustment in Tiger's revenue to account for the increased revenue from electronic specific commodity rates that Tiger purposefully omitted from its forecast.[9] The Board fails to understand why these revenue increases were not included in Tiger's financial forecast. The procedural order directing the IATA carriers to submit economic justification clearly required them to include a forecast of financial results under the rate levels proposed in the agreement, which included increases in commodity rates for electronic parts adopted at Ft. Lauderdale.[10]

The Ft. Lauderdale increases in electronics commodity rates have already been approved by the Board, although the Board stayed its approval pending action on petitions for reconsideration by WEMA and other shippers. As noted above, Order 75–12–145, issued concurrently herewith, dismisses these petitions for reconsideration, and we have revised the carriers' forecasts to evaluate earnings under the increased electronic commodity rates with all other rates remaining at *status quo*. Under these rates, the U.S. carriers will earn a composite return on investment of 11.98 percent, well in line with the Board's 12 percent ROI guideline.[11]

As stated above, the carriers' forecasts, as adjusted by the Board, clearly indicate that earnings will be inadequate under presently effective rates and some revenue improvement is required. For the reasons set forth in our order dismissing the electronics shippers' petitions for reconsideration, and in the Nice Policy Statement, the Board believes it much more appropriate to make up this reve-

[6] The Board approved the electronic commodity rate increases in Order 75–1–46, but stayed its approval pending action on petitions for reconsideration by WEMA and other parties. See Order 75–2–43, February 11, 1975.

[6] WEMA has filed an answer to Pan American's reply, criticizing the carriers load factor and revenue calculations.

[7] The concurrent order dismisses petitions for reconsideration of Order 75–1–46, and permits the increased electronics commodity rates to become effective. As indicated therein, the carriers will achieve a significant yield improvement from this source.

[8] In addition to adjusting Tiger's forecast load factor, the carrier's forecast yield was adjusted upward to the reported historical level to eliminate an unexplained 3.1 percent decline. The upward adjustments in load factor, traffic and revenue were balanced by corresponding upward adjustments in the carriers' traffic-related expenses. Since Northwest submitted no forecast, we have assumed the same level of operations subject to the load factor adjustment.

[9] The estimate is based on previous statements by Tiger relating to the amount of traffic, and the Board's calculation in Order 75–1–46 of the magnitude of the increase.

[10] Pan American's justification, by way of contrast, clearly includes all increased revenues which would result from approval of the Nice agreement.

[11] See Appendix filed as part of the original document.

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nue deficiency by increasing low specific commodity rates such as the electronics, rather than by another general rate increase which would further burden other shippers. The data before us indicate that the rate levels already approved by the Board, including the Ft. Lauderdale electronic rate levels, will produce adequate returns at reasonable load factors, and that no further increase is required or warranted. We, therefore, conclude that the other proposed increases should be disapproved. We will, however, approve certain resolutions which do not directly impact on the rate levels.[13]

The Board also has difficulty with some specific aspects of the proposed rate structure itself. The agreement does little in the way of reducing reliance on specific commodity rates, contrary to the Board's admonitions in its Policy Statement, and with the exception of the Tokyo market, where general cargo rates were maintained at status quo at certain weightbreaks, reflects roughly the same differential between the SCR's and general rates as at present. The present spread between commodity rates and general cargo container rates would be widened in any markets, thus undermining any incentive the shipper may have to containerize. Tiger asserts that since most of the traffic in these markets moves on specific commodity rates, the container rates would have little impact and are only "paper" rates anyway. This is exactly the point: because of the large gap between SCR's and general container rates, all container rates in these markets are, in effect, "paper" rates. Rather than widening this gap, the carriers should try to reduce it and provide some incentive for containerization.

We turn now to the comments. Although the Board is disapproving all the proposed rate increases for the reasons stated above, we cannot agree with the arguments advanced by Hawaii regarding commodity rates for papayas. The Board has consistently urged the carriers to increase low specific commodity rates, and to that limited extent the Nice agreement conforms to our stated policy. Further, there is no reason to believe that the rate increases for papaya, if approved, would have such a drastic effect as Hawaii alleges. Cargo rate increases always have an impact on the shipper; but as Pan American points out, the rate increases here would have a minimal impact on the selling price and salability of the product. In any event, while the Board does not ignore the effects of freight increases on the movement of traffic, on the other hand shippers must expect to pay their fair share of the increased costs to the carriers of the services the shippers use.

[13] Resolutions proposing increased rates between Guam, on the one hand, and Far Eastern and European points, on the other hand, will be disapproved consistent with our actions herein relating to overall North/Central Pacific services. In addition, the Board will condition Resolution 022p (Special Rules for Sales of Cargo Air Transportation) to insure that currency-related surcharges from foreign points shall be applied only to the transpacific portion of through rates constructed to interior U.S. points.

The request of the Puget Sound Traffic Association raises significant questions of possible preference and prejudice to Seattle shippers and consignees vis-a-vis Los Angeles shippers and consignees. The issues raised however require further analysis and evaluation, and so as not to further delay disposition of the instant agreements, we will defer action on the disposition of PSTA's comments at this time.

Finally, the motion of WEMA for a more definite statement and other relief will be denied herein. The key point at issue, whether the Ft. Lauderdale electronics rate increases were included in the carriers' economic justifications, has already been clarified by the carrier responses to WEMA's motion. The movant's other contentions regarding the carriers' capacity projections were carefully considered by the Board in its evaluation of the carriers' forecast level of operations, and have been adequately treated through the Board's load factor adjustments discussed above.

Pursuant to sections 102, 204(a) and 412 of the Act, the Board makes the following findings:

1. It is not found that the following resolutions, incorporated in Agreement C.A.B. 25203 as indicated, are adverse to the public interest or in violation of the Act, provided that approval is subject, where applicable to conditions previously imposed by the Board:

Agreement CAB	IATA No.	Title	Application
25203:			
R-1	001c	Cargo Tie-In Resolution North and Central Pacific	3/1; 1/2/3.
R-3	016b	North and Central Pacific Cargo Policy Study Group	3/1.
R-5	0022pp	JT3I (North and Central Pacific) Special Rules for Sales of Cargo Air Transportation.	3/1.
R-6	115k	Meeting Non-IATA Competition—Cargo (JT3I—North and Central Pacific).	3/1.

2. It is not found that the following resolutions, incorporated in Agreement C.A.B. 2507 as indicated, are adverse to the public interest or in violation of the Act to the extent they apply in air transportation to/from Guam, provided that approval is subject, where applicable, to conditions previously imposed by the Board:

Agreement CAB	IATA No.	Title	Application
25207:			
R-1	002	Standard Revalidation Resolution	3.
R-2	022a	TC3 Special Rules for Sales of Cargo Air Transportation (Revalidating and Amending).	3.
R-3	022uu	TC3 Special Rules for Sales of Cargo Air Transportation (New)	3.

3. It is not found that the following resolutions, incorporated in Agreement C.A.B. 25203 as indicated, are adverse to the public interest or in violation of the Act provided that approval is subject to the conditions hereinafter stated:

Agreement CAB	IATA No.	Title	Application
25203:			
R-4	022p	JT3I (North and Central Pacific) Special Rules for Sales of Cargo Air Transportation.	3/1; 1/2/3.

Provided, that: Application of surcharges to constructed rates to/from non-specified U.S. points shall apply only to the specified portion of the through constructed rate.

Agreement CAB	IATA No.	Title	Application
25203:			
R-2	014x	Special JT3I and JT12S Cargo Construction Rule	3/1 (N/C); 1/2/3.

Provided that: Copies of all notices received and sent pursuant to Resolution 014x and copies of constructed rates shall be submitted to the Board at the time of circulation among Members.

4. It is found that the following resolutions, incorporated in Agreement C.A.B. 25203 as indicated, are adverse to the public interest and in violation of the Act to the extent they would apply directly in air transportation as defined by the Act:

Agreement CAB	IATA No.	Title	Application
25203:			
R-7	501	Minimum Charges for Cargo (North and Central Pacific)	3/1; 1/2/3.
R-8	536a	Charges for Bulk Unitization North and Central Pacific	3/1.
R-9	556a	JT3I/12S General Cargo Rates North and Central Pacific	3/1; 1/2/3.
R-10	590	Specific Commodity Rates Board	3/1; 1/2/3 (N&C).
25381:			
R-9	501	Minimum Charges for Cargo (Revalidating and Amending)	2/3; 1/2/3.
R-10	535	Charges for Bulk Unitization—JT2S (Revalidating and Amending)	2/3.
R-11	555	JT2S and JT12S General Cargo Rates	2/3; 1/2/3.
R-12	590	Specific Commodity Rates Board (Revalidating and Amending)	2/3; 1/2/3.

5. It is found that the following resolutions, incorporated in Agreement C.A.B. 25207 as indicated, are adverse to the public interest and in violation of the Act to the extent they would apply in air transportation to/from Guam:

Agreement CAB	IATA No.	Title	Application
25207:			
R-4	501	Minimum Charges for Cargo (Revalidating and Amending)	3.
R-5	553	TC3 General Cargo Rates	3.
R-6	590	Specific Commodity Rates Board (Revalidating and Amending)	3.

Accordingly, *it is ordered*, That: 1. Those portions of Agreements C.A.B. 25203 and C.A.B. 25207 set forth in finding paragraphs 1 and 2 above be and hereby are approved subject, where applicable, to conditions previously imposed by the Board;

2. Those portions of Agreement C.A.B. 25203 set forth in finding paragraph 3 above be and hereby are approved subject to the conditions set forth therein;

3. Those portions of Agreements C.A.B. 25203, C.A.B. 25207, and C.A.B. 25281 set forth in finding paragraphs 4 and 5 above be and hereby are disapproved;

4. The motions of Pan American World Airways, Inc., the State and County of Hawaii, and the Puget Sound Traffic Association are hereby granted; and

5. The request of the Puget Sound Traffic Association that all published and constructed Seattle-Far East rates be required to be equal on a per-mile bases to Los Angeles-Far East rates, be and hereby is deferred; and

6. The motion of the Western Electronic Manufacturers Association for more definite statement and other relief is hereby denied.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

[FR Doc.76-151 Filed 1-5-76;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

List of Statements Received

Environmental impact statements received by the Council on Environmental Quality from December 22 through December 24, 1975. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the *minimum* period for public review and comment on draft environmental impact statements is forty-five (45) days from this FEDERAL REGISTER notice of availability. February 16, 1976. The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies will also be available at cost from the environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: Dr. Fowden C. Maxwell, Coordinator of Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 359-A, Washington, D.C. 20250. (202) 447-3965.

FOREST SERVICE

Draft

Bogus Basin Ski Area Expansion, Boise County, Idaho. December 22: Proposed is the expansion of the Bogus Basin Ski Area on the Boise National Forest, Boise County, Idaho. The proposal calls for the addition of 1,370 acres upon which two double chairlifts, a warming lodge, and several ski runs will be developed. The major consideration involved is the allocation of the area to the long term commitment of a winter sports area. (ELD Order No. 51849.)

Ryan Park Winter Sports Site, Medicine Bow National Forest, Carbon County, Wyo., December 23: Proposed is the allocation of 280 acres of National Forest land adjacent to Ryan Park, Wyoming for a winter sports site. The current allocation of 67 acres for a winter sports site at the nearby Ryan Park Ski Village would be terminated. Adverse effects include the loss of 10 acres of land from wood production, and an increase in the consumption of energy. (ELD Order No. 51858.)

RURAL ELECTRIFICATION ADMINISTRATION

Draft

Flint Creek Power Plant—550 Megawatts, Benton County, Ark., December 23: The proposed project involves the request for guaranteed loan funds from REA for Arkansas Electric Cooperative Corporation's 50% participation in the construction of a new power plant in Benton County, Arkansas, to be known as the Flint Creek Power Plant. The proposed plant will have a gross generation capability of 550 MW and a net output of 530 MW. Approximately 650 acres of grazing land will be taken for construction purposes. (ELR Order No. 51860.)

SOIL CONSERVATION SERVICE

Draft

Upper Choptank River watershed, Delaware and Maryland, December 23: Proposed is the implementation of a watershed protection, flood prevention, and drainage project located in Queen Anne and Caroline Counties, Maryland, and Kent County, Delaware. The project will consist of land treatment measures on 45,636 acres and 280 miles of multiple-purpose channel work. Adverse effects include the reduction of wildlife habitat values by 10% and recreational hunting resources from good quality to average quality. (ELR Order No. 51855.)

Neshaminy Creek watershed, Bucks and Montgomery Counties, Pa., December 22: The proposed project is designed for watershed protection, flood prevention, water supply and recreation in Bucks and Montgomery Counties, Pennsylvania. Several project actions have been installed; those remaining include 5 floodwater retarding structures and a continuing program of land treatment. Adverse effects include the commitment of 425 acres and the periodic inundation of 813 acres. Three farms, 3 businesses, and 13 homes will be relocated. (ELR Order No. 51845.)

Goose Creek Watershed Project, Lincoln County, Wash., December 22: The proposed action consists of a project for watershed protection, flood prevention, and recreation in Lincoln County, Washington. Project plans include conservation land treatment plus a multipurpose flood control and recreation structure, work on 750 feet of channel through the town of Wilbur, and flood control for the town of Creston. Land will use be altered on 465 acres, 10.5 acres of wetland will be eliminated, and displacement of 3 farmsteads and 7 persons will occur. (ELR Order No. 51844.)

DEPARTMENT OF DEFENSE

ARMY CORPS

Contact: Dr. C. Grant Ash, Office of Environmental Policy Development, Attn: DAEN-CWR-P, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314. (202) 693-6705.

Draft

Recreational Boat Harbor, Detour, Chippewa County, Mich., December 22: Proposed is the establishment of recreational and refuge harbor facilities for small craft at DeTour, Chippewa County, Michigan. Dredging and construction operations associated with the project would temporarily degrade the aquatic environment. Permanent adverse effects include the removal of some benthic organisms and degradation in water quality due to increased boat activity. (Detroit District.) (ELR Order No. 51843.)

Fox R., Wisconsin Navigation Project—Operation and Maintenance, several counties, Wisconsin, December 22: Proposed is the continued operation and maintenance of the Fox River, Wisconsin Navigation Project. Project activities include operation and maintenance of locks and guard locks, channel dredging, and control of the operation of 13 dams. Temporary increase in turbidity and the destruction of benthic organisms in the areas dredged will result. Dredge material disposal may create undesirable effects due to leaching and runoff from the disposal sites. (ELR Order No. 51850.)

Final

San Francisco Bay Area Maintenance Dredging, California, December 23: The composite statement concerns the maintenance dredging to authorized depths of 20 projects in the San Francisco Bay Area. Dredged material from at least 15 projects are disposed of at five designated aquatic sites. For the other five projects land disposal is contemplated. Adverse effects will result from benthic disruption of dredging and dredge disposal. Comments made by : AHP, EPA, FPC, DOC, HEW, DOI, USN, USDA, DOT, state and local agencies, and private groups. (ELR Order No. 51859.)

Hawaii Maintenance Dredging Activities, Hawaii, December 23: This project entails Federal Harbor maintenance dredging in the State of Hawaii, including the disposal of dredge spoil at ocean dumping sites located 3 to 5 miles offshore from the harbor entrances. Adverse impacts will be the destruction of some benthic organisms by excavation and burial, environmental stress due to silting, the assimilation of pollutants by marine organisms, and the pollution of the benthic environment. Honolulu District.) Comments made by: AHP, USDA, DOC, HEW, DOI,

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USGC, EPA, state and local agencies. (ELR Order No. 51863.)

Mount Morris Flood Control Project, Livingston County, N.Y., December 23: The statement refers to the operation and maintenance of Mount Morris Dam, Lake, and Reservation. Activities include daily gage readings, periodic structural repair and landscaping, removal of floating and sunken debris and sediment. Approximately 40,000 cubic yards of sediment and debris requires removal at the present time. Adverse impacts include disruption of 2,850 acres of terrestrial habitat and water pollution from dredging activities. (Buffalo District.) Comments made by: FPC, USDA, DOC, HEW, DOI, DOT, EPA state and local agencies. (ELR Order No. 51857.)

Houston Ship Channel, Dredging, Galveston, Chambers, and Harris Counties, Tex., December 23: The statement is the revised draft of a draft is submitted to CEQ December 29, 1971. Proposed is the maintenance dredging of shoaled material from the Houston ship Channel. The channel extends 50 miles from Bolivar Roads at the lower end of Galveston Bay, across Galveston Bay and through the lower reaches of the San Jacinton River and Buffalo Bayou to the Houston turning basin. Dredge materials will be placed in leveed land disposal areas and in open bay sites resulting in increased pollution. The project will destroy benthic habitat of dredged areas. Comments made by: HEW, EPA, HUD, DOC, DOI, USCG, AHP, state and local agencies. (ELR Order No. 51856.)

ENERGY RESEARCH AND DEVELOPMENT ADMIN.

Contact: Mr. W. Herbert Pennington, Office of Assistant Administrator, E–201, ERDA, Washington, D.C. 20545. (301) 973–4241.

Final

Waste Management, Hanford Reservation, Benton County, Wash., December 22: The statement refers to ERDA's continuing waste management operations at the Hanford Reservation. Current operations consist of the treatment and storage or disposal of radioactive and non-radioactive solid, liquid, and gaseous effluents from production and research and development efforts at Hanford. The current program calls for the conversion of waste from a liquid to a salt cake form. Comments made by: USDA, NSF, FPC, HEW, DOC, DOD, DOI, EPA, DOT, state and local agencies, concerned groups and individuals. (ELR Order No. 51848.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Room 7258, 451 7th Street SW., Washington, D.C. 20410. (202) 755–6308.

Final

Modula Integrated Utility Systems, December 22: The statement assesses the environmental impact from installation and operation of the Modular Integrated Utility Systems in a generic sense. The impacts were evaluated by use of a hypothetical housing development and were found to be less harmful to the environment than conventional utility systems. Comments made by: USDA, COE, HEW, DOI, EPA, NASA. (ELR Order No. 51847)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240. (202) 343–3891.

GEOLOGICAL SURVEY

Draft

Cordero Mine, Mining and Reclamation Plan, Campbell County, Wyo., December 23: Proposed is the approval of a surface mining and reclamation plan, Cordero Mine, Sun Oil Company, Campbell County, Wyoming. The plan proposes to mine 337 million tons at an expected full production rate at about 12 million tons per year. Adverse impacts include the degradation of ground and surface water quantity and quality, livestock and wildlife grazing, and recreational hunting and open space qualities. (ELR Order No. 51801.)

TENNESSEE VALLEY AUTHORITY

Contact: Dr. Peter Krenkel, Director of Environmental Planning, 720 Edney Building, Chattanooga, Tennessee 37401. (615) 755–2002.

Draft

Volunteer, Tennessee 500–kV Substation, Knox County, Tenn., December 23: The proposed action is the construction and operation of a 500–161–13–kV substation in Knox County, Tennessee, and several connecting transmission lines to tie the station into TVA's existing transmission system. Adverse effects include the clearing of 150 acres with associated timber production loss, animal habitat changes, and visual impacts. (ELR Order No. 51852.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, U.S. Department of Transportation, 400 7th Street SW., Washington, D.C. 20590, (202) 420–4357.

FEDERAL HIGHWAY ADMINISTRATION

Draft

U.S. 30, Caldwell-Nampa Boulevard, Canyon County, Idaho, December 22: The proposed project is an improvement of U.S. Highway 30 between the cities of Caldwell and Nampa, known locally as Caldwell/Nampa Boulevard. The study area runs 5.7 miles from Wilson Drain to Phyllis Canal. Adverse effects include disruption of traffic circulation and increased noise, air, and water pollution, all direct results of construction. Right-of-way acquisition will total 14.83 acres. (ELR Order No. 51846.)

Route 60, Carter County, Mo., December 23: Proposed is the acquisition of limited access right-of-way for an ultimate 4 lane expressway around the southern limits of Van Buren, Missouri. The project provides for improvement of a curvilinear section of Route 60 and the replacement of the bridge over the Current River. Adverse effects include the removal of 35 houses and relocation of 90 people. (ELR Order No. 51854.)

SR 111, Appalachian Corridor "J", Van Buren and Sequatchie Counties, Tenn., December 22: The statement refers to the reconstruction of State Route 11 in Van Buren County, which is a section of Appalachian Corridor "J". The length of the proposed four-lane road is approximately 13.8 miles beginning at the Sequatchie County line, and extending northward to near the south city limits of Spencer. The project is expected to have some adverse effects in the existing natural environment by reduction of total available wildlife habitat (480 acres) and temporary siltation of streams during construction. Comments made by: DOI, ARC, USDA, DOT, TVA, COE, EPA, AHP. (ELR Order No. 51851.)

GARY L. WIDMAN,
General Counsel.

[FR Doc.76–186 Filed 1–5–76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 475–8]

ENVIRONMENTAL RADIATION PROTECTION FOR NUCLEAR POWER OPERATIONS

Public Hearing

On May 29, 1975, the Administrator of the Environmental Protection Agency published (40 FR 23420) proposed standards specifying environmental radiation protection requirements for normal operations of the uranium fuel cycle. That notice requested interested parties to inform the Agency if they desired to participate in a public hearing to be scheduled at a future date. Because of the favorable response from a number of parties, notice is hereby given of a public hearing to be held commencing on February 17, 1975, at 10 a.m. e.s.t. at the General Services Administration Auditorium, 18th and F Streets, NW., Washington, D.C.

This hearing is scheduled in order to provide additional opportunity for interested parties to comment and/or to provide additional information bearing on these proposed environmental radiation protection standards.

The following information sets forth the nature of the hearing and the procedures which will be followed.

1. The hearing will be a legislative-type proceeding. Technical rules of evidences such as formal discovery, subpoena and cross-examination of witnesses, testimony under oath, and similar formalities will not apply.

2. The hearing will be conducted by a seven-member Hearing Board composed of a Presiding Officer, and Agency personnel conversant with technical and other matters relevant to the proposed standards. Mr. Richard Denney, Esq., Office of General Counsel, EPA, is hereby designated Presiding Officer for the hearings.

3. The Presiding Officer is authorized to take appropriate action to control the course of the hearing, including authority to maintain order; receive written materials; dispose of procedural requests or similar matters; allocate among participants the time available for presentation; provide for consolidation of presentations, as appropriate; and hold conferences before or during the hearing for the purpose of delineating contested issues or for other purposes within the authority of the Hearing Board. Consistent with the full disclosure of the facts, duplicative, redundant, irrelevant, or otherwise unproductive testimony or questioning will not be permitted and the Presiding Officer will, on behalf of the Board, impose suitable restrictions to that end.

In addition to controlling the course of the hearing, the Hearing Board may question participants in order to produce a satisfactory record upon which the Agency may identify and evaluate the concerns of the interested public.

4. Questions may be posed to participants by other participants following the conclusion of each participant's prepared testimony, provided that such questions or requests to question a participant are submitted in writing to the Presiding Officer, and that all such questioning shall be subject to the control and discretion of the Presiding Officer. Any participant may elect to answer any such questions either orally at the hearing or subsequently before the closing of the hearing record. The date for closure of the hearing record shall be determined by the Board and announced by the Presiding Officer prior to concluding the hearing.

5. Participants will reference and produce, on request of the Board, the documents on which they rely, and will provide 10 copies of their prepared testimony to the Presiding Officer prior to their appearances.

6. A transcript of the hearing will be made. The record of the hearing shall consist of the transcript and all documents received into the record by the Presiding Board Officer.

7. At the opening of the hearing the Agency will provide a summary statement of the proposed standards and of the major issues posed in comments received by the Agency to date. In addition, at that time an opportunity will be provided for participants to direct questions to a representative of the Agency for the purpose of clarifying the intent of the proposed standards or their basis.

8. Parties wishing to participate should notify the Presiding Officer at least two weeks in advance of the hearing at the address noted at the end of this notice. This notice should specify: (a) the name and address of the participant, (b) the organizational affiliation (if any), (c) the issues to be addressed and/or the questions to be asked; and (d) the amount of time desired to complete the presentation. This information will assist the Agency in scheduling and preparing for the hearing. Participants should limit their oral presentations to one half hour. Additional material may be included in written testimony for the record. However, the Presiding Officer will consider requests for longer periods of oral testimony, subject to imposition of such reasonable limits as will assure other participants a meaningful opportunity to appear.

9. Those wishing to participate, but who do not file a timely notice as specified herein, may notify the Presiding Officer before or during the hearing. Such parties shall be heard at such times as the Presiding Officer shall permit for a period of not more than fifteen (15) minutes each unless he, in his discretion, allows additional time.

The Agency is also considering the possibility of holding hearings in San Francisco or Denver. Parties interested in participating in a hearing at either of these field locations are urged to so inform the Agency, at the address listed at the end of this notice, by January 15, 1976, so that a decision can be reached on the basis of the interest expressed and communicated to interested parties prior to the commencement of this hearing in Washington, D.C.

Testimony received at this hearing will be considered by the Agency, along with written comments received in response to its previous notices concerning this rulemaking, in formulating a final rule and in revising the Agency's voluntary environmental statement. Communications regarding this hearing should be addressed to Presiding Officer, Radiation Standards for Nuclear Power, Room 635 (AW–460), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460. Single copies of supplementary technical materials bearing on serveral aspects of the proposed standards prepared in partial response to comments received are available upon request at this address, and will also be available at the hearing. Single copies of the proposed standard, an environmental statement, and a technical report entitled, "Environmental Analysis of the Uranium Fuel Cycle," are also available at the above address. Comments received on this proposed rule are available for inspection and copying at the Agency's Public Information Reference Unit, Room 2922, at the above location.

Dated: December 31, 1975.

ROGER STRELOW,
Assistant Administrator for Air and Waste Management.

[FR Doc.76–283 Filed 1–5–76;8:45 am]

[FRL 476–2]

SCIENCE ADVISORY BOARD ENVIRONMENTAL HEALTH ADVISORY COMMITTEE TASK GROUP ON EPIDEMIOLOGIC STUDIES

Meeting

Pursuant to Pub. L. 92–463, notice is hereby given that a two-day meeting of a Task Group on Epidemiologic Studies of the Science Advisory Board's Environmental Health Advisory Committee will be held on January 29 and 30, 1976 in Conference Room M–303, Environmental Research Center, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina. The meeting will start at 9 a.m. on January 29, 1976. The Environmental Research Center is located at the intersection of Highway N.C. 54 and T. W. Alexander Drive.

The purpose of the meeting will be to brief and consult the Task Group on plans for a program of epidemiologic studies relating to health effects of atmospheric pollutants.

The meeting will be open to the public. Any member of the public wishing to attend or submit a paper should contact the SAB Staff Officer, Mr. Ernst Linde, Scientist Administrator, Science Advisory Board (A–101), U.S. Environmental Protection Agency, Washington, D.C. 20460.

The telephone number is (703) 557–7720.

THOMAS D. BATH,
Staff Director,
Science Advisory Board.

DECEMBER 30, 1975.

[FR Doc.76–285 Filed 1–5–76;8:45 am]

[OPP–42004A; FRL 476–1]

SOUTH CAROLINA

Approval on State Plan for Certification of Commercial and Private Applicators of Restricted Use Pesticides

Section 4(a)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136), and the implementing regulations of 40 CFR Part 171 require each State desiring to certify applicators to submit a plan for its certification programs. Any state certification program under this section shall be maintained in accordance with the State Plan approved under this section.

On October 28, 1975, notice was published in the FEDERAL REGISTER (40 FR 50122) of the intent of the Regional Administrator, EPA, Region IV, to approve, on a contingency basis, the South Carolina State Plan for Certification of Commercial and Private Applicators of Restricted Use Pesticides (South Carolina State Plan). Contingency approval was requested by the State of South Carolina pending promulgation of regulations pursuant to the South Carolina Pesticide Control Act enacted June 4, 1975. Complete copies of the South Carolina State Plan were made available for public inspection at the Agency's Region IV office in Atlanta, at the office of the Division of Regulatory and Public Service Programs, Clemson, South Carolina, and at the Agency's Technical Services Division, Federal Register Section, Office of Pesticides Programs, EPA Headquarters, Washington, D.C.

There were no comments received concerning the State Plan during the 30 day comment period.

The South Carolina State Plan will remain available for public inspection at the office of the Division of Regulatory and Public Service Programs, Barre Hall, Clemson University, Clemson, South Carolina.

It has been determined that the South Carolina State Plan will satisfy the requirements of Section 4(a)(2) of the amended FIFRA and of 40 CFR Part 171 if proposed regulations to implement the new South Carolina Pesticide Control Act are promulgated by the Division of Regulatory and Public Service Programs. Also, South Carolina's 1975 certification programs for Aerial Pest Control (South Carolina's Category 11) and Industrial, Institutional, Structural and Health Related Pest Control (Category 7, Subcategory (a)) have been reviewed and found to meet the Agency's standards for certification of pesticide applicators, as requested in the South Carolina State Plan. Accordingly, the South Carolina State Plan is approved contingent upon promulgation of implementing regulations in acordance with and as prescribed in the South Carolina State Plan.

This contingency approval shall expire one (1) year from its effective date, if these terms and conditions are not satisfied by that time. On or before the expiration of the period of contingency approval, a notice shall be published in the Federal Register concerning the extent to which these terms and conditions have been satisfied, and the approval status of the South Carolina State Plan as a result thereof.

Effective date. Pursuant to section 4(d) of the Administrative Procedures Act, 5 U.S.C. 553(d), the Agency finds that there is good cause for providing that the one year contingency approval granted herein to the South Carolina State Plan shall be effective immediately.

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Neither the South Carolina State Plan itself nor this Agency's contingency approval of the Plan create any direct or immediate obligations on pesticide applicators or other persons in the State of South Carolina. Delays in starting the work necessary to implement the Plan, such as may be occasioned by providing some later effective date for this contingency approval, are inconsistent with the public interest. Accordingly, this contingent approval shall become effective immediately.

Dated: December 12, 1975.

JACK E. RAVAN,
Regional Administrator,
Region IV.

[FR Doc.76-284 Filed 1-5-76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

FM BROADCAST APPLICATIONS READY AND AVAILABLE FOR PROCESSING

Notice is hereby given, pursuant to section 1.573(d) of the Commission's rules, that on **February 2, 1976**, the FM broadcast applications listed in the attached Appendix will be considered as ready and available for processing. Pursuant to §§ 1.227(b)(1) and 1.591(b) of the Commission's rules, an application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on January 30, 1976, which involves a conflict necessitating a hearing with any application on this list, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by the close of business on January 30, 1976. The attention of prospective applicants is directed to the fact that some contemplated proposals many not be eligible for consideration with an application appearing in the attached Appendix by reason of conflicts between the listed applications and applications appearing in previous notices published pursuant to § 1.573(d) of the Commission's rules.

The attention of any party in interest desiring to file pleadings concerning any pending FM broadcast applications, pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

Adopted: December 12, 1975.

Released: December 18, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

APPENDIX

BPH-9377 New, Nampa, Idaho.
Nampa Broadcasting Co.
Req: 96.9 MHz; Channel No. 245C.
ERP: 44 kW; Haat: 2,503 ft.

BPH-9370 New, Walla Walla, Wash.
STL, Inc.
Req: 97.1 MHz; Channel No. 246C.
ERP: 50 kW; Haat: 1,220 ft.

BPH-9412 New, Port Sulphur, La.
River Bend Broadcasting Co., Inc.
Req: 106.7 MHz; Channel No. 294C.
ERP: 100 kW; Haat: 442 ft.

BPH-9438 New, Liberty, Ky.
Carlos Wesley tr/as Radio Station WKDO.
Req: 105.5 MHz; Channel No. 288A.
ERP: 3 kW; Haat: 204 ft.

BPH-9475 New, Melbourne, Fla.
First Baptist Church of Melbourne, Fla.
Req: 106.3 MHz; Channel No. 292A.
ERP: 3 kW; Haat: 212 ft.

BPH-9476 New, Sullivan, Ind.
Radio Sullivan.
Req: 95.3 MHz; Channel No. 237A.
ERP: 3 kW; Haat: 300 ft.

BPH-9536 New, Hollister, Calif.
Vernon Miller.
Req. 93.5 MHz; Channel No. 228A.
ERP: 3 kW; Haat: —216 ft.

BPH-9542 New, Shafter, Calif.
Combined Communications Broadcast Group.
Req: 97.7 MHz; Channel No. 249A.
ERP: 3 kW; Haat: 300 ft. (allocated to Wasco, Calif.)

BPH-9549 New, Anchorage, Alaska.
Christian Voice of Alaska.
Req: 100.5 MHz; Channel No. 263C.
ERP: 25 kW; Haat: 307.5 ft.

BPH-9551 New, Batesville, Ind.
Batesville Broadcasting Co.
Req: 103.9 MHz; Channel No. 280A.
ERP: 3 kW; Haat: 300 ft.

BPH-9561 New, Jensen Beach, Fla.
H L G, Inc.
Req: 107.1 MHz; Channel No. 296A.
ERP: 3 kW; Haat: 300 ft.

BPH-9563 New, Tuscaloosa, Alabama.
Radio South, Inc.
Req: 92.7 MHz; Channel No. 224A.
ERP: 1.26 kW; Haat: 436 ft.

BPH-9564 New, Weatherford, Okla.
KWEY, Inc.
Req: 97.3 MHz; Channel No. 247C.
ERP: 69.4 kW; Haat: 383 ft.

BPH-9568 New, Dodge City, Kans.
Cattle Country Broadcasting.
Req: 93.9 MHz; Channel No. 230C.
ERP: 59.5 kW; Haat: 313 Ft.

BPH-9569 New, Ridgecrest, Calif.
Space/Time Broadcasting Co.
Req: 92.7 MHz; Channel No. 224A.
ERP: 3 kW; Haat: —120 ft.

BPH-9570 New, Seward, Nebr.
Tricounty Broadcasting Co.
Req: 96.9 MHz; Channel No. 245C.
ERP: 100 kW; Haat: 610 ft.

BPH-9571 KXOA, Sacramento, Calif.
KXOA-FM, Inc.
Has: 107.9 MHz; Channel No. 300B.
ERP: 49 kW; Haat: 140 ft. (Lic.).
Req: 107.9 MHz; Channel No. 300B.
ERP: 27.4 kW; Haat: 418 ft.

BPH-9573 WIVK-FM, Knoxville, Tenn.
Dick Broadcasting Co., Inc. of Tennessee.
Has: 107.7 MHz; Channel No. 299C.
ERP: 100 kw; Haat: 390 ft. (Lic.).
Req: 107.7 MHz; Channel No. 299C.
ERP: 100 kw; Haat: 1000 ft.

BPH-9574 WFAW-FM, Fort Atkinson, Wis.
Goetz Broadcasting Corp.
Has: 107.3 MHz; Channel No. 297B.
ERP: 50 kw; Haat: 210 ft. (Lic.).
Req: 107.3 MHz; Channel No. 297B.
ERP: 50 kw; Haat: 590 ft.

BPH-9576 New, Sheridan, Wyo.
Sheridan Communications Co.
Req: 94.9 MHz; Channel No. 235C.
ERP: 25 kw; Haat: 44 ft.

BPH-9577 New, Montrose, Colo.
Woodland Broadcasting Co.
Req: 94.1 MHz; Channel No. 231C.
ERP: 32 kw; Haat: 1754 ft.

BPH-9578 New, Germantown, Tenn.
Omni Broadcasting.
Req: 94.3 MHz; Channel No. 232A.
ERP: 3 kw; Haat: 300 ft.

BPH-9579 WBZA-FM, Glens Falls, N.Y.
Pathfinder Communications Corp.
Has: 107.1 MHz; Channel No. 296A.
ERP: 3 kw; Haat: —14 ft. (Lic.).
Req: 107.1 MHz; Channel No. 296A.
ERP: .275 kw; Haat: 840 ft.

BPH-9580 New, Many, La.
WLV-TV, Inc.
Req: 107.1 MHz; Channel No. 296A.
ERP: 3 kw; Haat: 300.6 ft.

BPH-9582 New, Altoona, Pa.
Altoona Trans-Audio Corp., Inc.
Req: 104.9 MHz; Channel No. 285A.
ERP: .234 kw; Haat: 889 ft.

BPH-9583 New, Naples, Fla.
Sterling Communications Corp.
Req: 92.1 MHz; Channel No. 221A.
ERP: 3 kw; Haat: 300 ft.

BPH-9585 WNHV-FM, White River Junction, Vt.
New Hampshire-Vermont Broadcasting Corp.
Has: 95.3 MHz; Channel No. 237A.
ERP: 3 kw; Haat: —77 ft. (Lic.).
Req: 95.3 MHz; Channel No. 237A.
ERP: 3 kw; Haat: 245 ft.

BPH-9587 New, Springfield, Ill.
Group 76, Inc.
Req: 93.7 MHz; Channel No. 284B.
ERP: 50 kw; Haat: 500 ft.

BPH-9588 KPWD, Plentywood, Mont.
BCT Broadcasting, Inc.
Has: 100.1 MHz; Channel No. 261A.
ERP: .98 kw; Haat: 34 ft. (Lic.).
Req: 100.1 MHz; Channel No. 261A.
ERP: 3 kw; Haat: 34 ft.

BPH-9589 New, Valdosta, Ga.
EV-CO Broadcasters, Inc.
Req: 95.9 MHz; Channel No. 240A.
ERP: 3 kw; Haat: 300 ft.

BPH-9590 New, Starke, Fla.
Sanders Enterprises, Inc.
Req: 106.3 MHz; Channel No. 292A.
ERP: 3 kw; Haat: 120.2 ft.

BPH-9593 New, Mandan, N. Dak.
Central Dakota Enterprises, Inc.
Req: 104.9 MHz; Channel No. 285A.
ERP: 3 kw; Haat: 287 ft.

BPH-9594 New, Sparks, Nev.
Pendor Communications.
Req: 98.3 MHz; Channel No. 252A.
ERP: 1 kW; Haat: 434 ft.

BPH-9602 New, Meredith, N.H.
Lakes Region Broadcasting Corp., Inc.
Req: 106.3 MHz; Channel No. 287C.
ERP: 91 kW; Haat: 2050 ft. (Allocated to Plymouth, N.H.).

BPH-9603 New, Lampasas, Tex.
Lampasas Broadcasting Co.
Req: 99.3 MHz; Channel No. 257A.
ERP: 3 kW; Haat: 178 ft.

BPH-9609 New, Jackson, Ky.
Intermountain Broadcasting Co., Inc.
Req: 97.7 MHz; Channel No. 249A.
ERP: .580 kW; Haat: 606 ft.

BPH-9614 WOFM, Greeneville, Tenn.
Radio Greeneville, Inc.
Has: 94.9 MHz; Channel No. 235C.
ERP: 26.5 kW; Haat: 245 ft. (Lic.).
Req: 94.9 MHz; Channel No. 235C.
ERP: 100 kW; Haat: 315 ft.

BPH-9618 New, Riverton, Wyo.
Riverton Broadcasting Co., Inc.
Req: 93.5 MHz; Channel No. 228A.
ERP: 3 kW; Haat: 278 ft.

BPH-9619 New, Kenai, Alaska.
KSRM, Inc.
Req: 100.1 MHz; Channel No. 261A.
ERP: 3 kW; Haat: 193.7 ft.

BPH-9624 New, Prattville, Ala.
Fountain City Broadcasting Corp.
Req: 95.3 MHz; Channel No. 237A.
ERP: 3 kW; Haat: 300 ft.

BPH-9625 New, Eldon, Mo.
Triple K Broadcasting, Inc.
Req: 92.7 MHz; Channel No. 224A.
ERP: 2.44 kW; Haat: 303.5 ft.

BPH-9632 New, Springfield, Ill.
Midwest Broadcasting Co.
Req: 98.7 MHz; Channel No. 254B.
ERP: 50 kW; Haat: 500 ft.

BPH-9634 New, Beaverton, Oreg.
Columbia Willamette Broadcasting Co.
Req: 103.3 MHz; Channel No. 277C.
ERP: 100 kW; Haat: 940 ft. (allocated to Portland, Oreg.).

BPH-9636 New, Aberdeen, S. Dak.
Aberdeen Broadcasting Co.
Req: 94.1 MHz; Channel No. 231C.
ERP: 100 kW; Haat: 211 ft.

BPH-9638 New, Springfield, Ill.
Lincoln-Douglas Communications.
Req: 98.7 MHz; Channel No. 254B.
ERP: 50 kW; Haat: 500 ft.

BPH-9639 New, Bardstown, Ky.
Old Kentucky Home Broadcasters, Inc.
Req: 96.7 MHz; Channel No. 244A.
ERP: 3 kW; Haat: 232 ft.

BPH-9640 New, Plainwell, Mich.
Robert B. Taylor.
Req: 100.9 MHz; Channel No. 265A.
ERP: 3 kW; Haat: 300 ft. (allocated to Otsego, Mich.).

BPH-9642 New, Warrenton, Va.
Goldcup Broadcasting, Inc.
Req: 94.3 MHz; Channel No. 232A.
ERP: 3 kW; Haat: 300 ft.

BPH-9648 New, Alexandria, La.
United Communications, Inc.
Req: 98.1 MHz; Channel No. 252C.
ERP: 99.7 kW; Haat: 806 ft.

BPH-9649 New, Sonora, Tex.
Sonora Broadcasting Co., Inc.
Req: 92.1 MHz; Channel No. 221A.
ERP: 3 kW; Haat: 28 ft.

BPH-9650 New, Morton, Ill.
Morton-Washington Broadcasting Co.
Req: 102.3 MHz; Channel No. 272A.
ERP: 3 kW; Haat: 300 ft.

BPH-9657 KJLH, Compton, Calif.
John Lamar Hill.
Has: 102.3 MHz; Channel No. 272A.
ERP: 3 kW; Haat: 300 ft. (Lic.).
Req: 102.3 MHz; Channel No. 272A.
ERP: 3 kW; Haat: 300 ft.

BPH-9658 New, Marlin, Tex.
The Midwestern Broadcasting Corp.
Req: 96.7 MHz; Channel No. 244A.
ERP: 1.25 kW; Haat: 200 ft.

BPH-9661 New, Lake City, S.C.
Coastline Broadcasting Co., Inc.
Req: 100.1 MHz; Channel No. 261A.
ERP: 3 kW; Haat: 196 ft.

BPH-9664 New, Missoula, Mont.
Rex K. Jensen.
Req. 98.3 MHz; Channel No. 277C.
ERP: 45 kW; Haat: 2,480 ft.

BPH-9667 New, Cheraw, S.C.
Cheraw Broadcasting Co., Inc.
Req: 103.1 MHz; Channel No. 276A.
ERP: 3 kW; Haat: 300 ft.

BMPH-14557 KDOM-FM, Windom, Minn.
Schneider Broadcasting.
Has: 94.3 MHz; Channel No. 232A.
ERP: 3 kW; Haat: 95 ft. (CP).
Req: 94.3 MHz; Channel No. 232A.
ERP: 2.85 kW; Haat: 310 ft.

BMPH-14558 KFAT, Gilroy, Calif.
Entertainment Radio Inc.
Has: 94.3 MHz; Channel No. 232A.
ERP: .09 kW; Haat: 1,350 ft. (Lic.).
Has: 94.5 MHz; Channel No. 233B.
ERP: 4.5 kW; Haat: 1,320 ft. (CP).
Req: 94.5 MHz; Channel No. 233B.
ERP: .800 kW; Haat: 2,578 ft.

BMPH-14583 KSUE-FM, Susanville, Calif.
Radio Lassen.
Has: 92.7 MHz; Channel No. 224A.
ERP: 2.75 kW; Haat: —750 ft. (CP).
Req: 92.7 MHz; Channel No. 224A.
ERP: .160 kW; Haat: 1,050 ft.

BMPH-14600 KCHI-FM Chillicothe, Mo.
Rontedick, Inc.
Has: 103.9 MHz; Channel No. 280A.
ERP: 1.85 kW; Haat: 160 ft. (CP).
Req: 103.9 MHz; Channel No. 280A.
ERP: 1.55 kW; Haat: 400 ft.

BMPH-14602 KJNA, Jena, La.
LaSalle Broadcasters.
Has: 99.3 MHz; Channel No. 257A.
ERP: 3 kW; Haat: 73 ft. (CP).
Req. 99.3 MHz; Channel No. 257A.
ERP: 3 kW; Haat: 300 ft.

BPED-1748 New, St. Louis, Mo.
Double Helix Corp.
Req: 88.1 MHz; Channel No. 201C.
ERP: 50 kW; Haat: 980 ft. (Mutually Exclusive with Renewal of KHRU, Clayton, Mo.).

BPED-1961 New, Chicago, Ill.
Illinois Institute of Technology.
Req: 88.9 MHz; Channel No. 205D.
TPO: .01 kW; Haat: ____ ft.

BPED-2007 WNAZ-FM, Nashville, Tenn.
Trevecca Nazarene College, Inc.
Has: 88.9 MHz; Channel No. 205D.
TPO: .01 kW; Haat: ____ ft. (Lic.).
Req: 89.1 MHz; Channel No. 206A.
ERP: 1 kW; Haat: 145.6 ft.

BPED-2015 WFAM, Jacksonville, Fla.
Jones College.
Has: 91.1 MHz; Channel No. 216D.
ERP: .037 kW; Haat: 460 ft. (Lic.).
Req: 91.1 MHz; Channel No. 216A.
ERP: .925 kW; Haat: 463 ft.

BPED-2033 New, Holliston, Mass.
Holliston High School.
Req: 91.5 MHz; Channel No. 218D.
TPO: .01 kW; Hatt: ____ ft.

BPED-2034 New, San Jose, Calif.
San Jose Unified School District.
Req: 89.3 MHz; Channel No. 207D.
TPO: .01 kW; Haat: ____ ft.

BPED-2038 New, Novi, Mich.
Board of Education, Novi Community School District.
Req: 89.5 MHz; Channel No. 208D.
TPO: .01 kW; Haat: ____ ft.

BPED-2062 WNUB-FM, Northfield, Vt.
The Trustees of the Norwich University.
Has: 89.1 MHz; Channel No. 206D.
TPO: .01 kW; Haat: ____ ft. (Lic.).
Req: 89.5 MHz; Channel No. 208D.
TPO: .01 kW; Haat: ____ ft.

BPED-2070 New, Memphis, Tenn.
Memphis State University.
Req: 89.9 MHz; Channel No. 210D.
TPO: .01 kW; Haat: ____ ft.

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BPED–2072	New, Fort Wayne, Ind. The Ft. Wayne Luthern Association. Req: 88.3 MHz; Channel No. 202D. TPO: .01 kW; Haat: ____ ft.	
BPED–2073	New, Ethete, Wyo. The Wind River Indian Education Association. Req: 89.7 MHz; Channel No. 209D. TPO: .01 kW; Haat: ____ ft.	
BPED–2074	New, West Des Moines, Iowa. West Des Moines Community School District. Req: 88.9 MHz; Channel No. 205D. TPO: .01 kW; Haat: ____ ft.	
BPED–2082	KTXT–FM, Lubbock, Tex. Texas Tech University. Has: 91.9 MHz; Channel No. 220D. TPO: .01 kW; Haat: ____ ft. (Lic.). Req: 88.1 MHz; Channel No. 201C. ERP: 18.5 kW; Haat: 341 ft.	
BPED–2086	New, Marshall, Tex. Wiley College. Req: 91.1 MHz; Channel No. 216D. TPO: .01 kW; Haat: ____ ft.	
BPED–2087	New, Bellaire, Ohio. Board of Education of The Bellaire City School. Req: 88.7 MHz; Channel No. 204D. TPO: .01 kW; Haat: ____ ft.	
BPED–2089	New, Brockton, Mass. Massasoit Community College. Req: 90.5 MHz; Channel No. 213D. TPO: .01 kW; Haat: ____ ft.	
BPED–2091	New, Poughkeepsie, N.Y. Vassar College. Req: 91.3 MHz; Channel No. 217D. TPO: .01 kW; Haat: ____ ft.	
BPED–2093	New, Kettering, Ohio. Broadcast Workshop, Inc. Req: 88.7 MHz; Channel No. 204D. TPO: .01 kW; Haat: ____ ft.	
BPED–2094	New, Dayton, Ohio. Wright State University. Req: 88.5 MHz; Channel No. 203D. TPO: .01 kW; Haat: ____ ft.	
BPED–2095	New, West Chester, Ohio. Lakota Local School District. Req: 89.9 MHz; Channel No. 210D. TPO: .01 kW; Haat: ____ ft.	
BPED–2097	New, Cullowhee, N.C. Western Carolina University. Req: 91.7 MHz; Channel No. 219D. TPO: .01 kW; Haat: ____ ft.	
BPED–2099	WSMH–FM, Lancaster, N.Y. St. Mary's High School. Has: 91.3 MHz; Channel No. 217D. TPO: .01 kW; Haat: ____ ft. (Lic.). Req: 89.9 MHz; Channel No. 210D. TPO: .01 kW; Haat: ____ ft.	
BPED–2101	New, Albuquerque, N. Mex. Christian Broadcasting Academy, Inc. Req: 88.3 MHz; Channel No. 202C. ERP: 3.36 kW; Haat: −397 ft.	
BPED–2103	New, Tallahassee, Fla. Florida A & M University. Req: 90.5 MHz; Channel No. 213D. TPO: .01 kW; Haat: ____ ft.	
BPED–2104	New, Chesterton, Ind. Duneland School Corp. Req: 89.1 MHz; Channel No. 206D. TPO: .01 kW; Haat: ____ ft.	
BPED–2107	WCWM, Williamsburg, Va. The College of William & Mary in Virginia. Has: 89.1 MHz; Channel No. 206A. ERP: .077 kW; Haat: 126 ft (Lic.). Req: 89.1 MHz; Channel No. 206A. ERP: 1.59 kW; Haat: 127 ft.	
BPED–2108	New, Tacoma, Wash. University of Puget Sound. Req: 90.1 MHz; Channel No. 211D. TPO: .01 kW; Haat: ____ ft.	
BPED–2110	New, Cottage Grove, Minn. Independent School District No. 833. Req: 88.1 MHz; Channel No. 201D. TPO: .01 kW; Haat: ____ ft.	
BPED–2117	New, San Antonio, Tex. Yanaguana Radio Station Inc. Req: 89.1 MHz; Channel No. 206C. ERP: 78.3 kW; Haat: 421.5 ft.	
BPED–2119	New, Austin, Tex. Austin Community Radio. Req: 88.7 MHz; Channel No. 204C. ERP: .13 kW; Haat: 1118 ft.	
BMPED–1299	KUHF, Houston, Tex. University of Houston. Has: 88.7 MHz; Channel No. 204C. ERP: 12 kW; Haat: 110 ft. (Lic.). Has: 88.7 MHz; Channel No. 204C. ERP: 20 kW; Haat: 110 ft. (CP). Req: 88.7 MHz; Channel No. 204C. ERP: 27 kW; Haat: 967 ft.	
BMPED–1311	WRCJ, Reading, Ohio. Reading Community City Schools. Has: 89.3 MHz; Channel No. 207D. TPO: .01 kW; Haat: ____ ft. (Lic.). Has: 89.3 MHz; Channel No. 207A. ERP: 2 kW; Haat: 135 ft. (CP). Req: 89.3 MHz; Channel No. 207A. ERP: .333 kW; Haat: 125 ft.	
BMPED–1330	WLYX, Memphis, Tenn. Southwestern at Memphis. Has: 89.3 MHz; Channel No. 207A. ERP: 1.1 kW; Haat: 150 ft. (Lic.). Has: 89.3 MHz; Channel No. 207A. ERP: 2.75 kW; Haat: 195 ft. (CP). Req: 89.3 MHz; Channel No. 207A. ERP: 37.2 kW; Haat: 182 ft.	
BMLED–99	WHLA, Lacrosse, Wis. State of Wisconsin—Education Communications Board. Has: 90.3 MHz; Channel No. 212C. ERP: 57 kW; Haat: 1010 ft. (Lic.) (Holmen, Wis.). Req: 90.3 MHz; Channel No. 212C. ERP: 57 kW; Haat: 1010 ft. (LaCrosse, Wis.).	
BMLED–100	WHWC, Menomonie, Wis. State of Wisconsin—Education Communications Board. Has: 88.3 MHz; Channel No. 202C. ERP: 10 kW; Haat: 1050 ft. (Lic.) (Colfax, Wis.). Req: 88.3 MHz; Channel No. 202C. ERP: 10 kW; Haat: 1050 ft. (Menomonie, Wis.).	

[FR Doc.76–10 Filed 1–5–76;8:45 am]

BROADCAST SERVICE WORKING GROUPS; 1979 WORLD ADMINISTRATIVE RADIO CONFERENCE

Schedule of Meetings

DECEMBER 19, 1975.

Pursuant to Pub. L. 92–463, notice is hereby given that five of the Broadcast Service Working Groups for the 1979 World Administrative Radio Conference will be held during the month of January 1976 as follows:

AM BROADCASTING SERVICE GROUP

Monday, January 19, 1976—10:30 a.m.–12:30 p.m., Room 752, 1919 "M" St., NW., Washington, D.C. Chairman—D. C. Everist, FCC Liaison—Dennis Williams.

FM BROADCASTING SERVICE GROUP

Tuesday, January 13, 1976—1:30 p.m.–4:30 p.m., Room 752, 1919 "M" St., NW., Washington, D.C. Chairman—Gary Hess, FCC Liaison—Hideyuki Noguchi.

TV BROADCASTING SERVICE GROUP

Wednesday, January 14, 1976—9:30 a.m.–12 noon, Room 752, 1919 "M" St., NW., Washington, D.C. Chairman—James D. Parker, FCC Liaison—Charles H. Breig.

BROADCAST AUXILIARY SERVICE GROUP

Wednesday, January 14, 1976—1:30 p.m.–4:30 p.m., Room 752, 1919 "M" St., NW., Washington, D.C. Chairman—John Serafin, FCC Liaison—Al Jarratt.

BROADCAST SATELLITE SERVICE GROUP

Tuesday, January 27, 1976—9:30 a.m.–12 Noon, Room 752, 1919 "M" St., NW., Washington, D.C., Chairman—E. E. Reinhart, FCC Liaison—Charles H. Breig.

The Agenda for each Service Group will be the same as follows:

1. Call to order and approval of Minutes of last meeting.
2. Approval of Agenda.
3. Reports from Task Groups.
4. Review of Spectrum Requirements.
5. New Matters for Consideration.
6. Next Meeting Date and Adjournment.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76–251 Filed 1–5–76;8:45 am]

1979 WARC CONFERENCE WORKING GROUP

Meeting

DECEMBER 29, 1975.

In preparation for the 1979 World Administrative Radio Conference (WARC), the initial meeting of the Citizens Radio Service Working Group will be held on Tuesday and Wednesday, January 13 and 14, 1976. The meeting will begin at 10 a.m. and will be held in Room 8210 of the Commission's offices at 2025 M Street NW., Washington, D.C. The purpose of the meeting will be to formally organize the Working Group.

Members of industry and the public may participate at the Working Group level of activity. Persons desiring additional information about the meeting should contact Mr. Joseph Johnson, Chairman, CB WARC Group, Room 5114, 2025 M Street NW., Washington, D.C., 20554, Tele. 202–632–7275.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76–249 Filed 1–5–76;8:45 am]

PRIVATE LAND MOBILE ADVISORY COMMITTEE

Meeting

DECEMBER 23, 1975.

In preparation for the 1979 World Administrative Radio Conference (WARC), the Private Land Mobile Advisory Committee, headed by Neal Pike, will hold its next meeting on January 21, 1976, in Washington, D.C. The meeting will be held in conference room 8210, Federal Communications Commission, 2025 M. Street, NW., at 1:30 p.m.

The purpose of the meeting is to prepare and approve land mobile frequency allocation recommendations. The meeting is open to the public and oral and written statements may be presented by members of the public.

The meeting will be conducted in accordance with the following agenda.

1. Call of the Agenda.
2. Preparation, review and approval of frequency allocation recommendations for Private and Land Mobile.
3. Set next meeting date.
4. Adjournment.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc.76–250 Filed 1–5–76;8:45 am]

FEDERAL ENERGY ADMINISTRATION

BALTIMORE GAS & ELECTRIC CO.

Synthetic Natural Gas Feedstocks

The Federal Energy Administration (FEA) hereby gives notice that written comments will be received and a public hearing will be held on the petition of Baltimore Gas & Electric Company (BG&E), a new synthetic natural gas (SNG) manufacturer, for the assignment of a supplier and base period use of naphtha for SNG feedstock use pursuant to 10 CFR 211.29.

Volumes of SNG feedstock requested are 1,000,000 barrels of naphtha per year for the first two years starting April 1, 1976, and 2,186,000 barrels of naphtha per year thereafter. The planned SNG output of BG&E's Sollers Point SNG facility is 60 MMCF/D, with limited operation the first two years and 180 days of operation per year scheduled thereafter. The proposed supplier would be Amerada Hess Corporation. A file containing all information and data filed in conjunction with BG&E's petition, other than confidential business information which FEA has determined to be exempt from the disclosure requirements of 5 U.S.C. 552, will be made available for public inspection and copying beginning January 8, 1976, at the FEA Freedom of Information Library, Room 3210, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday.

Written comments regarding BG&E's petition will be accepted and considered if filed by January 28, 1976. Any person submitting written comments with respect to BG&E's petition should comply with the requirements of § 205.23 and § 205.33 of the FEA procedural regulations, as appropriate. Comments should be submitted to the Office of Specialty Fuels and Products, Federal Energy Administration, Room 6318, 2000 M Street, NW., Washington, D.C. 20461, attention Finn Neilsen. Comments should be identified on the outside envelope and on documents submitted to FEA with the designation "Allocation of Naphtha for BG&E's SNG Plant." Five copies should be submitted to FEA and one copy to Baltimore Gas & Electric Company, 17th Floor, Gas & Electric Building, Baltimore, Maryland 21203, attention D. Pierre G. Cameron.

FEA believes that factual disputes between interested parties respecting this petition are likely and that a public hearing on this petition will materially advance consideration of the issues involved. Therefore, a public hearing on BG&E's petition will be held beginning at 9:30 a.m., e.s.t., on January 29, 1976, in the Auditorium, Room 2105, 2000 M Street, NW., Washington, D.C., to receive comments from interested persons.

Any person who has an interest in the petition set forth above or who is a representative of a group or class of persons which has an interest in the petition, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, Box FF, Room 3309, Federal Building, 12th and Pennsylvania Avenue NW., Washington, D.C. 20461, and must be received before 4:30 p.m., e.s.t., January 22, 1976. Such a request may be hand-delivered to Room 3309, Federal Building, 12th and Pennsylvania Avenue NW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned; if appropriate, to state why he or she is a proper representative of a group or class of persons which has such an interest; and give a concise summary of the proposed oral presentation and a phone number where he or she may be reached through January 27, 1976. Each person selected to be heard will be notified by FEA before 4:30 p.m., e.s.t., January 27, 1976, and must submit 100 copies of his statement to Allocations Regulations Development Office, FEA, Room 2214, 2000 M Street NW., Washington, D.C. 20461 before 4:30 p.m., e.s.t., on January 28, 1976.

The FEA reserves the right to select the persons to be heard at this hearing, to schedule their respective presentations and to establish the procedures governing the conduct of the hearing. Each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearing. This will not be a judicial or evidentiary-type hearing. Questions may be asked only by those conducting the hearing and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearing will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any interested person may submit questions to be asked of any person making a statement at the hearing to Box FF, Executive Communications, FEA, Room 3309, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C. 20461, before 4:30 p.m., e.s.t., January 28, 1976. Any person who makes an oral statement and who wishes to ask a question at the hearing may submit the question in writing to the presiding officer. The FEA, or the presiding officer if the question is submitted at the hearing, will determine whether the question is relevant, and whether time limitations permit it to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearing will be announced by the presiding officer.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing in accordance with the procedures stated in 10 CFR 205.9(f). FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination.

Additional public comment on all written and oral presentations received by January 29, 1976, will be permitted through February 13, 1976. Comments should be submitted to the Office of Specialty Fuels and products, Room 6318, 2000 M Street, NW., Washington, D.C. 20461, attention Finn Neilsen. Persons submitting comments during this additional period must send five copies to FEA and one copy each to BG&E and to all persons who participated in the public hearings or who submitted written comments. A list of such persons will be

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made available at the public hearing or may be obtained after January 29, 1976 from Finn Neilsen at the address given above. Copies of all additional comments will be available for public viewing at the FEA Freedom of Information Library, Room 3210, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m.

The transcript of the public hearing will be available for public review at the Administrator's Reception Area, Room 3400, Federal Building, 12th and Penn Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m. Any person may purchase a copy of the transcript from the reporter.

MICHAEL F. BUTLER,
General Counsel.

DECEMBER 30, 1975.

[FR Doc.75-35249 Filed 12-31-75;11:11 am]

FEDERAL MARITIME COMMISSION

CRUISE LINES INTERNATIONAL ASSOCIATION

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission and is being considered for approvability under section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before January 26, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the Commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Mr. William J. Armstrong, Acting Administrator, Cruise Lines International Association, 17 Battery Place, New York 10004.

Agreement No. 10072-1 consists of administrative rules which implement Article A dealing with Name, Purpose and Organization and Article E dealing with Travel Agents.

Notice of Filing of Agreement 10072, which will establish the Cruise Lines International Association as a conference, appeared in the FEDERAL REGISTER, Vol. 40, No. 214—Wednesday, November 5, 1975. Agreement No. 10075 has not yet been approved pursuant to Section 15 of the Shipping Act, 1916, as amended.

The administrative rules implementing Article A deal with managing committee meetings, associate member meetings, operation and maintenance expenses, notices, and statistics. The administrative rules implementing Article E deal with travel agents' remunerations, annual agency fees and joint bonding of agencies.

By Order of the Federal Maritime Commission.

Dated: December 31, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-261 Filed 1-5-76;8:45 am]

PUERTO RICO PORTS AUTHORITY AND PUERTO RICO MARITIME SHIPPING AUTHORITY

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before January 26, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

E. J. Sheppard, Esquire, Morgan, Lewis and Bockius, 1800 M Street NW., Washington, D.C. 20036.

Agreement No. T-3212, between Puerto Rico Ports Authority (Ports) and Puerto Rico Maritime Shipping Authority (PRMSA), provides for the eleven-year lease of Lot 9 at Puerto Nuevo, Puerto Rico. PRMSA shall use the premises as: (1) A marshalling area; and (2) reception, handling and temporary storage area. As compensation, PRMSA shall pay $4,562.99 per month as rental until November 1, 1978. For each subsequent three-year period, ground rental shall be subject to reestablishment to reflect any increases in ground rental for comparatively situated plots in the same area.

By order of the Federal Maritime Commission.

Dated: December 31, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-263 Filed 1-5-76;8:45 am]

PUERTO RICO PORTS AUTHORITY AND PUERTO RICO MARITIME SHIPPING AUTHORITY

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before January 26, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

E. J. Sheppard, Esquire, Morgan, Lewis and Bockius, 1800 M Street NW., Washington, D.C. 20036.

Agreement No. T-3209, between Puerto Rico Ports Authority (Ports) and Puerto Rico Maritime Shipping Authority (PRMSA), provides for the three-year lease by Ports to PRMSA of Lots A, B and D at the Port of Mayaguez. The premises shall be used as: (1) a marshalling area; and (2) reception, handling and temporary storage area. As compensation, PRMSA shall pay $2,279.53 per month as rental plus utility charges.

By order of the Federal Maritime Commission.

Dated: December 31, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-262 Filed 1-5-76;8:45 am]

SECURITY FOR THE PROTECTION OF THE PUBLIC INDEMNIFICATION OF PASSENGERS FOR NONPERFORMANCE OF TRANSPORTATION

Issuance of Certificate (Performance)

Notice is hereby given that the following has been issued a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation pursuant to the provisions of section 3, Pub. L. 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 C.F.R. Part 540), which Certificate expires March 31, 1976.

THE PEOPLE-TO-PEOPLE HEALTH FOUNDATION, INC.
2233 WISCONSIN AVENUE, NW.
WASHINGTON, D.C. 20007

Dated: December 31, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-260 Filed 1-5-76;8:45 am]

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

B & S COAL CO., INC.

Applications for Renewal Permits Electric Face Equipment Standard; Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Electric Face Equipment Standard prescribed by the Federal Coal Mine Health and Safety Act of 1969 have been received for items of equipment in underground coal mines as follows:

ICP Docket No. 4011-000, B & S COAL COMPANY, INC., Mine No. 21, Mine ID No. 15 02749 0, Vicco, Kentucky.
ICP Permit No. 4011-001—R-2 (Joy 14BU Loader, I.D. No. 13-1),
ICP Permit No. 4011-002—R-3 (Joy 7-B Sullivan Cutting Machine, I.D. No. 7-3)
ICP Permit No. 4011-009—R-3 (Kersey 944 Tractor, I.D. No. 10-2).

In accordance with the provisions of § 504.7(b) of Title 30, Code of Federal Regulations, notice is hereby given that requests for public hearing as to an application for a renewal permit may be filed within 15 days after publication of this notice. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street, N.W., Washington, D.C. 20006.

C. DONALD NAGLE,
Vice Chairman,
Interim Compliance Panel.

DECEMBER 23, 1975.

[FR Doc.76-188 Filed 1-5-76;8:45 am]

NATIONAL LABOR RELATIONS BOARD

CHAIRMAN'S TASK FORCE ON THE NATIONAL LABOR RELATIONS BOARD

Invitation for Submission of Views

The Chairman's Task Force on the National Labor Relations Board (see Notice of Establishment and Certification, 40 FR 53441, November 18, 1975) is undertaking a review and evaluation of the existing structure, practices, procedures, rules and regulations for the investigation, prosecution, hearing, decision and enforcement of cases filed with the National Labor Relations Board. To assist in this review and evaluation, members of the public are invited to submit for Task Force consideration any suggestions, criticisms or comments they may wish to make concerning existing practices and procedures of the agency, or suggestions or proposals for changes or revisions to such practices or procedures. The practice or procedure which is the subject of a comment or statement should be identified by reference to the Board's Rules and Regulations, the Statements of Procedures, the N.L.R.B. Case Handling Manual, or the decisional authority which describes or is the authority for the procedure or practice. Substantive issues of statutory construction or development of law under the National Labor Relations Act, as amended, are not appropriate matters for comment, since not germane to Task Force consideration, and all such comments will be disregarded.

As the Task Force will operate in subcommittees dealing specifically with (1) representation proceedings, (2) unfair labor practice proceedings from charge through hearing, and (3) unfair labor practice proceedings post-hearing to compliance and closing of case, it is desirable that comments or statements be grouped into those three broad categories to facilitate subcommittee dissemination and consideration. An original and one copy of the statement or comment should be submitted not later than March 1, 1976, to permit consideration prior to the meeting of the Task Force to be held on April 5, 1976, including consideration of whether particular statements or comments should be amplified by personal testimony before the Task Force, time permitting. Comments and statements should be filed with Mr. Earl D. Proctor, Secretary, Chairman's Task Force on the National Labor Relations Board, National Labor Relations Board, Washington, D.C. 20570.

Dated this 30th day of December 1975 in Washington, D.C.

JOHN C. TRUESDALE,
Executive Secretary.

[FR Doc.75-259 Filed 1-5-76;8:45 am]

NUCLEAR REGULATORY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS, SUBCOMMITTEES ON SAFEGUARDS FOR SPECIAL NUCLEAR MATERIAL AND SECURITY OF NUCLEAR FACILITIES

Meeting; Cancellation

The joint meeting of the Advisory Committee on Reactor Safeguards Subcommittees on Safeguards for Special Nuclear Material and Security of Nuclear Facilities scheduled for January 6, 1976 has been cancelled. Notice of the meeting was published at 40 FR 59261, Dec. 22, 1975.

Dated: January 2, 1976.

SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc.76-351 Filed 1-5-76;8:45 am]

[Docket No. 50-317]

BALTIMORE GAS AND ELECTRIC CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 12 to Facility Operating License No. DPR-53, issued to Baltimore Gas and Electric Company (the licensee), which revised Technical Specifications for operation of the Calvert Cliffs Nuclear Power Plant Unit 1 (the facility) located in Calvert County, Maryland. The amendment is effective as of December 30, 1975.

The amendment incorporates an exemption from the requirements of Section III.D.3 of Appendix J of 10 CFR Part 50. It changes the Technical Specifications for the facility to extend the first retest interval of approximately 50% of the containment isolation valves until the next plant shutdown and cooldown following issuance of this amendment, but no later than May 30, 1976.

The applications comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. The Commission also concluded that the

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granting of the exemption from the requirements of section III.D.3 of Appendix J for the above-referenced test is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the applications for amendment dated November 18, and December 8 and 22, 1975, (2) the letter from the Director of the Nuclear Reactor Regulation to Baltimore Gas and Electric Company dated December 4, 1975, and the letter issued concurrently with this Notice, (3) Amendment No. 12 to License No. DPR-53, with Change No. 11, and (4) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Calvert County Library, Prince Frederick, Maryland 20678. A single copy of items (2), (3) and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 23rd day of December, 1975.

For the Nuclear Regulatory Commission.

RICHARD D. SILVER,
Acting Chief, Operating Reactors Branch No. 2, Division of Reactor Licensing.

[FR Doc.76-230 Filed 1-5-76;8:45 am]

[Docket No. 50-265]

COMMONWEALTH EDISON CO. AND IOWA-ILLINOIS GAS AND ELECTRIC CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 20 to Facility Operating License No. DPR-30, issued to the Commonwealth Edison Company (acting for itself and on behalf of the Iowa-Illinois Gas and Electric Company), which revised Technical Specifications for operation of the Quad Cities Station Unit 2 (the facility) located in Rock Island County, Illinois. The amendment is effective as of its date of issuance.

This amendment increases the limit for receipt, possession, and use of uranium 235 in connection with operation of the facility from 3000 kilograms to 5000 kilograms.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated December 17, 1975, (2) Amendment No. 20 to License No. DPR-30, and (3) the Commission's concurrently issued related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Moline Public Library, 504 17th Street, Moline, Illinois 60625. A single copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 23rd day of December, 1975.

For the Nuclear Regulatory Commission.

RICHARD D. SILVER,
Operating Reactors Branch No. 2 Division of Reactor Licensing.

[FR Doc.76-231 Filed 1-5-76;8:45 am]

[Docket No. 50-409]

DAIRYLAND POWER COOPERATIVE

Issuance of Amendment to Provisional Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 3 to Provisional Operating License No. DPR-45 issued to Dairyland Power Cooperative which revised Technical Specifications for operation of the La Crosse Boiling Water Reactor, located in Vernon County, Wisconsin. The amendment becomes effective 30 days after the date of issuance.

The amendment revises the administrative control section of the Technical Specifications for the La Crosse Boiling Water Reactor.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated November 25, 1974, (2) Amendment No. 3 to License No. DPR-45, with Change No. 18, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the La Crosse Public Library, 800 Main Street, La Crosse, Wisconsin.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 23rd day of December, 1975.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Reactor Licensing.

[FR Doc.76-232 Filed 1-5-76;8:45 am]

[Docket Nos. 50-269, 50-270, and 50-287]

DUKE POWER CO.

Issuance of Amendments to Facility Operating Licenses

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments No. 17, 17, and 14 to Facility Operating Licenses No. DPR-38, DPR-47, and DPR-55, respectively, issued to Duke Power Company with revised Technical Specifications for operation of the Oconee Nuclear Stations, Units 1, 2, and 3, located in Oconee County, South Carolina. The amendments are effective as of the date of issuance.

These amendments allow changes in the design of the Unit 3 spent fuel pool from that reviewed and approved in the operating license review and as described in the FSAR. These design changes would provide for the replacement of the existing fuel storage racks with a High Capacity Fuel Assembly Storage Rack. The modified facility would increase the fuel storage capacity of the Unit 3 spent fuel pool from 216 to 474 fuel assemblies. The amendments would revise the Technical Specifications to reflect the resultant minimum edge-to-edge spacing between adjacent fuel assemblies and would identify the resultant change in k effective.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Notice of Proposed Issuance of Amendments to Facility Operating Licenses in connection with this action was published in the FEDERAL REGISTER on October 2, 1975 (40 FR 49158). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

For further details with respect to this action, see (1) the application for amendments dated September 12, 1975; (2) Amendments No. 17, 17, and 14 to Licenses No. DPR-38, DPR-47, and DPR-55, with Changes No. 27, 22, and 14; (3) the Commission's related Safety Evaluation; (4) the Negative Declaration; and (5) the Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Oconee County Library, 201 South Spring Street, Walhalla, South Carolina 29691.

A copy of items (2), (3), (4), and (5) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 22nd day of December 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch No. 1, Division of Reactor Licensing.

[FR Doc.76-233 Filed 1-5-76;8:45 am]

[Docket Rm-50-5]

ENVIRONMENTAL STATEMENT MIXED OXIDE FUEL

Hearing

On November 14, 1975, the Nuclear Regulatory Commission published in the FEDERAL REGISTER its final conclusions on the decisional course it would follow on the wide-scale use of mixed oxide fuel[1] in light water nuclear power reactors (40 FR 53056). It stated that, in the interest of informed decision-making, public hearings would be held on the final environmental impact statement and proposed rules regarding wide-scale use. The purpose of this notice is to provide detailed rules for the conduct of the hearings.

Background.—On February 12, 1974, the Atomic Energy Commission published a notice in the FEDERAL REGISTER that an environmental impact statement on the wide-scale use of mixed oxide fuel in light water cooled nuclear power reactors would be prepared (39 FR 5356). On August 21, 1974, notice was published in the FEDERAL REGISTER that a draft environmental impact statement had been prepared by the Atomic Energy Commission's Directorate of Licensing entitled "Generic Environmental Statement Mixed-Oxide Fuel," and comments on the draft statement were requested from interested persons (39 FR 30186). Numerous comments on the draft statement were received. On December 10, 1974, advance notice was published in the FEDERAL REGISTER that a public hearing would be held on the matter and persons interested in participation were requested to notify the Secretary of the Atomic Energy Commission (39 FR 43101).

On November 14, 1975, after consideration of public comments that were received, the Nuclear Regulatory Commission[2] ("Commission") published in the FEDERAL REGISTER its final conclusions on the decisional course it would follow on the matter of wide-scale use. The Commission directed its Staff to prepare, on an accelerated schedule, and then to circulate for written comment, a safeguards supplement to the draft environmental statement which was issued by the Atomic Energy Commission Staff in August 1974. The supplement, which should be completed in early 1976, will include an analysis of the costs and benefits of alternative safeguards programs, and a recommendation as to safeguards requirements associated with wide-scale use of mixed oxide fuel. The Commission also directed its Staff to expedite preparation of all aspects of the final environmental statement, including safety and environmental matters as well as safeguards matters. The comments on the non-safeguards portions of the draft statement will be considered and that portion of the final statement will then be prepared and issued in early 1976. The remainder of the final environmental impact statement, which should be completed in mid-1976, will include a final safeguards cost-benefit analysis and an overall cost-benefit balance.

The Commission indicated in the November 14, 1975 notice that the public will continue to be afforded the opportunity to participate in the Commission's decision on wide-scale use, not only by submission of written comments on the supplement, but also by the opportunity for participation in public hearings which will be held on both portions of the final environmental impact statement. The Commission stated that it intends that these hearings commence following issuance of the relevant portion of the final impact statement.

The Commission, as indicated in the notice, regards a decision-making proces which is both sound and expeditious to be of crucial importance and believes that both considerations can be compatibly accommodated in its public hearing procedure. The Commission stated that this accommodation will be fostered by legislative-type hearings on all relevant issues. However, the legislative-type hearings may be followed by adjudicatory-type hearings on particular issues if need for further hearings on such issues is demonstrated to the Commission.

While the basic hearing format was described in the notice, the Commission stated that further details regarding the conduct of the hearings would be set forth in a subsequent Notice of Hearing. The purpose of this notice is to set forth detailed rules for the conduct of the hearing. In developing the detailed hearing rules which follow, the Commission gave careful consideration to the comments on detailed hearing procedures that were received in response to the notices that were published in the FEDERAL REGISTER on December 10, 1974 (39 FR 43101) and May 8, 1975 (40 FR 20142).

Rules for the conduct of the hearing.

1. Scope and Purpose of Hearing. The hearing will be conducted for the purpose of aiding the Commission in its determination whether wide-scale use of mixed oxide fuel in light water nuclear power reactors should be authorized and, if so, under what conditions and implementing regulations.

As indicated in the November 14 notice, the Commission intends to issue proposed amendments to its regulations in 10 CFR Chapter 1 relating to wide-scale use of mixed oxide fuels in notices of proposed rulemaking to be published in the FEDERAL REGISTER at about the time relevant portions of the impact statement are completed in early and mid 1976. These proposed amendments will address safety, environmental, and safeguards matters associated with wide-scale use of mixed oxide fuel.[3] In addition to the usual opportunity for written public comment on these regulations, an opportunity will be afforded for consideration of them during the hearing process. The Commission intends to promulgate appropriate regulations in final form at the time of its final decision. There will be no separate hearing on these proposed rules.

2. Presiding Officer and Basic Hearing Format. (a) The identity of the members of the hearing board will be the subject of a supplemental notice that will be published in the FEDERAL REGISTER. Except as may otherwise be provided by the Commission in accordance with paragraph 11 below, the hearing will be conducted as a legislative-type hearing. The provisions of Subpart G, "Rules of General Applicability", of 10 CFR Part 2 will not be applicable except as specifically provided in this notice.

(b) A majority of the board shall constitute a quorum, if one member of the majority is qualified in the conduct of administrative proceedings.

3. Participation in the Hearing and Consolidation. (a) Persons or organizations who wish to participate in the hearing may do so in either of two ways:

(1) Limited participation—they may participate by making an oral or written statement of position on the issues. Such a limited participant may not otherwise participate in the hearing. The Commission will give due consideration to all such oral or written statements of position in making its final decision on the merits; or

(2) Full participation—they may participate in the conduct of the hearing as a full participant. Subject to the con-

[1] Fuel containing both plutonium oxide and uranium oxide.

[2] The Energy Reorganization Act of 1974 abolished the Atomic Energy Commission and transferred its regulatory functions to a new independent agency, the Nuclear Regulatory Commission.

[3] As indicated in the November 14, 1975 notice, the Commission also expects to publish proposed safeguards rules governing interim licensing of plutonium conversion and mixed-oxide fuel fabrication when the safeguards supplement to the draft impact statement is issued in early 1976. After consideration of written comments, these safeguards rules will be promulgated in final form when the last portion of the impact statement is issued in mid-1976. While the proposed rules relating to wide-scale use of mixed oxide fuel (including safeguards rules relating to wide-scale use) will be the subject of this hearing as indicated in the text above, the proposed and final interim safeguards rules will not be the subject of this hearing.

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ditions and limitations set forth in this notice, full participants may obtain discovery as provided in paragraph 9. below, present direct and rebuttal testimony, suggest questions to the hearing board, file concluding statements of position for the Commission's consideration, and request cross-examination on particular issues following completion of the legislative-type hearing.

(b) The following persons or organizations who requested participation in response to the December 10, 1974, notice, are admitted as full participants in the hearing: Natural Resources Defense Council; Dr. Marvin Resnikoff; Roger O. McClellan, D.V.M.; Electrical Power Research Institute; Babcock & Wilcox; Exxon Nuclear Company, Inc.; General Electric Company; Public Interest Research Group; Atomic Industrial Forum, Inc.; United States Environmental Protection Agency; West Michigan Environmental Action Council; Westinghouse Electric Corporation; Commonwealth Edison Company; Allied-General Nuclear Services; Edison Electric Institute; American Civil Liberties Union of South Carolina; Duke Power Company; John F. Shea, III for People of the State of New York; Environmentalist, Inc., South Carolina Environmental Action, Inc., and Piedmont Organic Movement; Baltimore Gas & Electric Company; Consumers Power Company; Long Island Lighting Company; Pacific Gas & Electric Company; Philadelphia Electric Company; Public Service Electric & Gas Company; Southern California Edison Company; The Connecticut Light and Power Company; The Hartford Electric Light Company; The Northeast Nuclear Energy Company; Western Massachusetts Electric Company; Virginia Electric and Power Company; Yankee Atomic Electric Company; Carolina Power & Light Company; Boston Edison Company; San Diego Gas & Electric Company; Yankee Atomic Electric Company; Robert L. Pendergraft; Nuclear Fuel Services, Inc.; Combustion Engineering, Inc.; L. E. Priester, Jr.; South Carolina Nuclear Advisory Council; and the NRC Staff. If any of these persons or organizations wish to withdraw as a full participant or participate on a limited basis, written notice to this effect should be filed with the Secretary of the Commission on or before February 5, 1976.

(c) If any other person or organization wishes to participate as a full participant, written notice should be filed with the Secretary of the Commission on or before February 5, 1976. Such notice should indicate the name and address of the person or organization. Untimely requests to become a full participant will not be granted by the hearing board unless warranted based upon consideration of (1) the extent to which the requestor's full participation will delay the proceeding, (2) the extent to which the requestor's interest will be represented by other participants or may be served by limited participation, (3) the extent to which the requestor's full participation may reasonably be expected to contribute to informed decisionmaking, (4) whether the requestor can demonstrate good cause for failure to file on time.

(d) Any other person or organization who wishes to participate on a limited basis by making an oral statement at the hearing, is requested to notify the Secretary of the Commission on or before February 5, 1976. Oral statements will be received at the hearing subject to such limits and conditions as may be fixed by the hearing board in its discretion. Any person or organization who wishes to participate on a limited basis by filing a written statement may do so by filing the statement with the hearing board at any time prior to the conclusion of the hearing without requesting special permission of the hearing board.

(e) The hearing board may, on its own initiative or on request, order any full participants who have substantially the same interests and who raise or seek to raise substantially the same questions, to consolidate their requests for discovery, presentation of evidence, suggestion of questions to the hearing board, concluding statements of position, and requests for cross-examination on particular issues following completion of the legislative-type hearing. Consolidation may be for all purposes of the hearing, all issues of the hearing, or with respect to any one or more issues thereof. No consolidation will be ordered that would prejudice the rights of any full participant.

4. Responsibilities and Authorities of the Hearing Board. The hearing board shall have the duty to conduct a fair and impartial hearing and develop a record that will contribute to informed decisionmaking by the Commission. It shall have the power to take appropriate action to avoid unnecessary delay and maintain order, with the objective of completing the legislative-type hearings by the latter part of 1976. Within the framework of this notice, the hearing board shall have all the power necessary to these ends, including the power to:

(a) Rule on offers of proof and receive evidence;

(b) Dispose of procedural requests or similar matters;

(c) Ask questions of witnesses as provided in paragraph 5.(a);

(d) Order consolidation of full participants as provided in paragraph 3.(e);

(e) Establish an order of presentation by the full participants which, if appropriate, may provide for an order of presentation on the basis of subject matter;

(f) Hold conferences before or during the hearing for consolidation of full participants, establishing an order of presentation, or any other proper purpose;

(g) Establish reasonable time limits for the conduct of the proceeding;

(h) Entertain suggestions from full participants as to questions which the board should ask of witnesses for one or more of the other full participants as provided in paragraph 5.(a);

(i) Limit the number of witnesses for full participants whose testimony may be cumulative;

(j) Strike cumulative or irrelevant evidence of full participants;

(k) Certify questions or refer rulings to the Commission for its determination, on its own initiative, or in its discretion on request by a full participant, or on direction of the Commission;

(l) Rule on discovery matters as provided in paragraph 9;

(m) Rule on additional requests to become a limited or full participant; and

(n) Regulate the course of the hearing and the conduct of the participants.

5. Evidence and Representation. (a) All full participants will be permitted to present evidence at the hearing on matters relevant to the determination, described above, whether wide-scale use of mixed-oxide fuel in light water nuclear power reactors should be authorized and, if so, under what conditions and implementing regulations. Except as provided below, full participants' witnesses will be subject to questioning by the hearing board either orally at the hearing or in writing, or both. Questions may be addressed either to individual witnesses or to panels of witnesses. In addition, full participants may submit questions to the board which they would like to have answered by witnesses for other full participants; the board may, in its discretion, refer the questions to the witnesses for response and/or conduct its own examination of the witnesses in the subject areas. No subpoenas will be granted for attendance and testimony of witnesses or the production of evidence except upon a showing of exceptional circumstances. Any request by a full participant for a subpoena shall be in the form of a motion under paragraph 7, but shall be addressed to the Commission. The hearing board may, for good cause, receive into evidence on behalf of a full participant the written testimony of a person who is unable to appear at the hearing. In such cases, the hearing board may request (but not order) that the person respond to written questions by the board.

(b) Both portions of the draft and final environmental statement, as well as all public comments received in response to the notices of proposed rulemaking regarding wide-scale use of mixed oxide fuel, shall be received into evidence.

(c) All direct testimony on behalf of full participants shall be filed in writing 14 days in advance of the hearing, or within such greater or lesser time as may be fixed by the hearing board. The hearing board is authorized to require that rebuttal testimony on behalf of full participants be filed in writing in advance. Written testimony will be received into evidence in exhibit form.

(d) The board may, upon request, permit a qualified individual who has scientific or technical training or experience to participate in the hearing on behalf of a full participant where the board finds that this would contribute to informed decisionmaking by the Commission.

6. Hearing Location and Time; Prehearing Conference. The hearing will commence as soon as practicable after issuance of the portion of the final impact statement relating to health and safety and environmental matters. Notice of the time of the commencement of the hearing and location of the hearing and prehearing conference will be published in the FEDERAL REGISTER. The prehearing conference will be conducted by the hearing board on February 24, 1976. The purpose of the prehearing conference will be to rule on any additional requests to become a limited or full participant and to take such other action as may be appropriate for the conduct of the hearing. In addition, a hearing schedule shall be established consistent with the above and with the Commission's objective that the legislative-type hearing be completed by the latter part of 1976. A prehearing order will be issued by the hearing board to govern the conduct of any prehearing matters and the conduct of the hearing.

7. Motions or Requests. Except as provided in paragraphs 5. and 11., all motions or requests shall be addressed to the hearing board. All written motions or requests shall be filed with the Secretary of the Commission and served on full participants to the hearing. Service shall be as provided in 10 CFR 2.712. Within 5 days after service of a written motion, or such other time as may be fixed by the hearing board, any full participant may file a written answer in support of or in opposition to the motion or request. However, the NRC staff may file such an answer within 10 days after service. Computation of time shall be as provided in 10 CFR 2.710.

8. Interlocutory Appeals; Effect of Motions, Certifications, and Referrals. No interlocutory appeal may be taken to the Commission from a ruling of the hearing board. When in the judgment of the board prompt decision is necessary to prevent detriment to the public interest or unusual delay or expense, the board may on its own initiative, or in its discretion on request by a full participant, refer the ruling or certify the question promptly to the Commission, and notify the full participants either by announcement on the hearing record or by written notice if the hearing is not in session. Unless otherwise ordered, neither the filing of a motion nor the certification of a question or referral of a ruling shall stay any aspect of the proceeding or extend the time for the performance of any act.

9. Discovery. The following rules regarding discovery shall apply:

(a) Except as provided in subparagraph (b) below, there shall be no discovery by document production or otherwise. The NRC staff will make available for public inspection and copying, in a timely fashion, documents which are not privileged and which were relied upon in the preparation of the impact statements. The documents listed in the attachment hereto are presently available for inspection and copying in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Full participants are encouraged to confer informally for the purpose of exchanging information and documents relied upon in the preparation of their testimony.

(b) Full participants seeking Commission documents[1] which they deem relevant but which have not been made publicly available for inspection and copying pursuant to subparagraph (a) may seek discovery pursuant to this paragraph. Requests for production of any such additional documents may be served on the NRC Staff without leave of the hearing board. Such production of Commission documents shall be governed by the relevant provisions of 10 CFR 2.740(c), 2.740(e), 2.744(a)-(f), and 2.744(h). Full participants' requests for interrogatories or depositions, or requests for documents from persons or organizations other than the Commission, will not be entertained unless, in exceptional circumstances, the board finds that there is compelling justification therefor. Requests for leave to undertake such additional discovery should be addressed to the board in the form of a motion under paragraph 7. However, any request for a document of the type specified in 10 CFR 2.790(a)(1) or (2) shall be immediately certified to the Commission.

(c) No discovery shall be granted once the pertinent portion of the hearing has commenced, except for good cause.

10. Filing of Documents; Docket; Transcripts; Public Notice of Hearing. Filing of documents in this proceeding by full participants shall be as provided in 10 CFR 2.701 (only proof of service on full participants need be provided). A docket for the proceeding shall be maintained as provided in 10 CFR 2.702, and the provisions of 10 CFR 2.750 and 2.751 regarding official reporter, transcript, and public nature of the hearing shall apply.

11. Requests for Additional Hearings to Permit Cross-examination. As the Commission indicated in its November 14, 1975, notice, it may be that some factual issues in this proceeding cannot be resolved adequately on the basis of a record developed in the manner provided above. If any full participant believes after completion of the legislative type hearing provided above that cross-examination on one or more factual issues is needed for a sound decision, a written request for additional hearings to permit cross-examination should be filed with the Commission within 30 days after completion of the legislative-type hearings, or within such greater or lesser time as may be fixed by the Commission. Such requests should specify with particularity the factual issue or issues as to which cross-examination is requested, the identity of the witness or witnesses involved, and demonstrate why in the full participant's view the legislative-type procedures have not proved adequate with respect to the particular issue and testimony. No such request will be granted unless the full participant making the request has participated fully in the conduct of the legislative-type hearing on the particular aspect of the testimony that is the subject of the request, including submission of relevant questions for referral or examination by the board. Other full participants may file written responses to such requests within 15 days after service, or within such greater or lesser time as may be fixed by the Commission. Should any such request be granted by the Commission, a supplemental notice of hearing which identifies the factual issue(s) and any necessary additional procedures will be issued by the Commission.

12. Certification of Record; Concluding Statements of Position. (a) Following completion of the hearing (including any hearing provided under paragraph 11.) the hearing board will certify the hearing record to the Commission for decision without rendering any decision or making any recommendations of its own with regard thereto.

(b) Within 45 days after completion of the hearing (including any hearing provided under paragraph 11.) or within such greater or lesser time as may be fixed by the Commission, the full participants shall file with the Commission a written concluding statement of position. Full participants who are only interested in one or more aspects of the proceeding may confine their concluding statements to such aspects. Concluding statements shall include appropriate citations to the transcript of record and exhibits in support thereof.

13. Oral Argument. The Commission will hear oral argument from the full participants prior to rendering its final decision on the merits. Notice of the time and place of argument and the procedures will be given later.

14. Record and Commission Decision. The hearing record shall include the transcript of testimony and exhibits, the transcript of oral statements by limited participants, written statements by limited participants, and all papers and requests filed in the proceeding. If at the conclusion of the hearing (including any hearing provided under paragraph 11.) the Commission should find it necessary for a sound decision on any disputed issues of material fact to rely on a fact or opinion not contained in the hearing record, the full participants will be advised of the substance of the fact or opinion, and afforded an appropriate opportunity to controvert it prior to the final Commission decision. The Commission may base its decision on other issues, such as issues of law or policy, on matters not contained in the hearing record without prior disclosure to the full participants, although substantial weight will be accorded to material in the hearing record.

15. Financial Assistance. The Commission is considering the question of financial assistance to participants in Commission proceedings. See "Financial Assistance to Participants in Commission proceedings, Policies Concerning Requests," 40 FR 37056 (August 25, 1975). Pending final disposition of this generic matter, no requests for financial assistance will be entertained.

Dated at Washington, D.C., this 30th day of December, 1975.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[1] Commission documents shall have the same meaning as "Record" in 10 CFR 9.3a (b).

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ATTACHMENT TO NOTICE OF HEARING

1. Calculations and background material—Volume 1. O. Hill and F. Fisher—June 1974.
2. WASH 1248—Environmental Survey of Uranium Fuel Cycle—USAEC—April 1974.
3. Pu Recycle Possibilities in LWR's—Oak Ridge Operations Office.
4. Reload G and NRS–DA 11 x 11 Rod Bundles with Unpowered Rods and Bundles—Reference data for Chapter IV, Section C—D. L. Ziemann—Operating Reactors Branch—Dec. 1972.
5. WASH 1303—Tech. Report of Effects of Pu Utilization on the Performance of LWR's—AEC staff April 1974.
6. Source Terms—LWR's with Recycle Pu for GESMO model reactor—Jan. 1974.
7. Radiological Effects of Normal Operations with Recycle Pu—P. Strom and J. Kastner, Radiological Assessment Branch, Mar. 1974.
8. Calculations and Notes—population; Annual Man-Rem Dose etc. for radiation assessment—Chapter IV, Section C—Dr. P. Strom, Apr. 1974.
9. The ORNL Isotope Generation and Depletion Code—(ORIGEN)—Used for 1.15 SGR Model core and spent fuel composition.
10. Actinides and Daughters—Overriding Origen Library Data.
11. Notes and Calculations—Chapter IV, Section D Mox Fuel Fabrication—K. Black.
12. Notes and Calculations—Chapter IV, Section E Fuels Reprocessing—K. Black.
13. Calculations—Uranium Supporting Cycle Mining, Milling, Conversion, Enrichment and UO, Fuel Fabrication—J. E. Rothfleisch.
14. Back up data for Chapter IV—Section G—Transportation—Complete Fuel Cycle—R. Odegaarden.
15. Calculations and Reference Data for Chapter IV, Section H, Waste Management, O. Hill and G. Kligfield.
16. Work Sheets, Calculations and References for Chapter IV, Section J, Health Assessment—Recycle Pu. W. Ray.
17. Reference Materials For Chapter V—Materials and Plant Protection—G. D. Smith "Accounting for Protection of and Control of Nuclear Materials"—R. G. Page, "Report to Congress—Special Safeguards Study", Improvements needed in the Program for the Protection of Special Nuclear Material.
18. Comparative Levels of Environmental Radioactivity in Utah from Industry and Fallout—R. C. Pendleton—U. of Utah.
19. Notes and back up data for Chapters IX and X—A. T. Clark.
20. Miscellaneous notes, references, and calculations for Chapter VII—Alternatives—J. Austin.
21. Miscellaneous notes, references and calculations for Chapter XI—Cost Benefits—J. Austin.

[FR Doc.76–227 Filed 1–5–76;8:45 am]

[Docket Nos. STN 50–498 and STN 50–499]

HOUSTON LIGHTING AND POWER COMPANY, ET AL. (SOUTH TEXAS PROJECT, UNITS 1 AND 2)

Assignment of Atomic Safety and Licensing Appeal Board

Notice is hereby given that, in accordance with the authority in 10 CFR 2.787 (a), the Chairman of the Atomic Safety and Licensing Appeal Panel has assigned the following panel members to serve as the Atomic Safety and Licensing Appeal Board for this construction permit proceeding:

Alan S. Rosenthal, Chairman
Dr. John H. Buck
Dr. Lawrence R. Quarles

Dated: December 30, 1975.

MARGARET E. DU FLO,
Secretary to the Appeal Board.

[FR Doc.76–235 Filed 1–5–76;8:45 am]

[Docket No. 50–309]

MAINE YANKEE ATOMIC POWER CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 17 to Facility Operating License No. DPR–36 issued to Maine Yankee Atomic Power Company which revised Technical Specifications for operation of the Maine Yankee Atomic Power Station located in Lincoln County, Maine. The amendment becomes effective 30 days after the date of issuance.

This amendment revises the reporting requirements of the Technical Specifications for the Maine Yankee Atomic Power Station.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated December 13, 1974, (2) Amendment No. 17 to License No. DPR–36, with Change No. 25, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Wiscasset Public Library Association, High Street, Wiscasset, Maine.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 29th day of December, 1975.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Reactor Licensing.

[FR Doc.76–236 Filed 1–5–76;8:45 am]

[Docket Number 50–287 License No. DPR–55]

OCONEE NUCLEAR STATION UNIT 3

Negative Declaration Regarding Technical Specifications

The Nuclear Regulatory Commission (the Commission) has considered the issuance of a change to the Technical Specifications of Facility Operating License No. DPR–55 for Oconee Nuclear Station located in Oconee County, South Carolina. The changes would authorize the licensee, Duke Power Company, to replace existing spent fuel storage racks having a capacity of 216 assemblies with high capacity fuel assembly storage racks having a maximum capacity of 474 assemblies.

The Commission's Division of Reactor Licensing has appraised the environmental impact of the proposed change. On the basis of this appraisal, the Commission has concluded that an environmental impact statement for this particular action is not warranted because there will be no significant environmental impact attributable to the proposed action other than those impacts described in the Commission's Final Environmental Statement of March 1972 concerning the operation of Oconee Nuclear Station, Units 1, 2, and 3.

The environmental impact appraisal is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Oconee County Library, 201 South Spring Street, Walhalla, South Carolina 29691.

Dated at Rockville, Maryland, this 8th day of December 1975.

For the Nuclear Regulatory Commission.

GORDON K. DICKER,
Chief, Environmental Projects Branch 2, Division of Reactor Licensing.

[FR Doc.76–234 Filed 1–5–76;8:45 am]

[Docket No. Stn 50–485]

ROCHESTER GAS AND ELECTRIC CORP. (STERLING POWER PROJECT NUCLEAR UNIT 1)

Second Special Prehearing Conference

A Second Special Prehearing Conference will be held in the above-captioned proceeding on January 13, 1976, at 10:30 a.m. local time at the Common Council Chambers, 2nd Floor, Oswego City Hall, West Oneida Street, Oswego, New York.

This Second Special Prehearing Conference will deal with matters set by the Board in Notice and Order For Special Prehearing Conference of November 13, 1975.

Dated this 29th day of December 1975 at Bethesda, Maryland.

By Order of the Atomic Safety and Licensing Board.

JOHN M. FRYSIAK,
Chairman.

[FR Doc.76–237 Filed 1–5–76;8:45 am]

[Docket No. STN 50–485]

ROCHESTER GAS AND ELECTRIC CO.

Availability of NRC Draft Environmental Statement for Sterling Power Project Nuclear Unit No. 1

Pursuant to the National Environmental Policy Act of 1969 and the United States Nuclear Regulatory Commission's regulations in 10 CFR Part 51, notice is hereby given that a Draft Environmental Statement prepared by the Commission's Office of Nuclear Reactor Regulation related to the proposed Sterling Power Project Nuclear Unit No. 1 located in Cayuga County, New York, is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. and in the Oswego City Library, 120 East Second Street, Oswego, New York. The Draft Statement is also being made available at the Division of State Planning, 162 Washington Avenue, Albany, New York and the Central New York Regional Planning and Development Board, 321 East Water Street, Syracuse, New York. Copies of the Commission's Draft Environmental Statement may be obtained by request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis, Office of Nuclear Reactor Regulation.

The Applicant's Environmental Report, as supplemented, submitted by Rochester Gas and Electric Company is also available for public inspection at the above-designated locations. Notice of availability of the Applicant's Environmental Report was published in the FEDERAL REGISTER on January 3, 1975 (40 FR 821).

Pursuant to 10 CFR Part 51, interested persons may submit comments on the Applicant's Environmental Report, as supplemented, and the Draft Environmental Statement for the Commission's consideration. Federal and State agencies are being provided with copies of the Applicant's Environmental Report and the Draft Environmental Statement (local agencies may obtain these documents upon request). Comments are due by March 1, 1976. Comments by Federal, State, and local officials, or other persons received by the Commission will be made available for public inspection at the Commission's Public Document Room in Washington, D.C. and the Oswego City Library, 120 East Second Street, Oswego, New York. Upon consideration of comments submitted with respect to the draft environmental statement, the Commission's staff will prepare a final environmental statement, the availability of which will be published in the Federal Register.

Comments on the Draft Environmental Statement from interested members of the public should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis, Office of Nuclear Reactor Regulation.

Dated at Rockville, Maryland, this 29th day of December 1975.

For the Nuclear Regulatory Commission.

WM. H. REGAN, JR.,
Chief, Environmental Projects Branch 3, Division of Site Safety and Environmental Analysis.

[FR Doc.76–352 Filed 1–5–76;8:45 am]

[Docket Nos. 50–259 and 50–260]

TENNESSEE VALLEY AUTHORITY

Proposed Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. DPR–33 and DPR–52 issued to Tennessee Valley Authority (the licensee) for operation of the Browns Ferry Nuclear Plant, Units 1 and 2 (the facilities) located in Limestone County, Alabama.

These amendments would revise the Technical Specifications to add requirements that would prevent reactor startup with any immovable control rods that could have control rod drive mechanism collet housing failures.

Prior to issuance of the proposed license amendments, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations.

By February 5, 1976, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of these amendments to the subject facility operating licenses. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to MR. H. S. SANGER, General Counsel, 629 New Sprankle Building, Knoxville, Tennessee 37919, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to these actions, see the Commission's letter to Tennessee Valley Authority dated September 29, 1975, and the attached proposed Technical Specifications and the Safety Evaluation by the Commission's staff dated September 29, 1975, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Athens Public Library, South and Forrest, Athens, Alabama 35611. These license amendments and the Safety Evaluation may be inspected at the above locations and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 23rd of December, 1975.

ROBERT R. PURPLE,
Chief, Operating Reactors Branch No. 1, Division of Reactor Licensing.

[FR Doc.76–107 Filed 1–5–76;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

FEDERAL PROCUREMENT INSTITUTE

Proposed Plan

Notice is given that the Administrator for Federal Procurement Policy, Office of Management and Budget, has distributed to the heads of executive departments and certain establishments for review and comment a draft plan for the establishment, sponsorship, and operation of the Federal Procurement Institute. The plan is designed to implement Commission on Government Procure-

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ment Recommendations A–15, A–16, A–17, A–19, A–20, and A–21.

Interested persons may comment on the following plan by submitting their written views to the Administrator for Federal Procurement Policy, Room 9001, New Executive Office Building, 726 Jackson Place NW., Washington, D.C. 20503. Comments should be received prior to close of business on February 6, 1976.

HUGH E. WITT,
Administrator for
Federal Procurement Policy.

PLAN FOR THE OPERATION AND ORGANIZATION OF THE FEDERAL PROCUREMENT INSTITUTE

1. The primary purposes of the Federal Procurement Institute (FPI) are to develop and maintain an effective Federal Procurement work force, and to promote and conduct procurement research. It will consist of the following components (see Attachment 7 for organization chart):

(a) A Board of Advisors made up of agency officials. See Attachment 1.

(b) An Executive Agent. See Attachment 2.

(c) A Board of Visitors made up of personnel from the academic community, industry, and the business community. See Attachment 3.

(d) An FPI staff headed by a Director supported by management-level program managers. See Attachment 4.

(e) An Interagency Working Committee made up of management-level agency personnel. See Attachment 5.

(f) Interagency Specialized Work Groups made up of journeyman-level agency specialists. See Attachment 6.

2. The FPI staff will be the focal point for planning, developing, implementing, evaluating, and monitoring procurement education and training, procurement career development programs, and procurement research. This will be carried out in coordination with the agencies and with the OFPP.

3. The FPI staff will receive policy and program guidance and direction from the Board of Advisors. The operation of the FPI including the necessary logistical and administrative support will be the responsibility of the Executive Agent.

4. Membership of the Board of Advisors will be designed to give participating agencies a voice in the policies, programs and operation of the FPI.

5. The FPI will coordinate the development of standards and requirements for career development programs and education and training courses and programs that are considered necessary for developing and maintaining an effective Government-wide procurement work force.

6. The FPI will not duplicate agency programs; it will monitor, review, and evaluate agency programs and certify them if they meet the predetermined standards identified as necessary to the development and maintenance of an effective Government-wide procurement work force. This certification will identify programs and courses as being FPI approved.

7. The FPI may organize and sponsor or conduct education and training programs to meet common unmet needs and requirements of the agencies.

8. Initially, a small FPI staff will be recruited to begin coordinating with the agencies the review and evaluation of current programs to determine what improvements can be made quickly and to begin the longer-range planning of FPI programs. It is contemplated that the FPI staff will make use of agency personnel to develop and implement FPI programs throughout the Federal procurement work force.

ATTACHMENT 1; BOARD OF ADVISORS

1. Organization. (a) Members of the Board will be Assistant Secretary or equivalent. Normally these officials will be responsible for the procurement function in their agencies.

(b) The Board will have fourteen voting members and one nonvoting member, allocated as follows:

DOD—4	DOT—1
GSA—1	At Large—2
NASA—1	VA—1
ERDA—1	OFPP—1
USDA—1	CSC—1 (nonvoting)
HEW—1	

(c) The Administrator for Federal Procurement Policy will serve as Chairman of the Advisory Board. The Board member from the Office of the Secretary of Defense will serve as Vice-Chairman.

(d) The Director of the FPI will serve as Executive Secretary of the Board.

(e) The internal organization of the Board and its operating procedures, including designation of the term of office for at large members, shall be established by the Board.

(f) Board actions will be subject to final approval by the Chairman.

2. Functions. (a) The primary function of the Board of Advisors is to provide policy and guidance to the Director of the FPI in identifying and designing programs and in establishing procedures and standards for implementation by the FPI.

(b) The Board will establish criteria for the Director and the professional staff positions of the FPI. The Director and the professional staff members will be selected by the Executive Agent in consultation with the Board.

(c) Members of the Board will identify and commit agency personnel and resources needed to develop and implement FPI programs.

(d) Members of the Board will provide the high management interest and support needed to establish and effectively maintain FPI programs in each agency and on a Government-wide basis.

(e) The Board shall meet quarterly and at such other times as may be determined necessary by the Chairman or by a majority of the Board.

ATTACHMENT 2; EXECUTIVE AGENT

1. Organization. The Office of the Secretary of Defense is designated as the Executive Agent for the Federal Procurement Institute (FPI).

2. Functions. (a) Operate the FPI in keeping with the policies issued by the Board of Advisors.

(b) Provide the staff for the FPI. The Director and professional staff members will be selected in consultation with the Board of Advisors.

(c) Provide the necessary logistical support for the FPI.

(d) Provide the necessary administrative support and guidance for the FPI.

ATTACHMENT 3; BOARD OF VISITORS

1. Organization. (a) The Board of Visitors will consist of the following members: Academic community—4 members; Business community—4 members.

(b) Selection of members will be made by the Board of Advisors.

(c) Selection of a Chairman of the Board of Visitors will be made by the members of the Board of Visitors.

2. Functions. (a) Annually review the organization, management, methods of instruction, facilities, and other aspects of the operation of the Federal Procurement Institute and provide a report to the Board of Advisors of the results of its review and evaluation, including recommendations for improvements.

(b) At the request of the Board of Advisors, the Board of Visitors will undertake special reviews and evaluations in specific problem areas.

3. Support. The Board members' expenses and other operating costs of the Board will be funded by the Executive Agent.

ATTACHMENT 4; FPI STAFF

1. Organization. (a) Organizationally, the FPI staff will be located under the Office of the Secretary of Defense. The staff will receive policy and program direction and guidance from the Board of Advisors. Operation of the FPI including logistical and administrative support are the responsibility of the Executive Agent.

(b) The Executive Agent is responsible for providing the staff. The Director and the professional staff members of the FPI will be selected in consultation with the Board of Advisors.

(c) The initial staff will consist of the following personnel: Director, 1 Supergrade Level; Deputy Director, 1; Secretaries, 2; Program Managers, 4 (Career Development, Education and Training, Research, Evaluation).

(d) The staff will be increased as FPI activities expand to encompass the functions assigned to the Institute. See Attachment 8.

2. Functions. The staff will:

(a) Carry out the policies and programs approved for FPI implementation by the Board of Advisors.

(b) Organize, coordinate, and monitor the work carried out by the Interagency Working Committee, the Interagency Specialized Work Groups, and other task forces established to assist the FPI.

(c) Be the focal point for problem identification and analysis; program planning, design and development; and program implementation and evaluation.

(d) Recommend new programs and initiatives to the Board of Advisors.

(e) Compile progress reports.

ATTACHMENT 5; INTERAGENCY WORKING COMMITTEE

1. Organization. (a) This Committee will be composed of senior level, preferably GS–15, knowledgeable and competent personnel who have managerial and technical expertise in identifying and analyzing problems and in developing and implementing programs in the specialized fields related to the Federal Procurement Institute's mission.

(b) The Committee membership of 15 will be distributed as follows:

DOD	4	DOT	1
GSA	1	VA	1
NASA	1	At Large	2
ERDA	1	CSC	1
USDA	1	OFPP	1
HEW	1		

(c) The Chairman of the Interagency Working Committee will be elected by the members of the Committee.

2. Functions. (a) The Interagency Working Committee will assist the FPI staff in implementing the policies and programs approved for FPI execution. This will include problem identification and analysis; program planning, design, and development; and program implementation and evaluation.

(b) The Committee will assist the FPI staff in organizing and coordinating the activities of the Interagency Specialized Work Groups.

(c) Committee members may be assigned as Chairmen of Interagency Specialized Work Groups.

(d) Assignment to the Interagency Working Committee is not envisioned as a full-time activity.

(e) The Committee will meet at the call of the Chairman of the Committee who will work closely with the Director of the FPI.

3. Support. Expenses incurred by the Committee members will be the responsibility of the parent agencies.

ATTACHMENT 6; INTERAGENCY SPECIALIZED WORK GROUPS

1. Organization. (a) An Interagency Specialized Work Group (ISWG) will be established for specialized fields of concern to the FPI, such as career development and procurement research. Each ISWG will be organized by the FPI staff and the Interagency Working Committee to meet specific program needs as they arise.

(b) Members of the ISWGs will normally be personnel who are actively engaged in their field at the journeyman level and will be selected on the basis of their expertise and competence.

(c) Each ISWG chairman will be selected by the Interagency Working Committee in coordination with the FPI staff.

(d) Each ISWG will have multi-agency representation appropriate to the program needs for which it is established.

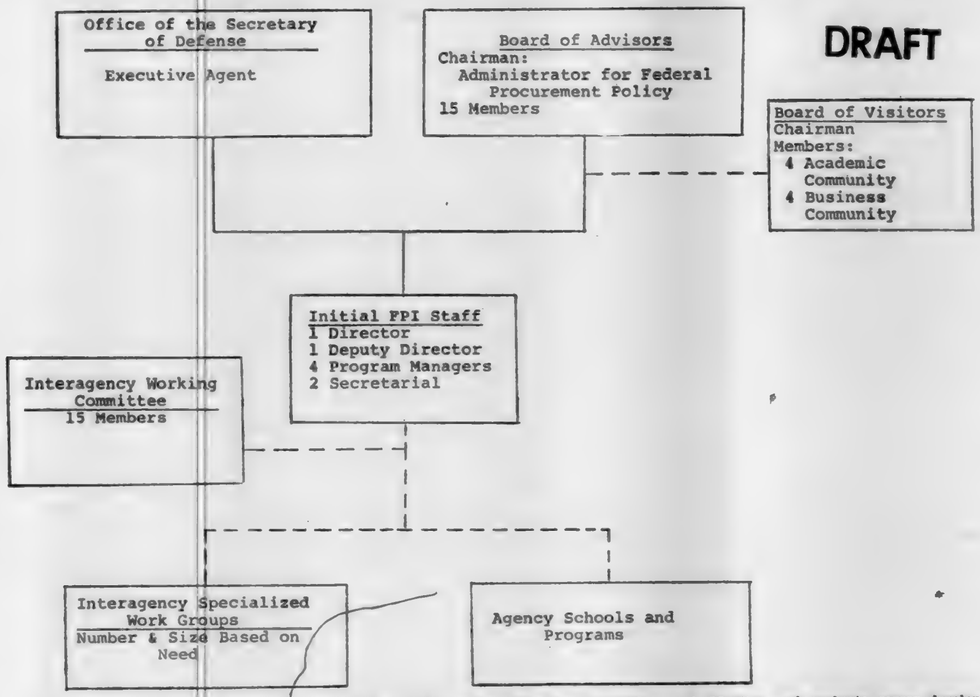
2. Functions. (a) The ISWG will work in coordination with the FPI staff.

(b) The ISWG will engage in problem identification and analysis and in the development, implementation, evaluation, and monitoring of FPI programs.

3. Support. Expenses incurred by members of the ISWGs will be the responsibility of the parent agencies.

Attachment 7

PROPOSED INITIAL FPI ORGANIZATION



ATTACHMENT 8; PLAN OF ACTION

The objective for the second half of fiscal year 1976 will be to accomplish the following:

(a) Create the FPI;

(b) Organize the Board of Advisors and have the first meeting;

(c) Organize the Interagency Working Committee; and

(d) Recruit the FPI staff.

The first year functions listed on the attached pages (Attachment 8A) will be initiated during the second half of fiscal year 1976. The following year the goal will be to identify needs and problems and start designing a plan for program development and implementation for each additional function (Attachment 8B).

Functions 1, 2, 5, 6, 7, 8, 12, 13, 14, and 15 were identified by the Commission on Government Procurement and by the task group chaired by the Civil Service Commission. The task group recommended that functions 1, 6, 7, 8, and 12 be initiated the first year. The Office of Federal Procurement Policy has added functions 3, 4, 9, 10, and 11.

ATTACHMENT 8A; PROPOSED FPI FUNCTIONS

FISCAL YEAR 1976 OBJECTIVES

1. Coordinate the identification of Government-wide procurement education and training needs and the development of comprehensive Government-wide plans to meet these needs.

2. Assist the agencies in improving the evaluation of procurement education and training conducted by the agencies and in evaluating non-Federal procurement education and training programs used by Federal agencies.

3. Assist the agencies in the development of standards for career development programs and education and training courses and programs needed to develop an effective Government-wide procurement work force.

4. Monitor and evaluate career development programs and education and training courses and programs to certify whether they meet the established standards and are therefore considered acceptable for career programs for procurement personnel.

5. Encourage colleges and universities to offer courses of instruction and, in some cases, degree programs, that prepare people for careers in the Federal procurement field; also assist the schools in developing suitable programs of study.

6. Promote, monitor, and conduct research in procurement policies and procedures to advance the state of the art in procurement through the development and application of improved business methods and techniques.

7. Collect and disseminate to Federal agencies information about education and training opportunities that meet the needs of the Federal procurement community.

8. Maintain a central repository and research library in the field of Federal procurement and grants.

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9. Recommend and promote programs of the Civil Service Commission and executive agencies for recruitment, training, career development, and performance evaluation of procurement personnel.

10. Encourage State and local Governments and private sector activities to promote improvements in their procurement work force through collaboration with professional associations having objectives in common with the FPI.

11. Encourage and monitor, in cooperation with the Civil Service Commission and the procuring agencies, the development, implementation, and exchange of personnel management ideas to enhance the procurement field.

ATTACHMENT 8B; PROPOSED FPI FUNCTIONS

LONG-RANGE OBJECTIVES

12. Develop and/or administer and finance a program for the development of textbooks and learning materials (e.g., films, filmstrips, programmed learning materials, etc.) needed for the instruction of Federal employees in the procurement field.

13. Publish research findings and other literature and documents relating to procurement management in the Federal service.

14. Conduct or sponsor short courses to prepare instructors of Federal procurement personnel to effectively perform their duties and to keep them abreast of new developments in the field.

15. Operate a residential, long-term (6 to 10 months in duration), academic-type education program modeled after the resident program of the Industrial College of the Armed Forces; the program should be designed to prepare high-potential procurement personnel (military and civilian) for key positions in Federal procurement management.

[FR Doc.76-258 Filed 1-5-76;8:45 am]

POSTAL SERVICE

INTERNATIONAL POSTAL RATES AND FEES

Corrections and Revised Effective Dates

In the FEDERAL REGISTER of November 18, 1975 (40 FR 53447), as corrected on November 26, 1975 (40 FR 54886), the Postal Service published changes in certain rates of postage and fees for international mail, some of which were scheduled to become effective on December 28, 1975, and others on January 3, 1976.

Some of the above changes are tied to the level of certain domestic rates and were thus indirectly prevented from going into effect at higher levels on December 28, 1975, as announced, by reason of a December 16, 1975 order of the U.S. District Court for the District of Columbia in the case of "Associated Third Class Mail Users, et al. v. United States Postal Service, et al.," D. D.C. Civil Action No. 75-1809. The United States Court of Appeals for the District of Columbia Circuit, on December 29, 1975, in its Docket No. 75-2227, granted a stay of that part of the order of the District Court which affected some of the above mentioned changes.

Accordingly, except for a correction which appears below, the new regular surface rates to Canada and Mexico for letter mail, post and postal cards, and printed matter and small packets, which were published in tabular form in the FEDERAL REGISTER on November 18, 1975 (40 FR 53447), as corrected at 40 FR 54886, (Table I, A, 1, 2, 3), the new airmail rates to Canada and Mexico for letter mail and post and postal cards (Table I, C, 1, 2), and the new airmail rates to Canada for printed matter, matter for the blind, and small packets, and air parcel post (Table I, C, 3(1), 4(1), will be effective at 12:01 AM on December 31, 1975. Correction: In Table I, A, 3 the rate for printed matter for each additional 32 ounces reads .93. It should read .72.

Except for certain corrections which appear below, all other rates and all fees published in the Federal Register on November 18, 1975 (40 FR 53447), as corrected at 40 FR 54886, will be effective at 12:01 AM on January 3, 1976.

CORRECTIONS

1. In Table I, B, 1, which shows the exceptional surface rates for printed matter to Canada, the rate for each additional 32 ounces of Books and Sheet Music and Publishers' Second Class should be changed from .46 to .36. The rate for each additional 32 ounces of Publishers' Controlled Circulation should be changed from .55 to .43.

2. In Table I, B, 2, which shows the exceptional surface rates for printed matter to Mexico, the rate for each additional 32 ounces of Books and Sheet Music and Publishers' Second Class should be changed from .39 to .30. The rate for each additional 32 ounces of Publishers' Controlled Circulation should be changed from .55 to .43.

3. In Table II, A, 1, which shows the regular surface rates on letter mail, printed matter, and small packets to countries other than Canada and Mexico, the rate for each additional 32 ounces of Printed Matter should be changed from .93 to .72.

4. In Table II, B, 1, which shows exceptional surface rates for PUAS countries, the rate for each additional 32 ounces of Books and Sheet Music and Publishers' Second Class should be changed from .39 to .30. The rate for each additional 32 ounces of Publishers' Controlled Circulation should be changed from .55 to .43.

5. In Table II, B, 2, which shows the exceptional surface rates for other countries, the rate for each additional 32 ounces of Books and Sheet Music and Publishers' Second Class should be changed from .46 to .36. The rate for each additional 32 ounces of Publishers' Controlled Circulation should be changed from .55 to .43.

(39 USC 401, 403, 404(2), 407, 410(a))

ROGER P. CRAIG,
Deputy General Counsel.

[FR Doc.76-35251 Filed 1-5-76;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

ADVISORY COMMITTEE ON CONSTRUCTION SAFETY AND HEALTH; SUBGROUP ON ROLLOVER PROTECTIVE STRUCTURES (ROPS)

Meeting

The Rollover Protective Structures (ROPS) Subgroup of the Advisory Committee on Construction Safety and Health, established under section 107 (e)(1) of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333) and section 7(b) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 656), will meet on Tuesday, January 20, 1976. The meeting, which will begin at 9 a.m., will be held in Room N-3437 A and B of the Department of Labor Building, 3rd Street and Constitution Avenue, NW, Washington, D.C. 20210. The meeting will be open to the public and all interested parties are encouraged to attend.

The purpose for the meeting is to consider an update of ROPS criteria for equipment covered in Subpart W, §§ 1926.1001 and .1002, of the construction safety and health standards. Consideration will be given to criteria developed by the Society of Automotive Engineers (SAE) in its Standard J1040a. The deliberations of the subgroup will be reported to the Construction Safety and Health Advisory Committee which will meet January 21 and 22, 1976.

Persons wishing to orally address the group at the meeting should submit a written request to be heard to the Committee Management Officer no later than January 12, 1976. The request must contain a short summary of the intended presentation and an estimate of the amount of time that will be needed. Such participation will be at the discretion of the chairman, time permitting.

Written data, views, or arguments concerning the subjects to be considered may be filed, together with 20 copies thereof, with the Committee Management Officer by January 12, 1976. Such submissions may also be filed with the Committee Management Officer at the meeting. Any such submissions will be provided to the members of the group and will be included in the record of the meeting.

Communications may be mailed to:

Jay Arnoldus, Committee Management Office, Department of Labor, Occupational Safety and Health Administration, 3rd Street and Constitution Avenue NW, Room N-3638, Washington, D.C. 20210.

Signed at Washington, D.C., this 2nd day of January 1976.

MORTON CORN,
Assistant Secretary of Labor.

[FR Doc.76-372 Filed 1-5-76;8:45 am]

STANDARDS ADVISORY COMMITTEE ON AGRICULTURE

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. I), notice is hereby given that the Standards Advisory Committee on Agriculture Subgroup on Noise, established under section 7(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 656), will meet in Washington, D.C. The Subgroup will meet on January 20, 1976, in Conference Room S-4215, and January 21, 1976, in Conference Room N-4437 of the Department of Labor Building, 3rd Street and Constitution Avenue, NW, Washington, D.C., at 9:00 a.m. The meetings will be open to the public and all interested parties are encouraged to attend.

The Noise Subgroup will review information received and proceed toward the development of a recommendation on noise for agriculture. The Subgroup Chairman may permit oral statements before the group by interested persons. Consequently, persons desiring to make an oral presentation should submit a written request to be heard to the Committee Management Officer by close of business January 13, 1976. The request must include the name and address of the person wishing to appear, the capacity in which he will speak, a short summary of the intended presentation, and the approximate amount of time required for the presentation. Such submissions will be provided to the Chairman for his consideration.

Communications and questions about the proceeding should be addressed to:

Ms. Jeanne C. Werner, Committee Management Officer, U.S. Department of Labor, Occupational Safety and Health Administration, Room N-3635, 3rd Street and Constitution Avenue NW., Washington, D.C. 20210. Phone: 202/523-8024.

All materials which have been submitted to, or developed by, the Committee and its subgroups since the beginning of its deliberations, as well as the official record of all proceedings, are available for public inspection and copying at the above location.

Signed at Washington, D.C., this 2nd day of January 1976.

MORTON CORN,
Assistant Secretary of Labor.

[FR Doc.76-371 Filed 1-5-76;8:45 am]

Office of the Secretary

[TA-W-211]

BORN, M. AND CO.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-211; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 2, 1975 in response to a worker petition received on October 2, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing custom made men's suits, sportcoats and trousers at the Chicago, Illinois plant of M. Born and Company.

The notice of investigation was published in the FEDERAL REGISTER October 15, 1975 (40 FR 48417). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of M. Born and Company, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. The average number of production workers declined 5.8 percent in 1974 as compared to 1973. The plant closed on March 14, 1975.

Sales or production, or both, have decreased absolutely. Production at the M. Born and Company, Chicago plant declined 22.7 percent in 1974 compared to 1973. Production equalled sales. All production ceased with the closing of the plant on March 14, 1975.

Increased imports contributed importantly. Imports of men's custom tailored apparel are not separately identified in the Tariff Schedules of the United States. They are included with the aggregate data of imports of men's tailored apparel. These data show that imports of men's suits increased both absolutely and relatively in the first seven months of 1975 compared to the first seven months of 1974 and that imports of men's sportcoats increased relatively during this same period.

The evidence developed by the Department's investigation indicated that sales and production from the Chicago plant of M. Born and Company have declined at a time when major customers have indicated that they have reduced purchases from M. Born because of a decline in demand for men's customized suits, sportcoats, and trousers associated with the general economic decline in the United States.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's made-to-measure suits, sportcoats, and trousers produced at the Chicago plant of M. Born and Company did not contribute importantly to the total or partial separations of the workers at such plant.

Signed at Washington, D.C. this 30th day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-265 Filed 1-5-76;8:45 am]

[TA-W-207]

BRUCE, ROBERT

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974, the Department of Labor herein presents the results of TA-W-207: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on October 2, 1975 in response to a worker petition received on that date which was filed by the International Ladies' Garment Workers' Union (AFL-CIO) on behalf of workers and former workers producing men's sweaters at Robert Bruce, Philadelphia, Pennsylvania, a subsidiary of Consolidated Foods, Inc.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 48559) on October 16, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Robert Bruce, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. Employment of production workers at Robert Bruce declined 30 percent in the first nine months of 1975 compared to the first nine months of 1974. Average weekly hours for production workers declined 13 percent in the first nine months of 1975 compared to the same period in 1974.

Sales or production, or both, have decreased absolutely. Sales by Robert Bruce of sweaters produced at its Philadelphia plant declined seven percent in 1974 from 1973 and declined 20 percent in the first nine months of 1975 compared to the same period in 1974.

Increased imports contributed importantly. Domestic production of knit sweaters has been adversely affected by both the economic recession and increased import competition. With the exception of one year during the 1970-1974 period, imports of men's and boys' sweaters increased in both absolute and

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relative terms. Imports in the first seven months of 1975 were 60 percent greater than during the same period in 1974.

Major U.S. retailers have significantly increased their purchases of imported sweaters relative to purchases of domestic sweaters in the first half of 1975. Customers of Robert Bruce indicate that imports took an increasing share of their total sweater sales in 1975. The customers cited the fact that imported sweaters often offer more intricate designs than sweaters produced domestically.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's sweaters produced by Robert Bruce contributed importantly to the total or partial separation of the workers of that firm. Separations of workers at Robert Bruce began in mid-1974. Section 223(b)(2) of the Trade Act of 1974 provides that a certification of eligibility to apply for worker adjustment assistance may not apply to any worker last separated from the firm or subdivision more than six months prior to April 3, 1975, the effective date of the new program. In accordance with this provision of the Act, I make the following certification:

All hourly, piecework, and salaried employees of Robert Bruce, Philadelphia, Pennsylvania, who became or will become totally or partially separated from employment on or after October 3, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 17th day of December 1975.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.

[FR Doc.76-272 Filed 1-5-76;8:45 am]

[TA-W-258]

COLONNA AND CO.

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-258; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 20, 1975 in response to a worker petition received on October 20, 1975 which was filed by workers formerly producing marble slabs at Colonna and Company, Long Island City, N.Y.

The notice of investigation was published in the FEDERAL REGISTER on October 30, 1975, (40 FR 50585). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Colonna and Company, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. The average number of production workers declined 20 percent in the first ten months of 1975 compared to the like period in 1974. Average quarterly employment declined 11 percent in the second quarter of 1975 compared to the first quarter and 25 percent in the third quarter compared to the second.

Sales or production, or both, have decreased absolutely. Production at Colonna and Company declined 48 percent in the first ten months of 1975 compared to the first ten months of 1974. Sales declined 49 percent in the first ten months of 1975 compared to the first ten months of 1974. Sales and production in the second quarter of 1975 were 42 percent and 86 percent respectively below figures for the comparable quarter in 1974.

Increased imports contributed importantly. Imports of articles like or directly competitive with those produced at Colonna and Company increased in value from 15 million dollars in 1971 to 22 million dollars in 1974.

The ratios of imports to domestic consumption and production increased from an average of 44.8 percent and 85.5 percent, respectively for the period 1971-1973 to 52.5 percent and 110.6 percent in 1974. Imports have maintained a share of over 50 percent of U.S. consumption in the first three quarters of 1975.

Colonna and Company began to experience declines in their sales of marble slabs starting in the fourth quarter of 1974 with particularly sharp declines occurring in the second and third quarters of 1975. Production declines were even more dramatic, with production shut down from May through September 1975. In July 1975 the decision was made to decrease the size of the workforce and become a non-union shop in an attempt to improve their price competitiveness. In September 1975 it was decided that the cutting operation could not be made economical and should be permanently eliminated as soon as all remaining marble blocks were cut. Once this is completed additional layoffs are expected.

Colonna and Company experienced damaging competition from imported marble slabs beginning in the second quarter of 1975. The increased competition occurred because of a change in policy by the New York City area local of the marble setters union. Prior to 1975, marble setters had refused to set any marble that had not been sawn and fabricated by union workers in the New York City area. During the first half of 1975 the setters union gradually abandoned this rule, replacing it with a policy of setting all marble supplied to it, regardless of where it had been sawn and fabricated. In July 1975 the change was made offical by the union.

The gradual change in this rule opened Colonna and Company to competition from imports of already sawn marble slabs from which they had previously been protected. Major customers increasingly have replaced marble slabs previously purchased from Colonna and Company with lower priced marble imports. Customers had previously been excluded from the use of the cheaper imports by the marble setters rule and with its abolition they immediately switched purchasing patterns to the lower priced imports.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with marble slabs produced at the Colonna and Company, Long Island City, N.Y. contributed importantly to the total or partial separation of the workers of that plant. In accordance with the provisions of the Act, I make the following certification:

All hourly, and salaried workers engaged in employment related to the production of marble slabs at Colonna and Company, Long Island City, N.Y. who became totally or partially separated from employment on or after April 1, 1975 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 24th day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-270 Filed 1-5-76;8:45 am]

[TA-W-233]

GENTRY CLOTHING CO.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-233: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on October 14, 1975 in response to a worker petition received on October 14, 1975 which was filed by the Amalgamated Clothing Workers Union of America on behalf of workers formerly producing men's suit coats, leisure suit coats and sport coats at Gentry Clothing Company, Philadelphia, Pennsylvania.

The notice of investigation was published in the FEDERAL REGISTER on October 24, 1975 (40 FR 49827-8). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Gentry Clothing Company, the U.S. Department of Commerce, the Federal Reserve Board, the National Cotton Council of America, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Without regard as to whether the other criteria are satisfied, the investigation reveals that the first criterion has not been met.

Gentry Clothing Company produces men's suit coats, leisure suit coats and sport coats on a contractual basis. Employment of production workers at Gentry and average weekly hours worked by those workers increased 3.1 percent and 2.5 percent, respectively, in the first nine months of 1975, compared to the like period in 1974. No involuntary separations of a permanent nature occurred during the one year period prior to the October 14, 1975 filing date of the petition. The few workers that were temporarily separated during the period from October 14, 1974 to the end of the year were recalled during January 1975. Employment rose steadily from December 1974 to September 1975, increasing 52 percent during that period.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that a significant number or proportion of the workers of Gentry Clothing Company have not become, and are not threatened with becoming totally or partially separated from employment at that firm as required in Section 222 of the Trade Act of 1974.

Signed at Washington, D.C. this 23rd day of December 1975.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.

[FR Doc.76-266 Filed 1-5-76;8:45 am]

[TA-W-239]

IMPERIAL CLOTHES CO.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-239: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 14, 1975 in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suit and sportcoats at Imperial Clothes Company, Philadelphia, Pennsylvania.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 49828) on October 24, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Imperial Clothes Company, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Without regard as to whether the other criteria are satisfied, the investigation reveals that the second criterion has not been met.

Imperial Clothes Company produces men's sportcoats, suit coats, and vests on a contractual basis. Total production by the firm increased four percent in quantity and 12 percent in value in 1974 from 1973 and increased 11 percent in quantity and 66 percent in value in the first 10 months of 1975 compared to the first 10 months of 1974.

The evidence developed in the Department's investigation of Imperial Clothes Company reveals that prior to August 1974, the owners of Imperial operated a second firm in Philadelphia, Supreme Clothes Co., which also produced men's clothing under contract. With the dissolution of Supreme Clothes in August 1974, Imperial absorbed many of Supreme's operations, and most of that firm's employees. The expansion of Imperial's activities caused average quarterly production and employment at the firm to increase from the same quarter of the prior year in five consecutive quarters from the third quarter of 1974 to the third quarter of 1975.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suit coats, sportcoats, and vests produced at Imperial Clothes Company, Philadelphia, Pennsylvania, did not contribute importantly to the total or partial separation of the workers of that firm.

Signed at Washington, D.C. this 24th day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-267 Filed 1-5-76;8:45 am]

[TA-W-208]

JERSEY COAT CO.

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-208 investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on October 2, 1975 in response to a worker petition received on October 2, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers formerly producing men's suit coats and sportcoats at the Jersey Coat Company, Egg Harbor City, New Jersey.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 48416) on October 15, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Jersey Coat Company, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, the National Cotton Council of America, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

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(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. The average number of production workers declined 28 percent in 1975 compared to 1974. Average weekly hours in the fourth quarter of 1974 declined 24 percent compared to the fourth quarter of 1973.

Sales or production, or both, have decreased absolutely. Sales at the Jersey Coat Company, Egg Harbor City, New Jersey declined 50 percent in the first ten months of 1975 compared to the first ten months of 1974. Sales declined 20 percent in the fourth quarter of 1974 compared to the third quarter of that year.

Increased imports contributed importantly. Imports of men's and boys' suits and sportscoats like or directly competitive with coats produced at Jersey Coat Company increased from 3,562 thousand units in 1971 to 7,393 thousand units in 1973.

The ratios of imports to domestic consumption and production of men's and boys' suits and sportcoats increased from 8.5 percent and 9.3 percent, respectively in 1971 to 14.1 percent and 16.4 percent in 1974. The ratio of imports to domestic production increased from 16.4 percent in the first seven months of 1974 to 28.5 percent in the comparable period of 1975. This represents an increase of 74 percent.

The Department's investigation indicates that the Jersey Coat Company had only one customer, J. Maimon and Sons, Philadelphia, Pennsylvania. From the beginning of 1974 through October 1975, the amount of suits coats and sportcoats supplied to the Jersey Coat Company from J. Maimon declined approximately 87 percent. Excess plant capacity was at first eliminated by reducing average weekly hours worked per worker but this was not enough and in January 1975 layoffs occurred.

Maimon had 100 percent of its suit and sport coats sewn by Jersey Coat and did not at anytime alter that relationship. All decreases in business with Jersey Coat were the results of reduced retail sales of Maimon's suits and sportcoats. Import competition was a prime reason for Maimon's loss of sales from 1974 to 1975.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with suits and sportcoats produced at the Jersey Coat Company contributed importantly to the total or partial separation of the workers of that plant. In accordance with the provisions of the Act, I make the following certification:

All hourly, piecework, and salaried workers engaged in employment related to the production of suit and sportcoats at the Egg Harbor City plant of the Jersey Coat Company who became totally or partially separated from employment on or after December 1, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 17th day of December 1975.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.

[FR Doc.76-271 Filed 1-5-76;8:45 am]

[TA-W-223]

OREGON STEEL MILLS, INC.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-223: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on October 10, 1975, in response to a worker petition received on October 10, 1975 which was filed by the United Steelworkers of America on behalf of workers and former workers producing carbon steel plates at the Rivergate plant of the Oregon Steel Mills, Inc., Portland, Oregon, a Division of the Gilmore Steel Corporation, Portland, Oregon. The investigation was subsequently expanded to include former workers engaged in employment related to the production of carbon steel products including reinforcing bars at the Front Avenue plant, Portland, Oregon, of the Oregon Steel Mills Inc.

The notice of investigation was published in the FEDERAL REGISTER on October 21, 1975 (40 FR 49162). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Oregon Steel Mills, Inc., its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, the American Iron and Steel Institute, industry analysts and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. The average number of production workers at the Front Avenue plant declined three percent from 1973 to 1974. The plant closed in December 1974.

In the first and second quarters of 1975, the average number of production workers at the Rivergate plant increased 91 and 57 percent, respectively, compared to the same periods in 1974. In the third quarter of 1975, the average number of production workers declined two percent compared to the same period in 1974.

Sales or production, or both, have decreased absolutely. Sales at the Front Avenue plant increased 52 percent from 1973 to 1974. The plant closed in December 1974. Production at the Rivergate plant increased 52 and 30 percent respectively, in the first and second quarters of 1975 compared to the like quarters in 1974. In the third quarter of 1975 production decreased 18 percent compared to the same quarter in 1974.

Increased imports contributed importantly. Imports of articles like or directly competitive with those produced at the Rivergate plant decreased from 500.8 thousand tons in the third quarter of 1974 to 253.2 thousand tons in the third quarter of 1975.

The ratios of imports to domestic consumption and shipments of carbon steel plate decreased from 18.9 percent and 22.4 percent, respectively in the third quarter of 1974 to 14.8 percent and 16.8 percent for the same quarter in 1975.

Imports of articles like or directly competitive with those produced at the Front Avenue plant increased from 286.4 thousand tons in 1973 to 477.5 thousand tons in 1974; however, their share of the U.S. market was minor. The ratios of imports to domestic consumption and shipments increased from 5.4 percent and 5.6 percent, respectively in 1973 to 9.2 and 9.5 percent in 1974.

The evidence developed by the Department's investigation indicated that the sales, production and employment declines experienced by the Rivergate plant in the third quarter of 1975 are the result of decreased demand for carbon steel plate associated with the U.S. economic recession.

The closing of the uneconomical, labor-intensive Front Avenue plant was the direct result of management's plans to modernize and increase the capacity of their Rivergate plant and to leave the market for the products produced at their Front Avenue plant.

Major customers indicated that they either did not import carbon steel plate and reinforcing bars or that both domestic and foreign purchases were off in 1975 because of the U.S. economic recession.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with carbon steel plates and reinforcing bars produced at the Rivergate and Front Avenue plants, respectively of the Oregon Steel Mills Inc., Portland, Oregon, did not contribute importantly to the total or partial separations of the workers at such plants.

Signed at Washington, D.C. this 24th day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-268 Filed 1-5-76;8:45 am]

[TA-W-302]

RICHARDS, ARTHUR, LTD.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-302; investigation regarding certification of eligibility to apply for adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on November 4, 1975 in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suits and sportcoats at the New York City plant of Arthur Richards, Ltd.

The notice of investigation was published in the FEDERAL REGISTER on November 19, 1975 (40 FR 53640). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Arthur Richards, Ltd., its customers, the Department of Commerce, the International Trade Commission, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Without regard to whether any of the other criteria have been met, criterion (1) has not been met.

Employment at Arthur Richards increased 26 percent in 1974 over 1973 and increased 5 percent in the first nine months of 1975 compared to the like period in 1974. The increased employment resulted from production of new lines of clothing by Arthur Richards.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that a significant number or proportion of the workers of Arthur Richards, Ltd. have not become, and are not threatened with becoming, totally or partially separated from employment at that firm as required in Section 222 of the Trade Act of 1974.

Signed in Washington, D.C. this 30th day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-264 Filed 1-5-76;8:45 am]

[TA-W-179]

SWARTZ, T. I. AND SONS, INC.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-179; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America on behalf of workers formerly producing men's suits and sportcoats at the S. Pulaski Street plant, Baltimore, Maryland.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 46375) on October 7, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of T. I. Swartz, Inc., the U.S. Department of Commerce, and the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certificate of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely,

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. The average number of production workers declined 19.1 percent in the first nine months of 1975 compared to the like period in 1974. Average weekly hours declined 1.6 percent in the first nine months of 1975 compared to the like period in 1974.

Sales of production, or both, have decreased absolutely. Sales of all items of men's, boys' and women's clothing and apparel at the S. Pulaski Street plant declined 3.6 percent in the first nine months of 1975 compared to the first nine months of 1974. Production of men's and boys' clothing declined 27.6 percent in the first nine months of 1975 compared to the first nine months of 1974.

Increased imports contributed importantly. Imports of men's custom tailored apparel are not separately identified in the Tariff Schedules of the United States. They are included with the aggregate data on imports of men's tailored apparel. These data show that imports of men's suits increased both absolutely and relatively in the first seven months of 1974 and that imports of men's sportcoats increased relatively during this same period.

The evidence developed by the Department's investigation indicated that Swartz's production is based solely on anticipated sales to individual consumers whose purchases of men's customized suits and sportcoats have declined due to the general economic downturn in the United States.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suits and sportcoats produced at the S. Pulaski Street plant, Baltimore, Maryland did not contribute importantly to the total or partial separations of the workers at such plant.

Signed at Washington, D.C. this 30th day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-269 Filed 1-6-76;8:45 am]

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federal register

TUESDAY, JANUARY 6, 1976



PART II:

FEDERAL ELECTION COMMISSION

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ADVISORY OPINION REQUEST

Treatment of Certain Activities by Candidates for Delegate to National Nominating Conventions

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FEDERAL ELECTION COMMISSION

[Notice 1975-100, AOR 1975-131]

ADVISORY OPINION REQUEST

Treatment of Certain Activities by Candidates for Delegate to National Nominating Conventions

In accordance with the procedures set forth in the Commission's Notice 1975-4, published on June 24, 1975 (40 FR 26660), Advisory Opinion Request 1975-131 is published today.

Interested persons wishing to comment on the subject matter of any Advisory Opinion Request may submit written views with respect to such requests on or before January 21, 1975. Such submission should be sent to the Federal Election Commission, Office of General Counsel, Advisory Opinion Section, 1325 K Street, NW., Washington, D.C., 20463. Persons requiring additional time in which to respond to any Advisory Opinion Request will normally be granted such time upon written request to the Commission. All timely comments received by the Commission will be considered by the Commission before it issues an advisory opinion. The Commission recommends that comments on pending Advisory Opinion Requests refer to specific AOR number of the Request commented upon, and that statutory references be to the United States Code citations, rather than to the Pub. L. Citations.

AOR 1975-131: Treatment of Certain Activities by Candidates for Delegate to National Nominating Conventions (Request Edited by the Commission).

GENTLEMEN: Advisory Opinion 1975-12 [40 FR 55596 (November 28, 1975)], while responsive to the request which generated it, fails to answer a number of questions with regard to certain peculiar situations which pertain to candidates for delegate to a national nominating convention. I therefore request a supplementary advisory opinion in which:

A. The situation where a candidate for Federal office (e.g. a Congressman seeking reelection) is at the same time a delegate/candidate is specifically addressed.

B. Reference is made as to whether or not his/her status as an "authorized", "pledged-but-unauthorized", or "unpledged and uncommitted" delegate/candidate has any effect peculiar to his/her additional circumstance of being a double candidate.

C. Guidelines are offered for the allocation of expenses of his/her separate candidacies one from the other, recognizing that most or all expenses may in fact work to the benefit of both of his/her candidacies, even though designed solely for one or the other.

D. Identifies, in the guidelines, how such a candidate can, if he/she is in the "pledged but unauthorized" class, and thereby limited to $1,000 total expenses for his/her delegate campaign, assure that his/her right to spend (in the case of a Congressional candidate) a total of $70,000 in that primary, and the necessity of allocating according to some formula, do not result in his/her inevitable violation, de facto, of the $1,000 limit.

* * * * *

ROBERT H. MICHEL.

Source: Honorable Robert H. Michel, House of Representatives, 2112 Rayburn House Office Building, Washington, D.C. 20515 (December 3, 1975).

Dated: December 23, 1975.

THOMAS B. CURTIS,
Chairman for the Federal Election Commission.

[FR Doc.76-3 Filed 1-5-76;8:45 am]

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federal register

TUESDAY, JANUARY 6, 1976



PART III:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

■

FOOD LABELING

Label Declaration of Ingredients Requirements

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Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

[Docket No. 75N–0256]

PART 1—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT AND THE FAIR PACKAGING AND LABELING ACT

PART 102—COMMON OR USUAL NAMES FOR NONSTANDARDIZED FOODS

Food Labeling and Label Declaration of Ingredients Requirements

The Food and Drug Administration is issuing regulations governing the way in which certain food ingredients may be declared on the label. Fat and oil ingredients, which now may be declared by class names such as "vegetable oil" and "shortening," are required by the new regulations to be declared by a name that identifies the specific source of the fat or oil, such as "cottonseed oil" or "beef fat." The new regulations permit certain specified ingredients to be declared by class names; for example, milk, concentrated milk, reconstituted milk, and dry whole milk may all be declared as "milk." The new regulations also establish an alternative method for declaring the ingredients of a standardized food when that food is used as an ingredient in another food; the components of the standardized ingredient may be declared, as currently, in parentheses after the name of the standardized food, or the components of the standardized ingredient may be incorporated into the statement of ingredients in descending order of predominance in the finished food. A common or usual name for mixtures of edible fat or oil and olive oil is also being established; a statement of the percentage of olive oil present is required if the presence of olive oil is emphasized on the label. Labeling may be changed to comply with these regulations on January 6, 1976. All products initially introduced into interstate commerce on or after January 1, 1978, shall comply with these regulations.

In a notice published in the FEDERAL REGISTER of June 14, 1974 (39 FR 20888), the Commissioner of Food and Drugs proposed regulations concerning label designation of ingredients, misleading vignettes, and a common or usual name for olive oil mixtures.

The proposals concerning misleading vignettes and class ingredient designations for corn sweeteners and sugar will be dealt with in subsequent regulations. Of the 304 comments received in response to the proposals dealt with herein, 251 supported the proposals (47 of which suggested changes); 42 opposed the proposals (with 38 suggesting changes); and 11 did not directly address proposed provisions. A summary of the comments and the Commissioner's responses are as follows:

PERCENTAGE OF CHARACTERIZING INGREDIENTS

1. On comment stated that a lawsuit has been filed against the Food and Drug Administration challenging the authority of the Commissioner to require in § 1.10(d) (21 CFR 1.10(d)) that a food label bear the percentage of a characterizing ingredient or information concerning the presence or absence of an ingredient as part of the common or usual name of a food. The comment noted that the proposal would transfer this provision from § 1.10(d) to a new § 1.8(f) (21 CFR 1.8(f)) and stated that the Food and Drug Administration should issue a notice stating that the provision is not effective pending outcome of the lawsuit.

The Commissioner states that the proposal merely to transfer this provision from § 1.10(d) to a new § 1.8(f) has no bearing on the matter contested in the referenced court action and that such a transfer is appropriate. No stay of § 1.10 (d) has been sought from the Commissioner or any court. Consequently, the provision remains effective.

2. One comment stated that proposed § 1.8(f) was not needed and should be deleted. The comment stated that inclusion of percentage information would complicate consumer identification of foods because the consumer does not normally expect such detail in a product name.

The Commissioner states that the intent of the proposal was to transfer a provision pertaining to a statement of the amount of a characterizing ingredient as a part of the common or usual name of a food from § 1.10(d) to a new § 1.8(f). This action does not create any additional labeling requirements since the requirements contained in this provision were already in existence at the time of the proposal. Transfer of the provision was proposed because § 1.10 is being revised and the provision more logically belongs in § 1.8. The Commissioner therefore concludes that this comment is irrelevant to the proposed transfer.

LABEL DECLARATION OF STANDARDIZED FOOD INGREDIENTS

3. Ten comments objected to the requirements of proposed § 1.10(b)(2). They stated that establishing a standard of identity provides a common or usual name for a standardized food used as an ingredient in other foods and that by listing such a multicomponent ingredient on the label by the common or usual name established in the standard, the manufacturer has met the requirements of section 403(i)(2) of the Federal Food, Drug, and Cosmetic Act. These comments argued that the Food and Drug Administration is exceeding its authority in establishing a regulation defining how ingredients should be listed. They also asserted that requiring standardized ingredients to be listed in the manner proposed would be contrary to the purpose of the food standards program.

Historically, the Food and Drug Administration has maintained that all components of any multicomponent ingredient used in a nonstandardized finished food must be declared on the label of the finished food. That is, multicomponent ingredients are considered a "collection of sub-ingredients"; to meet the requirements of section 403(i)(2) of the act, each component of a multicomponent ingredient must be declared as an ingredient of the finished food, in its order of predominance as it appears in the finished food.

An exception to this rule exists in the case of standardized foods used as ingredients of other foods. Establishing a standard of identity provides a common or usual name for a standardized food that may be used, together with a statement in parentheses of optional ingredients, if any, to meet the requirements of section 403(i)(2) of the act. This interpretation of the act was made by regulation in 1938 and is now codified under § 1.10(a). Nothing in the present amendment affects the continued availability of this method of declaring standardized ingredients of nonstandardized foods.

The present amendment to the regulation simply permits use of the same format for multicomponent ingredients that have common or usual names established by regulation or that conform to a standard of identity established pursuant to the Meat and Poultry Products Inspection Acts by the U.S. Department of Agriculture. The use of this format is not required by the amendment; manufacturers may continue to declare the ingredients of such a multicomponent ingredient as they do now. In addition, the amendment provides an alternative format for ingredient labeling, which will allow the components of an ingredient that conforms to a definition and standard of identity to be listed in their order of predominance among the other ingredients of the finished food.

4. One comment stated that the method of listing ingredients as proposed in § 1.10(b)(2) is inconsistent with the statement in § 3.88 (21 CFR 3.88) and that the Food and Drug Administration does not have the authority to require a complete listing of ingredients in standardized products.

The Commissioner advises that the alternative methods of ingredient declaration provided for in § 1.10(b)(2) do not require a full listing of ingredients for all standardized products. The regulation provides two alternative methods of declaring ingredients in nonstandardized foods when those ingredients are multicomponent ingredients that also conform to a definition and standard of identity established pursuant to section 401 of the act or are the subject of a U.S. Department of Agriculture standard or a common or usual name regulation. When a food subject to a standard of identity established pursuant to section 401 of the act is used as an ingredient, alternative § 1.10(b)(2)(ii) would provide for listing of all ingredients. However, such compliance is not mandatory for there is another available labeling alternative. That option, § 1.10(b)(2)(i), requires no more information than would be required on the label of the standardized food sold separately.

5. One comment asked why the Food and Drug Administration is moving toward the full label declaration of all optional ingredients, but not all ingredients in standardized foods as well as nonstandardized foods. The comment stated that the consumer would benefit more by knowing about all ingredients in standardized foods, rather than just optional ingredients, and that the fact that ingredients in a standardized food are mandatory is not helpful because consumers do not have ready access to information concerning mandatory ingredients in standardized foods.

The Commissioner agrees that there is significant consumer interest in labels of standardized foods bearing complete information on the ingredients contained in the food. However, as stated in § 3.88 (21 CFR 3.88), the Food and Drug Administration does not have legal authority to require that the label bear such information, and the Commissioner can require label declaration of optional ingredients only.

6. One comment asked why the ingredient labeling requirements being established for food ingredients that are themselves standardized foods under section 401 of the act are different from those for food ingredients that have common or usual names established under 21 CFR Part 102 or that are standardized foods under the Meat and Poultry Products Inspection Acts.

The Commissioner advises that the Federal Food, Drug, and Cosmetic Act does not grant authority to require a listing of the mandatory ingredients in a food that conforms to a standard of identity established under section 401 of the act. Because there is no similar restriction against requiring listing of ingredients for foods that have established common or usual names, or foods that conform to standards established pursuant to laws administered by the U.S. Department of Agriculture, and because the Commissioner has stated in § 3.88 that there is significant consumer interest that the labels of standardized foods bear complete information on the ingredients contained in the food, in the absence of a statutory prohibition these foods will be required to bear a complete ingredient list in the manner required by this regulation.

7. One comment stated that § 1.10(a) should be changed to make direct reference to section 403(g) of the act to make it clear that it is the intent of the Commissioner to require the same manner of label declaration of ingredients for both standardized and nonstandardized foods.

The Commissioner agrees that clarification is necessary, but he does not agree with the suggested change. This section applies to those standardized foods for which the standards require labeling pursuant to applicable regulations in 21 CFR Part 1. The final regulation has been amended to provide that this section applies to all nonstandardized foods and to foods subject to those standards that require labeling in compliance with applicable sections of 21 CFR Part 1. The requirements established by this notice, e.g., source labeling of fats and oils, do not apply to foods subject to standards of identity that do not require compliance with 21 CFR Part 1. However, such standards will be amended to so provide.

8. Two comments stated that the option of declaring ingredients contained in a standardized food used as an ingredient in another food by listing all ingredients contained in the standardized ingredient in descending order of predominance as they appear in the finished food would be impossible because manufacturers do not know the proportions of each ingredient used in the standardized food.

The Commissioner states that this method of listing ingredients is an option available to those manufacturers who know the amounts of each ingredient contained in a standardized food used as an ingredient in the manufacture of a finished food. If a manufacturer does not have this information available, he may use the alternative method contained in § 1.10(b)(2)(i).

9. One comment stated that an ingredient that is functional in the manufacture of a standardized food but that would not be functional when the standardized food is used as an ingredient in another food should not have to be declared in the ingredient statement of the finished food.

The Commissioner advises that if an ingredient that is not functional in the finished product is an incidental additive that is present in the finished food at an insignificant level, as defined in § 1.10a (a)(3) (21 CFR 1.10a(a)(3)), then the ingredient would not have to be declared in the ingredient statement of the finished food.

10. Two comments stated that the proposed ingredient listing would result in foods being labeled with ingredient statements that would be too lengthy to benefit consumers. One of these comments stated that a consumer with an allergy to a certain food ingredient should write to a food manufacturer to request a list of the manufacturer's food products that do not contain the ingredient and that this list would be more helpful to the consumer than a continuous reading of lengthy lists.

The Commissioner states that these comments are best answered by the comments from several consumers who stated that it was unreasonable to expect a consumer who wishes to purchase and consume a food product to write to the manufacturer and then to wait several weeks for a reply. These consumers expressed a strong preference for complete ingredient statements that they could examine at the point of purchase to see if the foods contain a substance to which they are allergic. Another consumer stated that it would be easier for food manufacturers to list all ingredients contained in their food products than to expect the thousands of consumers who are allergic to certain food ingredients to write to the dozens of food manufacturers whose products they may wish to purchase. One consumer who had written a letter to a manufacturer requesting the identity of the "shortening" contained in a product submitted a copy of the reply. The manufacturer's reply stated that the shortening ingredient could be either of animal origin or of vegetable origin depending on availability of supplies, a response of obviously no value. Therefore, the Commissioner concludes that ingredient statements will be required unless standards of identity exempt a particular food from this requirement.

11. One comment stated that a requirement that an ingredient statement bear names of all components of standardized ingredients might be deceptive since the listing of added vitamins present in a component might lead consumers to believe that the finished product contains a significant amount of the listed vitamin.

The Commissioner concludes that listing an ingredient such as a vitamin in accordance with either of the methods set forth in § 1.10(b)(2) will have little potential for misleading consumers, particularly since the declaration of the vitamin would be at the end or near the end of the ingredient statement, or within a parenthetical reference. Further, the Commissioner advises that in such a case the question is not whether an added substance has nutritional value; when a substance is added to a food, it must be declared. There are numerous functional additives, which happen to have nutritional value, that are declared in ingredient lists, such as ascorbic acid (vitamin C), calcium salts, and such color additives as riboflavin and beta-carotene (provitamin A). Of course, when an ingredient meets the definition of incidential additives in § 1.10a(a)(3), it does not have to be declared.

12. Three comments stated that the proposed ingredient listing would place an undue burden on food manufacturers or would be anticompetitive because a manufacturer would have to change label ingredient statements if he changed to a supplier that used a different set of optional ingredients in a standardized food.

The Commissioner agrees that requiring declaration of all optional ingredients in a standardized food that are required by the standard to be declared might in some instances reduce a manufacturer's flexibility and will sometimes result in a necessity to print new labels if a manufacturer changes suppliers of a particular ingredient. However, the Commissioner concludes that any resultant increase in prices will be negligible and he believes that the repeatedly expressed desire of consumers for more complete ingredient statements justifies the requirement of complete ingredient listings as far as is permitted by statutory authority.

LABEL DECLARATION OF INGREDIENTS

13. Two comments stated that the Food and Drug Administration does not have statutory authority to establish names for classes of food ingredients except by promulgating food standards. Another comment stated that the grouping of ingredients under ingredient class names as proposed in § 1.10(b)(3), (4), (6), (7), (8), (9), (10), (11), (12), and

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(15) is contrary to existing regulatory requirements of the acts administered by the Food and Drug Administration and the U.S. Department of Agriculture. This comment, however, did not cite specific sections of those laws or specific requirements of those laws which are or would be in conflict with the provisions of the proposal.

The Commissioner advises that the Federal Food, Drug, and Cosmetic Act provides the authority to establish exemptions from ingredient declaration under section 403(i)(2) of the act. In those cases of overlapping authority with the U.S. Department of Agriculture, the ingredient class names contained in this regulation will not take precedence over any specific labeling requirements imposed by the U.S. Department of Agriculture.

14. Two comments objected to the provision permitting both fluid milk and dry milk to be declared as "milk." These comments stated that consumers place a greater value on fresh ingredients and that manufacturers using dried ingredients should not be allowed to conceal this fact.

The Commissioner is aware that some consumers prefer foods made using fresh milk or fluid skim milk as an ingredient rather than foods made using other forms of milk such as dried milk. The Commissioner advises that manufacturers using fluid milk ingredients such as milk or skim milk may declare these ingredients as "fresh milk" or "fresh skim milk" or by using other nondeceptive terms. However, since most food products made using concentrated milk or dry whole milk have the same nutritional value and the same taste as foods made using fluid milk, the Commissioner concludes that consumers will not be deceived by declaration of these ingredients by the class name "milk."

15. One comment objected to establishment of class names for dry, concentrated, and liquid forms of the same food ingredient. The comment stated that in the case of a manufacturer who may be using skim milk or nonfat dry milk, both of which would be allowed to be labeled as "skim milk," the consumer would not know whether he is paying for a large percentage of water or for nutritional solids.

The Commissioner advises that the foods that were selected for establishment of ingredient class names were chosen because they are nutritionally and functionally equivalent. For instance, an amount of water equivalent to that present in fluid skim milk would usually be added to nonfat dry milk when the two ingredients are used interchangeably in a food. Therefore, the Commissioner concludes that the proposed class names are not deceptive.

16. One comment asked if the proposed class names for milk products in this regulation could be used to describe all the milk products listed in the standard of identity for bread (21 CFR 17.1(a)(2)).

The Commissioner states that only those milk products made by removal of water and which do not contain ingredients other than those permitted in milk may be declared as "milk," and that the same considerations apply to the other dairy ingredient classes contained in this regulation. Evaporated milk may not be declared in ingredient statements as "milk," and evaporated skim milk may not be declared as "skim milk" because these milk products may contain emulsifiers and stabilizers. Sweetened condensed milk may not be declared in ingredient statements as "milk," and sweetened condensed partly skimmed milk or sweetened condensed skim milk may not be declared as "skim milk" or "nonfat milk" because these milk products contain sweeteners. Similarly, milk proteins may not be declared as "milk" in ingredient statements because milk protein does not contain the other constituents of milk such as minerals, milk fat, and flavor components. Therefore, the Commissioner concludes that only the foods listed in the various ingredient class categories may be declared in ingredient statements by their respective class names.

17. One comment stated that, because ingredients must be listed in descending order of predominance by weight, a manufacturer who on occasion uses a dry milk or dry milk product in place of a fluid milk ingredient, because of factors such as short supplies of the fluid ingredient, would be required to use different labels with different sequences of ingredient listings and a listing of water as an ingredient if he switched from use of a fluid ingredient to use of a reconstituted ingredient. It stated that the various milk and milk product ingredient classes should be changed by adding the terms "reconstituted milk," "reconstituted sweet cream buttermilk," "reconstituted cheese whey," and "reconstituted cream," as appropriate.

The Commissioner concludes that foods made using a dried or a concentrated milk product such as dried whole milk or concentrated skim milk and a quantity of water sufficient to reconstitute the milk, partially or completely, are nutritionally and functionally equivalent to foods prepared using the corresponding fluid milk product. Accordingly, it will not deceive consumers if foods made using reconstituted or partially reconstituted milk or milk products are allowed to be labeled using the appropriate ingredient class names. The Commissioner advises that the position of the class name in the ingredient statement shall be determined by the weight of the dried milk ingredient or the concentrated milk ingredient plus the weight of the quantity of water added to rehydrate the ingredient, up to the equivalent of the fluid milk ingredient. Any water added in excess of the amount of water needed to rehydrate the milk to single strength must be declared as "water" in the ingredient statement. Therefore, the final regulation has been amended to provide for declaration of reconstituted ingredients by ingredient class names and for determining the order of predominance for these ingredients.

18. Two comments stated that the ingredient name "nonfat milk" should be allowed as an alternative to the name "skim milk" in § 1.10(b)(3) of the proposal. They stated that consumers in many parts of the country have become accustomed to the name "nonfat milk" and could be confused by the substitution of the name "skim milk." The comments also pointed out that the standard of identity for skim milk (21 CFR 18.20) provides for the use of the alternate name "nonfat milk."

The Commissioner agrees with the comments and has amended § 1.10(b)(3) to include the name "nonfat milk."

19. One comment stated that the term "dry whole milk" should be substituted for the term "dried milk" in proposed § 1.10(b)(4). It stated that "dried milk" as used in the proposal refers to fluid whole milk which has been dried and that the suggested substitution would clarify the intent and avoid any confusion between "dried milk" and "nonfat dry milk."

The Commissioner agrees and has amended § 1.10(b)(4) to substitute the term "dry whole milk" for the term "dried milk."

20. One comment recommended that proposed § 1.10(b)(7) be reworded to refer to "whey" instead of "cheese whey" and to "dry whey" instead of "dried cheese whey." It did not object to ingredient declaration in collective or generic terms but suggested that use of the term "cheese whey" may be introducing a common or usual name that is inconsistent with trade usage and U.S. Department of Agriculture nomenclature. It stated that the name "whey," as opposed to "cheese whey," has been previously established (35 FR 19629; December 25, 1970) under the provisions of Title 7, Chapter I, Part 58, Subpart O—"U.S. Standards for Dry Whey."

The Commissioner agrees with this comment and has revised § 1.10(b)(7) to read as follows: "(7) Whey, concentrated whey, reconstituted whey, and dry whey may be declared as 'whey.'" The Commissioner points out, however, that this regulation does not establish common or usual names for specific whey products.

21. Following publication of the proposal, an inquiry questioned whether anhydrous butterfat could be labeled as "butter."

The Commissioner states that an error was made in proposed § 1.10(b)(9) for the class name for butteroil and anhydrous butterfat. The proposed class name should have read "butterfat" rather than "butter." The definition and standard of identity for butter was created by an Act of Congress on March 4, 1923 (42 Stat. 1500; 21 U.S.C. 321a). Only a food that meets this definition and standard of identity may be labeled as "butter" or declared in ingredient statements as "butter." Therefore, § 1.10(b)(9) has been corrected to read "(9) Butteroil and anhydrous butterfat may be declared as 'butterfat.'"

22. Two comments questioned the reason for including provision for animal feed ingredient labeling in the proposal.

The Commissioner advises that the provision for ingredient labeling of animal feed was already included in § 1.10 (21 CFR 1.10) and appears in § 1.10(b)(13) of the proposed text due to reorganization of the section. In general, the Federal Food, Drug, and Cosmetic Act and the regulations promulgated under the act do not make a distinction between animal feeds and human foods, and the label regulations for animal feed ingredients appear in the same sections as regulations for human foods. Minor revisions have been made in the regulation to make the wording consistent with section 201(x) of the act.

23. One comment opposed allowing use of the ingredient class name "vinegar" for the reason that some consumers might have allergies to apples or grapes and thus would need to avoid products made using apple or grape vinegar.

The Commissioner lacks adequate data to confirm or deny the contention that some vinegars may have allergenic properties. Because there is not sufficient information to determine that there is no difference among vinegars in allergenic properties or in their effects on finished foods, and in accord with the consumer's right to ingredient information, the Commissioner concludes that the proposed ingredient class name for vinegars should not be promulgated and has deleted it from the final regulation. The Commissioner advises that the definitions of the various vinegars which the Food and Drug Administration has used for many years are contained in Compliance Policy Guide No. 7109.04. A copy of this guide is on public display in the office of the Hearing Clerk.

24. One comment requested clarification of proposed § 1.10(b)(18) (redesignated as § 1.10(b)(15)) regarding ingredient labeling of wheat flours.

The Commissioner advises that wheat flours are required by Part 15 (21 CFR Part 15) only to declare optional ingredients. However, if a manufacturer chooses to list all ingredients contained in wheat flour, either on a package of wheat flour or in the ingredient statement of a food containing a standardized wheat flour as an ingredient, § 1.10(b)(15) is of relevance. In considering the labeling of wheat flours, the question has been raised whether the principal ingredient of wheat flour should be declared as "wheat," "partially milled wheat," perhaps as "ground, defatted, bolted wheat," or by some other designation. It was concluded that through long-standing common usage, the common or usual name for the principal ingredient in flour is the word "flour." Therefore, under § 1.10(b)(15) of the final regulation, when the principal flour ingredient is declared in a complete ingredient listing, the principal flour ingredient shall be declared by one of the names of the appropriate standardized wheat flours specified in §§ 15.1, 15.40, 15.80, and 15.100. Specifically, if one or more of the wheat flours listed in §§ 15.1, 15.10, 15.20, 15.30, 15.50, 15.60, 15.70, or 15.75 is used as an ingredient in a food and all the ingredients of the wheat flour(s) are declared, the ingredient statement on the food shall state the wheat ingredient by use of one of the following terms: "flour," "white flour," "wheat flour," or "plain flour." If the wheat flour listed in § 15.40 is used as an ingredient in a food and all the ingredients of the flour are listed, the ingredient statement shall list the wheat ingredient as "durum flour." If one or more of the wheat flours listed in §§ 15.80 or 15.90 is used as an ingredient(s) in a food and all the ingredients of the flour(s) are listed, the ingredient statement on the food shall list the wheat ingredient by use of one of the following terms: "whole wheat flour," "graham flour," or "entire wheat flour." If the wheat flour listed in § 15.100 is used as an ingredient in a food and all ingredients of the flour are listed, the ingredient statement on the food shall list the wheat ingredient as "whole durum wheat flour."

The Commissioner is amending § 1.10(b)(15) of the final regulation to delete the term "cereal flour" and to change the first phrase of the first sentence to read: "When all the ingredients of a wheat flour are declared in an ingredient statement, the principal ingredient of the flour shall be declared * * *." This change is made to clarify that the class names set forth in § 1.10(b)(15) pertain only to the wheat flours contained in Subpart A of Part 15 (21 CFR Part 15, Subpart A).

Fats and Oils

25. One comment stated that since fats and oils have been declared in ingredient statements as "shortening," "vegetable oil," or "animal fat shortening" since 1940, these terms have become common or usual names for these substances and therefore satisfy the requirements of section 403(i)(2) of the act. Two other comments stated that the generic designations for oil ingredients have been used for decades and may have become common or usual names for these substances.

The Commissioner agrees that § 102.1(d) (21 CFR 102.1(d)) does provide for the establishment of common or usual names through common usage. The terms "shortening," "vegetable oil," or "animal fat shortening" have been permitted as terms for ingredient declaration, but the Commissioner has no information that these names are accepted by consumers generally as common or usual names for these classes of products.

Moreover, it is clear that terms such as "shortening" and "vegetable oil" are not the names used by manufacturers. Manufacturers buy and use fats and oils by names that refer to their sources and not by such collective names. It is highly doubtful that any name can be considered as having become common or usual through usage when that name is not established in the trade as the name of the ingredient.

26. One comment stated that most of the consumer letters that the Food and Drug Administration regards as showing a unanimity of opinion in favor of source labeling for fat ingredients were based on an erroneous premise and demonstrate that source labeling for fats would be misunderstood by consumers. The comment stated that most of the consumer comments filed with the Hearing Clerk as comments to the fat source labeling proposal of June 15, 1971 (36 FR 11521) were written as a result of consumers reading a newspaper article criticizing the practice of referring to coconut oil as "vegetable oil" in ingredient statements and which stated a columnist's opinion that coconut oil should be avoided to prevent heart and artery disease. The comment stated that avoidance of any single food or group of foods containing coconut oil would not result in reduction of blood cholesterol. The comment stated that the Food and Drug Administration, in its fat labeling regulations, recognizes that dietary regulation of the intake of saturated and polyunsaturated fats can be undertaken only under medical supervision.

The Commissioner concludes that fat and oil source labeling will be helpful to all persons who wish to avoid particular fats or oils in their foods. While it may not be valid for consumers to assume that avoiding a single fat or oil will prevent heart and artery disease, the Commissioner does not view the desire of consumers who wish to avoid a particular fat or oil as misguided or improper. On the contrary, consumers have the right to ingredient labeling that will allow them to avoid foods containing ingredients that they do not wish to consume.

27. Two comments stated there is no evidence of record to show that the practice of declaring all vegetable, animal, and marine fats and oils as "shortening" and other current ingredient listing practices have caused consumers to be misled. The comment stated that these labeling practices have been followed by the food industry for over 35 years and that there has been no change in the Federal Food, Drug, and Cosmetic Act that would require that they be changed.

The Commissioner does not contend that such labeling practices are necessarily misleading to consumers, but that they are not fully informative. Current fat and oil labeling practices result from interpretive exemptions provided in trade correspondences TC-62, TC-94, and TC-209 (a copy of each is on file with the Hearing Clerk). When the exemptions were issued it was contemplated that they might at some future time no longer be satisfactory, and a statement to this effect appears in each of the three items of trade correspondence. The Commissioner views the many comments that strongly favor the proposal as indicating public dissatisfaction with industry labeling practices concerning fats and oils used as ingredients in foods. Some 250 comments supporting the proposal were received from consumers, physicians, state agencies, the academic community, a consumer's organization, and other organizations. Of these, 103 were from consumers and physicians who had experienced allergic reactions to various vegetable oils, or whose children had experienced such reactions. An additional 54 comments were from consumers and physicians stating that fat and oil source

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labeling is necessary to enable consumers to avoid foods made from fats or oils containing high proportions of saturated fatty acids or lacking significant proportions of polyunsaturated fatty acids for what they saw as health reasons. Therefore, the Commissioner concludes that there is adequate justification for the regulation as proposed.

28. One comment stated that the proposed ingredient labeling regulations for fats and oils may exceed statutory authority.

The Commissioner concludes that the requirement that fat(s) and/or oil(s) used as ingredients in foods must be declared in ingredient statements by the specific common or usual name of the fat(s) or oil(s) does not exceed statutory authority: Section 403(i)(2) of the act requires that the label on a food must bear the common or usual name of each ingredient contained in the food if the food is fabricated from two or more ingredients.

29. One comment stated that it would be essential to coordinate any change in fat ingredient labeling requirements with the U.S. Department of Agriculture to avoid consumer confusion, deception, and unfair competition. The comment stated that this regulation would require reclearance of all labels under the U.S. Department of Agriculture jurisdiction and would result in considerable expense to the consumer. The Commissioner advises that the changes in labeling resulting from this regulation have been coordinated with the U.S. Department of Agriculture. It was concluded that appropriate revisions can be made in any regulations that contain conflicting requirements.

30. Several physicians specializing in the treatment of allergies supported the requirement for source labeling of fats and oils and commented that specific fats and oils have caused allergic responses in their patients. Many consumers wrote stating that either they or their children are allergic to one or more specific fats or oils. By contrast, several comments stated that oils are carefully refined to remove proteinaceous materials and that it is generally recognized that proteinaceous materials are the cause of allergic responses. They pointed out that in 1969, in the findings of fact concerning peanut butter, the Commissioner concluded that the medical literature does not show that fats and oils are generally considered by allergists as foods likely to cause allergic response. These comments argued that allergenic properties of fats and oils are not adequate justification for requiring source labeling for fats and oils.

The Commissioner concludes that confirmation of actual allergenic properties in fats and oils is not necessary to justify the labeling requirements of this regulation. Allergic sensitivity to fats and oils is only one of the reasons consumers advanced for requesting specific fat and oil source labeling. Other frequently mentioned reasons were to enable consumers to choose foods containing fats or oils known to be high in polyunsaturated fatty acids or low in saturated fatty acids, religious reasons, and reasons of individual preference, in addition to their basic right to know the identity of such ingredients.

31. In opposing the proposed source labeling of fats and oils, one comment stated that the government should not support or take an official position on the controversial questions of whether there is a "need" to identify coconut oil as the fat constituent of a food product and whether the need of some people to know oil sources for allergenic reasons is valid.

The Commissioner is aware that the scientific community is not in agreement on these questions. However, this regulation is not dependent on their resolution. There is adequate justification for source labeling of fats and oils in the consumers' right to know the ingredients in their foods and in their expressed desires for such information.

32. One comment stated that if all foods were required to bear a warning statement containing a list of all foods present in the food to which a person might be allergic, e.g., "Caution—This product would be hazardous to people allergic to the following: Corn, peanuts, eggs, wheat," then there would be no need to require that ingredient statements bear the specific name of shortening ingredients.

Inasmuch as it is possible that one or more persons might be allergic to any ingredient used in foods, the Commissioner concludes that a requirement to list all potential allergens would be duplicative of the ingredient statement. The Commissioner instead urges persons who are allergic to certain foods to read ingredient statements carefully.

33. One comment stated that fat labeling in accordance with guidelines now in effect enables physicians to assist patients in the selection of dietary fats for health reasons and that source labeling for oils would add no meaningful information and might actually detract from overall consumer understanding because most of the total fats and oils consumed in the United States are naturally occurring constituents of the foods in which they are consumed, such as naturally occurring fat in meats, dairy products and eggs. Another comment stated that it is not necessary to identify by name a highly saturated fat used as an ingredient in a fabricated food because the fat in such foods comprises such a small portion of the total dietary fat intake.

The Commissioner states that while source labeling for fats and oils used in foods will not provide information on fats which occur in nonformulated foods, it will provide more information regarding fats and oils in formulated foods than is currently available. In addition, since the effect of fats and oils in the diet is the result of the total daily consumption, it is appropriate that the ingredients in foods be accurately declared so that persons who wish to avoid specific fats or oils may do so. Accordingly, the Commissioner concludes that, contrary to the opinion expressed in these comments, such labeling will make it easier for consumers to follow the advice of their physicians in controlling dietary intake of fatty acids.

34. One comment stated that one result of the fats and oils labeling regulations would be increased demand for vegetable oils with reputations for high content of polyunsaturated fatty acids. The comment stated that the regulation, by increasing demand for these vegetable oils, would drive the price of these oils up at the expense of other ingredients such as tallow, which would be in less demand.

The Commissioner advises that a trend toward increased use of those fats and oils known to contain higher proportions of polyunsaturated fatty acids has been readily visible since 1950. Any acceleration in this trend brought about by the source labeling requirement for fats and oils may be reflected in higher prices for some fats and oils. However, this increase in price will be buffered by two factors. First, as the divergence increases between the price of fats and oils containing higher proportions of polyunsaturated fatty acids and those containing lower proportions, manufacturers will shift toward the latter for use as food ingredients. Second, any shift in consumer preferences will be a long-term phenomenon, thereby allowing the market to adjust through increased production of those fats and oils with higher proportions of polyunsaturated fatty acids. An inflation impact assessment on file with the Hearing Clerk, Food and Drug Administration, elaborates on this discussion.

35. One comment stated that a source labeling requirement for fats and oils would result in causing manufacturers who presently use tallow and declare the ingredient as "shortening" to change to the use of a fat or oil with a more favorable consumer image. The comment contended that consumers would not benefit from the change in shortening ingredient since manufacturers would have to hydrogenate a vegetable oil heavily to obtain the necessary plasticity in the ingredient, with the result that the degree of saturation of the fatty acids in the hydrogenated vegetable oil would be approximately the same as in tallow.

The Commissioner advises that this regulation is intended not to influence use patterns of such ingredients but to provide accurate, fully informative labeling so that the consumer can make informed choices. If manufacturers wish to influence consumer attitudes toward a particular fat or oil, they may undertake an educational effort consistent with the requirements of § 1.18 (21 CFR 1.18).

36. Seven comments stated that the regulation should allow manufacturers who may need to change from use of one fat or oil to another to list in the ingredient statement or a warning statement each of the fats or oils that might be used. The comments stated that by being able to list all possible fats or oils that might be used in a product, manufacturers would be saved the expense of changing labels when they change fat or oil sources, and consumers who wish to avoid a particular fat or oil would be able to avoid foods labeled as possibly containing the fat or oil.

The Commissioner agrees with the comments and has revised the proposed regulation to permit fats and oils not actually present in a product to be listed in the ingredient statement as alternative ingredients. The Commissioner concludes that this revision will permit manufacturers to take advantage of changes in the prices of fats and oils without changing labels. Listing alternative ingredients is permitted only when the fats and oils are minor ingredients. The Commissioner concludes that, under such circumstances, consumers are sufficiently informed by a statement of the fats and oils that may be present. Ingredients listed but not necessarily present are required to be so identified through use of terms such as "or," "and/or" or "contains one or more of the following: * * *." Where the fats or oils are a predominant ingredient in the product, listing ingredients not actually present is not permitted. The Commissioner concludes that the potential for consumer deception in such a case is too great, as discussed more fully in paragraph 46 below.

37. A number of comments stated that requiring source labeling for fat and oil ingredients in foods would increase manufacturing costs and that cost increases would be passed on to consumers. Comments cited the following factors in support of their arguments that specific labeling of fat and oil sources would increase costs: (1) The long lead time necessary to order printed packaging materials, which would necessitate maintaining large stocks of labels with different ingredient statements for each fat or oil or for each combination of fats and/or oils that a manufacturer might have to use; (2) the expense of preparing additional printing plates and of printing smaller orders of each label; (3) the extra cost of maintaining stocks of additional labeled packaging materials or labels with different ingredient statements; (4) the loss of some labeled packaging material, which deteriorates and becomes unusable in a comparatively short time; (5) the cost of greater numbers of labels becoming obsolete; (6) added managerial expense necessary to ensure that the proper ingredient statement is used with each change in fats and oils; (7) the additional costs of storing reserve supplies of oil to permit addition of token amounts of fats or oils which have become too expensive to use due to price fluctuations in the fats and oils market, but which must be used to satisfy label ingredient statements until new labels can be obtained; (8) the possibility that manufacturers who currently use beef fat will cease using this ingredient and instead use vegetable oils with more favorable consumer images, which will cause an increase in demand and thus a price increase for these vegetable oils; and (9) the possibility of a change from palm oil as an ingredient to the use of soybean oil in all foods, which, it was said, would increase ingredient cost by $50 million (assuming an annual usage of 700 million pounds of palm oil and a price differential of 7 cents per pound between the two oils).

The costs identified in factors 1 through 6 in the above paragraph assume that label changes will repeatedly be required as changes in product formulations are made. However, if a blend of fats and/or oils is not the predominant ingredient in a product, under the regulation the individual fats and oils need not be listed in order of predominance where the manufacturer is unable to adhere to a constant pattern of use. The Commissioner concludes that most of all manufacturers of these products who must change the pattern of fats or oils used will vary the proportions in a blend of the same ingredients or will list alternative ingredients under the provisions of the revised regulations. Consequently, few label changes will be necessary.

The Commissioner also concludes that repeated label changes are not likely for products of which fats and/or oils are the predominant ingredient. During recent years the proportions of various fats and oils used industry-wide in salad and cooking oils, shortening, and margarine have been comparatively stable. Thus, while fluctuations in the price or availability of particular fats and oils may change the composition of products, experience suggests that in many cases the change will not be so significant as to alter the stated order of predominance.

The cost identified in factor 7 above, i.e., storage of fats and oils used in small amounts in a blend to avoid changing the label, would not necessarily be incurred under the revised regulation, which permits designation of alternative ingredients. Thus, storage expenses should not be significantly increased, if at all.

As stated in paragraph 34 above, a shift from use of animal fats to vegetable oils has been underway for over 2 decades. Hence, the costs identified in factor 8 above would not be a new phenomenon. Moreover, any increase in the demand for vegetable oils will bring about increased production, which will buffer adverse reactions for industry and consumers.

As for the costs identified in factor 9 above, the Commissioner has determined that, even under the most unfavorable conditions, the cost impact of a complete shift from palm oil to soybean oil would result in an ingredient cost increase of less than $32 million. This $32 million figure is highly unlikely because any shift of this magnitude would occur over the long term, i.e., a period of more than 3 years; this would allow time for adjustments in soybean oil production, which would in turn put downward pressure on soybean oil prices.

The inflation impact assessment on file with the Hearing Clerk, Food and Drug Administration, provides detailed analysis of these issues.

38. One comment stated that requiring oil source labeling would eliminate a firm's ability to test market products fried in various oils without having to obtain packaging material bearing different ingriedient statements because the firm would no longer be able to declare the various fat and oil ingredients as "shortening." The comment advocated retention of existing labeling regulations for fats and oils.

The Commissioner is aware that requiring that the common or usual name of fats or oils be declared on food package labels will in some cases limit the flexibility to which food manufacturers have grown accustomed. The Commissioner does not, however, believe this is sufficient reason to change this provision and agrees that it will be necessary to label correctly all foods being test marketed.

39. One comment stated that source labeling for fat and oil ingredients in not necessary; since consumers know that when the term "shortening" is used in ingredient statements, the food may contain animal fats, and those who wish to avoid animal fats look for a product where the term "vegetable shortening" is declared.

The Commissioner concludes that many consumers wish to know more about the fats and oils used as ingredients in foods than simply whether or not the product contains animal fat.

40. One comment stated that a declaration of the type of vegetable oil used as an ingredient in a food would falsely lead consumers to assume that there are nutritional differences between various household shortenings made from all-vegetable sources.

The Commissioner notes that no information was submitted to substantiate the conclusion in this comment, and he points out that if the conclusion were true the same result might be expected from declaration of other ingredients such as the type of carbohydrate sweeteners in sweetened foods. The Commissioner concludes that this possibility is insufficient to overcome the consumers' expressed desires to know the kinds of oils used in foods.

41. One comment stated that with the advent of nutrition labeling there is little additional advantage to the consumer in listing the names of specific fats or oils used as ingredients and that in many foods the specific type of oil added is of little consequence to the final food.

The Commissioner states that nutrition labeling and ingredient labeling have different purposes and that the one does not serve the purpose of the other. Nutrition labeling alone would not inform the consumer of the identity of fat or oil ingredients contained in a food. Therefore, the Commissioner concludes that fat and oil source labeling is advantageous to the consumer.

42. Several comments stated that certain types of products containing fat and/or oil should not be required to list all fats or oils by source. One comment said that only those foods that are represented for special dietary or nutritional use need such labeling. A second comment said that source labeling should not be required if the manufacturer of a blended fat or oil product produces a shortening with a constant degree of saturation through use of different ratios of fats and oils. Another comment stated that only foods containing fats or oils that contain low proportions of polyun-

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saturated fatty acids should be required to bear the source labeling. Still other comments contended that foods containing small amounts of fat or oil do not need source labeling because small amounts of fat or oil are nutritionally insignificant.

The Commissioner states that it is appropriate that a food consisting of or containing fats or oils be labeled with an ingredient statement declaring the sources of the fats and oils contained in the product so that, if they wish, consumers may limit consumption of or avoid foods containing particular fats or oils. The Commissioner concludes that consumers have a right to know the identity of ingredients in their food and that it would unreasonably restrict the freedom of choice of persons who wish to avoid particular fats or oils to exempt any of these products from source labeling of fat and oil ingredients. Therefore, fat and oil source labeling will be required for all foods containing fats or oils, except for specific foods subject to standards of identity for which such labeling is not required.

43. One comment stated that manufacturers should not be required to cease using the term "shortening" as an ingredient declaration. The comment stated that the type of fat or oil used in a product was irrelevant since persons who are on fat-restricted diets should avoid foods containing high proportions of fats or oils regardless of the type of oil used.

The Commissioner concludes that all consumers, including those who are on a fat-restricted diet, have a right to readily available information concerning the ingredients contained in their food. Although it may be true that persons on fat-restricted diets should not eat foods containing high proportions of fats, this is not sufficient reason to deny consumers the knowledge of ingredients contained in their food.

44. One comment stated that the term "shortening" is more informative than source labeling of fats and oils would be in the ingredient statement of a pastry because the term "shortening" describes the friable characteristic of the baked goods.

The Commissioner advises that consumers apparently are more interested in determining the source of fat and oil ingredients used in foods, for health or other reasons, than in being informed indirectly that the product containing the ingredient is tender or friable. The Commissioner does not regard this comment as sufficient reason for retaining the term "shortening" in ingredient statements as the sole designation rather than requiring source labeling of fat and oil ingredients.

45. Two comments concerned the labeling of fats and oils in salad oils. One comment stated that salad and cooking oils in retail packages have been labeled with the source of the vegetable oils for many years and that there was no reason for these labeling practices to be changed. In contrast, the other comment stated that salad oil manufacturers need the flexibility to substitute fats and oils and recommended that manufacturers be allowed to label salad oils as "vegetable salad oil" without being required to declare the source of the oil.

The Commissioner advises that if current labeling identifies all the fast and oils in salad and cooking oils in their order of predominance then this regulation does not change it. If, however, source identification is currently not universally practiced, then the consumer's right and desire to have fat and oil source information is justification for changing current labeling practices.

46. The proposed regulation would require that foods in which fats and/or oils are the predominant ingredient and foods that are blends of fats and/or oils must bear a listing of the fat and/or oil ingredients in order of predominance.

Four comments stated that manufacturers of foods in which fats and/or oils are the predominant or sole ingredient are also subject to the economic pressures of variable fats and oils supplies and, therefore, must retain the flexibility to change to use of different fats and/or oils in response to variable supply situations. These comments stated that it would be an economic hardship to be required to change labels whenever it becomes necessary to vary the proportions of the various fats and oils contained in foods and that it would be necessary to pass on cost increases to consumers. One of these comments stated that order-of-predominance declaration should not be required because it would make no difference to a consumer who wishes to avoid a particular fat or oil whether that fat or oil is the predominant ingredient, and contended that declaration in order of predominance should be required only if a claim is made concerning polyunsaturated fatty acid content.

The Commissioner states that products in which fats, oils, or blends of fats and oils are the predominant or sole ingredient(s) are frequently valued by the consumer in relation to the amount of certain fats and/or oils contained in the products. Consequently, a high potential for economic deception would exist if such products were not required to list fat and oil ingredients in the order of predominance. The Commissioner is aware that many products in which fats and oils are the predominant ingredient already list these ingredients in the order of predominance and that for these products the regulation will entail no increase in costs. Since order-of-predominance labeling is necessary to prevent consumer deception in products in which fats and/or oils are the predominant or sole ingredient(s), the Commissioner concludes that such labeling should be required for these products.

In addition, the Commissioner has determined that the costs associated with label changes because of changing market conditions for fats and oils are not likely to be significant. As mentioned above, the proportion of different fats and oils used, for example, in the manufacture of salad and cooking oils, shortening, and margarine is comparatively stable and changes are not likely to alter the stated order of predominance.

47. Four comments stated that the meaning of the term "predominant ingredient" in the fats and oils labeling regulation should be defined to avoid individual definitions by manufacturers. Three of these comments stated that the meaning of "predominant" should be stated in terms of a percentage by weight of fats and oils regardless of the nature of the product.

The Commissioner agrees that it is necessary to define the term "predominant ingredient" for the reason given in the comment and that the meaning of the term should be independent of the type of product. However, to define "predominant" in terms of a percentage by weight would not in all cases correspond with the common and usual meanings of the word. For instance, if "predominant" were to be defined as "more than 50 percent," then in a case in which no single ingredient constitutes more than 50 percent of a finished food, the fats and/or oils ingredient could be the largest constituent and yet not meet the definition of "predominant." Any other numerical definition of "predominant" would be arbitrary and might not correspond to the expected meaning of the word. Since the common and ordinary meanings of the word "predominant" are "most numerous" and "outstanding," the Commissioner concludes that the proposed regulation should be changed to give these meanings to the term. Therefore, the second sentence in § 1.10(b)(14) has been changed to read "For products that are blends of fats and/or oils and for foods in which fats and/or oils are the predominant ingredient, i.e., in which the combined weight of all fat and/or oil ingredients equals or exceeds the weight of any other single ingredient, the listing of the common or usual names of such fats and/or oils in parentheses shall be in descending order of predominance."

48. One comment disagreed with the statement in the preamble of the proposal that consumers who wish to avoid a particular fat in a food would rarely, if ever, benefit by being informed that there is a greater quantity present of one kind of fat than other. This comment stated that some persons must maintain a certain ratio between polyunsaturated fatty acids and saturated fatty acids in their diets, and that a listing of the fats in order of predominance would assist these persons.

The Commissioner has carefully considered this comment. The statement to which the comment objects concerns total avoidance of a particular fat or oil. For those persons who wish to avoid a certain food, a statement of its presence is certainly the significant information. It is not necessary in these circumstances that a person know how much of a particular fat or oil he is avoiding.

Although a person who is instructed to maintain a certain ratio of polyunsaturated fatty acids to saturated fatty acids in his or her diet may benefit from knowledge of the amounts of polyunsaturated and saturated fatty acids in a particular food, a listing of the order of predominance of fats and oils in a food would not supply enough information to benefit this person. To maintain adequately a given balance of fatty acids in a prescribed diet requires knowledge of the amount of each fat and/or oil in all foods and the proportions of polyunsaturated fatty acids and saturated fatty acids in each fat and/or oil used as an ingredient in each food. In addition, as described elsewhere in this preamble, the exemption from predominance listing applies only to those products in which the total amount of fats and/or oils does not constitute the major component of a food.

Because order-of-predominance information would not provide enough information to be of help to a person who must achieve a certain balance of polyunsaturated and saturated fatty acids in the diet and because the Commissioner concludes that many manufacturers need the flexibility to change the proportions of various fats and oils contained in their products due to changes in the relative prices of different fat and oil ingredients without having also to change labels, the Commissioner concludes that manufacturers who are unable to adhere to a constant pattern of fats and/or oils in foods due to changes in market conditions will not be required to list fat and/or oil ingredients in descending order of predominance when the fats and/or oils do not constitute the predominant ingredient of the food.

49. One comment stated that it would be nearly impossible for regulatory agencies to determine the accuracy of food ingredient statements because some of the ingredients would be present in such minute amounts.

The Commissioner concludes that through the use of inspectional and analytical techniques currently in use by the Food and Drug Administration and the various other regulatory agencies, it would rarely be "impossible" to determine accurately the quantities of ingredients present in a food.

50. The regulation states that, for a food containing fats and/or oils as a minor ingredient, a parenthetical listing of the fats or oils in an ingredient statement may be in an order other than descending order of predominance if the manufacturer, because of the use of varying mixtures, is unable to adhere to a constant pattern of fats and/or oils in the product.

Two comments stated that the word "unable" in this provision is subject to various interpretations; one stated that the word should be interpreted to allow manufacturers to vary the fat and oil combinations of their products depending upon availability and economic considerations.

The Commissioner states that the regulation will be interpreted to mean economic unavailability as well as physical unavailability. If a fat or oil ingredient listed on a label temporarily becomes too expensive or is temporarily not physically obtainable in commercial quantities, manufacturers may use the ingredient in smaller quantities than would be indicated by the order of predominance in the parenthetical statement.

51. Seven comments stated that the proposed alternative of listing all the fats and/or oils contained in a product without regard to the predominance of each fat and oil in the food would result in manufacturers listing all the fats and/or oils they would normally use and then adding only token amounts of those fats and/or oils in short supply at a particular time. Other comments stated that manufacturers would tend to list in primary order those oils that have a reputation as being high in polyunsaturates but would often actually use only small amounts of such oils if they were more expensive than fats or oils with lower proportions of polyunsaturated fatty acids. These comments stated that such practices would deceive consumers who would believe that the foods contained significant amounts of these oils and requested that the existing labeling practices for fats and oils be allowed to continue.

The Commissioner is aware that on occasion some manufacturers will find it necessary to add only small amounts of some fat and/or oil ingredients. Also, under the revised regulation, which permits a manufacturer to list alternative fats or oils, the manufacturer may list an ingredient infrequently used in the product. However, the Commissioner concludes that the adopted method of labeling food products containing fats and/or oils is the best compromise possible between the desire of consumers for specific source labeling and the desire of some food manufacturers to be allowed flexibility to substitute fats and oils in their food products without declaring the specific identity of the fats or oils on labels.

52. Several comments stated that the term "hardened" should be allowed as an alternative to the word "hydrogenated." One comment stated that the word "hardened" was less disagreeable to consumers than the word "hydrogenated."

Because of comments suggesting that the term "hardened" or, as discussed below in paragraph 53, the term "specially processed," should be used instead of the word "hydrogenated," the Commissioner has reviewed the proposed terminology. The required adjective is intended to convey the information that some or all of the double bonds in a fat or oil have been saturated through hydrogenation. The Commissioner concludes that the word "hardened" does not adequately serve this function. However, the Commissioner has considered whether other terms may be more understandable to consumers than "hydrogenated." The Commissioner concludes that the word "saturated" adequately describes the change in the fat or oil and, moreover, is considerably more familiar to consumers than the term "hydrogenated." Although "hydrogenated" has traditionally been used by the Food and Drug Administration, the increased interest in recent years in the composition of fats has made the term "saturated" better understood than "hydrogenated." Therefore, the proposed regulation has been revised to require use of the word "saturated" rather than "hydrogenated." Use of the word "saturated" as required by this regulation does not necessitate the information required by § 1.18 (21 CFR 1.18). There is no bar to manufacturers using a nondeceptive qualifying parenthetical phrase such as "partially saturated (hardened) soybean oil" to convey the information that the function of the saturation is to harden the oil.

53. Several comments stated that most vegetable and animal fats and oils have been lightly hydrogenated or partially hydrogenated during refining for such reasons as to prevent development of rancidity due to oxidation, to solidify liquid oils partially, or to change melting points of the fats. These comments stated that it would be deceptive to require that partially hydrogenated fats and oils be labeled as "hydrogenated" because many consumers, nutritionists, and physicians will think that an oil labeled as "hydrogenated" is completely saturated. One comment stated that since 1961 the vegetable oil industry has been labeling lightly hydrogenated vegetable oils as "specially processed" to indicate that the oil has been lightly hydrogenated rather than having been heavily hydrogenated as was the case prior to 1961. The comment stated that consumers might think that the nutritional value of vegetable oils has been altered if these products are no longer allowed to be labeled as having been "specially processed." These comments variously recommended that partially hydrogenated fats or oils be allowed to be labeled as "partially hydrogenated," "partially hardened," "lightly hydrogenated," or "specially processed" to inform consumers that the fats or oils are not completely saturated.

The Commissioner agrees that use of a single term would not be fully informative in cases where manufacturers use fats and oils that have not been completely hydrogenated. However, the term "specially processed," suggested by comments does not provide adequate information to the consumer. The Commissioner has revised the proposed regulation to require use of the term "partially saturated" where the fat or oil is not completely hydrogenated.

54. One comment stated that foods should be labeled with the percentage of saturation of the fat or alternatively be labeled with the source of the fat or oil and the degree of hydrogenation, if any. Another comments stated that all foods should bear information concerning cholesterol content.

The Commissioner advises that the provisions for labeling foods in relation to fat, fatty acids, and cholesterol content are found in § 1.18. The questions of declaration of percentage saturation and percentage hydrogenation were discussed in preambles to the regulations published in the FEDERAL REGISTER of January 19, 1973 (38 FR 2132) and March 14, 1973 (38 FR 6961). Under the provisions

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of § 1.18, whenever information on fatty acid content of food is provided, the amount of fatty acids in grams per serving is required to be listed for saturated and polyunsaturated fatty acids, and information may also be presented on the cholesterol content of the food. The Commissioner concludes that the situation has not changed materially since publication of § 1.18 (March 14, 1973 (38 FR 6961)), and that declaration of percentage saturation, degree of hydrogenation or cholesterol content should not be made mandatory.

55. A number of comments stated that, because of modern refining and processing methods, virtually all vegetable shortenings sold in retail packages have comparable fatty acid composition regardless of the source of the oils used. They stated that a declaration of source oils for these products would, therefore, falsely lead consumers into believing that there are significant differences among the products in fatty acid composition and functional value. By contrast, one of these comments also furnished information that in household shortenings made from all-vegetable sources the polyunsaturated fatty acid content varies from 30 percent to 50 percent and the saturated fatty acid content varies from 22 percent to 32 percent, depending on the type of vegetable oil(s) used and the degree of hydrogenation used.

The Commissioner states that his decision to require source labeling for oils used as ingredients in food is not based on considerations of whether or not significant differences exist between various vegetable oils. His decision is, instead, based on the repeatedly expressed desire of consumers for fat and oil source labeling and on the consumers' right to this information.

56. One comment asked if the terms "animal fat" and "meat fat" would be interchangeable in ingredient statements.

The Commissioner states that it might be confusing to consumers if food products were allowed to be labeled interchangeably with the terms "animal fat" and "meat fat." The term "animal fat" is more inclusive than "meat fat" inasmuch as the term "animal fat" includes milk fats such as butter, butteroil, and anhydrous butterfat. However, the Commissioner advises that the term "animal fat" may not be used by itself in ingredient statements and that this term is no interchangeable with other terms. The regulation permits the term "animal fat" to be used if the term is immediately followed by a parenthetical statement of the common or usual names of the individual fats contained in the blend of fats and/or oils, e.g., "blend of animal fats (butter, lard)."

57. One comment argued that the fact that Congress has required source labeling for fat and oil ingredients in margarine is not a precedent for the labeling of fats and oils used as ingredients in other foods. The comment stated that the fat and oil source labeling requirement was imposed on margarine in an attempt to maintain discriminatory restrictions on the sale of margarine and was not imposed for any demonstrated need for such labeling.

The Commissioner states that the fact that fat and oil source labeling is required for margarine is not the justification for requiring source labeling on other foods containing fats and/or oils as ingredients. As detailed elsewhere in this preamble, source labeling is being required because consumers have overwhelmingly requested it.

58. One comment asked whether the ingredient labeling rules would apply to margarine.

The Commissioner states that since the standard of identity for margarine (21 CFR Part 45) requires that all ingredients contained in the product be declared on the label as required by the applicable sections of Part 1 of Chapter I (21 CFR Chapter I, Part 1), and since the ingredient labeling rules of this regulation are issued under Part 1 of Chapter I, therefore, the ingredient labeling rules contained in this regulation do apply to margarine.

59. One comment asked for an interpretation of how the regulation applies to margarine when used as an ingredient in another food. The comment asked if margarine could be declared in the ingredient statement of the food as "hydrogenated vegetable margarine" or "margarine" followed by a parenthetical listing of the major fats and oils in the margarine in the order of predominance, and furnished the following examples: "hydrogenated vegetable margarine (liquid corn oil, soybean oil)" and "margarine (hydrogenated soybean oil and neutral lard)." The comment also asked if a declaration "hydrogenated soybean oil margarine" would be acceptable as a declaration when only one oil is used as an ingredient in the margarine.

The Commissioner states that this regulation permits a standardized food such as margarine, when used as an ingredient in another food, to be declared in the ingredient statement of the finished food by either of two methods. One method is by incorporating the list of the ingredients contained in the margarine into the ingredient statement of the other food in descending order of predominance without mention of the name of the standardized food (in this case without mention of the word "margarine" or "olemargarine"). The other method is by declaring the established common or usual name of the ingredient which, in the case of margarine, is the standardized name "margarine" or "oleomargarine", followed by a parenthetical listing of those ingredients required by the standard to be listed on food labels. The Commissioner states that since the name prescribed in the standard of identity for margarine is "margarine" or "oleomargarine" only these names may be used as the name for margarine in ingredient statements. In addition, a parenthetical declaration of all the ingredients contained in margarine must be included on the food label as required by the standard, not only the major fats and oils. Further, the regulation requires that the listing of a fat or oil which has been partially or completely hydrogenated must include the term "partially saturated" or "saturated," as appropriate.

60. In the preamble to the proposed regulation, the Commissioner stated his intention to rescind the opinions expressed in Trade Correspondences TC–62, TC–94, and TC–209, which were issued February 15 and 21 and March 21, 1940, respectively. TC–62 has allowed hardened fat or oil to be declared in ingredient statements as such without identifying the individual oil beyond its vegetable, animal, or marine origin. TC–94 has allowed various shortenings in fabricated foods to be declared in ingredient statements solely as "shortening" without naming each specific fat or oil when the particular shortening cannot always be predicted in advance, and it has allowed ingredients used for leavening or as yeast nutrients and dough conditioners to be declared as "leavening," "yeast nutrient," and "dough conditioner" on labels of bread. TC–209 has allowed vegetable oil used for frying potato chips to be declared in ingredient statements as "cooked or fried in vegetable oil." With the promulgation of this regulation, food labels must bear the common or usual name of the fats and/or oils used as ingredients in food. Therefore, the Commissioner is rescinding Trade Correspondences TC–62, TC–94, and TC–209 on the effective date of this regulation. The Commissioner advises that, although the deletion of the exemption for leavening, yeast nutrients, and dough conditioners was not discussed in the preamble to the proposed regulation, these exemptions are also revoked in that they are a part of TC–94, which is revoked in its entirety.

Olive Oil Mixtures

61. One comment was received in favor of the proposal to establish a common or usual name for mixtures of edible fat or oil and olive oil. No comments suggested a change in the proposal. However, the Commissioner is deleting language inadvertently included in the proposed regulation that would have required all fats and oils in the product to be listed in the common or usual name as well as in the statement of ingredients.

Effective Date

62. One comment requested that a realistic effective date be set to allow for redesigning and reprinting labels of food products affected by this regulation. The comment noted the numerous revisions all manufacturers have had to make in the last few years and requested that a date be chosen that would not place an undue burden on the process of redesigning and reprinting labels. Another comment stated that an effective date of January 1, 1977 would allow label revisions to be made at reasonable cost.

The Commissioner agrees that an unduly early effective date would burden manufacturers unnecessarily. Taking this factor into consideration, the Commissioner has set an effective date of January 1, 1978. Labeling may be changed to comply with these regulations beginning on January 6, 1976. All labeling used for products initially introduced into interstate commerce on or after January 1, 1978, shall comply with these regulations.

Although a formal analysis of inflation impact is unnecessary, since publication of these regulations as a proposal preceded the requirement for inflation impact analysis, the Commissioner nevertheless has reviewed these regulations and has found no major inflation impact as defined in Executive Order 11821, OMB Circular A–107, and interim guidelines issued April 1, 1975 by the Department of Health, Education, and Welfare. As indicated earlier, a copy of this inflation impact assessment is on file with the Hearing Clerk, Food and Drug Administration.

The Commissioner has reviewed these regulations pursuant to 21 CFR Part 6 and concludes that they will not significantly affect the quality of the human environment. A copy of the environmental impact assessment is on file with the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(n), 403, 701(a), 52 Stat. 1041, 1047–1048 as amended, 1055 (21 U.S.C. 321(an) 343, 371(a))) and under authority delegated to the Commissioner (21 CFR 2.120), *It is ordered*, That Title 21, Chapter I, of the Code of Federal Regulations be amended as follows:

1. Part 1 is amended:

a. By adding a new paragraph (f) to § 1.8 to read as follows:

§ 1.8 Food in package form, labeling; identity.

* * * * *

(f) A label may be required to bear the percentage(s) of a characterizing ingredient(s) or information concerning the presence or absence of an ingredient(s) or the need to add an ingredient(s) as part of the common or usual name of the food pursuant to Subpart B of Part 102 of this chapter.

b. By revising § 1.10 to read as follows:

§ 1.10 Food; labeling; designation of ingredients.

(a) Ingredients required to be declared on the label of a food, including foods that comply with standards of identity that require labeling in compliance with this Part 1, except those exempted by § 1.10a, shall be listed by common or usual name in descending order of predominance by weight on either the principal display panel or the information panel in accordance with the provisions of § 1.8d.

(b) The name of an ingredient shall be a specific name and not a collective (generic) name, except that:

(1) Spices, flavorings, colorings and chemical preservatives shall be declared according to the provisions of § 1.12.

(2) An ingredient which itself contains two or more ingredients and which has an established common or usual name, conforms to a standard established pursuant to the Meat Inspection or Poultry Products Inspection Acts by the U.S. Department of Agriculture, or conforms to a definition and standard of identity established pursuant to section 401 of the Federal Food, Drug, and Cosmetic Act, shall be designated in the statement of ingredients on the label of such food by either of the following alternatives:

(i) By declaring the established common or usual name of the ingredient followed by a parenthetical listing of all ingredients contained therein in descending order of predominance except that, if the ingredient is a food subject to a definition and standard of identity established in Subchapter B of this chapter, only the ingredients required to be declared by the definition and standard of identity need be listed; or

(ii) By incorporating into the statement of ingredients in descending order of predominance in the finished food, the common or usual name of every component of the ingredient without listing the ingredient itself.

(3) Skim milk, concentrated skim milk, reconstituted skim milk, and nonfat dry milk may be declared as "skim milk" or "nonfat milk".

(4) Milk, concentrated milk, reconstituted milk, and dry whole milk may be declared as "milk".

(5) Bacterial cultures may be declared by the word "cultured" followed by the name of the substrate, e.g., "made from cultured skim milk or cultured buttermilk".

(6) Sweetcream buttermilk, concentrated sweetcream buttermilk, reconstituted sweetcream buttermilk, and dried sweetcream buttermilk may be declared as "buttermilk".

(7) Whey, concentrated whey, reconstituted whey, and dried whey may be declared as "whey".

(8) Cream, reconstituted cream, dried cream, and plastic cream (sometimes known as concentrated milk fat) may be declared as "cream".

(9) Butteroil and anhydrous butterfat may be declared as "butterfat".

(10) Dried whole eggs, frozen whole eggs, and liquid whole eggs may be declared as "eggs".

(11) Dried egg whites, frozen egg whites, and liquid egg whites may be declared as "egg whites".

(12) Dried egg yolks, frozen egg yolks, and liquid egg yolks may be declared as "egg yolks".

(13) A livestock or poultry feed may be declared by a collective name listed in § 1.16 if it is an animal feed within the meaning of section 201(x) of the act and meets the requirements for the use of a collective name as prescribed in § 1.16 for certain feed ingredients.

(14) Each individual fat and/or oil ingredient shall be declared by its specific common or usual name (e.g., "beef fat", "cottonseed oil") in its order of predominance in the food except that blends of fats and/or oils may be designated in their order of predominance in the food as "_____ shortening" or "blend of _____ oils", the blank to be filled in with the word "vegetable", "animal", "marine", with or without the terms "fat" or "oils", or combination of these, whichever is applicable if, immediately following the term, the common or usual name of each individual vegetable, animal, or marine fat or oil is given in parentheses, e.g., "vegetable oil shortening (soybean and cottonseed oil)". For products that are blends of fats and/or oils and for foods in which fats and/or oils constitute the predominant ingredient, i.e., in which the combined weight of all fat and/or oil ingredients equals or exceeds the weight of any other single ingredient, the listing of the common or usual names of such fats and/or oils in parentheses shall be in descending order of predominance. In all other foods in which a blend of fats and/or oils is used as an ingredient, the listing of the common or usual names in parentheses need not be in descending order of predominance if the manufacturer, because of the use of varying mixtures, is unable to adhere to a constant pattern of fats and/or oils in the product. If the fat or oil is completely hydrogenated, the name shall include the term "saturated", or if partially hydrogenated, the name shall include the term "partially saturated". Fat and/or oil ingredients not present in the product may be listed if they may sometimes be used in the product. Such ingredients shall be identified by words indicating that they may not be present, such as "or", "and/or", "contains one or more of the following:", e.g., "vegetable oil shortening (contains one or more of the following: cottonseed oil, palm oil, soybean oil)". No fat or oil ingredient shall be listed unless actually present if the fats and/or oils constitute the predominant ingredient of the product, as defined in this paragraph (b)(14).

(15) When all the ingredients of a wheat flour are declared in an ingredient statement, the principal ingredient of the flour shall be declared by the name(s) specified in §§ 15.1, 15.40, 15.80 and 15.100 of this chapter, i.e., the first ingredient designated in the ingredient list of flour, or bromated flour, or enriched flour, or self-rising flour is "flour", "white flour", "wheat flour", or "plain flour"; the first ingredient designated in the ingredient list of durum flour is "durum floor"; the first ingredient designated in the ingredient list of whole wheat flour, or bromated whole wheat flour is "whole wheat flour", "graham flour", or "entire wheat flour"; and the first ingredient designated in the ingredient list of whole durum wheat flour is "whole durum wheat flour".

(c) When water is added to reconstitute, completely or partially, an ingredient permitted by paragraph (b) of this section to be declared by a class name, the position of the ingredient class name in the ingredient statement shall be determined by the weight of the unreconstituted ingredient plus the weight of the quantity of water added to re-

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constitute that ingredient, up to the amount of water needed to reconstitute the ingredient to single strength. Any water added in excess of the amount of water needed to reconstitute the ingredient to single strength shall be declared as "water" in the ingredient statement.

c. By adding the following new section:

§ 1.10b Petitions requesting exemptions from or special requirements for label declaration of ingredients.

The Commissioner of Food and Drugs, either on his own initiative or on behalf of any interested person who has submitted a petition pursuant to Part 2 of this chapter may issue a proposal to amend § 1.10 to specify the manner in which an ingredient(s) shall be declared, i.e., by specific or class name, or § 1.10a to exempt an ingredient(s) from the requirements for label declaration.

2. Part 102 is amended by adding the following new section to read as follows:

§ 102.19 Mixtures of edible fat or oil and olive oil.

The common or usual name of a mixture of edible fats and oils containing less than 100 percent and more than 0 percent olive oil shall be as follows:

(a) A descriptive name for the product meeting the requirements of § 102.1(a), e.g., "cottonseed oil and olive oil" or another descriptive phrase, and

(b) When the label bears any representation, other than in the ingredient listing, of the presence of olive oil in the mixture, the descriptive name shall be followed by a statement of the percentage of olive oil contained in the product in the manner set forth in § 102.1(b)(2).

3. Trade Correspondence No. 62, issued February 15, 1940, Trade Correspondence No. 94, issued February 21, 1940, and Trade Correspondence No. 209, issued March 21, 1940, are hereby revoked.

Effective date. Labeling may be changed to comply with these regulations on January 6, 1976. All products initially introduced into interstate commerce on or after January 1, 1978, shall comply with these regulations.

(Secs. 201(n), 403, 701(a), 52 Stat. 1041, 1047–1048 as amended, 1055 (21 U.S.C. 321(n), 343, 371(a)).)

Dated: December 29, 1975.

A. M. SCHMIDT,
Commissioner of Food and Drugs.

[FR Doc.76-96 Filed 1-5-76;8:45 am]

federal register

TUESDAY, JANUARY 6, 1976

PART IV:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Housing Production and Mortgage Credit

■

MORTGAGE INSURANCE AND ASSISTANCE PAYMENTS FOR HOME OWNERSHIP AND PROJECT REHABILITATION

Final Regulations for Section 235 Program

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Title 24—Housing and Urban Development

CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT

[Docket No. R-75-358]

PART 235—MORTGAGE INSURANCE AND ASSISTANCE PAYMENTS FOR HOMEOWNERSHIP AND PROJECT REHABILITATION

Final Regulations for Revised Section 235 Program

On November 7, 1975, the Department of Housing and Urban Development published a proposed rule which would amend 24 CFR Part 235 so as to establish conditions for a revised homeownership program to assist lower income families to acquire new or rehabilitated single-family homes and condominium units (40 FR 52216). This proposed program would be carried out under section 235 of the National Housing Act.

As indicated in the notice of proposed rulemaking, the revised section 235 program would be changed in significant respects from the original section 235 program which was initiated after enactment of the Housing and Urban Development Act of 1968 but suspended in January 1973. Several of these changes reflect amendments made in the authorizing statute by the Housing and Community Development Act of 1974. Most, however, were proposed as means of providing assistance to those with high prospects for successful homeownership without many of the problems that had arisen in the original program, while also effectively stimulating home construction and expanded employment opportunities.

The Department has received over 300 responses to its invitation for public comment on the proposed rule, all of which have been reviewed and carefully considered. A substantial number of comments either generally endorse reinstitution of the section 235 program or argue against this action for a variety of reasons. These comments are discussed below. Following this discussion is a summary of other more specific comments received, Department action on those comments, and changes made in the proposed rule, all listed approximately in the order in which particular subjects appear in the proposed and final rule.

General Comments on Program Desirability

In addition to many comments generally endorsing the revised program as set forth in the proposed rule, a substantial group of responses objected to reinstatement of the section 235 program. Reasons given included abuses connected with the section 235 program in the past, budget costs, and the unfairness of taxing working families to subsidize homeownership for a particular income group. Others argued that the revised program would subsidize an industry excessively characterized by inefficiency and high costs. With respect to past abuses, the Department believes that these can be very largely eliminated through the various modifications included in the revised program—many of which are discussed below—coupled with effective administration. As to industry costs and efficiency, the Department hopes that with relatively tight mortgage and price limits and adequate underwriting standards, the revised program will support industry efforts to produce economical, quality housing. Some problems of equity will necessarily remain as between those who do and do not receive assistance, but the Department believes that these are outweighed by the advantages of the revised program, including its effect in supporting the overall economic recovery. Accordingly, the Department has determined to utilize the contract authority remaining available for the section 235 program for providing assistance generally as set forth in the proposed rule, subject to a number of modifications as described below.

Specific Comments and Changes

1. *Program summary.* A new § 235.2 has been included in the regulations outlining the basic conditions applicable to the revised program.

2. *Definitions: Adjusted income.* Several comments were received suggesting that § 235.5(a) of the proposed rule be modified so as to increase the amount of income that can be excluded, in determining eligibility or subsidy, because of minor dependents. Also it was suggested that the 5 percent exclusion provided in lieu of amounts withheld be increased to correspond to current social security withholding. The exclusion for minors is that authorized in the statute and the Department does not believe that it should be increased in absence of Congressional direction. As to the 5 percent exclusion, this is an amount administratively allowed under the prior program, over and above amounts specifically authorized by statute. It has the effect of indirectly increasing income limits and potential subsidy benefits above those which are set forth in the statute and which are generally understood by the public to apply. Because the specific 5 percent allowance has been in effect for some time and was known to the Congress when income limits and other statutory changes were approved in 1974, the Department believes that it may be considered as authorized but, for reasons indicated, does not believe that it should be increased.

While no changes have been made to increase exclusions for minor dependents, or to increase the 5 percent exclusion, § 235.5(a) has been modified to clarify the types of income that will be excluded as being unusual or temporary. As proposed, § 235.5(a) provided only that unusual or temporary income "as defined by the Secretary" would be excluded in determining adjusted annual income.

3. *Definitions: Family.* Several comments on § 235.5(c) were received suggesting that the program be opened to single persons under age 62. It was argued that failure to provide for such persons amounted to discrimination on the basis of marital status. However, the authorizing statute specifically indicates that the assistance is to be provided to "families", and the definition set forth in the proposed rule reflects the concept of family which has been traditionally applied in the Department's lower income housing programs either by virtue of specific statutory direction or formal regulation. Accordingly, the Department does not believe that this definition should be modified in absence of some specific manifestation of supporting Congressional intent.

4. *Definitions: Minor.* Several comments were received suggesting that "minor" in § 235.5(e) should be defined according to State law instead of as a person under age 21. However, the Department believes that it is permissible to have a single national standard and would point out that the definition in the proposed rule allows a larger number of income exclusions and thus provides increased benefits to participating families than would result from exclusions based on State laws which typically set majority at a lower age.

5. *Definitions: Substantial rehabilitation.* The definition of substantial rehabilitation contained in § 235.5(f) has been modified to effect technical corrections.

6. *Eligible mortgagors: Income limits.* Many comments were received on the proposed income limits contained in § 235.10(a) of the proposed rule, most of which argued that a limit set at 80 percent of area median income was too low to permit the program to operate effectively. Special problems were said to exist in rural areas because of low levels of income in such areas. Also, in several cases comments were coupled with recommendations that the maximum allowable subsidy be increased so as to allow more families within the income limits to acquire homes. The Department appreciates the fact that an 80 percent of section limit may in some areas prove too low. However, the statute allows, and the proposed rule provides for, adjustments in the 80 percent limit as necessary to meet prevailing construction costs or because of unusually low median incomes in particular areas. The Department will make use of this authority and expects that it will be sufficient to permit families with a range of incomes to participate in the program.

The Department contemplates that the adjustments will be based on the incomes needed in the various housing market areas to acquire a newly constructed standard house acceptable for insurance under the program, subject however to a maximum income limit based on a specified percentage of median incomes in the area, census region, or both. Initial instructions for such adjustments are being prepared and will be provided to Departmental field offices. These instructions will be available for public inspection in those offices and at headquarters at that time. However, it is considered premature to provide more specifically for these adjustments in the rule until such time as procedures can be tested through initial field operations.

7. *Eligibility: Asset limits, stability and adequacy of income.* Several comments were received objecting to elimination of assets limits from § 235.10. Also, comments were received from persons arguing that the requirement in § 235.10(b) that the mortgagor's projected income be expected to continue for approximately five years limited participation by those who may be unable to secure steady employment because of discrimination or would prejudice allowance for earnings of working women. Also, it was recommended that the regulation define what level of monthly income would be regarded as adequate to meet monthly payments.

With respect to asset limits, the Department believes that it is desirable to permit participation by families having some resources that will provide a cushion against unforeseen circumstances that might otherwise lead to a default. The mortgage and maximum sales price limits are believed sufficiently low as to discourage participation by families with substantial assets who would ordinarily expect homes with amenities above those likely to be provided.

A reasonable requirement for stable income over the early years of the mortgage is considered essential to minimize defaults, and the Department believes that such a requirement can be administered without discrimination. As to the "adequacy" of income, the Department believes that, while a specific standard such as set forth in regulations governing the original program may be generally valid, it is desirable to allow greater leeway for case-by-case decisions to reflect the existence of unusual family obligations or other special circumstances.

8. *Eligibility: Families owning homes.* A new paragraph (d) has been added to § 235.10 indicating that a family which already owns a standard home may purchase a new home under the revised program but will be required to sell its present home unless the mortgagor is 62 years of age or older.

9. *Counseling.* The provision in § 235.11 of the proposed rule stating that the Secretary shall provide counseling under such terms and conditions as the Secretary may determine was the subject of numerous comments. Many persons stressed the importance of counseling as a means of minimizing defaults and argued that counseling should be made a condition to loan approval or offered specific suggestions as to the types of counseling services that should be provided. It was recommended that the final regulation be more specific than the proposed regulation on the subject of counseling and that the Department provide the public with an opportunity to comment on the counseling program before it is implemented. The Department believes that it is necessary that every mortgagor be provided with basic information on homeownership responsibilities and that this can be accomplished through use of effective written materials. Accordingly, § 235.11 will require mortgagees to certify that mortgagors receive a package of written counseling materials which will be provided by the Department. In addition, the regulation will provide that mortgagors may be required to accept further counseling where it is needed and available from local agencies having requisite capabilities. These provisions will become effective with the balance of the regulation upon publication so that the revised program may be implemented without further delay.

10. *Eligible dwellings: Types generally.* Numerous comments were received relating to the provision of § 235.15 which indicate that under the revised program only newly constructed or rehabilitated single-family homes or condominium units will be eligible. It was argued that acquisition of existing homes should be assisted because of their lower costs or so as to permit greater use of the program in urban areas. Other comments urged that unsold units on which construction started before October 17, 1975, be included, that the program be extended to include two-family, or two- to four-family homes, that it include mobile homes and units in newly constructed cooperative projects. Also, it was recommended that new homes financed under a State housing agency program be eligible without the requirement for FHA insurance.

With respect to the most commonly advanced suggestion—including existing homes or homes on which construction started before October 17—the Department has determined to make no change in the proposed regulation. It believes that the limitation of the program to new and rehabilitated units is necessary to achieve maximum impact with limited funds in stimulating building activity and expanded employment. Also, exclusion of existing units avoids various problems and abuses associated with these units in the original program.

The Department also does not believe that it is generally appropriate to subsidize acquisition and rehabilitation under the program of two-family properties, particularly in view of the management skills and greater resources typically required for long-term successful operation of these properties. Mobile homes are not considered eligible under present law and a legal question also exists as to whether State financed units may be included without FHA mortgage insurance. However, State agencies may participate in the revised program as insured mortgagees just as under the original program. With respect to cooperative units, the Department is still considering a possible extension to cooperatives which, if approved, may be effected by later amendment to the regulations.

11. *Eligible dwellings: Marketability.* Because of the importance of assuring housing quality and marketability, and in view of concerns expressed in a number of comments, the Department has modified § 235.15 of the rule as proposed by adding a new paragraph (c) which specifically provides that marketability of all lots and units must be established.

12. *Rehabilitation: Calculation of value.* Comments were received which urged that rehabilitation be encouraged, but it was also suggested that rehabilitation should be limited in favor of new construction. It is the Department's belief that rehabilitation should be encouraged to the extent feasible, so that the revised program will tend to support urban conservation programs and efforts to provide housing in urban areas at lowest total cost. At the same time, however, the Department is anxious to avoid problems that have been experienced in the past in rehabilitation situations where properties have been acquired and rehabilitated at a cost that could not be supported in terms of the anticipated market. Accordingly, the Department is adding to the regulations a new § 235.16 which indicates that in the case of rehabilitation allowable value cannot exceed market value after rehabilitation.

13. *Lot size.* In order to assure that assistance under the revised program is focused on the provision of housing and stimulation of construction, and to avoid potential abuses, a new § 235.17 has been included which specifically provides that a residential lot for a home under the revised program may not exceed one acre unless more than one acre is needed to comply with local code requirements or to provide for a safe and adequate water supply or sewage disposal system.

14. *Mortgage maturities.* A substantial number of comments were received urging that §235.22(d) of the rule as proposed be modified so as to authorize maturities in excess of 30 years, thus allowing lower monthly payments as principal repayment is extended over a longer period. The Department, however, does not believe that the relatively small reduction in monthly payments resulting from a longer term is sufficient to offset the disadvantages of a higher risk due to slower amortization. Accordingly, no change has been made in § 235.22(d).

15. *Maximum mortgage amount.* The limitations on maximum mortgage amount set forth in § 235.25 and § 235.26 were the subject of numerous comments, nearly all of which argued that the limits were too low in particular areas. It was commonly contended that the limits would make the program unworkable in these areas because of the prevailing costs of construction. Concern also was expressed that the limits would result in low quality housing which might not be marketable in the future. The limits set forth in the regulation are, however, those provided in the authorizing statute, and while the Congress is considering increasing those limits, the Department sees no reason to delay implementation of the revised program. The regulation limits may prove too low in some areas. But the Department believes that it will be widely possible to provide quality housing within those limits through rehabilitation in urban areas and by making use of good planning and design, including townhouse and cluster design, while eliminating extras and amenities

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that are not essential to long-term marketability. It also believes that some of the new provisions governing the revised program—particularly the limitation on concentration of subsidized units—should help assure maintenance of adequate quality standards. Further, provisions of § 235.320 permitting homes to be sold at prices equal to 120 percent of mortgage limit should provide useful flexibility.

16. *Increases in mortgage amount for families of five or more.* Sections 235.25 and 235.30 of the proposed rule both would provide that the maximum mortgage amounts otherwise allowable may be increased by $3,600 in the case of families of five or more persons. The Department believes that it is desirable to set forth more specifically the standards that will apply to such increases and accordingly has modified § 235.25 to add a new paragraph indicating that the $3,600 additional mortgage amount will be allowed only where a family requires four or more bedrooms and where the property meets certain other conditions designed to assure marketability and protect the Government against loss.

17. *Mortgagor's investment.* While some comments were received indicating the desirability of higher downpayments than in the original program, many objections were made to the specific downpayment requirements set forth in § 235.35(b) of the proposed rule. For lower priced homes, this provision in effect requires a minimum investment, which may include prepaid expenses, that is equal to at least 6 percent of the Secretary's estimate of the cost of acquisition. It was argued that this requirement was excessive, and that it would exclude too many low-income and minority families from the revised program. Particular exception was taken to the fact that the required minimum investment may be above that required for purchase of a home insured under section 203(b) of the National Housing Act and that it was above the downpayment which is specified in the authorizing statute. Apart from suggestions for lowering the minimum investment to specified amounts or percentages, several recommendations were made that labor—so-called "sweat" equity—be allowed as a means of meeting the requirement.

The Department has carefully reviewed the above comments and has decided to retain the minimum investment requirement as set forth in the proposed regulation. The required investment is lower than that usually required in the conventional market but affords substantial protection against early default and resulting loss; it should also enhance public acceptability and provide a reasonable offset to the possibility that mortgagors who have purchased with subsidy assistance may later enjoy a substantial gain upon resale, particularly if the revised program works as intended. Further, it is considered that a substantial downpayment will encourage purchasers to exercise greater care in selection, thus supporting efforts to maintain quality standards.

With respect to recommendations for allowing so-called "sweat equity", the Department considers that this is authorized under the proposed regulation but has nevertheless clarified the regulation so as specifically to authorize investment in the form of labor and to also make clear the allowability as equity of a lot on which a home is to be built.

18. *Limitation on the number of mortgages in a subdivision.* Many comments were received on the provisions of § 235.37 limiting the number and percentage of subsidized units that may be located in any subdivision of more than 10 homes. A number of those commenting generally endorsed the provision but others recommended that it be deleted entirely, substantially modified, or made inapplicable in various situations. Arguments were made that subsidized and unsubsidized units could not be successfully marketed together. Also, the 40 unit per subdivision limit was criticized as arbitrary, the 30 percent limit was asserted to be too low, and the reference to lots being marketed under a "common promotional scheme" was challenged as reaching situations where different builders might be operating in scattered locations within a large area or project, such as a new town. It was claimed that the limitation was inappropriate in rural areas or that the 10 unit exemption should be increased for such areas; other comments asserted that the limitation was inappropriate in urban areas, particularly where section 235 mortgagors might have higher incomes than other families in an area.

The Department believe that economic integration and dispersal of subsidized units are essential and should be retained but in modified form. One change is to eliminate the 40 unit maximum since the Department agrees that this may produce unreasonable results in particular situations. Also, the basic percentage of allowable subsidized units has been increased from 30 percent to 40 percent and the rule has been restated so that it will never be applied to reduce the number of subsidized units in any subdivision below 25; thus a subdivision of up to 25 units would be effectively exempted from the percentage rule, assuming it met other program and planning requirements. Further, the reference to common promotional scheme has been deleted and the limitation reworded in a manner which will provide Departmental field staff with reasonable leeway in applying the rule to particular developments in a manner consistent with its purpose.

In addition to establishing an overall percentage limit on subsidized units, the Department believes that in order to assure sound underwriting reasonable efforts should be made to avoid concentrations of units within subdivisions. Accordingly, the regulation will specifically provide that dispersal of subsidized units within subdivisions will be required to the extent practicable.

The Department believes that the basic 40 percent rule should apply to projects undertaken in urban areas but that special exemptions may be appropriate in the case of certain urban rehabilitation projects. Acordingly, the rule provides that waivers for such projects may be granted by the Secretary where an aggregation of subsidized units is essential to community redevelopment plans.

19. *Reservations of contract authority.* A number of comments addressed the provisions of § 235.38 providing for advance reservations of contract authority. Concern was expressed that the proposed reservations system would permit builders to tie up funds, and it was suggested that subsidy funds instead be made available on a first-come, first-serve basis. Recommendations were also made that reservations be limited to 90 days; that limits on reservations per builder be imposed; or that reservations be tied to the start of construction. The Department believes that a system which will provide builders with some advance assurance of funding is important to the objective of stimulating homebuilding activity and that it will also facilitate implementation of provisions of the law contemplating local government review of proposals for consistency with local housing plans. Accordingly, § 235.38 has been revised so that builders or developers of subdivisions or projects of 13 or more subsidized units will be required to secure advance reservations and the rule will so provide. At the same time, however, the Department recognizes that some tightening up is appropriate to prevent reservations from being held for long periods where no construction has started. Thus, the rule has been modified to provide that reservations may not be extended beyond six months unless construction has started before that time and that only one extension will be granted. Other changes have been made in § 235.38 so as to spell out in greater detail the applicable procedures for obtaining reservations, including procedures which may be followed by builders not subject to the advance reservation requirement.

20. *Housing assistance plans and local review.* Several comments were received stressing the need for consistency with local housing assistance plans or for possible amendments to those plans in light of the revised program. Amendments to Housing Assistance plans are provided for in existing regulations governing the community development block grant program, and amendments to these regulations will be published in the near future. In order to assure consistency with housing assistance plans, in accordance with section 213 (a) and (b) of the Housing and Community Development Act of 1974, and to provide for local comments in accordance with subsection (c) of that section, the rule is being amended to add a new § 235.39 setting forth section 213 procedures. These essentially parallel the statutory wording but make clear that, where the comments of a local government on an application are available when the application is submitted to HUD, they may be forwarded with the application, thus avoiding the delay involved in a subsequent HUD notification and local government response. More

detailed section 213 regulations are being developed in the Department which will apply to all programs subject to that section, and it is anticipated that these will be published in the near future.

21. *Premium structure.* The Department believes that the revised section 235 program should, so far as possible, be actuarially sound so that mortgage insurance costs are met through premiums rather than through uncompensated charges upon the insurance funds which, in effect, amount to a hidden subsidy. It believes that this approach is consistent with sound principles of budgeting and cost control. It has accordingly revised the rule to add new §§ 235.202, 235.203 and 235.204 under which the annual mortgage insurance premium will be increased from .50 percent to .70 percent. This involves no increase in costs to subsidized mortgagors, since the maximum subsidy payment is fixed to include mortgage insurance premium and since mortgagors not receiving the benefit of maximum subsidy are in no event required to pay more than 20 percent of their income towards the monthly payment, including premium. The increase would, however, affect mortgagors whose incomes increased to the point that they are able to meet the full payment without subsidy assistance.

22. *Limitation on sales price.* Several comments were received recommending that the limitation on maximum sales price established by § 235.320—120 percent of mortgage amount—be increased. The Department has not adopted this recommendation because the limit set forth in the proposed rule provides a substitute for an asset limit, as explained in item 7. above, and because it is felt that higher priced homes would be difficult to justify in a program which permits a relatively limited number of families to enjoy the benefits of homeownership with the benefit of a substantial tax supported subsidy.

23. *Level of assistance payments.* A substantial number of comments were received concerning the provisions of § 235.335 which would limit the maximum subsidy to an amount which would reduce monthly payments to those which would be required on a 5 percent interest mortgage. Some of these comments recommended that the subsidy be increased because families with incomes below 80 percent of median could not otherwise afford to purchase homes at the costs prevailing in the area; others urged that the subsidy be increased in order to permit the program to serve lower income families. Some recommended that the subsidy be increased to permit payments equal to those on a 3 percent mortgage; some recommended that payments be subsidized to a 1 percent level as under the original program.

As indicated above, the Department believes that some of the concerns reflected in the comments on this provision can be dealt with through adjustments in the maximum family income ceiling. It is recognized that the resulting program will necessarily be addressed to families in a higher income range than the original section 235 program, but the Department believes that it is reasonable to focus assistance upon those who have both a demonstrable need for assistance and sufficient income to provide some margin of flexibility in meeting unanticipated problems which may affect their capacity to maintain homeownership. Many of these are families who have been effectively priced out of the new home market in recent years and, in terms of income, stand in the same relationship to families at the time the Section 235 program was initially authorized. These higher income families will commonly have good prospects for income increases that will help offset increases in utility and other costs of homeownership.

The subsidy provided under the proposed regulation also avoids very high per unit costs involved in paying the full subsidy at present day interest rates; these costs would severely restrict the number of families that could be assisted with the funds available for commitment and greatly diminish the effectiveness of the revised program in stimulating home construction and employment.

24. *Assistance payments and handling charges.* For clarification, § 235.335 has been amended by addition of a new paragraph indicating that in calculating the monthly homeownership payments to which each mortgagor is expected to contribute at least 20 percent of his adjusted monthly income, special assessments levied by governmental bodies are to be included as "taxes", while ground rents, homeowners' association assessments or special assessments levied by nongovernmental entities are not to be included.

25. *Mortgagor recertification of income.* Two points in the proposed recertification provisions of § 235.350 drew comment: (1) Recertification on a calendar year (rather than anniversary date) basis caused concern for the problem of larger volume lenders in spreading workload evenly rather than concentrating it around the time of filing of Federal income tax returns; and (2) examination of these tax returns by mortgagee, rather than government, personnel was seen as a threat to privacy of mortgagors.

The Department considers strict income recertification requirements to be essential to fair and proper management of the program. The final regulations provide for both strong safeguards and mortgagee flexibility in processing recertification, as follows: (1) A new requirement obligates each section 235 mortgagor to report to the mortgagee servicing the loan each increase in monthly family income (except income of minors) of $50 or more; (2) the mortgagee is permitted to obtain recertification no earlier than 60 days before and no later than 30 days after the anniversary date of the mortgage, and (3) the mortgagee is required, by a new addition to the regulations, to report to HUD any substantial difference observed between the income certified and reported by the mortgagor and the income which the mortgagor has stated was reported on the tax return (or returns when family members file separately) for the applicable period of time covered by the recertification. The requirement that the mortgagor provide a copy of his Federal income tax return to the mortgagee at the time of recertification has been eliminated. In its place is a new requirement that the mortgagor report to the mortgagee, at the time of application for assistance and at the time of each annual recertification, the amount of total income prior to adjustments reported by the mortgagor in his most recent Federal income tax return. For purposes of further verification of income, the mortgagor will also be required to agree that the Secretary may request a copy of the mortgagor's Federal income tax returns from the Internal Revenue Service.

26. *Termination, suspension and reinstatement: Servicing requirements and procedures.* Several comments were received suggesting that additional provisions be added providing for administrative hearings before a suspension or termination of payments results in foreclosure or recommending that the proposed rule be expanded to set forth forbearance and servicing requirements affecting the interests of mortgagors. The Department is currently considering whether to adopt additional regulations in the area or servicing obligations, forbearance and foreclosure procedures with respect to home mortgage programs generally.

27. *Termination of subsidy on resale.* A number of comments were received to the effect that assistance payments under the revised program should be continued upon sale of the unit to an eligible purchaser or assumptor. Under the proposed rule, payments terminate in the event of sale (§ 235.375(a)(2)). The comments argued that continuation of the payment would enhance marketability and reduce the likelihood of default in situations where a mortgagor could not otherwise find a purchaser. The Department agrees that some advantages would flow from a rule that would extend the subsidy to subsequent purchasers, but believes that marketability problems should be minimized with the dispersal requirements and through adequate design. Continuation of the subsidy does not contribute to a major purpose of the program—stimulating construction activity at the present time—and adds to the total and long-term costs of the program. Accordingly, no change has been made in the regulations.

28. *Civil rights and equal opportunity requirements.* A number of comments were received suggesting that the proposed rule be amended to specify applicable equal opportunity and related requirements. The Department has included in the provisions of § 235.38, provisions which make it clear that site selection and affirmative marketing requirements must be met in connection with requests for preliminary reservations. However, it has not sought to include specific citations to all civil rights and equal opportunity requirements because it believes that such existing general requirements apply by their terms and that specific reference or restatement might be considered to infer that

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these requirements were not equally important in other programs of the Department which operate under regulations containing no comparable specific provisions or references. Applicable general requirements include regulations providing for enforcement of title VI of the Civil Rights Act of 1964 (24 CFR Part 1), Executive Order No. 11246 (24 CFR 130), section 3 of the Housing and Urban Development Act of 1968 (24 CFR Part 135), and title VII of the Civil Rights Act of 1968 (24 CFR Parts 100 and 105), and the affirmative marketing and site selection requirements set forth in subparts M and N of 24 CFR Part 200.

29. *Allocation of funds.* Comments were received suggesting that funds be set aside for State housing agencies and that procedures be developed that would tend to assure communities the funds needed for carrying out local housing plans. Also, concern was expressed that the provisions of section 213(d) of the Housing and Community Development Act of 1974 would not provide sufficient funding for non-urban areas. The Department is required to allocate funds for the revised program under 213(d) but has not yet fully completed procedures for making specific allocations. In order to permit the program to begin as early as possible, however, an initial sum of $50 million will be allocated for use by the Department's field offices using the same formula factors as have been employed in the housing assistance program authorized under section 8 of the United States Housing Act of 1937. An additional $50 million will be provided in the next 30 days. The Department is considering set asides for urban rehabilitation programs, and other specific uses, in connection with the allocation of the remaining approximately $160 million.

30. *Recapture of subsidy payments.* Several comments were submitted pointing to the possibility that mortgagors who sell their homes might realize substantial gains and suggesting that they be required to repay so much of the gain as represented subsidy paid to their benefit. One recommendation was that repayment be required in decreasing amounts, so that a smaller percentage of the gain would have to be repaid by mortgagors who occupied their homes for longer periods of time. The Department believes that, even if such a provision were authorized, effective and equitable application would be difficult. It also considers that in some circumstances a repayment requirement might lead to defaults by mortgagors who otherwise would have a strong motivation to retain or secure purchasers for their homes. Also, it is noted that the Congress earlier this year considered and rejected a similar provision in connection with proposed legislation which would have authorized Federal assistance to enable families to purchase homes with mortgages bearing below market interest rates.

The Department has determined that these proposed regulations will not have an environmental impact, as defined in HUD Handbook 1390.1. The finding of inapplicability may be inspected during regular business hours in the Office of the Rules Docket Clerk, Office of the General Counsel, Room 10245, Department of Housing and Urban Development, 451–7th Street, S.W., Washington, D.C. 20410.

Accordingly, Title 24, Part 235, is amended by revising Subparts A, B, and C to read as follows:

Subpart A—General; Eligibility Requirements—Homes for Lower Income Families

Sec.
235.1 Incorporation by reference.
235.2 Basic program outline.
235.5 Definitions used in this subpart.
235.7 Application and commitment extension fees.
235.10 Eligible mortgagors.
235.11 Homeownership counseling.
235.15 Eligible types of dwellings.
235.16 Value of property after rehabilitation.
235.18 Lot size.
235.20 Requirements for family unit in condominium.
235.22 Mortgage provisions.
235.25 Maximum mortgage amount.
235.30 Increased maximum mortgage amount-high cost areas.
235.35 Mortgagor's investment.
235.37 Limitation on concentration of units in a subdivision.
235.38 Reservations of contract authority.
235.39 Local government comment procedures.
235.40 Late charge.
235.45 Eligibility requirements for purchaser from rehabilitation sales project.

Subpart B—Contract Rights and Obligations—Homes for Lower Income Families

235.201 Incorporation by reference.
235.202 Amount of initial MIP.
235.203 Adjustment of initial MIP.
235.204 Amount of annual MIP.
235.205 Deed in lieu of foreclosure.
235.215 Method of paying insurance benefits.
235.220 Condition of property.

SPECIAL PROVISIONS APPLICABLE ONLY TO MORTGAGES INVOLVING CONDOMINIUM UNITS

235.221 Waived title objections.
235.225 Changes in plan of apartment ownership.
235.230 Condition of multifamily structure.
235.235 Certificate or statement of condition.
235.240 Assessment of taxes.
235.245 Certificate of tax assessment.
235.250 Cancellation of property insurance.

Subpart C—Assistance Payments—Homes for Lower Income Families

235.301 Definitions.
235.305 Contract for assistance payments.
235.310 Execution of assistance payment contract.
235.315 Qualified homeowners.
235.320 Limitation of sales price.
235.325 Qualified cooperative members.
235.330 Cooperative units eligible for assistance payments.
235.335 Assistance payments and handling charges.
235.340 Time of payments.
235.345 Term of Assistance Contract.
235.350 Mortgagor's required recertification.
235.355 Mortgagor's optional recertification.
235.360 Adjustment in assistance payments.
235.365 Mortgagee records.
235.370 Effect of assignment of mortgage with an assistance payment contract.
235.375 Termination, suspension, or reinstatement of the assistance payments contract.
235.400 Effect of amendments.

AUTHORITY: Sec. 211, 52 Stat. 23, as amended, sec. 235, 82 Stat. 477, as amended; 12 U.S.C. 1715b, 1715z.

Subpart A—Eligibility Requirements—Homes for Lower Income Families

§ 235.1 Incorporation by reference.

(a) All of the provisions of Subpart A, Part 203 of this chapter concerning eligibility requirements of mortgages covering one- to four-family dwellings under section—203 of the National Housing Act apply to mortgages insured under section 235(i) of the National Housing Act, except the following provisions:

Sec.
203.12 Application and commitment extension fees.
203.16 Certificate and contract regarding use of dwelling for transient or hotel purposes.
203.17 Mortgage provisions.
203.18 Maximum mortgage amounts.
203.19 Mortgagor's minimum investment.
203.25 Late charge.
203.28 Economic soundness of project.
203.29 Eligible mortgages in Alaska, Guam, or Hawaii.
203.33 Relationship of income to mortgage payments.
203.36 Certificate and contract regarding use of dwelling for transient or hotel purposes.
203.38 Location of dwelling.
203.42 Rental properties.
203.43 Eligibility of miscellaneous type mortgages.
203.44 Eligibility of open-end advances.
203.50 through 203.102 Insured home improvement loans.

(b) For the purposes of this subpart, all references in Part 203 of this chapter to section 203 of the Act shall be construed to refer to section 235 of the Act.

§ 235.2 Basic program outline.

This Part authorizes assistance to aid lower income families to acquire homeownership. After January 5, 1976, that assistance shall be granted only under subparts, A, B and C in accordance with the following basic conditions as further described in those subparts.

(a) Assistance will be in the form of monthly payments by the Secretary to the mortgagee to reduce interest costs on an insured market rate home mortgage to as low as five percent if the homeowner cannot afford the mortgage payment with 20 percent of his income.

(b) The amount of subsidy will vary according to the income of each homeowner and the total amount of the mortgage payment at the market rate of interest. Family income and mortgage limits are established for eligibility in each locality.

(c) Assistance will be limited to mortgagors who purchase for occupancy new or substantially rehabilitated single family or condominium units.

(d) The mortgagor must have paid in cash or its equivalent the greater of (1) 3 percent of the first $25,000 of acquisition cost plus 10 percent of the acquisition cost in excess of $25,000; or (2) 6 percent of the total acquisition cost, which may include payment of items of prepaid expenses.

(e) Assistance payments will be terminated upon the sale of the property.

§ 235.5 Definitions used in this subpart.

As used in this subpart, the following terms shall have the meaning indicated:

(a) "Adjusted annual income" means the annual family income remaining after making certain exclusions from gross annual income. The following items shall be excluded, in the order listed, from family gross annual income:

(1) 5 percent of such gross annual income, in lieu of amounts to be withheld (social security, retirement, health insurance, etc.) regardless of the actual amount of such withholdings;

(2) Any unusual income or temporary income, such as overtime pay which will be discontinued, income of a secondary wage earner which will terminate, unemployment compensation which does not occur regularly, or other income of a temporary nature which will be or has been discontinued.

(3) The income of each minor in the family who is living with such family, plus the sum of $300 for each such minor.

(b) "Displaced family" means a family displaced from an urban renewal area, or as a result of a governmental action, or as a result of a major disaster as determined by the President.

(c) "Family" means (1) two or more persons related by blood, marriage, or operation of law, who occupy the same unit; (2) a handicapped person who has a physical impairment which is expected to be of continued duration which substantially impedes his ability to live independently, and which would be improved by more suitable housing; or (3) a single person, 62 years of age or older.

(d) "Gross annual income" means the total income, before taxes and other deductions, received by all members of the mortgagor's household. There shall be included in this total income all wages, social security payments, retirement benefits, military and veteran's disability payments, unemployment benefits, welfare benefits, interest and dividend payments, and such other income items as the Secretary considers appropriate.

(e) "Minor" means a person under the age of 21. As used in this subpart, minor shall not include a mortgagor or his or her spouse.

(f) "Substantial rehabilitation" means the improvement of a unit in substandard condition to a decent, safe and sanitary level, meeting FHA's standards for mortgage insurance. Units are in substandard condition when, while they may be structurally sound, they do not provide safe and adequate shelter, and in their present condition endanger the health, safety, or well-being of the occupants. Such housing has one or more defects, or a combination of potential defects in sufficient number or extent to require considerable repair or rebuilding, or is of inadequate original construction. The defects are either so critical or so widespread that the structure should be extensively repaired. The estimated cost of the rehabilitation should normally not be less than 25 percent of the value of the property (including land) after rehabilitation. The rehabilitation should be of such scope that, when completed, all the components in the house are operable and should not be anticipated to require any work or major expense over and above normal maintenance for the first one-fourth to one-third of the mortgage term.

§ 235.7 Application and commitment extension fees.

All of the provisions of § 203.13 of this chapter, concerning application and commitment extension fees, apply to mortgages insured under this part, except that the mortgagee shall not be required to pay an application or a commitment extension fee where the dwelling or family unit involved is being released from a project mortgage which is insured at the time of the release under one of the parts of this chapter.

§ 235.10 Eligible mortgagors.

(a) To be eligible under this subpart, the mortgagor shall have an adjusted annual income which shall not exceed at the time of initial occupancy 80 percent of the median income for the area, with adjustments for smaller and larger families, as determined by the Secretary, except that the Secretary may establish income ceilings which are higher based upon the Secretary's determination that such higher ceilings are necessary because of prevailing levels of construction costs, unusually low median family incomes or such other factors as the Secretary may deem to be necessary to carry out the purposes of this part. The percentage of median income for smaller and larger families shall be as follows:

Persons per family:	Percent of Median Family Income
1	50
2	64
3	72
4	80
5	85
6	90
7	95
8 or more	100

(b) In addition to the income limitations set forth in paragraph (a) of this section, a mortgagor must establish that his income is and will be adequate to meet his portion of the periodic payments required in the mortgage submitted for insurance. Only that part of the mortgagor's income which can be expected to continue for approximately the first five years of the mortgage term will be considered effective income for the purpose of determining the adequacy of the mortgagor's income.

(c) The mortgagor shall agree to recertify, on a form prescribed by the Secretary, as to occupancy, employment, family composition and income whenever one of the following events takes place:

(1) Annually, no earlier than 60 days before and no later than 30 days after the anniversary date of the mortgage or at such other anniversary date as set by the Secretary;

(2) No more than 30 days after;

(i) The mortgagor or any adult (21 years or older) member of the family residing in the household changes or begins employment which results in an increase in the family income reported in the original application for assistance or the most recent recertification.

(ii) The gross family income (except income of minors) increases at least $50 per month.

(3) At such other times as the Secretary may require.

(d) Assistance payments may be used to assist a family owning a standard home to purchase a new home, but a family already owning a home must sell its present property and may not rent that property out to another and occupy the subsidized unit.

§ 235.11 Homeownership Counseling.

The Secretary will make available a counseling information package to mortgagees, reservation recipients and sellers participating in this program, who will be required to distribute the package to potential purchasers. Material will include information on home purchase procedures, property maintenance, and other homeownership responsibilities. A certification by the reservation recipient, seller or mortgagee that the prospective homeowner has received the counseling information package must accompany each application for a firm commitment. In addition, some field office jurisdictions are served by HUD approved agencies offering counseling. Where such counseling is available and if the applicant has never owned a home, or where in the opinion of the Secretary the applicant will benefit from counseling, successful completion of homeownership counseling may be required before the Secretary will endorse the loan.

§ 235.15 Eligible Types of Dwellings.

(a) With respect to mortgages approved for insurance prior to January 1, 1976, the mortgage shall involve one of the following types of dwellings:

(1) A single family dwelling, concerning which the application for insurance is approved by the Secretary prior to the beginning of construction or prior to the beginning of rehabilitation.

(2) A two-family dwelling, one of the units of which is to be occupied by the owner, which is approved by the Secretary prior to the beginning of substantial rehabilitation.

(3) A one-family unit in a condominium project (together with an undivided interest in the common areas and facilities serving the project) which is released from a multifamily project, the construction or substantial rehabilitation of which shall have been completed not more than 2 years prior to the filing of the application for assistance payments under Subpart C of this Part. The

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family unit shall have had no previous occupant other than the mortgagor.

(4) An existing single family dwelling or a family unit in an existing condominium project which meets such standards as the Secretary may prescribe and which is to be occupied by a mortgagor of one of the following types:

(i) A displaced family.

(ii) A family that has been occupying low rent public housing.

(iii) A family with five or more minor persons.

(5) A family unit in an existing project which is released from a multifamily project covered by a mortgage insured pursuant to § 236.1 et seq. or which is released from a multifamily project in which the housing owner has been receiving rent supplement payments pursuant to § 5.1 et seq. of this title.

(6) An existing single family dwelling or a family unit in an existing condominium project concerning which assistance payments have been made on behalf of the previous owner of the dwelling or family unit, if the previous owner was the mortgagor under a mortgage insured pursuant to § 235.45.

(7) An existing single family dwelling or a family unit in an existing condominium project which meets such standards as the Secretary prescribes and concerning which an application for assistance payments is filed pursuant to § 235.301 et seq. and approved prior to July 1, 1971.

(b) With respect to mortgages approved for insurance under this Part on and after January 5, 1976, the mortgage shall involve only the types of dwellings identified in paragraphs (a)(1) or (a)(3) of this section, the construction or rehabilitation of which shall have begun after October 17, 1975.

(c) The marketability of all lots or units to be developed or rehabilitated must be established.

§ 235.16 Value of property after rehabilitation.

Value after rehabilitation will be based upon the market data approach utilizing similarly rehabilitated property sales data. The value of a rehabilitated property will be the lesser of the following:

(a) Value before rehabilitation ("as is") plus the cost of rehabilitation.

(b) Acquisition cost plus the cost of rehabilitation.

(c) Market value after rehabilitation.

A property rehabilitated and offered as security for a subsidized mortgage must be fully marketable in the neighborhood without the benefit of the subsidy.

§ 235.18 Lot size.

Homeownership assistance payments may not be used to permit acquisition of land in excess of requirements for an adequate residential site, even though the cost of land may be cheaper in outlying areas. Accordingly, lots for use under the program authorized by this Part shall not exceed one acre unless more than one acre is needed to comply with local code requirements or to provide for a safe and adequate water supply and sewage disposal system.

§ 235.20 Requirements for family unit in condominium.

Where the dwelling involved is a one-family unit in a condominium project, the following additional requirements shall be met:

(a) Family unit eligibility. The family unit must be located in a project which has been financed with a mortgage which is or has been insured under any of the FHA-multifamily housing programs other than sections 213(a) (1) and (2) of the National Housing Act: *Provided*, That, this FHA mortgage financing rule does not apply to projects involving 11 or less units nor to existing public housing units concerning which there has been established a condominium which meets such standards as the Secretary may prescribe and for which the mortgagor qualifies as a family occupying low-rent public housing.

(b) Plan of apartment ownership. The project in which the family unit is located shall have been committed to a plan of apartment ownership by enabling deed, deed of constitution, public deed, or other recorded instrument which has been approved by the Secretary and which is certified by the mortgagee as acceptable and binding within the jurisdiction where the project is located.

(c) Certificate by mortgagee. The mortgagee shall certify as to each of the following:

(1) That the individual deed for the family unit to be covered by an FHA-insured mortgage complies with all legal requirements of the jurisdiction and that ownership thereunder is subject to the plan of apartment ownership.

(2) That the mortgagor has good and marketable title to the family unit subject only to the mortgage which is a valid first lien on the property.

(3) That the family unit is assessed and subject to assessment for taxes pertaining to the unit.

(d) FHA controls for consumer and public interest. The Secretary may require the execution of a regulatory agreement which shall be made applicable to any association of owners and to any subsequent owner of a family unit. The Secretary may impose such additional conditions and provisions as he deems necessary for the protection of the consumer and public interest.

(e) Mortgage covenant concerning common expenses and assessments. The mortgage shall contain a covenant by the mortgagor to pay the allocated share of the common expenses or assessments and charges by the Association of Owners as provided in the Plan of Apartment Ownership and a provision approved by the Secretary by which the regulatory agreement is incorporated in and made a part of the mortgage.

(f) Definition of term "assessment". As used in the mortgage, the term "assessment", except where it refers to assessments and charges by the Association of Owners, shall mean special assessments by State or local governmental agencies, districts or other public taxing or assessing bodies.

§ 235.22 Mortgage provisions.

(a) Mortgage form. The mortgage shall be executed upon a form approved by the Secretary for use in the jurisdiction in which the property covered by the mortgage is situated and shall be a first lien upon property that conforms with property standards prescribed by the Secretary. The entire principal amount of the mortgage must have been disbursed to the mortgagor or to his creditors for his account and with his consent.

(b) Mortgage multiples. The mortgage shall involve a principal obligation in multiples of $50.

(c) Payments. The mortgage shall:

(1) Come due on the first of the month.

(2) Have an amortization period of either 10, 15, 20, 25, or 30 years, by providing for either 120, 180, 240, 300 or 360 monthly amortization payments.

(d) Maturity. (1) The mortgage shall provide for complete amortization not to exceed 30 years from the date of the beginning of amortization of the mortgage.

(2) No mortgage shall have a maturity exceeding three-quarters of the Secretary's estimate of the remaining economic life of the building improvements. If this limitation results in a term of less than 15, 20, 25, or 30 years the term shall be adjusted to the next lower multiple of 5 years.

§ 235.25 Maximum mortgage amount.

(a) A mortgage shall not exceed the following:

(1) $21,600 for a single-family dwelling or a one-family unit in a condominium project, except that such amount may be increased to $25,200 in the case of a family with five or more persons in accordance with subsection b of this section.

(2) $28,000 for a two-family dwelling, except that no commitments to insure a mortgage on a two-family dwelling shall be issued under this part after January 1, 1976.

(b) Where a family of five or more persons requires a minimum of four bedrooms and it is found that adequate housing within the basic mortgage limits is not available in the area, the Secretary may approve an additional mortgage amount, up to $3,600, where value supports the higher amount. The property must contain four or more bedrooms complying with applicable HUD–FHA standards for bedrooms. Partially finished attic or basement space, large closets and other enclosed area shall not be counted as bedrooms. In addition, the property must meet other applicable underwriting standards.

§ 235.30 Increased maximum mortgage amount—high cost areas.

In any geographical area where the Secretary finds cost levels so require, the Secretary may increase the dollar amount limitations set forth in § 235.25

to an amount not to exceed the following:

(a) $25,200 for a single-family dwelling or a one-family unit in a condominium project, except that such amount may be increased to $28,800 in the case of a family with five or more persons where the conditions set forth in § 235.25(b) are met.

(b) $36,000 for a two-family dwelling, except that no commitments to insure a mortgage on a two-family dwelling shall be issued under this part after January 1, 1976.

§ 235.35 Mortgagor's investment.

(a) With respect to the mortgages approved for insurance under this part prior to January 5, 1976, the mortgagor shall have paid, at the time the mortgage is insured, on account of the property, in cash or its equivalent, at least an amount equal to 3 percent of the Secretary's estimate of the cost of acquisition.

(b) With respect to mortgages approved for insurance under this Part on and after January 5, 1976, the mortgagor shall have paid, at the time the mortgage is insured, on account of the property, in cash or its equivalent, the higher of (1) an amount equal to 3 percent of the first $25,000 of the Secretary's estimate of the cost of acquisition and 10 percent of such estimate in excess of $25,000, or (2) an amount equal to 6 percent of the Secretary's estimate of the cost of acquisition, which amount may include the cost of such prepaid expenses as taxes, hazard and mortgage insurance premiums and such other expenses paid, at closing as may be approved by the Secretary.

(c) The mortgagor may make a larger investment than required under paragraph (b) of this section to reduce the mortgage amount or to purchase a property on which the estimate of value and selling price do not exceed the limits specified in § 235.320.

(d) A purchaser can contribute the full value of his labor toward the required downpayment, or to reduce the mortgage, or both, if arrangements are made with the builder according to procedures prescribed by the Secretary. If a purchaser owns the lot on which the dwelling is to be built, an amount equivalent to his equity in the lot based on the FHA appraised value (or actual purchase price if acquired within the past six months), less any indebtedness against the property, may be applied toward the required downpayment, or to reduce the mortgage, or both.

§ 235.37 Limitation on concentration of units in a subdivision.

(a) No subdivision or substantially contiguous group of subdivisions, which constitute or will constitute a single residential area, shall have over 40 percent of the homes assisted under this Part. The 40 percent rule shall not be applied to limit the number of subsidized units below 25 in any single residential area. The 40 percent ratio is applicable to the relationship of section 235 applications to the sum of vacant lots plus built upon lots within a residential land development tract under centralized control. In defining residential areas for purposes of this paragraph, the Secretary will exercise appropriate discretion in order to meet the objective of limiting the concentration of subsidized units but not unduly restricting efficient and good subdivision planning and land utilization. Further, within a single residential area to assure sound underwriting which requires an assurance of a future market for resales without subsidy, the Secretary will limit, to the extent practicable, the percentage of subsidized units in a block or contiguous group of blocks to 40 percent.

(b) After January 5, 1975, no mortgage shall be approved for insurance under this Part in any subdivision which was specifically developed for the program as authorized under this Part prior to such date and which contains 40 percent or more housing units currently insured and receiving assistance under such prior program. The existence of a small portion of assisted loans in an existing subdivision will not make that subdivision ineligible under the new program. The burden of developing information to show that a subdivision has less than 40 percent of the units receiving assistance is on the sponsor. Only 40 percent of the remaining lots will be eligible for assistance.

(c) Each condominium regime must meet the 40 percent criterion as set forth in paragraph (a) of this section with the same exception that the rule shall not be applied to limit the number of subsidized units below 25 in any single condominium regime. The Secretary will not permit condominium proposals which should be treated as single regimes to be broken into several regimes in order to provide higher concentrations of subsidized units.

(d) The 40 percent limitation and exception as set forth in paragraph (a) shall be applied to rehabilitation proposals. The 40 percent limitation in rehabilitation may, however, be waived by the Secretary where a sound proposal is involved and where an aggregation of subsidized units is essential to a community sponsored overall redevelopment plan.

§ 235.38 Reservations of contract authority.

(a) The Secretary will not issue conditional commitments to insure mortgages and to make interest reduction payments pursuant to this Part. However, conditional commitments to insure mortgages issued under Part 203, Part 221, Subpart A, and Part 234, Subpart A of this chapter will be considered to be conditional commitments to insure under this Part upon request by the mortgagee accompanied by submission of an application for firm commitment to insure under this Part for an eligible mortgagor subject to the availability of contract authority for interest reduction payments under Subpart C of this Part and subject to any limitations on eligibility set forth in this Subpart.

(b) Preliminary reservations of contract authority may be issued by the Secretary to a builder or seller specifically identified for use in connection with commitments or a group of commitments for insurance of mortgages in a particular subdivision or project subject to the limitations in § 235.37 or for a specific home not in a subdivision. A builder or seller who wants to be certain that funds will be available to assist buyers should submit a request to the Secretary for a preliminary reservation of contract authority. If contract authority is available, it will be reserved if the project in which the units will be located, meets project selection, affirmative marketing, environmental, underwriting, feasibility and other applicable requirements. A preliminary reservation is an advance commitment that contract authority will be available for assistance payments when homes are sold to families who qualify for assistance. Except as provided in paragraph (b), there is no requirement that builders or sellers obtain preliminary reservations, but if a preliminary reservation is not requested there is no assurance that assistance funds will be available when completed units are to be sold to eligible families.

(c) Builders or developers of subdivisions, condominiums or substantial rehabilitation projects involving 13 or more subsidized units must apply for preliminary reservations. Application for preliminary reservations may be made as early as the developer desires but not before filing of the request for subdivision approval or other appropriate application. Builders or developers of smaller (12 or less units) subdivisions, may also apply for preliminary reservations.

(d) If a request for a preliminary reservation is approved, either for the amount requested or for an amount determined by the Secretary, the Secretary will reserve the contract authority. The reservation is a commitment by the Government that the contract authority for the transaction has been reserved.

(e) A preliminary reservation will expire six months after the date of issue. If construction has started the reservation may be extended for one additional six month period. Preliminary reservations will also expire if the conditional commitment for mortgage insurance with which the reservations are connected expires will expire on the date of the firm commitment if the mortgage has not yet been insured under this part.

(f) Builders and developers not required to apply in accordance with paragraph (c) may apply for Section 235 assistance through applications under this Part for convertible conditional commitments for new construction or substantial rehabilitation. A convertible commitment, when issued, represents a binding obligation on the Government to execute the assistance payment contract (by insuring the mortgage) provided all applicable requirements are met. The

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obligation to execute the assistance payment contract will expire within six months of the issue date of the commitment, but can be extended one six months period if construction or substantial rehabilitation has been started.

(g) Builders or developers may also apply for assistance by requesting conversion of an outstanding conditional commitment to a firm commitment where there has been no reservation or obligation of contract authority.

§ 235.39 Local government comment procedures.

(a) With respect to any request for a preliminary reservation involving 13 or more units in a locality with an approved housing assistance plan, the following procedures must be followed: Within 10 working days of the receipt of such a request, the Secretary shall, for purposes of compliance with Section 213 of the Housing and Community Development Act of 1974, forward a copy of the request to the chief executive officer of the unit of general local government in which the assisted housing is to be located, requesting comments and objections, if any. The unit of general local government shall have 30 days from receipt of the letter and copy of the request to object or otherwise submit comments as the response to the Secretary. Alternatively, the individual or organization making the request for a preliminary reservation may include with the request a statement of "no objection" or other comment from the unit of general local government, obtained in advance by the individual or organization. The unit of local government may object to the request on the grounds that it is inconsistent with the housing assistance plan. If such an objection is filed, the Secretary may not approve the request unless the Secretary determines that the request is consistent with the housing assistance plan. If the Secretary determines that the request is consistent with the plan, the Secretary shall notify the chief executive officer of the unit of general local government giving his reasons therefor in writing. If the Secretary concurs with the objection of the unit of local government, the Secretary shall so notify the individual or organization making the request for a preliminary reservation, stating the reasons therefor in writing.

(b) With respect to a request for a preliminary reservation involving 13 or more units in a locality that does not have an approved housing assistance plan, assistance under this Part may not be approved unless the Secretary determines that there is a need for such assistance, taking into consideration any applicable State housing plan, and that there is or will be in the area public facilities and services adequate to serve the housing assisted. Within 10 working days of receipt of such a request, the Secretary will forward a copy of the request to the chief executive officer of the unit of general local government in which the proposed assisted housing will be located with a letter requesting comments on matters relevant to the determination required in this paragraph. The unit of general local government shall have 30 days from receipt of the letter and copy of the reservation request to submit any comments it wishes to make to the Secretary. Any relevant comments received will be considered in connection with the Secretary's determination. As in the case of requests subject to paragraph (a), of this section, individuals or organizations submitting reservation requests subject to the provisions of this paragraph (b) of this section may satisfy the comment requirement of this section by obtaining a statement of the local government on the application in advance and submitting that statement with the reservation request to the Secretary.

§ 235.40 Late charge.

A late charge may be collected by the mortgagee for each payment more than 15 days in arrears, but such charge shall not exceed 2 cents for each dollar of the mortgagor's share of the monthly payment. Such charge shall be separately billed to and collected from the mortgagor and shall not be deducted from any aggregate monthly payment. Such charge shall not be included in the assistance payment.

§ 235.45 Eligibility requirements for purchaser from rehabilitation sales project.

(a) Except as provided in this section, all of the provisions of this subpart shall apply to the insurance under section 235(j)(4) of the National Housing Act of a mortgage financing the purchase by a lower income person from a rehabilitation sales project of a single or two-family dwelling or a family unit in a condominium project. The rehabilitation sales project shall be financed with a mortgage insured under either section 221(h)(1) of the National Housing Act or section 235(j)(2) of such Act, provided that no applications for project mortgage insurance under such sections will be accepted after October 17, 1975.

(b) The mortgagee shall not be required to pay an application or commitment extension fee.

(c) The mortgage shall comply with each of the following requirements:

(1) It shall involve a principal obligation in an amount not exceeding that portion of the unpaid balance of the project mortgage which is allocable to the dwelling or family unit being purchased.

(2) It shall bear interest at the maximum rate permitted under § 203.20 at the time the commitment for insurance was issued for the project mortgage.

(3) It shall be limited to the term of the project mortgage remaining at the time of the purchase.

(d) The purchase price of the dwelling or family unit shall equal that portion of the unpaid balance of the project mortgage which is allocable to the dwelling or family unit plus such additional amount, not less than $200, as the Secretary may determine to be reasonable. This additional amount may be paid in cash or its equivalent, and may be applied in whole or in part toward closing costs. It shall be paid by the mortgagor in lieu of the minimum investment prescribed in § 235.35.

§ 235.45 Eligibility requirements for purchaser from rehabilitation sales project.

(a) Except as provided in this section, all of the provisions of this subpart shall apply to the insurance under setcion 235(j)(4) of the National Housing Act of a mortgage financing the purchase by a lower income person from a rehabilitation sales project of a single or two-family dwelling or a family unit in a condominium project. The rehabilitation sales project shall be financed with a mortgage insured under either section 221(h)(1) of the National Housing Act or section 235(j)(2) of such Act, provided that no applications for project mortgage insurance under such sections will be accepted after October 17, 1975.

(b) The mortgagee shall not be required to pay an application or commitment extension fee.

(c) The mortgage shall comply with each of the following requirements:

(1) It shall involve a principal obligation in an amount not exceeding that portion of the unpaid balance of the project mortgage which is allocable to the dwelling or family unit being purchased.

(2) It shall bear interest at the maximum rate permitted under § 203.20 at the time the commitment for insurance was issued for the project mortgage.

(3) It shall be limited to the term of the project mortgage remaining at the time of the purchase.

(d) The purchase price of the dwelling or family unit shall equal that portion of the unpaid balance of the project mortgage which is allocable to the dwelling or family unit plus such additional amount, not less than $200, as the Secretary may determine to be reasonable. This additional amount may be paid in cash or its equivalent, and may be applied in whole or in part toward closing costs. It shall be paid by the mortgagor in lieu of the minimum investment prescribed in § 235.35.

(e) The mortgagor shall be required to have an annual income within the limits prescribed by the Secretary, but the asset limits prescribed for mortgagors under mortgages insured pursuant to §§ 235.1 through 235.40 shall not be applicable.

Subpart B—Contract Rights and Obligations—Homes for Lower Income Families

§ 235.201 Incorporation by reference.

(a) All of the provisions of Subpart B, Part 203 of this chapter covering mortgages insured under Section 203 of the National Housing Act apply to mortgages insured under Section 235 of the National Housing Act, except the following provisions:

Sec.
203.265 Amount of initial MIP.
203.268 Adjustment of initial MIP.
203.275 Amount of annual MIP.

Sec.
203.305 Open-end advance subject to open-end charge.
203.306 Method of payment of open-end charge.
203.307 Calculation, amount, and due date of open-end charge.
203.308 Duration of open-end charge.
203.309 Pro rata payment of open-end charge.
203.357 Deed in lieu of foreclosure.
203.379 Adjustment for fire, flood, earthquake, or tornado damage.
203.380 Certificate of property condition.
203.389 Waived title objections.
203.400 Method of payment.
203.420 Nature of Mutual Mortgage Insurance Fund.
203.421 Allocation of Mutual Mortgage Insurance Fund income or loss.
203.422 Rights and liability under Mutual Mortgage Insurance Fund.
203.423 Distribution of distributive shares.
203.424 Maximum amount of distributive shares.
203.425 Finality of determination.
203.426 Inapplicability to housing in older, declining urban areas.
203.440 Through 203.495 insured home improvement loans.

(b) The term "property" or "each family dwelling unit" as used in §§ 203.251 through 203.435 of this chapter (Part 203, Subpart B) shall, when used in connection with a family unit in a condominium, be construed to include a "one-family unit and the undivided interest in the common areas and facilities."

§ 235.202 Amount of initial MIP.

(a) With respect to mortgages approved for insurance under this Part prior to January 5, 1976, the initial MIP shall be in an amount equal to one-half percent of the average outstanding principal obligation for the first year of amortization under the mortgage, without taking into account delinquent payments or prepayments.

(b) With respect to mortgages approved for insurance under this Part on and after January 5, 1976, the initial MIP shall be in an amount equal to seven-tenths of one percent of the average outstanding principal obligation for the first year of amortization under the mortgage, without taking into account delinquent payments or prepayments.

§ 235.203 Adjustment of initial MIP.

(a) With respect to mortgages approved for insurance under this Part prior to January 5, 1976, regardless of whether the period covered by the initial MIP is more or less than one year, payment shall be made to the Secretary on account of the initial MIP in an amount equal to one-half percent of the average outstanding principal obligation for the first year of amortization under the mortgage. If such payment is less than one-half percent or more than one percent of the outstanding principal balance, without taking into account delinquencies or prepayments, the initial MIP shall be adjusted to accord with the prescribed limitations. If such payment is within the prescribed limitations no adjustment shall be made and the amount of the payment shall be paid to the Secretary as the initial MIP.

(b) With respect to mortgages approved for insurance under this Part on and after January 5, 1976, regardless of whether the period covered by the initial MIP is more or less than one year, payment shall be made to the Secretary on account of the initial MIP in an amount equal to seven-tenths of one percent of the average outstanding principal obligation for the first year of amortization under the mortgage. If such payment is less than seven-tenths of one percent or more than one percent of the outstanding principal balance, without taking into account delinquencies or prepayments, the initial MIP shall be adjusted to accord with the prescribed limitations. If such payment is within the prescribed limitations no adjustment shall be made and the amount of the payment shall be paid to the Secretary as the initial MIP.

§ 235.204 Amount of annual MIP.

(a) With respect to mortgages approved for insurance under this Part prior to January 5, 1976, after payment of the initial MIP an annual MIP shall be paid in an amount equal to one-half percent of the average outstanding principal obligation for the 12-month period preceding the date on which the premium becomes payable, without taking into account delinquent payments or prepayments.

(b) With respect to mortgages approved for insurance under this Part on and after January 5, 1976, after payment of the initial MIP an annual MIP shall be paid in an amount equal to seven-tenths of one percent of the average outstanding principal obligation for the 12-month period preceding the date on which the premium becomes payable, without taking into account delinquent payments or prepayments.

§ 235.205 Deed in lieu of foreclosure.

All of the provisions of § 203.357 of this chapter relating to the acceptance of a deed in lieu of foreclosure shall apply to mortgages insured under this part, except that where a family unit in condominium is involved, the deed in lieu of foreclosure may be accepted only if the mortgagee establishes to the satisfaction of the Secretary that there are no unpaid assessments owed to the association or cooperative of owners.

§ 235.215 Method of paying insurance benefits.

If the application for insurance benefits is acceptable to the Secretary, the insurance claim shall be paid in cash, unless the mortgagee files a written request with the application for payment in debentures. If such a request is made, the claim shall be paid in debentures issued in multiples of $50, with any balance less than $50 to be paid in cash.

§ 235.220 Condition of property.

All of the provisions of § 203.379 relating to the adjustment of the insurance claim for fire, flood, earthquake or tornado damage and all of the provisions of section 203.380 requiring the mortgagee to certify as to the condition of the property shall apply to mortgages insured under this subpart with the exception of mortgages involving condominium units. Sections 235.230 and 235.235 contain the comparable provisions applicable to mortgages involving condominium units.

SPECIAL PROVISIONS APPLICABLE ONLY TO MORTGAGES INVOLVING CONDOMINIUM UNITS

§ 235.221 Waived title objections.

(a) General provisions. All of the provisions of § 203.389 of this chapter (relating to the waiver by the Secretary of objections to title) shall apply to mortgages insured under this subpart, with the exception of mortgages involving condominium units.

(b) Provisions applicable to condominiums. Where the mortgage involves a condominium unit, the Secretary shall not object to title by reason of the following matters:

(1) Violations of a restriction based on race, color or creed, even where such restriction provides for a penalty of reversion or forfeiture of title or a lien for liquidated damage.

(2) Easements for public utilities along one or more of the property lines, provided the exercise of the rights thereunder do not interfere with any of the buildings or improvements located on the subject property.

(3) Encroachments on the subject property by improvements on adjoining property, provided such encroachments do not interfere with the use of any improvements on the subject property.

(4) Variations between the length of the subject property lines as shown on the application for insurance and as shown by the record or possession lines, provided such variations do not interfere with the use of any of the improvements on the subject property.

(5) Customary buildings or use restrictions for breach of which there is no reversion and which have not been violated to a material extent.

§ 235.225 Changes in plan of apartment ownership.

The mortgagee shall notify the Secretary of any change in the plan of apartment ownership and in the administration of the property. Such notification shall be given either at the time of the conveyance of the property or at the time of the assignment of the mortgage. Any change in such plan shall require approval by the Secretary.

§ 235.230 Condition of multifamily structure.

(a) When a family unit is conveyed or a mortgage is assigned to the Secretary, the family unit and the common areas and facilities (including restricted common areas and facilities) designated for the particular unit shall be undamaged by fire, earthquake, tornado, or boiler explosion. If the property has been damaged, either of the following actions shall be taken:

(1) The property may be repaired prior to its conveyance or prior to the assignment of the mortgage to the Secretary.

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(2) With the prior approval of the Secretary, the property may be conveyed or the mortgage assigned to the Secretary without repairing the damage. In such instances, the Secretary shall deduct from the insurance benefits either his estimate of the decrease in value of the family unit or the amount of any insurance recovery received by the mortgagee, whichever amount is the greater.

(b) If the property has been damaged by fire and such property was not covered by fire insurance at the time of the damage, the mortgagee may convey the property or assign the mortgage to the Secretary without deduction from the insurance benefits for any loss occasioned by such fire if the following conditions are met:

(1) The property shall have been covered by fire insurance at the time the mortgage was insured.

(2) The fire insurance company shall have later canceled or refused to renew the policy.

(3) The mortgagee shall have notified the Secretary within 30 days (or within such further time as the Secretary may approve) of the cancellation of the fire insurance or of the refusal of the insuring company to renew the fire insurance. This notification shall have been accompanied by a certification of the mortgagee that diligent efforts were made, but it was unable to obtain fire insurance coverage at reasonably competitive rates and that it will continue its efforts to obtain adequate fire insurance coverage at competitive rates.

§ 235.235 Certificate or statement of condition.

(a) At the time of conveyance of the property or assignment of the mortgage to the Secretary, the mortgagee shall, as of the date of the filing for record of the deed or assignment, either:

(1) Certify that the conditions of § 235.230(a) have been met; or

(2) Submit a statement describing any such damage that may still exist.

(b) In the absence of evidence to the contrary, the mortgagee's certificate or its statement as to damage shall be accepted by the Secretary as establishing the condition of the family unit and the common areas and facilities including restricted common areas and facilities designated for the particular unit.

§ 235.240 Assessment of taxes.

When a family unit is conveyed to the Secretary or a mortgage is assigned to the Secretary, the unit shall be assessed and subject to assessment for taxes pertaining only to that unit.

§ 235.245 Certificate of tax assessment.

The mortgagee shall certify, as of the date of filing for record of the deed or assignment of the mortgage to the Secretary, that the family unit is assessed and subject to assessment for taxes pertaining to that unit.

§ 235.250 Cancellation of property insurance.

The provisions of § 203.382, relating to the cancellation of hazard insurance upon filing for record of the deed to the Secretary, are incorporated by reference and shall apply to hazard insurance policies carried solely for the family unit.

Subpart C—Assistance Payments—Homes for Lower Income Families

§ 235.301 Definitions.

The definitions contained in § 235.5 shall apply to this subpart. In addition the term "assistance payment" means that portion of a homeowner's or cooperative member's monthly mortgage payment which the Secretary becomes obligated to pay under an assistance payment contract.

§ 235.305 Contract for assistance payments.

This subpart shall constitute the contract between the mortgagee and the Secretary for assistance payments pursuant to section 235(b) of the National Housing Act.

§ 235.310 Execution of assistance payment contract.

(a) Homeowners. The issuance of a mortgage insurance certificate pursuant to § 235.1 et seq. shall also constitute the execution of the assistance payment contract with respect to the mortgage being insured.

(b) Cooperative members. The issuance of a certificate approving an application filed on behalf of a cooperative member shall constitute the execution of the assistance payment contract with respect to member named in the certificate.

§ 235.315 Qualified homeowners.

To qualify for assistance payments, the homeowner's income at the time of application for assistance, shall be within the limitations provided in § 235.10, and the homeowner shall be a mortgagor under a mortgage insured or to be issued pursuant to Subparts A and B to this part.

§ 235.320 Limitation of sales price.

To qualify for assistance payments, the homeowner shall not have paid in connection with the purchase of the property with respect to which assistance payments are to be made more than the Secretary's estimate of value of such property, nor shall the purchase price exceed 120 percent of the mortgage amount established pursuant to § 235.25 or § 235.30, whichever is applicable.

§ 235.325 Qualified cooperative members.

To qualify for assistance payments the cooperative member's income, at the time of application for assistance, shall be within the limitations provided in § 235.10 and the cooperative member shall be one of the following:

(a) A member of a cooperative association which operates a housing project which has been constructed or substantially rehabilitated not more than two years prior to the filing of the application for assistance payments and which is financed with a mortgage insured under §§ 213.1 through 213.280 of this chapter. The dwelling unit occupied by the cooperative member shall have had no previous occupant.

(b) A member of a cooperative association which operates an existing housing project financed with a mortgage insured under §§ 213.1 through 213.280 of this chapter, if such member has acquired membership and occupancy rights from one who was receiving assistance payments.

(c) A member of a cooperative association which operates an existing housing project financed with a mortgage insured under §§ 213.1 through 213.280 of this chapter, if such member meets one of the following qualifications:

(1) The member shall qualify as a displaced family.

(2) The member's family shall include five or more minor persons.

(3) The member's family shall have been occupying low-rent public housing at the time the application for assistance payments is filed.

(d) A member of a cooperative association which operates a housing project which is financed under a State or local program providing assistance through loans, loan insurance or tax abatements, and which prior to completion of construction or rehabilitation is approved for receiving the benefits of this section.

§ 235.330 Cooperative unit eligible for assistance payments.

The maximum amount of the mortgage attributed to the dwelling unit of the cooperative member shall not exceed $21,600 except that such amount may be increased to $25,200 in the case of a family of five or more persons. These amounts may be increased to $25,200 and $28,800 respectively, in any geographical area where the Secretary finds cost levels so require.

§ 235.335 Assistance payments and handling charges.

(a) The assistance payment on behalf of a mortgagor shall be the lesser of the following:

(1) The difference between 20 percent of the homeowner's or cooperative member's adjusted monthly income and the required monthly payment under the mortgage for principal, interest, taxes, insurance, and mortgage insurance premium.

(2) (i) With respect to mortgages approved for insurance under this Part by the Secretary before January 5, 1976, the difference between the required monthly payment under the mortgage for principal, interest, and mortgage insurance premium and the monthly payment which would be required for principal and interest if the mortgage bore an interest rate of 1 percent.

(ii) With respect to mortgages approved for insurance under this Part by the Secretary on or after January 5, 1976, the difference between the required monthly payment under the mortgage for principal, interest, and mortgage insurance premium and the monthly payment which would be required for principal and interest if the mortgage bore an interest rate of 5 percent.

(b) The assistance payment on behalf of a cooperative member shall be in an amount computed by using the formula prescribed in paragraph (a) of this section and applying the cooperative member's proportionate share of the obligation under the project mortgage to the items set forth in the formula.

(c) In addition to the assistance payment referred to in paragraphs (a) and (b) of this section, the mortgagee shall be entitled to the monthly payment of an amount the Secretary deems sufficient to reimburse the mortgagee for its expense in handling the mortgage.

(d) Special assessments levied by a governmental body are to be included under the term "taxes" as a part of the total monthly payment. However, ground rents, assessments of a homeowners' association, and special assessments levied by persons or private organizations are not to be included.

§ 235.340 Time of payments.

The assistance payment shall be due on the first day of each month and shall be paid upon the receipt of a billing, on a form prescribed by the Secretary, from the mortgagee or its authorized agent.

§ 235.345 Term of Assistance Contract.

(a) Homeowners. The term of the assistance payment contract shall begin on the date of disbursement of mortgage proceeds as shown on the commitment for insurance and shall continue until the contract is terminated pursuant to § 235.375.

(b) Cooperative members. The term of the assistance payment contract shall begin on the date of issuance of a certificate approving an application filed on behalf of a cooperative member and shall continue until the contract is terminated pursuant to § 235.375.

§ 235.350 Mortgagors required recertification.

(a) The mortgagee shall obtain from the homeowner (or from the cooperative association on behalf of the cooperative member), on a form prescribed by the Secretary a recertification as to occupancy, employment, family composition and income whenever one of the following events takes place:

(1) Annually, no earlier than 60 days before and no later than 30 days after the anniversary date of the mortgage or at such other anniversary date as set by the Secretary;

(2) No more than 30 days after the mortgagee is notified by the mortgagor or learns from any source:

(i) That the mortgagor or any adult (21 years or older) member of the family residing in the household changes or begins employment which results in an increase in the family income reported in the original application for assistance or the most recent recertification.

(ii) That the gross family income (excluding income of minors) has increased at least $50 per month (except in the case of mortgagor under a mortgage insured before January 5, 1976).

(3) At such other times as the Secretary may require.

(b) With respect to mortgages insured under this Part after January 5, 1976, the mortgagee shall obtain from the applicant-homeowner at the time application is made for assistance and at the time of annual recertification required under paragraph (a)(1) of this section, on a form provided by the Secretary, a statement of the aggregate amounts of total income prior to adjustments reported for all family members (other than minors) by the applicant-homeowner in his most recent federal income tax return, if he is required to file such a return. If separate returns are filed by separate members of the family, the total income prior to adjustments included in all such returns (except returns of minors) shall be reported. If the income so reported is more than 25 percent above the income reported on the recertification the mortgagee shall obtain from the homeowner a new recertification or a written explanation of the difference in income reported on the two forms.

(c) Mortgagors who fail to disclose their actual income in accordance with the requirements of this Part will be required to reimburse the Secretary for all overpayments made on their behalf.

(d) Each mortgagor must provide a letter on a form prescribed by the Secretary authorizing the Internal Revenue Service to release Federal Income Tax returns for the most recent three years to the Secretary on request.

§ 235.355 Mortgagor's optional recertification.

Upon request of the mortgagor or cooperative member the mortgagee shall accept recertification whenever the mortgagor, his or her spouse or an adult (21 years or older) member of the family changes or loses employment which results in a decrease in the family income reported in the most recent certification or recertification. This recertification shall be on a form prescribed by the Secretary.

§ 235.360 Adjustment in assistance payments.

The mortgagee shall make appropriate adjustments in the amount of the requested assistance payments to reflect changes in family income reported in any required or optional recertification of the homeowner or cooperative member. The adjustment shall not be retroactive except at the discretion of the Secretary. The adjustment shall apply only to assistance payments beginning with the payment due no earlier than the first day of the month following and no later than the first day of the second month following the date the mortgagor's recertification is received by the mortgagee.

§ 235.365 Mortgagee records.

The mortgagee shall maintain such records as the Secretary may require with respect to the mortgagor's payments, the mortgage assistance payments received from the Secretary, and the annual recertifications of financial status from the homeowner or mortgagor. Such records shall be kept on file for a period of time and in a manner prescribed by the Secretary and shall be available, when requested, for review and inspection by the Secretary or the Comptroller General of the United States.

§ 235.370 Effect of assignment of mortgage with an assistance payment contract.

Where a mortgage covered by an assistance payment contract is sold to another approved mortgagee, the buyer shall succeed to all the rights and become bound by all the obligations of the seller under such contract.

§ 235.375 Termination, suspension, or reinstatement of the assistance payments contract.

(a) Termination. The assistance payments contract shall be terminated when any of the following events occurs:

(1) The contract of mortgage insurance is terminated, except when the mortgage has been assigned to the Secretary.

(2) The homeowner or cooperative member ceases to occupy the property, except in the following instances:

(i) Where the property is purchased by a homeowner who assumes the mortgage obligation under a mortgage insured prior to January 5, 1976, and who meets the income and asset requirements prescribed by the Secretary.

(ii). Where the cooperative member transfers his membership and occupancy rights to a new member who meets the income and asset requirements prescribed by the Secretary.

(3) When the assistance payments contract has been suspended for a period of 3 years without reinstatement.

(b) Suspension. The assistance payments contract shall be suspended when any one of the following events occurs:

(1) The mortgagee determines that the mortgagor or cooperative member ceases to qualify for the benefits of assistance payments by reason of his income increasing to an amount enabling him to pay the full monthly mortgage payment by using 20 percent of the family income.

(2) Foreclosure is instituted.

(3) The mortgagee is unable to obtain from the homeowner (or from the cooperative association on behalf of the cooperative member) a required recertification of occupancy, employment, income, and family composition.

(4) At such other times as the Secretary may require.

(c) Effect of termination or suspension. Upon termination or suspension of the assistance payments contract, the payment due on the first day of the month in which the termination or suspension occurs shall be the last payment to which the mortgagee shall be entitled; except that, in the case of a sus-

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pended contract, payment may be resumed after the contract is reinstated pursuant to paragraph (e) of this section.

(d) Noneffect on mortgage insurance contract. The termination or suspension of the assistance payments contract, where the mortgage insurance contract is not simultaneously terminated, shall have no effect on the mortgage insurance contract.

(e) Reinstatement. Where the assistance payments contracts is suspended, it may be reinstated by the Secretary at his discretion and on such conditions as he may prescribe.

§ 235.499 Effect of amendments.

The regulations in this subpart may be amended by the Secretary at any time and from time to time, in whole or in part, but such amendment shall not adversely affect the interest of a mortgagee under an existing contract for assistance payments. The effective date of these regulations is January 5, 1976.

(It is hereby certified that the economic and inflation impacts of this regulation have been carefully evaluated in accordance with OMB Circular A–107.)

Issued at Washington, D.C. on December 31, 1975.

DAVID S. COOK,
Assistant Secretary for Housing Production and Mortgage Credit-FHA Commissioner.

[FR Doc.76–174 Filed 1–5–76;8:45 am]

federal register

TUESDAY, JANUARY 6, 1976

PART V:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

PRIVACY ACT OF 1974

Systems of Records

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE PRIVACY ACT OF 1974 Systems of Records and Notice of Proposed Routine Uses Therefor

Pursuant to the Privacy Act of 1974 (Public Law 930579) as prescribed in 5 U.S.C. 552a(e)(4), the following notice of systems of records that are maintained by the Department of Health, Education, and Welfare is published as set forth below. Any omissions due to oversight will be published at a later date.

Prior to the final adoption of the porposed routine uses for new or corrected notices, consideration in accordance with the requirements of 5 U.S.C. 552a(e)(11) will be given to comments which are submitted in writing on or before Feb. 4, 1976.

Comments should be addressed to the Director, Fair Information Practice Staff, Department of Health, Education, and Welfare, 330 Independence Ave., S.W., Washington, D.C. 20201. Comments received will be available for inspection in Room 4513, at the above address.

The following listing includes notices of systems of records which were inadvertently omitted from the groups of notices published on August 27, 1975, Part II, Section I, pp. 38391038683; September 22, 1975, Part IV, pp. 4370003711 and October 1, 1975, Part III, pp. 45348045415. In addition, it includes a number of corrections to notices previously published. In the corrected notices additional routine uses can be ascertained by comparing the routine uses of the corrected notices with those previously published in the **Federal Register** issues cited above.

Pursuant to the Privacy Act of 1974, Public Law 930579, the Department of Health, Education, and Welfare published for public comment notices of systems of records including routine uses as described above. Interested persons were given 30 days to submit written comments or suggestions concerning the system notices and their routine uses. No public comment was received with respect to these system notices and routine uses, therefore wxcept where modified by this submission, these notices of systems of records, including their routine uses, are adopted.

The Department, at the recommendation of the Office of Management and Budget, published on October 24, 1975, Part III, page 49886, a routine use which may be used for disclosure in response to congressional inquiries for all of the Department's systems of records. Five public comments were received on this proposed routine use—one was not relevant and the other four requested that additional organizations other than Congress should be given the same routine use treatment. The Privacy Act, however, does not allow this additional latitude, therefore, the special congressional routine use is adopted as published in the **Federal Register**.

Dated: December 19, 1975. John Ottina, **Assistant Secretary for Administration and Management.**

Systems not previously published as Notices of Systems of Record:

ROI-ARD-1

System name: MBTA Prepaid Pass Program Participants. Hew-RO1-ARD.

Security classification: None.

System location:
DHEW, Office of ARD for Administration and Management
Room 1503, JFK Federal Building
Boston, Massachusetts 02203

Categories of individuals covered by the system: Any DHEW employee who is participating in the MBTA Pass Program.

Categories of records in the system: Name, Department, SSN, Credit Union Account Number, Type of Plan, Sex, Signature of Employee, and Pass Number.

Authority for maintenance of the system: Executive Order 011491.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as basis of requesting MBTA Pass and as a control of Pass numbers in case of replacement by Massachusetts Bay Transportation Authority, Forest Hills Station, Boston, Massachusetts.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Storage–3x5 cards in file box.

Retrievability: Retrievability–By name.

Safeguards: Safeguards–Office doors locked during non-working hours.

Retention and disposal: Retentioon and Disposal–Kept as long as employee is a participant in the Program. Cancellation cards are kept for six months after month cancelled; then destroyed.

System manager(s) and address:
Secretary to ARD for Administration and Management
DHEW, Room 1503, JFK Federal Building
Boston, Massachusetts 02203

Notification procedure: Address: Same as above. Identifying Information: Name, Social Security Number.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Supplied by employee.

Systems exempted from certain provisions of the act: None.

OHD RSA 1

System name: Mailing keys. HEW/OHD/RSA.

Security classification: None.

System location:
Mailing Distribution Unit, Division of Printing
Room G320 North Building
330 Independence Avenue, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: State vocational rehabilitation agencies (general and blind), rehabilitation facilities, persons interested in statistics, persons interested in the deaf.

Categories of records in the system: Name of agency or individual, and address.

Authority for maintenance of the system: The Rehabilitation Act of 1973 (P.L. 93-112) and the Rehabilitation Amendments of 1974 (P.L. 93-516).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: IBM Master Cards are stored in file drawers.

Retrievability: These IBM cards are filed by key number, City and State and Zip Code.

Safeguards: Only authorized persons allowed access.

Retention and disposal: Maintained as long as necessary and then destroyed.

System manager(s) and address:
Director, Administrative Services, RSA
Room 3122, MES Building
330 C Street, S.W.
Washington, D.C. 20201

Notification procedure: System Manager. Address same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: From agencies or individuals themselves.

Systems exempted from certain provisions of the act: None.

OHD RSA 2

System name: Correspondence Files. HEW/OHD/RSA.

Security classification: None.

System location:
Room 5114, MES Building
330 C Street, S. W.
Washington, D. C. 20201

Categories of individuals covered by the system: Members of Congress, The White House, departments and agencies of Federal, State and local government, private voluntary groups and the general public.

Categories of records in the system: Name and address of individuals submitting correspondence, responses and exchanges of information associated with the Federal-State vocational rehabilitation program.

Authority for maintenance of the system: The Rehabilitation Act of 1973 (P.L. 93-112) and the Rehabilitation Amendments of 1974 (P.L. 93-516).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file cabinets.

Retrievability: Congressional correspondence filed by name of Congressman. Other correspondence filed in alphabetical order by name of signer.

Safeguards: Access to authorized indivuals only.

Retention and disposal: Inquiry records are maintained five years and sent to the Federal Records Disposal Center.

System manager(s) and address:
Commissioner of Rehabilitation Services
Room 5114, MES Building
330 C Street, S. W.
Washington, D. C. 20201

Notification procedure: Inquirer should provide name and address.

Record access procedures:
Commissioner of Rehabilitation Services
Room 5114, MES Building
330 C Street, S. W.
Washington, D. C. 20201

Contesting record procedures: Same as above.

Record source categories: Incoming correspondence, responses and material provided by individual.

Systems exempted from certain provisions of the act: None.

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System name: Indian Education Field Readers.

Security classification: None.

System location:
Room 3662, EOB-3
7th and D Streets, S.W.
Washington, D.C. 20202

Room 3514, EOB-3
7th and D Streets, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Indians with expertise in Indian education.

Categories of records in the system: Names, addresses, telephone numbers, educational and professional background information of individuals who have submitted such information to the Office of Indian Education.

Authority for maintenance of the system: 5 USC 301, 44 USC 3101, or 44 USC 3102.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in paper file folders, filed in standard file cabinets.

Retrievability: Records are indexed by individual name. Records are available to OIE staff for use in selecting field readers to review applications submitted for funding of grants.

Safeguards: Direct access is restricted to authorized OIE staff. The records are kept in locked file cabinets.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address:
Director, Division of Local Educational Agency Assistance
Room 3662, ROB-3
7th and D Streets, S.W.
Washington, D. C. 20202
Director, Division of Special Projects and Programs
Room 3514, ROB-3
7th and D Streets, S.W.
Washington, D. C. 20202

Notification procedure: System managers (see above) will respond to inquirers. The individual inquiring is required to provide (1) the system i.d.; (2) the system name; (3) his or her name and address.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual data subjects. Records are furnished on a voluntary basis.

Systems exempted from certain provisions of the act: None.

E OE EDP 21

System name: Women in Executive Positions in Higher Education.

Security classification: None.

System location:
Room 4682
GSA-Regional Office Building 03
Washington, D. C. 20202

Categories of individuals covered by the system: Possible consultants and position applicants.

Categories of records in the system: Records include: vitae on all women who qualify for positions in or concerning higher education.

Authority for maintenance of the system: Title IX, Education Amendments of 1972.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For routine uses set forth in Appendix B to 45 Code of Federal Regulation, Part 5b. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy in standard file cabinets.

Retrievability: Records are indexed by name and by academic field and are available only to specifically designated staff.

Safeguards: Access is restricted to authorized OE Staff.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address:
Director, College and University Unit
400 Maryland Avenue, S. W.
Washington, D. C. 20202

Notification procedure: Contact System Manager.

Record access procedures: Contact System Manager.

Contesting record procedures: Contact System Manager.

Record source categories: Information is obtained directly from individuals wishing to be included in the Directory.

Systems exempted from certain provisions of the act: None.

E OE R 4

System name: Vocational Education Exemplary Programs & Personnel Development Panelists HEW-E.

Security classification: None

System location:
26 Federal Plaza - Room 3953
New York, New York 10007

Categories of individuals covered by the system: Review panelist.

Categories of records in the system: Name, address, telephone number, brief description of panelist's qualifications.

Authority for maintenance of the system: PL 90-576; 20 USC 1241-1391; 82 Stat. 1064-1091 PL 90-35; 20 USC 1119c et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Persons selected to serve on review panel to evaluate and recommend proposals for grant awards. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files maintained in standard file cabinets.

Retrievability: Name and address of panelists kept in Review Panel file folder.

Safeguards: None special.

Retention and disposal: Files maintained as long as authorizing laws remain in effect.

System manager(s) and address:
Asst. Regional Commissioner, OAE
U.S. Office of Education, DHEW, Region II
26 Federal Plaza, Room 3953

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New York, New York 10007

Notification procedure: System Manger (see above) will respond to inquiries.

Record access procedures: Per request to System Manager.

Contesting record procedures: System Manger.

Record source categories: Individual on whom record is maintained. State Education Departments. BOAE, USOE, Washington, DC.

Systems exempted from certain provisions of the act: None.

E OE R 5

System name: Institutional Application to Participate in Federal Student Financial Aid Programs Regional Review Panel HEW-E.

Security classification: None.

System location:

26 Federal Plaza, Rm. 3954
New York, New York 10007

Categories of individuals covered by the system: Practicing Financial Aid Officers and other Experts in the field of Student Financial Aid.

Categories of records in the system: Field Reader Contracts, Vitas and Travel Vouchers.

Authority for maintenance of the system: Higher Education Act of 1965, as amended 20 USC 1070b-3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To Convene for purposes of review of applications submitted by post-secondary institutions and submitting recommendations to the Regional Office. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files maintained in standard file cabinet.

Retrievability: Name. By authorized Program Officers.

Safeguards: Stored in locked room.

Retention and disposal: Destroyed at the end of two (2) year panelists service cycle.

System manager(s) and address:

Senior Program Officer, Student Financial Aid
U.S. Office of Education
26 Federal Plaza
New York, NY 10007

Notification procedure: System manager (see above) will respond to inquirers.

Record access procedures: (See above).

Contesting record procedures: System Manager.

Record source categories: Educational Institutions.

Systems exempted from certain provisions of the act: None.

FDA 0013.00

System name: Employee Conduct Investigative Records - HEW/FDA/HFA.

Security classification: None.

System location:

Policy Management Staff, FDA
Room 10-90, 5600 Fishers Lane
Rockville, MD 20852

Categories of individuals covered by the system: Employees or former employees, or special Government employees of FDA who are alleged to have violated FDA or Departmental regulations and/or Federal statutes.

Categories of records in the system: This system includes records relating to correspondence concerning an individual's employment status or conduct while employed by FDA. Examples of these records include: correspondence from employees, Members of Congress, and members of the public alleging misconduct by an official of FDA. It also contains reports of investigation to resolve allegation of misconduct or violation of statute, with related exhibits of statements, affidavits or records obtained during the investigation; reports of action taken by management deciding action on any misconduct substantiated by the investigation; and reports of legal action resulting from violations of statutes referred for prosecution.

Authority for maintenance of the system: 5 U.S.C. 301; Title 18, U.S.C. (e.g., 18 U.S.C. 201, 203, 205, 207, 208, 209, 1905); 21 U.S.C. 331; 28 U.S.C. 535(b); 44 U.S.C. 3101; E.O. 10450 and 11222; 45 CFR Part 73.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to the Department of Jusce or State or local law enforcement agencies, in connection with a violation or potential violation of law, and in connection with requests for legal advice. Disclosure may be made during administrative or judical proceedings. Disclosure may be made to other Government agencies (e.g., General Services Administration, Civil Service Commission, Consumer Product Safety Commission, Securities and Exchange Commission, Department of Treasury, etc.) as necessary to report apparent violations of law. Disclosure may be made to authorized investigative offices of other Federal and State agencies in connection with background and security clearance procedures or when the subject is under investigation for employment or suspected violation of the law.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records, in folders, in file cabinets.

Retrievability: Alphabetical by name. Used within FDA for providing management with information needed to take action on complaints or alleged violations. May be referred to Office of Investigations and Security, Office of the Secretary, HEW, and disclosures may be made by that office.

Safeguards: Records are maintained in locked file cabinets within a locked file room or in a safe within a secured area.

Retention and disposal: Records are retained until death of subject individual.

System manager(s) and address:

Director, Policy Mangement Staff
HFA-20, Room 10-90
Food and Drug Administration
5600 Fishers Lane
Rockville, Maryland 20852

Notification procedure:

FDA Privacy Coordinator (HF-50)
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20852

Record access procedures: Same as notification procedure (some material is exempt from access and contest).

Contesting record procedures: Same as notification procedure (some material is exempt from access and contest).

Record source categories: Information in this system of records is obtained from FDA personnel and records, subjects of investigations, complaints, witnesses, other Federal agencies, State and local agencies, and personal observation by the investigator.

Systems exempted from certain provisions of the act: This system is exempt from access and contest and certain other provisions of the Privacy Act (5 U.S.C. 552a(c)(3), (d)(1) to (4), (e)(3), (e)(4)(G) to (H), and (f)) the extent that it includes investigatory material compiled for law enforcement purposes, including criminal law enforcement purposes, or investigatory material that would reveal confidential sources compiled solely for the purpose of determining suitability, eligibility, or qualification for Federal civilian employment, military service, Federal contracts, or access to classified information.

FDA 0014.00

System name: Service Contractor Employee Investigative Records. HEW/FOA/HFA.

Security classification: None.

System location:

Policy Management Staff, FDA
Room 10-90
5600 Fishers Lane
Rockville, MD 20852

Categories of individuals covered by the system: Employees of service contractors who must have access to FDA secured areas or FDA file material; employees of contractors who provide janitorial, guard and maintenance services for FDA facilities.

Categories of records in the system: This system includes records of pre-employment checks of individuals who will have access to

FDA facilities during security hours and correspondence concerning an individual's employment status or conduct while having such access. Examples of such correspondence include Reports of Investigations to resolve allegations of misconduct or of violations of law, with related exhibits of statements, affidavits or records obtained during the investigation; reports of action taken by management deciding action on any misconduct substantiated by the investigation; and reports of legal action resulting from violations of statutes referred for prosecution.

Authority for maintenance of the system: 5 U.S.C. 301; Title 18, U.S.C. (e.g., 18 U.S.C. 1905); 21 U.S.C. 331; 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure of these records may be made to the contractors. Disclosure may be made to the Department of Justice or State or local law enforcement agencies, in connection with actual or potential violation of law, and in connection with requests for legal advice. Disclosure may be made during administrative or judical proceedings. Disclosure may be made to other agencies (i.e., General Services Administration, Civil Service Commission, Consumer Product Safety Commission, Securities and Exchange Commission, Department of Treasury, etc.) as necessary to report apparent violations of law. Disclosure may be made to authorized investigative offices of other Federal agencies in connection with background and security clearance procedures or when the subject is under investigation for employment or suspected violation of the law.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records, in folders, in file cabinets.

Retrievability: Alphabetical by name. Used by the Food and Drug Administration to determine if the employees of service contractors shall have access to FDA facilities. Used within FDA for providing management with information to take action on complaints or alleged violations. May be referred to the Office of Investigations and Security, Office of the Secretary, HEW, and disclosures may be made by that Office.

Safeguards: Records are maintained in locked file cabinets within a locked file room or in a safe within a secured area.

Retention and disposal: Records are retained until death of subject individual.

System manager(s) and address:

Director, Policy Management Staff
HFA-20, Room 10-90
Food and Drug Administration
5600 Fishers Lane
Rockville, Maryland 20852

Notification procedure:

FDA Privacy Coordinator (HF-50)
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20852

Record access procedures: Same as notification procedures (some material is exempt from access and contest).

Contesting record procedures: Same as notification procedure (some material is exempt from access and contest).

Record source categories: Information in this system of records is obtained from industrial, employment and police records, subjects of investigations, complaints, witnesses, other Federal agencies, State and local agencies, and personal observation by the investigator.

Systems exempted from certain provisions of the act: This system is exempt from access and contest and certain other provisions of the Privacy Act (5 U.S.C. 552a(c)(3), (d)(1) to (4), (e)(3), (e)(4)(G) to (H), and (f)) to the extent that it includes investigatory material compiled for law enforcement purposes, including criminal law enforcement purposes, or investigatory material that would reveal confidential sources compiled solely for the purpose of determining suitability, eligibility, or qualification for Federal civilian employment, military service, Federal contracts, or access to classified information.

NIH DAS 0033.00

System name: Clinical Center Consultant Agreements. HEW/NIH/DAS.

Security classification: None.

System location:

Building 31, Room 1C02, NIH
9000 Rockville Pike
Bethesda, MD 20014

Categories of individuals covered by the system: Medical Consultants under contract with the NIH Clinical Center.

Categories of records in the system: Contract Administration Data.

Authority for maintenance of the system: 42 USC 241 (d).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. Official business record maintenance of contractual agreements of those individuals who are providing consultative medical services to the NIH Clinical Center. Used by procurement & financial personnel.

Safeguards: Locked cabinets.

Retention and disposal: Years at NIH: 2. Years at FRC: 4.

System manager(s) and address:

Director, DAS
Building 31, Room 1C02, NIH
9000 Rockville Pike
Bethesda, MD 20014

Notification procedure: Same as System Manager.

Record access procedures: Same as System Manager.

Contesting record procedures: Same as System Manager.

Record source categories: Individuals.

Systems exempted from certain provisions of the act: None.

NIH NIGMS 0029.00

System name: Personal Services Contractors. HEW/NIH/NIGMS.

Security classification: None.

System location:

Building 31, Room 4A24, NIH
9000 Rockville Pike
Bethesda, MD 20014

Categories of individuals covered by the system: Individuals under contract with NIGMS.

Categories of records in the system: Work qualifications, description of services to be performed.

Authority for maintenance of the system: 42 USC 241(d), 289e.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name of contractor. Record of agreed upon services, reference by institute staff in monitoring contractor's performance.

Safeguards: Locked file cabinet.

Retention and disposal: Years at NIH: 3.

System manager(s) and address:

Administrative Officer
Building 31, Room 4A24, NIH
9000 Rockville Pike
Bethesda, MD 20014

Notification procedure: Same as System Manager.

Record access procedures: Same as System Manager.

Contesting record procedures: Same as System Manager.

Record source categories: Individual.

Systems exempted from certain provisions of the act: None.

NIH NIAID 0175.00

System name: Curricula Vitae. HEW/NIH/NIAID

Security classification: None.

System location:

Building 31, Room 7A10, NIH
9000 Rockville Pike
Bethesda, MD 20014

Categories of individuals covered by the system: Consultants and Clinical Investigators under NIAID Investigational New Drug Applications.

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Categories of records in the system: Curriculum vitae.

Authority for maintenance of the system: 42 USC 241(d) 289a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in books.

Retrievability: Retrieved by name. Used by NIAID staff for appointment of consultants and filing in Investigational New Drug Application.

Safeguards: Limited access to authorized personnel.

Retention and disposal: Years at NIH: indefinite.

System manager(s) and address:

Chief, Infectious Disease Branch
Building 31, Room 7A10, NIH
900 Rockville Pike
Bethesda, MD 20014

Notification procedure: Same as System Manager.

Record access procedures:

Chief, Of. of Research Reporting & Public Response
Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20014

Contesting record procedures: Same as above.

Record source categories: Individuals.

Systems exempted from certain provisions of the act: None.

NIH NIAID 0182.00

System name: Infectious Disease Branch. HEW/NIH/NIAID.

Security classification: None.

System location:

Building 31, Room 7A10, NIH
9000 Rockville Pike
Bethesda, MD 20014

Categories of individuals covered by the system: Medical consultants under contract with NIAID.

Categories of records in the system: Administrative files, biographical data.

Authority for maintenance of the system: 42 USC 241(d) 289a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in card files.

Retrievability: Retrieved by name. Used by NIAID staff to prepare travel orders, professional services contracts, and honorarium forms.

Safeguards: Limited access.

Retention and disposal: Years at NIH: indefinitely.

System manager(s) and address:

Chief, Infectious Disease Branch
Building 31, 7A10, NIH
9000 Rockville Pike
Bethesda, MD 20014

Notification procedure: Same as System Manager.

Record access procedures:

Chief, Of. of Research Reporting & Public Response
Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20014

Contesting record procedures: Same as above.

Record source categories: Individuals.

Systems exempted from certain provisions of the act: None.

NIH NIAID 0183.00

System name: US-Japan Program. HEW/NIH/NIAID.

Security classification: None.

System location:

Building 31, Room 1B62, NIH
9000 Rockville Pike
Bethesda, MD 20014

Categories of individuals covered by the system: Panel Members of the U.S.-Japan Cooperative Medical Science Program.

Categories of records in the system: Letters of appointment, curriculum vitae & correspondence.

Authority for maintenance of the system: 42 USC 241(d) 289a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. Used by NIAID staff in administration of program and for preparing correspondence with panel members.

Safeguards: Limited access.

Retention and disposal: Years at NIH: 2.

System manager(s) and address:

Administrative Assistant
Building 31, Room 1B62, NIH
9000 Rockville Pike
Bethesda, MD 20014

Notification procedure: Same as System Manager.

Record access procedures:

Chief, Of. of Research Reporting & Public Response
Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20014

Contesting record procedures: Same as above.

Record source categories: Panel members.

Systems exempted from certain provisions of the act: None.

NIH NCI 0253.00

System name: DCCR Professional Services Contracts. HEW/NIH/NCI.

Security classification: None.

System location:

Blair Building, Room 7A07, NIH
8300 Colesville Road
Silver Spring, MD 20910

Categories of individuals covered by the system: Individuals under contract with the Division of Cancer Control and Rehabilitation.

Categories of records in the system: Professional Services Contracts.

Authority for maintenance of the system: 42 USC 241(d), 281.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. Used by staff for general administrative purposes in compliance with program requirements.

Safeguards: Limited access.

Retention and disposal: Years at NIH: 5.

System manager(s) and address:

Chief, Office of Committee & Review Activities
Blair Building, Room 7A07, NIH
8300 Colesville Road
Silver Spring, MD 20910

Notification procedure: Same as System Manager.

Record access procedures: Same as System Manager.

Contesting record procedures: Same as System Manager.

Record source categories: None specified.

Systems exempted from certain provisions of the act: None.

NIH NCI 0254.00

System name: DCT Professional Services Contracts. HEW/NIH/NCI.

Security classification: None.

System location:

Building 31, Room 6A09, NIH
9000 Rockville Pike
Bethesda, MD 20014

Categories of individuals covered by the system: Individuals under contract with the Division of Cancer Treatment.

Categories of records in the system: Professional Services Contracts.

Authority for maintenance of the system: 42 USC 241(d), 281.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. Used by staff for general administrative purposes in compliance with program requirements.

Safeguards: Limited access.

Retention and disposal: Years at NIH: 5.

System manager(s) and address:

Administrative Officer, DCT
Building 31, Room 3A50, NIH
9000 Rockville Pike
Bethesda, MD 20014

Notification procedure: Same as System Manager.

Record access procedures: Same as System Manager.

Contesting record procedures: Same as System Manager.

Record source categories: None specified.

Systems exempted from certain provisions of the act: None.

NIH NCI 0255.00

System name: OD Professional Services Contracts. HEW/NIH/NCI.

Security classification: None.

System location:

Building 31, Room 3A22, NIH
9000 Rockville Pike
Bethesda, MD 20014

Categories of individuals covered by the system: Individuals under contract with office of the Director, NCI.

Categories of records in the system: Professional Service Contracts.

Authority for maintenance of the system: 42 USC 241(d), 281.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. Used by staff for general administrative purposes in compliance with program requirements.

Safeguards: Limited access.

Retention and disposal: Years at NIH: 5.

System manager(s) and address:

Administrative Officer
Building 31, Room 11A29, NIH
9000 Rockville Pike
Bethesda, MD 20014

Notification procedure: Same as System Manager.

Record access procedures: Same as System Manager.

Contesting record procedures: Same as System Manager.

Record source categories: None specified.

Systems exempted from certain provisions of the act: None.

NIH FIC 0301.00

System name: Grants: Senior International Fellowships Program. DHEW/NIH/FIC.

Security classification: None.

System location:

Bldg. 31,Room 2B58, NIH
9000 Rockville Pike
Bethesda, MD, 20014

Categories of individuals covered by the system: Applicants for Senior International Fellowships.

Categories of records in the system: Employment and education histories, references.

Authority for maintenance of the system: 42 U.S.C. 242 e.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Each fellow's home institution receives a notice of award and funding for the fellowship. Awards are listed annually in NIH International Awards for Biomedical Research and Research Training.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders; magnetic tapes.

Retrievability: These fellowships are available to outstanding faculty members in mid career from U.S. schools of medicine, osteopathy, dentistry, and public health for study abroad. Applications are submitted to DRG, which also performs primary review. FIC performs secondary review and awards fellowships. Necessary information is made available to OFM for payment of awards. Retrievable by name and fellowship number.

Safeguards: Access limited to program personnel.

Retention and disposal: Number of years held at NIH: 1. Number of years held at Federal Records Center before disposal: 5.

System manager(s) and address:

Chief, Scholars & Fellowships Branch
Bldg. 31, Room 2B58
9000 Rockville Pike
Bethesda, Md. 20014

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information obtained from applicants and persons supplying recommendations through DRG.

Systems exempted from certain provisions of the act: None.

NIH DRR 0302.00

System name: Contracts: Administration. DHEW/NIH/DRR.

Security classification: None.

System location:

Building 31, Room 5B-05, NIH
9000 Rockville Pike
Bethesda, MD. 20014

Categories of individuals covered by the system: Principal Investigators, Project Officers, & Contract Specialist.

Categories of records in the system: Contract Management Records.

Authority for maintenance of the system: 42 U.S.C. 241 (g).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be used to respond to congressional inquiries. See also Appendix B of the Departmental Regulations (45CFR, Part 5b), item 2.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Used by DRR staff for management of contracts. Retrieved by name.

Safeguards: Limited access.

Retention and disposal: Number of years held at NIH: 1.

System manager(s) and address:

Executive Officer, DRR
Bldg. 31, Room 5B-05
9000 Rockville Pike
Bethesda, Md. 20014

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual, review panels, audit agency, other Federal contracting agencies.

Systems exempted from certain provisions of the act: None.

The following Notices of Systems of Record have been changed primarily within the paragraph indicated:

System Identification:
Old:
SRS PLS
Federal Parent Locator System HEW SRS
NEW:

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OCSE PLS 1.01

System name: Federal Parent Locator System. HEW OCSE.

Security classification: None.

System location:

Office of Child Support Enforcement
Department of Health, Education, and Welfare
330 C. Street, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Records are maintained on parents being sought for the purpose of enforcing support obligations against such a parent.

Categories of records in the system: Name, Social Security Number, case identification number, local identification number, State originating request, type of case (AFDC or non-AFDC), Federal department sent request, data sent to Federal departments and Federal departments responses.

Authority for maintenance of the system: Public Law 93-647.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The State agency uses the address information provided by the Federal Parent Locator Service to locate absent parents owing support money to their families.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: PLS records are maintained on disk and magnetic tape. The record is defined as a request for address information.

Retrievability: System records can be accessed by either a State assigned case identification number or Social Security Number.

Safeguards: All requests must be certified by the State IV-D Agency that the request is for the purpose of enforcing child support, that information will only be released to State officials and that the information will be safeguarded. All personnel, Federal employees and contractor, are required to take a non-disclosure of information oath. All input documents will be inventoried and accounted for. All inputs and outputs will be stored in a locked receptacle in a locked room. All outputs will be labeled 'For Official Use Only.' Operations control will be vested under a single system manager. Every State using the system will be verified via user ID's. All data files will be protected by passwords. Remote users have 'write only' system access capabilities. They cannot read any master file.

Retention and disposal: Records are maintained active as long as the request remains outstanding. When address information is returned, the request only (no address information) is stored on a history tape.

System manager(s) and address:

Director, Office of Child Support Enforcement
Department of Health, Education, and Welfare
330 C. Street, S.W.
Washington, D.C. 20201

Notification procedure:

Office of Child Support Enforcement
Department of Health, Education, and Welfare
330 C. Street, S.W.
Washington, D.C. 20201
The Social Security Number and the name of the individual should be provided as identifying information.

Record access procedures: Individuals have no access to the system. They must go to the State Child Support Enforcement Agency. If a Statewide locator fails then the State locator service requests information from the Parent Locator Service. Information requests are submitted to:

Federal Parent Locator Service
Office of Child Support Enforcement
330 C. Street S.W.
Washington, D.C. 20201

Contesting record procedures: Same as above.

Record source categories: All information originates from State Parent Locator Services having an Approved State Plan.

System Name:
Old:
Office of Research, Demonstrations and Manpower Resources Project Reviewers. HEW OHD AOA ORD.
New:

OHD AOA ORD 1.01

System name: Manpower Resources Contractual Services for Reviewing and Evaluating ORD-MR Projects HEW OHD AOA ORD.

Security classification: None.

System location:

Room 3139 Donohoe Building
400 - 6th Street, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Professionals with expertise who review and evaluate research, demonstrations and training proposals.

Categories of records in the system: Name, address, and professional background of individual.

Authority for maintenance of the system: Older Americans Act, 1965, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in paper folders in standard file cabinets.

Retrievability: Indexed by name, used by ORDMR staff to select reviews. Folders are available to Division Chiefs responsible for setting up review panels.

Safeguards: Direct access is restricted to authorized ORDMR staff, records are kept in locked file cabinets.

Retention and disposal: The list will be reviewed periodically, prior to establishing review periods. Persons not used will be deleted from files.

System manager(s) and address:

Director, ORDMR Office
Room 3139, Donohoe Building
400 - 6th Street, S.W.
Washington, D.C. 20201

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual and/or professional directories.

Systems exempted from certain provisions of the act: None.

Old:
American College Testing Service National Samples of 1972-73 High School Juniors. HEW E.
New:

E OE EDF 2.01

System name: American College Testing Career Planning Program, Grade 11. HEW E

Security classification: None.

System location:

P.O. Box 168
Iowa City, Iowa 52240
and
111 Prospect Street
New Haven, Connecticut 06520

Categories of individuals covered by the system: Individuals included in 1972-73 American College Testing Career Planning National Sample of High School Juniors.

Categories of records in the system: Name, address, high school attended, education, marital status, labor force status, and college (if any) attended.

Authority for maintenance of the system: Section 417 of the General Education Provisions Act as amended (20 USC 1226c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use 9 in appendix B of the Departmental Regulations (45 CFR 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The data are stored on magnetic tape which is locked in a metal filing cabinet.

Retrievability: Data indexed by name, address, and high school. Data are used by authorized agency personnel in the design and administration of a follow-up survey and in statistical analyses.

Safeguards: Tapes and coded list are kept in a locked room. Access is restricted to authorized personnel only. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: List of names will be kept indefinitely for purposes of future follow-up surveys.

System manager(s) and address:

ACT Follow-up Project Manager
U.S. Office of Education
Room 4079, 400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: Written inquiries must be made to the system manager at the address above and must include the inquirer's name, address, high school attended, dates of previous correspondence (if any) and the system ID number and name.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Information is obtained from questionnaires completed by high school principals and parents. All data are furnished on a voluntary basis.

Systems exempted from certain provisions of the act: None.

Old:
Death and Disability Claims in the Health Professions Student Loan Program. HEW HRA BHM.
New:

HRA BHM 0022.01

System name: Disability Claims in the Health Professions Student Loan Program--HEW/HRA/BHM.

Security classification: None.

System location:

Building 31
9000 Rockville Pike
Bethesda, Maryland 20014

Categories of individuals covered by the system: Applicants for cancellation due to disability - medicine, dentistry, osteopathy, optometry, pharmacy, podiatry, veterinary medicine.

Categories of records in the system: Application and related data, correspondence and payment determinations.

Authority for maintenance of the system: Public Health Service Act Section 741(42 U.S.C. 294a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File - Medical records returned to school for audit purposes.

Retrievability: Determination of validity of claim. Retrievable by name,

Safeguards: Access by authorized personnel only; general building security.

Retention and disposal: Number of years held at HRA: Indefinite.

System manager(s) and address:

Chief
Operations Section
9000 Rockville Pike
Bethesda, Maryland 20014

Notification procedure: Same as above

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Medical records.

Old:
Vital Statistics for all Births, Deaths, Fetal Deaths, Marriages and Divorces Occurring in the United States During Each Year. HEW HRA NCHS.
New:

HRA NCHS 0035.01

System name: Vital Statistics for births, deaths, fetal deaths, marriages and divorces occurring in the United States during each year. HEW/HRA/NCHS.

Security classification: None.

System location:

Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Categories of individuals covered by the system: Individuals who are born and their parents; individuals who die; individuals who are married or divorced; and parents experiencing fetal deaths.

Categories of records in the system: The records include microfilm images of State records or machine-readable data prepared by the State from records collected under the laws of each State for births, deaths, fetal deaths, marriages and divorces. The records contain the demographic characteristics of individuals associated with each event. In addition, the birth records include information on the characteristics of each live birth, the health status of the infant, and socioeconomic characteristics of the parents. The death records contain medical information relating to cause of death and to socioeconomic characteristics of the deceased; the fetal death record contains medical information relating to cause of death and socioeconomic characteristics of the parents. Marriages and divorces include demographic and socioeconomic characteristics of both parties to the event and legal information regarding the event.

Periodically the National Center for Health Statistics conducts followback surveys, collecting information on random samples of births and deaths through mail questionnaires. The followback surveys are designed primarily to expand the scope of data that can be collected from the national registration system, to make the registration system more responsive to changing needs for data, and to evaluate the quality of data collected on the birth and death records. The content of questionnaires for the followback surveys varies. Past surveys have collected information on such topics as hospital utilization in the last year of life, smoking habits of the deceased, health status of infants, and pregnancy and employment histories of mothers.

Authority for maintenance of the system: Public Health Service Act Section 306(b) (42 USC 242 k).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The processed data are disseminated for public use in forms that do not permit identification of individuals, such as published statistical tables, special unpublished tabulations, and public use computer tapes, which carry no individual identifiers. They are used by members of Congress and their staffs, other executive branch agencies, State and city governments, public and private research institutions, life insurance companies, faculty and students of universities, physicians, workers in health information, newspaper reporters and feature writers, etc. The findings are used to make determinations on needs for legislation, appropriations, and programs in the health field; to pinpoint health problems, measure progress of national health programs, and make population estimates; for epidemiological studies, marketing research, sociological studies, and studies of the family; and for other research directed at understanding our society.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are transferred onto magnetic tapes without name and address information and are maintained on magnetic tapes for an indefinite period.

Retrievability: The State file number is assigned to each record on magnetic tape linking it to the original certificate on file in the State vital statistics office. Data from the microfilm copies of certificates of births, deaths, fetal deaths, marriages and divorces submitted by some States are transferred to magnetic tape in coded form (without names or addresses) and are merged with the machine-readable data tapes furnished by States providing data through the Cooperative Health Statistics System. The tape is used for statistical purposes only. These uses include the preparation of aggregated data in the form of statistical tables for publication, analysis, and interpretation, to meet the legislative mandates of Public Law 93-353, i.e., to determine the extent and nature of illness and disability of the population of the U.S., including life expectancy and levels of infant and maternal mortality, environmental and other health hazards, trends in family formation, growth, and dissolution, and other related matters. Users consist of health planners, statisticians, epidemiologists, demographers, and others concerned with the problems of health, health care, and health hazards.

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Safeguards: All employees of NCHS, as a condition of employment, sign an affidavit binding them to nondisclosure of identifiable individual information. Only employees of NCHS or employees of contractors who have signed similar affidavits are permitted access to the magnetic tapes containing the certificate numbers or to the files containing the microfilm copies of the certificates. The certificate numbers of the individual records and the geographic code identification of cities with less than 250,000 population are removed before the data tapes are released for public use. No identifying number appears on the public use tape that would link a record on that tape to any individual, to the NCHS master tape, to the microfilm file, or to the original certificate on the State vital statistics office.

Retention and disposal: The microfilm copies of the records are retained in office files of NCHS until the process of conversion to magnetic tape and verification of information is completed. The death records are sent to the Federal Records Center ten years after tabulation for deaths occurring during the three-year period surrounding census years and one year after tabulation for other years. They are held until disposed of, 15 years after tabulation for deaths of the censal years, and five years after tabulation for other years. Records of births, fetal deaths, marriages, and divorces are disposed of two years after tabulation. The questionnaires for the followback surveys are destroyed after conversion to magnetic tape, tabulation, and analyses have been completed.

System manager(s) and address:

Director
National Center for Health Statistics, HRA
5600 Fishers Lane
Rockville, Maryland 20852

Notification procedure: None.

Record access procedures: None.

Contesting record procedures: None.

Record source categories: None.

Systems exempted from certain provisions of the act: With respect to this system of records, exemption has been granted from the requirements contained in subsections 552a(c)(3), (d), (e)(4)(G), (H), and (I) and (f), in accordance with the provision of subsection 552a(k)(4) of the Privacy Act of 1974. The reason that the system has been exempted is that this system contains only records required by statute to be maintained and used solely as statistical records.

Security classification:

E NIE EWG 01.01

System name: Pilot Test of Occupational Exploration Program--HEW E.

Security classification: None.

System location:

1960 Keaney Road
Columbus, Ohio 43221

Categories of individuals covered by the system: Students and teachers, grades 7, 8, 9, participating in pilot test of Occupational Exploration Program.

Categories of records in the system: Age; sex; grade level; survey of interests; information test scores; opinions about the program.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for services and analysis of records by authorized personnel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained on cards in standard filing containers.

Retrievability: Records are indexed by assigned I.D. number and are used for monitoring progress of project/product development and for research development and evaluation of educational program.

Safeguards: Building security personnel screening limits access to authorized personnel only. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Records kept for two years after end of project.

System manager(s) and address:

Associate Director for Education and Work
National Institute of Education
Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager, address above, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Self-reported information from teachers and students.

Systems exempted from certain provisions of the act: None.

System Location:

OS ASPE 6.01

System name: Seattle/Denver Income Maintenance Experiments. HEW/OS/ASPE

Security classification: None.

System location:

Stanford Research Institute
333 Ravenswood Avenue
Menlo Park, California 94025

Seattle Project Office
Stanford Research Institute
660 Dextor Horton Building
710 Second Avenue
Seattle, Washington 98104

Denver Project Office
Stanford Research Institute
Room 210, Patterson Building
555 17th Street
Denver, Colorado 80202

Mathematica, Inc.
Princeton Station Office Park
P.O. Box 2392
Princeton, New Jersey 08540

Mathmatica,Inc.
Lowman Building
107 Cherry Street
Seattle, Washington 98104

Mathmatica, Inc.
1755 Glenarn Place
Room 100
Denver, Colorado 80202

Seattle Community College
United Pacific Building
1000 Second Avenue
Seattle, Washington 98104

Denver Community College
First Floor, Room 120
1115 Broadway
Denver, Colorado 80203

Categories of individuals covered by the system: Low and middle income families and individuals participating in the Seattle/Denver Income Maintenance Experiments. In addition a sample of suppliers of day care in Seattle and Denver.

Categories of records in the system: Family information includes demographic characteristics, education and training, family composition, expenditure patterns, assets and debts, leisure time activities, labor force participation, job history and employment patterns, income, and benefit records, residential mobility, fertility, health, day care, social participation, time horizons and planning, housing, attitudes toward work, and a variety of other aspects of life such as famil life, government and welfare. For suppliers of day care, the information included in the files consist of characteristics and cost of services supplied.

Authority for maintenance of the system: Social Security Act, Section 1110.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Stanford Research Institute and its subcontractors: Certain records are used for administration of the experiment and to determine eligibility. Program administration data in individually identifable form is also used in conjunction with data derived from questionnaires and interviews in order to undertake analysis of individual and family responses to income maintenance and manpower programs and in the conduct of other social science research. Day care information is used to analyze the characteristics and supply of alternative forms of day care. Records without individual identifiers are used for the statistical analysis of individual and family responses to the experiment. Individually identifiable records are used only for program administration or to correct or verify errors or suspected errors in statistical work tapes. Records are transferred between the research contractors Stanford Research Institute (and its subcontractors) Mathematica, Incorporated and the Seattle and Denver Community Colleges, for the purpose of carrying out the research and operational tasks of the experiment.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records with individually identifiable information include personal interview forms, self-administered interview forms and the participant's administrative file. In addition to the paper copy of these records, the information contained therein has been transferred to magnetic tape.

Retrievability: Information listed above under storage is retrievable by name and address of the individual and family, by Social Security Number and by the assigned control number. Assistant Secretary for Planning and Evaluation: A copy of the master data tape with analytic identifiers only will be transferred to the office of the Assistant Secretary for Planning and Evaluation

Safeguards: All individually identifiable source documents (e.g., questionnaires) and data files are stored in physically secure areas with access controlled by a senior research staff member, who is authorized to permit access for routine uses (e.g., verification or correction of records in the statistical analysis files). Access to individually identifiable records is limited to contractor personnel carrying out the experiment and to DHEW project monitoring staff.

Retention and disposal: All personally identifiable information will be maintained for the life of the experiment and for a period thereafter that is necessary to verify the accuracy of the data. When verification is complete, all individual identifiers will be removed from the data files.

System manager(s) and address:

Assistant Secretary for Planning and Evaluation
U.S. Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Project Officer:
Director, office of Income Security Policy
Office of the Assistant Secretary for Planning and Evaluation
U.S. Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Individuals requesting notice as to whether the system of records contains information pertaining to them should write to the project officer (see above) indicating his or her name(s), current address as well as names and addresses used from January 1, 1970 to the present.

Record access procedures: Individuals who have established that the system of records contains information relating to them, may inspect and copy those records at the contractor's site offices in Seattle or Denver. An individual who wishes to inspect such records should submit a written request to the project officer indicating his or her desire to inspect and or copy the records.

Contesting record procedures: Through the project officer (see above).

Record source categories: Information contained in the system or records was obtained through personal interviews conducted by Mathematica, Inc. and by the Seattle and Denver Community Colleges, and from self-administered forms provided and collected by Mathematica Inc. In addition certain information on the individual participants was collected from records of the Internal Revenue Service, and from Washington and Colorado State and local welfare, employment and housing agencies.

NIH OD 0300.01

System name: Grants: Research, Research Training, Fellowship and Construction Applications and Awards. HEW/NIH/OD.

Security classification: None.

System location: See Appendix I.

Categories of individuals covered by the system: Grant applicants and Grantees, and Reviewers.

Categories of records in the system: Grant Applications and review history, awards, financial records and progress reports and correspondence.

Authority for maintenance of the system: 42 USC 241(c), (d), 276, 281, 287, 288, 289(a), (d), (e), (i), 289(k-2) 58 Stat. 691 (repealed).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information sent to Science Information Exchange for dissemination of science info; to Cognizant Audit Agency & GAO for auditing; to Dept. of Justice as required for litigation; to Professional, Scientific Organizations; Individuals Educational Institution; for dissemination of information and used to respond to Congressional Inquiries. See also Appendix B of the Departmental Regulations (45 CFR, Part 5b) items 9, 101, 102.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders, on computer tapes and discs, cards and in notebooks.

Retrievability: Retrieved by name and grant number. Use: By staff for review, award, and administration, of grants.

Safeguards: Access limited to authorized personnel.

Retention and disposal: Years at NIH: 1 year after close out except for Construction Grants which are retained for 3 years after close-out. Years at FRC: 5 years except for National Research Service Awards, 9 years and Construction Awards, 12 years.

System manager(s) and address: See Appendix II.

Notification procedure: See Appendix III.

Record access procedures: See Appendix IV.

Contesting record procedures: Same as System Manager.

Record source categories: Information submitted by applicant, supplemented by outside reviewers and internal staff.

Systems exempted from certain provisions of the act: None.

Appendix I System Location

National Cancer Institute
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 837, 10A15, 8A18, 805, 855, 809, 848

National Heart and Lung Institute
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 5A15

National Library of Medicine
Federal Building
7550 Rockville Pike
Bethesda, MD 20014
Room 916A

National Institute of Allergy and Infectious Diseases
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 722

National Institute of Arthritis, Metabolism, and Digestive Diseases
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 621

National Institute of Child Health and Human Development
Landow Building

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7910 Woodmont Avenue
Bethesda, MD 20014
Room A621

National Institute on Aging
Landow Building
7910 Woodmont Avenue
Bethesda, MD 20014
Room A621

National Institute of Dental Research
Westwood Building
5333 Westbard AVenue
Bethesda, MD 20016
Room 510

National Institute of Environmental Health Sciences
Building 12
Research Triangle Park, North Carolina 27709
Room 1213

National Institute of General Medical Sciences
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 938

National Institute of Neurological and Communicative Disorders and Stroke
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 748

National Eye Institute
Building 31
9000 Rockville Pike
Bethesda, MD 20014
Room 6A47

Division of Research Resources
Building 31
9000 Rockville Pike
Bethesda, MD 20014
Room 5B05

Regional Federal Records Center

Appendix II System Manager and Address

National Cancer Institute

Chief, Program Analysis & Evaluation Branch
Room 837, Westwood Building

Fellowships Officer (Fellowship and Research Career Awards)
Room 10A15, Westwood Building

Chief, Grants Administration Branch
Room 8A18, Westwood Building

Grants Technical Assistant (Institutional Research Fellowships)
Room 805, 855, Westwood Building

Referral Officer (Applications Referrals, Site Visits and Conference Grants)
Room 809, Westwood Building

Program Director for Review Activities
Room 805, Westwood Building

Executive Secretary, DCRRC (Center Grant Application)
Room 809, Westwood Building

Associate Director for Research Programs
Room 848, Westwood Building

Review Activities Program Director (Research Grant Applications)
Room 809, Westwood Building

National Heart and Lung Institute
Administrative Officer, DEA
Room 5A15, Westwood Building

National Library of Medicine
Associate Director for Extramural Programs
Room 816A, Federal Building

National Institute of Allergy and Infectious Diseases
Administrative Officer, NIAID
Room 707, Westwood Building

National Institute of Arthritis, Metabolism, and Digestive Diseases
Technical Information Specialist
Room 726A, Westwood Building

National Institute of Child Health and Human Development
Chief, Office of Grants & Contracts
Room A621, Landow Building

National Institute on Aging
Grants Management Officer
Room A621, Landow Building

National Institute of Dental Research
Grants Management Officer, NIDR
Room 510, Westwood Building

National Institute of Environmental Health Sciences
Grants Management Officer
Room 1213, Building 12

National Institute of General Medical Sciences
Grants Management Officer, NIGMS
Room 938, Westwood Building

National Institute of Neurological and Communicative Disorders and Stroke
Grants Officer, Extramural Programs
Room 738, Westwood Building

National Eye Institute
Ass. Dir. for Extramural & Collaborative Programs
Room 6A04, Building 31

Division of Research Resources
Executive Officer, DRR
Room 5B05, Building 31

Appendix III Notification Procedures

National Cancer Institute
Chief, Grants Administration Branch
Room 8A18, Westwood Building

National Heart and Lung Institute
Privacy Act Coordinator, NHLI
Room 5A50, Building 31

National Library of Medicine
See Appendix II.

National Institute of Allergy and Infectious Diseases
See Appendix II.

National Institute of Arthritis, Metabolism, and Digestive Diseases
Administrative Assistant
Room 9A35, Building 31

National Institute of Child Health and Human Development
See Appendix II.

National Institute on Aging
See Appendix II.

National Institute of Dental Research
See Appendix II.

National Institute of Environmental Health Sciences
See Appendix II.

National Institute of General Medical Sciences
See Appendix II.

National Institute of Neurological and Communicative Disorders and Stroke
See Appendix II.

National Eye Institute
See Appendix II.

Division of Research Resources
See Appendix II.

Appendix IV Record Access Procedures

National Cancer Institute
Chief, Grants Administration Branch
Room 8A18, Westwood Building

National Heart and Lung Institute
See Appendix III.

National Library of Medicine
See Appendix II.

National Institute of Allergy and Infectious Diseases
Chief, Of. of Research Reporting & Public Response
Room 7A32, Building 31

National Institute of Arthritis, Metabolism, and Digestive Diseases
See Appendix III.

National Institute of Child Health and Human Development
See Appendix II.

National Institute on Aging
See Appendix II.

National Institute of Dental Research
Personnel Officer, NIDR
Room 2C23, Building 31

National Institute of Environmental Health Sciences
See Appendix II.

National Institute of General Medical Sciences
Research Reports Officer
Room 909, Westwood Building

National Institute of Neurological and Communicative Disorders and Stroke
Head, Administration Mgmt. Section
Room 8A47, Building 31

National Eye Institute
Administrative Officer
Room 6A31, Building 31

Division of Research Resources
See Appendix II.

Categories of individuals covered by the system:

E ASE NC 231.81

System name: Operation Follow-Up, The National Longitudinal Study of the High School Class of 1972. HEW E.

Security classification: None.

System location:

P.O. Box 12194
Research Triangle Park, North Carolina 27709

Room G-721, HEW North
330 Independence Avenue, SW
Washington, D.C. 20201

Room 3066, 400 Maryland Avenue, SW
Washington, D.C. 20202

Categories of individuals covered by the system: Members of the High school Class of 1972 who volunteered to participate in the National Longitudinal Study. Respondents have completed survey forms as high school seniors and on several occasions since their graduation from high school.

Categories of records in the system: Name, address, high school, family income, employment history, postsecondary education, aspirations, career plans and other data, updated periodically over the last four years.

Authority for maintenance of the system: 20 U.S.C. 1221e-1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Released to contractors for data gathering, processing, and analysis.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored on computer tapes and disks, microfilm, and paper files.

Retrievability: Data are stored by 6 digit code assigned by NCES. In order to retrieve data by identifier, three different tapes must be used. These are three physically separate files which may only be used by the authorized agency or contractor personnel. Individual identifiers are associated with data only for purposes of data gathering, matching new data with old, establishing sample composition, and authenticating data collections or obtaining missing data. Data are collected for statistical purposes only, and not for the determination of any individual's benefits or entitlements.

Safeguards: The microfilm is stored under locked file. The tapes must be used in conjunction with a program to decrypt names and addresses. There is restricted access to computer facilities and information. Computer tapes not found at the computation facility are kept in locked storage. Data are available to authorized agency and contractual personnel. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Identifiers will be kept until completion of the last survey.

System manager(s) and address:

Project Director
National Longitudinal Study of the High School Class of 1972
Room 3066, POB-6
400 Maryland Avenue, SW,
Washington, D.C. 20202

Notification procedure: System Manager (see above) will respond to inquirers. Persons making the requests should state their full name, 6 digit NLS ID number, address, high school attended, and the name of system.

Record access procedures: Same as above.

Contesting record procedures: Contact System Manager.

Record source categories: Data were collected voluntarily from individuals through questionnaires and personal interviews. Additional data were collected from high school records.

Systems exempted from certain provisions of the act: None.

E ASE NC 232.81

System name: Concept 71, The National Longitudinal Study of the High School Class of 1972. HEW E.

Security classification: None.

System location:

P.O. Box 12194
Research Triangle Park, North Carolina 27709

Room G-721, HEW North
330 Independence Avenue, SW
Washington, D.C. 20201

Room 3066, 400 Maryland Avenue, SW
Washington, D.C. 20202

Categories of individuals covered by the system: Members of the High School Class of 1971 who volunteered to participate in the National Longitudinal Study. Respondents have completed survey forms as high school seniors and on several occasions since their graduation from high school.

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Categories of records in the system: Name, address, social security number, high school, family income, employment history, post-secondary education, aspirations, career plans and other data, updated periodically over the last four years.

Authority for maintenance of the system: 20 U.S.C. 1221e-1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Released to contractors for data gathering, processing, and analysis.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored on computer tapes and disks, microfilm, and paper files.

Retrievability: Data are stored by 6 digit code assigned by NCES. In order to retrieve data by identifier, three different tapes must be used. These are three physically separate files which may be used only by the authorized agency or contractor personnel. Individual identifiers are associated with data only for purposes of data gathering, matching new data with old, establishing sample composition, and authenticating data collections or obtaining missing data. Data are collected for statistical purposes only, and not for the determination of any individual's benefits or entitlements.

Safeguards: The microfilm is stored under locked file. The tapes must be used in conjunction with a program to decrypt names and addresses. There is restricted access to computer facilities and information. Computer tapes not found at the computation facility are kept in locked storage. Data are available only to authorized agency and contractual personnel. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Identifiers will be kept until completion of the last survey.

System manager(s) and address:

Project Director
National Longitudinal Study of the High School Class of 1972
Room 3066, FOB-6
400 Maryland Avenue, SW
Washington, D.C. 20202

Notification procedure: System Manager (see above) will respond to inquirers. Persons making the requests should state their full name, 6 digit NLS ID number, address, high school attended, and the name of system.

Record access procedures: Same as above.

Contesting record procedures: Contact System Manager.

Record source categories: Data were collected voluntarily from individuals through questionnaires and personal interviews. Additional data were collected from high school records.

Systems exempted from certain provisions of the act: None.

E OE EDA 2

System name: Teacher Corps Corpsmember Profile. HEW E.

Security classification: None.

System location:

Room 4031, FOB06
400 Maryland Avenue SW
Washington, D.C. 20202

Categories of individuals covered by the system: People selected by local panels to be interns and team leaders in Teacher Corps projects.

Categories of records in the system: A profile sheet from each project grantee is maintained which lists each selectee by name and includes for each basic demographic data such as age, marital status, dependents, educational level, etc.

Authority for maintenance of the system: 20 U.S. Code, Sections 1101 through 1107a, especially Section 1103 which defines criteria for membership in Teacher Corps.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To Teacher Corps projects who may be considering accepting the member on transfer. To State Departments of Education who may be verifying data when the member is under consideration for teacher certification. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The profile sheets are kept in a file cabinet.

Retrievability: Names of members are arranged alphabetically on sheets which are filed alphabetically by state. National office staff review the data to ascertain if local selections of corpsmembers meet federal criteria for membership and conform to the recruitment goals of the local project. The data on corpsmembers may also be referred to by national staff if local project officials request assistance in dealing with questions or problems relating to corpsmembers.

Safeguards: Direct access is limited to Teacher Corps staff. Access to room in which file cabinet is maintained is limited during non-working hours to those with keys to the room. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: The profile sheets are held for the two year length of a Teacher Corps project and for two years beyond that; a total of four years. Disposal is through regular refuse services.

System manager(s) and address:

Chief, Management Branch, Teacher Corps
U.S. Office of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Notification procedure: System manager (see above) will respond to inquiries. Requesters should indicate their name and address; the name of the Teacher Corps project in which they were enrolled as a corpsmember and the date of that enrollment.

Record access procedures: See above.

Contesting record procedures: See above.

Record source categories: Teacher Corps project grantee secures the data from the corpsmember through application forms and interviews.

Categories of records in the system:

OS ASAM PT 03.02

System name: Conflict of Interest Records System. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel Offices of the Department (See Applicants for Employment Records, HEW System 1) or levels of approving officials to be identified by those Personnel Offices.

Categories of individuals covered by the system: Incumbents of Department positions the duties of which are of such a nature that incumbent's financial interests, debts, ownership of real property or outside employment may come in conflict with the incumbent's official duties.

Categories of records in the system: The Conflict of Interest Records System consists of a variety of records relating to an employee's financial interest, conduct and outside activities. In addition to the name of the employee, SSN, position title, grade, salary, pay plan, and employing organization, the system includes information about outside employment and financial interests, creditors, interests in real property, outside compensation and related information.

Authority for maintenance of the system: Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used: a) by the Civil Service Commission in carrying out its functions; b) In accordance with Appendix B of the Departmental regulations (45 CFR Part 5b), Item 1.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Conflict of Interest Records are maintained in file folders.

Retrievability: Records are retrievable by name. They are used for the purpose of determining whether an employee's financial interest, conduct or outside activities is in conflict with the employee's duties as a Federal official. They also may be used for production of summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for other purposes compatible with the intent for which the records system was created.

Safeguards: These records are treated as Personnel-Confidential and made available only to persons specifically authorized to receive them.

Retention and disposal: Information in this records system is disposed of 2 years after the employee leaves a position in which a

statement is required or two years after the employee leaves the Department, whichever is earlier, in the case of regular employees. Information for consultants is disposed of five years after termination of consulting services.

System manager(s) and address: Personnel Office of the Department shown in Appendix 1 to Applicants for Employment Record, HEW System 1.

Notification procedure: For incumbents who are in position under the Executive Schedule; Office of the Secretary Staff Office Heads; or Regional Directors:

Deputy Assistant Secretary for Personnel and Training
Office of Personnel and Training
Department of Health, Education, and Welfare
330 Independence Avenue, S. W.
Washington, D. C. 20201

For incumbents of other positions included in this records system, the Personnel Officer shown in Appendix 1 to Applicants for Employment Records, HEW System OS-ASAM-PT-1, who services the organizational units in which the individual is employed. The individual should indicate name, position title, grade and series, and organization in which located.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by Department officials or other persons such as trustee, attorney, accountant, relative.

E OE EDH 101.01

System name: Interpreters of the Deaf, National Advisory Committee on the Handicapped. HEW E.

Security classification: None.

System location:

Room 2604 ROB 3
7th and D Streets, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Interpreters of the Deaf used by the National Advisory Committee on the Handicapped (NACH) and the National Advisory Committee on Education of the Deaf or might be used by the NACH.

Categories of records in the system: Name, address, social security number (for pay purposes), phone number, correspondence, background information, requisition of services.

Authority for maintenance of the system: Section 12(b) of the Federal Advisory Committee Act (P.L. 92-463).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: System is maintained in paper files and stored in file cabinet.

Retrievability: This system is accessed by area of expertise and then by name. The NACH staff uses this system to obtain the necessary interpreters for the deaf person(s) on the NACH while attending NACH meetings or representing NACH.

Safeguards: System is available only to Bureau or NACH staff briefed on use of system. 'Exception: Subject to disclosure requirements of Privacy Act.'

Retention and disposal: Continuing records, updated periodically.

System manager(s) and address:

Executive Secretary
National Advisory Committee on the Handicapped
Bureau of Education for the Handicapped
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: System manager (see above) will respond to inquiries. Requestor should provide name, address, system I.D. and system name.

Record access procedures: Contact System Manager.

Contesting record procedures: Contact System Manager.

Record source categories: Individual data subject himself (interview by phone) and by other interpreters of the deaf.

Systems exempted from certain provisions of the act: None.

SSA HI 0375.01

System name: Supplementary Medical Insurance Premiums (Buy-In) Master Record--HEW SSA.

Security classification: None.

System location:

Bureau of Data Processing
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Health insurance beneficiaries whose supplementary medical insurance benefit and/or hospital insurance benefit premiums are paid by a third-party: a State welfare agency, the Civil Service Commission, or a private organization.

Categories of records in the system: Beneficiary's name, health insurance claim number, date of birth, sex, amount of premium liability, date agency first became liable for HIB (Health Insurance Benefit) or SMIB (Supplemental Medical Insurance Benefit) premiums, last month of agency premium liability, agency identification numbers, Civil Service annuity number for Civil Service Commission recipients.

Authority for maintenance of the system: Sections 1840(d) and 1843 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Group paying organizations submit listings, punched cards, or taped records each month to the Bureau of Data Processing, Social Security Administration, adding or deleting individuals covered under the agreement. Where the individual is entitled to Medicare and becomes entitled to supplemental security income benefits, the Social Security Administration, for several States, automatically adds the record to State buy-in rolls. The Third-Party Master file is updated monthly. Incoming records are screened for eligibility against the Health Insurance Master Record or the Master Beneficiary Record and then passed to the third-party premium billing operation. Agency billing transactions are exchanged by either magnetic tape, teleprocessing, listings, or punchcards. Notices are also generated and mailed to beneficiaries to inform them of the effective date of the payment by the third-party organization. Remittances from third-party payers are mailed to the Bureau of Data Processing and are handled manually. The third-party system also annotates (directly or indirectly) the Railroad Retirement Board records and the supplementary security income records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, microfilm.

Retrievability: The system is indexed by health insurance claim number.

Safeguards: Only authorized personnel have direct access to information in the third-Party Master Record. In addition, all personnel are advised that this information is confidential.

Retention and disposal: Tape records are retained for 90 days, filed for 1 year, then erased. Correspondence files are retained for 1 year, then discarded. Monthly microfilm records are destroyed after 1 year.

System manager(s) and address:

Director, Bureau of Health Insurance
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for system records should be addressed to Social Security Administration, Bureau of Health Insurance, Division of Systems, Beneficiary Procedures Branch, Baltimore, Maryland 21235. The individual should furnish his or her health insurance claim number and name as shown on social security records.

Record access procedures: The individual can obtain information on the procedures for gaining access to records from the most convenient social security office or from the Social Security Administration, Bureau of Health Insurance, Division of Systems, Beneficiary Procedures Branch, Baltimore, Md. 21235.

Contesting record procedures: Same as Access.

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Record source categories: The identifying information contained in these records is obtained from third-party agencies, the Master Beneficiary Recorde and the Health Insurance Master Record.

Authority for maintenance of the system:

OS ASAM DOSP 1.01

System name: Employee Housing Service. HEW/OS/ASAM/DOSP

Security classification: None.

System location:

Employee Relations Branch
Room 1528, HEW North Building
330 Independence Avenue, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: HEW employees in the southwest area of Washington.

Categories of records in the system: This system consists of a variety of records relating to employees who have requested assistance with housing problems. These records may contain information about an individual relating to name; birth date; home address; telephone number; social security number; place of employment; marital status; number of children in the family; income; and other information which may relate to past and present housing and living situation.

Authority for maintenance of the system: 5 USC 1302; 5 USC 4118; 5 USC 4308; 5 USC 4506; Executive Order 10561.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by any combination of name, property location, type of case, or other suitable identification. Information in these records is used to assist employees in locating new housing, in resolving problems they may have with landlords, or in other situations which relate to their abode.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal: Retained during the period of employment of the individual. Destroyed when an individual resigns, transfers, or is separated from the Federal Service.

System manager(s) and address:

Chief, Employee Relations Branch
Room 1528, HEW North Building
330 Independence Avenue, S. W.
Washington, D. C. 20201

Notification procedure: For information concerning the existence of and access to records pertaining to them, individuals should contact: Systems Manager listed above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records either comes from the individual to whom it applies, is derived from information he supplied, or is provided by other Government agencies, community services, or real estate firms.

OS ASAM FE 1.01

System name: Departmental Parking Control Policy. HEW/OS/ASAM/FE

Security classification: None.

System location:

Director, Office of Facilities Engineering and Property Management
Room 3025 North Building
DHEW/Office of the Secretary
330 Independence Ave., S.W.
Washington, D.C. 20201
Offices of Manager for Parking Control at DHEW facilities where DHEW parking is provided.

Categories of individuals covered by the system: All DHEW employees as well as any carpool member utilizing DHEW parking facilities.

Categories of records in the system: This system includes the following information on all persons applying for a parking permit: Name, office room number, office phone number, agency, home address, and automobile license number.

Authority for maintenance of the system: 63 Stat. 377;41 CFR 101-20.111

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored in binders in file cabinets.

Retrievability: Records are filed alphabetically. The purpose of the Departmental Parking Policy is to provide standards for apportionment and assignment of parking spaces on Department-managed and Department-controlled property and on property assigned to the Department by GSA or any other Agency and to allocate and check parking spaces assigned to government vehicles, visitors, handicapped personnel, key personnel, car-pools, and others.

Safeguards: Access to and use of these records are limited to personnel whose official duties require such access.

Retention and disposal: Superseded policy materials are maintained by the Director, Office of Facilities Engineering and Property Management for historical purposes; Records at other DHEW locations are maintained until the Parking Control purpose has been met, and the records are then destroyed.

System manager(s) and address:

Director, Office of Facilities Engineering and Property Management
Room 3025 North Building
DHEW/Office of the Secretary
330 Independence Avenue, S.W.
Washington, D. C. 20201

Notification procedure: Access to these records may be obtained by request in writing to:

Office of Manager for Parking Control at DHEW facility where DHEW parking is provided.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system comes from reports from OS Staff, POC's and Regions, GSA-Federal Management circulars and Federal Property Management Regulations.

Systems exempted from certain provisions of the act: None.

E OE EDP 14.01

System name: Readers for Higher Education Personnel Training Programs.

Security classification: None.

System location:

Room 4674, G.S.A. Regional Office Bldg. 03
7th & D Sts., S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Readers actually used and prospective readers.

Categories of records in the system: Records include names of readers, address, position, university or other affiliation, reimbursement information, and general correspondence.

Authority for maintenance of the system: Title V, Part E of the Higher Education Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the routine uses set forth in Appendix B of 45CFR Part b5. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy in standard file cabinet.

Retrievability: Records are accessed by individual name by program officials for purposes of selecting, appointing and corresponding with readers.

Safeguards: Only program officials are authorized to have access to files. Exception: Subject to the disclosure requirements of Privacy Act.

Retention and disposal: The file is a revolving one. Names are added continually and deleted at periodic intervals as individuals express no interest in being retained for this purpose.

System manager(s) and address:

Director, Division of Training and Facilities
Bureau of Postsecondary Education, USOE
400 Maryland Avenue
Washington, D.C. 20202

Notification procedure: Contact system manager.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Reader lists are derived from individuals themselves, colleagues in the field, and from associations. Information on readers selected comes directly from the readers.

Systems exempted from certain provisions of the act: None.

ADAMHA OA 0031.01

System name: Record of Visiting Fellows - HEW/ADAMHA/OA.

Security classification: None.

System location:

Alcohol, Drug Abuse, and Mental Health Administration
Division of Personnel Management
5600 Fishers Lane, Parklawn Building
Rockville, Md. 20852

Categories of individuals covered by the system: Individuals undergoing training - not employees.

Categories of records in the system: Personal information including name, address, date and place of birth, education, qualifications for training.

Authority for maintenance of the system: 42 USC 241 and 42 U.S.C. 4821-1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: CSC for program evaluation purposes; GAO for fund disbursement determinations.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. Records are used to refer candidates to selecting officials and to locate Fellow after placement.

Safeguards: Kept in locked file accessible only to authorized individuals.

Retention and disposal: Retained for three years after completion of fellowship.

System manager(s) and address:

Director
Division of Personnel Management, ADAMHA
5600 Fishers Lane
Rockville, Md. 20852

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Fellowship applicant.

Systems exempted from certain provisions of the act: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

OS ASAM FERPA 1.01

System name: Family Educational Rights and Privacy Act–School Recordkeeping Practices Correspondence and Complaint System. HEW/OS/ASAM/FERPA.

Security classification: None.

System location:

Room 5643 North Building
330 Independence Avenue, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Individuals who have made inquiries or who have filed complaints alleging violations of the provisions of the Family Educational Rights and Privacy Act of 1974; and those who have commented to the Department on its proposed rules and practices.

Categories of records in the system: Name and address of individuals submitting correspondence, responses and exchanges of material associated with investigations of complaints.

Authority for maintenance of the system: The Family Educational Rights and Privacy Act of 1974 (20 USC 123g(g)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To members of Congress who inquire on behalf of a constituent; to an educational agency or institution against which a complaint has been made. See Appendix B of Departmental Regulations, (45 CFR Part 5b), Items: 01,3,8, 100.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets.

Retrievability: For the most part records are indexed by name of individual signing incoming correspondence; when indexed chronologically, or by organization, they are cross-indexed by name of individual signer. Records are available to FERPA staff involved in correspondence and investigative processes, including members of the Office of General Counsel. Occasionally, personnel with special expertise in other program areas may be given records for the purpose of assisting FERPA staff in resolution of issues.

Safeguards: Direct access is restricted to authorized FERPA staff; access to room in which file cabinets are maintained is limited during non-working hours to those with keys to room.

Retention and disposal: Inquiry records are maintained three years; complaint and investigative records are maintained five years past date of case closing.

System manager(s) and address:

Head, FERPA Office
Room 5643, North Building
330 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for complaint/investigative material, name and any I.D. number assigned. Address is same as above.

Record access procedures: Same as Above.

Contesting record procedures: Same as Above.

Record source categories: Incoming correspondence, responses and material obtained during course of any investigation.

Systems exempted from certain provisions of the act: None.

OS ASAM IS 1.01

System name: Investigatory Material Compiled for Security and Suitability Purposes System, HEW/OS/ASAM/IS

Security classification: None for the system; however, a portion of the records within the system are classified at the level of Confidential, Secret, and Top Secret.

System location:

Office of Investigations and Security
Room 4524, North Building
U.S. Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201
Regional Federal Record Center

Categories of individuals covered by the system: Applicants, employees, former employees and others doing business with the Department.

Categories of records in the system: Security investigations case index card file.

Authority for maintenance of the system: Executive Orders 10450 and 11652.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix B Departmental Regulations (45 CFR Part 5b) Items 1,4,5.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in security type safes or lock bar file cabinets with manipulation proof combination locks.

Retrievability: The records are alphabetically indexed by name and date of birth of the individual subject of the file or by organization in the case of some grant or contract cases. Access within HEW is limited to the Secretary, the Under Secretary, and on a need-to-know basis other officials having the program management responsibility.

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Safeguards: Direct access is restricted to authorized Office of Investigations and Security staff. Access to the safes in which the records are stored is limited to those Office of Investigations and Security employees with appropriate security clearances and the lock combination.

Retention and disposal: Security investigative records on individuals who occupy sensitive positions are maintained during the term of their employment. Other security investigative records are maintained for three to five years after which the records are retired to the Federal Records Center.

System manager(s) and address:

Director, Office of Investigations and Security
Room 4524, North Building
U.S. Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: System Manager; for general inquiries, name, date of birth, and employment or other affiliation with the Department.

Record access procedures: Contact Systems Manager.

Contesting record procedures: Contact Systems Manager.

Record source categories: Federal, state or local agencies maintaining civil, criminal, suitability, or other relevant enforcement information or other pertinent information, correspondence and material or data obtained during the course of the conduct of the investigations.

Systems exempted from certain provisions of the act: Specific exemptions (k) (5) for investigatory material compiled for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment from subsections (c)(3), (d), (e)(1), (e)(4), (G), (H), (I), and (F). Reference the Federal Register Vol.40, No. 173,9-5-75, pg. 41141.

OS ASAM IS 2.01

System name: Investigatory Material Compiled for Law Enforcement Purposes System, HEW/OS/ASAM/IS

Security classification: None.

System location:

Office of Investigations and Security
Room 4524, North Building
U.S. Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Employees, former employees, grantees, subgrantees, contractors, subcontractors, and others doing business with the Department.

Categories of records in the system: Criminal investigations case index card file.

Authority for maintenance of the system: Title 28 U.S.C. 535(b); Title 18 U.S.C.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,4,5.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in security type safes or lock bar file cabinets with manipulation proof combination locks.

Retrievability: The records are alphabetically indexed by name and date of birth of the individual subject of the file or by organization in the case of some grant or contract cases. Access within HEW is limited to the Secretary, the Under Secretary, and on a need-to-know basis other officials having the program management responsibility.

Safeguards: Direct access is restricted to authorized Office of Investigations and Security staff. Access to the safes in which the records are stored is limited to those Office of Investigations and Security employees with appropriate security clearances and the lock combination.

Retention and disposal: Investigative records compiled for law enforcement purposes are maintained for five years after all prosecutive and administrative action is completed.

System manager(s) and address:

Director, Office of Investigations and Security
Room 4524, North Building
U.S. Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: System Manager; for general inquiries, name, date of birth, and employment or other affiliation with the Department.

Record access procedures: Contact Systems Manager.

Contesting record procedures: Contact Systems Manager.

Record source categories: Federal, state or local agencies maintaining civil, criminal, suitability, or other relevant enforcement information or other pertinent information, correspondence and material or data obtained during the course of the conduct of the investigations.

Systems exempted from certain provisions of the act: General exemption (j) (2) records maintained of information compiled for the purpose of a criminal investigation including reports of informants and investigators associated with an identifiable individual, from all subsections of the Privacy Act of 1974, except subsections(b); (c)(1), and (c)(2); (e)(4)(A) through (F); (e)(6),(e)(7), (e)(9), (e)(10), and (e)(11); and (i). Reference the Federal Register Vol. 40, No. 173, 9-5-75, pg. 41141.

OS ASAM PT 01.02

System name: Applicants for Employment Records. HEW/OS/ASAM/PT.

Security classification: None.

System location: This system is located in personnel offices and other offices of the Department authorized to receive applications for employment. See Personnel Appendix 1.

Categories of individuals covered by the system: Persons who have applied for Federal employment or are employed in the Federal service.

Categories of records in the system: These records contain information relating to the education and training; employment history and earnings; appraisal of past performance; convictions and offenses against the law; results of written tests; appraisal of potential; honors, awards or fellowships; military service; veteran preference, birthplace; birth date; social security number; and home address of persons who have applied for Federal employment or are employed in the Federal service; and correspondence related thereto. These records may also include information concerning the date of application, qualification status, employment consideration, priority grouping, and other information relating to the consideration of the individual for employment.

Authority for maintenance of the system: 5 U.S.C. 1302, 3301, 3302, Executive Order 10577.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records may be used: 1) to respond to requests for information from the Civil Service Commission, Members of Congress, or other inquirers from outside the Department, to the extent their request is compatible with the purpose for which the records are maintained; 2) to other federal agencies for Suitability checks; 3) See Appendix B Departmental Regulations (45 CFR Part 5b), Items 01,3,4,6,8.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tapes, punched cards, microfiche, cards, lists, and forms.

Retrievability: Records are indexed by any combination of name, birth date, social security number and identification number. Records are used to refer applicants to officials of the Department for placement in positions for which applicant has applied and is qualified.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Destroy 2 years after date application or correspondence is filed, or incorporate in official personnel folder when applicant enters on duty as a Department employee.

System manager(s) and address: Personnel Officers of the Department. See Personnel Appendix 1.

Notification procedure: Personnel office to which application is made (see Personnel Appendix 1). Individual should provide name, date of birth, social security number, approximate date of record and title of position for which application was made.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this system of records is provided by the individual to whom it applies; is derived from information he or she supplied; or is obtained from vouchers supplied by references.

Systems exempted from certain provisions of the act: None.

Appendix 1

Personnel Offices in Department of Health, Education, and Welfare

Department Staff Personnel Office:

Deputy Assistant Secretary for Personnel and Training
Office of Personnel and Training
Assistant Secretary for Administration and Management,
Office of the Secretary
Department of Health, Education, and Welfare
330 Independence Avenue, S. W.
Washington, D. C. 20201

Headquarters Personnel Offices:

Personnel Officer
Division of OS Personnel
Office of the Secretary
Department of Health, Education, and Welfare
Room 4361 - 4th Floor
330 Independence Avenue, S. W.
Washington, D. C. 20201

Personnel Officer
Personnel and Training Division
Office of Education
Department of Health, Education, and Welfare
Room 1087 - FOB06
400 Maryland Avenue, S. W.
Washington, D. C. 20202

Personnel Officer
Personnel Division
National Institue of Education
Department of Health, Education, and Welfare
Room 821 - Marsh Building
1832 M Street, N. W.
Washington, D. C. 20208

Personnel Officer
Divison of Personnel
Social and Rehabilitation Service
Department of Health, Education, and Welfare
Room 2068
330 C Stree, S. W.
Washington, D. C. 20201

Personnel Officer
Office of Human Development
Department of Health, Education, and Welfare
Room 3742 - Donohoe Building
400 6th Street, S. W.
Washington, D. C. 20024

Personnel Director
Office of Personnel Management
Public Health Service
Department of Health, Education, and Welfare
Room 18A-55 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Director
Division of Personnel Management
Alcohol, Drug Abuse, and Mental Health Administration
Department of Health, Education, and Welfare
Room 12105 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Personnel Officer
Saint Elizabeths Hospital
Department of Health, Education, and Welfare
Room 120 - E Building
2700 Martin Luther King Avenue, S. E.
Washington, D. C. 20032

Personnel Director
Division of Personnel Managmeent
National Institutes of Health
Department of Health, Education, and Welfare
Room 21 - Building 1
9000 Rockville Pike
Bethesda, Maryland 20014

Personnel Officer
Personnel Office
National Library of Medicine
Department of Health, Education, and Welfare
8600 Wisconsin Avenue
Bethesda, Maryland 20014

Chief
Personnel Management Branch
National Cancer Institute
Department of Health, Education, and Welfare
Room 3A32 - Building 31
9000 Rockville Pike
Bethesda, Maryland 20014

Chief
Personnel Management Branch
National Heart and Lung Institute
Department of Health, Education, and Welfare
Room 5A32 - Building 31
9000 Rockville Pike
Bethesda, Maryland 20014

Director
Personnel Management
Health Resources Administration
Department of Health, Education, and Welfare
Room 10A-30 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Director
Office of Personnel
Health Services Administration
Department of Health, Education, and Welfare
Room 14A-30 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Personnel Director
Food and Drug Administration
Department of Health, Education, and Welfare
Room 10-85 - Parklawn Building HFA-400
5600 Fishers Lane
Rockville, Maryland 20852

Personnel Officer
Bureau of Health Resources Development
Department of Health, Education, and Welfare
Room 3C19 - Building 31
9000 Rockville Pike
Bethesda, Maryland 20014

Personnel Officer
Office of the Assistant Secretary for Health
Department of Health, Education, and Welfare
Room 5077 - 5th Floor
330 Independence Avenue, S. W.
Washington, D. C. 20202

Regional Personnel Offices:

Regional Personnel Officer
Regional Personnel Office I
Department of Health, Education, and Welfare
John F. Kennedy Federal Building
Government Center - Room 1503

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Boston, Massachusetts 02203

Regional Personnel Officer
Regional Personnel Office II
Department of Health, Education, and Welfare
Federal Building
26 Federal Plaza
New York, New York 10007

Regional Personnel Officer
Regional Personnel Office III
Department of Health, Education, and Welfare
3535 Market Street, Room 9460
Philadelphia, Pennsylvania 19101

Regional Personnel Officer
Regional Personnel Office IV
Department of Health, Education, and Welfare
Room 415
50 Seventh Street, N. E.
Atlanta, Georgia 30323

Regional Personnel Officer
Regional Personnel Office V
Department of Health, Education, and Welfare
31st Floor
300 S. Wacker Drive
Chicago, Illinois 60606

Regional Personnel Officer
Regional Personnel Office VI
Department of Health, Education, and Welfare
14th Floor
1114 Commerce Street
Dallas, Texas 75202

Regional Personnel Officer
Regional Personnel Office VII
Department of Health, Education, and Welfare
Room 468
601 E. 12th Street
Kansas City, Missouri 64106

Regional Personnel Officer
Regional Personnel Office VIII
Department of Health, Education, and Welfare
Room 1103
Federal Office Building
1961 Stout Street
Denver, Colorado 80202

Regional Personnel Officer
Regional Personnel Office IX
Department of Health, Education, and Welfare
50 Fulton Street
San Francisco, California 94102

Regional Personnel Officer
Regional Personnel Office X
Department of Health, Education, and Welfare
Arcade Plaza
1321 Second Avenue, M/S 627
Seattle, Washington 98101

Chief, Personnel Office
Cleveland Branch Office
Region V
Department of Health, Education, and Welfare
14725 Detroit Avenue, Room 250
Cleveland, Ohio 44107

Other Servicing Personnel Offices:

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
Carville, Louisiana 70721

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
440 Avenue N.
Galveston, Texas 77550

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
1131 14th Avenue South
Seattle, Washington 98114

Personnel Officer
U. S. Public Health Service Hospital
Office of Personnel
Department of Health, Education, and Welfare
Bay and Vanderbilt Streets
Staten Island, New York 10304

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
15th Avenue and Lake Street
San Francisco, California 94118

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
77 Warren Street
Boston, Massachusetts 02135

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
210 State Street
New Orleans, Louisiana 70118

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
6500 Hampton Boulevard
Larchmont
Norfolk, Virginia 23508

Personnel Officer
U.S. Public Health Service Hospital
Personnel Management Branch
Department of Health, Education, and Welfare
3100 Wyman Park Drive
Baltimore, Maryland 21211

Personnel Officer
Indian Health Service
Personnel Management Branch
Department of Health, Education, and Welfare
P.O. Box 2143
Billings, Montana 59101

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
4005 Federal Office Building
500 Gold Avenue, S. W.
Albuquerque, New Mexico 87101

Personnel Officer
Indian Health Service
Personnel Management Branch
Department of Health, Education, and Welfare
405 Citizens Building
115 4th Avenue, S. E.
Aberdeen, South Dakota 57401

Personnel Officer
Indian Health Service
Personnel Management Branch

Department of Health, Education, and Welfare
801 East Indian School Road
Phoenix, Arizona 85014

Personnel Officer
Indian Health Service
Personnel Branch
Department of Health, Education, and Welfare
388 Old Post Office and Courthouse
Oklahoma City, Oklahoma 73102

Personnel Officer
Alaska Area Office
Indian Health Service
Department of Health, Education, and Welfare
P. O. Box 7-741
Anchorage, Alaska 99501

Personnel Officer
Indian Health Area Office
Office of Personnel
Department of Health, Education, and Welfare
Room 200
921 S. W. Washington Street
Portland, Oregon 97205

Personnel Officer
Indian Health Service
Office of Personnel
Department of Health, Education, and Welfare
P. O. Box G
Window Rock, Arizona 86515

Personnel Officer
Division of Personnel
Social Security Administration
Department of Health, Education, and Welfare
Room G-2208, West High Rise Building
6401 Security Boulevard
Baltimore, Maryland 21235

Personnel Officer
Bureau of Hearings and Appeals
Social Security Administration
Department of Health, Education, and Welfare
Room 306, Webb Building
4040 B. Fairfax Drive
Arlington, Virginia 22203

Chief, Personnel Branch
Mid-Atlantic Program Center
Social Security Administration
Department of Health, Education, and Welfare
P. O. Box 12837
Philadelphia, Pennsylvania 19108

Chief, Personnel Branch
Northeastern Program Center
Social Security Administration
Department of Health, Education, and Welfare
P. O. Box 100
San Francisco, Califronia 94101

Chief, Personnel Branch
Southeastern Program Center
Social Security Administration
Department of Health, Education, and Welfare
2001 12th Avenue, North
Birmingham, Alabama 35285

96-05 Horace Harding Expressway
Flushing, New York 11368

Chief, Personnel Branch
Western Program Center
Social Security Administration
Department of Health, Education, and Welfare
Chief, Personnel Branch
Great Lakes Program Center
Social Security Administration
Department of Health, Education, and Welfare
165 North Canal Street
Chicago, Illinois 60606

Chief, Personnel Branch
Mid-America Program Center
Social Security Administration
Department of Health, Education, and Welfare
Room 1466, Federal Office Building
601 East 12th Street
Kansas City, Missouri 64106

Personnel Officer
Albuquerque Data Operations Center
Social Security Administration
Department of Health , Education, and Welfare
P. O. Box 4429, Station 'A'
Albuquerque, New Mexico 87106

Personnel Director
Personnel Management Office
Center for Disease Control
Department of Health, Education, and Welfare
Building 1, Room 153A
1600 Clifton Road, N. E.
Atlanta, Georgia 30333

Personnel Officer
Addiction Research Center
National Institute of Drug Abuse
Department of Health, Education, and Welfare
P. O. Box 12390
Lexington, Kentucky 40511

Personnel Officer
National Institute for Occupational Safety and Health
Department of Health, Education, and Welfare
Room 540
U. S. Post Office and Courthouse
5th and Walnut Street
Cincinnati, Ohio 45202

Personnel Officer
National Institute of Environmental Sciences
Department of Health, Education, and Welfare
P. O. Box 12233
Research Triangle Park, North Carolina 27709

OS ASAM PT 02.02

System name: Complaints and Inquiries Records - Miscellaneous. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel offices shown in (See Application for Employment Records, HEW System OS-ASAM-PT-1) Appendix 1 and offices of operating officials in organizational units serviced by those personnel offices, in which employees are employed.

Categories of individuals covered by the system: Current Federal employees of the Department.

Categories of records in the system: This system consists of records relating to correspondence concerning an individual's employment status or conduct while employed by the Department. Examples of these records include: correspondence from employees, Members of Congress, and members of the public alleging misconduct by an employee of the Department, miscellaneous complaints not covered by the Department's formal or informal grievance procedure, informal complaints handled by labor union officials, and miscellaneous debt correspondence received from creditors.

Authority for maintenance of the system: Executive Orders 11222, 10561 and 11491.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used: a) In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01, 5; b) by the Civil Service Commission in carrying out its functions; c) to respond to Members of Congress and members of the public with regard to complaints or inquiries presented by them; d) In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Item 3; e) In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Item 8.

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Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Filed in folders and index cards.

Retrievability: Records are filed by name. Records are used to take action on and respond to a complaint about a DHEW employee; to produce summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for related personnel management functions or pay studies; and for other purposes compatible with the intent for which the records system was created.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Information in this system of records is disposed of 6 months after transfer or separation of employee.

System manager(s) and address: Personnel Officers shown in Appendix 1 to Applicants for Employment Records, HEW System OS-ASAM-PT-1 who service organizational units in which individuals are employed.

Notification procedure: Operating officials in organizational unit in which employee is employed or personnel offices shown as systems managers in Appendix 1 Applicants for Employment Records, HEW System 1. Individuals should provide name, organization in which employed, and date of birth.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is obtained: 1) directly from the individual, or 2) derived from information supplied by the individual, or 3) from information supplied by members of the public, other employees, Members of Congress, Department management officials, or 4) from police and court records relevant to the complaint about the employee.

OS ASAM PT 04.02

System name: Discrimination Complaints Records System. HEW/OS/ASAM/PT.

Security classification: None.

System location:

Office of Equal Employment Opportunity, DHEW
330 Independence Avenue, S. W.
Washington, D. C. 20201
Offices of designated EEO Officers in Principal Operating Components, Office of the Secretary, Health Agencies, Education Agencies and Regional Offices. See Personnel Appendix 1 for exact locations.

Categories of individuals covered by the system: Individuals or organizations which have consulted an EEO Counselor or have filed a complaint alleging discrimination on the basis of race, color, religion, sex, national origin or age, because of a determination or decision made by a Department official.

Categories of records in the system: This system of records contains information or documents concerning pre-complaint processing and discrimination complaints. The records consist of counselors' reports, the initial complaints, letters or notices to the individual or organization, record of hearings when conducted, materials placed into the record to support or refute the decision or determination, affidavits or statements, testimonies of witnesses, investigative reports, instructions about action to be taken to comply with decisions, and related correspondence, opinions and recommendations.

Authority for maintenance of the system: Executive Order 11478, P. L. 92-261 and P. L. 93-259.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

a. To respond to a request from a Member of Congress regarding the status of an appeal, complaint or grievance;
b. To refer to CSC in connection with an appeal or review;
c. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3,4,5,7,8.
d. To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, binders, and index cards.

Retrievability: These records are indexed by the names of the individuals or organizations on whom they are maintained. They may be used: to adjudicate an appeal, complaint, or grievance; to provide a basis for a corrective action related to the discrimination situation; as a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; and to locate specific individuals for personnel research or other personnel management functions.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: The records are maintained up to two years after final disposition, after which time, they will be destroyed in accordance with CSC guidelines.

System manager(s) and address: See Personnel Appendix 1 for General Coordinator and appropriate Immediate System Manager.

Notification procedure: Individuals and organizations which have filed complaints or appeals are aware of that fact and have provided a copy of the record. They may, however, write the appropriate immediate system manager indicated above, or the general coordinator if the immediate system manager is unknown, regarding the existence of such records pertaining to them. The inquirers, as appropriate, should provide their name, date of birth, agency in which employed or agency in which the complaint arose if different from employing agency, the approximate date, and the kind of action taken, when making inquiries about records.

Record access procedures: Same as Systems Manager.

Contesting record procedures: Individuals and organizations which have appealed a decision or determination made about conditions existing in the Department have already been provided a copy of the record. The contest, amendment, or correction of an appeal record is permitted during the prosecution of the appeal or complaint by the individual to whom the record pertains. However, after the appeal or complaint case has been closed, the inquirer may gain access to, or contest the official copy of the appeal or complaint record by writing the appropriate immediate system manager indicated above, or the general coordinator if the immediate system manager is unknown.

Record source categories:

a. Individual to whom the record pertains
b. Department or other officials
c. Affidavits or statements from employees
d. Testimonies of witnesses
e. Official documents relating to the appeal or complaint
f. Correspondence from specific organizations or persons.

Personnel Appendix 1

List of Locations and System Managers for EEO Matters

Department of Health Education and Welfare (General Coordinator)

Director, Equal Employment Opportunity Staff
Room 4766
330 Independence Avenue, S.W.
Washington, D.C. 20201

Immediate Locations and System Managers

Office of the Secretary, Washington
EEO Officer, OS
Room 2035
330 C Street, S.W.
Washington, D.C. 20201

Regional Offices of the Secretary

REGION I

EEO Officer
Room 1500
JFK Federal Building
Boston, Massachusetts 02203

REGION II

EEO Officer
Room 3838-D
26 Federal Plaza
New York, New York 10007

REGION III

EEO Officer
Room 9200
3535 Market Street
Philadelphia, Pennsylvania 19101

REGION IV

EEO Officer
Room 404
50 Seventh Street, N.E.
Atlanta, Georgia 30323

REGION V

EEO Officer
Room, 35th Floor
300 S. Wacker Drive
Chicago, Illinois 60606

REGION VI

EEO Officer
Room 904
1114 Commerce Street
Dallas, Texas 75202

REGION VII

EEO Officer
Room 616D
601 East 12th Street
Kansas City, Missouri 64106

REGION VIII

EEO Officer
Room 10001
1961 Stout Street
Denver, Colorado 80202

REGION IX

EEO Officer
Room 413
50 Fulton Street
San Francisco, California 94102

REGION X

EEO Officer
Room 6068, Arcade Bldg.
1322 Second Avenue
Seattle, Washington 98101

Principal Operating Components and Agencies

Social Security Administration

EEO Officer
Room 739, Administration Bldg.
6401 Security Boulevard
Baltimore, Maryland 21235

Social and Rehabilitation Service

EEO Officer
Room 3413
330 C Street, S.W.
Washington, D.C. 20201

Office of Education

EEO Officer
Room 2117
400 Maryland Avenue, S.W.
Washington, D.C. 20202

National Institute of Education

EEO Officer
Room 717
1200 19th Street, N.W.
Washington, D.C. 20208

Assistant Secretary for Health

EEO Officer
Room 18-07, Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20852

Health Resources Administration

EEO Officer
Room 10-22, Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20852

Health Services Administration

EEO Officer
Room 14-18, Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20852

Food and Drug Administration

EEO Officer
Room 16-B-07, Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20852

Alcohol, Drug Abuse & Mental Health Administration

EEO Officer
Room 17-C-20, Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20208

National Institutes of Health

EEO Officer
Room 2-B-40, Bldg. 31
NIH, Bethesda
Bethesda, Maryland 20014

Center for Disease Control

EEO Officer
Room 2405, Bldg. 1
1600 Clifton Road, N.E.
Atlanta, Georgia 30333

OS ASAM PT 05.01

System name: Employee Alcoholism, Drug Abuse and Emotional Problem Counselling and Referral Records. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1, Appendix 1 and designated offices performing counselling functions for employees in organizational units serviced by those personnel offices.

Categories of individuals covered by the system: Department employees who have been counselled for work adjustment, personal or emotional health problems which may be related to the misuse of alcohol or drugs.

Categories of records in the system: This system contains records on employees who have been counselled for work adjustment, personal or emotional problems. Examples of information which may be found in this record system include the employee's name, SSN, date of birth, grade, job series, job title, leave record, service com-

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putation date, home address, home phone number, supervisor's name, name and address of the individual's personal physician, social history, educational background, and performance appraisals. Other documents which may also be found in the counselor's file could include copies of admonishments and reprimands received by the employee and a record of the supervisor's referral (if the employee was referred by the supervisor).

Authority for maintenance of the system: Public Laws 79-659, 91-616, 92-255 and 93-282.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Employee records are maintained in file folders and on index cards.

Retrievability: Records are retrievable by name or by case number cross indexed with the employee's name. The records are used by counsellors to document the employee's progress in coping with their problem and for referring employees to appropriate community resources equipped to handle the employee's specific problem. Information from these records may also be used to produce summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained.

Safeguards: During the employment of the individual, records are maintained in confidential files separate from the Official Personnel Folder and are located in lockable metal containers or in secured rooms with access limited to those whose official duties require access. Disclosure of the contents of these records is restricted by the provisions of Public Laws 92-255 and 93-282. Under the provisions of these laws, the contents of the records may only be divulged to: 1) the individual to whom the record pertains, or 2) a representative designated by the individual in writing as authorized to receive the record, or 3) a court in response to a court order for the records, or 4) medical personnel to meet a bonafide medical emergency. All other disclosures are prohibited and the person making the unauthorized disclosure would be subject to a

500 fine.

Retention and disposal: Counselling records may be maintained for as long as the employee continues to visit the counsellor. The records are destroyed upon separation or transfer of the employee or when the employee has ceased contact with the counsellor for two years.

System manager(s) and address: Personnel Officers shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1, Personnel Appendix 1.

Notification procedure: Same as above. Individual should provide name, grade, organization in which employed and date of birth.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) supplied by a member of the individual's family, or 3) derived from information supplied by the individual, or 4) supplied by sources to whom the employee has been referred for assistance, or 5) supplied by Department officials.

OS ASAM PT 06.01

System name: Employee Appraisal Program Records. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1 Appendix 1 and operating offices in organizational units serviced by those personnel offices.

Categories of individuals covered by the system: Current Federal employees of the Department.

Categories of records in the system: This system contains information which includes employee's name, SSN, employing organization, grade, title, series, and materials relating to the evaluations of employee's performance. For purposes of the annual performance rating required by law and for promotion consideration purposes.

Authority for maintenance of the system: 5 U.S.C. 4302, 5 U.S.C. 3301, 5 U.S.C. 3302, Executive Order 10577.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

1. By the Civil Service Commission in carrying out its functions.
2. In accordance with Items 1,3,4,7,8 of Appendix B of the Departmental Regulations (45 CFR, Part 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, on magnetic tape, and on punch cards.

Retrievability: Records are retrievable by name or social security number. They may be used as a basis for reduction-in-force, adverse actions, decisions regarding retention of employees during probationary period, recognition, promotions, reassignments and other personnel actions compatible with the purpose for which the record was collected.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Employee appriasals are destroyed after two years or when replaced by a new appraisal, whichever is earlier, except that copies of unsatisfactory and outstanding performance ratings and any related papers are filed on the permanent side of the Official Personnel Folder.

System manager(s) and address: Personnel Officers shown in Applicants for Employment Records, HEW System 1, Appendix 1.

Notification procedure: Same as above. Employee should provide name, social security number and organization in which employed.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is provided by the individual, derived from information supplied by the individual or supplied by Department officials.

OS ASAM PT 07.01

System name: Executive Development Records System. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1 Appendix 1.

Categories of individuals covered by the system: All supergrade employees (GS-16-18) and equivalents, incumbents of managerial positions and employees in grade GS-13-15 designated as high potential employees.

Categories of records in the system: The Executive Development Records System consists of a variety of records relating to an employee's participation in the Executive Development Program. In addition to the employee's name, the system contains the employee's title, grade and salary, Social Security Account Number, organization in which employed, date of entry into the Executive Development Program, training needs while participating in the program, individual's development plan, basis for participation in the Executive Development Program.

Authority for maintenance of the system: 5 U.S.C. 4101 et. seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records is used:

a. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3,5,7,8.
b. By the Civil Service Commission in the performance of its functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system of records is maintained in file folders, magnetic tape, punch cards, and forms.

Retrievability: Records are indexed by name and Social Security Account Number. Records are used by operating officials in carrying out their personnel management responsibilities. They may be used by those officials in connection with promotions, transfer or reassignment of the individual and as base for preparing management, budgetary or statistical reports to support organizational planning or manpower utilization studies.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Information is retained in the master file for as long as the individual is participating in the program. Upon completing the program, the individual's record is maintained in an inactive file for 5 years.

System manager(s) and address: Heads of personnel offices which service the organizational unit in which the individual is employed. See Applicants for Employment Records, HEW System OS-ASAM-PT-1 Appendix 1.

Notification procedure: Same as Above. Individuals should include their name, grade, title, and organization when contacting the system manager.

Record access procedures: System manager.

Contesting record procedures: System manager.

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by Department officials.

OS ASAM PT 08.01

System name: Federal Employees Occupational Health Program Records. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records, HEW System 1, Appendix 1 and designated offices performing occupational health services for employees in organizations serviced by those personnel offices.

Categories of individuals covered by the system: Current Federal employees of the Department.

Categories of records in the system: This system consists of a variety of records relating to an employee's participation in the Federal Occupational Health Program. Examples of information which may be included in this system are the employee's name, SSN, date of birth, weight, height, medical history, blood type, nature of injury or complaint, type of treatment/medication received, examination findings, and laboratory results.

Authority for maintenance of the system: 5 U.S.C. 7901 et. seq., P. L. 79-658.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used:

1. By authorized medical personnel in connection with the performance of their official duties.
2. By the Civil Service Commission in connection with the performance of its functions.
3. By the Department of Labor in connection with a claim filed by an employee for compensation for a job-related injury or disease.
4. By private contractors engaged in providing medical services under Federal contract.
5. In accordance with Items 1,3,4,5,7,8 of the Departmental Regulations (45 CFR part 5b), Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders, punch cards and data tape.

Retrievability: Records are retrievable by name, date of birth, and SSN. They are used to document an employee's visit to a health unit and contain information such as a summary of the nature of a complaint, a record of the employee's participation in a voluntary screening program, a record of an employee's participation in a voluntary blood donor program, and a record of any treatment administered by the health unit. Information from this system may be used by Department officials in connection with fitness for duty examinations and for preparing statistical or summary reports about the employee participation in the Federal Occupational Health Program.

Safeguards: During the employment of the individual, medical records are maintained in files separate from the Official Personnel Folder and are located in lockable metal containers or in secured rooms with access limited to those whose official duties require access.

Retention and disposal: A medical record is maintained for as long as employed. If the medical record is deemed to be of long term value, it is combined with the employee's Official Personnel Folder upon separation of the employee and forwarded to the National Personnel Records Center, St. Louis, Missouri. Other medical records of no historic value or if of no value in documenting employee health activities are destroyed upon separation of the employee.

System manager(s) and address: Personnel Officers shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1, Appendix 1. who service organizational units in which the individual is employed.

Notification procedure: Same as above. The individual should include name, SSN, title and organization.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by the medical officer or nurse providing treatment or medication, or 4) supplied by the individual's private physician.

OS ASAM PT 09.02

System name: Grievances Filed Under the Informal Grievance Procedures. HEW/OS/ASAM/PT.

Security classification: None.

System location: Offices of the immediate supervisors and the first officials within the Department exclnding the immediate supervisor, with line authority to decide on the matter grieved. Such offices are located within the organizational units serviced by personnel offices shown in Applicants For Employment Records, HEW System OS-ASAM-PT-1, Appendix 1.

Categories of individuals covered by the system: Department employees individually or as a group who have requested personal relief in a matter of concern or dissatisfaction which is subject to the control of Department management.

Categories of records in the system: Information or documents relating to the grievance and personal relief sought; documented materials used in consideration of the grievance, and correspondence related to disposition of the grievance.

Authority for maintenance of the system: 5 U.S.C. 1302, 3301, 3302; Executive Order 10577.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used:

a. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3,5,8.
b. By the Civil Service Commission in carrying out its functions.
c. To respond to requests from Members of Congress.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file folders, binders and index cards.

Retrievability: Records are indexed by name of individual filing the grievance. Records are used to consider and resolve informal grievances and to provide background data to further consideration of grievances if later pursued through formal grievance procedures.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are maintained for 6 months to 2 years or upon separation, or transfer of the employee, whichever is sooner, at which time they are destroyed.

System manager(s) and address: Heads of personnel offices which service organizational units in which employees who submit informal grievances are located. See Applicants for Employment Records, HEW, System OS-ASAM-PT-1, Appendix 1.

Notification procedure: Individuals who have filed grievances are aware of that fact and have been provided information in writing concerning the disposition of the grievance. They may contact the official who signed the written notice, or the System Manager indicated above. They should provide their name, organization in which employed and date of birth and approximate date of the filing of the informal grievance.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by Department officials.

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OS ASAM PT 10.02

System name: Grievance Records Filed Under Procedures Established by Labor-Management Negotiations. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1 Appendix 1 and offices of operating officials in organizational units serviced by those personnel offices.

Categories of individuals covered by the system: Current Federal employees of the Department covered by a collective bargaining agreement.

Categories of records in the system: This system of records consists of a variety of records relating to an employee's grievance filed under procedures established by labor-management negotiations. Examples of information which may be included in this system of records are the employee's name, SSN, grade, job title, testimony of witnesses, material placed into the record to support the decision, the arbitrator's decision, the arbitrator's report, and a record of an appeal to the Federal Labor Relations Council.

Authority for maintenance of the system: Executive Order 11491 as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system may be released to:

1. The Civil Service Commission in carrying out its functions.
2. In accordance with Departmental Regulations, (45 CFR Part 5b), Appendix B. See Items 01,3,4,5,7,8.
7. The Department of Labor.
8. The Federal Labor Relations Council.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are retrievable by name. They are used to make a determination on and to document a decision made on a grievance filed by an employee under the negotiated grievance procedures. Information from this system may be used by Department officials for preparing statistical, summary or management reports.

Safeguards: Records maintained by management are stored in secured rooms with access limited to those whose official duties require access.

Retention and disposal: As negotiated by the local parties to the contract.

System manager(s) and address: Personnel Officers shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1 Appendix 1 who service the organizational unit in which the individual is employed.

Notification procedure: Same as above. Individuals should include their name, grade, title and organizational unit when contacting the system manager.

Record access procedures: Same as above

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by testimony of witnesses, or 4) supplied by union officials, or 5) supplied by Department officials.

Systems exempted from certain provisions of the act: None.

OS ASAM PT 11.01

System name: DHEW Motor Vehicle Operator Records. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel offices of the Department shown in Applicants For Employment Records, HEW System OS-ASAM-PT-1, Appendix 1. Issuing Officers for Motor Vehicle Operator Identification Cards within the organizations serviced by the above personnel offices.

Categories of individuals covered by the system: All Department employees who are required to operate motor vehicles regularly or incidentally in carrying out their official duties.

Categories of records in the system: The DHEW Motor Vehicle Operator Records system consists of a variety of records related to the issuance of a Government Motor Vehicle Operator's permit. In addition to the name of the employee, the system includes information about the employee's birthplace, SSN, employing organization, number of years driven, type of vehicles operated, current driver's license number, state issuing driver's license, date license expires, restrictions, on state license, sex, date of birth, color of hair, color of eyes, weight, height, record of arrests, and record of accidents. These records also include expiration dates of Motor Vehicle Operator permit, any limitations imposed on its use and the results of the annual review of each driving record.

Authority for maintenance of the system: 40 U.S.C. 471.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used:

a. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01, 3, 5, 7, 8.
b. By the Civil Service Commission in carrying out its functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in Official Personnel Folder and in file folders and index cards.

Retrievability: Records are retrievable by name. Information is used as a basis for issuing a SF-46 'U. S. Government Motor Vehicle Operator's Identification Card' and evaluating its use. It may also be used for production of summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for related personnel management functions.

Safeguards: Access to and use of these records are limited to personnel whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: A record is retained for as long as the employee has an active Federal Motor Vehicle Operator Permit, and for two years after the permit becomes inactive or upon separation from the Department, whichever is earlier. At that time the record is destroyed.

System manager(s) and address: Personnel Officers of the Department shown in Applicants for Employment Records, HEW, System OS-ASAM-PT-1, Appendix 1.

Notification procedure: Issuing officers in organizational units in which employed or systems managers shown above. Individual should provide name and organization in which employed.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information contained in this system of records is obtained: 1) from information supplied by the individual, or 2) derived from information supplied by the individual, or 3) from information supplied by officials of the DHEW.

Systems exempted from certain provisions of the act: None.

OS ASAM PT 12.02

System name: Pay, Leave and Attendance Records. HEW/OS/ASAM/PT.

Security classification: None.

System location:

Division of Central Payroll
Department of Health, Education, and Welfare
330 Independence Avenue, S. W.
Washington, D. C. 20201

Payroll Liaison Representatives. See Personnel Appendix 1.
Timekeepers in organizational units serviced by Payroll Liaison Representatives shown in Personnel Appendix 1, HEW, System OS-ASAM-PT-1.

Categories of individuals covered by the system: All paid employees of the Department of Health, Education, and Welfare including PHS Commissioned Corps Personnel.

Categories of records in the system: The Pay and Leave Records system consists of a variety of records relating to pay and leave determinations made about each employee of the Department of Health, Education, and Welfare. In addition to the name of the employee, the system includes information such as the employee's date of birth, social security number, home address, grade or rank, employing organization, timekeeper number, salary, Civil Service

Commission retirement fund contributions, pay plan, number of hours worked annual and sick leave accrual rate and usage, annual and sick leave balance, FICA withholdings, Federal, state and city tax withholdings, Federal Employees Government Life Insurance withholdings, Federal Employees Health Benefits withholdings, garnishment documents, savings allotments, union and management association dues withholdings allotments, savings bonds allotments, and combined Federal Campaign allotments; for Commissioned Corps personnel information such as the allotments; for Commissioned Corps personnel information such as the following is included: years of service, payroll number, base pay, incentive pay, hazardous pay, allowances and Servicemen's Group Life Insurance.

Authority for maintenance of the system: 5 U.S.C. 5501 et. seq., 5525 et. seq., 6301 et. seq.; 42 U.S.C. 201 et.seq.; and P.L. 90-83.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records is used or may be used:

a. To prepare W-2 Forms to submit to the Internal Revenue Service, state and city revenue departments for the purposes of informing them of the employee's earned income and amount of Federal, state and city taxes withheld, if any.
b. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3,5,7,8.
c. By the Civil Service Commission in the performance of its functions.
d. By the Department of Labor to make compensation determination in connection with a claim filed by the employee for compensation on account of a job-connected injury or disease.
e. To respond to court orders for garnishment of an employee's pay for alimony or child support.
f. To respond to orders from IRS for garnishment of an employee's pay for Federal income tax purposes.
g. To the Department of Treasury for the purposes of preparing and issuing employee salary and compensation checks and U.S. Savings Bonds.
h. By state offices of unemployment compensation in connection with claims filed by former DHEW employees for unemployment compensation.
i. To provide pertinent information to other Federal agencies in connection with the transfer or the potential transfer of an employee from one agency to another.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, microfilm, punch cards and forms.

Retrievability: Records are maintained by pay period and are retrievable by name, SSN and Timekeeper number within each pay period. They are used to insure that each employee receives the proper pay and allowances; that proper deductions and authorized allotments are made from the employee's salary; that the employee is credited and charged with the proper amount of sick and annual leave. Records are also used to produce summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for related personnel management functions or pay studies, and for other purposes compatible with the intent for which the records system was created.

Safeguards: Access to and use of these records are limited to personnel whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: A record (continuously updated) is maintained on the data disc for as long as employed. Source document microfilm records are kept 4 years then destroyed. Time card microfilm is kept 5 years then destroyed. Data file microfilm is kept 6 years then destroyed.

System manager(s) and address:

Director, Division of Central Payroll
P. O. Box 1825
Washington, D. C. 20013

Notification procedure: Same as System Manager. Also may contact Payroll Liaison Representatives in Personnel Appendix 1. Provide name, social security number, timekeeper number and pay period about which inquiring.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by timekeepers and other Department officials.

Systems exempted from certain provisions of the act: None.

Personnel Appendix 1

Divison of Central Payroll Liaison Officers

OS
TK RANGE
00010 - 00497

Payroll Liaison Officer
Office of the Secretary
Room 4309 - HEW North Bldg.
330 Independence Avenue, S. W.
Washington, D. C. 20201

OE
TK RANGE
04000 - 04999

Payroll Liaison Officer
Office of Education
Room 3092 - B, FOB 06
400 Maryland Ave., S. W.
Washington, D. C. 20202

NIE
TK RANGE
06000 - 06999

Payroll Liaison Officer
National Institute of Education
Room 821 - Marsh Bldg.
1832 M Street, N. W.
Washington, D. C. 20208

SRS

Payroll Liaison Officer
Social and Rehabilitation Service
Room 1219 - HEW South Bldg.
330 C Street, S. W.
Washington, D. C. 20201

Social Security Administration Headquarters

SSA HQ
TK RANGE
80000 - 89999

Payroll Liaison Officer
SSA Headquarters
Room 1M10, Annex Bldg.
6401 Security Blvd.
Baltimore, Maryland 21235

SSA HQ

Payroll Liaison Officer
BRSI Financial Mgmt. Branch
Room 237, West Bldg.
6401 Security Blvd.
Baltimore, Maryland 21235

SSA
TK RANGE
00620 - 00624

Payroll Liaison Officer
Universal Bldg., Room 93
1875 Connecticut Ave., N. W.
Washington, D. C. 20009

Social Security Administration Program Centers

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MID ATLANTIC
MATPC
TK RANGE
20000 - 20499

Payroll Liaison Officer
SSA, HEW Program Center
P. O. Box 12807
Philadelphia, Pennsylvania 19108

NORTH EASTERN
NEPC
TK RANGE
20500 - 20499

Payroll Liaison Officer
SSA Program Center
9605 Horace Harding Expressway
Flushing, New York 11368

SOUTH EASTERN
SEPC
TK RANGE
40000 - 40999

Payroll Liaison Officer
Birmingham Program Center
P. O. Box 1031
Birmingham, Alabama 35201

GREAT LAKES
GLPC
TK RANGE
50000 - 50999

Payroll Liaison Officer
Chicago Program Center
165 North Canal Street
Chicago, Illinios 60606

MID-AMERICAN
MAMPC
TK RANGE
60000 - 60999

Payroll Liaison Officer
601 East 12th Street - Room 1459
Kansas City, Missouri 64106

WESTERN
WPC
TK RANGE
70000 - 70999

Payroll Liaison Officer
San Francisco Program Center
P. O. Box 2000
Richmond, California 94802

Boston
TK RANGE
26086 - 27707

Payroll Liaison Officer
John F. Kennedy Federal Bldg.
SSA
Government Center
Boston, Massachusetts 02203

New York
TK RANGE
27800 - 28435

Payroll Liaison Officer
26 Federal Plaza
Room 737
New York, New York 10007

Philadelphia
TK RANGE
31675 - 32146

Payroll Liaison Officer
P. O. Box 8788
Philadelphia, Pennsylvania 19101

Atlanta
TK RANGE
47115 - 47365

Payroll Liaison Officer
Room 226, Peachtree-Seventh Bldg.
50 7th Street, N. W.
Atlanta, Georgia 30323

Cleveland
TK RANGE
56408 - 56675

Payroll Liaison Officer
Room 100
14725 Detroit Ave.
Cleveland, Ohion 44107

Chicago
TK RANGE
55535 - 56359

Payroll Liaison Officer
SSA Admin. BDOO
300 South Wacker Drive
Chicago, Illinois 60606

Kansas City
TK RANGE
65765 - 66030

Payroll Liaison Officer
Regional Representatives
DHEW SSA
601 E. 12th Street
Kansas City, Missouri 64106

Dallas
TK RANGE
67366 - 67780

Payroll Liaison Officer
DHEW SSA BDOO
Room 624
1114 Commerce Street
Dallas, Texas 75202

Denver
TK RANGE
69100 - 69230

Payroll Liaison Officer
Federal Office Bldg.
19th and Stout Streets
Denver, Colorado 80202

Seattle
TK RANGE
79505 - 79559

Payroll Liaison Officer
DHEW Regional Representatives BDOO
RFK Plaza Bldg.
Seattle, Washington, 98101

San Francisco

Payroll Liaison Officer
DHEW Personnel
50 Fulton Street
San Francisco, California 94102

Baltimore

Payroll Liaison Officer
SSA

Room 245 - Altmeyer Bldg.
6401 Security Blvd.
Baltimore, Maryland 21235

BHA
TK RANGE

Payroll Liaison Officer
Room 335 - Webb Bldg.
801 N. Randolph Street
Arlington, Virginia 22203

Regional Offices

Boston

Payroll Liaison Officer
HEW Personnel
Room 1503
JFK Federal Bldg
Boston, Massachusetts 02203

New York

Payroll Liaison Officer
Room 937
26 Federal Plaza
New York, New York 10007

Philadelphia

Payroll Liaison Officer
Financial Management
P. O. Box 13716
Philadelphia, Pennsylvania 19101

Atlanta

Payroll Liaison Officer
Room 404
50 7th Street, N. E.
Atlanta, Georgia 30323

Chicago

Payroll Liaison Officer
DHEW Personnel
300 S. Wacker Drive
Chicago, Illinois 60606

Dallas

Payroll Liaison Officer
Region VI Personnel Office
DHEW, Room 1410
1114 Commerce Street
Dallas, Texas 75202

Kansas

Payroll Liaison Officer
Office of Regional Directors, DHEW
601 East 12th Street
Kansas City, Missouri 64106

Denver

Payroll Liaison Officer
Room 9019
Federal Office Bldg.
19th and Stout Street
Denver, Colorado 80202

San Francisco

Payroll Liaison Officer
DHEW Personnel
50 Fulton Street
San Francisco, California 94102

Seattle

Payroll Liaison Officer
Regional Personnel Office
RFK Plaza Bldg., MS 627
Seattle, Washington 98101

Cleveland

Payroll Liaison Officer
Room 500
14600 Detroit Ave.
Cleveland, Ohio 44107

Black Lung

Payroll Liaison Officer
Room 423
P. O. Box 2518
Washington, D. C.

Data Operations Center

Payroll Liaison Officer
Room 423
P. O. Box 2518
Washington, D. C.

Data Operations Center

Payroll Liaison Officer
Data Operations Center
P. O. Box 2247
Albuquerque, New Mexico 87103

U. S. Public Health Service Hospitals

San Francisco
TK RANGE
72000 - 72284

Payroll Liaison Officer
USPHS Hospital
15th and Lake Street
San Francisco, California 94118

Seattle
TK RANGE
73000 - 73300

Payroll Liaison Officer
USPHS Hospital
P. O. Box 3145
Seattle, Washington 98114

Staten Island
TK RANGE
23300 - 23840

Payroll Liaison Officer
USPHS Hospital
Bay and Vanderbilt Street
Staten Island, New York 10304

Saint Elizabeths
TK RANGE
08010 - 08910

Payroll Liaison Officer
St. Elizabeths Hospital
Room 120, E Bldg.
2700 Martin Luther King Ave., S.E.
Washington, D. C. 20032

Baltimore
TK RANGE
24500 - 24610

Payroll Liaison Officer
USPHS Hospital
3100 Wyman Park Drive
Baltimore, Maryland 21211

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Boston
TK RANGE
23005 - 23250

Payroll Liaison Officer
USPHS Hospital
77 Warren Street
Boston, Massachusetts 02135

Carville
TK RANGE
46500 - 46710

Payroll Liaison Officer
USPHS Hospital
Carville, Louisiana 70721

Galveston
TK RANGE
62000 - 62100

Payroll Liaison Officer
USPHS Hospital
4400 Avenue N.
Galveston, Texas 77550

New Orleans
TK RANGE
46000 - 46415

Payroll Liaison Officer
USPHS Hospital
210 State Street
New Orleans, Louisiana 70118

Norfolk
TK RANGE
24900 - 25155

Payroll Liaison Officer
USPHS Hospital
6500 Hampton Blvd.
Norfolk, Virginia 23508

Indian Health Service

Aberdeen
TK RANGE
53400 - 53490

Payroll Liaison Officer
PHS Indian Health Service
Room 300 - Citizens Bldg.
Aberdeen, South Dakota 57401

Albuquerque
TK RANGE
62700 - 63325

Payroll Liaison Officer
Albuquerque Indian Health Service
Federal Office Bldg. and U. S. Courthouse
Room 4006
500 Gold Avenue
Albuquerque, New Mexico 87101

Anchorage
TK RANGE
74005 - 75450

Payroll Liaison Officer
Alaska Native Medical Center
P. O. Box 7-741
Anchorage, Alaska 99501

Billings
TK RANGE
53900 - 54155

Payroll Liaison Officer
Indian Health Area Office
P. O. Box 2134
Billings, Montana 59103

Oklahoma
TK RANGE
63400 - 63985

Payroll Liaison Officer
Oklahoma City Area
Indian Health Service
388 Old Post Office and Courthouse Bldg.
Oklahoma City, Oklahoma 73102

Saratoga
TK RANGE
63917

Payroll Liaison Officer
Indian Health Service
1970 Main Street
Saratoga, Florida 33577

Phoenix
TK RANGE
73501 - 73519
73521 - 73952

Payroll Liaison Officer
Phoenix Area Indian Health
801 E. Indian Medical Center
Phoenix, Arizona 85021

Phoenix
TK RANGE
73520

Payroll Liaison Officer
Phoenix Indian Medical Center
4212 No. 16th Street
Phoenix, Arizona 85016

Tucson

Payroll Liaison Officer
IHS - HPSC
P. O. Box 11340
Tucson, Arizona 85734

Public Health Service

CDC
TK RANGE
45000 - 45600
74005 - 74085

Payroll Liaison Officer
Center for Disease Control
Financial Management
1600 Clifton Road, N. E.
Atlanta, GEorgia 30330

NIH
TK RANGE
10010 - 16571

Payroll Liaison Officer
National Institutes of Health
Room B1B, Bldg. 11
9000 Rockville Pike
Bethesda, Maryland 20014

FDA
TK RANGE
09000 - 09934

Payroll Liaison Officer
FDA Payroll Liaison Section
Accounting Branch
HFA - 120, Room 11-82, Parklawn Bldg.
5600 Fishers Lane

Rockville, Maryland 20852

NIOSH (CDC)
TK RANGE
03500 - 03579
03600 - 03608
52936 - 52949
52930 - 52935
69120

Payroll Liaison Officer
DHEW, CDC, NIOSH
Financial Mgmt. Branch
Parklawn Bldg.
DANAC 3 - 32 F
5600 Fishers Lane
Rockville, Maryland 20852

NIH

Payroll Liaison Officer
National Institute of Environmental Health Sciences, NIH
P. O. Box 12233
Research Triangle Park
North Carolina 27709

HSMHA
TK RANGE
02000 - 03878

Payroll Liaison Officer
HSMHA (Parklawn)
Room 1649 - Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20852

NIMH
TK Range
03900 - 03999
52000 - 52120

Payroll Liaison Officer
NIMH
Room 1399 - Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20852

DHEW HSA FHPS
TK RANGE
03400 - 03420

Payroll Liaison Officer
Administrative Asst.
6525 Belcrest Road
West Hyattsville, Maryland 20782

OS ASAM PT 14.01

System name: Special Employment Programs. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel Offices shown in Applicants for Employment Records, HEW, System OS-ASAM-PT-1, Appendix 1 and operating offices in organizational units, serviced by those personnel offices, in which employees are employed.

Categories of individuals covered by the system: Current Federal employees of the Department who are participating in special employment programs.

Categories of records in the system: This system consists of a variety of records relating to an employee's participation in special employment programs such as the Upward Mobility College, START, STRIDE, ACCESS, Worker Trainee Opportunity, Junior Fellows, Management Intern, Personnel Intern and the HEW Fellows Program. Examples of information which this records system may contain include the employee's name, SSN, program enrolled in, employing agency, grade, job title, job series, sex, date of birth, status, educational background, handicap code, application for employment, position description, assignment evaluations, Veterans preference, job counselling records, and letters of reference and recommendations.

Authority for maintenance of the system: 5 U.S.C. 1301, 3301, and 7151 et. seq., Executive Order 11813.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system may be used:

1. By the Civil Service Commission in carrying out its functions.
2. In accordance with Items 1,3,4,5,7,8, of the Departmental Regulations, (45 CFR Part 5b), Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system of records is maintained in file folders, data tape and punch cards.

Retrievability: Records are retrievable by name and SSN. Records are used by personnel offices and operating officials to monitor the progress of the individual in the special program, for career planning, and for taking personnel actions.

Safeguards: Access and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Information in these records is retained for as long as the individual participates in a special employment program. Upon completing the program, the individual's record is maintained in an inactive file for 2 years, then destroyed.

System manager(s) and address: Personnel Officers shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1, Appendix 1, who service organizational units in which the participant is employed.

Notification procedure: Same as above. Individuals should include their name, SSN, grade, title and organization when contacting the system manager.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by Department officials.

Systems exempted from certain provisions of the act: None.

OS ASAM PT 15.02

System name: Suitability for Employment Records. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel Offices shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1, Appendix 1.

Categories of individuals covered by the system: Federal employees of the Department, and applicants for employment.

Categories of records in the system: This system consists of a variety of records relating to an individual's suitability for employment in terms of character, reputation and fitness, including letters of reference, responses to pre-employment inquiries, National Agency Checks and Inquiries material received from the Civil Service Commission relating to non-sensitive positions, qualifications and character investigations, and other information which may relate to the suitability of the individual for the position.

Authority for maintenance of the system: 5 U.S.C. 3301, 3302, 7301,; Executive Order 10577; Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

a. By the Civil Service Commission in carrying out its functions.
b. By other Federal agencies having an interest for employment purposes and a need to evaluate qualifications, and suitability.
c. In accordance with Appendix B, Departmental Regulations (45 CFR Part 5b) Items 01,3,4,8.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by any combination of name, birth date, Social Security Number, or identification number. Information in these records is used by designated appointing and selecting authorities to determine an individual's suitability for employment by consideration of factors present in such records.

Safeguards: Records are maintained in confidential files separate from the Official Personnel Folder and are located in lockable

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metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal: NACI information is retained during the period of employment with the Department and upon transfer or separation of employee, is returned to the Civil Service Commission. Other records are retained during the period of employment or for two years whichever is earlier. After that time they are destroyed.

System manager(s) and address: Heads of personnel offices which service organizational units in which individual is employed or in which she applied for employment. See Applicants For Employment Records, HEW, System OS-ASAM-PT-1 Appendix 1.

Notification procedure: Same as above. Individuals should indicate name, Social Security Number, date of birth, and organization in which employed, or to which they applied for employment.

Record access procedures: Current Department employees or applicants should contact the appropriate system manager shown above. Former Department employees who are employed by the Federal Government who wish to gain access or contest the records maintained on them while employed by the Department should contact the appropriate official of their current employing agency in accordance with the appropriate records system notice of that agency. Former Department employees who have separated from Federal service should direct a request to:

National Personnel Records Center
General Services Administration
111 Winnebago Street
St. Louis, Missouri 63118

Contesting record procedures: Same as above.

Record source categories: Information contained in the system is obtained from the categories of sources:

Applications and other personnel and security forms furnished by the individual.
Information furnished by other Federal agencies.
Information provided by sources such as, employers, schools, references, former employers.

Systems exempted from certain provisions of the act: Individuals will be provided information from the above record system except when in accordance with the provisions of 5 U.S.C. 552a(k)(5); 1. disclosure of such information would reveal the identity of a source who furnished information to the Government under a express promise that the identity of the source would be held in confidence, or 2. if the information was obtained prior to the effective date of Section 3, P. L. 93-579, disclosure of such information would reveal the identity of a source who provided information under an implied promise that the identity of the source would be held in confidence. (F.R. 38409, August 27,1975).

OS ASAM PT 16.02

System name: Training Manpower Information System. HEW/OS/ASAM/PT.

Security classification: None.

System location:

Department of Health, Education, and Welfare
330 Independence Avenue, S. W.
Washington, D. C. 20201

Categories of individuals covered by the system: All employees who receive training in a course which was more than 8 hours in length and which was authorized under the authority of the Government Employees Training Act.

Categories of records in the system: The Training Management Information System consists of a variety of records relating to training received by an employee. In addition to the name of the employee, the system includes information about the employee's Social Security Account Number, position title, grade, salary, pay plan, series, tenure, years of continuous service, hours of prior non-government training, nature of training taken, cost of training and dates of training.

Authority for maintenance of the system: 5 U.S.C. 4101 et. seq.; Executive Order 11348.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records is used:

a. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3,5,7,8.
b. By the Civil Service Commission in carrying out its functions.
c. To other Federal agencies or private organizations to authorize training.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data tape.

Retrievability: Records are indexed by any combination of name, birth date, SSN or transaction number. Information is used to maintain a history of training of the individual during his employment with the Department, as a basis for determining future training needs of the individual, for evaluating the Department's training program, for auditing and budgetary planning purposes and for related analytical and operational personnel management functions.

Safeguards: The information is available only to authorized personnel. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal: Retained in the data file until separation of employee from the Department. Training records are retained indefinitely in the Official Personnel Folder.

System manager(s) and address:

Deputy Assistant Secretary for Personnel and Training
Office of Personnel and Training
Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D. C. 20201

Notification procedure: Contact the Deputy Assistant Secretary for Personnel and Training for information. The individual should indicate name, position title, grade and series and organization in which located.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this system of record is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by Department or by source of training officials.

Systems exempted from certain provisions of the act: None.

OS ASAM PT 17.02

System name: Volunteer EEO Support Personnel Records. HEW/OS/ASAM/PT.

Security classification: None.

System location:

Office of Equal Employment Opportunity, DHEW
330 Independence Avenue, S. W.
Washington, D. C. 20201
Offices of the designated EEO Officers in Principal Operating Components, Office of the Secretary, Health Agencies, Education Agencies and Regional Offices. See Discrimination Complaints Records System, HEW System OS-ASAM-PT-4 Appendix 01 for exact locations.

Categories of individuals covered by the system: Individuals who have volunteered or have been proposed for duty as EEO Counsellors and discrimination complaint investigators on a part-time basis.

Categories of records in the system: This system of records contains information or documents concerning personal characteristics of EEO counsellors and investigators. The records consists of the name and other identifying data, title, location, training received, information concerning qualifying background, case assignments, and evaluations of EEO counsellors and investigators serving on a part-time basis, and related information.

Authority for maintenance of the system: Executive Order 11478, P. L. 92-261, P. L. 93-259.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

a. To provide resource to another Federal agency, in response to its request for loan of investigators or counsellors.
b. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b), Items 01,3,4,7,8.
c. By the Civil Service Commission in carrying out its functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, binders and index cards.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained. They may be used: for identification, location and determination of availability of volunteer counsellors and investigators for assignment to counsel complaints and to investigate complaints; to respond to inquiries regarding availability of counsellor resources or determination regarding location and the jurisdictional propriety of an investigator resource; for determing training needs of EEO counsellors and investigators; to provide information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; and to locate specific individuals for personnel research or other personnel management functions.

Safeguards: Access to and use of these records are limited to those persons whose official duties require access.

Retention and disposal: The records are maintained up to one year after volunteer has terminated his services, at which time they are destroyed.

System manager(s) and address: See Discrimination Complaints Records System, HEW System OS-ASAM-PT-4, Appendix1 for General Coordinator and appropriate Immediate System Manager.

Notification procedure: Individuals who have volunteered or been proposed as counsellors or investigators are aware of that fact and the information contained in the record. They may, however, write the immediate system manager or coordinator indicated above regarding the existence of such records pertaining to them. The inquirers, as appropriate, should provide to the immediate system manager or coordinator, their name, agency in which they were proposed or served when making inquiries about records.

Record access procedures: Individuals who have been certified as counsellors or investigators on a part-time basis have either provided the information themselves or are aware of the information. The inquirer, who has been certified as a counselor or investigator may gain access to or contest the official record by writing the immediate system manager or coordinator indicated above.

Contesting record procedures: Contact Systems Manager.

Record source categories:

a. Individuals to whom the record pertains
b. Department or other officials
c. Official documents relating to appointments and case assignments as counsdors and investigators
d. Correspondence for specific persons or organizations
e. Formal reports submitted by the individual in the performance of official volunteer work.

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None.

OS ASAM SM 1.01

System name: Safety Management Information System (DHEW Accident, Injury and Illness Reporting System). HEW/OS/ASAM/SM

Security classification: None.

System location: At Departmental Regional and Headquarters facilities (see Appendix 1).

Categories of individuals covered by the system:

1. DHEW Employees, including both civilian and commissioned corps personnel, who are involved in an accident which arises out of and in the course of their employment whether occurring on HEW premises or not and results in:
a. A fatality.
b. Lost workdays beyond the day in which the accident occurred.
c. Nonfatal injuries which result in transfer to another job, termination of employment, medical treatment other than first aid, loss of consciousness or restriction of work or motion.
d. A possible tort claim.
e. A claim for compensation.
f. Property damage in excess of $50.00.
g. Interrupts or interferes with the orderly progress of work of other employees.
h. Radiation over exposure.
i. Biological exposure resulting in lost time or accidental release of biologicals where the public may be over-exposed.
2. Visting scientists, contractor personnel, hospitalized patients, out-patients, employees of other Federal agencies, state or local governments or members of the public who suffer injury, illness or property damage on or in HEW premises or as a result of HEW activities.

Categories of records in the system: This system consists of a variety of information and supporting documentation resulting from the reporting and investigation of accidents which have resulted in injury, illness, property damage or the interruption or interference with the orderly progress of work. The records contain information about individuals involved in or experiencing accidents including but not limited to the severity of the injury, whether consciousness was lost, the type of injury, culmination of any injury, days lost from work if any, the nature of the injury, illness or disease, the body part affected, causal factors, weather factors, agency of accident, whether unsafe mechanical, physical, or personal acts or factors were involved, the accidents area of origin and if fire was involved, the type and form of materials involved. Property damage (both public and private) is noted through the property sequency number, who owned the property involved, property damaged and actual or estimated monetary loss, the HEW installation number if appropriate and the year of manufacture or construction if appropriate. Identifiers relating to a particular accident include the organization, case number assigned, date and time of occurrence, state or territory, site, type and classification of accident, estimated amount of tort claims if appropriate, name of individual(s) involved, the social security number, sex, age, grade series and level, CSC series, address, other Departments notified of accident, duty status, activity at time of accident and time on duty before accident. Management's evaluation and corrective action taken or proposed is also noted.

Authority for maintenance of the system: Section 19 of the Occupational Safety and Health Act of 1970 (PL 91-596); 5 U.S.C. 7902; 29 CFR Part 1960; Executive Order No. 11807

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. See Appendix B, Departmental Regulations (45 CFR Part 5b) Items 01,5
b. To request from a Federal, state, local agency or private sources information relevant to the investigation of an accident and/or corrective action.
c. To respond to an inquiry from a member of Congress made on behalf of a constituent.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are or may be maintained on magnetic tapes, punchcards, lists, forms, discs, computer storage, in file folders, binders and index cards.

Retrievability:

1. At the Departmental level, the system is completely computerized with no other records normally maintained or retained in the Office of Safety Management. While individual identifiers such as name, case number, and social security number are within the computer storage banks, special programming could be required to extract individual records. Normal output consists of statistical reports and surveys including those required by the Department of Labor and Statistical Analysis in support of the Departmental occupational safety and health program for dissemination to the Principal Operating Components, Regions and Staff Offices.
2. The Principal Operating Components of the Department, their sub-components, Regional Offices and Staff Offices may maintain original or copies of the accident reports and supporting documentation by name, social security number, case number or cross reference.
3. Establish a written record of the causes of accidents.
4. Provide information to initiate and support corrective or preventive action.
5. Provide statistical information relating to accidents resulting in occupational injuries, illnesses, and/or property damage.
6. Provide management with information with which to evaluate the effectiveness of safety management programs.
7. Provide the means for complying with the reporting requirements of Section 19 of the Occupational Safety and Health Act of 1970 and such other reporting requirements as may be required by legislative or regulative requirements.

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8. Provide such other summary descriptive statistics and analytical studies as necessary in support of the function for which the records are collected and maintained including general requests for statistical information without personal identification of individuals.
9. Information in these records is used by or may be disclosed to: a. The Office of Safety Management, Office of the Secretary, DHEW in the review of accident experience data to determine the adequacy of corrective actions, the effect of codes, standards and guides, the consolidation, summarization and dissemination of accident experience data throughout DHEW and other Government Departments and agencies as needed or required. b. The supervisor, administrative officer or other official initiating an accident report, including each succeeding reviewing official in the chain of command through which the report passes to insure that corrective action, as needed and appropriate, is taken. c. Appropriately appointed Safety Directors, Officers, or others with safety responsibilities within the Department in the assembling, analyzing, summarizing and disseminating data concerning the accident experience in their areas of responsibility and the initiation of appropriate corrective action.

Safeguards: Access to and use of these records is made available to those personnel having a legitimate need for the information (those whose duties require review or access) including inspecting or evaluating personnel. Records, which under the law, may not be disclosed such as information pertinent to national security or trade secrets are maintained separately, adequately safeguarded and released only in accordance with the law. When there is doubt regarding the release of information, the matter will be referred, in advance of release, to the Office of the General Counsel, DHEW.

Retention and disposal: All accident reports, records, logs, and other information relating to an accident are retained by the Principal Operating Components and their agencies, the Regional Offices and the Office of the Secretary for at least five years following the end of the calendar year in which the accident occurred. Specific occupational safety and health standards (such as the standards covering the handling of carcinogenic chemicals) may be required to be kept for up to twenty years. Records may be retained indefinitely.

System manager(s) and address:

Director
Office of Safety Management
Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Individuals wishing to inquire whether this system of records contains information about them should address their inquiries to one of the following as appropriate; with the exception of the Food and Drug Administration, contact:

FDA Privacy Coordinator
Food and Drug Administration
5600 Fishers Lane
Rockville, Md. 20852

1. If employed or formerly employed in DHEW Regional Office, the Regional Occupational Safety and Health Manager of the Region involved (see list and addresses under appendix).
2. If employed or formerly employed in a DHEW Principal Operating Component or sub-agency, a staff office or the Office of the Secretary, the Occupational Safety and Health Manager of the component where employed (see list and addresses under appendix). Individuals requesting information about this system of records should provide their full name, social security number, name and address of office and agency in which currently or formerly employed and the accident(s) case number if known.

Record access procedures: Individuals wishing to gain access to or contest their records should contact the following in person or writing as appropriate; with the exception of Food and Drug Administration, See 'Notification' above. 1. If employed or formerly employed in a DHEW Regional Office, the Regional Occupational Safety and Health Manager of the Region involved (see list and addresses under appendix). 2. If employed or formerly employed in a DHEW Principal Operating Component or sub-agency, a staff office or the Office of the Secretary, the Occupational Safety and Health Manager of the component were employed. (see list and addresses under appendix). Individuals requesting informtion in this system of records should provide their full name, social security number, case number if known, time and brief description of the accident in which they were involved and the name and address of office in which employed.

Contesting record procedures: Same as above.

Record source categories: The information in this system is obtained from the following sources: 1) the individual to whom the record pertains; 2) witnesses to the accident; 3) investigating officials (Federal, state, local); 4) medical personnel seeing the individual as a result of the accident; 5) supervisory personnel; 6) reviewing officials; 7) personnel offices; 8) investigative material furnished by Federal, state, or local agencies; 9) on site observations.

Appendix

Region I:
DHEW Regional Safety and Occupational Health Manager
John F. Kennedy Federal Building - Room 1503
Government Center
Boston, Massachusetts 02203

Regional II:
DHEW Regional Safety and Occupational Health Manager
Federal Building - Room 3835
26 Federal Plaza
New York, New York 10007

Regional III:
DHEW Regional Safety and Occupational Health Manager
3535 Market Street
Philadelphia, Pennsylvania 19101

Regional IV:
DHEW Regional Safety and Occupational Health Manager
50 7th Street, N.E. - Room 447
Atlanta, Georgia 30323

Regional V:
DHEW Regional Safety and Occupational Health Manager
300 South Wacker Drive - 35th Floor
Chicago, Illinois 60606

Regional VI:
DHEW Regional Safety and Occupational Health Manager
1114 Commerce Street - Room 1025
Dallas, Texas 75202

Regional VII:
DHEW Regional Safety and Occupational Health Manager
601 East 12th Street - Room 566
Kansas City, Missouri 64106

Regional VIII:
DHEW Regional Safety and Occupational Health Manager
1961 Stout Street - Room 11037
Denver, Colorado 80202

Regional IX:
DHEW Regional Safety and Occupational Health Manager
Federal Office Building - Room 8
50 Fulton Street
San Francisco, California 94102

Regional X:
DHEW Regional Safety and Occupational Health Manager
Arcade Plaza - Room 6003
1321 Second Avenue
Seattle, Washington 98101

Office of Education:
Safety Officer
FOB 06 - Room 1175
400 Maryland Avenue, S.W.
Washington, D.C.

National Institute of Education:
Safety Officer
1200 19th Street, N.W.
Washington, D.C. 20208

Social and Rehabilitation Service:
Safety Officer
Room 4228 - Switzer Building
300 C Street, S.W.
Washington, D.C. 20201

Social Security Administration:
Director, Occupational Health Management
Room 3205 Annex
6401 Security Boulevard
Baltimore, Maryland 21235

Office of the Secretary, DHEW
Safety Officer
Room 4440 - North Building
Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Public Health Service:
Director, Division of Health Facilities Planning
Room 18-42 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Alcohol, Drug Abuse, and Mental Health Administration:
Safety Officer
Room 6-105 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Center for Disease Control:
Chief, Office of Biosafety
Building 8 - Room 232
1600 Clifton Road, N.E.
Atlanta, Georgia 30333

Food and Drug Administration
Safety and Occupational Health Manager
Room 10-71 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Health Resources Administration:
Safety Officer
Room 10A-19 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

National Institutes of Health:
Associate Director, Environmental Health and Safety, Division of Research Sciences
Room 4051 - Building 12A
9000 Rockville Pike
Bethesda, Maryland 20014

OS OCR HSS 07.01

System name: New Orleans Louisiana Review, HEW OS-OCR-HSS.

Security classification: None.

System location: See Appendix 1 To Case Following System HEW, OS, OCR-01.

Categories of individuals covered by the system: Physicians in New Orleans referring patients to hospitals.

Categories of records in the system: Individual physician's name and address.

Authority for maintenance of the system: Title VI of the Civil Rights Act of 1964 (42 USC 2000d, 45 CRF Part 80), under court order.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Departmental Regulations (45 CFR Part 5b) Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards in Room 3756 HEW North.

Retrievability: Card file known only to project manager.

Safeguards: Card file known only to project manager.

Retention and disposal: Indeterminate.

System manager(s) and address:

Assistant Director (Administration and Management)
Office for Civil Rights
330 Independence Avenue, S.W.
Room 3557 - North Building
Washington, D.C. 20201

Notification procedure: System Manager (above).

Record access procedures: System Manager (above).

Contesting record procedures: System Manager (above).

Record source categories: Data were provided by New Orleans, Louisiana Hospitals.

Systems exempted from certain provisions of the act: None.

R RD OLTC 1.01

System name: Complaint Files on Nursing Homes. HEW R RD OLTC

Security classification: None.

System location:

Region I, Office of Regional Director
John F. Kennedy Federal Building
Government Center
Boston, Massachusetts 02203

Regional IX, Office of Regional Director
Federal Office Building
50 Fulton Street
San Francisco, California 94102

Categories of individuals covered by the system: Persons who make complaints on nursing homes certified under Titles XVIII (Medicare) and XIX (Medicaid) of the Social Security Act.

Categories of records in the system: Correspondence from complainant, copies of HEW response, or notation of refferal to relevant State agency.

Authority for maintenance of the system: Titles XVIII and XIX, Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Item 05.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files.

Retrievability: Indexed alphabetically by name of complainant. Used by staffs of the Office of Long Term Care Standards and Enforcement to answer correspondence, to check on complaints, and to initiate corrective action as necessary. Statistical information submitted to SSA, Baltimore.

Safeguards: Authorized personnel only.

Retention and disposal: Retained two years or until complaint file closed, whichever is longer. Destroyed by shredding or incinerating.

System manager(s) and address: Director, OLTCSE at the address given under location.

Notification procedure: Same as above. Individual should contact Regional Office serving State in which nursing home about which a complaint was filed is located.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Letters from complainants, state agencies handling follow-up, staff investigative reports on nursing home.

RO3 ASD 101.01

System name: Claims for Damage, Injury, or Death. HEW/RO3/ASD

Security classification: None.

System location:

Department of Health, Education, and Welfare
Regional III
Room 3300
3535 Market Street
Philadelphia, PA.. 19104

Categories of individuals covered by the system: Federal employees and non-Federally employed individuals submitting claims

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for financial remuneration due to damage, injury or death which are Government related.

Categories of records in the system: 1. Personal information about claimant: name, address, age, marital status, name and address of spouse, insurance coverage. 2. Data relative to incident generating claim: date, time and place of occurrence. Type of incident (property damage, personal injury). Name of witnesses and other information relating to the case.

Authority for maintenance of the system: E.O. 11807, 11654, P.L. 91-596, Section 19(a), Section 7902, Title 5 U.S.C.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To claimant's insurance representative and/or legal counsel. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Item 1.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by the name of the individual claimant. Records may be accessed by Regional Claims Officer and Office of General Counsel.

Safeguards: Maintained in a locked metal cabinet.

Retention and disposal: Records are destroyed after a five (5) year retention period.

System manager(s) and address:

Director, Administrative Services Division
DHEW/Regional III
Room 3300
3535 Market Street
Philadelphia, PA. 19104

Notification procedure: For inquiries: system manager and address as above. Identification needed. For retrieval: name, relationship to claim/claimant.

Record access procedures: Contact System Manager.

Contesting record procedures: Contact System Manager.

Record source categories: Claimant, investigative reports and statement of witnesses.

Systems exempted from certain provisions of the act: None.

E NIE EWG 08.01

System name: Opportunities Industrialization Center of America, Urban Career Education Center (UCEC) Program Data Storage and Retrieval System–HEW E.

Security classification: None.

System location:

62-64 W. Harvey Street
Philadelphia, PA 19144

Categories of individuals covered by the system: Students and parents participating in UCEC program.

Categories of records in the system: Students records, overall UCEC program data, program statistical data.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for services and analysis of records by authorized personnel. To evaluation contractor for creation of systems of records for project and product evaluation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is maintained in student folders within the program records filing system.

Retrievability: Records can be retrieved by student name and are used for (1) program review and assessment by UCEC management and/or administration, (2) monitoring and recording student progress, problems, and other data, and (3) statistical analysis and report of program effectiveness.

Safeguards: Access restricted to counseling and administrative personnel and protected by locks. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Upon graduation or termination, original student records are transferred back to the Feeder Schools from which the students come; copies of the original records are maintained at UCEC for a period of five years after which they are destroyed via burning; other records are destroyed after a period of five years of inception; pertinent other student record data are transferred to the Philadelphia School District to be transferred to microfilm by School District officials.

System manager(s) and address:

Associate Director for Education and Work
National Institute of Education
Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager, address above, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in the system comes from various sources in cooperation with the program - OICs/A and UCEC Administration, instructional, career and counseling departments, employers of students and graduates, colleges attended by graduates, skills training centers and technical schools, student formalized assessments, school district coordinator, parents, feeder schools, recruitment team and external evaluators.

Systems exempted from certain provisions of the act: None.

E NIE EWG 10.01

System name: Mountain-Plains Education and Economic Development Program–HEW E.

Security classification: None.

System location: Raw data (hard copy) are kept in various locations at the project site while computerized files are with three subcontractors to the project:

Controller's office, Building 816
Research Services, Buildings 810, 816, 814
Career Guidance Office and Counseling Office, Building 810
Glasgow Air Force Base
Glasgow, Montana

53 West Broadway
Butte, Montana

Computer Center
Montana State University
Bozeman, Montana

KemData Laboratories
Harve, Montana

Categories of individuals covered by the system: Individuals are members of rural disadvantaged families from the states of North Dakota, South Dakota, Nebraska, Wyoming, Montana and Idaho who are participant student or control families in the Mountain-Plains Education and Economic Development Program.

Categories of records in the system: Family background, work history, educational background, locational history, legal history, medical history, indebtedness, social agency reports, standard test scores (WRAT, GATB, CTBS, OVIS, etc.), in-take pre-tests for diagnostic/prescriptive purposes (home management, consumer education, occupational preparation, etc.), student planmaking, attendance and progress monitoring records (student work plan, student progress records, student time cards, etc.), employer evaluation of students.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for services and analysis of records by authorized personnel. To evaluation contractors for creation of system of records for product and project evaluation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in standard filing containers and computer tape, disc and cards in the various locations.

Retrievability: Student families are identified by a family code number assigned by Mountain-Plains and are retrievable from either of the computer service locations enumerated only on this basis. On-center data used for student progress monitoring and/or student accounting is endorsed by family ID number assigned by Mountain-Plains. Individual test scores are indexed by curriculum numbers

and are not retrievable by individual except as noted above for family progress monitoring. Records are retrieved (1) for monitoring progress of projects/product development, (2) for statistical research or reporting purposes only and not used in whole or in part for conveying information to external sources about an identifiable individual, (3) for research development and evaluation of educational materials, project and programs, (4) for student diagnosis and prescription into program components, (5) for purposes of calculation of student stipend, (6) for purposes of monitoring student progress, (7) for purposes of determining student validation of program components, (8) for transfer to NIE contractor for third-party evaluation.

Safeguards: Access to computer files limited to authorized personnel only. Treatment of raw data and project files governed by administrative policies and procedures of the Project to restrict access and disclosure of information. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Records will be maintained for research and project management purposes indefinitely.

System manager(s) and address:

Associate Director for Education and Work
National Institute of Education
Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager, address above, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Pre-program and post-program information of the type described above concerning family background, work history, educational history, etc., are gathered primarily through personal interview with applicant. Information is solicited from current or previous employers, social action agencies, legal entities or law enforcement offices, physicians and/or credit bureaus. Sources of in-program data such as attendance records, test scores, progress records, etc., are regular Mountain-Plains reporting procedures.

Systems exempted from certain provisions of the act: None.

E OE EDP 02.01

System name: Migration and Refugee Assistance Act of 1962–United States Loan Program for Cuban Students. HEW E.

Security classification: None.

System location:

7th & D Streets, S.W. Room 4007
Washington, D.C. 20202

Categories of individuals covered by the system: Cuban refugees who have borrowed money under the program to finance their education at eligible institutions of higher education.

Categories of records in the system: (1) All individual student files contain the following personal data: name, address, institution, OE ID No.; sex, date of birth, marital status, dependents; place of birth, immigration status, Social Security number; name and address of parents and relatives; employment record for past five years; educational pursuits, career objective; financial information (relatives); date of separation, total amount borrowed; repayment schedule, collections, deferments, cancellations; (2) Additional information on those who request a postponement of repayment on ground of hardship: place of employment, income; regular expenses, lists of debts giving name and address of creditor, nature of indebtedness, total cost, balance owed, frequency of payment and amount of each payment; (3) Additional information on those who request cancellation of loan on ground of permanent and total disability: nature of disability, date symptoms first appeared; name, address of doctor or hospital providing examination(s) and treatment; history of disability, present condition, diagnosis, treatment, progress, prognosis.

Authority for maintenance of the system: Migration and Refugee Assistance Act of 1962, Section 2, Public Law 87-510 (22 U.S.C. 2601).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractor providing billing and collection services for purposes of maintaining accurate and current records of participating students; to students who request a record of their account; to Internal Revenue Service and Immigration and Naturalization Service for purposes of skip-tracing lost borrowers; and to the General Accounting Office or the Department of Justice for legal action against delinquent borrowers and for the routine uses set forth in Appendix B to 45 Code of Federal Regulations Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard-copy filed in a lektriever and standard (locked) filed cabinets.

Retrievability: Records are indexed by individual name and OE identification number. Records are available to DSSSP staff involved in correspondence with Cuban refugee borrowers, contractor personnel if necessary and members of the Office of General Counsel. Records are available to Public Health Service for determinations on requests for medical postponement of repayment of loan or permanent and total disability.

Safeguards: Direct access is restricted to authorized program officials and contractor personnel. Physically safeguarded by use of lektriever and standard file cabinets which are locked during nonworking hours. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: Records maintained indefinitely.

System manager(s) and address:

Director, Division of Student Support and Special Programs
Room 4007, GSA - Regional Office Building
7th & D Streets, S.W.
Washington, D.C. 20202

Notification procedure: System manager (see above) will respond to inquiries. Inquiries must contain system identification number and system name; name and address of borrower concerned; and date of previous correspondence, if any.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Original information is submitted by the institution's program director who obtains it directly from the individual students; additional information in the case of requests for hardship postponements or cancellations on the grounds of total and permanent disability is obtained from the student, a doctor and/or a hospital; and if a borrower dies before completion of repayment, proof of death is obtained from appropriate source.

HSA BMS 0001.02

System name: Division of Federal Employee Health, Employee Health Records HEW/HSA/BMS.

Security classification: None.

System location: See Appendix and Regional Federal Records Center.

Categories of individuals covered by the system: Federal employees enrolled in PHS/DFEH Health Units.

Categories of records in the system: Health records.

Authority for maintenance of the system: 5 USC 7901, 5 USC 8101, OMB Circular No. A-72.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose: Access to those files of persons claiming compensation benefits due to personal injury while on the job. Certain records may be disclosed to medical laboratories, medical consultants, or computer processing firms under a service contract agreement. In the event of a change in sponsorship of a PHS/DFEH health care unit or in a case of mass transfer of employees covered by a PHS/DFEH health care unit to one served by a non-departmental organization, the health records will be transferred to the custodianship of the new organization. Users: U. S. Department of Labor, Office of Worker's Compensation Program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folders.

Retrievability: Purpose: employees are provided occupational health services (on a voluntary basis). The data resulting from these services are included in the employee health records. Users: physicians, nurses, other health professionals. Retrievability: alphabetically by last name.

Safeguards: Stored in locked cabinets; access limited to authorized personnel.

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Retention and disposal: Number of years held at HSA - Period of service or 6 years if inactive. How destroyed: shredded and disposed if inactive more than 6 years.

System manager(s) and address:

Director, Division of Federal Employee Health
FCB 03, 6525 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Same as above. Individuals must provide treatment location.

Record access procedures: See appendix.

Contesting record procedures: See appendix.

Record source categories: Data resulting from the clinical and preventive services offered by the PHS/DFEH Health Unit and data obtained from individual.

Systems exempted from certain provisions of the act: None.

Appendix Location and Access

Washington, D.C. area
Medical Officer in Charge
PHS/DFEH Health Unit
Energy Research and Development Administration
Room A-075
Germantown, Maryland 20767

Nurse in Charge
PHS/DFEH Health Unit
Brown Building, Room 559
1200 - 19th Street, NW
Washington, D.C. 20036

Medical Officer in Charge
PHS/DFEH Health Unit
Bureau of Engraving & Printing
Room 320
14th and C Streets, SW
Washington, D.C. 20226

Nurse in Charge
PHS/DFEH Health Unit
Capitol Mall North Building
Room 325
500 N. Capitol Street, NW
Washington, D.C. 20549

Nurse in Charge
PHS/DFEH Health Unit
Columbia Plaza Bldg., Rm. 4061
2401 E Street, NW
Washington, D.C. 20506

Nurse in Charge
PHS/DFEH Health Unit
E Street Building, Rm. 908
1201 E Street, NW
Washington, D.C. 20226

Nurse in Charge
PHS/DFEH Health Unit
Federal Office Bldg. 06, Rm. A-039
400 Maryland Avenue, SW
Washington, D.C. 20202

Nurse in Charge
PHS/DFEH Health Unit
FOB 07, New Executive Office Bldg.
Room 6101
726 Jackson Place, NW
Washington, D.C. 20503

Nurse in Charge
PHS/DFEH Health Unit
Federal Office Bldg. 08, Room 1010
200 C Street, SW
Washington, D.C. 20204

Nurse in Charge
PHS/DFEH Health Unit
Franconia Warehouse, Bldg. A
Federal Supply Service, GSA
Springfield, Virginia 22150

Nurse in Charge
PHS/DFEH Health Unit
Franklin Square North Building
Room 824
1325 K Street, NW
Washington, D.C. 20225

Medical Officer in Charge
PHS/DFEH Health Unit
General Accounting Office Building
Room 1455
441 G Street, NW
Washington, D.C. 20548

Nurse in Charge
PHS/DFEH Health Unit
GSA Main Building, Rm. 1008
18th and F Streets, NW
Washington, D.C. 20405

Nurse in Charge
PHS/DFEH Health Unit
GSA Region III Building, Rm. 4114
7th and D Streets, SW
Washington, D.C. 20407

Medical Officer in Charge
PHS/DFEH Health Unit
HEW-North Building, Rm. 1165-A
4th Street & Independence Avenue, SW
Washington, D.C. 20201

Medical Officer in Charge
PHS/DFEH Health Unit
HEW-Switzer Bldg., Rm. 3050
4th and C Streets, SW
Washington, D.C. 20201

Medical Officer in Charge
PHS/DFEH Health Unit
Dept. of Housing & Urban Development
Room 7239
7th and D Streets, SW
Washington, D.C. 20410

Nurse in Charge
PHS/DFEH Health Unit
Imperial Building, Room 202
1441 L Street, NW
Washington, D.C. 20416

Medical Officer in Charge
PHS/DFEH Health Unit
Internal Revenue Service Bldg.
Room 1302
12th and Constitution Avenue, NW
Washington, D.C. 20224

Nurse in Charge
PHS/DFEH Health Unit
Justice Department Main Bldg.
Room 1410
10th and Constitution Avenue, NW
Washington, D.C. 20530

Nurse in Charge
PHS/DFEH Health Unit
U.S. Customs Service Bldg., Rm. 5126
14th and Constitution Avenue, NW
Washington, D.C. 20210

Nurse in Charge
PHS/DFEH Health Unit
810 Vermont Avenue, NW
Washington, D.C. 20420

Nurse in Charge
PHS/DFEH Health Unit

Liberty Loan Building, Room 546
(Check Claims Division)
401 - 14th Street, SW
Washington, D.C. 20226

Nurse in Charge
PHS/DFEH Health Unit
'M' Street 02 Building (F.C.C.)
Room 529
1919 'M' Street, NW
Washington, D.C. 20554

Nurse in Charge
'M' Street Building
Room 2121
2000 'M' Street, NW
Washington, D.C. 20461

Nurse in Charge
PHS/DFEH Health Unit
Maiatico Building, Room 1220
806 Connecticut Avenue, NW
Washington, D.C. 20525

Nurse in Charge
PHS/DFEH Health Unit
Matomic Building (USIA)
Room 433
1717 H Street, NW
Washington, D.C. 20547

Nurse in Charge
PHS/DFEH Health Unit
National Archives & Records Service
Room G-2
8th and Pennsylvania Avenue, NW
Washington, D.C. 20408

Nurse in Charge
PHS/DFEH Health Unit
National Labor Relations Board Bldg.
Room 360
1717 Pennsylvania Avenue, NW
Washington, D.C. 20570

Nurse in Charge
PHS/DFEH Health Unit
National Technical Information Service
Room 1225
5285 Port Royal Road
Springfield, Virginia 22161

Nurse in Charge
PHS/DFEH Health Unit
Northwestern Federal Bldg., Rm. 700
1405 'I' Street, NW
Washington, D.C. 20537

Nurse in Charge
PHS/DFEH Health Unit
One McPherson Square Bldg., Rm. 1040
1425 K Street, NW
Washington, D.C. 20525

Medical Officer in Charge
PHS/DFEH Health Unit
Parklawn Building, Room 5B-16
5600 Fishers Lane
Rockville, Maryland 20852

Nurse in Charge
PHS/DFEH Health Unit
Patrick Henry Bldg., Room 5509
601 D Street, NW
Washington, D.C. 20213

Medical Officer in Charge
PHS/DFEH Health Unit
Phillips Building, Room P-132
7920 Norfolk Avenue
Bethesda, Maryland 20545

Nurse in Charge
PHS/DFEH Health Unit
Public Debt Bldg., Room 709
13th and C Streets, SW
Washington, D.C. 20226

Nurse in Charge
PHS/DFEH Health Unit
Rock-Wall Building, Room 729
11400 Rockville Pike
Rockville, Maryland 20852

Nurse in Charge
PHS/DFEH Health Unit
Thomas Circle - South Building
Room 605
1121 Vermont Avenue, NW
Washington, D.C. 20425

Nurse in Charge
PHS/DFEH Health Unit
Todd Building, Room 803
550 - 11th Street, NW
Washington, D.C. 20530

Nurse in Charge
PHS/DFEH Health Unit
Treasury Dept. - Main Building
Room 1445
15th and Pennsylvania Avenue, NW
Washington, D.C. 20220

Nurse in Charge
PHS/DFEH Health Unit
Twinpark Building 01, Suite 142
12720 Twinbrook Parkway
Rockville, Maryland 20852

Nurse in Charge
PHS/DFEH Health Unit
Union Center Plaza, Room 3101
825 North Capitol Street, NE
Washington, D.C. 20426

Nurse in Charge
PHS/DFEH Health Unit
Universal Building North
Room 540 (CAB Mail Room)
1875 Connecticut Avenue, NW
Washington, D.C. 20428

Nurse in Charge
PHS/DFEH Health Unit
U.S. Tax Court Bldg., Room G-64
400 Second Street, NW
Washington, D.C. 20217

Nurse in Charge
PHS/DFEH Health Unit
Washington National Records Center
Room 126
Washington, D.C. 20409

California

Nurse in Charge
PHS/DFEH Health Unit
Federal Building and Courthouse
Room 2304
1130 O Street
Fresno, California 93721

Medical Officer in Charge
PHS/DFEH Health Unit
New Federal Building, Room 5008
300 N. Los Angeles Street
Los Angeles, California 90012

Medical Officer in Charge
PHS/DFEH Health Unit
U.S. Courthouse, Room 1005

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312 N. Spring Street
Los Angeles, California 90012

Nurse in Charge
PHS/DFEH Health Unit
U.S. Courthouse and Federal Bldg.
Room 6315
650 Capitol Mall
Sacramento, Califronia 95814

Nurse in Charge
PHS/DFEH Health Unit
FOB-Cottage Way, Room E-1720
2800 Cottage Way
Sacramento, California 95825

Medical Officer in Charge
PHS/DFEH Health Unit
New Federal Building
Room 5210, Box 36115
450 Golden Gate Avenue
San Francisco, California 94102

Nurse in Charge
PHS/DFEH Health Unit
Tishman Building, 32nd Floor
525 Market Street
San Francisco, California 94105

Nurse in Charge
PHS/DFEH Health Unit
Appraisers Stores Building
Room 1123
630 Sansome Street
San Francisco, California 94111

Nurse in Charge
PHS/DFEH Health Unit
Federal Office Building, Room 40
50 Fulton Street
San Francisco, California 94102

Nurse in Charge
PHS/DFEH Health Unit
Federal Building & Custom House
Room 1519
300 South Ferry Street
Terminal Island
San Pedro, California 90731

Colorado

Medical Officer in Charge
PHS/DFEH Health Unit
Denver Federal Center
Building 040
Denver, Colorado 80225

Medical Officer in Charge
PHS/DFEH Health Unit
Denver Federal Center
Building 025
Denver, Colorado 80225

Nurse in Charge
PHS/DFEH Health Unit
Federal Building & U.S. Courthouse
Room 8028
1961 Stout Street
Denver, Colorado 80202

Connecticut

Nurse in Charge
PHS/DFEH Health Unit
Federal Building and U.S. Courthouse
Room G-1
450 Main Street
Hartford, Connecticut 06103

Florida

Nurse in Charge
PHS/DFEH Health Unit
Federal Office Building, Room 1310
51 S.W. First Avenue
Miami, Florida 33130

Georgia

Medical Officer in Charge
PHS/DFEH Health Unit
Peachtree-7th Street Bldg., Rm. 517
50 - 7th Street, NE
Atlanta, Georgia 30323

Medical Officer in Charge
PHS/DFEH Health Unit
Room 535
730 Peachtree Street, NE
Atlanta, Georgia 30308

Medical Officer in Charge
PHS/DFEH Health Unit
Room 218
1371 Peachtree Street, NE
Atlanta, Georgia 30309

Medical Officer in Charge
PHS/DFEH Health Unit
Room 910
1720 Peachtree Street, NW
Atlanta, Georgia 30309

Medical Officer in Charge
PHS/DFEH Health Unit
Room 155
1776 Peachtree Street, NW
Atlanta, Georgia 30309

Nurse in Charge
PHS/DFEH Health Unit
DCASR - Room 311
3100 Maple Drive, NE
Atlanta, Georgia 30305

Illinois

Medical Officer in Charge
PHS/DFEH Health Unit
Everett McKinley Dirksen Building
Room 1419
219 South Dearborn Street
Chicago, Illinois 60604

Nurse in Charge
PHS/DFEH Health Unit
Federal Building - Room 187
536 South Clark Street
Chicago, Illinois 60605

Nurse in Charge
PHS/DFEH Health Unit
Wacker Building, Room 2046
300 South Wacker Drive
Chicago, Illinois 60606

Iowa

Nurse in Charge
PHS/DFEH Health Unit
Federal Office Building, Room 711
210 Walnut Street
Des Moines, Iowa 50309

Kentucky

Nurse in Charge
PHS/DFEH Health Unit
P.O. Box 267
Covington, Kentucky 41012

Massachusetts

Nurse in Charge
PHS/DFEH Health Unit
Post Office & Court House Building
Room 1805
Boston, Massachusetts 02109

Medical Officer in Charge
PHS/DFEH Health Unit
John F. Kennedy Building, Room E-120
Government Square
Boston, Massachusetts 02203

Nurse in Charge
PHS/DFEH Health Unit
Waltham Federal Center
424 Trapelo Road
Waltham, Massachusetts 02154

Michigan

Nurse in Charge
PHS/DFEH Health Unit
Federal Office Building and U.S. Courthouse, Rm. 1050
231 W. Lafayette Street
Detroit, Michigan 48226

Minnesota

Nurse in Charge
PHS/DFEH Health Unit
Federal Office Building, Rm. 248
Fort Snelling, Minnesota 55111

Nurse in Charge
PHS/DFEH Health Unit
Federal Building & U.S. Courthouse
Room 167
316 Robert Street
St. Paul, Minnesota 55101

Missouri

Medical Officer in Charge
PHS/DFEH Health Unit
Federal Office Building, Rm. 1211
911 Walnut Street
Kansas City, Missouri 64106

Nurse in Charge
PHS/DFEH Health Unit
Federal Building (GSA)
Corridor 16, Sub-basement
1500 East Bannister Road
Kansas City, Missouri 64131

Medical Officer in Charge
PHS/DFEH Health Unit
Federal Building, Room 901
601 E. 12th Street
Kansas City, Missouri 64106

Nurse in Charge
PHS/DFEH Health Unit
Tucker Building
Basement Floor, Room 2
103 W. 10th Street
Rolla, Missouri 65401

Nurse in Charge
PHS/DFEH Health Unit
210 North 12th Boulevard Building
Room 1045
210 North 12th Boulevard
St. Louis, Missouri 63101

Nebraska

Nurse in Charge
PHS/DFEH Health Unit
Federal Building, Room 8408
215 N. 17th Street
Omaha, Nebraska 68102

New Jersey

Nurse in Charge
PHS/DFEH Health Unit
Building T-2
Belle Mead Depot
Belle Mead, New Jersey 08502

Nurse in Charge
PHS/DFEH Health Unit
Federal Office Building, Room 905
970 Broad Street
Newark, New Jersey 07102

New Mexico

Nurse in Charge
PHS/DFEH Health Unit
Federal Building & U.S. Courthouse
Room 5206
500 Gold Avenue, SW
Albuquerque, New Mexico 87101

New York

Medical Officer in Charge
PHS/DFEH Health Unit
Federal Building, 8th Floor
29th Street and Third Avenue
Brooklyn, New York 11232

Nurse in Charge
PHS/DFEH Health Unit
Federal Building, Room 915
111 W. Huron Street
Buffalo, New York 14202

Nurse in Charge
PHS/DFEH Health Unit
Astor Plaza Building
Room 3210
1515 Broadway
New York, New York 10036

Medical Officer in Charge
PHS/DFEH Health Unit
U.S. Customs Court & Federal Bldg.
Foley Square
26 Federal Plaza
New York, New York 10007

North Carolina

Nurse in Charge
PHS/DFEH Health Unit
Building D, Room 100
Environmental Protection Agency
Research Triangle Park, North Carolina 27711

Ohio

Nurse in Charge
PHS/DFEH Health Unit
National Environmental Research Center
Room SB-47
4676 Columbia Parkway
Cincinnati, Ohio 45268

Medical Officer in Charge
PHS/DFEH Health Unit
Federal Office Building, Room 1515
550 Main Street
Cincinnati, Ohio 45202

Nurse in Charge
PHS/DFEH Health Unit
Environmental Control Administration

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Room 411
5555 Ridge Road
Cincinnati, Ohio 45268

Nurse in Charge
PHS/DFEH Health Unit
Federal Building, Room 517
234 Summit Street
Toledo, Ohio 43604

Pennsylvania

Nurse in Charge
PHS/DFEH Health Unit
U.S. Customs House & Federal Building
Room 111
2nd and Chestnut Streets
Philadelphia, Pennsylvania 19106

Nurse in Charge
PHS/DFEH Health Unit
William J. Green, Jr. Federal Bldg.
Room 4306/4310
600 Arch Street
Philadelphia, Pennsylvania 19106

Nurse in Charge
PHS/DFEH Health Unit
Gateway Building, Room 1320
3535 Market Street
Philadelphia, Pennsylvania 19104

Nurse in Charge
PHS/DFEH Health Unit
Federal Office Building
12th Floor
1000 Liberty Avenue
Pittsburgh, Pennsylvania 15222

Texas

Medical Officer in Charge
PHS/DFEH Health Unit
Room 1106
1100 Commerce Street
Dallas, Texas 75202

Medical Officer in Charge
PHS/DFEH Health Unit
Federal Building, Room 13A25
819 Taylor Street at 10th
Fort Worth, Texas 76102

Medical Officer in Charge
PHS/DFEH Health Unit
Federal Center
P.O. Box 6567
Fort Worth, Texas 76115

Utah

Nurse in Charge
PHS/DFEH Health Unit
Federal Office Building, Room 3103
125 South State Street
Salt Lake City, Utah 84138

Washington

Nurse in Charge
PHS/DFEH Health Unit
Arcade Plaza Building, Room 5051
1321 Second Avenue
Seattle, Washington 98101

Nurse in Charge
PHS/DFEH Health Unit
Federal Center South Building
Room 184
4735 E. Marginal Way
Seattle, Washington 98134

Nurse in Charge
PHS/DFEH Health Unit
New Federal Building, Room 570
915 Second Avenue
Seattle, Washington 98104

Wisconsin

Nurse in Charge
PHS/DFEH Health Unit
Federal Building & U.S. Courthouse
Room 420
517 East Wisconsin Avenue
Milwaukee, Wisconsin 53202

HSA BMS 0003.01

System name: Contract Physicians and Consultants HEW/HSA/BMS.

Security classification: None.

System location:
6525 Belcrest Road, Room 1100, Presidential Building
Hyattsville, Maryland 20782
and 9 USPH Hospitals per appendix

Categories of individuals covered by the system: Contract Physicians and Consultants.

Categories of records in the system: Duplicate of original contract and personal data qualifications.

Authority for maintenance of the system: Public Health Service Act Sections 321, 322 (42 U.S.C. 248, 249).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix B of the Departmental Regulations (45 CFR, Part 5b) item (5), (7) and (100).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File Folders.

Retrievability: Purpose: contract compliance, statistical information required by Headquarters, Branch and Service Chiefs. Users: BMS Headquarters Staff, Branch and Service Chiefs. Retrievability: name and contract number

Safeguards: Limited access to Branch and Service Chiefs only.

Retention and disposal: Number of years held at HSA - 1-3 years dependent upon renewal. Number of years held at Federal Records Center before disposal - copy not held. How destroyed: shredded.

System manager(s) and address:
Chief, General Services Branch
HEW/HSA/Bureau of Medical Services
6525 Belcrest Road, Room 1100
Hyattsville, Maryland 20782

Notification procedure:
Director, Bureau of Medical Services, Att:
Chief, General Services Branch
6525 Belcrest Road, Room 1100, Presidential Building
Hyattsville, Maryland 20782
and List as under location

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Physicians/consultants.

Systems exempted from certain provisions of the act: None.

Appendix

Director, USPHS Hospital, attn:
General Supply Officer
3100 Wyman Park Drive
Baltimore, Maryland 21211

Director, USPHS Hospital, attn:
General Supply Officer
77 Warren Street
Boston (Brighton), Mass. 02135

Director, USPHS Hospital, attn:
General Supply Officer
Carville, Louisiana 70721

Director, USPHS Hospital, attn:
General Supply Officer
4400 Avenue N
Galveston, Texas 77550

Director, USPHS Hospital, attn:
Office Services Manager
210 State Street
New Orleans, Louisiana 70118

Director, USPHS Hospital, attn:
Supply Officer
6500 Hampton Boulevard
Norfolk, Virginia 23508

Director, USPHS Hospital, attn:
General Services Officer
15th Avenue and Lake Street
San Francisco, California 94118

Director, USPHS Hospital, attn:
General Supply Officer
1131 14th Avenue, S.
Seattle, Washington 98114

Director, USPHS Hospital, attn:
Supply Management Officer
Bay & Vanderbilt Streets
Staten Island, N.Y. 10304

HSA BMS 0007.03

System name: Patients Medical Record System PHS Hospitals/Clinics HEW/HSA/BMS.

Security classification: None.

System location: See appendices 1 and 2 and Regional Federal Records Center.

Categories of individuals covered by the system: Individuals examined/treated at Public Health Service Hospitals and Clinics.

Categories of records in the system: Medical examination, diagnostic and treatment data, information for proof of eligibility, social data, disease registers, treatment logs, statistical summaries, correspondence.

Authority for maintenance of the system: Public Health Service Act, Section 321 (42 U.S.C. 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose: Reporting results of medical examination, care and treatment; billing third parties for care of patient; reporting as required by state law, e.g., birth, death, communicable diseases, violent injuries, etc.; litigation in protection of the government; research study: health care evaluation program; education of health professionals; contractors for duplication by a non-HEW or private duplication service for distribution to multiple users and for automating data. Users: any community health organization, or government agency, private physicians and/or company which had requested or arranged for an examination, treatment or care of an individual by the Bureau of Medical Services may upon request, be furnished clinical information regarding such examination, treatment or care. Army, Navy, Air Force for reports of uniformed service personnel and their dependents examination/treatment; Coast Guard for reports of uniformed service personnel and their dependents; Coast Guard for reports of American seamen found to be suffering from conditions that render them hazardous to themselves or to others aboard ship; NOAA for reports of uniformed service and other personnel of that agency. INS for reports of aliens examined and treated for and in behalf of that agency. Department of Justice for investigation or litigation in protection of the government. Bureau of Prisons for reports of examination and treatment of patients examined and/or treated for and on behalf of the BP. Department of Health or other agency of a state or its subdivision for reports required under state law or regulation. Professional Standards Review Organization of the area of the facility, U.S. Department of Labor, Office of Workers Compensation Programs, for persons claiming compensation benefits due to personal injury while employed by the government. Qualified research personnel with a research protocol approved by the Director, Division of Hospitals and Clinics, when no identification data are abstracted or when participating in an approved disease register. Accreditation and health education program agencies. Health professions students serving an affiliation at the institution. Non-agency physicians or laboratories for continued care of the patient. Veterans Administration to assist uniformed service personnel, retirees and veterans obtain medical care or benefits.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, magnetic tape, punch cards, microfilm.

Retrievability: Purpose: communication for patient care by health care team and related personnel. Administrative use for facility management and medical care evaluation, by medical and related staff, administrative staff of the facility. Educational uses to educate and train medical and allied health personnel. Research, study of disease cause, treatment and methods of care delivery. Users: health care team, other medical and allied medical personnel. Medical and allied health students. Administrative personnel for determination of eligibility for care and facility management. Reports of examination/treatment of individuals at request of DHEW-OP, CPOD. Reports of adverse drug reaction and medical device malfunction to FDA. Recover cost of care - PHS Claims Officer. Retrievability: indexed by name, register number, number control register, disease and operation, uniformed services service number which is the social security number. (Permission has been requested from the Department for the continued use in this system of the SSN as a use within Sec. 7 (a)(2)(B) of the Privacy Act.)

Safeguards: Locked storage area, personnel training and instruction, PHS Policy on release of information, job description responsibility for individual employees.

Retention and disposal: Numbers of years held at HSA (since 1970) - 5 years after last activity. Number of years held at Federal Record Center before disposal - 50 years active duty uniformed service personnel, 25 years all .others. Microfilmed records prior to 1970 - permanent. How destroyed: According to FRC policy.

System manager(s) and address:
Director, Division of Hospitals and Clinics
Federal Center Building 03, 6525 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Same as system location. Not including Regional Federal Records Centers. Individual must contact appropriate facility directly.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Individual, health care personnel, other hospitals and physicians, employers, social agencies, maritime unions, shipping companies.

Systems exempted from certain provisions of the act: None.

Appendix 1

Director, USPHS Hospital
3100 Wyman Park Drive
Baltimore, Maryland 21211

Director, USPHS Hospital
77 Warren Street
Boston (Brighton), Massachusetts 02135

Director, USPHS Hospital
4400 Avenue N
Galveston, Texas 77550

Director, USPHS Hospital
210 State Street
New Orleans, Louisiana 70118

Director, USPHS Hospital
6500 Hampton Boulevard
Larchmont
Norfolk, Virginia 23508

Director, USPHS Hospital
15th Avenue and Lake Street
San Francisco, Californin 94118

Director, USPHS Hospital
Box 3145 or
1132 14th Avenue South
Seattle, Washington 98114

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Director, USPHS Hospital
Bay and Vanderbilt Streets
Staten Island, New York 10304

Director, USPHS Hospital
Carville, Louisiana 70721

Appendix 2

Director
USPHS Outpatient Clinic
Annette Island, Alaska 99920

Director
USPHS Outpatient Clinic
1600 Clifton Road, N.E.
Atlanta, Georgia 30333

Director
USPHS Outpatient Clinic
Balboa Heights, C.Z.

Director
USPHS Outpatient Clinic
50 High Street, R. 609
Buffalo, New York 14203

Director
USPHS Outpatient Clinic
214 Federal Building
334 Meeting Street
Charleston, S. C. 29403

Director
USPHS Outpatient Clinic
P. O. Box 8
Charlotte Amalie, V. I. 00802

Director
USPHS Outpatient Clinic
1439 S. Michigan Avenue
Chicago, Illinois 60605

Director
USPHS Outpatient Clinic
P. O. and Courthouse Building
5th and Walnut Street
Cincinnati, Ohio 45202

Director
USPHS Outpatient Clinic
New P. O. Building, West 216 3rd Street and Prospect Ave.
Cleveland, Ohio 44115

Director
USPHS Outpatient Clinic
14700 Riverside Drive
Detroit, Michigan 48215

Director
USPHS Outpatient Clinic
Box 1410 or
591 Ala Moana Boulevard
Honolulu, Hawaii 96807

Director
USPHS Outpatient Clinic
204 U. S. Customs Building
701 San Jacinto Street
Houston, Texas 77002

Director
USPHS Outpatient Clinic
Box 4788 or 328 Federal Building
311 West Monroe Street
Jacksonville, Florida 32201

Director
USPHS Outpatient Clinic
P. O. Box 890
Juneau, Alaska 99801

Director
USPHS Outpatient Clinic
969 Madison Avenue
Memphis, Tennessee 38104

Director
USPHS Outpatient Clinic
51 S. W. 1st Avenue, Room 712
Miami, Florida 33130

Director
USPHS Outpatient Clinic
125 Federal Building
Mobile, Alabama 36602

Director
USPHS Outpatient Clinic
245 West Houston Street
New York, New York 10014

Director
USPHS Outpatient Clinic
Room 700
US Customs House
2nd & Chestnut Sts
Philadelphia, Penna. 19106

Director
USPHS Outpatient Clinic
U. S. Post Office and Courthouse
7th and Grant Streets
Pittsburgh, Penna. 15219

Director
USPHS Outpatient Clinic
209 Federal Office Building
5th Street and Austin Avenue
Port Arthur, Texas 77640

Director
USPHS Outpatient Clinic
331 Veranda Street
Portland, Maine 04103

Director
USPHS Outpatient Clinic
220 Courthouse
Broadway and Main Street
Portland, Oregon 97205

Director
USPHS Outpatient Clinic
1520 Market Street
St. Louis, Missouri 63103

Director
USPHS Outpatient Clinic
2105 Fifth Avenue
San Diego, California 92101

Director
USPHS Outpatient Clinic
Box 3788
San Juan, Puerto Rico 00904

Director
USPHS Outpatient Clinic
Box 831
San Pedro, California 90733

Director
USPHS Outpatient Clinic
P. O. Box 9625
Savannah, Georgia 31402

Director
USPHS Outpatient Clinic
P. O. Box 1611
Tampa, Florida 33601

Director
USPHS Outpatient Clinic
HEW South Building
Washington, D. C. 20201

HSA BMS 0008.01

System name: Emergency Non-PHS Treatment Authorization File HEW/HSA/BMS.

Security classification: None.

System location: See Appendices 1 and 2 to Patients Medical Record System PHS Hospitals/Clinics System

Categories of individuals covered by the system: Individuals who are eligible for emergency care paid for by the Public Health Service at non-Service medical facilities and have had such care.

Categories of records in the system: Eligibility information and reasons for emergency care.

Authority for maintenance of the system: Public Health Service Act, Section 321 (42 U.S.C. 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose: Proof of eligibility to authorize medical care of primary beneficiaries. Users: Non-PHS providers of medical care. Insurance companies for third party reimbursement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Document files.

Retrievability: Purpose: to determine eligibility for medical care by the PHS; used to document expenditure of public funds; review and evaluation of medical care. Users: DHEW administrative officials; DHEW physicians or other DHEW health care professionals. Financial officers of the Division of Hospitals and Clinics, BMS. Retrievability: name.

Safeguards: Retained in files of authorized administrative personnel only.

Retention and disposal: Number of years held at HSA - indefinite.

System manager(s) and address:
Director, Division of Hospitals and Clinics
FCB 03, 6525 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Same as system location. Individual must contact appropriate treatment facility directly.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Individual or someone acting in his behalf, and providers of medical care.

Systems exempted from certain provisions of the act: None.

HSA BMS 0009.01

System name: Cooperative Research Studies System: Pyelonephritis HEW/HSA/BMS.

Security classification: None.

System location: Appendix 1 to Patients Medical Record System PHS Hospitals/Clinics System.

Categories of individuals covered by the system: Patients at Public Health Service Hospitals who have agreed to participate in the project.

Categories of records in the system: Medical data.

Authority for maintenance of the system: Public Health Service Act, Section 321 (42 U.S.R. 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Users: qualified research personnel with approved research protocol. Contractor for automating, compiling and analysis of data.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents, magnetic tape, punch cards.

Retrievability: Purpose: medical research. Users: qualified research personnel Retrievability: study number, name, hospital register number.

Safeguards: Locked files, access to study number control limited to research project personnel.

Retention and disposal: Retained for life of research project.

System manager(s) and address:
Director, Division of Hospitals and Clinics
Federal Center Building 0 3, 6525 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Same as above, giving treatment location.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Individual and medical care system.

Systems exempted from certain provisions of the act: None.

HSA BMS 0010.01

System name: Cooperative Research Studies System: Essential Hypertension HEW/HSA/BMS.

Security classification: None.

System location: System location: Appendix 1 to Patients Medical Record System PHS Hospitals/Clinics System.

Categories of individuals covered by the system: Patients at Public Health Service Hospitals who have agreed to participate in the project.

Categories of records in the system: Medical data.

Authority for maintenance of the system: Public Health Service Act, Section 321 (43 U.S.C. 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose: research. Users: qualified research personnel with approved research protocol. Contractor for automation, compiling and analyzing data.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents, magnetic tape, punch cards.

Retrievability: Purpose: medical research. Users: qualified research personnel. Retrievability: study number, name, hospital register number.

Safeguards: Locked file. Access to study number control and record limited to research project personnel.

Retention and disposal: Retained for the life of the study project.

System manager(s) and address:
Director, Division of Hospitals and Clinics
Federal Center Building 0 3, 6525 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Same as above. Individuals must provide treatment location.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Individual and medical care system.

SSA HA 1075.01

System name: Panel Listings for Vocational Experts and Medical Advisors HEW SSA.

Security classification: None.

System location: All Hearing Offices (See Appendix G).

Categories of individuals covered by the system: Vocational Experts and Medical Advisors.

Categories of records in the system: A list of all Vocational Experts and Medical Advisors under contract to the Bureau of Hearings and Appeals who are within the area serviced by the hearing office. In addition a folder is kept for each expert containing a copy of their contract, qualifications, correspondence, travel orders, and invoices.

Authority for maintenance of the system: Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended and Section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See 45 CFR, Part 5b.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folder.

Retrievability: Alphabetically - enables the presiding officer to select the needed expert on a rotational basis for utilization in individual cases.

Safeguards: Limited access to SSA officers; limited employee access to need to know.

Retention and disposal: Indefinitely.

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System manager(s) and address:

Director
Bureau of Hearings and Appeals, Room 503
801 North Randolph Street
Arlington, Virginia 22203

Notification procedure:

Social Security Administration
Bureau of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Record access procedures: Written request to above address.

Contesting record procedures: Same.

Record source categories: Vocational Experts and Medical Advisors.

SSA HI CAR 0175.02

System name: Carrier Medicare Claims Records HEW SSA.

Security classification: None.

System location: Carriers, under contract to Social Security Administration (See Appendix C, section 4).

Categories of individuals covered by the system: Recipients of Part B (Supplementary Medical) Medicare benefits.

Categories of records in the system: Request for Payment; Provider Billing for Patient Services by Physician; Prepayment Plan for Group Medicare Practices Dealing through a Carrier; Request for Claim Number Verification; Payment Record Transmittal; Statement of Person Regarding Medicare Payment for Medical Services Furnished Deceased Patient; Report of Prior Period of Entitlement; itemized bills and other similar documents from beneficiaries required to support payments to physicians and other suppliers of Part B Medicare services.

Authority for maintenance of the system: Sections 1842 and 1874 of title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The record is prepared by the beneficiary and is used by the carriers to determine amount of and entitlement to Part B benefits. The bills are retained by the carriers. The record is also used to update the Part B Physician/Supplier

25,000 listing. Disclosures of physician's customary charge data are made to state audit agencies in order to ascertain the correctness of Title XIX charges and payments.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained on paper.

Retrievability: System is indexed by health insurance claim number.

Safeguards: Unauthorized personnel are denied access to the records area. Disclosure is limited.

Retention and disposal: Close out at the end of the calendar year in which paid, two additional years, transferred to Federal Records Center and destroy after another six years.

System manager(s) and address:

Director, Bureau of Health Insurance
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for system records should be addressed to the most convenient social security office or to Social Security Administration, Bureau of Health Insurance, Health Insurance Inquiries Branch, Baltimore, Maryland 21235. The individual should furnish his or her health insurance claim number and name as shown on social security records.

Record access procedures: The individual can obtain information on the procedures for gaining access to and contesting records from the most convenient social security office or from Social Security Administration, Bureau of Health Insurance, Health Insurance Inquiries Branch, Baltimore, Maryland 21235.

Contesting record procedures: Same.

Record source categories: The data contained in these records is furnished by the individual. In most cases, the identifying information is provided to the physician by the individual. The physician then adds the medical information and submits the bill to the carrier for payment.

SSA MA AAP 0175.01

System name: Criminal Investigations File HEW SSA.

Security classification: None.

System location:

Office of Management and Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Records maintained pertain predominantly to those persons alleged to be in violation of either personnel regulations or criminal provisions of the Social Security Act.

Categories of records in the system: Case control log - Records incoming date and source for all cases received. This log is cross indexed to the branch number assigned to each case. Development worksheet - Each case is indexed to annotate current case status by date. Criminal investigation case file - Provides reports of contacts, exhibits, related memorandum, and final report.

Authority for maintenance of the system: Sections 206, 208, 221, 222, 1106, 1107, 1631, 1632, 1633, 1816, 1842, 1872, 1874, 1876, and 1877 of the Social Security Act and sections 413 and 427 of the Federal Coal Mine Health and Safety Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Investigation case file - Documents contacts with other agencies, officials, and third parties potentially having information bearing on the issue under investigation. Routinely provides documented case history for use by the investigator to prepare for further legal proceedings and for dissemination to the requesting bureau. (Cross-reference; 45 CFR,Part 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File cabinets.

Retrievability: Case numbers are assigned chronologically to indicate the nature of the case. Case control log - Predominantly provides a cross index of incoming requests to branch case numbers for administrative purposes. Development worksheet - Each investigator indicates the current status of the case for branch management to ascertain further developments and to establish chain of custody.

Safeguards: The file cabinets and the office where these records are maintained are closely supervised during business hours and locked during non-business hours. In addition, two combination safes storing sensitive evidence are supervised directly by the branch chief. All records are prepared manually on Social Security Administration forms, when possible, and signed or initialed by the investigator.

Retention and disposal: All records are maintained indefinitely. The Handbook for Investigators issued for the use of branch personnel continues to remain current.

System manager(s) and address:

Branch Chief, Investigations Branch
Office of Management and Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: An individual can determine if this system contains a record pertaining to him by requesting such information in writing from the systems manager.

Record access procedures: Per 5 United States Code 552a (k)(2), the records in this system are exempt from access by the individual named in the records. However, access to information which is a matter of public record or documents furnished by the individual will be permitted.

Contesting record procedures: Same.

Record source categories: Information is selected from a broad range of categories including public records, Federal and State agencies, employer records, hospital files, and public contacts.

Systems exempted from certain provisions of the act: Exemption of this system to the access provisions is claimed under section (k)(2) of the Privacy Act inasmuch as these records are investigatory materials compiled for program (law) enforcement or law enforcement in anticipation of a criminal proceeding. (See Page 47413 of Part V of the Federal Register, Vol. 40, No. 196, Wednesday, October 8, 1975).

SSA MA EO 0175.02

System name: Employee Housing Request Files HEW SSA.

Security classification: None.

System location:

Special Staff for Equal Opportunity, Office of Management and Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: SSA employees who have requested housing counseling services.

Categories of records in the system: This system of records contains the employee's name, home address, position, grade, work location, work telephone number, housing assistance requested and assistance given.

Authority for maintenance of the system: Executive Order 11478.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Statistical data furnished to U.S. Dept. of Housing and Urban Development.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in file folders.

Retrievability: Indexed by the employee's name. Information is used by housing counselors to assist employee in finding suitable housing.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: These records are maintained for 1 year and then destroyed.

System manager(s) and address:

Director, Special Staff for Equal Opportunity
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Contact the System Manager and provide name, clerk number or other identifier, and place of SSA employment or former employment.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: Information provided by the employee.

SSA MA HR 0175.01

System name: Personnel Research and Test Validation Records HEW SSA.

Security classification: None.

System location:

Office of Management and Administration, SSA
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: SSA employees.

Categories of records in the system: These records include education and employment history, test scores, responses to test items and questionnaires, interview data and ratings of supervisors regarding the individuals to whom the records pertain.

Authority for maintenance of the system: Title 5, U.S. Code Sec. 3301, Sec. 1303.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine use includes the exchange of personnel records between SSA and the Civil Service Commission for personnel research purposes and the use of personal identifier such as employee name to identify employees included in research studies that extend over a period of time (longitudinal studies). These records may be also used as a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act. (See also 45 CFR, Part 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, on punched cards, microfiche, computer tape, and computer storage.

Retrievability: Records are maintained by project. Personal information can be retrieved by name or personal identifier (such as social security number) only for certain research projects such as those that involve longitudinal studies. Confidential and/or protected information such as ratings and test materials will not be disclosed. Data are collected on a project by project basis and are used for the construction, analysis and validation of written tests; for research on personnel measurement and selection methods and techniques and research on personnel management practices such as performance evaluation or productivity. No personnel decisions are made in the use of these research records. Many data are collected under conditions assuring their confidentiality. This confidentiality will be protected. Personal information in this system of records is used by the Personnel Measurement and Research Branch in its research activities.

Safeguards: Records are kept in locked files or locked room, and access is limited to research staff.

Retention and disposal: Indefinite.

System manager(s) and address:

Assistant Commissioner, Office of Human Relations
Office of Management and Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Write to the Chief, Personnel Measurement and Research Branch and provide name, name of system, identifier where required, and place of SSA employment or former employment.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: Individual SSA employees, supervisors, assessment center assessors or data from SSA personnel files and records.

Systems exempted from certain provisions of the act: Under the provisions of 5 USC 552, Sec. K (6), which provides for exempting 'testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process,' we exempt from disclosure all Social Security Administration merit promotion tests and proposed tests, including all alternate forms of such tests and proposed tests.

SSA MA HR 0375.01

System name: Debtors, Credit Counseling and Consumer Protection HEW SSA.

Security classification: None.

System location:

Office of Management and Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Employees of SSA headquarters who request services or employees about whom the administration receives written inquiries because of employees' alleged delinquency in paying taxes and just debts.

Categories of records in the system: Form SSA-3048:

Employee's name
Social Security Number
Telephone extension
Bureau, branch
Grade
Area of service
Nature of request including personal information as to finances that the employee voluntarily provides
Disposition, including employee's stated intentions
Record of letters or tax forms sent as replies and referrals made to community organizations
Copies of letters from employees to consumer agencies
Letters from creditors or their representatives and copies of our replies
Copies of tax levies against employees.

Authority for maintenance of the system: Title 45 Public Welfare, Part 73.735-702 Standards of Conduct HEW Federal Personnel Manual, 735-4-10.B1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Consumer Credit Counseling Service, creditors, and firms or organizations involved in consumer complaints with employee's permission and in employee's presence; Justice Department, Secret Service, and U.S. Attorney (See also 45 CFR, Part 5b).

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Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Alphabetically by name. These files are also used by staff members of Employee Relations Branch for work processing, perspective in counseling and possible disciplinary action when indicated.

Safeguards: Locked steel file cabinets.

Retention and disposal: Routine cases destroyed by shredding after period of one year except for tax review which are kept indefinitely. Ongoing cases in which there is indepth counseling may be kept up to three years from date of last contact.

System manager(s) and address:

Director of Personnel
Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries should be addressed to the Employees Relations Branch, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, and should include the individual's name.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: Information obtained from employee, creditors, IRS, State Tax Division of various States. SSA Computer Printout 7887 Part I 'Locator' used to find telephone extension of employees.

SSA MA OF 0475.02

System name: General Criminal Investigation Files HEW SSA.

Security classification: None.

System location:

Office of Management and Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Reported violators of Federal and State criminal laws on Social Security Administration property.

Categories of records in the system: Investigative efforts to resolve reported crimes and evidence obtained for judicial prosecution.

Authority for maintenance of the system: Section 535 of Title 28, United States Code.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To facilitate the investigation and solution of crimes and the prosecution of offenders. Disclosures are routinely made to the Justice Department. (See 45 CFR, Part 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Heavy-weight Kraft file folders in fireproof, locked, steel cabinets.

Retrievability: Indexed alphabetically by names of subject of investigation.

Safeguards: Access limited in storage area to Protective Security Section only.

Retention and disposal: Seven years, then shredded.

System manager(s) and address:

Chief
Protective Security Section
Office of Management and Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: An individual can determine if this system contains a record pertaining to him by sending a request in writing to the Systems Manager. The request should contain full name, date of birth, as well as work location in the Social Security Administration.

Record access procedures: Per 5 U.S.C. 552a(k)(2), the records in this system are exempt from access by the individual named in the records. However, access to information which is a matter of public record or documents furnished by the individual will be permitted.

Contesting record procedures: Same.

Record source categories: Information in files comes from interviews of persons believed knowledgeable about crimes under investigation who furnish relevant facts which can serve to identify possible violators and secure the conviction of the guilty.

Systems exempted from certain provisions of the act: Exemption of this system to the access provisions is claimed under section (k)(2) of the Privacy Act inasmuch as these records are investigatory materials compiled for law enforcement in anticipation of a criminal proceeding. (See page 47413 of Federal Register of 10/8/75, Vol. 40, No. 196, Part V).

SSA MA QA 0175.01

System name: Supplemental Security Income Quality Assurance System HEW SSA.

Security classification: None.

System location:

Bureau of Data Processing
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Randomly selected individuals who have applied to the Social Security Administration for supplemental security income benefits and those who were transferred from State welfare rolls for Aid to the Aged, Blind, and Disabled to the rolls of supplemental security income beneficiaries.

Categories of records in the system: Quality Assurance data base, selected case file, contingency sample master file, quality assurances universe file, designated case file, designated case transmission file, designated case extract file, sample control list, and Federal fiscal liability control file. These records may contain: social security number, State and county of residence, type of claim, information regarding Federal or State administered supplementation payments, social security claim numbers, living arrangements and family composition, income information, sex, race, resources, third party contacts, and indications of processing errors.

Authority for maintenance of the system: Sections 205(a), 1631(d), and 1631(e) of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Quality Assurance data base is used for accumulating and tabulating data to determine the accuracy of the eligibility status of beneficiaries and of benefit amounts paid under the supplemental security income program. It is also used to calculate the Federal fiscal liability case and gross dollar error rates for State supplement funds administered by the Social Security Administration. Other categories of records provide data necessary to complete the data base and to provide information to the Social Security Administration's Quality Assurance Field Staffs needed to review cases in order to obtain information on the quality of work accomplished in the supplementary security income program. Contact is had with members of the community, and local, State, and Federal agencies in order to determine the accuracy of the case decisions. (See also 45 CFR, Part 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape.

Retrievability: In sequence by social security number.

Safeguards: Tapes are stored in tape vault in Electronic Data Processing Operations Branch or in protected storage racks. The entire area is secured by guarded entrances, with admission limited to authorized personnel.

Retention and disposal: The Quality Assurance data base is retained indefinitely. Other records are erased after 3 to 6 months.

System manager(s) and address:

Director, Office of Quality Assurance
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Requests may be forwarded to the Director, Division of Quality Review, Office of Quality Assurance, 6401 Security Boulevard, Baltimore, Maryland 21235.

Record access procedures: Access should be requested from the Director, Division of Quality Review, at the address listed under 'System Manager,' or from the Program Review Officer serving the individual's State of residence (See Appendix D-3).

Contesting record procedures: Same.

Record source categories: Information in the supplemental security income quality assurance system is furnished by applicants for and beneficiaries of supplemental security income, representative payees of such individuals (where appropriate), Social Security Administration offices, other Federal and State agencies, and (with prior written permission of the applicant or beneficiary) from private sources.

SSA MA QA 0375.02

System name: Quality Assurance Casefile.

Security classification: None.

System location: Tweaty-five (25) field offices located throughout the United States (See Appendix D-4).

Categories of individuals covered by the system: Applicant/Beneficiary–An individual who filed a prescribed application for SSI benefits/ an aged, blind, or disabled person who meets the SSI requirement.

Categories of records in the system: The Quality Assurance Casefile contains information from SSA records and information obtained by Qaulity Assurance Specialists from SSI beneficiaries and from collateral sources. This information relates to the sampled beneficiary's eligibility for SSI payments and to his payment amount. The information is used in conjunction with similar information obtained on a random basis nationwide to determine the effectiveness of SSA's administration of the SSI program and to whether or not policies and procedures relating to his program are being administered in a correct and uniform manner.

Authority for maintenance of the system: Sections 1631(d)(1) and 1631(e)(1)(B) of title XVI of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in a file may be used to contact third-party sources to verify the beneficiary's statements, and to locate the beneficiary when his whereabouts are unknown. Disclosures are also made to State Welfare Departments pursuant to agreements with the Social Security Administration for administration of State supplementation payments.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manilla folder.

Retrievability: The Quality Assurance Casefiles can be retrieved if social security number, name, and address are known.

Safeguards: The casefiles are stored in the Quality Assurance Field Offices that have jurisdictional responsibility for the review of the selected SSI sample case either in locked cabinets and/or locked rooms or in space serviced by GSA guards.

Retention and disposal: The Quality Assurance Casefile is retained 18 months after the month the case was selected for QA sample case review.

System manager(s) and address:

Director
Office of Quality Assurance
Office of Management and Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Requests may be forwarded to the Program Review Officers (See Appendix D-3).

Contesting record procedures: Same.

Record source categories: Information in the Supplemental Security Income Quality Assurance System is furnished by applicants for and beneficiaries of Supplemental Security Income, representative payees of such individuals (where appropriate), Social Security Administration offices, and other Federal and State agencies, and (with prior written permission of the applicant or beneficiary) from private sources, such as banks, landlords, etc.

SSA PO RSI 0275.02

System name: Master Beneficiary Record HEW SSA.

Security classification: None.

System location:

Bureau of Data Processing
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: All social security beneficiaries curreatly entitled to receive retirement, survivors, disability, and special minimum social security benefits; records for beneficiaries whose entitlement has been terminated because of a termination event as defined in the Social Security Act; and denied and disallowed cases.

Categories of records in the system: The master beneficiary data contains data applicable to all beneficiaries maintained on the record within a particular account and reflects the social security number under which benefits are awarded, the primary insurance amount (insured) or quarters of coverage required and earned (uninsured); provides information regarding benefit computation, insured status, use of railroad or military credits, and information for statistical and control purposes; contains the effective date of onset of disability for disability cases or date and proof of death for death cases; contains information pertinent to all beneficiaries receiving payment on the record and the name and address (including ZIP Code) of the payee, the servicing social security district office code and the amount of the monthly check payable; reflects any special status of a payment being made; contains statistical and identifying information for each individual on the record such as the beneficiary subscript, beneficiary name, date of birth, date of entitlement, sex, race, and benefit payment status; contains information for those beneficiaries enrolled in the health or supplemental medical insurance provision of the Social Security Act; contains information relating to annual reports of earnings, representative payee data, and cross-reference data pertinent to any other account on which the beneficiary may be entitled to benefits; and a chronological sequence of payment history for each beneficiary. The records may be in the following form: Master Beneficiary Record Computer File; Online Data Base (Query and Response); Various Microform Files as follows: Master File - a master record in account number order, Alpha File - an alphabetic list of beneficiaries, Transaction File - monthly supplement (accretions, deletions, and changes) to the master file, in account number order, Offline Query and Response, Treasury Payment Tape Files and Related Transaction Files, Various One-Time Work Tape Files used in computer sorting of records and in subsystems processing of the master beneficiary record. After use they are returned to stock, Payment Reference Listing.

Authority for maintenance of the system: Payment of benefits is directed by the following sections: Sections 202a-i, 223, 226, 228, and 1611 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses for disclosure may be to:

a. Third party contacts by the Social Security Administration (without the consent of the individual to whom the information pertains) in situations where the party to be contacted has, or is expected to have, information relating to the individual's capability to manage his affairs or his eligibility for or entitlement to benefits under the social security programs when:

(1) The individual is unable to provide the information being sought (an individual is considered to be unable to provide certain types of information when any of the following conditions exist: individual is incapable or of questionable mental capability, cannot read or write, cannot afford the cost of obtaining the information, a language barrier exists, or the custodian of the information will not, as a matter of policy, provide it to the individual), or

(2) The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following: the individual's eligibility to benefits under a social security program; the amount of a benefit payment; any case in which the evidence is being reviewed as a result of suspected abuse or fraud, concern for program integrity, or for quality appraisal, or evaluation and measurement system activities.

b. Third party contacts by the Social Security Administration where necessary to establish or verify information provided by representative payees or payee applicants.

c. A person (or persons) on the rolls when a claim is filed by another individual which is adverse to the person on the rolls:

(1) An award of benefits to a new claimant precludes an award to a prior claimant; or

(2) An award of benefits to a new claimant will reduce the benefit payments to the individual(s) on the rolls; but only for information concerning the facts relevant to the interests of each party in a claim.

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d. The Treasury Department for collecting social security taxes or as otherwise pertinent to tax and benefit payment provisions of the Social Security Act, (including social security number verfication services) and for investigating alleged theft, forgery, or unlawful negotiation of social security checks.
e. The United States Postal Service for investigating alleged forgery or theft of social security checks.
f. The Department of Justice for investigating and prosecuting violations of the Social Security Act to which criminal penalties attach, for representing the Secretary, and for investigating issues of fraud by agency officers or employees, or violation of civil rights.
g. The Department of State and the Veterans' Administration Regional Office Philippines for administering provisions of the Social Security Act in foreign countries through facilities and services of those agencies.
h. The Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Acts relating to railroad employment.
i. The Veterans' Administration for the purpose of administering 38 U.S.C. 412 (special payments to certain survivors of uninsured persons who die after 1956 while on active duty, active duty for training, or inactive duty training, or who die after 1956 due to a service-connected disability incurred after September 15, 1940).
j. The Bureau of Census when it performs as a collecting agent or data processor for research and statistical purposes directly relating to the Social Security Act.
k. The Department of the Treasury, Office of Tax Analysis, for studying the effects of income taxes and taxes on earning.
l. The Civil Service Commission for the study of the relationship of civil service annuities to minimum social security benefits, and the effects on the trust fund.
m. State social security administrators for administration of agreements pursuant to section 218 (State and local).
n. State Welfare Departments for administering Sections 205(c)(2) (B)(i)(II) and 402(a)(25) of the Social Security Act requiring information about assigned social security numbers for Aid to Families with Dependent Children program purposes and for determining a recipient's eligibility under the AFDC and Medicaid programs.
o. Energy Resources Development Administration for their study of the long-term effects of low-level radiation exposure. (See also 45 CFR, Part 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, microfilm, and paper.

Retrievability: Based on social security number on magnetic tape, microfilm readers and printers, listings, and online computer terminals. Master beneficiary record data are used by a broad range of social security employees for responding to inquiries, generating followups on beneficiary reporting events, computer exception processing, statistical studies, conversion of benefits, and to generate payment records for Treasury. Data are channelled from this system to State Welfare Departments, with consent of the individual, for Aid to Families with Dependent Children program purposes; and data are received from the States regarding health insurance third party premium payment/buy-in information.

Safeguards: Magnetic tape and microfilm files are protected through standard security measures used for all of the Social Security Administration's computer records. Paper records are subject to the same safeguards as all other information in the Social Security Administration relating to claims and beneficiary records--limited access to social security offices, limited employee access to need to know; all employees receive instruction in Social Security Administration confidentiality rules in an initial orientation.

Retention and disposal: Magnetic tape records are retained up to 90 days; the majority of magnetic tape reels are erased and returned to stock after processing is completed. Microfilm is disposed of by shredding after periodic replacement of a complete file. Paper records are usually destroyed after use, by shredding, except where needed for documentation of the claims folder, in which case they are retained therein indefinitely (see notices for claims folders and post-adjudicative records of applicants and beneficiaries for social security benefits).

System manager(s) and address:

Director
Bureau of Retirement and Survivors Insurance
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Contact the most convenient social security office (see Appendix F). The social security claim number (social security number plus alphabetic symbols), and name and address must be furnished with proper identification.

Record access procedures: Contact may be in person, or is writing to the most convenient social security office.

Contesting record procedures: Same.

Record source categories: The information for the master beneficiary record comes primarily from the claims folder and/or is furnished by the beneficiary at the time of filing for benefits, via the application form and necessary proofs, and during the period of entitlement when notices of events such as changes of address, work, marriage, are given the Social Security Administration by the beneficiary; from States regarding health insurance buy-in cases.

SSA PO RSI 0975.02

System name: Program Integrity Case Files HEW SSA.

Security classification: None.

System location:

Bureau of Retirement and Survivors Insurance
6401 Security Boulevard
Baltimore, Maryland 21235
and its program centers (see Appendix A)

Bureau of Disability Insurance
Baltimore, Maryland 21241
its regional office locations (see Appendix B)

Bureau of Health Insurance
6401 Security Boulevard
Baltimore, Maryland 21235
or the Health Insurance Regional Office locations (see Appendix C)

Office of Management and Administration
6401 Security Boulevard
Baltimore, Maryland 21235
or the Supplemental Security Income Regional Office locations (see Appendix D)

Categories of individuals covered by the system: Persons suspected of having violated the criminal provisions of the Social Security Act where substantial basis for criminal prosecution exists, and defendants in criminal prosecution cases.

Categories of records in the system: Information maintained in each record includes the identity of the suspect, the nature of the alleged offense, documentation of the investigation into the alleged offense, and the disposition of the case by the Social Security Administration or the United States Attorney.

Authority for maintenance of the system: Sections 206, 208, 221, 222, 1106, 1107, 1631(d)(3), 1632, 1633, 1816, 1842, 1872, 1874, 1876, 1877 of the Social Security Act, and sections 413 and 427 of the Federal Coal Mine Health and Safety Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Material in this system of records is routinely used by SSA staff to determine if a violation of the penal provisions of the Social Security Act or related provisions of the United States Code has been committed. If so, such material is used as the basis for referral of the case to the Department of Justice for consideration of prosecution, and is disclosed to that agency. The material is also used to determine the direction of investigation of potential fraud situations, which includes contact with third parties for the purpose of establishing or negating a violation. Some such information is disclosed to States Attorneys in connection with the administration of State programs involving the Social Security Administration. Cases involving fraudulent tax returns or forgery of social security checks are disclosed to the Treasury Department. (See also 45 CFR, Part 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual system, records maintained in manila folders and stored in filing cabinets.

Retrievability: Records are indexed and retrieved by social security number or by name of the subject of the investigation. The information in this record system pertains to suspected violations

and fraud investigations. Cases may move through several levels of the Social Security Administration organization at the district, regional and/or central office locations during the course of documenting a suspected fraudulent situation.

Safeguards: Records are maintained in locked filing cabinets and are accessed only by employees with a job-related need for the information.

Retention and disposal: Records may be retained 3 - 6 years after final disposition of the case. At the end of the retention period, the records are destroyed by shredding. (Supplemental security income cases are scheduled for 6 year retention, all others 3 years; once experience has been gained with the former types of case, it may be possible to reduce it to 3 years.)

System manager(s) and address:

Director
Office of Quality Assurance
6401 Security Boulevard
Baltimore, Maryland 21235

Director
Bureau of Disability Insurance
Baltimore, Maryland 21241

Director
Bureau of Health Insurance
6401 Security Boulevard
Baltimore, Maryland 21235

Assistant Commissioner
Office of Quality Assurance
Office of Management and Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: An individual can determine if this system contains a record pertaining to him by requesting such information in writing from the appropriate program center for retirement and survivors cases (see Appendix A); Bureau of Disability Insurance for disability, black lung, or Supplemental Security Income disabled or blind cases; the appropriate Health Insurance Regional Offices for health insurance cases (see Appendix C); or the appropriate Quality Assurance Field Staff for supplemental security income cases (see Appendix D). The request should include the individual's name and social security number, any social security number on which he has filed for or received benefits, the type of such claim, and current claim status.

Record access procedures: Per 5 United States Code 522a (k)(2), the records in this system are exempt from access by the individual named in the records. However, access to information which is a matter of public record or documents furnished by the individual will be permitted.

Contesting record procedures: Same.

Record source categories: The information contained in this record system is the result of criminal investigation and may be derived from such sources as the suspect, witnesses, or Social Security Administration employees with a knowledge of the case.

Systems exempted from certain provisions of the act: Exemption of this system to the access provisions is claimed under section k(2) of the Privacy Act inasmuch as these records are investigatory materials compiled for program (law) enforcement in anticipation of a criminal proceeding. (See page 47413 of Federal Register of 10/8/75, Vol. 40, No. 196,Part V).

SSA PO SSI 0775.01

System name: Overpayment File (Supplemental Security Income) HEW SSA.

Security classification: None.

System location:

Bureau of Data Processing
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Any supplemental security income payment recipient having a potential supplemental security income overpayment.

Categories of records in the system: The Supplemental Security Income Overpayment File contains data regarding eligibility, citizenship, residence, eligibility for other benefits, alcoholism and drug addiction data (if applicable), income data, resources, payment amounts, overpayment amounts, and living arrangements for all persons who have applied for supplemental security income payments.

Authority for maintenance of the system: Sections 1602 and 1631(b) of Title XVI of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Supplemental Security Overpayment File is used to maintain a historical record of overpayment data for all supplemental security income recipients, and in processing bills to the respective States for their share of supplemental security income overpayments.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape.

Retrievability: Magnetic tape is accessed by social security number. Within the Social Security Administration, the file is used to alert the social security district offices of potentially overpaid supplemental security income recipients.

Safeguards: The magnetic tape records are protected through standard security measures used for all computer records housed within the Social Security Administration--limited access to computer facilities by specific authorization.

Retention and disposal: The Supplemental Security Income Overpayment File is retained for an indefinite period.

System manager(s) and address:

Director
Bureau of Supplemental Security Income
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Contact the Systems Manager and provide name, social security number, identify the systems name, and pertinent information about your case.

Record access procedures: Write the Systems Manager.

Contesting record procedures: Same.

Record source categories: The data contained within the supplemental security income overpayment file is derived from the supplemental security income master record which, for the most part, is provided by applicants for supplemental security income payments.

SSA PO SSI 0875.01

System name: Supplemental Security Income File of Refunds HEW SSA.

Security classification: None.

System location:

Bureau of Supplemental Security Income
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: This file contains refund records for any aged, blind, or disabled individual who was overpaid or not entitled.

Categories of records in the system: This file contains information about refunds sent in by persons who were overpaid or not entitled to Supplemental Security Income payments they received. Specific information is name of individual, social security number, date of refund, and amount of refund.

Authority for maintenance of the system: Sections 1602, 1611, and 1631 of Title XVI of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The file is established after the money received has been recorded and deposited in the Federal Reserve Bank. The money refunded is broken down into Federal share and State share for accounting purposes. The information is input to the electronic system to be matched against the same information being entered by district offices. This serves as an audit.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The source document is filed in standard filing cabinets by bank deposit schedule number. The cross reference listing, in social security number sequence, by month is maintained in binders. Punchcards used to prepare the listings and to input the information to the system are stored in card trays. The manual file is maintained in social security number sequence so that inquiries and refunds from district offices can be answered.

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Retrievability: Listings referenced by social security number.

Safeguards: Information is only furnished to other Social Security Administration components with limited access by employees on a need-to-know basis.

Retention and disposal: The source documents and listings are being held indefinitely. Eventually they will be retired to the Federal Record Center. Punch cards are destroyed by shredding after all exceptions have been resolved.

System manager(s) and address:

Director, Bureau of Supplemental Security Income
Social Security Administration
6401 Security Boulevard
BAltimore, Maryland 21235

Notification procedure: Contact the Systems Manager and provide name, social security number, the systems name, and pertinent information about your case.

Record access procedures: Write the Systems Manager.

Contesting record procedures: Same.

Record source categories: The receipt form completed by an employee in the social security district office plus the actual check, money order, etc., used to remit the money. [*

Retrievability:

E ASE FIP 4.01

System name: Support for Improvement of Postsecondary Education; Field Readers to Review Proposals for FIPSE.

Security classification: None.

System location:

Fund for the Improvement of Postsecondary Education
Room 3141, 400 Maryland Avenue, S. W.
Washington, D. C. 20202

Categories of individuals covered by the system: Individuals with backgrounds and experience in postsecondary education.

Categories of records in the system: Resumes indicating name, position, work experience, and general personnel information.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For uses 1 through 8 in Appendix B of the Departmental Regulations (45 Code of Federal Regulations 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in cabinet.

Retrievability: The file is organized by individuals who have read for FIPSE by year, program and name; and by individuals who request to read for FIPSE by name.

Safeguards: Administrative use by authorized agency personnel. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Information is retained until the individual requests deletion from files.

System manager(s) and address:

Deputy Director, FIPSE
Room 3141, 400 Maryland Avenue, S. W.
Washington, D. C. 20202

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for complaint/investigative material, name and any I.D. number assigned. Address is same as above.

Record access procedures: Contact system manager, listed above.

Contesting record procedures: Same as above.

Record source categories: Information forwarded to FIPSE by individuals interested in serving as field readers; information obtained by contacting individuals with specific expertise in postsecondary education.

Systems exempted from certain provisions of the act: None.

E OR EDS 1.01

System name: Migrant Student Record Transfer System (MSRTS). HEW E.

Security classification: None.

System location:

State Department of Education
Arch Ford Education Building
Little Rock, Arkansas 72201

Categories of individuals covered by the system: Serves migratory children of migratory agricultural workers or of migratory fishermen.

Categories of records in the system: There are two records which are maintained for each student. They are: 1) school record and 2) medical record. The school record has four main areas of information: (a) personnel key data -- name, age, birthplace, home base city, and state; (b) school data; (c) health data; (d) academic and testing data. The medical record has three main areas of information: (a) personnel key data -- (see above); (b) health data; (c) in-depth medical followup data.

Authority for maintenance of the system: P.L. 93-380, Section 122(a)(1)(A) and (B) of the Elementary and Secondary Education Act of 1965, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Local educational agencies or any other agency approved by the Chief State School Officer to operate Title I migrant program to assist in knowing the background and experiences of migrant children in the academic and health field for proper placement and programming. For uses 1, 3,5,7, 8, and 9 in Appendix B of the Departmental Regulations (45 Code of Federal Regulations 56). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The information is recorded on a computer disc and stored in the computer.

Retrievability: The data are indexed by student name, birth date, sex and student identification number. If student identification number is not known, data can be retrieved by student name, birth date, and sex.

Safeguards: Technical: code used daily by terminal operators; code used by schools (ID numbers); only coded schools are allowed to receive information; student ID numbers are assigned only by the computer center; a log is kept on all personnel entering and leaving computer room; only the terminal operator at each terminal site (142) has knowledge of the telephone number needed for computer communications.

Safeguards passed by State directors in Washington, D.C., December 3, 1969. The unanimous resolution reads as follows: "The Migrant Records Data Center of Little Rock, Arkansas, by request, will make available to State educational agencies data on individual migrant children plus summary data that may be appropriate in connection with the educational program for such children. In accordance with State laws, educational agencies will be responsible for safeguarding the information received to protect the personal privacy of the children whose records are stored in the Data Center.

The Migrant Records Data Center, upon request through the respective State educational departments, will make available to local educational agencies data on individual migrant children and summary data as may be appropriate to be used in connection with the educational program for such children.

Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: (Data missing).

System manager(s) and address:

Chief, Migrant Branch
Division of Education for the Disadvantaged
U.S. Office of Education
Washington, D.C. 20202

Notification procedure: System manager (see above) will respond to inquirers. Only school with verified ID codes can request this information. To ascertain if a person is on the system the person would have to: 1) state nature of their request to the SEA; 2) be directed to a certified migrant program school; and 3) give his first, last, and middle name, sex, date of birth, and his migrant student identification number if known to him. The certified school official will then request the information if any through the terminal operator assigned to that school.

Record access procedures: Contact system manager above.

Contesting record procedures: Contact system manager above.

Record source categories: All information on the MSRTS must come from school officials who enroll the child. Terminal operators and system personnel in Arkansas are not allowed to alter this information. School personnel such as teachers, nurses, aides, counselors, principals, and recruiters are the main sources of information. Additional information from personal interviews with parents or guardians is also obtained. At the time of recruitment, the system's purposes are explained to the parent or guardian and permission by written signatures is obtained to enroll such children in the program and transfer system.

Systems exempted from certain provisions of the act: None.

OASH OAM 0004.01

System name: PHS Commissioned Corps Training Files and Materials. HEW/OASH/OAM.

Security classification: None.

System location:

Office of the Director, Commissioned Personnel Operations Division
Office of Personnel Management/OAM/PHS
Room 41-15, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Categories of individuals covered by the system: Commissioned Officers in the Public Health Service.

Categories of records in the system: Education Allowance Material for overseas education of officers' children; applications for continued professional training; applications for Commissioned Officers Student Training and Extern Program (COSTEP); and correspondence relating to the above.

Authority for maintenance of the system: Public Health Service Act Section 201 et seq. (42 U.S.C. 202 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records kept in metal file cabinets.

Retrievability: By officer's name in alphabetical order and SSN. (Permission has been requested from the Department for the continued use in this system of the SSN as a use within Sec. 7(a)(2)(B) of the Privacy Act.) Used by HEW employees who process these records for the purposes of eligibility review, record maintenance, budgetary estimates, and statistical data.

Safeguards: Building Guard Force.

Retention and disposal: Files retained in permanent PHS Commissioned Corps files and transferred to Official Personnel Folder when employee becomes inactive. Files maintained permanently within PHS.

System manager(s) and address: Director, Commissioned Personnel Operations Division (See Systems Location above).

Notification procedure: Write System Manager.

Record access procedures: Contact the System Manager shown above.

Contesting record procedures: Contact System Manager shown above.

Record source categories: From officers concerned and from official personnel folders.

Systems exempted from certain provisions of the act: None.

OASH OAM 0005.01

System name: PHS Commissioned Corps Officer Board Proceedings. HEW/OASH/OAM.

Security classification: None.

System location:

Office of the Director, Commissioned Personnel Operations Division
Office of Personnel Management/OAM/PHS
Room 4A-15, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Categories of individuals covered by the system: Commissioned Officers and applicants to the Commissioned Corps of the Public Health Service.

Categories of records in the system: Commissioned Officers Awards Board files consisting of nominations, citations and related documents. Records of board proceedings relating to appointment, promotion, retirement, and special pay (variable Incentive Continuation Pay) and supportive material.

Authority for maintenance of the system: Public Health Service Act Section 201 et seq. (42 U.S.C. 202 et seq.); 5 USC 4501.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Metal file cabinets.

Retrievability: Alphabetical files by names of persons and SSN. (Permission has been requested from the Department for the continued use in this system of the SSN as a use within Sec. 7(a)(2)(B) of the Privacy Act.) Used by HEW employees who process or participate in Board actions which recommend or decide on appropriate actions in the categories listed.

Safeguards: Building guard force.

Retention and disposal: Indefinitely retained.

System manager(s) and address: Director, Commissioned Personnel Operations Division (See System Location above).

Notification procedure: Write System Manager.

Record access procedures: Contact the System Manager shown above.

Contesting record procedures: Contact the System Manager shown above.

Record source categories: From individuals themselves or their service records, including efficiency and progress reports, and from supervisors.

Systems exempted from certain provisions of the act: None.

OASH OAM 0006.01

System name: PHS Commissioned Officer Grievance, Equal Employment Opportunity and Disciplinary Files. HEW/OASH/OAM.

Security classification: None.

System location:

Office of the Director, Commissioned Personnel Operations Division
Office of Personnel Management/OAM/PHS
Room 4A-15, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Categories of individuals covered by the system: Commissioned officers in the Public Health Service.

Categories of records in the system: Files concerning grievances filed by or against commissioned officers; adverse actions taken against commissioned officers; EEO complaints filed by commissioned officers; involuntary retirements and separations of commissed officers; and correspondece relating thereto.

Authority for maintenance of the system: Public Health Services Act Section 201 et seq. (42 U.S.C. 202 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Locked metal cabinet.

Retrievability: Alphabetically by officer's name and SSN. (Permission has been requested from the Department for the continued use in this system of the SSN as a use within Sec. 7(a)(2)(B) of the Privacy Act.) Used by HEW officials who decide or process grievances, Equal Employment Opportunity complaints or disciplinary actions or who assist those who do so.

Safeguards: Locked cabinet in area under building guard surveillance.

Retention and disposal: Grievance files destroyed after two years. Others kept indefinitely.

System manager(s) and address: Director, Commissioned Personnel Operations Division (See System Location above).

Notification procedure: Write System Manager.

Record access procedures: Contact the System Manager shown above.

Contesting record procedures: Contact the System Manager.

V 41 3 JAN 6 76 XUM

Record source categories: From the individuals themselves, from reports of investigations by Commissioned Personnel Operations Division, and from reports of review boards.

Systems exempted from certain provisions of the act: None.

HRA BHM 0007.01

System name: Public Health Service Scholarship Program HEW/HRA/BHM.

Security classification: None.

System location:

Bldg 31
9000 Rockville Pk.
Bethesda, Md 20014
Div of Computer Research & Tech.
Bldg 12
Bethesda, Md 20014
and Regional Federal Records Center

Categories of individuals covered by the system: Students - Health Professionals as specified in 42 CFR 62: 1) Applicants, 2) Recipients.

Categories of records in the system: Application and associated forms; recipient records also contain progress reports, payroll forms, deferment and placement data.

Authority for maintenance of the system: P.L. 92-585.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File Cabinets; ADP - Tapes.

Retrievability: The records in this system are used in the following manner: 1) Application - for the selection process by HRA and HSA 2) Recipient - Payroll, tuition and fees, tracking, deferment, defaults, & placement by HRA, HSA, central payroll and PHS claims office. Retrievability: Name, Award No., University, Social Security No. (Permission has been requested from the department for the continued use in this system of the SSN as a use within Sec. 7(a)(2)(B) of the Privacy Act.)

Safeguards: Locking file units have been requested. (Lektriever 200).

Retention and disposal: Number of years held at HRA: 12. Number of years held at Federal Record Center before disposal: 3. How destroyed: shredder (non-selected applicant files destroyed: after six months from deadline due date).

System manager(s) and address:

Chief, Scholarship Section, Student Assistance Staff
9000 Rockville, Pike
Bethesda, Md 20014

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories:

Evaluation forms from school faculty - requested by student applicant
Educational Institution attended
Internship and/or residency training site
HSA and CPOD, OPM/H

Systems exempted from certain provisions of the act: None.

SSA EA PI 0175.02

System name: Automated Controlled Correspondence Extraction System HEW SSA.

Security classification: None.

System location:

Office of Public Inquiries
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Records are maintained for individuals who forward a request for information directly to the Commissioner of the Social Security Administration and for individuals whose requests to members of Congress, the President, etc. are forwarded to the Commissioner for response.

Categories of records in the system: Information is maintained in the system solely to aid in the control of correspondence through the various processing steps. Information in the records includes the following: name of individual involved, social security number (if given), name of third party inquirer (if present), Congressman's name (if a congressional inquiry), address-to-code (official to whom inquiry is directed), signature code (indicates more than one inquiry about an individual), subject matter code, location information (component within the Social Security Administration that received the inquiry and date of receipt), and response information (type and date of Social Security Administration response).

Authority for maintenance of the system: Sections 205(a) and 1631 of the Social Security Act, and Section 413 of the Federal Coal Mine Health and Safety Act (Black Lung).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No routine uses for disclosure.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on magnetic tape and computer discs.

Retrievability: The system is indexed by both name and by computer identification number, which are cross-referred. It is used to control processing of correspondence within the Social Security Administration, and to provide management information regarding the correspondence process.

Safeguards: Records are safeguarded by limiting access to specific system terminals located in correspondence processing areas. The limited amount of identifying data (name, social security number, and subject matter code) contained in any given record does not warrant elaborate safeguards.

Retention and disposal: Records are maintained on-line in the system from the time of control until 13 months after the final response is released. The records are then maintained on magnetic tape for an additional 24 months before being erased.

System manager(s) and address:

Assistant Commissioner for Public Inquiries
Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure:

Chief, Office of Public Information Analysis Staff
Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Identifying information should include the name of the person inquired
about, the person to whom the inquiry was sent, and the date of the inquiry.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Inquiries directed to the Commissioner of Social Security Administration from members of the public.

SSA HI 0175.02

System name: Health Insurance Master Record–HEW SSA.

Security classification: None.

System location:

Bureau of Data Processing
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Records are maintained on the following categories: Individuals age 65 or over who currently are, or have been, entitled to health insurance benefits under Title XVIII of the Social Security Act; individuals under age 65 who have been entitled for not less than 24 consecutive months to disability benefits under Title II of the Act or under the railroad retirement system; and the spouse or dependent children of a person fully insured under social security who has chronic renal disease.

Categories of records in the system: The system contains information on enrollment, entitlement, Part A (Hospital) and B (Supplementary Medical) utilization, query and reply activity, health insurance bill and payment record processing, and Health Insurance Master Record maintenance.

Authority for maintenance of the system: Section 1814 and 1833 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Health Insurance Master Record is updated daily from the Health Insurance Daily Master File, which ultimately creates the Carrier Alphabetic State List (BEST List). The Health Insurance Master Record is also used to update the Health Insurance Utilization Microfilm and the Chronic Renal Disease Beneficiary History File. Data from this system is disclosed to the Railroad Retirement Board, Group Prepayment Practice Plans, and Health Maintenance Organizations.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained on paper listings, microfilm, magnetic tape, disc and punchcards.

Retrievability: System is indexed by health insurance claim number, and is used to carry out the tasks of enrollment, query/reply activity, and health insurance bill and payment record processing.

Safeguards: Unauthorized personnel are denied access to the records area. Disclosure is limited to routine use.

Retention and disposal: Records are closed out at the end of the calendar year in which paid, held 2 additional years, transferred to the Federal Records Center, and destroyed after another 6 years.

System manager(s) and address:

Director, Bureau of Health Insurance
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for system records should be addressed to the most convenient social security office or to the Social Security Administration, Bureau of Health Insurance, Health Insurance Inquiries Branch, Baltimore Maryland 21235. The individual should furnish his or her health insurance claim number and name as shown on social security records.

Record access procedures: The individual can obtain information on the procedures for gaining access to and contesting records from the most convenient social security office or from SSA, Bureau of Health Insurance, Health Insurance Inquiries Branch, Baltimore, Maryland 21235.

Contesting record procedures: Same.

Record source categories: The data contained in these records is furnished by the individual. There are cases, however, in which the identifying information is provided to the physician by the individual; the physician then adds the medical information and submits the bill to the carrier for payment. Updating information is also obtained from the Master Beneficiary Record.

SSA PO RSI 1275.02

System name: Litigation Activity File HEW SSA.

Security classification: None.

System location:

Bureau of Retirement and Survivors Insurance
Program Policy
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Plaintiffs who have filed court actions against the Secretary of HEW.

Categories of records in the system: Basically, the file is used as a reference and control vehicle for analysts involved in litigation activity. The records contain documentation regarding the various activities carried on by the Division of Entitlement concerning specific litigation cases. For example, documentation includes copies of suggested replies to interrogatories and factual summaries, copies of memoranda to implement court decisions, requests for information from Office of General Counsel and in response to the Office of General Counsel's requests for information, etc. Also included is documentation regarding telephone calls, personal contacts, and letters concerning routine activity on a particular litigation case.

Authority for maintenance of the system: Section 205(g) of the Social Security Act, 42 U.S.C. 402(g).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No routine uses for disclosure.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is stored in file cabinets.

Retrievability: File maintained in alphabetical order by plaintiff's last name, and is used by analysts working with the Office of the General Counsel and the reviewing offices for maintaining knowledge of the status of individual court cases.

Safeguards: Limited access based on need to know.

Retention and disposal: Files are maintained until all final actions are completed. After final actions are completed, files are destroyed by shredding.

System manager(s) and address:

Director
Bureau of Retirement and Survivors Insurance
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Contact the systems manager in writing, and provide name, social security number, return address, and system name.

Record access procedures: By mail direct or through authorized representative.

Contesting record procedures: An individual, upon review, may contest any portion of the record maintained about him by writing to the systems manager, identifying the system, and providing his return address, the portion of the record contested, and the reason therefor.

Record source categories: Information is recorded from the complaint received from the Office of General Counsel and other correspondence, decisions, recommendations, etc.

System Manager(s) and address:

OS ASPE 2.01

System name: Panel Study of Income Dynamics (Annual National Sample of Heads of households); also known as the Michigan Longitudinal Study. HEW/OS/ASPE

Security classification: None.

System location:

Institute for Social Research
University of Michigan
Ann Arbor, Michigan 48106

Categories of individuals covered by the system: A national sample of approximately 5,000 heads of household with information relating to all household members.

Categories of records in the system: Information included in the household records includes demographic characteristics, sources and amounts of income, amount and kind of work, education of household head and of family, changes in family composition through the years, residential mobility, attitudes toward self, work and life style. Information on the above characteristics is gathered on an annual basis (beginning in 1968).

Authority for maintenance of the system: 42 U.S.C. 2825.

Routine uses of records maintained in the system, including categories of users and the purpose of such uses: Institute for Social Research (ISR): Data are used for statistical analysis of individual and family changes in economic status through time. Additional research topics such as residential mobility, family breakup, labor supply, etc. are also addressed. Information with individual identifiers is used only for purposes of validation of the data. This validation is performed only by personnel of the Institute for Social Research, University of Michigan.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: When questionnaires are first received by ISR, cover sheets containing individual identifiers are separated from the questionnaires. Potential future linkage of the two is maintained via a number common to the two sets of information. Information from the questionnaires is transferred to one magnetic tape, names and addresses from the cover sheets are transferred to another tape.

Retrievability: Information on the cover sheets and questionnaires for each individual could be put back together through use of the identification number common to the two sets of information. Similarly, the name and address tape contains a number for each family which corresponds to the number for that family on the analytic tape. Use of data, without individual identifiers, is open to any member of the public. The Office of the Assistant Secretary for Planning and Evaluation conducts analysis of the data in non-individually identifiable form for purposes similar to those of the Institute for Social Research.

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Safeguards: The two sets of paper (cover sheets and questionnaires) are stored separately, as are the two tapes. The cover sheets and questionnaires are stored in locked cabinets or in restricted access areas. As mentioned, names and addresses are stored separately from the information associated with that name and address. The names and addresses, whether on the cover sheets or on magnetic tape, are not released outside of the Institute for Social Research. Access to the numbers associated with each name and address (which could link the names and addresses to the information derived from the questionnaires) are used only to validate information or link information from the same persons from one year to the next and only with specific permission of the Project Director at the Institute for Social Research.

Retention and disposal: It is anticipated that the cover sheets and the name and address tape will be kept while field work is continuing and for three years thereafter or until it is clear that no further validation of the data will be necessary. At that time, both the cover sheets and the name and address tape will be destroyed.

System manager(s) and address:

Assistant Secretary for Planning and Evalaution
U.S. Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Project Officer (HEW)
Director, Office of Income Security Policy
Office of the Assistant Secretary for Planning and Evaluation
U.S. Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Individuals requesting notice as to whether the system of records contains information pertaining to them should write to the ISR project officer (see below) indicating his or her name, current address and other addresses used since December 31, 1967.

Project Officer at the Institute for Social Research:
Dr. James N. Morgan, Program Director
Institute for Social Research
University of Michigan
Ann Arbor, Michgian 48106

Record access procedures: Individuals who through the notification procedure set out above, have established that the system of records contains information pertaining to them, may inspect and copy those portions of the records pertaining to them by contacting Institute for Social research project officer.

Contesting record procedures: Through Project Officer at ISR (see above).

Record source categories: Information is obtained by personal interview conducted in the home for each of the first five years and by telephone for each subsequent year.

E ASE FIP 5.01

System name: Support for Improvement of Postsecondary Education Contract to the National Radio Institute (NRI) to Develop a Prospectus for Correspondence Study.

Security classification: None.

System location:

National Radio Institute
3939 Wisconsin Avenue, N. W.
Washington, D. C. 20016

Categories of individuals covered by the system: Current students, graduates, and dropouts of NRI.

Categories of records in the system: Reasons for enrolling in NRI programs, completing or discontinuing NRI programs and overall evaluation of NRI programs.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For uses 1 through 8 in Appendix B of the Departmental Regulations (45 Code of Federal Regulations 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in cabinet.

Retrievability: Files arranged according to current students, graduates, and dropouts.

Safeguards: Administrative use by authorized personnel. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Information retained until completion of project.

System manager(s) and address:

Deputy Director, FIPSE
Room 3141, 400 Maryland Avenue, S.W.
Washington, D. C. 20202

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for complaint/investigative material, name and any I.D. number assigned. Address is same as above.

Record access procedures: Contact systems manager, listed above.

Contesting record procedures: Same as above.

Record source categories: Information provided on questionnaires completed by current students, dropouts, and graduates of NRI.

Systems exempted from certain provisions of the act: None.

E ASE FIP 6.01

System name: Support for Improvement of Postsecondary Education Contract to Heald Colleges to Develop a Model Prospectus for Potential Students.

Security classification: None.

System location:

Heald Colleges
Central Administrative Offices
1255 Post Street
San Francisco, California 94109

Categories of individuals covered by the system: 1974 Graduates of Heald Colleges; current Heald students; sample of high school students in the region.

Categories of records in the system: Program of study, job and salary range for Heald Graduates; evaluations of programs for current Heald students, and opinions of prospectus for high school students.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For uses 1 through 8 in Appendix B of the Departmental Regulations (45 Code of Federal Regulations 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Files in corporate market at Heald Colleges.

Retrievability: Files organized according to Heald graduates, current students and sample for opinion survey.

Safeguards: Administrative use by authorized personnel. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Information retained until completion of project.

System manager(s) and address:

Deputy Director, FIPSE
Room 3141, 400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for complaint/investigative material, name and any I.D. number assigned. Address is same as above.

Record access procedures: Contact system manager, listed above.

Contesting record procedures: Same as above.

Record source categories: Survey of 1974 graduates of Heald; interviews and surveys of current students at Heald and sample of high school students.

Systems exempted from certain provisions of the act: None.

E ASE FIP 7.01

System name: Support for Improvement of Postsecondary Education Contract to Formative Evaluation Research Associates to Evaluate Women's Programs at Four Types of Postsecondary Institutions.

Security classification: None.

System location:

Formative Evaluation Research Associates
1130 Hill Street
Ann Arbor, Michigan

Categories of individuals covered by the system: Current and former participants in women's programs administrators of such programs and other administrators at 4 types of postsecondary institutions that have initiated such programs within the last 4 years.

Categories of records in the system: Participant's views on the strengths, weaknesses and outcomes of the program.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For uses 1 through 8 in Appendix B of the Departmental Regulations (45 Code of Federal Regulations 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in cabinet.

Retrievability: Files arranged according to current students, graduates and drop outs.

Safeguards: Administrative use by authorized personnel. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Information retained until completion of project.

System manager(s) and address:

Deputy Director, FIPSE
Room 3141, 400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for complaint investigative material, name and any I.D. number assigned. Address is same as above.

Record access procedures: Contact system manager, listed above.

Contesting record procedures: Same as above.

Record source categories: Information provided by current and former participants in women's programs at the 4 institutions selected through interviews, telephone calls and questionnaires.

Systems exempted from certain provisions of the act: None.

E NIE FPG 03.01

System name: ATS-6 Participant Panel. HEW E.

Security classification: None.

System location:

Room 245A
Skytop, Merrill Lane
Syracuse, New York 13210

Categories of individuals covered by the system: Teachers, principals and school administrators who have taken part in the ATS-6 Demonstration Project from Alaska, Appalachia and the Rocky Mountain States since May, 1974.

Categories of records in the system: The records include name, address, school and responses to questionnaires indicating knowledge and opinions regarding the ATS-6 Demonstration Project.

Authority for maintenance of the system: Sec. 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for services and analysis of the records by authorized personnel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on hard-copy and on magnetic tape and are stored in locked file cabinets when not in use.

Retrievability: The records are indexed by coded I.D. numbers, and in this form are available to NIE/FPG and its contractors for analysis. The code which is indexed by name and by I.D. number is available only for introducing new data into the records and for the preparation of questionnaire mailings.

Safeguards: The code and data files are locked in separate locked cabinets, and access is limited to authorized personnel. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: The hard-copy records and the code will be maintained only until July, 1976, and will be destroyed by fire. The magnetic tape without names will be transferred to NIE/FPG and retained indefinitely.

System manager(s) and address:

Chief, Assessment of Innovative Development Division
Room 532
1200 19th Street N.W.
Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager, and must include inquirer's name, address, dates of previous correspondence, the system name and ID. number.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The records are being compiled from questionnaires voluntarily returned by the participants.

Systems exempted from certain provisions of the act: None.

K OE EDM 12.01

System name: Record of advances of funds for employees traveling for the Office of Education — (SF-1038, Application and Account for Advance of Funds). HEW E.

Security classification: None.

System location:

Room 3105, Federal Office Building
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Employees of the Office of Education (including consultants) who have requested advances of funds for travel on official business.

Categories of records in the system: Name, social security number, home and/or business address, amount of travel advance requested, amount actually paid, and unliquidated balance, if any.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For audit by U.S. General Accounting Office (GAO). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in card format and are stored in file cabinets.

Retrievability: Records are indexed by name of individual requesting advance of funds. Records are available to employees of the Finance Division, Office of Education in performance of accounting functions and to the individual to whom funds were advanced.

Safeguards: Direct access is restricted to authorized agency staff in performance of official duties. Maintained in locked file cabinets. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Retained four years or until audit by the U.S. General Accounting Office, whichever is earlier. Disposed of by maceration.

System manager(s) and address:

Director, Finance Division
U.S. Office of Education
Room 3105, Federal Office Building
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: System Manager (see above) will respond to inquiries.

Record access procedures: Same as above.

Contesting record procedures: Contact system manager, above.

Record source categories: Travelers who complete Form OE 1038. (see system name, above).

Systems exempted from certain provisions of the act: None.

ADAMHA NIMH 0023.01

System name: Saint Elizabeths Hospital General Medical/Clinical Records System and Related Indexes—HEW/ADAMHA/NIMH.

Security classification: None.

System location: This is a widely decentralized system of records. The medical/clinical records of active patients on the rolls of the Hospital, which were written after July 1, 1973, are located in the specific division where an individual patient is residing or, in the case of outpatients, at the location of the specific outpatient clinic where they receive treatment. The medical/clinicalrecords of active patients who were admitted to Saint Elizabeths Hospital prior to July 1, 1973, and which were written prior to that date, are located

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in A Building, Room 121 and in the basement of that building, with duplicate copies of those records located in the clinical division where the patient resided or was served as an outpatient. The medical/clinical records of discharged or deceased patients are located in A Building, Room 121 and the basement of that building, and inactive records older than four years are stored in the Federal Records Center in Suitland, Maryland. In addition to the medical/clinical records themselves, SEH maintains numerous card files which contain limited information relating to identification of past and present patients taken from the medical/clinical record and used for management and monitoring purposes. These card files are located throughout the Hospital. Records are located at Saint Elizabeths Hospital, Washington, D.C. 20032, and Federal Records Center, Suitland, Maryland.

Categories of individuals covered by the system: All past and present patients of Saint Elizabeths Hospital.

Categories of records in the system: Inpatient and outpatient psychiatric medical/clinical records. The medical/clinical record contains identifying data (name, date and place of birth, age, sex, race, marital status, legal category, social security number, leave and residential status, admission and discharge dates, identification of relatives and Hospital identification number) and medical/clinical information (physician's admission note, results of physical examinations, descriptions of patient's present and past physical and mental health, diagnosis, prognosis, consultant's opinions, social history, treatment plan, results of diagnostic tests and procedures, notes of patient's response to treatment, progress notes, nurses notes, incident reports, and reports or notes of others who contributed to a patient's treatment and/or social work efforts, and correspondence with Saint Elizabeths Hospital concerning such a patient.

Authority for maintenance of the system: 24 USC 161, et seq.; 21 DC Code 562.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. To facilitate treatment of patient when admitted to other facilities; to send records to new physicians.

2. To be used by personnel who are not employees of the hospital for accreditation or licensure of the hospital.

3. To be used as impersonal documents (i.e. with personal identifiers removed) to facilitate teaching programs and scientific research, to further knowledge in the area of diagnosis and treatment.

4. To prepare reports to a referring source such as a physician or a court; to give out to authorized parties, who have legitimate interests in the patient, who are not an employeed by or connected with Saint Elizabeths Hospital.

5. To help satisfy a patient's medicolegal needs.

6. To be disclosed to Professional Standards Review Organizations for health care evaluation.

7. To volunteers on a need-to-know basis participating in the treatment process at St. Elizabeths Hospital.

8. Appendix B of DHEW Regulations, items 100, 101, 102, and 103, 45 CFR 5(b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

1. At Division level (Active Patients) - File folders with general medical record and correspondence file are kept in metal file cabinets. Index cards, monitoring cards, kardex and addressograph plates are kept in their appropriate containers.

2. At Administration level (Discharged and Deceased Patients) - Clinical and correspondence records are filed in separate coded folders with unit numbering system. Patients index - 3x5 card file of all patients hospitalized or treated at SEH in a Kardveyer; Diagnostic Indexes - a 5x7 separate index card file stored in a Visu-Triver.

Retrievability:

Data to be retrieved by patient's name and hospital number.

Purposes of the system are:

1. To document a patient's illness, chief complaint, history, physical examination, diagnostic test and procedure reports, to plan treatment either as an inpatient or an outpatient.

2. To promote continuity of care for follow-up of treatment; for reference upon future treatment and care.

3. To provide basis for reports mandatory under Federal and local laws.

4. In some instances, to provide as a basis for action in the course of employee discipline or competence determination proceedings.

5. To transact hospital business in filing insurance claims, verification of patient's competency, disability, or retirement benefits, verification of leave status and residence.

6. To serve as a basis for hospital administrative planning and evaluation of its programs.

7. To serve as impersonal documents for the hospital staff continuing education and studies.

8. To be used by hospital staff for assessment of the quality of treatment, for medical audit and utilization review.

9. To be used for the legal defense of the hospital and its staff in cases where a claim is based on patient's mental or physical conditions and arising from the patient's treatment at Saint Elizabeths Hospital.

10. To be used for statistical reports, monthly analysis of clinical division services, monthly, quarterly, annual reports.

11. To serve as a basis for reports to accrediting agencies, Joint Commission on Accreditation of Hospitals, American Hospital Association, American Psychiatric Association, Medicare Licensure, etc.

12. Indexes based on the medical/clinical record are routinely used for: (a) speedy identification and location of specific patients; (b) monitoring the completeness of patient records, particularly those discharged or deceased; (c) to monitor the changing status of patients either in terms of transfers within the Hospital or outside the Hospital; (d) easy identification of basic demographic data used for statistical and/or research purposes; and, (e) quick review of current treatment regimen in some cases.

Safeguards:

1. Available only to properly trained and screened personnel.

2. Access limited to authorized individuals only. Enforced by Security personnel. Room are locked when unoccupied.

Retention and disposal: The official psychiatric, medical, and correspondence records are kept in their original forms indefinitely. Nurses' notes are destroyed after the statute of limitation in the District of Columbia for medical records has expired (except for patients who are minors) at which time they are burned or shredded.

System manager(s) and address:

I. Primary (Administration)

Superintendent
Room 105, Administration Building
Saint Elizabeths Hospital
Washington, D.C. 20032

Chief, Medical Records Librarian
Administration Building
Saint Elizabeths Hospital
Washington, D.C. 20032

II. Secondary (Division Level)

Director
Area D Community Mental Health Center
Dix Building

Director
East Side Division
East Side 7

Director
Forensic Division
John Howard Pavilion

Director
Godding Division
Godding 6

Director
Haydon Division
Geriatric Building

Director
Nichols Division
Nichols Building

Director
Mental Health Program for the Deaf
L Building

Director
Medicine and Surgery Branch
W W Eldridge Bldg.

Director
O'Malley Division
Q Building

Director
Richardson Division
P Building

Clinical Director
William A. White Division
William A. White Building

Notification procedure: A patient or former patient may have access to his/her record upon written request, with notarized signature if request is made by mail or with suitable proof of identity if request is made in person, directed to, as appropriate:

Active Patients:
Privacy Act Coordinator
Office of the Director (Division where person receives treatment; see list under 'System Manager')
Saint Elizabeths Hospital
Washington, D.C. 20032

Discharged Patients:
Privacy Act Coordinator
Office of Medical Records Branch
A Building
Saint Elizabeths Hospital
Washington, D.C. 20032

All of the following information must be provided when requesting access: (a) full name; (b) for discharged patients, approximate dates of enrollment at Saint Elizabeths Hospital; (c) if possible, the patient's hospital number; (d) the nature of the material desired.

Record access procedures:

Receptionist - Information Desk
Administration Building
Saint Elizabeths Hospital
Washington, D.C. 20032

Contesting record procedures: Same as Notification.

Record source categories: Medical records are a compilation of sociological, medical, clinical and historical data of a patient. They are a complete report of an illness resulting in an accumulation of a large amount of information about a patient. The information recorded was given by the patient, his/her relatives, or other third persons interested in the patient, from existing records used as reference, from clinical tests (different departments such as lab, X-ray, EEG, etc.), physicians, psychiatrists, nurses, social workers, other therapists who entered their observations and assessments by means of progress notes, reports, etc.

Systems exempted from certain provisions of the act: None.

HSA IHS 0018.01

System name: Unofficial Vital Records System. HEW/HSA/IHS.

Security classification: None.

System location: Indian Health Service Area and Program Offices.

Categories of individuals covered by the system: American Indians and Alaskan Natives.

Categories of records in the system: Birth information.

Authority for maintenance of the system: Public Health Service Act Section 321 (42 U.S.C. 258, 2001 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in file cases.

Retrievability: Purpose: Used in health care program development and evaluation. Users: Authorized agency personnel. Retrievability: Indexed by calendar year of event.

Safeguards: Locked areas.

Retention and disposal: Number of years held at IHS: Varies by IHS area from 1 year to indefinite. How destroyed: Burned or shredded.

System manager(s) and address: See Appendix.

Notification procedure: Name and address of person to be notified: See Appendix

Record access procedures: See Appendix.

Contesting record procedures: See Appendix.

Record source categories: State Health Departments (Vital Statistics).

Systems exempted from certain provisions of the act: None.

Appendix

Director
Aberdeen Area Indian Health Service
Federal Building
115 Fourth Avenue, S. E.
Aberdeen, South Dakota 57401
Attn: Chief, Maternal and Child Health Branch

Director
Albuquerque Area Indian Health Service
Room 4005, Federal Office Building
500 Gold Avenue, S.W.
Albuquerque, New Mexico 87101
Attn: Chief, Program Analysis & Statistics Br.

Director
Alaska Area Native Health Service
P.O. Box 7-741
Anchorage, Alaska 99510
Attn: Chief, Office of Systems Development

Director
Billings Area Indian Health Service
P.O. Box 2143
Billings, Montana 59103
Attn: Chief, Program Analysis & Statistics Br.

Director
Navajo Area Indian Health Service
P.O. Box G
Window Rock, Arizona 86415
Attn: Chief, Maternal and Child Health Br.

Director
Oklahoma City Area Indian Health Service
388 Old Post Office and Court House Bldg.
Oklahoma City, Oklahoma 73102
Attn: Chief, Program Analysis & Statistics Br.

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Director
Phoenix Area Indian Health Service
801 East Indian School Road
Phoenix, Arizona 85014
Attn: Director, Office of Program Planning

Director
Portland Area Indian Health Service
Room 200 - Pittock Block
921 S.W. Washington Street
Portland, Oregon 97205
Attn: Chief, Program Planning & Statistics

Program Director
United Southeastern Tribes
Indian Health Service
Oak Towers Bldg.
1102 Kermit Drive
Nashville, Tenn. 37217
Attn: Privacy Act Coordinator

Director
Office of Research and Development
Indian Health Service
P.O. Box 11340
Tucson, Arizona 85734
Attn: Chief, Program Analysis & Statistics Br.

NIH NIAID 0177.01

System name: Clinical Research: Catalog of Clinical Specimens. HEW/NIH/NIAID.

Security classification: None.

System location:
Building 7, Room 301 and Room 202, NIH
9000 Rockville Pike
Bethesda, MD 20014

Categories of individuals covered by the system: Patients, volunteers, laboratory personnel in the National Institute of Allergy and Infectious Diseases.

Categories of records in the system: Clinical specimens, attendant data and laboratory results.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees. Certain infectious diseases are reported to State Government as required by law. Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center. See also Appendix B of the Departmental Regulations (45 CFR, Part 5b) item 2.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in data books.

Retrievability: They are retrieved by name, patient or study number. NIH Uses: Used by NIAID staff for diagnostic and epidemiologic studies.

Safeguards: Limited access.

Retention and disposal: Years at NIH: indefinitely.

System manager(s) and address:
Chief, Respiratory Viruses Section
Building 7, Room 301, NIH
9000 Rockville Pike
Bethesda, MD 20014

Chief, Hepatitus Virus Section
Building 7, Room 202, NIH
9000 Rockville Pike
Bethesda, MD 20014

Notification procedure: Same as System Manager.

Record access procedures:
Chief, ORR and PR, NIAID
Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20014

Contesting record procedures: Same as above.

Record source categories: Hospital records, field study records and records from collaborating scientists.

SSA HI CAR 0275.01

System name: Medicare Benefit Check Records HEW SSA.

Security classification: None.

System location: Intermediaries and carriers (see Appendix C, Sections 3 and 4).

Categories of individuals covered by the system: Beneficiaries, physicians, and providers of services under Medicare.

Categories of records in the system: Cancelled checks that have been paid to beneficiaries, physicians and providers of services under Medicare.

Authority for maintenance of the system: Sections 1816, 1842, and 1874 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The cancelled checks are retained by the carriers and intermediaries to establish that payment has been made.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cancelled check files.

Retrievability: Indexed by health insurance claim number.

Safeguards: The file area is closed to unauthorized personnel.

Retention and disposal: Closed out at the end of the calendar year in which paid or voided, held 1 additional year and transferred to Federal Records Center. Destroyed after 5 years retention there.

System manager(s) and address:
Director, Bureau of Health Insurance
6401 Security Blvd.
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for cancelled or voided check information should be directed to the most convenient social security office (see Appendix F), or to the carrier or intermediary who made the payment.

Record access procedures: The individual can obtain information on the procedures for gaining access to and contesting these records from the most convenient social security office.

Contesting record procedures: Same.

Record source categories: The checks originate in the offices of the carriers and intermediaries to which they are returned after having been negotiated.

SSA HI CAR 0375.01

System name: Review and Fair Hearing Case Files-- Supplementary Medical Insurance Program HEW SSA.

Security classification: None.

System location: Carriers (see Appendix C, Section 4).

Categories of individuals covered by the system: Beneficiary, physician, provider or other supplier of service who is dissatisfied with the carrier's determination denying a request for payment, or with the amount of the payment, or with the length of time being taken to process the claim for payment.

Categories of records in the system: Claimants' requests for review, relevant written statements or evidence, notices of adverse informal review decisions, requests for hearings to protest adverse decisions, hearings proceedings, hearings officers' final decisions and comparable papers.

Authority for maintenance of the system: Sections 1812 and 1842 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records are used to document and support the request for a review of the action taken by the carrier in responding to a request for payment by a beneficiary, physician, provider or other supplier of service under the supplementary medical insurance program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file cabinets.

Retrievability: The records are indexed by health insurance claim number.

Safeguards: Disclosure of records is limited to routine uses. The files are closed to unauthorized personnel.

Retention and disposal: Records are closed out at the end of the calendar year in which the action (reconsideration, hearing, court review) is completed, held 2 more years, transferred to Federal Records Center and destroyed after another 6 years.

System manager(s) and address:
Director, Bureau of Health Insurance
6401 Security Blvd.
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for records should be directed to the most convenient social security office or to the Social Security Administration, Bureau of Health Insurance, Reconsideration Branch, Baltimore, Maryland 21235. The individual should furnish his or her health insurance claim number and name as shown on social security records.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: The information contained in these records is furnished by the beneficiary requesting reconsideration or his authorized representative and from the reviewing authority.

SSA HI CAR 0475.01

System name: Explanation of Medicare Benefit Records HEW SSA.

Security classification: None.

System location: Intermediaries (see Appendix C, Section 3; carriers see Appendix C, Section 4).

Categories of individuals covered by the system: All recipients of Medicare services and supplies.

Categories of records in the system: Medicare hospital insurance benefits record; Part B home health benefits record; Medicare hospital insurance benefits record. These are notices of utilization and explanation of Medicare benefits. They also advise beneficiaries of remaining hospital insurance benefits and the hospital and supplementary medical deductible status.

Authority for maintenance of the system: Sections 205, 226, 1811, and 1832 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No routine uses for disclosure.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Copies of forms sent to beneficiaries are retained in file cabinets.

Retrievability: The records are indexed by health insurance number. These records are used to advise the beneficiary of the payments made on his or her behalf and where applicable, the benefits remaining.

Safeguards: Disclosure of records is limited. The file area is closed to unauthorized personnel.

Retention and disposal: Close out at the end of the year in which the benefit was paid or denied; held 1 year, transferred to the Federal Records Center where record is destroyed after 5 years.

System manager(s) and address:
Director, Bureau of Health Insurance
6401 Security Blvd.
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for system records should be addressed to the most convenient social security office (see Appendix F), or to the carrier or intermediary who issued the notice.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: The identifying information is furnished by the beneficiary when requesting payment; the medical procedures are furnished by the physician or provider and the amount of payment and remaining benefits are furnished by the intermediary or carrier.

SSA HI 0875.01

System name: Hospital Insurance Open Admission Item File (Statistics) HEW SSA.

Security classification: None.

System location:
Bureau of Data Processing
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: All persons who have applied for hospital services under Part A of Medicare.

Categories of records in the system: Limited demographic data.

Authority for maintenance of the system: Section 1875 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No routine uses for disclosure purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All records are stored on magnetic tape.

Retrievability: All records are indexed by social security number.

Safeguards: All magnetic tape files are retained in secure storage areas accessible only to authorized persons within the Bureau of Data Processing. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals.

Retention and disposal: There are no plans for the destruction of these records.

System manager(s) and address:
Director, Bureau of Health Insurance
6401 Security Blvd.
Baltimore, Maryland 21235

Notification procedure: For purposes of access, write the systems manager; he will require system name and social security number and for verification purposes, name (woman's maiden name, if applicable), address, date of birth and sex.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: Inpatient Hospital and Extended Care Admission and Billing (Form SSA-1453) and Home Health Agency Report and Billing (Form SSA-1487).

SSA HI 0975.01

System name: Payment Record File of Supplementary Medical (Medicare) Enrollees (Statistics) HEW SSA.

Security classification: None.

System location:
Bureau of Data Processing
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Supplemental medical (Medicare) enrollees who have met the deductible in any calendar year and have supplemental medical reimbursement, beginning July 1, 1966.

Categories of records in the system: Beneficiary demographic characteristics, physician and supplier billing information, including charges and amount reimbursed; physician characteristics.

Authority for maintenance of the system: Section 1875 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No routine uses for disclosure purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All records are stored on magnetic tape.

Retrievability: All records are indexed by health insurance claim number. They are recorded in segments based on month they were processed.

Safeguards: All magnetic tape files are retained in security storage areas accessible only to authorized persons within the Bureau of Data Processing. Data are accessible only to individuals within the Division of Health Insurance Studies. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals.

Retention and disposal: Records are retained with identifiers as long as needed for purposes of program research.

System manager(s) and address:
Director, Bureau of Health Insurance
6401 Security Blvd.
Baltimore, Maryland 21235

Notification procedure: For purposes of access, write to the systems manager; he will require name of system, health insurance

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claim number, and for verification purposes, name (woman's maiden name if applicable), social security number, address, date of birth aad sex, and to ascertain whether the individual's record is in the system, year Part B deductible was met.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: Medicare enrollment; Medicare payment record.

SSA HI 1075.01

System name: Chronic Renal Disease Beneficiary History File HEW SSA.

Security classification: None.

System location:

Bureau of Data Processing
6401 Security Boulevard (magnetic tape)
Baltimore, Maryland 21235
Office of Research and Statistics
1500 Woodlawn Drive (hard copy)
Baltimore, Maryland 21241

Categories of individuals covered by the system: All individuals with identified end-stage renal disease with Medicare coverage.

Categories of records in the system: Health and supplemental medical Medicare billing information, including charges and amounts reimbursed; physician characteristics; demographic data on beneficiaries; medical data.

Authority for maintenance of the system: Section 1875 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No routine uses for disclosure purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All records stored on magnetic tape with a hard copy back-up also available.

Retrievability: All records are indexed by social security number.

Safeguards: All magnetic tape files are retained in secure storage areas accessible only to authorized persons within the Bureau of Data Processing. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals. Data are accessible only to individuals within the Division of Health Insurance Studies, and hard copy records are stored in secure areas with access limited to authorized individuals.

Retention and disposal: Records are retained with identifiers as long as needed for purposes of program research.

System manager(s) and address:

Director, Bureau of Health Insurance
6401 Security Blvd.
Baltimore, Maryland 21235

Notification procedure: For purposes of access, write the systems manager; he will require name of system, health insurance claim number, and for verification purposes, name (woman's maiden name, if applicable), social security number, address, date of birth and sex, and to ascertain whether the individual's record is in the system, date (month and year) on which treatment costs were first reimbursed under Medicare.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: Master beneficiary record; Medicare enrollment records; Medicare bill records; Medicare payment records.

SSA PO SSI 1375.01

System name: Supplemental Security Income Audit Trail Microfiche.

Security classification: None.

System location: Bureau of Data Processing, Supplemental Security Income Payment Record Data Branch.

Categories of individuals covered by the system: This file contains a record for each aged, blind and disabled individual who has applied for supplemeatal security income payments.

Categories of records in the system: This file contains data regarding eligibility, citizenship, residence, eligibility for other benefits, alcoholism or drug addiction date (if applicable), income data, resources, payment amounts and living arrangements for all persons who have applied for supplemental security income payments. In addition, changes which are subsequently received which have an effect on any of the above categories are also maintained within this record.

Authority for maintenance of the system: Sections 1602 and 1631 of Title XVI of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No routine uses for disclosure.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Microfiche.

Retrievability: The microfiche is indexed by social security number. The Supplemental Security Income Audit Trail Microfiche is used to provide complete historical data for each Supplemeatal Security Income master record. This data includes transactions which effectuate changes to the Supplemental Security Income master record.

Safeguards: The microfiche records are protected through standard security measures used for all microfiche records housed within the Social Security Administration.

Retention and disposal: The Supplemental Security Income Audit Trail Microfiche is retained for an indefinite period.

System manager(s) and address:

Director, Bureau of Supplemental Security Income
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries should be addressed to the system manager, and should include the individual's full name and social security number.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: The information contained within the Supplemental Security Income Audit Trail Microfiche is derived from the Supplemental Security Income master record which for the most part, is obtained from the applicant for Supplemental Security Income payments.

Notification procedure:

OS ASPE 3.01

System name: Massachusetts Sample Survey of Developmentally Disabled Persons. HEW/OS/ASPE

Security classification: None.

System location:

Florence Heller School (Study Manager)
Brandeis University
351 South Street
Waltham, Massachusetts 02154

Categories of individuals covered by the system: Forty-eight community-based developmentally disabled persons in the state of Massachusetts, including children with learning disabilities.

Categories of records in the system: Information on individuals includes family income, name, address, telephone number. This information is associated with information on the cost of providing educational and maintenance services.

Authority for maintenance of the system: 42 U.S.C. 2825.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Massachusetts Department of Mental Health: Information gathered by the Study Manager and merged into the master data tape is transferred to the Massachusetts Department of Mental Health for purposes of program administration and cost projection. Study Manager: The study manager integrated individually identifiable data and associated cost data into a master analytic and educational services for the State.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original questionnaires are pre-printed, hand-completed forms. Information from these questionnaires are transferred by the Study Manger to magnetic data tape.

Retrievability: Individually identifiable information on the original questionnaires may be retrieved by name, address, name of parent or guardian, and by telephone number. Individually identifiable information included on the magnetic tape is retrievable by use of a

linking code maintained by the Study Manager. Information in non-identifiable form is transferred to the U.S. Department of Health, Education, and Welfare for purposes of the analysis of costs associated with providing care and other services.

Safeguards: Original questionnaires are retained in locked files, accessible by project staff under supervision of the principal investigator. Access to records is strictly controlled and allowed only for purposes of verification of data. Individual information on the magnetic tape may only be accessed through use of the linking code.

Retention and disposal: Information in individually identifiable form will be retained only for purposes of extraction and verification of the pertinent data. All individually identifiable information will be destroyed as soon as verification is completed. It is anticipated that destruction of individual identifiers will be accomplished prior to 1 January 1977.

System manager(s) and address:

Assistant Secretary for Planning and Evaluation
U.S. Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Project Officer:
Director, Office of Social Services/Human Development
Office of the Assistant Secretary for Planning and Evaluation
U. S. Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Individuals requesting notification as to whether the system of records contains information pertaining to them may write to the Principal Investigator (see below). The request for notification should include the current name and address of the individual, as well as other names and addresses used between the periods 1 January 1975 and 1 March 1975.

Principal Investigator:
Kenneth Jones
Florence Heller School
Brandeis University
351 South Street
Waltham, Massachusetts 02154

Record access procedures: Individuals who have established that the system of records contains individually identifiable information pertaining to them may inspect and copy that information at Brandeis University, Waltham Massachusetts. The individual desiring access to his or her record should write to the Principal Investigator (see above), indicating a desire to inspect his or her record.

Contesting record procedures: Through the DHEW Project Officer.

Record source categories: Information contained in the system of records was obtained from interviews with parents or guardians and from state school system records.

OS ASPE 7.01

System name: Study of Selected Women in the Health Professions Schools. HEW/OS/ASPE

Security classification: None.

System location:

Urban and Rural Systems Associates
Pier One and one-half
San Francisco, California 94111

Categories of individuals covered by the system: Approximately 1,000 students, administrators, faculty, interns and residents in the health professions.

Categories of records in the system: Personally related narratives and perceptions of individual experiences of women in health professions schools, including retrospective information on students' experiences leading up to admission to the school.

Authority for maintenance of the system: Public Health Service Act, Section 513, Section 845, Section 799A

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The contractor will aggregate individual data for purposes of preliminary identification of critical variables and attitudes influencing the professional career choices of women who have been admitted to health professions schools.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Sound on tape.

Retrievability: Individually identifiable information may be obtained by listening to the recorded tapes.

Safeguards: The tapes are kept in locked cabinets and access is limited to persons involved in transcription and analysis.

Retention and disposal: Individual identifiers will be deleted from the tapes as soon as the data collection and data verification efforts are complete. The stripping of individual identifiers will occur prior to 1 January 1977.

System manager(s) and address:

Assistant Secretary for Planning and Evaluation
U.S. Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Project Officer:
Director, Office of Special Concerns
Office of the Assistant Secretary for Planning and Evaluation
U.S. Department of Health Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Individuals requesting notice as to whether the system of records contains information pertaiing to them should write to the Contractor's Project Officer (see below), indicating his or her name, current address, addresses used during the period from 1 January 1974 to 31 December 1975, along with the names of the health professions schools attended, or with which the individual was otherwised associated.

Contractor's Project Officer:
Bea Levine
Urban and Rural Systems Associates
Pier One and one-half
San Francisco, California 94111

Record access procedures: Individuals who have established that the system of records contains information relating to them, may inspect and copy such record by contacting the Contractor's Project Officer (see above).

Contesting record procedures: Through DHEW Project Officer (see above).

Record source categories: Personal interviews recorded on magnetic tape and conducted by contractor personnel.

OS ES 2.01

System name: Secretary's Official Files. HEW/OS/ES

Security classification: None.

System location:

Room 5239 - North
330 Independence Avenue S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Individuals who have contacted the Secretary or the Under Secretary or who have been contacted in writing by them.

Categories of records in the system: Hard copies of documents signed or initialed by teh Secretary or the Under Secretary.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard copy filed in standard file cabinets.

Retrievability: Records are indexed by subject, name and organization. Records are available to the staff of the Executive Secretarist for referece purposes in staffing out issues of concern to the Secretary or the Under Secretary.

Safeguards: Direct access is limited to the staff of the Executive Secretariat. Access is limited during non-working hours to individuals with keys to the file room.

Retention and disposal: Records are maintained for two years and are then sent to the National Archives.

System manager(s) and address:

Executive Secretary to the Department
Room 5239 - North
330 Independeace Avenue, S.W.
Washington, D.C. 20201

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Notification procedure: Inquirires should be addressed to the system manager at the above address. The inquirer should indicate the subject matter of the issue involved, the date of the subject documents, and the author and/or addressees.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records are derived from documents signed or initialed by the Secretary or the Under Secretary.

OASH OPI 0001.01

System name: Assistant Secretary for Health Correspondence Control System HEW/OASH/OPI

Security classification: None.

System location:

Public Health Service
Room 17B08
5600 Fishers Lane
Rockville, Md. 20852

Categories of individuals covered by the system: Individuals who have contacted the Assistant Secretary for Health or have been contacted in writing by him.

Categories of records in the system: Hard copies of the Assistant Secretary for Health's correspondence and computer printout and tape control system records of that correspondence.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Correspondence records maintained in hard copy; control records maintained on computer printout, tape, and disc.

Retrievability: Hard copy records indexed alphabetically by name and date of outgoing correspondence and also by subject. Detailed cross-referencing on computer. Used for internal reference purposes only.

Safeguards: Records are available only to the staff of the Assistant Secretary for Health and are maintained in file cabinets in a secure location. Access to computer system limited to specific individuals through use of passwords.

Retention and disposal: Hard copy records are retired to Archives after two years; control records are maintained indefinitely.

System manager(s) and address: Executive Secretary, Public Health Service (address as above).

Notification procedure: Inquiries should indicate the name of the individual with whom the Assistant Secretary for Health corresponded, the date of the incoming correspondence and the date of the outgoing correspondence. Inquiries should be addressed to the Executive Secretary at the address above,

Record access procedures: Executive Secretary (at above address).

Contesting record procedures: Executive Secretary (at above address).

Record source categories: Records are derived from incoming correspondence and the outgoing correspondence of the Assistant Secretary for Health.

Systems exempted from certain provisions of the act: None.

Record access procedures:

SSA HA 0375.01

System name: Presiding Officer File HEW SSA.

Security classification: None.

System location: All hearing offices (See Appendix G).

Categories of individuals covered by the system: Claimant - Social Security and Black Lung.

Categories of records in the system: File established in the hearing office of hearing actions taken on each particular case.

Authority for maintenance of the system: Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended, and Section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No routine uses for disclosure.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folder.

Retrievability: Alphabetical. As a reference to indicate actions taken in a particular case at the hearing level, in order to permit the presiding officer or staff to reply to future correspondence.

Safeguards: Limited access to Social Security Administration offices; limited employee access to need to know.

Retention and disposal: File is destroyed two years after final action was taken.

System manager(s) and address:

Director, Bureau of Hearings and Appeals
Room 503
801 North Randolph Street
Arlington, Virginia 22203

Notification procedure:

Social Security Administration
Bureau of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Record access procedures: Written request to above address, providing name and address of individual.

Contesting record procedures: Same.

Record source categories: Claimant, representative, appropriate members of the public, Social Security Administration and other government, State and local agencies.

Record source categories:

OHD DDO RO7.01

System name: Developmental Disabilites Complaints and Correspondence Files HEW OHD DDO RO7.

Security classification: None.

System location:

Room 564
601 East 12th Street
Kansas City, Missouri 64106

Categories of individuals covered by the system: Individuals who have made inquiries regarding complaints or requested information regarding services from Developmental Disabilities program; and those who have commented to the Department on its proposed rules and practices.

Categories of records in the system: Name and address of individuals submitting correspondence, responses and exchanges of material associated with investigations of complaints or relaying information to appropriate State or local Developmental Disabilities agencies.

Authority for maintenance of the system: Developmental Disabilities Services and Construction Act (P.L. 91-517).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To members of Congress who inquire on behalf of a constitutent; to a State or local agency or institution against which a complaint has been made; See Departmental Regulations, (45 CFR Part 5b) Appendix B Items 1,8.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets.

Retrievability: For the most part records are indexed according to State and within each State by alphabetical name of inquirer. Records are available to DDA staff involved in correspondence and investigative processes, including members of the Office of General Counsel. Occasionally, personnel with special expertise in other programmatic areas or responsible persons at State or local agencies may be given records for the purpose of assisting DDA staff in resolution of issues.

Safeguards: Direct access is restricted to authorized DDA staff; access to room in which file cabinets are maintained is limited during non-working hours to those with keys to room.

Retention and disposal: Inquiry records are maintained three years; complaint and investigative records are maintained five years past date of case closing.

System manager(s) and address:

Director, Developmental Disabilities Office
601 East 12th Street, 5th Floor
Kansas City, Missouri 64106

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for complaint/investigative material, name and any I.D. number assigned. Address is same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Incoming correspondence, responses and material obtained during course of any investigation, individuals themselves.

Systems exempted from certain provisions of the act: None.

OHD OCD CB 2.01

System name: Children Today Mailing List HEW OHD OCD CB.

Security classification: None.

System location:

Room 4109
400 - 6th Street, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Subscribers and contributors to Children Today

Categories of records in the system: Names and addresses of subscribers and contributors.

Authority for maintenance of the system: Childrens' Bureau Act of 1912.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Addressograph plates, paper files.

Retrievability: Indexed alphabetically.

Safeguards: Available to authroized persons only.

Retention and disposal: Records are retained indefinitely, names removed by request.

System manager(s) and address:

Publications Coordinator
Room 4109
400 - 6th Street, S.W.
Washington, D. C.

Notification procedure: Same as above; written requests only.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Incoming correspondence, telephone calls, individuals themselves.

Systems exempted from certain provisions of the act: None.

OHD OCD CB 3.01

System name: Education for Parenthood Mailing List. HEW OHD OCD CB.

Security classification: None.

System location:

Room 5155
400 - 6th Street, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Individuals interested in the Education for Parenthood programs.

Categories of records in the system: Names, title, addresses.

Authority for maintenance of the system: 42 USC 626.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Addressograph plates, paper files.

Retrievability: Indexed alphabetically.

Safeguards: Available only to authorized persons.

Retention and disposal: Names kept on file indefinitely. May be removed by request.

System manager(s) and address:

Program Planning Specialist
Room 5155
400 - 6th Street, S.W.
Washington, D.C. 20201

Notification procedure: Same as above; written requests only.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Grant files, letters, telephone calls, individuals themselves.

Systems exempted from certain provisions of the act: None.

OHD OCD CB 4.01

System name: National Center on Child Abuse and Neglect Mailing list. HEW OHD OCD CB.

Security classification: None.

System location:

Room 5863
400 - 6th Street, S.W.
Washington, D. C. 20201

Categories of individuals covered by the system: Persons interested in the National Centers publications, interested in making grant applications, project directors, social workers and others interested in information on child abuse and neglect.

Categories of records in the system: Names, titles, addresses.

Authority for maintenance of the system: PL 93-247, The Child Abuse Prevention and Treatment Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Addressograph plates, paper files.

Retrievability: Indexed alphabetically. Various categories of institutions, agencies, organizations are cross-indexed.

Safeguards: Available only to authorized personnel.

Retention and disposal: Names are kept indefinitely; may be removed on request.

System manager(s) and address:

Administrative Assistant
Room 5564
400 - 6th Street, S.W.
Washington, D.C.

Notification procedure: See above; written requests only.

Record access procedures: See above.

Contesting record procedures: See above.

Record source categories: Grant applications, letters, telephone calls, other OCD mailing lists, individuals themselves.

Systems exempted from certain provisions of the act: None.

OHD OCD CB 5.01

System name: National Center for Child Advocacy Mailing list. HEW OHD OCD CB.

Security classification: None.

System location:

Room 5819
400 - 6th Street, S.W.
Washington, D. C. 20201

Categories of individuals covered by the system: Persons interested in Child Advocacy activities including social workers, foster parents, juvenile court judges, Community Coordinated Child Care program directors, various Federal staff and members of the general public who have requested information.

Categories of records in the system: Names, titles, addresses.

Authority for maintenance of the system: Childreas' Bureau Act of 1912.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Addressograph plate, paper file.

Retrievability: Indexed alphabetically cross-indexed by area of subject interest.

Safeguards: Available only to authorized personnel.

Retention and disposal: Names kept on file indefinitely; may be removed on request.

System manager(s) and address:

Chief, NCCA
Room 5819

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400 - 6th Street, S.W.
Washington, D. C. 20201

Notification procedure: See above; written requests only.

Record access procedures: See above.

Contesting record procedures: See above.

Record source categories: Other OCD mailing lists grant applications, letters, telephone calls, individuals themselves.

OHD OCD IX 1

System name: OCD Project Staff Lists HEW-OHD-CCD-IX

Security classification: None.

System location:

Room 113, Federal Office Building
50 Fulton Street
San Francisco, Calif. 94102
and at Regional Federal Records Centers

Categories of individuals covered by the system: Directors and staff of Child Abuse and Neglect, Handicapped Cluster Head Start, Head Start, Head Start Supplementary Training, and Home Start programs and Parent Child Centers, and State Regional Training Offices in Region IX.

Categories of records in the system: Name, business address, business telephone number, biographies, employees with salaries above certain level.

Authority for maintenance of the system: Community Services Act of 1974 (42 USC 2701).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The files are routinely used externally in handling inquiries from members of Congress; used in handling inquiries from other federal agencies; used as a resource by consultants contracted by OCD; used in handling inquiries from general public.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in folders in standard legal-sized file cabinets.

Retrievability: The files are indexed alphabetically. Records are available to OCD staff involved in correspondence and funding processes, including staff members with DHEW, i.e.: General Counsel.

Safeguards: Direct access is restricted to OHD personnel; access to room in which file cabinets are maintained is limited during non-working hours to those with keys to room.

Retention and disposal: Files are maintained three fiscal years and are removed to the Federal Records Disposal Center thereafter.

System manager(s) and address:

Director, OCD, Region IX
Room 117
50 Fulton Street
San Francisco, CA 94102

Notification procedure: System Manager; upon written, telephone, or personal request, the public may make appointments to view requested data.

Record access procedures: See above.

Contesting record procedures: See above.

Record source categories: Incoming correspondence, responses, and materials obtained during course of program, Individuals themselves.

Systems exempted from certain provisions of the act: None.

OHD OCD IX 2.01

System name: Parent Council Advisory Members HEW-OHD-OCD-IX-2

Security classification: None.

System location:

Room 113, Federal Office Building
50 Fulton Street
San Francisco, CA 94102

Categories of individuals covered by the system: Directors, Consultants, Staff, Board & Committee Members.

Categories of records in the system: Name, Business & Home Address, Business & Home Telephone Numbers, Title, Biographies, Employees with salaries above certain level.

Authority for maintenance of the system: Community Services Act of 1974 (42 USC 2701).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The files are routinely used externally in handling inquiries from members of Congress; used in handling inquiries from other federal agencies; used as a resource by consultants contacted by OCD; used in handling inquiries from general public and Parent Council Advisory grantees.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in folders in standard legal-size file cabinets.

Retrievability: The files are indexed alphabetically. Records are available to OCD staff involved in correspondence and funding processes, including staff members within DHEW, i.e.: General Counsel.

Safeguards: Director access is restricted to OHD personnel; access to room in whic file cabinets are maintained is limited during non-working hours to those with keys to room.

Retention and disposal: Files are maintained three fiscal years and are removed to the Federal Records Disposal Center thereafter.

System manager(s) and address:

Director, OCD, Region IX
Room 117
50 Fulton Street
San Francisco, CA 94102

Notification procedure: System manager; upon written telephone, or personnel request, the public may make appointments to view requested data.

Record access procedures: See above.

Contesting record procedures: See above.

Record source categories: Incoming correspondence, responses, and materials obtained during course of Parent Council Advisory programs, individuals themselves.

Systems exempted from certain provisions of the act: None.

OHD ONAP 1.01

System name: Mailing list for ONAP publications. OHD-ONAP

Security classification: None.

System location:

Room 4152 Donohoe Building
400 - 6th St., S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Individuals who request information on Native American Programs.

Categories of records in the system: Name and address of individuals or organizations who request information

Authority for maintenance of the system: P.L. 93-644 'Headstart, Economic Opportunity, and Community Partnership Act, 1974', Title VIII-Native American Programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The addresses are kept in card index file box.

Retrievability: Indexed by individual or organizational name.

Safeguards: Access to authorized personnel only.

Retention and disposal: List will be permanent mailing list.

System manager(s) and address:

Public Information Officer
Room 4829 Donohoe Bldg.
400 - 6th St., S.W.
Washington, D.C. 20201

Notification procedure: System manager address same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Incoming correspondence, individuals themselves.

Systems exempted from certain provisions of the act: None.

OHD ORS R10.01

System name: Office of Rehabilitation Services Mailing Lists. OHD-ORS-R10

Security classification: None.

System location:

Department of Health, Education and Welfare
Office of Rehabilitation Services
Room 1001, Arcade Plaza Building
1321 Second Avenue
Seattle, Washington 98101

Categories of individuals covered by the system: Providers of rehabilitation services in Region X individuals who have requested that they receive program information, grantees, grant applicants.

Categories of records in the system: Name, address, title, phone numbers.

Authority for maintenance of the system: P.L. 93-112.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card files.

Retrievability: Indexed by name. Used by ORS staff to disseminate program information.

Safeguards: Access by authorized personnel only.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Director, Office of Rehabilitation Services
OHD, DHEW, M.S. 137
Arcardo Plaza Building
1321 Second Avenue
Seattle, Washington 98101

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individuals themselves, from grant applications.

Systems exempted from certain provisions of the act: None.

Systems exempted from certain provisions of the act:

HRA NCHS 0917.01

System name: Health and Demographic surveys conducted in random samples of the U.S. population. HEW/HRA/NCHS.

Security classification: None.

System location:

Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Categories of individuals covered by the system: Individuals and members of households selected by random sampling techniques to be representative of the civilian noninstitutionalized population of the United States.

Categories of records in the system: Statistical records containing information on: (1) the incidence of illness and accidental injuries, prevalence of diseases and impairments, the extent of disability, the utilization and cost of health care services, and other health characteristics of individuals obtained in one-time household interviews; or (2) the dietary intake, biochemical test data, body measurements, X-rays, and clinical measurements of individuals obtained in single-visit health examinations; or (3) marital and child bearing history and intended future births, the use of prenatal care, and the family planning practices of individual women obtained by interview. Demographic and socioeconomic characteristics such as age, marital status, education, occupation, and family income are also obtained for individuals in this system of statistical records.

Authority for maintenance of the system: Public Health Service Act Section 306(b)(1)(42 U.S.C. 242k).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The data are disseminated for purposes of statistical research and analysis outside HEW in forms which do not permit the identification of individuals, such as publications of statistical tables, specially requested tabulations, and public use computer tapes. These are communicated to interested persons outside HEW, such as members of Congress and their staffs, other executive branch agencies, universities, States, cities, private foundations, etc. The findings are used by demographers, sociologists, health statisticians, epidemiologists, other scholars and concerned citizens, to evaluate health matters, make determinations on needs for legislation, appropriations, new service programs, and the like. Data collection, processing, and analysis are from time to time conducted for NCHS by private contractors, under guarantees by the contractors of confidentiality.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are transferred onto magnetic tapes without name and address information and are maintained on magnetic tapes for an indefinite period.

Retrievability: A serial number tied to the selection process of successively smaller geographic areas is assigned to each record on magnetic tape. This serial number also appears on the original record. Each magnetic tape containing records in this system has a unique identification number and title. Original survey records are reviewed for accuracy, edited, and data (without personal identifiers such as name or SSN) are transferred to magnetic tape. Then the original records are stored at the Federal Records Center. The tape is used for statistical purposes only. These uses include the preparation of aggregated data in the form of statistical tables for publication, analysis, and interpretation, to meet the legislative mandates of P.L. 93-353, to determine levels of illness and disability and their effects on the population, the use of health care facilities, trends in family formation and dissolution, and the like. Users consist of health planners, statisticians, epidemiologists, demographers, and others concerned with the problems of health and health care.

Safeguards: All employees of NCHS, as a condition of employment, sign an affidavit binding them to nondisclosure of identifiable individual information. Since the magnetic tapes have no name and address information, users of the tape could only identify specific individuals by relating the serial number on the tape to the original record. Only employees of NCHS are permitted access to the magnetic tapes with the serial numbers described above or to the files containing the original records. Magnetic tapes with serial numbers of individual records removed are made available for public use.

Retention and disposal: The original records are retained in office files of NCHS until the process of conversion to magnetic tape and verification of information is completed. This process is completed within approximately nine months. The original records are then sent to the Federal Records Center where they are stored for 5 years for interview survey records and 10 years for examination records. Microfilm copies of examination records are retained at the Federal Records Center for 40 years.

System manager(s) and address:

Director
National Center for Health Statistics, HRA
5600 Fishers Lane
Rockville, Maryland 20852

Notification procedure: None.

Record access procedures: None.

Contesting record procedures: None.

Record source categories: None.

Systems exempted from certain provisions of the act: With respect to this system of records, exemption has been granted from the requirements contained in subsections 552a(c)(3), (d), (e)(4)(G), (H), and (I) and (f), in accordance with the provision of subsection 552a(k)(4) of the Privacy Act of 1974. The reason this system has been exempted is that this system contains only records required by statute to be maintained and used solely as statistical records.

Revisions of a number of paragraphs to the following Notices of Systems of Record:

OS ASAM PT 18.01

System name: Unfair Labor Practice Records. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel Offices of the Department shown in (See Application for Employment Records, HEW System OS-ASAM-1, Appendix 1 and offices of operating officials in organizational units serviced by those Personnel Offices.

Categories of individuals covered by the system: Current HEW employees and union officials.

Categories of records in the system: This system of records consists of a variety of records relating to an unfair labor practice charge. Examples of information which may be included in this system are the employee's name, Social Security Number, grade,

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job title, employment history and a variety of work and personnel records associated with the charges and required under proceedings established by Executive Order 11491 and Department of Labor Regulations.

Authority for maintenance of the system: Executive Order 11491, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system may be released to:

1. The Department of Labor.
2. In accordance with Items 1,3,4,5,7,8, of Departmental Regulations, (45 CFR Part 5b), Appendix B.
3. The Federal Labor Relations Council.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are retrievable by name. They are used to make a determination on and to document a decision made on an unfair labor practice charge filed by an employee or union official. Information from this system may be used by Department officials for preparing statistical summary or management reports.

Safeguards: When not in use by authorized persons, these records are stored in lockable metal file cabinets. Access to and use of these records are limited to personnel who have a need for the records in performance of official duties.

Retention and disposal: The case files are maintained as long as they may be pertinent for purposes of precedent or as management information devices. When no longer useful for such purposes, they are destroyed.

System manager(s) and address: Personnel Officer shown in Appendix 1 of OS-ASAM-PT-1 who services th organizational unit in which the individual is employed.

Notification procedure: Contact the systems manager and provide name, approximate date of record, the unfair labor practice charge as specified by the complainant, and management component in which the charge was filed.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is:

1. Supplied directly by the individual, or
2. Derived from information supplied by the individual, or
3. Supplied by testimony of witnesses, or
4. Supplied by union officials, or
5. Supplied by Department officials.

Systems exempted from certain provisions of the act: None.

OS ASC 1.01

System name: Accounting records of Payments to Individuals from Agency and Regional Financial Management and Disbursing Offices. HEW OS ASC 1.

Security classification: None.

System location: See appendix 1.

Categories of individuals covered by the system: Persons authorized to travel on official HEW business; persons awarded an HEW grant, contract or loan; persons authorized emergency salary advances; and consultants furnishing administrative and miscellaneous services.

Categories of records in the system: Name, identification number, address, purpose of payment, accounting classification and amount paid.

Authority for maintenance of the system: Budget and Accounting Act of 1950 (PL 81-784).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To the Treasury Department for check preparation; to members of Congress on behalf of a constituent or concerning a federal financial assistance program; See Departmental Regulations (45 CFR Part 5b), Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy documents are manually filed at agency and regional office sites; and on disc pack and magnetic tape at central computer sites.

Retrievability: This varies according to the particular operating accounting system within the Agency and Regional Office. Usually the hard copy document is filed by name within accounting classification. Computer records may be indexed by social security number and voucher number. Intra-departmental uses and transfers concern the validation and certification for payment, and for HEW internal audits.

Safeguards: Minimum safeguards to insure integrity of records, and that required to provide protection against loss by accident of carelessness; these records are classified as public information and are available through the Freedom of Information Act.

Retention and disposal: Records are purged from automated files once the accounting purpose has been served; printed copy and manual documents are retained and disposed of in accord with General Accounting Office principles and standards.

System manager(s) and address: See appendix 2.

Notification procedure: Inquiries are to be made, either in writing or in person, to the organizations listed under 'Location' in appendix 1,with the exception of Food and Drug Administration contact:

FDA Privacy Coordinator (HF-50)
Food and Drug Administration
5600 Fishers Lane
Rockville, Md. 20852

Give name and social security number, purpose of payment (travel, grant, etc.) and, if possible, the agency accounting classification.

Record access procedures: Same as in 'Notification'. See above.

Contesting record procedures: Same as in 'Notification'. See above.

Record source categories: Travel vouchers submitted by the individual; grant, contract or loan award document; consultant invoice of services rendered; and application for travel advance.

Systems exempted from certain provisions of the act: None.

Appendix 1 Location

Payments to Individuals records are located at the following HEW Regional Offices:

Regional Office 01
John F. Kennedy Federal Bldg.
Government Center
Boston, MA 02203

Regional Office 02
26 Federal Plaza
New York, NY 10007

Regional Office 03
Post Office Box 12900
Philadelphia, PA 19108

Regional Office 04
50 Seventh Street, N.E.
Atlanta, GA 30323

Regional Office 05
Room 712
433 West Van Buren Street
Chicago, IL 60607

Regional Office 06
1114 Commerce Street
Dallas, TX 75202

Regional Office 07
Federal Office Bldg.
601 East 12th Street
Kansas City, MO 64106

Regional Office 08
19th & Stout Streets
Denver, CO 80202

Regional Office 09
50 Fulton Street
San Francisco, CA 94102

Regional Office 010
Arcade Plaza Bldg.
1319 Second Avenue
Seattle, WA 98101

Payments to Individuals records are located at the following HEW Agency Headquarters and Field Offices:

Office of the Secretary (to include Office of Human Resources records)
Div. of Accounting Operations
Washington, DC 20201

Office of Education
Accounting Operations Section
Federal Office Bldg. 06
Washington, DC 20202

National Institute of Education
Finance Division, Room 710
1200 14th Street N.W.
Washington, DC 20208

Health Services Adm.
Office of Fiscal Services
Parklawn Bldg.
5600 Fishers Lane
Rockville, Md. 20852

Health Services Adm.
U.S. Public Health Service Hospital
77 Warrent Street Brighton
Boston, MA 02135

Health Services Adm.
U.S. Public Health Service Hospital
Bay and Vanderbilt Streets - Stapleton
Staten Island, NY 10304

Health Services Adm.
U.S. Public Health Service Hospital
3100 Wyman Park Drive
Baltimore, MD 21211

Health Services Adm.
U.S. Public Health Service Hospital
6500 Hampton Boulevard - Larchmont
Norfolk, VA 23508

Health Services Adm.
Addiction Research Center
Leestown Pike - Box 2000
Lexington, KY 40501

Health Services Adm.
U.S. Public Health Service Hospital
Carville, LA 70721

Health Services Adm.
U.S. Public Health Service Hospital
210 State Street
New Orleans, LA 70118

Health Services Adm.
U.S. Public Health Service Hospital
4400 45th Avenue North
Galveston, TX 77550

Health Services Adm.
PHS Indian Health Area Office
Federal Office Bldg., & U.S. Court House
500 Gold Avenue, S.W.
Albuquerque, NM 87101

Health Services Adm.
PHS Indian Health Area Office
338 Post Office & Court House Bldg.
Oklahoma City, OK 73102

Health Services Adm.
Aberdeen Area Office
Indian Health Service
Federal Bldg.
Aberdeen, SD 57401

Health Services Adm.
03 At 7th West Central Avenue
Post Office Box 2143
Billings, MT 59103

Health Services Adm.
U.S. Public Health Service Hospital
15th Avenue & Lake Street
San Francisco, CA 94118

Health Services Adm
PHS Indian Health Area Office
801 East Indian School Road
Phoenix, AZ 85014

Health Services Adm.
U.S. Public Health Service Hospital
1131 14th Avenue, South
Post Office Box 3145
Seattle, WA 98114

Health Services Adm.
Alaska Area Native Health Service
Post Office Box 7-741
Anchorage, AK 99510

Public Health Service
Center for Disease Control
1600 Clifton Road
Atlanta, GA 30333

Public Health Service
Nat'l Institute for Occupational Safety & Health, CDC
532 U.S. Post Office & Courthouse Bldg.
Cincinnati, OH 45202

Food and Drug Adm.
HFA-120
5600 Fishers Lane
Rockville, MD 20852

Food and Drug Adm.
880 W. Peachtree St., N.W.
Atlanta, GA 30309

Food and Drug Adm
585 Commercial Street
Boston, MA 02109

Food and Drug Adm.
599 Delaware Avenue
Buffalo, NY 14202

Food and Drug Adm.
Room 700 - Federal Office Bldg.
850 3rd Avenue (At 30th Street)
Brooklyn, NY 11232

Food and Drug Adm.
20 Evergreen Pl.
East Orange, N.J. 07018

Food and Drug Adm.
Room 1204, U.S. Customhouse
2nd & Chestnut Streets
Philadelphia, PA 19106

Food and Drug Adm.
900 Madison Avenue
Baltimore, MD 21201

Food and Drug Adm.
P.O. Box S-4427
San Juan, P.R. 00905

Food and Drug Adm.
Room 1222 Main Post Office Bldg.

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433 West Van Buren Street
Chicago, IL 60607

Food and Drug Adm.
1560 East Jefferson Avenue
Detroit, MI 48207

Food and Drug Adm.
1141 Central Parkway
Cincinnati, OH 45202

Food and Drug Adm.
240 Hennepin Avenue
Minneapolis, MN 55401

Food and Drug Adm.
3032 Bryan Street
Dallas, TX 75204

Food and Drug Adm.
Room 222 U.S. Customhouse Building
423 Canal Street
New Orleans, LA 70130

Food and Drug Adm.
National Center for Toxicological Research
Jefferson, AR 72079

Food and Drug Adm.
1009 Cherry Street
Kansas City, Mo. 64106

Food and Drug Adm.
Room 1002 U.S. Courthouse & Customhouse Building
1114 Market Street
St. Louis, MO 63101

Food and Drug Adm.
Room 573 New Customhouse Building
721 19th Street
Denver, CO 80202

Food and Drug Adm.
Room 518 Federal Office Building
50 Fulton Street
San Francisco, CA 94102

Food and Drug Adm.
1521 West Pico Boulevard
Los Angeles, CA 90015

Food and Drug Adm.
5003 Federal Office Bldg.
909 First Avenue
Seattle, WA 98174

National Institutes of Health
Operations Accounting and Federal Assistance Accounting Branches
Bldg. 31, Room B1B58
9000 Rockville Pike
Bethesda, MD 20014

National Institutes of Health
Rocky Mountain Laboratory
Hamilton, MT 59840

National Institutes of Health
Public Health Hospital
15th Avenue & Lake Street
San Francisco, CA 94118

Alcohol, Drug Abuse, & Mental Health Administration
Saint Elizabeths Hospital
Finance Office; Administration Bldg.
Washington, DC 20032

Social Security Administration
Administration, Program and Fiscal Operations Offices
1227 Annex Social Security Bldg.
Baltimore, MD 21235

Social Security Administration
Bureau of Supplemental Security Income
4-M-5 Annex Bldg.
Baltimore, Md. 21235

Social Security Administration
Bureau of Disability Payments
1506 Woodlawn Drive 1J2
Baltimore, MD 21241

Social Security Administration
Northeastern Program Center
96-05 Horace Harding Expressway
Flushing, NY 11368

Social Security Administration
Midatlantic Program Center
401 North Broad Street
Philadelphia, PA 19108

Social Security Administration
Southeastern Program Center
225 Third Avenue North
Birmingham, AL 35285

Social Security Administration
Great Lakes Program Center
165 North Canal Street
Chicago, IL 60606

Social Security Administration
MidAmerica Program Center
601 East 12th Street
Kansas City, MO 64106

Social Security Administration
Western Program Center
Post Office Box 100
San Francisco, CA 94101

Social and Rehabilitation Service
Room 1219 HEW South Building
330 C Street, S.W.
Washington, DC 20201

Appendix 2 System Manager

Departmental principles and standards concerning the system of records are the responsibility of:

Department of Health, Education and Welfare
Assistant Secretary, Comptroller
Office of the Secretary
Room 5760 HEW-N
Washington, DC 20201

Operational responsibilities are as follows:

For Payments to Individual records at Departmental and Regional Offices:

DHEW, Office of Secretary and Regional Offices

Office of Secretary
Deputy Assistant Secretary, Finance
Room 3700 HEW-N
Washington, DC 20201

For Payments to Individual records at Principal Operating Component Offices:

Education (OE, NIE, ASE)

Office of Education (For OE and ASE)
Deputy Commissioner for Management
Room 4169 FOB-6
Washington, DC 20201

National Institute of Education
Associate Director for Administration and Management
Room 639 Brown Building
1200 14th Street, N.W.
Washington, DC 20208

Health (HSA, CDC, FDA, NIH, ADAMHA, HRA, ASH)

Public Health Service
Director, Division of Financial Management
Room 16-17, Parklawn Building
5600 Fishers Lane
Rockville, MD 20852

Social Security Administration

Social Security Administration
Director, Office of Financial Management
Room 840 Annex Social Security Bldg.
Baltimore, MD 21235

Office of Human Development

Office of Human Development
Director, Office of Administration and Management
Room 1107 Donohoe Building
400 6th Street, S.W.
Washington, DC 20201

Social and Rehabilitation Service

Social and Rehabilitation Service
Assistant Administrator for Financial Management
Room 5062, HEW-S
330 C Street, S.W.
Washington, DC 20201

OS ASC 2.01

System name: Central Registry of Individuals Doing Business With HEW. HEW OS ASC 2.

Security classification: None.

System location:

Division of Financial Operations and Fiscal Procedures
Room 3628B HEW-N
330 Independence Avenue, S.W.
Washington, DC 20201

Categories of individuals covered by the system: Individuals who are the recipients of Federal Domestic Assistance Grants, or of contracts awarded by HEW.

Categories of records in the system: An index of names, addresses and identification number (SSN) of the individual doing business with HEW. No other personally identifiable data are maintained. The index is termed public information since data relative to Federal Domestic Assistance and Contracts are public information.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Departmental Regulations (45 CFR Part 5b), Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy code booklets are manually filed at agency and regional office sites; and on disc pack and magnetic tape at central computer sites.

Retrievability: Record may be found in the Code Book by either name or social security number; record in disc pack and on magnetic tape is indexed by social security number. The Code Book provides a listing of data processing numbers for grant, contract and financial transactions. These numbers are used to access the name and address of the individual in the Automated Library (Central Registry). The information is used for check preparation, reports, mailings, etc.

Safeguards: Minimum safeguards to insure integrity of records, and that required to provide protection against loss by accident or carelessness.

Retention and disposal: Records are purged from the automated file each two years; only persons actively dealing with HEW remain on file. Code Books are replaced each year. Inactive books are destroyed.

System manager(s) and address:

Deputy Assistant Secretary, Finance
Deparment of HEW, Office of the Secretary
Room 3700, HEW-N
330 Independence Avenue, S.W.
Washington, DC 20201

Notification procedure: Inquiries are to be made, either in writing or in person, to the organization listed under 'location'.

Give name and social security number.

Record access procedures: Same as in 'Notification'.

Contesting record procedures: Same as in 'Notification'.

Record source categories: Grant and Contract documents. Names, social security numbers and addresses are provided by the individual when applying for a grant or contract from the Department.

OS IATF 1.01

System name: Indochina Refugee and Sponsor System HEW-OS-IATF.

Security classification: None.

System location:

Room 912 - Universal North Building
1875 Connecticut Avenue, N.W.
Washington, D.C.
and at IBM Computer Center and Resettlement Camps (see Appendix 1).

Categories of individuals covered by the system: Individuals who are refugees from Indochina as defined in the authorizing legislation and individuals who offer to sponsor or assist refugees.

Categories of records in the system: Names and addresses of individuals (who offer by letter or telephone to sponsor or assist refugees) with details of the offer; e.g., persons to be sponsored, size of group, employment opportunities, housing availability. Names of refugees, IATF ID Numbers, INS Alien Number, Age, Sex, English-speaking capability, Education, Occupational skills, Health status, and Administrative data (e.g., arrival date, camp assignment, location in camp).

Authority for maintenance of the system: The Indochina Migration and Refugee Assistance Act of 1975 (P.L. 94-23).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To members of Congress on behalf of their constituents; to State and local governments for social services activities; to State employment services to assist in obtaining employment for refugees; and to Volags (Volunteer Resettlement Agencies under contract to IATF), State and local governments acting in the capacity of a Volag under contract to IATF; as listed in Departmental Regulations (45-CFR Part 5b), Appendix B, items 1, 3, 4, 5, 6, 8, 9.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in electromagnetic form (disk) in a dedicated IBM 370/158 computer located at 11141 Georgia Ave., Wheaton, Md. Hard copy (printouts) are maintained at Universal North Building (address above), and at IATF Resettlement Centers located at Camp Pendleton, California; Fort Chaffee, Ark.; and Indiantown Gap Military Reservation, Penna. Administrative processing information in addition to that contained in the computerized file is maintained at the four Resettlement Centers.

Retrievability: Records concerning refugees are indexed by name and cross indexed by A (Alien) number. Records concerning sponsors are indexed by name. The Inter Agency Task Force is composed of representatives of the following: Department of State; Department of Health, Education and Welfare; Department of Labor; Department of Justice; and Department of Defense. Records are available to IATF staff and, on a need to know basis, to the staffs of their respective agencies who assist in the care, maintenance, processing, and relocation of refugees.

Safeguards: Direct access is restricted to the IATF staff specified above. Hardcopy and folders are maintained in limited access space. Direct access to the computer site is restricted to authorized operating personnel. After normal hours access is by electronic key. CRTs are restricted to authorized staff and CRTs are equipped with key locks.

Retention and disposal: Authorization for the program terminates on June 30, 1976; IATF will maintain records until that date, or until work is completed, whichever comes first, at which time another component of DHEW will maintain these records.

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System manager(s) and address:
Director,
Inter-agency Task Force
Room 912 - Universal North Building
1875 Connecticut Avenue, N.W.
Washington, D.C.

Notification procedure: Systems Manager - use mailing address as follows:
Inter-agency Task Force
Department of State
Washington, D.C. 20520

Record access procedures: Systems Manager.

Contesting record procedures: Systems Manager.

Record source categories: Incoming correspondence and telephone calls in the case of sponsors and interviews in the case of refugees.

Systems exempted from certain provisions of the act: None.

Appendix 1 System Location

11141 Georgia Avenue
Wheaton, Maryland

Camp Pendleton, California

Fort Chaffee, Arkansas

Indiantown Gap Military Reservation, Pennsylvania

OS SP DCMO 1.01

System name: Federal Advisory Committee Membership Files, HEW OS - SP-DCMO

Security classification: None.

System location: System location is determined by nature of advisory committee. See Appendix 1.

Categories of individuals covered by the system: Individuals who have been or are presently members of or are being considered for membership on advisory committees within the jurisdiction of the Department of Health, Education, and Welfare. Additionally the system of records contains information about members of the public who have requested that they receive various publications through the inclusion of their names and addresses on various mailing lists.

Categories of records in the system: Information maintained on those individuals who have requested participation on mailing lists is limited to name and mailing address. Information maintained on individuals who are past, present, or recommended members of advisory committees subject to this notice consists of one or more of the following: name, title, sex, place and date of birth, home address, business address, organizational affiliation, phone number, degrees held, general educational background, ethnic background, resume, curriculum vitae, dates of term on advisory committee, status on advisory committee, reason for leaving advisory committee, previous or current membership on other advisory committees, special qualifications of the individual for the advisory committee membership, source who recommended the individual for membership on advisory committee and miscellaneous correspondence. Additionally, memoranda justifying the individual's selection are included in the file in cases in which the individual has served repetitively on advisory committees, has not had a one-year break in service on advisory committees, or where various statutory or other requirements for advisory committee membership cannot be met.

Authority for maintenance of the system: Federal Advisory Committee Act (5 U.S.C. App. I et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Annual Report to the President; administrative reports to OMB and GSA; routine publication of rosters of members of advisory committees; routine public dissemination on request or through mailings, press releases, or Federal Register publication; In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard-copy filed in file cabinets, on index cards, on magnetic tape, or in computer storage.

Retrievability: For the most part records are maintained in an alphabetical index by name of the individual. Certain files are based on other factors, e.g. Advisory Committee name, with a cross index based on an alphabetical listing of individuals. Certain other records are retrievable by individually identifiable computer identification codes. Certain of the mailing lists which are maintained are indexed by ZIP Code and within zone by alphabetical listing by name of the individual. Records from the system are available to the staffs of the respective Advisory Committees, the Committee Management Officers, the Departmental Committee Management Officer and other Departmental staff on a need-to-know basis. Uses include special administrative reports; quarterly alphabetical listings of past, present, and recommended members of Advisory Committees; computer lists of vacancies, acceptances, separations, active members, statistical reports by sex, youth, geographic location, etc; documentation of nominations; and other administrative needs.

Safeguards: Direct access to records is restricted to authorized personnel through locked files, rooms, and buildings as well as building pass and security guard sign-in systems. Certain facilities are also protected by closed circuit television systems. Computer systems are secured through locked magnetic tape libraries as well as lockword-password computer access systems.

Retention and disposal: Retention is variable from one year to permanent retention depending upon the type of record, e.g., names of former members of advisory committees are retained permanently. Certain records are disposed of by referral to the Federal Records Center. Others are disposed of as trash by the system manager or office of security depending upon the confidentiality of the information contained on the record.

System manager(s) and address: See Appendix 1. Federal Advisory Committee Membership Files.

Notification procedure: Same as above with the exception of Food and Drug Administration, contact:
FDA Privacy Coordinator (HF-50)
Food and Drug Administration
5600 Fishers Lane
Rockville, Md. 20852 Verification of identification of individuals inquiring as to information contained in this System of Record shall be in accordance with the procedures outlined in regulations published by the Department of Health, Education, and Welfare to implement the Privacy Act.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The vast majority of information contained in records on individuals is obtained directly from the individual. Other information in the form of references and recommendations is obtained from other private individuals, program personnel, biographical reference books, private organizations, former employers, regional offices of DHEW, Members of Congress, and other government sources.

Appendix Number 1 Federal Advisory Committee Membership Files

Department of Health, Education, and Welfare
Department Committee Management Officer
Departmental Policy Coordinator
Room 4036N
330 Independence Avenue, S.W.
Washington, D.C. 20201

Alcohol, Drug Abuse, and Mental Health Administration
Office of the Administrator
Committee Management Officer
Room 13-103
5600 Fishers Lane
Rockville, Maryland 20852

Center for Disease Control
Committee Management Officer
Management Analysis Branch
Room 211
255 E. Paces Ferry Road, N.E.
Atlanta, Georgia 30305

Department of Health, Education, and Welfare
Office of the Secretary

Office of Administration
Committee Management Officer
Room 4311N
330 Independence Avenue, S.W.
Washington, D.C. 20201

Food and Drug Administration
Office of Science
Committee Management Office
Room 7-83
5600 Fishers Lane
Rockville, Maryland 20852

Health Resources Administration and
Health Services Administration
Division of Management Services
Committee Management Officer
Room 10-A-25
5600 Fishers Lane
Rockville, Maryland 20852

National Institutes of Health
Committee Management Officer
National Institutes of Health,
Building 01, Room 303
Bethesda, Maryland 20014

Office of Education
Office of Management
Committee Management Officer
Committee Management Staff
Room 4156
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Social Security Administration
OMA, Management Policy and Programs Branch
Committee Management Officer
Room 4-R-22, Operations Building
6401 Security Boulevard
Woodlawn, Maryland 21235

E NIK EWG 09.01

System name: Follow-Up Study of Mountain-Plains Participant and Control Group Families--HEW E.

Security classification: None.

System location:
55 Wheeler Street
Cambridge, MA 02138

185 Alewife Brook Parkway
Cambridge, MA 02138

770 Brookfield Road
Ottawa, Ontario
Canada K1V 6J5

Categories of individuals covered by the system: Members of households who have agreed to participate in the Follow-Up Study: Evaluation of the Mountain-Plains Education & Economic Development program, Inc.

Categories of records in the system: Types of information in system are: (1) demographic characteristics of household members; (2) information on the individual's participation in the Mountain-Plains Education & Economic Development Program, Inc.; (3) family economic and financial information; (4) employment and work histories of the man and the woman of the household; (5) attitudinal measurements on the man and the woman in the household; (6) housing conditions information; and (7) name and address.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for services and analysis of records by authorized personnel. To Mountain Plains Program for statistical research, development and evaluation of the program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in standard storage recepticles for each of four media (1) interview schedules used to collect the data, (2) punched cards, (3) magnetic tape, and (4) disc.

Retrievability: The system is indexed by identification number and name of the head of the household, and will be used for (1) statistical research and reporting purposes only, and not used in whole or in part in making any determination about an identifiable individual; (2) assessing the success of the Mountain-Plains Education & Economic Development Program, Inc.; (3) transfer, in individually identifiable form, to the Mountain-Plains Education & Economic Development Program, Inc. for purposes of statistical research, development, and evaluation of the Program, and not for use in whole or in part in making any determination about an identifiable individual; and (4) location, for the purpose of conducting the next interview, of individual families.

Safeguards: Safeguards to insure the security and confidentiality of the records vary with the medium on which they are stored: (1) Interview schedules: all staff involved in the data collection, data encoding, and data collection process have been advised of rigid procedures to insure the confidentiality of the data. Completed interview schedules are secured under lock and key, and are accessible only by necessary staff under the supervision of the Director of Data Collection and Processing or the Project Director; (2) Punched cards: punched cards are secured under lock and key and are accessible only by analysis staff under the supervision of the Project Director; (3) Magnetic tapes: magnetic tapes are secured under lock and key and are accessible only by analysis staff under the supervision of the Project Director; (4) Disc: the records stored on disc constitute a link file which is the only part of the system on a machine which enables the information stored on punched cards and magnetic tape to be identified by individual. These records, which contain respondents' names and identification numbers are stored in Canada on secured files protected from unauthorized access by two levels of passwords. Any access to the account is controlled by an account password known only to the Project Director. Audits of use of this password are available on 4-hour notice in the event of suspected tampering. In addition, individual files are read-protected by file-specific passwords within the account. The file passwords may be changed arbitrarily to prevent unauthorized reading should the old password be accidentally discovered.

Retention and disposal: The records are retained for various lengths of time and disposed of differently, depending upon the medium on which they are maintained: (1) Interview schedules: will be retained until 1 December 1976, at which time they will be shredded; (2) Punched cards: will be retained until 1 December 1976, at which time they will be shredded; (3) Magnetic tapes: will have all identification stripped as of 1 December 1976, but will be retained indefinitely for research purposes; (4) Disc: will be erased as of 1 October 1976. Exception: subject to disclosure requirements of the Privacy Act.

System manager(s) and address:
Associate Director for Education and Work
National Institute of Education
Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager, address above, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The information maintained in this system of records is obtained from three sources: (1) personal interviews with the individuals, conducted by staff of the Mountain-Plains Education & Economic Development Program, Inc.; (2) the records of the Registrar of the Mountain-Plains Education & Economic Development Program, Inc.; (3) personal interviews with the individuals conducted by contractor's interviewers.

Systems exempted from certain provisions of the act: None.

E NIE EWG 17.01

System name: Career Education Project Client Information Data Base. HEW E.

Security classification: None.

System location:
800 Howard Building
10 Dorrance Street
Providence, Rhode Island 02903

V 41 3 JAN 6 76 XUM

Computer Laboratory
Crosby Drive
Bedford, MA 01730

Thirteenth floor
888 Seventh Avenue
New York, NY 10019

Categories of individuals covered by the system: Adult men and women who have contacted the Career Counseling Service of the Career Education Project from October 2, 1973, through June 30, 1975. (Persons over 16, not working full-time or not attending school on a full-time basis.)

Categories of records in the system: This information system maintains data related to a client's demographic characteristics and career-related expectations and plans; the counseling process, the client's decisions and actions at the end of counseling, subsequent education and work experiences of the client, and the client's evaluation of the counseling service.

Authority for maintenance of the system: Section 405(e)(1) of The General Education Provision Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for services and analysis of the records by authorized personnel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored on the original data collection forms, punch cards, magnetic tapes and discs, and audio tapes for 40 in-depth interviews.

Retrievability: Data are retrieved from the Counseling file by reference to an identification number assigned by the Research and Evaluation Component. Data from the computer file is also retrieved by the identification number. The indexing file connecting names and addresses to identification numbers is stored in a locked file and maintained by the file control person at the Providence location, and by the principal investigator at the New York City location. Individually identifiable client files are used by the Counseling staff at Providence as an integral part of the career counseling process, and by the researchers in New York City to evaluate the effectiveness of the Counseling program. Data from these client files are used by qualified Research and Evaluation staff at Providence to code and analyze responses and prepare data for computer processing, and by authorized research personnel in New York City for stratification and drawing of samples, for locating individual former project clients to conduct the follow-up interviews on which the evaluation is based.

Safeguards: At the Providence location, counseling files, audio tapes and punch cards are stored in locked cabinets within the Research and Evaluation Component. Requests for use of original client files must be made by qualified staff to the file control person. At the New York City location, the hard-copy list of names and addresses are locked in the files of the principal investigator and are accessible only to qualified research staff as authorized by the principal investigator. At neither site, (New York City and Providence) do computer data files contain personal identifiers. Retrievability of data from computer files requires knowledge of appropriate password and authority to access computer, both of which are controlled by senior research staff. The Project has obtained release statements for audio taping from the 40 individuals involved in the in-depth interviews.

Retention and disposal: All data stored in the Counselor files at Providence including original records, interviews, and audio tapes will be maintained by the Project through October 28, 1975, the end of the contract period. All data stored in the computer will be purged after copies have been made on magnetic tape. Prior to the end of the contract period, NIE and EDC will make decisions regarding final disposal of all files. The New York location will deliver to the NIE system manager all data, original, punch cards, and tape form, that pertains to the evaluation project on or before the project termination date, June 30, 1976.

System manager(s) and address:

Associate Director for Education and Work
National Institute of Education
Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager, address above, and must include inquiror's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Data are collected from the client directly during the counseling process and in follow-up interviews.

Systems exempted from certain provisions of the act: None.

E NIE PSG 2.01

System name: Responsiveness Project: Community Demands and School District Response File. HEW E.

Security classification: None.

System location:

1472 Kincaid, Room 034
Eugene, Oregon 97401

Categories of individuals covered by the system: School board members, school administrators, students, teachers, and members of the public from the eleven school districts in the study, who have spoken at school board or school administration meetings or who have expressed opinions on school matters to school board members or school administrators.

Categories of records in the system: The following data are collected on school officials: position sex, race, statements, voting behavior, opinion on topics, perceptions of others' opinions and reactions, future action on topic. For students, teachers, and members of the public, the following data are collected: occupation, sex, race, organizational affiliation, statements, opinion on topics, perceptions of others' opinions and reactions, previous action on topic, future action on topic.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To members of Congress who inquire on behalf of a constituent; to an educational agency or institution against which a complaint has been made; pursuant to a request under the Freedom of Information Act for information where it is in the public interest to disclose information which is otherwise exempt from mandatory disclosure; to the Department of Justice for possible legal action; to the Department of Justice for Freedom of Information consultations; to whomever for suitability checks; under subpoena by administrative agencies such as IRS, Civil Rights Commission, etc.; disclosure to unions where required under the union contract; to administrators in the school districts in the study's sample to inform them of findings in their own districts and to enable them to conduct their own evaluation and research about how they make decisions, how they relate to their constituents, what percentage of their time they spend on certain topics, or whatever uses they choose for the data; to members of other research projects sponsored by NIE. (Note: Each district will receive only its own raw data, not the data collected in the other districts in the sample.)

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original field records are kept on printed forms in files; the analysis file will be maintained on punch cards and magnetic tape.

Retrievability: Names appear in the original field records; the analysis file is indexed by identification numbers, which correspond to the names appearing in the records. Those who have access to this data include: all staff members of the Responsiveness project; all research associates and administrative staff in the Center for Educational Policy and Management; Members of other research projects sponsored by NIE; and NIE staff members. Responsiveness project staff members will use the data for purposes of research analysis and for statistical uses, e.g., aggregate data analysis involving comparisons with other data sets. Other CEPM staff, other research project staff, and NIE staff will use the data for purposes of statistical analysis only. The data are not used in any way for determination of an individual's benefits or entitlements.

Safeguards: Direct access is restricted to project staff. Data are maintained in private offices which are locked at night. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: There are no plans to destroy these data. They will be stored on computer cards in locked file cabinets. Project personnel will keep all data indefinitely, as they envision many future uses.

System manager(s) and address:

Director of Program Operations
Group on School Capacity for Problem Solving
Room 815, 1200 19th Street, NW

National Institute of Education
Washington, D.C. 20208

Notification procedure: Inquiries must be made in writing to the system manager (address above) and must include the inquirer's name and address; dates of previous correspondence, if known; and the assigned system I.D. number and name.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information has been collected from observation of meetings and interviews with meeting participants and school officials.

Systems exempted from certain provisions of the act: None.

E NIE PSG 3.01

System name: Responsiveness Project: Case Study Data File. HEW E.

Security classification: None.

System location:

1472 Kincaid, Room 034
Eugene, Oregon 97401

Categories of individuals covered by the system: School board members and school district administrators in the eleven districts participating in the study.

Categories of records in the system: Job descriptions and biographical information from the school board members and school district administrators participating in the study.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To members of Congress who inquire on behalf of a constituent; to an educational agency or institution against which a complaint has been made; pursuant to a request under the Freedom of Information Act for information where it is in the public interest to disclose information which is otherwise exempt from mandatory disclosure; to the Department of Justice for possible legal action; to the Department of Justice for Freedom of Information consultations; to whomever for suitability checks; under subpoena by administrative agencies such as IRS, Civil Rights Commission, etc.; disclosure to unions where required under the union contract; to administrators in the school districts in the study's sample to inform them of findings in their own districts and to enable them to conduct their own evaluation and research about how they make decisions, how they relate to their constituents, what percentage of their time they spend on certain topics, or whatever uses they choose for the data; to members of other research projects sponsored by NIE. (Note: Each district will receive only its own raw data, not the data collected in the other districts in the sample.)

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets.

Retrievability: Records are identified and indexed by the names of the persons who are the subjects of the case studies. Those who have access to this data include: all staff members of the Responsiveness project; all research associates and administrative staff in the Center for Educational Policy and Management; members of other research projects sponsored by NIE; and NIE staff members. Responsiveness project staff members will use the data for purposes of research analysis and for statistical uses, e.g., aggregate data analysis involving comparisons with other data sets. Other CEPM staff, other research project staff, and NIE staff will use the data for purposes of statistical analysis only.

Safeguards: Access to data is restricted to project personnel. Data are maintained in private offices which are locked at night. The data are not used in any way for determination of an individual's benefit or entitlements. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: There are no plans to destroy these data. They will be stored on computer cards in locked file cabinets. Project personnel will keep all data indefinitely, as they envision many future Research uses.

System manager(s) and address:

Director of Program Operations
Group on School Capacity for Problem Solving
Room 815, 1200 19th Street, NW

National Institute of Education
Washington, D.C. 20208

Notification procedure: Inquiries must be made in writing to the system manager (address above) and must include the inquirer's name and address; dates of previous correspondence, if known; and the assigned system I.D. number and name.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information has been collected from school district files and from school board members and school administrators.

Systems exempted from certain provisions of the act: None.

E NIE PSG 5.01

System name: Research Data on Organizational Change Projects in Urban Schools and On Users of the Data. HEW E.

Security classification: None.

System location: See Appendix 1.

Categories of individuals covered by the system: Faculty, staff, parents, students, administrators at building and district levels, staff in consulting agencies assisting schools, members of community organizations related to schools, other individuals related to the schools and education in the six cities where the nine target projects are located: New York, Louisville, Minneapolis, San Jose, Los Angeles, and Washington, D.C. Staff members of the National Institute of Education. Thirty-three schools in these cities are involved, for a period from 1974 through 1978 at least and possibly longer. Also, the same populations in up to two dozen schools to which research results will be disseminated and the impact of those results studied, from 1976 to 1979. The first dissemination sites are in Oakland, California, and Chicago, Illinois.

Categories of records in the system: Name, background facts, observations of activity in education projects being studied, opinions and attitudes related to education projects and education generally.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No personally identifiable data is released outside the Department, except to contractors for services and analysis of the records by authorized personnel as appropriate.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original field observations are prepared in triplicate. One copy remains in file cabinets at the field office. Another copy is stored in file cabinets at any one of three supervisory offices. A third copy is transmitted to the central office in Chicago where some data is extracted and entered into a computer data system, and the copy is filed in cabinet storage. The data for the computer system are stored on magnetic tape at the university computer center.

Retrievability: Names and associated observations are entered on field data forms though the project in later years will attempt to enter ID numbers rather than names directly on the original field data forms. Field data forms are maintained in chronological or topical order in all locations where hard copy is stored. The computer data system replaces all individual and other names with ideatification numbers. Lists of names and their associated ideatification numbers are maintained at each field and supervisory office and at the central office. Those who have access to the field data forms and the lists of names include authorized members of the research staff only. Unidentified data only, is available to other research and administrative staff at Center for New Schools and Center for Education Policy and Management, other researchers elsewhere, and NIE staff. Access to the data would in all cases be for research analysis, preparation of materials for dissemination, or inspection of the progress of the research. The data are not used in any way for determination of any individual's benefits or entitlements.

Safeguards: Direct access to unidentified data is restricted, and access to data and the master list of names and identification numbers is further restricted only to certain authorized members of the research staff. Lists of names are maintained in locked storage. Field data forms at supervisory offices and central offices are maintained in offices locked at night, accessible only to project staff with keys. Computer tapes are maintained in locked offices. A master computer file of names and identifying numbers is main-

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tained separate from the data file, and requires additional identification for access. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: Field data forms and computer tapes are maintained indefinitely.

System manager(s) and address:

Director of Program Operations
Group on School Capacity for Problem Solving
Room 815, 1200 19th Street, NW
National Institute of Education
Washington, D.C. 20208

Notification procedure: Inquiries must be made in writing to the system manager (address above) and must include the inquirer's name and address; dates of previous correspondence, if known; and the assigned system I.D. number and name.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: From individuals listed under 'category of individual' through interview, questionnaire, other written instruments, and direct observation by research staff; also from inspection of school building or system records, review of other documentary sources. Participants in projects being studied are aware of the data-gathering and the purpose of the research.

Systems exempted from certain provisions of the act: None.

Appendix number 1

Locations

Suite 1800
59 East Van Buren
Chicago, Illinois 60605

1472 Kincaid Street, Room 034
Eugene, Oregon 97401

5640 Ellis Avenue
Chicago, Illinois 60637

Apartment 19B
515 W. 59th Street
New York, New York 10019

1729 S. Highland Avenue
Los Angeles, California 90019

4 Chapelwood Drive
New Albany, Indiana 47150

1024 Warfield Avenue
Oakland, California 94610

1572 41st Street, S.E.
Washington, D.C. 20020

230 Riverside Drive, Apartment 6N
New York, New York 10025

8 Peter Cooper Road, Apartment 8A
New York, New York 10010

349 Beach 57th Street
Arverne, New York 11692

286 South 2nd Street, Apartment 6D
Brooklyn, New York 11211

947 17th Avenue, Apartment 4
Minneapolis, Minnesota 55414

E OE EDM 01.01

System name: Guaranteed Student Loan Program – Compliance Files. HEW E.

Security classification: None.

System location:

Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Student borrowers and loan applicants, personnel of GSLP, regional offices, participating schools, and lenders, who are involved in complaints or allegations of program irregularities, noncompliance, or misconduct.

Categories of records in the system: Contains written documentation of the alleged or proven act(s) of misconduct including name, address, social security and claim numbers (if appropriate) of the complainant, name of the student borrower, school or lender, and the results of investigative action, prosecution or non-prosecution intent and results.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended (20 U.S.C. 1071-1087-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To schools and lenders for investigative activities. For uses 1,3,4,5,6,8 and 103 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets.

Retrievability: The records are filed and indexed alphabetically by name and address. Intradepartmental users of these records are the HEW Office of General Counsel (OGC), HEW Office of Investigations and Security (OIS), and the OE Regional Offices (OERO). OGC usage is for the purpose of providing background data in obtaining legal rulings and opinions. OIS usage is for the purpose of obtaining documentation necessary for the investigation. OERO usage is for the purpose of coordinating actions between various regional offices.

Safeguards: Direct access is restricted to authorized GSLP staff; file cabinets are locked. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Records are maintained three years; compliance and investigative records are maintained five years past date of case closing. Destroyed by maceration.

System manager(s) and address:

Associate Commissioner
Office of Guaranteed Student Loans
Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for compliance/investigative material, name and any I.D. number assigned. Address is same as above.

Record access procedures: Same as above.

Contesting record procedures: Contact system manager, above.

Record source categories: Incoming correspondence, responses and material obtained during course of any investigation.

Systems exempted from certain provisions of the act: None.

E OE EDM 02.01

System name: Guaranteed Student Loan Program–Student Complaint Files. HEW E.

Security classification: None.

System location:

Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Student borrowers and applicants for student loans in the Guaranteed Student Loan Program who have made complaints or allegations of irregularities by schools or lenders.

Categories of records in the system: Contains written documentation of student complaints including name, address, social security and claim numbers (if appropriate) of the complainant, name of school and lender, and the results of investigative action.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended (20 U.S.C. 1071-1087-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To schools and lenders for investigative activities. For uses 1,3,5,6,8 and 103 in Appendix B of the Departmental Regulations (45 CFR) Part 5b). Regulations (45 Code of Federal Regulations Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets.

Retrievability: The records are filed and indexed alphabetically by name and address. Authorized intradepartmental employees review action taken.

Safeguards: Direct access is restricted to authorized GSLP staff; file cabinets are locked. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Records are maintained three years; complaint and investigative records are maintained five years past date of case closing. Destroyed by maceration.

System manager(s) and address:

Associate Commissioner
Office of Guaranteed Student Loans
Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for complaint/investigative material, name and any I.D. number assigned. Address is same as above.

Record access procedures: Same as above.

Contesting record procedures: Contact system manager, above.

Record source categories: Incoming correspondence, responses and material obtained during course of any investigation.

E OE EDM 03.01

System name: Guaranteed Student Loan Program–Defaulted Loans Submitted to General Accounting Office. HEW E.

Security classification: None.

System location:

Room 4636, GSA-Regional Office Building
7th and D Street, S.W.
Washington, D. C. 20202

Room 5471, 441 G Street, N.W.
Washington, D.C. 20548

Categories of individuals covered by the system: Student borrowers for whom defaulted claims have been paid on Federal Insured Student Loans and subsequently submitted to General Accounting Office (GAO) for further action.

Categories of records in the system: Contains borrower's name, demographic background, educational and lender information, family financial information, credit data, and collection history.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended (20 U.S.C. 1071-1087-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For uses 1,3,4,5,6,8 and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on microfilm filed in standard file cabinets.

Retrievability: Data indexed by name and date. Data utilized by collection staff to compile GSLP statistics and management reports; to implement write-off of files transferred to GAO; to provide additional information in response to GAO/Justice Department inquiries.

Safeguards: Direct access is restricted to authorized GSLP staff; file cabinets are locked. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Held indefinitely.

System manager(s) and address:

Director, Division of Operational Support
Office of Guaranteed Student Loans
Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: System manager; for general inquiries, name and date of previous correspondence if known; for defaulted loans submitted to General Accounting Office, name, social security number and any I.D. number assigned. Address is same as above.

Record access procedures: Same as above.

Contesting record procedures: Contact system manager, above.

Record source categories: Information is obtained from applications, correspondence and reports from borrowers and their families, lenders, schools, employers, credit agencies, and governmental agencies.

Systems exempted from certain provisions of the act: None

E OE EDM 04.01

System name: Guaranteed Student Loan Program – Lender's Report. HEW E.

Security classification: None.

System location:

Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

5700 Thurston Ave.
Virginia Beach, VA 23455

Categories of individuals covered by the system: Student borrowers who have applied for educational loans under the Guaranteed Student Loan Program.

Categories of records in the system: Contains written documentation of application including demographic background, loan and educational status, name of guarantor and lender and data on credit and family.

Authority for maintenance of the system: Higher Education Act of 1965, as amended (20 U.S.C. 1071-1087-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for updating computer records and correction of errors. For uses 1,3,5,6,8 and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard records cartons.

Retrievability: Records are indexed by borrower's name. Used by GLSP personnel either to retrieve needed information on an individual, a school, a lender or as part of a random statistical sampling or review.

Safeguards: Direct access is restricted to authorized GLSP staff and contract employees; stored in records cartons in rooms locked during non-business hours. Exceptions: subject to disclosure requirements of Privacy Act.

Retention and disposal: Records of individual loans are destroyed three years after final repayment of loan. Destroyed by maceration.

System manager(s) and address:

Director, Division of Operational Support
Office of Guaranteed Student Loans
Room 4636, GSA-Regional Office Building
7th & D Streets, S.W.
Washington, D.C. 20202

Notification procedure: System manager for all inquiries, name and social security number. Address is same as above.

Record access procedures: Same as above.

Contesting record procedures: Contact system manager, above.

Record source categories: Incoming application forms from guaranteed agencies and private non-profit profit agencies approved by the Commissioner. Information supplied by student, student's family and lender.

Systems exempted from certain provisions of the act: None.

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E OE EDM 06.01

System name: Guaranteed Student Loan Program--Paid Claims File. HEW E.

Security classification: None.

System location:

Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Student borrowers for whom claims have been paid on Federal Insured Student Loans.

Categories of records in the system: Contains borrower's name, demographic background, educational and lender information, family financial information, credit data, loan data, legal documents, medical reports, and collection history.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B as amended (20 U.S.C. 1071-1087-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for issuance of collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last known address; to Postal Service for last known address; to General Accounting Office for possible pre-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquiries about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to contractors to update records and correct errors; to state guarantee agencies requesting student borrower information; and for uses 1,3, 4,5,6,8 and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets and lektriever.

Retrievability: Data indexed by name. Claims classified into special categories: bankruptcies; death; disabilities; repurchases by lenders; paid-in-full; and defaulted claims. Defaulted claims are separated into sub-categories: skip files, suspension files, foreign files, forbearance files, and prison files. Data utilized to compile GSLP statistics and management reports for system manager; used by collection staff to collect monies owed to U.S. Government and to perform post-audits on paid claims; to provide data to the Office of Investigations and Security in cases of possible fraud and irregularities; and to provide data to compliance staff associated with violation of the laws.

Safeguards: Direct access is restricted to authorized GSLP staff; file cabinets and lektriever are locked. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Records destroyed by maceration after microfilming; microfilm maintained three years after repayment or cancellation of loan, and destroyed by chemical processing.

System manager(s) and address:

Director, Division of Operational Support
Office of Guaranteed Student Loans
Room 4636, Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: Systems manager; for general inquiries, name and date of previous correspondence, if known; for paid claim, name, social security number and any I.D. number assigned. Address is same as above.

Record access procedures: Same as above

Contesting record procedures: Contact system manager, above.

Record source categories: Information is obtained from applications, correspondence and reports from borrowers and their families, acquaintances, lenders, schools, employers, credit agencies, and governmental agencies.

Systems exempted from certain provisions of the act: None.

E OE EDM 07.01

System name: Guaranteed Student Loan Program--Claims and Collections Master File. HEW E.

Security classification: None.

System location:

5185 MacArthur Blvd.
Washington, D.C. 20016

115 Evergreen Heights Dr.
Pittsburgh, PA 15229

Categories of individuals covered by the system: Defaulted student borrowers for whom the claims have been paid on Federal Insured Student Loans.

Categories of records in the system: Contains names, social security numbers, addresses of defaulted borrowers. Contains claim numbers, amounts of claim to include interest and lender/school identifications.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended, (20 U.S.C. 1071-1087-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for issuance of collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last known address; to Postal Service for last known address; to General Accounting Office for possible pre-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquiries about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to contractors to update files and correct errors; to state guarantee agencies requesting student borrower information; and for uses 1,3, 4,5,6,8 and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The file is maintained on magnetic tape/disk packs in a library room area at the above named locations.

Retrievability: The file is indexed by social security number. Data are utilized to provide OGSL program staff with statistical and managerial reports; to provide the DHEW - Office of General Counsel and the DHEW - Office of Investigations and Security with data in possible cases of fraud or irregularities. Other uses by OGSL staff are to identify student borrowers indebted to the U.S. Government who have defaulted on their student loan; reimburse lending institution for claim against a guaranteed student loan; generate and maintain financial records for OE Finance Division; maintain accounting records of collection activity for borrowers repaying loans to U.S. Government; generate managerial and statistical reports; determine a borrower's default status; verify payments applied toward defaulted student loans; update file and correct errors.

Safeguards: OGSL screening of authorized contractual personnel. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Director, Program Systems Division
Office of Guaranteed Student Loans
Room 4636, GSA-Regional Office Building
7th and D Street, S.W.
Washington, D.C. 20202

Notification procedure: Contact system manager for general inquiries supplying name, social security number and date of birth (at the above address).

Record access procedures: Same as above.

Contesting record procedures: Contact system manager, above.

Record source categories: Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, lenders, schools, medical reports, employers, credit agencies, and Federal and State governmental agencies.

Systems exempted from certain provisions of the act: None.

E OE EDM 08.01

System name: Guaranteed Student Loan Program--Collection Letters. HEW E.

Security classification: None.

System location:

5185 MacArthur Blvd.
Washington, D.C. 20016

115 Evergreen Heights Dr.
Pittsburgh, PA 15229

Categories of individuals covered by the system: Defaulted student borrowers for whom claims have been paid on Federal Insured Student Loans.

Categories of records in the system: Contains names, social security numbers, addresses of defaulted borrowers. Contains claim numbers, amounts of claim to include interest and lender/school identifications.

Authority for maintenance of the system: Higher Education Act of 1975, Title IV-B, as amended, (20 U.S.C. 1071-1087-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for issuance of collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last known address; to Postal Service for last known address; to General Accounting Office for possible re-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquiries about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to contractors to update records and correct errors; to state guarantee agencies requesting student borrower information; and for uses 1,3, 4,5,6,8 and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The file is maintained on magnetic tape/disk packs in a library room area at the above named locations.

Retrievability: The file is indexed by social security number. Data are utilized to provide OGSL program staff with statistical and managerial reports; to provide the DHEW - Office of General Counsel and the DHEW - Office of Investigations and Security with data in possible cases of fraud or irregularities. Other uses by OGSL staff are to identify defaulted claims in delinquent status; to contact defaulted borrowers to encourage repayment of claim disbursed by U.S. Government; to take follow-up action on delinquent defaulted accounts; to update records and correct errors.

Safeguards: OGSL screening of authorized contractual personnel. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Director, Program Systems Division
Office of Guaranteed Student Loans
Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: Contact system manager for general inquiries supplying name, date of birth and social security number (at the above address).

Record access procedures: Same as above.

Contesting record procedures: Contact system manager, above.

Record source categories: Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, acquaintances, lenders, schools, medical reports, employers, credit agencies, and federal and state governmental agencies.

Systems exempted from certain provisions of the act: None.

E OE EDM 09.01

System name: Guaranteed Student Loan Program--Inactive Loan Control Master File. HEW E.

Security classification: None.

System location:

5185 MacArthur Blvd.
Washington, D.C. 20016

115 Evergreen Heights Dr.
Pittsburgh, PA 15229

Categories of individuals covered by the system: Students having participated in Guaranteed Studeat Loan Program and purged from primary Loan Control Master File.

Categories of records in the system: Contains name, social security number, demographic background, educational status, loan status and family financial information of individual for whom the record was maintained.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended, (20 U.S.C. 1071-1087-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for issuance of collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last known address; to Postal Service for last known address; to General Accounting Office for possible pre-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquiries about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to requesting student borrower information; and for uses 1,3,4,5,6,8 and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The file is maintained on magnetic tape/disk packs in a library room area at the above named locations.

Retrievability: The file is indexed by social security number. Data are utilized to provide OGSL program staff with statistical and managerial reports. Other uses by OGSL staff are to obtain loan data on former student loan borrowers; update records and correct errors.

Safeguards: OGSL screening of authorized contractual personnel. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Director, Program Systems Division
Office of Guaranteed Student Loans
Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: Contact system manager for general inquiries supplying name, date of birth, and social security number (at the above address).

Record access procedures: Same as above.

Contesting record procedures: Contact system manager, above.

Record source categories: Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, acquaintances,

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lenders, schools, medical reports, employers, credit agencies, and Federal and State governmental agencies.

Systems exempted from certain provisions of the act: None.

K OE EDM 10.01

System name: Guaranteed Student Loan Program--Loan Control Master File. HEW E.

Security classification: None.

System location:

5185 MacArthur Blvd.
Washington, D.C. 20016

115 Evergreen Heights Dr.
Pittsburgh, PA 15229

Categories of individuals covered by the system: Students applying for guaranteed student loans or having received educational loans under the provisions of the Guaranteed Student Loan Program.

Categories of records in the system: Contains name, social security number, demographic background, educational status, loan status and family financial information of individual for whom the record is maintained. Contains lender and school identification.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended, (20 U.S.C. 1071-1087-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To schools and lenders for loan status information and record reconciliation; to borrowers and applicants for status of loan applications; to contractors for updating program records and processing documents; to State Guarantee Agencies for loan status information. To an educational agency or lending institution against which a complaint has been made; and for uses 1,3,4,5,6,8 and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The file is maintained on magnetic tape/disk packs in a library room area at the above named location.

Retrievability: The file is indexed by social security number. Data are utilized to provide OGSL program staff with statistical and managerial reports. Other uses by OGSL staff are to identify students participating in the Guaranteed Student Loan Program; determine eligibility of loan application; reflect eligibility for interest benefits; determine loan status of borrower; compute insurance premium for Federally Insured Loans; compile and generate managerial and statistical reports; research records for inquiry responses; reflect interest rates for individual loans; update file and correct errors.

Safeguards: OGSL screening of authorized contractual personnel. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Director, Program Systems Division
Office of Guaranteed Student Loans
Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: Contact system manager for general inquiries supplying name with date of birth, and social security number (at the above address).

Record access procedures: Same as above.

Contesting record procedures: Contact system manager, above.

Record source categories: Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, lenders, schools, medical reports, employers, credit agencies, and Federal and State governmental agencies.

Systems exempted from certain provisions of the act: None.

K OE EDM 11.01

System name: Guaranteed Student Loan Program--Pre Claims Assistance. HEW E.

Security classification: None.

System location:

5000 Arlington Centre Blvd.
Columbus, Ohio 43220

115 Evergreen Heights Dr.
Pittsburgh, PA 15229

Categories of individuals covered by the system: Students reported by lending institutions to be delinquent on their educational loans.

Categories of records in the system: Contains name of student, social security number, address, amount of outstanding loans including interest. Name and address of parent or nearest relative, record of actions taken.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended, (20 U.S.C. 1071-1087-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for issuance fo collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last known address; to Postal Service for last known address; to General Accounting Office for possible pre-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquiries about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to contractors to update records and correct errors; to State Guarantee Agencies requesting student borrower information; and for uses 1,3,4,5,6,8 and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The file is maintained on magnetic tape/disk packs in a library room area at the above named locations.

Retrievability: The file is indexed by social security number. Data are utilized to provide OGSL program staff with statistical and managerial reports; to provide the DHEW - Office of Investigations and Security with data in possible cases of fraud or irregularities. Other uses by OGSL staff are to identify delinquent borrowers; locate and contact delinquent borrowers; maintain current address of delinquent borrowers; assist lending institutions in having delinquent borrowers commence repayment of educational loan; update records and correct errors.

Safeguards: OGSL screening of authorized contractual personnel. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Director, Program Systems Division
Office of Guaranteed Student Loans
Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: Contact system manager for general inquiries supplying name with date of birth and social security number (at the above address).

Record access procedures: Same as above.

Contesting record procedures: Contact system manager, above.

Record source categories: Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, lenders, schools, medical reports, employers, credit agencies, and Federal and State governmental agencies.

Systems exempted from certain provisions of the act: None.

K OE EDS 8.01

System name: Field Readers File for HEA, II-B (Library Research and Demonstration and Training Programs). HEW E.

Security classification: None.

System location:

Room 5913, Regional Office Bldg. 3
7th & D Streets, S. W.

Washington, D.C. 20202

Categories of individuals covered by the system: Individuals who are professionals with a high degree of specialization in various aspects of library education.

Categories of records in the system: Names, addresses, social security numbers, business address, telephone number, present and previous employment, highest academic degree, and publications

Authority for maintenance of the system: Sec. 201, 221-223, Title II-B of the Higher Education Act of 1965 as amended by P. L. 92-318, (20 U.S.C. 1031-1034).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Appendix B of the Departmental regulations (45 Code of Federal Regulation part 5b) No. 1, 3, 5, 6, 8, 9, 100-103. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard-copy filed in standard file cabinets.

Retrievability: Records are indexed by name of individual. Records are utilized by agency staff involved in the selection of individuals to review proposals submitted under the various agency programs; and by proper agency staff to reimburse these individuals for services rendered and to control expenditures.

Safeguards: Above records are secured in locked files of the Division of Library Programs of the Office of Libraries and Learning Resources. Access is limited to authorized OE staff. Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Above records are maintained on a permanent basis.

System manager(s) and address:

Chief, Library Education and Postsecondary Resources Branch
Room 5929, ROB-3
7th and D Streets, S. W.
Washington, D. C. 20202

Chief, Library Research and Demonstration Branch
Room 5909, ROB-3
7th & D Streets, S. W.
Washington, D. C. 20202

Director, OLLR
Room 5901, ROB-3
7th & D Streets, S. W.
Washington, D.C. 20202

Notification procedure: System manager(s) (See above) will respond to inquirers. Request for information should include: 1) system name, 2) name and address of the individual inquiring about his/her record.

Record access procedures: See above.

Contesting record procedures: Contact System manager above.

Record source categories: Information obtained on a voluntary basis directly from individuals listed in the system of records.

Systems exempted from certain provisions of the act: None.

OASH OAM 0002.01

System name: PHS Commissioned Officer Personnel Data System. HEW/OASH/OAM

Security classification: None.

System location:

Office of the Director, Commissioned Personnel Operations Division
Office of Personnel Management/OAM/PHS
Room 4A-15, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Categories of individuals covered by the system: Commissioned Officers and applicants to the Commissioned Corps of the Public Health Service.

Categories of records in the system: ADP tapes covering training, personnel actions; payroll, applicant and officer qualifications and similar personnel data.

Authority for maintenance of the system: Public Health Service Act Section 201 et seq (42 U.S.C. 202 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from these records may be transmitted for official purposes; to provide information to the Civil Service Commission for the preparation of statistical reports and studies; to U.S. Congress; to Office of Management and Budget for budgetary o management oversight purposes; and to those prospective employers, financial institutions, Federal agencies and departments to which information may be provided from the records system entitled 'PHS Commissioned Corps General Personnel Files and Records', for the same purposes stated there. In addition, a promotion and seniority listing, containing promotion, pay, retirement, etc., credit dates is published and distributed annually to all officers and certain management personnel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Variously on disc, mag-tape, and hard copy reports.

Retrievability: Alphabetically by name, Social Security number, and Public Health Service serial number. (Permission has been requested from the Department for the continued use in this system of the SSN as a use within Sec. 7(a)(2)(B) of the Privacy Act.) Used by HEW employees who process personnel operations.

Safeguards: ADP requires password access, physical systems are in restricted areas with building guard protection.

Retention and disposal: Indefinite retention.

System manager(s) and address: Director, Commissioned Personnel Operations Division (see above address).

Notification procedure: Write System Manager.

Record access procedures: Contact the System Manager shown above.

Contesting record procedures: Contact the System Manager shown above.

Record source categories: From individual officers and applicants; and from personnel files.

Systems exempted from certain provisions of the act: None.

OASH OAM 0003.01

System name: PHS Commissioned Corps Medical Records. HEW/OASH/OAM.

Security classification: None.

System location:

Office of the Director, Commissioned Personnel Operations Division
Office of Personnel Management/OAM/PHS
Room 4A-15, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Categories of individuals covered by the system: Commissioned Officers; applicants to the Commissioned Corps; deceased active duty officers; retired officers; annuitants from the Commissioned Corps of the Public Health Service.

Categories of records in the system: Medical files and records on officers and applicants to the Commissioned Corps; death case files and supporting documents; and correspondence relating to the above.

Authority for maintenance of the system: Public Health Service Act 201 et seq. (42 U.S.C. 202 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Provided to Veterans Administration in event of post-service claims or continued medical care while still on active duty. These records or information therefrom may also be provided to Department of Defense to assure continuity of medical care. Copies of medical and personnel records may be provided to Department of Justice, Department of Transportation, Department of State, Environmental Protection Agency and other agencies covering Commissioned Officers assigned to those agencies. Copies of medical records may be provided to private physicians in emergency situations.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Locked Lektriever and Conserv-a-Files
Official Personnel Folders of Officers
Federal Records Center

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Retrievability: By name of officer or applicant listed alphabetically. Death case file used in social security processing. (Permission has been requested from the Department for the continued use in this system of the SSN as a use within Sec. 7(a)(2)(B) of the Privacy Act.) Used by HEW employees who make eligibility decisions; adjudications of entitlements; budgetary estimates; statistical data; and provide continuity of care between medical facilities.

Safeguards: Locked containers and building guard system.

Retention and disposal: Medical records retained indefinitely; non-selected applicant files destroyed after five years.

System manager(s) and address: Director, Commissioned Personnel Operations Division (See Systems Location above).

Notification procedure: Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the System Manager named above. Individuals requesting information about this system of records should provide their full name, date of birth, social security number, name and address of office in which currently or formerly employed in the Federal service, and annuity account number, if any has been assigned.

Record access procedures: Contact the System Manager named above.

Contesting record procedures: Contact System Manager named above.

Record source categories: From individual officers, applicants, private and governmental physicians, hospitals and clinics; investigative reports; official personnel folder; death certificates and reports of death; from survivors and executors of estates and other Commissioned Corps officials.

Systems exempted from certain provisions of the act: None.

OASH OAM 0007.01

System name: PHS Commissioned Corps General Personal Files and Records. HEW/OASH/OAM.

Security classification: None.

System location:

Office of the Director, Commissioned Personnel Operations Division
Office of Personnel Management/OAM/PHS
Room 4A-15, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Categories of individuals covered by the system: Commissioned Officers, former Commissioned Officers, applicants to the Commissioned Corps of the Public Health Service.

Categories of records in the system: Official Personnel Folders; Service Records Cards (summarizing personnel actions); Commissioned Officer leave records; file records of non-appointed applicants; Commissioned Officer Residency Deferment Program (CORD) files containing application forms and related documents; Selection Systems applications; identification and privilege card records; recommendations regarding payment of leprosy duty pay; and correspondence relating to the above.

Authority for maintenance of the system: Public Health Service Act Section 201 et seq. (42 U.S.C. 202 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Limited information provided prospective employers upon inquiry. Employment confirmations provided FHA and financial institutions. DOD may obtain access in event of national emergency. VA may obtain information in event of past employment claim. Bureau of Prisons (Department of Justice), Coast Guard (Department of Transportation), and Environmental Protection Agency may obtain copies of personnel documents relating to Commissioned Officers on assignment to those agencies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records kept in secured area. Derogatory information kept in locked safe.

Retrievability: Alphabetically indexed by name of person and SSN. (Permission has been requested from the Department for the continued use in this system of the SSN as a use within Sec. 7(a)(2)(B) of the Privacy Act.) Used by HEW officials who conduct personnel operations for the Commissioned Corps.

Safeguards: Secured area, safes, and building guard force.

Retention and disposal: Applicant files destroyed after two years if not used; leave records destroyed five years after separation; other files retained indefinitely. Identification and privilege cards and records disposed of when officer is no longer entitled to use.

System manager(s) and address: Director, Commissioned Personnel Operations Division. (See System Location above.).

Notification procedure: Write only System Manager.

Record access procedures: Contact the System Manager shown above.

Contesting record procedures: Contact System Manager.

Record source categories: Information furnished by subject, references, reports of supervisors and other officials; personal actions; and doctors.

Systems exempted from certain provisions of the act: None.

OASH OAM 0008.01

System name: PHS Commissioned Corps Unofficial Personnel Files, Leave, Identification and Privilege Card Records in Operating Program Offices and Field Stations.

Security classification: None.

System location: Operating Offices of the Department at the level of the individual's employment.

Categories of individuals covered by the system: Commissioned Officers, former Commissioned Officers, and their dependents, assigned to the subject installation.

Categories of records in the system: Duplicates of personnel actions and leave records maintained in station files for individuals assigned to subject installation. Identification and privilege card records, and correspondence relating to above.

Authority for maintenance of the system: Public Health Service Act Subsection 201, et. seq., (42 USC 202 et. seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records kept in secured area.

Retrievability: Alphabetically indexed by name of person and SSN. (Permission has been requested from the Department for the continued use in this system of the SSN as a use within Sec. 7(a)(2)(B) of the Privacy Act.). Used by HEW officials who conduct personnel operations for the Commissioned Corps.

Safeguards: Records kept in secured area, safes, and building guard force.

Retention and disposal: Station personnel files destroyed after two years if not used; leave records destroyed five years after separation; other files retained indefinitely. Identification and privilege cards and records disposed of when officer is no longer entitled to use.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Records kept in secured area.

System manager(s) and address: Administrative Officers where individual is employed.

Notification procedure: Individuals should contact their supervisors or the administrative offices of the organizational unit in which employed regarding records pertaining to them.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information furnished by reports of supervisors and other officials, personnel actions, and the individual.

ADAMHA NIMH 0027.02

System name: Maryland Psychiatric Case Register-HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Division of Biometry and Epidemiology
NIMH
and
Parklawn Computer Center
5600 Fishers Lane
Rockville, Maryland 20852

Categories of individuals covered by the system: Persons who received care in psychiatric facilities in Maryland, and Maryland residents who received care in psychiatric facilities in the District of Columbia during the period July 1, 1961 - June 30, 1968.

Categories of records in the system: Information contained on admission, termination, and patient movement forms reported to Maryland Department of Mental Hygiene, including demographic, social, and psychiatric data pertaining to diagnosis, nature of problem and type of treatment. Also, death data (e.g., cause) from Baltimore and State of Maryland death certificate records. Period covered: July 1, 1961 - June 30, 1968.

Authority for maintenance of the system: Public Health Service Act Sections 301, 433(a), 455(42 U.S.C. 241, 289k, 289k-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Authorized representatives of agencies and organizations to process data for epidemiologic and service utilization research studies and analyses based on data contained within the register or by relating or matching of register data to information from other data systems; develop methodological techniques. Results of studies and analyses appear only in group data form.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tapes, punch cards, computer printouts.

Retrievability: By register identification number, name. The records are currently being used to develop grouped statistical data relating to: (1) social security earnings; (2) information collected in a special 1963 population census of the residents of Washington County, Maryland; (3) information from the Baltimore public school system; and (4) information from Prince Georges and Montgomery Counties' Family Service Agencies in Maryland.

Safeguards: Only authorized research and computer staff have acces to files.

Retention and disposal: No new patients are to be added to system which will be maintained indefinitely for research and analysis purposes.

System manager(s) and address:

Chief, Applied Biometrics Research Branch
Division of Biometry and Epidemiology
National Institute of Mental Health
5600 Fishers Lane
Rockville, Maryland 20852

Notification procedure: None.

Record access procedures: None.

Contesting record procedures: None.

Record source categories: Forms submitted by psychiatric facilities to Maryland Department of Mental Hygiene, and Maryland death certificate records. Also from (1) Social Security Administration aggregate data; (2) The Johns Hopkins University (Washington County (Md.) Census Data); (3) Baltimore Public School System; and (4) Family Service Agencies of Prince Georges and Montgomery Counties (Md.).

Systems exempted from certain provisions of the act: An exemption from notification access and contest as a statistical record system under Section 3 (f)(k)(4) of the Privacy Act has been granted.

HHA NCHSR 0083.01

System name: National Center for Health Services Research Contract Records System HEW/HRA/NCHSR.

Security classification: None.

System location:

National Center for Health Services Research
5600 Fishers Lane
Rockville, Md. 20852

Categories of individuals covered by the system: Scientific and management personnel of profit-making and non-profit or academic institutions contracting with NCHSR.

Categories of records in the system: Contract files containing biographical information including Social Security number and financial information on principal scientific personnel involved.

Authority for maintenance of the system: Public Health Service Act Sections 304,305,308 and 1205 (42 U.S.C. 242b, 242c, 242m and 300d-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual and computer tape.

Retrievability: Retrievable by name. Administration and oversight - NCHSR personnel. Evaluation - NCHSR personnel and scientific consultants. These are professional services contracts to perform agency functions.

Safeguards: Access to authorized personnel; general building security.

Retention and disposal: Number of Years held at HRA: Indefinite.

System manager(s) and address:

Chief, Contracts Liaison Branch, NCHSR
Room 15-16, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Contract Proposals.

Systems exempted from certain provisions of the act: None.

HSA BMS 0004.01

System name: Federal Employee Occupational Health Data System HEW/HSA/BMS.

Security classification: None.

System location:

FCB 03, Room 330
6525 Belcrest Road
W.Hyattsville, Maryland 20782

Categories of individuals covered by the system: Federal employees enrolled in PHS/DFEH Health Units. (See appendix to Division of Federal Employee Health (DEFH) Employee Health Records System to determine covered employees).

Categories of records in the system: Health Records.

Authority for maintenance of the system: 5 USC 7901, 5 USC 8101, OMB Circular No. A-72.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose: access to files of those persons claiming compensation benefits due to personal injury while on the job. Users: U.S. Department of Labor, Officer of Worker's Compensation Program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, and disc.

Retrievability: Purpose: The system is designed to provide improved information to DFEH management while simultaneously reducing the administrative workload on the medical professionals in the health units. Users: physicians, nurses, other health professionals. Retrievability: by SSN. (Permission has been requested from the Department for the continued use in this system of the SSN as a use within Sec 7 (a)(2)(B) of the Privacy Act.)

Safeguards: Access to information limited to authorized DFEH personnel.

Retention and disposal: Number of years held at HSA - Indefinitely or until 6 years after record becomes inactive. Purged from computer and stored on computer tape for a period of 6 years after file becomes inactive.

System manager(s) and address:

Director
Division of Federal Employee Health
FCB 03 6526 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Data resulting from the clinical and preventive services offered by the PHS/DFEH Health Units and data obtained from individual.

Systems exempted from certain provisions of the act: None.

HSA BMS 0024.01

System name: PHS Clinical Affiliation Trainee Records. HEW/HSA/BMS.

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Security classification: None.

System location: See Appendices 1 and 2 to Patients Medical Record System PHS Hospital/Clinic System.

Categories of individuals covered by the system: Students serving clinical affiliation (non-employees of PHS Hospitals and Clinics).

Categories of records in the system: Supervisor evaluations and educational records.

Authority for maintenance of the system: Public Health Service Act Sec. 321 (42 U.S.C. 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose: Provide evaluation of trainees progress in affiliation, professional reference. Users: Educational program staff at education site, prospective employers.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Purpose: Communication between educational and supervisory staff for evaluation of trainee. Users: Director of Education at facility, Work and Staff Supervisors, Administration personnel. Retrievability: Alphabetically by last name.

Safeguards: Stored in locked files, access limited to authorized personnel.

Retention and disposal: Number of years held at HSA - indefinitely. How destroyed - shredded.

System manager(s) and address:

Director
Division of Hospitals and Clinics
FCB 03, 6525 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Same as system location, not including Federal Records Centers. Individual must contact appropriate facility directly.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Individual, Clinical Supervisors and administrative personnel of facility.

Systems exempted from certain provisions of the act: None.

SSA EA PI 0175.02

System name: Automated Controlled Correspondence Extraction System HEW SSA.

Security classification: None.

System location:

Office of Public Inquiries
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Records are maintained for individuals who forward a request for information directly to the Commissioner of the Social Security Administration and for individuals whose requests to members of Congress, the President, etc. are forwarded to the Commissioner for response.

Categories of records in the system: Information is maintained in the system solely to aid in the control of correspondence through the various processing steps. Information in the records includes the following: name of individual involved, social security number (if given), name of third party inquirer (if present), Congressman's name (if a congressional inquiry), address-to-code (official to whom inquiry is directed), signature code (indicates more than one inquiry about an individual), subject matter code, location information (component within the Social Security Administration that received the inquiry and date of receipt), and response information (type and date of Social Security Administration response).

Authority for maintenance of the system: Sections 205(a) and 1631 of the Social Security Act, and Section 413 of the Federal Coal Mine Health and Safety Act (Black Lung).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No routine uses for disclosure.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on magnetic tape and computer discs.

Retrievability: The system is indexed by both name and by computer identification number, which are cross-referred. It is used to control processing of correspondence within the Social Security Administration, and to provide management information regarding the correspondence process.

Safeguards: Records are safeguarded by limiting access to specific system terminals located in correspondence processing areas. The limited amount of identifying data (name, social security number, and subject matter code) contained in any given record does not warrant elaborate safeguards.

Retention and disposal: Records are maintained on-line in the system from the time of control until 13 months after the final response is released. The records are then maintained on magnetic tape for an additional 24 months before being erased.

System manager(s) and address:

Assistant Commissioner for Public Inquiries
Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure:

Chief, Office of Public Information Analysis Staff
Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Identifying information should include the name of the person inquired
about, the person to whom the inquiry was sent, and the date of the inquiry.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Inquiries directed to the Commissioner of Social Security Administration from members of the public.

SSA HI 0175.02

System name: Health Insurance Master Record--HEW SSA.

Security classification: None.

System location:

Bureau of Data Processing
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Records are maintained on the following categories: Individuals age 65 or over who currently are, or have been, entitled to health insurance benefits under Title XVIII of the Social Security Act; individuals under age 65 who have been entitled for not less than 24 consecutive months to disability benefits under Title II of the Act or under the railroad retirement system; and the spouse or dependent children of a person fully insured under social security who has chronic renal disease.

Categories of records in the system: The system contains information on enrollment, entitlement, Part A (Hospital) and B (Supplementary Medical) utilization, query and reply activity, health insurance bill and payment record processing, and Health Insurance Master Record maintenance.

Authority for maintenance of the system: Section 1814 and 1833 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Health Insurance Master Record is updated daily from the Health Insurance Daily Master File, which ultimately creates the Carrier Alphabetic State List (BEST List). The Health Insurance Master Record is also used to update the Health Insurance Utilization Microfilm and the Chronic Renal Disease Beneficiary History File. Data from this system is disclosed to the Railroad Retirement Board, Group Prepayment Practice Plans, and Health Maintenance Organizations.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained on paper listings, microfilm, magnetic tape, disc and punchcards.

Retrievability: System is indexed by health insurance claim number, and is used to carry out the tasks of enrollment, query/reply activity, and health insurance bill and payment record processing.

Safeguards: Unauthorized personnel are denied access to the records area. Disclosure is limited to routine use.

Retention and disposal: Records are closed out at the end of the calendar year in which paid, held 2 additional years, transferred to the Federal Records Center, and destroyed after another 6 years.

System manager(s) and address:

Director, Bureau of Health Insurance
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for system records should be addressed to the most convenient social security office or to the Social Security Administration, Bureau of Health Insurance, Health Insurance Inquiries Branch, Baltimore Maryland 21235. The individual should furnish his or her health insurance claim number and name as shown on social security records.

Record access procedures: The individual can obtain information on the procedures for gaining access to and contesting records from the most convenient social security office or from SSA, Bureau of Health Insurance, Health Insurance Inquiries Branch, Baltimore, Maryland 21235.

Contesting record procedures: Same.

Record source categories: The data contained in these records is furnished by the individual. There are cases, however, in which the identifying information is provided to the physician by the individual; the physician then adds the medical information and submits the bill to the carrier for payment. Updating information is also obtained from the Master Beneficiary Record.

SSA HI 0375.01

System name: Group Health Plan System HEW SSA.

Security classification: None.

System location:

Bureau of Data Processing
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Recipients of Part A (Hospital Insurance) and Part B (supplementary medical) Medicare services.

Categories of records in the system: The system contains information about a beneficiary's health insurance entitlement and supplementary medical benefits usage.

Authority for maintenance of the system: Sections 1866 and 1876 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Group health plans notify the Social Security Administration, usually on a monthly basis, of new members to be added to the membership roll or of terminations to be deleted from the roll. The Group Health Plan operation passes records of these changes to the health insurance master record for checking eligibility to health insurance. Once eligibility is confirmed, the Group Health Plan operation records the changes on the Group Health Plan master file. On a monthly basis, the operation prepares a listing of all transactions submitted by each plan, indicating those accepted, rejected, or held pending for further processing. The listing is mailed to the plans for reconciling (or adjusting) member records. Once a month the Group Health Plan system sends a tape record of active members to the health insurance master file update operation which posts prorata credits to the member's health insurance master record. Any changes to group health plan member records noted in the health insurance master file (e.g., death terminations) are relayed back to the Group Health Plan system for updating of the Group Health Plan master record. These items are shown on the monthly listing of transactions provided to the plans.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and paper listing.

Retrievability: The system is indexed by health insurance claim number.

Safeguards: Only authorized personnel have direct access to information in the Group Health Plan system. In addition, Group Health Plan personnel are advised that information is confidential.

Retention and disposal: Health insurance materials used to support the accuracy of the charge per service billed by the plan are retained for 3 years, then destroyed.

System manager(s) and address:

Director, Bureau of Health Insurance
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for system records should be addressed to the Social Security Administration, Bureau of Health Insurance, Division of Direct Reimbursement, Group Practice Prepayment Plan Branch, Baltimore, Maryland 21235. The individual should furnish his or her health insurance claim number as shown on social security records.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: The identifying information contained in these records is obtained from the group health plans (which obtained the data from the individual concerned).

SSA HI 0575.01

System name: Reconsideration and Hearing Case Files (Part A) Hospital Insurance Program HEW SSA.

Security classification: None.

System location:

Social Security Administration
Bureau of Health Insurance
Division of Special Operations, Reconsideration Branch
Baltimore, Maryland 21235

Categories of individuals covered by the system: Individuals dissatisfied with an initial determination as to the amount of benefits payable on the beneficiary's behalf under the hospital insurance program who have filed either an expressed or implied request for reconsideration.

Categories of records in the system: Reconsideration development and case summary; Part A - review action; complaint sheet; HA-501, Request for Hearing; SSA-561 Request for Reconsideration; and comparable forms and evidence furnished by beneficiaries or their representatives, intermediary action, correspondence, Social Security Administration determination, Administrative Law Judges' decisions, original bills, Appeals Council decisions and related correspondence.

Authority for maintenance of the system: Sections 1812, 1814, and 1816 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The purpose of this set of records is to document and support the beneficiary's request for reconsideration, and where applicable, a hearing and possible court review. It also documents the action taken by the Social Security Administration in these actions and is used to update the Central Office records, reconsideration hearings, appeals and court cases which are maintained on magnetic tape.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained in file cabinets.

Retrievability: The system is indexed by health insurance claim number.

Safeguards: The file is closed to unauthorized personnel. Disclosure of records is limited to routine uses.

Retention and disposal: Records are placed in inactive file when final action is taken on the case and closed out at the end of the calendar year in which final action was taken. They are held 2 additional years, transferred to the Federal Records Center and destroyed after 5 years.

System manager(s) and address: Director, Bureau of Health Insurance.

Notification procedure: Inquiries and requests for system records should be addressed to the Social Security Administration, Bureau of Health Insurance, Reconsideration Branch. The individual should furnish his or her health insurance claim number and name as shown on social security records.

Record access procedures: The individual can obtain information on the procedures for gaining access to and contesting records from the most convenient social security office or from the Social Security Administration, Bureau of Health Insurance, Health Insurance Inquiries Branch, Baltimore, Maryland 21235

Contesting record procedures: Same.

Record source categories: The information contained in these records is furnished by the beneficiary, his representative, or other person requesting a review of the claim and from the reviewing authority (the supplementary health insurance carrier).

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SSA HI 0675.02

System name: Medicare Beneficiary Correspondence Files HEW SSA.

Security classification: None.

System location:

Social Security Administration
Bureau of Health Insurance (or Bureau of Data Processing)
Baltimore, Maryland 21235

All Health Insurance Regional Offices (see Appendix C, Section 2).
Intermediaries and carriers (see Appendix C, Sections 3 and 4).

Categories of individuals covered by the system: Beneficiaries and others who correspond with the Social Security Administration, Bureau of Data Processing or Bureau of Health Insurance, and/or its carriers and intermediaries.

Categories of records in the system: Correspondence containing inquiries, complaints, or suggestions received by the Social Security Administration district offices, Central Office, regional offices, intermediaries, and carriers.

Authority for maintenance of the system: Section 1872 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No routine uses for disclosure.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained in file cabinets.

Retrievability: The system is indexed by health insurance claim number. If the correspondent has not furnished his claim number, the correspondence is filed alphabetically, using the last name of the correspondent. It is used to control correspondence in connection with Medicare.

Safeguards: The file area is closed to unauthorized personnel.

Retention and disposal: Correspondence is destroyed 1 year after the close of the year in which the records are dated; except where records are required to document a specific claim, reconsideration, appeal, or similar case, the files are treated in accordance with the instructions for the specific file.

System manager(s) and address:

Director, Bureau of Health Insurance
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and request for records should be directed to the same address as that with which the correspondence was initiated.

Record access procedures: The individual can obtain information on the procedures for gaining access to and contesting records from the Social Security Administration, Bureau of Data Processing, or Bureau of Health Insurance, (Health Insurance Inquiries Branch) Baltimore, Maryland 21235.

Contesting record procedures: Same.

Record source categories: The initial correspondence in these records is prepared by the beneficiary or other inquiries; the response is prepared by the appropriate Social Security Administration component.

SSA HI CAR 0175.02

System name: Carrier Medicare Claims Records HEW SSA.

Security classification: None.

System location: Carriers, under contract to Social Security Administration (See Appendix C, section 4).

Categories of individuals covered by the system: Recipients of Part B (Supplementary Medical) Medicare benefits.

Categories of records in the system: Request for Payment; Provider Billing for Patient Services by Physician; Prepayment Plan for Group Medicare Practices Dealing through a Carrier; Request for Claim Number Verification; Payment Record Transmittal; Statement of Person Regarding Medicare Payment for Medical Services Furnished Deceased Patient; Report of Prior Period of Entitlement; itemized bills and other similar documents from beneficiaries required to support payments to physicians and other suppliers of Part B Medicare services.

Authority for maintenance of the system: Sections 1842 and 1874 of title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The record is prepared by the beneficiary and is used by the carriers to determine amount of and entitlement to Part B benefits. The bills are retained by the carriers. The record is also used to update the Part B Physician/Supplier

25,000 listing. Disclosures of physician's customary charge data are made to state audit agencies in order to ascertain the correctness of Title XIX charges and payments.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained on paper.

Retrievability: System is indexed by health insurance claim number.

Safeguards: Unauthorized personnel are denied access to the records area. Disclosure is limited.

Retention and disposal: Close out at the end of the calendar year in which paid, two additional years, transferred to Federal Records Center and destroy after another six years.

System manager(s) and address:

Director, Bureau of Health Insurance
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for system records should be addressed to the most convenient social security office or to Social Security Administration, Bureau of Health Insurance, Health Insurance Inquiries Branch, Baltimore, Maryland 21235. The individual should furnish his or her health insurance claim number and name as shown on social security records.

Record access procedures: The individual can obtain information on the procedures for gaining access to and contesting records from the most convenient social security office or from Social Security Administration, Bureau of Health Insurance, Health Insurance Inquiries Branch, Baltimore, Maryland 21235.

Contesting record procedures: Same.

Record source categories: The data contained in these records is furnished by the individual. In most cases, the identifying information is provided to the physician by the individual. The physician then adds the medical information and submits the bill to the carrier for payment. /*

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S. 1469..... Pub. Law 94–204
An act to provide, under or by amendment of the Alaska Native Claims Settlement Act, for the late enrollment of certain Natives, the establishment of an escrow account for the proceeds of certain lands, the treatment of certain payments and grants, and the consolidation of existing regional corporations, and for other purposes
(Jan. 2, 1976; 89 Stat. 1145)

S. 95..... Pub. Law 94–203
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H.R. 6673..... Pub. Law 94–201
American Folklife Preservation Act
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An act to amend the Social Security Act to expedite the holding of hearings under titles II, XVI, and XVIII by establishing uniform review procedures under such titles, and for other purposes
(Jan. 2, 1976; 89 Stat. 1135)

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rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 10—Energy

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 212—MANDATORY PETROLEUM PRICE REGULATIONS

Increased Pricing Flexibility; Elimination of Once-a-Month Price Increase Limitation on Sales of Gasoline and No. 2 Oils

A. Introduction

In its notice of proposed rulemaking and public hearing on proposals for increased pricing flexibility, issued October 17, 1975 (40 FR 49372, October 22, 1975) the FEA proposed, among other things, to delete the once-a-month price increase limitation applicable to sales of gasoline and No. 2 oils by refiners, resellers and retailers. Other proposals related to regional pricing by refiners, resellers and retailers, reallocation of increased product cost among products by resellers and retailers, and review of FEA Ruling 1975–16 concerning non-product cost increases.

The proposal to eliminate the once-a-month rule is essentially uncomplicated and non-controversial compared with other proposals for increased pricing flexibility under review. In addition, the proposed elimination of the once-a-month price limitation is separable from and does not relate directly to any of the other proposals included in the notice of proposed rulemaking. FEA has therefore decided to complete action on this proposal now rather than deferring action until a decision is made on the other proposals mentioned.

Thirty-four written comments (including five late comments) and eleven oral presentations were received on the proposed elimination of the once-a-month price increase limitation. All of these comments and presentations were considered by FEA, as well as other information available to it, in arriving at the regulatory amendment adopted today. Under today's amendment, the once-a-month rule prescribed in §§ 212.83(c)(1)(i) and 212.93(b)(1)(iv) is revoked, effective January 1, 1976.

B. Comments

In its notice of proposed rulemaking, FEA noted that the once-a-month rule initially served two main objectives: (1) it cushioned the inflationary impact that would otherwise have resulted from more rapid price increases in a period of short supply and rising costs, and (2) the rule simplified audit procedures with respect to marketing of gasoline and No. 2 oils by refiners, whose compliance with respect to refinery operations is tested on a monthly basis. However, under current conditions of ample supply and relatively stable prices, FEA suggested that the rule may no longer be useful and may even result in higher prices in some instances as marketers tend to increase prices to the maximum extent possible at the beginning of every month rather than proceed at the more gradual pace that might prevail in the absence of any restriction on the frequency of price increases. Beyond this, FEA noted, the rule in its present form as applied to resellers and retailers has resulted in confusion and misinterpretation, thereby hindering rather than aiding audit of resellers and retailers.

Nearly all comments received supported elimination of the rule. The rule was described as "superfluous," "arcane," and as having outlived its usefulness under current conditions of ample supply.

Concurring in FEA's view that the rule may now encourage prices in some instances that are higher than those which would prevail in the absence of the rule, several commentators asserted that the rule encourages "artificial and premature" price increases by marketers at the beginning of the month in order to preserve maximum pricing flexibility for the remainder of the month. One firm pointed out that marketers will be encouraged to follow any downward trend in pricing if it is known (through elimination of the rule) that a reversal of any downward trend can be responded to immediately. This is particularly significant in view of the fact that the recently-enacted Energy Policy and Conservation Act (the "EPCA"), Pub. L. 94–163, will achieve a short-term rollback in crude oil prices. Elimination of the once-a-month rule should facilitate the passthrough of these price reductions to consumers.

Other firms commented that the once-a-month rule was particularly unfair to independent marketers with more than one supplier. In these cases, the marketers may often incur a product cost increase from suppliers during the month after having made a price increase at the beginning of the month to reflect the previous month's product cost increases. With a once-a-month price increase restriction in effect, these cost increases must be absorbed by the marketer until the subsequent month.

Although independent marketers may "bank" unrecouped product cost increases for later recoupment under § 212.93(e), competition is such under current conditions of ample supply that such cost increases often remain unrecouped. Independent marketers believe that elimination of the rule will improve their opportunities for recouping these product cost increases and, perhaps more importantly, will generally enhance the ability of independent marketers to react more quickly to competition. In view of the fact that price flexibility is of particular importance for the competitive position of independent marketers, and in view of FEA's obligation to protect the competitive viability of independent marketers, the proposed elimination of the once-a-month rule was strongly supported by independent resellers and retailers.

The FEA received only one submission which questioned the desirability of elimination of the once-a-month rule. The Vermont Energy Office viewed the proposed elimination of the rule as evidence "that the fight to contain inflation is being escalated again with inflation given even more weaponry with which to mow down the consumer." For the reasons noted above, the FEA believes that the amendment adopted today will not result in net increases in prices to the consumer and may, in fact, benefit the consumer by eliminating "premature" price increases, encouraging smaller and more gradual price increases, encouraging price decreases by removing any fear of delay in returning to previous price levels, and by strengthening the competitive position of independent marketers and otherwise enhancing price competition.

A few other comments were received which supported elimination of the once-a-month rule but suggested that the proposal did not go far enough in freeing marketers from unnecessary controls. For example, one firm supported total price decontrol at the retail level because active competition during periods of ample supply provides sufficient price restraint. Such decontrol is outside the scope of the present rulemaking. FEA is aware, however, that competition is holding prices below maximum lawful price levels in certain marketing sectors, and therefore total price decontrol in such sectors will be among the matters considered by FEA during the reevaluation of its regulations called for by Section 454 of the EPCA.

It was also proposed that the pricing flexibility which will result from the amendment adopted today suggests the need to eliminate the requirement to post ceiling prices and octane ratings in retail sales of gasoline. Such an amendment is also outside the scope of the present rulemaking. However, other issues relating to gasoline posting are the subject of separate rulemaking proceedings now pending and FEA may in this context reexamine the extent to

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which posting requirements continue to play a useful role in FEA's compliance program in the absence of the once-a-month rule.

Finally, it was proposed by one refiner that elimination of the once-a-month rule should be coupled with elimination of the requirement reflected in FEA's monthly cost allocation report for refiners (FEO–96) under which a maximum dollar price increase limitation is imposed on refiners' sales of gasoline and No. 2 oils each month regardless of whether price increases are placed in effect at the beginning or the end of the month. Under this requirement, a refiner which was permitted to increase its price of gasoline by one cent/gallon on the first day of the month, for example, and which deferred that increase until the 15th of the month due to competitive restraints, could not charge an amount in excess of one cent/gallon (assuming competition then permitted it) even though the higher amount was designed only to recoup during the last half of the month the total dollar product cost increase concerned. It was argued that this rule, like the once-a-month rule, tends to encourage the charging of the highest lawful prices at the beginning of the month even though competitive considerations might suggest the need for smaller price increases or deferral of price increases. The FEA was therefore requested to modify the maximum price rule applicable to refiner sales of gasoline and No. 2 oils so that the only limitation in this respect would be on total monthly dollar recovery on sales of these products.

While there appears to be some merit in the view that the maximum price rule under discussion may encourage early recovery of product cost increases by refiners rather than later recovery, it appears that this has had far less impact in this respect than the once-a-month rule. Refiners know that product cost increases unrecovered in one month can be banked under § 212.83(c) for recovery in a later month (subject to certain possible limitations found in Section 402 of the EPCA), and the fact that only one firm recommended this further change does not suggest that there is any significant pricing impact of the kind suggested. More importantly, the maximum price rule under discussion derives from specific language used in the formula in § 212.83(c)(2)(i) applicable to allocation by refiners of increased product costs to No. 2 oils and gasoline. Changes in this important formula are outside the scope of the present proceedings and would not be undertaken by FEA in any event without requesting public comment thereon and undertaking a full review of the effects of any such amendment.

C. AMENDMENTS

The elimination of the once-a-month rule is effected in the amendment adopted today, with respect to sales by refiners of No. 2 oils and gasoline, by deleting the word "once" in § 212.83(c)(1)(i). With respect to sales of these products by resellers and retailers, the elimination of the rule is effected by the revocation of § 212.93(b)(1)(iv) and by deletion of reference to the once-a-month rule in the provision concerning carry-forward of product cost increases in § 212.93(e).

In addition, the amendment adopted today requires revision of the price-reduction rule of § 212.93(c). Prior to today's amendment, paragraph (c) of § 212.93 was divided into two sub-paragraphs, one applicable to products other than No. 2 oils and gasoline (with respect to which no once-a-month rule applied) and one applicable to No. 2 oils and gasoline (with respect to which the once-a-month rule applied). The revised § 212.93(c) eliminates the separate and different treatment of these two categories for price-reduction purposes.

As revised, § 212.93(c) retains the following main elements of the section as previously written: (1) the section applies only to price increases above the weighted average price on May 15, 1973, (2) such increased prices must be reduced whenever the costs which support those increased prices are reduced, and (3) prices need not be reduced under this rule to the extent that unrecouped product cost increases carried forward under § 212.93(e) are available for and are used to "offset" the product cost decrease.

In addition, the revised section (1) incorporates distinctions between the treatment and calculation of product and non-product cost increases recently clarified in FEA Ruling 1975–14, and (2) clarifies the question of timing of a price decrease on a product by substituting for the words "whenever the costs of that product decrease" the words "as soon as any computation of increased product costs under § 212.92 (or, as appropriate, any computation of increased non-product costs under § 212.93(b)) reveals a net cost decrease, and the frequency of these computations shall be maintained in accordance with the customary accounting practices of the seller concerned."

The references in the revised § 212.93(c) to increases in non-product costs, "as appropriate," are intended to reflect the fact that, under Ruling 1975–14, certain larger marketers (particularly marketing outlets of refiners) which are readily able to calculate net operating cost increases on a per-gallon basis are expected to calculate their actual non-product cost increases and pass through only that amount of actual increases which does not exceed the maximum markup authorized under the FEA price regulations, while smaller marketers which cannot be expected accurately to compute non-product cost increases per gallon may generally be presumed to have incurred the maximum markup authorized and may pass through not more than that amount.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93–159, as amended by Pub. L. 93–511, Pub. L. 94–99, Pub. L. 94–133 and Pub. L. 94–163; Federal Energy Administration Act of 1974, Pub. L. 93–275; E.O. 11790, 39 FR 23185).

In consideration of the foregoing, Part 212 of Chapter II, Title 10 Code of Federal Regulations, is amended as set forth below, effective January 1, 1976.

Issued in Washington, D.C., December 31, 1975.

MICHAEL F. BUTLER,
General Counsel,
Federal Energy Administration.

§ 212.83 [Amended]

1. Section 212.83 is amended by deleting the word "once" in paragraph (c)(1)(i).

2. Section 212.93 is amended as follows:

(a) Paragraph (b)(1)(iv) is revoked;

(b) Paragraph (c) is revised to read as follows:

§ 212.93 Price rule.

* * * * *

(c) A seller which charges a price in excess of the weighted average price at which the product concerned was lawfully sold by that seller in transactions with the class of purchaser concerned on May 15, 1973, may continue to charge that price only as long as the product cost increases (and, as appropriate, the net increases in non-product costs) which have been incurred since May 15, 1973, and which support that price, continue to be incurred. Price reductions shall be made under this paragraph as soon as any computation of increased product costs under § 212.92 (or, as appropriate, any computation of increased non-product costs under § 212.93(b)) reveals a net cost decrease, and the frequency of these computations shall be maintained in accordance with the customary accounting practices of the seller concerned. However, to the extent that unrecovered increased product costs have been carried forward under paragraph (e) of this section and are available to justify continuation of a price no longer supported by increased product costs (or, as appropriate, by net increases in non-product costs), those unrecovered increased product costs may be used to justify continuation of that price.

* * * * *

(c) Paragraph (e) is amended by deleting the words, "provided that, with respect to No. 2 oils and gasoline, a seller complies with the provisions of paragraph (b) of this section and does not increase prices more than once in any calendar month".

[FR Doc.76–202 Filed 1–3–76;9:09 am]

Title 7—Agriculture

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

PART 271—PARTICIPATION OF STATE AGENCIES AND ELIGIBLE HOUSEHOLDS

Food Stamp Programs

Correction

In FR Doc. 75–33102 appearing at page 57434 in the issue for Wednesday, December 10, 1975, in the table on "Monthly coupon allotments and purchase requirements—Alaska", the monthly purchase requirements for "$420 to 449.00" should read as follows:

Monthly coupon allotments and purchase requirements—Alaska

Monthly net income	For a household of— 1 person	2 persons	3 persons	4 persons	5 persons	6 persons	7 persons	8 persons
	The monthly coupon allotment is—							
	$68	$124	$176	$224	$266	$320	$352	$404
	And the monthly purchase requirement is—							
* * *								
$430 to $449.99			$121	$122	$123	$124	$125	$126

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

PART 271—PARTICIPATION OF STATE AGENCIES AND ELIGIBLE HOUSEHOLDS

Food Stamp Programs

Correction

In FR Doc. 75–33105 appearing at page 57437 in the issue for Wednesday, December 10, 1975, in the table on "Monthly coupon allotments and purchase requirements-Virgin Islands", the first set of figures immediately under "The monthly coupon allotment is—" beginning with "$68" and ending with "$404" should be deleted.

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

[Reg. H]

PART 208—MEMBERSHIP OF STATE BANKING INSTITUTIONS IN THE FEDERAL RESERVE SYSTEM

Loans by State Member Banks in Flood-Prone Areas

The Board of Governors of the Federal Reserve System is amending Part 208 by adding a new sentence to § 208.8(e)(5), in order to implement the grace period provided in section 303 of the Emergency Housing Act of 1975 (Pub. L. No. 94–50) concerning certain real estate loans made by State member banks in identified flood hazard areas of communities that are not participating in the National Flood Insurance Program.

Section 303 amends section 202(b) of the Flood Disaster Protection Act of 1973 (42 U.S.C. et seq.) to permit until January 1, 1976, or one year from the date of a community's notification that it has flood prone areas, whichever is later, the making of certain mortgage loans and similar loans by federally chartered, supervised, or insured lending institutions for the purchase of previously occupied residential dwellings located in the identified flood hazard areas of communities that are not participating in the National Flood Insurance Program. A loan secured by improved real estate in an identified flood hazard area which is not made to finance the acquisition of a previously occupied residential dwelling remains subject to the prohibitions against the extension of surance Program, as originally prescribed by sections 201(d) and 202(b) of the Flood Disaster Protection Act of 1973. These sections provide a deadline for community participation of July 1, 1975, or one year from notification to a community by the Secretary of Housing and Urban Development that it is a community containing special flood hazards, whichever is later. Thus, if a community was notified on February 1, 1975, that it contains flood prone areas, it would have until February 1, 1976, to commence participation in the National Flood Insurance Program and a real estate loan made until the latter date would not be required to be accompanied by flood insurance, irrespective of whether the loan concerned was made to finance the acquisition of a previously occupied residential dwelling. On the other hand, a community notified on September 1, 1974, would be required under the original deadline to begin participation in the National Flood Insurance Program by September 1, 1975; but, under the amendment to the Flood Disaster Protection Act, loans secured by improved real estate located within special flood hazard areas of a community and made for the purpose of acquiring previously occupied residential dwellings would be permitted until January 1, 1976, even if the community does not participate in the program until such date. Also, it should be noted that all forms of federally related mortgage financial assistance, such as FHA and VA loans, fall under the provisions of section 202(a) of the Flood Disaster Protection Act with respect to community participation, and hence are not included within the scope of this amendment to Regulation H.

The Board is of the opinion that the term "previously occupied residential dwelling," as included in Regulation H, should be considered as any dwelling or dwelling unit intended for and used primarily for residential purposes, including an apartment occupied by a tenant or a lessee, a single family residence, a condominium, and a cooperative residence. Additionally, the Board is of the opinion that at the time a loan concerning such property is made, the dwelling or dwelling unit must either be then occupied as a residence or, if presently vacant, have been occupied as a residence by the owner or a tenant.

With regard to when a loan is "made" for the purposes of these provisions of Regulation H, the Board is of the view that the making of a loan occurs on the date that a member bank issues a bona fide unconditional commitment to make the loan in question. A commitment will be deemed unconditional if only standard conditions are contained therein. For example, where the deadline for community participation is January 1, 1976, and a commitment is issued on December 1, 1975, with closing and disbursement scheduled for January 15, 1976, the funds may be disbursed on January 15 even if the community is not participating in the National Flood Insurance Program.

The following amendment is intended to conform the provisions of existing regulations to the amendment to the Flood Disaster Protection Act of 1973 effected by the Emergency Housing Act of 1975:

(1) Effective immediately § 208.8(e)(5) shall be amended by adding a new sentence to the end thereof, as follows:

§ 208.8 Banking practices.

* * * * *

(e) * * *

* * * * * *

(5) * * * *Provided,* That the prohibition contained in this section shall not apply to any loan made prior to January 1, 1976, if the loan is made to finance the acquisition of a previously occupied residential dwelling.

(2) The provisions of section 553 of Title V, United States Code, relating to notice, public participation and deferred effective date were not followed in connection with this amendment because the amendment merely clarifies Regulation H by implementing a statutory provision of the Emergency Housing Act of 1975 without significant exercise of administrative discretion or interpretation.

By order of the Board of Governors, December 30, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76–335 Filed 1–6–76;8:45 am]

CHAPTER VI—FARM CREDIT ADMINISTRATION

PART 613—ELIGIBILITY AND SCOPE OF FINANCING

The Farm Credit Administration by its Federal Farm Credit Board adopts the following amendment to its regulations in order to conform them to the provisions of section (a) of Pub. L. 94–184, December 31, 1975. The amendment reduces the percentage of producer voting control of certain cooperatives to permit them to borrow from the banks for cooperatives. Because this amendment is necessary to permit compliance with the law, it is found that notice of proposed rule making provided for in 5 U.S.C. 553 is unnecessary, and any delay in its effective date is not in the public interest. Therefore, the amendment shall be effective on and after December 31, 1975.

Chapter VI of Title 12 of the Code of Federal Regulations is amended by revising § 613.3110(a) to read as follows:

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§ 613.3110. Eligibility.

* * * * * *

(a) At least 80 percent (70 percent in the case of rural electric, telephone, and public utility cooperatives) of the voting control, or such higher percent applied uniformly and consistently to all applicants and borrowers in the district as may be established by resolution of the bank board shall be held by farmers or ranchers, or producers or harvesters of aquatic products, who are eligible under § 613.3020 or § 613.3030, or by eligible cooperatives.

* * * * * *

W. M. HARDING,
Governor, Farm Credit Administration.

[FR Doc.76-338 Filed 1-6-76;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I— FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 14847; Amdt. 39-2490]

PART 39—AIRWORTHINESS DIRECTIVES

Pilatus Aircraft Ltd. and Fairchild Hiller Model PC-6 Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring repetitive inspections and repair, as necessary, and reinforcement of the elevator attachment brackets of Pilatus Model PC-6 airplanes was published in the FEDERAL REGISTER on August 1, 1975 (40 FR 32342).

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

This amendment is made under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

PILATUS AIRCRAFT LTD. Applies to Pilatus Model PC-6 airplanes (all variants) manufactured by Pilatus Aircraft Ltd. serial numbers 667 and subsequent and serial numbers 2001 through 2047 inclusive manufactured by Fairchild Hiller.

Compliance is required as indicated.

To prevent a possible fatigue failure of the elevator attachment brackets on the inboard ends of the right and left elevator surfaces, accomplish the following:

(a) Within the next 25 hours' time in service after the effective date of this AD unless already accomplished within the last 25 hours' time in service and thereafter at intervals not to exceed 50 hours' time in service since the last inspection, visually inspect both the left and right brackets, P/N 6300.-0011.00, of the welded attachment assembly for cracks in the flanges using a glass of at least 10 power in accordance with paragraph 2.1 of Pilatus Aircraft Ltd. Service Bulletin No. 107, dated May 1971, or an FAA-approved equivalent.

(b) If cracks are found, before further flight, repair in accordance with paragraph 2.1 of Pilatus Aircraft Ltd. Service Bulletin No. 107, dated May 1971, or an FAA-approved equivalent.

(c) Within the next 200 hours' time in service after the effective date of this AD, install reinforcement plates, P/Ns 6002.6993.-51 and 6002.6993.52, unless already accomplished, in accordance with paragraph 2.2 of Pilatus Aircraft Ltd. Service Bulletin No. 107, dated May 1971, or an FAA-approved equivalent.

(d) The repetitive inspections required by paragraph (a) of this AD may be discontinued after all cracks have been repaired and reinforcement plates have been installed in accordance with paragraph (c) of the AD. (Fairchild Hiller Service Bulletin PC-6-55-3 pertains to this same subject.)

This amendment becomes effective on February 6, 1976.

Issued in Washington, D.C., on December 30, 1975.

R. P. SKULLY,
Director, Flight Standards Service.

[FR Doc.76-384 Filed 1-6-76;8:45 am]

[Docket No. 15285; Amdt. No. 1002]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Information Center, AIS-230, 800 Independence Avenue SW., Washington, D.C. 20591, or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft, or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of $150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for $30.00 each.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.25 is amended by originating, amending, or cancelling the following SDF-LOC-LDA SIAPs, effective February 19, 1976.

Columbus-West Point-Starkville, MS—Golden Triangle Regional Arpt., LOC(BC)/DME Rwy 36, Amdt. 1

* * * effective January 29, 1976

Aniak, AK—Aniak Arpt., LOC/DME-A, Original
Dillingham, AK—Dillingham Arpt., LOC/DME Rwy 19, Original

2. Section 97.27 is amended by originating, amending or cancelling the following NDB/ADF SIAPs, effective February 19, 1976.

Kenansville, NC—Duplin County Arpt., NDB Rwy 23, Amdt. 1
Tampa, FL—Tampa Int'l Arpt., NDB Rwy 18L, Amdt. 30
Wakefield, VA—Wakefield Muni. Arpt., NDB Rwy 20, Amdt. 1

* * * effective January 22, 1976

San Antonio, TX—San Antonio Int'l Arpt., NDB Rwy 21L, Original

3. Section 97.29 is amended by originating, amending, or cancelling the following ILS SIAPs, effective February 19, 1976.

Tampa, FL—Tampa Int'l Arpt., ILS Rwy 18L, Amdt. 31

* * * effective January 29, 1976

Jackson, WY—Jackson Hole Arpt., ILS Rwy 18, Original

* * * effective January 22, 1976

Poughkeepsie, NY—Dutchess County Arpt., ILS Rwy 6, Original

* * * effective December 24, 1975

Buffalo, NY—Greater Buffalo Int'l Arpt., ILS Rwy 5, Amdt. 10

These amendments are made effective under the authority of Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1438, 1354, 1421, 1510, and Sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c)

Issued in Washington, D.C., on December 31, 1975.

JAMES M. VINES,
Chief, Aircraft Programs Division.

NOTE.—Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the Federal Register on May 12, 1969, (35 FR 5610).

[FR Doc.76-385 Filed 1-6-76;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

[Regulation ER-943, Amdt. 47]

PART 288—EXEMPTION OF AIR CARRIERS FOR MILITARY TRANSPORTATION

Amendment of Part

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., December 31, 1975.

In accordance with established procedure and methodology, the Board, having completed its quarterly review of fuel prices for foreign and overseas MAC air transportation services as of December 1, 1975, is herein amending the surcharge provisions in Part 288 of its Economic Regulations (14 CFR Part 288) applicable to the rates established for those services.[1]

Appendices A and B set forth the results of our computations of reported fuel price changes for commercial and military fuels as at December 1, 1975, based upon the application of the "active stations" methodology to the fuel consumption reported for the quarter ended September 30, 1975; and the rate impact for the changes in current average fuel prices from that reflected in the base rates. Accordingly, we will revise the fuel surcharge rates effective January 1, 1976, as follows: (a) increase the long-range Category B and Category A rate from 3.45 to 3.58 percent; (b) maintain the Pacific interisland short-range Category B rate at 5.81 percent; and, (c) maintain the "all other" short-range Category B rate at 2.42 percent.

In view of the continuing need for a fuel surcharge to the minimum rates set forth in Part 288, we find good cause exists to make the within amendments effective on less than thirty (30) days' notice.

In consideration of the foregoing, the Board hereby amends Part 288 of its Economic Regulations (14 CFR Part 288) effective January 1, 1976, as follows:

1. Amend § 288.7(a) by amending the third proviso following the table to read as follows:

§ 288.7 Reasonable level of compensation.

* * * * * *

(a) * * *: *Provided, however,* That effective January 1, 1976, the total minimum compensation pursuant to the rates set forth in subparagraph (1) above for (i) services performed with regular jet, wide-bodied jet, and DC-8F-61/63 aircraft, (ii) Pacific interisland services performed with B-727 aircraft, and (iii) all other services performed with B-727 aircraft shall be increased by surcharges of 3.58 percent, 5.81 percent, and 2.42 percent, respectively.[2]

2. Amend § 288.7(d) by amending the proviso to subparagraphs (1) and (2) to read as follows:

§ 288.7 Reasonable level of compensation.

* * * * * *

(d) * * *

* * * * * *

Provided, That effective January 1, 1976, the total minimum compensation pursuant to the rates specified in subparagraphs (1) and (2) of this paragraph shall be increased by a surcharge of 3.58 percent.

* * * * * *

(Secs. 204, 403 and 416 of the Federal Aviation Act of 1958, as amended; 72 Stat. 743, 758 and 771, as amended; 49 USC 1324, 1373 and 1386)

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[1] ER-896, effective January 17, 1975.

[2] The surcharge provisions for services performed with B-727 aircraft will be applied to all other common-rated aircraft types.

APPENDIX A.—*MAC international operations impact of current fuel prices on final rates based on prices effective as at Dec. 1, 1975*

Carriers	Gallons purchased quarter ended Sept. 30, 1975 (in thousands)			Price (cents per gallon) Dec. 1, 1975			Current average price (cents per gallon)	Base rate price per gallon [2]	Price increase/(decrease) current base (percent)	Price impact on total economic cost (percent) [3]	Weighted impact on final rates (percent) [4]
	JP-4	JP-5	Commercial	JP-4	JP-5	Commercial [1]					
Long-range:											
Airlift	939	44	1,252	42.50	40.80	39.95	40.91	40.05	0.61	0.25	0.009
Capitol	232	110	708	43.50	40.80	44.47	43.17	38.70	11.29	3.98	.148
Flying Tiger	1,947	50	2,328	42.50	40.80	36.14	38.88	34.66	12.18	3.77	.422
Northwest	2,386	240	1,446	42.50	40.80	33.52	39.09	34.61	13.27	4.16	.544
Overseas	3,176		2,367	42.50	40.80	39.41	41.06	40.75	.78	.31	.018
Pan American	2,461		2,742	42.50	40.80	40.65	38.42	36.89	5.98	1.98	.479
Seaboard	306	6	1,745	42.50	40.80	40.34	40.78	33.66	30.44	7.09	.942
Trans International	1,287	28	2,574	42.50	40.80	36.22	38.27	34.28	11.64	3.77	.435
World	1,530	32	2,207	42.50	40.80	30.72	34.09	34.75	12.23	3.77	.388
Total	14,372	521	17,259			37.45	39.40	36.88	7.81	2.76	5.579
Short-range:											
Pacific interisland:											
World	1,777	7	65	42.50	40.80	46.90	42.45	35.72	18.84	5.81	5.81
All other:											
Eastern	849		98	42.50	40.80	33.15	40.30	37.66	7.01	2.42	2.42

[1] See app. B.
[2] See ER-896, app. Q.
[3] Product of increase or (decrease) for current price, from base price, multiplied by the ratio of fuel costs to total economic costs. See ER-896, app. R.
[4] To reflect the weighting applied to individual carrier unit cost in computing ER-896 final base rates (individual carrier's percentage of group's fiscal year 1975 fixed-buy revenues).

[5] While no fixed-buy contracts were awarded for fiscal year 1976, we are retaining latest available fuel surcharge computation so as to provide a rate for Pacific interisland services.

NOTE.—Totals may not add due to rounding.

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APPENDIX B.—*MAC international operations, average fuel price computation for commercial fuel price changes[1] based on reported fuel data—quarter ended Sept. 30, 1975*

Carriers	Currently active stations: Reported for quarter ended Sept. 30, 1975 — Gallons	Cost	Average price (cents per gallon)	Dec. 1, 1975[2] — Average price (cents per gallon)	Increase or decrease (percent)	All stations in MAC services quarter ended Sept. 30, 1975 — Reported cost	Adjusted cost[3]	Reported gallons	Adjusted average price (cents per gallon)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Long-range:									
Airlift	1,170,619	[illegible]	40.67	39.08	(4.38)	$521,871	[illegible]	1,251,813	[illegible]
Capitol	397,841	173,094	43.51	44.47	2.22	173,094	176,934	397,841	44.47
Flying Tiger	2,524,272	891,304	35.31	36.13	2.31	892,918	913,544	2,527,600	36.14
Northwest	1,390,781	454,873	32.71	33.27	1.71	478,722	454,874	1,446,230	33.02
Overseas	2,241,608	724,597	32.32	39.14	21.09	770,485	[illegible]	2,367,478	39.41
Pan American	2,708,143	967,360	35.72	36.77	2.93	941,258	1,010,045	2,741,905	36.86
Seaboard	1,712,750	678,628	39.51	40.21	1.79	691,486	703,854	1,744,846	40.34
Trans International	2,334,625	818,645	35.07	36.15	3.09	904,552	932,503	2,574,334	36.22
World	2,152,354	740,828	34.42	36.49	6.00	764,661	810,541	2,206,790	36.73
Total	16,632,973	5,925,738	35.63	37.28	4.63	6,177,082	6,464,298	17,258,942	37.45
Short-range:									
Pacific interisland: World[4]	49,501	23,668	47.72	47.72		29,454	29,454	61,695	48.70
All other: Eastern	84,900	27,210	32.05	33.48	4.47	29,442	30,267	88,310	33.18

[1] As of Dec. 1, 1975.
[2] Reflecting latest price reported as at Dec. 1, 1975.
[3] Col. 6 plus 100 pct times col. 7.
[4] Ibid. footnote 5, app. A.

[FR Doc.76-281 Filed 1-6-76;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release 33-5662]

PART 230— GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

Amendment Requiring Notification to State Authorities of Offerings of Fractional Undivided Interests in Oil or Gas Rights, and Statement Regarding Selling Practices for Those Offerings

AMENDMENT TO RULE 310

The Commission today adopted an amendment to Rule 310 (17 CFR 230.310) under Regulation B (17 CFR 230.300–230.346) under the Securities Act of 1933 ("Act") which requires the furnishing of satisfactory assurance to the Commission that the relevant state securities administrators have been notified of a proposed offering pursuant to Regulation B. This amendment had been proposed for comment on July 10, 1975 (Release No. 33–5595) [40 FR 30844].

Several commentators expressed the need for clarification regarding how the notification and assurance should be given and what must be done if the offeror subsequently decides to offer in a different state. The Commission believes that the notification should consist of a written statement setting forth the information specified in Rule 318 (a) (1)–(6) (17 CFR 230.318(a) (1)–(6)) and the date the offering sheet was or will be filed with the Commission. Accordingly, a written representation, which lists the states so notified, furnished in a letter to the staff will serve as satisfactory assurance. The Commission realizes that some states may not require a filing in connection with the offering, but all states involved in the offering must be notified. If the offeror subsequently decides to offer in a state not included on the list, the offeror prior to offering in the state must notify the state administrator involved and then by letter inform the staff of the change. Notes have been added to the rule setting forth what is expected and alerting offerors to the fact that intentional misstatements or omissions constitute Federal criminal violations under 18 U.S.C. § 1001. Statement Regarding Selling Practices.

The Commission has become aware of allegations that certain offerors under Regulation B have been engaging in high pressure sales campaigns. The Commission is concerned about these allegations and takes this opportunity to caution offerors regarding their responsibilities under the federal securities laws.

On numerous occasions the Commission has condemned the sale of securities through the use of high-pressure sales techniques including long distance telephone and interstate mailing sales campaigns to solicit customers with whom the salesmen were previously unacquainted, the solicitation of the same customers by more than one salesman and the recurring use of fraudulent representations and predictions. Boiler-room sales campaigns of this type usually involve a scheme to defraud or represent transactions or a course of business which may operate as a fraud or deceit upon investors.

Offerors of fractional undivided interests in oil or gas rights and their representatives must have reasonable justifications for the representations made. In this regard, it should be noted that Rule 322 under Regulation B prohibits any person from representing that "the Commission has in any way passed upon the merits of, or given its approval to, the securities offered or the terms of the offering or has determined that the securities are exempt from registration, or has made any finding that the statements in any such offering sheet or other communication are accurate or complete."

RULE 306

The Commission has also taken this opportunity to emphasize the significance of Rule 306(a)(ii). In part, Rule 306(a)(ii) states that the exemption provided by Regulation B is unavailable if the offeror or any of its officers, directors, predecessors or affiliates, as a result of "any civil, criminal or governmental or self-regulatory administrative proceeding, or examination commenced after January 1, 1973," is subject to "any order, judgment or decree of any court of competent jurisdiction" which restrains or enjoins the offeror from "engaging in or continuing any conduct or practice in connection with the purchase or sale or any security" or which arises out of "such person's conduct as an underwriter, broker, dealer or investment adviser." This is a broad limitation on the availability of Regulation B that includes state court injunctions resulting from violations of state securities laws.

Accordingly, Regulation B would be unavailable to any offeror, for example, if it or any of its officers, directors, predecessors or affiliates has been enjoined by a state court from violating the state's securities laws in connection with the offer or sale of fractional undivided interests in oil or gas rights. It should be noted, however, that Rule 306(c) provides that the unavailability of the Regulation B exemption may be waived "if the Commission determines, upon filing of an application and showing of good cause, that it is not necessary in the public interest and for the protection of investors that the exemption be denied."

The Commission hereby amends Rule 310 pursuant to Section 3(b) and 19(a) of the Act, as amended. The effective date of this action is February 10, 1976. The text of the amendment is attached hereto.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

DECEMBER 30, 1975.

Rule 310 is amended. Section 230.310 (a) is revised as follows:

§ 230.310 Filing and use of the offering sheet.

(a) At least 10 days prior to the commencement of the offering of any securities under this Regulation B, four copies of an offering sheet containing the information specified in Rule 326 shall be filed with the Commission by or on behalf of the offeror of the interests. At the time of filing the offering sheet, the applicant shall pay to the Commission a fee of $100, no part of which shall be refunded. Unless amended, the offering sheet shall become effective and an offering may commence on the 11th day following such filing with the Commission, provided that the Commission has received satisfactory assurance that the offeror or someone acting on its behalf has furnished a notification of the proposed offering to the state securities administrator of each state in which the interests are proposed to be offered. The Commission may, however, in its discretion, authorize the commencement of the offering prior to the expiration of such 10-day period.

NOTE 1.—The notification to the relevant states shall consist of a written statement setting forth the information specified in Rule 318(a) (1)–(6) and the date the offering sheet was or will be filed with the Commission. A written representation listing the states so notified shall be furnished in a letter to the staff. If the offeror subsequently decides to offer in a state not on the list, the offeror prior to offering in the state shall notify the state administrator involved and then by letter inform the staff of the change.

NOTE 2.—Intentional misstatements or omissions of facts in the letter to the staff constitute Federal criminal violations. (See 18 U.S.C. § 1001).

* * * * *

(Secs. 3(b), 19(a), 48 Stat. 75, 85; sec. 209, 48 Stat. 908; 59 Stat. 167; 84 Stat. 1480; 15 U.S.C. 77c(b), 77s(a))

[FR Doc. 76-336 Filed 1-6-76;8:45 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

[TD 76-7]

PART 159—LIQUIDATION OF DUTIES

Countervailing Duties—Carbon Steel Plate and High Strength Steel Plate From Mexico

On July 3, 1975, a "Notice of Preliminary Countervailing Duty Determination" was published in the FEDERAL REGISTER (40 FR 28103). The notice stated that on the basis of an investigation conducted pursuant to section 159.47 (c), Customs Regulations (19 CFR 159.47 (c)), a preliminary determination was made that certain benefits have been received by the Mexican manufacturer/exporter of steel plate in the form of reduced freight rates for shipments destined to border areas. The benefits derived from this program, however, were determined at that time to be so insignificant as to constitute a *de minimis* amount. The investigation also revealed that the steel exporter did not take advantage of preferential financing, that the 5% *ad valorem* rebate given to exporters of steel plate was determined to have constituted the rebate of indirect taxes which are directly related to the product and therefore not countervailable. Finally, it was determined that the exemption from earnings for corporate income tax purposes of the refunds of the above-mentioned taxes did not constitute the payment or bestowal of a bounty or grant. Accordingly, it was determined preliminarily that no bounties or grants were being paid or bestowed on imported carbon steel and high strength steel plate from Mexico.

The notice also stated that before a final determination would be made in this proceeding, consideration would be given to any relevant data, views, or arguments submitted in writing within 30 days from the date of the notice with respect to the preliminary determination. The 30-day period for the submission of views was extended to 60 days by notice published in the FEDERAL REGISTER of August 15, 1975 (40 FR 34423).

Since the preliminary determination, a further analysis has shown that the freight rate rebate provided to Mexican steel manufacturers who ship to geographical zones along border areas is an amount which is considered to be more than *de minimis* and therefore a bounty or grant within the meaning of the Countervailing Duty Law.

After consideration of all information received, it has been determined that exports of carbon steel and high strength steel plate from Mexico are subject to bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303).

Accordingly notice is hereby given that carbon steel and high strength steel plate imported directly or indirectly from Mexico, if entered, or withdrawn from warehouse, for consumption on or after the date of publication in the FEDERAL REGISTER, will be subject to payment of countervailing duties equal to the net amount of any bounty or grant determined or estimated to have been paid or bestowed.

In accordance with section 303, the net amount of the bounties or grants has been ascertained and determined, or estimated to be 76¢ per ton. To the extent that it has been or can be established to the satisfaction of the Commissioner of Customs that imports of carbon steel and high strength steel plate from Mexico are subject to a bounty or grant in an amount other than that applicable under the above declaration, the amount so established shall be assessed and collected on imports of such carbon steel and high strength steel plate.

Effective on or after January 7, 1976 and until further notice, upon the entry for consumption or withdrawal from warehouse for consumption of such dutiable carbon steel and high strength steel plate imported directly from Mexico, which benefit from these bounties or grants, there shall be collected, in addition to any other duties estimated or determined to be due, countervailing duties in the amount ascertained in accordance with the above declaration.

The liquidation of all entries for consumption or withdrawal from warehouse for consumption of such dutiable carbon steel and high strength steel plate imported directly from Mexico which benefit from these bounties or grants and are subject to this order, shall be suspended pending declarations of the net amounts of the bounties or grants paid.

Notwithstanding the above, a notice of "Waiver of Countervailing Duties" is being published concurrently with this order in accordance with section 303(d) of the Tariff Act of 1930 (19 U.S.C. 1303 (d)). At such time as the waiver ceases to be effective, in whole or in part, a notice will be published setting forth the deposit of estimated countervailing duties which will be required at the time of entry, or withdrawal from warehouse, for consumption of each product then subject to the payment of countervailing duties.

§ 159.47 [Amended]

The table in section 159.47(f) of the Customs Regulations (19 CFR 159.47(f)) is amended by inserting in the column headed "Country", the name Mexico. The column headed "Commodity" is amended by inserting the words "carbon steel and high strength steel plate". The column headed "Treasury Decision" is amended by inserting the number of this Treasury Decision, and the words "Bounty Declared—Rate" in the column headed "Action".

(R.S. 251, secs. 201, as amended, 624; 46 Stat. 687, 759, 68 Stat. 2050; 19 U.S.C. 66, 1303, as amended, 1624)

ROLAND RAYMOND,
Acting Commissioner of Customs.

Approved: December 30, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76-334 Filed 1-6-76;8:45 am]

[TD 76-6]

PART 159—LIQUIDATION OF DUTIES

Waiver of Countervailing Duties—Carbon Steel and High Strength Steel Plate From Mexico

In TD 76-7, published concurrently with this determination, it has been determined that bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303) are being paid or bestowed, directly or indirectly, upon the manufacture, production, or exportation of carbon steel and high strength steel plate from Mexico.

Section 303(d) of the Tariff Act of 1930, as amended by the Trade Act of 1974 (Pub. L. 93-618, January 3, 1975), authorizes the Secretary of the Treasury to waive the imposition of countervailing duties during the four-year period beginning on the date of enactment of the Trade Act of 1974 if he determines that:

(1) adequate steps have been taken to reduce substantially or eliminate during such period the adverse effect of a bounty or grant which he has determined is being paid or bestowed with respect to any article or merchandise;

(2) there is a reasonable prospect that, under section 102 of the Trade Act of 1974, successful trade agreements will be entered into with foreign countries or instrumentalities providing for the reduction or elimination of barriers to or other distortions of international trade; and

(3) the imposition of the additional duty under this section with respect to

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such article or merchandise would be likely to seriously jeopardize the satisfactory completion of such negotiations.

Based upon analysis of all the relevant factors and after consultation with interested agencies, I have concluded that steps have been taken to reduce substantially the adverse effects, or potential adverse effects, of the bounty or grant so long as the following conditions exist with respect to the system of Mexican freight rates to border regions:

(1) The 25 percent reduction from normal rates applicable to steel plate will not be increased; and

(2) The program will not be modified so as to increase the benefits conferred on these exports relative to those bestowed on products for domestic consumption.

After consulting with appropriate agencies, I have concluded (1) that there is a reasonable prospect that, under section 102 of the Trade Act of 1974, successful trade agreements will be entered into with foreign countries of instrumentalities providing for the reduction or elimination of barriers to or other distortions of international trade; and (2) that the imposition of countervailing duties on carbon steel and high strength steel plate from Mexico would be likely to seriously jeopardize the satisfactory completion of such negotiations.

Accordingly, pursuant to section 303 (d) of the Tariff Act of 1930, as amended (19 U.S.C. 1303(d)), I hereby waive the imposition of countervailing duties as well as the suspension of liquidation ordered in TD 76–7 on carbon steel and high strength steel plate from Mexico.

This determinaiton may be revoked, in whole or in part, at any time and shall be revoked whenever the basis supporting such determination no longer exists. Unless sooner revoked or made subject to a resolution of disapproval adopted by either House of the Congress of the United States pursuant to section 303(e) of the Tariff Act of 1930, as amended (19 U.S.C. 1303(e)), this waiver of countervailing duties will in any event, by statute, cease to have force and effect on January 4, 1979.

On or after the date of publication in the FEDERAL REGISTER of a notice revoking this determination in whole or in part, the day after the date of adoption by either House of the Congress of a resolution disapproving this "Waiver of Countervailing Duties", or January 4, 1979, whichever occurs first, countervailing duties will be assessable on carbon steel and high strength steel plate imported directly or indirectly from Mexico in accordance with TD 76–7, published concurrently with this determination.

§ 159.47 [Amended]

The table in section 159.47(f) of the Customs Regulations (19 CFR 159.47(f)) is amended by inserting after the last entry from Mexico under the commodity heading "Carbon Steel and High Strength Steel Plate", the number of this Treasury Decision in the column heading "Treasury Decision", and the words "imposition of countervailing duties waived" in the column headed "Action".

(R.S. 251, secs. 303, as amended, 624; 46 Stat. 687, 759, 88 Stat. 2051, 2052; 19 U.S.C. 66, 1303, as amended, 1624)

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

DECEMBER 30, 1975.

[FR Doc.76–325 Filed 1–6–76;8:45 am]

[TD 76–9]

PART 159—LIQUIDATION OF DUTIES

Countervailing Duties—Float Glass From Italy

On July 3, 1975, a notice of "Preliminary Countervailing Duty Determination" was published in the Federal Register (40 FR 28105). The notice stated that it had been preliminarily determined that payments are being made, directly or indirectly, upon the manufacture, production or exportation of float glass from Italy, which constitute a bounty or grant within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303). Interested parties were provided with 30 days from the date of publication to submit relevant data, views, or arguments in writing with respect to the preliminary determination. An amendment to the notice was subsequently published in the Federal Register on August 15, 1975 (40 FR 34423) extending the time period to 60 days.

After consideration of all information received, it has been determined that imports of float glass from Societa Italiana Vetro, S.p.A. and Fabbrica Pisana, S.p.A. benefit from the payment or bestowal of bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303) by reason of various incentive programs including investment grants, special tax reductions, low-interest rate financing and the reduction of the contribution to state welfare organizations by the float glass manufacturers. It aso has been determined that float glass produced by Verrera di Vernante, S.p.A. does not benefit from the payment or bestowal of bounties or grants. Accordingly, notice is hereby given that float glass imported directly or indirectly from Italy produced by Societa 'Italiana Vetro, S.p.A. (SIV) and Fabbrica Pisana, S.p.A. (Pisana), entered or withdrawn from warehouse for consumption on or after January 7, 1976, will be subject to payment of countervailing duties equal to the net amount of any bounty or grant determined or estimated to have been paid or bestowed. This determination is based on the best information available, since the three firms named above have declined to provide any detailed information regarding the benefits they have received under these programs.

In accordance with section 303, until further notice the net amount of such bounties or grants under the information presently available has been estimated to be 10% *ad valorem* for float glass produced by Societa 'Italiana Vetro, S.p.A. and Fabbrica Pisana, S.p.A. Declarations of the net amount of the bounties or grants ascertained and determined, or estimated, to have been paid, directly or indirectly, upon the manufacture, production, or exportation of float glass from Italy manufactured by SIV and Pisana will be published subsequently in the FEDERAL REGISTER.

Effective on January 7, 1976, and until further notice, upon entry for consumption or withdrawal from warehouse for consumption of such dutiable float glass from Italy manufactured by SIV and Pisana imported directly or indirectly from Italy which benefits from such bounties or grants, there shall be collected, in addition to any other duties estimated or determined to be due, countervailing duties in the amount ascertained in accordance with the above declaration.

The liquidation of all entries for consumption or withdrawals from warehouse for consumption of such dutiable float glass from Italy manufactured by SIV and Pisana imported directly or indirectly from Italy which benefits from such bounties or grants and is subject to the order shall be suspended pending declarations of the net amounts of the bounties or grants paid or bestowed. A deposit of the estimated countervailing duty, in the amount of 10% *ad valorem* for float glass from Italy manufactured by SIV and Pisana shall be required at the time of entry for consumption or withdrawal from warehouse for consumption.

Any merchandise subject to the terms of this order shall be deemed to have benefited from a bounty or grant if such bounty or grant has been or will be paid, credited or bestowed directly or indirectly, upon the manufacture, production, or exportation of such float glass from Italy.

§ 159.47 [Amended]

The table in section 159.47(f) of the Customs Regulations (19 CFR 159.47(f)) is amended by inserting after the last entry for Italy "Float Glass manufactured by Societa 'Italiana Vetro, S.p.A. and Fabbrica Pisana, S.p.A." in the column headed "Commodity". The column headed "Treasury Decision" is amended by inserting directly opposite the word Italy, the number of this Treasury Decision and thereafter in the column headed "Action" the words "Bounty Declared-Rate".

(R.S. 251, secs. 303, as amended 624; 46 Stat. 687, 759, 88 Stat. 2050; 19 U.S.C. 66, 1303 as amended, 1624)

ROLAND RAYMOND,
Acting Commissioner of Customs.

Approved: December 30, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76–326 Filed 1–6–76;8:45 am]

[TD 76–10]

PART 159—LIQUIDATION OF DUTIES

Countervailing Duties—Cheese from Austria

On May 20, 1975, a "Notice of Preliminary Countervailing Duty Determination" was published in the FEDERAL REGISTER (40 FR 22007). The notice stated that it had been tentatively determined that payments are being made, directly or indirectly, upon the manufacture, production or exportation of certain cheeses from Austria, which constitute a bounty or grant within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303). The notice provided interested parties 30 days from the date of publication to submit relevant data, views, or arguments in writing with respect to the preliminary determination.

After consideration of all information received, it has been determined that exports of certain cheeses from Austria are subject to bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303).

Accordingly, notice is hereby given that cheese from Austria imported directly or indirectly from Austria, if entered, or withdrawn from warehouse, for consumption on or after January 7, 1976, will be subject to payment of countervailing duties equal to the net amount of any bounty or grant determined or estimated to have been paid or bestowed.

In the case of hard cheese exports, the bounty or grant would be equal to the direct export payment established from time to time by government-industry officials. For soft cheese exports, whose prices are determined from time to time by government-industry officials, the bounty or grant would be equal to the difference between the domestic wholesale price and the established export price, whenever the latter is lower.

Effective on or after January 7, 1976, and until further notice, upon the entry for consumption or withdrawal from warehouse for consumption of such dutiable cheese imported directly or indirectly from Austria, which benefit from these bounties or grants, there shall be collected, in addition to any other duties estimated or determined to be due, countervailing duties in the amount ascertained in accordance with the above declaration.

The liquidation of all entries for consumption or withdrawal from warehouse for consumption of such dutiable cheese imported directly or indirectly from Austria, which benefit from these bounties or grants, and are subject to this order, shall be suspended pending declarations of the net amounts of the bounties or grants paid.

Notwithstanding the above, a notice of "Waiver of Countervailing Duties" is being published concurrently with this order in accordance with section 303(d) of the Tariff Act of 1930, as amended (19 U.S.C. 1303(d)). At such time as the waiver ceases to be effective, in whole or in part, a notice will be published setting forth the deposit of estimated countervailing duties which will be required at the time of entry, or withdrawal from warehouse, for consumption of each product then subject to the payment of countervailing duties.

§ 159.47 [Amended]

The table in section 159.47(f) of the Customs Regulations (19 CFR 159.47(f)) is amended by inserting in the column headed "Commodity", the word "Cheese" after the last entry for Austria. The column headed "Treasury Decision" is amended by inserting the number of this Treasury Decision, and the column headed "Action" is amended by inserting the words "Bounty Declared-Rate".

(R.S. 251, secs. 303, as amended, 624; 46 Stat. 687, 759, 88 Stat. 2050; 19 U.S.C. 66, 1303, as amended, 1624)

VERNON D. ACREE,
Commissioner of Customs.

Approved: December 22, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76–327 Filed 1–6–76;8:45 am]

[TD 76–11]

PART 159—LIQUIDATION OF DUTIES

Waiver of Countervailing Duties—Cheese from Austria

DECEMBER 4, 1975.

In TD 76–10, published concurrently with this determination, it has been determined that bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended, (19 U.S.C. 1303), are being paid or bestowed, directly or indirectly, upon the manufacture, production, or exportation of cheese from Austria.

Section 303(d) of the Tariff Act of 1930, as added by the Trade Act of 1974 (Pub. L. 93–618, January 3, 1975), authorizes the Secretary of the Treasury to waive the imposition of countervailing duties during the 4-year period beginning on the date of enactment of the Trade Act of 1974 if he determines that:

(1) Adequate steps have been taken to reduce substantially or eliminate during such period the adverse effect of a bounty or grant which he has determined is being paid or bestowed with respect to any article on merchandise;

(2) There is a reasonable prospect that, under section 102 of the Trade Act of 1975, successful trade agreements will be entered into with foreign countries or instrumentalities providing for the reduction or elimination of barriers to or other distortions of international trade; and

(3) The imposition of the additional duty under this section with respect to such article or merchandise would be likely to seriously jeopardize the satisfactory completion of such negotiations.

Based upon analysis of all the relevant factors and after consultation with interested agencies, I have concluded that steps have been taken to reduce substantially the adverse effect of the bounties or grants following actions by the Austrian Government to eliminate or substantially reduce its export subsidies on emmenthaler cheese, which constitutes approximately 90 percent of Austria's cheese exports to the United States. For example, the subsidy on emmenthaler cuts, the principal form of emmenthaler export, has been reduced from 33¢ per pound one year ago to 7¢ per pound on December 1, 1975. The remaining subsidy on cuts will be eliminated within the next year. Subsidies on emmenthaler wheels have been eliminated. Subsidies on other cheeses may continue in effect during the period of the waiver.

Furthermore, the waiver will remain in effect so long as there is no aggressive marketing of Austrian cheeses on which subsidies continue in the U.S. market, which would increase these exports substantially from historic levels.

After consulting with appropriate agencies, including the Department of State, the Office of the Special Representative for Trade Negotiations, and the Department of Agriculture, I have further concluded (1) that there is a reasonable prospect that, under section 102 of the Trade Act of 1974, successful trade agreements will be entered into with foreign countries or instrumentalities providing for the reduction or elimination of barriers to or other distortions of international trade; and (2) that the imposition of countervailing duties on cheese from Austria would be likely to seriously jeopardize the satisfactory completion of such negotiations.

Accordingly, pursuant to section 303 (d) of the Tariff Act of 1930, as amended (19 U.S.C. 1303(d)), I hereby waive the imposition of countervailing duties as well as the suspension of liquidation order in TD 76–10 on cheese from Austria.

This determination may be revoked, in whole or in part, at any time and shall be revoked whenever the basis supporting such determination no longer exists. Unless sooner revoked or made subject to a resolution of disapproval adopted by either House of the Congress of the United States pursuant to section 303(e) of the Tariff Act of 1930, as amended (19 U.S.C. 1303(e)), this waiver of countervailing duties will, in any event, by statute cease to have force and effect on January 4, 1979.

On or after the date of publication in the FEDERAL REGISTER of a notice revoking this determination in whole or in part, the day after the date of adoption by either House of Congress of a resolution disapproving this "Waiver of Countervailing Duties," or January 4, 1979, whichever occurs first, countervailing duties will be assessable on cheese imported directly or indirectly from Austria in accordance with TD 76–10 published concurrently with this determination.

§ 159.47 [Amended]

The table in § 159.47(f) of the Customs Regulations (19 CFR 159.47(f)) is amended by inserting after the last entry for Austria under the commodity heading "Cheese," the number of this Treasury Decision in the column heading "Treasury Decision," and the words "Imposition of countervailing duties waived" in the column headed "Action."

(R.S. 251, secs. 303, as amended, 624; 46 Stat. 687, 759; 88 Stat. 2050; 19 U.S.C. 66, 1303, as amended, 1624)

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

DECEMBER 22, 1975.

[FR Doc.76–328 Filed 1–6–76;8:45 am]

V 41 N 4 JAN 7 76 XUM

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 121—FOOD ADDITIVES

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Bambermycins-Monensin and Bambermycins-Monensin-Roxarsone

The Commissioner of Food and Drugs has evaluated supplemental new animal drug applications (98–340V: Bambermycins and monensin; 98–341V: Bambermycins, monensin, and roxarsone) filed by Hoechst-Roussel Pharmaceuticals, Inc., Somerville, NJ 08876, proposing safe and effective use of bambermycins in combination with 90 to 110 grams per ton monensin alone or with roxarsone in complete feeds for broiler chickens. The supplemental applications are approved, effective January 7, 1976.

The Commissioner is amending Parts 121 and 558 (21 CFR Parts 121 and 558) to reflect these approvals.

In accordance with § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)) of the animal drug regulations, a summary of the safety and effectiveness data and information submitted to support the approval of this application is released publicly. The summary is available for public examination at the office of the Hearing Clerk, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852, Monday through Friday from 9 a.m. to 4 p.m., except on Federal legal holidays.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))), in accordance with 21 CFR 510.6, and under authority delegated to the Commissioner (21 CFR 2.120), Parts 121 and 558 are amended as follows:

§ 121.262 [Amended]

1. In Part 121, § 121.262 *3-Nitro-4-hydroxyphenylarsonic acid*, paragraph (c) is amended in table 1, item 1.28 in the fourth column, "grams per ton" by deleting the monensin level of "110" and inserting in its place the level of "90–110."

2. In Part 558:

a. In § 558.95 the introductory texts of paragraph (e)(1)(vi) and (vii) are revised to read as follows:

§ 558.95 Bambermycins.

* * * * *

(e) * * *

(1) * * *

(vi) *Amount per ton.* Bambermycins, 1 gram plus monensin, 90 to 110 grams.

* * * * *

(vii) *Amount per ton.* Bambermycins, 1 gram plus monensin, 90 to 110 grams plus roxarsone, 22.7 to 45.4 grams (.0025 to .005 percent).

* * * * *

b. In § 558.355 paragraphs (f)(1)(vi) and (vii) are revised to read as follows:

§ 558.355 Monensin.

* * * * *

(f) * * *

(1) * * *

(vi) *Amount per ton.* Monensin, 90 to 110 grams plus bambermycins, 1 gram. See § 558.95(e)(1)(vi).

(vii) *Amount per ton.* Monensin, 90 to 110 grams plus bambermycins, 1 gram plus roxarsone, 22.7 to 45.4 grams (.0025 to .005 percent). See § 558.95(e)(1)(vii).

* * * * *

Effective date. This amendment shall be effective January 7, 1976.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: December 30, 1975.

FRED J. KINGMA,
Acting Director, Bureau of Veterinary Medicine.

[FR Doc.76–301 Filed 1–6–76;8:45 am]

[Docket No. 75N–0215]

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

Cambendazole

The Commissioner of Food and Drugs has evaluated the new animal drug applications (96–506V, 96–731V) filed by Merck & Co., Inc., Rahway, NJ 07065, proposing safe and effective use of cambendazole pellets or paste for control of helminth infestations in horses. The applications are approved, effective January 7, 1976.

In accordance with § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)) of the animal drug regulations, a summary of the safety and effectiveness of data and information submitted to support the approval of this application is released publicly. The summary is available for public examination at the office of the Hearing Clerk, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852, Monday through Friday from 9 a.m. to 4 p.m., except on Federal legal holidays.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner (21 CFR 2.120), Part 520 is amended by redesignating section 520.300 as section 520.300a *Cambendazole suspension*, by adding a new section 420.300 *Cambendazole oral dosage forms*, and by adding sections 520.300b and 520.300c to read as follows:

§ 520.300 Cambendazole oral dosage forms.

§ 520.300a Cambendazole suspension.

* * * * *

§ 520.300b Cambendazole pellets.

(a) *Specifications.* The drug is in feed pellets containing 5.3 percent cambendazole.

(b) *Sponsor.* No. 000006 in § 510.600(c) of this chapter.

(c) *Conditions of use.* (1) It is used in horses for the control of large strongyles (*Strongylus vulgaris, S. edentatus, S. equinus*); small strongyles (*Trichonema, Poteriostomum, Cylicobrachytus, Craterostomum, Oesophagodontus*); roundworms (*Parascaris*); pinworms (*Oxyuris*); and threadworms (*Strongyloides*).

(2) Administer 20 milligrams cambendazole per kilogram body weight (6 ounces per 1,000 pounds) by mixing with normal grain ration given at one feeding. Doses for individual horses should be mixed and fed separately to assure that each horse will consume the correct amount.

(3) For animals maintained on premises where reinfection is likely to occur, re-treatments may be necessary. For most effective results, re-treat in 6 to 8 weeks.

(4) Not for use in horses intended for food.

(5) Caution: Do not administer to pregnant mares or to stallions at stud.

(6) Consult your veterinarian for assistance in the diagnosis, treatment, and control of parasitism.

§ 520.300c Cambendazole paste.

(a) *Specifications.* The drug is a paste containing 45 percent cambendazole.

(b) *Sponsor.* No. 000006 in § 510.600(c) of this chapter.

(c) *Conditions of use.* (1) It is used in horses for the control of large strongyles (*Strongylus vulgaris, S. edentatus, S. equinus*); small strongyles (*Trichonema, Poteriostomum, Cylicobrachytus, Craterostomum, Oesophagodontus*); roundworms (*Parascaris*); pinworms (*Oxyuris*); and threadworms (*Strongyloides*).

(2) Administer 20 milligrams cambendazole per kilogram body weight (5 grams per 550 pounds (250 kilograms)) by depositing the paste on the back of the tongue using a dosing gun.

(3) For animals maintained on premises where reinfection is likely to occur, re-treatments may be necessary. For most effective results, re-treat in 6 to 8 weeks.

(4) Not for use in horses intended for food.

(5) Caution: Do not administer to pregnant mares or to stallions at stud.

(6) Consult your veterinarian for assistance in the diagnosis, treatment, and control of parasitism.

Effective date. This regulation shall be effective January 7, 1976.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)).)

Dated: December 30, 1975.

FRED J. KINGMA,
Acting Director, Bureau of Veterinary Medicine.

[FR Doc.76–302 Filed 1–6–76;8:45 am]

Title 24—Housing and Urban Development

CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT—FEDERAL HOUSING COMMISSIONER (FEDERAL HOUSING ADMINISTRATION), DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R76–313]

MORTGAGE INSURANCE AND HOME IMPROVEMENT LOANS

Changes in Interest Rates

The following miscellaneous amendments have been made to this chapter to reduce from 9 percent to 8¾ percent the maximum rate of interest for certain mortgage and loan insurance programs under the National Housing Act:

PART 203—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

1. In § 203.20 paragraph (a) is revised to read as follows:

§ 203.20 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8¾ percent, except that where an application for commitment was received by the Secretary before January 5, 1976, the mortgage may bear interest at the maximum rate in effect at the time of receipt of the application.

* * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply Sec. 203, 52 Stat. 10, as amended; 12 U.S.C. 1709)

2. In § 203.74 paragraph (a) is revised to read as follows:

§ 203.74 Maximum interest rate.

(a) The loan shall bear interest at the rate agreed upon by the lender and the borrower, which rate shall not exceed 8¾ percent, except that where an application for commitment was received by the Secretary before January 5, 1976, the mortgage may bear interest at the maximum rate in effect at the time of receipt of the application.

* * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply Section 203, 52 Stat. 10, as amended; 12 U.S.C. 1709)

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

1. In § 213.511 paragraph (a) is revised to read as follows:

§ 213.511 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8¾ percent, except that where an application for commitment was received by the Secretary before January 5, 1976, the mortgage may bear interest at the maximum rate in effect at the time of the application.

* * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply Sec. 213, 64 Stat. 54, as amended; 12 U.S.C. 1715e)

PART 234—CONDOMINIUM OWNERSHIP MORTGAGE INSURANCE

In § 234.29 paragraph (a) is revised to read as follows:

§§ 234.29 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8¾ percent, except that where an application for commitment was received by the Secretary before January 5, 1976, the mortgage may bear interest at the maximum rate in effect at the time of receipt of the application.

* * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies Sec. 234, 75 Stat. 160; 12 U.S.C. 1715y)

Effective date: These amendments shall be effective on January 5, 1976.

DAVID S. COOK,
Assistant Secretary for Housing Production and Mortgage Credit—FHA Commissioner.

[FR Doc.76–439 Filed 1–2–76;4:43 pm]

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION

[Docket No. FI–805]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

Correction

The notice published on December 5, 1975 at 40 FR 56917 listing the Town of East Nottingham, PA (Chester Co.), should be corrected to read the Township of East Nottingham, PA (Chester Co.).

(National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as Amended 39 FR 2787, Jan. 24, 1974.

Issued: December 18, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–388 Filed 1–6–76;8:45 am]

[Docket No. FI–805]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

Correction

The notice published on December 5, 1975, at 40 FR 56917 listing the City of Circleville, OH, map number as H 390440 A should be corrected to read H 390447 A.

(National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969 as amended 39 FR 2787, Jan. 24, 1974)

Issued: December 18, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–389 Filed 1–6–76;8:45 am]

[Docket No. FI–830]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of the City of Key Colony Beach, Florida, Base Flood Elevations

On June 20, 1970, at 35 FR 10047, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map numbers and locations where Flood Insurance Rate Maps were available for public inspection. The list included Flood Insurance Rate Maps for portions of the City of Key Colony Beach, Florida.

The Federal Insurance Administration, after consultation with the Chief Executive Officer of the community, has determined that it is appropriate to modify the base (100-year) flood elevations of some locations in the City of Key Colony Beach, Florida. These modified elevations are currently in effect and amend the Flood Insurance Rate Map, which was in effect prior to this determination. A revised rate map will be published as soon as possible. The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1916.

For rating purposes, the new community number is 125121D, and must be used for all new policies and renewals.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

From the date of this notice, any person has 90 days (April 6, 1976) in which he can request through the community that the Federal Insurance Administrator reconsider the changes. Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data. All interested parties are on notice that until the 90-day period elapses, the Administrator's new determination of elevations may itself be changed.

Any persons having knowledge or wishing to comment on these changes should immediately notify:

V 41 N 4 JAN 7 76 XUM

Honorable Jeff D. Wood, Mayor, City of Key Colony Beach, Key Colony Beach, Florida 33051.

Also, at this location is the map showing the new base flood elevations. This map is a copy of the one that will be printed. The numerous changes made in the base flood elevations on the City of Key Colony Beach Flood Insurance Rate Map make it administratively infeasible to publish in this notice all of the base flood elevation changes contained on the City of Key Colony Beach, Florida map.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: December 15, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-390 Filed 1-6-76;8:45 am]

[Docket No. FI-831]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of Griffing Park, Texas, Base Flood Elevations

On November 17, 1970, at 35 FR 17655, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map numbers and locations where Flood Insurance Rate Maps were available for public inspection. The list included Flood Insurance Rate Maps for portions of Griffing Park.

The Federal Insurance Administration, after consultation with the Chief Executive Officer of the community, has determined that it is appropriate to modify the base (100-year) flood elevations of some locations in Griffing Park, Texas. These modified elevations are currently in effect and amend the Flood Insurance Rate Map, which was in effect prior to this determination. A revised rate map will be published as soon as possible. The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234) and are in accordance with the National Flood Insurance Act of 1968, as amended, (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90–448) 42 U.S.C. 4001–4128, and 24 CFR Part 1916.

For rating purposes, the new community number is 485474B, and must be used for all new policies and renewals.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

From the date of this notice, any person has 90 days (April 6, 1976) in which he can request through the community that the Federal Insurance Administrator reconsider the changes. Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data. All interested parties are on notice that until the 90-day period elapses, the Administrator's new determination of elevations may itself be changed.

Any persons having knowledge or wishing to comment on these changes should immediately notify:

Mayor, Town of Griffing Park, City Hall, 3101 Bernhardt Drive, Port Arthur, Texas 77642.

Also, at this location is the map showing the new base flood elevations. This map is a copy of the one that will be printed. The numerous changes made in the base flood elevations on the Griffing Park Flood Insurance Rate Map make it administratively infeasible to publish in this notice all of the base flood elevation changes contained on the Griffing Park map.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended: 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: December 15, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-391 Filed 1-6-76;8:45 am]

[Docket No. FI-825]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of Groves, Texas, Base Flood Elevations

On November 17, 1970, at 35 FR 17655, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Insurance Rate Maps were available for public inspection. The list included Flood Insurance Rate Maps for portions of Groves.

The Federal Insurance Administration, after consultation with the Chief Executive Officer of the community, has determined that it is appropriate to modify the base (100-year) flood elevations of some locations in Groves, Texas. These modified elevations are currently in effect and amend the Flood Insurance Rate Map, which was in effect prior to this determination. A revised rate map will be published as soon as possible. The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234) and are in accordance with the National Flood Insurance Act of 1968, as amended, (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90–448) 42 U.S.C. 4001–4128, and 24 CFR Part 1916.

For rating purposes, the new community number is 485475C, and must be used for all new policies and renewals.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

From the date of this notice, any person has 90 days (April 6, 1976) in which he can request through the community that the Federal Insurance Administrator reconsider the changes. Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data. All interested parties are on notice that until the 90-day period elapses, the Administrator's new determination of elevations may itself be changed.

Any persons having knowledge or wishing to comment on these changes should immediately notify:

City Manager, P.O. Box 846, Groves, Texas 77619.

Also, at this location is the map showing the new base flood elevations. This map is a copy of the one that will be printed. The numerous changes made in the base flood elevations on the Groves Flood Insurance Rate Map make it administratively infeasible to publish in this notice all of the base flood elevation changes contained on the Groves map.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: December 15, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-392 Filed 1-6-76;8:45 am]

[Docket No. FI-829]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of Lakeview, Texas, Base Flood Elevations

On November 17, 1970, at 35 FR 17655, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map numbers and locations where Flood Insurance Rate Maps were available for public inspection. The list included Flood Insurance Rate Maps for portions of Lakeview.

The Federal Insurance Administration, after consultation with the Chief Executive Officer of the community, has determined that it is appropriate to modify the base (100-year) flood elevations of some locations in Lakeview, Texas. These modified elevations are currently in effect and amend the Flood Insurance Rate Map, which was in effect prior to this determination. A revised rate map will be published as soon as possible. The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234) and are in accordance with the National Flood Insurance Act of 1968, as amended, (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90–448) 42 U.S.C. 4001–4128, and 24 CFR Part 1916.

For rating purposes, the new community number is 485485B, and must be used for all new policies and renewals.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

From the date of this notice, any person has 90 days (April 6, 1976) in which he can request through the community that the Federal Insurance Administrator reconsider the changes. Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data. All interested parties are on notice that until the 90-day period elapses, the Administrator's new determination of elevations may itself be changed.

Any persons having knowledge or wishing to comment on these changes should immediately notify:

Mayor, Town of Lakeview, 640 Duff Drive, Port Arthur, Texas 77640.

Also, at this location is the map showing the new base flood elevations. This map is a copy of the one that will be printed. The numerous changes made in the base flood elevations on the Lakeview Flood Insurance Rate Map make it administratively infeasible to publish in this notice all of the base flood elevation changes contained on the Lakeview map.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: December 15, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-393 Filed 1-6-76;8:45 am]

[Docket No. FI-828]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of Nederland, Texas, Base Flood Elevations

On November 17, 1970, at 35 FR 17655, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map numbers and locations where Flood Insurance Rate Maps were available for public inspection. The list included Flood Insurance Rate Maps for portions of Nederland.

The Federal Insurance Administration, after consultation with the Chief Executive Officer of the community, has determined that it is appropriate to modify the base (100-year) flood elevations of some locations in Nederland, Texas. These modified elevations are currently in effect and amend the Flood Insurance Rate Map, which was in effect prior to this determination. A revised rate map will be published as soon as possible. The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1916.

For rating purposes, the new community number is 485492B, and must be used for all new policies and renewals.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

Any persons having knowledge or wishing to comment on these changes should immediately notify:

Mayor, Town of Lakeview, 640 Duff Drive, Port Arthur, Texas 77640.

Also, at this location is the map showing the new base flood elevations. This map is a copy of the one that will be printed. The numerous changes made in the base flood elevations on the Nederland Flood Insurance Rate Map make it administratively infeasible to publish in this notice all of the base flood elevation changes contained on the Nederland map.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretarys' delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: December 15, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-394 Filed 1-6-76;8:45 am]

[Docket No. FI-827]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of Pear Ridge, Texas, Base Flood Elevations

On November 17, 1970, at 35 FR 17655, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map numbers and locations where Flood Insurance Rate Maps were available for public inspection. The list included Flood Insurance Rate Maps for portions of Pear Ridge.

The Federal Insurance Administration, after consultation with the Chief Executive Officer of the community, has determined that it is appropriate to modify the base (100-year) flood elevations of some locations in Pear Ridge, Texas. These modified elevations are currently in effect and amend the Flood Insurance Rate Map, which was in effect prior to this determination. A revised rate map will be published as soon as possible. The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1916.

For rating purposes, the new community number is 485497B, and must be used for all new policies and renewals.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

From the date of this notice, any person has 90 days (April 6, 1976) in which he can request through the community that the Federal Insurance Administrator reconsider the changes. Any request for reconsideration must be based on

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knowledge of changed conditions or new scientific or technical data. All interested parties are on notice that until the 90-day period elapses, the Administrator's new determination of elevations may itself be changed.

Any persons having knowlege or wishing to comment on these changes should immediately notify:

Mayor, City of Pear Ridge, 3640 Ninth Avenue, Pear Ridge, Texas 77640.

Also, at this location is the map showing the new base flood elevations. This map is a copy of the one that will be printed. The numerous changes made in the base flood elevations on the Pear Ridge Flood Insurance Rate Map make it administratively infeasible to publish in this notice all of the base flood elevation changes contained on the Pear Ridge map.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: December 15, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-395 Filed 1-6-75;8:45 am]

[Docket No. FI-826]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of Pepin County, Wisconsin, Base Flood Elevations

On December 16, 1972, at 37 FR 26830, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map numbers and locations where Flood Insurance Rate Maps were available for public inspection. The list included Flood Insurance Rate Maps for portions of Pepin County, Wisconsin.

The Federal Insurance Administration, after consultation with the Chief Executive Officer of the community, has determined that it is appropriate to modify the base (100-year) flood elevations of some locations in Pepin County. These modified elevations are currently in effect and amend the Flood Insurance Rate Map, which was in effect prior to this determination. A revised rate map will be published as soon as possible. The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90-448) 42 U.S.C. 4001-4128, and 24 CFR Part 1916.

For rating purposes, the new community number is 555570C, and must be used for all new policies and renewals.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

From the date of this notice, any person has 90 days (April 6, 1976) in which he can request through the community that the Federal Insurance Administrator reconsider the changes. Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data. All interested parties are on notice that until the 90-day period elapses, the Administrator's new determination of elevations may itself be changed.

Any persons having knowledge or wishing to comment on these changes should immediately notify:

County Zoning Administrator, Pepin County Zoning Board, Pepin, Wisconsin 54759.

Also, at this location is the map showing the new base flood elevations. This map is a copy of the one that will be printed. The numerous changes made in the base flood elevations on the Pepin County Flood Insurance Rate Map make it administratively infeasible to publish in this notice all of the base flood elevation changes contained on the Pepin County map.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator (34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974))

Issued: December 15, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-396 Filed 1-6-76;8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 7394]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Imputed Interest Rates

DECEMBER 22, 1975.

On July 25, 1975, a notice of proposed rule making was published in the FEDERAL REGISTER (40 FR 31238) to raise the imputed interest rates provided in the regulations under sections 462 and 483 so that they will better reflect prevailing interest rates.

For purposes of section 482, payments made at any time on account of contracts (other than demand loans or advances) entered into before July 24, 1975 (the date the notice was filed by the Office of the Federal Register for public inspection), will generally be subject to the rates existing just prior to that date. Payments made before December 31, 1975, on account of demand loans and advances entered into before July 24, 1975, will generally be subject to the rates existing just prior to that date.

For purposes of section 483, contracts entered into before July 24, 1975, will generally continue to be subject to the rates existing just prior to that date.

Several written comments were received in response to the notice of proposed rule making. However, no public hearing was held because the only request for such a hearing was later withdrawn.

ADOPTION OF AMENDMENTS TO THE REGULATIONS

After full and careful consideration of all the written comments received, the amendments of the regulations as proposed are hereby adopted, subject to clerical changes and the following change:

The last sentence of § 1.483–1(c)(4) is amended by inserting the parenthetical phrase "(within the meaning of paragraph (b)(4) of his section)" after the term "substantial change" the first time such term appears.

(Sec. 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805))

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

Approved: December 24, 1975.

WILLIAM M. GOLDSTEIN,
Deputy Assistant Secretary of the Treasury.

1. Paragraph (a)(2) of § 1.482–2 is amended to read as follows:

§ 1.482–2 Determination of taxable income in specific situations.

(a) *Loans or advances.* • • •

(2) *Arm's length interest rate*—(i) *In general.* For the purposes of this paragraph, the arm's length interest rate shall be the rate of interest which was charged, or would have been charged at the time the indebtedness arose, in independent transactions with or between unrelated parties under similar circumstances. All relevant factors will be considered, including the amount and duration of the loan, the security involved, the credit standing of the borrower, and the interest rate prevailing at the situs of the lender or creditor for comparable loans.

(ii) *Funds obtained at situs of borrower.* Notwithstanding the provisions of paragraph (a)(2)(i), (iii), and (iv) of this section, if the loan or advance represents the proceeds of a loan obtained by the lender at the situs of the borrower, the arm's length rate for any taxable year shall be equal to the rate actually paid by the lender increased by an amount which reflects the costs or deductions incurred by the lender in borrowing such amounts and making such

loans, unless the taxpayer establishes a more appropriate rate under the standards set forth in paragraph (a)(2)(i) of this section.

(iii) *Safe haven rule for certain loans or advances existing before July 24, 1975.* (A) Paragraph (a)(2)(iii) of this section applies to interest paid or accrued—

(*1*) Before July 24, 1975,

(*2*) On or after July 24, 1975, but before December 31, 1975, pursuant to a demand loan or advance which was in effect, or which was pursuant to a binding contract entered into, before July 24, 1975, and

(*3*) On or after July 24, 1975, pursuant to a loan or advance (other than a demand loan or advance) which was in effect, or which was pursuant to a binding contract entered into, before such date.

(B) If a creditor was not regularly engaged in the business of making loans or advances of the same general type as the loan or advance in question to unrelated parties, the arm's length rate of interest to which paragraph (a)(2)(iii) of this section applies shall be for purposes of this paragraph—

(*1*) The rate of interest actually charged if at least 4, but not in excess of 6, percent per annum simple interest, or

(*2*) Five percent per annum simple interest if no interest was charged or if the rate of interest charged was less than 4, or in excess of 6, percent per annum simple interest,

unless the taxpayer establishes a more appropriate rate under the standards set forth in paragraph (a)(2)(i) of this section. For purposes of the preceding sentence if the rate actually charged is greater than 6 percent per annum simple interest and less than the rate determined under the standards set forth in paragraph (a)(2)(i) of this section, or if the rate actually charged is less than 4 percent per annum simple interest and greater than the rate determined under the standards set forth in paragraph (a)(2)(i) of this section, then the rate actually charged shall be deemed to be a more appropriate rate under the standards set forth in paragraph (a)(2)(i) of this section.

(iv) *Safe haven rule for other loans and advances.* (A) Paragraph (a)(2)(iv) of this section applies to interest paid or accrued—

(*1*) Pursuant to a loan or advance (other than a loan or advance entered into pursuant to a binding contract entered into prior to July 24, 1975), which was entered into on or after such date, and

(*2*) On or after December 31, 1975, pursuant to a demand loan or advance.

(B) If a creditor was not regularly engaged in the business of making loans or advances of the same general type as the loan or advance in question to unrelated parties, the arm's length rate of interest to which paragraph (a)(2)(iv) of this section applies shall be for purposes of this paragraph—

(*1*) The rate of interest actually charged if at least 6, but not in excess of 8, percent per annum simple interest, or

(*2*) Seven percent per annum simple interest if no interest was charged or if the rate of interest charged was less than 6, or in excess of 8, percent per annum simple interest,

unless the taxpayer establishes a more appropriate rate under the standards set forth in paragraph (a)(2)(i) of this section. For purposes of the preceding sentence if the rate actually charged is greater than 8 percent per annum simple interest and less than the rate determined under the standards set forth in paragraph (a)(2)(i) of this section, or if the rate actually charged is less than 6 percent per annum simple interest and greater than the rate determined under the standards set forth in paragraph (a)(2)(i) of this section, then the rate actually charged shall be deemed to be a more appropriate rate under the standards set forth in paragraph (a)(2)(i) of this section.

• • • • •

2. Section 1.483–1 is amended as follows: Paragraph (c)(2) is revised; that part of paragraph (c)(3) as precedes example (1) is revised; examples (5) and (6) are added to paragraph (c)(3); a new paragraph (c)(4) is added; paragraph (d)(1) and (2) is revised; that part of paragraph (d)(4) that precedes example (1) is revised; examples (5) and (6) are added to paragraph (d)(4); that part of paragraph (e)(3) that precedes example (1) is revised; examples (6) and (7) are added to paragraph (e)(3); that part of the paragraph (f)(5) that precedes example (1) is revised, and examples (7) and (8) are added thereto; paragraph (f)(6)(iv) that precedes example (1) is revised and examples (5) and (6) are added thereto; paragraph (g)(1) and (4)(iii)(b) is revised; paragraph (g)(6), (7) and (8) is added to paragraph (g), and in paragraph (g)(2) the headings of tables I, II and III are revised and tables IV, V and VI are added after table III. The revised and added provisions read as follows:

§ 1.483–1 Computation of interest on certain deferred payments.

• • • • •

(c) *Total unstated interest* • • •

(2) *Present value of a payment* (i) *In general.* The present value of any interest payment due under the contract not more than 6 months after the date of the sale or exchange is an amount equal to 100 percent of such payment. The present value of any other interest payment, and of any payment to which section 483 applies, which is due under the contract shall be determined by discounting such payment at the interest rate prescribed by paragraph (c)(2)(ii) of this section, from the nearest date (to the date such payment is actually due under the contract) which marks a 6-month interval from the date of the sale or exchange. For purposes of computing the present value of a payment at such rate, column (b) of the appropriate table set forth in paragraph (g)(2) of this section shall be used.

(ii) *Prescribed interest rates.* (A) For payments on account of a sale or exchange of property entered into before July 24, 1975, as well as a sale or exchange of property pursuant to a binding written contract (including an irrevocable written option) entered into before such date, the interest rate prescribed by this subdivision shall be 5 percent per annum compounded semiannually.

(B) For payments on account of a sale or exchange of property entered into on or after July 24, 1975, except a sale or exchange entered into pursuant to a binding written contract (including an irrevocable written option) entered into before such date, the interest rate prescribed by this subdivision shall be 7 percent per annum compounded semiannually. (See paragraph (c)(4) of this section for special rules where there has been a substantial change in the terms of a binding written contract entered into before July 24, 1975.)

(3) *Examples.* The provisions of this paragraph may be illustrated by the following examples (Note that examples (1) through (5) use Tables I through III, because such tables generally apply to transactions entered into after June 30, 1963 and before July 24, 1975, and that the principles illustrated by such examples would apply for transactions entered into on or after July 24, 1975, in which case Tables IV through VI would generally be applied.):

• • • • •

Example (5). On December 31, 1974, A sells property to B under a contract which provides that B is to make four payments of $2,000 each, such payments being due, respectively, at the end of each year for the next four years. No interest is provided for in the contract. For purposes of paragraph (a) of this section, the total unstated interest under the contract is $918.38 (using Table III because the sale occurred before July 24, 1975). The computation is as follows:

Sum of payments to which sec. 483 applies	$8,000.00
Less: Present value of $2,000 due every 12 months for 4 years ($2,000 × 3.54081 (factor for 4 years, col. (b), Table III))	7,081.62
Total unstated interest	918.38

Example (6). On December 31, 1975, A sells property to B under a contract which provides that B is to make three payments of $2,000 each, such payments being due, respectively, at the end of each year for the next 3 years. No interest is provided for in the contract. For purposes of paragraph (a) of this section, the total unstated interest under the contract is $768.10 (using Table VI rather than Table III because the contract was entered into after July 24, 1975). The computation is as follows:

Sum of payments to which sec. 483 applies	$6,000.00
Less: Present value of $2,000 due every 12 months for 3 years ($2,000 × 2.61845 (factor for 3 years, col. (b), table VI))	5,231.90
Total unstated interest	768.10

(4) *Special rule for binding contracts entered into before July 24, 1975.* Pay-

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ments made pursuant to a sale or exchange occurring before July 24, 1975 shall continue to be subject to the 5 percent prescribed interest rate of paragraph (c)(2)(ii)(A) of this section and the 4 percent prescribed test rate of paragraph (d)(1)(ii)(A) of this section even though there has been a change in the terms of the contract. However, where payments are pursuant to a sale or exchange occurring on or after July 24, 1975, but under the terms of a binding written contract entered into before such date, and there has been a substantial change (within the meaning of paragraph (b)(4) of this section) in the terms of such contract, then the 7 percent prescribed interest rate of paragraph (c)(2)(ii)(B) of this section and the 6 percent prescribed test rate of paragraph (d)(1)(ii)(B) of this section shall be applied to payments made after the occurrence of such substantial change.

(d) *Test of whether there is total unstated interest under a contract*—(1) *In general*—(i) *How to apply prescribed test rate.* Except as provided in paragraph (d)(2) and (3) of this section for purposes of determining whether section 483 applies to payments under a contract (that is, for purposes of paragraph (b)(1)(ii) of this section), the determination of whether there is total unstated interest under a contract shall be made in accordance with the method for computing total unstated interest provided in paragraph (c) of this section, except that column (a) of the appropriate table contained in paragraph (g)(2) of this section (which provides for discounting payments at the appropriate test rate prescribed by paragraph (d)(1)(ii) of this section) shall be used to determine the present value of a payment. If, after applying the appropriate test rate, there is total unstated interest (regardless of amount) with respect to a contract, section 483 applies to the payments described in paragraph (b) of this section which are due under the contract. In such case, the amount of total unstated interest under the contract which is includible in or deductible from income must be computed by using the higher interest rate prescribed in paragraph (c) of this section, and then allocating such amount among the payments due under the contract in the manner provided in paragraph (a) of this section.

(ii) *Prescribed test rates.* (A) For payments on account of a sale or exchange of property entered into before July 24, 1975, as well as a sale or exchange of property entered into pursuant to a binding written contract (including an irrevocable written option) entered into before such date, the test rate prescribed by this subdivision shall be 4 percent per annum simple interest.

(B) For payments on account of a sale or exchange of property entered into on or after July 24, 1975, except a sale or exchange entered into pursuant to a binding written contract (including an irrevocable written option) entered into before such date, the test rate prescribed by this subdivision shall be 6 percent per annum simple interest. (See paragraph (c)(4) of this section for special rules where there has been a substantial change in the terms of a contract entered into before July 24, 1975.)

(2) *Alternative test where contract rate is at least that prescribed in paragraph (d)(1)(ii) of this section.* The method provided in paragraph (d)(1) of this section for determining whether there is total unstated interest need not be used in the case of a contract which provides for interest at a rate of at least that prescribed in paragraph (d)(1)(ii) of this section, payable on each installment of principal at the time such installment is payable. For purposes of paragraph (b)(1)(ii) of this section, there is no total unstated interest under such a contract and, therefore, section 483 does not apply to payments under such a contract. For purposes of this paragraph, simple interest means straight interest computed on the principal amount of a payment from the time of the sale or exchange to the time the payment is required to be made. As an illustration of the meaning of simple interest, if a contract provides for payments totaling $6,000 in 3 equal installments of $2,000 plus 4 percent per annum simple interest, such installments of principal and interest being due 1, 2, and 3 years, respectively, from the date of the sale, the amount of interest due with the first installment is $80 ($2,000×0.04×1), the amount of interest due with the second installment is $160 ($2,000×0.04×2), and the amount of interest due with the third installment is $240 ($2,000×0.04×3).

* * * * *

(4) *Examples.* The provisions of this paragraph may be illustrated by the following examples (Note that examples (1) through (5) use Tables I through III, because such tables apply generally to transactions entered into after June 30, 1963 and before July 24, 1975, and that the principles illustrated by such examples would apply for transactions entered into on or after July 24, 1975, in which case Tables IV through VI would generally be applied.):

* * * * *

Example (5). (i) The facts are the same as in Example (4), except that the date of the sale of property to both B and C is December 31, 1973. Although three of the four payments under the contracts between A and B and between A and C are to be made after July 24, 1975, the test rate of 4 percent per annum simple interest is still applied to all payments in determining for purposes of this paragraph whether there is total unstated interest under either contract because in each case the sale occurred before July 24, 1975.

(ii) Since the interest rate specified in the contract between A and B is equal to the test rate of 4 percent per annum simple interest, paragraph (d)(2) of this section applies. Therefore, it is not necessary to compute whether there is total unstated interest under paragraph (d)(1) of this section, and section 483 does not apply to any payments due under the contract.

(iii) Since the contract between A and C does not provide for interest at a rate of at least 4 percent per annum, payable on each installment of principal at the time such installment is payable, paragraph (d)(2) of this section does not apply and the determination of whether there is total unstated interest must be made under paragraph (d)(1) of this section, in the same manner, and using the same tables, as computed in Example (4)(ii). Since the sum of the payments to which section 483 applies ($4,000) exceeds the sum of the present value of such payments and the present value of the stated interest payment ($3,987.23), there is total unstated interest under the contract and the provisions of section 483 apply to the payments of sales price due under the contract. For the method of computing the amount of total unstated interest which is includible in or deductible from gross income, the rules in paragraph (c) of this section are applied, using Tables I and III and not Tables IV and VI.

Example (6). On December 31, 1975, A sells property to B under a contract which provides that B is to make payments of $2,040 ($2,000 sales price plus $40 interest), $2,080 ($2,000 sales price plus $80 interest), and $2,120 ($2,000 sales price plus $120 interest), such payments being due, respectively, 1, 2, and 3 years from the date of sale. Because the contract was entered into after July 24, 1975, the determination of whether there is total unstated interest under the contract is made using Table IV instead of Table I in the following manner:

(i) Sum of payments to which sec. 483 applies	$6,000.00
(ii) Sum of:	
Present value of $2,040 due 1 yr. from date of sale ($2,040×0.94340 (factor for 9 to 15 months, col. (a), Table IV))	1,924.54
Present value of $2,080 due 2 yrs. from date of sale ($2,080×0.89286 (factor for 21 to 27 months, col. (a), Table IV))	1,857.15
Present value of $2,120 due 3 yrs. from date of sale ($2,120×0.84746 (factor for 33 to 39 months, col. (a), Table IV))	1,796.62
Total	5,578.31

Since the sum of the payments to which section 483 applies ($6,000) exceeds the sum of the present values of such payments and the present values of the stated interest payments ($5,578.31), there is total unstated interest under the contract and the provisions of section 483 apply to the payments of sales price due under the contract. For the method of computing the amount of total unstated interest which is includible in or deductible from income, see paragraph (c) of this section.

(e) *Payments that are indefinite as to time, liability, or amount.* * * *

(3) *Examples.* The provisions of this paragraph may be illustrated by the following examples (Note that examples (1) through (6) use Tables I through III, because such tables generally apply to transactions entered into after June 30, 1963 and before July 24, 1975, and that the principles illustrated by such examples would apply for transactions entered into on or after July 24, 1975, in which case Tables IV through VI would generally be applied.):

* * * * *

Example (6). The facts are the same as those in Example (1), except that the property is sold on December 31, 1973, and all other relevant dates are 10 years later. Although two of the three payments due under the contract are to be made after July 24, 1975, total unstated interest is computed in the same manner, and using the same tables as in Example (1), because the sale of property occurred before July 24, 1975. Thus, total unstated interest under the contract, determined as of December 31, 1973, is $2,799.40, and the additional unstated interest at the end of the third year (1976) is $275.40.

Example (7). On December 31, 1975, A sells property to B under a contract which provides that B is to pay $40,000 at the time of the sale and $10,000 on December 29th of each year for the next three years, unless profits exceed a specified amount during the year, in which case, B is to pay $12,000 in that year. No interest is provided for in the contract. For the year 1976 profits have exceeded the specified amount and B pays $12,000. For 1977 B pays only $10,000, but for 1978 profits have again exceeded the specified amount and B pays $12,000. Since, on the date of sale, there are definite payments due under the contract, total unstated interest is computed with respect to the aggregate of such definite payments. The total unstated interest under the contract, determined as of December 31, 1975 is $3,815.50 (using Tables IV and VI rather than Tables I and III because the contract was entered into after July 24, 1975). The computation is as follows:

Sum of definite payments to which sec. 483 applies	$30,000.00
Less: Present value of $10,000 due every 12 months for 3 years ($10,000×2.61845 (factor for 3 years, col. (b), Table VI))	26,184.50
Total unstated interest	$ 3,815.50

At the time of receipt of the indefinite portion ($2,000) of the first payment ($12,000), additional unstated interest is not computed on the amount of such indefinite portion since payment was made no more than 1 year after the date of the sale. At the time of receipt of the indefinite portion ($2,000) of the last payments ($12,000), additional unstated interest is computed based on the amount of such indefinite portion.

The additional unstated interest at the end of the third year is $373.00, computed as follows:

Indefinite portion of payment to which sec. 483 applies	$ 2,000.00
Less: Present value of such portion ($2,000×0.81350 (factor for 33 to 39 months, col. (b), Table IV))	1,627.00
Total unstated interest	$ 373.00

(f) *Changes in terms of contract.* * * *

(5) *Examples.* The provisions of paragraph (f)(1) through (5) of this section may be illustrated by the following examples (Note that the examples use Tables I through III, because such tables apply generally to transactions entered into after June 30, 1963 and before July 24, 1975, and that the principles illustrated by such examples would apply for transactions entered into on or after July 24, 1975, in which case Tables IV through VI would generally be applied.):

* * * * *

Example (7). The facts are the same as in example (5), except that the property is sold on December 31, 1973, and all other relevant dates are 10 years later. Although the change in the contract takes place after July 24, 1975, on December 31, 1977, under this paragraph the recomputation of total unstated interest is required to be made as if the original contract had contained the changed terms. Since the sale occurred before July 24, 1975, the test rate for purposes of applying paragraph (d) to the revised contract is still 4 percent per annum simple interest, and the interest rate to be used in computing the amount of total unstated interest under paragraph (c) is still 5 percent per annum compounded semiannually. Thus, the determination of whether there is total unstated interest under the revised contract, and the computation of total unstated interest to be allocated to the final $2,000 payment, are both made by applying Table I (and not Table IV), in the same manner as in example (5). Therefore, the total unstated interest to be allocated to the final $2,000 payment is $160.38.

Example (8). The facts are the same as in example (5), except that the property is sold on December 31, 1973, and all other relevant dates are 10 years later. In addition, when the final $2,000 payment is made on December 31, 1977, interest of $320 is also paid on such amount. Although the change in the contract takes place after July 24, 1975, on December 31, 1977, under this paragraph the recomputation of total unstated interest is required to be made as if the original contract had contained the changed terms. Since the sale occurred before July 24, 1975, the test rate for purposes of applying paragraph (d) to the revised contract is still 4 percent per annum simple interest. Since the $320 of interest which is paid in addition to the final $2,000 payment is equal to the test rate of 4 percent per annum simple interest, paragraph (d)(2) of this section applies. Therefore, it is not necessary to compute whether there is total unstated interest under paragraph (d)(1) of this section, and section 483 does not apply to the final $2,000 payment.

(6) *Transfer of obligation to make contract right to receive deferred payments.* * * *

(iv) The provisions of paragraph (f)(6) of this section may be illustrated by the following examples (Note that the examples use Tables I through III, with respect to transactions entered into after June 30, 1963 and before July 24, 1975, and that the principles illustrated by such examples would generally apply for transactions entered into on or after July 24, 1975, in which case Tables IV through VI would generally be applied.):

* * * * *

Example (5) (a) The facts are the same as in example (1), except that A sells property to B on December 31, 1973, and all other relevant dates are 10 years later.

(b) Although the transfer of property by B to C takes place after July 24, 1975, A is not affected with respect to section 483 merely by reason of such transfer (see paragraph (f)(6)(i)(a) of this section), and section 483 is applied to C in the same manner as it applied to B as if the transfer of the obligation to make the two remaining $2,000 payments had not been made (see paragraph (f)(6)(i)(c) of this section). With respect to each of the two remaining $2,000 payments, therefore, C may deduct $229.60, and A continues to include such amount in income. B has no deductions with respect to such payments by C.

(c) With respect to the contract between B and C, section 483 applies to each of the $1,000 payments to be made by C at the end of the next 4 years, and total unstated interest with respect to such payments must be computed in the manner provided in paragraph (c) of this section. Since the contract between B and C is treated as a new contract (see paragraph (f)(6)(i)(d) of this section), Tables IV to VI (and not Tables I to III) are used in making the computation because the transfer of property by B to C takes place on January 1, 1976, which is after July 24, 1975. Because the assumption of B's obligation is treated as a payment made at the time of the transfer, section 483 does not apply to the two remaining payments for purposes of the contract between B and C.

Example (6). (a) The facts are the same as in example (1), except that A sells property to B on January 31, 1973, and all other relevant dates are 10 years later. In addition, on January 1, 1976, A transfers his contract right to receive the two remaining $2,000 payments to C in exchange for property having a fair market value of $3,000.

(b) Although the transfer of his contract right by A to C takes place after July 24, 1975, B is not affected by the transaction (See paragraph (f)(6)(ii)(a) of this section) and B continues to deduct $229.60 with respect to each of the two remaining $2,000 payments. A treats his contract with B as having been changed to provide for two payments of $2,000 each, due December 31st of 1974 and 1975, respectively, and a final payment of $3,000 (the fair market value of the property transferred by C to A) due January 1, 1976. A recomputes his total unstated interest in accordance with the rules provided in paragraph (c) of this section and allocates such unstated interest in the manner provided in paragraph (f)(4) of this section. Since the sale to B took place before July 24, 1975, and since the recomputation is made as if the original contract with B had contained the changed terms, Tables I to III are used in making the recomputation and not Tables IV to VI.

(c) C treats the two remaining $2,000 payments from B as if they are due under a contract for the sale of property entered into with B on January 1, 1976. Thus, C computes total unstated interest under paragraph (c) of this section as if he had entered into a contract subject to section 483 which provided for $2,000 due December 31, 1976, and $2,000 due December 31, 1977, and then allocates such total unstated interest in the manner provided in paragraph (a) of this section. Since January 1, 1976, is after July 24, 1975, Tables IV to VI (and not Tables I to III) are applied in computing such total unstated interest.

(d) With respect to the contract between A and C, section 483 does not apply because there are no deferred payments.

(g) *Present value tables*—(1) *Computation of present value.* If the purpose of the present value computation is to determine under paragraph (d) of this section whether there is total unstated interest under a contract, column (a) of the appropriate table set forth in

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paragraph (g)(2) of this section shall be used. For the rules relating to certain governmental obligations, see paragraph (d)(3) of this section. If the purpose of the present value computation is to determine under paragraph (c) of this section the amount of total unstated interest under a contract to be included in or deducted from income (that is, after it has already been determined by using column (a) of the appropriate table that the contract contains total unstated interest), column (b) of the appropriate table set forth in paragraph (g)(2) of this section shall be used. If a contract provides for deferred payments for a period in excess of 60 years, the factor (or factors) necessary may be obtained upon request to the Commissioner of Internal Revenue, Washington, D.C. 20224. In general, such request must be accompanied by a copy of the contract (or the proposed contract) and other relevant instruments.

(2) *Tables.* • • •

TABLE I—PRESENT VALUE OF DEFERRED PAYMENT

(Applicable to contracts entered into before July 24, 1975 to which paragraphs (c)(2)(ii)(A) and (d)(1)(ii)(A) of this section apply).

(COL. (a) 4 PERCENT SIMPLE INTEREST—COL. (b) 5 PERCENT INTEREST, COMPOUNDED SEMI-ANNUALLY)

Number of months deferred		Col. (a)	Col. (b)
More than	But not more than	Present value of $1 at 6 percent simple interest	Present value of $1 at 7 percent compounded semi-annually
0	6	1.00000	1.00000
6	9	.97087	.96618
9	15	.94340	.93351
15	21	.91743	.90194
21	27	.89286	.87144
27	33	.86957	.84197
33	39	.84746	.81350
39	45	.82645	.78599
45	51	.80645	.75941
51	57	.78740	.73373
57	63	.76923	.70892
63	69	.75188	.68495
69	75	.73529	.66178
75	81	.71942	.63940
81	87	.70423	.61778
87	93	.68966	.59689
93	99	.67568	.57671
99	105	.66225	.55720
105	111	.64935	.53836
111	117	.63694	.52016
117	123	.62500	.50257
123	129	.61350	.48557
129	135	.60241	.46915
135	141	.59172	.45329
141	147	.58140	.43796
147	153	.57143	.42315
153	159	.56180	.40884
159	165	.55249	.39501
165	171	.54348	.38165
171	177	.53476	.36875
177	183	.52632	.35628
183	189	.51813	.34423
189	195	.51020	.33259
195	201	.50251	.32134
201	207	.49505	.31048
207	213	.48780	.29998
213	219	.48077	.28983
219	225	.47393	.28003
225	231	.46729	.27056
231	237	.46083	.26141
237	243	.45455	.25257

TABLE II—PRESENT VALUE OF ANNUITY CERTAIN: $1 EVERY 6 MONTHS

(Applicable to contracts entered into before July 24, 1975 to which paragraphs (c)(2)(ii)(A) and (d)(1)(ii)(A) of this section apply).

(COL. (a) 4 PERCENT SIMPLE INTEREST—COL. (b) 5 PERCENT INTEREST, COMPOUNDED SEMI-ANNUALLY)

Number of months deferred		Col. (a)	Col. (b)
More than	But not more than	Present value of $1 at 6 percent simple interest	Present value of $1 at 7 percent compounded semi-annually
0	6	1.00000	1.00000
6	9	.97087	.96618
9	15	.94340	.93351
15	21	.91743	.90194
21	27	.89286	.87144
27	33	.86957	.84197
33	39	.84746	.81350
39	45	.82645	.78599
45	51	.80645	.75941
51	57	.78740	.73373
57	63	.76923	.70892
63	69	.75188	.68495
69	75	.73529	.66178
75	81	.71942	.63940
81	87	.70423	.61778
87	93	.68966	.59689
93	99	.67568	.57671
99	105	.66225	.55720
105	111	.64935	.53836
111	117	.63694	.52016
117	123	.62500	.50257
123	129	.61350	.48557
129	135	.60241	.46915
135	141	.59172	.45329
141	147	.58140	.43796
147	153	.57143	.42315
153	159	.56180	.40884
159	165	.55249	.39501
165	171	.54348	.38165
171	177	.53476	.36875
177	183	.52632	.35628
183	189	.51813	.34423
189	195	.51020	.33259
195	201	.50251	.32134
201	207	.49505	.31048
207	213	.48780	.29998
213	219	.48077	.28983
219	225	.47393	.28003
225	231	.46729	.27056
231	237	.46083	.26141
237	243	.45455	.25257
243	249	.44843	.24403
249	255	.44248	.23578
255	261	.43668	.22781
261	267	.43103	.22010
267	273	.42553	.21266
273	279	.42017	.20547
279	285	.41494	.19852
285	291	.40984	.19181
291	297	.40486	.18532
297	303	.40000	.17905
303	309	.39526	.17300
309	315	.39062	.16715
315	321	.38610	.16150
321	327	.38168	.15603
327	333	.37736	.15076
333	339	.37313	.14566
339	345	.36900	.14073
345	351	.36496	.13598
351	357	.36101	.13138
357	363	.35714	.12693
363	369	.35336	.12264
369	375	.34965	.11849
375	381	.34602	.11449
381	387	.34247	.11062
387	393	.33898	.10688
393	399	.33557	.10326
399	405	.33223	.09977
405	411	.32895	.09640
411	417	.32573	.09314
417	423	.32258	.08999
423	429	.31949	.08694
429	435	.31646	.08400
435	441	.31348	.08116
441	447	.31056	.07842
447	453	.30769	.07577
453	459	.30488	.07320
459	465	.30211	.07073
465	471	.29940	.06834
471	477	.29674	.06603
477	483	.29412	.06379
483	489	.29155	.06164

TABLE III—PRESENT VALUE OF ANNUITY CERTAIN: $1 EVERY 12 MONTHS

(Applicable to contracts entered into before July 24, 1975 to which paragraphs (c)(2)(ii)(A) and (d)(1)(ii)(A) of this section apply).

(COL. (a) 4 PERCENT SIMPLE INTEREST—COL. (b) 5 PERCENT INTEREST, COMPOUNDED SEMI-ANNUALLY)

Number of months deferred		Col. (a)	Col. (b)
More than	But not more than	Present value of $1 at 6 percent simple interest	Present value of $1 at 7 percent compounded semi-annually
0	12	1.00000	1.00000
12	18	.94340	.93351
18	24	.89286	.87144
24	30	.84746	.81350
30	36	.80645	.75941
36	42	.76923	.70892
42	48	.73529	.66178
48	54	.70423	.61778
54	60	.67568	.57671
60	66	.64935	.53836
66	72	.62500	.50257
72	78	.60241	.46915
78	84	.58140	.43796
84	90	.56180	.40884
90	96	.54348	.38165
96	102	.52632	.35628
102	108	.51020	.33259
108	114	.49505	.31048
114	120	.48077	.28983
120	126	.46729	.27056
126	132	.45455	.25257
132	138	.44248	.23578
138	144	.43103	.22010
144	150	.42017	.20547
150	156	.40984	.19181
156	162	.40000	.17905
162	168	.39062	.16715
168	174	.38168	.15603
174	180	.37313	.14566
180	186	.36496	.13598
186	192	.35714	.12693
192	198	.34965	.11849
198	204	.34247	.11062
204	210	.33557	.10326
210	216	.32895	.09640
216	222	.32258	.09000
222	228	.31646	.08400
228	234	.31056	.07842
234	240	.30488	.07320
240	246	.29940	.06834
246	252	.29412	.06379
252	258	.28902	.05955
258	264	.28409	.05554
264	270	.27933	.05170
270	276	.27473	.04845
276	282	.27027	.04522
282	288	.26596	.04222
288	294	.26178	.03941
294	300	.25773	.03679
300	306	.25381	.03434
306	312	.25000	.03206
312	318	.24631	.02993
318	324	.24272	.02794
324	330	.23923	.02608
330	336	.23585	.02435
336	342	.23256	.02273
342	348	.22936	.02122
348	354	.22624	.01981
354	360	.22321	.01849
360	366	.22026	.01726
366	372	.21739	.01611

TABLE V.—*Present value of annuity certain: $1 every 6 mos.—Applicable to contracts entered into on or after July 24, 1975, to which paragraphs (c)(2)(ii)(B) and (d)(1)(ii)(B) of this section apply.*

[Col. (a) 6 percent simple interest; col. (b) 7 percent interest, compounded semiannually]

Number of years final payment deferred	Col. (a) Present value at 6 percent simple interest	Col. (b) Present value at 7 percent compounded semi-annually
*0.5	0.97087	0.96618
1.0	1.91427	1.90090
1.5	2.83170	2.80164
2.0	3.72455	3.67308
2.5	4.59413	4.51505
3.0	5.44190	5.33455
3.5	6.26904	6.13454
4.0	7.07440	6.87396
4.5	7.85189	7.60769
5.0	8.60113	8.31661
5.5	9.32305	9.00156
6.0	10.11829	9.66333
6.5	10.69771	10.30274
7.0	11.34194	10.92052
7.5	12.02166	11.51741
8.0	12.69728	12.09412
8.5	13.34953	12.65132
9.0	13.97898	13.18968
9.5	14.58583	13.70984
10.0	15.48083	14.21240
10.5	16.00432	14.69797
11.0	16.69673	15.16712
11.5	17.28845	15.62041
12.0	17.86995	16.05837
12.5	18.44128	16.48151
13.0	19.00308	16.89035
13.5	19.55587	17.28536
14.0	20.09995	17.66702
14.5	20.63381	18.03577
15.0	21.16012	18.39205
15.5	21.67926	18.73628
16.0	22.19046	19.06887
16.5	22.69007	19.39021
17.0	23.18002	19.70068
17.5	23.67382	20.00066
18.0	24.15459	20.29049
18.5	24.62850	20.57053
19.0	25.09581	20.84109
19.5	25.55684	21.10250
20.0	26.01119	21.35507
20.5	26.45992	21.59910
21.0	26.90210	21.83488
21.5	27.33878	22.06269
22.0	27.76951	22.28279
22.5	28.19534	22.49545
23.0	28.61551	22.70092
23.5	29.03045	22.89944
24.0	29.44029	23.09124
24.5	29.84513	23.27656
25.0	30.24515	23.45562
25.5	30.64041	23.62862
26.0	31.03108	23.79578
26.5	31.41713	23.95728
27.0	31.79881	24.11330
27.5	32.17617	24.26405
28.0	32.54930	24.40971
28.5	32.91830	24.55045
29.0	33.28326	24.68642
29.5	33.64427	24.81780
30.0	34.00141	24.94473
30.5	34.35477	25.06738
31.0	34.70445	25.18587
31.5	35.05044	25.30038
32.0	35.39291	25.41097
32.5	35.73190	25.51788
33.0	36.06749	25.62111
33.5	36.39975	25.72088
34.0	36.72884	25.81727
34.5	37.05477	25.91041
35.0	37.37765	26.00040
35.5	37.69744	26.08734
36.0	38.01430	26.17134
36.5	38.32828	26.25251
37.0	38.63934	26.33092
37.5	38.94762	26.40669
38.0	39.24951	26.47989
38.5	39.55162	26.55062
39.0	39.85109	26.61898
39.5	40.14779	26.68506
40.0	40.44186	26.74878
40.5	40.73343	26.81041
41.0	41.02245	26.86996
41.5	41.30908	26.92750
42.0	41.59307	26.98326
42.5	41.87476	27.03690
43.0	42.15409	27.08870
43.5	42.43110	27.13884
44.0	42.70583	27.18728
44.5	42.97831	27.23409
45.0	43.24858	27.27932
45.5	43.51668	27.32301
46.0	43.78264	27.36523
46.5	44.04649	27.40602
47.0	44.30827	27.44543
47.5	44.56801	27.48350
48.0	44.82574	27.52029
48.5	45.08149	27.55584
49.0	45.33530	27.59018
49.5	45.58719	27.62337
50.0	45.83719	27.65543
50.5	46.08535	27.68640
51.0	46.33167	27.71629
51.5	46.57614	27.74525
52.0	46.81886	27.77318
52.5	47.05983	27.80018
53.0	47.29905	27.82626
53.5	47.53656	27.85148
54.0	47.77243	27.87581
54.5	48.00663	27.89933
55.0	48.23918	27.92206
55.5	48.47013	27.94402
56.0	48.69949	27.96528
56.5	48.92728	27.98578
57.0	49.15353	28.00564
57.5	49.37824	28.02467
58.0	49.60143	28.04316
58.5	49.82318	28.06108
59.0	50.04344	28.07829
59.5	50.26226	28.09495
60.0	50.47962	28.11108

*The factor for 0.5 year is applicable to a payment due more than 6 months but not more than 9 months from the date of sale or exchange. In the case of a payment due not more than 6 months from the date of the sale or exchange, see the instructions in subparagraph (7)(ii) of this section.

TABLE VI.—*Present value of annuity certain: $1 every 12 mos.—Applicable to contracts entered into on or after July 24, 1975, to which paragraphs (c)(2)(ii)(B) and (d)(1)(ii)(B) of this section apply.*

[Col. (a) 6 percent simple interest; col. (b) 7 percent interest, compounded semiannually]

Number of years final payment deferred	Col. (a) Present value at 6 percent simple interest	Col. (b) Present value at 7 percent compounded semi-annually
1.0	0.94340	0.93351
2.0	1.83526	1.80498
3.0	2.69272	2.61843
4.0	3.49017	3.37757
5.0	4.23040	4.08078
6.0	4.95469	4.74857
7.0	5.69692	5.39535
8.0	6.37460	5.94305
9.0	7.02366	6.48143
10.0	7.64895	6.98206
11.0	8.25126	7.45518
12.0	8.83276	7.89100
13.0	9.39456	8.29993
14.0	9.93804	8.68236
15.0	10.46430	9.03786
16.0	10.97458	9.37040
17.0	11.46901	9.69008
18.0	11.94888	9.97076
19.0	12.41707	10.24122
20.0	12.87222	10.49888
21.0	31.31479	19.72567
22.0	12.74373	10.94977
23.0	14.16500	11.15524
24.0	14.57574	11.34708
25.0	14.97574	11.52610
26.0	15.36536	11.69325
27.0	15.74504	11.84929
28.0	16.12117	11.99486
29.0	16.48633	12.13060
30.0	16.84227	12.25755
31.0	17.19292	12.37626
32.0	17.53529	12.48697
33.0	17.87098	12.59023
34.0	18.19991	12.68662
35.0	18.52249	12.77661
36.0	18.83895	12.86061
37.0	19.14951	12.93908
38.0	19.45439	13.01233
39.0	19.75379	13.08057
40.0	20.04791	13.14436
41.0	20.33693	13.20391
42.0	20.62102	13.25960
43.0	20.90035	13.31160
44.0	21.17508	13.35995
45.0	21.44535	13.40497
46.0	21.71131	13.44729
47.0	21.97309	13.48670
48.0	22.23083	13.52340
49.0	22.48462	13.55762
50.0	22.73462	13.58960
51.0	22.98094	13.61982
52.0	23.22368	13.64776
53.0	23.46289	13.67394
54.0	23.69874	13.69818
55.0	23.93130	13.72061
56.0	24.16068	13.74213
57.0	24.38695	13.76194
58.0	24.61011	13.78042
59.0	24.83037	13.79768
60.0	25.04776	13.81389

(4) *Instructions for Table II.* • • • (iii) • • •

(b) Adjust the factor determined under (a) of this subdivision by increasing such factor either by 0.01961 (1 minus the column (a) factor for deferral of payment for 0.5 years; in this case 0.98039) if the present value computation is made under column (a), or by 0.02439 (1 minus the column (b) factor for the deferral of payment for 0.5 years; in this case 0.97561) if the present value computation is made under column (b); and

• • • • •

(6) *Instructions for Table IV.* In general, the instructions for Table I are applicable to Table IV, taking into account the change in the rate of imputed interest for contracts entered into on or after July 24, 1975, to paragraphs (c)(2)(ii)(B) and (d)(1)(ii)(B) of this section apply.

(7) *Instructions for Table V.* (i) In general, the instructions for Table II are applicable to Table V, taking into account the change in the rate of imputed interest for contracts entered into on or after July 24, 1975, to paragraphs (c)(2)(ii)(B) and (d)(1)(ii)(B) of this section apply.

(ii) Notwithstanding the preceding subdivision, where a contract entered into on or after July 24, 1975 is otherwise described in paragraph (g)(4)(iii) of this section, then the present value of a series of equal payments described in that subsection shall be computed under Table V as follows:

(a) Determine the factor contained in the applicable present rate column (that is, col. (a) or col. (b)) for the appropriate number of years the final payment under the contract is deferred;

(b) Adjust the factor determined under (a) of this subdivision by increasing such factor either by 0.02913 (1 minus the column (a) factor for deferral of payment for 0.5 years; in this case 0.97087) if the present value computation is made under column (a), or by 0.03382 (1 minus the column (b) factor for deferral of payment for 0.5 years; in this case 0.96618) if the present value computation is made under column (b); and

(c) Multiply the amount of a single payment under the contract by the adjusted factor determined under paragraph (g)(7)(ii)(b) of this section.

For example, the present value, using a rate of 6 percent per annum simple interest, of a series of eight $1,000 payments, the first payment being due exactly 6 months from the date of sale, and the remaining seven payments being due, respectively every 6 months thereafter (so that under the rule of paragraph (g)(7)(i) of this section the final payment is deferred 4 years), is $7,103.62 ($1,000×(7.07449 plus 0.02913)).

(8) *Instructions for Table VI.* In general, the instructions for Table III are applicable to Table VI, taking into ac-

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count the change in the rate of imputed interest for contracts entered into on or after July 24, 1975 to paragraphs (c) (2) (ii) (B) and (d) (1) (ii) (B) of this section apply.

[FR Doc.75-35253 Filed 12-31-75;3:17 pm]

Title 32—National Defense

CHAPTER V—DEPARTMENT OF THE ARMY

[Army Reg. 340-21]

PART 505—PERSONAL PRIVACY AND RIGHTS OF INDIVIDUALS REGARDING THEIR PERSONAL RECORDS

Implementation

Correction

In FR Doc. 75-32158 appearing at page 55551 in the issue for Friday, November 28, 1975, the text starting in the center column of page 55566 headed "Exempted Record Systems" and running through the center column of page 55572 should be deleted.

Title 36—Parks, Forests and Public Property

CHAPTER VI—AMERICAN REVOLUTION BICENTENNIAL ADMINISTRATION

PART 606—THE OFFICIAL COMMEMORATIVE LICENSING PROGRAM

Termination of ARBA Licenses in Certain Product Categories

On November 11, 1975, there was published in the FEDERAL REGISTER (40 FR 52630) a notice that the American Revolution Bicentennial Administration (ARBA) proposed to amend Part 606 of Title 36 of the Code of Federal Regulations to terminate the issuance of licenses for officially recognized commemoratives in product categories licensed on or before January 31, 1976, by the deletion of § 606.105 "Initial product areas and categories" and by the revision of § 606.101 "Non-exclusive licenses."

Interested persons were invited to submit written comments with respect to the proposed changes. No comments having been received and pursuant to authorization of the ARB Board at its meeting of December 4, 1975, 36 CFR Part 606 is amended by the deletion of § 606.105 and by the revision of § 606.-101 as follows:

§ 606.101 ARBA licenses.

ARBA licenses may be issued for product categories not already licensed which are determined to be commemorative, historical, educational, and informational in nature, as relating to our Nation's heritage, the present commemoration of the Bicentennial, and our future. ARBA licenses may also be issued for educational or commemorative premium campaigns where the end result is the free or low-cost dissemination of Bicentennial information or keepsake materials to the general public, including premiums in connection with fresh or processed food products.

Dated: December 30, 1975.

JOHN W. WARNER,
Administrator.

[FR Doc.76-304 Filed 1-6-76;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[FCC 75-1412; RM-2596]

PART 1—PRACTICE AND PROCEDURE

Memorandum Opinion and Order

Adopted: December 22, 1975.
Released: December 31, 1975.

In the matter of amendment of procedures for reconsideration of actions in notice and comment rule making proceedings.

1. The law firm of Haley, Bader & Potts filed a petition for rule making in this proceeding on September 11, 1975. Public notice of the filing of the petition was given on September 22, 1975. No statements supporting or opposing the petition were filed.

2. Petitioner asks that procedures for reconsideration of Commission action in Notice and Comment Rule Making Proceedings be set out apart from general provisions for reconsideration (§ 1.106) and that a number of changes be made in those procedures. We are in substantial agreement with petitioner and are amending the rules in the following respects:

(a) Procedures for reconsideration of notice and comment rule making actions are set out in a new Section 1.429; a cross-reference to that section is being added to Section 1.106(a); and the note to Section 1.106 dealing with rule making proceedings is being deleted.

(b) Section 1.429(a) provides that "any interested person" may petition for reconsideration of Commission action in a notice and comment rule making proceeding. This rule eliminates a discrepancy betweeen actual Commission practice in rule making proceedings and Section 1.106(b), which requires a showing of cause for petitioner's failure to participate in an earlier stage of a proceeding.

(c) Section 1.429(d) provides that the petition for reconsideration shall be filed within 30 days after the full text of the rule making document is published in the FEDERAL REGISTER. This is consistent with current practice. However, § 1.106 was ambiguous on this point.

(d) Section 1.429(e) provides that, where the number of parties to a proceeding is small, parties are encouraged to serve or exchange petitions for reconsideration and other pleadings. Section 1.420(f) requires the service of petitions for reconsideration and responsive pleadings in proceedings for amendment of the FM or Television Table of Assignments. This provision stops short of petitioner's suggestion that we require service in all proceedings having 10 or fewer parties, a requirement which we think could be unduly burdensome in some circumstances and could inhibit participation.

(e) Section 1.429(e) also provides that public notice of the filing of petitions for reconsideration in rule making proceedings will be published in the FEDERAL REGISTER, and that the time for filing oppositions to the petition will run from the date of publication. Heretofore, a public notice has been issued and the time for filing oppositions has run from its issuance, but it has not been published in the FEDERAL REGISTER.

(f) Section 1.429(f) provides 15 days for filing oppositions. Section 1.429(g) provides 10 days for filing replies. This is an increase in the 10 and 7 day periods heretofore provided by Section 1.106.

(g) Provisions of Section 1.106 which properly apply to rule making proceedings have been extracte dfrom that Section, made more specific as appropriate, and included in Section 1.429.

3. We are also adopting the following changes in notice and comment rule making procedures which were not proposed by petitioner:

(a) A new Section 1.400 defines the term "party".

(b) In proceedings for amendment of the FM and TV Tables of Assignments, we are requiring service of petitions for reconsideration and responsive pleadings on any licensee or permittee whose authorization could be modified to provide for operation on a different frequency, regardless of whether he participated as a party to the proceeding. In such circumstances, we are also providing for an automatic stay of the rule amendment pending action on a petition for reconsideration. These provisions are set out in Section 1.420(f).

(c) We are adding a new Section 1.430 stating that provisions applicable to notice and comment rule making are also applicable to proceedings on a Notice of Inquiry, except that rules do not result from notice of inquiry proceedings.

4. Section 1.106 will continue to govern reconsideration of Commission actions in proceedings other than notice and comment rule making but will have no application to such rule making proceedings.

5. We think that these amendments improve and clarify procedures for reconsideration of actions in notice and comment rule making proceedings. Authority for their adoption is contained in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303(r). Because they are procedural in nature, the prior notice and effective date requirements of 5 U.S.C. 553 are inapplicable.

6. Accordingly, it is ordered, effective January 9, 1976, that the Rules and Regulations are amended as set out below. The petition for rule making is granted to the extent indicated above and is in other respects denied.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; 47 U.S.C. 154, 155, 303)

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

Part 1 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. Section 1.106(a)(1) is revised to read as follows, and the note at the end of § 1.106 is deleted:

§ 1.106 Petitions for reconsideration.

(a)(1) Petitions requesting reconsideration of a final Commission action will be acted on by the Commission. Petitions requesting reconsideration of a final decision of the Review Board will be acted on by the Board or certified to the Commission (see § 0.361 (b) and (c) of this chapter). Petitions requesting reconsideration of other final actions taken pursuant to delegated authority will be acted on by the designated authority or referred by such authority to the Commission. A petition for reconsideration of an order designating a case for hearing will be entertained if, and insofar as, the petition relates to an adverse ruling with respect to petitioner's participation in the proceeding. Petitions for reconsideration of other interlocutory actions will not be entertained. (For provisions governing reconsideration of Commission action in notice and comment rule making proceedings, see § 1.429. This § 1.106 does not govern reconsideration of such actions.)

* * * * *

2. Immediately before the undesignated center heading preceding § 1.401, the following undesignated center heading and a new § 1.400 are added, to read as follows:

GENERAL

§ 1.400 Definitions.

As used in this subpart, the term "party" refers to any person who participates in a proceeding by the timely filing of a petition for rule making, comments on a notice of proposed rule making, a petition for reconsideration, or responsive pleadings in the manner prescribed by this subpart. The term does not include those who submit letters, telegrams or other informal materials.

* * * * *

3. Section 1.420(f) is added to read as follows:

§ 1.420 Additional procedures in proceedings for amendment of the FM or Television Table of Assignments.

* * * * *

(f) Petitions for reconsideration and responsive pleadings shall be served on parties to the proceeding and on any licensee or permittee whose authorization may be modified to specify operation on a different channel, and shall be accompanied by a certificate of service. The filing of a petition for reconsideration of an order modifying an authorization to specify operation on a different channel shall stay the effect of a change in the rules pending action on the petition.

4. Section 1.429 is added to read as follows:

§ 1.429 Petition for reconsideration.

(a) Any interested person may petition for reconsideration of a final action in a proceeding conducted under this subpart (see §§ 1.407 and 1.425). Where the action was taken by the Commission, the petition will be acted on by the Commission. Where action was taken by a staff official under delegated authority, the petition may be acted on by the staff official or referred to the Commission for action.

NOTE.—The staff has been authorized to act on rule making proceedings described in § 1.420 and is authorized to make editorial changes in the rules (see § 0.231(d)).

(b) A petition for reconsideration which relies on facts which have not previously been presented to the Commission will be granted only under the following circumstances:

(1) The facts relied on relate to events which have occurred or circumstances which have changed since the last opportunity to present them to the Commission;

(2) The facts relied on were unknown to petitioner until after his last opportunity to present them to the Commission, and he could not through the exercise of ordinary diligence have learned of the facts in question prior to such opportunity; or

(3) The Commission determines that consideration of the facts relied on its required in the public interest.

(c) The petition for reconsideration shall state with particularity the respects in which petitioner believes the action taken should be changed.

(d) The petition for reconsideration and any supplement thereto shall be filed within 30 days after publication in the FEDERAL REGISTER of the document containing the full text of the action taken. No supplement to a petition for reconsideration filed after expiration of the 30 day period will be considered, except upon leave granted pursuant to a separate pleading stating the grounds for acceptance of the supplement. The petition for reconsideration shall not exceed 25 double-spaced typewritten pages.

(e) Except as provided in § 1.420(f), petitions for reconsideration need not be served on parties to the proceeding. (However, where the number of parties is relatively small, the Commission encourages the service of petitions for reconsideration and other pleadings, and agreements among parties to exchange copies of pleadings.) When a petition for reconsideration is timely filed in proper form, public notice of its filing is published in the FEDERAL REGISTER. The time for filing oppositions to the petition runs from the publication date of the notice.

(f) Oppositions to a petition for reconsideration shall be filed within 15 days after public notice of the petition's filing is published in the FEDERAL REGISTER and need be served only on the person who filed the petition. Oppositions shall not exceed 25 double-spaced typewritten pages.

(g) Replies to an opposition shall be filed within 10 days after the time for filing oppositions has expired and need be served only on the person who filed the opposition. Replies shall not exceed 10 double-spaced typewritten pages.

(h) Petitions for reconsideration, oppositions and replies shall conform to the requirements of §§ 1.49 and 1.52, except that they need not be verified. Except as provided in § 1.420(e), an original and 11 copies shall be submitted to the Secretary, Federal Communications Commission, Washington, D.C. 20554.

(i) The Commission may grant the petition for reconsideration in whole or in part or may deny the petition. Its order will contain a concise statement of the reasons for the action taken. Any order disposing of a petition for reconsideration which modifies rules adopted by the original order is, to the extent of such modification, subject to reconsideration in the same manner as the original order. Except in such circumstance, a second petition for reconsideration may be dismissed by the staff as repetitious.

(j) The filing of a petition for reconsideration is not a condition precedent to judicial review of any action taken by the Commission, except where the person seeking such review was not a party to the proceeding resulting in the action or relies on questions of fact or law upon which the Commission has been afforded no opportunity to pass. Subject to the provisions of paragraph (b) of this section, such a person may qualify to seek judicial review by filing a petition for reconsideration.

(k) Without special order of the Commission, the filing of a petition for reconsideration shall not excuse any person from complying with any rule or operate in any manner to stay or postpone its enforcement. However, upon good cause shown, the Commission will stay the effective date of a rule pending a decision on a petition for reconsideration. See, however, § 1.420(f).

5. Section 1.430 is added to read as follows:

INQUIRIES

§ 1.430 Proceedings on a notice of inquiry.

The provisions of this subpart also govern proceedings commenced by issuing a "Notice of Inquiry", except that such proceedings do not result in the adoption of rules.

[FR Doc.76-373 Filed 1-6-76;8:45 am]

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Title 49—Transportation

SUBTITLE A—OFFICE OF THE SECRETARY OF TRANSPORTATION

[OST Docket No. 1; Amdt. 1–114]

PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

Delegations to the Deputy Secretary, the Deputy Under Secretary, and the Deputy Under Secretary for Budget and Program Review.

The purpose of this amendment is to publish delegations of authority to the Deputy Secretary to carry out functions vested in the Secretary by the Regional Rail Reorganization Act of 1973 with respect to the Consolidated Rail Corporation and to the Deputy Under Secretary and the Deputy Under Secretary for Budget and Program Review, whose offices have been realined.

Since this amendment relates to Departmental management, procedures and practices, notice and public procedure thereon are unnecessary and it may be made effective in fewer than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, Part 1 of Title 49 of the Code of Federal Regulations is amended as follows:

1. Section 1.42 is revised to read as follows:

§ 1.42 Exercise of authority.

In exercising powers and performing duties delegated by this subpart or redelegated pursuant thereto, officials of the Department of Transportation are governed by applicable laws, Executive Orders and regulations and by policies, objectives, plans, standards, procedures, and limitations as may be issued from time to time by or on behalf of the Secretary, or, with respect to matters under their jurisdictions, by or on behalf of the Deputy Secretary, the Deputy Under Secretary, the Deputy Under Secretary for Budget and Program Review, an Assistant Secretary, the General Counsel, or an Administrator. This includes, wherever specified, the requirement for advance notice to, prior coordination with, or prior approval by an authority other than that of the official proposing to act.

2. In section 1.43, paragraph (b) is revised to read as follows:

§ 1.43 General limitations and reservations.

* * * * *

(b) Except as provided in § 1.42 and subject to paragraph (a) of this section and § 1.44, the Deputy Secretary, the Deputy Under Secretary, the Deputy Under Secretary for Budget and Program Review, the Assistant Secretaries, the General Counsel, the Administrators, the Director of the Materials Transportation Bureau and the Director of the Transportation System Center exercise the powers and perform the duties delegated to them under this subpart.

3. In section 1.54, paragraph (a) is revised to read as follows:

§ 1.54 Delegations to all Secretarial Officers.

(a) This section sets forth general delegations to the Deputy Secretary, the Deputy Under Secretary, the Deputy Under Secretary for Budget and Program Review, the General Counsel and the Assistant Secretaries.

* * * * *

4. In Section 1.55, paragraph (i) is added to read as follows:

§ 1.55 Delegations to Deputy Secretary.

* * * * *

(i) Serve as the representative of the Secretary as incorporator, member of the interim board of directors established by section 301(c) of the Regional Rail Reorganization Act of 1973 (Pub. L. 93–236), and member of the board of directors, of the Consolidated Rail Corporation and when so serving carry out the functions vested in the Secretary in each capacity by Title III of the Regional Rail Reorganization Act of 1973 (Pub. L. 93–236).

5. In section 1.59, paragraph (c) (1) is revised to read as follows:

§ 1.59 Delegations to Assistant Secretary for Administration.

* * * * *

(c) *Finance.* (1) Administer the financial and fiscal affairs of the Office of the Secretary (other than those for which the Deputy Under Secretary for Budget and Program Review is responsible), in accordance with 31 U.S.C. 66a.

* * * * *

6. Sections 1.64 and 1.65 are added, to read as follows:

§ 1.64 Delegations to Deputy Under Secretary.

The Deputy Under Secretary is delegated authority to (a) Act for the Secretary and the Deputy Secretary in respect to the internal affairs of the Immediate Office of the Secretary and represent the Secretary and Deputy Secretary in matters assigned by them.

§ 1.65 Delegations to Deputy Under Secretary for Budget and Program Review.

The Deputy Under Secretary for Budget and Program Review is delegated authority to:

(a) Exercise day-to-day operating management responsibility over the Office of Planning and Program Review and the Office of Budget.

(b) Direct and manage the Departmental planning—programing—budgeting activities.

(c) Request apportionment or reapportionment of funds by the Office of Management and Budget, provided that no request for apportionment or reapportionment which anticipates the need for a supplemental appropriation shall be submitted to the Office of Management and Budget without appropriate certification by the Secretary.

(d) Issue allotments and allocations of funds to components of the Department.

(e) Authorize and approve official travel and transportation for himself and staff members of the Immediate Office of the Secretary, except those of the Office of the Deputy Under Secretary, including authority to sign and approve related travel orders and travel vouchers, but not included requests for overseas travel.

(f) Issue monetary authorizations for use of reception and representation funds.

Effective date: This amendment is effective January 7, 1976.

Issued in Washington, D.C., on December 19, 1975.

WILLIAM T. COLEMAN,
Secretary of Transportation.

[FR Doc.76–419 Filed 1–6–76;8:45 am]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

CERTAIN RETROACTIVE AMENDMENTS OF EMPLOYEE PLANS

REGULATIONS RELATING TO MINIMUM PARTICIPATION STANDARDS

QUALIFIED JOINT AND SURVIVOR ANNUITIES

REQUIREMENT THAT BENEFITS UNDER A QUALIFIED PLAN ARE NOT DECREASED ON ACCOUNT OF CERTAIN SOCIAL SECURITY INCREASES

COMMENCEMENT OF BENEFITS UNDER QUALIFIED TRUSTS

Notice of Hearings on Proposed Regulations

Public hearings on the provisions of the below-listed proposed regulations will be held on February 26 and, if necessary on February 27, 1976, beginning at 10 a.m. e.s.t., in the George S. Boutwell Auditorium, Seventh Floor, 7400 Corridor, Internal Revenue Building, 1111 Constitution Avenue, N.W., Washington, D.C. 20224. The public hearings will be in respect to:

(1) Proposed regulations under section 401 of the Internal Revenue Code of 1954 relating to certain retroactive amendments of employee plans, appearing in the FEDERAL REGISTER for October 7, 1975 (40 F.R. 46314). An extension of time to December 8, 1975 for submitting comments thereon appears in the FEDERAL REGISTER for November 10, 1975 (40 F.R. 52417).

(2) Proposed regulations under sections 410 and 413 of the Internal Revenue Code of 1954 relating to minimum participation standards, appearing in the FEDERAL REGISTER for October 3, 1975 (40 F.R. 45838). An extension of time to December 2, 1975 for submitting comments thereon appears in the FEDERAL REGISTER for November 10, 1975 (40 F.R. 52418).

(3) Proposed regulations under section 401 of the Internal Revenue Code of 1954 relating to qualified joint and survivor annuities, appearing in the FEDERAL REGISTER for October 3, and October 22, 1975 (40 F.R. 45828 and 49343).

(4) Proposed regulations under section 401 of the Internal Revenue Code of 1954 relating to requirement that benefits under a qualified plan are not decreased on account of certain social security increases, appearing in the FEDERAL REGISTER for October 15, 1975 (40 F.R. 48361).

(5) Proposed regulations under section 401 of the Internal Revenue Code of 1954 relating to commencement of benefits under qualified trusts appearing in the FEDERAL REGISTER for October 8, and October 17, 1975 (40 F.R. 47138 and 48690).

The rules of § 601.601(a)(3) of the "Statement of Procedural Rules" (26 CFR Part 601) shall apply with respect to such public hearings. Copies of these rules may be obtained by a request directed to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, or by telephoning (Washington, D.C.) 202–964–3935. Under such § 601.601(a)(3) persons who have submitted written comments within the time prescribed in the respective notices of proposed rulemaking (or in the respective extensions of time, if any) and who desire to present oral comments at the respective hearing on such proposed regulations, should submit an outline of the comments to be presented at the hearing and the time they wish to devote to each subject by February 12, 1976. Such outlines should be submitted to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224. Under § 601.601(a)(3) (26 CFR Part 601) each speaker will be allowed 10 minutes for an oral presentation on each of the above-listed proposed regulations for which he or she has submitted timely comments, exclusive of time consumed by questions from the panel for the Government and answers thereof.

Persons who desire a copy of such written comments or outlines and who desire to be assured of their availability on or before the beginning of such hearings should notify the Commissioner, in writing, at the above address by February 20, 1976. In such a case, unless time and circumstances permit otherwise, the desired copies are deliverable only at the above address. The charge for copies is ten cents ($0.10) per page.

An agenda showing the scheduling of the speakers will be made after outlines are received from the speakers. Copies of this agenda will be available free of charge at the hearing, and information with respect to its contents may be obtained on February 25, 1976, by telephoning (Washington, D.C.) 202–964–3935.

JAMES F. DRING,
Director, Legislation and Regulations Division.

[FR Doc.76–290 Filed 1–2–76;8:49 am]

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[9 CFR Parts 301, 381]

SALES BY EXEMPTED RETAIL STORES IN DESIGNATED STATES

Notice of Withdrawal of Proposed Regulation

Purpose. The purpose of this document is to announce that the Department is withdrawing the proposed regulation to exempt certain sales by retail stores to nonhousehold consumers.

Statement of Considerations: On April 8, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 15906) to amend the federal meat and poultry products inspection regulations (9 CFR 303.1, 381.10) to permit retail stores exempted from Federal inspection in designated States to sell in intrastate commerce certain prepackaged inspected meat and poultry products in normal retail quantities to nonhousehold consumers without affecting percentage and annual dollar sales limitations provided in the regulations. Written comments were received from 272 individuals. Eight persons presented oral statements at a public hearing held on July 9, 1975. This hearing was held to give all parties an opportunity to fully discuss the merits of the proposal and to help the Department determine what disposition should be made of the proposal.

Section 301(c)(2) of the Federal Meat Inspection Act (21 U.S.C. 661(c)(2)) and section 5(c)(2) of the Poultry Products Inspection Act (21 U.S.C. 454(c)(2)), state that the provisions of these Acts requiring inspection of the slaughter of animals and poultry, and the preparation of carcasses, parts thereof, meat and meat food products, and the processing of poultry products, shall not apply to operations of types traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities or service of such articles to consumers at such establishments if such establishments are subject to such inspection provisions only because of the designation of the State in which said establishments are located.

Neither the written comments nor the oral statements provided evidence to support a conclusion that such sales of prepackaged inspected products to non-

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household consumers had been a traditional and usual retail operation and was therefore exempt from routine inspection under the provisions of the Federal Meat Inspection Act and the Poultry Products Inspection Act (21 U.S.C. 454(c)(2), 661(c)(2)). Therefore, the Department has decided to withdraw the proposal published in the April 8, 1975, FEDERAL REGISTER (40 FR 15906).

Done at Washington, D.C. on: November 18, 1975.

F. J. MULHERN,
Administrator, Animal and Plant Health Inspection Service.

[FR Doc.76-242 Filed 1-6-76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 43]

[FCC 75-1415; Docket No. 20680]

TELEPHONE COMPANIES

Annual Report Form M and Monthly Report Form 901

In the matter of amendment of Annual Report Form M and Monthly Report Form 901 for telephone companies; Docket No. 20680.

Adopted: December 22, 1975.

Released: December 31, 1975.

1. Notice of Proposed Rule Making in the above-entitled matter is hereby given.

2. In its Report and Order adopted October 29, 1975, in Docket No. 20489, the Commission amended Part 31, Uniform System of Accounts for Class A and Class B Telephone Companies, and Part 33, Uniform System of Accounts for Class C Telephone Companies, of its Rules and Regulations to permit normalization accounting for income tax differentials occasioned by the use of depreciation based on Class Lives and Asset Depreciation Ranges for income tax purposes. In so doing, the Commission established two new accounts and revised three existing accounts. These amendments were made effective January 1, 1976, with the provision that any carrier that desired to do so could adopt the changes retroactively to a date not earlier than January 1, 1971.

3. As a result of these amendments, it is believed necessary to amend certain schedules in Annual Report Form M and revise certain data reported in the Monthly Report Form 901 to bring the 1976 annual and monthly report forms in accord with the prescribed accounting. Further, as indicated in paragraph 8 of the Report and Order in Docket No. 20489, it is believed necessary to add to the Annual Report Form M a new schedule which would analyze the activity in the new deferred tax reserve account 176.2, "Accumulated deferred income taxes—other." Accordingly, it is proposed to prescribe a new schedule entitled Schedule 30C, Accumulated Deferred Income Taxes—Other (Account 176.2) for reporting data with respect to each item included in account 176.2 during the year. Further, it is proposed to change the title of Schedule 30B to show the accelerated tax depreciation reserve account number as 176.1 and to amend Schedule 10, Balance Sheet, to include new account 176.2 as a line item and revise the account number of account 176 to 176.1.

4. It is proposed to amend Schedule 11, Income and Retained Earnings Statement, to include new account 308.2, "Operating Federal income taxes deferred—other," as a line item, change the number of account 308 to 308.1, and change the title of account 309 to read "Income credits and charges resulting from prior deferrals of Federal income taxes."

5. It is proposed to amend Monthly Report Form 901 to include new accounts 176.2 and 308.2 as line items, revise the numbers of accounts 176 and 308, and change the title of account 309 as appropriate.

6. We are also proposing in this proceeding for the reporting in the Annual Report Form M of detailed data pertaining to property included in account 100.3, "Property held for future telephone use." At present, only summary dollar information is reported. It is proposed to add a new schedule to the Form M entitled 12C, Analysis of Entries in Property Held for Future Telephone Use (Account 100.3) to analyze the balances and activity in this account. It is proposed to require the reporting of each item separately, together with the date included in account 100.3, in the manner prescribed in paragraph (b) of Section 31.100:3 of Part 31. The total for each subaccount is proposed to be reported separately.

7. If the foregoing proposals are adopted, the Table of Contents and the Index for Annual Report Form M will be amended accordingly.

8. It is proposed that any amendments made as a result of this proceeding will be effective in the Annual Report Form M for the year 1976 and in Monthly Report Form 901 beginning March 1976. In addition, since the carriers subject to the Commission's accounting rules are presently required to maintain the property included in account 100.3 in the manner provided for in paragraph (b) of Section 31.100:3 of Part 31, the Commission believes that the proposed requirements of new Schedule 12C will not be unduly burdensome.

9. In view of the foregoing, it is proposed to amend Annual Report Form M and Form 901, Monthly Report of Revenues, Expenses and Other Items—Telephone Companies, as set forth below.

10. This Notice of Proposed Rule Making is issued under authority of sections 4(i) and 219 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 219.

11. Pursuant to applicable procedures set forth in 47 CFR 1.415, interested persons may file comments on or before February 5, 1976, and reply comments on or before February 17, 1976. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this Notice. Comments in response to the Notice will be available for public inspection in the Commission's Broadcast and Dockets Reference Room.

12. In accordance with the provisions of 47 CFR 1.419, an original and 11 copies of all statements or briefs shall be furnished to the Commission.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

I. Annual Report Form M for Telephone Companies is amended as follows:

1. Schedule 10, Balance Sheet, is amended as follows:

a. In column (a), lines 81 to 82 are renumbered 82 and 83 and lines 80 and 81 are amended to read as follows:

80	176.1	Accumulated deferred income taxes—accelerated tax depreciation.
81	176.2	Accumulated deferred income taxes—other.

b. In the column for indicating supporting schedules, 30C is inserted on line 81.

2. Schedule 11, Income and Retained Earnings Statement, is amended as follows:

a. In column (a), lines 9 through 45 are renumbered lines 10 through 46 and lines 8 through 10 are amended to read as follows:

8	308.1	Operating Federal income taxes deferred—accelerated tax depreciation.
9	308.2	Operating Federal income taxes deferred—other.
10	309	Income credits and charges resulting from prior deferrals of Federal income taxes.

b. In the column for indicating supporting schedules, 30C is inserted on line 9 and 30B, C is inserted on line 10.

3. A new schedule entitled 12C, Analysis of Entries in Property Held for Future Telephone Use (Account 100.3) is inserted. The following is a description of the schedule.

a. The instruction reads as follows:

Analyze the activity in account 100.3 as reported in columns (b) through (h) of Schedule 12A. Instruction 2 of Schedule 12A shall apply for reporting amounts in column (f). Report property in column (a) in accordance with Section 31.100:3(b) of the Commission's Rules. Show totals for each subaccount listed.

b. The column headings read as follows:

(a): Location and Description of Property
(b): Date Included in Account 100.3
(c): Book Cost of Property at Beginning of Year
(d): Additions During the Year
(e): Retirements During the Year
(f): Transfers and Adjustments (Charges and (Credits))
(g): Book Cost of Property at End of Year

4. Schedule 30B, Accumulated Deferred Income Taxes—Accelerated Tax Depreciation (Account 176) is amended as follows:

a. The title is amended to read as follows:

30B. ACCUMULATED DEFERRED INCOME TAXES—ACCELERATED TAX DEPRECIATION (ACCOUNT 176.1)

b. Lines 2 and 3 are amended to read as follows:

2	308.1	Operating Federal income taxes deferred—accelerated tax depreciation.
3	309	Income credits and charges resulting from prior deferrals of Federal income taxes.

5. A new schedule entitled 30C, Accumulated Deferred Income Taxes—Other (Account 176.2) is inserted. The following is a description of the schedule.

a. The instructions read as follows:

1. Report the data called for in this schedule separately for each item included in account 176.2 during the year.

2. Show date of Commission authorization alongside of each item listed.

3. Explain in a note each adjustment amounting to $25,000 or more reported in column (g). If adjustments are applicable to more than one year, indicate in a note the amount applicable to each year.

b. The column headings read as follows:

(a): Particulars
(b): Balance at Beginning of Year
Caption overriding columns (c) and (d) as follows:

DEFERRALS DURING YEAR

(c): Account
(d): Amount
Caption overriding columns (e) and (f) reads as follows:

AMORTIZATION TO CURRENT YEAR

(e): Account
(f): Amount
(g): Adjustments
(h): Balance at End of Year

II. FCC Form 901—Monthly Report of Revenues, Expenses, and Other Items—Telephone Companies—is revised to read as follows:

1. Line 31 is amended to read as follows:

31. Operating Federal tax deferrals—Net (308.1, 308.2, 309).

2. Line 52 is amended to read as follows:

52. Accumulated deferred income taxes—accelerated tax depreciation 176.1.

3. A new line item is inserted on line 53 and present lines 53 through 58 are renumbered 54 through 59. New line 53 reads as follows:

53. Accumulated deferred income taxes—other (176.2).

[FR Doc.76-274 Filed 1-6-76;8:45 am]

[47 CFR Part 73]

[Docket No. 20625; RM-2450]

TELEVISION BROADCAST STATIONS IN CALIFORNIA

Extension of Time for Filing Comments and Replys

Adopted: December 30, 1975.

Released: December 31, 1975.

1. On November 7, 1975, the Commission adopted a *Notice of Proposed Rule Making* in the above-entitled proceeding. Publication was made in the FEDERAL REGISTER on November 19, 1975, 40 Fed. Reg. 53596. The dates for filing comments and reply comments are presently December 31, 1975, and January 20, 1976, respectively.

2. On December 24, 1975, counsel for the Tulare County Board of Education, proponent in this proceeding, requested that the time for filing comments and reply comments be extended to January 20, 1976, and February 9, 1976, respectively. Counsel states that the extension is necessary due to the press of other business and the interruptions caused by the holidays.

3. We are of the view that the public interest would be served by extending the time in this proceeding. Accordingly, IT IS ORDERED, that the dates for filing comments and reply comments ARE EXTENDED to and including January 20, 1976, and February 9, 1976, respectively.

4. This action is taken pursuant to authority found in Sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and Sections 0.281 and 1.46 of the Commission's Rules.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] PAUL WM. PUTNEY,
Acting Chief, Broadcast Bureau.

[FR Doc.76-375 Filed 1-6-76;8:45 am]

FEDERAL ENERGY ADMINISTRATION

[10 CFR Part 209]

INTERNATIONAL VOLUNTARY AGREEMENTS

Proposed Rulemaking and Public Hearing

The Federal Energy Administration (FEA) hereby proposes to amend Chapter II of Title 10, Code of Federal Regulations, by establishing Part 209 to provide for the conduct of activities pursuant to international voluntary agreements by persons engaged in the petroleum business. Section 252 of the Energy Policy and Conservation Act (EPCA), P.L. 94-163, provides that:

> The Administrator [of FEA], with the approval of the Attorney General, after each of them has consulted with the Federal Trade Commission and the Secretary of State, shall prescribe, by rule, standards and procedures by which persons engaged in the business of producing, transporting, refining, distributing, or storing petroleum products may develop and carry out voluntary agreements, and plans of actions, which are required to implement the allocation and information provisions of the international energy program.

The EPCA then grants limited immunity from the antitrust laws for activities undertaken in developing or carrying out such voluntary agreements. The proposed regulations establish the basic framework for the development and carrying out of such voluntary agreements. They have been developed within the time constraints of the EPCA, and with further experience elaboration may be required. It should be noted that both the EPCA and these regulations apply only to voluntary agreements to carry out the International Energy Program and do not affect other voluntary agreements entered into under the authority of the Defense Production Act.

In addition to the requirements of these regulations, certain other requirements will pertain to voluntary agreements to carry out the International Energy Program. The EPCA authorizes both the Department of Justice and the Federal Trade Commission to promulgate regulations to carry out their respective responsibilities under the Act. Moreover, the existing voluntary agreement with respect to the International Energy Program contains numerous procedural requirements, and future voluntary agreements can be expected to have similar requirements.

BACKGROUND

On November 18, 1974, the United States and seventeen other member nations of the OECD concluded an Agreement on an International Energy Program, pursuant to which was established the International Energy Program (IEP). The International Energy Agency (IEA), an autonomous institution within the OECD, administers the Program. The basic goal of the international agreement is to develop cooperative programs to lessen dependence on oil imported from outside the IEA countries.

In order for the Program to operate, it was essential that it provide for the participation of the various oil companies subject to the jurisdiction of the participating countries in two areas: the international allocation of oil in times of emergency, and the provision of information and data on the oil market as called for by the Agreement. Thus, a specific mechanism defining the manner in which companies could participate in carrying out the goals of the IEP was required. This was provided in a voluntary agreement pursuant to the Defense Production Act.

On March 6, 1975, several companies entered into the "Voluntary Agreement and Program Relating to the International Energy Program", which was concluded pursuant to section 708 of the Defense Production Act (50 U.S.C. App. § 2158). Under section 708, certain limited immunity from the antitrust laws is granted for activities pursuant to a voluntary agreement. This Voluntary Agreement, along with letters from interested agencies, including the Department of Justice, is published in the FED-

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ERAL REGISTER of April 8, 1975 (40 FR 16041). Effective 90 days after its enactment, the EPCA prohibits the utilization of the authority contained in section 708 for any voluntary agreement to implement the International Energy Program. Thus, the existing voluntary agreement, which is not covered by section 252 of the EPCA, will cease to be effective on March 21, 1975, and a new voluntary agreement to replace it will be developed under the standards and procedures contained in these regulations.

The EPCA contemplates two basic situations which require the promulgation of standards and procedures with regard to voluntary agreements implementing the information and allocation provisions of the IEP. These are: (1) the development of voluntary agreements, and (2) the carrying out of voluntary agreements and the development and carrying out of plans of action thereunder. In each case the Administrator is required to establish, pursuant to criteria set forth in the Act, standards and procedures for the initiation and conduct of meetings; for the maintenance of records with regard to meetings and communications between actual and potential participants in a voluntary agreement; and for the availability to the public of information relating to such meetings and communications.

THE PROPOSED REGULATIONS IMPLEMENTING THE EPCA

The proposed Part 209 is organized in a chronological manner, that is, in terms of the events leading from the development of an agreement, including related meetings and recordkeeping, to the carrying out of plans of action.

SUBPART B—DEVELOPMENT OF VOLUNTARY AGREEMENTS

Subpart B provides standards and procedures for the development of voluntary agreements, but does not apply to meetings of bodies created by the IEA. With respect to the initiation of meetings involving two or more potential participants in an agreement, proposed § 209.22 provides that they must be chaired by the Administrator of FEA or other regular full-time Federal employee designated by him. It further provides for written notice to the Attorney General, the Federal Trade Commission, and through representatives of each House of Congress, to the appropriate congressional committees. Notice to the public in the FEDERAL REGISTER is also required at least seven days prior to each meeting. Such notice must identify the time, place, and agenda of the meeting.

With respect to the conduct of meetings to develop a voluntary agreement, proposed § 209.23 provides that all interested persons may attend, and may, as set out in the notice of the meeting, present data, views, and arguments orally and in writing. Proposed § 209.24 provides that the Administrator keep a verbatim transcript of any such meeting. In addition, complete records must be made of any communication, other than in a meeting between or among potential participants in a voluntary agreement, for the purpose of developing such agreement. All such records and transcripts, together with any agreement resulting therefrom, are to be deposited with the Administrator and will be available to the public in the manner and to the extent specified in Subpart D.

SUBPART C—CARRYING OUT OF VOLUNTARY AGREEMENTS

Subpart C deals with carrying out of voluntary agreements, and with developing and carrying out of plans of action pursuant thereto. Under proposed § 209.32, which does not apply to meetings of IEA bodies, any meeting among participants in a voluntary agreement for the purpose of carrying out such agreement or developing or carrying out a plan of action pursuant thereto, shall be initiated and chaired by a full-time Federal employee designated by the Administrator. The notice requirements are substantially the same as those applicable to meetings for developing voluntary agreements, except that during an international energy supply emergency, notice to government officials may be oral rather than in writing (although it must be confirmed in writing) and notice to the public in the FEDERAL REGISTER is not required.

With regard to the conduct of meetings under this subpart, proposed § 209.33 provides that all interested persons may attend subject to limitations of space, except that meetings under Subpart C shall not be open to the public to the extent that the President or his delegate finds that disclosure of the procedings beyond those authorized to attend would be detrimental to United States foreign policy interests. Interested persons permitted to attend may present data, views, and arguments orally and in writing. Furthermore, § 209.33 provides that while its requirements do not apply to meetings of bodies created by the IEA, no participant in a voluntary agreement may attend any meeting of any such body held to carry out a voluntary agreement or develop or carry out a plan of action, unless a full-time Federal employee is present.

With regard to the maintenance of records, § 209.34 is substantially the same as the record-keeping provision under Subpart B, except that a verbatim transcript need not be kept where considerations of time or other overriding considerations prevent it, or where the principal participants in a meeting under this subpart represent foreign governments.

SUBPART D—AVAILABILITY OF INFORMATION

Subpart D concerns the availability of information relating to meetings and communications. Proposed § 209.41 thereunder provides that records or transcripts shall be available for public inspection and copying in accordance with the Freedom of Information Act, 5 U.S.C. 552, except that only certain of the Act's limitations on mandatory disclosure will be deemed to apply. The procedures for obtaining information are those in Part 202 of FEA's regulations.

Under § 209.41, matter may be withheld from disclosure only where:

(a) it is specifically required by Executive Order to be kept secret in the interests of national defense or foreign policy;

(b) it is specifically exempted from disclosure by statute; or

(c) it relates to trade secrets.

Interested persons are invited to submit written data, views, or arguments with respect to these amendments to Executive Communications, Room 3309, Federal Energy Administration, Box FJ, The Federal Building, Washington, D.C. 20461. Comments should be identified on the outside of the envelope and on the documents submitted to the Federal Energy Administration with the designation "International Voluntary Agreements." Fifteen (15) copies should be submitted. All comments received by 4:30 p.m., January 19, 1976, will be considered by the Federal Energy Administration in evaluating the proposed regulation.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination.

Public hearings with respect to these amendments will be held beginning at 9:30 a.m., e.d.s.t., on January 21, 1976, in Room 2105, 2000 M Street NW., Washington, D.C. Any person who has an interest in these changes, or who is representative of a group or class of persons which has such an interest, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, and must be received before 4:30 p.m., e.d.s.t., January 14, 1976. Such a request may be hand delivered to Room 3309, The Federal Building, 12th and Pennsylvania Avenue NW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned; if appropriate, to state why he is a proper representative of a group or class of persons which has such an interest; and to give a concise summary of the proposed oral presentation and a phone number where he may be contacted through January 16, 1976. Each person selected to be heard will be so notified by the FEA before 4:30 p.m., e.d.s.t., January 20, 1976, and must submit 100 copies of his statements to Allocations Regulations Development Office, FEA, Room 2214, 2000 M Street NW., Washington, D.C. 20461, before 4:30 p.m., e.d.s.t.

The FEA reserves the right to select the persons to be heard at these hearings, to schedule their respective presentations, and to establish the procedures governing the conduct of the hearings. The length of each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearings. These will not be judicial or evidentiary-type hearings. Questions may be asked only by those conducting the hearings; and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearings will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any interested persons may submit questions, to be asked of any person making a statement at the hearings to Executive Communications, FEA, before 4:30 p.m., e.d.s.t., Jan. 14, 1976. Any person who makes an oral statement and who wishes to ask a question at the hearings may submit the question, in writing, to the presiding officer. The FEA or the presiding officer, if the question is submitted at the hearings, will determine whether the question is relevant, and whether time limitations permit it to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearings will be announced by the presiding officer.

A transcript of the hearings will be made and the entire record of the hearings, including the transcript, will be retained by the FEA and made available for inspection in the FEA Freedom of Information Office, Room 3116, Federal Building, 12th and Pennsylvania Avenue, NW., Monday through Friday. Any person may purchase a copy of the transcript from the reporter.

The Administrator of the Environmental Protection Agency (EPA) has reviewed this proposal in accordance with the review provisions of section 7(c)(2) of the Federal Energy Administration Act of 1974, providing for submission of proposed rules for comment by the Administrator. He has advised FEA that he has no comment.

Finally, this proposal has been reviewed in accordance with Executive Order 11821 and OMB Circular No. A-107 and has been determined not to require evaluation of its inflationary impact as provided therein.

[Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185; Energy Policy and Conservation Act, Pub. L. 94-163]

In consideration of the foregoing, it is proposed that Part 209 be established in Chapter II, Title 10 of the Code of Federal Regulations as set forth below, effective March 21, 1976.

Issued in Washington, D.C., January 2, 1976.

MICHAEL F. BUTLER,
General Counsel,
Federal Energy Administration.

PART 209—INTERNATIONAL VOLUNTARY AGREEMENTS

Subpart A—General Provisions

209.1 Purpose and scope.
209.2 Delegation.
209.3 Definitions.

Subpart B—Development of Voluntary Agreements

209.21 Purpose and scope.
209.22 Initiation of meetings.
209.23 Conduct of meetings.
209.24 Maintenance of records.

Subpart C—Carrying Out of Voluntary Agreements and Developing and Carrying Out of Plans of Actions

209.31 Purpose and scope.
209.32 Initiation of meetings.
209.33 Conduct of meetings.
209.34 Maintenance of records.

Subpart D—Availability of Information Relating to Meetings and Communications

209.41 Availability of information relating to meetings and communications.

AUTHORITY: Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185; Energy Policy and Conservation Act, Pub. L. 94-163.

Subpart A—General Provisions

§ 209.1 Purpose and scope.

This part implements the provisions of the Energy Policy and Conservation Act (EPCA) authorizing the Administrator to prescribe standards and procedures by which persons engaged in the business of producing, transporting, refining, distributing, or storing petroleum may develop and carry out voluntary agreements, and plans of action, which are required to implement the information and allocation provisions of the International Energy Program (IEP). The requirements of this part do not apply to activities other than those for which section 252 of EPCA makes available a defense to the antitrust laws.

§ 209.2 Delegation.

To the extent otherwise permitted by law, any authority, duty, or responsibility vested in FEA or the Administrator under these regulations may be delegated to any regular full-time employee of the Federal Energy Administration, and, by agreement, to any regular full-time employee of the Department of Justice or the Department of State.

§ 209.3 Definitions.

For purposes of this part—

(a) "Administrator" means the Administrator of the Federal Energy Administration.

(b) "Information and allocation provisions of the International Energy Program" means the provisions of Chapter V of the Program relating to the Information System, and the provisions at Chapters III and IV thereof relating to the international allocation of petroleum.

(c) "International Energy Agency" (IEA) means the International Energy Agency established by Decision of the Council of the Organization for Economic Cooperation and Development, dated November 15, 1974.

(d) "International Energy Program" (IEP) means the program established pursuant to the Agreement on an International Energy Program signed at Paris on November 18, 1974, including (1) the Annex entitled "Emergency Reserves", (2) any amendment to such Agreement which includes another nation as a Party to such Agreement, and (3) any technical or clerical amendment to such Agreement.

(e) "International energy supply emergency" means any period (1) beginning on any date which the President determines allocation of petroleum products to nations participating in the international energy program is required by Chapters III and IV of such program, and (2) ending on a date on which he determines such allocation is no longer required. Such a period shall not exceed 90 days, except where the President establishes one or more additional periods by making the determination under clause (1) of the preceding sentence.

(f) "Potential participant" means any person engaged in the business of producing, transporting, refining, distributing, or storing petroleum products; "participant" means any such person who agrees to participate in a voluntary agreement pursuant to a request to do so by the Administrator.

(g) "Petroleum" or "petroleum products" means crude oil, residual fuel oil, or any refined petroleum product (including any natural gas liquid and any natural gas liquid product).

Subpart B—Development of Voluntary Agreements

§ 209.21 Purpose and scope.

(a) This subpart establishes the standards and procedures by which persons engaged in the business of producing, transporting, refining, distributing, or storing petroleum products shall develop voluntary agreements which are required to implement the allocation and information provisions of the International Energy Program.

(b) This subpart does not apply to meetings of bodies created by the International Energy Agency.

§ 209.22 Initiation of meetings.

(a) Any meeting held for the purpose of developing a voluntary agreement involving two or more potential participants shall be initiated and chaired by the Administrator or other regular full-time Federal employee designated by him.

(b) FEA shall provide notice of meetings held pursuant to this subpart, in writing, to the Attorney General, the Federal Trade Commission, and to the Speaker of the House and the President of the Senate for delivery to the appropriate committees of Congress, and to the public through publication in the FEDERAL REGISTER. Such notice shall identify the time, place, and agenda of the meeting, and such other matters as the Administrator deems appropriate. Notice in the FEDERAL REGISTER shall be published at least seven days prior to the date of the meeting.

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§ 209.23 Conduct of meetings.

(a) Meetings to develop a voluntary agreement held pursuant to this subpart shall be open to all interested persons. Interested persons desiring to attend meetings under this subpart may be required pursuant to notice to advise the Administrator in advance.

(b) Interested persons may, as set out in notice provided by the Administrator, present data, views, and arguments orally and in writing, subject to such reasonable limitations with respect to the manner of presentation as the Administrator may impose.

§ 209.24 Maintenance of records.

(a) The Administrator shall keep a verbatim transcript of any meeting held pursuant to this subpart.

(b) Potential participants shall keep a full and complete record of any communication (other than in a meeting held pursuant to this subpart) between or among themselves for the purpose of developing a voluntary agreement under this part. When two or more potential participants are involved in such a communication, they may agree among themselves who shall keep such record. Such record shall include the names of the parties to the communication and the firms, if any, which they represent; the date of the communication; the means of communication; and a description of the communication in sufficient detail to convey adequately its substance.

(c) All records and transcripts prepared pursuant to paragraphs (a) and (b) shall be deposited promptly together with any agreement resulting therefrom, with the Administrator, and shall be available to the Attorney General, the Federal Trade Commission, and the Department of State. Such records and transcripts shall be available for public inspection and copying to the extent set forth in Subpart D. Any person depositing material pursuant to this section shall indicate with particularity what portions, if any, the person believes are not subject to disclosure to the public pursuant to subpart D and the reasons for such belief.

(d) Any meeting between a potential participant and an official of FEA for the purpose of developing a voluntary agreement shall, if not otherwise required to be recorded pursuant to this section, be recorded by such official as provided in § 204.5 of this title.

Subpart C—Carrying Out of Voluntary Agreements and Developing and Carrying Out of Plans of Actions

§ 209.31 Purpose and scope.

This subpart establishes the standards and procedures by which persons engaged in the business of producing, transporting, refining, distributing, or storing petroleum products shall carry out voluntary agreements and develop and carry out plans of action which are required to implement the allocation and information provisions of the International Energy Program.

§ 209.32 Initiation of meetings.

(a) Except for meetings of bodies created by the International Energy Agency, any meeting among participants in a voluntary agreement pursuant to this subpart, for the purpose of carrying out such voluntary agreement or developing or carrying out a plan of action pursuant thereto, shall be initiated and chaired by a full-time Federal employee designated by the Administrator.

(b) Except as provided in paragraph (c), the Administrator shall provide notice of meetings held pursuant to this subpart, in writing, to the Attorney General, the Federal Trade Commission, and to the Speaker of the House and the President of the Senate for delivery to the appropriate committees of Congress. Except during an international energy supply emergency, notice shall also be provided to the public through publication in the FEDERAL REGISTER. Such notice shall identify the time, place, and agenda of the meeting. Notice in the FEDERAL REGISTER shall be published at least seven days prior to the date of the meeting unless emergency circumstances, IEP requirements or other unanticipated circumstances require the period to be shortened.

(c) During an international energy supply emergency, advance notice shall be given to the Attorney General, the Federal Trade Commission and to the Speaker of the House and the President of the Senate for delivery to the appropriate committees of Congress. Such notice may be telephonic or by such other means as practicable, and shall be confirmed in writing.

§ 209.33 Conduct of meetings.

(a) Subject to the provisions of paragraph (c), meetings held to carry out a voluntary agreement, or to develop or carry out a plan of action pursuant to this subpart, shall be open to all interested persons, subject to limitations of space. Interested persons desiring to attend meetings under this subpart may be required to advise the Administrator in advance.

(b) Interested persons permitted to attend meetings under this section may present data, views, and arguments orally and in writing, subject to such limitations with respect to the manner of presentation as the Administrator may impose.

(c) Meetings held pursuant to this subpart shall not be open to the public to the extent that the President or his delegate finds that disclosure of the proceedings beyond those authorized to attend would be detrimental to the foreign policy interests of the United States, and determines, in consultation with the Administrator, the Secretary of State, and the Attorney General, that a meeting shall not be open to interested persons or that attendance by interested persons shall be limited.

(d) The requirements of this section do not apply to meetings of bodies created by the International Energy Agency, except that no participant in a voluntary agreement may attend any meeting of any such body held to carry out a voluntary agreement, or to develop or to carry out a plan of action unless a full-time Federal employee is present.

§ 209.34 Maintenance of records.

(a) The Administrator or his designate shall keep a verbatim transcript of any meeting held pursuant to this subpart except where (1) due to considerations of time or other overriding circumstances, the keeping of a verbatim transcript is not practicable, or (2) principal participants in the meeting are representatives of foreign governments. If a transcript is not kept, a full and complete record shall be made. The accuracy of any such record, other than a verbatim transcript, kept by a designee who is not a full-time Federal employee shall be certified by a full-time Federal employee in attendance at the meeting.

(b) Participants shall keep a full and complete record of any communication (other than in a meeting held pursuant to this subpart) between or among themselves for the purpose of carrying out a voluntary agreement or to developing or carrying out a plan of action under this subpart. The parties to a communication may agree among themselves who shall keep such record. Such record shall include the names of the parties to the communication and the businesses, if any, which they represent; the date of the communication; the means of communication; and a description of the communication in sufficient detail to convey adequately its substance.

(c) All records and transcripts prepared pursuant to paragraphs (a) and (b) shall be deposited promptly, together with any agreement resulting therefrom, with the Administrator and shall be available to the Attorney General, the Federal Trade Commission, and the Department of State. Such records and transcripts shall be available for public inspection and copying to the extent set forth in Subpart D. Any person depositing materials pursuant to this section shall indicate with particularity what portions, if any, the person believes are not subject to disclosure to the public pursuant to Subpart D and the reasons for such belief.

(d) Any meeting between a participant and an official of FEA for the purpose of carrying out a voluntary agreement or developing or carrying out a plan of action shall, if not otherwise required to be recorded pursuant to this section, be recorded by such official as provided in § 204.5 of this title.

Subpart D—Availability of Information Relating to Meetings and Communications

§ 209.41 Availability of information relating to meetings and communications.

(a) Except as provided in paragraph (b), records or transcripts prepared pursuant to this subpart shall be available for public inspection and copying in accordance with section 552 of title 5, United State Code and Part 202 of this title.

(b) Matter may be withheld from disclosure under section 552(b) of title 5 only on the grounds specified in:

(1) Section 552(b)(1), applicable to matter specifically required by Executive Order to be kept secret in the interest of the national defense or foreign policy. This section shall be interpreted to include matter protected under Executive Order No. 11652 of March 8, 1972, establishing categories and criteria for classification, as well as any other such orders dealing specifically with disclosure of IEP related materials;

(2) Section 552(b)(3), applicable to matter specifically exempted from disclosure by statute; and

(3) So much of section 552(b)(4) as relates to trade secrets.

[FR Doc.76-442 Filed 1-2-76;5:08 pm]

[10 CFR Part 212]

REFINERS' PROFIT MARGIN LIMITATION

Further Notice of Proposed Rulemaking and Public Hearing

The Federal Energy Administration (FEA) hereby gives notice of a proposal to expand the scope of its consideration of revisions to the refiners' profit margin limitation to include elimination of that limitation, found in 10 CFR 212.3, 212.11, 212.31, 212.51, 212.82, and 212.161.

On September 6, 1974, the FEA issued a notice of proposed rulemaking which included proposed revisions of the profit margin limitation. (39 FR 32717, September 10, 1974.) However, because of the complexity of the issue and the legitimate areas of concern raised by the comments to the notice of proposed rulemaking, the FEA determined that further study was necessary to determine if the profit margin limitation was an effective and efficient element of the price regulations applicable to refiners.

On July 1, 1975, the FEA, therefore, issued a second notice of proposed rulemaking which proposed and solicited comments on detailed modifications to the profit margin limitation. (40 FR 28634, July 8, 1975.) The proposed rule would have continued the profit margin test as a limitation on the passthrough of refiners' non-product cost increases, but would have made four fundamental modifications to make the limitation a more effective and efficient profit control mechanism. The expiration of the Emergency Petroleum Allocation Act on August 31, 1975 and the uncertainty created by its successive extensions delayed decision on the proposal.

The original profit margin limitation was introduced by the Cost of Living Council ("CLC") pursuant to the Economic Stabilization Act of 1970 for the purpose of reducing the nation's spiraling rate of inflation by discouraging firms from increasing prices above base prices and by limiting the profits as a percentage of sales of those firms which did so. A single limitation applied to all of the activities of a firm, including its consolidated and unconsolidated entities.

The FEA adopted the profit margin limitation from the CLC regulations for two reasons. First, the rules were familiar to the regulators and the regulated industry. Second, because most firms were over their base period profit margins, the existence of the limitation meant that few could pass through non-product costs. This was at a time when rapidly escalating crude oil costs were having a substantial inflationary impact on the economy.

The original CLC profit margin test was adopted by the FEA with two important modifications, one already incorporated by the CLC and the second introduced by FEA: (1) base price was redefined to permit it to increase with increases in product costs, so only price increases to reflect non-product costs triggered the limitation, and (2) the limitation and the base price concept were applied only to refiners.

When the President signed the Energy Policy and Conservation Act on December 22, 1975, he directed the FEA to begin immediately, as authorized by the legislation, to review and remove all unnecessary existing price and allocation regulations except those on crude oil prices. Since the profit margin limitation functions only as a secondary restriction on the passthrough of actual non-product cost increases and has always been complex to administer, it would be in keeping with the President's announced desire to eliminate unnecessary "downstream" price controls to consider the elimination of the profit margin limitation altogether. Therefore, FEA hereby proposes to expand the options being considered under the July 1, 1975 notice of proposed rulemaking to include elimination of the profit margin limitation with respect to any fiscal year ending after December 31, 1975.

Interested persons are invited to participate in this rulemaking by submitting data, views or arguments with respect to the proposals set forth in this notice to Executive Communications, Room 3309, Federal Energy Administration, Box FE, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on documents submitted to FEA Executive Communications with the designation "Deletion of Profit Margin Limitation." Fifteen copies should be submitted. All comments received by January 23, 1976, before 4:30 p.m., e.s.t., and all other relevant information, will be considered by the Federal Energy Administration before final action is taken on the proposed regulations.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination. The public hearing in this proceeding will be held at 9:30 a.m., e.s.t., on January 30, 1976, in Room 2105, 2000 M Street, N.W., Washington, D.C. 20461, in order to receive comments from interested persons on the matters set forth herein.

Any person who has an interest in the proposed amendments issued today, or who is a representative of a group or class of persons that has an interest in today's proposed amendments, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, and must be received before 4:30 p.m., e.s.t., on January 21, 1976. Such a request may be hand delivered to Room 3309, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned, if appropriate, to state why he is proper representative of a group or class of persons that has such an interest, and to give a concise summary of the proposed oral presentation and a phone number where he may be contacted through January 23, 1976. Each person selected to be heard will be so notified by the FEA before 4:30 p.m., January 23, 1976 and must submit 100 copies of his statement to Allocations Regulations Development Office, FEA, Room 2214, 2000 M Street, N.W., Washington, D.C. 20461, before 4:30 p.m., e.s.t., on January 29, 1976.

The FEA reserves the right to select the persons to be heard at these hearings, to schedule their respective presentations, and to establish the procedures governing the conduct of the hearings. Th elength of each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearings. These will not be judicial or evidentiary-type hearings. Questions may be asked only by those conducting the hearings, and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearings will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any interested person may submit questions to be asked of any person making a statement at the hearings, to Executive Communications, FEA, before 4:30 p.m., e.s.t., January 23, 1976. Any person who wishes to ask a question at the hearings may submit the question, in writing, to the presiding officer. The FEA or the presiding officer, if the question is submitted at the hearings, will determine whether the question is relevant, and whether the time limitations permit to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearings will be announced by the presiding officer.

A transcript of the hearings will be made and the entire record of the hearings, including the transcript, will be re-

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tained by the FEA and made available for inspection at the Administrator's Reception Area, Room 3400, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. Any person may purchase a copy of the transcript from the reporter.

As required by section 7(c)(2) of the Federal Energy Administration Act of 1974, Pub. L. 93-275, a copy of this notice has been submitted to the Administrator of the Environmental Protection Agency for his comments concerning the impact of this proposal on the quality of the environment. The Administrator had no comments on this proposal, but reserved the right to submit comments to the FEA prior to January 30, 1976.

The inflationary impact of this proposal has been considered to the extent of information currently available to FEA, consistent with Executive Order 11821, issued November 27, 1974. Pursuant to the notice of proposed rulemaking issued July 1, 1975, the FEA requested refiners to submit non-product cost data regarding the month of June, 1975. However, because of the uncertainty of the continuation of the program at that time, only a few refiners furnished the FEA with such information. Therefore, comments are again specifically requested from refiners, on the amount of increased non-product costs, determined pursuant to § 212.87, which they have incurred for each of the past 6 months and on the amount of the price increase that could be implemented by passing through all of those increased non-product costs. Amounts should be broken down by product and by type of cost. Additional increased non-product cost data, computed by other methods than that prescribed by § 212.87, may also be submitted, but the method of computation should be described. Such non-product cost information will be afforded confidential treatment by FEA, if such treatment is requested. Interested parties are again hereby advised that failure to submit such information could result in a conclusion by FEA that it had insufficient data upon which to take final action in this proceeding designed to eliminate the profit margin limitation.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, as amended, Pub. L. 93-511, Pub. L. 94-99, Pub. L. 94-133 and Pub. L. 94-163; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185).

In consideration of the foregoing, it is proposed to amend Part 212 of Chapter II, Title 10, Code of Federal Regulations effective January 1, 1976, as set forth below.

Issued in Washington, D.C., December 31, 1975.

MICHAEL F. BUTLER,
General Counsel,
Federal Energy Administration.

§ 212.3 [Removed]

1. Section 212.3 is deleted.

§ 212.11 [Removed]

2. Section 212.11 is deleted.

§ 212.13 [Amended]

3. Section 212.31 is amended to delete the definitions of "base period," "base period profit margin," and "profit margin.".

4. Section 212.51 is revised to read as follows:

§212.51 General.

Prices charged with regard to the items and sales described in this subpart are exempt from the price rules prescribed in this part.

§ 212.82 [Amended]

5. Paragraph (d) of § 212.82 is deleted.

6. Section 212.161 is revised in paragraph (b)(2)(iii) to read as follows:

§ 212.161 Applicability and relationship to other subparts.

* * * * *

(b) * * *
(2) * * *

* * * * *

(iii) *Calculation of increased non-product costs.*

Such refiners shall calculate increased non-product costs attributable to natural gas processing pursuant to § 212.165, and shall add the amount of increased non-product costs so determined to the amount of increased non-product costs incurred in each month of measurement and determined to be allocable to prices charged for covered products pursuant to § 212.87(b).

* * * * *

[FR Doc.76-291 Filed 1-2-76;9:09 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF STATE

Agency for International Development

PEST MANAGEMENT PROGRAM

Interim Pesticide Procedures

The Agency for International Development (A.I.D.) published in the Federal Register on December 11, 1975 (40 FR 57696) a notice of a determination to prepare an Environmental Impact Statement (EIS) for the Agency's Pest Management Program, including its pesticide activities. Pending completion of this EIS and the preparation and publication of appropriate regulations resulting therefrom, interim procedures are hereby adopted and set forth below:

(a) A.I.D. will not provide assistance for the procurement and use of—

(1) Dichlorodiphenyl trichloroenthane (DDT) (except for public health use);

(2) Aldrin and Dieldrin (except for restricted termite use, the dipping of roots and tops of non-food plants);

(3) 2, 4, 5-T;

(4) Chlordane;

(5) Heptachlor.

A.I.D. will not provide assistance for the procurement or use of a pesticide which is not registered, for a use which is not registered, for a pesticide or a use which has been finally suspended, or for a use or pesticide which has been cancelled by the Environmental Protection Agency (EPA). Further, A.I.D. will not provide assistance for a use or a pesticide for which the EPA has given notice of intent to suspend, after 60 days from such notice, except that such assistance may be provided if the A.I.D. Administrator personally determines, in writing, that the benefits of using the pesticide outweigh the potential adverse effects and that no preferable alternative is available.

In view of the frequency and/or variety of notices of intent to suspend, particularly of uses of pesticides, before providing assistance for procurement or use of a pesticide, the A.I.D. overseas Missions should check with the Assistant Administrator of the appropriate Regional Bureau, AID/Washington. Others, where Missions are not involved, should check directly with the Office of Science and Technology (TA/OST). Questions concerning registration, suspensions and uses of any pesticides not listed in paragraph 1 above will be answered by the responsible Bureau in conjunction with the Office of Commodity Management (SER/COM) and TA/OST.

The above prohibitions do not apply to assistance for pesticides if the responsible A.I.D. employee determines, in writing, that the pesticide will be used for health purposes (both human and animal) and that significant health problems will occur without the use of the pesticide.

In counties having Missions, the responsible A.I.D. employee for health purposes will be the Mission Director. In African countries without Missions the appropriate Regional Economic Development Support Office (REDSO) will be asked to make this determination. Cable requests for concurrence to provide assistance for purchases of such pesticides for health purposes with adequate information to justify full determination will be made to the appropriate Assistant Administrator, who in all cases will coordinate with the Office of Health (TA/H), TA/OST and SER/COM. Requests will be given immediate consideration.

Further, A.I.D. may provide assistance for the use of any pesticide referred to above if the A.I.D. Administrator personally determines, in writing, in each specific instance, that an emergency exists. An emergency will be determined to exist when a pest outbreak has or is about to occur and no pesticide registered for the particular use, or alternative method of control is available to eradicate or control the pest, and when significant economic problems will occur without the use of the pesticides. Further, notwithstanding the above, A.I.D. may provide assistance for the procurement and use of a pesticide if the pesticide is not registered in the United States or if the pesicide has been cancelled at the end of a five-year registration period or at the request of a registrant and if the pesticide will be used on agricultural crops and associated vectors not grown or found in the United States, and if the A.I.D. Administrator personally determines, in writing, that the benefits of using the pesticide outweigh the potential adverse effects and that no preferable alternative is available.

Cable requests with justification in sufficient detail for the A.I.D. Administrator to make a determination should be made to the Assistant Administrator of appropriate Regional or other Bureau for coordination with TA/OST and final recommendation to the A.I.D. Administrator. In countries having A.I.D. Missions, the Mission Director is the responsible A.I.D. employee for this purpose.

(b) Any determination by the A.I.D. Administrator mentioned in subparagraph (a), above, will be made in consultation with the EPA, will include a statement of the basis for the determination, and will be published in the FEDERAL REGISTER within 10 days of the time the determination is made. A.I.D. will, unless time constraints do not permit, provide public notice that the Administrator intends to render such a determination.

A determination made by the Administrator when time constraints do not permit issuance of a public notice of intent will, nevertheless, be made in consultation with EPA and will include a statement of the basis for the determination.

The foregoing prohibitions do not apply to assistance provided by A.I.D. for controlled experimentation of limited scope and not involving application for crop production purposes.

The foregoing interim regulations supersede Part II.C—Pesticides—of the A.I.D. Commodity Eligibility Listing (pages 69 through 122). When permanent regulations are promulgated, the Listing will be appropriately amended.

Appropriate Regional and other Bureau technical offices are prepared to respond promptly to specific questions that may arise regarding implementation of AID interim regulations on procurement and use of pesticides.

(Section 621 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2381) and Executive Order 11799)

CURTIS FARRAR,
Assistant Administrator,
Technical Assistance Bureau.

DECEMBER 31, 1975.

[FR Doc.76-314 Filed 1-6-76;8:45 am]

Office of the Secretary

[Public Notice CM-4/2]

SHIPPING COORDINATING COMMITTEE; SUBCOMMITTEE ON MARITIME LAW

Notice of Meeting

A meeting of the Subcommittee on Maritime Law of the Shipping Coordinating Committee will be held at 10:00 a.m. on Tuesday, February 3, 1976, in Room 1406 of the Department of State, 2201 C Street N.W., Washington, D.C. The meeting will be open to the public.

The purpose of the meeting is to discuss preparations for the Third Session of the Intergovernmental Preparatory Group on International Intermodal Transport, which meets under the auspices of the United Nations Conference on Trade and Development (UNCTAD). The Third Session will meet in Geneva February 16–March 5, 1976. The principal item on the agenda of the February 3 meeting will be the consideration of the U.S. position for the Third Intergovernmental Preparatory Group. Issues to be reviewed include documentation questions, insurance and liability problems, customs, and other matters related to any proposed convention on international intermodal transportation.

In order to facilitate entry to the State Department Building, members of the public planning to attend the meeting

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are requested to inform Mrs. Etta Wilson, (area code 202) 632–0705.

Any questions concerning this meeting should be directed to Mr. Richard Johe, Office of Maritime Affairs, Department of State. He may be reached by telephone on (area code 202) 632–1313.

Comments from the public will be welcomed.

JOHN P. STEINMETZ,
Acting Director,
Office of Maritime Affairs.

DECEMBER 24, 1975.

[FR Doc.76-418 Filed 1-6-76;8:45 am]

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

REGIONAL ADVISORY COMMITTEE ON BANKING POLICIES AND PRACTICES FOR THE SEVENTH NATIONAL BANK REGION

Notice of Meeting

A meeting of the Advisory Committee on Banking Policies and Practices for the Seventh National Bank Region will be held January 23, 1976 at the Boardroom of the Exchange National Bank of Chicago, Chicago, Illinois. The meeting will start at 9:00 A.M. and will be open to the public. Interested members of the public will be admitted on a first come basis.

Topics to be discussed include a report on the state of the region by the regional administrator, legislative developments and pending litigation by regional counsel, EFTS developments, an update on implementation of the Haskins and Sells Study, revised reporting requirements, CPA standards and practices, loan classifications and treatment of O.R.E., report on national committee meeting, economic synopsis, statements and observations of public members.

Dated: January 5, 1976.

[SEAL] JAMES E. SMITH,
Comptroller of the Currency.

[FR Doc.76-558 Filed 1-6-76;8:45 am]

Customs Service

CERTAIN CONSUMER ELECTRONIC PRODUCTS FROM JAPAN

Final Negative Countervailing Duty Determination

On February 5, 1975, a "Notice of Preliminary Determination" was published in the FEDERAL REGISTER (40 F.R. 5378) announcing that it had been determined preliminarily that benefits have been paid or bestowed on certain consumer electronic products from Japan under the three programs administered by the Government of Japan which constitute bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303). An amendment to the notice was published in the FEDERAL REGISTER on Mary 7, 1975 (40 F.R. 19853) stating that other programs alleged to result in the payment or bestowal of a bounty or grant within the meaning of section 303 of the Act have been terminated by the Japanese Government and/or are preliminarily determined not to result in the payment or bestowal of a bounty or grant. The amended notice provided for the submission of any relevant data, views, or arguments to the Commissioner of Customs. No written submissions were received pursuant to the amended notice.

Pursuant to the investigation, additional facts were developed regarding benefits to Japanese exporters under the Overseas Market development Program referred to in that notice in order to determine to what extent certain firms which are capitalized at less than one billion yen benefit from the program.

The information developed in the investigation established that benefits from programs involving preferential interest rate loans from the Japanese Development Bank, promotional assistance from the Japan External Trade Organization (JETRO), and tax deferrals under the Overseas Market Development Reserve, involve an aggregate amount considered to be *de minimis* per dollar of value of the exported products.

Accordingly, on the basis of the additional facts gathered and the investigation conducted pursuant to section 159.47(c) Customs Regulations (19 CFR 159.47(c)), a final determination is hereby made in this proceeding, that for the reasons stated, herein and in the notice referred to above, no bounty or grant is being paid or bestowed, directly or indirectly, within the meaning of section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303), upon the manufacturer, production, or exportation of certain consumer electronic products from Japan.

The notice is published pursuant to section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303).

G. R. DICKERSON,
Acting Commissioner of Customs.

Approved: December 31, 1975.

PETER O. SUCHMAN,
Acting Assistant Secretary of The Treasury.

[FR Doc. 76-318 Filed 1-6-76;8:45 am]

FERROCHROME FROM SOUTH AFRICA

Final Countervailing Duty Determination

On June 30, 1975, a "Notice of Preliminary Countervailing Duty Determination" was published in the FEDERAL REGISTER. The notice stated that, on the basis of an investigation conducted pursuant to section 159.47(c) Customs Regulations (19 U.S.C. 159.47(c)), it had been determined preliminarily that benefits had been received by manufacturers/exporters of ferrochrome under four programs maintained by the South African Government, which were of a type that could, in some circumstances, constitute the payment of a bounty or grant, directly or indirectly, within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303) (referred to in this notice as "the Act"). These benefits included the granting to manufacturers/exporters concessionary rail rates, reduced electricity rates, preferential financing and a deduction of overseas promotion expenses for income tax purposes. It was also determined preliminarily that allegations contained in the petition regarding reduced harbor dues and financing for the creation of production capacity for exports were not applicable to manufacturers/exporters of ferrochrome from South Africa.

The notice further stated that, before a final determination would be made, consideration would be given to any relevant data, views or arguments submitted in writing, within 30 days of the date of the notice. The period for written comments was extended to September 3, 1975 by notice published in the FEDERAL REGISTER August 15, 1975 (40 FR 34423–34424).

On the basis of information received since the preliminary determination, it has been determined that the rail rate concession of 25 percent, the electric rate rebate of 20 percent and the preferential financing program are no longer applicable to manufacturers/exporters of ferrochrome as of January 1, 1976. It has also been determined that the deduction of overseas promotion expenses for income tax purposes will no longer be utilized by manufacturers/exporters of ferrochrome as of April 1, 1976, and that the benefit available until April 1, 1976, is *de minimus* in relation to the value of merchandise estimated to be exported in 1976. All other allegations are determined not to constitute bounties or grants within the meaning of section 303 of the Act.

Accordingly, for reasons stated above, it is hereby determined that no bounties or grants are being paid or bestowed, directly or indirectly, within the meaning of section 303 of the Act, upon the manufacture, production or exportation of ferrochrome from South Africa.

This notice is published pursuant to section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303).

ROLAND RAYMOND,
Acting Commissioner of Customs.

Approved: December 31, 1975.

PETER O. SUCHMAN,
Acting Assistant Secretary of the Treasury.

[FR Doc.76-319 Filed 1-6-76;8:45 am]

FOOTWEAR FROM TAIWAN

Final Countervailing Duty Determination

On July 3, 1975, a "Notice of Preliminary Countervailing Duty Determination" was published in the FEDERAL REGISTER (40 F.R. 28105). The notice stated that on the basis of an investigation conducted pursuant to section 159.47(c), Customs Regulations (19 CFR 159.47(c)), a preliminary determination was made that no bounty or grant is being paid or bestowed, directly or indirectly, within the meaning of section 303, Tariff Act of 1930, as amended, (19 U.S.C. 1303) upon the manufacture, production, or exportation of footwear from Taiwan.

The notice stated further that before a final determination would be made in the proceeding, consideration would be given to any relevant data, views, or arguments submitted in writing within 30 days from the date of the notice with respect to the preliminary determination. The 30 day period for the submission of views was extended to 60 days by notice published in the FEDERAL REGISTER on August 15, 1975 (40 F.R. 34423).

Subsequent analysis has revealed that footwear facilities in Taiwan may be eligible for various tax and other incentives under the *Statute for Encouragement of Investment*, the criteria of which includes enterprises that would qualify if they export all of their production. Since the Treasury Department cannot ascertain at this time that no footwear facilities receive benefits under the *Statute for Encouragement of Investment*, it has been determined that exports of footwear from Taiwan are subject to bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303). Further inquiry will be made to determine those footwear facilities, if any, who receive benefits under the above-mentioned statute.

Accordingly, notice is hereby given that footwear imported directly or indirectly from Taiwan, if entered, or withdrawn from warehouse, for consumption on or after the date of publication in the FEDERAL REGISTER, will be subject to payment of countervailing duties equal to the net amount of any bounty or grant ascertained and determined, or estimated, to have been paid or bestowed.

The liquidation of all entries for consumption or withdrawals from warehouse for consumption of such dutiable footwear imported directly or indirectly from Taiwan which benefit from such bounties or grants and is subject to the order shall be suspended pending declarations of the net amounts of the bounties or grants paid or bestowed. A deposit of the estimated countervailing duty, in the amount of 5 percent *ad valorem*, shall be required at the time of entry for consumption or withdrawal from warehouse for consumption.

Effective January 7, 1976 and until further notice, upon the entry for consumption or withdrawal from warehouse for consumption of such dutiable footwear imported directly from Taiwan, which benefit from these bounties or grants, there shall be collected, in addition to any other duties estimated or determined to be due, countervailing duties in the amount ascertained in accordance with the above declaration.

The table in section 159.47(f) of the Customs Regulations (19 CFR 159.47(f)) is amended by inserting in the column headed "Country", the name Taiwan. The column headed "Commodity" is amended by inserting the word "footwear". The column headed "Treasury Decision" is amended by inserting the number of this Treasury Decision, and the words "Bounty Declared—Rate" in the column headed "Action".

This notice is published pursuant to section 303; Tariff Act of 1930, as amended (19 U.S.C. 1303). (R.S. 251, sec. 303, as amended, 624; 46 Stat. 687, 759, 88 Stat. 2050; 19 U.S.C. 66, 1303, as amended, 1624).

ROLAND RAYMOND,
Acting Commissioner of Customs.

Approved: December 30, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76-323 Filed 1-6-76;8:45 am]

PROCESSED ASPARAGUS FROM MEXICO

Notice of Final Countervailing Duty Determination

On July 3, 1975, a "Notice of Preliminary Countervailing Duty Determination" was published in the FEDERAL REGISTER (40 F.R. 28106). The notice stated that on the basis of an investigation conducted pursuant to section 159.47(c), Customs Regulations (19 CFR 159.47(c)), a preliminary determination was made that a bounty or grant is being paid or bestowed, directly or indirectly, within the meaning of section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303), upon the manufacture, production, or exportation of processed asparagus from Mexico. For the purposes of this investigation the term "processed asparagus" refers to canned asparagus.

The notice stated further, however, that the information available at that time was not sufficient to permit a thorough analysis of the nature and effect of the benefits conferred on exports of processed asparagus. The benefits were described as the granting of tax rebate certificates upon export of 10% of the value of the subject product.

The notice also stated that before a final determination would be made in this proceeding, consideration would be given to any relevant data, views, or arguments submitted in writing within 30 days from the date of the notice with respect to the preliminary determination. The 30-day period for the submission of views was extended to 60 days by notice published in the FEDERAL REGISTER of August 15, 1975 (40 F.R. 34423).

Since the preliminary determination, an aditional submission has been received from the Government of Mexico which indicates that the benefits in question involve the rebate of indirect taxes to the one processor/exporter of processed asparagus. The taxes rebated are turnover (sales) taxes levied at all stages of the production process of the merchandise which have been determined to equal the 10% export rebate.

The Department of the Treasury has consistently, over the years, held that rebates or remissions of indirect taxes, directly borne by exported products, are not bounties or grants within the meaning of section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303).

In view of the foregoing, a final determination is hereby made in this proceeding that no bounty or grant is being paid or bestowed, directly or indirectly, within the meaning of section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303), upon the manufacture, production, or exportation of processed asparagus from Mexico.

This notice is published pursuant to section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303).

G. R. DICKERSON,
Acting Commissioner of Customs.

Approved: December 22, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76-322 Filed 1-6-76;8:45 am]

Office of the Secretary

FLOAT GLASS FROM BELGIUM

Notice of Final Countervailing Duty Determination

On July 3, 1975, a "Notice of Preliminary Countervailing Duty Determination" was published in the FEDERAL REGISTER (40 FR 28104). The notice stated that, on the basis of an investigation conducted pursuant to section 159.47(c), Customs Regulations (19 CFR 159.47(c)), it had been preliminarily determined that benefits had been received under various regional development programs maintained by the Belgian Government, which were of a type that could, in some circumstances, constitute the payment of a bounty or grant, directly or indirectly, within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303) (referred to below as the "Act"). These benefits included investment grants for capital expenditures, low interest loans, employment premiums, reduced rate of capital gains tax, exemptions from registration fees levied on increases in assets, exemptions from real estate taxes, accelerated depreciation, exemption from local taxes and tax exemptions for interest rate subsidies and capital grants on investments. At the time, insufficient information was available to determination the nature and effect of the benefits.

The notice further stated that, before a final determination would be made, consideration would be given to any relevant data, views, or arguments submitted in writing, within 30 days of the date of the notice. The period for written comments was extended to September 3, 1975, by notice published in the FEDERAL REGISTER August 15, 1975 (40 FR 34423–34424).

Information has now been received that permits a more complete analysis of the alleged bounties and grants. Under various regional development programs administered by the Government of Belgium, low interest loans, investment subsidies in the form of cash grants, special accelerated depreciation rates and exemption from real estate taxes have been

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given to producers of float glass. The Belgian Government has advised the Treasury Department that these benefits have the effect of offsetting disadvantages which would discourage industry from moving to and expanding in less prosperous regions. Inasmuch as the recipient glass producers sell a preponderance of their production in the European Community (not less than 85 percent), the level of exports to the United States is a small percentage of the amount exported, and the amount of assistance provided by the regional incentive programs is less than 2 percent of the value of float glass produced, these benefits are not regarded as bounties or grants within the meaning of section 303 of the Act. All other benefits alleged in the petition are found either not to be bounties or grants or not to be applicable to the producers of float glass in Belgium.

Accordingly, for the reasons stated above, it is hereby determined that no bounty or grant is being paid or bestowed, directly or indirectly, within the meaning of section 303 of the Act, upon the manufacture, production, or exportation of float glass from Belgium.

This notice is published pursuant to section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303).

ROLAND RAYMOND,
Acting Commissioner of Customs.

Approved: December 24, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76-321 Filed 1-6-76;8:45 am]

FLOAT GLASS FROM WEST GERMANY

Notice of Final Countervailing Duty Determination

On June 30, 1975, a "Notice of Preliminary Countervailing Duty Determination" was published in the Federal Register. The notice stated that, on the basis of an investigation conducted pursuant to section 159.47(c) Customs Regulations (19 CFR 159.47(c)), it had been preliminary determined that benefits had been received under various West German Federal and State Government regional development programs. These benefits, including investment grants for capital expenditures, low interest loans, and special railway tariffs, were of a type that could, in some circumstances, constitute bounties or grants within the meaning of the law. At the time insufficient information was available to determine the nature and effect of the benefits.

The notice further stated that, before a final determination would be made, consideration would be given to any relevant data, views or arguments submitted in writing, within 30 days of the date of the notice. The period for written comments was extended to September 3, 1975, by notice published in the Federal Register August 15, 1975 (40 FR 34423–34424).

Information has now been received that permits a more complete analysis of the alleged bounties and grants. Under various regional development programs administered by the Federal and State Governments, low interest loans and investment subsidies in the form of cash grants and tax credits have been given to producers of float glass. The German Government has advised the Treasury Department that these benefits have the effect of offsetting disadvantages which would discourage industry from moving to and expanding in less prosperous regions. Inasmuch as the recipient glass producers sell a preponderance of their production in the West German home market (not less than 80 percent and up to 99%), the level of exports to the United States is a small percentage of the amount exported, and the amount of assistance provided by the regional incentive programs is less than 2 percent of the value of float glass produced, these benefits are not regarded as bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303). All other allegations alleged in the petition are found not to be applicable to the manufacturer, producer or exporter.

Accordingly, for the reasons stated above, it is hereby determined that no bounty or grant is being paid or bestowed, directly or indirectly, within the meaning of section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303), upon the manufacture, production, or exportation of float glass from West Germany.

This notice is published pursuant to section 303, Tariff Act of 1930, as amended (19 U.S.C. 1303).

Approved: December 24, 1975.

ROLAND RAYMOND,
Acting Commissioner of Customs.

David R. Macdonald,
Assistant Secretary of the Treasury.

[FR Doc.76-320 Filed 1-6-76;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Army

ARMED FORCES EPIDEMIOLOGICAL BOARD

Notice of Open Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92–463), announcement is made of the following committee meeting:

An ad hoc Study Team operating as a subcommittee of the Armed Forces Epidemiological Board will meet 28–29 January 1976 in the Conference Room, Building 111, Rocky Mountain Arsenal, Denver, Colorado from 0830 to 1630 hours. The purpose of the meeting is to review occupational health aspects of cholinesterase inhibitors. The proposed agenda includes a discussion of current policy and procedures and the development of improved occupational health programs.

This meeting is open to the public, but limited by space accommodations.

Any interested person may attend, appear before, or file statements with the committee at the time and in the manner permitted by the committee. Interested persons wishing to participate should advise the Executive Secretary, AFEB in writing, prior to the meeting, at the following address: Executive Secretary, DASG–AFEB, Room 1B47 Pentagon, Washington, D.C. 20310.

DUANE G. ERICKSON,
LTC, MSC, USA,
Executive Secretary.

JANUARY 2, 1976.

[FR Doc.76-357 Filed 1-6-76;8:45 am]

Office of the Secretary

ADVISORY GROUP ON ELECTRON DEVICES

Advisory Committee Meeting

Working Group C (Mainly Imaging & Display) of the DoD Advisory Group on Electron Devices (AGED) will meet in closed session at 201 Varick Street, 9th Floor, New York, NY 10014 on 26 January 1976.

The purpose of the Advisory Group is to provide the Director of Defense Research and Engineering, the Director, Defense Advanced Research Projects Agency and the Military Departments with technical advice on the conduct of economical and effective research and development programs in the area of electron devices.

The Working Group C meeting will be limited to review of research and development programs which the Military Departments propose to initiate with industry, universities or in their laboratories. This special device area includes such programs as Infrared and Night Vision Sensors. The review will include classified program details and will result in advice or recommendations to government research and development agencies preliminary to decision or actions, the preliminary disclosure of which would interfere with the orderly conduct of government.

In accordance with section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Advisory Group meeting concerns matters listed in section 552(b) of Title 5 of the United States Code, specifically subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

Dated: January 2, 1976.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

[FR Doc.76-306 Filed 1-6-76;8:45 am]

Office of the Secretary

INTELLIGENCE AGENCY SCIENTIFIC ADVISORY COMMITTEE

Notice of Closed Meeting

Pursuant to the provisions of section 10 of Pub. L. 92–463, effective January 5, 1973, notice is hereby given that a closed meeting of a Panel of the DIA Scientific Advisory Committee will be held as follows:

Wednesday, 28 January 1976—Pomponio Plaza, Rosslyn, Virginia

The entire meeting commencing at 0900 hours is devoted to the discussion of classified information as defined in Section 552(b)(1), Title 5 of the U.S. Code and therefore will be closed to the public. Subject matter is to work on a study of specialized intelligence data requirements.

JANUARY 2, 1976.

MAURICE W. ROCHE,
Director, Correspondence and Directives (OASD, Comptroller).

[FR Doc.76-383 Filed 1-6-76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

IDAHO FALLS DISTRICT ADVISORY BOARD

Meeting

Notice is hereby given in accordance with Pub. L. 92–463 that a meeting of the Idaho Falls District Advisory Board will be held February 5, 1976, at 9 a.m. in the conference room of the Bureau of Land Management building, Idaho Falls District, 940 Lincoln Road, in the city of Idaho Falls, State of Idaho.

The Board was established to provide the Idaho Falls District of the Bureau of Land Management with advice and recommendations as to the proper management of the National Resource Lands to produce goods and services for the American people.

The purpose of the meeting is to discuss the Little Lost-Birch Creek Management Framework Plan; the Desert Land Entry Applications West of St. Anthony, Idaho; proposed Off-road Vehicle Closures; Cress Creek Nature Trail; Applications from Livestock Operators to Change Class of Livestock and the District Activities during the forthcoming field season. The Advisory Board will also hear and make recommendations on those grazing type protests that involve multiple-use values.

The meeting is open to the public. It is expected that 5 persons will be able to attend the session in addition to the Committee members. Interested persons may make oral presentations to the Board or file written statements. Such requests should be made to the official listed below at least five days prior to the meeting.

Further information concerning this meeting may be obtained from O'dell A. Frandsen, District Manager, Bureau of Land Management, 940 Lincoln Road, Idaho Falls, Idaho 83401, Phone (208) 522–7460. Minutes of this meeting will be available for public information and copying three weeks after the meeting at the Idaho Falls District, Bureau of Land Management, 940 Lincoln Road, Idaho Falls, Idaho.

Dated: January 5, 1976.

O'DELL A. FRANDSEN,
District Manager.

[FR Doc.76-300 Filed 1-6-75;8:45 am]

[Group 617]

CALIFORNIA

Notice of Filing of Plat of Survey

DECEMBER 31, 1975.

1. A plat of survey of the following described land, accepted December 2, 1975, will be officially filed in the California State Office, Bureau of Land Management, Sacramento, California, effective at 10:00 a.m. on February 16, 1976:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 25 N., R. 4 E.
Tract 41

The area described totals 6.46 acres.

The plat represents a dependent resurvey of the west one-half mile between sections 10 and 15, and the survey of Tract 41 in Section 10.

2. The survey was executed at the request of the Forest Service, Region 5, to facilitate a proposed exchange.

3. The above described lands are within the Lassen National Forest and are therefore not subject to disposition under the public land laws generally by reason of the official filing of the plat of survey. The minerals in the land were withdrawn from prospecting, location, entry and purchase under the mining laws by Public Land order 2919 dated January 30, 1963 in aid of programs of the Forest Service.

ELEANOR K. WILKINSON,
Chief, Branch of Records & Data Management.

[FR Doc.76-417 Filed 1-6-76;8:45 am]

[A 9077]

ARIZONA

Hazard Beacon Site

DECEMBER 29, 1975.

Notice is hereby given that pursuant to the Act of May 24, 1928 (49 U.S.C. 211–214), the City of Phoenix, Arizona, has applied for a hazard beacon site to be located in the N½ sec. 22, T. 4 N., R. 3 E., GSR Mer., Arizona, being more particularly described as follows:

Beginning at the Southeast corner of said N½ sec. 22; thence N. 71°58'11" W., a distance of 4,270.31 feet to the True point of beginning of the parcel herein described; thence W. a distance of 50 feet; thence N. a distance of 50 feet; thence E. a distance of 50 feet; thence S. a distance of 50 feet; to the true point of beginning; containing 2,500 square feet; .05739 of an acre.

The purpose of this notice is to inform the public that the filing of this application segregates the described land from all other forms of use or disposal under the public land laws.

Interested persons desiring to express their views should promptly send their comments to the Acting Chief, Division of Technical Services, Bureau of Land Management, 2400 Valley Bank Center, Phoenix, Arizona 85073.

LAWRENCE E. POWELL,
Acting Chief, Division of Technical Services.

[FR Doc.76-416 Filed 1-6-76;8:45 am]

BURLEY DISTRICT MULTIPLE USE ADVISORY BOARD

Notice of Meeting

Notice is hereby given in accordance with Pub. L. 92–463, that a meeting of the Burley District Multiple Use Advisory Board will be held February 4, 1976, at 9:30 A.M. at the District Office, 2 miles south on Highway 27, Burley, Idaho.

The Advisory Board was established to advise the District Manager on matters relating to the use, management, protection and disposition of lands and resources administered within the Burley District. The agenda for the meeting will include a review of Pocatello Management Framework Plan and results of public meetings; review of Desert Land Entry and Carey Act Programs in the Burley District; report of ad hoc committee findings on Simplot Exchange; report from ad hoc committee on Salmon Falls Natural Area Proposal; noxious weeds on BLM lands; grazing applications, transfers and changes of use; and discussion of Advisory Board funds.

The meeting will be open to the public. Any interested person wishing to make a presentation to the Board, or submit a written statement should contact the official listed below at least five days prior to the meeting.

Further information concerning this meeting may be obtained from the District Manager, Bureau of Land Management, Route 3, Box 1, Burley, Idaho 83318 (Telephone 678–5514). Minutes of the meeting will be available for public inspection and copying approximately one month after the meeting at the District Office in Burley, Idaho.

K. LYNN BENNETT,
Acting District Manager.

[FR Doc.76-415 Filed 1-6-76;8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

SOUTH LINDENBERG PENINSULA LAND USE PLAN

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for a Land Use Plan for the South Lindenberg Peninsula Management Unit, USDA–FS–R10–DES (Adm) 76–02.

The environmental statement concerns a proposed land use plan for the management under principles of multiple use of approximately 64,600 acres of National Forest Land located on the South Lindenberg Peninsula of Kupreanof Island near Petersburg, Alaska.

This draft environmental statement was transmitted to CEQ on December 30, 1975.

Copies are available for inspection during regular working hours at the following locations:

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USDA, Forest Service, South Agricultural Building, Room 3231, 12th St. and Independence Ave. SW., Washington, D.C. 20250.
USDA, Forest Service, Alaska Region, Federal Office Building, Juneau, Alaska 99802.
Forest Supervisor, Chatham Area, Tongass National Forest, Federal Building, Sitka, Alaska 99835.
Forest Supervisor, Stikine Area, Tongass National Forest, Federal Building, Petersburg, Alaska 99833.
Forest Supervisor, Ketchikan Area, Tongass National Forest, Federal Building, Room 313, Ketchikan, Alaska 99901.

A limited number of single copies are available upon request to Forest Supervisor, Stikine Area, Tongass National Forest, P.O. Box 309, Petersburg, Alaska 99833.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public, and from state and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to E. Allen Crozer, Forest Supervisor, Stikine Area, Tongass National Forest, P.O. Box 309, Petersburg, Alaska 99833. Comments must be received by March 1, 1976, in order to be considered in the preparation of the final environmental statement.

JOHN F. PROKOP,
Acting Regional Forester,
Alaska Region.

DECEMBER 30, 1975.

[FR Doc.76-398 Filed 1-6-76;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

ADMINISTRATIVE HOSPITAL SERVICES, INC., ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of EMI Brain Scanner Systems

The following is a consolidated decision on applications for duty-free entry of EMI Brain Scanner Systems pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq, 15 CFR 701, 1975.) (See especially § 301.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 76-00080-33-90000. Applicant: Administrative Hospital Services, Inc., 400 30th Street, Suite 400, Oakland, California 94609. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for screening for mineral pressure hydrocephalus in a community practice and correlation of headache with neurological abnormality. Application received by Commissioner of Customs: August 14, 1975. Advice submitted by the Department of Health, Education, and Welfare on: November 20, 1975. Article ordered: February 27, 1975.

Docket number: 76-00085-33-90000. Applicant: Tampa General Hospital, Nuclear Medicine Department, Davis Islands, Tampa, Florida 33606. Article: EMI Scanner System with Magnetic Tape System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for research and experiments including phantom evaluations to increase diagnostic capabilities to provide better patient diagnostic services. Along with clinical evaluations will include comparison of other instruments and radiological procedures, such as, the anger camera, electroencephalography, ultrasound, cerebral angiography, and neuroencephalography. Physicians residents, technologists and nurses will be given formal courses in theory and clinical methodologies of the EMI system. Application received by Commissioner of Customs: August 20, 1975. Advice submitted by the Department of Health, Education, and Welfare on: November 20, 1975. Article ordered: June 6, 1975.

Docket number: 76-00094-99-90000. Applicant: Medical University of S.C., 80 Barre Street, Charleston, South Carolina 29401. Article: EMI Scanner System with Magnetic Tape System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used to serially study patients with various diseases in order to understand the underlying pathological changes in the brain. Both normal properties of the human brain and disease processes of the brain will be studied. Research programs will include the following:

1. The cerebral changes found in patients with migraine,

2. The effect on cerebral ventricular size of shunting procedures in patients with hydrocephalus, and

3. The cerebral changes found in patients with strokes and the evolution of these changes.

In addition, the article is to be used in the training of medical and paramedical personnel at all levels.

Application received by Commissioner of Customs: August 26, 1975. Advice submitted by the Department of Health, Education, and Welfare on: November 20, 1975. Article ordered: October 16, 1975.

Docket number: 76-00096-33-90000. Applicant: University Hospital-University of California Medical Center San Diego, 225 West Dickinson Street, San Diego, California 92103. Article: EMI Scanner with Magnetic Tape Unit. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for clinical research into brain tumors, brain damage, brain infection, and other intracranial disease in efforts to improve the clinical care of neurological and neurosurgical patients. The article will be used for teaching purposes in the education of medical students, interns and residents with particular instruction of Radiology residents and faculty. Application received by Commissioner of Customs: August 26, 1975. Advice submitted by the Department of Health, Education, and Welfare on: November 20, 1975. Article ordered: February 28, 1975.

Docket number: 76-00098-33-90000. Applicant: St. Joseph Medical Center, Buena Vista at Alameda St., Burbank, California 91505. Article: EMI Scanner System with Magnetic Tape System, and Diagnostic Display Console. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used in continuing the education of hospital staff doctors, especially neurosurgeons, neurologists, internists and general practitioners. The article will also be used for training in diagnostic and therapeutic radiologic procedures and techniques, office procedure, and departmental administration. In addition, the article will be used in the Center's diversified research program which includes two biochemical studies of blood coagulation and a metabolic study to detect mental deficiency in newborn infants. Other research projects involve a clinical study of the effects of drugs on heart disease and cancer research that includes a study of the relationship between the body's immune resistance and cancer and a biomedical study on the etiology of stomach cancer. Application received by Commissioner of Customs: August 26, 1975. Advice submitted by the Department of Health, Education, and Welfare on: November 20, 1975. Article ordered: April 15, 1975.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for such purposes as these articles are intended to be used, is being manufactured in the United States. Reasons: Each foreign article is a newly developed system which is designed to provide precise transverse axial X-ray tomography. Although competitive systems are now being manufactured domestically, none of these systems were available at the time the articles were ordered. The Department of Health, Education, and Welfare (HEW) advised in its respectively cited memoranda that the sensitivity and the non-invasive methodology of each article are pertinent to the purposes for which each foreign article is intended to be used. HEW also advised that it knows of no domestic instrument of equivalent scientific value to any of the articles to which the foregoing applications relate for such purposes as these articles are intended to be used which

was being manufactured in the United States at the time the articles were ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which were being manufactured in the United States at the time the articles were ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Director, Special Import
Programs Division.

[FR Doc.76-410 Filed 1-6-76;8:45 am]

BROOKHAVEN NATIONAL LABORATORY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq, 15 CFR 701, 1975).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 75-00402-75-49400. Applicant: Brookhaven National Laboratory, Associated Universities, Inc., Upton, Long Island, New York 11973. Article: Neutron Guide Tube. Manufacturer: Universitat Munchen Geschaftefuhrer, West Germany. Intended use of article: The article is intended to be used in a program of investigating the properties of atomic nuclei. In particular, nuclei in high states of excitation are produced at charged particle accelerators and at the Brookhaven High Flux Research Reactor and the various properties of their excited energy levels are determined and compared with the predictions of nuclear models.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is able to conduct and concentrate a beam of neutrons on the targets of various materials which are to be investigated by the applicant. The National Bureau of Standards (NBS) advises in its memorandum dated December 2, 1975 that the specification described above is pertinent to the applicant's intended purposes. NBS also advises that it knows of no domestic instrument of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Director, Special Import
Programs Division.

[FR Doc.76-399 Filed 1-6-76;8:45 am]

DANIEL FREEMAN MEMORIAL HOSPITAL AND DUKE UNIVERSITY MEDICAL CENTER

Notice of Consolidated Decision on Applications for Duty-Free Entry of EMI Scanner Systems

The following is a consolidated decision on applications for duty-free entry of EMI Scanner Systems pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq, 15 CFR 701, 1975.) (See especially § 301.11(e))

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20234.

Docket number: 76-00058-99-90000. Applicant: Daniel Freeman Memorial Hospital, 333 N. Prairie Avenue, Inglewood, CA 90301. Article: EMI Scanner System with Magnetic Tape Storage System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used in the education and training of various professionals: Radiologists, Neurologists, Neurosurgeons, Neuropathologists Radiologic Technologists and Neuro Diagnostic Technologists. A formal educational program will be initiated to familiarize physicians in the diagnostic aspects of the scanner for brain and meningeal diseases. Additional course will be offered to instruct physicians and technologists in the technical aspects of EMI testing, the mechanical construction and in the use and care of the various associated components. Application received by Commissioner of Customs: July 28, 1975. Advice submitted by the Department of Health, Education, and Welfare on: November 11, 1975. Article ordered: February 21, 1975.

Docket number: 76-00073-33-90000. Applicant: Duke University Medical Center, Department of Radiology, Durham, N.C. 27710. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is being evaluated to determine its impact on related procedures such as arteriograms, pneumoencephalograms, and brain scans as well as its impact on total patient care. In addition, it will be used in an ongoing comparative evaluation of its accuracy as opposed to that of presently used invasive procedures. The article will also be used to train residents in radiology, neurology, and neurosurgery; physicians and X-ray technicians. Application received by Commissioner of Customs: August 8, 1975. Advice submitted by the Department of Health, Education, and Welfare on: November 11, 1975. Article ordered: January 10, 1975.

Comments: no comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for such purposes as these articles are intended to be used, is being manufactured in the United States. Reasons: Each foreign article is a newly developed system which is designed to provide precise transverse axial X-ray tomography. The Department of Health, Education, and Welfare (HEW) advised in its respectively cited memoranda that the sensitivity and the noninvasive methodology of each article are pertinent to the purposes for which each foreign article is intended to be used. HEW also advised that it knows of no domestic instrument of equivalent scientific value to any of the articles to which the foregoing applications relate for such purposes as these articles are intended to be used which was being manufactured in the United States at the time the articles were ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which were being manufactured in the United States at the time the articles were ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Director, Special Import
Programs Division.

[FR Doc.76-412 Filed 1-6-76;8:45 am]

DONALD N. SHARP MEDICAL CENTER, ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of EMI Brain Scanner Systems

The following is a consolidated decision on applications for duty-free entry of EMI Brain Scanner Systems pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701, 1975). (See especially § 301.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 76-00100-33-90000. Applicant: Donald N. Sharp Medical Center, 7901 Frost Street, San Diego, California 92123. Article: EMI Scanner System with Diagnostic Display Console.

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Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for studies of the human cranium, its contents, and the middle and upper thirds of the facial bones and contained structures, including orbits and certain paranasal sinuses. The properties to be investigated include changes in radiation absorption coefficiency associated with disease and disease states in experiments which consist principally of the identification and localization of abnormalities of the brain and orbits—as well as the progress of these abnormalities in response to treatment. The educational purposes for which the article is intended to be used include the training of radiology technology students, presentations to the attending medical staffs of hospitals as a part of continuing medical education and utilization in training of resident physicians. Application received by Commissioner of Customs: August 26, 1975. Advice submitted by the Department of Health, Education, and Welfare on: November 28, 1975. Article ordered: June 20, 1975.

Docket number: 76–00102–33–90000. Applicant: Charlotte Memorial Hospital and Medical Center, 1000 Blythe Boulevard, Charlotte, North Carolina 28234. Article: EMI Scanner with Magnetic Tape Storage System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used to diagnose, study, and evaluate pathological conditions of the brain in order to plan appropriate medical or surgical treatment. The article will also be used in research on cerebral blood flow. In addition, the article is intended to be used in various medical, educational and research programs for medical students of various rank and residents. The training will be designed to teach operation and the interpretation of the results provided by the article. Application received by Commissioner of Customs: August 26, 1975. Advice submitted by the Department of Health, Education, and Welfare on: November 28, 1975. Article ordered: November 8, 1974.

Docket number: 76–00109–33–90000. Applicant: St. Mary Medical Center, 1050 Linden Avenue, Long Beach, California 90801. Article: EMI Scanner System with Magnetic Tape System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used in the investigation of neurologic diseases which result in alterations of the normal cerebral anatomy. Research to be conducted will involve (1) the specific anatomic changes occurring in the cerebral ventricular system with certain neurologic degenerative diseases such as normal pressure hydrocephalus, and (2) specific applications of the article, as compared to other modalities currently in use, in patient diagnosis. In addition, the article will be used in postgraduate medical training programs (internships, residencies, and fellowships) of all major specialties including medicine, surgery, pathology, pediatrics and radiology. Application received by Commissioner of Customs: August 29, 1975. Advice submitted by the Department of Health, Education, and Welfare on: November 28, 1975. Article ordered: May 7, 1975.

Docket number: 76–00116–33–90000. Applicant: Long Beach Community Hospital, 1720 Termino Avenue, Long Beach, California 90801. Article: EMI Scanner System with Magnetic Tape System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used in development of a noninvasive technique for evaluating brain tumors and metastatic tumors to the brain. The article will also be used in following stroke patients and differentiating these from brain hemorrhages and brain tumors in the geriatric age group which is necessary in order to salvage functional capacity as well as in eliminating nonsalvageable patients and saving cost, hospitalization and utilization. Application received by Commissioner of Customs: September 3, 1975. Advice submitted by the Department of Health, Education, and Welfare on: November 28, 1975. Article ordered: April 11, 1975.

Docket number: 76–00122–33–90000. Applicant: Santa Rosa Medical Center, 519 W. Houston, San Antonio, Texas 78207. Article: EMI Scanner with Magnetic Tape Storage System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used to provide a computerized analysis of the absorption coefficient from tomographic slices of the brain. Some of the research projects to be conducted will include:

(1) A study to determine which children with epileptic gait problems are surgically remedial as opposed to those not.

(2) A study to determine any difference in the size of the cortical mantle (i.e. hydrocephalus exvacuo) in the patients with chronic frequent seizures as versus patients who have only occasional seizures and patients without seizures.

(3) A study of epileptic children and adults with and without contrast enhancement in order to determine the number of patients with temporal lobe problems.

(4) Determination of ventricular size following neonatal meningitis and subarachnoid hemorrhage in newborn and a study to determine which of these children will benefit from ventricular shunting and the correlation of the intracranial changes on a serial basis after shunting, i.e., number of shunt failures and number of patients with good response to shunting.

(5) A study of the correlation of density of normal brain tissue as against the density of abnormal stored material in brain tissue present with inherited metabolic disorders of the brain.

(6) Study of patients with brain tumors pre and post surgery to determine the extent of removal of the tumor.

(7) Study of effects of hypersmolar therapy and steroid therapy in the treatment of closed head injuries with several contusions and edema.

The article is also intended to be used for training residents, technologists and medical students in the Department of Radiology. Application received by Commissioner of Customs: September 3, 1975. Advice submitted by the Department of Health, Education, and Welfare on: November 28, 1975. Article ordered: October 4, 1974.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for such purposes as these articles are intended to be used, is being manufactured in the United States. Reasons: Each foreign article is a newly developed system which is designed to provide precise transverse axial X-ray tomography. Although competitive systems are now being manufactured domestically, none of these systems were available at the time the articles were ordered. The Department of Health, Education, and Welfare (HEW) advised in its respectively cited memoranda that the sensitivity and the non-evasive methodology of each article are pertinent to the purposes for which each foreign article is intended to be used. HEW also advised that it knows of no domestic instrument of equivalent scientific value to any of the articles to which the foregoing applications relate for such purposes as these articles are intended to be used which was being manufactured in the United States at the time the articles were ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which were being manufactured in the United States at the time the articles were ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.76–411 Filed 1–6–76;8:45 am]

JOHNS HOPKINS UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq, 15 CFR 701, 1975).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 76–00103–33–19095. Applicant: The Johns Hopkins University, Charles and 34th Streets, Baltimore, Maryland 20218. Article: Scanning Microdensitometer, M85. Manufacturer: Vickers Instruments, Inc., United Kingdom. Intended use of article: The article is intended to be used for the measurement of adrenocorticotrophic hormone (ACTH) by observing changes in the adrenal gland induced by known and unknow samples of the hormone. In experiments to be conducted plasma concentrations of ACTH are determined during control periods and following certain manipulations. These manipulations include blood loss or infusion of fluid, manipulation of pressures or flows in critical vascular beds including the carotid arteries and atria of the heart, stimulation of peripheral nerves leading from these receptor areas to the central nervous system, and in stimulation of critical areas within the central nervous system including the medulla, midbrain and hypothalamus.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides continuous scanning from 400 to 700 manometers and has an obtainable sensitivity as low as 5 femtograms. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated November 28, 1975 that a scanning instrument with the highest sensitivity is pertinent to the applicant's intended purposes. HEW also advises that it knows of no comparable domestic instrument of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.76–400 Filed 1–6–76;8:45 am]

NATIONAL CENTER FOR TOXICOLOGICAL RESEARCH AND PUBLIC HEALTH SERVICE

Notice of Consolidated Decision on Applications for Duty-Free Entry of Accessories for Foreign Instruments

The following is a consolidated decision on applications for duty-free entry of accessories for foreign instruments pursuant to section 6(c) of the Educational Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701, 1975.) (See especially § 301.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 76–0071–00–77040. Applicant: DHEW/FDA, National Center for Toxicological Research, Jefferson, Arkansas 72079. Article: Mass Display and Marker w/o galvanometer, Model 471293. Manufacturer: Varian-MAT GmbH, West Germany. Intended use of article: The article is an accessory to an existing mass spectrometer ordered from the same manufacturer which is being used for the investigation of the chemical structural identity of carcinogenic residues from animal tissue, blood, urine, and feces.

The article is to be used for determining exact mass starting values and peak apex determination for data acquisition which is now necessary under the current research protocols. Application received by Commissioner of Customs: August 5, 1975. Advice submitted by the Department of Health, Education, and Welfare on: November 11, 1975.

Docket Number: 76–00074–00–46500. Applicant: DHEW, U.S. Public Health Service, Center for Disease Control, 1600 Clifton Rd. N.E., Atlanta, Ga. 30333. Article: Cryokit, Model LKB 14800. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to modify an existing ultramicrotome being used in the preparation of frozen tissue sections for immunofluorescence studies. Application received by Commissioner of Customs: August 8, 1975. Advice submitted by the Department of Health, Education, and Welfare on: November 11, 1975.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which the articles are intended to be used, is being manufactured in the United States. Reasons: The applications relate to compatible accessories for instruments that have been previously imported for the use of the applicant institutions. The articles are being manufactured by the manufacturers which produced the instruments with which they are intended to be used. We are advised by the Department of Health, Education, and Welfare in the respectively cited memoranda that the accessories are pertinent to the applicants' intended uses and that it knows of no comparable domestic articles.

The Department of Commerce knows of no similar accessories manufactured in the United States which are interchangeable with or can be readily adapted to the instruments with which the foreign articles are intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.76–413 Filed 1–6–76;8:45 am]

NATIONAL RADIO ASTRONOMY OBSERVATORY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq, 15 CFR 701, 1975).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 76–00156–18–80050. Applicant: National Radio Astronomy Observatory Associated Universities, Inc., 1000 Bullock Blvd., Socorro, New Mexico 87801. Article: (20mm Diameter) Flexible Helix Waveguide Length. Manufacturer: Fujikura Cable Works, Ltd., Japan. Intended use of article: The article is intended to be used as part of the Very Large Array radio telescope to transmit radio wavelengths radiation received from extraterrestrial objects to recording apparatus. The study of this radiation enables astronomers to study the sources of energy, origin and evaluation of the universe.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign articles which are custom made provide (1) low loss of signal strength over the long transmission paths (21 kilometers) required by the Very Large Array radio telescope under construction by the applicant, (2) transmission of wide signal bandwidths, needed for handling very high data rates, (3) very low signal distortion (VSWR) and (4) elimination of the need for complex electronic amplifiers (repeaters) at 800 meters along the transmission line. The National Bureau of Standards (NBS) advises in its memorandum dated November 20, 1975 that the capabilities of the articles described above are pertinent to the applicant's intended use. NBS also advises that it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for such purposes as the articles are intended to be used.

The Department of Commerce knows of no other instrument or apparatus of

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equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director,
Special Import Programs Division.

[FR Doc.76-401 Filed 1-6-76;8:45 am]

NORTHWESTERN UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701, 1975).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 76-00028-33-14900. Applicant: Northwestern University, 619 Clark Street, Evanston, Ill. 60201. Article: 502/ADC Analogue to digital converter. Manufacturer: Cambridge Electronic Design Ltd., United Kingdom. Intended use of article: The article is intended to be used for studies of the responses to time-varying stimuli of retinal ganglion cells of the cat.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The application relates to a compatible accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used and is pertinent to the applicant's purposes.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director,
Special Import Programs Division.

[FR Doc.76-402 Filed 1-6-76;8:45 am]

PENNSYLVANIA HOSPITAL

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701, 1975).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 76-00105-33-77030. Applicant: Pennsylvania Hospital, 8th & Spruce Streets, Phila., Pa. 19107. Article: Coherent NMR Pulsed Spectrometer, Model CPS-2 with permanent magnet, PM 20 (or equivalent). Manufacturer: Spin-Lock Electronics Co., Canada. Intended use of article: The article is intended to be used to make various water proton relaxation measurements using pulsed NMR methods in a large variety of living tissues and their models, and to correlate these studies with other parallel investigations in order to find definitive criteria that would distinguish between the alternative theories mentioned above and in furthering the understanding of fundamental mechanisms involved in Damadian's phenomenological observation, now almost universally confirmed.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is able to perform Corr-Purcell and spin lock pulse sequences. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated November 24, 1975 that the capability of the article described above is pertinent to the applicant's intended purposes. HEW also advises that it knows of no domestically produced spectrometer which provides the pertinent feature.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director,
Special Import Programs Division.

[FR Doc.76-403 Filed 1-6-76;8:45 am]

SUNY—STONY BROOK

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq, 15 CFR 701, 1975).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 76-00092-33-46040. Applicant: State University of New York, Health Sciences Center, Stony Brook, New York 11794. Article: Electron Microscope, Model EM 201 and goniometer stage. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used in carrying out the following research:

(a) Application of the electron microscope heteroduplex method, which is a method to analyze sequence relationships between different nucleic acid elements, to physically map the position of sequences such as duplications, substitutions, deletion, inversions, and translocations.

(b) Investigation into aspects of ribosome function and structure, such as particle surface structure.

(c) Study of actin and myosin fibrils which are found as bundles of cables within the cell.

(d) Study of cellular production of immunoglobulin (Ig) to determine differences in ultrastructure between normal cells and mutants deficient in Ig production.

(e) Investigation of the adsorption process of the bacteriophage P22 using a variety of mutants of this phage and the electron microscope.

(f) Determination of the extent to which structural elements may direct the biological function of ribonucleic acids of mammalian viruses and cells.

(g) Study of the uptake of vaccinia virus in mammalian cells will be undertaken as part of a study of the synthesis and transport of messenger-RNA by vaccinia virus.

(h) Research concerned with the structure and synthesis of the nucleic, especially the properties of the circular DNA's. In addition, the article is intended to be used in teaching medical, dental, and allied health students in addition to graduate and undergraduate students in the Basic Health Sciences curriculum and students enrolled in the Division of Biological Sciences. These students will learn the methodology and techniques of using an electron microscope for visualization of extremely small cellular components, and will learn how to extend the results of these techniques to the solution of research problems.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used was being manufactured in the United States at the time the foreign article was ordered (August 12, 1975). Reasons: The foreign article is equipped with a eucentric goniometer stage. At the time the foreign article was ordered the most closely comparable domestic instrument was the Model EMU-4C available from the Adam David Company. The Department of Health, Education, and Welfare (HEW) advised in its memorandum dated November 20, 1975 that the eucentric goniometer stage of the article is pertinent to the applicant's intended purposes. HEW further advises that the EMU-4C does not have a scientifically equivalent eucentric goniometer stage. We, therefore, find that EMU-4C is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Director,
Special Import Programs Division.

[FR Doc.76-404 Filed 1-6-76;8:45 am]

TEMPLE UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq, 15 CFR 701,1975).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 76-00091-33-46040. Applicant: Temple University, Health Science Center, Department of Pathology, 3400 North Broad Street, Philadelphia, Pa. 19140. Article: Electron Microscope, Model HU-12A. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The article is intended to be used for research concerned with the fine structure of various aspects of cancer including squamous cell carcinoma in which the attachment zones at the cell surfaces are of considerable importance. Of particular interest is the evaluation of decreased numbers of attachment zones such as desmonsomes in noncancerous squamous epithelium invasive squamous cell carcinoma and cell carcinoma in situ. The article is also intended to be used in studies designed to reveal the presence of virus in the cell tissue.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (March 26, 1973). Reasons: The foreign article provides distortion free micrograms over a magnification range 500 to 500,000x without a pole-piece change in the first specimen chamber and 50x to 3,000x in the second specimen chamber. The most closely comparable domestic instrument available is the Model EMU-4C electron microscope currently supplied by the Adam David Company (Adam David). When the article was ordered the Model EMU-4C with its standard pole-piece, had a specified range from 1,400 to 240,000 magnifications. For survey and scanning, the lower end of this range could be reduced to 200 magnifications or less. But the continued reduction of magnification induced an increasingly greater distortion. The domestic manufacturer suggests in its literature on the Model EMU-4C that for highest quality, low magnification electron micrographs, an optional low magnification pole-piece providing 500-70,000x should be used. It is noted that changing the pole-piece on the Model EMU-4C requires a break in the vacuum of the column that induces the danger of contamination which would very likely lead to the failure of the experiment. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated November 20, 1975 that magnification range without a pole-piece change of the article is pertinent to the applicant's purposes. HEW also advises that the Model EMU-4C does not provide scientifically equivalent magnification ranges without a pole-piece change for the applicant's intended use.

We, therefore, find that the Model EMU-4C is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.76-405 Filed 1-6-76;8:45 am]

UNIVERSITY OF CHICAGO, ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Articles

The following is a consolidated decision on applications for duty-free entry of scientific articles pursuant to section 6 (c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701. 1975.)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Decision: Applications denied. Applicants have failed to establish that instruments or apparatus of equivalent scientific value to the foreign articles, for such purposes as the foreign articles are intended to be used, are not being manufactured in the United States.

Reasons: Subsection 301.8 of the Regulations provides in pertinent part:

> The applicant shall on or before the 20th day following the date of such notice, inform the Deputy Assistant Secretary whether it intends to resubmit another application for the same article for the same intended purposes to which the denied application relates. The applicant shall then resubmit the new application on or before the 90th day following the date of the notice of denial without prejudice to resubmission, unless an extension of time is granted by the Deputy Assistant Secretary in writing prior to the expiration of the 90 day period. . . . If the applicant fails, within the applicable time periods specified above, to either (a) inform the Deputy Assistant Secretary whether it intends to resubmit another application for the same article to which the denial without prejudice to resubmission relates, or (b) resubmit the new application, the prior denial without prejudice to resubmission shall have the effect of a final decision by the Deputy Assistant Secretary on the application within the context of Subsection 301.11.

The meaning of the subsection is that should an applicant either fail to notify the Deputy Assistant Secretary of its intent to resubmit another application for the same article to which the denial without prejudice relates within the 20 day period, or fails to resubmit a new application within the 90 day period, the prior denial without prejudice to resubmission will have the effect of a final denial of the application.

None of the applicants to which this consolidated decision relates has satisfied the requirements set forth above, therefore, the prior denials without prejudice have the effect of a final decision denying their respective applications.

Subsection 301.8 further provides:

> . . . the Deputy Assistant Secretary shall transmit a summary of the prior denial without prejudice to resubmission to the *Federal Register* for publication, to the Commissioner of Customs, and to the applicant.

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Each of the prior denials without prejudice to resubmission to which this consolidated decision relates was based on the failure of the respective applicants to submit the required documentation, including a completely executed application form, in sufficient detail to allow the issue of "scientific equivalency" to be determined by the Deputy Assistant Secretary.

Docket number: 74–00137–90–46070. Applicant: University of Chicago, Operator of Argonne National Laboratory, 9700 South Cass Avenue, Argonne, Illinois 60439. Article: Scanning Electron Microscope, Model MSM–3T. Date of denial without prejudice to resubmission: August 5, 1975.

Docket number: 75–00456–33–02300. Applicant: Hahnemann Medical College and Hospital, Department of Physiology & Biophysics, 235 North Fifteenth Street, Philadelphia, PA. 19102. Article: Rhesus Primate Chairs. Date of denial without prejudice to resubmission: August 14, 1975.

Docket number: 75–00459–33–90000. Applicant: Florida Hospital, 601 E. Rollins Street, Orlando, Florida 32803. Article: EMI Scanner System. Date of denial without prejudice to resubmission: August 14, 1975.

(Catalog of Federal Domestic Assistance No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.76–409 Filed 1–6–76;8:45 am]

UNIVERSITY OF SOUTH CAROLINA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701, 1975).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 76–00166–00–43000. Applicant: University of South Carolina, Department of Geology, Columbia, S.C. 29208. Article: High Temperature Spinner and Furnance and Core Attachment. Manufacturer: Digico, United Kingdom. Intended use of article: The article is intended to be used for measurements of magnetic remanence during the process of heating; that is, monitor the changes in direction of the magnetization during heating.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is able to measure magnetic remanence during the process of heating. The National Bureau of Standards (NBS) advises in memorandum dated December 3, 1975 that the capability described above is pertinent to the applicant's intended use. NBS also advises that it knows of no domestic instrument of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.76–407 Filed 1–6–76;8:45 am]

WASHINGTON UNIVERSITY SCHOOL OF MEDICINE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq, 15 CFR 701, 1975).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 76–00087–33–07795. Applicant: Washington University School of Medicine, 660 South Euclid Avenue, St. Louis, Missouri 63110. Article: Continuous Recording Camera, Model PC–2A. Manufacturer: Nihon Kohden Kogyo Co., Ltd., Japan. Intended use of article: The article is intended to be used in the study of nerve cells in the lamprey spinal cord in which experiments will be conducted to determine synaptic interactions of cells by stimulating one and recording from another.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a data marking unit for frame identification and can operate in a lighted room. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated November 20, 1975 that the capabilities described above are pertinent to the applicant's intended purposes. HEW also advises that comparable domestic oscilloscope cameras do not provide the pertinent features.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Director, Special Import Program Division.

[FR Doc.76–406 Filed 1–6–76;8:45 am]

WAYNE STATE UNIVERSITY, ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before January 27, 1976.

Amended regulations issued under cited Act, (40 FR 12253 et seq, 15 CFR 701, 1975) prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket number: 76–00213–33–46500. Applicant: Wayne State University, Detroit, Michigan 48202. Article: Ultramicrotome, Model OM U3, with Specimen Holders. Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article is intended to be used in an ultrastructural and cytochemical study of neural induction in amphibians with an intent to identify and describe the nature and mechanisms involved in neural induction utilizing *in vivo* and tissue culture techniques. Optimum information can only be obtained from thin sections of soft specimens such as neural structures, embryonic tissues and cell cultures, when they are uniform in thickness and have smoothly cut surfaces. Application received by Commissioner of Customs: November 20, 1975.

Docket number: 76–00214–33–90000. Applicant: Hartford Hospital, 80 Seymour Street, Hartford, Connecticut 06115. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used to obtain clinical information pertaining to the skull and head to determine if brain tissue abnormalities are present or not in patients. In addition, the article will be used for (1) teaching of Radiology residents and technicians to use and interpret diagnostic data obtained and (2) increasing diagnostic skills of users to broaden clinical information obtainable and to better diagnose patient abnormalities. Application received by Commissioner of Customs: November 24, 1975.

Docket number: 76–00215–33–42900. Applicant: State University of New York, Downstate Medical Center, 450 Clarkson Avenue, Brooklyn, New York 11203. Article: Superconductive Solenoid, Room Temperature Shim System Programmer Energization/SC Shim Power Supply. Manufacturer: Canada Superconductor and Cryogenics Co. Ltd., Canada. Intended use of article: The article is intended to be used for experiments aimed at detecting internal tumors in the monkey. The objective is an NMR technique that will ultimately detect and noninvasively localize internal tumors in man. Both high resolution NMR experiments utilizing p^{31} as the probe nucleus and relaxation measurements using p^{31}, K^{39}, Na^{23} and H^1 are planned. Application received by Commissioner of Customs: November 24, 1975.

Docket number: 76–00216–01–61300. Applicant: U.S. Environmental Protection Agency, Environmental Research Center (MD59), Research Tirangle Park, North Carolina 27711. Article: Automatic Pipette Diluter Dispenser System. Manufacturer: AutoChem Instrument, Sweden. Intended use of article: The article is intended to be used in an investigation of air pollution to assess the accuracy, reproducibility and reliability of a known method for assaying sulfate by careful duplication of the procedure. Application received by Commissioner of Customs: November 24, 1975.

Docket number: 76–00217–33–46040. Applicant: University of Minnesota, Department of Anatomy, 262 Jackson Hall, Minneapolis, Minnesota 55455. Article: Electron Microscope, Model EM 201C. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used to examine animal tissues and cells after challenge with chemical stimuli and/or modification of their physiological environment. Changes in cellular components will be quantitatively assessed by using linear scanning and other morphometric techniques. The distribution of antigens within tissues and cells will be investigated by using the unlabelled antibody method on ultrathin sections for electron microscopy. Ultrastructural alterations in the arrangement and distribution of cellular membranes, organelles and/or antigenic components will be correlated with biochemical observations, physiological observations, and quantitative changes in cellular morphology observed at the light microscope level. The article will also be used for educational purposes in courses open to undergraduate medical students, postdoctoral fellows, graduate students, and faculty who have expressed an interest in learning electron microscopy and associated techniques. Application received by Commissioner of Customs: November 24, 1975.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Material)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.76–408 Filed 1–6–76;8:45 am]

EXPORTERS' TEXTILE ADVISORY COMMITTEE

Notice of Public Meeting

JANUARY 5, 1976.

The Exporters' Textile Advisory Committee will meet at 10:00 a.m. on February 11, 1976, in Room 3817, Department of Commerce, 14th and Constitution Avenue NW., Washington, D.C. 20230.

The Committee which is comprised of 28 members involved in textile and apparel exporting, advises Department officials concerning ways of increasing U.S. exports of textile and apparel products.

The agenda for the meeting is as follows:

1. Review of Export Data.
2. Report on Conditions in the Export Market.
3. Recent Foreign Restrictions Affecting Textiles.
4. Other Business.

A limited number of seats will be available to the public. The public will be permitted to file written statements with the Committee before or after the meeting. To the extent time is available at the end of the meeting, the presentation of oral statements will be allowed.

Copies of the minutes of the meeting will be made available on written request addressed to the DIBA Freedom of Information Officer, Freedom of Information Control Desk, Room 3100, U.S. Department of Commerce, Washington, D.C. 20230.

Further information concerning the Committee may be obtained from Arthur Garel, Director, Office of Textiles, Main Commerce Building, U.S. Department of Commerce, Washington, D.C. 20230.

ALAN POLANSKY,
Deputy Assistant Secretary for Policy-DIBA, and Director, Bureau of Resources.

[FR Doc.76–541 Filed 1–6–76;8:45 am]

Economic Development Administration

CAPITAL FOOTWEAR CORP.

Notice of Petition for a Determination

A petition by Capital Footwear Corporation, 60 Fremont Street, Worcester, Massachusetts 01603, a producer of men's slippers and casual footwear, was accepted for filing on December 31, 1975, under Section 251 of the Trade Act of 1974 (Pub. L. 93–618). Consequently, the United States Department of Commerce has instituted an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the tenth calendar day following the publication of this notice.

CHARLES L. SMITH,
Acting Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc.76–305 Filed 1–6–76;8:45 am]

Office of the Secretary

REFRIGERATORS, COMBINATION REFRIGERATOR-FREEZERS, AND FREEZERS

Voluntary Energy Conservation; Testing and Labeling

Correction

In FR Doc. 75–32787 appearing on page 58673 in the issue for Thursday, December 18, 1975 the following correction should be made:

In the table appearing on page 58675 in the 4th column, "Manual Defrost: Maximum", for the entry "17.5 to 18.4" cubic feet, the numbers "6.50" should read "5.60".

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control

SAFETY AND OCCUPATIONAL HEALTH STUDY SECTION

Notice of Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), the Center for Disease Control announces the following National Institute for Occupational Safety and Health Committee meeting:

Name: Safety and Occupational Health Study Section.

Date: January 29–30, 1976.

Place: Conference Room A, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852.

Time: 9 a.m.

Type of Meeting: Open—9 a.m. to 10:15 a.m., on January 29. Closed—Remainder of meeting.

Contact Person: John F. Bester, Ph. D., Executive Secretary, Park Building, Room 1–10, NIOSH, 5600 Fishers Lane, Rockville, Maryland 20852. Phone: 301–443–4493.

Purpose: The Committee is charged with the initial review of research, training, demonstration, and fellowship grant applications for Federal assistance in program areas administered by the National Institute for Occupational Safety and Health, and with advising the Institute staff on training and research needs.

Agenda: Agenda items for the open portion of the meeting will include reading of minutes of previous meeting, administrative, staff, and Institute Direc-

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tor's reports, and introduction of a new member. During the closed session beginning at 10:15 a.m., January 29, 1976, through adjournment on January 30, 1976, the Study Section will be performing the initial review of research grant and training grant applications for Federal assistance, and will not be open to the public, in accordance with the provisions set forth in Section 552(b) (5) and (6), Title 5, U.S. Code, and the Determination of the Director, Center for Disease Control, pursuant to Public Law 92–463.

Agenda items are subject to change as priorities dictate.

The portion of the meeting so indicated is open to the public for observation and participation. A roster of members and other relevant information regarding the meeting may be obtained from the contact person listed above.

Dated: December 29, 1975.

DAVID J. SENCER,
Director, Center for Disease Control.

[FR Doc.76-414 Filed 1-6-76;8:45 am]

Public Health Service

NATIONAL INSTITUTES OF HEALTH

Statement of Organization, Functions, and Delegations of Authority

Part 8 (National Institutes of Health) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (40 FR 22859, May 27, 1975) is amended to reflect: (1) the establishment of the Office of International Affairs as a division level office reporting to the Director, National Cancer Institute (NCI), and (2) the abolishment of the Clinical Research Program within the Division of Cancer Biology and Diagnosis, NCI.

Sec. 8–B Organization and Functions is amended as follows:

(1) Under *National Cancer Institute (8C00)*, insert the following statement after the statement for the Office of Cancer Communications (8C08):

Office of International Affairs (8C09). (1) Coordinates the planning, management, and evaluation of the international research, control, and information activities of the National Cancer Program; (2) develops and implements International Cancer Research Data Bank programs; (3) serves as National Cancer Institute focal point with the Fogarty International Center, the Office of International Health, the State Department, and other Federal organizations involved in international health activities; (4) coordinates cancer activities under bilateral agreements between the United States and other countries; (5) plans and implements programs for the international exchange of scientists; (6) maintains liaison with international agencies involved in the National Cancer Program.

(2) Delete the statement for the *Clinical Research Program (8C1302)* after the statement for the Division of Cancer Biology and Diagnosis (8C13).

Dated December 30, 1975.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.76-386 Filed 1-6-76;8:45 am]

Office of the Secretary

SUPPLEMENTARY MEDICAL INSURANCE FOR THE AGED AND DISABLED

Monthly Actuarial Rates and Monthly Premium Rate

Pursuant to authority contained in sections 1839(c) (1) and (4) of the Social Security Act (42 U.S.C. 1395r(c) (1) and (4)), as added by section 203(c) of Public Law 92–603, the Secretary of Health, Education, and Welfare is required to promulgate two monthly adequate actuarial rates for the Medicare Supplementary Medical Insurance program for the period July 1976 through June 1977. One rate is equivalent to one-half of the estimated incurred cost of the program per aged enrollee, and the other is equivalent to one-half of the estimated incurred cost for each disabled enrollee. Pursuant to authority contained in section 1839(c)(3) of the Social Security Act (42 U.S.C. 1395r(c)(3), added by section 203(c) of Public Law 92–603, the Secretary is also required to promulgate a single monthly premium rate for both aged and disabled enrollees which is derived from the monthly adequate actuarial rate for the aged enrollees. The difference between the premium paid by enrollees and total incurred per capita costs is met from the general revenues of the Federal government. The notices of these promulgations for the period July 1976 through June 1977 are as follows:

NOTICE OF MONTHLY ADEQUATE ACTUARIAL RATES

On the basis of the accompanying statement of actuarial assumptions and bases pursuant to section 1839(c) (1) and (4) of the Social Security Act (42 U.S.C. 1395r(c) (1) and (4)) as amended by Public Law 92–603, I hereby determine that the monthly adequate actuarial rates which shall be applicable for the 12-month period commencing July 1, 1976, are $10.70 for enrollees age 65 and over and $19.00 for disabled enrollee under age 65.

NOTICE OF MONTHLY PREMIUM RATE

Pursuant to authority contained in section 1839(c)(3) of the Social Security Act (42 U.S.C. 1395r(c)(3)), as amended by Public Law 92–603, I hereby determine and announce that the dollar amount which shall be applicable for premiums for purposes of section 1839(c)(3) of the Act, as amended, shall be $7.20 monthly in the 12-month period beginning July 1976 and ending June 1977.

STATEMENT OF ACTUARIAL ASSUMPTIONS AND BASES EMPLOYED IN DETERMINING THE MONTHLY ADEQUATE ACTUARIAL RATES AND THE STANDARD MONTHLY PREMIUM RATE FOR THE SUPPLEMENTARY MEDICAL INSURANCE PROGRAM BEGINNING JULY 1976

This is a statement of actuarial assumptions and bases employed in determining the adequate actuarial rates and the standard monthly premium rate for the Supplementary Medical Insurance Program for the period July 1976 through June 1977. The monthly adequate actuarial rate for enrollees age 65 and over is $10.70. The monthly adequate actuarial rate for disabled enrollees is $19.00. The standard premium monthly rate for both types of enrollees is $7.20.

I. ACTUARIAL STATUS OF THE SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND

The law requires that the Supplementary Medical Insurance (SMI) program be financed on an incurred basis. That is, the income to the program during the 12-month period for which adequate rates are effective must be sufficient to pay for services (including associated administrative costs) rendered during that period even though payment for some of these services will not be made until after the close of the period. The portion of income required to cover those benefits not paid until after the close of the year is added to the trust fund until needed. Thus, the trust fund at any time should be equal to the cost of the benefits and administration incurred but not yet paid. Because the adequate rates are established prospectively, they are subject to projection error. As a result, the income to the program may not be equal to incurred costs and therefore the trust fund may not be equal to the value of incurred but unpaid expenses. Modest deficiencies in the trust fund balance do not interfere with the operation of the program if the fund is large relative to outlays and if future financing is established to correct the deficiencies. Table I summarizes the estimated actuarial status of the trust fund as of June 30, 1974, 1975, and 1976.

TABLE I

Year ending June 30	Fund at end of period (in millions)	Liability for incurred but unpaid services (in millions)	Fund-liabilities (in millions)
1974	$1,272	$1,146	$126
1975	1,494	1,462	−36
1976	1,176	1,775	−599

The sizeable deficit shown at the end of fiscal year 1976 results from program cost increases substantially in excess of those anticipated in setting the adequate rates for 1976. In particular, outpatient hospital and home health costs per enrollee appear to have increased approximately 50 percent in 1975, well in excess of typical increases of 20 to 25 percent. Also, "utilization" of physician services appears to have increased at the rate of 6 percent per year in 1973 through 1975 after several years of 2–3 percent increases. ("Utilization" here, is measured indirectly and refers to increased costs per capita due to added visits, the use of more expensive services, and other factors not explained by simple price per service increases.) This deficiency must be considered in establishing the financing for subsequent years.

II. MONTHLY ADEQUATE ACTUARIAL RATES FOR ENROLLEES AGE 65 AND OLDER

The monthly adequate actuarial rate is one-half the monthly projected per capita cost for benefits and administrative expenses adjusted to allow for interest earnings on the fund, to allow for a contingency margin, and to allow for amortization of the program surplus or deficit.

The monthly adequate actuarial rate for enrollees age 65 and older for the year ending June 30, 1977, was determined by projecting the fiscal year 1974 per capita cost by type of service. The projected cost for the years ending June 30, 1974, 1975, 1976, and 1977 are shown in Table II. The 1974 values were established from program data. Subsequent years were projected using a combination of program data and data from external sources. The projection factors used are shown in Table III.

TABLE II.—*Derivation of SMI aged monthly rate required for years ending June 30, 1974–1977*

	1974	1975	1976	1977
Covered Services (at level recognized):				
Physicians' reasonable charges	$7.06	$8.11	$9.04	$10.25
Radiology and pathology	.32	.36	.39	.43
Group practice plans	.16	.18	.20	.22
Independent lab	.06	.07	.07	.08
Home health agencies	.08	.12	.17	.21
Outpatient hospital and other institutions	.89	1.33	1.80	2.25
Total services	8.57	10.17	11.67	13.44
Cost sharing:				
Deductible	−1.60	−1.64	−1.68	−1.73
Coinsurance	−1.31	−1.61	−1.89	−2.21
Total benefits	5.66	6.92	8.10	9.50
Administrative expenses	.65	.80	.88	.94
Incurred expenditures	6.31	7.72	8.98	10.44
Value of interest on fund	−.14	−.18	−.15	−.17
Margin for contingencies and to amortize unfunded liabilities	.13	−.84	−1.33	.83
Promulgated rate	6.30	6.70	7.50	10.70

TABLE III

	Year ending June 30		
	1975 (percent)	1976 (percent)	1977 (percent)
Physicians' services:			
Fees	8.4	7.2	10.0
Number and mix [2]	6.0	4.0	3.0
Outpatient hospital and home health agencies	50.0	25.0	25.0
Group practice plans	15.0	10.0	10.0
Other	10.0	10.0	10.0

[1] As paid by the program.
[2] Increase in the number of services received per capita and greater relative use of more expensive services.

There is some ambiguity created by the change in fiscal year (to an October through September basis) regarding the updating of the physician reasonable charge screens. This ambiguity affects the projection factor to be used for physician fees in the July 1976 to June 1977 period. This projection assumes that the screens will be updated in July 1976 based on calendar 1975 fees—the same procedure as has occurred in the past. Taken literally, the law implies that the screens would be updated in October 1976 based on calendar 1975 fees; but the screens for July to September 1976 are not defined. Presumably this ambiguity will be resolved by technical amendment during the next few months.

The projected monthly rate required to pay for benefits and administrative costs for the year ending June 30, 1977, net of interest is $10.27. The monthly actuarially adequate rate of $10.70 will allow approximately 40 percent of the $599 million projected deficit to be written off between July 1976 and June 1977.

III. ADEQUATE ACTUARIAL RATE FOR THE DISABLED

The monthly adequate actuarial rate for disabled enrollees applies to persons eligible because they have been entitled to disability insurance benefits for not less than 24 months or because they are suffering from chronic renal disease. Data on an incurred basis are not yet complete enough to be used in the cost projection of these enrollees. From the cash payments it is possible to infer, at least approximately, the level of incurred costs for the disabled. Table IV summarizes the results of this procedure. The monthly rate required to pay for benefits and administrative costs for disabled beneficiaries for the year ending June 30, 1977, net of interest earnings is projected to be $19.08. The monthly actuarially adequate rate of $19.00 is appropriate in view of the excess amounts estimated for disabled enrollees in prior years.

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TABLE IV.—*Derivation of SMI disabled monthly rate required for year ending June 30, 1974–1977*

	1974	1975	1976	1977
Total benefits	$7.85	$10.89	$14.78	$17.69
Administrative expenses	3.08	1.34	1.62	1.75
Incurred expenditures	10.93	12.23	16.40	19.38
Value of interest on fund	−.09	−.27	−.27	−.30
Margin for contingencies and to amortize unfunded liabilities	3.66	6.04	2.37	−.08
Promulgated monthly rate	14.50	18.00	18.50	19.00

IV. SENSITIVITY TESTING

Several factors contribute to uncertainty about future trends in medical care costs, notably, the recent deviations from long-term trends referred to above. In view of this, it seems appropriate to test the adequacy under alternate assumptions of the rates promulgated here. The most unpredictable factors which contribute significantly to future costs are outpatient hospital costs, physician utilization and the increase in physician fees as constrained by the reasonable charge screens and the newly implemented economic index. Two alternative sets of assumptions and the results of those assumptions are shown in Table V. All assumptions not shown in Table V are the same as in Table III.

Table V indicates that under fairly optimistic assumptions the monthly rates promulgated will result in a surplus of $79 million by the end of June 1977. Under fairly pessimistic assumptions the deficit increases to $1,421 million but the trust fund remains positive allowing the program to continue paying claims as presented.

TABLE V.—*Actuarial Status of the SMI trust fund under 3 sets of assumptions*

	This projection		Low assumption		High assumption	
	1976	1977	1976	1977	1976	1977
Per enrollee increases in:						
Physician fees (percent)	7.2	10.0	7.0	9.0	8.2	11.0
Physician utilization (percent)	4.0	3.0	3.0	2.0	6.0	6.0
Outpatient hospital and home health agencies (percent)	35.0	25.0	25.0	20.0	50.0	35.0
Trust fund as of June 30 (in millions)	$1,176	$1,798	$1,251	$2,119	$1,002	$991
Liabilities as of June 30 (in millions)	$1,775	$2,141	$1,730	$2,040	$1,859	$2,412
Trust fund—liabilities	−$599	−$343	−$479	$79	−$857	−$1,421

V. STANDARD PREMIUM RATE

The law provides that the standard monthly premium rate, promulgated in December to apply for both aged and disabled enrollees under the supplementary medical insurance program, shall be the lesser of:

(i) The actuarial rate for enrollees age 65 and older; or

(ii) The standard monthly premium currently being charged, increased by the same percentage that old-age, survivors, and disability insurance benefits were increased since the May preceding the promulgation (and rounded to the nearer dime).

The standard monthly premium currently being charged is $6.70. The OASDI benefit table was increased eight percent in June 1975. The $6.70 rate increased by eight percent is $7.20 rounded to the nearer ten cent multiple. Since this is less than the $10.70 actuarial rate, the standard premium rate is $7.20 for the twelve months ending with June 1977.

Dated: December 31, 1975.

DAVID MATHEWS,
Secretary.

[FR Doc.75-35254 Filed 12-31-75;3:31 pm]

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. RST-1, Waiver Petition No. 17]

PENN CENTRAL TRANSPORTATION CO.

Supplemental Report and Order

On February 25, 1974, the Federal Railroad Administration (FRA) issued a final report and order (39 FR 7827) on the petition filed by the Penn Central Transportation Company (Penn Central) which requested a temporary waiver of the Federal Railroad Administration Track Safety Standards for Track Geometry (49 CFR 213.51–63) and Crossties (49 CFR 213.109). That final report and order also involved the similar petitions filed by the State of Maryland and by the State of Delaware which requested analogous relief with respect to the Penn Central track located within those states.

In that final report and order the Penn Central was granted a temporary waiver from compliance with those provisions of the Track Safety Standards subject to certain terms and conditions. Among those conditions was a provision requiring the initiation and pursuit of a program to restore track in accordance with the terms of that order. This program was premised on FRA's belief that sufficient resources were available to Penn Central, including internally-generated funds, to enable it to restore all of the non-complying track to the minimum Class 1 conditions. Subsequently, Penn Central submitted its proposed schedule of restoration which provided for the rehabilitation of all track covered by this petition by December 31, 1975. This schedule of restoration was accepted by FRA.

The Administrator of the FRA has delegated to the Railroad Safety Board (Board) the responsibility to consider all waivers of compliance with standards and regulations issued by the FRA (FRA Order No. 100.14C). Pursuant to its delegated authority, the Board has reviewed the performance of Penn Central under the provisions of the final report and order in order to determine the appropriate course of action to be taken in this proceeding, including whether to revoke the waiver, invoke the penalty provisions set forth in 45 U.S.C. 438, or allow the waiver to be continued on new terms and conditions.

With respect to progress under the restoration program for the track covered by this waiver, the monthly reports submitted by the Penn Central for each category of track pursuant to the final report and order indicate the following:

Mainlines, 120 miles under waiver, 100% restored.
Branchlines, 1400 miles under waiver, 43% restored.
Secondary, 1600 miles under waiver, 37% restored.
Running, 148 miles under waiver, 24% restored.
Industrial, 350 miles under waiver, 25% restored.
Yard, 2500 miles under waiver, 26% restored.

On the basis of this review, it is clear that Penn Central has not complied with the final report and order in that it has failed to complete the restoration program by December 31, 1975. One of the major causes for that failure is the general economic downturn occurring in late 1974 and most of 1975 which adversely impacted Penn Central's ability to carry out the restoration program. In fact the economic position of the Penn Central was altered to such a degree that a substantial infusion of federal funds was necessary simply to avoid a cessation of rail service.

The Board also examined in detail information concerning the operational safety of these lines. This information was supplied by Penn Central pursuant to the final report and order which required weekly reports of all derailments irrespective of injury or estimated dollar damage. That requirement is far more comprehensive than FRA's Accident/Incident Reporting regulations (49 CFR Part 225) which require reporting of incidents resulitng in damage in excess of $1,750. The Board found that 4,212 derailments occurred on this trackage during the 21-month reporting period, of which 3,060 derailments were due to track related causes.

Finally, the Board considered the status of the trackage subject to this waiver under the Final System Plan issued by the United States Railway Association pursuant to the Regional Rail Reorganization Act of 1973, as amended, (45 U.S.C. 751 et seq.) (Rail Act). Analysis of the available data indicates that, yard tracks excluded, 48 percent of the waiver trackage is scheduled for acquisition by Consolidated Rail Corporation (ConRail). Approximately 10 percent of this trackage is available for acquisition by other solvent railroads. The balance of this trackage is available for discontinuance or subsidy in order to retain service over those lines.

Under the Rail Act, properties are to be transferred on February 27, 1975 unless that date is modified by Congress. Service on properties which are not transferred will be discontinued under procedures set forth in the Rail Act unless an adequate subsidy is made available. It is imperative that essential services be maintained on all of these properties until the transfer date so as to assure an orderly transition and reorganization. Moreover, if services were discontinued prior to the transfer date, persons having their employment relationship terminate as a result of the discontinuance may become ineligible for labor protection benefits under title V of the Rail Act.

On the basis of this analysis of Penn Central's failure to comply with the restoration program, and the Board's evaluation that the public interest would be best served by permitting the waiver to continue in effect, the Board has decided to continue the waiver under new terms and conditions. The Board specifically finds that such a decision is consistent with railroad safety.

The issuance of this supplemental report and order does not, however, constitute a revocation of any of the conditions or provisions of that final report and order, except to the extent they are inconsistent with this order, and does not constitute a waiver of any rights or powers which the FRA may have by virtue of that final report and order including, without limitation, the ability to impose penalties for failure to comply with the terms and conditions of that final report and order.

A. *WAIVER.* For the reasons stated in this order, the Board hereby continues in effect the temporary waiver granted in the final report and order. This waiver is subject to the following conditions: (1) that Penn Central pursue the program of restoration required by Part B of the final report and order at the same average monthly level of effort and consistent with available financial resources, (2) that Penn Central submit to FRA the current monthly report of work completed and in progress, and (3) that Penn Central comply with the General Terms and Conditions of Part C and the Special Terms and Conditions of Part D of the final report and order as modified in this order. In the event of any failure to comply with the terms and conditions of this waiver, FRA may, at any time, revoke the waiver or invoke the penalty provisions of 45 U.S.C. 438, or both.

B. TRANSFER OF WAIVER. As previously stated, the Board has determined that it is in the public interest that this waiver be continued in order to assure an orderly transition and reorganization under the Rail Act. Consistent with this determination, the Board hereby provides for an expedited procedure, in lieu of procedures otherwise available under 49 CFR 211.9(a) and 213.5(b), so as to assure that operations can continue for an interim period under this waiver until a satisfactory program of restoration can be developed and implemented. Accordingly, notwithstanding any other provision of law, the following procedures are established for the transfer of this waiver:

1. This waiver shall continue to apply to trackage transferred from Penn Central to ConRail or another solvent railroad if, prior to the date of such transfer, the acquiring carrier submits the notice described in paragraph 3 of this part.

2. This waiver shall continue to apply to trackage to be operated pursuant to assistance provided under title IV of the Rail Act if, prior to the discontinuance of service pursuant to section 304 of the Rail Act, the carrier that is to continue rail operations over any such trackage pursant to assistance offered in accordance wtih section 304 of the Rail Act submits the notice described in paragraph 3 of this part.

3. This waiver shall continue with respect to trackage covered by this supplemental report and order if FRA receives, in accordance with paragraph 1 or 2 of this part, as appropriate, a written notice containing the following:

(a) the name and address of the party submitting the notice;

(b) a detailed identification of the trackage involved; and

(c) a statement from the party submitting the notice that—

(i) it has the competence and ability to carry out the duties of a track owner under the FRA Track Safety Standards (49 CFR 213);

(ii) it assumes responsibility for compliance with those standards and the terms and conditions set forth in parts B, C, and D of this waiver; and

(iii) within 90 days after the date of this notice, it will submit to FRA a program for restoration of the track described in the notice to at least Class 1 standards by the earliest feasible date but not later than January 1, 1977, unless for good cause shown the Administrator consents in writing to a later date; and

4. In the event of any failure to comply with the terms and conditions of this waiver, FRA may, at any time, revoke the waiver or invoke the penalty provisions of 45 U.S.C. 438, or both.

C. GENERAL TERMS AND CONDITIONS. 1. All track not complying with Class 1 standards which is known to be utilized for hauling more than 10 million gross ton miles per year (not including yard track) shall be inspected daily by carrier operating on such track; all track located in yards in which annual throughput exceeds 100,000 cars per annum shall be inspected weekly; and all other non-complying track shall be inspected weekly or prior to each train movement if there is less than one train per week operated over it.

2. Operating speed on all track that does not comply with Class 1 standards is restricted to a maximum of 8 miles per hour for secondary, branch and passing siding track, and to 6 miles per hour for yard, industrial and running connection track.

3. No train in revenue passenger service may be operated over any track that does not comply with Class 1 standards. Track not meeting Class 1 standard which is immediately adjacent to track over which passenger trains are operated, shall be taken out of service and all movements on the adjacent track shall be stopped not less than ½ hour prior to the scheduled passage of a passenger train. The track over which the passenger train is to move shall then be inspected to assure that it is clear. This inspection must be completed in sufficient time to permit flagging of any moving passenger train before it approaches the adjacent track. The adjacent track may not be returned to service until after passage of the passenger train has been verified.

4. *All* derailments occurring on track covered by this petition are to be reported weekly to FRA, regardless of whether they result in injury or property damage.

5. Other operating restrictions, including cessation of all operations over a segment of track, may be added as necessary for safe operations. Supervisors shall take special care to assure that employees subject to their supervision are informed of the provisions of this waiver.

6. Operations may be conducted pursuant to the provisions of Section 213.11 of the Track Safety Standards (49 CFR 213.11) on track which is being restored or renewed under the continuous supervision.

D. SPECIAL TERMS AND CONDITIONS (HAZARDOUS MATERIALS). 1. To minimize mileage of operation over substandard track that does not comply with Class 1 standards, placarded cars transporting hazardous materials shall, whenever possible and regardless of the number of additional movement miles, be routed over track that complies with the track safety standards, including track of another railroad. Such routing shall be made regardless of shipper instructions specifying a different route.

2. Any placarded car transporting a hazardous material shall not be oper-

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ated over track that does not comply with Class 1 standards unless:

(a) that track is inspected within 24 hours prior to the movement by a person designated under § 213.7(a) of the Track Safety Standards (49 CFR 213.7 (a)) who certifies in writing to the operating carrier that the track is safe for that intended movement of hazardous materials; and

(b) the maximum operating speed for any such movement does not exceed 8 miles per hour.

3. Any placarded car transporting a hazardous material, whose total weight when loaded exceeds 263,000 pounds, shall not be operated over track that does not comply with Class 1 standards unless:

(a) that track is inspected immediately prior to the movement by a person designated under § 213.7(a) of the Track Safety Standards 49 CFR 213.7(a) who certifies in writing to the operating carrier that the track is safe for that intended movement of hazardous materials;

(b) the maximum operating speed for any such movement does not exceed 6 miles per hour; and

(c) all movements on adjacent tracks are stopped until the passage of these placarded cars is completed.

4. Upon written request, special approvals for relief from these conditions may be granted by the Associate Administrator for Safety of FRA upon such other terms and conditions as he deems appropriate. Any request must set forth the nature of the relief requested, the circumstances of the intended movement, and a description of any additional operating restrictions considered necessary for the safety of that movement.

This supplemental order supersedes the final report and order in this proceeding and becomes effective immediately upon its issuance.

Issued in Washington, D.C. on December 31, 1975.

DONALD W. BENNETT,
Chairman, Railroad Safety Board.

[FR Doc.76-307 Filed 1-6-76;8:45 am]

CIVIL AERONAUTICS BOARD

[Order No. 76-1-2]

AIR CARRIERS AND SWISS FOREIGN AIR CARRIERS

Order Granting Waiver Regarding Charter Trips Between the United States and Switzerland

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 2nd day of January, 1976.

On November 24, 1975, the Government of the United States and the Swiss Federal Air Office, by an exchange of letters, entered into an Understanding governing the charterworthiness of passenger charter trips operated by the carriers of both countries between their respective territories. The Understanding is effective from the date of the exchange of letters (November 24, 1975) to December 31, 1976. In principal substantive effect the Understanding provides:

1. Subject to compulsory clauses of their national air laws the air transport authorities of each country will accept as charterworthy air charter traffic which originates in the territory of the other and which is organized and operated pursuant to the rules of the other air transport authority, or according to waivers of such rules granted for exceptional reasons.

2. The air transport authorities of the country where a passenger charter is originated have the primary responsibility for enforcement of charterworthiness rules.

3. Passenger charterworthiness rules will be applied and enforced in a nondiscriminatory manner.

4. Modifications which alter the basic character of an existing charter rule or establish a new charter type will be brought to the attention of the other air transport authorities who may deny or revoke with immediate effect acceptance of those changes.

The Understanding represents the recognition by both the Swiss aviation authorities and the United States Government that if passenger charter operations between their territories are to be facilitated, there must be an accommodation as to the differing rules governing charter operations in effect under the laws and regulations of the two countries. Both the Swiss charter rules and the United States charter rules are designed to insure that the necessary distinction between group charter travel and individually ticketed service is maintained, and that charters do not in reality become simply a guise for the performance of individually ticketed service. Each country, moreover, maintains additional restrictions which are designed to restrict the extent of charter service diversion from scheduled services. In this latter respect, the formulas applied by the air authorities of the two countries differ significantly with respect to the differing types of authorized charters. Nevertheless, considering the primary responsibility of the Swiss aviation authorities with respect to Swiss-originating charters (which are composed primarily of Swiss citizens), and the similar primary responsibility of the U.S. with respect to United States-originating charters, and further considering the provisions of section 1102 of the Federal Aviation Act pursuant to which the Board is directed to exercise its powers and duties consistently with any obligation assumed by the United States in any agreement between the United States and any foreign country, and to take into consideration any applicable laws or requirements of foreign countries, the Board is satisfied that, for the purpose of Swiss-originating charters, the Swiss charter regulations are sufficient to maintain that distinction between charter and individually ticketed services contemplated under the provisions of the Federal Aviation Act of 1958.[1] This is not to say that the Board would necessarily conclude that the regulations applied by Switzerland for Swiss-originating passenger charters would be satisfactory to meet Board requirements for U.S.-originating charters operated in accordance with U.S. regulations.

Under current Board charter regulations U.S. carriers are required to conform to the U.S. charter rules for Swiss-originating as well as U.S.-originating charters, in the absence of the grant of a waiver or other exception in the regulations. The same is true with respect to Swiss scheduled carriers. With the exception noted below, Swiss charter carriers have authority in their permits which provides for the application of Swiss rules for Swiss-originating inclusive tour charters, but not for other types of charters. Each of the Board's charter regulations provides, nevertheless, for waiver of the requirements contained therein upon a finding that such waiver is in the public interest and that there are special or unusual circumstances warranting the grant of such a waiver.[2] The grant of appropriate waivers will, in accordance with section 1102 of the Act, permit implementation of the obligations assumed by the United States in the November 24, 1975 Understanding.

In view of the foregoing, and in consideration of the Understanding effectuated by the exchange of letters of November 24, 1975, the Board's responsibilities under section 1102 of the Federal Aviation Act, and the effect of the Understanding in providing assurance that the U.S.-originating public will have the opportunity to travel to Switzerland under charter rules (specifically the recently promulgated OTC Rule—SPR-85) found by the Board to be in the public interest, the Board finds that, with respect to Swiss-originating charters, the Swiss rules are sufficient to maintain the distinction between charters and individually ticketed service contemplated by the Federal Aviation Act. The Board further finds that the provisions of the November 24, 1974 Understanding represent a special circumstance which warrants the grant of waivers of the Board's various charter regulations to the extent necessary to permit U.S. certificated carriers and Swiss foreign air carriers to operate charters originating in Switzerland pursuant to the Swiss charter rules, and that the grant of such waivers would be in the public interest. Similarly the Board finds that it is in the public interest to exempt U.S. indirect air carriers, pursuant to section 101(3) of the Federal Aviation Act, from the provisions of Title IV of the Act insofar as is necessary to permit any such indirect air carrier to organize Swiss-originating charters operated under Swiss rules pursuant to the provisions of the Understanding.[3]

In light of the Understanding providing for acceptance as charter worthy of those Swiss-originating charters operated pursuant to Swiss charter regulations, no useful purpose would be served by requiring waiver applications with respect to individual charter flights or series of flights. Accordingly, the Board finds that it is in the public interest to grant a blanket waiver from the charter regulations for all U.S. certificated carriers, and for Swiss carriers holding foreign air carrier permits issued by the Board, extending for the duration of the Understanding (or the Understanding as it may be extended). The exemptions for indirect air carriers will extend for the same duration.

Pursuant to Order 75-4-101, Societe Anonyme de Transport Aerien (SATA), a Swiss charter foreign air carrier, was granted a foreign air carrier permit authorizing charter service between Switzerland and the United States, and from certain named European countries to the United States. Condition (3) of that permit provides, *inter alia*, that:

> (3) The authority of the holder to perform inclusive tour charters originating in the Swiss Confederation shall be subject to the terms, conditions, and limitations contained in licenses to be issued by the Swiss Federal Air Office (or other appropriate aviation authority) authorizing the performance of such charters: *Provided, however*, That, except as may be otherwise authorized by the Board, such inclusive tours shall also conform to the provisions of section 378.2 (b)(4) of the Board's Special Regulations, or any other provision of the Board's Regulations governing the minimum charge to passengers for an inclusive tour (including land or other accommodations) * * *."

The November 24, 1975 charterworthiness Understanding with the Swiss Federal Air Office does not prescribe any specific minimum price for inclusive tour charters. Moreover, Balair, the other Swiss charter carrier, is not subject to any similar minimum price requirement for Swiss-originating inclusive tours. Accordingly, consistent with the provisions of the Understanding pursuant to which Swiss-originating charters should be governed by Swiss rules with respect to price as well as other matters, the Board finds, in accordance with the provision of condition (3) of the SATA permit for the Board to "otherwise authorize," that it is in the public interest to authorize SATA to operate Swiss-originating inclusive tours subject to the terms, conditions and limitations contained in licenses to be issued by the Swiss Federal Air Office (or other appropriate aviation authority) authorizing the performance of such charters, *without conforming* to the minimum price requirements of § 378.2(b)(4), or other minimum price requirements in the Board's inclusive tour charter regulations.

Accordingly, it is ordered:

1. That to the extent respectively applicable, waivers of the provisions of §§ 207.11, 208.6, 212.8, and 214.7 of the Board's Economic Regulations (except with respect to the provisions of such sections governing charters to direct air carriers and direct foreign air carriers for commercial traffic), and of such other provisions of the Board's charter regulations as would otherwise be inconsistent with the waivers granted herein, be and they hereby are granted to all U.S. air carriers authorized to provide charter service (including off-route charter service) between Switzerland and the United States,[4] and all foreign air carriers of Swiss nationality holding foreign air carrier permits authorizing charter service (including off-route charter service) between Switzerland and the United States,[5] insofar as is necessary to permit such air carriers and foreign air carriers to operate charters originating in Switzerland and destined for the United States in accordance with rules governing the charterworthiness of such charters as applied by the Swiss Federal Air Office: *Provided, however*, That such waivers shall apply only to the extent contemplated by the Understanding incorporated in the exchange of letters between the Government of the United States and the Swiss Federal Air Office, dated November 24, 1975 (or such Understanding as it may be amended, modified, or extended); and *provided, further*, that the waivers granted herein shall not relieve such carriers from the requirements contained in Parts 207, 208, 212, and 214 of the Board's Economic Regulations, other than those relating to the charterworthiness of charters performed pursuant to those regulations;

2. That all U.S. indirect air carriers of passengers be and they hereby are relieved pursuant to section 101(3) of the Act, from the provisions of Title IV of the Act, insofar as is necessary to permit any such indirect air carrier to organize Swiss-originating passenger charters pursuant to the rules governing the charterworthiness of such charters as applied by the Swiss Federal Air Office in accordance with the provisions of the Understanding incorporated in the exchange of letters between the Government of the United States and the Swiss Federal Air Office, dated November 24, 1975;

3. That *Societe Anonyme de Transport Aerien (SATA)* be and it hereby is authorized, pursuant to the provision for such authorization contained in condition (3) of the permit issued to the carrier by Order 75-4-101, to perform inclusive tour charters originating in the Swiss Confederation subject to the terms, conditions and limitations contained in licenses to be issued by the Swiss Federal Air Office (or other appropriate aviation authority) authorizing the performance of such charters, *without conforming* to the provisions of § 378.2 (b)(4) of the Board's Special Regulations, or any other provision of the Board's Regulations governing the minimum charge to passengers for an inclusive tour (including land or other accommodations);

4. That this order may be modified, amended or revoked by the Board without notice or hearing;

5. That the waivers, exemptions, and authorization granted herein shall terminate upon the expiration of the Understanding concerning the charterworthiness of charters originating in their respective territories, incorporated in an exchange of letters between the Government of the United States and the Swiss Federal Air Office, dated November 24, 1975, or such Understanding as it may be amended, modified or extended; and

6. That this order shall be served upon all U.S. air carriers holding a certificate of public convenience and necessity issued by the Board; all Swiss holders of, and applicants for, a foreign air carrier permit; the Departments of State and Transportation; and the Ambassador of Switzerland.

This Order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76-427 Filed 1-6-76;8:45 am]

[Docket No. 28042]

HILO SERVICE CASE

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding is assigned to be held on February 11, 1976, at 9:30 a.m. (local time), in the Coutroom of the Federal Building, 154 Waianuenue Avenue, Hilo, Hawaii, before the undersigned.

For information concerning the issues and other details involved in this proceeding, interested persons are referred to Order 75-7-11, dated July 2, 1975, instituting this proceeding, Order 75-9-

[1] An Annex to the Understanding sets forth the basic principles applicable to Swiss charter categories including: Advance Booking Charters; Affinity Charters; Inclusive Tour Charters; Special Event Charters; Student Charters; and Own Use Charters. All such charters, except Own Use Charters, may be operated as split charters with groups under charter contracts for at least 40 seats. As noted, any major substantive changes to the Swiss charter regulations are subject to the Board's objection and refusal to accept such new regulations as within the scope of the Understanding.

[2] See, §§ 207.16, 208.3a, 212.13, 214.3, 372.3, 372a.3, 373.30, 378.30 and 378a.3 of the Board's Economic and Special Regulations.

[3] The Board has declined to exercise jurisdiction over foreign indirect air carriers organizing foreign-originating charters. Accordingly, no additional authority is needed to permit Swiss indirect air carriers to organize Swiss-originating charters according to Swiss rules.

[4] Pursuant to section 401(e)(6) of the Act, and in the absence of any Board regulations precluding such operations, U.S. carriers holding certificates of public convenience and necessity issued by the Board pursuant to section 401(d)(1) of the Act, are authorized to provide off-route charter service between Switzerland and the United States in accordance with Board regulations.

[5] Such carriers presently include Swissair, Balair and SATA.

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109, dated September 30, 1975, the prehearing conference report, served October 9, 1975, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., December 31, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.76-436 Filed 1-6-76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 476-4]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Proposed Revision to Oregon Implementation Plan

On November 18, 1975, the Director of the State of Oregon Department of Environmental Quality submitted to the Administrator of the Environmental Protection Agency (EPA) a proposed revision to the Oregon State Implementation Plan. The revision is the Lane Regional Air Pollution Authority (LRAPA) regulation for indirect sources adopted by the Board of Directors of the LRAPA on July 8, 1975.

Pursuant to a court ruling by the United States Court of Appeals for the District of Columbia in the case *Natural Resources Defense Council Inc.* v. *Environmental Protection Agency*, 475 F. 2d 968 (D.C. Cir. 1973), the Administrator on March 8, 1973 (38 FR 6279) disapproved all State Implementation Plans to the extent to which they do not adequately assure the maintenance of the national ambient air quality standards. On June 18, 1973 (38 FR 15834), the Administrator promulgated requirements directing States to provide for preconstruction review and approval of indirect sources of air pollution to insure maintenance of standards. Indirect sources are facilities which have an impact on air quality because of associated mobile source activity.

It should be noted that the Federal indirect source regulation promulgated on February 25, 1974 (39 FR 7270) for Oregon and many other States was indefinitely suspended pending Congressional consideration of amendments to the Clean Air Act relating to indirect sources. See 40 FR 28065, July 3, 1975. As stated in that notice, however, EPA believes that the necessary preconstruction review for air quality can be most effective when implemented at the State or local levels, rather than the Federal level.

The State of Oregon adopted a regulation for the review of indirect sources, Oregon Administrative Rules, Chapter 340, §§ 20-100 through 20-135, "Rules for Indirect Sources," in November, 1974. The State regulation was submitted to EPA as a revision to the State Implementation Plan on July 24, 1975 and was proposed in the FEDERAL REGISTER on November 20, 1975. See 40 FR 54012. The regulation adopted by LRAPA is patterned after and is as stringent as the State regulation; however, it applies only in Lane County, the area of jurisdiction of the LRAPA, where it supersedes the State regulation.

The LRAPA regulation provides for preconstruction review of indirect sources in Lane County. Two types of areas are identified, each with a separate size criteria. In or around (within 5 miles) of the municipal boundaries of the City of Eugene, Oregon any new or modified source which will create or add 50 or more parking spaces is subject to review. In addition, any new highway with an anticipated average daily traffic volume of 20,000 or more motor vehicles per day within ten years of completion or any modification to a highway which will increase annual daily traffic volumes to a total of 20,000 or more motor vehicles per day or will incrementally increase traffic volumes by 10,000 or more motor vehicles per day within ten years after completion is subject to review.

In other areas of Lane County any new or modified source which will create or add 500 or more parking spaces is subject to review. The size criteria for new or modified highway is the same as in a municipality, as outlined in the previous paragraph.

In addition, any new airport in the county with projected annual aircraft operations of 50,000 or more within ten years of completion or modification of an airport which will increase the projected number of annual aircraft operations by 25,000 or more within ten years after completion if subject to the regulation.

The regulation also provides for the establishment of a Regional Parking and Circulation Plan(s) by a City, County or Regional Planning Agency, lists the information and requirements applicable to indirect source construction permit applications and lists the procedures for the issuance or denial of an indirect source construction permit.

The Administrator is required by Section 110 of the Clean Air Act to approve or disapprove any revision to an implementation plan submitted by a State. Public comment is invited on whether the LRAPA Indirect Source Regulation should be approved or disapproved as a revision to the State Implementation Plan. Copies of the proposed revision are available for public inspection during normal business hours at the EPA Region X Office, 1200 Sixth Avenue, Seattle, Washington 98101: EPA Public Information Reference Unit, 401 M Street SW, Washington, D.C. 20460; Lane Regional Air Pollution Authority, 16 Oakway Mall, Eugene, Oregon 97401; and the State of Oregon Department of Environmental Quality, 1234 SW Morrison Street, Portland, Oregon 97205.

Interested persons may participate in this rulemaking by submitting written comments, perferably in triplicate, to the Regional Administrator, EPA, Region X, 1200 Sixth Avenue, Seattle, Washington 98101. Attention: K. Higley. Relevant comments received on or before February 6, 1976 will be considered and will be available for public inspection at the above addresses.

This notice of proposed rulemaking is issued under the authority of section 110(a) of the Clean Air Act, as amended. 42 U.S.C. 1857c-5(a).

Dated: December 29, 1975.

CLIFFORD V. SMITH, Jr.,
Regional Administrator.

[FR Doc.76-443 Filed 1-6-76;8:45 am]

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

[ERDA-1535]

LIQUID METAL FAST BREEDER REACTOR PROGRAM

Notice of Availability of Final Environmental Statement and Administrator's Findings

Notice is hereby given that the Energy Research and Development Administration (ERDA) has issued a Final Environmental Statement, ERDA-1535, Liquid Metal Fast Breeder Reactor (LMFBR) Program, and the Administrator's Findings on that Statement. The Statement was issued pursuant to ERDA's implementation of the National Environmental Policy Act of 1969, in connection with the ERDA program for the development of LMFBR technology.

Copies of the Final Environmental Statement and the Administrator's Findings are available for public inspection in the Energy Research and Development Administration's Public Document Rooms at:

ERDA Headquarters, 20 Massachusetts Avenue, N.W., Washington, D.C.; Albuquerque Operations Office, Kirtland Air Force Base East, Albuquerque, New Mexico; Chicago Operations Office, 9800 South Cass Avenue, Argonne, Illinois; Idaho Operations Office, 550 Second Street, Idaho Falls, Idaho; Nevada Operations Office, 2753 South Highland Drive, Las Vegas, Nevada; Oak Ridge Operations Office, Federal Building, Oak Ridge, Tennessee; Richland Operations Office, Federal Building, Richland, Washington; San Francisco Operations Office, 1333 Broadway, Oakland, California; and Savannah River Operations Office, Savannah River Plant, Aiken, South Carolina.

Copies have also been furnished to those who commented on the Proposed Final Environmental Statement that was issued in January 1975, as WASH-1535.

A limited number of single copies are available for distribution by the Technical Information Center, P.O. Box 62, Oak Ridge, Tennessee 27830 (615) 483-8611, Extension 34672. Copies of the Statement and the Administrator's Findings are also available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

Dated at Germantown, Maryland, this 31st day of December 1975.

For the Energy Research and Development Administration.

JAMES L. LIVERMAN,
Assistant Administrator for Environment and Safety.

[FR Doc.76-387 Filed 1-6-76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 785]

COMMON CARRIER SERVICES INFORMATION

Applications Accepted for Filing

DECEMBER 22, 1975.

The applications listed herein have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any of these applications, if upon further examination, it is determined they are defective and not in conformance with the Commission's Rules and Regulations or its policies.

Final action will not be taken on any of these applications earlier than 31 days following the date of this notice, except for radio applications not requiring a 30-day notice period (see § 309(c) of the Communications Act of 1934) or as otherwise noted. Unless specified to the contrary, comments or petitions may be filed concerning any of these applications within 30 days of the date of this notice (February 6, 1976).

In order for an application filed under Part 21 of the Commission's Rules (Domestic Public Radio Services) to be considered mutually exclusive with any other such application appearing herein, it must be substantially complete and tendered for filing by whichever date is earlier: (a) the close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which the subsequent application is in conflict) as having been accepted for filing. In common carrier radio services other than those listed under Part 21, the cut-off date for filing a mutually exclusive application is the close of business one business day preceding the day on which the previously filed application is designated for hearing. With limited exceptions, an application which is subsequently amended by a major change will be considered as a newly filed application for purposes of the cut-off rule. [See §1.227(b) (3) and 21.30(b) of the Commission's Rules.]

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

21004-CD-P-76 Mid-South Telephone Company, Inc. (NEW) C.P. for a new station to operate on 152.84 MHz. to be located 1.25 miles east of U.S. Highway 45 on Ms. St. Highway 356, Rienzi, Mississippi.

21009-CD-AL-(2)-76 Hawkeye State Telephone Company Consent to Assignment of License from Hawkeye State Telephone Company, assignor to Iowa Telephone Company, assignee. Stations: HAF637, Knoxville, Iowa; KFL915, Charlton, Iowa.

21025-CD-P-(2)-76 Answer Iowa, Inc. (KAF642) C.P. for additional facilities to operate on 152.09 and 152.21 MHz at a new Loc. No. 2: Approx. 3 miles NNE of Bettendorf, Iowa.

21026-CD-P-(3)-76 Stockton Mobilphone, Incorporated (KMA616) C.P. for additional facilities to operate on 454.250 MHz Base and 75.98 MHz, repeater at Loc. No. 4: Atop Elizabeth Peak, 2.0 miles NW of Twain Harte, California; and additional control facilities to operate on 75.78 MHz at Loc. No. 3: 2171 Ralph Avenue, Stockton, California.

21027-CD-P-(4)-76 AAA Answerphone, Inc.—Jackson (KKV692) C.P. to relocate and change antenna system operating on 454.050, 454.125, 454.300 and 454.350 MHz at Loc. No. 4: Capital Towers Building, Jackson, Mississippi.

21028-CD-P-76 Dodge County Telephone Company (KWH346) C.P. for additional facilities to operate on 158.10 MHz at a new Loc. No. 2: 1 mile North of Jackson, Wisconsin.

21029-CD-P-(6)-76 Southwestern Bell Telephone Company (KKA782) C.P., to relocate and change antenna system operating on 454.400, 454.475, 454.550, 454.600, 454.625, and 454.650 MHz at Loc. No. 2: 4100 Bryan Street, Dallas, Texas.

21030-CD-P-76 Mobile Radio Communications Service, Inc. (KOA264) C.P. to relocate and change antenna system operating on 454.275 MHz located at 9494 Southeast Eastview Drive, Portland, Oregon.

21031-CD-AL-(3)-76 Continental Telephone Company of Utah Consent to Assignment of License from Continental Telephone Company of Utah, assignor to Continental Telephone Company of the West, assignee. Stations: KLF567, Bald Mesa, Utah; KOE515, Monticello, Utah; KFL906, Tremonton, Utah.

21032-CD-AL-76 Idaho Telephone Company Consent to Assignment of License from Idaho Telephone Company, assignor to Continental Telephone Company of the West, assignee. Station: KLF549, Brundage Mtn., Idaho.

Major Amendment

20571-CD-P-(2)-76 Denver & Ephrata Telegraph Company, Ephrata and Lancaster, Pennsylvania. Amend to change transmitter output power at Loc. No. 1 (Ephrata) and to change the antenna gain maximum at N 90 degrees E to a maximum at N 0 degrees and 180 degrees E. All other particulars of operation remain as reported in PN No. 774 dated October 6, 1975.

20766-CD-P-76 Harbor Communications, Inc., Port Huron, Michigan (NEW) Amend to change base frequency 152.18 MHz to 152.18 MHz to 152.21 MHz. All other particulars are to remain the same as reported on PN No. 779 dated November 10, 1975.

RURAL RADIO

60243-CR-AL-(11)-76 Continental Telephone Company of Utah Consent to Assignment of License from Continental Telephone Company of Utah, Assignor to Continental Telephone Company of the West, Assignee. Stations: KSV74, Hells Crossing; KSV78, Natural Bridges National Monument; KSV79, Cave Springs; KTQ59, Fry Canyon; KVD67, Nr. LaSal; WHA81, Helper; WHT79, Tommy White Ranch; WSN29, San Juan; KPQ62, (Temp-Fixed); KVU85, (Temp-Fixed); WAG604, Monticello, Utah.

60244-CR-AL-76 Idaho Telephone Company Consent to Assignment of License from Idaho Telephone Company, Assignor to Continental Telephone Company of the West, Assignee. Station: KKU66, Within State of Idaho.

POINT-TO-POINT MICROWAVE RADIO SERVICE

943-CF-R-76 New York Telephone Company (KEH95) Any fixed location within the territory of the Grantee. Renewal of Radio Station License (Developmental) expiring November 12, 1975. Term: November 12, 1975 to November 12, 1976.

1370-CF-MP-76 The Norfolk and Carolina Telephone and Telegraph Company (KJH20) 105 Uppowac Avenue, Manteo, North Carolina. Lat. 35°54'28" N.—Long. 75°40'26" W. Mod. of C.P. to add frequency 2118.4V MHz toward a new point of communication at Bodie Island, North Carolina on azimuth 310.5°.

1371-CF-P-76 Same (NEW) Bodie Island, 1050 yards West of US Hwy. 12 and 5.0 Miles South of Junction with US 158 in Nags Head, North Carolina. Lat. 35°50'12" N.—Long. 75°34'18" W. C.P. for a new station on frequency 2168.4V MHz toward Manteo, North Carolina on azimuth 130.5°.

1380-CF-P-76 Continental Telephone Company of California. (KMQ70) 350 Lagoon Street, Bishop, California. Lat. 37°21'33" N.—Long. 118°23'46" W. C.P. to increase power output, change emission, and change polarization from Horisontal to Vertical on frequency 2128 MHz toward Pine Creek, California on azimuth 288.3°; change this developmental frequency to a permanent system.

1381-CF-P-76 Same (WAH592) Telephone Central Office, Pine Creek, California. Lat. 37°24'53" N.—Long. 118°36'28" W. C.P. to increase power output, change emission, and change polarization from Horisontal to Vertical on frequency 2178 MHz toward Bishop, California on azimuth 108.2°; change this developmental frequency to a permanent system.

1868-CF-P-76 Southern Pacific Communications Co. (WAH808) 8.0 Miles NW of Sheridan, Indiana, Lat. 40°08'29" N.—Long. 86°14'29" W. C.P. to add 5974.8H towards Indianapolis, Indiana on azimuth 169.9°.

1369-CF-P-76 Same (New) L Indians Square, Indianapolis, Indiana. Lat. 39°46'13" N.—Long. 86°09'20" W. C.P. for a new station on 6226.9V towards Sheridan, Indiana on azimuth 349.9°.

Corrections

1172-CF-MP-76 United States Transmission Systems, Inc. (WAH520) Stockbridge, Georgia. Correct File Number to read 1272-CF-MP-76. All other particulars remain same as reported on Public Notice No. 781, November 24, 1975.

1324-CF-MP-76 Southern Pacific Communications Co. (WAU268) Baltimore, Maryland. Correct File Number to read 1328-CF-MP-76. All other particulars remain the same as reported on Public Notice No. 784, December 15, 1975.

1326-CF-MP-76 Same (WAU271) Crownsville, Maryland. Correct File Number to read 1325-CF-MP-76. All other particulars remain the same as reported on Public Notice No. 784, December 15, 1975.

1327-CF-MP-76 Same (WAU272) Landover, Maryland. Correct File Number to read 1326-CF-MP-76. All other particulars remain the same as reported on Public Notice No. 784, December 15, 1975.

1328-CF-MP-76 Same (WAU273) Washington, D.C. Correct File Number to read 1327-CF-MP-76. All other particulars remain the same as reported on Public Notice No. 784, December 15, 1975.

1979 WARC CONFERENCE WORKING GROUP

Meeting

DECEMBER 31, 1975.

Pursuant to section 10 of the Federal Advisory Committee Act, 5 U.S.C. App. 1 § 10 (Supp. III, 1973), notice is hereby given of a meeting of the WARC Advisory Committee for Cable Ancillary Radio Services on January 20, 1976, at 2025

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M Street NW., Washington, D.C., Room 6331. The meeting is scheduled to commence at 10 a.m.

The agenda is as follows:

(1) Review and approval of the "Preliminary Report to the Steering Committee". This report identifies existing and potential services, areas of spectral interest and impacts.

(2) Establish further work efforts.

(3) Adjournment.

Numerous service-oriented working groups have been formed by the Commission to investigate the spectrum needs of the United States to the year 2000. The outputs of the various groups will be channeled to one or more of four functional committees which will examine spectrum requirements and give recommendations based on these requirements to the FCC Steering Committee. The Steering Committee, composed of representatives of each of the Commission's Bureaus and Offices, will be responsible for formulating the Commission's basic spectrum recommendations for use at the 1979 Conference.

Any member of the public may attend or file a written statement with the Group either before or after the meeting. Inquiries may be directed to A. M. Rutkowski, Room 6216, FCC, Washington, D.C. 20554; telephone 202–632–9797.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76-381 Filed 1-6-76;8:45 am]

[FCC 75–1350; Docket Nos. 15461 and 16761; File Nos. BPCT–3282 and 3707]

CHAPMAN RADIO AND TELEVISION CO. AND BIRMINGHAM BROADCASTING CO.

Memorandum Opinion and Order Enlarging Issues

In the matter of applications of William A. Chapman and George K. Chapman d/b/a Chapman Radio and Television Co. Homewood, Alabama (Docket No. 15461; File No. BPCT–3282); Birmingham Broadcasting Co. Birmingham, Alabama (Docket No. 16761; File No. BPCT–3707) for construction permit for new television broadcast station.

1. In 1966, the Commission ordered a comparative hearing to determine the relative merits of four applications for UHF television channel 21, which had been allocated to Birmingham, Alabama in 1965. There have been a number of decisions issued followed by enlargements of issues and remands. During this protracted comparative proceeding, two applicants have withdrawn so that, of the four original applicants, only Chapman Radio and Television Company (Chapman) and Birmingham Broadcasting Company (BBC) remain in the proceeding. In its most recent Decision, 47 FCC 2d 775 (1974), the Review Board has granted BBC's application and has denied Chapman's application.

2. We now have before us for consideration Chapman's application for review[1] and petition to reopen the record and remand for further hearing;[2] and BBC's amendment to its application and petition for leave to amend.[3]

3. Facts are asserted in these pleadings which, for reasons which appear in the following paragraphs, convince us that serious questions remain unresolved as to whether BBC is financially qualified; whether the presiding officer improperly considered Miles College in lieu of Oscar E. Hyde as a 26.7 percent stockholder, without adducing evidence as to the structure and financial ability of Miles College; and whether BBC lacked diligence in advising the Commission of changes which are relevant to its proposal. In addition, the Commission has under consideration for the first time the merits of a ruling denying Chapman leave to amend to staffing and financial portions of its application after determinations which adversely affected its basic qualifications. The pleadings thus involve matters going to both applicants' basic qualifications. Those involving BBC's qualifications will be considered first.

4. *Facts Regarding BBC's Qualifications.* In order to place in context the questions raised regarding BBC's qualifications, certain background facts are set forth briefly below.[4] Oscar E. Hyde, an Alabama banker, was a moving force in the incorporation of BBC. He became a director, secretary-treasurer, 26.7 percent stockholder, and BBC's comptroller. In 1966 Hyde was indicated and subsequently was convicted on four felony counts. The Review Board (38 FCC 2d 871) added an issue to determine whether Hyde and BBC are qualified to own and operate the proposed television station.

5. In 1973, BBC sought to amend its application to reflect that, in 1970, Hyde had assigned his stock to Miles College. The presiding officer denied BBC leave to amend because the amendment was not filed with diligence and it would affect the comparative posture of the applicants. In the Initial Decision, *supra*, the Administrative Law Judge (ALJ) concluded that Hyde's felony conviction disqualifies him. He further concluded, however, that, although Hyde was a 26.7 percent stockholder in BBC, BBC was not disqualified because: (1) in accepting Hyde into the corporation, the corporation had relied on the fact that his character had recently been investigated by several Federal agencies pursuant to his successful application for a bank charter; (2) the corporation had taken positive steps to remove Hyde as a principal and shareholder upon learning of his conviction; (3) Hyde had not informed BBC's other principals of his criminal conduct; and (4) Hyde's activities did not involve broadcasting or any application before the Commission. On this basis, the ALJ concluded that BBC is qualified, and he granted BBC's application and denied Chapman's application.[5] In a brief Decision, 47 FCC 2d 775 (1974), the Review Board adopted and affirmed the Initial Decision.

6. In Chapman's petition to reopen the record and remand the proceeding on enlarged issues, Chapman argues that it was error to effectively substitute Miles College for Hyde in ruling on BBC's qualifications; but, in any event, since the ALJ disallowed BBC's amendment to reflect Hyde's withdrawal, and the record is silent on matters with regard to Miles College which are called for on the application form for each principal, the grant to BBC is based upon an incomplete record. Thus, Chapman asserts, there is no evidence with regard to Miles College's legal structure, its officers and directors/trustees, or its financial ability. Elaborating upon the significance which interposing Miles College into the BBC proposal has upon the financial data, Chapman asserts that Hyde had promised to lend BBC $50,000 and the loan was crucial to BBC's qualifications, yet the record does not establish Miles College's willingness or ability to undertake Hyde's obligation; that it cannot be assumed that Hyde continues as a proposed source of necessary funds; that the First Jefferson Mortagage Company (from whom Hyde would borrow funds to meet this obligation) no longer exists and that BBC has not reported to the Commission the changes which have occurred in the financial information set forth in the application.

7. In addition, Chapman asserts that BBC stockholders, and BBC itself relied upon the American National Bank for loans, and that American National no longer exists. Chapman submits an unnotarized letter from counsel for the successor bank (the National Bank of Commerce of Birmingham) stating that the National Bank does not recognize American National's commitments. Chapman concludes that on the basis of facts not previously considered, public interest questions are presented as to whether BBC is legally qualified; whether BBC has viable proposals to borrow funds and is financially qualified; and whether BBC's failure to amend its application to report these changes evidences a lack of diligence.

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[1] Chapman's application for review was filed on August 9, 1974. Oppositions thereto were filed by the Chief, Broadcast Bureau, on August 21, 1974 and by BBC on August 22, 1974. Chapman filed replies to the oppositions on August 28 and September 25, 1974.

[2] Chapman's petition to reopen was filed on September 13, 1974; on September 23, 1974, BBC filed an opposition; on September 24, 1974, the Broadcast Bureau filed comments; and on September 30, 1974, Chapman filed a reply pleading, which was supplemented on October 9 and 16, 1974.

[3] On October 9, 1974, BBC petitioned for leave to amend; comments were filed by the Broadcast Bureau on October 21, 1974 and an opposition was filed by Chapman on October 23, 1974.

[4] The background is more fully stated in the Initial and Review Board Decisions, 47 FCC 2d 778 and 775.

[5] The basis for the denial of Chapman's application is discussed *infra* in para. 15.

8. The Broadcast Bureau comments that Chapman did not support its allegations with an affidavit of a person with first-hand knowledge, as Section 1.229 of the Rules requires. Nevertheless, the Bureau supports the addition of issues and remand of the proceeding because it believes the serious questions raised in the pleadings must be resolved on the record before a grant can be made to BBC, and BBC has not answered Chapman's challenges to its basic qualifications.[6]

9. In opposition to the petition to reopen and remand, BBC asserts that Chapman has not complied with § 1.229 (as the Bureau also observed); that the petition is untimely filed; that Chapman did not appeal the Board's denial of the January 24, 1974, petition raising these same matters (see footnote 6); and that the petition should be dismissed. As to the substitution of Miles College for Hyde, BBC asserts that Hyde has agreed to endorse any note executed by the college for the purpose of meeting Hyde's former loan commitment to BBC and that, therefore, its financial proposal is unaffected by Hyde's assignment of stock to Miles College. In addition, BBC claims that the two lending institutions which Chapman says no longer exist have changed their names; that the letter from National Bank's counsel, upon which Chapman relies, states that the bank has no "legally binding commitment" but such a commitment is not required by the Commission; that, in any event, the record establishes and the ALJ found (19 FCC 2d at 216) the facts as to the shareholders' net worth,[7] which demonstrate their financial ability to meet their commitments without reliance upon bank loans; that no serious question as to its financial qualifications has been raised; and that no inquiry is warranted into whether BBC has failed to advise the Commission of changes in relevant information. With a supplement to its opposition, BBC submits letters and affidavits from counsel for the National Bank of Commerce to the effect that the bank has never refused to lend funds to BBC, and that BBC has never requested clarification of the bank's commitment.[8]

10. BBC has filed with us an amendment, and a petition for leave to amend, to reflect the following changes in the financial portion of the application: (a) the American National Bank of Birmingham is now named the National Bank of Commerce of Birmingham; and (b) the First Jefferson Mortgage Company has merged, and is now called the First National Mortgage Company. Chapman and the Broadcast Bureau oppose the petition for leave to amend. Chapman maintains that even though Chapman petitioned the Board in January 1974, to declare BBC disqualified on the basis that these two lending institutions no longer exist, BBC did nothing until October 1974, to answer; that BBC has not established the continued viability of the loans; that, in fact, First Jefferson no longer is licensed to do business in Birmingham; and that leave to amend should be denied because of BBC's lack of diligence. The Broadcast Bureau opposes leave to amend and asserts that American National Bank of Birmingham changed its name on May 27, 1968 and BBC has not made clear when the First Jefferson merger occurred; that BBC gives no explanation for its failure to timely amend the application; that BBC has not shown the continued viability of the loan commitments upon which it has relied; and that—whether or not the amendment is accepted—appropriate issues should be added to resolve the questions raised in Chapman's petition to reopen regarding BBC's financial qualifications and its diligence in advising the Commission of changes.

11. We have determined to accept BBC's proffered amendment in order to reflect the more current information on the record. However, we shall enlarge the issues to inquire into BBC's compliance with the requirements of § 1.65 of the Rules that an applicant advise us of changes in the information previously submitted within 30 days, and to require an evaluation of the facts upon BBC's qualifications.

12. For the reasons which hereinafter appear, we are convinced that, despite the procedural shortcomings in Chapman's petition to reopen the record which are pointed up by the Broadcast Bureau and BBC, the series questions concerning BBC's basic qualifications have not been laid to rest by BBC's responsive pleadings or its tendered amendment; that matters now brought to the Commission's attention raise public interest questions affecting BBC's qualifications; that these questions must be resolved on the record under enlargements of issues; and that remand is required in these circumstances.

13. Facts must be adduced on the record which will establish what transfers of stock have, in fact, occurred between Hyde and Miles College and what connection, if any, Hyde has with Miles College. In addition, complete information should be submitted as to Miles College's legal structure and its officers and directors or trustees. As the evidence now stands, the conclusions of the presiding officer and the Review Board that Hyde has severed his relationship with BBC and that such severance forms an adequate basis for concluding that BBC is not disqualified by Hyde's misconduct are open to serious challenge.[9] Furthermore, the evidence thus adduced will assist the Commission in determining not only whether Hyde's misconduct requires the disqualification of BBC on character grounds but also how such misconduct affects its comparative standing, in the event that both applicants are ultimately determined to be qualified.[10] Appropriate issues for the purpose of adducing these relevant facts will therefore be added.

14. A financial issue is also clearly warranted against BBC. First, BBC concedes that there have been corporate changes affecting the First Jefferson Mortgage Company and the American National Bank; there is no evidence that the stockholders have committed liquid assets personally owned by them to this undertaking to replace bank loans; and BBC has failed to offer adequate assurance of the continued availability of funds from the successors to these lending institutions. Second, BBC continues to rely upon Hyde as the guarantor of a $50,000 loan which Hyde originally promised to make to BBC, but now BBC apparently assumes that Miles College will undertake the loan as primary obligor and make the funds available to BBC; yet BBC has not adequately shown that Miles College is willing or able to do either of these things. These changed circumstances undermine the basis on which BBC was found financially qualified, (19 FCC 2d 157 (1969)) and require BBC to demonstrate that it nevertheless has adequate funds available to construct and operate the new facilities.

15. *Chapman's Staffing and Financial Proposals.* A brief statement of the background of Chapman's appeal from adverse rulings as to its staffing and financial proposals will be helpful to an understanding of the questions now before us. In Initial Decisions in 1965[11] and

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[6] The Bureau observes that Chapman petitioned the Review Board on January 24, 1974, to declare BBC disqualified; and that, although the Board denied Chapman's petition on procedural grounds, BBC was placed on notice that the accuracy of information in the application was being challenged, and BBC has not answered the serious challenge to its basic qualifications.

[7] See, however, the Review Board's Rulings on WBMG's Exceptions No. 89 and 90. Cross-examination of BBC's principals as to their net worth was precluded since they relied upon bank loans. 19 FCC 2d at 181.

[8] In reply, Chapman states that BBC has not refuted the factual allegations in the petition; that the net worth of BBC's stockholders is immaterial since there is no evidence of a commitment by them to use their liquid assets on behalf of the applicant; and that whether or not BBC received formal notice from the bank that commitments had lapsed, BBC must be faulted for its failure to keep itself informed and timely transmit to the Commission information relevant to the status of its loan commitments.

[9] Chapman took exception to the holding that BBC is qualified and thus saved the point for appeal. However, in its application for review it did not address this aspect of the Review Board's Decision except to request an opportunity to file a brief and present oral argument on all matters saved for appeal. In light of the remand of the proceeding which this Memorandum Opinion and Order directs, oral argument and the filing of briefs would be premature, and that request will be denied.

[10] Even if it is established that Hyde's relationship with BBC has been severed, the extent to which Hyde's misconduct affects BBC's basic and comparative character qualifications is a matter which remains for consideration by the Commission. See *TV 9, Inc.* v. *FCC*, 495 F. 2d 929 (D.C. Cir. 1973), rehearing denied, 495 F. 2d 941 (1974), *cert. denied*, 419 U.S. 986 (1974).

[11] In an August 5, 1965, Initial Decision, Chapman's application for a new UHF television station at Birmingham was granted. That grant was set aside and this proceeding was inaugurated (1 FCC 2d 1400 and 1402 (1965)) because the Commission found that other applicants were entitled to comparative consideration for Channel 21, which became available in Birmingham for the first time when the 1965 UHF Television Table of Assignments was adopted. *UHF Channel As-*

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1968, issues concerning Chapman's financial and staffing proposals were resolved favorably to the applicant on the basis of its then contemplated proposal for a joint staffing of the new television station with Chapman's AM and FM stations in Birmingham. However, the Review Board in its 1969 Decision, 19 FCC 2d 157, which granted the application of Alabama Television,[12] found Chapman disqualified because of shortcomings in its staffing and financial proposals. Chapman sought reconsideration of the Board's action, which was denied (20 FCC 2d 624 (1969)). Chapman, as well as each of the other two losing applicants, applied for Commission review of the Review Board's Decision. In a Memorandum Opinion and Order, 24 FCC 2d 282, released July 13, 1970, the Commission reopened and remanded the proceeding for further hearing on two issues directed to Alabama Television and one to inquire into whether the needs and interests of potential viewers have adequately been determined, was directed to all the applicants. By reason of the remand, the three review applications were dismissed as moot. On May 26, 1971, Chapman petitioned for reconsideration of the Commission's dismissal of its application for review, on the ground that its appeal from the adverse determination of the Review Board concerning its financial and staffing proposals should be considered on the merits. However, the Commission dismissed the petition as untimely and as inconsistent with the Commission's Rules. 31 FCC 2d 575, released September 7, 1971.

16. In 1972, during the course of the remand hearing, Chapman petitioned for leave to amend the staffing and financial portions of its application, contending that changed circumstances since the submission of its original proposals made advisable the updating of its "application by separating entirely the operations of the television station from that of the two radio stations."[13] The presiding officer ruled that Chapman lacked diligence in coming forward with the amendments and he denied leave to amend on the ground that administrative finality required it. FCC 74M–883, released July 31, 1973. The Review Board, in its 1974 Decision, *supra*, found that the ALJ had not abused his discretion in denying leave to amend, and that to have allowed leave to amend would have been disruptive of the remand hearing on issues which did not involve Chapman's staffing and financial proposals. It, therefore, affirmed the ALJ's ruling.

17. Thus, the merits of Chapman's appeals from the adverse rulings concerning its financial and staffing proposals, including its petition for leave to amend, are now under consideration by the Commission for the first time. In its application for review, Chapman contends that, ordinarily, amendments to cure defects in basic qualifications are allowed where the petitioning party will gain no comparative advantage, and no undue delay in the proceeding will result; that the denial of leave to amend thus conflicted with case precedent; that timeliness in filing is not the only factor to consider; and that the public interest would be served by affording the Commission a choice of applicants in a proceeding which was designated on comparative issues. BBC and the Broadcast Bureau have filed oppositions to the application for review.

18. In our view, circumstances exist which should be considered in mitigation of Chapman's failure earlier to file its staffing and financial amendments. The delay in the disposition of this proceeding resulted in large part because of the need for hearings on matters which pertained to parties other than Chapman.[14] After adverse staffing and financial determinations were made in 1969, Chapman pursued appellate procedures maintaining that these proposals were feasible, but was not heard on the merits by the Commission because of the remand on questions involving another applicant, and the community needs showing of all applications. Ultimately, when Chapman decided in 1972 that the passage of time had outdated the type of combined AM–FM–TV operation it originally had proposed in 1965, and filed amendments to sever the television operation, the thrust of its explanation based upon developments in UHF television broadcasting during the interim period does not appear to have been evaluated in the ALJ's denial of leave to amend or in the Board's affirmance of that action.[15] While the better practice would have been to come forward more promptly with new staffing and financial proposals, and we do not disagree with the Board's reasoning that it would have been disruptive of the proceeding to explore the merits of Chapman's staffing and financial proposals during the hearing, circumstances have changed and a further remand is now required irrespective of whether Chapman's amendment is accepted or rejected.

19. On balance, we are inclined to accept the amendments to Chapman's staffing and financial proposals which were submitted on November 28, 1972 and which were rejected by the ALJ and the Board,[16] subject to the condition that no comparative advantage shall accrue to Chapman by reason of these post-designation amendments. This action is appropriate since a remand hearing is required in any event, the proceeding will not be unduly prolonged by allowing the amendments, a more realistic appraisal of Chapman's staffing and financial proposals may be made if the record reflects the current situation, no comparative advantage will accrue to Chapman as a result, and this procedure will serve the public interest by affording a choice of applicants in the event that both BBC and Chapman are found to possess the basic qualifications to be Commission licensees. Issues will be added to determine Chapman's basic qualifications in light of its amended staffing and financial proposals. We shall also add an issue to determine whether a demerit should be assessed against Chapman for any unexcused tardiness in coming forward with its amendments.

20. In sum, Chapman's application for review will be granted to the extent that the amendments to its staffing and financial proposals have been accepted. We do not believe that any useful purpose will be served by permitting Chapman to file a brief or present oral argument and, to that extent, the application for review will be denied.

21. We recognize that the instant remand necessarily will further delay the inauguration of a new television service to the Birmingham community on Channel 21. Nevertheless, the public interest requires that the several serious questions raised by the pleadings be explored in an evidentiary hearing before an award of a license is made. However, to keep the delay to a minimum, consistent with the requirements of due process, we shall direct the presiding officer to expedite the hearing and his issuance of a Supplemental Initial Decision. We shall also provide that any exceptions thereto which the parties desire to interpose be filed directly with the Commission for its consideration.

22. *Accordingly, it is ordered:*

(a) That the petition for leave to amend filed by Birmingham Broadcasting Company on October 9, 1974, is granted, and the amendment is accepted;

(b) That the Petition for Reopening of Record and Remand for Further Hearing filed by Chapman Radio and Television Co. on September 13, 1974, is granted; and

(c) That the application for review filed by Chapman Radio and Television Co. on August 6, 1974, is granted to the extent indicated herein and is otherwise denied.

23. *It is further ordered* That the request for leave to file the amendments tendered by Chapman Radio and Television Co. in 1972 with respect to its staffing and financial proposals is granted, and the amendments are accepted.

24. *It is further ordered:*

(a) That the Initial and Review Board Decisions herein, 47 FCC 2d 778 and 775, are set aside to the extent that they are inconsistent with this Memorandum Opinion and Order;

(b) That the record herein is reopened;

(c) That the proceeding is remanded to a presiding officer, to be appointed by the Chief Administrative Law Judge, for further hearing on the issues specified below and for the issuance of a Supplemental Initial Decision on an expedited schedule; and

(d) That the parties shall direct any exceptions to the Supplemental Initial Decision they may desire to interpose, and related pleadings, to the Commission.

25. *It is further ordered* That the issues in this proceeding are enlarged to include the following issues:

(a) To determine the facts with regard to stock ownership by Oscar E. Hyde and/or Miles College in Birmingham Broadcasting Co.;

(b) To determine, in the event it is determined that Miles College owns a beneficial interest in Birmingham Broadcasting Co., the legal structure of Miles College, its officers and directors/trustees, its ability to participate in relevant respects in Birmingham Broadcasting Co.'s proposal, and what connection, if any, Oscar E. Hyde has with Miles College;

(c) To determine whether Birmingham Broadcasting Co. and its principals have reasonable assurance that loans previously relied upon from Oscar E. Hyde, the First Jefferson Mortgage Company and the American National Bank continue to be available from these sources or from Miles College, First National Mortgage Company or the National Bank of Commerce of Birmingham, Alabama, and, in light of the evidence thus adduced to determine if applicant is financially qualified to construct and operate the proposed television broadcast station;

(d) To determine whether Birmingham Broadcasting Co. has advised the Commission of relevant changes in the information furnished in its application in the manner prescribed in § 1.65 of the Rules and, if not, the effect thereof upon its basic and/or comparative qualifications.

(e) To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether Birmingham Broadcasting Co. possesses the requisite character qualifications to be a Commission licensee;

(f) To determine, in the light of the amendments to its application, whether Chapman Radio and Television Company proposes adequate staffing to effectuate its programming proposal and whether it is financially qualified to construct and operate the proposed television broadcast station;

(g) To determine whether Chapman Radio and Television Company was lacking in diligence in coming forward with amendments to its staffing and financial proposals; and, if so, the effect upon its comparative qualifications;

(h) To determine, on the basis of all relevant evidence adduced in this proceeding, which of the proposals would better serve the public interest; and

(i) To determine, in light of all relevant evidence adduced in this proceeding, which, if either, of the applications for construction permit should be granted.

26. The burden of going forward with the presentation of evidence under Issues (a), (b), (c) and (g), and the burden of proof under Issues (c), (d), and (e) are placed on Birmingham Broadcasting Co.; and the burden of going forward with the presentation of evidence under Issues (d) and (f), and the burden of proof under Issues (f) and (g) are placed upon Chapman Radio and Television Company.

Adopted: December 10, 1975.

Released: December 24, 1975.

FEDERAL COMMUNICATIONS COMMISSION,[17]
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76-376 Filed 1-6-76;8:45 am]

JOINT INDUSTRY/GOVERNMENT COMMITTEE 1977 WORLD ADMINISTRATIVE RADIO CONFERENCE FOR THE PLANNING OF THE BROADCASTING-SATELLITE SERVICE IN FREQUENCY BANDS 11.7–12.2 GHZ (IN REGIONS 2 AND 3) AND 11.7–12.5 GHZ (IN REGION 1)

Schedule of Working Group Meetings

DECEMBER 19, 1975.

Working Group A (Terminology and Definition)

Tuesday, January 13, 1976—9:30 a.m. to 12:30 p.m., Room 8009, 2025 "M" Street NW., Washington, D.C.

Chairman: Mr. Richard O. Pullen, Common Carrier Bureau, FCC.

Working Group B (Sharing Principles)

Wednesday, January 14, 1976—9:30 a.m. to 12:30 p.m., Room 712A, 1800 "G" Street NW., Washington, D.C.

Chairman: Mr. Donal Jansky, Office of Telecommunications Policy.

Working Group C (Sharing Criteria)

Wednesday, January 14, 1976—1:30 p.m. to 4:30 p.m., Room 712A, 1800 "G" Street NW., Washington, D.C.

Chairman: Mr. Edward E. Reinhart, Jet Propulsion Labs.

Working Group D (Evolution of Requirements)

Tuesday, January 13, 1976—1:30 p.m. to 4:30 p.m., Room 8009, 2025 "M" Street NW., Washington, D.C.

Chairman: Mr. George W. Bartlett, National Association of Broadcasters.

Working Group E (International Non-Technical Implications)

Friday, January 16, 1976—1 p.m. to 2:30 p.m., Room 752, 1919 "M" Street NW., Washington, D.C.

Chairman: Mr. Harry R. Olsson, Jr., Columbia Broadcasting System, Inc.

Working Group F (Procedures)

Wednesday, January 21, 1976—9:30 a.m. to 12:30 p.m., Room 8009, 2025 "M" Street NW., Washington, D.C.

Chairman: Mr. Donald Welland, Office of Chief Engineer, FCC.

The Agenda for each Working Group meeting is essentially the same:

1. Approval of Minutes of previous meeting.
2. Review of Task Group Reports.
3. Establish date for final report from each Working Group which should be no later than the end of February.
4. Other business—need for further meetings and setting of those meeting dates.
5. Adjournment.

There will be a joint meeting of CCIR Study Groups 10/11 and 10/11B on Thursday, January 15, 1976, Room A–110, 1229 20th Street NW. (Annex to 1919 "M" Street NW.), Washington, D.C., 9:30 a.m. to 4:30 p.m.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc.76-380 Filed 1-6-76;8:45 am]

[FCC 75R-467; Docket No. 20100; File No. BPCT-4669]

KTVO, INC. (KTVO–TV)

Memorandum Opinion and Order Enlarging Issues

1. This proceeding, which involves the application of KTVO, Inc. (KTVO–TV), Kirksville, Missouri, seeking authority to relocate its transmitter and main studio sites and increase its antenna height, was designated for hearing under a UHF impact issue by Commission Order, FCC 74–685, released July 10, 1974. On June 12, 1975, Presiding Law Judge Lenore G. Ehrig released an Initial Decision, FCC 75D–31, in which she concluded, *inter alia*, that the application must be denied since the record evidence indicated that a grant would have a significant adverse impact on UHF television broadcast Station KCBJ–TV, Columbia, Missouri, and since the applicant had failed to demonstrate that a grant would not impair the potential competitive ability of several allocated but unapplied for UHF–TV broadcast facilities in the area. Presently before the Review Board is a "motion for remand for additional evidentiary hearings" and a "motion for leave to amend application to propose use of a directional antenna," filed on August 1, 1975, by KTVO.[1] The motions will be discussed *seriatim*.

Motion for Remand

2. In support of its request for remand, movant first states that subsequent to the release of the Initial Decision in this proceeding, the Commission in *"Amendment of Sections 73.333 and 73.699, Field*

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signments (Dockets 14229 et al.), FCC 65-504, 5 RR 2d 1587. In the 1968 Initial Decision, the ALJ favored a competing applicant on a comparative basis.

[12] Alabama Television has since withdrawn from the proceeding.

[13] Chapman tendered other amendments also but these were withdrawn before the Review Board's consideration of Chapman's appeal from the denial of leave to amend.

[14] See 8 FCC 2d 370 (1967) and 24 FCC 2d 282 (1970).

[15] In 1973, Chapman disposed of its Birmingham AM and FM stations. Since the determination to have separate staffs had been made prior thereto the sale is not a matter of decisional significance with respect to the acceptance of the amendment.

[16] On April 11, 1974, Chapman filed a pleading captioned "Brief in Support of Appeal from Rulings of Judge Jay A. Kyle" to which it attached proposed modifications of the amendments of its staffing and financial proposals. Leave to amend was not requested, the submission was unauthorized, and no consideration has been or may be given to the modifications proposed therein.

[17] Separate statement of Chairman Wiley filed as a part of the original document. Commissioners Reid, Hooks, Washburn, Quello and Robinson join.

[1] Also before the Review Board are the following related pleadings: (a) opposition, filed August 19, 1975, by Channel Seventeen; and (b) comments, filed August 19, 1975, by the Broadcast Bureau.

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Strength Curves for FM and TV Broadcast Stations", 53 FCC 2d 855, 34 RR 2d 361 (1975), promulgated new rules revising field strength curves for television broadcast stations, which are applicable in all proceedings which have not reached final determination. Remand is clearly required here, KTVO contends, since it is evident that application of the new rules could appreciably affect the resolution of the specified UHF impact issue. Thus, attaching the report of its engineer, KTVO asserts that computations based on the new propagation curves indicate that the overlap between Station KCBJ's present Grade B contour and the proposed KTVO Grade B contour would be about one-fourth of the area previously determined under the old method of computation, and that the population in the proposed overlap area of the Grade B contours of these two stations would be about 12,000 persons, rather than 80,000 persons, as concluded by the Judge. Next, movant alleges that subsequent to the release of the Initial Decision, the Commission, in *Jefferson-Pilot Broadcasting Company*, 53 FCC 2d 262, 33 RR 2d 1273 (1975), held for the first time that allocation of a UHF channel to a market by the Commission reflects a tentative determination that the market is capable of supporting a UHF broadcast station and, consequently, a VHF applicant must demonstrate that such UHF operations are unlikely in order to overcome that presumption. KTVO submits that the burden of proceeding with the introduction of evidence was placed on respondent Station KCBJ which submitted no evidence as to operation of the allocated UHF channels. As a consequence, given the fact that KTVO had no notice that it would be required to overcome a presumption of UHF activation in the market, elementary fairness, KTVO maintains, requires that this proceeding be remanded to allow it to have a realistic opportunity to meet that newly created presumption with additional evidence.

3. In opposition, the UHF respondent, Channel Seventeen, asserts that the Commission specifically indicated that decisions reached prior to the *Report and Order's* effective date, and thus based on the old propagation curves, were to be "grand-fathered", and therefore that a remand of the instant proceeding to introduce evidence reflecting the new method of prediction would be both inappropriate and contrary to the Commission's intent. But, in any event, Channel Seventeen notes that movant has made no showing that utilization of the "new curves" would diminish the substantial impact found by the Presiding Law Judge on five allocated but unoperational UHF channels. Finally, Channel Seventeen submits that KTVO has simply failed to meet its burden with respect to rebutting the likelihood of activation of allocated UHF stations and that *Jefferson-Pilot Broadcasting Company, supra*, does not mandate that KTVO have a second opportunity to introduce evidence to that effect.

4. In our opinion, the Commission's Report and Order holds that the new propagation curves are an improved allocations tool to be used in all proceedings that have not reached final determination and, in view of the fact that the location of field strength curves is critical to an evaluation of the impact of the proposed KTVO operation upon KCBJ, the Review Board agrees with the Broadcast Bureau that KTVO's motion for remand to submit additional evidence based on the "new curves" must be granted. Aside from the fact that the Commission in releasing its *Report and Order* stated that the contours of UHF stations would be reduced substantially in average radii, when predicted with the use of new propagation curves, KTVO has made a *prima facie* demonstration that the reduction in overlap is such that the use of the "new curves" could have decisional significance with respect to the resolution of this proceeding. As a related matter we believe that in view of the fact that the record is being reopened for adduction of further evidence, KTVO should also be afforded an opportunity to adduce evidence concerning the allocated but unapplied for area UHF channels within KTVO's proposed service area. Accordingly, we will grant KTVO's request to adduce further evidence with respect to the likelihood of operation of the allocated UHF channels.

Motion for Leave To Amend

5. In a motion for leave to amend, filed August 1, 1975,[2] KTVO seeks to amend its application to specify a directional television antenna in lieu of the presently proposed non-directional antenna. Movant states that the public interest would be served by the acceptance of its amendment, because, with the adoption of new field strength curves (see para. 2, *supra*), it is now possible to eliminate the grade B overlap between KCBJ–TV and KTVO–TV through use of a directional antenna and comply with the maximum-minimum decibel ratio requirements of Rule 73.685(e).

6. The Review Board will grant KTVO's motion for leave to amend and accept the amendment. In our view, petitioner has established good cause in light of the facts that the amendment was filed with due diligence after the Commission adopted the rules,[3] it would not afford the applicant a comparative advantage or prejudice any other party, and it would not necessitate the addition of new parties or issues to this proceeding. In this regard, however, we find that the addition of an issue inquiring into the applicant's compliance with the Commission's city coverage requirements is warranted. Exhibit E of the amendment reflects that, based upon the newly adopted prediction curves, KTVO's 74 dBu contour would fall short of Kirksville, the applicant's proposed city of license and, hence, an issue is warranted on this basis.[4] However, since this problem was not occasioned by the proposed amendment, but rather by the Commission's revision of the propagation curves, the addition of a city grade coverage issue cannot be regarded as a basis for rejecting the amendment.[5]

7. Accordingly, *It is ordered*, That the motion for remand for additional evidentiary hearings, filed August 1, 1975, by KTVO, Inc. (KTVO–TV), is granted; and

8. *It is further ordered*, That the motion for leave to amend, filed August 1, 1975, by KTVO, Inc. (KTVO–TV), is granted, and the amendment is accepted; and

9. *It is further ordered*, That the petition for leave to file reply, filed on October 23, 1975, by KTVO, Inc. (KTVO–TV), is granted, and the reply is accepted; and

10. *It is further ordered*, That the issues in this proceeding are enlarged to include the following:

To determine whether KTVO, Inc. (KTVO–TV) will provide its principal city of license with a city grade signal of 74 dBu, as required by § 73.685 of the Commission's Rules.

11. *It is further ordered*, That the burdens of proceeding and proof under the issue added herein shall be on KTVO, Inc. (KTVO–TV); and

12. *It is further ordered*, That the record herein is reopened and the proceeding is remanded for the purposes stated above; and

13. *It is further ordered*, That the Presiding Law Judge shall issue a Supplemental Initial Decision pertaining to all aspects raised therein.

Adopted: December 16, 1975.

Released: December 22, 1975.

FEDERAL COMMUNICATIONS COMMISSION,[6]

[SEAL] VINCENT J. MULLINS, *Secretary.*

[FR Doc.76-377 Filed 1-6-76;8:45 am]

[2] Also before the Review Board are: (a) opposition, filed October 16, 1975, by the Broadcast Bureau; (b) petition for leave to file reply and reply, filed October 23, 1975, by KTVO; and (c) comments, filed November 11, 1975, by the Broadcast Bureau. The unopposed petition for leave to file reply will be granted. The proposed amendment was filed on September 30, 1975.

[3] In this connection, the Board notes that prior to the adoption of the new curves, the amended proposal would have violated Rule 73.685(e). Moreover, we cannot accept the Broadcast Bureau's contention that KTVO could have avoided Grade B overlap with KCBJ with or without a directional antenna through the use of an alternate site or by altering its proposed tower or antenna height. The Bureau's allegations are unspecific and in contravention of Rule 1.229(c) and it would be unreasonable to place an additional burden upon KTVO to show the superiority of its proposed site over hypothetical alternatives. *Cf. WKYR, Inc.* (*WKYR*), 1 RR 2d 314 (1963), and *WATR, Inc.* (*WATR–TV*), 16 FCC 2d 844, 15 RR 2d 900 (1969).

[4] KTVO's alternate use of a supplemental prediction method, which allegedly indicates that KTVO would provide Kirksville with adequate city grade coverage, cannot be accepted. The applicant has not made the necessary showing which Rule 73.684(f) requires before such a method can be employed and movant has failed to provide the Board with either the significant calculations pertaining to or an appropriate description of its supplemental prediction method.

[5] Thus, we note that KTVO's unamended proposal would also fail to cover Kirksville with a 74 dBu signal if the Commission's new propagation curves were utilized.

[6] Board member Ohlbaum dissenting in part filed as a part of the original document.

[FCC 75-1353; Docket No. 20654]

SPARK-TYPE IGNITION SYSTEMS

Notice of Inquiry Regarding Interference in Motor Vehicles

1. Field surveys have shown that the major portion of radio frequency man-made noise in the spectrum above 25 MHz is created by the ignition systems of motor vehicles.[1]

[1] Advisory Committee Land Mobile Radio Services Report available from National Technical Information Service (NTIS), Springfield, Va. 22161. Accession No. PB 174-278; FCC Report R-7302, available NTIS, Accession No. PB 234-216; and FCC Report RS75-05, available NTIS, Accession No. PB 243-881.

2. The automobile industry has pursued methods of reducing ignition interference for many years and with some success. Radiation standards and methods of measurement are in existence both nationally and internationally. In the U.S. it is the policy of automobile manufacturers to comply with the Society of Automotive Engineers (SAE) Standard J551.

3. The interference from a single vehicle that is complying with the SAE standard can be of small intensity and short duration. However, the collective effect of a flow of vehicles from a nearby thoroughfare degrades radio reception to a degree dependent on the traffic rate. Most affected are mobile units since they receive radio signals while surrounded by a number of other motor vehicles. Often a vehicle limits its own reception capability by the radio noise it generates. This has been a major incentive for automobile manufacturers to suppress ignition interference. The reception range of base stations in the land mobile services is commonly shortened by ignition radiation of motor vehicles operating within several blocks of its receiving antenna, particularly at frequencies below 150 MHz.

4. A small percentage of vehicles has been found to be "supernoisy" and their interference effect persists longer than their numbers would seem to indicate. Some believe that some of the supernoisy vehicles are created by owners who remove the normally-supplied resistive ignition cable and replace it with solid-conductor types. Although it is generally believed that this occurs, particularly with trucks and fleet cars, there are no firm statistics available. The incentive for removing the resistance cable stems from the deterioration caused by high engine temperatures.

5. Any type of radio interference can be alleviated by increasing the strength of the desired signal and this, of course, is true of ignition interference. The communications system designer fully understands this and resorts to the use of higher radiated power. Unfortunately, this tends to limit the re-use of the operating frequency and leads to poor spectrum utilization. In view of the steadily increasing demands for available spectrum, we are concerned that the best and most feasible techniques be utilized in order to promote efficient spectrum utilization.

6. Recently, Stanford Research Institute completed an FCC contracted study on improving the suppression of radiation from automobiles. In order to simplify our first efforts in this field we limited consideration to the greatest preponderance of motor vehicles—passenger automobiles. For the same reason, we restricted our interest to the frequency range of 25–400 MHz, since it is in this region that ignition interference is most severe.

7. The contract called for the development and demonstration of a new ignition suppression technique that:

1. Provided a 10 dB decrease in radiation by an FCC supplied vehicle that was previously found to be the lowest radiator of a group of 1972 automobiles;

2. Was feasible in terms of cost under mass production (including installation cost);

3. was feasible in terms of ease and cost of servicing;

4. had negligible effect on engine performance, including exhaust emission.

The contract has been completed and the FCC Report RS75-03 is available from NTIS, order number PB 239-471.

8. In view of the foregoing, this Notice of Inquiry solicits responses to the following questions:

(a) To what extent are other kinds of radio services such as television, microwave and amateur degraded by ignition interference?

(b) To what extent is land-mobile reception degraded by ignition interference?

(c) To what extent is radio reception degraded by motor vehicles that comply with the SAE J551 standard with respect to: (1) individual vehicles; and (2) simultaneous operation of groups of vehicles?

(d) To what extent do automobiles, trucks, and motorcycles comply with the SAE J551 standard?

(e) Do automotive vehicle manufacturers comply with the sampling requirements of the SAE J551 standard?

(f) To what extent are resistance type ignition cables and resistance type spark plugs removed from motor vehicles and replaced with solid wire cables and nonresistance spark plugs? What reports exist that describe the increased interference effects that result from this practice?

(g) Are ignition cables available that are effective in suppressing radiation but do not suffer the adverse effects of high engine temperature?

(h) What extent do imported cars comply with the present voluntary SAE standards?

(i) What information is available to support or refute the SRI findings?

(j) What would be the additional cost to the consumer in applying the suppression techniques developed by SRI?

(k) What are the cost benefit considerations in reducing ignition radiation from its present base using SRI or other techniques?

(l) What future developments can be expected in automotive design that will increase or decrease ignition radiation?

(m) What alternatives exist for alleviating ignition radiation other than suppression at the source?

(n) What are the cost-benefit considerations of these alternatives?

9. Attention is invited to relevant exhibits listed in the Appendix hereto. These exhibits are being placed on file in the instant docket for public inspection.

10. Pursuant to applicable procedures set forth in § 1.415 of the Commission's Rules, interested parties may file comments on or before March 19, 1976, and reply comments on or before May 4, 1976. All relevant and timely comments and reply comments will be considered by the Commission before further action is taken in this proceeding. The Commission may also consider any other relevant information brought to its attention.

11. In accordance with the provisions of § 1.419 of the Commission's Rules, an original and 14 copies of all comments, reply comments, pleadings, briefs and other documents shall be furnished the Commission. All filings in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, N.W., Washington, D.C.

Adopted: December 10, 1975.

Released: December 16, 1975.

FEDERAL COMMUNICATIONS COMMISSION,[2]

[SEAL] VINCENT J. MULLINS, *Secretary.*

APPENDIX

LIST OF FCC EXHIBITS

Exhibit No. FCC-1, Report RS75-03, "Improved Suppression of Radiation from Automobiles Used by the General Public," January 1976. Available NTIS—PB 239-471.

Exhibit No. FCC-2, Report R-7302, "Degradation of Mobile Radio Reception at UHF and VHF," August 1973. Available NTIS—PB 234-216.

Exhibit No. FCC-3, Report RS75-05, "Degradation of Base Station Radio Reception at UHF and VHF," June 1975. Available NTIS—PB 243-881.

Exhibit No. FCC-4, "Man-Made Noise," June 30, 1966. Available NTIS—PB 174-278.

NTIS address: National Technical Information Service, Springfield, Virginia 22161. Telephone: (703) 321-8543.

[FR Doc.76-378 Filed 1-6-76;8:45 am]

[2] Concurring statement of Commissioner Reid filed as a part of the original.

FEDERAL ENERGY ADMINISTRATION

OLD OIL ALLOCATION PROGRAM

Revised Entitlement Notice for October 1975

In accordance with the provisions of 10 CFR § 211.67 relating to FEA's old oil allocation program, the monthly notice specified in § 211.67(i) for October 1975

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was issued on December 12, 1975 (40 FR 58619; December 17, 1975). FEA indicated therein that in the event of enactment of the Energy Policy and Conservation Act ("EPCA") (Pub. L. 94–163) in a form that required adjustments to entitlement issuances with respect to purchase obligations of small refiners for October 1975, a revised entitlement notice for that month would be issued.

On December 22, 1975, the EPCA was signed by the President. Section 403(a) of the EPCA amends the Emergency Petroleum Allocation Act of 1973 to exempt small refiners, whose total refining capacity did not exceed on January 1, 1975, and does not thereafter exceed 100,000 barrels per day, from the entitlement purchase requirements of FEA's Old Oil Allocation Program as to the first 50,000 barrels per day of their inputs or receipts, or both. Section 403(b) of the EPCA provides that such exemption shall be applicable to payments due on or after the last day of the month during which the EPCA is enacted. Since, pursuant to § 211.67(b), payments for October 1975 entitlements are due December 31, 1975, FEA is required to make the small refiner purchase exemption provided by EPCA applicable to the purchase and sale obligations set forth in the October 1975 entitlement notice.

On December 24, 1975, the FEA issued a notice revoking the previously issued October entitlement notice, and in order to implement the exemption granted by the EPCA with respect to October 1975 entitlement issuances, FEA is hereby issuing a revised Entitlement Notice for October 1975 pursuant to an emergency rule (Special Rule No. 6 for Subpart C) issued concurrently herewith and effective immediately.

Based on reports submitted to FEA by refiners as to crude oil receipts and crude oil runs to stills for October 1975, an application of the entitlement adjustment for small refiners provided in 10 CFR § 211.67(e), and an application of Special Rule No. 6, the adjusted national old oil supply ratio for October 1975 is calculated to be .35601.

The issuance of entitlements for the month of October 1975 to refiners is set forth in the Appendix to this notice. The Appendix lists the name of each refiner to which entitlements have been issued, the number of entitlements issued to each such refiner, and the number of barrels of old oil included in each such refiner's adjusted crude oil receipts.

Pursuant to 10 CFR § 211.67(i)(4), FEA hereby fixes the price at which entitlements shall be sold and purchased for the month of October 1975 at $8.62, which is the exact differential as reported for the month of October between the weighted average costs to refiners of old oil and of new, released, stripper well and imported crude oil.

In accordance with 10 CFR § 211.67(b), each refiner that has been issued fewer entitlements for the month of October 1975 than the number of barrels of old oil included in its adjusted crude oil receipts is required to purchase a number of entitlements for the month of December 1975 equal to the difference between the number of barrels of old oil included in those receipts and the number of entitlements issued to and retained by that refiner. Refiners which have been issued a number of entitlements for the month of October 1975 in excess of the number of barrels of old oil included in their adjusted crude oil receipts for October 1975 shall sell such entitlements to refiners required to purchase entitlements. In addition, certain refiners are required to purchase or sell entitlements to effect corrections for reporting errors for September 1975 pursuant to 10 CFR § 211.67(i)(5). No corrections for reporting errors for months prior to September 1975 are reflected in the listing as FEA intends to effect these corrections through modifications to the program to be issued in the near future.

The listing specifies a negative volume of old oil receipts as to one refiner due to corrective adjustments. The total number of entitlements issued to that refiner under the listing includes the number specified in the "issued" column, as well as a number of entitlements equal to the number of barrels of old oil shown as the negative volume.

The listing of refiners' old oil receipts contained in the Appendix reflects any adjustments made by FEA pursuant to § 211.67(h).

The listing contained in the Appendix gives effect to Special Rule No. 6, and all refiners totally exempted under the Special Rule are shown in the listing with a zero purchase and sale obligation. Special Rule No. 6 has been given effect in all cases where its application to a particular refiner is more favorable than relief previously granted for October 1975 entitlements by FEA's Office of Exceptions and Appeals. In some cases, however, the award of partial exception relief resulted in sale requirements for particular refiners, where the intent was only to exempt the firm completely from entitlement purchase obligations. FEA has allowed the more favorable exception relief for Mohawk, Oil-Shale, West Coast and Wickett to remain in effect for October 1975 entitlements, but FEA hereby gives notice of its intent to reopen that relief to determine whether the November or December entitlement issuances for these firms should be adjusted so as to require purchases of entitlements to offset their sales of October entitlements. This procedure will ensure that the relief received by these firms from the purchase requirements of the program does not exceed that contemplated either by the EPCA or by the original exception decision.

The total number of entitlements required to be purchased and sold under this notice is 16,980,415.

As required by Special Rule No. 6, payment for entitlements required to be purchased under 10 CFR § 211.67(b) for October 1975 must be made by January 9, 1976. For purposes of determining a refiner's January 1976 product prices, the Special Rule also provides that purchases and sales of October entitlements shall be deemed to have occurred in December 1975, notwithstanding completion of such transactions subsequent to the month of December, but on or prior to January 9, 1976. On or prior to January 15, 1976, each firm which is required chases and sales of entitlements for the month of October shall file with FEA the monthly transaction report specified in 10 CFR § 211.66(i) certifying its purchases and sales of entitlements for the month of October. FEA has mailed the monthly transaction report forms for the month of October to reporting firms. FEA requests that firms which have been unable to locate other firms for required entitlement transactions by January 9, 1976 contact FEA at 202–254–6296 to expedite consummation of these transactions. For firms that have failed to consummate required entitlement transactions on or prior to January 9, 1976, FEA may direct sales and purchases of entitlements pursuant to the provisions of 10 CFR § 211.67(j).

This notice is issued pursuant to Subpart G of FEA's regulations governing its administrative procedures and sanctions, 10 CFR Part 205. Any person aggrieved hereby may file an appeal with FEA's Office of Exceptions and Appeals in accordance with Subpart H of 10 CFR Part 205. Any such appeal shall be filed on or before February 6, 1976.

Issued in Washington, D.C., on December 31, 1975.

MICHAEL F. BUTLER,
General Counsel.

APPENDIX.—*Notice of entitlements for allocation of old oil*

Reporting firm short name	Old oil adjusted receipts	Entitlement position: Issued	Required to buy	Required to sell
A-Johnson	0	63,511	0	63,511
Allied	841,566	64,040	0	22,474
Amer-Petrofina	1,397,483	1,812,248	0	414,765
Amerada-Hess	2,295,192	5,838,764	0	3,543,572
Amoco	11,692,010	10,346,919	1,345,091	0
Apco	363,108	605,257	0	242,089
Arco	6,368,497	7,382,290	0	1,013,793
Arizona	36,002	36,002	0	0
Asamera	4,491	25,910	0	21,419
Ashland	3,211,526	3,617,071	0	1,405,545
Bayou	59,415	59,415	0	0
Beacon	305,122	305,122	0	0
C&H	681	1,270	0	589
Calumet	0	25,884	0	25,884
Canal	57,327	57,327	0	0
Caribou	103,646	103,646	0	0
Champlin	1,922,795	1,292,363	630,432	0
Charter	1,214,541	1,111,282	103,259	0
Citgo	4,072,025	3,074,188	997,837	0

APPENDIX.—*Notice of entitlements for allocation of old oil*—Continued

Reporting firm short name	Old oil adjusted receipts	Entitlement position: Issued	Required to buy	Required to sell
Claiborne	5,459	5,459	0	0
Clark	555,541	1,088,903	0	533,362
Coastal	792,906	1,393,659	0	591,599
Conoco	4,416,868	3,480,722	936,146	0
Coreo	0	942,166	0	942,166
Cra-Farmland	809,016	792,284	16,732	0
Cross	9,867	52,546	0	42,849
Crowa	356,840	769,847	0	213,207
Crystal-Oil	167,247	176,933	0	9,686
Crystal-Ref	259	23,806	0	23,547
Delta	699,805	699,805	0	0
Diamond	591,228	591,228	0	0
Dorchester	5,166	11,477	0	6,311
Dow	67,068	67,068	0	0
Eddy	42,070	42,070	0	0
Edgington-Oil	281,078	281,078	0	0
Edgington-Oxn	11,424	11,424	0	0
Evangeline	35,296	35,296	0	0
Exxon	13,810,828	13,384,992	434,836	0
Famariss	388,259	388,259	0	0
Farmers-UN	487,598	487,598	0	0
Fletcher	412,847	412,847	0	0
Flint	11,021	11,021	0	0
Gary	1,127	86,031	0	84,904
Getty	287,162	1,011,245	0	724,083
Giant	−5,056	233,558	0	38,514
Gladieux	32,996	146,376	0	113,380
Golden-Eagle	0	106,224	0	106,224
Good-Hope	342,425	342,425	0	0
Guam	0	343,267	0	343,267
Gulf	10,994,657	7,368,756	3,625,901	0
Gulf-STS	14,492	17,139	0	2,647
Hirt	0	641,794	0	641,794
Howell	801,071	801,071	0	0
Hunt	445,659	445,659	0	0
Husky	651,114	651,114	0	0
Indiana-Farm	129,263	242,433	0	113,170
J&W	54,854	54,854	0	0
Kentucky	1,731	6,494	0	4,763
Kerr-McGee	2,437,086	1,755,905	681,181	0
Koch	468,930	1,113,713	0	644,783
Lagloria	487,666	487,666	0	0
Lakeside	157,061	157,061	0	0
Lakeston	286,414	286,414	0	0
Little-Amer	300,539	300,539	0	0
Macmillan	85,851	181,819	0	95,968
Marathon	3,255,298	2,677,504	577,794	0
Marlen	110,518	265,953	0	155,415
Mid-Amer	0	42,267	0	42,267
Midland	278,756	278,756	0	0
Mobil	8,791,370	7,506,853	1,284,517	0
Mohawk	495,300	511,604	0	16,304
Monsanto	465,993	104,902	0	0
Morrison	7,752	7,752	0	0
Mountaineer	3,508	3,839	0	331
Murphy	1,050,391	1,065,241	0	14,850
N-Amer-Petro	75,003	75,003	0	0
Nat-Coop	462,251	536,541	0	74,290
Navajo	379,690	379,690	0	0
Nerhal	214,643	214,643	0	0
Northland	27,887	33,443	0	5,556
Oil-Shale	1,209,573	1,038,331	231,242	0
OKC	370,792	370,792	0	0
Pasco	966,115	966,115	0	0
Pegasol	664,409	664,409	0	0
Phillips	3,687,746	4,200,752	0	513,006
Pioneer	15,643	31,389	0	15,746
Placid	344,003	344,003	0	0
Plateau	80,389	80,389	0	0
Powerine	337,661	446,821	0	109,160
Pride	225,530	248,972	0	22,442
Quaker-ST	8,203	276,807	0	268,604
Road-oil	0	2,282	0	2,282
Rock-Island	475,238	475,238	0	0
Saber-Tex	108,032	108,032	0	0
Sabre-Cal	624	18,566	0	17,942
Sage-Creek	3,959	3,959	0	0
San-Joaquin	64,225	94,107	0	29,882
Seminole	0	48,566	0	48,566
Shell	13,136,697	10,219,683	2,917,014	0
Sigmor	7,432	21,928	0	14,496
Skelly	1,084,746	581,348	503,398	0
Southampton	90,230	90,230	0	0
Socal	9,099,000	10,645,431	0	1,546,431
Sohio	2,788,992	3,307,599	0	518,606
Somerset	1,097	37,547	0	36,450
Sound	0	14,429	0	14,429
Southland	359,554	359,554	0	0
Suniand	91,989	94,071	0	2,082
Sunoco	6,570,784	5,234,303	1,336,481	0
Terreco	1,029,793	1,154,962	0	125,069
Texpco	1,083,428	1,027,465	55,963	0
Texaco	11,671,472	11,527,696	143,776	0
Texas-Asph	717	1,249	0	532
Texas-City	1,160,842	1,068,496	97,344	0
Thagard	92,405	92,405	0	0
The-Refinery	128,164	199,329	0	71,165
Thriftway	30,288	30,288	0	18,784
Thunderbird	119,846	123,635	0	1,789
Tonkawa	25,000	52,977	0	27,977
Total-Leonard	180,235	490,411	0	310,176

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APPENDIX.—*Notice of entitlements for allocation of old oil*—Continued

Reporting firm short name	Old oil adjusted receipts	Entitlement position		
		Issued	Required to buy	Required to sell
Union-Oil	5,990,538	4,449,087	1,541,451	0
Union-Texas	125,080	125,080	0	0
Untd-Ind	278	278	0	0
Untd-Ref	131,120	590,386	0	459,266
US-Oil	70	139,487	0	139,417
Vickers	341,700	398,571	0	56,871
Vulcan	0	24,829	0	24,829
Warrior	56,529	56,529	0	0
West-Coast	26,764	45,299	0	18,535
Western	2,299	23,643	0	21,344
Wickett	87,559	94,205	0	6,646
Winston	39,808	184,746	0	144,938
Wireback	0	1,379	0	1,379
Witco	435,583	435,583	0	0
Yetter	0	1,325	0	1,325
Young	60,696	60,696	0	0
Total	154,402,877	154,402,877	16,980,415	16,980,415

[1] Reflects a correction for excessive old oil receipts reported for Sept. 1975.
[2] Does not include entitlements issued by virtue of the negative volume of old oil receipts shown.

[FR Doc.75-35256 Filed 12-31-75;4:50 pm]

FEDERAL MARITIME COMMISSION

ATLANTICA S.P.A. AND GLOBAL TERMINAL AND CONTAINER SERVICES, INC.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before January 27, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

R. T. Norton, President, Global Terminal and Container Services, Inc., Post Office Box 273, Jersey City, New Jersey 07303

Agreement No. T-3246, between Atlantica S.p.A. (Atlantica) and Global Terminal & Container Services, Inc., (Global) provides for Global to act as agent for Atlantica in billing and collecting demurrage on cargo to be loaded to or discharged from Atlantica's vessels at the Global Marine Terminal facilities in the Port of New York. As compensation, Global shall retain all monies derived from the collection of demurrage assessed against cargo loaded or discharged to or from Atlantica's vessels at the aforesaid terminal. Charges covering containers and chasis equipment, separate and apart from charges covering cargo, will be billed and collected by Global for the account of Atlantica.

By Order of the Federal Maritime Commission.

Dated: January 2, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-435 Filed 1-6-76;8:45 am]

PORT OF OAKLAND, ET AL.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before January 27, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

J. Kerwin Rooney, Port Attorney, Port of Oakland, 66 Jack London Square, P.O. Box 2064, Oakland, California 94607.

Agreement No. T-3040-A-1, between Port of Oakland (Port) and Japan Line, Ltd., Kawasaki Kisen Kaisha, Ltd., Mitsui O.S.K. Lines, Ltd. and Yamashita-Shinnihon Steamship Co., Ltd. (the Lines), modifies the basic agreement which provides for the ten-year nonexclusive preferential assignment of a 40-ton container crane for use by the Lines in loading and unloading cargo containers to and from the Lines' vessels. The purpose of the modification is to amend the provisions of the Agreement relating to total project cost.

By Order of the Federal Maritime Commission.

Dated: January 2, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-434 Filed 1-6-76;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RP74-80]

NORTHERN NATURAL GAS COMPANY

Order Approving Settlement Agreement and Denying Motion to Sever the Liquid Revenues Issue

DECEMBER 18, 1975.

On August 1, 1975, Northern Natural Gas Company (Northern) tendered for filing a Stipulation and Agreement which reflects a settlement of all issues in this proceeding,[1] except the issue of whether Northern should be permitted cost of service treatment for company-owned production.[2] On August 13, 1975, the Presiding Administrative Law Judge certified the record to the Commission. Notice of the proposed settlement was issued August 8, 1975, with comments due on or before August 21, 1975.

On July 8, 1975, Northern Illinois Gas Company (NI-Gas) filed a motion to sever and set for hearing the issue of the appropriate credit to cost of service for sales of extracted liquids. The Commission did not rule on this motion within

[1] Northern filed its proposed $42.9 million annual rate increase on April 11, 1974. This filing was based upon book costs for the twelve month period which ended December 31, 1973 (base period), adjusted for known and measurable changes through September 30, 1974 (test period). By order issued May 20, 1974, the Commission accepted for filing and suspended the effectiveness of these revised tariff sheets until October 27, 1974.

[2] This issue is presently pending hearing and decision in Docket No. RP74-75.

thirty days after the Presiding Administrative Law Judge certified the question to the Commission; therefore, on September 12, 1975, the motion was considered denied by operation of Section 1.12(e) of the Rules. On October 14, 1975, NI-Gas petitioned for rehearing of denial of the motion to sever and set for hearing the liquid revenues issue. On November 13, 1975, the Commission issued an order granting rehearing for the purpose of further consideration of NI-Gas motion.

The settlement agreement would reduce the pending increase by approximately $10,813,000 from Northern's principal market area sales and approximately $26,000 from field area sales. The rates would be effective October 27, 1974, and revenues in excess of the settlement rates would be refunded, including 7 percent interest.

Other pertinent provisions of the settlement are as follows:

(1) Section I provides that the rates under Docket No. RP74-80 will be at levels set forth (i) in Appendix A for the billing months of November and December 1974; (ii) in Appendix B for the one day December 27, 1974; and (iii) Appendix C for the period December 28, 1974 through October 26, 1975. Within 30 days after the Commission's order approving the Stipulation and Agreement, Northern will file revised tariff sheets reflecting the rates shown in Appendix C. Refunds will be made to customers purchasing gas from Northern in zones 1, 2, 3, B, C and D on the basis of actual billing demand units for such period, including 7 percent interest; refunds will be made to jurisdictional field sale customers on the basis of actual sales volumes for such period, including 7 percent interest. Northern is also reducing rates and making refunds in an additional amount of approximately $324,000.[3] Northern will file tariff sheets which will show a reduction in jurisdictional revenues of approximately $10,813,000 in the principal market area sales, revised rates based upon the *United* 25-75 cost classification, allocation and rate design methodology and rates for winter services designed to fully recover allocated costs.

(2) Section II states that a segmented composite straight line depreciation rate for Northern's operating properties will be used resulting in a 4.25 percent annual weighted average rate. Furthermore, Northern will not collect any increase in revenues from its customers attributable to a further increase in depreciation rates or attributable to the UOP method prior to December 27, 1976.

(3) Section II provides that the group billing provision is just and reasonable and should continue in effect. Although group billing may not be accepted in other cases, several reasons were given for continuing group billing in this instance, including the following: (1) 95 percent of the Communities served by Northern utilized the grouping practice; (2) 858 of the communities used grouping for more efficient utilization of peak shaving facilities; and (3) grouping as practiced on Northern's system benefits high priority loads. No party to this proceeding presented evidence in opposition to the continued use of group billing procedures.

(4) Section IV involves a rate reduction and refund due to the exclusion of certain advance payments. Although Northern agrees to this Section of the Stipulation and Agreement, this is done without prejudice to any future proceedings.

(5) Section V pertains to the cost-of-service for Northern's Gas Exploration Program for the period October 27, 1974 through October 26, 1975. The settlement rates in Docket No. RP74-84 include a jurisdictional amount of $6,085,293 applicable to the reserved issue in Docket No. RP74-75. Northern's right to retain this amount will depend upon the ultimate resolution of the reserved issue in the Docket No. RP74-75 proceeding.

(6) Section VI states that nothing in this agreement will change Northern's obligations under any prior settlement agreement.

(7) Section VII provides that Northern shall file a report under oath of all data and computation pertaining to refunds.

(8) Section VIII reflects that the terms of the Stipulation and Agreement, if approved by the Commission, shall become effective as of October 27, 1974, and shall remain in effect until such time as a change in Northern's rates becomes effective as of October 27, 1974, and Northern under Section 4 of the Act or by a determination by the Commission under Section 5 of the Act.

(9) Section IX provides for acceptance of the settlement in its entirety and for waiver of the Commission's Regulations as may be required.

(10) Section X is a general reservation indicating that the agreement represents a negotiated dollar settlement and, except to the extent provided in Sections II and III, does not reflect approval or acceptance by any party thereto of any ratemaking principle underlying or supposed to underlie any of the rates or refunds provided for therein.

The Commission Staff, Northern and the Northern Distributor Group[4] filed comments in support of the proposed Stipulation and Agreement. NI-Gas also supports the settlement agreement subject to its position on the question of the proper credit to Northern's cost of service for its extracted liquid revenues.

In addition, NI-Gas expresses "concern" about the rate of return and the method of cost classification and rate design utilized in the formulation of the rates, but these are not expressed as formal objections to the Stipulation and Agreement. Furthermore, the approach used in the settlement is consistent with the Commission's desire to use rate design as a means of allocating a scarce natural resource to higher priority uses and is fully supported by the evidence.

NI-Gas' only objection to the Stipulation and Agreement relates to the extracted liquids' issue. Northern sells its liquid extracts to UPG, its affiliate, at the maximum ceiling price set by FEA regulations. From this price, Northern derives the appropriate credit included in its settlement cost of service. NI-Gas contends that this figure is too low because it does not reflect the higher selling price which UPG charges its customers. The result of using the lower FEA figures and smaller cost of service credit, according to NI-Gas, is that Northern's customers are paying higher prices for natural gas. NI-Gas claims that these higher revenues should be credited against Northern's settlement cost of service because of the Commission's no-profit-to-affiliates rule.[5] Northern and Staff state that Northern is charging the maximum amount allowable which is set by FEA and this is the figure used in the settlement cost of service. Furthermore, Staff states that to base the credit on UPG's selling prices would result in the Commission regulating the non-jurisdictional operations of Northern's affiliates. Since only 17% of UPG's supply is from Northern, Staff and Northern believe that the prices charged by UPG have no bearing on the proper credit to Northern's cost of service.

The argument advanced by NI-Gas is not without some merit. The question of the applicability of the no-profits-to-affiliates rule to prices set by other regulatory agencies is one which might be profitably litigated given the proper circumstances. However, we have concluded that this settlement should be approved as submitted and this matter should be terminated without substantial delay which would be the result of a full hearing on one issue. The entire settlement is supported by the Commission Staff, Northern and all intervenors except NI-Gas, which apparently supports all other aspects of the settlement. Although all intervenors were given an opportunity to serve evidence, NI Gas did not introduce evidence on the liquid credit issue. There is nothing in this record which demonstrates that any undue enrichment has accrued to Northern or its affiliates. Finally, it should be reiterated that the prices for liquid extracts charged by both Northern and its affiliate are fully regulated by FEA. Therefore, on balance, we have determined that the entire settlement, including the

[3] This is discussed more fully in Section IV.

[4] Central Telephone & Utilities Corporation; City of Duluth, Minnesota; Iowa Electric Light and Power; Iowa Illinois Gas and Electric Company; Iowa Power and Light Company; Iowa Public Service Company; Lake Superior District Power Company; Metropolitan Utilities District of Omaha; Minnesota Gas Company; North Central Public Service Co.; Northern States Power Company (Minnesota); Northern States Power Company (Wisconsin); Northwestern Public Service Company; St. Croix Valley Natural Gas Company; Superior Water Light and Power Company; and Wisconsin Southern Gas Company.

[5] *Cities Service Gas Co.* v. *F.P.C.*, 158 F.2d 694, (10th Cir., 1946), *cert. den.* 330 U.S. 773.

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liquid revenue credit to the cost of service, should be approved without modification and that NI-Gas' Motion to Sever should be denied.

The Commission finds: (1) Approval of the settlement agreement filed in this proceeding is reasonable and appropriate and in the public interest in carrying out the provisions of the Natural Gas Act.

(2) Good cause does not exist to grant NI-Gas' motion of October 14, 1975 to sever the issue of liquid credits and set the issue for hearing.

The Commission orders: (A) The Stipulation and Agreement filed in this proceeding is incorporated herein by reference, approved, and made effective as provided by the provisions of the Stipulation and Agreement.

(B) The petition to sever the issue of liquid credits and set for hearing filed by NI-Gas is hereby denied.

(C) Within thirty days of the issuance of this order, Northern shall file revised tariff sheets which conform to the settlement agreement.

(D) Within thirty days after filing the revised tariff sheets, Northern shall refund to its jurisdictional customers all revenues collected in excess of the settlement rates.

(E) This order is without prejudice to any findings or orders which have been made or which hereafter will be made by the Commission, and is without prejudice to any claims or contentions which may be made by the Commission, its Staff, or any party or person affected by this order in any proceeding now pending or hereafter instituted by or against Northern or any person or party, except as provided in the settlement agreement.

(F) The Secertary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

ATTACHMENT I.—*Northern Natural Gas Company, Transmission Division—Docket No. RP74–80, cost of service and jurisdictional revenue deficiency*

Line No.	Particulars (a)	Amount [1] (b)
1	Cost of service:	
2	Gas purchases	$196,286,305
3	Other operation and maintenance expenses	110,029,693
4	Total operation and maintenance expenses	306,315,998
5	Depreciation and amortization of gas plant in service, other than production plant	58,374,652
6	Depreciation and depletion of gas production plant	156,409
7	Provision for unsuccessful exploration and development costs [2]	5,500,000
8	Taxes:	
9	Federal income	41,095,000
10	State income	4,965,700
11	Other	16,920,861
12	Return at 9.19 percent [3]	67,378,500
13	Other operating revenues	(19,102,338)
14	Total cost of service	473,604,773
15	Jurisdictional CD, PL, WPS, PS, SS and ERS sales:	
16	Allocated cost of service	361,035,628
17	Revenues at underlying rates	329,864,853
18	Indicated revenue deficiency	[3] 31,170,775
19	Jurisdictional field sales:	
20	Allocated cost of service	3,777,980
21	Revenues at underlying rates	3,329,901
22	Revenue deficiency	448,079

[1] Appendix F.
[2] Includes exploration program cost of service reflected on Appendix G.
[3] Agreed to revenue deficiency, $30,988,000.

ATTACHMENT II.—*Northern Natural Gas Company, Transmission Division—Docket No. RP74–80, settlement rate of return*

[Percent]

Line No.	Particulars (a)	Capital ratio (b)	Cost allowance (c)	Rate of return (d)
1	Debt	48.07	7.19	3.[illegible]
2	Preferred stock	4.31	6.[illegible]	.30
3	Common equity	46.72	11.50	5.37
4	Total	100.09		9.19

ATTACHMENT III.—*Northern Natural Gas Company, Transmission Division—Docket No. RP74–80, computation of reduction in revenues (refunds) for the period commencing Dec. 28, 1973 until Oct. 27, 1974, applicable to certain gas acquisition payments covered by Commission order dated Mar. 22, 1974 as amended on May 17, 1974*

Line No.	Producer (a)	Annual cost of service (b)
1	Elf Oil Corporation	[illegible] 361
2	Pamarette Oils, Ltd.	375,095
3	BP Alaska, Inc.—Exploration program	53,726
4	Kimball Production Company	87,239
5	Total cost of service	544,321
6	Total system sales volume	[1] 875,662,800
7	Reduction in rates per Mcf	[illegible].06
8	Reduction in revenues applicable to jurisdictional sales during period Dec. 28, 1973 to Oct. 27, 1974:	
9	Principal market area sales ($0.06×525,603,921 Mcf, actual sales volume for period)	315,362
10	Field area sales ($0.06×13,017,499 Mcf, actual sales volume for period)	8,350
11	Total reduction in revenues (refunds) applicable to jurisdictional sales	323,712

[1] Per Northern's gas acquisition payment tracker filing of Oct. 25, 1973, Schedule 5.

[FR Doc.76–224 Filed 1–6–76;8:45 am]

CONSERVATION TECHNICAL ADVISORY TASK FORCE-EFFICIENCY IN USE OF GAS

Meetings

AGENDA

Meeting of Conservation-Technical Advisory Task Force-Efficiency in use of gas; Conference Room 5200, Federal Power Commission, Union Plaza Building, 825 North Capitol Street, NE., Washington, D.C. 20426. January 21, 1976, 9:30 a.m.

Presiding: Mr. James R. Kirby, Coordinating Representative and Secretary, Federal Power Commission.

1. Call to Order and Introductory Remarks—Mr. James R. Kirby

2. Introduction of the Task Force Co-chairmen—

Mr. James Wodruff, Deputy Director, Public Utilities Division, Michigan Public Service Commission, Lansing, Michigan; and

Mr. John A. Irwin, General Manager of Market Services, Panhandle Eastern Pipe Line Company, Houston, Texas.

3. Discussion of Task Force Work Scope and Goals—Mr. James Woodruff and Mr. John A. Irwin.

4. Assignment of Work to Task Force Members—Mr. James Woodruff and Mr. John A. Irwin.

5. Establishment of Priorities and Completion Dates for Work of the Task Force—Mr. James Woodruff and Mr. John A. Irwin.

6. Selection of Next Meeting Date.

7. Discussion of Other Matters.

8. Adjournment—Mr. James R. Kirby.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the committee.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–431 Filed 1–6–76;8:45 am]

[Rate Schedule Nos. 46, *et al.*]

PHILLIPS PETROLEUM CO., ET AL.

Notice of Rate Change Filing Pursuant to Commission's Opinion No. 699–H

DECEMBER 24, 1975.

Take notice that the producers listed in the Appendix attached hereto have filed proposed increased rates to the applicable new gas national ceiling based on the interpretation of vintaging concepts set forth by the Commission in its Opinion No. 699–H, issued December 4, 1974. Pursuant to Opinion No. 699–H the rates, if accepted, will become effective as of the date of filing.

The information relevant to each of these sales is listed in the Appendix.

Any person desiring to be heard or to make any protest with reference to said filings should on or before January 9, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). A protest will not serve to make the protestant a party to the proceeding. Any party wishing to become a party to a proceeding must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB, *Secretary.*

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APPENDIX

Filing date	Producer	Rate schedule No.	Buyer	Area
Dec. 11, 1975	Phillips Petroleum Co., Bartlesville, Okla. 74004.	46	El Paso Natural Gas Co.	Permian Basin.
Do	do	258	do	Do.
Dec. 15, 1975	Getty Oil Co., P.O. Box 1404, Houston, Tex. 77001.	51	Texas Eastern Transmission Corp.	Texas Gulf Coast.
Do	Exxon Corp., P.O. Box 2180, Houston, Tex. 77001.	110	United Gas Pipeline Co.	Other Southwest.
Do	Getty Oil Co.	34	do	Texas Gulf Coast.

[FR Doc.76-430 Filed 1-6-76;8:45 am]

RESEARCH AND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE

Meeting

AGENDA

Meeting of the Research & Development Technical Advisory Committee; to be held in Congressional Room, Quality Inn, Capitol Hill, 415 New Jersey Ave., NW., Washington, D.C.; January 21, 1976, 10:00 a.m.

Presiding: Daniel G. Lewis, FPC Coordinating Representative and Secretary.

1. Call to Order and Introduction of Committee Chairman—Mr. Lewis.
2. Review and Discussion of Work Assignments—Dr. S. William Gouse, Jr., Chairman.
3. Discussion of Completion Dates for Work.
4. Review of Schedule of Future Meetings.
5. Other Business.
6. Adjournment—Mr. Lewis.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the Committee—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the Committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-433 Filed 1-6-76;8:45 am]

TRANSMISSION, DISTRIBUTION AND STORAGE-TECHNICAL ADVISORY TASK FORCE-RATE DESIGN

Meeting

AGENDA

Meeting of Transmission, Distribution & Storage-Technical Advisory Task Force-Rate Design; Conference Room 5200; Federal Power Commission, Union Plaza Building, 825 North Capitol Street, NE., Washington, D.C. 20426; January 29, 1976, 9:30 a.m.

Presiding: Mr. John F. Craig, Coordinating Representative and Secretary, Federal Power Commission.

1. Call to Order and Introductory Remarks—Mr. John F. Craig.
2. Introduction of the Technical Advisory Task Force Chairman—

Mr. Louis Zanoff, H. Zinder & Associates, Washington, D.C.; and

Introduction of the Technical Advisory Task Force Vice Chairman—Mr. Richard W. Walker, Arthur Anderson & Company, Chicago, Illinois.

3. Discussion of Task Force Work Scope and Goals—Mr. Louis Zanoff.
4. Assignment of Work to Task Force Members—Mr. Louis Zanoff.
5. Establishment of Priorities and Completion Dates for Work of the Task Force—Mr. Louis Zanoff.
6. Selection of Next Meeting Date.
7. Discussion of Other Matters.
8. Adjournment—Mr. John F. Craig.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the Committee—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the Committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-432 Filed 1-6-76;8:45 am]

FEDERAL RESERVE SYSTEM

DUBOIS BANKSHARES, INC.

Order Approving Formation of Bank Holding Company and Engaging in Insurance Agency Activities

DUBOIS BankShares, Inc., Sauk Centre, Minnesota, has applied for the System's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 93 percent of the voting shares of First State Bank of Sauk Centre, Sauk Centre, Minnesota ("Bank"). The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)). Applicant has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and section 225.4(b)(2) of the Board's Regulation Y, for permission to acquire the general insurance agency business presently conducted by First State Agency, Sauk Centre, Minnesota, an informal partnership of various individuals who also are shareholders of Bank. Applicant proposes to engage, on Bank premises, in the sale of ordinary life and casualty insurance (exclusive of credit life and credit accident and health insurance which will be sold by employees of Bank) in a community of less than 5,000 people. Such activities have been determined by the Board in section 225.4(a)(9)(iii) of Regulation Y as being closely related to banking and, therefore, permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of section 225.4(b).

Notice of the applications, affording opportunity for interested persons to submit comments and views, has been given in accordance with sections 3 and 4 of the Act (40 FEDERAL REGISTER 52887). The time for filing comments and views has expired, and the applications and all comments received have been considered in light of the factors set forth in section (3(c) of the Act, and the considerations specified in section 4(c)(8) of the Act.

Applicant is a nonoperating Minnesota corporation organized for the purpose of becoming a bank holding company through acquisition of Bank and of acquiring the insurance agency business currently being conducted by First State Agency. Bank, with deposits of $14.0 million, representing less than 0.1 percent of the total commercial bank deposits in the State,[1] is the second largest of ten banking organizations located in the relevant banking market.[2] Bank holds 14.8 percent of deposits in the market and upon consummation of the proposal, Applicant would replace Bank as the 113th largest commercial banking organization in the State. Inasmuch as Applicant has no existing subsidiary banks and the proposal represents merely a restructuring of Bank's ownership, the acquisition of Bank by Applicant would not eliminate any existing or potential competition, nor have any adverse effects on the other banks in the relevant market. Accordingly, it is concluded that competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant and Bank are satisfactory and consistent with approval, particularly in view of Applicant's commitment to improve Bank's equity capital position. Although Applicant will incur some debt in connection with the injection of additional equity capital, its projected income from Bank and the insurance agency activities should provide sufficient revenue to service the debt without impairing the financial condition of the Bank. These considerations relating to banking factors are consistent with approval of the application. In regard to convenience and needs, there is no evidence that the banking needs of the community are not being satisfactorily served. However, the proposed reorganization and increase in equity capital should enhance Bank's financial condition and thereby improve its ability to serve its customers. Considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. It is the judgment of the Federal Reserve Bank of Minneapolis that consummation of the proposed acquisition of Bank would be in the public interest and that the application should be approved.

Applicant also proposes to operate a general insurance agency business, pursuant to section 225.4(a)(9)(iii) of Regulation Y, by acquiring the ordinary life and casualty insurance business of First State Agency. Such insurance activities will be conducted on the premises of Bank in Sauk Centre, Minnesota, a town which has a population of less than 5,000. The sale of credit life and credit accident and health insurance will be conducted by employees of Bank and all related commission income and expenses will be recorded on the accounts of Bank. Inasmuch as the proposal to acquire the insurance agency is essentially a reorganization of the existing ownership interests of the principals of Applicant and Bank, it does not appear that the acquisition of First State Agency would have any adverse effect on existing or future competition. On the other hand, approval of the application would assure residents of the area a continued convenient source of insurance services, which factor can be regarded as in the public interest. There is no evidence in the record indicating that consummation of the proposal would result in any undue concentration of resources, unfair competition; conflicts of interests, unsound banking practices or other adverse effects on the public interest.

Based on the foregoing and other considerations reflected in the record, the Federal Reserve Bank of Minneapolis has determined that the considerations affecting the competitive factors under section 3(c) of the Act and the balance of the public interest factors that must be considered under section 4(c)(8) both favor approval of Applicant's proposals.

For the reasons summarized above, the Federal Reserve Bank of Minneapolis hereby approves the applications. The acquisition of Bank shall not be made (a) before the thirtieth calendar day following the effective date of this Order and (b) neither the acquisition of Bank, nor the acquisition of First State Agency, shall be made later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Minneapolis pursuant to delegated authority. The determination as to Applicant's insurance activities is subject to the conditions set forth in section 225.4(c) of Regulation Y and to the Board's authority to require reports by, and make examinations of, holding companies and their subsidiaries and to require such modification or termination of the activities of a bank holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Federal Reserve Bank of Minneapolis, acting pursuant to delegated authority for the Board of Governors, effective December 19, 1975.

[SEAL] L. G. GABLE,
Vice President.

[FR Doc.76-329 Filed 1-6-76;8:45 am]

[1] All banking data are as of December 1974.
[2] Relevant market has been approximated by the western half of Stearns County as well as a portion of southern Todd County.

MASSACHUSETTS BAY BANCORP, INC.

Merger of Bank Holding Companies

Massachusetts Bay Bancorp, Inc., Lawrence, Massachusetts, has applied for the Board's approval under § 3(a)(5) of the Bank Holding Company Act (12 U.S.C. 1842(a)(5)) to merge Yankee Bancorporation, Gloucester, Massachusetts, with and into Massachusetts Bay Bancorporation, Inc. under the charter of Massachusetts Bay Bancorporation, Inc. and with the name of Massachusetts Bay Bancorporation, Inc. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Boston. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than January 28, 1976.

Board of Governors of the Federal Reserve System, December 30, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-330 Filed 1-6-76;8:45 am]

METRO INSURANCE AGENCY, INC.

Acquisition of Additional Shares of Bank

Metro Insurance Agency, Inc., Kansas City, Missouri, has applied for the Board's approval under § 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to retain 1,000 additional voting shares of The Metropolitan Bank, Kansas City, Missouri, which were previously acquired through a pro rata rights offering. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than January 28, 1976.

Board of Governors of the Federal Reserve System, December 30, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-331 Filed 1-6-76;8:45 am]

PEOPLES CREDIT CO.

Acquisition of Additional Shares of Bank

Peoples Credit Co., Kansas City, Missouri, has applied for the Board's approval under § 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to retain 1,000 additional voting shares of The Metropolitan Bank, Kansas City, Missouri, which were previously acquired through a pro rata rights offering. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than January 28, 1976.

Board of Governors of the Federal Reserve System, December 30, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-332 Filed 1-6-76;8:45 am]

REPUBLIC OF TEXAS CORP.

Proposed Continuation of Lending Activities of The Howard Corporation

Republic of Texas Corporation, Dallas, Texas, has applied, pursuant to § 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to continue the lending activities of its trusteed affiliate, The Howard Corporation, Dallas Texas. Notice of the application was published on December 10, 1975 in the Dallas Times Herald, a newspaper circulated in Dallas, Texas.

Applicant states that the subsidiary would retain until maturity its current loans and make additional loans necessary to fund outstanding commitments. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 29, 1976.

Board of Governors of the Federal Reserve System, December 30, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-333 Filed 1-6-76;8:45 am]

TEXAS COMMERCE BANCSHARES, INC.

Order Approving Acquisition of Bank

Texas Commerce Bancshares, Inc., Houston, Texas, a bankholding company within the meaning of the Bank Holding Company Act, has applied for

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the Board's approval under § 3 of the Bank Holding Company Act (12 U.S.C. 1842) to acquire all of the voting shares (less directors' qualifying shares) of Longview National Bank, Longview, Texas ("Bank"), through the acquisition of First Texas Bancshares Corporation, Houston, Texas, the parent holding company for Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with § 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in § 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the third largest banking organization in Texas, controls 31 banks with aggregate deposits of $2.9 billion, representing 6.7 percent of total commercial bank deposits in Texas.[1] Acquisition of Bank ($71.6 million in deposits) would increase Applicant's share of Statewide commercial bank deposits by 0.2 percent and would not change Applicant's ranking in Texas.

Bank is the largest of 21 banks operating in the Longview banking market (the relevant banking market)[2] and controls 16 percent of the market's deposits. The second largest bank in the market, a subsidiary of the States' fifth largest banking organization, controls about 12 percent of market deposits. The market does not appear to be particularly concentrated. The three largest banks in the market control 37.8 percent of the deposits, and of the remaining eighteen banks in the market several hold between 5 and 10 percent of the market's deposits. Accordingly, the Board is of the view that consummation of the proposal would not appreciably affect the structure of banking within the market.

Similarly, it appears from the record that the proposal would not have significant adverse effects on existing or potential competition. Applicant's closest existing subsidiary bank is located some 130 miles west of Bank, and none of Applicant's subsidiaries derives any significant amount of business from the Longview market. Moreover, it appears unlikely that Applicant would choose to enter the relevant market *de novo*. The growth of the Longview market has lagged behind that of the State as a whole for several years and it does not appear that this trend will be altered in the near future.[3] Other economic characteristics of the area, such as per capita deposits and the population per banking office ratio, also indicate that *de novo* entry is unlikely. Accordingly, on the basis of the facts of record, including the fact that the second largest bank in the market is a subsidiary of one of the larger banking organizations in the State, that the market does not appear particularly concentrated, and that Bank's share of market deposits does not appear excessive, the Board concludes that consummation of the proposal would not have significant adverse effects on existing or potential competition and that competitive considerations are consistent with approval of the application.

The financial condition, managerial resources, and future prospects of Bank, Applicant, and its subsidiaries are generally satisfactory and regarded as consistent with approval of the application. Considerations relating to the convenience and needs of the communities to be served are also consistent with approval of the application as affiliation with Applicant will enable Bank to offer to its customers a broader range of banking services. It is the Board's judgment that consummation of the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order, or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Dallas pursuant to delegated authority.

By order of the Board of Governors,[4] effective December 29, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-334 Filed 1-6-76;8:45 am]

[1] All banking data are as of December 31, 1974, and reflect bank holding company formations and acquisitions approved through November 30, 1975.

[2] The Longview banking market is approximated by the Texas Counties of Gregg, Harrison, and Rusk.

[3] The Longview banking market experienced a 3.4 percent population growth from 1970–1974, as compared to 7.6 percent for the entire State (based on Census Bureau data).

[4] Voting for this action: Vice Chairman Mitchell and Governors Holland, Wallich, Coldwell, and Jackson. Absent and not voting: Chairman Burns and Governor Bucher.

NUCLEAR REGULATORY COMMISSION

[DOCKET NO. 50-206]

SOUTHERN CALIFORNIA EDISON CO. AND SAN DIEGO GAS AND ELECTRIC CO.

Notice of Proposed Issuance of Amendment to Provisional Operating License

The Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Provisional Operating License No. DPR–13 issued to Southern California Edison Company and San Diego Gas and Electric Company (the licensees) for operation of the San Onofre Nuclear Generating Station Unit 1, (SO–1) located in San Diego County, California.

In accordance with the licensee's application for amendment dated December 3, 1975, the amendment would revise the Technical Specifications to reflect a proposed contraction of the SO–1 exclusion area boundary and an explicit reduction of the minimum exclusion area boundary distance. This is intended for the licensees to achieve control over the SO–1 exclusion area, as defined in 10 CFR Part 100, Section 100.3(a) of the Commission's regulations. Proposed modifications of facility features and other changes to the Technical Specifications, related to the modified features, would assure that post-accident doses will be limited well below the dose guide line values in 10 CFR Part 100, Section 100.11, despite the reduction of the minimum exclusion area boundary distance. The modifications would include: upgrading of the existing containment spray system to provide for absorbtion of airborne radioactive iodine; installation of new containment isolation valves in fluid systems penetrating the containment, to improve the leaktightness of the containment; and the addition of a reinforced concrete structure around but separated from the existing containment sphere, to provide the biological shielding necessary for reducing post-accident direct radiation doses.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

By February 6, 1976 the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject provisional operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of Section 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Rollin E. Woodbury, Southern California Edison Company, Post Office Box 800, Rosemead, California 91770, and C. Hayden Ames, San Diego Gas and Electric Company, 111 Sutter Street, San Francisco, California 94104, attorneys for the licensees.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application for amendment dated December 3, 1975, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the San Clemente Public Library, 233 Granada Street, San Clemente, California 92672. The license amendment and the Safety Evaluation, when issued, may be inspected at the above locations, and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 30th day of December 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch No. 1, Division of Reactor Licensing.

[FR Doc.76-228 Filed 1-6-76;8:45 am]

[Docket No. 50-271]

VERMONT YANKEE NUCLEAR POWER CORP.

Notice of Proposed Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR–28 issued to Vermont Yankee Nuclear Power Corporation (the licensee) for operation of the Vermont Yankee Nuclear Power Station (the facility) located near Vernon, Vermont.

The amendment would revise the Technical Specifications to (1) add requirements that would limit the period of time operation can be continued with immovable control rods that could have control rod mechanism collet housing failures and (2) require increased control rod surveillance when the possibility of a control rod drive mechanism collet housing failure exists.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commision's rules and regulations.

By February 6, 1976, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of Section 2.714 of 10 CFR Part 2 of the Commissions' regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of Section 2.714 of 10 CFR Part 2 of the Commissions' regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and Section 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Mr. John A. Ritsher, Esquire, Ropes and Gray, 225 Franklin Street, Boston Massachusetts 02110, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the Commission's letter to Vermont Yankee Nuclear Power Corporation dated September 19, 1975 and the attached proposed Technical Specifications and the Safety Evaluation by the Commission's staff dated September 19, 1975 and Vermont Yankee Nuclear Power Corporation letter dated October 9, 1975, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Brooks Memorial Library, 244 Main Street, Brattleboro, Vermont. This license amendment and the Safety Evaluation may be inspected at the above-locations and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 19th day of December, 1975.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Reactor Licensing.

[FR Doc.76-229 Filed 1-6-76;8:45 am]

[Docket No. 50-332-NEPA 50-332-OL]

ALLIED-GENERAL NUCLEAR SERVICES, ET AL. (BARNWELL NUCLEAR FUEL PLANT SEPARATIONS FACILITY)

Notice of Resumption of Hearing

Please take notice that the evidentiary hearing being conducted before this Atomic Safety and Licensing Board concerning the Barnwell Nuclear Fuel Plant Separations Facility, will resume on Tuesday, January 13, 1976, at 11:00 a.m., local time at:

Town House Motor Inn, 1615 Gervais Street, Columbia, South Carolina 29201.

This proceeding on the Barnwell Nuclear Fuel Plant Separations Facility is a consolidation of the hearing pursuant to 10 CFR Part 50. Appendix D, Section B, concerning environmental issues relating to the construction of the facility, and the hearing pursuant to 10 CFR Part 50, concerning the application for a facility operating license.

Members of the public are welcome to attend.

It is so ordered.

Dated at Bethesda, Maryland this 31st day of December 1975.

For the Atomic Safety and Licensing Board.

ROBERT M. LAZO,
Chairman.

[FR Doc.76-358 Filed 1-6-76;8:45 am]

[Docket No. STN 50-470]

COMBUSTION ENGINEERING, INC.

Combustion Engineering Standard Safety Analysis Report (CESSAR System 80 Nuclear Steam Supply System Standard Design); Notice of Issuance of a Safety Evaluation Report and Preliminary Design Approval

Notice is hereby given that the Staff of the Nuclear Regulatory Commission (the NRC Staff) has issued a Safety Evaluation Report (SER) dated December 1975, and a Preliminary Design Approval No. PDA–2 dated December 31, 1975, for the nuclear steam supply system portion of a nuclear power plant as described in the Combustion Engineering Standard Safety Analysis Report (CESSAR) and designated as System 80. CESSAR has been reviewed by the NRC

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staff pursuant to Appendix 0 to 10 CFR Part 50.

CESSAR contains preliminary safety-related design information for the System 80 standard design which encompasses the reactor system, reactor coolant system, reactor control system, reactor protective system, engineered safety features actuation system, chemical and volume control system, shutdown cooling system, safety injection system, fuel handling equipment, and related systems and features. The System 80 reference design is designed to operate at a core thermal power level of 4100 megawatts, but in accordance with Regulatory Guide 1.49 "Power Levels of Nuclear Power Plants", the application for the Preliminary Design Approval was based on a core thermal power level of 3800 megawatts.

The SER documents the results of the Staff's review and evaluation of CES SAR, including Amendments 1 through 44 thereto. The SER addresses the comments of the Advisory Committee on Reactor Safeguards (ACRS) as reflected in its report to the Commission dated September 17, 1975. A copy of the ACRS report is included as Appendix C to the SER.

PDA–2 provides NRC Staff approval of the preliminary nuclear steam supply system (System 80) design described in CESSAR, including Amendments 1 through 44. By the issuance of PDA–2, the NRC Staff has determined that the design is acceptable for referencing in utility applications for construction permits. The CESSAR System 80 design as described in CESSAR, subject to the conditions of the PDA–2, shall be utilized by and relied upon by the NRC Staff and the ACRS in their review of facility license applications for construction permits incorporating by reference the CESSAR System 80 standard design unless there exists significant new information which substantially affects the determinations in PDA–2 or other good cause.

Issuance of PDA–2 and the Staff's Safety Evaluation Report does not constitute a commitment to issue a permit or license, or in any way affect the authority of the Commission, Atomic Safety and Licensing Appeal Board, Atomic Safety and Licensing Boards and other presiding officers in any proceeding under Subpart G of 10 CFR Part 2. This action only approves the design of a nuclear steam supply system for use for reference purposes in applications for permits to construct a nuclear power plant. It does not authorize the construction or operation of any nuclear power plant or any other facility. The environmental impacts associated with any facility proposed to be constructed utilizing the approved reference design will be considered in accordance with the Commission's regulations in 10 CFR Part 51.

PDA–2 is effective as of its date of issuance and shall expire on December 31, 1978, unless earlier superseded by issuance of an appropriate Final Design Approval (FDA) for the System 80 nuclear steam supply system standard design or extended by the NRC Staff. The expiration of PDA–2 on December 31, 1978, should not affect use of PDA–2 for reference in any construction permit application filed prior to such date.

A copy of (1) the Preliminary Design Apprvoal No. PDA–2 dated December 31, 1975; (2) the report of the Advisory Committee on Reactor Safeguards dated September 17, 1975; (3) the NRC Staff's Safety Evaluation Report, NUREG–75/112 dated December 1975; (4) the Combustion Engineering Standard Safety Analysis Report and Amendments 1 through 44 thereto; and (5) WASH 1341, the Commission's "Programmatic Information for the Licensing of Standardized Nuclear Power Plants", dated August 1974, which also includes the Standardization Policy issued on March 5, 1973, are available for public inspection at the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. 20555. A copy of PDA–2 may be obtained upon request. The request should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Project Management. Copies of the Safety Evaluation Report (Document No. NUREG–75/112 may be purchased at current rates from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Bethesda, Maryland, this 31st day of December, 1975.

For the Nuclear Regulatory Commission.

OLAN D. PARR,
Chief, Light Water Reactors, Project Branch 1–3, Division of Reactor Licensing.

[FR Doc.76–359 Filed 1–6–76;8:45 am]

[Docket Nos. STN 50–454, STN 50–455, STN 50–456 and STN 50–457]

COMMONWEALTH EDISON CO., BYRON STATION, UNITS 1 AND 2 AND BRAIDWOOD STATION, UNITS 1 AND 2

Notice of Issuance of Construction Permits

Notice is hereby given that, pursuant to the Initial Decisions of the Atomic Safety and Licensing Board, dated December 6, 1974, January 8, 1975, October 29, 1975, and December 31, 1975, the Nuclear Regulatory Commission (the Commission) has issued Construction Permits Nos. CPPR–130, CPPR–131, CPPR–132, and CPPR–133 to the Commonwealth Edison Company for construction of four pressurized water nuclear reactors. The proposed reactors, known as the Byron Station, Units 1 and 2, and the Braidwood Station, Units 1 and 2, are each designed for a rated power of 3411 megawatts thermal with a net electrical output of 1120 megawatts. The Byron Station is located in Ogle County, Illinois, and the Braidwood Station is located in Will County, Illinois.

The Initial Decisions are subject to review by an Atomic Safety and Licensing Appeal Board prior to their becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the Initial Decisions may be reviewed by the Commission.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the construction permits. The application for the construction permits complies with the standards and requirements of the Act and the Commission's rules and regulations.

The construction permits are effective as of their date of issuance. The completion dates for the facilities are as follows:

	Earliest	Latest
Byron 1	May 1, 1980	June 1, 1982
Byron 2	Nov. 1, 1981	Nov. 1, 1983
Braidwood 1	Nov. 1, 1980	Nov. 1, 1982
Braidwood 2	Nov. 1, 1981	Nov. 1, 1983

Each permit shall expire on the latest date for completion of the facility for which it is issued.

A copy of (1) the Initial Decisions, dated December 6, 1974, January 8, 1975, October 29, 1975, and December 31, 1975; (2) Construction Permits Nos. CPPR–130, CPPR–131, CPPR–132, and CPPR–133; (3) the report of the Advisory Committee on Reactor Safeguards, dated May 13, 1975; (4) the Office of Nuclear Reactor Regulation's Safety Evaluation Report dated April 4, 1975, and Supplements 1 and 2 thereto dated August 1, 1975, and October 17, 1975, respectively; (5) the Preliminary Safety Analysis Report and amendments thereto; (6) the applicant's Environmental Reports, both dated September 1973 and supplements thereto; (7) the Draft Environmental Statement for the Byron Station dated February 1974; (8) the Draft Environmental Statement for the Braidwood Station dated April 1974; (9) the Final Environmental Statement for the Byron Station dated July 1974; and (10) the Final Environmental Statement for the Braidwood Station dated July 1974, are available for public inspection at the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. In addition, the above documents are available at the Byron Public Library, 3rd and Washington Streets, Byron, Illinois (the Local Public Document Room for the Byron Station) and at the Wilmington Township Public Library, 201 South Kankakee Street, Wilmington, Illinois (the Local Public Document Room for the Braidwood Station). A copy of the construction permits and the Final Environmental Statements may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Copies of the Safety Evaluation Report and Supplements 1 and 2 thereto (Document No. NUREG–75/023) may be purchased, at current rates, from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Bethesda, Maryland, this 31st day of December, 1975.

For the Nuclear Regulatory Commission.

D. B. VASSALLO,
Chief, Light Water Reactors, Project Branch 1–1, Division of Reactor Licensing.

[FR Doc.76–360 Filed 1–6–76;8:45 am]

[Docket No. 50–155]

CONSUMERS POWER CO.

Notice of Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 9 to Facility Operating License No. DPR–6 issued to the Consumers Power Company which revised Technical Specifications for operation of the Big Rock Point Nuclear Power Plant located in Charlevoix County, Michigan. The amendment becomes effective 30 days after the date of issuance.

This amendment revises the reporting requirements of the Technical Specifications for the Big Rock Point Nuclear Power Plant. The amendment is a restatement of the license in its entirety in the current NRC format to (1) delete those record keeping and reporting requirements that have been transferred to the Technical Specifications and (2) delete the section in the license relating to the allocation of special nuclear material since the Commission no longer makes allocations for this material.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment as items 1.A, 1.C, 1.D and 1.G. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated January 13, 1975, (2) Amendment No. 9 to License No. DPR–6, with Change No. 46, and (3) the Commission's concurrently issued related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Charlevoix Public Library, 107 Clinton Street, Charlevoix, Michigan 49720.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 31st date of December, 1975.

For the Nuclear Regulatory Commission.

D. B. VASSALLO,
Chief, Light Water Reactors, Project Branch 1–1, Division of Reactor Licensing.

[FR Doc.76–360 Filed 1–6–76;8:45 am]

[Docket No. 50–284]

IDAHO STATE UNIVERSITY

Issuance of Construction Permit

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Construction Permit No. CPRR–121 to the Idaho State University (the licensee). The licensee is currently authorized by Commission Facility License No. R–110 to possess and operate an AGN–201 research reactor (the facility) at 100 milliwatts on its campus in Pocatello, Idaho, for teaching and training purposes.

The permit authorizes the licensee to move the reactor from the Physical Science Building to the Lillibridge Engineering Laboratory Building (a distance of approximately 110 yards) and to reconstruct it at the new location. The construction permit is effective as of its date of issuance. The earliest date for completion of the relocation and reconstruction of the facility is its date of issuance, and the latest date for completion of this activity is February 23, 1976.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the construction permit. The application for the construction permit complies with the standards and requirements of the Act and the Commission's rules and regulations. Notice of proposed issuance of the permit was published in the Federal Register on September 5, 1975 (40 F.R. 41198). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

A copy of (1) the application dated June 17, 1975, and supplements of July 21 and September 17, 1975 by Idaho State University, (2) Construction Permit No. CPRR–121, (3) the Commission's concurrently issued Safety Evaluation, and (4) the Commission's Negative Declaration dated November 21, 1975 (which is also being published in the FEDERAL REGISTER) and associated Environmental Impact Appraisal are available for public inspection at the Commission's Public Document Room at 1717 H Street, N.W. Washington, D.C. A single copy of items (2) through (4) above may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 19th day of December, 1975.

For the Nuclear Regulatory Commission.

RICHARD D. SILVER,
Acting Chief, Operating Reactors Branch #2, Division of Reactor Licensing.

[FR Doc.76–361 Filed 1–6–76;8:45 am]

[Docket No. 50–284]

IDAHO STATE UNIVERSITY

Negative Declaration Regarding Relocation, Reconstruction and Operation of the Research Reactor

The U.S. Nuclear Regulatory Commission (the Commission) has considered the issuance of Construction Permit No. CPRR–121 to the Idaho State University (ISU) and subsequently will consider the issuance of an amendment to Facility Operating License No. R–110 issued to ISU. The construction permit authorizes ISU to dismantle, relocate from one building to another (both on its campus approximately 110 yards apart), and to reconstruct the 0.1 watt (thermal) research reactor in the new location. The subsequent consideration of the issuance of an amendment to License No. R–110 would authorize operation of the reactor in the new location at 0.1 watt (thermal).

The Commission's Division of Reactor Licensing has prepared an Environmental Impact Appraisal for the actions associated with this research reactor. On the basis of this appraisal, we have concluded that an environmental impact statement for these particular actions is not warranted because there will be no significant environmental impact attributable to the actions.

The Environmental Impact Appraisal is available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C.

Dated at Bethesda, Maryland, this 21st day of November 1975.

For the Nuclear Regulatory Commission.

WILLIAM H. REGAN,
Chief, Environmental Projects Branch No. 4, Division of Reactor Licensing.

[FR Doc.76–368 Filed 1–6–76;8:45 am]

[Docket No. 50–285]

OMAHA PUBLIC POWER DISTRICT

Notice of Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 12 to Facility Operating License No.

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DPR-40 issued to Omaha Public Power District which revised Technical Specifications for operation of the Fort Calhoun Station Unit No. 1, located in Washington County, Nebraska. The amendment is effective as of its date of issuance.

The amendment modifies the Technical Specifications to permit the release of radioactive gaseous wastes collected in the gas decay tanks prior to a 30 day holdup period.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated December 10, 1975, (2) Amendment No. 12 to License No. DPR-40, (3) the Commission's related Safety Evaluation, and (4) the Commission's Negative Declaration dated December 17, 1975, which is being published concurrently with this notice, and associated Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Blair Public Library, 1665 Lincoln Street, Blair, Nebraska 68008.

A copy of items (2), (3), and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 24th day of December 1975.

For the Nuclear Regulatory Commission.

DONALD M. ELLIOTT,
Acting Chief, Operating Reactors Branch #3, Division of Reactor Licensing.

[FR Doc.76-364 Filed 1-6-76;8:45 am]

[Docket No. 50-344]

PORTLAND GENERAL ELECTRIC CO., ET AL.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 5 to Facility Operating License No. NPF-1 issued to Portland General Electric Company, The City of Eugene, Oregon, Pacific Power and Light Company which revised Condition 2.A of Facility Operating License, NPF-1 for operation of the Trojan Nuclear Plant, located on the west shore of the Columbia River in Columbia County, Oregon. The amendment is effective as of its date of issuance.

This amendment to the license changes the number of Amendments to the Final Safety Analysis Report cited in the license from Amendments 1 through 25 to Amendments 1 through 26. Amendment 26 to the Final Safety Analysis Report revises the licensees' estimates of post loss-of-coolant accident leakage through valves isolating the containment sump from the refueling water storage tank, which would result in an insignificant incremental increase in calculated post-accident thyroid doses at the site boundary.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated December 2, 1975 and supplemented on December 11, 1975 (2) Amendment No. 5 to License NPF-1 and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street N.W., Washington, D.C. and at the Columbia County Courthouse, Law Library, Circuit Court Room, St. Helens, Oregon 97501.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 2nd day of January, 1976.

For the Nuclear Regulatory Commission.

WALTER R. BUTLER,
Chief, Light Water Reactors Branch 1-2, Division of Reactor Licensing.

[FR Doc.76-365 Filed 1-6-76;8:45 am]

[Docket Nos. STN 50-546; STN 50-547]

PUBLIC SERVICE CO. OF INDIANA, INC. (MARBLE HILL NUCLEAR GENERATING STATION, UNITS 1 AND 2),

Order Relative to a Prehearing Conference

Take notice, a prehearing conference will be held in the third (3rd) floor Courtroom, Jefferson County Courthouse, Jefferson and Main Streets, Madison, Indiana on January 27 and 28, 1976 commencing at 9:30 am (local time).

The purpose of the prehearing conference is to:

1. Permit identification of the key issues in the proceeding;
2. Take any steps necessary for further identification of the issues;
3. Consider all intervention petitions to allow the presiding officer to make such preliminary or final determinations as to the parties to the proceeding, as may be appropriate; and
4. Establish a schedule for further actions in the proceding.

Since it is not possible to have a successful conference call with the Applicants, the Nuclear Regulatory Commission Regulatory Staff and the numerous petitioners to intervene to discuss a suitable prehearing date, the Board is issuing an early notice on the prehearing conference.

The public is invited to attend. No limited appearance statements will be received at the prehearing conference but they will be heard at the evidentiary hearings to be scheduled at a later date.

It is so ordered.

Issued this 31st day of December, 1975 at Bethesda, Maryland.

For the Atomic Safety and Licensing Board.

ELIZABETH S. BOWERS,
Chairman.

[FR Doc.76-366 Filed 1-6-76;8:45 am]

REGULATORY GUIDE

Issuance and Availability

The Nuclear Regulatory Commission has issued a new guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 1.68.1, "Preoperational and Initial Startup Testing of Feedwater and Condensate Systems for Boiling Water Reactor Power Plants," describes the type and nature of BWR feedwater and condensate system tests that are acceptable to the NRC staff in more detail than Regulatory Guide 1.68, "Preoperational and Initial Startup Test Programs for Water-Cooled Power Reactors."

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Public comments on Regulatory Guide 1.68.1 will, however, be particularly useful in evaluating the need for an early revision if received by March 5, 1976.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW, Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 30th day of December, 1975.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director, Office of Standards Development.

[FR Doc.76-370 Filed 1-6-76;8:45 am]

[Docket Nos. 50-259 and 50-260]

TENNESSEE VALLEY AUTHORITY

Notice of Issuance of Amendment to Facility Operating Licenses

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 19 to Facility Operating License No. DPR-33 and Amendment No. 16 to Facility Operating License No. DPR-52 issued to Tennessee Valley Authority which revised Technical Specifications for operation of the Browns Ferry Nuclear Plant, Units 1 and 2, located in Limestone County, Alabama. The amendments are effective 30 days after the date of issuance.

These amendments revise the reporting requirements of the Technical Specifications for the Browns Ferry Nuclear Plant, Units 1 and 2.

The applications for the amendments comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of these amendments is not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the applications for amendment dated November 29, 1974, and September 15, 1975, (2) Amendment No. 19 to License No. DPR-33 and Amendment No. 16 to License No. DPR-52 and, (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Athens Public Library, South and Forrest, Athens, Alabama 35611.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 29th day of December 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch No. 1, Division of Reactor Licensing.

[FR Doc.76-367 Filed 1-6-76;8:45 am]

[Docket Nos. 50-500 and 50-501]

TOLEDO EDISON COMPANY, ET AL. DAVIS-BESSE NUCLEAR POWER STATION, UNITS 2 AND 3

Notice of Issuance of Limited Work Authorization

A Partial Initial Decision on matters relating to the National Environmental Policy Act and site suitability with respect to the Davis-Besse Nuclear Power Station, Units 2 and 3, the Toledo Edison Company, the Cleveland Electric Illuminating Company, the Duquesne Light Company, the Ohio Edison Company, and the Pennsylvania Power Company (hereinafter jointly known as Applicant) was issued by the Atomic Safety and Licensing Board in the above captioned proceeding on December 31, 1975. Pursuant to the provisions of 10 CFR § 50.10 (e) of the Nuclear Regulatory Commission's (Commission) regulations, the Commission has authorized, subject to certain conditions for the protection of the environment, the Applicant to conduct certain site activities in connection with the Davis-Besse Nuclear Power Station, Units 2 and 3, prior to a decision regarding the issuance of construction permits.

The activities are within the scope of those authorized by 10 CFR § 50.10(e)(1), and include site preparation, installation of construction buildings and support facilities, and dewatering for certain facility structures.

Any activities undertaken pursuant to this authorization are entirely at the risk of the Applicant and the grant of this authorization has no bearing on the issuance of construction permits with respect to the requirements of the Atomic Energy Act of 1954, as amended, and rules, regulations, or orders promulgated pursuant thereto.

A copy of (1) the Partial Initial Decision; (2) the Applicant's Preliminary Saftey Analysis Report and amendments thereto; (3) the Applicant's Environmental Report, and amendments thereto; (4) the Staff's Final Environmental Statement published September 1975; (5) the Staff's Report on Site Suitability dated November 7, 1975; and (6) the Commission's letter of authorization dated December 31, 1975, are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. and the Ida Rupp Public Library, 310 Madison Street, Port Clinton, Ohio 43452.

The Final Environmental Statement (Document No. NUREG 75/083) may be purchased from the National Technical Information Service, Springfield, Virginia 22161 (Printed copy $7.25; microfiche $2.25).

Dated at Rockville, Maryland this 31st day of December, 1975.

For the Nuclear Regulatory Commission.

GEORGE W. KNIGHTON,
Chief, Environmental Projects Branch 1, Division of Site Safety and Environmental Analysis.

[FR Doc.76-368 Filed 1-6-76;8:45 am]

[Docket No. STN 50-480]

WESTINGHOUSE ELECTRIC CORP.

Reference Safety Analysis Report (RESAR-41 Nuclear Steam Supply System Standard Design); Issuance of a Safety Evaluation Report and Preliminary Design Approval

Notice is hereby given that the Staff of the Nuclear Regulatory Commission (the NRC Staff) has issued a Safety Evaluation Report (SER) dated December 1975, and a Preliminary Design Approval No. PDA-3 dated December 31, 1975, for the nuclear steam supply system portion of a nuclear power plant as described in Westinghouse Electric Corporation Reference Safety Analysis Report (RESAR-41). RESAR-41 was reviewed by the NRC Staff pursuant to Appendix 0 to 10 CFR Part 50.

RESAR-41 contains preliminary safety-related design information for the nuclear steam supply system portion of a pressurized water type nuclear power plant which includes the reactor coolant system, emergency core cooling system, emergency boration system, reactor coolant and protection systems, engineered safety features actuation system, chemical and volume control system, boron recycle system, residual heat removal system, fuel handling equipment, and related systems and features. The RESAR-41 reference system is designed to operate at a core thermal power level of 4100 megawatts, but in accordance with Regulatory Guide 1.49, "Power Levels of Nuclear Power Plants", the application for the Preliminary Design Approval was based on a core thermal power level of 3800 megawatts.

The SER documents the results of the Staff's review and evaluation of RESAR-41, including Amendments 1 through 23 thereto. The SER addresses the comments of the Advisory Committee on Reactor Safeguards (ACRS) as reflected in its report to the Commission, dated September 18, 1975. A copy of the ACRS re-

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port is included as Appendix F to the SER.

PDA–3 provides NRC Staff approval of the preliminary nuclear steam supply system design described in RESAR–41, including Amendments 1 through 23 and described and evaluated in Sections 1 through 19 of the SER. Those supplementary systems and design features described in RESAR–41 and described and evaluated in Appendix A of the SER are not included in this Preliminary Design Approval. By the issuance of PDA–3, the NRC Staff has determined that the design is acceptable for referencing in utility applications for construction permits. The RESAR–41 nuclear steam supply system design as described in that document, subject to the conditions of the PDA–3, shall be utilized by and relied upon by the NRC Staff and the ACRS in their review of facility license applications for construction permits incorporating by reference the RESAR–41 nuclear steam supply system preliminary standard design, unless there exists significant new information which substantially affects the determinations in PDA–3 or other good cause.

Issuance of PDA–3 and the Staff's Safety Evaluation Report does not constitute a commitment to issue a permit or license, or in any way affect the authority of the Commission, Atomic Safety and Licensing Appeal Board, Atomic Safety and Licensing Boards and other presiding officers in any proceeding under Subpart G of 10 CFR Part 2. This action only approves the design of a nuclear steam supply system for use for reference purposes in applications for permits to construct a nuclear power plant. It does not authorize the construction or operation of any nuclear power plant or any other facility. The environmental impacts associated with any facility proposed to be constructed utilizing the approved reference design will be considered in accordance with the Commission's regulations in 10 CFR Part 51.

PDA–3 is effective as of its date of issuance and shall expire on December 31, 1978, unless earlier superseded by issuance of an appropriate Final Design Approval (FDA) for the RESAR–41 nuclear steam supply system standard design or extended by the NRC Staff. The expiration of PDA–3 on December 31, 1978, should not affect use of PDA–3 for reference in any construction permit application docketed prior to such date.

A copy of (1) the Preliminary Design Approval No. PDA–2 dated December 31, 1975; (2) the report of the Advisory Committee on Reactor Safeguards dated September 18, 1975; (3) the NRC Staff's Safety Evaluation Report, NUREG–75/103, dated December 1975; (4) the Westinghouse Electric Corporation Standard Safety Analysis Report and Amendments 1 through 23 thereto; and (5) WASH 1341, the Commission's "Programmatic Information for the Licensing of Standardized Nuclear Power Plants", dated August 1974, which also includes the Standardization Policy issued on March 5, 1973, are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. 20555. A copy of PDA–3 may be obtained upon request. The request should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing. Copies of the Safety Evaluation Report (Document No. NUREG–75/103) may be purchased at current rates from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Bethesda, Maryland, this 31st day of December 1975.

For the Nuclear Regulatory Commission,

D. B. VASSALLO,
Chief, Light Water Reactors Project Branch 1–1, Division of Reactor Licensing.

[FR Doc.76–369 Filed 1–6–76;8:45 am]

[Docket No. 50–213]

CONNECTICUT YANKEE ATOMIC POWER CO.

Proposed Issuance of Amendment to Facility Operating License

The Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR–61 issued to Connecticut Yankee Atomic Power Company (the licensee), for operation of the Haddam Neck Plant Located in Middlesex County, Connecticut.

The amendment would change the license to allow more fuel to be stored at the Haddam Neck Plant by modifying the storage racks in the spent fuel pool. The proposed modifications would increase the storage capacity from 336 to 1172 fuel assemblies by replacing the existing storage racks with those of a design capable of accommodating an increased number of assemblies in accordance with the licensee's application for amendment dated December 19, 1975.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By February 6, 1976 the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of Section 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and Section 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Day, Berry & Howard, Counselors at Law, One Constitution Plaza, Hartford, Connecticut 06103, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he become a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application for amendment dated December 19, 1975, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Russell Library, 119 Broad Street, Middletown, Connecticut. The license amendment and the Safety Evaluation, when issued, may be inspected at the above locations and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief Operating Reactors Branch No. 1, Division of Reactor Licensing.

[FR Doc.76–561 Filed 1–6–76;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON THE ARCHITECT-ENGINEER BALANCE OF PLANT

Notice of Meeting

In accordance with the purposes of Sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the ACRS Subcommittee on the Architect-Engineer Balance of plant will hold a meeting on January 22, 1976 in Room 1046, 1717 H Street NW., Washington, D.C. 20555. The purpose of this meeting is to develop further information for consideration by the ACRS in its review of the application by the Stone and Webster Engineering Corporation for a preliminary design approval of its Standard Safety Analysis Report (SWESSAR).

The agenda for the subject meeting shall be as follows:

Thursday, January 22, 1976, 8:30 a.m. The Subcommittee will meet in closed Executive Session, with any of its consultants who may be present, to explore their preliminary opinions, based upon their independent reviews of safety reports submitted by the Applicant and the NRC Staff regarding matters which should be covered during the following open meeting in order to formulate a Subcommittee report and recommendation to the full Committee.

9:00 a.m. until the conclusion of business. The Subcommittee will meet in open session to hear presentations by and hold discussions with the representatives of the NRC Staff and the Stone and Webster Engineering Corporation pertaining to review of the Standard Safety Analysis Report.

At the conclusion of the open session, the Subcommittee will caucus in a brief, closed session to determine whether the matters identified in the initial closed session have been adequately covered and whether the matters are ready for review by the full Committee. During the session Subcommittee members and consultants will discuss their final opinions and recommendations on these matters. Upon conclusion of this caucus, the Subcommittee will meet again in brief open session to announce its determination.

In addition to these closed deliberative sessions, it may be necessary for the Subcommittee to hold one or more closed sessions for the purpose of exploring with the NRC Staff and Applicant matters involving proprietary information, particularly with regard to specific features of the plant design and plans related to plant security.

I have determined, in accordance with subsection 10(d) of Public Law 92–463, that it is necessary to conduct the above closed sessions to protect the free interchange of internal views in the final stages of the Subcommittee's deliberative process (5 U.S.C. 552(b)(5)) and to protect confidential proprietary or plant security information (5 U.S.C. 552(b)(4)). Separation of factual material from individuals' advice, opinions, and recommendations while closed Executive Sessions are in progress is considered impractical.

Practical considerations may dictate alterations in the above agenda or schedule. The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that, in his judgment, will facilitate the orderly conduct of business, including provisions to carry over an incompleted open session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda items may do so by providing a readily reproducible copy to the Subcommittee at the beginning of the meeting. Comments should be limited to safety related areas within the Committee's purview.

Persons desiring to mail written comments may do so by sending a readily reproducible copy thereof in time for consideration at this meeting. Comments postmarked no later than January 15, 1976 to Mr. J. C. McKinley, ACRS, NRC, Washington, D.C., will normally be received in time to be considered at this meeting.

Background information concerning items to be considered at this meeting can be found in documents on file and available for public inspection at the NRC Public Document Room, 1717 H St. NW., Washington, D.C. 20555.

(b) Those persons wishing to make an oral statements on topics relevant to the make a written request to do so, identifying the topics and desired presentation time so that appropriate arrangements can be made. The Committee will receive oral statements on topics relevant to the Committee's purview at an appropriate time chosen by the Chairman of the Subcommittee.

(c) Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call on January 21, 1976 to the Office of the Executive Director of the Committee (telephone 202/634–1371, Attn: Mr. J. C. McKinley) between 8:15 a.m. and 5:00 p.m. EST.

(d) Questions may be propounded only by members of the Subcommittee and its consultants.

(e) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(f) Persons with agreements or orders permitting access to proprietary information, may attend portions of ACRS meetings where this material is being discussed upon confirmation that such agreements are effective and relate to the material being discussed.

The Executive Director of the ACRS should be informed of such an agreement at least three working days prior to the meeting so that the agreement can be confirmed and a determination can be made regarding the applicability of the agreement to the material that will be discussed during the meeting. Minimum information provided should include information regarding the date of the agreement, the scope of material included in the agreement, the project or projects involved, and the names and titles of the persons signing the agreement. Additional information may be requested to identify the specific agreement involved. A copy of the executed agreement should be provided to Mr. J. C. McKinley, of the ACRS Office, prior to the beginning of the meeting.

(g) A copy of the transcript of the open portion of the meeting will be available for inspection on or after January 29, 1976 at the NRC Public Document Room, 1717 H St. NW., Washington, D.C. 20555. Copies of the minutes of the meeting will be made available for inspection at the NRC Public Document Room, 1717 H St. NW., Washington, D.C. 20555, after April 22, 1976. Copies may be obtained upon payment of appropriate charges.

Dated: January 5, 1976.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.76–560 Filed 1–6–76;9:52 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on December 30, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202–395–4529), or from the reviewer listed.

NEW FORMS

NATIONAL ACADEMY OF SCIENCES

Questionnaire for Subject of Research in VA Hospitals: BRVA–001, single-time, VA patients, Dick Eisinger, 395–6140.

DEPARTMENT OF AGRICULTURE

Forest Service: State and private accomplishment reporting forms, 3100–7, quarterly, State forestry agencies, Lowry, R. L., 395–3772.

Food and Nutrition Service:

Sponsoring Organization Management Plan, (Child Care Food Program), FNS–342, annually, institutions administered by FNS Human Resources Division, Lowry, R. L., 395–3532.

Agreement (Child Care Food Program), FNS344, on occasion, institutions administered by FNS Human Resources Division, Lowry, R. L., 395–3532.

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education: Survey of Education and Socialization Programs for Emotionally Disturbed Children and Youth, 9054–1 through 4, single-time, Public School Staff, Joan Turek.

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration: Supplemental Information-Driver Qualifications, MCS–5A, on occasion, Motor Carriers, Strasser, A., 395–5867.

REVISIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration: An Investigation into the Nature, Causes, and Implications of the Future Role of Health Administrators, single-time, Health Care Administrators, Reese B. F., 395–3211.

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration: Importation of Motor Vehicles and Motor Vehicle Equipment Subject to Federal Motor Vehicle Safety Standards, HS–7, on occasion, Importers of Motor Vehicles, Harry B. Sheftel, 395–5870.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Forest Service: Monthly Report on Actions Related to Letters of Credit, Commodity Distribution Program, FNS–60, monthly, persons or entities relinquishing U.S. permits, Marsha Traynham, 395–4529.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Center for Education Statistics: The Survey to Prepare or Retrain Education Personnel to Meet the Needs of Persons of Limited English-Speaking Ability, OE 2388–1, single-time, Institution of Higher Education, Marsha Traynham, 395–4529.

Health Resources Administration: Hospital Discharge Survey, HSM88–1, annually, hospitals, Marsha Traynham, 395–4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.76–447 Filed 1–6–76;8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on December 31, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202–395–4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service: Summer Food Service Program for Children, on occasion, Lowry, R. L., 395–3772.

DEPARTMENT OF COMMERCE

Bureau of Census: Survey of Income and Education Questionnaire and Control Card, SIE–1 SIE–9, single-time, households, George Hall, Joan Turek, 395–6140.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health: Evaluation Survey for Carcinogenesis Abstracts, NIH–CA–36, single-time, recipients, Lowry, R. L., 395–3772.

DEPARTMENT OF THE INTERIOR

Bureau of Mines: Monthly Fuel Consumption report Manufacturing Plants, 6–1400–M–1, monthly, manufacturing consumers, Lowry, R. L., 395–3772.

DEPARTMENT OF TRANSPORTATION

St. Lawrence Seaway Development Corp.: Negotiable Shipping Document Questionnaire, single-time, traffic departments, Strasser, A., 395–5867.

REVISIONS

GENERAL SERVICES ADMINISTRATION

Report of Concessions Operations (Non-Cafeteria), R9–1232, monthly, Lowry, R. L., 395–3772.

VETERANS ADMINISTRATION

Letter to Veteran Requesting Information About Intentions To Acquire Specially Adapted Housing, FL26–583, annually, veterans, Caywood, D. P., 395–3443.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Human Development: Community Planning and Feedback Instruments—Youth Development, OS–49–74, single-time, youth receiving rehabilitation services, George Hall, 395–6140.

EXTENSIONS

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Housing Management: Mortgage Applicant Profile, HUD 9905, on occasion, mortgagees, Community and Veterans Affairs Division, 395–3532.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.76–448 Filed 1–6–76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–11963; File No. SR–BSE–75–5]

BOSTON STOCK EXCHANGE

Self-Regulatory Organization

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94–29, 16 (June 4, 1975), notice is hereby given that on December 18, 1975, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed constitutional change as follows:

Statement of the Terms of Substance of the Proposed Constitutional Change

Article XIII, Section 1 of the Constitution (amended words underlined):

"The fee of members admitted by transfer shall be *two hundred fifty dollars;* and in all cases when the transfer fee shall not be paid within five days after the election of a member and his notification by the Secretary, such election shall be void. The transfer fee herein provided may, however, be waived in a particular case by the Board of Governors if (a) the new member is a full partner in the member-firm or holder of voting stock in the member-corporation in which the person transferring his membership is a full partner or holder of voting stock and (b) the new member is proposed to be elected as an officer of the Exchange."

STATEMENT OF BASIS AND PURPOSES

PURPOSE OF THE PROPOSED CONSTITUTIONAL CHANGE

The purpose of the constitutional change was to reduce the transfer fee to a more realistic amount as it relates to the current cost of memberships.

BASIS OF THE PROPOSED CONSTITUTIONAL CHANGE

a(i) Not applicable.
(ii) Not applicable.
(iii) Not applicable.
(iv) Not applicable.
(v) Not applicable.
(vi) Not applicable.
(vii) Not applicable.

COMMENTS RECEIVED FROM MEMBERS, PARTICIPANTS OR OTHERS ON PROPOSED CONSTITUTIONAL CHANGE

The change was submitted to a vote of the membership and no comments or objections were received.

BURDEN ON COMPETITION

No burden on competition is perceived by adoption of the proposed amendment.

The foregoing Constitutional change has become effective, pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934. At any time within 60 days of the filing of such proposed Constitutional change, the Commission may summarily abrogate such Constitutional change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purpose of the Securities Exchange Act of 1934.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Washington, DC 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before February 6, 1976. For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: December 30, 1975.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–299 Filed 1–6–76;8:45 am]

MIDWEST STOCK EXCHANGE, INC.

[Rel. No. 11965]

Order Approving Proposed Rule Change

DECEMBER 31, 1975.

On November 17, 1975, the Midwest Stock Exchange, Inc., 120 South LaSalle Street, Chicago, Illinois 60603, filed with the Commission, pursuant to section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Acts Amendments of 1975, and Rule 19b–4 thereunder, copies of a proposed rule change. The proposed rule change removes certain restrictions and requirements relating to the sale of insurance by member firms, particularly with respect to administration charges and qualifications of insurance salespersons.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 11858, November 19, 1975) and by publication in the FEDERAL REGISTER (54886 Fed. Reg. November 26, 1975).

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of Section 6 and the rules and regulations thereunder.

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the proposed rule change filed with the Commission on November 17, 1975, be, and it hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–296 Filed 1–6–76;8:45 am]

[Rel. No. 11964]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

Order Approving Amendment to the Uniform Practice Code of the National Association of Securities Dealers, Inc.

DECEMBER 30, 1975.

In November, 1975, the National Association of Securities Dealers, Inc. (the "NASD"), 1735 K Street, N.W., Washington, D.C. 20006 submitted, pursuant to Rule 19b–4 under the Securities Exchange Act of 1934 (the "Act"), a proposed change in the Uniform Practice Code of the NASD. The amendment would delete the rquirement that signatures on assignments and powers of substitution be witnessed.

Notice of the filing was published in the *SEC Docket* (Release No. 11831/November 14, 1975); the complete submission and a request for public comments were published in the FEDERAL REGISTER on November 21, 1975 (40 FR 54314). The period for public comment expired on December 21, 1975, and no comments were received.

The Commission finds that the proposed change in the Uniform Practice Code of the NASD described above is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the NASD.

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the rule change referenced above be, and the same hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–297 Filed 1–6–76;8:45 am]

[File No. 500–1]

TRANSJERSEY BANCORP

Notice Amending Notice of Suspension of Trading

DECEMBER 29, 1975.

The Commission having determined to amend its notice of December 23, 1975 summarily suspending trading in the securities of Transjersey Bancorp for the period from December 24, 1975 through January 2, 1976;

Therefore, pursuant to section 12(k) of the Securities Exchange Act of 1934, that trading in the common stock, and all other securities of Transjersey Bancorp being traded otherwise than on a national securities exchange is suspended, for the period from December 24, 1975 through midnight (e.s.t.) on December 30, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–298 Filed 1–6–76;8:45 am]

DEPARTMENT OF LABOR

Employment and Training Administration

FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

Ending of Benefit Periods in 21 States

This notice announces the ending of Federal Supplemental Benefit Periods in the States of Colorado, Delaware, Idaho, Indiana, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Dakota, Texas, Utah, Virginia, Wisconsin, Wyoming, and the District of Columbia.

The Emergency Unemployment Compensation Act of 1974 (Pub. L. 93–572, enacted December 31, 1974) created a temporary program of supplemental unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State, and a benefit period is triggered on when unemployment in the State or nationally reaches the high levels set in the Act.

During January and February, 1975, benefit periods for Federal Supplemental Benefits triggered on in all the States. The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5.0 per centum over a period of thirteen consecutive calendar weeks. The benefit period terminates at the end of the third week after the week in which there is an "off" indicator.

I have determined in accordance with the Act and 20 CFR Part 618 (40 FR 57765, December 11, 1975), and in accordance with Secretary of Labor's Order 4–75, dated April 16, 1975 (40 FR 18515), that there were "off" indicators in the States named above for the week ending on December 13, 1975, and that Federal Supplemental Benefit Periods in each of those States therefore terminated with the week ending on January 3, 1976.

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable (whether or not any payment actually was made), for any portion of the last week of a Federal Supplemental Benefit Period in a State, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During an additional eligibility period the individual may have continued entitlement to Federal Supplemental Benefits. An additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the State employment security agency of the end of the Federal Supplemental Benefit Period in their State and its effect on their entitlement to Federal Supplemental Benefits. Notices to individuals who will have an additional eligibility period following the Federal Supplemental Benefit Period will include notice of their potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Periods terminated in the States named in this notice, in each of those States an Extended Benefit Period will continue in effect due to the National "on" indicator for the Federal-State Extended Benefit Program which was

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announced in a notice published at 39 FR 4722, on February 21, 1975. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in those States.

Signed at Washington, D.C., this 5th day of January, 1976.

BEN BURDETSKY,
Acting Assistant Secretary, Employment and Training.

[FR Doc.76-553 Filed 1-6-76;8:45 am]

Office of the Secretary

[TA-W-517-518]

CHRYSLER CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 18, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) on behalf of the workers and former workers of Chrysler Corporation plants in Belvidere, Illinois (TA-W-517); and Jefferson Avenue, Detroit, Michigan (TA-W-518). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with full size automobiles produced by Chrysler Corporation, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 19, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave. NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 18th day of December, 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-347 Filed 1-6-75;8:45 am]

[TA-W-483-516]

FORD MOTOR CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 18, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade of 1974 ("the Act") by the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) on behalf of the workers and former workers of Ford Motor Company plants in Los Angeles, California (TA-W-483); Louisville, Kentucky (TA-W484); Wixom, Michigan (TA-W-485); St. Louis, Missouri (TA-W-486); Dearborn, Michigan (TA-W-487); San Jose, California (TA-W-488); Metuchen, New Jersey (TA-W-489); Lima, Ohio (TA-W--490); Cleveland, Ohio (TA-W-491); Sharonville, Ohio (TA-W-492); Fairfax, Ohio (TA-W-493); Canton, Ohio (TA-W-494); Dearborn, Michigan (TA-W-495); Green Island, New York (TA-W-496); Monroe, Michigan (TA-W-497); Warren, Michigan (TA-W-498); Warren, Michigan (TA-W-499); Warren, Michigan (TA-W-500); Sandusky, Ohio (TA-W-501); Saline, Michigan (TA-W-502); Ypsilanti, Michigan (TA-W-503); Plymouth, Michigan (TA-W-504); Ypsilanti, Michigan (TA-W-505); Muscle Shoals City, Alabama (TA-W-506); Woodhaven, Michigan (TA-W-507); Walton Hills, Ohio (TA-W-508); Chicago Heights, Illinois (TA-W-509); Utica, Michigan (TA-W-510); Mount Clemens, Michigan (TA-W-511); Dearborn, Michigan (TA-W-512); Nashville, Tennessee (TA-W-513); Northville, Michigan (TA-W-514); Buffalo, New York (TA-W-515); Maumee, Ohio (TA-W-516). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 231(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with full size and subcompact automobiles produced by Ford Motor Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 19, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C.

Signed at Washington, D.C. this 18th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-348 Filed 1-6-76;8:45 am]

[TA-W-409-482]

GENERAL MOTORS CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 18, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) on behalf of the workers and former workers of General Motors Corporation plants in Lordstown, Ohio (TA-W-409); Southgate, California (TA-W-410); Lordstown, Ohio (TA-W-411); Tonawanda, New York (TA-W-412); Massena, New York (TA-W-413); Muncie, Indiana (TA-W-414); Parma, Ohio (TA-W-415); Buffalo, New York (TA-W-416); Detroit, Michigan (TA-W-417); Warren, Michigan (TA-W-418); Saginaw, Michigan (TA-W-419), Dayton, Ohio (TA-W-420); Elyria, Ohio (TA-W-421); Bedford, Indiana (TA-W-422); Tecumseh, Michigan (TA-W-423); Coit Road, Cleveland, Ohio (TA-W-424); Euclid, Ohio (TA-W-425); Muncie, Indiana (TA-W-426); Olathe, Kansas (TA-W-427); Buffalo, New York (TA-W-428); Lockport, New York (TA-W-429); Rochester, New York (TA-W-430); Anderson, Indiana (TA-W-431); Bristol, Connecticut (TA-W-432); Clark, New Jersey (TA-W-433); Sandusky, Ohio (TA-W-434); Willow Run, Michigan (TA-W-435); Columbus, Ohio (TA-W-436); Pittsburgh, Pennsylvania (TA-W-437); Mansfield, Ohio (TA-W-438); Anderson, Indiana (TA-W-439); Kokomo, Indiana (TA-W-440); Flint, Michigan (TA-W-441); Milwaukee, Wisconsin (TA-W-442); Defiance, Ohio (TA-W-443); Danville, Illinois (TA-W-444); Saginaw, Michigan (TA-W-445); Saginaw, Michigan (TA-W-446); Detroit, Michigan (TA-W-447); Flint, Michigan (TA-W-448); Grand Blanc, Michigan (TA-W-449); Grand Rapids, Michigan (TA-W-450); Hamilton, Ohio (TA-W-451); Kalamozoo, Michigan (TA-W-452); Marion, Indiana (TA-W-453); Willow Springs, Illinois (TA-W-454); Flint, Michigan (TA-W-455); Toledo, Ohio (TA-W-456); Grand Rapids, Michigan (TA-W-457); Livonia, Michigan (TA-W-458); Coldwater Rd., Flint, Michigan (TA-W-459); Fort Street, Detroit, Michigan (TA-W-460); Syracuse, New York (TA-W-461); Trenton, New Jersey (TA-W-462); Detroit, Michigan (TA-W-463); Flint, Michigan (TA-W-464); Saginaw, Michigan (TA-W-465); Bay City, Michigan (TA-W-466); Saginaw, Michigan (TA-W-467); Livonia, Michigan ((TA-W-468); Pontiac, Michigan (TA-W-469); Lansing, Michigan (TA-W-470); Flint, Michigan (TA-W-471); St. Louis, Missouri (TA-W-472); Fairfax, Kansas (TA-W-473); Janesville, Wisconsin (TA-W-474); Wilmington, Delaware (TA-W-475); Flint, Michigan (TA-W-476); Lansing, Michigan (TA-W-477); Pontiac, Michigan (TA-W-478); Lansing, Michigan (TA-W-479); Willow Run, Michigan (TA-W-480); Mansfield, Ohio (TA-W-481); Grand Blanc, Michigan (TA-W-482).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with full size and subcompact automobiles produced by General Motors Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 19, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 18th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-349 Filed 1-6-76;8:45 am]

[TA-W-404-408]

INTERNATIONAL HARVESTER CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 17, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the United Automobile, Aerospace & Agricultural Implement Workers of America on behalf of the workers and former workers of International Harvester Company plant's Indianapolis, Indiana (TA-W-404); Ft. Wayne, Indiana (TA-W-405); Shadyside, Ohio (TA-W-406); Springfield, Ohio (TA-W-407); and San Leandro, California (TA-W-408). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with pickup trucks produced by International Harvester Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 19, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave. NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 17th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-350 Filed 1-6-75;8:45 am]

NATIONAL SCIENCE FOUNDATION

TASK GROUP NO. 11, ADVISORY COMMITTEE FOR RESEARCH

Notice of Meeting

In accordance with the Federal Advisory Committee Act, P.L. 92-463, a meeting will be held by the National Science Foundation as indicated below.

Name: Task Group No. 11, Advisory Committee for Research.

Date: January 19 and 20, 1976.

Time: 9 a.m. each day.

Place: Rm. 321, National Science Foundation, 1800 G Street, NW., Washington, D. C.

Type of meeting: Closed.

Contact person: Mr. Leonard F. Garnder, Executive Secretary, Advisory Committee for Research, Rm. 320, National Science Foundation, Washington, D.C. 20550, telephone 202/632-4278.

Purpose of task groups: To provide advice and recommendations on specific topics of interest to the full committee concerning research activities and potential in the United States and problems in the administration of research support.

Agenda: Formation of an NSF Advisory Council and possible agenda items for next Advisory Committee for Research meeting.

Reason for closing: The task group will be directly advising senior NSF officials on the formation of an NSF Advisory Council, discussing development of internal documents concerning the future structure of the Council, and discussing agenda items for the last meeting of the Advisory Committee for Research which will be abolished when the agency-level Advisory Council is formed.

Authority to close meeting: The Director of the National Science Foundation determined on December 19, 1975, that the topics to be discussed are within exemption 5 of Section 552(b), 5 U.S.C. and that the entire meeting should be closed to the public.

GAIL A. MCHENRY,
Acting Committee Management Officer.

JANUARY 6, 1976.

[FR Doc.76-585 Filed 1-6-76;10:39 am]

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INTERSTATE COMMERCE COMMISSION

[Notice No. 1]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 2, 1976.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 C.F.R. § 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later that the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 730 (Sub-No. 386TA), filed December 16, 1975. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay St., P.O. Box 958, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Monochlorobenzene*, in bulk, in tank vehicles, from Henderson, Nev., to West Helena, Ark., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Stauffer Chemical Company, 636 California St., San Francisco, Calif. 94111. Send protests to: A. J. Rodriguez, District Supervisor, Interstate Commerce Commission, 450 Golden Gate Ave., Box 36004, San Francisco, Calif. 94102.

No. MC 19778 (Sub-No. 90TA), filed December 19, 1975. Applicant: MILWAUKEE MOTOR TRANSPORTATION COMPANY, Suite 508, 516 W. Jackson Blvd., Chicago, Ill. 60606. Applicant's representative: W. E. Gallagher (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and plywood*, between Morton and Tacoma, Wash., and between Snoqualmie Falls, and Tacoma, Wash., restricted to shipments having a prior or subsequent movement by rail, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Chicago, Milwaukee, St. Paul and Pacific Railroad, F. G. McGinn, Vice President, Operations, 516 W. Jackson Blvd., Chicago, Ill. 60606. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 47010 (Sub-No. 9TA), filed December 16, 1975. Applicant: BARRY TRANSPORT, INC., 5315 N.W. St. Helens Road, Portland, Oreg. 97210. Applicant's representative: Nick I. Goyak, One Southwest Columbia, Portland, Oreg. 97258. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Toppenish, Wash., to the Port of Portland Docks at Portland, Oreg., under a continuing contract with Del Monte Corporation, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Del Monte Corporation, 2001 Del Monte Way, Vancouver, Wash. 98660. Send protests to: W. J. Huetig, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. TA MC 47583 (Sub-No. 26TA), filed December 16, 1975. Applicant: TOLLIE FREIGHTWAYS, INC., 41 Lyons Ave., Kansas City, Kans. 66118. Applicant's representative: D. S. Hults, P.O. Box 225, Lawrence, Kans. 66044. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products*, from the plantsite and storage facilities of Packaging Corporation of America at Hutchinson, Kans., to all points in the states of Texas, New Mexico, and Colorado on and west of Highway 85; and (2) *Paper and paper products* for recycling, from all points in the states of Texas, New Mexico and Colorado, on and west of Highway 85 to the plantsite and storage facilities of Packaging Corporation of America in Hutchinson, Kans., for 180 days. Supporting shipper: Packaging Corporation of America, P.O. Box 1267, Hutchinson, Kans. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 52579 (Sub-No. 147TA), filed December 17, 1975. Applicant: GILBERT CARRIER CORP., One Gilbert Drive, Secaucus, N.J. 07094. Applicant's representative: F. L. Cardascia (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, on hangers, from Miami, Fla., to Hartsville, Tenn., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Marlene Industries Corporation, 1372 Broadway, New York, N.Y. 10018. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC 59806 (Sub-No. 6TA), filed December 15, 1975. Applicant: GROSS & HECHT TRUCKING, INC., Box 514, 35 Brunswick Ave., Edison, N.J. 08817. Applicant's representative: A. David Millner d/o Bowes, Millner, Rodgers and Liberstein, 744 Broad St., Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail and chain grocery and food business houses, and in connection therewith, *equipment, materials and supplies* used in the conduct of such business, over irregular routes between the warehouses of The Great Atlantic & Pacific Tea Company, Inc., at Fair Lawn and Hawthorne, N.J., on the one hand, and, on the other, points in Putnam and Dutchess Counties, N.Y. and those in Fairfield County, Conn. *Bakery goods*, between the bakery of The Great Atlantic & Pacific Tea Company, Inc., at Flushing, N.Y. on the one hand, and, on the other, points in Fairfield, Conn. Restriction: Restricted to a transportation service to be performed under a continuing contract or contracts with The Great Atlantic & Pacific Tea Company, Inc., of Montvale, N.J., for 180 days. Supporting shipper(s): The Great Atlantic & Pacific Tea Company, Inc., 2 Paragon Drive, Montvale, N.J. 07645. Send protests to: Robert S. H. Vance, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC 16065 (Sub-No. 30TA), filed December 16, 1975. Applicant: EHRLICH-NEWMARK TRUCKING CO., Inc., 505-509 West 37th St., New York, N.Y. 10001. Applicant's representative: Michael R. Werner, 2 West 45th St., New York, N.Y. 10336. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel* on hangers *and materials, supplies and equipment* used in the manufacture of wearing apparel, (except commodities in bulk), between Philadelphia, Pa., and Seaford, Del., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Bleeker Street Apparel Corp., 10101 Roosevelt Blvd., Philadelphia, Pa. 19154. Send protests to: Paul W. Assenza, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 90870 (Sub-No. 3TA), filed December 17, 1975. Applicant: GLEN R. RIECHMANN, doing business as, RIECHMANN TRUCK SERVICE, R.R. No. 2, Box 137, Alhambra, Ill. 62201. Applicant's representative: Ernest A. Brooks, II, 1301 Ambassador Bldg., St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cement*, in bags; and (2) *Manufactured stone*, (1) from Dallas, Tex., to Hamel, Ill.; and (2) from Hamel, Ill., to points in Iowa, Michigan, and Missouri, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: James L. Hadley, President, Lavastone Industries, Inc., P.O. Box 187, Hamel, Ill. 62046. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 107012 (Sub-No. 62TA), filed December 15, 1975. Applicant: BULK CARRIERS, INC., P.O. Box 423, Auburn, Nebr. 68305. Applicant's representative: John T. Clark (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed supplements, feed ingredients and materials* used in the manufacturing and processing of feed, feed supplements and feed ingredients, in bulk, in tank and hopper type vehicles, (1) from the terminal site of National By-Products, Inc., at or near LaPlatte, Nebr., to points in Iowa, Kansas and Missouri; (2) from points in Iowa, Kansas, and Missouri, to points in Nebraska and return of rejected shipments, from points of destination to points of origination, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Darrell Flint, Traffic Manager, National By-Products, Inc., R.R. 3, Omaha, Nebr. Send protests to: Max H. Johnston, District Supervisor, 285 Federal Bldg., and Courthouse, 100 Centennial Mall North, Lincoln, Nebr. 68508.

No. MC 107295 (Sub-No. 795TA), filed December 16, 1975. Applicant: PRE-FAB TRANSIT CO., 100 South Main St., Farmer City, Ill. 61842. Applicant's representative: Duane Zehr (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buildings*, complete, knocked down, or in sections; (2) *Building sections and building panels*; (3) *Parts and accessories* used in the installation and completion of commodities in (1) and (2) above, and (4) *Metal prefabricated structural components and panels and accessories* used in the installation and completion thereof, from Houston, Tex., to points in Arizona, Alabama, Florida, Georgia, Kansas, Louisiana, Missouri, Minnesota, Mississippi, Nebraska, North Dakota, South Dakota, Oklahoma, and Wyoming, for 180 days. Supporting shippers: James R. Adkins, Shipping Supervisor, American Steel Building Co., 12218 Robin St., P.O. Box 14244, Houston, Tex. 77021. Raymundo Saldivar, Traffic Manager, Childers Manufacturing Co., 3620 West 11th, P.O. Box 7467, Houston, Tex. 77008. Mack Griffin, Production Control Manager, Kirby Building Systems, P.O. Box 7101 Renwick, Houston, Tex. 77036. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 107496 (Sub-No. 1013TA), filed December 12, 1975. Applicant: RUAN TRANSPORT CORPORATION, 3200 Ruan Center, 666 Grand Avenue, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, from Waukegan, Ill., to points in Indiana and Wisconsin, for 180 days. Supporting shipper(s): American Admixtures Corporation, 5909 North Rogers Avenue, Chicago, Ill. 60646. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 111274 (Sub-No. 8TA), filed December 19, 1975. Applicant: ELMER C. SCHMIDGALL AND BENJAMIN G. SCHMIDGALL, doing business as, SCHMIDGALL TRANSFER, Box 249, Tremont, Ill. 61568. Applicant's representative: Frederick C. Schmidgall, 318 Lilac Lane, East Peoria, Ill. 61611. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salvage and distressed building materials*, between various points and places in Minnesota, Wisconsin, Illinois, Missouri, Kansas, Nebraska, and South Dakota, on the one hand, and, on the other, Anamosa, Iowa, under a continuing contract or contracts with United Salvage Associates, Inc., for 180 days. Supporting shipper(s): United Salvage Associates, Inc., Rick Stickle, Manager, Old Dubuque Road, Anamosa, Iowa 52205. Send protests to: Transportation Assistant Patricia A. Roscoe, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 111729 (Sub-No. 597TA), filed December 15, 1975. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Elizabeth L. Henoch (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, records, audit and accounting media, emergency small repair parts, plumbing, electrical* and office supplies, restricted against transportation of packages or articles weighing more than 100 pounds in the aggregate from one consignor to one consignee on any one day, between Newport News, Va., and Charlotte, N.C., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Noland & Company, P.O. Box 974, Newport News, Va. Send protests to: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 111729 (Sub-No. 598TA), filed December 17, 1975. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Elizabeth L. Henoch (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records, and audit and accounting media*, between St. Louis, Mo., on the one hand, and, on the other, points in Illinois North of State Highway 136; (2) (a) *Dentures: Impressions, models, bites, articulators and products related to restorative dentistry*; (b) *Laboratory samples and specimens, and related reports and supplies*, between Wichita, Kans., on the one hand, and, on the other, points in Oklahoma, for 180 days. Supporting shippers: (1) Pillsbury Company, Minneapolis, Minn. (2) Pearce-Turk Dental Laboratory, Wichita, Kans. (3) Statlab, Inc., Wichita, Kans. Send protests to: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 115762 (Sub-No. 9TA) (Correction), filed November 21, 1975, published in the FEDERAL REGISTER issue of December 10, 1975, and republished as corrected this issue. Applicant: HENTUCKY WESTERN TRUCK LINES, INC., P.O. Box 623, Hopkinsville, Ky. 42240. Applicant's representative: Richard D. Gleaves, 631 Stahlman Bldg., Nashville, Tenn. 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in containers, from Wood River, Ill., and its commercial zone, to Hopkinsville, Ky., and its commercial zone, for 180 days. Supporting shipper: R. E. Croft, Jr., Monarch Oil Company, P.O. Box 64, Hopkinsville, Ky. 42240. Send protests to: Elbert Brown, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Bldg., 601 West Broadway, Louisville, Ky. 40202. The purpose of this republication is to add Hopkinsville, Ky., and its commercial zone, as a destination point.

No. MC 115821 (Sub-No. 17TA), filed December 16, 1975. Applicant: FRANK BEELMAN, doing business as, BEELMAN TRUCK CO., St. Libory, Ill. 62282. Applicant's representative: Ernest A. Brooks, II, 1301 Ambassador Bldg., St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, in bulk, from Hoyleton, Ill., to the plantsite of Westvaco Corp., at Wickliffe, Ky., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Dale Hassell, Owner, Hassel Lumber Co., Rt. No. 1, Box 127, Hoyleton, Ill. 62803. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 116077 (Sub-No. 369TA) (Correction), filed December 4, 1975, published in the Federal Register issue of

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December 19, 1975, and republished as corrected this issue. Applicant: ROBERTSON TANK LINES, INC., 2000 West Loop South, Suite 1800, Houston, Tex. 77027. Applicant's representative, J. C. Browder (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay, processed clay, and clay slurry*, in bulk, in tank vehicles, from Attapulgus, Ga., to Tulsa, Okla., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Engelhard Minerals & Chemicals, Menlo Park, Edison, N.J. 08817. Send protests to: John Mensing, District Supervisor, Interstate Commerce Commission, 515 Rusk, Room 8610 Federal Bldg., Houston, Tex. 77002. The purpose of this republication is to correct the docket No. MC 116077 (Sub-No. 369 TA) in lieu of MC 106077 (Sub-No. 369 TA) which was previously published in error.

No. MC 117068 (Sub-No. 56TA) (Partial correction), filed November 20, 1975, published in the Federal Register issue of December 12, 1975, and republished as corrected this issue. Applicant: MIDWEST SPECIALIZED TRANSPORTATION, INC., North Highway 63, P.O. Box 6418, Rochester, Minn. 55901. Applicant's representative: Paul F. Sullivan, 701 Washington Bldg., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Enameled steel silos, silo loading and unloading devices, waste storage tanks, livestock feed bunkers, forage metering devices, animal waste spreader tanks, livestock feeding systems, and parts and accessories* for the above-named commodities. Supporting shipper: Ontario Harvestore Systems, Ltd., 65 Dawson Road, Guelph, Ontario, Canada. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg., and U.S. Courthouse, 110 S. 4th St., Minneapolis, Minn. 55401. The purpose of this republication is to correct the sub number in MC 117068 (Sub-No. 57 TA) in lieu of MC 117068 (Sub-No. 56 TA) which was previously published in error.

No. MC 117644 (Sub-No. 43TA), filed December 17, 1975. Applicant: D & T TRUCKING CO., INC., 498 First St., New Brighton, Minn. 55112. Applicant's representative: F. H. Kroeger, 1745 University Ave., St. Paul, Minn. 55104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Hudson, Iowa to points in Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia, under a continuing contract with Land O'Lakes, Ind., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Land O'Lakes, Inc., 614 McKinley Place, Minneapolis, Minn. 55413. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg., and U.S. Courthouse, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 119767 Sub-No. 334TA), filed December 17, 1975. Applicant: BEAVER TRANSPORT CO., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: Joseph K. Reber (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Hudson, Iowa to points in Minnesota, Wisconsin, Illinois, Indiana, Michigan, Ohio, Kentucky, and St. Louis, Mo., restricted to the transportation of shipments originating at the plantsites and warehouse facilities of Land O'Lakes, Inc., at or near Hudson, Iowa and destined to points in the named destination points, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Land O'Lakes, Inc., Minneapolis, Minn. 55413. Send protests to: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 119988 (Sub-No. 88TA), filed December 19, 1975. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75901. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Polystyrene shapes and forms, and disposable plastic tableware*, from the plantsite and warehouses of the Mobile Chemical Company, located at or near Temple, Tex., to points in Arkansas, Colorado, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, and Tennessee, for 180 days. Supporting shipper: Mobile Oil Corporation, 8350 N. Central Expressway, Suite 522, Dallas, Tex. 75206. Send protests to: John Mensing, District Supervisor, Interstate Commerce Commission, 3610 Federal Bldg., 515 Rusk, Houston, Tex. 77002.

No. MC 120761 (Sub-No. 6TA), filed December 17, 1975. Applicant: NEWMAN BROS. TRUCKING COMPANY, 6559 Midway Road, P.O. Box 13302, Fort Worth, Tex. 76118. Applicant's representative: Clint Oldham, 1108 Continental Life Bldg., Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed automobile bodies*, from points in New Mexico, Colorado, Kansas, Wyoming, Oklahoma, Arkansas, and Louisiana, to points in Ellis County, Tex., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Century Enterprises, P.O. Box 6552, Denver, Colo. 80206. Send protests to: H. C. Morrison, Sr., District Supervisor, Room (a27 Federal Bldg., 819 Taylor St., Fort Worth, Tex. 76102.

No. MC 121046 (Sub-No. 5TA), filed December 12, 1975. Applicant: B. A. MILLER & SONS TRUCKING, INC., P.O. Box 41, East St., Liberty Center, Ohio 43532. Applicant's representative: David A. Turano, 100 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic articles*, from the facilities of Napco Plastics Company, at Napoleon, Ohio, to Bloomington, Ill., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Napco Plastics Company, 600 Fillmore St., Napoleon, Ohio 43545. Send protests to: Kieth D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Bldg., 234 Summit St., Toledo, Ohio 43604.

No. MC 123407 (Sub-No. 278TA), filed December 15, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, plywood, and accessories and materials* used in the installation and distribution thereof, from the plant and warehouse sites of Abitibi Corporation, in Lucas County, Ohio, to points in the United States in and east of North Dakota, South Dakota, Nebraska, Colorado, and Texas, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Abitibi Corporation, 3250 W. Big Veaver Road, Troy, Mich. 48084. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 123640 (Sub-No. 21TA), filed December 16, 1975. Applicant: SUMMIT CITY ENTERPRISES, INC., 3200 Maumee Ave., Fort Wayne, Ind. 46803. Applicant's representative: Irving Klein, 280 Broadway, New York, N.Y. 10007. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* sold, dealt in or used by chain or department stores, between Fort Wayne, Ind., on the one hand, and, on the other, points in Massachusetts, Maryland, New York, New Jersey, North Carolina, and Virginia, under a continuing contract with Supermarket Service Corp., for 180 days. Supporting shipper: Supermarket Service Corp., 2 Paragon Drive, Montvale, N.J. 07645. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 124236 (Sub-No. 77TA), filed December 16, 1975. Applicant: CHEMICAL EXPRESS CARRIERS, INC., 1200 Simons Bldg., Dallas, Tex. 75201. Applicant's representative: Leroy Hallman, 4555 First National Bank Bldg., Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Quicklime and hydrated lime*, from Marble City and Sallisaw, Okla., to Denver, Colo. (including Commerce City, Colo., a point in the Denver, Colo., Commercial Zone), for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: St. Clair Lime Company, P.O. Box 894, Oklahoma City, Okla. 73101. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commission, 1100 Commerce St., Room 13C12, Dallas, Tex. 75202.

No. MC 124383 (Sub-No. 21TA), filed December 16, 1975. Applicant: STAR LINE TRUCKING CORPORATION, 18460 West Lincoln Ave., New Berlin, Wis. 53151. Applicant's representative: S. F. Schreiter, 161 W. Wisconsin Ave., Suite 3068, Milwaukee, Wis. 53203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cinders*, in bulk, from Kaukauna, Wis., to West Chicago, Ill., for 180 days. Supporting shipper: Thilmony Pulp & Paper Company, Kaukauna, Wis. 54130. Send protests to: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 127539 (Sub-No. 48TA), filed December 17, 1975. Applicant: PARKER REFRIGERATED SERVICE, INC., 1108 54th Ave., East, Tacoma, Wash. 98424. Applicant's representative: Michael D. Duppenthaler, 515 Lyon Bldg., 607 3d Ave., Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles* distributed by meat packinghouses, from Toppenish, Wash., to points in Oregon and California, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Flavorland Industries, P.O. Box 552, Toppenish, Wash. 98948. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Ave., Seattle, Wash. 98174.

No. MC 128030 (Sub-No. 100TA), filed December 15, 1975. Applicant: THE STOUT TRUCKING CO., INC., P.O. Box 177, R.R. No. 1, Urbana, Ill. 61801. Applicant's representative: Robert C. Stout, Sr., (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages in containers*, from Monroe, Wisc., to Terre Haute, Ind., for 180 days. Supporting shipper(s): Dever Distributing Co., Inc., Luken Dever, President, 939 Poplar, Terre Haute, Ind. 47807. Send protests to: Transportation Assistant Patricia A. Roscoe, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 129613 (Sub-No. 20TA), filed December 11, 1975. Applicant: ARTHUR H. FULTON, P.O. Box 86, Stephens City, Va. 22655. Applicant's representative: Charles E. Creager, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Veneer*, from Martinsburg, W. Va., to points in Oregon and California, under a continuing contract with Erath Veneer Corporation, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Erath Veneer Corporation, P.O. Box 1102, Martinsburg, W. Va. 25401. Send protests to: Interstate Commerce Commission, 12th and Constitution Ave., NW., Room B-317, W. C. Hersman, District Supervisor, Washington, D.C. 20423.

No. MC 133689 (Sub-No. 67TA), filed December 11, 1975. Applicant: OVERLAND EXPRESS, INC., 719 First St., S.W., New Brighton, Minn. 55112. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Duluth, Minn., and Superior, Wis., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper(s): Jeno's, Inc., 525 Lake Ave. South, Duluth, Minn. 55802. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Courthouse, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 133689 (Sub-No. 68TA), filed December 17, 1975. Applicant: OVERLAND EXPRESS, INC., 719 First St., S.W., New Brighton, Minn. 55112. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Hudson, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, North Carolina, South Carolina, the District of Columbia, Kansas City, and St. Louis, Mo., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Land O'Lakes, Inc., 614 McKinley Place, Minneapolis, Minn. 55413. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg., and U.S. Courthouse, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 134387 (Sub-No. 27TA), filed December 15, 1975. Applicant: BLACKBURN TRUCK LINES, INC., 4998 Branyon Ave., South Gate, Calif. 90280. Applicant's representative: David P. Christianson, 606 S. Olive, Suite 825, Los Angeles, Calif. 90014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic bottles, containers, fitments and closures*, from points in Orange County, Calif., to points in Maricopa, County, Ariz., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Imco Container Company, 75th & Cleveland, Kansas City, Mo. 64132. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 134477 (Sub-No. 96TA), filed December 17, 1975. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, Minn. 55118. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Hudson, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Land O'Lakes, Inc., 614 McKinley Place, Minneapolis, Minn. 55413. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg., and U.S. Courthouse, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 134771 (Sub-No. 2TA), filed December 15, 1975. Applicant: AUSTIN TUPLER TRUCKING, INC., 6570 S.W. 47th Court, Ft. Lauderdale, Fla. 33314. Applicant's representative: Richard B. Austin, 214 Palm Coast II Bldg., 5255 N.W. 87th Ave., Miami, Fla. 33178. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cores or tubes, NOI, paper or paperboard* other than corrugated paper or paperboard (explosive placement casing), from the plantsite of Suneco Products Co., at or near Hartsville, S.C., to points in Florida, for 180 days. Supporting shipper: Vulcan Material Corp., P.O. Box 1087, Medley, Fla. 33166. Send protests to: Joseph B. Teichert, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Monterey Bldg., Suite 101, 8410 N.W. 53rd Terrace, Miami, Fla. 33166.

No. MC 135632 (Sub-No. 18TA), filed December 17, 1975. Applicant: HIAWATHA PRODUCE COMPANY, 3860 Fourth St., Winona, Minn. 55987. Appli-

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cant's representative: F. H. Kroeger, 1745 University Ave., St. Paul, Minn. 55104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Hudson, Iowa, to points in Connecticut, Delaware, Illinois, Iowa, Kansas, Maine, Maryland, Massachusetts, Missouri, Nebraska, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Land O'Lakes, Inc., 614 McKinley Place, Minneapolis, Minn. 55413. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg., and U.S. Courthouse, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 135861 (Sub-No. 9TA), filed December 15, 1975. Applicant: LISA MOTOR LINES, INC., P.O. Box 4550, Fort Worth, Tex. 76106. Applicant's representative: Billy R. Reid, 6108 Sharon Road, Fort Worth, Tex. 76116. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles* distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plant site and facilities of Maverick Beef Packers, Inc., at or near Eagle Pass, Tex., to points in California, Arizona, Alabama, Florida, Georgia, Louisiana, Mississippi, and Tennessee, under a continuing contract with Maverick Beef Packers, Inc., for 180 days. Supporting shipper: Maverick Beef Packers, Inc., P.O. Box 617, Eagle Pass, Tex. 78852. Send protests to: H. C. Morrison, Sr., District Supervisor, Room 9A27 Federal Bldg., 819 Taylor St., Fort Worth, Tex. 76102.

No. MC 136221 (Sub-No. 4TA), filed December 16, 1975. Applicant: H. L. STANSELL, INC., P.O. Box 158, Palm Harbor, Fla. 33563. Applicant's representative: David C. Venable, 666 Eleventh St., NW., Washington, DC. 20001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Porcelain products and/or porcelainized products* (except in bulk), from Abingdon, Ill., and Knoxville, Tenn., to points in Florida, under a continuing contract with Briggs Co., for 180 days. Supporting shipper: Briggs Co., 1500 North Dale Mabry, Tampa, Fla. 33607. Send protests to: Joseph B. Teichert, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Monterey Bldg., Suite 101, 8410 N. W. 53rd Terrace, Miami, Fla. 33166.

No. MC 136228 (Sub-No. 14TA), filed December 12, 1975. Applicant: LUISI TRUCK LINES, INC., P.O. Box 606, Milton-Freewater, Oreg. 97214. Applicant's representative: Philip Skofatad, 3076 E. Burnside St., Portland, Oreg. 97214. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Fresh hanging meat*, from Spokane, Wash., to Eureka, San Jose, San Francisco, San Leandro and Los Angeles, Calif., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Hygrade Food Products Corporation, N. 707 Regal Street, Spokane, Wash. 99202. Send protests to: District Supervisor, W. J. Huetig, Bureau of Operations, Interstate Commerce Commission, 14 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 136318 (Sub-No. 37TA), filed December 16, 1975. Applicant: COYOTE TRUCK LINE, INC., P.O. Box 756, Thomasville, N.C. 27360. Applicant's representative: David R. Parker, 2310 Colorado State Bank Bldg., Denver, Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Los Angeles, Calif., to points in Arizona, Arkansas, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming. Restrictions: (1) Restricted to traffic originating at or destined to the facilities utilized by Gillespie Furniture Co. (2) Restricted to traffic moving under a continuous contract or contracts with Gillespie Furniture Co., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days for operating authority. Supporting shipper: Gillespie Furniture Co., 5700 Avalon Blvd., Los Ageles, Calif. 90011. Send protests to: Terrell Price, District Supervisor, 800 Briar Creek Road, Room CC516, Mart Office Bldg., Charlotte, N.C. 28205.

No. MC 138469 (Sub-No. 20TA), filed December 17, 1975. Applicant: CONCO CARRIERS, INC., 641 North Meridian, Oklahoma City, Okla. 73107. Applicant's representative: Jack H. Blanshan, 205 W. Touhy Ave., Suite 200, Park Ridge, Ill. 60068. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drugs, medicines, infant and children's foods, water, feeding sets, dispenser stands, rubber and plastic articles, vaporizers, glass specimen bottles, and can openers*, from the facilities of or utilized by Mead Johnson & Co., located at or near Evansville, Ind., and Babool and Springfield, Mo., to points in Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, Wyoming; and Deer Lodge, Flathead, Granite, Lake, Lincoln, Mineral, Missoula, Powell, Ravalli, Sanders, and Silver Bow Counties, Mont., restricted to traffic originating at the above named origins, for 180 days. Supporting shipper: Mead Johnson & Co., Michael A. Ehrmann, T.M., 2404 Pennsylvania, Evansville, Ind. 47721. Send protests to: Marie Spillars, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, Room 240 Old P.O. Bldg., 215 N.W. Third, Oklahoma City, Okla. 73102.

No. MC 138635 (Sub-No. 18TA), filed December 16, 1975. Applicant: CAROLINA WESTERN EXPRESS, INC., 650 Eastwood Drive, Gastonia, N.C. 28052. Applicant's representative: Eric Meierhoefer, 303 N. Frederick Avenue, Gaithersburg, Md. 20760. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry chemical pigments*, except in bulk, or tank vehicles, from Baltimore and Laurel, Md., to Kirkland, Wash., (2) *Fiber glass*, from Graham, Tex., West Shelby, N.C., and Amsterdam, N.Y., to Kirkland, Wash., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Durkin Chemicals, Inc., Box 655, Kirkland, Wash. 98033. Send protests to: District Supervisor Terrell Price, 800 Briar Creek Rd–Rm CC516, Mart Office Building, Charlotte, N.C. 28205.

No. MC 138789 (Sub-No. 6TA), filed December 11, 1975. Applicant: U & R EXPRESS, INC., P.O. Box 2369, White City, Oreg. 97501. Applicant's representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave., Portland, Oreg. 97210. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood shavings*, from points in Lemhi County, Idaho, to Missoula, Mont., under a continuing contract with Evans Products Company, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Evans Products Company, P.O. Drawer L, Missoula, Mont. 59801. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, 555 S.W. Yamhill St., Portland, Oreg. 97204.

No. MC 138891 (Sub-No. 5TA), filed December 15, 1975. Applicant: FRANK TRANSFER & STORAGE, INC., 324 East 8th Street, Sioux Falls, S. Dak. 57102. Applicant's representative: A. J. Swanson, 521 South 14th St., P.O. Box 818949, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical power switches and related electrical equipment, and empty trailers*, between Sioux Falls, and Watertown, S. Dak., restricted to the transportation of shipments having a prior or subsequent movement by rail in trailer-on-flatcar service, for 180 days. Supporting shipper(s): Cofco Distributing, Inc., P.O. Box 79, Mt. Prospect, Ill. 60056, Larry Marturana, Vice President. Send protests to: District Supervisor J. L. Hammond, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 140313 (Sub-No. 3 TA), filed December 17, 1975. Applicant: JAMES R. JAMERSON, doing business as J & R TRUCKING, 4104 83rd Road, S.E., Mercer Island, Wash. 98040. Applicant's representative: James T. Johnson, 1610 IBM Bldg., Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal doors and metal fireplaces and attachments and related parts thereof*, from Fredericksburg, Va., to points in Washington and Oregon, and to Sacramento, Calif., for 180 days. Supporting shipper: General Metal Products Co., Inc., P.O. Box 88, Fredericksburg, Va. 22401. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Ave., Seattle, Wash. 98174.

No. MC 140484 (Sub-No. 16TA), filed December 15, 1975. Applicant: LESTER COGGINS TRUCKING, INC., P.O. Box 69, Fort Myers, Fla. 33902. Applicant's representative: Clayton Geer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware, chinaware, earthenware, porcelain ware, stoneware, plastic bowls, cups, dishes or plates*, from Lake City and Jeannette, Pa., and Sebring, Ohio, to points in the United States in and west of New Mexico, Colorado, Wyoming and Montana, for 180 days. Supporting shipper: Jeannette Corporation, Jeannette, Pa. 15644. Send protests to: Joseph B. Teichert, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Monterey Bldg., Suite 101, 8410 N.W. 53rd Terrace, Miami, Fla. 33166.

No. MC 141312 (Sub-No. 2TA), filed December 17, 1975. Applicant: DOKTER TRUCKING CORP., P.O. Box 408, Weeping Water, Nebr. 68463. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Di-calcium phosphate*, from Weeping Water, Nebr., to Glendive, Chinook, and Great Falls, Mont., under a continuing contract or contracts with Texasgulf, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Texasgulf, Inc., Maurice S. Weber, Manager of Transportation, 4509 Creedmoor Road, P.O. Box 30321, Raleigh, N.C. 27612. Send protests to: Max Johnston, District Supervisor, Interstate Commerce Commission, 285 Federal Bldg., & U.S. Courthouse, 100 Centennial Mall North, Lincoln, Nebr. 68508.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76–340 Filed 1–6–76;8:45 am]

[Notice No. 152]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JANUARY 7, 1976.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to Sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 C.F.R. Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before January 27, 1976. Pursuant to Section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–75873. By order of December 31, 1975, the Motor Carrier Board approved the transfer to S & H Truck Lines, Inc., Fontana, Calif., of Certificate of Registration No. MC–56945 (Sub-No. 1) issued by the Commission October 30, 1963, to Churchill Transportation Company, Hemet, Calif., evidencing authority to perform a transportation service in interstate or foreign commerce corresponding in scope to the intrastate authority in Certificate of Public Convenience and Necessity granted in Decision No. 23795 issued by the Public Utilities Commission of the State of California. R. Y. Schureman, Esquire, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017.

No. MC–FC–76092. By order of January 2, 1976, the Motor Carrier Board approved the lease to Whitaker Transportation, Inc., Donie, Tex., for a period of five years commencing February 21, 1975, of Certificate of Registration No. MC–58734 (Sub-No. 1) issued by the Commission December 23, 1963, to Ivan Thorne, Mexia, Tex., evidencing authority to perform a transportation service in interstate or foreign commerce corresponding in scope to the intrastate authority in Certificate of Convenience and Necessity No. 5432 dated June 6, 1950, issued by the Railroad Commission of Texas. Terry L. Belt, Esquire, 1122 Colorado, No. 315, Austin, Tex. 78701.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76–341 Filed 1–6–76;8:45 am]

[Notice No. 1]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JANUARY 2, 1976.

The following publications include motor carrier, water carrier, broker, freight forwarder and rail proceedings indexed as follows: (1) grants of authority requiring republication prior to certification; (2) notices of filing of petitions for modification of existing authorities; (3) new operating right's applications directly related to and processed on a consolidated record with finance applications filed under Sections 5(2) and 212(b); (4) notices of filing of Sections 5(2) and 210a(b) finance applications; and (5) notices of filing of Section 212 (b) transfer applications.

Each applicant (except as otherwise specifically noted) states that there will be no significant effect on the quality of the human environment resulting from approval of its application in compliance with the requirements of 49 C.F.R. § 1100.250.

Protests to the granting of the requested authority must be filed with the Commission on or before February 6, 1976 (unless otherwise specified). Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest should comply with section 247(d) or section 240(c) as appropriate of the Commission's General Rules of Practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and a detailed description of the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest (except for petitions and Finance Dockets under Rule 40 requiring the original and six (6) copies of the protest) shall be filed with the Commission, and a copy shall be served concurrently upon applicant's or petitioner's representative, or applicant or petitioner if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) or section 240(c)(4) of the special rules, and shall include the certification required therein.

No. MC 139508 (Republication), filed December 7, 1973, and published in the FEDERAL REGISTER issue of March 7, 1974, and republished this issue. Applicant: AIR BROOK LIMOUSINE, INC., 400 Market Street, Saddle Brook, N.J. 07662. Applicants' representative: George H. Rosen, 265 Broadway, P.O. Box 348, Monticello, N.Y. 12701. A Decision and Order of the Commission, Review Board Number 1, dated December 2, 1975, and served December 9, 1975, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of (A) *passengers and their baggage* in the same vehicle with passengers, in special and charter operations, in non-scheduled door-to-door service, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof and not including children under 10 years of age who do not occupy a seat or seats, (B) *general com-*

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modities (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring the use of special equipment) when moving in the same vehicle with passengers, restricted against the transportation of packages or articles weighing more than 100 pounds in the aggregate from one consignor at one location to one consignee at one location during a single day, and (C) *unaccompanied baggage* when moving in the same vehicle with passengers, between points in Bergen, Hudson, Passaic, and Essex Counties, N.J. (not including Newark International Airport located at Newark, N.J.), on the one hand, and, on the other, New York, N.Y., John F. Kennedy International Airport, and LaGuardia Airport located at New York, N.Y., that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate the broadening of the authority herein to include the transportation of general commodities (with the usual exceptions). Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced. Pleadings may be tendered with respect to the modification(s) of applicant's grant of authority indicated by the purpose for this republication.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under Sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 C.F.R. 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-12720. Authority sought for control by control CENTRAL TRANSFER COMPANY, 1080 Springfield Road, Union, New Jersey 07083, of H. M. WITMYER, INC., 15 South Wolf Street, Manheim, Pa., and for acquisition by P. A. ALBANESE, also of Union, N.J. 07083, of control of H. M. WITMYER, INC., through the acquisition by CENTRAL TRANSFER COMPANY. Applicants' attorneys: A. David Millner, 744 Broad Street, Newark, N.J. 07102, and William S. Stein, 42 South 15th Street, Philadelphia, Pa. 19102. Operating rights sought to be controlled: *General Commodities* with exceptions, as a *common carrier* over irregular routes and points in Metropolitan New York, N.Y., Counties in southern New York and northern New Jersey, and at Pennsylvania points of Philadelphia, Chester, and Easton; and over regular routes as a *common carrier* at New Jersey and Pennsylvania. Vendee is authorized to operate as a common carrier in New York, New Jersey, and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-342 Filed 1-6-76;8:45 am]

FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JANUARY 2, 1976.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to Section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's Rules of Practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall *not* be addressed to or filed with the Interstate Commerce Commission.

California Docket No. 56123, filed December 11, 1975. Applicant: G & H TRANSPORTATION, INC., 1501 Chapin Road, Montebello, Calif. 90640. Applicant's representative: Donald Murchison, 9454 Wilshire, Blvd., Suite 400, Beverly Hills, Calif. 90212. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: *General commodities*, as follows: A. Between all points and places within the Los Angeles Basin Territory described in Note A and within the San Diego Territory described in Note B and between said territories, serving all points and places on and within ten (10) miles laterally of Interstate Highway 5 or 15 or U.S. Highway 395; and B. Between all points and places within the territory described in Paragraph A. above and Goleta, serving all points and places on and within ten (10) miles laterally of U.S. Highway 101. Except that pursuant to the authority herein granted, carrier shall not transport any shipments of: 1. Used household goods, personal effects, and office, store, and institution furniture, fixtures, and equipment not packed in accordance with the crated property requirements set forth in Item 5 of Minimum Rate Tariff 4-B. 2. Automobiles, trucks, and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses, and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis. 3. Livestock, viz.: barrows, boars, bulls, butcher hogs, calves, cattle, cows, dairy cattle, ewes, feeder pigs, gilts, goats, heifers, hogs, kids, lambs, oxen, pigs, rams (bucks), sheep, sheep camp outfits, sows, steers, stags, swine, or wethers. 4. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers, or a combination of such highway vehicles. 5. Commodities when transported in bulk in dump trucks or in hopper-type trucks. 6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit. 7. Logs. 8. Trailer coaches and campers, including integral parts and contents when the contents are within the trailer coach or camper; and 9. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment.

NOTE A.—Los Angeles Basin Territory includes that area embraced by the following boundary: Beginning at the point the Ventura County-Los Angeles County boundary line intersects the Pacific Ocean; thence northeasterly along said county line to the point it intersects State Highway No. 118, approximately two miles west of Chatsworth; easterly along State Highway No. 118 to Sepulveda Boulevard; northerly along Sepulveda Boulevard to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando; westerly and northerly along said corporate boundary to McClay Avenue; northeasterly along McClay Avenue and its prolongation to the Los Angeles National Forest boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest boundary to the county road known as Mill Creek Road; westerly along Mill Creek Road to the county road 3.8 miles north of Yucaipa; southerly along said county road to and including the unincorporated community of Yucaipa; westerly along Redlands Boulevard to U.S. Highway No. 99; northwesterly along U.S. Highway No. 99 to the corporate boundary of the City of Redlands; westerly and northerly along said corporate boundary to Brookside Avenue; westerly along Brookside Avenue to Barton Avenue; westerly along Barton Avenue and its prolongation to Palm Avenue, westerly along Palm Avenue to La Cadena Drive; southwesterly along La Cadena Drive to Iowa Avenue; southerly along Iowa Avenue to U.S. Highway No. 60; southwesterly along U.S. Highways Nos. 60 and 395 to the county road approximately one mile north of Perris; easterly along said county road via Nuevo and Lakeview to the corporate boundary of the City of San Jacinto; easterly, southerly, and westerly along said corporate boundary to San Jacinto Avenue; southerly along San Jacinto Avenue to State Highway No. 74; westerly along State Highway No. 74 to the corporate boundary of the City of Hemet; southerly, westerly, and northerly along said corporate boundary to the right of way of the Atchison, Topeaka & Santa Fe Railway Company; southwesterly along said right of way to Washington Avenue; southerly along Washington Avenue, through and including the unincorporated community of Winchester to Benton Road; westerly along Benton Road to the County road intersecting U.S. Highway No. 395, 2.1 miles north of the unincorporated community of Temecula; southerly along said county road to U.S. Highway No. 395; southeasterly along U.S. Highway No. 395 to the Riverside County-San Diego County boundary lines; westerly along said boundary line to the Orange County-San Diego County boundary lines; southerly along said boundary line to the Pacific Ocean; northwesterly along the shoreline of the Pacific Ocean to point of beginning.

NOTE B.—San Diego Territory includes that area embraced by the following imaginary line starting at the northerly junction of U.S. Highways 101-E and 101-W (four miles north of La Jolla); thence easterly to Miramar on State Highway No. 395; thence southeasterly to Lakeside on the El Cajon-Ramona Highway; thence southerly to Bostonia on U.S. Highway No. 80; thence southeasterly to Jamul on State Highway No. 94; thence due south to the International Boundary Line; west to the Pacific Ocean and north along the coast to point of beginning.

Intrastate, interstate, and foreign commerce authority sought.

HEARING: Date, time, and place not yet fixed. Requests for procedural information should be addressed to the Public Utilities Commission, State of California, State Building, Civic Center, 455 Golden Gate Avenue, San Francisco, Calif. 94102 and should *not* be directed to the Interstate Commerce Commission.

New York Docket No. T 1139, filed November 26, 1975. Applicant: J. M. McMAHON TRUCKING, INC., Foot of Ironton Street, North Tonawanda, N.Y. 14120. Applicant's representative: Michael Bellewech, Jr., 20 Cathedral Park, Buffalo, N.Y. 14202. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of *Acids and chemicals* by tank motor vehicle, from the city of North Tonawanda to the Cities of Buffalo, Lackawanna, and Niagara Falls, N.Y. Applicant presently has authority for the reverse direction. Intrastate, interstate, and foreign commerce authority sought.

HEARING: Date, time, and place not yet fixed. Requests for procedural information should be addressed to the New York State Department of Transportation, 1220 Washington Avenue, State Campus, Albany, N.Y. 12226, and should *not* be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-343 Filed 1-6-76;8:45 am]

[Notice No. 1]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JANUARY 2, 1976.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969 (49 C.F.R. 1042.4(c)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 C.F.R. 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 C.F.R. 1042.4(c)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC-1936 (Deviation No. 18), B & P MOTOR EXPRESS, INC., 720 Groff St., Pittsburgh, Pa. 15224, filed December 5, 1975. Carrier's representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Irwin, Pa., over Interstate Highway 76 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction U.S. Highway 224, thence over U.S. Highway 224 to junction U.S. Highway 30, thence over U.S. Highway 30 to Fort Wayne, Ind., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Irwin, Pa., over U.S. Highway 30 to Pittsburgh, Pa., thence over Pennsylvania Highway 51 to the Pennsylvania-Ohio State line, thence over Ohio Highway 14 to junction Ohio Highway 14A, thence over Ohio Highway 14A to Deerfield, Ohio, thence over Ohio Highway 14 to Cleveland, Ohio, thence over Ohio Highway 254 to junction Ohio Highway 57, thence over Ohio Highway 57 to Elyria, Ohio, thence over Ohio Highway 113 to Milan, Ohio, thence over U.S. Highway 250 to Sandusky, Ohio, thence over U.S. Highway 6 to junction Ohio Highway 34, thence over Ohio Highway 34 to Edon, Ohio, thence over Ohio Highway 49 to junction U.S. Highway 20, thence over U.S. Highway 20 to South Bend, Ind., thence over U.S. Highway 33 to Ft. Wayne, Ind., and return over the same route.

No. MC-43421 (Deviation No. 35), DOHRN TRANSFER COMPANY, 4016 9th Street, P.O. Box 1237, Rock Island, Ill. 61201, filed December 22, 1975. Carrier's representative: Edward G. Bazelon, 39 S. La Salle St., Chicago, Ill. 60603. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Peru, Ill., over U.S. Highway 51 to junction Interstate Highway 55 near Bloomington, Ill., thence over Interstate Highway 55 to St. Louis, Mo., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Peru, Ill., over U.S. Highway 6 to junction Illinois Highway 88, thence over Illinois Highway 88 to junction U.S. Highway 24, thence over U.S. Highway 24 to junction Illinois Highway 78, thence over Illinois Highway 78 to junction U.S. Highway 67, thence over U.S. Highway 67 to junction Illinois Highway 267, thence over Illinois Highway 267 (formerly Alternate U.S. Highway 67) to junction U.S. Highway 67, thence over U.S. Highway 67 to St. Louis Mo., and return over the same route.

No. MC-59583 (Deviation No. 53), THE MASON AND DIXON LINES, INC. P.O. Box 969, Kingsport, Tenn. 37662, filed December 22, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Cleveland, Ohio, over Interstate Highway 90 to Westfield, N.Y., thence over New York Highway 17 to Elmira, N.Y., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Cleveland, Ohio, over U.S. Highway 422 to Ebensburg, Pa., thence over U.S. Highway 22 to Amity Hall, Pa., thence over U.S. Highway 11 to Binghamton, N.Y., thence over New York Highway 17 to Elmira, N.Y., and return over the same route.

No. MC-111383 (Deviation No. 40), BRASWELL MOTOR FREIGHT LINES, INC., P.O. Box 4447, Dallas, Tex. 75208, filed December 17, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Oklahoma City, Okla., over Interstate Highway 40 to Flagstaff, Ariz., thence over Interstate Highway 17 to Phoenix, Ariz., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Oklahoma City, Okla., over U.S. Highway 77 to Dallas, Tex., thence over U.S. Highway 80 to Phoenix, Ariz., and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-344 Filed 1-6-76;8:45 am]

[Notice No. 1]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JANUARY 2, 1976.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application) to op-

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erate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules—Motor Carriers of Passengers, 1969 (49 C.F.R. 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 C.F.R. 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 C.F.R. 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PASSENGERS

No. MC-1515 (Deviation No. 701) (Cancels Deviation No. 694), GREYHOUND LINES, INC., Greyhound Tower, Phoenix, Ariz. 85077, filed December 5, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over deviation routes as follows: From junction Interstate Highway 77 and Ohio Highway 21 south of Cleveland, Ohio, over Interstate Highway 77 to Charleston, W. Va., with the following access routes: (1) From junction Interstate Highway 77 and Ohio Highway 82 over Ohio Highway 82 to junction Ohio Highway 21, (2) From junction Interstate Highway 77 and Ohio Highway 176 over Ohio Highway 176 to junction Cleveland-Massillon Road, (3) From junction Interstate Highway 77 and Ohio Highway 176 over Ohio Highway 176 to junction Ohio Highway 18, (4) From Akron, Ohio, over city streets to junction Interstate Highway 77, (5) From Canton, Ohio, over city streets to junction Interstate Highway 77, (6) From Strasburg, Ohio, over Ohio Highway 21 to junction Interstate Highway 77, (7) From Dover, Ohio, over Ohio Highway 39 to junction Interstate Highway 77, (8) From New Philadelphia, Ohio, over unnumbered highway to junction Interstate Highway 77, (9) From Newcomerstown, Ohio, over U.S. Highway 36 to junction Interstate Highway 77.

(10) From Newcomerstown, Ohio, over unnumbered highway to junction Interstate Highway 77, (11) From junction Ohio Highway 541 and unnumbered highway over Ohio Highway 541 to junction Interstate Highway 77, (12) From Cambridge, Ohio, over U.S. Highway 22 to junction Interstate Highway 77, (13) From junction Interstate Highway 70 and unnumbered highway (formerly U.S. Highway 21) south of Cambridge, Ohio, over Interstate Highway 70 to junction Interstate Highway 77, (14) From junction Ohio Highway 313 and Ohio Highway 821 over Ohio Highway 313 to junction Interstate Highway 77, (15) From junction Ohio Highway 821 and Interstate Highway 77, north of Caldwell, Ohio, over Ohio Highway 821 to Caldwell, Ohio, (16) From junction Ohio Highway 78 and Ohio Highway 821 south of Caldwell, Ohio, over Ohio Highway 78 to junction Interstate Highway 77, (17) From Macksburg, Ohio, over Washington County Road 301 to junction Interstate Highway 77, (18) From Marietta, Ohio, over U.S. Highway Alternate 50 to junction Interstate Highway 77, (19) From Parkersburg, W. Va., over U.S. Highway 50 to junction Interstate Highway 77, (20) From Ripley, W. Va., over U.S. Highway 33 to junction Interstate Highway 77, and (21) From junction Interstate Highway 77 and U.S. Highway 21 near Pocatalico, W. Va., over Interstate Highway 77 to Charleston, W. Va., and return over the same routes for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Cleveland, Ohio, over Interstate Highway 77 to junction Ohio Highway 21, thence over Ohio Highway 21 to junction Cleveland-Massillon Road, thence over Cleveland-Massillon Road to junction Ohio Highway 176, thence over Ohio Highway 176 to junction Ohio Highway 18, thence over Ohio Highway 18 to Akron, Ohio, thence over Ohio Highway 585 to junction Ohio Highway 21, thence over Ohio Highway 21 to junction unnumbered highway, thence over unnumbered highway via Parral, Dover, New Philadelphia, and Newcomerstown, Ohio, to junction Interstate Highway 77, south of Kimbolton, Ohio, thence over Interstate Highway 77 to junction U.S. Highway 22, thence over U.S. Highway 22 to Cambridge, Ohio, thence over Ohio Highway 209 to junction Ohio Highway 821, thence over Ohio Highway 821 to Marietta, Ohio, thence over Ohio Highway 7 to Belpre, Ohio, thence across the Ohio River to Parkersburg, W. Va., thence over U.S. Highway 21 to Kenna, W. Va., thence over unnumbered highway to junction Interstate Highway 77, thence over Interstate Highway 77 to junction U.S. Highway 21, thence over U.S. Highway 21 to Charleston, W. Va., and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-345 Filed 1-6-76;8:45 am]

[Notice No. 944]

ASSIGNMENT OF HEARINGS

DECEMBER 31, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 61592 Sub 354, Jenkins Truck Lines, Inc., now assigned January 12, 1976, Seattle, Washington, will be held at King County Courthouse, EOC-Class Room, 3rd Avenue and Jameson St.

MC 115904 Sub 37 and Sub 40, Louis Grover Reentitled Grover Trucking Co., A Corporation, now assigned January 14, 1976, at Seattle, Washington, will be held at King County Courthouse, EOC-Class Room, 3rd Avenue and Jameson Street.

MC 139527 Sub-2, M.E.M. Enterprises, Inc., now assigned January 19, 1976, at Seattle, Washington, will be held in Room 514, Federal Building, 915 2nd Avenue.

MC 124606 Sub 4, Ford Truck Line, Inc., now assigned January 26, 1976, Little Rock, Arkansas, will be held at the Justice Building, State Capitol.

MC-F-12456, Skyline Transport, Inc.—Lease (Portion)—O'Boyle Tank Lines, Inc., now assigned February 2, 1976, at Washington, D.C., is postponed to March 2, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 108461 Sub 124, Whitfield Transportation, Inc., now being assigned January 26, 1976, for continued hearing at El Paso, Texas, at the Airport Holiday Inn, Airport Road and Gateway West.

MC 133614 Sub 5, Pappas Trucking, Inc., now being assigned February 24, 1976 (1 day), at Denver, Colo.; in a hearing room to be later designated.

MC 140707 Sub 1, High Plains Trucking, Inc., now being assigned February 25, 1976 (3 days), at Denver, Colo.; in a hearing room to be later designated.

MC 133614 Sub 4, Pappas Trucking, Inc., now being assigned March 1, 1976 (3 days), at Denver, Colo.; in a hearing room to be later designated.

MC 129631 Sub 44, Pack Transport, Inc., now being assigned March 3, 1976 (3 days), at Denver, Colo.; in a hearing room to be later designated.

MC 100666 Sub 294, Melton Truck Lines, Inc., now being assigned for continued hearing on March 8, 1976 (1 week), at Albuquerque, New Mexico; in a hearing room to be later designated.

AB 7 Sub 12, Chicago, Milwaukee, St. Paul, and Pacific Railroad Company Abandonment between Hopkinton and Jackson Junction in Delaware, Clayton, Fayette, and Winnshiek Counties, Iowa, now assigned February 3, 1976, at Chicago, Ill., is postponed indefinitely.

MC 77972 Sub 28, Merchant Truck Line, Inc., now being assigned February 23, 1976 (2 weeks), at Jackson, Mississippi; a hearing room to be later designated.

MC 141106, C. E. Riemer, DBA Riemer's Marina, now being assigned February 4, 1976 (2 days), at Chicago, Illinois, in a hearing room to be later designated.

MC 126276 Sub 133, Fast Motor Service, Inc., now being assigned February 4, 1976 (1 day, at Chicago, Illinois, in a hearing room to be later designated.

MC 141062, Door-To-Door Limousine, Inc., now assigned January 1976, at Hartford, Conn., is postponed indefinitely.

MC 133916 Sub 3, O'Nan Transportation Company, now assigned February 2, 1976, at Frankfort, Ky., is postponed indefinitely.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-346 Filed 1-6-76;8:45 am]

federal register

WEDNESDAY, JANUARY 7, 1976



PART II:

FEDERAL COMMUNICATIONS COMMISSION

Ascertainment of Community Problems by Broadcast Applicants

Primer

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Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[FCC 75-1361; Docket No. 19715]

PART 1—PRACTICE AND PROCEDURE

First Report and Order

In the matter of ascertainment of community problems by broadcast applicants.

1. The Commission has before it a *Further Notice of Inquiry and Proposed Rulemaking*, 53 FCC 2d 3 (1975), in the above-captioned proceeding, and 51 comments in response thereto.

2. This proceeding was initiated by a *Notice of Inquiry*, 40 FCC 2d 379 (1973), to develop standards for the ascertainment of community problems and needs by commercial broadcast license applicants.[1] Renewal applicants are presently required to follow the guidelines set forth in the *Primer on Ascertainment of Community Problems by Broadcast Applicants*, 27 FCC 2d 650, 36 F.R. 4092 (1971), which was intended to apply to them until separate procedures were developed. Based upon comments received in response to the initial *Notice of Inquiry*, *supra*, the Commission made specific proposals regarding ascertainment by license renewal applicants, which were set forth in the *Further Notice*, released on May 15, 1975 (40 FR 22091).

SUMMARY OF ACTION TAKEN

3. We have considered the roles and functions of the radio and television media in discharging their statutory responsibilities for service in the public interest and how the execution of those responsibilities might be affected by variations in station and market size, station formats and numbers of outlets in a given market. We have determined that television and radio differ in substantial and meaningful ways, but that these differences do not call for different standards of community ascertainment. On the other hand, such distinctions as station size and format may reasonably affect the way in which common ascertainment standards are met, as well as the manner in which programming responsive to ascertained problems is designed and carried out.

4. We are eliminating the requirement that an applicant compile a compositional survey. In its place the licensee must maintain, in its public file, a listing of certain demographic aspects of its city of license, including total population figures, numbers and proportions of males, females, minorities, youth and the elderly. Also, we have compiled a list of structural and institutional elements common to most communities and are requiring licensees to interview leaders in each of these elements. No *minimum* number of interviews has been established—the key remaining the representativeness of the leaders interviewed—but we have established a reasonable number of interviews which, if performed, would preclude any challenge to the gross quantitative sufficiency of the licensee's leader survey. Up to 50 percent of these interviews may be conducted by non-management level employees under proper supervision. We seek to emphasize that the other half or more of such interviews conducted by management should be allocated in such a way as to bring the officials and principals of a station into contact with a variety of leaders—particularly those who speak for the interests of racial and ethnic minorities and women.[1a] We are retaining face-to-face interviewing as a staple of leader consultations, but are liberalizing the format of these interviews to allow licensees to include less formal contacts with leaders in their leadership surveys.

5. We expect that the ascertainment process will be continuous throughout the license term, but are requiring the licensee to submit its community leader checklist only with its renewal application. Summaries of these interviews are to be placed in the public file. From these interviews and whatever other input the licensee receives, the licensee must present programming to meet some community problems. We are extending to all licensees the current requirement that television licensees annually list no more than 10 problems they have discovered and the programs broadcast to meet these problems. These annual lists will be kept in the public file and submitted to the Commission with the licensee's renewal application. Further, we are retaining the requirement that licensees conduct general public surveys of their community. These surveys may be conducted at any time during the license term and are to be placed in the licensee's public file together with a narrative statement of the sources consulted and the methods followed in conducting the survey.

6. We will adopt our proposed small market exemption which excludes all stations located in communities with populations of 10,000 or fewer persons, but not within a Standard Metropolitan Statistical Area, from certain ascertainment requirements. Licensees of these stations, however, are still required to remain conversant with community problems. The exemption merely allows the licensee to choose the method by which he will become aware of these problems. Further, licensees in these small markets are required to prepare annual problems-programs lists and to submit them to the Commission with their renewal application. (Para. 5, *supra*)

7. In the discussion which follows, we will set out each specific proposal from the *Further Notice*, an analysis of the comments thereupon, and our conclusions. Included as Appendix A are certain changes in § 1.526 of the Rules, while Appendix B is the new *Primer on Ascertainment of Community Problems by Commercial Broadcast Renewal Applicants*.[2]

THE ROLES OF RADIO AND TELEVISION

8. In the *Further Notice*, we acknowledged the differing roles of radio and television in serving the public. We stated our belief, however, that the differences in the two media did not provide a basis for departing from the basically similar ascertainment *standards* applied to both kinds of commercial broadcast facilities. 53 FCC 2d at 6.[3] Comments were made by a number of parties insisting that there are differences between radio and television translatable into differing ascertainment requirements for each medium. These are stated mainly in terms of economic and manpower resources available (Brandon-Robinson Radio Corporation and RKO-General, Inc.), as well as greater variety in formats available in radio (American Broadcasting Companies, Inc.). The differences are said to be such that the ascertainment requirements should be lessened for radio licensees.

9. Specifically, Storer Broadcasting Company suggests that the general public survey be eliminated entirely, and that radio licensees be required to conduct only one community leader survey during the entire license period, and file only one set of documents (the leader survey form and the problems-programs list). Midwest Radio-Television, Inc. suggests that the annual lists of problems and programs be dispensed with entirely for radio. ABC submits that if the Commission is unable to outline different procedures for radio, then there should be "* * * different levels of application unique to radio * * *" of the proposed procedures. Specifically, the numbers of leaders to be contacted should be significantly reduced for radio licensees, and only one triennial list of problems and programs ought to be filed.

10. The comments are more detailed, but nevertheless essentially repetitive of the materials before us when the *Further Notice* was issued. We thus have decided to leave unaltered our decision to treat radio and television in the same manner in their ascertainment requirements for the reasons set forth in the *Further Notice*, 53 FCC 2d at 6. We believe, however, that the effect of the procedures adopted here—some of them modified beyond the extent proposed in *Further Notice*—frequently will be beneficial to those

[1] Ascertainment guidelines and reporting methods for non-commercial educational licensees have been set out for comment in *Ascertainment of Community Problems by Noncommercial Educational Broadcast Applicants*, 54 FCC 2d 766 (1975).

[1a] See Q. and A.'s 4 and 13(a), 1971 *Primer*, *supra*.

[2] This proceeding is being kept open because there are some additional alterations to the *Primer* which we believe worthy of consideration with respect to applicants other than renewal candidates. These changes will be set out for comment later.

[3] Apart from these standards, however, we stated that "a station with few employees, for instance, cannot be expected to conduct a community survey as extensive as its larger television counterpart (footnote omitted). Similarly, how a licensee of a radio station decides to respond to the many conflicting and competing problems and needs of the public within its service area may differ substantially from the manner in which its television counterpart serves the public." 53 FCC 2d at 6.

smaller-staff, smaller-market licensees with lesser financial and personnel resources to draw upon for ascertainment. This is particularly true of the "small-market" exemption (Paras. 47-55, *infra*.), which covers roughly 25% of all commercial radio and TV stations presently licensed (only a handful of these being TV stations, however).

ASCERTAINMENT GUIDELINES FOR RENEWAL APPLICANTS: CONTINUOUS ASCERTAINMENT

11. We have stated our opinion that renewal applicants ought to ascertain throughout their license terms. 53 FCC 2d at 9. Continuous ascertainment is not new in concept but dates at least from the *Report and Statement of Policy Re: Commission en banc Programming Inquiries*, 25 Fed. Reg. 7291, 20RR 190, (1960) (hereinafter *Programming Policy Statement*). The novelty of the proposal in the *Further Notice* had to do with the continuity or periodicity of the reporting of ascertainment efforts, in contrast to the *Primer's* requirement that surveying be accomplished within six months of the filing of the renewal application. Requiring a licensee to record its ascertainment continuously or periodically throughout the license term received both support and opposition in the current round of comments. The National Organization for Women pointed out that one benefit of continuous ascertainment would be the spreading of the licensee's interest and involvement in the community through the entire term. CBS, Inc. says that it is more realistic to conduct an ascertainment continuously, and that the burdens imposed upon both the licensee and its interviewees will be alleviated through this stretching out, rather than being so tightly concentrated as is presently the case. McClatchy Newspapers states that it has followed the continuous ascertainment principle (as well as many of the other proposals in the *Further Notice*) for some time, and has found the approach to be valuable in establishing guidelines for programming. Heart O'Wisconsin Broadcasters, Inc. supports the concept because the listing of past programming with needs already discovered is more meaningful than attempting to propose programming for problems and needs which may exist at the time discerned, but not by the time the programming responses are made. Finally, the National Black Media Coalition supports the principle, but does not believe that the remainder of the proposals in the *Further Notice* are designed adequately to assure its effectiveness.

12. Opponents of continuous ascertainment, including several multiple station owners—e.g., Wendell Mayes, Jr. and John Quinlan Hearne—believe that continuous ascertainment will result in additional burdens upon licensees and upon the renewal process of the Commission, with no resulting increase in available information. They say that licensees are in such a position in the community that they hear about, or are aware of, all community problems and needs. Mr. Mayes believes further that the proposal will result not in continuous ascertainment, but in disjointed, periodic ascertainments. Similarly, Capitol Broadcasting Company, Inc. states that a licensee will never be able to get a single comprehensive picture of community problems and needs, but only fragmented glimpses. Finally, the Office of Communication of the United Church of Christ (UCC) argues that ascertainment is intended to be a prospective device for discovering community problems and needs with a view toward what programs will be proposed to serve those problems and needs.

13. The Commission is of the view that the principle of ascertainment throughout the license term is sound, and that the recording and reporting of those community survey efforts should complement the principle. At the same time, we have no desire to create three entire ascertainments—i.e., one for each of the yearly reports proposed in the *Further Notice*. Our aim, instead, was to enable the licensee to report the same single, continuous effort in three annual segments instead of one voluminous exposition near the end of the license term. We find persuasive, however, the argument that, under annual reporting as proposed in the *Further Notice*, *expectations* of what is required yearly—e.g., numbers of community leader interviews—will tend to rise until they approximate the levels of the current three-year effort. We are provided no comments, and we perceive no public interest reasons, why ascertainment reporting should triple in size and effort. Accordingly, we are adjusting our proposals to head off any such proliferation of community surveying and attendant paper work.

14. We shall expect a distribution of ascertainment effort throughout the license term (the exception being the general public survey, which may be done at a single discrete time during the license period). As is set forth in paragraph 19, *infra*, the licensee will be expected to achieve a representative survey of community leaders from the elements appearing on the community leader checklist (paragraph 16, and Appendix D) over the entire license period, rather than apportioning the contacts into particular time frames, such as the annual period of the *Further Notice*. Thus the change we make goes to periodicity, not continuity. We expect the licensee's ascertainment to be continuous, and believe that both timely performance and sustained evaluation of the leader surveying will be enhanced through the required deposit in the public file of information—such as that contained on the Community Leader Contact Form (Appendix E)—within a reasonable time after the contact has been completed. (See discussion at Paras. 38-39, *infra*.)

15. UCC is correct that *Primer* ascertainment has looked from presently discerned problems and needs toward future programming to treat some of those problems. This is so because the *Primer* was designed to apply to new applicants for broadcast facilities and proposals for prospective progamming to meet current problems were, *inter alia*, considered in determining whether a grant of license was in the public interest. The *Primer* was not designed to apply to renewal applicants who have operated stations in their communities and, thus, already have ascertained community needs and problems and are programming to them throughout their license terms. Nonetheless, this prospective element is retained under our proposals for continuous ascertainment, since earlier interviews provide problems-needs responses that may be the basis for later programming. In fact, ascertainment remains up-to-date if done in this fashion throughout the license term. However, ascertainment is chiefly a means to the end of better programming service to a community, not an end in itself. *Programming Policy Statement*, *supra*. The retrospective nature of the suggested problems-programs list for radio stations—like its predecessor for television stations, which has been requested of licensees since January 16, 1974—is one means of evaluating periodically the effectiveness of an ascertainment's programming results. This yearly look backward at problems and illustrative programming which treated them is, we believe, particularly appropriate for renewal applicants, who must "run on their records." *Office of Communication of the United Church of Christ v. F.C.C.*, 359 F. 2d 994 (D.C. Cir. 1966) at 1007. In sum, we do not think that the introduction of a retrospective element into an ascertainment scheme which is also prospective will detract from the purposes and effect of either community ascertainment or of the programming which is ascertainment's chief goal. Indeed, this method—which requires the licensee to prepare annually a list of problems and programs designed to meet those problems—will give rise to timely responses to current community problems.

COMMUNITY LEADER CHECKLIST

16. In an effort to simplify the compositional study required by the 1971 *Primer*, and to lend greater certainty to the survey coverage of a community of license, we proposed to substitute a "Community Leader Checklist" of "common socioeconomic elements" we believed would be found in most communities but which, in any event, could be added to or subtracted from to match the peculiarities of any broadcaster's own service area. 53 FCC 2d at 12. The Community Leader Checklist received generally favorable comments. CBS argues however, that the Checklist has the disadvantage of freezing the licensee's perceptions of the community. UNDA-USA says that the Checklist unduly narrows the scope of leader consultations from their present level. Other problems cited are the lack of a category, "Others", in which a licensee could enumerate contacts with leaders of elements peculiar to the community he serves but not found on the Checklist, and the possibility of confusion resulting from the overlap of some of the elements

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on the list. RKO-General notes the same difficulty, and says that the Commission should make clear that the licensee's discretion will control the inclusion of a particular leader in a given category. NOW states that there should be included a requirement that the licensee include the total number of women as well as minority persons interviewed in each category of the Checklist. Storer opposes some of the categorization, saying that "public health" and "safety and welfare" should be separated.

17. Additionally, ABC supports specification of key elements within the community as an effective guide for ascertainment. ABC opposes, however, the concept and need for a Checklist, claiming this will merely increase the paperwork burden on licensees. ABC suggests a simple "yes-no" question in the renewal application to reflect the licensee's confirmation of contacts with leaders in each element, or the inclusion of the list of elements in the renewal application itself. John Quinlan Hearne also says that the checklist can be improved by recombination and reordering of the categories. NBMC supports the principle, but points out that the listing of elements should be done alphabetically. The Commission should also clearly state its expectations that minority persons are to be contacted in all categories, as well as the one labeled "minority and ethnic groups". NBMC also says that there should be a separate column in the form to indicate the number of minority persons in each category. NBC, on the other hand, submits that the Commission should make clear that licensees are *not* required to interview one minority person in each category, either annually or over the three-year license period. Finally, the Gay Coalition Task Force on the Media requests inclusion of the homosexual community in the list of common elements.

18. After consideration of all comments, we shall adhere to our decision to employ a Community Leader Checklist (Appendix D) as a means of assuring licensee contacts with a representative cross-section of community leaders, while at the same time relieving them of the burdens and uncertainties involved in the *Primer's* compositional study.[1] The Checklist is—with a few modifications adopted from the comments—thorough enough for most communities and yet not overly detailed. The checklist provides a general framework to the licensee, who must complete the details by contacting leaders within categories found in the community served. A licensee is permitted to show that one or more of these categories is not present in its community.

19. Among the commenters' suggestions we shall adopt are: (a) alphabetical listing of the elements; and (b) inclusion of a separate reporting category for women (the numbers of leaders contacted in all elements who are women) matching that for minorities. We have also included a category, "Other." This latter addition is intended to make allowances for certain elements not on the Checklist but peculiar to a given community, which the licensee could, at its own option, contact because of the size and/or influence of these elements. We do not wish the flexibility introduced by the "Other" category, however, to destroy the essential uniformity and common applicability of the Checklist by leading to disputes over whether a licensee should have perceived as significant in its community some element not otherwise covered on the Checklist. We intend, therefore, that if a licensee conducts interviews in all Checklist categories that apply in its community, its coverage of all significant elements will not be open to question. Whether the interviews performed in each element actually establish representativeness would depend not only on coverage, but on such above-mentioned factors as size and/or influence of these elements in the community. See discussion of numbers at para. 25, *infra*).

20. It is evident from the comments that clarification is necessary upon some additional matters. First is whether licensees are required to include women and members of minority groups in their contacts within each element of the community contained in the Community Leader Checklist. Licensees should be aware, from five years of practice under the 1971 *Primer*, that community leader surveys are to be representative of the significant elements in a community. *Primer*, Questions and Answers 13(a) and 16. If women as women, or women's groups as such, are significant, they should be represented in the survey; and the same is true for minority individuals and groups. But representativeness does not mean mathematically precise mirroring of the proportions of women and minorities in the community's population. What is true for the overall community leader survey is even more pertinent in considering the several topical elements of the Checklist. That is, it seems quite possible for a leader survey adequately to represent leadership by females and minority persons in an entire community without necessarily interviewing a woman or a minority individual in every Checklist element. Females and minorities may predominate in certain areas of community leadership, but they may be absent from others.

21. A further matter of possible confusion is the placement of leaders in particular categories. It is possible that one community leader could speak for more than one element from the Checklist. If so, should such a person be counted in more than one element? We believe that where the leader, in discussing community problems and needs, may fairly be said to have spoken for more than one element, that person may be included in all relevant categories. We will rely upon the licensee's discretion in this matter. Conceivably, that discretion might be abused if a single person were made to stand for too much of a community's opinion of problems and needs. But we will not draw that line in the abstract.

NUMBER OF LEADERS TO BE CONTACTED

22. We proposed in the *Further Notice* that the licensee's certification, in its renewal application, for consultation with "one or more" community leaders in each of the Checklist categories annually would "create a presumption of the adequacy of this part of the community leader ascertainment, rebuttable only by a clear and convincing showing to the contrary." 53 FCC 2d at 13. Our intent was to set some minimal standard of continuity, or at least periodicity (i.e., annual), and we attempted to make clear that tripling this yearly number of contacts over the triennial term was neither a requirement nor a guarantee—neither floor nor ceiling—of representativeness for the community leader survey. *Ibid.* at 14. A number of commenting parties (RKO-General, CBS, Dempsey & Koplovitz) requested clarification as to the number of community leader interviews giving rise to the presumption of adequacy for that portion of the ascertainment. Confusion is said to result from our reference to both quantitative (one leader per element per year) and qualitative ("representativeness") standards, and to two different time periods—one year and three years. RKO-General says that one leader contacted in each category annually should be sufficient. On the other hand, if a "representativeness" test is to be applied, and no number specified, then the criteria for that test, as well as some irreducible minimum number of total contacts, should be stated.

23. NBMC states the contrary proposition, that one leader in each category should not be sufficient to create a presumption, because no single element in a community is so homogeneous that a single leader can speak for the entire group. NBMC also argues that, should a minimum number be established, there should be a higher number for large VHF television stations than for other broadcast facilities. CBS submits that, if a test of representativeness is to be used, licensees be able to meet such a requirement over the entire three-year license term, rather than annually. Midwest Radio-Television argues that the entire idea of a presumption of adequacy based upon minimum numbers reduces to a "ritual dance" what is otherwise a meaningful experience for licensees. Midwest observes that one contact of a leader in agriculture could be virtually meaningless in a large metropolitan area, and a single contact insufficient in a farm community. NOW says that the presumption of adequacy is an improper abandonment of the principle in the *Programming Policy Statement, supra*, that the chief ingredient of the licensee's service in the public interest is the ascertainment and meeting of community problems and needs. NOW also notes that there is no way of determining the relative importance of each element in the community, other than leaving this matter to the licensee's discretion, which NOW disapproves.

[1] We note that currently all licensees will have performed a compositional study at some point either as purchasers or applicants for new facilities.

24. NAB argues that the Commission has said it is not getting into a "numbers game" when, in fact, it is. NAB also believes that the Commission is not actually relaxing any requirements or burdens upon licensees. ABC faults our failure to establish a minimum number of leaders to be contacted as being a numbers game without rules, subjecting a licensee to second-guessing by public interest groups and ultimately by the Commission. It is said that minimum numbers are necessary as a guideline, and that such guidelines could be correlated to the size of the SMSA, or the population of the community of license (where not located within an SMSA).

25. The comments received have caused us to reconsider as well-intentioned but unwise our efforts to place a floor under numbers of community leaders to be consulted. We sought to introduce a measure of predictability concerning ascertainment's quantitative aspects—a certain stability of expectation which would benefit both broadcasters and their citizen-evaluators. The magnitude and diversity of critical comment this inspired leads us to doubt the benefit in any change from the *Primer's* focus on a community leader ascertainment representative of all "significant elements" in the community—without reference to any "set number or formula." *Primer*, Question and Answer 14. We are inclined to agree, upon reflection, with the comment of Midwest Radio-Television that any effort to establish a presumptively adequate minimum number of leader consultations in each element—this number being the same for all communities, despite the varying importance of given elements in different cities—tends to place ritual ahead of representativeness.

26. We shall add a modicum of certainty to the leader ascertainment, however, by stating explicitly what we consider to be reasonable numbers of consultations which licensees in communities of varying sizes are expected to undertake during the license term. A licensee may conduct fewer interviews than set out in the table below, but a licensee who performs that number of interviews will be free of any question as to the gross quantitative sufficiency of its community leader survey. The relative coverage given to the several significant elements found on the Community Leader Checklist—i.e., whether representativeness has been achieved—would still be open to inquiry or challenge.

27. The following table of numbers of leader interviews takes into account several comments responsive to the *Notice* and *Further Notice*, as well as our own experience under the 1971 *Primer:*

Population of city of license:	*Number of consultations*
10,001 to 25,000	60
25,001 to 50,000	100
50,001 to 200,000	140
200,001 to 500,000	180
Over 500,000	220

LEVEL OF CONSULTATIONS

28. The *Further Notice* proposed to modify the requirement of the 1971 *Primer* that all community leader interviews be conducted by principals or management personnel of a broadcast station. We suggested that up to 50 per cent of such interviews ought to be permitted by non-managers or non-principals, if the licensee chose, so long as, during the three-year license term, principals or managers conducted at least one interview in each element of the Checklist. We further provided for supervision by principals or managers of leader surveying done by non-management station personnel. 53 FCC 2d 16. There was general agreement among the commenting parties for allowing 50% of the consultations with community leaders to be conducted by non-managerial employees of the licensee, so long as they are operating under the control of, and reporting results to, management personnel. For example, CBS states that this approach is more realistic, and will permit an increased scope of contacts. ABC, while supporting the relaxation, argues that the conditions imposed, particularly our admonition that one or more contacts within each element should be by a principal or manager, are unnecessarily restrictive, and minimize the benefits gained. In addition, ABC says that there should be no limitation upon the types of employees permitted to conduct ascertainment interviews, a point echoed by Haley, Bader and Potts, who express the hope that such persons as chief engineers, traffic directors and office managers would also qualify. RKO-General says that the limitation to 50% of the interviews by non-management employees is arbitrary so long as the control requirements are adhered to.

29. NOW, on the other hand, opposes interviews by non-management employees (as does NBMC), pointing out that such persons are not in decision-making positions, and rarely are able to influence major programming decisions. NOW urges that the burden upon licensees, if any, is a cost of doing business which must be accepted. Finally, NOW urges that, should the Commission decide to permit other employees to be involved, at the very least they should be employees in the upper levels, and not, for example, secretaries or maintenance workers.

30. Nothing in the comments on this point causes us to change our previous determination that non-managerial personnel ought to be permitted a degree of involvement in the ascertainment of community leaders, if the licensee chooses. Such participation constitutes an option, not a requirement. We reiterate the importance of leader contacts by principals and managers, and have decided to adopt the recommendations of the *Further Notice* that these decision-makers should account for at least 50 per cent of total leader interviews. We shall also adhere to the idea of managerial supervision for non-management interviewing. We have decided to withdraw, however, from the *Further Notice's* suggestion that there be at least one management interview in every applicable element of the Checklist. Instead, we wish to recognize that contact by a station's principals and officials may be more important for some elements than for others. We reaffirm, in this connection, the 1971 *Primer's* emphasis on contacts with leaders who represent the interests of racial and ethnic minorities and, by extension, of women. 27 FCC 2d at Q. & A. 4 and 13(a).

FORMAT OF LEADER CONSULTATIONS

31. Of several means for executing community leader interviewing, the *Further Notice* recommended that "face-to-face" should remain the "staple," but suggested that such sessions need not be pre-arranged or otherwise steeped in formality. Other methods mentioned included joint surveys by several broadcasters serving the same community, as well as telephone interviewing and even "on-air" discussions of problems and needs with leaders guesting on programs. 53 FCC 2d at 17.

32. Comment was generally favorable, to the effect that these relaxations from the *Primer* would result in more extensive and meaningful efforts on the part of the licensee, and ultimately in better programming for the public. (CBS, WKJB AM-FM, Inc. and ABC) The Greater Portland Radio Broadcasters Association noted that it has conducted joint leader surveys in the past (as well as individual surveys by member stations) and that this has worked to the benefit of both broadcasters and leaders. RKO-General made the additional request that jointly owned stations in the same market be allowed to conduct a single ascertainment for all stations so owned. McKenna, Wilkinson, Kittner (MWK) want us to make clear that other than "face-to-face" interviewing is not "inferior."

33. NAB, on the other hand, characterized the changes as slight, not truly a relaxation of the formalities of the *Primer*. NBMC believes that citizen advisory panels would be a better approach to community ascertainment. It argues that use of the telephone should not be allowed and that "town hall" and broadcast ascertainment methods should be used only to supplement face-to-face contacts, which it believes remain necessary. The Office of Communication, United Church of Christ (UCC), states that, while formality does not mean a "Victorian drawing room," it does mean something to impress the importance of the event on all parties concerned, which would be lost if any of the additional methods are allowed. Brandon-Robinson Broadcasting Corporation faults the proposed allowances as being still too rigid and formalistic, stating that a completely informal process would achieve the best results.

34. The comments generally supported our proposals for liberalizing the format of leader interviews, and we have found nothing in opposition which causes us to alter these aspects of ascertainment for renewal applicants. By retaining face-to-face interviewing as a "staple"

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of leader consultations, we intend no label of inferiority for other methods. We appreciate UCC's concern that only a relatively formal contact will impress the parties with the importance of their undertaking. However, as we stated in the *Further Notice*, informal encounters might be equally fruitful, or more so, on any given occasion. 53 FCC 2d at 17. There is nothing wrong with the NBMC suggestion for citizen panels in supplemental ascertainment. Indeed, some licensees already are using them. To rely wholly upon such bodies, however, might affect both the representativeness of the interviewees and the independence of their responses. *Southern California Broadcasting Association, Inc.*, 30 FCC 2d 705 (1971). In any event, we see no reason to require citizen panels.

GENERAL PUBLIC SURVEY

35. The 1971 *Primer* provided for licensee interviews with a "random sample" of members of the general public in the community served—in addition to consultations with community leaders. *Primer* Q. & A. 13(b). The *Further Notice* declined to recommend deleting or substantially modifying this requirement, as some commenters urged, "in the absence of a clear demonstration that public surveying is unwarranted." 53 FCC 2d at 21. In the latest round of comments, the public survey met with positive responses from some licensees (e.g. Metromedia and CBS), but negative reactions from others. Among the latter, Storer repeated earlier comments that the public survey should be eliminated as time-consuming, burdensome and unproductive. ABC suggests that the function of public surveying essentially is fulfilled, continuously, by the semi-monthly announcements of renewal filings and of general trusteeship obligations recently introduced in §§ 1.580 and 73.1202 of the rules. Metromedia would like it made clear that only one survey of the public need be done over the three-year license term, and Media Statistics—a commercial organization specializing in public sampling—believes that, as a check upon the possible introduction of unfavorable variables in interviews with the public should take place during a fixed time period as required under the *Primer*. The Greater Portland Radio Broadcasters' Association, noting that its members have conducted joint public surveys, and that this has lessened the burdens on licensees and achieved positive results, invites us to grant specific permission for such an approach. Midwest Radio-Television asks whether the Commission intends any distinction in the use of the terms "interview" and "consult" as applied to ascertainment surveys. Greater Media, Inc. suggests that the public survey should be permitted to consist of questions asked over the air, and responses to the station by telephone or mail. It argues that this approach would permit use of a readily available source of respondents—the station's listeners.

36. These comments, while diverse, present no clear weight of opinion for or against the general public survey, and tend to reinforce the tentative conclusion of the *Further Notice* that it ought to remain substantially unchanged from the practices developed under the 1971 *Primer*. We have discussed our reasons for believing that one-time surveying of the public may be more consonant with the idea of "randomness" than continuous public interviewing, 53 FCC 2d at 21, but we see no reason to bar more frequent or periodic surveying if rough randomness can be maintained. In response to ABC's point regarding the Section 1.580 and 73.1202 announcements, as well as Greater Media's suggestion, we stated in the report and order adopting on-air notices that they were not to be considered substitutes for ascertainment, *Formulation of Rules and Policies Relating to the Renewal of Broadcast Licenses*, 43 FCC 2d at 10 (1973). While responses of listeners may supplement ascertainment in making the broadcaster more aware of his community, we suspect that total reliance on such responses might not only introduce distortion or bias into the sampling but probably would produce more comments on program preferences than on the real matter of ascertainment—community problems and needs. *Primer*, Question and Answer 18. Answering Greater Portland's request for approval of joint public surveying, we see no reason why such methods could not comply with the 1971 *Primer*. Public interviewing may be done by a station's employees, or by an outside individual or organization having professional competence in the general field of polling, working under the licensee's supervision. We caution that if an association of broadcasters were to coordinate the surveying, it must somehow provide not only for the requisite technical expertise, but also for adequate supervision by each licensee taking part. A mere pooling of employees from each participating station to do the work of all—having among them no particular professional expertise—would not be sufficient, we believe. As we understand the *Primer*, a licensee may choose to survey the public by using either its own employees or an outside expert. But the employee-pooling arrangement described above would not insure every station a survey done by its own staff, nor would it guarantee professional competence. For the benefit of Midwest Radio-Television we have used the words "interview" and "consult" interchangeably so far as ascertainment is concerned—in the past and in this document.

DOCUMENTATION

37. *Community Leader Checklist.* Our decision, after review of all comments, not to require annual reporting of numbers of community leader interviews is discussed at Paras. 13–14, *supra*. In keeping with that decision, a single Checklist covering the three-year license term would be submitted with the license renewal application and simultaneously deposited in the public file. (See amendments to § 1.526, Appendix D) As previously noted, we make this change not out of any desire to retreat from the continuity of ascertainment espoused in the *Further Notice*, but to alleviate any concern or expectation on the part of broadcasters or citizens that three years' worth of ascertainment need be done by licensees every year. More important than quantities of leader interviews, we believe, are the timeliness and quality of the contacts, which should be enhanced by continuous interviewing, duly reported and filed in some fashion such as that suggested on the sample Community Leader Contact Form (Appendix E).

38. *Leader Contact Form.* In the *Further Notice*, we suggested a form for reporting community leader contacts which would provide more information to the licensee and the public, but which could serve its chief purpose simply through deposit in the station's public file and ordinarily would not have to be filed with the Commission. Radio licensees presently send with their renewal applications lists of leaders identified by name, organization and position of leadership.[5] We proposed adding to the description of the contact its date, time and place, and the problems and needs disclosed; the name of the interviewer, and the interviewer's supervisor, if any; and, finally, the date of review of the record of consultation by a principal or manager of the licensee. However, absent complaint or dispute involving the leader ascertainment, this information ordinarily would not be required by the Commission, and would not have to be submitted with a renewal application. 59 FCC 2d at 23. Many broadcast commenters expressed concern that linking leaders' names with the community problems and needs they identified would tend to inhibit their candor and reduce their willingness to participate in the ascertainment process. Westinghouse adds that the Commission expressed similar concern in its report and order adopting the 1971 *Primer*, and should have no reason to alter that view now. Storer thinks information about the leader-interviewee could be kept in the public file, and even suggests adding biographical data, but believes the problems and needs disclosed by that interviewee ought to be maintained separately and not be traceable to the spokesman. UCC objects to our proposal that the licensee be permitted 45 days after a community leader interview to deposit the record of the contact in the public file. It claims that a station doing numerous interviews near renewal filing time might not have to deposit forms until some time after the application had been sent to the Commission. Some broadcasters, on the other hand, suggest 45 days might not be enough time to prepare records for deposit where, for example, they derive from a joint survey not entirely under the control of any single licensee.

[5] Television licensees, however, may simply certify that the appropriate ascertainment materials have been placed in the public file. *Formulation of Rules and Policies Relating to the Renewal of Broadcast Licenses*, 43 FCC 2d at 48 (1973).

39. We acknowledge our earlier concern over the possibly inhibitory effect upon ascertainees if the problems they discern in the community were to be linked with their names. 27 FCC 2d at 671. Our conclusion then, however, was that "the choice of attributing specific comments to community leaders is a matter left to the applicant and the particular leader." (*Id.*) We adhere to that view. Any leader wishing his or her opinions of problems and needs to remain undisclosed may request confidentiality—and this may be noted on the contact form or other record of the interview. Frankly, we expect such requests will be rare. Most interviewees will not be strangers to the limelight, and will be accustomed to speaking to and for the public. The exposure of their views of community problems in a broadcast station's public file is not likely to restrain them overmuch. In view of our acknowledgment in the *Further Notice* of the wishes of some citizen-commenters for more and better ascertainment documentation at the local level, 53 FCC 2d at 23, we prefer to make the content of leader interviews public unless some restriction is requested.[6] Regarding Storer's suggestion for more biographical data on interviewees, that is a matter for station representatives and their leader-contacts to decide. With respect to the period within which interview records should be available through the public file, we shall draw back from any specified number of days and simply require deposit within a reasonable time—which we would perceive to be no more than 30 to 45 days in most cases. To meet UCC's concern, we shall require that any interview for which credit is sought on a renewal application be recorded and available in the public file no later than the day the renewal application itself is filed with the Commission (and, of course, simultaneously deposited in the public file).

40. *Annual Problems-Programs Lists.* The *Further Notice* proposed that radio licensees deposit yearly in their public files a list of no more than 10 significant problems and needs existing in their service areas during the preceding 12 months, and a related list of illustrative programming presented during that period to treat those problems and needs. Placement in the station file would occur on the anniversary date of the filing of the renewal application, and, upon sending of the application to the Commission, all such annual problems-programs lists from the term about to expire would be transmitted with it. 53 FCC 2d, 8, 23, 30. A similar requirement already obtains for television licensees. Section 1.526(a)(9) of the Rules, 47 C.F.R. 1.526(a)(9). Several broadcast multiple owners asked for clarification, in that we variously referred to "most significant problems" (53 FCC 2d at 8), simply "problems" (*Id.* at 23) or, in the text of the proposed rule, "significant problems." (*Id.* at 30) They urge that the reference be stated "problems," since the broadcaster has the discretion and the duty to evaluate their significance, in any event. Westinghouse praises the Commission for abandoning the prospective view currently followed under the *Primer*, i.e., the licensee must project programming to deal with problems and needs determined by an ascertainment which actually took place in the preceding license period. It is said to be more realistic to consider problems and responsive programs in retrospect. NBMC, on the other hand, opposes this retrospective approach. It argues that the link between problems and future programs is necessary in order to make the determination that a licensee will adequately serve the community in the coming license period. NBMC contends that there will be no way of determining a promise-versus-performance violation and such programming proposals as are made will be baseless. NBMC adds that the problems-programs list itself would discriminate against minorities because it is the problems and needs of the majority which will, quite naturally, be the "most significant." A number of parties fault the Commission for omissions or exclusions of certain types of programming from proposed § 1.526(a)(9), which may be counted as treating community problems and needs. RKO-General calls our omission of public service announcements "inappropriate." CBS argues that the Commission should reconsider its proposed exclusion of "ordinary news inserts," claiming that news is a valuable means of dealing with community problems, that there are First Amendment problems in making such an exclusion, and that this discriminates against radio stations with all-news formats. This point is also made by Channel Two Television Co., KPRC Radio Co. and WTVY, Inc. NAB, in supporting the problems-programs list, says that this is really the only material which should be required for ascertainment and that it should be triennial rather than annual, because 12 months is too short a time for a full overview of all problems and all responsive programs. NAB says that the yearly term invites short-sighted attacks by groups who are unable to see the broader range of community problems, or the overall programming of a station during the entire license term.

41. We shall clarify that the intent of our proposal, as stated in the draft amendment to § 1.526(a)(9), was to ask for up to 10 "significant" problems found in the licensee's service area during the 12 months prior to compilation and deposit of the list in the station's public file. The broadcaster wishing to depict his service in a favorable light, we suspect, would want to avoid listing "insignificant" problems anyway. On the other hand, we see no reason to invite dispute, and Commission 'second-guessing,' as to whether five or seven or 10 problems on a given station's list truly were the "most significant" of the past year. "Significant" strikes the desirable balance between meaningful recording of service rendered and the licensee's discretion to evaluate not only the significance of a problem but its feasibility of treatment by the licensee's particular station.

42. At paragraph 15, *supra*, we have already responded to NBMC's concerns over the retrospective nature of the problems-programs list. We repeat that the renewal ascertainment proposed in the *Further Notice*, and adopted here, remains prospective, chiefly through the newly continuous recording of that process, and that the look back each year at the problems-programs performance provides an effective means for both broadcasters and citizens to evaluate the end and aim of ascertainment—namely, programming. With regard to NBMC's comment on promise versus performance evaluation (para. 40), it should be clear that the purpose of regulation is not the maintenance of "violations." If it is found to be in the public interest to change somewhat the nature of a broadcaster's "promises" regarding his programming, then we ought not refrain from making that change simply because the measure of performance to meet that promise also will be modified somewhat.[7] We suggest that a yearly problems-programs listing in the public file will give the citizen more information, not less, and that the citizen's ability to evaluate a broadcaster's service will be enhanced rather than diminished. We reject NBMC's contention that "majority" problems will turn out to be the "significant" ones chosen for treatment by the broadcasters, to the exclusion of minority service. We repeat our observation from the *Further Notice* that "ascertainment constitutes an effort to dig beneath the surfaces of majority opinion and conventional wisdom to discover and deal with needs that might not otherwise be exposed." 53 FCC 2d at 27. Noting that the problems-programs list would be required of *all* licensees, even those in smaller markets who were proposed for exemption from other ascertainment reporting, (see paras. 47–54, *infra*), we stated:

> The exempt licensee who fails * * * to program for [minorities]—notably the racial minorities protected under the Civil Rights Acts of 1964 and 1972, as well as our own rules—weakens [the] hypothesis [that he knows his community thoroughly], to the point which may cause us to inquire further into his trusteeship of a scarce broadcast frequency. (citations omitted) *Id.* at 28.

43. We shall also decline to credit announcements (such as PSA's) and ordinary "news inserts" (see Section 1.526(a)(9) of the rules) for purposes of the problems-programs list. There is no need for this Commission to defend the importance it attaches to news broadcasts in serving the community of license. It

[6] There is no requirement, in any event, that a contact record's summary of problems and needs contain direct quotes. Paraphrase, rather than confidentiality, may be the only protection needed in many situations.

[7] Under the present renewal application (FCC Form 303), of course, the licensee makes a number of representations about his programming, and some of these would continue to be made in the revised form (303–R) on which comment has been sought. *Revision of FCC Form 303*, 52 FCC 2d 184 (1975).

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is also plain that we value public service announcements. While news inserts and announcements can sometimes respond to problems and needs, they ordinarily do not possess the length or depth to proceed toward a meeting or solution of problems. For this purpose, we seek *programs*. It is clear from the *Further Notice* that our concept of a "program," particularly on radio, is flexible enough to accommodate even the all-news station, 53 FCC 2d at 6, and that no licensee which takes seriously its non-entertainment programming obligations will have any trouble finding matter for its problems-programs list. As to NAB's suggestion that the list should be triennial rather than annual in scope, we are not persuaded. While we have elected to change the Community Leader Checklist from annual to triennial (see paras. 13–14, *supra*), the rationale applied in modification of that document does not hold for the problems-programs list. The latter possesses a limit of no more than 10 significant problems for each yearly list, while, theoretically at least, there are no ceilings on leader interviews. More importantly, ascertainment remains *continuous*, in the resolution reached here, whether interviews are counted every year or every three years. And the problems-programs list, as an evaluative tool for broadcaster and citizen respecting the programming results of a continuous ascertainment, rightly deserves more "continuity," or frequency, than the triennial compilation would provide. As for the NAB's concern with the broad overview of a licensee's program service, presumably that is met through appending to the renewal application problems-programs lists from each year of the expiring term—not to mention other information of three-year scope found in the same application.

44. *Demographic Data.* The *Further Notice* proposed replacement of the present *Primer's* "compositional study" with a checklist of institutional structural elements common to most comcapsuled briefly by certain statistical that the demographic aspects of the former compositional study could be capsuled briefly by certain statistical information maintained in the licensee's public file. 53 FCC 2d at 12, 31. A number of comments noted confusion in the *Further Notice* as to whether demographic information is to be prepared and kept for the community of license or for the broadcaster's entire service area. Storer and RKO-General stated that "service area" is too broad and difficult to determine, and the requirement should be stated in terms of community of license only. ABC notes that, while the proposal is an improvement over what is presently required, the Commission appears to be indicating that two sets of data are to be maintained, one for the community of license and one for the service area. It adds that the language stated in the proposed rule, "service area," is preferable and would avoid the necessity of separate compilations.

45. We agree that our discussion in the *Further Notice* was not clear on the areas for which demographic data was to be maintained. In view of the *Primer's* restriction to "community of license" for the compositional study, and in view of the likely variability—or unavailability—of data for "service areas" which cut across city, county and even state lines, we shall confine our public-file requirement to community of license also. Since the deposit of this data in the file is achieved by rule, we need a clarity which "service area" cannot provide.[8] At the same time, we think it appropriate to remind the licensee that if it undertakes to serve specific areas with definable populations outside its community of license, it might wish, optionally, to accumulate demographic data useful to the ascertainment and serving of those outside areas. Whether this optional or extra data is placed in the public file would be for the licensee to decide. Finally, while U.S. Census statistics are perhaps the most generally reliable, we do not wish to preclude licensees from the use of other information they have reason to believe accurate.

46. *Public Survey Description.* The *Further Notice* proposed placement in the public file of a "brief narrative statement covering the techniques and results" of the general public survey, such placement to be within 45 days of the survey's completion. 53 FCC 2d at 24. ABC suggests that the narrative statement consist only of the technique followed to obtain randomness. It claims that the description of results has led to present difficulties with special interest groups, who insist that their particular viewpoint did not receive adequate representation or attention by the station. ABC says it would be sufficient for the results of the survey to be simply available to the licensee, while the problems and needs so discovered could be traced in the annual lists of community problems. We believe that licensees should familiarize themselves with, and share with the public, the methods employed to achieve rough randomness for their general public surveys and the results in terms of problems and needs ascertained. The same information is available for community leader consultations, and we perceive no reason for dissimilar treatment here. We shall, in this connection, retreat from the specified 45-day grace period for filing this information after completion of the public survey, and substitute a "reasonable time" requirement as has been adopted for community leader interview data. We repeat our belief, however, that 45 days—or perhaps a bit longer for more extensive surveys in larger cities—should be an ample period within which to assemble and file the survey results. Moreover, we caution—again as with community leader data—that general public survey results for which credit is sought on a renewal application should be deposited in the public file no later than the date the application is submitted to the Commission.

SMALL MARKET EXEMPTION

47. In the *Further Notice*, we suggested a test of the hypothesis that "the broadcaster in the smaller community knows his town thoroughly, not only its majorities but also its minority elements." 53 FCC 2d at 28. We proposed that commercial radio and television stations licensed to such communities be exempt from all Commission inquiry into the manner in which they become aware of community problems and needs. We offered tentatively "to define a small community of license as one with a population of 10,000 or less (as enumerated in the 1970 U.S. Census) and which is located outside all officially designated Standard Metropolitan Statistical Areas (SMSA's)." *Id.* at 27. We invited comment, however, on "whether the 10,000 figure is an appropriate cutoff," noting that this would exempt from ascertainment reporting "approximately 1900 commercial radio stations and 14 commercial TV stations." *Id.* As we stated in the *Further Notice*, we believe that licensees in these communities must continue to maintain their awareness of local problems and needs. For the purpose of this test, however, we shall avoid any inquiry into *how* the licensee discerned which particular problems would be covered. *Id.* at 26.

48. Several commenting parties agreed with this exemption, but requested that it be extended to communities of populations larger than 10,000. NAB, Station KYMN and Central Broadcasting Company proposed a limit of 20,000; Bluestem Broadcasting Company proposed 20–24,000; Pappas Electronics at least 25,000 but preferably 50,000,[9] as did Dempsey and Koplovitz; while Brandon-Robison Broadcasting Corporation and KLIC, Inc. suggested a 100,000 limit. The reasons stated for raising the exemption were essentially similar. For instance, the NAB claims that a community of 20,000 has the same attributes as that of a community of 10,000. The station is equally likely, it is said, to have a thorough knowledge of the community based upon the licensee's presence there, and the importance of the station to the community. Such licensees are also as likely to know and understand the problems of minorities within the community. In addition, stations in such communities tend to have small staffs, thus making the burdens of ascertainment great. Finally, the station and its staff are equally as likely to be actively involved in their communities. Dempsey and Koplovitz points out that it would make sense to raise the figure to 50,000, in order to make this criterion of ascertainment comport with the size of community which has been deemed determinative by the Commission in the *Suburban*

[8] No such problem exists for interviews with leaders representing areas outside the community of license. Their addresses or affiliations can be identified with reasonable certainty.

[9] Pappas adds that 50,000 would be a valid cut-off because the federal government has defined such a population as being a "small community" for urban renewal assistance purposes.

Communities Policy Statement, 2 FCC 2d 190 (1965). Brandon-Robison notes that communities of up to 100,000 have the same kinds of information flow into and out of the station, with regard to community problems, and community leaders in such places tend to be business leaders, with whom the station personnel are in constant contact. Finally, as KYMN notes, it is the only station licensed to serve a community of 10,230 (Northfield, Minnesota), about which the station says "we are the community."

49. The confinement of the exemption to communities not located within SMSA's also received opposition. Dempsey and Koplovitz states that SMSA's contain many small noncontiguous communities which are entities unto themselves, and cannot be arbitrarily considered mere bedroom communities. NAB makes the same point, saying that the Commission's determination "defies reality." NAB argues that a station licensed to such a community is licensed to serve that community, has only the maximum power required to do so, and if the concern is that such stations are really serving the adjacent metropolitan center, then there is cause to believe that the Commission's suburban communities policy is being violated on a large scale, which simply is not the case.

50. On the other hand, there is opposition to the entire concept of the exemption. NOW points out that all stations have the same obligation to serve in the public interest, regardless of size or location. The exemption allegedly would effectively prevent public interest groups from performing their function of monitoring and analyzing the station's performance. Finally, the Commission would not be able to make the statutorily required finding that the licensee has served in the past, and will likely continue to serve, the public interest, because the basic information for making this determination would not be available. NBMC opposes the exemption, arguing that small communities are particularly dependent upon their broadcast stations, and thus the obligations of those stations are great. In addition, the problems of achieving interchange between the station and minority groups within the community are oftentimes particularly acute in these smaller communities. NBMC argues that the exemption violates the constitutional requirement of equal protection of the laws, in that the public—and particularly minorities in small communities—are not to receive the full protection and benefits of ascertainment. Finally, both public interest groups and the Commission will lose a means by which they may measure the performance of small-market stations. UCC urges that stations in small communities have at least as much need to be fully aware of the community and its problems as stations in any larger community.

51. Finally, proposals are made for additional exemptions to be applied to ascertainment reporting. Southern Broadcasting suggests an exemption for all licensees, regardless of location or size, if they have received regular renewals of their licenses—including the most recent ones—without major problems from the community or regulatory agencies. Spanish International Communications requests a special exemption for stations serving minority audiences. Such stations should be allowed to ascertain and serve only that audience, and exempted from making an ascertainment survey of the entire community. The station would, however, be able to obtain a broader view of the community by selecting spokesmen from outside the specialized audience served, but not on the scale presently required.

52. In the *Further Notice* we gave two criteria we thought the exemption level should satisfy: first, it should "create a large enough sample of 'exempt' licensees to make the experiment meaningful;" and second, it should keep the size of the exempt community "such as to admit of a reasonable assumption that the broadcaster knows his town thoroughly." 53 FCC 2d at 27. While we do not pretend to be statisticians, we believe that the approximately 1900 stations (virtually all radio) that would be exempted as licensed to communities of 10,000 or less outside all SMSA's is a sufficient sample, constituting some 25 percent of all commercial radio and TV stations presently licensed. This is not to say that the sample could not be enlarged, of course, and for that purpose we invited comment on other feasible cutoffs. We have found that the opponents of the small-market exemption do not dispute on statistical grounds, but dislike the concept altogether. Thus, no commenter attempted to demonstrate that a non-metropolitan community of 10,000 or less was not small enough to permit of the "reasonable assumption" noted above. On the other hand, many commenters suggested that communities are "knowable" well above 10,000. When the special pleading is removed from these comments—i.e. from licensees who fall rather narrowly outside the exemption and want to be included—the chief rationale for raising the exemption level appears to be the creation of a sample not only larger, as such, but more diverse and therefore potentially more informative to our proposed experiment. It is asserted, for example, that a greater number of multi-station and multi-owner communities would come into the sample. Similarly, since to retain the outside-SMSA restriction would be to rule out every broadcast facility in such megalopolitan areas as the New York-Washington corridor, why not remove the restriction and permit the sample to include some of those mid-Atlantic seaboard stations. (See especially the comments of Central Broadcasting Co.)

53. We have decided to stick with the exemption parameters in the *Further Notice*—stations licensed to communities of 10,000 or fewer persons not located in any SMSA. We are not attempting to define "small town" by this action." Indeed, we acknowledge that there may be many communities of more than 10,000 population, some of them even lying within SMSA's, that are as knowable to a broadcaster as many of the communities where stations will be exempt from ascertainment reporting. But, as a test, we must draw a line somewhere. No commenter specifically opposed the 10,000 cutoff, although some attacked the exemption generally. As for the invitation of those favoring exemption to increase the size and diversity of the experimental sample, we have already observed the rought statistical adequacy of the approximately 1900 stations licensed to communities of 10,000 or less outside SMSA's. Moreover, without pretending to scientific rigor, we suspect that the more diverse a sample is, the less it may tell us—rather than more—because of the difficulty of identifying, much less controlling, the greater number of variables. Finally, Central Broadcasting Co. appears to have misunderstood our reference to "bedroom" suburbs and the knowledge of them possessed by the average resident. 53 FCC 2d at 27. Opposing the SMSA restriction, Central states that the metropolitan or non-metropolitan character of a small community is irrelevant to the question of whether a broadcaster can come to know the community well; and, in any event, it is the broadcaster, rather than the bedroom community's residents, whose degree of knowledge is at issue. Despite its imprecision, our use of the term bedroom suburbs was intended to identify a familiar phenomenon in metropolitan areas—namely, that many of the inhabitants live and work in different sectors of the metropolis, sometimes far removed. To this extent, we meant to suggest, it is harder for a broadcaster or for any citizen to get to know the community and its people. Indeed, the fund of common interests and information frequently is less for suburbanites than for individuals who both live and work in smaller, non-metropolitan communities. We believe that for the limited experimental purpose in which we apply it, the definition of a small community as one lying outside all SMSA's is sound, and we shall retain it as proposed.[11]

[10] At the same time, we cannot accept the suggestion of Pappas (Note 9, *supra*) that we import into our field of regulation a measure of community size used in determining eligibility for certain forms of federal assistance by other agencies whose missions are distinctly different from the mission of the FCC.

[11] The suggestion by several broadcasters or their representatives that the SMSA restriction is inconsistent with the Commissions' suburban communities policy is not only unpersuasive but out of date. First of all, the policy, when fully operative, had the effect of forcing a suburban applicant to prove that he really meant to serve the suburb in which he applied, and not a nearby large city. What this demonstration would have to do with how well the suburban licensee could come to know his community later is unclear. In any event, the Commis-

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54. We believe that our discussion of the problems-programs list at Paragraphs 13 and 42, *supra*, disposes of NOW's and NBMC's concerns that citizens would be left with no way to evaluate the performance of a station in an exempt community. Moreover, we fail to understand how the modification of a policy—ascertainment—not established by any law, but instead falling within the discretion left to the Commission by the Communications Act of 1934, as amended, could deny equal protection of law to any citizen or group of citizens. We repeat that if the exempt licensee fails to carry out programming obligations toward significant minorities in his community, the administrative sanctions we possess should suffice to remedy the situation far in advance of any denial of constitutional rights. We wish to emphasize the following from the *Further Notice:*

> At its best, ascertainment constitutes an effort to dig beneath the surfaces of majority opinion and conventional wisdom to discover and deal with needs that might not otherwise be exposed. We expect all licensees to strive for that ideal, including those small market licensees who would be exempted from most reporting requirements under the experiment proposed herein. For the purpose of this experiment, we will accept as a given the hypothesis that the broadcaster in the smaller community knows his town thoroughly, not only its majorities but also its minority elements. The exempt licensee who fails, during this period of testing, to program for the latter—notably the racial minorities protected under the Civil Rights Act of 1964 and 1972, as well as our own rules—weakens this hypothesis, to the point which may cause us to inquire further into his trusteeship of a scarce broadcast frequency. (Citations omitted) *Id.* at 27.

55. Finally, we decline to explore Southern Broadcasting's suggestion that licensees be relieved of ascertainment on "good behavior," so to speak; and likewise elect not to extend, beyond the flexibility of the current *Primer* (Questions 25 and 32)) the specialization of ascertainment for specialized formats, as urged by Spanish International. We repeat our conclusion from the *Further Notice* that "all broadcast licensees have the same basic obligation to discover and fulfill the problems, needs and interests of the public within their service areas"—through ascertainment and programming. 53 FCC 2d at 6.

Summary and Conclusions

56. The above represents the Commission's view on ascertainment by commercial broadcast license renewal applicants. These views have been restated in a *Renewal Primer* (Appendix B) and effectuating provisions added to Section 1.526 of the rules. Such new forms as are required will be adopted, subject to General Accounting Office approval, in Docket 20419.[13] The *Renewal Primer*, the revised § 1.526(a) of the rules and the new forms will become effective February 6, 1976 for licensees whose authorizations expire December 1, 1976, and for all licensees whose authorizations expire thereafter.[14] Renewal applicants whose licenses expire prior to that date will be expected to follow the existing guides set forth in the original *Primer*.

57. This proceeding will be held open so that further consideration may be given to matters contained in the original *Primer*, as it applies to applicants for new or changed facilities. This proceeding is also being held open to further test the small market exemption, which we propose to revisit roughly three years from the time the first renewal applications are filed under the *Renewal Primer*.[15]

58. Accordingly, *it is ordered*, pursuant to the authority contained in sections 4 (i) and 303 of the Communications Act of 1934, as amended, That § 1.526(a) is *amended* as set forth in Appendix A effective February 6, 1976 (effective for licensees whose authorizations expire on or after December 1, 1976. Renewal applicants whose licensees expire prior to that date will be expected to follow the existing guides set forth in the original *Primer*.

59. *It is further ordered*, That the attached *Renewal Primer* (Appendix B), is adopted.

Adopted: December 15, 1975.

Released: January 7, 1976.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.)

Federal Communications Commission,[16]

[SEAL] Vincent J. Mullins,
Secretary.

Appendix A

In consideration of the foregoing Part I of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. In § 1.526, paragraph (a) and subparagraph (a)(9) are revised, subparagraphs (11) & (12) added, and the note following to become Note 1, and a Note 2 added to read as follows:

§ 1.526 Records to be maintained locally for public inspection by applicants, permittees, and licensees.

(a) *Records to be maintained.* Every applicant for a construction permit for a new station in the broadcast services shall maintain for public inspection a file for such station containing the material in subparagraph (1) of this paragraph, every permittee or licensee of a section in the broadcast services shall maintain for public inspection a file for such station containing the material in subparagraphs (1), (2), (3), (4), (5), (6), (7) and (9) of this paragraph, and every permittee or licensee of a commercial television station shall maintain for public inspection a file for such station containing the material in subparagraph (8) of this paragraph: *Provided, however,* That the foregoing requirements shall not apply to applicants for or permittees or licensees of television broadcast translator stations, FM broadcast translator stations, or FM broadcast booster stations. The material to be contained in the file is as follows:

* * * * *

(9) To be placed in the public inspection file every year, on the anniversary date on which the station's renewal application would be due for filing with the Commission, a listing of no more than ten significant problems and needs of the area served by the station during the preceding twelve months. In relation to each problem or need cited, licensees and permittees shall indicate typical and illustrative programs or program series, excluding ordinary news inserts of breaking events (the daily or ordinary news coverage of breaking newsworthy events), which were broadcast during the preceding twelve months in response to those problems and needs. Such a listing shall include the title of the program or program series, its source, type, brief description, time broadcast and duration. The third annual listing shall be placed in the station's public inspection file on the due date of the filing of the station's application for renewal of license. Additionally, upon the filing of the station's application for renewal of license, the three annual problems-programs listings shall be forwarded to the Commission as part of that application. The annual listings are not to exceed five pages, but may be supplemented at any time by additional material placed in the public inspection file and identified as a continuation of the information submitted to the Commission.

* * * * *

(11) Each licensee or permittee of a commercially operated radio or television station (except as provided in Note 2, below) shall place in the station's public inspection file appropriate documentation relating to its efforts to interview a representative cross-section of community leaders within its service area to ascertain community problems and needs. Such documentation shall be placed in the station's public inspection file within a reasonable time after the date of completion of each interview but in no event later than the due date for filing the station's application for renewal of license and shall include: (a) the name, address, organization, and position or title of the community leader interviewed; (b) the date, time and place of the interview; (c) the name of the principal, management-level or other employee of the station conducting the interview: (d) the problems and needs discussed during the interview or, when the interviewee request that his/her statements be held in confidence, that request shall be noted; and (e) for interviews conducted by non-principals or non-managers, the date of review of the interview record by a principal or management-level employee of the station. Additionally, upon the filing of the application for renewal of license each licensee shall forward to the Commission as part of the application for renewal of license a checklist indicating the numbers of community leaders interviewed during the current license term representing the several elements found on the form; provided that, if a community lacks one of the enumerated institutions or elements, the licensee or permittee should so indicate by providing a brief explanation on its checklist.

(12) Each licensee or permittee of a commercially operated radio and television station (except as provided in Note 2, below) shall place in the station's public inspection file documentation relating to its efforts to consult with a roughly random sample of members of the general public within its service area to ascertain community problems and needs. Such documentation shall consist of: (a) information relating to the total population of the station's city of license including the numbers and proportions of males and females; of minorities; of youth (17 and under); and of the elderly (65 and above); (b) a narrative statement of the sources consulted and the methods followed in conducting the general public survey, including the number of people surveyed and the results thereof. Such documentation shall be placed in the public inspection file within a reasonable time after completion of the survey but in no event later than the date the station's application for renewal of license is filed. Upon filing its application for renewal of license, each licensee and permittee must certify that the above-noted documentation has been placed in the station's public inspection file.

* * * * *

Note 1 * * *

Note 2: Subparagraphs (a)(11) and (a)(12) above shall not apply to commercial radio and television stations within cities of license which (1) have a population, according to the immediately preceding decennial U.S. Census, of 10,000 persons or less; and (2) are located outside all Standard Metropolitan Statistical Areas (SMSA's), as defined by the federal Bureau of the Census.

Appendix B: Primer on Ascertainment of Community Problems By Broadcast Renewal Applicants

Introduction

The principal ingredient of a licensee's obligation to operate in the public interest is the diligent, positive and continuing effort by the licensee to discover and fulfill the problems, needs and interests of the public within the station's service area. *Statement of Policy Re: Commission En Banc Programming Inquiry*, 25 Fed. Reg. 7291, 20 RR 1901 (1960). In the fulfillment of this obligation, the licensee must consult with leaders who represent the interests of the community and members of the general public who receive the station's signal. *1960 Programming Policy Statement, supra.* This Primer provides guidelines for the licensee of a commercial broadcast station to follow in conducting these consultations. The types of consultations required can best be summarized in a question and answer format.

A. General

Question 1. When must the community survey be conducted?

Answer. The licensee's obligation is to ascertain the problems, needs and interests of the public within the station's service area on a *continuing* basis. The licensee, therefore, must make reasonable and good faith efforts to ascertain community problems, needs and interests throughout the station's license term.

Question 2. What area should the community survey encompass?

Answer. The licensee is obligated to provide service to the station's entire service area. As a practical matter, however, it is realized that the service contours of a station cover a substantial geographical area. Thus, the licensee is permitted to place primary emphasis on the station's city of license and secondary emphasis outside that area. In any event, no community located more than 75 miles from the city of license need be included in the licensee's survey. Further, if a licensee chooses not to serve a community within the station's contours, a brief statement should be placed in the station's public inspection file explaining the reason(s) therefor.

Question 3. What is the purpose of the community survey?

Answer. The purpose of the community survey is to discover the problems, needs and interests of the public as distinguished from its programming preferences. However, a licensee may, if it wishes, also seek to discover the public's programming preferences.

Question 4. Who must be consulted during the community survey?

Answer. The licensee must interview leaders who represent the interests of the service area and members of the general public.

Question 5. Must a compositional study of the community be conducted?

Answer. A special compositional study of the community need not be conducted. We have identified typical community institutions and elements normally present in most communities and we expect the licensee to utilize this listing in conducting its community leader survey. (See Question and Answer 7, below.) We recognize that all communities are not the same and that other significant institutions or elements may be indigenous to a particular community. However, if a licensee interviews a representative sample of leaders from among the elements in this listing that apply to its community, its coverage of all significant elements will not be open to question. The licensee may, at its option, interview leaders within elements not found on this list.

Question 6. Must the licensee obtain demographic data relating to its community of license?

Answer. A licensee should have on file information relating to the population characteristics of its city of license. The population data required can be extracted from the U.S. Census Bureau's *County and City Data Book* and *General Population Characteristics* (two separate publications), or similarly reliable reference material. The information needed relates to the total population of the city of license; the numbers and proportions of males and females, of minorities, of youths (age 17 and under), and of the elderly (age 65 or older). Inclusion of data on portions of the station's service area outside the city of license is optional.

B. Community Leader Survey

Question 7. What community leaders should be consulted?

Answer. The community leaders consulted should constitute a representative cross-section of those who speak for the interests of the service area. This requirement may be met by interviews within the following institutions and elements commonly found in a community: (1) Agriculture; (2) Business; (3) Charities; (4) Civic, Neighborhood and Fraternal Organizations; (5) Consumer Services; (6) Culture; (7) Education; (8) Environment; (9) Government (local, county, state & federal); (10) Labor; (11) Military; (12) Minority and ethnic groups; (13) Organizations of and for the Elderly; (14) Organizations of and for Women; (15) Organizations of and for Youth (including children) and Students; (16) Professions; (17) Public Safety, Health and Welfare; (18) Recreation; and (19) Religion. A licensee is permitted to show that one or more of these institutions or elements is not present in its community. At its option it may also utilize the "other" category to interview leaders in elements not found on the checklist.

Question 8. If a licensee interviews in all of the above categories will the licensee be considered to have contacted all the significant groups in its community?

Answer. The Checklist is thorough enough for most communities and yet not overly detailed. Interviews in all of its elements will establish the requisite coverage of significant community groups. Whether this coverage is also representative will depend on such factors as number of interviews in each element, size and influence of that element in the community, etc. A licensee is permitted to show that one or more of these categories is not present in its community. It may also, at its option, interview leaders in other categories which may not be found on the Checklist.

Question 9. How many community leaders should be consulted?

Answer. A licensee should consult with leaders on a continuous basis. The Commission's concern, in this regard, is not one of numbers but of representativeness. The licensee's reasonable and good faith discretion as to how many community leaders should be interviewed to establish representativeness will be accorded great weight. However, we have established a reasonable number of interviews (see table below) that a licensee may conduct during the license term, if it wishes to remove any question as to the gross quantitative sufficiency of its community leader survey. Fewer interviews may be conducted if, in the exercise of its discretion, a

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[13] See *Revision of FCC Form 303*, 52 FCC 2d 184 (1975).

[14] We recognize that the Commission will be receiving applications from licensees whose expiring terms fall partly under these new ascertainment policies and rules and partly under the older guidelines of the 1971 *Primer*. We intend to review each portion of such a term by the standards then applicable. It should be noted that the small-market exemption is not available for licensees whose terms expire prior to December 1, 1976. With respect to the annual problems-programs list to be newly required of radio licensees, we shall not expect any radio licensee to deposit such a list in its public file prior to August 1, 1976, which is the deadline for the submission of renewal applications by licensees whose terms expire December 1, 1976. This ensures the better part of a year of notice to all affected licensees. Thus, a licensee whose term expires on June 1, 1976, for example, would be expected to deposit lists on his "anniversary" filing dates of February 1, 1977 and February 1, 1978, but would not have to deposit a list on February 1, 1976.

[15] The Commission will conduct studies to analyze and evaluate whether this exemption in fact has served the public interest.

[16] Commissioner Hooks concurring and issuing a statement; Commissioner Robinson dissenting and issuing a statement. Both statements were filed as part of the original document.

sion recently has decided to diminish substantially the application of the suburban communities policy; *AM Assignment Standards*, 54 FCC 2d 1 (1975); and any relevance it might have had to this proceding is correspondingly reduced.

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licensee determines that a lesser number results in a leadership survey that is representative of its service area.

Population of city of license:	Number of Consultations
10,001 to 25,000	60
25,001 to 50,000	100
50,001 to 200,000	140
200,001 to 500,000	180
Over 500,000	220

Question 10. What leaders in each significant institution or element should be consulted?

Answer. There are many community leaders in each of the enumerated institutions and elements. Due to the physical impossibility of interviews with all community leaders, and the practical impossibility of requiring interviews with leaders based on some ratio to population of their constituencies, each licensee is accorded wide discretion in determining what leaders in each of the institutions or elements should be interviewed from time to time. The leadership of some institutions or elements (e.g., government) may remain relatively stable throughout the license term and, thus, interviews with such leaders on several occasions can be expected. In this respect, each consultation with a community leader constitutes a separate ascertainment interview. The licensee should, of course, make reasonable and good faith efforts to consult with various leaders in each significant institution or element and not limit the consultations to the same leaders throughout the license term.

Question 11. Who can conduct the community leader consultations?

Answer. Principals, management level and other employees of the station may conduct the community leader consultations. (See Question and Answer 12, below.) When such interviews are conducted by non-management level employees, their efforts must be under the direction and supervision of a principal or management level employee. Also, the results of the interview must be reported to a principal or management level employee within a reasonable period of time after the consultation.

Question 12. Since non-management level employees may conduct community leader interviews, is it necessary for principals and management level employees to be involved in the consultations at all?

Answer. Yes. Community leader consultations may be conducted by any employee who the licensee believes is qualified for the assignment. However, a substantial degree of participation, as interviewers, by principals and management level employees is still necessary. Accordingly, 50 per cent of all interviews must be conducted by management level employees.

Question 13. Can a professional research firm conduct the community leader survey on behalf of the licensee?

Answer. No. The licensee is expected on its own behalf to consult with a cross-section of community leaders who represent the interests of the service area. Thus, a professional research firm cannot be used for this purpose.

Question 14. Must the community leader interviews take place in a formal meeting called for the specific purpose of inquiring about community problems, needs and interests?

Answer. The interview process allows for a multiplicity of dialogue techniques. Such interviews, for example, may take place during a meeting called for the specific purpose of discussing community problems, needs and interests, or in a business meeting with a community leader by a principal, management level or other employee of the licensee where community problems, needs and interests are also the subject of discussion. Additionally, such an interview may take place during community leader luncheons, joint consultations (see Question and Answer 15, below), on the air broadcasts (see Question and Answer 16, below), and during news interviews. In any event, appropriate documentation must be obtained (see Question 18, below).

Question 15. Are joint consultations between licensees and community leaders permitted?

Answer. Joint consultations between licensees and community leaders are permitted, provided: (i) each community leader who participates is on a roughly equivalent plane of interest or responsibility; (ii) each community leader is given ample opportunity to freely present his or her opinions as to community problems, needs and interests; and (iii) each licensee participating is given ample opportunity to question each leader.

Question 16. Can community leader interviews taking place during an on-the-air broadcast be used as evidence of a licensee's ascertainment process?

Answer. Ordinarily, a licensee should not rely on this method to ascertain community problems. When, however, such an on-the-air interview reveals a community problem, need or interest which results in the consideration of a future program concerning that problem, need or interest, the consultation may be used as evidence of the licensee's ascertainment efforts.

Question 17. Can community leaders be interviewed via telephone?

Answer. Face-to-face interviews should be the staple of the licensee's ascertainment process. The limited use of the telephone to conduct community leader interviews is permitted, particularly in areas outside the community of license, and other situations where reasons of convenience, efficiency or necessity might apply. However, a licensee should not, through over-reliance on ascertainment by telephone, abuse the flexibility that this medium gives the station.

Question 18. What documentation is required to be placed in the station's public inspection file regarding community leader interviews?

Answer. Within a reasonable time after completion of an interview, which we perceive ordinarily to be 30 to 45 days, the licensee must place in its public inspection file information identifying: (a) the name and address of the community leader consulted; (b) the institution or element in the community represented; (c) the date, time and place of the interview; (d) problems, needs or interests discussed during the interview (unless the leader requests that his comments be kept confidential); (e) the name of the licensee representative conducting the interview; and (f) where a non-manager performed the interview, the name of the principal or management level employee who reviewed the completed interview record. No credit will be given for interviews placed in the public file after the date on which the licensee's renewal application is filed with the Commission.

Question 19. What documentation relating to the community leader interviews must be submitted with the station's application for renewal of license?

Answer. Upon the filing of an application for renewal of license, the licensee must certify that the documentation noted in Question and Answer 18, above, has been placed in the station's public inspection file at the appropriate times. Additionally, the licensee must submit as part of its renewal application a checklist indicating the number of community leaders interviewed during the license term in the enumerated categories set forth at Question and Answer 7 above. If one or more of the institutions or elements is not present in the community, a brief explanation must be included with the checklist.

C. GENERAL PUBLIC SURVEY

Question 20. With what members of the general public should consultations be held?

Answer. A random sample of members of the general public should be consulted. For our purposes, a random sampling may be taken from a general city telephone directory or may be done on a geographical distribution basis by means of "man-in-the-street" interviews or questionnaires collected by the licensee. These techniques are illustrative, not exhaustive. Whatever survey technique is utilized by the licensee, there must be a full description of the methodology used to assure a roughly random sampling of the general public and an indication of the total number of general public interviews conducted by that survey technique.

Question 21. What is the purpose of the general public survey?

Answer. Here, again, the primary purpose of the general public survey is to discover the community problems, needs and interests of the public as distinguished from its programming preferences. (See Questions and Answers 3 and 4 above.)

Question 22. How many members of the general public should be surveyed?

Answer. No set number or formula has been adopted. A sufficient number of members of the general public should be consulted to assure a generally random sample. The number, of course, will vary with the size of the community in question.

Question 23. When should the general public survey be conducted?

Answer. Either throughout the license term or within some specific period during the license term, at the licensee's option. In either event, appropriate documentation must be placed in the station's public file within a reasonable time after its completion, which we perceive ordinarily to be 30 to 45 days, but in no event later than the date on which its renewal application is filed with the Commission.

Question 24. Who should consult with members of the general public?

Answer. Principals, station employees, or a professional research or survey service. If consultations are conducted by employees who are below the management level, the consultation process must be supervised by principals or management level employees.

Question 25. What documentation concerning the general public survey is required?

Answer. Each licensee must place in the station's public inspection file a narrative statement concerning the method used to conduct the general public survey, the number of people consulted, and the ascertainment results of the survey. (See also the reference to demographic data in Q. and A. 6).

Question 26. What documentation relating to the general public survey must be filed with the station's application for renewal of license?

Answer. Upon the filing of an application for renewal of license, the licensee must certify that the documentation noted in Question and Answer 25, above, has been placed in the station's public inspection file. No other submission is necessary unless specifically requested by the Commission.

D. PROGRAMMING

Question 27. Must all community problems revealed by the licensee's consultations with community leaders and members of the general public be treated by the station?

Answer. In serving the needs of its community, a licensee is not required to program to meet all community problems ascertained. There are a number of problems which may deserve attention by the broadcast media. The evaluation of the relative importance and immediately of these many and varied problems, and the determination of how the station can devote its limited broadcast time to meeting the problems that merit treatment, is left to the good faith judgment of the licensee. In making this determination, the licensee may consider the programming offered by other stations in the area as well as its station's program format and the composition of its audience. With respect to the latter factor, however, it should be borne in mind that many problems affect and are pertinent to diverse groups within the community. All members of the public are entitled to some service from each station. While a station may focus relatively more attention on community problems affecting the audience to which it orients its program service, it cannot exclude all other members of the community from its ascertainment efforts and its nonentertainment programming. Indeed, many special interests may be adequately dealt with in programming which has a wide range of audience appeal.

Question 28. Must all community problems revealed by the ascertainment consultations be included in the licensee's showing placed in the public inspection file?

Answer. Yes. The purpose of the community leader and general public consultations is to elicit from those interviewed what they believe to be the community's problems, needs and interests. All ascertained community problems should, therefore, be reflected in the community leader contact reports and in the general public narrative retained in the station's public inspection file.

Question 29. In what form may matter be broadcast to treat ascertained community problems, needs and interests?

Answer. Programs, news and public service announcements. This includes station editorials, ordinary and special news inserts, program vignettes, and the like. (But see Question and Answer 33 below regarding the exclusion from the yearly problems-programs list of announcements and ordinary news inserts of breaking events.)

Question 30. Can a licensee use only news and public service announcements to treat community problems, needs and interests?

Answer. Not necessarily. It is the responsibility of the individual licensee to determine the appropriate amount, kind, and time period of broadcast matter which should be presented in response to the ascertained problems, needs and interests of its community and service area. Where the licensee, however, has chosen a brief and usually superficial manner of presentation, such as news and public service announcements, to the exclusion of all others, a question could be raised as to the reasonableness of the licensee's action. The licensee would then be required to clearly demonstrate that its single type of presentation would be the most effective method for its station to respond to the community's ascertained problems.

Question 31. When should matter broadcast in response to the community's ascertained problems, needs and interests be presented?

Answer. The Commission does not prescribe the time of day at which specific program matter responsive to the community's ascertained problems should be broadcast. Rather, the licensee is expected to schedule the time of presentation based upon its good faith judgment as to when the broadcast reasonably could be expected to be effective.

Question 32. If a licensee utilizes a specialized program format—such as all-news, classical music, religious—must it present broadcast matter to meet community problems, needs and interests?

Answer. Yes. It is the responsibility of the licensee to be attentive and responsive to the problems, needs and interests of the public it is licensed to serve. The licensee's choice of a particular program format does not alter its obligation to meet community problems, needs and interests. The manner in which the licensee presents such responsive programming may, of course, be tailored to the particular format of the station. (See, however, Question and Answer 27, above.)

Question 33. What documentation must be placed in the station's public inspection file regarding the licensee's efforts to program to meet ascertained community problems, needs and interests?

Answer. Each year on the anniversary date of the filing of the station's application for renewal of license, the licensee must place in its public inspection file a list of no more than ten significant problems, needs and interests ascertained during the preceding twelve months. Concerning each problem, need or interest listed the licensee must also indicate typical and illustrative programs broadcast in response to those problems, needs and interests indicating the title of the program or program series, its source, type, a brief description thereof, time broadcast and duration. Such programs do not include announcements (such as PSA's) or news inserts of breaking events (the daily or ordinary news coverage of breaking newsworthy events).

APPENDIX C: PARTIES FILING COMMENTS

1. William Armstrong (President of KOSI, Aurora, Colorado).
2. American Broadcasting Companies, Inc.
3. Ben Hill Broadcasting Co. (WBHB, Fitzgerald, Georgia).
4. Bluestem Broadcasting Co., Inc. (KVOE and KLEF(FM), Emporia, Kansas).
5. Brandon-Robison Broadcasting Corp. (WYAM, Bessemer, Alabama).
6. Capitol Broadcasting Co., Inc. (WRAL-TV and WRAL-FM, Raleigh, North Carolina).
7. Carthage Broadcasting Co. (KDMO, KRGK(FM), Carthage, Missouri).
8. CBS, Inc.
9. Central Broadcasting Co. (WCGC, Belmont, North Carolina).
10. Channel Two Television Co. and KPRC Radio Co. (KPRC-TV and KPRC, Houston, Texas).
11. J. B. Crawley (WCND, Shelbyville, Kentucky; WPTN-AM-FM, Cookeville, Tennessee; WMSK, Morganfield, Kentucky).
12. Dempsey & Koplovitz.
13. Gay Coalition Task Force on the Media.
14. Simon Geller (WVCA-FM, Gloucester, Massachusetts).
15. General Electric Broadcasting Co., Inc.
16. Greater Media, Inc.
17. Greater Portland Radio Broadcasters' Association.
18. Haley, Bader & Potts.
19. John Quinlan Hearne (shareholder of Santa Monica Broadcasting Co., licensee of KSRF, Santa Monica, California).
20. Heart O' Wisconsin Broadcasters, Inc. (WISM and WISM-FM, Madison, Wisconsin).
21. Mary Ann Heller.
22. Joint Comments of Radio Licensees.
23. Joint Comments of Television Licensees.
24. KOOK, Inc.; Concerned Communications Corp.; C & M Broadcasting, Inc.; Paulina Broadcasting Corp.; and KQEN Broadcasting, Inc.
25. KLIC, Inc. (KLIC, Monroe, Louisiana).
26. KYMN Radio (KYMN, Northfield, Minnesota).
27. Mark Media, Inc. (WKYK, Burnsville, North Carolina; WCSL, Cherryville, North Carolina; WKKR, Pickens, North Carolina; and WKHJ, Holly Hall, South Carolina).
28. Wendell Mayes, Jr. (of the Wendell Mayes stations).
29. McClatchy Newspapers.
30. Media Statistics, Inc.
31. Metromedia, Inc.
32. Midwest Radio-Television, Inc. (WCCO AM/FM/TV, Minneapolis, Minnesota).
33. National Association of Broadcasters (NAB).
34. National Black Media Coalition (NBMC).
35. National Broadcasting Co., Inc. (NBC).
36. National Organization for Women (NOW).
37. National Urban League, Inc.
38. Office of Communication of the United Church of Christ (UCC).
39. Ozark Broadcasting Corp. (WZOK and WOAB-FM, Ozark, Alabama).
40. Pappas Electronics, Inc. (KQEN and KBOS-FM, Tulare, California).
41. Progressive Broadcasting Co. (KCCO, KBOG-FM, Lawton, Oklahoma).
42. Public Interest Research Group; the California Citizen Action Group; The Connecticut Citizen Action Group; the Missouri Public Interest Research Group; the North Carolina Public Interest Research Group; the New Jersey Public Interest Research Group; and the Oregon Student Public Interest Research Group.
43. Radio Station WKJB AM-FM, Inc. (Mayaguez, Puerto Rico).
44. REO General, Inc.
45. Southern Broadcasting Co.
46. Spanish International Communications Corp.
47. Storer Broadcasting Co.
48. UNDA-USA (National Association for Broadcasters and Allied Communicators).
49. West Virginia Radio Corp. (WAJR and WAJR-FM, Morgantown, West Virginia).
50. Westinghouse Broadcasting Co., Inc.
51. WTVY, Inc. [WTVY(TV) and WTVY-FM, Dothan, Alabama].

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APPENDIX D

SAMPLE – COMMUNITY LEADER ANNUAL CHECKLIST

Institution/Element	Number	Not Applicable (Explain briefly)
1. Agriculture 2. Business 3. Charities 4. Civic, Neighborhood and Fraternal Organizations 5. Consumer Services 6. Culture 7. Education 8. Environment 9. Government (local, county, state & federal) 10. Labor 11. Military 12. Minority and ethnic groups 13. Organizations of and for the Elderly 14. Organizations of and for Women 15. Organizations of and for Youth (including children) and Students. 16. Professions 17. Public Safety, Health and Welfare 18. Recreation 19. Religion 20. Other		
While the following are not regarded as separate community elements for purposes of this survey, indicate the number of leaders interviewed in all elements above who are: (a) Blacks (b) Hispanic, Spanish speaking or Spanish-surnamed Americans. (c) American Indians (d) Orientals (e) Women		

APPENDIX E

SUGGESTED LEADER CONTACT FORM

Date:

Name and address of person contacted: _____

Organization(s) or group(s) represented by person contacted: _____

Date, time and place of contact: _____

Method of contact: _____

Problems, needs and interests identified by person contacted: _____

Name of interviewer: _____

Reviewed by _____ Position _____

Date _____

APPENDIX F

FIPS 8-4

TABLE 1. Standard Metropolitan Statistical Areas

AREA CODE	AREA TITLE
0040	ABILENE, TX
	Callahan County
	Jones County
	Taylor County
0080	AKRON, OH
	Portage County
	Summit County
0120	ALBANY, GA
	Dougherty County
	Lee County
0160	ALBANY-SCHENECTADY-TROY, NY
	Albany County
	Montgomery County
	Rensselaer County
	Saratoga County
	Schenectady County
0200	ALBUQUERQUE, NM
	Bernalillo County
	Sandoval County
0220	ALEXANDRIA, LA
	Grant Parish
	Rapides Parish
0240	ALLENTOWN-BETHLEHEM-EASTON, PA-NJ
	Carbon County, PA
	Lehigh County, PA
	Northampton County, PA
	Warren County, NJ
0280	ALTOONA, PA
	Blair County
0320	AMARILLO, TX
	Potter County
	Randall County
0360	ANAHEIM-SANTA ANA-GARDEN GROVE, CA
	Orange County
0380	ANCHORAGE, AK
	Anchorage Census Division
0400	ANDERSON, IN
	Madison County
0440	ANN ARBOR, MI
	Washtenaw County
*0450	ANNISTON, ALA
	Calhoun County
0460	APPLETON-OSHKOSH, WI
	Calumet County
	Outagamie County
	Winnebago County
0480	ASHEVILLE, NC
	Buncombe County
	Madison County
0520	ATLANTA, GA
	Butts County
	Cherokee County
	Clayton County
	Cobb County
	De Kalb County
	Douglas County
	Fayette County
	Forsyth County
	Fulton County
	Gwinnett County
	Henry County
	Newton County
	Paulding County
	Rockdale County
	Walton County
0560	ATLANTIC CITY, NJ
	Atlantic County
0600	AUGUSTA, GA-SC
	Columbia County, GA
	Richmond County, GA
	Aiken County, SC
0640	AUSTIN, TX
	Hays County
	Travis County
0680	BAKERSFIELD, CA
	Kern County
0720	BALTIMORE, MD
	Baltimore city
	Anne Arundel County
	Baltimore County
	Carroll County
	Harford County
	Howard County
0760	BATON ROUGE, LA
	Ascension Parish
	East Baton Rouge Parish
	Livingston Parish
	West Baton Rouge Parish
0780	BATTLE CREEK, MI
	Barry County
	Calhoun County
0800	BAY CITY, MI
	Bay County
0840	BEAUMONT-PORT ARTHUR-ORANGE, TX
	Hardin County
	Jefferson County
	Orange County
0880	BILLINGS, MT
	Yellowstone County
0920	BILOXI-GULFPORT, MS
	Hancock County
	Harrison County
	Stone County
0960	BINGHAMTON, NY-PA
	Broome County, NY
	Tioga County, NY
	Susquehanna County, PA

TABLE 1. Standard Metropolitan Statistical Areas

AREA CODE	AREA TITLE
1000	BIRMINGHAM, AL
	Jefferson County
	St. Clair County
	Shelby County
	Walker County
1040	BLOOMINGTON-NORMAL, IL
	McLean County
1080	BOISE CITY, ID
	Ada County
1120	BOSTON, MA
	Essex County (part)
	Beverly city
	Lynn city
	Peabody city
	Salem city
	Boxford town
	Danvers town
	Hamilton town
	Lynnfield town
	Manchester town
	Marblehead town
	Middleton town
	Nahant town
	Saugus town
	Swampscott town
	Topsfield town
	Wenham town
	Middlesex County (part)
	Cambridge city
	Everett city
	Malden city
	Medford city
	Melrose city
	Newton city
	Somerville city
	Waltham city
	Woburn city
	Acton town
	Arlington town
	Ashland town
	Bedford town
	Belmont town
	Boxborough town
	Burlington town
	Carlisle town
	Concord town
	Framingham town
	Holliston town
	Lexington town
	Lincoln town
	Natick town
	North Reading town
	Reading town
	Sherborn town
	Stoneham town
	Sudbury town
	Wakefield town
	Watertown town
	Wayland town
	Weston town
	Wilmington town
	Winchester town
	Norfolk County (part)
	Quincy city
	Bellingham town
	Braintree town
	Brookline town
	Canton town
	Cohasset town
	Dedham town
	Dover town
	Foxborough town
	Franklin town
	Holbrook town
	Medfield town
	Medway town
	Millis town
	Milton town
	Needham town
	Norfolk town
	Norwood town
	Randolph town
	Sharon town
	Stoughton town
	Walpole town
	Wellesley town
	Westwood town
	Weymouth town
	Wrentham town
	Plymouth County (part)
	Abington town
	Duxbury town
	Hanover town
	Hanson town
	Hingham town
	Hull town
	Kingston town
	Marshfield town
	Norwell town
	Pembroke town
	Rockland town
	Scituate town
	Suffolk County
	Boston city
	Chelsea city
	Revere city
	Winthrop town
1160	BRIDGEPORT, CT
	Fairfield County (part)
	Bridgeport city
	Shelton city
	Easton town
	Fairfield town
	Monroe town
	Stratford town
	Trumbull town
	New Haven County
	Derby city
	Milford city

TABLE 1. Standard Metropolitan Statistical Areas

AREA CODE	AREA TITLE
1170	**BRISTOL, CT** *Hartford County (part)* *Bristol city* *Burlington town* *Litchfield County (part)* *Plymouth town*
1200	**BROCKTON, MA** *Bristol County (part)* *Easton town* *Norfolk County (part)* *Avon town* *Plymouth County (part)* *Brockton city* *Bridgewater town* *East Bridgewater town* *Halifax town* *West Bridgewater town* *Whitman town*
1240	**BROWNSVILLE-HARLINGEN-SAN BENITO, TX** *Cameron County*
1260	**BRYAN-COLLEGE STATION, TX** *Brazos County*
1280	**BUFFALO, NY** *Erie County* *Niagara County*
1300	**BURLINGTON, NC** *Alamance County*
1310	**CAGUAS, PR** *Caguas Municipio* *Gurabo Municipio* *San Lorenzo Municipio*
1320	**CANTON, OH** *Carroll County* *Stark County*
1360	**CEDAR RAPIDS, IA** *Linn County*
1400	**CHAMPAIGN-URBANA-RANTOUL, IL** *Champaign County*
1440	**CHARLESTON, SC** *Berkeley County* *Charleston County* *Dorchester County*
1480	**CHARLESTON, WV** *Kanawha County* *Putnam County*
1520	**CHARLOTTE-GASTONIA, NC** *Gaston County* *Mecklenburg County* *Union County*
1560	**CHATTANOOGA, TN-GA** *Hamilton County, TN* *Marion County, TN* *Sequatchie County, TN* *Catoosa County, GA*
	Dade County, GA *Walker County, GA*
1600	**CHICAGO, IL** *Cook County* *Du Page County* *Kane County* *Lake County* *McHenry County* *Will County*
1640	**CINCINNATI, OH-KY-IN** *Clermont County, OH* *Hamilton County, OH* *Warren County, OH* *Boone County, KY* *Campbell County, KY* *Kenton County, KY* *Dearborn County, IN*
*1660	**CLARKSVILLE-HOPKINSVILLE, TN-KY** *Montgomery County, TN* *Christian County, KY*
1680	**CLEVELAND, OH** *Cuyahoga County* *Geauga County* *Lake County* *Medina County*
1720	**COLORADO SPRINGS, CO** *El Paso County* *Teller County*
1740	**COLUMBIA, MO** *Boone County*
1760	**COLUMBIA, SC** *Lexington County* *Richland County*
*1800	**COLUMBUS, GA-AL** *Columbus, GA (cons. gov.)* *Chattahoochee County, GA* *Russell County, AL*
1840	**COLUMBUS, OH** *Delaware County* *Fairfield County* *Franklin County* *Madison County* *Pickaway County*
1880	**CORPUS CHRISTI, TX** *Nueces County* *San Patricio County*
1920	**DALLAS-FORT WORTH, TX** *Collin County* *Dallas County* *Denton County* *Ellis County* *Hood County* *Johnson County* *Kaufman County* *Parker County* *Rockwall County* *Tarrant County* *Wise County*

TABLE 1. Standard Metropolitan Statistical Areas

AREA CODE	AREA TITLE
*1930	**DANBURY, CT** *Fairfield County (part)* *Danbury city* *Bethel town* *Brookfield town* *New Fairfield town* *Newtown town* *Redding town* *Litchfield County (part)* *New Milford town*
*1960	**DAVENPORT-ROCK ISLAND-MOLINE, IA-IL** *Scott County, IA* *Henry County, IL* *Rock Island County, IL*
2000	**DAYTON, OH** *Greene County* *Miami County* *Montgomery County* *Preble County*
2020	**DAYTONA BEACH, FL** *Volusia County*
2040	**DECATUR, IL** *Macon County*
2080	**DENVER-BOULDER, CO** *Adams County* *Arapahoe County* *Boulder County* *Denver County* *Douglas County* *Gilpin County* *Jefferson County*
2120	**DES MOINES, IA** *Polk County* *Warren County*
2160	**DETROIT, MI** *Lapeer County* *Livingston County* *Macomb County* *Oakland County* *St. Clair County* *Wayne County*
2200	**DUBUQUE, IA** *Dubuque County*
2240	**DULUTH-SUPERIOR, MN-WI** *St. Louis County, MN* *Douglas County, WI*
2280	*(Deleted) See 6640*
2320	**EL PASO, TX** *El Paso County*
2335	**ELMIRA, NY** *Chemung County*
2360	**ERIE, PA** *Erie County*
2400	**EUGENE-SPRINGFIELD, OR** *Lane County*
2440	**EVANSVILLE, IN-KY** *Gibson County, IN* *Posey County, IN* *Vanderburgh County, IN* *Warrick County, IN* *Henderson County, KY*
2480	**FALL RIVER, MA-RI** *Bristol County (part), MA* *Fall River city* *Dighton town* *Somerset town* *Swansea town* *Westport town* *Newport County (part), RI* *Little Compton town* *Portsmouth town* *Tiverton town*
2520	**FARGO-MOORHEAD, ND-MN** *Cass County, ND* *Clay County, MN*
2560	**FAYETTEVILLE, NC** *Cumberland County*
2580	**FAYETTEVILLE-SPRINGDALE, AR** *Benton County* *Washington County*
2600	**FITCHBURG-LEOMINSTER, MA** *Middlesex County (part)* *Shirley town* *Townsend town* *Worcester County (part)* *Fitchburg city* *Leominster city* *Lunenburg town* *Westminster town*
2640	**FLINT, MI** *Genesee County* *Shiawassee County*
2650	**FLORENCE, AL** *Colbert County* *Lauderdale County*
2680	**FORT LAUDERDALE-HOLLYWOOD, FL** *Broward County*
2700	**FORT MYERS, FL** *Lee County*
2720	**FORT SMITH, AR-OK** *Crawford County, AR* *Sebastian County, AR* *Le Flore County, OK* *Sequoyah County, OK*
2760	**FORT WAYNE, IN** *Adams County* *Allen County* *De Kalb County* *Wells County*
2800	*(Deleted) See 1920*

TABLE 1. Standard Metropolitan Statistical Areas

AREA CODE	AREA TITLE
2840	**FRESNO, CA** *Fresno County*
2880	**GADSDEN, AL** *Etowah County*
2900	**GAINESVILLE, FL** *Alachua County*
2920	**GALVESTON-TEXAS CITY, TX** *Galveston County*
2960	**GARY-HAMMOND-EAST CHICAGO, IN** *Lake County* *Porter County*
2970	*(Deleted) See 1520*
3000	**GRAND RAPIDS, MI** *Kent County* *Ottawa County*
3040	**GREAT FALLS, MT** *Cascade County*
3080	**GREEN BAY, WI** *Brown County*
3120	**GREENSBORO—WINSTON-SALEM—HIGH POINT, NC** *Davidson County* *Forsyth County* *Guilford County* *Randolph County* *Stokes County* *Yadkin County*
3160	**GREENVILLE-SPARTANBURG, SC** *Greenville County* *Pickens County* *Spartanburg County*
3200	**HAMILTON-MIDDLETOWN, OH** *Butler County*
3240	**HARRISBURG, PA** *Cumberland County* *Dauphin County* *Perry County*
3280	**HARTFORD, CT** *Hartford County (part)* *Hartford city* *Avon town* *Bloomfield town* *Canton town* *East Granby town* *East Hartford town* *East Windsor town* *Enfield town* *Farmington town* *Glastonbury town* *Granby town* *Manchester town* *Marlborough town* *Newington town* *Rocky Hill town* *Simsbury town* *South Windsor town*
	Suffield town *West Hartford town* *Wethersfield town* *Windsor town* *Windsor Locks town* *Litchfield County (part)* *New Hartford town* *Middlesex County (part)* *Cromwell town* *East Hampton town* *Portland town* *New London County (part)* *Colchester town* *Tolland County (part)* *Andover town* *Bolton town* *Columbia town* *Coventry town* *Ellington town* *Hebron town* *Stafford town* *Tolland town* *Vernon town* *Willington town*
3320	**HONOLULU, HI** *Honolulu County*
3360	**HOUSTON, TX** *Brazoria County* *Fort Bend County* *Harris County* *Liberty County* *Montgomery County* *Waller County*
3400	**HUNTINGTON-ASHLAND, WV-KY-OH** *Cabell County, WV* *Wayne County, WV* *Boyd County, KY* *Greenup County, KY* *Lawrence County, OH*
3440	**HUNTSVILLE, AL** *Limestone County* *Madison County* *Marshall County*
3480	**INDIANAPOLIS, IN** *Boone County* *Hamilton County* *Hancock County* *Hendricks County* *Johnson County* *Marion County* *Morgan County* *Shelby County*
3520	**JACKSON, MI** *Jackson County*
3560	**JACKSON, MS** *Hinds County* *Rankin County*

TABLE 1 Standard Metropolitan Statistical Areas

AREA CODE	AREA TITLE
3600	**JACKSONVILLE, FL** *Baker County* *Clay County* *Duval County* *Nassau County* *St. Johns County*
3640	**JERSEY CITY, NJ** *Hudson County*
3680	**JOHNSTOWN, PA** *Cambria County* *Somerset County*
3720	**KALAMAZOO-PORTAGE, MI** *Kalamazoo County* *Van Buren County*
3760	**KANSAS CITY, MO-KS** *Cass County, MO* *Clay County, MO* *Jackson County, MO* *Platte County, MO* *Ray County, MO* *Johnson County, KS* *Wyandotte County, KS*
3800	**KENOSHA, WI** *Kenosha County*
3810	**KILLEEN-TEMPLE, TX** *Bell County* *Coryell County*
3815	**KINGSPORT-BRISTOL, TN-VA** *Hawkins County, TN* *Sullivan County, TN* *Bristol city, VA* *Scott County, VA* *Washington County, VA*
3840	**KNOXVILLE, TN** *Anderson County* *Blount County* *Knox County* *Union County*
3870	**LA CROSSE, WI** *La Crosse County*
3880	**LAFAYETTE, LA** *Lafayette Parish*
3920	**LAFAYETTE-WEST LAFAYETTE, IN** *Tippecanoe County*
3960	**LAKE CHARLES, LA** *Calcasieu Parish*
3980	**LAKELAND-WINTER HAVEN, FL** *Polk County*
4000	**LANCASTER, PA** *Lancaster County*
4040	**LANSING-EAST LANSING, MI** *Clinton County* *Eaton County* *Ingham County* *Ionia County*
4080	**LAREDO, TX** *Webb County*
4120	**LAS VEGAS, NV** *Clark County*
4160	**LAWRENCE-HAVERHILL, MA-NH** *Essex County (part), MA* *Lawrence city* *Haverhill city* *Amesbury town* *Andover town* *Georgetown town* *Groveland town* *Merrimac town* *Methuen town* *North Andover town* *Salisbury town* *West Newbury town* *Rockingham County (part), NH* *Atkinson town* *Hampstead town* *Kingston town* *Newton town* *Plaistow town* *Salem town* *Windham town*
4200	**LAWTON, OK** *Comanche County*
4240	**LEWISTON-AUBURN, ME** *Androscoggin County (part)* *Auburn city* *Lewiston city* *Lisbon town*
*4280	**LEXINGTON-FAYETTE, KY** *Bourbon County* *Clark County* *Fayette County* *Jessamine County* *Scott County* *Woodford County*
4320	**LIMA, OH** *Allen County* *Auglaize County* *Putnam County* *Van Wert County*
4360	**LINCOLN, NE** *Lancaster County*
4400	**LITTLE ROCK-NORTH LITTLE ROCK, AR** *Pulaski County* *Saline County*
4410	**LONG BRANCH-ASBURY PARK, NJ** *Monmouth County*
4440	**LORAIN-ELYRIA, OH** *Lorain County*
4480	**LOS ANGELES-LONG BEACH, CA** *Los Angeles County*

TABLE 1. Standard Metropolitan Statistical Areas

AREA CODE	AREA TITLE
4520	LOUISVILLE, KY-IN
	Bullitt County, KY
	Jefferson County, KY
	Oldham County, KY
	Clark County, IN
	Floyd County, IN
4560	LOWELL, MA-NH
	Middlesex County (part), MA
	Lowell city
	Billerica town
	Chelmsford town
	Dracut town
	Tewksbury town
	Tyngsborough town
	Westford town
	Hillsborough County (part), NH
	Pelham town
4600	LUBBOCK, TX
	Lubbock County
4640	LYNCHBURG, VA
	Lynchburg city
	Amherst County
	Appomattox County
	Campbell County
4680	MACON, GA
	Bibb County
	Houston County
	Jones County
	Twiggs County
4720	MADISON, WI
	Dane County
4760	MANCHESTER, NH
	Hillsborough County (part)
	Manchester city
	Bedford town
	Goffstown town
	Merrimack County (part)
	Allenstown town
	Hooksett town
	Pembroke town
	Rockingham County (part)
	Derry town
	Londonderry town
4800	MANSFIELD, OH
	Richland County
4840	MAYAGUEZ, PR
	Añasco Municipio
	Hormigueros Municipio
	Mayagüez Municipio
4880	McALLEN-PHARR-EDINBURG, TX
	Hidalgo County
4900	MELBOURNE-TITUSVILLE-COCOA,
	Brevard County
4920	MEMPHIS, TN-AR-MS
	Shelby County, TN
	Tipton County, TN
	Crittenden County, AR
	De Soto County, MS
4960	MERIDEN, CT
	New Haven County (part)
	Meriden city
5000	MIAMI, FL
	Dade County
5040	MIDLAND, TX
	Midland County
5080	MILWAUKEE, WI
	Milwaukee County
	Ozaukee County
	Washington County
	Waukesha County
5120	MINNEAPOLIS-ST. PAUL, MN-WI
	Anoka County, MN
	Carver County, MN
	Chisago County, MN
	Dakota County, MN
	Hennepin County, MN
	Ramsey County, MN
	Scott County, MN
	Washington County, MN
	Wright County, MN
	St. Croix County, WI
5160	MOBILE, AL
	Baldwin County
	Mobile County
5170	MODESTO, CA
	Stanislaus County
5200	MONROE, LA
	Ouachita Parish
5240	MONTGOMERY, AL
	Autauga County
	Elmore County
	Montgomery County
5280	MUNCIE, IN
	Delaware County
5320	MUSKEGON-MUSKEGON HEIGHTS,
	MI
	Muskegon County
	Oceana County
5350	NASHUA, NH
	Hillsborough County (part)
	Nashua city
	Amherst town
	Hudson town
	Merrimack town
	Milford town
5360	NASHVILLE-DAVIDSON, TN
	Cheatham County
	Davidson County
	Dickson County
	Robertson County
	Rutherford County

TABLE 1. Standard Metropolitan Statistical Areas

AREA CODE	AREA TITLE
	Sumner County
	Williamson County
	Wilson County
5380	NASSAU-SUFFOLK, NY
	Nassau County
	Suffolk County
5400	NEW BEDFORD, MA
	Bristol County (part)
	New Bedford city
	Acushnet town
	Dartmouth town
	Fairhaven town
	Freetown town
	Plymouth County (part)
	Lakeville town
	Marion town
	Mattapoisett town
5440	NEW BRITAIN, CT
	Hartford County (part)
	New Britain city
	Berlin town
	Plainville town
	Southington town
5460	NEW BRUNSWICK-PERTH AMBOY-SAYREVILLE, NJ
	Middlesex County
5480	NEW HAVEN-WEST HAVEN, CT
	Middlesex County (part)
	Clinton town
	Killingworth town
	New Haven County (part)
	New Haven city
	West Haven city
	Bethany town
	Branford town
	East Haven town
	Guilford town
	Hamden town
	Madison town
	North Branford town
	North Haven town
	Orange town
	Wallingford town
	Woodbridge town
5520	NEW LONDON-NORWICH, CT-RI
	Middlesex County (part), CT
	Old Saybrook town
	New London County (part), CT
	New London city
	Norwich city
	Bozrah town
	East Lyme town
	Griswold town
	Groton town
	Ledyard town
	Lisbon town
	Montville town
	Old Lyme town
	Preston town
	Sprague town
	Stonington town
	Waterford town
	Washington County (part), RI
	Hopkinton town
	Westerly town
5560	NEW ORLEANS, LA
	Jefferson Parish
	Orleans Parish
	St. Bernard Parish
	St. Tammany Parish
5600	NEW YORK, NY-NJ
	Bronx County, NY
	Kings County, NY
	New York County, NY
	Putnam County, NY
	Queens County, NY
	Richmond County, NY
	Rockland County, NY
	Westchester County, NY
	Bergen County, NJ
5640	NEWARK, NJ
	Essex County
	Morris County
	Somerset County
	Union County
5680	NEWPORT NEWS-HAMPTON, VA
	Hampton city
	Newport News city
	Williamsburg city
	Gloucester County
	James City County
	York County
*5720	NORFOLK-VIRGINIA BEACH-PORTSMOUTH, VA-NC
	Chesapeake city, VA
	Norfolk city, VA
	Portsmouth city, VA
	Suffolk city, VA
	Virginia Beach city, VA
	Currituck County, NC
5745	NORTHEAST PENNSYLVANIA
	Lackawanna County
	Luzerne County
	Monroe County
5760	NORWALK, CT
	Fairfield County (part)
	Norwalk city
	Weston town
	Westport town
	Wilton town
5800	ODESSA, TX
	Ector County
5840	*(Deleted) See 7160*
5880	OKLAHOMA CITY, OK
	Canadian County
	Cleveland County

TABLE 1. Standard Metropolitan Statistical Areas

AREA CODE	AREA TITLE
	McClain County
	Oklahoma County
	Pottawatomie County
5920	OMAHA, NE-IA
	Douglas County, NE
	Sarpy County, NE
	Pottawattamie County, IA
5960	ORLANDO, FL
	Orange County
	Osceola County
	Seminole County
5990	OWENSBORO, KY
	Daviess County
6000	OXNARD-SIMI VALLEY-VENTURA, CA
	Ventura County
6020	PARKERSBURG-MARIETTA, WV-OH
	Wirt County, WV
	Wood County, WV
	Washington County, OH
6040	PATERSON-CLIFTON-PASSAIC, NJ
	Passaic County
6080	PENSACOLA, FL
	Escambia County
	Santa Rosa County
6120	PEORIA, IL
	Peoria County
	Tazewell County
	Woodford County
6140	PETERSBURG-COLONIAL HEIGHTS—HOPEWELL, VA
	Colonial Heights city
	Hopewell city
	Petersburg city
	Dinwiddie County
	Prince George County
6160	PHILADELPHIA, PA-NJ
	Bucks County, PA
	Chester County, PA
	Delaware County, PA
	Montgomery County, PA
	Philadelphia County, PA
	Burlington County, NJ
	Camden County, NJ
	Gloucester County, NJ
6200	PHOENIX, AZ
	Maricopa County
6240	PINE BLUFF, AR
	Jefferson County
6280	PITTSBURGH, PA
	Allegheny County
	Beaver County
	Washington County
	Westmoreland County
6320	PITTSFIELD, MA
	Berkshire County (part)
	Pittsfield city
	Adams town
	Cheshire town
	Dalton town
	Lanesborough town
	Lee town
	Lenox town
	Stockbridge town
6360	PONCE, PR
	Juana Diaz Municipio
	Ponce Municipio
	Villalba Municipio
6400	PORTLAND, ME
	Cumberland County (part)
	Portland city
	South Portland city
	Westbrook city
	Cape Elizabeth town
	Cumberland town
	Falmouth town
	Freeport town
	Gorham town
	Scarborough town
	Windham town
	Yarmouth town
	York County (part)
	Saco city
	Old Orchard Beach town
6440	PORTLAND, OR-WA
	Clackamas County, OR
	Multnomah County, OR
	Washington County, OR
	Clark County, WA
6460	POUGHKEEPSIE, NY
	Dutchess County
6480	PROVIDENCE-WARWICK-PAWTUCKET, RI-MA
	Bristol County, RI
	Barrington town
	Bristol town
	Warren town
	Kent County (part), RI
	Warwick city
	Coventry town
	East Greenwich town
	West Warwick town
	Newport County (part), RI
	Jamestown town
	Providence County (part), RI
	Central Falls city
	Cranston city
	East Providence city
	Pawtucket city
	Providence city
	Woonsocket city
	Burrillville town
	Cumberland town
	Johnston town
	Lincoln town
	North Providence town
	North Smithfield town

TABLE 1. Standard Metropolitan Statistical Areas

AREA CODE	AREA TITLE
	Scituate town
	Smithfield town
	Washington County (part), RI
	Narragansett town
	North Kingstown town
	South Kingstown town
	Bristol County (part) MA
	Attleboro city
	North Attleborough town
	Norton town
	Rehoboth town
	Seekonk town
	Norfolk County (part), MA
	Plainville town
	Worcester County (part), MA
	Blackstone town
	Millville town
6520	PROVO-OREM, UT
	Utah County
6560	PUEBLO, CO
	Pueblo County
6600	RACINE, WI
	Racine County
6640	RALEIGH-DURHAM, NC
	Durham County
	Orange County
	Wake County
6680	READING, PA
	Berks County
6720	RENO, NV
	Washoe County
6740	RICHLAND-KENNEWICK, WA
	Benton County
	Franklin County
6760	RICHMOND, VA
	Richmond city
	Charles City County
	Chesterfield County
	Goochland County
	Hanover County
	Henrico County
	Powhatan County
6780	RIVERSIDE-SAN BERNARDINO ONTARIO, CA
	Riverside County
	San Bernardino County
6800	ROANOKE, VA
	Roanoke city
	Salem city
	Botetourt County
	Craig County
	Roanoke County
6820	ROCHESTER, MN
	Olmsted County
6840	ROCHESTER, NY
	Livingston County
	Monroe County
	Ontario County
	Orleans County
	Wayne County
6880	ROCKFORD, IL
	Boone County
	Winnebago County
6920	SACRAMENTO, CA
	Placer County
	Sacramento County
	Yolo County
6960	SAGINAW, MI
	Saginaw County
6980	ST. CLOUD, MN
	Benton County
	Sherburne County
	Stearns County
7000	ST. JOSEPH, MO
	Andrew County
	Buchanan County
7040	ST. LOUIS, MO-IL
	St. Louis city, MO
	Franklin County, MO
	Jefferson County, MO
	St. Charles County, MO
	St. Louis County, MO
	Clinton County, IL
	Madison County, IL
	Monroe County, IL
	St. Clair County, IL
7080	SALEM, OR
	Marion County
	Polk County
7120	SALINAS-SEASIDE-MONTEREY, CA
	Monterey County
7160	SALT LAKE CITY-OGDEN, UT
	Davis County
	Salt Lake County
	Tooele County
	Weber County
7200	SAN ANGELO, TX
	Tom Green County
7240	SAN ANTONIO, TX
	Bexar County
	Comal County
	Guadalupe County
7320	SAN DIEGO, CA
	San Diego County
7360	SAN FRANCISCO-OAKLAND, CA
	Alameda County
	Contra Costa County
	Marin County

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TABLE 1. Standard Metropolitan Statistical Areas

AREA CODE	AREA TITLE
8320	TERRE HAUTE, IN
	Clay County
	Sullivan County
	Vermillion County
	Vigo County
8360	TEXARKANA, TX-TEXARKANA, AR
	Bowie County, TX
	Little River County, AR
	Miller County, AR
8400	TOLEDO, OH-MI
	Fulton County, OH
	Lucas County, OH
	Ottawa County, OH
	Wood County, OH
	Monroe County, MI
8440	TOPEKA, KS
	Jefferson County
	Osage County
	Shawnee County
8480	TRENTON, NJ
	Mercer County
8520	TUCSON, AZ
	Pima County
8560	TULSA, OK
	Creek County
	Hayes County
	Osage County
	Rogers County
	Tulsa County
	Wagoner County
8600	TUSCALOOSA, AL
	Tuscaloosa County
8640	TYLER, TX
	Smith County
8680	UTICA-ROME, NY
	Herkimer County
	Oneida County
8720	VALLEJO-FAIRFIELD-NAPA, CA
	Napa County
	Solano County
*8760	VINELAND-MILLVILLE-BRIDGETON, NJ
	Cumberland County
8800	WACO, TX
	McLennan County
*8840	WASHINGTON, DC-MD-VA
	District of Columbia
	Charles County, MD
	Montgomery County, MD
	Prince Georges County, MD
	Alexandria city, VA
	Fairfax city, VA
	Falls Church city, VA
	Arlington County, VA
	Fairfax County, VA
	Loudoun County, VA
	Prince William County, VA
8880	WATERBURY, CT
	Litchfield County (part)
	Thomaston town
	Watertown town
	Woodbury town
	New Haven County (part)
	Waterbury city
	Naugatuck borough
	Beacon Falls town
	Cheshire town
	Middlebury town
	Prospect town
	Southbury town
	Wolcott town
8920	WATERLOO-CEDAR FALLS, IA
	Black Hawk County
8960	WEST PALM BEACH-BOCA RATON, FL
	Palm Beach County
9000	WHEELING, WV-OH
	Brooke County, WV
	Ohio County, WV
	Belmont County, OH
9040	WICHITA, KS
	Butler County
	Sedgwick County
9080	WICHITA FALLS, TX
	Clay County
	Wichita County
9120	*(Deleted) See 5745*
9140	WILLIAMSPORT, PA
	Lycoming County
9160	WILMINGTON, DE-NJ-MD
	New Castle County, DE
	Salem County, NJ
	Cecil County, MD
9200	WILMINGTON, NC
	Brunswick County
	New Hanover County
9240	WORCESTER, MA
	Worcester County (part)
	Worcester city
	Auburn town
	Berlin town
	Boylston town
	Brookfield town
	Charlton town
	East Brookfield town
	Grafton town
	Holden town
	Leicester town
	Millbury town
	Northborough town
	Northbridge town
	North Brookfield town

TABLE 1. Standard Metropolitan Statistical Areas

AREA CODE	AREA TITLE
	San Francisco County
	San Mateo County
7400	SAN JOSE, CA
	Santa Clara County
7440	SAN JUAN, PR
	Bayamon Municipio
	Barranquitas Municipio
	Carolina Municipio
	Catano Municipio
	Guaynabo Municipio
	Loiza Municipio
	San Juan Municipio
	Toa Baja Municipio
	Trujillo Alto Municipio
7480	SANTA BARBARA-SANTA MARIA-LOMPOC, CA
	Santa Barbara County
7485	SANTA CRUZ, CA
	Santa Cruz County
7500	SANTA ROSA, CA
	Sonoma County
7510	SARASOTA, FL
	Sarasota County
7520	SAVANNAH, GA
	Bryan County
	Chatham County
	Effingham County
7560	*(Deleted) See 5745*
7600	SEATTLE-EVERETT, WA
	King County
	Snohomish County
7640	SHERMAN-DENISON, TX
	Grayson County
7680	SHREVEPORT, LA
	Bossier Parish
	Caddo Parish
	Webster Parish
7720	SIOUX CITY, IA-NE
	Woodbury County, IA
	Dakota County, NE
7760	SIOUX FALLS, SD
	Minnehaha County
7800	SOUTH BEND, IN
	Marshall County
	St. Joseph County
7820	*(Deleted) See 3160*
7840	SPOKANE, WA
	Spokane County
7880	SPRINGFIELD, IL
	Menard County
	Sangamon County
7920	SPRINGFIELD, MO
	Christian County
	Greene County
7960	SPRINGFIELD, OH
	Champaign County
	Clark County
8000	SPRINGFIELD-CHICOPEE-HOLYOKE, MA-CT
	Hampden County (part), MA
	Chicopee city
	Holyoke city
	Springfield city
	Westfield city
	Agawam town
	East Longmeadow town
	Hampden town
	Longmeadow town
	Ludlow town
	Monson town
	Palmer town
	Southwick town
	West Springfield town
	Wilbraham town
	Hampshire County (part), MA
	Northampton city
	Belchertown town
	Easthampton town
	Granby town
	Hadley town
	Hatfield town
	South Hadley town
	Southampton town
	Worcester County (part), MA
	Warren town
	Tolland County (part), CT
	Somers town
8040	STAMFORD, CT
	Fairfield County (part)
	Stamford city
	Darien town
	Greenwich town
	New Canaan town
8080	STEUBENVILLE-WEIRTON, OH-WV
	Jefferson County, OH
	Brooke County, WV
	Hancock County, WV
8120	STOCKTON, CA
	San Joaquin County
8160	SYRACUSE, NY
	Madison County
	Onondaga County
	Oswego County
8200	TACOMA, WA
	Pierce County
8240	TALLAHASSEE, FL
	Leon County
	Wakulla County
8280	TAMPA-ST. PETERSBURG, FL
	Hillsborough County
	Pasco County
	Pinellas County

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TABLE 1. Standard Metropolitan Statistical Areas

AREA CODE	AREA TITLE
	Oxford town
	Paxton town
	Shrewsbury town
	Spencer town
	Sterling town
	Sutton town
	Upton town
	Uxbridge town
	Webster town
	Westborough town
	West Boylston town
9260	YAKIMA, WA
	Yakima County
9280	YORK, PA
	Adams County
	York County
9320	YOUNGSTOWN-WARREN, OH
	Mahoning County
	Trumbull County

[FR Doc.76-41 Filed 1-6-76;8:45 am]

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federal register

WEDNESDAY, JANUARY 7, 1976



PART III:

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Office of Education

■

STATE ADMINISTERED PROGRAMS

Final Regulations

VOL 41 NO 4
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XUM

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

STATE ADMINISTERED PROGRAMS

Final Regulations

Notice of proposed rulemaking was published in the FEDERAL REGISTER on May 2, 1975 (40 FR 19204), which set forth proposed regulations for section 434(b)(1) and (2) of the General Education Provisions Act, added by section 511 of the Education Amendments of 1974. Section 434(b)(1) provides for the submission of a State application consisting of (1) a General Application (containing five assurances), and (2) an Annual Program Plan for each program to which these regulations apply.

The regulations apply to the following currently funded Federal programs of assistance, since under these programs, funds may be made available to local educational agencies through, or under the supervision of, the State educational agency. (The definition of the term "State" was inadvertently omitted from the proposed rules. A definition has been added to Part 100 (45 CFR 100) which would apply where the program statute or regulations do not otherwise define the term.) However, where a particular State does not administer the funds provided under a particular program through its State educational agency, or does not make grants to local educational agencies with any of those funds, that State would be required to submit a State plan (or other comparable document required under the program statute), rather than an annual program plan (see § 100b.15(a)), and the general application would not apply to that program in that State.

CURRENTLY FUNDED FEDERAL PROGRAMS OF ASSISTANCE

Financial assistance to State agencies and local education agencies under Title I of the Elementary and Secondary Education Act of 1955 (20 U.S.C. 241a);

School library resources, textbooks, and other instructional materials under Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 821);

Supplementary educational centers and services, guidance, counseling, and testing under Title III of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 841);

Libraries and learning resources, educational innovation and support under Title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 1801);

Assistance to States for the education of handicapped children under Part B of the Education of the Handicapped Act (20 U.S.C. 1411);

State vocational education programs under the Vocational Education Act of 1963, as amended; part B (State vocational education programs); part C, section 131(b) (Research and training in vocational education); Part D, section 142(d) (Exemplary programs and projects); part E, section 152 (Residential vocational education-State programs); part F (Consumer and homemaking education); part G (Cooperative vocational education programs); and part H (Work-study programs for vocational education students) (20 U.S.C. 1262, 1281(b), 1302(d), 1322, 1341, 1351, and 1371);

Programs under the Adult Education Act (except assistance for the improvement of educational opportunities for Adult Indians under section 314) (20 U.S.C. 1201);

Financial assistance for strengthening instruction in science, mathematics, modern foreign languages, and other critical subjects under Title III of the National Defense Education Act, except section 305 (20 U.S.C. 441); and

State reading improvement programs under Part B of Title VII of the Education Amendments of 1974 (20 U.S.C. 1941).

Interested persons were given 30 days in which to submit written comments, suggestions or objections regarding the proposed rules. Summaries of the comments received on the regulations and responses to those comments are set forth below. The comments are arranged in order of the sections of the final regulations.

SUMMARY OF COMMENTS

1. *General. Comment.* A commenter stated that the relationship of the general application, annual program plans, and State plans, is not clear.

Response. An annual program plan must be submitted each year by a State for each of the programs set forth in § 100b.10 where any of the funds are provided to local educational agencies through, or under the supervision of, the State educational agency. (See § 100b.15(a)). In such a program, the State would not be required to submit a State plan. (See § 100b.19). The general application applies only to those programs where an annual program plan is required, and provides assurances which need not be repeated in the annual program plans. (See § 100.17(c)). The general application need only be submitted once by each State, and will not have to be modified in the future unless Congress amends section 434(b)(1)(A)(ii) of the General Education Provisions Act (which sets forth the five assurances now required in the general application).

2. Section 100b.18 *Annual program plan. Comment.* A commenter suggested that once an annual program plan is on file with the Commissioner, only amendments should be required and the plan should be in effect automatically at the beginning of each fiscal year.

Response. Section 100b.18(c) provides that a State may use incorporation by reference with respect to material already on file with the Commissioner. While the statutory requirement for an annual program plan, which must include a statement of the purposes for which the funds are to be spent for that fiscal year, would appear to preclude an automatic extension, this provision in the regulations for referencing material which does not require an amendment should serve to reduce the paperwork burden and meet the substance of the comment. No change has been made in the regulation.

3. Section 100b.29 *Budget revisions and minor deviations. Comment.* A commenter objected to the requirement in § 100b.29(a) that a State agency notify the Commissioner whenever the amount of "authorized funds" is expected to exceed the State's needs by a specific amount. The objection was raised on the grounds that compliance would be difficult because of the carryover authority to obligate and expend funds in the fiscal year following the fiscal year for which the funds were appropriated. (Section 412(b) of the General Education Provisions Act (20 U.S.C. 1225(b)).

Response. The term "authorized funds" refers to all funds which a State is authorized to obligate and expend, and at any given time would include both current year funds and any funds which have been carried over from the previous year. The requirement relates to funds which a State does not expect to use (if any), and requires notification to the Commissioner whenever those unneeded funds exceed a certain amount. The notification enables the Commissioner to keep apprised of States' needs for funds for purposes of reallocation, the appropriations process, and other matters. No change has been made in the regulations.

4. Section 100b.35 *Effective dates of applications, plans, and amendments. Comment.* A commenter asked whether State and local agencies may begin to obligate funds (under a program listed in § 100b.10) when the general application has been submitted. The commenter also asked about the effective date of an annual program plan, and its relationship to the period when funds may be obligated.

Response. If a program is subject to the general application/annual program plan requirements (see "Response" under 1. *General.* above), the authority to obligate funds under that program begins when the State has submitted, in substantially approvable form, both its general application and its annual program plan. Since the general application has to be submitted only once, in future years the authority to obligate funds under a particular program would be contingent on submission of a substantially approvable annual program plan for that program. In any case, the period for obligation cannot begin earlier than the first day of the fiscal year for which the funds were appropriated. No change has been made in the regulations.

Comment. A commenter stated that § 100b.35(b) suggests that funds may be used for the development of State plans, State applications, State agreements, general applications, or annual program plans, and asked whether additional funds would be made available for the purpose.

Response. These costs are generally allowable if they are specifically set forth in the approved plan, application, or agreement (see Appendix B of the Office of Education General Provisions Regulations (45 CFR Parts 100–100c), Part II, section C (Costs allowable with approval of the grantor agency), paragraph 6 (Preagreement costs)). However, the statute and regulations for the particular program should be checked to determine whether those costs are allowable under that program. Reimbursement of those costs would have to come from State administrative funds under the program.

No change has been made in the regulations.

After consideration of all comments, Title 45 of the Code of Federal Regulations is amended as set forth below.

Effective date. Pursuant to section 431(d) of the General Education Provisions Act, as amended, (20 U.S.C. 1232(d)) these regulations have been transmitted to the Congress concurrently with the publication in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions therein concerning Congressional action and adjournment.

It is hereby certified that the economic and inflationary impacts of this proposed regulation have been carefully evaluated in accordance with OMB Circular A–107.

(Catalog of Federal Domestic Assistance Programs Nos. 13.400–13.571 Office of Education)

Dated: August 26, 1975.

T. H. BELL,
U.S. Commissioner of Education.

Approved: December 24, 1975.

DAVID MATHEWS,
Secretary of Health, Education, and Welfare.

Title 45 of the Code of Federal Regulations is amended as follows:

PART 117—FINANCIAL ASSISTANCE FOR SCHOOL LIBRARY RESOURCES, TEXTBOOKS AND OTHER INSTRUCTIONAL MATERIALS

§ 117.2 [Amended]

1. In Part 117, § 117.2 is amended by deleting the last sentence in paragraph (d), and by deleting paragraph (i).

PART 121—PROGRAMS FOR THE EDUCATION OF HANDICAPPED CHILDREN

§ 121.102 [Amended]

2. In Part 121, § 121.102 is amended by deleting paragraph (b).

PART 130—LIBRARY SERVICES, PUBLIC LIBRARY CONSTRUCTION, AND INTERLIBRARY COOPERATION

3. In Part 130, § 130.22 is amended by deleting and reserving paragraph (a) and by revising the remainder of the section to read as follows:

§ 130.22 Amendment of State plan.

(a) [Reserved]

(b) Long-range program. The long-range program shall be amended to reflect changes in:

(1) Estimates of present and projected program needs;

(2) The plan of action for meeting these needs; and

(3) Policies, criteria, priorities, and procedures.

(c) Amendments of the basic State plan and the long-range program shall be submitted each year as part of the annual extension of the long-range program submitted pursuant to § 130.20(b).

(20 U.S.C. 351d, 354, 355c, 355e–2)

PART 141—FINANCIAL ASSISTANCE FOR STRENGTHENING INSTRUCTION IN ACADEMIC SUBJECTS IN PUBLIC SCHOOLS

§ 141.2 [Amended]

4. In Part 141, § 141.2 is amended by deleting the last sentence in paragraph (d).

PART 166—STATE ADULT EDUCATION PROGRAMS

§ 166.15 [Removed]

5. In Part 166, § 166.15 is deleted.

PART 173—FINANCIAL ASSISTANCE FOR COMMUNITY SERVICE AND CONTINUING EDUCATION PROGRAMS

§ 173.5 [Removed]

6. In Part 173, § 173.5 is deleted.

PART 100—GENERAL

7. In Part 100, Section 100.1 is amended by adding the following definition:

§ 100.1 Definitions.

As used in this chapter (except as otherwise defined by an applicable statute or regulation):

* * * * *

"State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

PART 100b—STATE ADMINISTERED PROGRAMS

8. Part 100b is amended by revising Subparts A and B to read as follows:

Subpart A—General

Sec.

100b.10 Scope.

Subpart B—State Plans, General Applications, and Annual Program Plans

SCOPE

100b.15 Scope of subpart.

REQUIREMENTS RELATING TO THE GENERAL APPLICATIONS AND ANNUAL PROGRAM PLANS

100b.16 Implementation of application procedures.
100b.17 General application.
100b.18 Annual program plan.
100b.19 State plan requirements.

GENERAL REQUIREMENTS

100b.28 Amendments.
100b.29 Budget revisions and minor deviations.
100b.35 Effective dates of applications, plans, and amendments.
100b.36 Governor's comments.

Subpart A—General

§ 100b.10 Scope.

Except to the extent inconsistent with an applicable statute or regulation, the provisions contained in this part apply to all Federal programs of assistance authorized under the following authorities:

(a) Financial assistance to State agencies and local educational agencies under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 241a);

(b) School library resources, textbooks, and other instructional materials under title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 821);

(c) Supplementary educational centers and services; guidance, counseling, and testing under title III of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 841);

(d) Libraries and learning resources and educational innovation and support under title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 1801);

(e) Education of handicapped children under part B of the Education of the Handicapped Act (20 U.S.C. 1411);

(f) Vocational education programs under the Vocational Education Act of 1963: part B (State vocational education programs); part C, section 131(b) (Research and training in vocational education); part D, section 142(d) (Exemplary programs and projects); part E, section 152 (Residential vocational education-State programs); part F (Consumer and homemaking education); part G (Cooperative vocational education programs); and part H (Work-study programs for vocational education students) (20 U.S.C. 1262, 1281(b), 1302(d), 1322, 1341, 1351, and 1371);

(g) Programs under the Adult Education Act (except section 314 thereof) (20 U.S.C. 1201);

(h) Community service and continuing education programs under title I of the Higher Education Act of 1965 (except section 106 thereof) (20 U.S.C. 1001);

(i) Financial assistance for strengthening instruction in science, mathematics, modern foreign languages, and other critical subjects under title III–A of the National Defense Education Act of 1958 (except section 305 thereof) (20 U.S.C. 441);

(j) Programs under the Library Services and Construction Act (20 U.S.C. 351);

(k) Attracting and qualifying teachers to meet critical teacher shortages under part B–2 of the Education Professions Development Act (20 U.S.C. 1108); and

(l) State reading improvement programs under part B of title VII of the Education amendments of 1974 (20 U.S.C. 1941). (20 U.S.C. 1221e–3(a)(1))

Subpart B—State Plans, General Applications, and Annual Program Plans

SCOPE

§ 100b.15 Scope of subpart.

(a) A State shall comply with §§ 100b.16–100b.19 (inclusive) with respect to each of the programs set forth in § 100b.10 under which any of the Federal funds are made available for assistance to local educational agencies through, or under the supervision of the State educational agency of that State.

(20 U.S.C. 1232c(b)(1)(A))

(b) Sections 100b.28–100b.36 (inclusive) apply to all of the programs set forth in § 100b.10.

(20 U.S.C. 1221e–3(a)(1))

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REQUIREMENTS RELATING TO THE GENERAL APPLICATION AND ANNUAL PROGRAM PLANS

§ 100b.16 Implementation of application procedures.

The purpose of §§ 100b.16–100b.19 is to implement section 434(b)(1) and (2) of the General Education Provisions Act, as amended, which provides for the submission of general applications and annual program plans by States which desire to participate in one or more of the Federal programs referenced in § 100.b, 15(a).

(20 U.S.C. 1232c(b)(1), (2))

§ 100b.17 General application.

(a) The general application of a State shall meet the requirements of section 434(b)(1)(A) of the General Education Provisions Act.

(b) The Commissioner will not require the resubmission of a general application which has been filed with him unless the general application fails to meet the requirements of section 434(b)(1)(A) of the General Education Provisions Act.

(20 U.S.C. 1232c(b)(1)(A))

(c) The following statutory sections require that certain provisions (among others) must be submitted to the Commissioner in order for a State to participate under the Federal programs to which those statutory sections apply. Submission of a general application which meets the requirements of section 434(b)(1)(A) of the General Education Provisions Act by a State will satisfy these submission requirements, subject to paragraph (d) of this section.

(1) *Compensatory education.* Under title I of the Elementary and Secondary Education Act of 1965: section 142(a)(2), (3);

(20 U.S.C. 1232c(b)(1)(A)(ii) (II), (III))

(2) *School library resources.* Under title II of the Elementary and Secondary Education Act: section 203(a) (5), (6), and (7);

(20 U.S.C. 1232c(b)(1)(A)(ii) (II), (III), (IV))

(3) *Supplementary educational centers and services; guidance, counseling, and testing.* Under title III of the Elementary and Secondary Education Act of 165: section 305(b)(9)(B), (10), and (11);

(20 U.S.C. 1232c(b)(1)(A)(ii) (II), (III), (IV))

(4) *Education of the handicapped.* Under part B of the Education of the Handicapped Act: section 613(a)(4), (7)(A), and (8);

(20 U.S.C. 1232c(b)(1)(A)(ii)(II), (III), (IV))

(5) *Vocational education.* Under the Vocational Education Act of 1963: section 123(a)(11), (12), and (17);

(20 U.S.C. 1232c(b)(1)(A)(ii)(II), (III), (IV))

(6) *Adult education.* Under the Adult Education Act: section 306(a)(6) and (7);

(20 U.S.C. 1232c(b)(1)(A)(ii)(II), (III))

(7) *Strengthening instruction in academic subjects.* Under title III–A of the National Defense Education Act of 1958: section 1004(a)(2) and (3);

(20 U.S.C. 1232c(b)(1)(A)(ii)(II), (III))

(8) *Attracting and qualifying teachers to meet critical teacher shortages.* Under part B, subpart 2, of the Education Professions Development Act: section 520(a)(7), (8), and (9); and

(20 U.S.C. 1232c(b)(1)(A)(ii)(II), (III), (IV))

(9) *State reading improvement programs.* Under part B of title VII of the Education Amendments of 1974: section 714(a)(10).

(20 U.S.C. 1232c(b)(1)(A)(ii)(II), (III))

(d)(1) In some cases, although an assurance required in the general application and a provision set forth in paragraph (c) of this section cover the same subject matter (e.g., a prohibition against supplanting non-Federal funds), the wording of the two provisions is different.

(2) The general application satisfies statutory requirements to submit the provisions set forth in paragraph (c) of this section but does not supersede the legal substance of those provisions.

(20 U.S.C. 1232c(b)(1)(B)(i), (iii))

(3) In judging compliance with the assurances required in the general application by section 434(b)(1)(A)(ii) of the General Education Provisions Act, the Commissioner will apply the statutory provisions referenced in paragraph (c) of this section rather than such assurances.

(20 U.S.C. 1232c(b)(1)(B)(i), (iii); 1232c(b)(2))

§ 100b.18 Annual program plan.

(a) Any State which desires to participate in one or more of the programs referenced in § 100b.15(a) shall submit an annual program plan (for each such program) which meets the requirements of section 434(b)(1)(B) of the General Education Provisions Act.

(b) Each annual program plan shall include:

(1) a statement describing the purposes for which Federal funds will be expended during the fiscal year for which the annual program plan is submitted; and

(2) all provisions required by statute or regulation to be in the State plan, annual program plan, State application, or State agreement (as the case may be) under that program, except that the provisions referenced in § 100b.17(c) may be omitted.

(c) In meeting the requirement of paragraph (b)(2) of this section, with respect to a particular program, States may incorporate by reference pertinent documents or specified portions of such documents (such as State plans) which have been previously approved by and are currently on file with the Commissioner.

(d) Except as provided in this subpart, all requirements imposed by statute or regulation governing the preparation, submission, and administration of State plans, State applications or other similar documents submitted by a State as the basis for participation in one of the Federal programs referenced in § 100b.15(a), shall apply to the preparation, submission, and administration of annual program plans submitted under this subpart in lieu of such docments.

(e) States may submit annual program plans covering individual Federal programs separately or together.

(f) States will keep such records and afford such access thereto as the Commissioner finds necessary to assure the correctness and verification of reports.

(20 U.S.C. 1232c(b)(1)(B), (b)(2))

§ 100b.19 State plan requirements.

Submission of a general application and an annual program plan under this subpart shall be in lieu of submission of the individual State plan, State application, or other similar document under the applicable program referenced in § 100b.15(a).

(20 U.S.C. 1232c(b)(2))

GENERAL REQUIREMENTS

§ 100b.28 Amendments.

(a) Whenever there is any change in the content or administration of the program, or whenever there is any change in pertinent State law or in the organization, policies, or operations of the State agency which materially affects the program: (1) The annual program plan (or State plan, as the case may be), shall be appropriately amended and (2) such amendment shall be submitted to the Commissioner for his approval.

(b) Substantive amendments shall be subject to approval in the same manner as the original plan.

(20 U.S.C. 1221e–3(a)(1); 1232c(b)(1))

§ 100b.29 Budget revisions and minor deviations.

(a) *Needs of State government.* The State agency shall notify the Commissioner promptly whenever the amount of authorized funds under a Federal program is expected to exceed the needs of the State agency by more than $5,000 or 5 percent of the amount of Federal authorized funds, whichever is greater.

(20 U.S.C. 1221e–3(a)(1); 34 CFR Part 256, Appendix D)

(b) *Deviations.* Expenditures of State agencies and subgrantees will not be considered ineligible for Federal financial participation solely because of minor deviations from an approved plan, application, agreement, project, or budget: *Provided*, (1) That the expenditures in question are in accordance with the applicable Federal statutes and regulations, and (2) that with respect to the Federal

program in which the State is participating, the total Federal share will not exceed the State's allotment.

(20 U.S.C. 1221e–3(a)(1))

§ 100b.35 Effective dates of applications, plans, and amendments.

(a) Federal financial participation is available only with respect to obligations incurred under (1) an approved State plan (in the case of the programs set forth in § 100b.10 other than those referenced in § 100b.15(a)), or (2) a general application on file with the Commissioner and an approved annual program plan (in the case of the programs referenced in § 100b.15(a)).

(b) A State plan, general application, annual program plan, or amendment to any of the foregoing, shall be considered to be in effect as of the date on which it is submitted to the Federal Government by the State in substantially approvable form, but in no event shall the effective date be earlier than the first day of the fiscal year for which it is submitted.

(c) The State agency will be apprised of the effective date in the notice of approval sent to the State agency by the Commissioner.

(d) Federal funds, except funds made available expressly for the development of State plans, State applications, State agreements, general applications, or annual program plans, shall not be available for obligation with respect to (1) binding commitments (other than those relating to personal services, utility services, travel, or the rental of equipment or facilities) entered into, or (2) personal services, utility services, travel, or the rental of equipment or facilities rendered or performed, prior to the effective date of the plan, application, or agreement (as the case may be).

(20 U.S.C. 1221e–3(a)(1))

§ 100b.36 Governor's comments.

Prior to the submission to the Commissioner of an annual program plan, State plan, or an amendment to either of the foregoing, the State agency shall afford the Governor of such State an opportunity to comment on the relationship of the plan or amendment to comprehensive and other State plans and programs. The Governor shall be afforded a period of not less than 45 days in which to make such comments. Any such comments, or, if the Governor makes no comments, a statement to that effect, shall be attached to the plan or amendment when the same is submitted to the Commissioner.

(20 U.S.C. 1221e–3(a)(1); 38 FR 32877)

[FR Doc.76–226 Filed 1–6–76;8:45 am]

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federal register

WEDNESDAY, JANUARY 7, 1976



PART IV:

FEDERAL LABOR RELATIONS COUNCIL AND FEDERAL SERVICES IMPASSES PANEL

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

PRIVACY ACT OF 1974

Proposed Implementation Procedures

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FEDERAL LABOR RELATIONS COUNCIL AND FEDERAL SERVICE IMPASSES PANEL

[5 CFR Part 2402]

PRIVACY ACT OF 1974

Proposed Implementation Procedures

Pursuant to the provisions of section 552a(f) of title 5, United States Code, as added by the Privacy Act of 1974, Pub. L. 93-579, approved December 31, 1974, 88 Stat. 1900, which requires each agency to establish procedures for notification, access and amendment of records pertaining to individuals, the Federal Labor Relations Council and Federal Service Impasses Panel have amended Chapter XIV of title 5 of the Code of Federal Regulations by adding a new Part 2402 to read as set forth below.

Part 2402 contains the Council's and Panel's rules which set forth agency procedures regarding an individual's access to and amendment of records pertaining to him or her within a system of records maintained by the agency or within its custody.

Interested persons are invited to comment in writing on the proposed rules by submitting written data, views and arguments, to either the Executive Director, Federal Labor Relations Council, or the Executive Secretary, Federal Service Impasses Panel, or both, at 1900 E Street NW., Washington, D.C. 20415, not later than January 10, 1976.

All such written submittals received by January 30, 1976, will be considered before the Council and the Panel take final action on the revision proposed herein.

Dated: December 24, 1975.

By the Federal Labor Relations Council.

HENRY B. FRAZIER III,
Executive Director.

By the Federal Service Impasses Panel.

HOWARD W. SOLOMON,
Executive Secretary.

The proposed new Part 2402 reads as follows:

PART 2402—PRIVACY

Sec.
2402.1 Purpose and scope.
2402.2 Definitions.
2402.3 Annual notice.
2402.4 Existence of records requests.
2402.5 Individual access requests.
2402.6 Initial decision on access requests.
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2402.11 Initial decision on correction or amendment.
2402.12 Amendment or correction of previously disclosed records.
2402.13 Agency review of refusal to correct or amend a record.
2402.14 Fees.
2402.15 Penalties.

§ 2402.1 Purpose and scope.

This part contains the regulations of the Federal Labor Relations Council and Federal Service Impasses Panel implementing the Privacy Act of 1974, 5 U.S.C. 552a. The regulations apply to all records maintained by the Council and the Panel that are contained in a system of records, as defined herein, and that contain information about an individual. The regulations in this part set forth procedures that (a) authorize an individual's access to records maintained about the individual, (b) limit the access of other persons to those records, and (c) permit an individual to request the amendment or correction of records about the individual.

§ 2402.2 Definitions.

For the purposes of this part—

(a) "Council" means the Federal Labor Relations Council.

(b) "Panel" means the Federal Service Impasses Panel.

(c) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence.

(d) "Maintain" includes maintain, collect, use or disseminate.

(e) "Record" means any item, collection or grouping of information about an individual that is maintained by the Council and the Panel including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph.

(f) "System of records" means a group of any records under the control of the Council and the Panel from which information is retrieved by the name of the individual or by some identifying particular assigned to the individual.

(g) "Routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

§ 2402.3 Annual notice.

The Council and Panel will publish in the FEDERAL REGISTER an annual notice describing the systems of records that the Council and Panel maintain. Those notices shall include (a) the system name, (b) the system location, (c) the categories of individuals covered by the system, (d) the categories of records in the system, (e) the Council's and Panel's authority to maintain the system, (f) the routine uses of the system, (g) the Council's and Panel's policies and practices for maintenance of the system, (h) the system manager, (i) the procedures for notification, access to and correction of records in the system, and (j) the sources of information for the system. Notices shall also be published, as required by the Privacy Act of 1974, of significant changes in or additions to the Council's and Panel's systems of records.

§ 2402.4 Existence of records requests.

(a) An individual who desires to know if a system of records maintained by the Council and the Panel contains a record pertaining to the individual must submit a written inquiry to the Administrative Officer, Federal Labor Relations Council, 1900 E Street NW., Washington, D.C. 20415.

(b) The request shall be in writing and should be clearly and prominently identified as a Privacy Act request. If the request is submitted by mail or otherwise submitted in an envelope or other cover, it should bear the legend "Privacy Act Request" on the envelope or other cover. If a request does not comply with the provisions of this paragraph, it shall not be deemed received until the time it is actually received by the Administrative Officer.

(c) The inquiry must include the name and address of the individual and reasonably describe the system of records in question by the individual. Descriptions of the systems of records maintained by the Council and the Panel have been published in the FEDERAL REGISTER.

(d) The Administrative Officer will advise the individual in writing within 10 working days from receipt of the request whether the system of records named by the individual contains a record pertaining to him or her.

§ 2402.5 Individual access requests.

(a) Any individual who desires to inspect or receive copies of any record pertaining to the individual which is contained in a system of records maintained by the Council and Panel must submit a written request to the Administrative Officer, Federal Labor Relations Council, 1900 E Street NW., Washington, D.C. 20415, reasonably identifying the records sought to be inspected or copied.

(b) The request shall be in writing and should be clearly and prominently identified as a Privacy Act request. If the request is submitted by mail or otherwise submitted in an envelope or other cover, it should bear the legend "Privacy Act Request" on the envelope or other cover. If a request does not comply with the provisions of this paragraph, it shall not be deemed received until the time it is actually received by the Administrative Officer.

(c) An individual seeking access to a record may, if desired, be accompanied by another person during review of the records. If the requestor does desire to be accompanied by another person during the inspection, the requestor must sign a statement, to be furnished to the Council or Panel representative at the time of the inspection, authorizing such other person to accompany requestor.

(d) Satisfactory identification (i.e., employee identification number, current address, and verification of signature) must be provided to the Council or Panel prior to review of the record.

§ 2402.6 Initial decision on access request.

(a) Within 10 working days of the receipt of a request pursuant to § 2402.5, the Administrative Officer shall make an initial decision whether the requested records exist and whether they will be made available to the person requesting them. That initial decision shall immediately be communicated, in writing or other appropriate form, to the person who has made the request.

(b) Where the initial decision is to provide access to the requested records, the above writing or other appropriate communication shall (1) briefly describe the records to be made available, (2) state whether any records maintained, in the system of records in question, about the individual making the request are not being made available, (3) state that the requested records will be available during the Council's and Panel's ordinary office hours at 1900 E Street NW., Washington, D.C. 20415, and (4) state whether any further verification of the identity of the requesting individual is necessary.

(c) Where the initial decision is not to provide access to requested records, the Administrative Officer shall by writing or other appropriate communication explain the reason for that decision. The Administrative Officer shall only refuse to provide an individual access to records about the individual where (1) there is inadequate verification that the requesting individual is in fact the person about whom records are maintained, (2) in fact no such records are maintained, or (3) the requested records have been compiled in reasonable anticipation of civil or criminal action or proceedings.

§ 2402.7 Special procedures: medical records.

(a) If medical records are requested for inspection which, in the opinion of the Administrative Officer, may be harmful to the requestor if personally inspected by him, such records will be furnished only to a licensed physician designated to receive such records by the requestor. Prior to such disclosure, the requestor must furnish a signed written authorization to the Council or Panel to make such disclosure and the physician must furnish a written request to the Administrative Officer for the physician's receipt of such records.

(b) If such authorization is not executed within the presence of a Council or Panel representative, the authorization must be accompanied by a notarized statement verifying the identification of the requestor.

§ 2402.8 Limitations on disclosure.

Requests for records about an individual made by persons other than that individual shall also be directed to the Administrative Officer. Such records shall only be made available to persons other than that individual in the following circumstances:

(a) To any person with the prior written consent of the individual about whom the records are maintained;

(b) To officers and employees of the Council and Panel who need the records in the performance of their official duties;

(c) For a routine use compatible with the purpose for which it was collected;

(d) To any person to whom disclosure is required by the Freedom of Information Act, 5 U.S.C. 552;

(e) To the Bureau of the Census for uses pursuant to title 13, United States Code;

(f) In a form not individually identifiable to a recipient who has provided the Council and Panel with adequate assurance that the record will be used solely as a statistical research or reporting record;

(g) To the National Archives of the United States or other appropriate entity as a record which has historical or other value warranting its preservation;

(h) To another agency or to an instrumentality of any governmental jurisdiction within or under control of the United States for a civil or criminal law enforcement activity that is authorized by law if the head of the agency or instrumentality has made a written request for the record to the Council or Panel.

(i) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual, provided that notification of such a disclosure shall be immediately mailed to the last known address of the individual;

(j) To either House of Congress or to any committee thereof with appropriate jurisdiction;

(k) To the Comptroller General in the performance of the official duties of the General Accounting Office; or

(l) Pursuant to the order of a court of compentent jurisdiction.

§ 2402.9 Accounting of disclosures.

(a) The Administrative Officer of the Council shall maintain a record ("accounting") of every instance in which records about an individual are made available, pursuant to this part, to any person other than (1) an officer or employee of the Council or Panel in the performance of his or her duties or (2) any person pursuant to the Freedom of Information Act, 5 U.S.C. 552.

(b) The accounting which shall be retained for at least 5 years or the life of the record, whichever is longer, shall contain the following information:

(1) A brief description of records disclosed;

(2) The date, nature and, where known, the purpose of the disclosure; and

(3) The name and address of the person or agency to whom the disclosure is made.

§ 2402.10 Requests for correction or amendment of records.

(a) After inspection of any records, if the individual disagrees with any information in the record, he or she may request that the Administrative Officer correct or otherwise amend the records maintained about him or her. Such request shall specify the particular portions of the record to be amended or corrected, the desired amendment or correction, and the reasons therefor.

(b) Such request shall be in writing and directed to the Administrative Officer, Federal Labor Relations Council, 1900 E Street NW., Washington, D.C. 20415. It should be clearly and prominently identified as a Privacy Act request and, if submitted by mail or otherwise submitted in an envelope or other cover, should bear the legend "Privacy Act Request" on the envelope or other cover. If a request does not comply with the provisions of this paragraph, it shall not be deemed received until the time it is actually received by the Administrative Officer.

§ 2402.11 Initial decision on correction or amendment.

(a) Within 10 working days from the date of receipt of a request for correction or amendment, the Administrative Officer will acknowledge receipt of the request and, under normal circumstances, not later than 30 days from receipt of the request the Administrative Officer will give the requesting individual notice, by mail or other appropriate means, of his decision regarding the request.

(b) The Administrative Officer's notice of decision shall include:

(1) A statement whether the request has been granted or denied, in whole or in part;

(2) A quotation or description of any amendment or correction made to any records; and

(3) Where a request is denied in whole or in part, an explanation of the reason for that denial and of the requesting individual's right to appeal the decision to the Executive Director of the Council or the Executive Secretary of the Panel, as the case may be, pursuant to § 2402.13 of this part.

§ 2402.12 Amendment or correction of previously disclosed records.

Whenever a record is amended or corrected pursuant to § 2402.11 or a written statement filed pursuant to § 2402.13, the Administrative Officer shall give notice of that correction, amendment or written statement to all persons to whom the records or copies thereof have been disclosed, as recorded in the accounting kept pursuant to § 2402.9 of this part.

§ 2402.13 Agency review of refusal to correct or amend a record.

(a) *Federal Labor Relations Council.* (1) Any individual whose request for access to, or amendment or correction of, records of the Council has been denied in whole or in part by an initial decision of the Administrative Officer may appeal that decision by filing a written request for review of that decision with the Executive Director, Federal Labor Relations Council, 1900 E Street NW., Washington, D.C. 20415, within 30 days of the receipt of notice of the initial decision.

(2) The appeal shall describe (i) the request initially made by the individual for access to, or the amendment or correction of, records, (ii) the Administrative Officer's initial decision thereupon and (iii) the reasons why that initial decision should be modified by the Executive Director.

(3) Not later than 30 working days from receipt of a request for review

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(unless such period is extended by the Chairman of the Federal Labor Relations Council for good cause shown), the Executive Director shall make a decision, and give notice thereof to the appealing individual, whether to modify the Administrative Officer's initial decision in any way. If the Executive Director upholds the Administrative Officer's initial decision not to amend or correct the records as requested, he shall notify the appealing individual of (i) his or her right to judicial review of the Executive Director's decision pursuant to 5 U.S.C. 552a(g)(1)(A), and (ii) of his or her right to file with the agency a written statement of disagreement setting forth the reasons why the record should have been amended or corrected as requested. That written statement of disagreement shall be made a part of the record and shall accompany that record in any use or disclosure of the record.

(b) *Federal Service Impasses Panel.* (1) Any individual whose request for access to, or amendment or correction of, records of the Panel has been denied in whole or in part by an initial decision of the Administrative Officer may appeal that decision by filing a written request for review with the Executive Secretary, Federal Service Impasses Panel, 1900 E Street NW., Washington, D.C. 20415, within 30 days of the receipt of notice of the initial decision.

(2) The appeal shall describe (i) the request initially made by the individual for access to, or the amendment or correction of, records, (ii) the Administrative Officer's initial decision thereupon and (iii) the reasons why that initial decision should be modified by the Executive Secretary.

(3) Not later than 30 working days from receipt of a request for review (unless such period is extended by the Chairman of the Federal Service Impasses Panel for good cause shown), the Executive Secretary shall make a decision, and give notice thereof to the appealing individual, whether to modify the Administrative Officer's initial decision in any way. If the Executive Secretary upholds the Administrative Officer's initial decision not to amend or correct the records as requested, he shall notify the appealing individual of (i) his or her right to judicial review of the Executive Secretary's decision pursuant to 5 U.S.C. 552a(g)(1)(A), and (ii) of his or her right to file with the agency a written statement of disagreement setting forth the reasons why the record should have been amended or corrected as requested. That written statement of disagreement shall be made a part of the record and shall accompany that record in any use or disclosure of the record.

§ 2402.14 Fees.

(a) Upon request the Council or Panel will provide a copy of the records to the individual to whom they pertain. There will be a charge of $0.10 per page.

(b) Any charges may be waived or reduced whenever it is in the public interest to do so.

§ 2402.15 Penalties.

Any person who knowingly and willfully requests or obtains any record concerning an individual from the Council or Panel under false pretenses shall be subject to criminal prosecution under 5 U.S.C. 552a(i)(3) which provides that such person shall be guilty of a misdemeanor and fined not more than $5,000.

[FR Doc.75-35126 Filed 12-24-75;1:06 pm]

FEDERAL LABOR RELATIONS COUNCIL AND FEDERAL SERVICE IMPASSES PANEL

PRIVACY ACT OF 1974

Notice of Systems of Records

Notice is hereby given that the Federal Labor Relations Council and the Federal Service IMpasses Panel, in accordance with the provisions of subsections (e)(4) and (e)(11) of section 552a of the Privacy Act of 1974 (Pub. L. 93-579), propose to adopt the following notice of the existence and character of the systems of records which they maintain which contain information about individuals. The personnel records covered by this notice are supplemental to the general personnel records maintained for the Coundil and the Panel by the Civil Service Commission for which a general, Government-wide notice was published by the Civil Service Commission at 40 FR 39239 (1975).

Any person interested in this notice may comment in wirting upon the proposed notice by submitting data, views and arguments to either the Executive Director, Federal Labor Relations Council, or the Executive Secretary, Federal Service Impasses Panel, or both, at 1900 E St. NW., Washington, DC 20415, on or before January 30, 1976.

All written comments received through said date will be considered before the Council and the Panel take action on a final notice.

Dated: December 24, 1975.

By the Federal Labor Relations Council.

Henry B. Frazier III,
Executive Director.

By the Federal Service Impasses Panel.

Howard W. Solomon,
Executive Secretary.

FLRC/FSIP—1

System name: Personnel files on current, past, and prospective employees—FLRC/FSIP.

System location: Council offices, 1900 E St., NW., Washington, DC 20415.

Categories of individuals covered by the system: Present and past employees and individuals who have submitted solicited or unsolicited applications for employment.

Categories of records in the system: Information regarding name; address; telephone, number; marital status; birth date; Social Security Number; veteran preference; tenure; handicap; past and present salaries, grades, and position titles; letters of commendation, reprimand, charges, and decision on charges; locator files; personnel actions, including but not limited to, appointment, reassignment, demotion, detail, promotion, transfer, and separation; training files; records relating to life insurance, health benefits, and designation of beneficiary; performance ratings; awards; performance appraisals; letters of recommendation; emergency information; educational background; and special employment qualifications.

Authority for maintenance of the system: Executive Order 11491, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information contained the system is used by the Council and Panel officials for purposes of review in connection with appointments, transfers, promotions, and determination of qualifications of an individual; to provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; to provide information to a prospective employer of a Council or Panel employee or former Council or Panel employee or to an organization at the request of the employee or former employee; and to provide information to a congressional office from the record of an individual in response to an inquiry from a congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file folders.

Retrievability: Manual-indexed by name.

Safeguards: The system is primarily maintained in a locked, metal filing cabinet, the access combination to which is known only to authorized persons. Certain information in the system, such as home address, emergency information, grade, and date of last promotion or within-grade step increase is maintained in limited-access files available only to authorized persons.

Retention and disposal: Records on current employees are retained in an active file during the course of an employee's employment with the Council or Panel. Files on past employees are retained in an inactive file. Other records in the system, such as applications for employment, are periodically reviewed and disposed of in accordance with established procedures.

System manager(s) and address:

Executive Director
Federal Labor Relations Council
1900 E St., NW.
Washington, DC 20415
Executive Secretary
Federal Service Impasses Panel
1900 E St., NW.
Washington, DC 20415

Notification procedure: An individual may obtain notification as to whether the system of records contains a record pertaining to the individual by forwarding an inquiry to the Administrative Officer, Federal Labor Relations Council, Room 7P56, 1900 E St., NW., Washington, DC 20415, or by appearing in person at the above address. See Council and Panel regulations in 5 CFR 2402.4.

Record access procedures: See Council and Panel access regulations in 5 CFR 2402.5. Assistance in obtaining access the contents of records can be obtained from the Administrative Officer at the above address.

Contesting record procedures: The Council's and Panel's rules for contesting contents of records, and for appealing adverse determinations with respect thereto, are contained in 5 CFR 2402.10 and 2402.13.

Record source categories: Subject individuals; former and/or present employers of subject individuals; and other persons familiar with the individual.

FLRC/FSIP—2

System name: Travel records—FLRC/FSIP

System location: Council offices, 1900 E St., NW., Washington, DC 20415.

Categories of individuals covered by the system: Names of persons who use Council funds for travel.

Categories of records in the system: Contains the various records required to administer the travel requirements of the Council and Panel, including all places to which travel was accomplished and the costs. Included on various travel forms is the home address of the traveling individual.

Authority for maintenance of the system: Executive Order 11491, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system of records is used for bedgetary purposes and for reporting to Members of Congress and other agencies when appropriate.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file folders.

Retrievability: Manual-indexed by name.

Safeguards: Access to and use of such records are limited to those persons whose official duties require such access.

Retention and disposal: The records are maintained and disposed of in accordance with established procedures.

System manager(s) and address:

Executive Director
Federal Labor Relations Council
1900 E St., NW.
Washington, DC 20415
Executive Secretary
Federal Service Impasses Panel
1900 E St., NW.

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Washington, DC 20415

Notification procedure: An individual may obtain notification as to whether the system of records contains a record pertaining to the individual by forwarding an inquiry to the Administrative Officer, Federal Labor Relations Council, Room 7P56, 1900 E St., NW., Washington, DC 20415, or by appearing in person at the above address. See Council and Panel regulations in 5 CFR 2402.4.

Record access procedures: See Council and Panel access regulations in 5 CFR 2402.5. Assistance in obtaining access to the contents of records can be obtained from the Administrative Officer at the above address.

Contesting record procedures: The Council's and Panel's rules for contesting contents of records, and for appealing adverse determinations with respect thereto, are contained in 5 CFR 2402.10 and 13.

Record source categories: Information in this system of records comes from the individual to whom it applies.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PRIVACY ACT OF 1974

Systems of Records and Notice of Proposed Routine Uses ThereforPursuant to the Privacy Act of 1974 (Public Law 9830579) as prescribed in 5 U.S.C. 552a(e)(4), the following notice of systems of records that are maintained by the Department of Health, Education, and Welfare is published as set forth below. Any omissions due to oversight will be published at a later date.

Prior to the final adoption of the poposed routine uses for new or corrected notices, consideration in accordance with the requirements of 5 U.S.C. 552a(e)(11) will be given to comments which are submitted in writing on or before the 30th day following the date of publication of this notice.

Comments should be addressed to the Director, Fair Information Practice Staff, Department of Health, Education, and Welfare, 330 Independence Ave., S.W., Washington, D.C. 20201. Comments received will be available for inspection in Room 4513, at the above address.

The following listing includes notices of systems of records which were inadvertently omitted from the groups of notices published on August 27, 1975, Part II, Section I, pp. 38391038683; September 22, 1975, Part IV, pp. 4370003711 and October 1, 1975, Part III, pp. 45348045415. In addition, it includes a number of corrections to notices previously published. In the corrected notices additional routine uses can be ascertained by comparing the routine uses of the corrected notices with those previouslyu published in the Federal Register.

Dated: December 22, 1975.

John Ottina
Assistant Secretary for Administration and Management

Systems not previously published as Notices of Systems of Record:

HRA NCHS 0041.00

System name: Health Resources Utilization Statistics. DHEW/HRA/NCHS.

Security classification: None.

System location:

Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Categories of individuals covered by the system: Recipients of medical care included in statistical surveys and reports of the National Center for Health Statistics (NCHS), including: (1) staff and residents of nursing homes selected by random sampling techniques to be representative of nursing homes in the U.S.; (2) physicians providing office based medical care and patients visiting such physicians; (3) medical records from selected short-stay hospitals; and (4) persons visiting the family planning facilities participating in the National Reporting System for Family Planning Services.

Categories of records in the system: Statistical records containing information on: (1) the utilization of nursing home care through data on residents (demographic and social characteristics, health status, and charges paid for care) and the facility (general characteristics, certification, services offered, and expense); (2) the demographic characteristics, medical and other problems of persons visiting physicians' offices, and the physicians' diagnoses, treatment, and disposition decisions made during such visits as obtained from physicians during randomly assigned one-week survey periods; (3) the demographic characteristics, administrative information (admission and discharge dates, discharge status, and medical record number), and medical information (diagnoses and surgical procedures abstracted from the face sheet of short stay hospital medical records); and (4) family planning services (medical, social, and educational) provided by the clinics participating in a nationwide reporting system, the demographic and socioeconomic characteristics, including education and welfare status, of the recipients of these services, and the extent to which these services (excluding physicians' offices) are funded by Federal grants. In many cases, these records do not contain individual identifiers when they come under control of the National Center for Health Statistics; they carry only sequence numbers, which only the originating agency would be able to translate into a personal identifier--and even then, not in all cases. Names of residents and staff of nursing homes and patients of physicians are listed on separated forms for sampling purposes only and are not included in the final statistical records.

Authority for maintenance of the system: Public Health Service Act, Section 306(b)(1)(F)(42 U.S.C. 242k).

Routine uses of records maintained in the system, including categories of users and the purpose of such uses: The data are disseminated for: (1) purposes of statistical research and analysis, and in the case of family planning statistics, for executing national family planning programs; (2) outside of DHEW in forms which do not permit the identification of individuals, such as publications of statistical tables, specially requested tabulations, and public use computer tapes. These are communicated to interested persons outside DHEW, such as members of Congress and their staffs, other executive branch agencies, universities and medical schools, State and local health planning agencies, private foundations, etc. The findings are used by demographers, sociologists, health statisticians, epidemiologists, medical educators, health planners, other scholars, and concerned citizens, to evaluate health matters, make determinations on needs for legislation, appropriations, new service programs, and the like.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are transferred onto magnetic tapes without name and address information and are maintained on magnetic tapes for an indefinite period.

Retrievability: Data are retrieved by individual identifier only in the editing stage of data processing and only for the purpose of correcting errors in the recording of information. Original survey records are reviewed for accuracy and edited, then data (without personal identifiers such as name or social security number) are transferred to magnetic tape. The original records are stored at the Federal Records Center. The tape is used for statistical purposes only, as specified by statute, Section 308(d) of Public Law 93-353. These uses include the preparation of aggregated data in the form of statistical tables for publication, analysis and interpretation to meet the legislative mandates of Public Law 93-353, i.e., collection of statistics on the utilization of health services, including the utilization of: (1) nursing home facilities to determine levels of illness and disability, effects on the institutionalized population, and the costs of care; (2) ambulatory health services by specialties and types of practice of the health professionals providing such services; (3) short-stay hospitals to determine characteristics of patients, length of stay, diagnosis and surgical operations, and patterns of use of care in hospitals of different size and ownership; (4) family planning facilities to provide statistics on the size of and services dispensed by these facilities, the numbers and characteristics of family planning patients, the overall proportion of the 'target population' which is being reached by family planning programs on a national scale, and the like. The family planning data are distributed to the Deputy Assistant Secretary for Population Affairs, DHEW, the Bureau of Community Health Services, and others for the purpose of executing national family planning programs.

Safeguards: All employees of the National Center for Health Statistics, as a condition of employment, sign an affidavit binding them to nondisclosure of identifiable individual information. Since the magnetic data tapes have no name and address information, users of the tape could only identify specific individuals by relating the identification number on the tape to the original record. Only employees of NCHS, NCHS contractors, the agency supplying the information in the first instance, or third parties with the written permission of the agency supplying the information are permitted access to the magnetic tapes with the identifying numbers described above or to the files containing the original reporting instruments. Magnetic tapes with identification numbers removed are made available to the public for statistical uses.

Retention and disposal: The original records are retained in office files of NCHS or NCHS contractors for two years. The procedure for family planning records differs in that the original documents are retained in office files for only two months. In all instances, the original records are then sent to the Federal Records Center where they are stored for five years.

System manager(s) and address:

Diroctor, National Center for Health Statistics, HRA

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5600 Fishers Lane
Rockville, Maryland 20852

Notification procedure: None.

Record access procedures: None.

Contesting record procedures: None.

Record source categories: None.

Systems exempted from certain provisions of the act: With respect to this system of records, exemption has been requested from requirements contained in Subsections 552a, (c)(3), (d), (e)(4)(G), (H), and (I), and (f), in accordance with provisions of Subsections 552a (k)(4) of the Privacy Act of 1974. The reason for this request is that this system contains only records required by statute to be maintained and used solely as statistical records.

SSA HI CAR 0575.00

System name: Medicare Physician Supplier Master File

Security classification: None.

System location: Carriers under contract to Social Security Administration. (See Appendix C, Section 4).

Categories of individuals covered by the system: Physicians and supplies who provide medical services or suppliers to Medicare beneficiaries.

Categories of records in the system: A compilation of all charges submitted by a physician or supplier for services and supplies to: (1) derive 'reasonable charge' information; (2) determine economic indexes; and (3) to substantiate the basis for payment to beneficiaries, physicians, supplies and hospitals.

Authority for maintenance of the system: Sections 1833, 1835, 1842 and 1874 of title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No routine uses for disclosure.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tape, microfilm, and hard copy paper.

Retrievability: The records are indexed by physician provider numbers and supplier EIN (employer's identification number). The records are prepared and updated daily by carriers as a basis for determining reasonable charges and area prevailing charges.

Safeguards: Disclosure of records is limited to carrier personnel on a need-to-know basis. The files are closed to unauthorized personnel.

Retention and disposal: Records are closed out the first quarter following the close of the previous calendar year. Files are retained indefinitely.

System manager(s) and address:
Director, Bureau of Health Insurance
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for records information should be directed to the carrier servicing the physician's or supplier's geographical area. Individuals who want to determine if they have a record in this system must provide their full name and address.

Record access procedures: Same as Notification.

Contesting record procedures: Same as Notification.

Record source categories: Information contained in these records is furnished in part by the individual physician or supplier and in part abstracted from Medicare Part B billing records.

SSA HI 1175.00

System name: SSA Health Insurance Program Review Team Case Files

Security classification: None.

System location:
SSA, BHI, Program Integrity Branch
Baltimore, Maryland 21235
Health Insurance Regional Representative in the HI Regional Offices located in Boston, New York, Philadelphia, Atlanta, Chicago, Dallas, Kansas City, Denver, San Francisco, and Seattle.

Categories of individuals covered by the system: Beneficiaries whose medical treatment in connection with title XVIII of the Social Security Act (Medicare) is suspected as being unnecessary, harmful, or inferior or whose charges are substantially in excess of customary.

Categories of records in the system: Statements, medical records, payment records, complaints from beneficiaries and others, including correspondence and forms, to document complaints and reports of medical review committees.

Authority for maintenance of the system: Section 205, title II of the Social Security Act. Section 1106 and 1107, title XI. Sections 1862 and 1866, title XVIII.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine disclosure made to program review teams.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files maintained in locked file cabinets.

Retrievability: Filed alphabetically by last name of subject within region of investigation.

Safeguards: File cabinets are kept locked and are located in a room that is locked after office hours. Access to the files is limited to Program Integrity Staff members.

Retention and disposal: Records are placed in inactive file after final action on the case. The inactive file is closed out at the end of the calendar year in which final action was taken, held 2 additional years, transferred to the Federal Records Center, and destroyed after 3 additional years.

System manager(s) and address:
Director, Bureau of Health Insurance
6401 Security Boulevard,
Baltimore, Maryland 21235

Notification procedure: Inquiries should be directed to SSA, Bureau of Health Insurance Program Integrity Branch, Baltimore, Maryland 21235

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: Complainants, other informants, statements of subject, investigative records, utilization review committee reports, peer review committee reports.

SSA HI 1275.00

System name: Non-Provider Overpayment Recovery File

Security classification: None

System location: Bureau of Health Insurance

Categories of individuals covered by the system: The system contains the name of the beneficiary on whose account an overpayment has been made and the name of the physician to whom the overpayment was made.

Categories of records in the system: The system contains the name of the beneficiary on whose account an overpayment has been made and the name of the physician to whom the overpayment was made. The file also includes completed Medicare claims forms which contain patient's name, sex, claim number, address, date of birth, date of treatment, diagnosis, and summary of treatment rendered as well as other documents that were used in calculating the existence and amount of overpayment.

Authority for maintenance of the system: Section 3, Federal Claims Collection Act of 1966.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to the Department of Justice when civil litigation is involved, to the Internal Revenue Service for investigation of alleged tax fraud and to Professional Standards Review Organizations and State Licensing Boards for review of unethical practices or non-professional conduct. Further, SSA may request a credit report on certain physicians from whom repayment of an overpayment is requested.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files maintained in individual folders.

Retrievability: The system is indexed by beneficiary name and cross-indexed by physician name. The purpose of the record is to provide documentation and control of cases in which a Medicare overpayment has been made.

Safeguards: Only authorized personnel are permitted in the file area.

Retention and disposal: The files are retained indefinitely.

System manager(s) and address:
Director, Bureau of Health Insurance
6401 Security Blvd.
Baltimore, Maryland 21235.

Notification procedure: Inquiries and requests for system records should be addressed to Social Security Administration, Bureau of Health Insurance, Office of Program Review, Recovery Staff, E-2 Gwynn Oak Building, 1710 Gwynn Oak Avenue, Baltimore, MD 21235.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: Data in these records is obtained from carrier or intermediary billing records.

SSA PP PEP 0175.00

System name: Congressional Bills File

Security classification: None.

System location:
Office of Program Evaluation and Planning
6401 Security Blvd.
Baltimore, Maryland 21235

Categories of individuals covered by the system: Members of Congress

Categories of records in the system: Listing of bills to amend the Social Security Act. Includes bill number, sponsor's name, state and party affiliation, date of introduction of bill, and a 3-digit subject code.

Authority for maintenance of the system: 5 U.S. Code 301

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure to the public upon request of information contained in the file is mandatory under the Freedom of Information Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer terminal (magnetic tape), and paper listings.

Retrievability: Bill number, subject matter, name of sponsor.

Safeguards: Information is accessed on a limited need-to-know basis by staff of the Legislative Reference Office.

Retention and disposal: Retained for duration of each Congress. (Listing by subject matter is retained indefinitely.)

System manager(s) and address:
Legislative Reference Officer
Room 400 Altmeyer Building
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Systems Manager.

Record access procedures: Systems Manager.

Contesting record procedures: Systems Manager

Record source categories: Congressional Record.

SSA PP RSG 0475.00

System name: Extramural research contract file.

Security classification: None.

System location:
Office of Research and Statistics
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Research personnel described in statistical research and development proposals submitted both on an unsolicited basis and in response to request for proposals.

Categories of records in the system: Each file contains the vitae of the major project personnel, submitted as part of the project proposal, containing information on education, professional training, experience and publications. Proposed budgets show staff salaries. Frequently other demographic data about individual project personnel are also provided.

Authority for maintenance of the system: Sections 702 and 1875 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No routine uses for purposes of disclosure.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file cabinets, selected information in card file.

Retrievability: Within each file for a specific project, by name of individual.

Safeguards: All persons having access have been notified of the criminal sanctions for unauthorized disclosure of information about individuals.

Retention and disposal: 3 years following period of award.

System manager(s) and address:
Assistant Commissioner for Research and Statistics
Social Security Administration, Room 1121
1875 Connecticut Avenue, N.W.
Washington, D. C. 20009

Notification procedure: For purpose of notification, the system manager will need to know the name of the system, the contractor and project title or number, and the name of the person requesting notification.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: Project proposals submitted for contract consideration.

SSA PP RSG 0575.00

System name: Extramural Research Grants File

Security classification: None.

System location:
Office of Research and Statistics, SSA
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Persons submitting applications for grant support of statistical research and development projects under the Cooperative Research Grants Program, and associated project personnel.

Categories of records in the system: Research proposals containing individual salary information, details on education, professional training, experience, and publications, and frequently various demographic data for project personnel.

Authority for maintenance of the system: Section 1110 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No routine uses for purposes of disclosure.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file cabinets, selected information in card file.

Retrievability: Within each grant applicant's file, by names of project personnel.

Safeguards: All persons having access have been notified of criminal sanctions for unauthorized disclosures of information about individuals.

Retention and disposal: Funded proposals are retained for a minimum period of 3 years. Unfunded proposals are retained for 1 year.

System manager(s) and address:
Assistant Commissioner for Research and Statistics
Social Security Administration, Room 1121
1875 Connecticut Avenue, N.W.
Washington, D. C. 20009

Notification procedure: For purpose of notification, the system manager will need to know the name of the system, the grantee organization and project description, and the name of the person requesting notification.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: Project proposals submitted for grant consideration.

SSA PP RSH 1575.00

System name: Survey of Physicians' Administrative and Practice Costs and Medicaid Participation.

Security classification: None.

System location:
Abt Associates
55 Wheeler Street
Cambridge, Mass.

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Categories of individuals covered by the system: A national and regional sample of 2000 office-based physicians.

Categories of records in the system: Education, professional background, age, and demographic information about physicians, to be merged with administrative and practice cost data, practice characteristics in terms of specialty, type, size, etc., and participation in Medicaid.

Authority for maintenance of the system: Section 1875 of the Social Security Act, and section 222(a) of the Social Security Act amendments of 1972.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No routine uses for disclosure.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: AMA background information will be maintained on a master sheet, and individually in each interview folder. Interview information will be maintained on questionnaires prior to conversion to magnetic tape. Resulting tapes will contain no personal identifiers.

Retrievability: Until each interview is completed and verified, the contractor will maintain questionnaires and background information in folders labeled with the physician's name. After the information is removed from the folders, there can be no retrieval of individual records.

Safeguards: All identifiers will be removed from data as soon as the collection and matching is complete and verified. All persons having access to records have been notified of criminal sanctions for unauthorized disclosure of information about individuals. Since the tapes will contain no personal identifiers, no special safeguards will be required.

Retention and disposal: Master sheets will be retained indefinitely. Folder identification link will be destroyed. Tapes without personal identifiers will be maintained indefinitely.

System manager(s) and address:
Assistant Commissioner for Research and Statistics
Social Security Administration, Room 1121
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Notification procedure: To access AMA background master sheets, name and address is required by the system manager.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: Responses from 1000 physicians nationwide and 1000 physicians in two Census regions, both for a single time use; background information from the American Medical Association Directory of Physicians.

SSA PP RSH 1675.00

System name: Ambulatory Surgery Research Project

Security classification: None.

System location:
The Orkand Corporation
8630 Fenton Street
Silver Spring, Md. 20910

The Orkand Corporation
0A420
5131 North Fortieth Street
Phoenix, Arizona 82018

Categories of individuals covered by the system: Patients in selected ambulatory and hospital surgical facilities; selected physicians.

Categories of records in the system: Patient interview questionnaires containing demographic, financial, medical, and family information; physician questionnaires with demographic and financial information.

Authority for maintenance of the system: Section 1875 of the Social Security Act and Section 222(b) of the Social Security Amendments of 1972.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractor under contract with the Social Security Administration to perform research and statistical activities related to this study.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy questionnaires, hard copy patient identification forms, punched card decks, and magnetic tapes at contractor's locations. Magnetic tapes in non-individually identifiable form in the Bureau of Data Processing.

Retrievability: By name, indexed to case number. At completion of the study, patient identification index will be destroyed and retrieval of individual information will no longer be possible.

Safeguards: All records containing personal identifiers will be processed and handled at contractor's location. This installation has Department of Defense approval at SECRET CLEARANCE level, and has on-site security personnel 24 hours a day at primary location. The patient identifier forms will be retained in a safe at that site until they are destroyed at completion of the study.

Retention and disposal: Records will be retained only as long as required for records management purposes. All patient identification will be destroyed at the conclusion of the study. Magnetic tapes in non-individually identifiable form will be retained indefinitely.

System manager(s) and address:
Assistant Commissioner for Research and Statistics
Social Security Administration, Room 1121
Universal North Building
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Notification procedure: For purposes of notification and access, name of system and name of individual; for purposes of verification, address, sex, and date of birth.

Record access procedures: Same.

Contesting record procedures: Same.

Record source categories: Patient and physician interview forms; patient medical records.

The following Notices of Systems of Record have been changed primarily within the paragraph indicated.

Routine uses of records maintained in the system, including categories of uses and the purposes of such uses:

OS ASAM PT 01.03

System name: Applicants for Employment Records. HEW/OS/ASAM/PT.

Security classification: None.

System location: This system is located in personnel offices and other offices of the Department authorized to receive applications for employment. See Personnel Appendix 1.

Categories of individuals covered by the system: Persons who have applied for Federal employment or are employed in the Federal service.

Categories of records in the system: These records contain information relating to the education and training; employment history and earnings; appraisal of past performance; convictions and offenses against the law; results of written tests; appraisal of potential; honors, awards or fellowships; military service; veteran preference, birthplace; birth date; social security number; and home address of persons who have applied for Federal employment or are employed in the Federal service; and correspondence related thereto. These records may also include information concerning the date of application, qualification status, employment consideration, priority grouping, and other information relating to the consideration of the individual for employment.

Authority for maintenance of the system: 5 U.S.C. 1302, 3301, 3302, Executive Order 10577.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records may be used: 1) to respond to requests for information from the Civil Service Commission, Members of Congress, or other inquirers from outside the Department, to the extent their request is compatible with the purpose for which the records are maintained; 2) to other federal agencies for Suitability checks; 3) See Appendix B Departmental Regulations (45 CFR Part 5b), Items 01,3,4,6,7,8,9.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tapes, punched cards, microfiche, cards, lists, and forms.

Retrievability: Records are indexed by any combination of name, birth date, social security number and identification number. Records are used to refer applicants to officials of the Department

for placement in positions for which applicant has applied and is qualified.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Destroy 2 years after date application or correspondence is filed, or incorporate in official personnel folder when applicant enters on duty as a Department employee.

System manager(s) and address: Personnel Officers of the Department. See Personnel Appendix 1.

Notification procedure: Personnel office to which application is made (see Personnel Appendix 1). Individual should provide name, date of birth, social security number, approximate date of record and title of position for which application was made.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this system of records is provided by the individual to whom it applies; is derived from information he or she supplied; or is obtained from vouchers supplied by references.

Systems exempted from certain provisions of the act: None.

Appendix 1

Personnel Offices in Department of Health, Education, and Welfare

Department Staff Personnel Office:

Deputy Assistant Secretary for Personnel and Training
Office of Personnel and Training
Assistant Secretary for Administration and Management,
Office of the Secretary
Department of Health, Education, and Welfare
330 Independence Avenue, S. W.
Washington, D. C. 20201

Headquarters Personnel Offices:

Personnel Officer
Division of OS Personnel
Office of the Secretary
Department of Health, Education, and Welfare
Room 4361 - 4th Floor
330 Independence Avenue, S. W.
Washington, D. C. 20201

Personnel Officer
Personnel and Training Division
Office of Education
Department of Health, Education, and Welfare
Room 1087 - FOB06
400 Maryland Avenue, S. W.
Washington, D. C. 20202

Personnel Officer
Personnel Division
National Institute of Education
Department of Health, Education, and Welfare
Room 821 - Marsh Building
1832 M Street, N. W.
Washington, D. C. 20208

Personnel Officer
Division of Personnel
Social and Rehabilitation Service
Department of Health, Education, and Welfare
Room 2068
330 C Stree, S. W.
Washington, D. C. 20201

Personnel Officer
Office of Human Development
Department of Health, Education, and Welfare
Room 3742 - Donohoe Building
400 6th Street, S. W.
Washington, D. C. 20024

Personnel Director
Office of Personnel Management
Public Health Service
Department of Health, Education, and Welfare
Room 11A-55 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Director
Division of Personnel Management
Alcohol, Drug Abuse, and Mental Health Administration
Department of Health, Education, and Welfare
Room 12105 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Personnel Officer
Saint Elizabeths Hospital
Department of Health, Education, and Welfare
Room 120 - E Building
2700 Martin Luther King Avenue, S. E.
Washington, D. C. 20032

Personnel Director
Division of Personnel Management
National Institutes of Health
Department of Health, Education, and Welfare
Room 21 - Building 1
9000 Rockville Pike
Bethesda, Maryland 20014

Personnel Officer
Personnel Office
National Library of Medicine
Department of Health, Education, and Welfare
8600 Wisconsin Avenue
Bethesda, Maryland 20014

Chief
Personnel Management Branch
National Cancer Institute
Department of Health, Education, and Welfare
Room 3A32 - Building 31
9000 Rockville Pike
Bethesda, Maryland 20014

Chief
Personnel Management Branch
National Heart and Lung Institute
Department of Health, Education, and Welfare
Room 5A32 - Building 31
9000 Rockville Pike
Bethesda, Maryland 20014

Director
Personnel Management
Health Resources Administration
Department of Health, Education, and Welfare
Room 10A-30 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Director
Office of Personnel
Health Services Administration
Department of Health, Education, and Welfare
Room 14A-30 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Personnel Director
Food and Drug Administration
Department of Health, Education, and Welfare
Room 10-85 - Parklawn Building HFA-400
5600 Fishers Lane
Rockville, Maryland 20852

Personnel Officer
Bureau of Health Resources Development
Department of Health, Education, and Welfare
Room 3C19 - Building 31

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9000 Rockville Pike
Bethesda, Maryland 20014

Personnel Officer
Office of the Assistant Secretary for Health
Department of Health, Education, and Welfare
Room 5077 - 5th Floor
330 Independence Avenue, S. W.
Washington, D. C. 20202

Regional Personnel Offices:

Regional Personnel Officer
Regional Personnel Office I
Department of Health, Education, and Welfare
John F. Kennedy Federal Building
Government Center - Room 1503
Boston, Massachusetts 02203

Regional Personnel Officer
Regional Personnel Office II
Department of Health, Education, and Welfare
Federal Building
26 Federal Plaza
New York, New York 10007

Regional Personnel Officer
Regional Personnel Office III
Department of Health, Education, and Welfare
3535 Market Street, Room 9460
Philadelphia, Pennsylvania 19101

Regional Personnel Officer
Regional Personnel Office IV
Department of Health, Education, and Welfare
Room 415
50 Seventh Street, N. E.
Atlanta, Georgia 30323

Regional Personnel Officer
Regional Personnel Office V
Department of Health, Education, and Welfare
31st Floor
300 S. Wacker Drive
Chicago, Illinois 60606

Regional Personnel Officer
Regional Personnel Office VI
Department of Health, Education, and Welfare
14th Floor
1114 Commerce Street
Dallas, Texas 75202

Regional Personnel Officer
Regional Personnel Office VII
Department of Health, Education, and Welfare
Room 468
601 E. 12th Street
Kansas City, Missouri 64106

Regional Personnel Officer
Regional Personnel Office VIII
Department of Health, Education, and Welfare
Room 1103
Federal Office Building
1961 Stout Street
Denver, Colorado 80202

Regional Personnel Officer
Regional Personnel Office IX
Department of Health, Education, and Welfare
50 Fulton Street
San Francisco, California 94102

Regional Personnel Officer
Regional Personnel Office X
Department of Health, Education, and Welfare
Arcade Plaza
1321 Second Avenue, M/S 627
Seattle, Washington 98101

Chief, Personnel Office
Cleveland Branch Office
Region V
Department of Health, Education, and Welfare
14725 Detroit Avenue, Room 250
Cleveland, Ohio 44107

Other Servicing Personnel Offices:

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
Carville, Louisiana 70721

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
440 Avenue N.
Galveston, Texas 77550

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
1131 14th Avenue South
Seattle, Washington 98114

Personnel Officer
U. S. Public Health Service Hospital
Office of Personnel
Department of Health, Education, and Welfare
Bay and Vanderbilt Streets
Staten Island, New York 10304

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
15th Avenue and Lake Street
San Francisco, California 94118

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
77 Warren Street
Boston, Massachusetts 02135

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
210 State Street
New Orleans, Louisiana 70118

Personnel Officer
U. S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
6500 Hampton Boulevard
Larchmont
Norfolk, Virginia 23508

Personnel Officer
U.S. Public Health Service Hospital
Personnel Management Branch
Department of Health, Education, and Welfare
3100 Wyman Park Drive
Baltimore, Maryland 21211

Personnel Officer
Indian Health Service
Personnel Management Branch
Department of Health, Education, and Welfare
P.O. Box 2143
Billings, Montana 59101

Personnel Officer
U. S. Public Health Service Hospital

Personnel Section
Department of Health, Education, and Welfare
4005 Federal Office Building
500 Gold Avenue, S. W.
Albuquerque, New Mexico 87101

Personnel Officer
Indian Health Service
Personnel Management Branch
Department of Health, Education, and Welfare
405 Citizens Building
115 4th Avenue, S. E.
Aberdeen, South Dakota 57401

Personnel Officer
Indian Health Service
Personnel Management Branch
Department of Health, Education, and Welfare
801 East Indian School Road
Phoenix, Arizona 85014

Personnel Officer
Indian Health Service
Personnel Branch
Department of Health, Education, and Welfare
388 Old Post Office and Courthouse
Oklahoma City, Oklahoma 73102

Personnel Officer
Alaska Area Office
Indian Health Service
Department of Health, Education, and Welfare
P. O. Box 7-741
Anchorage, Alaska 99501

Personnel Officer
Indian Health Area Office
Office of Personnel
Department of Health, Education, and Welfare
Room 200
921 S. W. Washington Street
Portland, Oregon 97205

Personnel Officer
Indian Health Service
Office of Personnel
Department of Health, Education, and Welfare
P. O. Box G
Window Rock, Arizona 86515

Personnel Officer
Division of Personnel
Social Security Administration
Department of Health, Education, and Welfare
Room G-2208, West High Rise Building
6401 Security Boulevard
Baltimore, Maryland 21235

Personnel Officer
Bureau of Hearings and Appeals
Social Security Administration
Department of Health, Education, and Welfare
Room 306, Webb Building
4040 B. Fairfax Drive
Arlington, Virginia 22203

Chief, Personnel Branch
Mid-Atlantic Program Center
Social Security Administration
Department of Health, Education, and Welfare
P. O. Box 12837
Philadelphia, Pennsylvania 19108

Chief, Personnel Branch
Northeastern Program Center
Social Security Administration
Department of Health, Education, and Welfare
P. O. Box 100
San Francisco, California 94101

Chief, Personnel Branch
Southeastern Program Center
Social Security Administration
Department of Health, Education, and Welfare
2001 12th Avenue, North
Birmingham, Alabama 35285

96-05 Horace Harding Expressway
Flushing, New York 11368

Chief, Personnel Branch
Western Program Center
Social Security Administration
Department of Health, Education, and Welfare
Chief, Personnel Branch
Great Lakes Program Center
Social Security Administration
Department of Health, Education, and Welfare
165 North Canal Street
Chicago, Illinois 60606

Chief, Personnel Branch
Mid-America Program Center
Social Security Administration
Department of Health, Education, and Welfare
Room 1466, Federal Office Building
601 East 12th Street
Kansas City, Missouri 64106

Personnel Officer
Albuquerque Data Operations Center
Social Security Administration
Department of Health , Education, and Welfare
P. O. Box 4429, Station 'A'
Albuquerque, New Mexico 87106

Personnel Director
Personnel Management Office
Center for Disease Control
Department of Health, Education, and Welfare
Building 1, Room 153A
1600 Clifton Road, N. E.
Atlanta, Georgia 30333

Personnel Officer
Addiction Research Center
National Institute of Drug Abuse
Department of Health, Education, and Welfare
P. O. Box 12390
Lexington, Kentucky 40511

Personnel Officer
National Institute for Occupational Safety and Health
Department of Health, Education, and Welfare
Room 540
U. S. Post Office and Courthouse
5th and Walnut Street
Cincinnati, Ohio 45202

Personnel Officer
National Institute of Environmental Sciences
Department of Health, Education, and Welfare
P. O. Box 12233
Research Triangle Park, North Carolina 27709

OS ASAM PT 82.83

System name: Complaints and Inquiries Records - Miscellaneous. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel offices shown in (See Application for Employment Records, HEW System OS-ASAM-PT-1) Appendix I and offices of operating officials in organizational units serviced by those personnel offices, in which employees are employed.

Categories of individuals covered by the system: Current Federal employees of the Department.

Categories of records in the system: This system consists of records relating to correspondence concerning an individual's employment status or conduct while employed by the Department. Examples of these records include: correspondence from employees,

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Members of Congress, and members of the public alleging misconduct by an employee of the Department, miscellaneous complaints not covered by the Department's formal or informal grievance procedure, informal complaints handled by labor union officials, and miscellaneous debt correspondence received from creditors.

Authority for maintenance of the system: Executive Orders 11222, 10561 and 11491.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used: a) In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,4,5,6,7,9; b) by the Civil Service Commission in carrying out its functions; c) to respond to Members of Congress and members of the public with regard to complaints or inquiries presented by them; d) In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Item 3; e) In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Item 8.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Filed in folders and index cards.

Retrievability: Records are filed by name. Records are used to take action on and respond to a complaint about a DHEW employee; to produce summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for related personnel management functions or pay studies; and for other purposes compatible with the intent for which the records system was created.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Information in this system of records is disposed of 6 months after transfer or separation of employee.

System manager(s) and address: Personnel Officers shown in Appendix 1 to Applicants for Employment Records, HEW System OS-ASAM-PT-1 who service organizational units in which individuals are employed.

Notification procedure: Operating officials in organizational unit in which employee is employed or personnel offices shown as systems managers in Appendix 1 Applicants for Employment Records, HEW System 1. Individuals should provide name, organization in which employed, and date of birth.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is obtained: 1) directly from the individual, or 2) derived from information supplied by the individual, or 3) from information supplied by members of the public, other employees, Members of Congress, Department management officials, or 4) from police and court records relevant to the complaint about the employee.

OS ASAM PT 03.03

System name: Conflict of Interest Records System. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel Offices of the Department (See Applicants for Employment Records, HEW System 1) or levels of approving officials to be identified by those Personnel Offices.

Categories of individuals covered by the system: Incumbents of Department positions the duties of which are of such a nature that incumbent's financial interests, debts, ownership of real property or outside employment may come in conflict with the incumbent's official duties.

Categories of records in the system: The Conflict of Interest Records System consists of a variety of records relating to an employee's financial interest, conduct and outside activities. In addition to the name of the employee, SSN, position title, grade, salary, pay plan, and employing organization, the system includes information about outside employment and financial interests, creditors, interests in real property, outside compensation and related information.

Authority for maintenance of the system: Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used: a) by the Civil Service Commission in carrying out its functions; b) In accordance with Appendix B of the Departmental regulations (45 CFR Part 5b), Item 1,4,6,9.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Conflict of Interest Records are maintained in file folders.

Retrievability: Records are retrievable by name. They are used for the purpose of determining whether an employee's financial interest, conduct or outside activities is in conflict with the employee's duties as a Federal official. They also may be used for production of summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for other purposes compatible with the intent for which the records system was created.

Safeguards: These records are treated as Personnel-Confidential and made available only to persons specifically authorized to receive them.

Retention and disposal: Information in this records system is disposed of 2 years after the employee leaves a position in which a statement is required or two years after the employee leaves the Department, whichever is earlier, in the case of regular employees. Information for consultants is disposed of five years after termination of consulting services.

System manager(s) and address: Personnel Office of the Department shown in Appendix 1 to Applicants for Employment Record, HEW System 1.

Notification procedure: For incumbents who are in position under the Executive Schedule; Office of the Secretary Staff Office Heads; or Regional Directors:

Deputy Assistant Secretary for Personnel and Training
Office of Personnel and Training
Department of Health, Education, and Welfare
330 Independence Avenue, S. W.
Washington, D. C. 20201

For incumbents of other positions included in this records system, the Personnel Officer shown in Appendix 1 to Applicants for Employment Records, HEW System OS-ASAM-PT-1, who services the organizational units in which the individual is employed. The individual should indicate name, position title, grade and series, and organization in which located.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by Department officials or other persons such as trustee, attorney, accountant, relative.

OS ASAM PT 04.03

System name: Discrimination Complaints Records System. HEW/OS/ASAM/PT.

Security classification: None.

System location:

Office of Equal Employment Opportunity, DHEW
330 Independence Avenue, S. W.
Washington, D. C. 20201

Offices of designated EEO Officers in Principal Operating Components, Office of the Secretary, Health Agencies, Education Agencies and Regional Offices. See Personnel Appendix 1 for exact locations.

Categories of individuals covered by the system: Individuals or organizations which have consulted an EEO Counselor or have filed a complaint alleging discrimination on the basis of race, color, religion, sex, national origin or age, because of a determination or decision made by a Department official.

Categories of records in the system: This system of records contains information or documents concerning pre-complaint processing and discrimination complaints. The records consist of counselors' reports, the initial complaints, letters or notices to the individual or organization, record of hearings when conducted, materials placed into the record to support or refute the decision or determination, affidavits or statements, testimonies of witnesses, investigative reports, instructions about action to be taken to comply with decisions, and related correspondence, opinions and recommendations.

Authority for maintenance of the system: Executive Order 11478, P. L. 92-261 and P. L. 93-259.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

a. To respond to a request from a Member of Congress regarding the status of an appeal, complaint or grievance;
b. To refer to CSC in connection with an appeal or review;
c. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3,4,5,6,7,8,9.
d. To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, binders, and index cards.

Retrievability: These records are indexed by the names of the individuals or organizations on whom they are maintained. They may be used: to adjudicate an appeal, complaint, or grievance; to provide a basis for a corrective action related to the discrimination situation; as a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; and to locate specific individuals for personnel research or other personnel management functions.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: The records are maintained up to two years after final disposition, after which time, they will be destroyed in accordance with CSC guidelines.

System manager(s) and address: See Personnel Appendix 1 for General Coordinator and appropriate Immediate System Manager.

Notification procedure: Individuals and organizations which have filed complaints or appeals are aware of that fact and have provided a copy of the record. They may, however, write the appropriate immediate system manager indicated above, or the general coordinator if the immediate system manager is unknown, regarding the existence of such records pertaining to them. The inquirers, as appropriate, should provide their name, date of birth, agency in which employed or agency in which the complaint arose if different from employing agency, the approximate date, and the kind of action taken, when making inquiries about records.

Record access procedures: Same as Systems Manager.

Contesting record procedures: Individuals and organizations which have appealed a decision or determination made about conditions existing in the Department have already been provided a copy of the record. The contest, amendment, or correction of an appeal record is permitted during the prosecution of the appeal or complaint by the individual to whom the record pertains. However, after the appeal or complaint case has been closed, the inquirer may gain access to, or contest the official copy of the appeal or complaint record by writing the appropriate immediate system manager indicated above, or the general coordinator if the immediate system manager is unknown.

Record source categories:

a. Individual to whom the record pertains
b. Department or other officials
c. Affidavits or statements from employees
d. Testimonies of witnesses
e. Official documents relating to the appeal or complaint
f. Correspondence from specific organizations or persons.

Personnel Appendix 1

List of Locations and System Managers for EEO Matters

Department of Health Education and Welfare (General Coordinator)

Director, Equal Employment Opportunity Staff
Room 4766
330 Independence Avenue, S.W.
Washington, D.C. 20201

Immediate Locations and System Managers

Office of the Secretary, Washington
EEO Officer, OS
Room 2038
330 C Street, S.W.
Washington, D.C. 20201

Regional Offices of the Secretary

REGION I

EEO Officer
Room 1500
JFK Federal Building
Boston, Massachusetts 02203

REGION II

EEO Officer
Room 3838-D
26 Federal Plaza
New York, New York 10007

REGION III

EEO Officer
Room 9200
3535 Market Street
Philadelphia, Pennsylvania 19101

REGION IV

EEO Officer
Room 404
50 Seventh Street, N.E.
Atlanta, Georgia 30323

REGION V

EEO Officer
Room, 35th Floor
300 S. Wacker Drive
Chicago, Illinois 60606

REGION VI

EEO Officer
Room 904
1114 Commerce Street
Dallas, Texas 75202

REGION VII

EEO Officer
Room 616D
601 East 12th Street
Kansas City, Missouri 64106

REGION VIII

EEO Officer
Room 10001
1961 Stout Street
Denver, Colorado 80202

REGION IX

EEO Officer
Room 413
50 Fulton Street
San Francisco, California 94102

REGION X

EEO Officer
Room 6068, Arcade Bldg.
1322 Second Avenue
Seattle, Washington 98101

Principal Operating Components and Agencies

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Social Security Administration

EEO Officer
Room 739, Administration Bldg.
6401 Security Boulevard
Baltimore, Maryland 21235

Social and Rehabilitation Service

EEO Officer
Room 3413
330 C Street, S.W.
Washington, D.C. 20201

Office of Education

EEO Officer
Room 2117
400 Maryland Avenue, S.W.
Washington, D.C. 20202

National Institute of Education

EEO Officer
Room 717
1200 19th Street, N.W.
Washington, D.C. 20208

Assistant Secretary for Health

EEO Officer
Room 18-07, Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20852

Health Resources Administration

EEO Officer
Room 10-22, Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20852

Health Services Administration

EEO Officer
Room 14-18, Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20852

Food and Drug Administration

EEO Officer
Room 16-B-07, Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20852

Alcohol, Drug Abuse & Mental Health Administration

EEO Officer
Room 17-C-20, Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20208

National Institutes of Health

EEO Officer
Room 2-B-40, Bldg. 31
NIH, Bethesda
Bethesda, Maryland 20014

Center for Disease Control

EEO Officer
Room 2405, Bldg. 1
1600 Clifton Road, N.E.
Atlanta, Georgia 30333

OS ASAM PT 06.02

System name: Employee Appraisal Program Records. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1 Appendix 1 and operating offices in organizational units serviced by those personnel offices.

Categories of individuals covered by the system: Current Federal employees of the Department.

Categories of records in the system: This system contains information which includes employee's name, SSN, employing organization, grade, title, series, and materials relating to the evaluations of employee's performance. For purposes of the annual performance rating required by law and for promotion consideration purposes.

Authority for maintenance of the system: 5 U.S.C. 4302, 5 U.S.C. 3301, 5 U.S.C. 3302, Executive Order 10577.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

1. By the Civil Service Commission in carrying out its functions.
2. In accordance with Items 1,3,4,6,7,8,9 of Appendix B of the Departmental Regulations (45 CFR, Part 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, on magnetic tape, and on punch cards.

Retrievability: Records are retrievable by name or social security number. They may be used as a basis for reduction-in-force, adverse actions, decisions regarding retention of employees during probationary period, recognition, promotions, reassignments and other personnel actions compatible with the purpose for which the record was collected.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Employee appriasals are destroyed after two years or when replaced by a new appraisal, whichever is earlier, except that copies of unsatisfactory and outstanding performance ratings and any related papers are filed on the permanent side of the Official Personnel Folder.

System manager(s) and address: Personnel Officers shown in Applicants for Employment Records, HEW System 1, Appendix 1.

Notification procedure: Same as above. Employee should provide name, social security number and organization in which employed.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is provided by the individual, derived from information supplied by the individual or supplied by Department officials.

OS ASAM PT 07.02

System name: Executive Development Records System. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1 Appendix 1.

Categories of individuals covered by the system: All supergrade employees (GS-16-18) and equivalents, incumbents of managerial positions and employees in grade GS-13-15 designated as high potential employees.

Categories of records in the system: The Executive Development Records System consists of a variety of records relating to an employee's participation in the Executive Development Program. In addition to the employee's name, the system contains the employee's title, grade and salary, Social Security Account Number, organization in which employed, date of entry into the Executive Development Program, training needs while participating in the program, individual's development plan, basis for participation in the Executive Development Program.

Authority for maintenance of the system: 5 U.S.C. 4101 et. seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records is used:

a. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3,4,5,6,7,8,9.
b. By the Civil Service Commission in the performance of its functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system of records is maintained in file folders, magnetic tape, punch cards, and forms.

Retrievability: Records are indexed by name and Social Security Account Number. Records are used by operating officials in carrying out their personnel management responsibilities. They may be used by those officials in connection with promotions, transfer or reassignment of the individual and as base for preparing management, budgetary or statistical reports to support organizational planning or manpower utilization studies.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Information is retained in the master file for as long as the individual is participating in the program. Upon completing the program, the individual's record is maintained in an inactive file for 5 years.

System manager(s) and address: Heads of personnel offices which service the organizational unit in which the individual is employed. See Applicants for Employment Records, HEW System OS-ASAM-PT-1 Appendix 1.

Notification procedure: Same as Above. Individuals should include their name, grade, title, and organization when contacting the system manager.

Record access procedures: System manager.

Contesting record procedures: System manager.

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by Department officials.

OS ASAM PT 08.02

System name: Federal Employees Occupational Health Program Records. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records, HEW System 1, Appendix 1 and designated offices performing occupational health services for employees in organizations serviced by those personnel offices.

Categories of individuals covered by the system: Current Federal employees of the Department.

Categories of records in the system: This system consists of a variety of records relating to an employee's participation in the Federal Occupational Health Program. Examples of information which may be included in this system are the employee's name, SSN, date of birth, weight, height, medical history, blood type, nature of injury or complaint, type of treatment/medication received, examination findings, and laboratory results.

Authority for maintenance of the system: 5 U.S.C. 7901 et. seq., P. L. 79-658.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used:

1. By authorized medical personnel in connection with the performance of their official duties.
2. By the Civil Service Commission in connection with the performance of its functions.
3. By the Department of Labor in connection with a claim filed by an employee for compensation for a job-related injury or disease.
4. By private contractors engaged in providing medical services under Federal contract.
5. In accordance with Items 1,3,4,5,6,7,8,9 of the Departmental Regulations (45 CFR part 5b), Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders, punch cards and data tape.

Retrievability: Records are retrievable by name, date of birth, and SSN. They are used to document an employee's visit to a health unit and contain information such as a summary of the nature of a complaint, a record of the employee's participation in a voluntary screening program, a record of an employee's participation in a voluntary blood donor program, and a record of any treatment administered by the health unit. Information from this system may be used by Department officials in connection with fitness for duty examinations and for preparing statistical or summary reports about the employee participation in the Federal Occupational Health Program.

Safeguards: During the employment of the individual, medical records are maintained in files separate from the Official Personnel Folder and are located in lockable metal containers or in secured rooms with access limited to those whose official duties require access.

Retention and disposal: A medical record is maintained for as long as employed. If the medical record is deemed to be of long term value, it is combined with the employee's Official Personnel Folder upon separation of the employee and forwarded to the National Personnel Records Center, St. Louis, Missouri. Other medical records of no historic value or if of no value in documenting employee health activities are destroyed upon separation of the employee.

System manager(s) and address: Personnel Officers shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1, Appendix 1. who service organizational units in which the individual is employed.

Notification procedure: Same as above. The individual should include name, SSN, title and organization.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by the medical officer or nurse providing treatment or medication, or 4) supplied by the individual's private physician.

OS ASAM PT 09.03

System name: Grievances Filed Under the Informal Grievance Procedures. HEW/OS/ASAM/PT.

Security classification: None.

System location: Offices of the immediate supervisors and the first officials within the Department excluding the immediate supervisor, with line authority to decide on the matter grieved. Such offices are located within the organizational units serviced by personnel offices shown in Applicants For Employment Records, HEW System OS-ASAM-PT-1, Appendix 1.

Categories of individuals covered by the system: Department employees individually or as a group who have requested personal relief in a matter of concern or dissatisfaction which is subject to the control of Department management.

Categories of records in the system: Information or documents relating to the grievance and personal relief sought; documented materials used in consideration of the grievance, and correspondence related to disposition of the grievance.

Authority for maintenance of the system: 5 U.S.C. 1302, 3301, 3302; Executive Order 10577.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used:

a. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3,4,5,6,7,8,9.
b. By the Civil Service Commission in carrying out its functions.
c. To respond to requests from Members of Congress.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file folders, binders and index cards.

Retrievability: Records are indexed by name of individual filing the grievance. Records are used to consider and resolve informal grievances and to provide background data to further consideration of grievances if later pursued through formal grievance procedures.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are maintained for 6 months to 2 years or upon separation, or transfer of the employee, whichever is sooner, at which time they are destroyed.

System manager(s) and address: Heads of personnel offices which service organizational units in which employees who submit infor-

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mal grievances are located. See Applicants for Employment Records, HEW, System OS-ASAM-PT-1, Appendix 1.

Notification procedure: Individuals who have filed grievances are aware of that fact and have been provided information in writing concerning the disposition of the grievance. They may contact the official who signed the written notice, or the System Manager indicated above. They should provide their name, organization in which employed and date of birth and approximate date of the filing of the informal grievance.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by Department officials.

OS ASAM PT 10.03

System name: Grievance Records Filed Under Procedures Established by Labor-Management Negotiations. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1 Appendix 1 and offices of operating officials in organizational units serviced by those personnel offices.

Categories of individuals covered by the system: Current Federal employees of the Department covered by a collective bargaining agreement.

Categories of records in the system: This system of records consists of a variety of records relating to an employee's grievance filed under procedures established by labor-management negotiations. Examples of information which may be included in this system of records are the employee's name, SSN, grade, job title, testimony of witnesses, material placed into the record to support the decision, the arbitrator's decision, the arbitrator's report, and a record of an appeal to the Federal Labor Relations Council.

Authority for maintenance of the system: Executive Order 11491 as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system may be released to:

1. The Civil Service Commission in carrying out its functions.
2. In accordance with Departmental Regulations, (45 CFR Part 5b), Appendix B. See Items 01,3,4,5,6,7,8,9.
7. The Department of Labor.
8. The Federal Labor Relations Council.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are retrievable by name. They are used to make a determination on and to document a decision made on a grievance filed by an employee under the negotiated grievance procedures. Information from this system may be used by Department officials for preparing statistical, summary or management reports.

Safeguards: Records maintained by management are stored in secured rooms with access limited to those whose official duties require access.

Retention and disposal: As negotiated by the local parties to the contract.

System manager(s) and address: Personnel Officers shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1 Appendix 1 who service the organizational unit in which the individual is employed.

Notification procedure: Same as above. Individuals should include their name, grade, title and organizational unit when contacting the system manager.

Record access procedures: Same as above

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by testimony of witnesses, or 4) supplied by union officials, or 5) supplied by Department officials.

Systems exempted from certain provisions of the act: None.

OS ASAM PT 11.02

System name: DHEW Motor Vehicle Operator Records. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel offices of the Department shown in Applicants For Employment Records, HEW System OS-ASAM-PT-1, Appendix 1. Issuing Officers for Motor Vehicle Operator Identification Cards within the organizations serviced by the above personnel offices.

Categories of individuals covered by the system: All Department employees who are required to operate motor vehicles regularly or incidentally in carrying out their official duties.

Categories of records in the system: The DHEW Motor Vehicle Operator Records system consists of a variety of records related to the issuance of a Government Motor Vehicle Operator's permit. In addition to the name of the employee, the system includes information about the employee's birthplace, SSN, employing organization, number of years driven, type of vehicles operated, current driver's license number, state issuing driver's license, date license expires, restrictions. on state license, sex, date of birth, color of hair, color of eyes, weight, height, record of arrests, and record of accidents. These records also include expiration dates of Motor Vehicle Operator permit, any limitations imposed on its use and the results of the annual review of each driving record.

Authority for maintenance of the system: 40 U.S.C. 471.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used:

a. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3,4,5,6,7,8,9.
b. By the Civil Service Commission in carrying out its functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in Official Personnel Folder and in file folders and index cards.

Retrievability: Records are retrievable by name. Information is used as a basis for issuing a SF-46 'U. S. Government Motor Vehicle Operator's Identification Card' and evaluating its use. It may also be used for production of summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for related personnel management functions.

Safeguards: Access to and use of these records are limited to personnel whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: A record is retained for as long as the employee has an active Federal Motor Vehicle Operator Permit, and for two years after the permit becomes inactive or upon separation from the Department, whichever is earlier. At that time the record is destroyed.

System manager(s) and address: Personnel Officers of the Department shown in Applicants for Employment Records, HEW, System OS-ASAM-PT-1, Appendix 1.

Notification procedure: Issuing officers in organizational units in which employed or systems managers shown above. Individual should provide name and organization in which employed.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information contained in this system of records is obtained: 1) from information supplied by the individual, or 2) derived from information supplied by the individual, or 3) from information supplied by officials of the DHEW.

Systems exempted from certain provisions of the act: None.

OS ASAM PT 12.03

System name: Pay, Leave and Attendance Records. HEW/OS/ASAM/PT.

Security classification: None.

System location:

Division of Central Payroll
Department of Health, Education, and Welfare
330 Independence Avenue, S. W.
Washington, D. C. 20201

Payroll Liaison Representatives. See Personnel Appendix 1.
Timekeepers in organizational units serviced by Payroll Liaison Representatives shown in Personnel Appendix 1, HEW, System OS-ASAM-PT-1.

Categories of individuals covered by the system: All paid employees of the Department of Health, Education, and Welfare including PHS Commissioned Corps Personnel.

Categories of records in the system: The Pay and Leave Records system consists of a variety of records relating to pay and leave determinations made about each employee of the Department of Health, Education, and Welfare. In addition to the name of the employee, the system includes information such as the employee's date of birth, social security number, home address, grade or rank, employing organization, timekeeper number, salary, Civil Service Commission retirement fund contributions, pay plan, number of hours worked, annual and sick leave accrual rate and usage, annual and sick leave balance, FICA withholdings, Federal, state and city tax withholdings, Federal Employees Government Life Insurance withholdings, Federal Employees Health Benefits withholdings, garnishment documents, savings allotments, union and management association dues withholdings allotments, savings bonds allotments, and combined Federal Campaign allotments; for Commissioned Corps personnel information such as the allotments; for Commissioned Corps personnel information such as the following is included: years of service, payroll number, base pay, incentive pay, hazardous pay, allowances and Servicemen's Group Life Insurance.

Authority for maintenance of the system: 5 U.S.C. 5501 et. seq., 5525 et. seq., 6301 et. seq.; 42 U.S.C. 201 et.seq.; and P.L. 90-83.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records is used or may be used:

a. To prepare W-2 Forms to submit to the Internal Revenue Service, state and city revenue departments for the purposes of informing them of the employee's earned income and amount of Federal, state and city taxes withheld, if any.
b. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3,4,5,6,7,8,9;and when an individual to whom a record pertains dies, to disclose information in the individual's record to heirs, executors and legal representatives of beneficiaries.
c. By the Civil Service Commission in the performance of its functions.
d. By the Department of Labor to make compensation determination in connection with a claim filed by the employee for compensation on account of a job-connected injury or disease.
e. To respond to court orders for garnishment of an employee's pay for alimony or child support.
f. To respond to orders from IRS for garnishment of an employee's pay for Federal income tax purposes.
g. To the Department of Treasury for the purposes of preparing and issuing employee salary and compensation checks and U.S. Savings Bonds.
h. By state offices of unemployment compensation in connection with claims filed by former DHEW employees for unemployment compensation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, microfilm, punch cards and forms.

Retrievability: Records are maintained by pay period and are retrievable by name, SSN and Timekeeper number within each pay period. They are used to insure that each employee receives the proper pay and allowances; that proper deductions and authorized allotments are made from the employee's salary; that the employee is credited and charged with the proper amount of sick and annual leave. Records are also used to produce summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for related personnel management functions or pay studies, and for other purposes compatible with the intent for which the records system was created.

Safeguards: Access to and use of these records are limited to personnel whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: A record (continuously updated) is maintained on the data disc for as long as employed. Source document microfilm records are kept 4 years then destroyed. Time card microfilm is kept 5 years then destroyed. Data file microfilm is kept 6 years then destroyed.

System manager(s) and address:

Director, Division of Central Payroll
P. O. Box 1825
Washington, D. C. 20013

Notification procedure: Same as System Manager. Also may contact Payroll Liaison Representatives in Personnel Appendix 1. Provide name, social security number, timekeeper number and pay period about which inquiring.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by timekeepers and other Department officials.

Systems exempted from certain provisions of the act: None.

Personnel Appendix 1

Divison of Central Payroll Liaison Officers

OS
TK RANGE
00010 - 00497

Payroll Liaison Officer
Office of the Secretary
Room 4309 - HEW North Bldg.
330 Independence Avenue, S. W.
Washington, D. C. 20201

OE
TK RANGE
04000 - 04999

Payroll Liaison Officer
Office of Education
Room 3092 - E, FOB 06
400 Maryland Ave., S. W.
Washington, D. C. 20202

NIE
TK RANGE
06000 - 06999

Payroll Liaison Officer
National Institute of Education
Room 821 - Marsh Bldg.
1832 M Street, N. W.
Washington, D. C. 20208

SRS

Payroll Liaison Officer
Social and Rehabilitation Service
Room 1219 - HEW South Bldg.
330 C Street, S. W.
Washington, D. C. 20201

Social Security Administration Headquarters

SSA HQ
TK RANGE
80000 - 80999

Payroll Liaison Officer
SSA Headquarters
Room 1M10, Annex Bldg.
6401 Security Blvd.
Baltimore, Maryland 21235

SSA HQ

Payroll Liaison Officer
BRSI Financial Mgmt. Branch
Room 237, West Bldg.
6401 Security Blvd.

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Baltimore, Maryland 21235

SSA
TK RANGE
00620 - 00624

Payroll Liaison Officer
Universal Bldg., Room 93
1875 Connecticut Ave., N. W.
Washington, D. C. 20009

Social Security Administration Program Centers

MID ATLANTIC
MATPC
TK RANGE
20000 - 20499

Payroll Liaison Officer
SSA, HEW Program Center
P. O. Box 12807
Philadelphia, Pennsylvania 19108

NORTH EASTERN
NEPC
TK RANGE
20500 - 20499

Payroll Liaison Officer
SSA Program Center
9605 Horace Harding Expressway
Flushing, New York 11368

SOUTH EASTERN
SEPC
TK RANGE
40000 - 40999

Payroll Liaison Officer
Birmingham Program Center
P. O. Box 1031
Birmingham, Alabama 35201

GREAT LAKES
GLPC
TK RANGE
50000 - 50999

Payroll Liaison Officer
Chicago Program Center
165 North Canal Street
Chicago, Illinios 60606

MID-AMERICAN
MAMPC
TK RANGE
60000 - 60999

Payroll Liaison Officer
601 East 12th Street - Room 1459
Kansas City, Missouri 64106

WESTERN
WPC
TK RANGE
70000 - 70999

Payroll Liaison Officer
San Francisco Program Center
P. O. Box 2000
Richmond, California 94802

Boston
TK RANGE
26086 - 27707

Payroll Liaison Officer
John F. Kennedy Federal Bldg.
SSA
Government Center
Boston, Massachusetts 02203

New York
TK RANGE
27800 - 28435

Payroll Liaison Officer
26 Federal Plaza
Room 737
New York, New York 10007

Philadelphia
TK RANGE
31675 - 32146

Payroll Liaison Officer
P. O. Box 8788
Philadelphia, Pennsylvania 19101

Atlanta
TK RANGE
47115 - 47365

Payroll Liaison Officer
Room 226, Peachtree-Seventh Bldg.
50 7th Street, N. W.
Atlanta, Georgia 30323

Cleveland
TK RANGE
56408 - 56675

Payroll Liaison Officer
Room 100
14725 Detroit Ave.
Cleveland, Ohion 44107

Chicago
TK RANGE
55535 - 56359

Payroll Liaison Officer
SSA Admin. BDOO
300 South Wacker Drive
Chicago, Illinois 60606

Kansas City
TK RANGE
65765 - 66030

Payroll Liaison Officer
Regional Representatives
DHEW SSA
601 E. 12th Street
Kansas City, Missouri 64106

Dallas
TK RANGE
67366 - 67780

Payroll Liaison Officer
DHEW SSA BDOO
Room 624
1114 Commerce Street
Dallas, Texas 75202

Denver
TK RANGE
69100 - 69230

Payroll Liaison Officer
Federal Office Bldg.
19th and Stout Streets
Denver, Colorado 80202

Seattle
TK RANGE
79505 - 79559

Payroll Liaison Officer
DHEW Regional Representatives BDOO
RFK Plaza Bldg.

Seattle, Washington, 98101

San Francisco

Payroll Liaison Officer
DHEW Personnel
50 Fulton Street
San Francisco, California 94102

Baltimore

Payroll Liaison Officer
SSA
Room 245 - Altmeyer Bldg.
6401 Security Blvd.
Baltimore, Maryland 21235

BHA
TK RANGE

Payroll Liaison Officer
Room 335 - Webb Bldg.
801 N. Randolph Street
Arlington, Virginia 22203

Regional Offices

Boston

Payroll Liaison Officer
HEW Personnel
Room 1503
JFK Federal Bldg
Boston, Massachusetts 02203

New York

Payroll Liaison Officer
Room 937
26 Federal Plaza
New York, New York 10007

Philadelphia

Payroll Liaison Officer
Financial Management
P. O. Box 13716
Philadelphia, Pennsylvania 19101

Atlanta

Payroll Liaison Officer
Room 404
50 7th Street, N. E.
Atlanta, Georgia 30323

Chicago

Payroll Liaison Officer
DHEW Personnel
300 S. Wacker Drive
Chicago, Illinois 60606

Dallas

Payroll Liaison Officer
Region VI Personnel Office
DHEW, Room 1410
1114 Commerce Street
Dallas, Texas 75202

Kansas

Payroll Liaison Officer
Office of Regional Directors, DHEW
601 East 12th Street
Kansas City, Missouri 64106

Denver

Payroll Liaison Officer
Room 9019
Federal Office Bldg.
19th and Stout Street
Denver, Colorado 80202

San Francisco

Payroll Liaison Officer
DHEW Personnel
50 Fulton Street
San Francisco, California 94102

Seattle

Payroll Liaison Officer
Regional Personnel Office
RFK Plaza Bldg., MS 627
Seattle, Washington 98101

Cleveland

Payroll Liaison Officer
Room 500
14600 Detroit Ave.
Cleveland, Ohio 44107

Black Lung

Payroll Liaison Officer
Room 423
P. O. Box 2518
Washington, D. C.

Data Operations Center

Payroll Liaison Officer
Room 423
P. O. Box 2518
Washington, D. C.

Data Operations Center

Payroll Liaison Officer
Data Operations Center
P. O. Box 2247
Albuquerque, New Mexico 87103

U. S. Public Health Service Hospitals

San Francisco
TK RANGE
72000 - 72284

Payroll Liaison Officer
USPHS Hospital
15th and Lake Street
San Francisco, California 94118

Seattle
TK RANGE
73000 - 73300

Payroll Liaison Officer
USPHS Hospital
P. O. Box 3145
Seattle, Washington 98114

Staten Island
TK RANGE
23300 - 23840

Payroll Liaison Officer
USPHS Hospital
Bay and Vanderbilt Street
Staten Island, New York 10304

Saint Elizabeths
TK RANGE
08010 - 08910

Payroll Liaison Officer

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St. Elizabeths Hospital
Room 120, E Bldg.
2700 Martin Luther King Ave., S.E.
Washington, D. C. 20032

Baltimore
TK RANGE
24500 - 24610

Payroll Liaison Officer
USPHS Hospital
3100 Wyman Park Drive
Baltimore, Maryland 21211

Boston
TK RANGE
23005 - 23250

Payroll Liaison Officer
USPHS Hospital
77 Warren Street
Boston, Massachusetts 02135

Carville
TK RANGE
46500 - 46710

Payroll Liaison Officer
USPHS Hospital
Carville, Louisiana 70721

Galveston
TK RANGE
62000 - 62100

Payroll Liaison Officer
USPHS Hospital
4400 Avenue N.
Galveston, Texas 77550

New Orleans
TK RANGE
46000 - 46415

Payroll Liaison Officer
USPHS Hospital
210 State Street
New Orleans, Louisiana 70118

Norfolk
TK RANGE
24900 - 25155

Payroll Liaison Officer
USPHS Hospital
6500 Hampton Blvd.
Norfolk, Virginia 23508

Indian Health Service

Aberdeen
TK RANGE
53400 - 53490

Payroll Liaison Officer
PHS Indian Health Service
Room 300 - Citizens Bldg.
Aberdeen, South Dakota 57401

Albuquerque
TK RANGE
62700 - 63325

Payroll Liaison Officer
Albuquerque Indian Health Service
Federal Office Bldg. and U. S. Courthouse
Room 4006
500 Gold Avenue
Albuquerque, New Mexico 87101

Anchorage
TK RANGE
74005 - 75450

Payroll Liaison Officer
Alaska Native Medical Center
P. O. Box 7-741
Anchorage, Alaska 99501

Billings
TK RANGE
53900 - 54155

Payroll Liaison Officer
Indian Health Area Office
P. O. Box 2134
Billings, Montana 59103

Oklahoma
TK RANGE
63400 - 63985

Payroll Liaison Officer
Oklahoma City Area
Indian Health Service
388 Old Post Office and Courthouse Bldg.
Oklahoma City, Oklahoma 73102

Saratoga
TK RANGE
63917

Payroll Liaison Officer
Indian Health Service
1970 Main Street
Saratoga, Florida 33577

Phoenix
TK RANGE
73501 - 73519
73521 - 73952

Payroll Liaison Officer
Phoenix Area Indian Health
801 E. Indian Medical Center
Phoenix, Arizona 85021

Phoenix
TK RANGE
73520

Payroll Liaison Officer
Phoenix Indian Medical Center
4212 No. 16th Street
Phoenix, Arizona 85016

Tucson

Payroll Liaison Officer
IHS - HPSC
P. O. Box 11340
Tucson, Arizona 85734

Public Health Service

CDC
TK RANGE
45000 - 45600
74005 - 74085

Payroll Liaison Officer
Center for Disease Control
Financial Management
1600 Clifton Road, N. E.
Atlanta, GEorgia 30330

NIH
TK RANGE
10010 - 16571

Payroll Liaison Officer
National Institutes of Health
Room B1B, Bldg. 11
9000 Rockville Pike
Bethesda, Maryland 20014

FDA
TK RANGE
09000 - 09934

Payroll Liaison Officer
FDA Payroll Liaison Section
Accounting Branch
HFA - 120, Room 11-82, Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20852

NIOSH (CDC)
TK RANGE
03500 - 03579
03600 - 03608
52936 - 52949
52930 - 52935
69120

Payroll Liaison Officer
DHEW, CDC, NIOSH
Financial Mgmt. Branch
Parklawn Bldg.
DANAC 3 - 32 F
5600 Fishers Lane
Rockville, Maryland 20852

NIH

Payroll Liaison Officer
National Institute of Environmental Health Sciences, NIH
P. O. Box 12233
Research Triangle Park
North Carolina 27709

HSMHA
TK RANGE
02000 - 03878

Payroll Liaison Officer
HSMHA (Parklawn)
Room 1649 - Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20852

NIMH
TK Range
03900 - 03999
52000 - 52120

Payroll Liaison Officer
NIMH
Room 1399 - Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20852

DHEW HSA FHPS
TK RANGE
(- 03420

rayroll Liaison Officer
Administrative Asst.
6525 Belcrest Road
West Hyattsville, Maryland 20782

OS ASAM PT 13.03

System name: Personnel Records in Operating Offices. HEW/OS/ASAM/PT.

Security classification: None.

System location: Operating Offices of the Department at the organizational level of the individual's employment. Such offices are located within organizational components serviced by personnel offices shown in Appicants for Employment Records, HEW System OS-ASAM-PT-1, Appendix 1.

Categories of individuals covered by the system: Current employees of the Department.

Categories of records in the system: This system consists of a variety of records relating to personnel actions and determinations made about an individual while employed. These records may contain information about an individual relating to name; birth date; home address; telephone number; emergency addressee; social security number; veterans preference; tenure; work connected injuries; handicap code; employment history; qualifications background; past and present salaries, grades and position titles; training; awards and other recognition; counseling; performance appraisal; conduct; pay and leave; and data documenting reasons for personnel actions, decisions or recommendations made about an employee; and background data and documentation leading to an adverse action being taken against an employee.

Authority for maintenance of the system: 5 U.S.C. 1302, 2951, 4118, 4308, 4506, 7501, 7511, 7521 and Executive Order 10561.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

1. By an agency of the Federal Government having oversight or review with regard to Civil Service Commission activities.
2. In the event an appeal is made outside the Department, records which are relevant may be referred to the appropriate agency charged with rendering a decision on the appeal.
3. In accordance with Appendix B of the Departmental Regulations (45 CFR, Part 5b) Items 1,3,4,5,6,7,8,9.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, magnetic tape, and index cards.

Retrievability: Records are indexed by any combination of name, birth date, social security number, or identification number. Records are used by operating officials in carrying out their personnel management responsibilities. They may be used in this connection in recommending or taking personnel actions such as are related to appointments, transfers, promotions, reassignments, adverse actions; as a base for employee development, training, recognition, reprimands, and disciplinary actions; for making decisions on employee complaints; and as a base for staffing and budgetary planning and control, organizational planning, and for manpower utilization purposes; and for preparing statistical or summary reports. They may also be used by appropriate officials in making decisions on grievances, appeals and adverse actions.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Retained during the period of employment of the individual. Destroyed or transferred to the Official Personnel Folder, as appropriate, when an individual resigns, transfers or is separated from the Federal service.

System manager(s) and address: Personnel Officers of the Department. See Applicants for Employment Records, HEW, System OS-ASAM-PT-1, Appendix 1.

Notification procedure: Immediate supervisors of individuals or the administrative offices of the organizational units in which employed. The system manager shown above may also provide further information concerning the existence of this system of records. Individuals should provide their name, social security number, and organization in which employed.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this system of records either comes from the individual to whom it applies, is derived from information he supplied, or is provided by Department officials.

Systems exempted from certain provisions of the act: None.

OS ASAM PT 14.02

System name: Special Employment Programs. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel Offices shown in Applicants for Employment Records, HEW, System OS-ASAM-PT-1, Appendix 1 and operating offices in organizational units, serviced by those personnel offices, in which employees are employed.

Categories of individuals covered by the system: Current Federal employees of the Department who are participating in special employment programs.

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Categories of records in the system: This system consists of a variety of records relating to an employee's participation in special employment programs such as the Upward Mobility College, START, STRIDE, ACCESS, Worker Trainee Opportunity, Junior Fellows, Management Intern, Personnel Intern and the HEW Fellows Program. Examples of information which this records system may contain include the employee's name, SSN, program enrolled in, employing agency, grade, job title, job series, sex, date of birth, status, educational background, handicap code, application for employment, position description, assignment evaluations, Veterans preference, job counselling records, and letters of reference and recommendations.

Authority for maintenance of the system: 5 U.S.C. 1301, 3301, and 7151 et. seq., Executive Order 11813.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system may be used:

1. By the Civil Service Commission in carrying out its functions.
2. In accordance with Items 1,3,4,5,6,7,8,9 of the Departmental Regulations, (45 CFR Part 5b), Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system of records is maintained in file folders, data tape and punch cards.

Retrievability: Records are retrievable by name and SSN. Records are used by personnel offices and operating officials to monitor the progress of the individual in the special program, for career planning, and for taking personnel actions.

Safeguards: Access and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Information in these records is retained for as long as the individual participates in a special employment program. Upon completing the program, the individual's record is maintained in an inactive file for 2 years, then destroyed.

System manager(s) and address: Personnel Officers shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1, Appendix 1, who service organizational units in which the participant is employed.

Notification procedure: Same as above. Individuals should include their name, SSN, grade, title and organization when contacting the system manager.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by Department officials.

Systems exempted from certain provisions of the act: None.

OS ASAM PT 15.03

System name: Suitability for Employment Records. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel Offices shown in Applicants for Employment Records, HEW System OS-ASAM-PT-1, Appendix 1.

Categories of individuals covered by the system: Federal employees of the Department, and applicants for employment.

Categories of records in the system: This system consists of a variety of records relating to an individual's suitability for employment in terms of character, reputation and fitness, including letters of reference, responses to pre-employment inquiries, National Agency Checks and Inquiries material received from the Civil Service Commission relating to non-sensitive positions, qualifications and character investigations, and other information which may relate to the suitability of the individual for the position.

Authority for maintenance of the system: 5 U.S.C. 3301, 3302, 7301,; Executive Order 10577; Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

a. By the Civil Service Commission in carrying out its functions.
b. In accordance with Appendix B, Departmental Regulations (45 CFR Part 5b) Items 01,3,4,6,8,9.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by any combination of name, birth date, Social Security Number, or identification number. Information in these records is used by designated appointing and selecting authorities to determine an individual's suitability for employment by consideration of factors present in such records.

Safeguards: Records are maintained in confidential files separate from the Official Personnel Folder and are located in lockable metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal: NACI information is retained during the period of employment with the Department and upon transfer or separation of employee, is returned to the Civil Service Commission. Other records are retained during the period of employment or for two years whichever is earlier. After that time they are destroyed.

System manager(s) and address: Heads of personnel offices which service organizational units in which individual is employed or in which she applied for employment. See Applicants For Employment Records, HEW, System OS-ASAM-PT-1 Appendix 1.

Notification procedure: Same as above. Individuals should indicate name, Social Security Number, date of birth, and organization in which employed, or to which they applied for employment.

Record access procedures: Current Department employees or applicants should contact the appropriate system manager shown above. Former Department employees who are employed by the Federal Government who wish to gain access or contest the records maintained on them while employed by the Department should contact the appropriate official of their current employing agency in accordance with the appropriate records system notice of that agency. Former Department employees who have separated from Federal service should direct a request to:

National Personnel Records Center
General Services Administration
111 Winnebago Street
St. Louis, Missouri 63118

Contesting record procedures: Same as above.

Record source categories: Information contained in the system is obtained from the categories of sources:

Applications and other personnel and security forms furnished by the individual.
Information furnished by other Federal agencies.
Information provided by sources such as, employers, schools, references, former employers.

Systems exempted from certain provisions of the act: Individuals will be provided information from the above record system except when in accordance with the provisions of 5 U.S.C. 552a(k)(5); 1. disclosure of such information would reveal the identity of a source who furnished information to the Government under a express promise that the identity of the source would be held in confidence, or 2. if the information was obtained prior to the effective date of Section 3, P. L. 93-579, disclosure of such information would reveal the identity of a source who provided information under an implied promise that the identity of the source would be held in confidence. (F.R. 38409, August 27,1975).

OS ASAM PT 16.03

System name: Training Manpower Information System. HEW/OS/ASAM/PT.

Security classification: None.

System location:

Department of Health, Education, and Welfare
330 Independence Avenue, S. W.
Washington, D. C. 20201

Categories of individuals covered by the system: All employees who receive training in a course which was more than 8 hours in length and which was authorized under the authority of the Government Employees Training Act.

Categories of records in the system: The Training Management Information System consists of a variety of records relating to training received by an employee. In addition to the name of the employee, the system includes information about the employee's Social Security Account Number, position title, grade, salary, pay plan, series, tenure, years of continuous service, hours of prior non-government training, nature of training taken, cost of training and dates of training.

Authority for maintenance of the system: 5 U.S.C. 4101 et. seq.; Executive Order 11348.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records is used:

a. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3,4,5,6,7,8,9.
b. By the Civil Service Commission in carrying out its functions.
c. To other Federal agencies or private organizations to authorize training.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data tape.

Retrievability: Records are indexed by any combination of name, birth date, SSN or transaction number. Information is used to maintain a history of training of the individual during his employment with the Department, as a basis for determining future training needs of the individual, for evaluating the Department's training program, for auditing and budgetary planning purposes and for related analytical and operational personnel management functions.

Safeguards: The information is available only to authorized personnel. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal: Retained in the data file until separation of employee from the Department. Training records are retained indefinitely in the Official Personnel Folder.

System manager(s) and address:

Deputy Assistant Secretary for Personnel and Training
Office of Personnel and Training
Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D. C. 20201

Notification procedure: Contact the Deputy Assistant Secretary for Personnel and Training for information. The individual should indicate name, position title, grade and series and organization in which located.

Record access procedures: Same as notification.

Contesting record procedures: Same as notification.

Record source categories: Information in this system of record is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by Department or by source of training officials.

Systems exempted from certain provisions of the act: None.

OS ASAM PT 17.03

System name: Volunteer EEO Support Personnel Records. HEW/OS/ASAM/PT.

Security classification: None.

System location:

Office of Equal Employment Opportunity, DHEW
330 Independence Avenue, S. W.
Washington, D. C. 20201
Offices of the designated EEO Officers in Principal Operating Components, Office of the Secretary, Health Agencies, Education Agencies and Regional Offices. See Discrimination Complaints Records System, HEW System OS-ASAM-PT-4 Appendix 01 for exact locations.

Categories of individuals covered by the system: Individuals who have volunteered or have been proposed for duty as EEO Counsellors and discrimination complaint investigators on a part-time basis.

Categories of records in the system: This system of records contains information or documents concerning personal characteristics of EEO counsellors and investigators. The records consists of the name and other identifying data, title, location, training received, information concerning qualifying background, case assignments, and evaluations of EEO counsellors and investigators serving on a part-time basis, and related information.

Authority for maintenance of the system: Executive Order 11478, P. L. 92-261, P. L. 93-259.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

a. To provide resource to another Federal agency, in response to its request for loan of investigators or counsellors.
b. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b), Items 01,3,4,6,7,8,9
c. By the Civil Service Commission in carrying out its functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, binders and index cards.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained. They may be used: for identification, location and determination of availability of volunteer counsellors and investigators for assignment to counsel complaints and to investigate complaints; to respond to inquiries regarding availability of counsellor resources or determination regarding location and the jurisdictional propriety of an investigator resource; for determing training needs of EEO counsellors and investigators; to provide information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; and to locate specific individuals for personnel research or other personnel management functions.

Safeguards: Access to and use of these records are limited to those persons whose official duties require access.

Retention and disposal: The records are maintained up to one year after volunteer has terminated his services, at which time they are destroyed.

System manager(s) and address: See Discrimination Complaints Records System, HEW System OS-ASAM-PT-4, Appendix1 for General Coordinator and appropriate Immediate System Manager.

Notification procedure: Individuals who have volunteered or been proposed as counsellors or investigators are aware of that fact and the information contained in the record. They may, however, write the immediate system manager or coordinator indicated above regarding the existence of such records pertaining to them. The inquirers, as appropriate, should provide to the immediate system manager or coordinator, their name, agency in which they were proposed or served when making inquiries about records.

Record access procedures: Individuals who have been certified as counsellors or investigators on a part-time basis have either provided the information themselves or are aware of the information. The inquirer, who has been certified as a counselor or investigator may gain access to or contest the official record by writing the immediate system manager or coordinator indicated above.

Contesting record procedures: Contact Systems Manager.

Record source categories:

a. Individuals to whom the record pertains
b. Department or other officials
c. Official documents relating to appointments and case assignments as counselors and investigators
d. Correspondence for specific persons or organizations
e. Formal reports submitted by the individual in the performance of official volunteer work.

15
None.

OS ASAM PT 18.02

System name: Unfair Labor Practice Records. HEW/OS/ASAM/PT.

Security classification: None.

System location: Personnel Offices of the Department shown in (See Application for Employment Records, HEW System OS-ASAM-1, Appendix 1 and offices of operating officials in organizational units serviced by those Personnel Offices.

Categories of individuals covered by the system: Current HEW employees and union officials.

Categories of records in the system: This system of records consists of a variety of records relating to an unfair labor practice charge. Examples of information which may be included in this system are the employee's name, Social Security Number, grade, job title, employment history and a variety of work and personnel records associated with the charges and required under proceedings established by Executive Order 11491 and Department of Labor Regulations.

Authority for maintenance of the system: Executive Order 11491, as amended.

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Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system may be released to:

1. The Department of Labor.
2. In accordance with Items 1,3,4,5,6,7,8,9 of Departmental Regulations, (45 CFR Part 5b), Appendix B.
3. The Federal Labor Relations Council.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are retrievable by name. They are used to make a determination on and to document a decision made on an unfair labor practice charge filed by an employee or union official. Information from this system may be used by Department officials for preparing statistical summary or management reports.

Safeguards: When not in use by authorized persons, these records are stored in lockable metal file cabinets. Access to and use of these records are limited to personnel who have a need for the records in performance of official duties.

Retention and disposal: The case files are maintained as long as they may be pertinent for purposes of precedent or as management information devices. When no longer useful for such purposes, they are destroyed.

System manager(s) and address: Personnel Officer shown in Appendix I of OS-ASAM-PT-1 who services th organizational unit in which the individual is employed.

Notification procedure: Contact the systems manager and provide name, approximate date of record, the unfair labor practice charge as specified by the complainant, and management component in which the charge was filed.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records is:

1. Supplied directly by the individual, or
2. Derived from information supplied by the individual, or
3. Supplied by testimony of witnesses, or
4. Supplied by union officials, or
5. Supplied by Department officials.

Systems exempted from certain provisions of the act: None.

ADAMHA OA 0029.01

System name: Grant Files containing information on individual grantees and personnel at grantee institution - HEW/ADAMHA.

Security classification: None.

System location:

National Institute on Drug Abuse
Grants Management Branch
Room 849, Rockwall Building
11400 Rockville Pike
Rockville, Maryland 20852

National Institute on Alcohol Abuse and Alcoholism
Grants Management Branch
Room 14C-04, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

National Institute of Mental Health
Grants and Contracts Management Branch, OPS
Room 7C-02, Parklawn Building
Rockville, Maryland 20852

Categories of individuals covered by the system: Principal investigators, project directors, other employees of grantee institutions, and trainees, supported under grants awarded by the three Institutes.

Categories of records in the system: Curriculum vitae, salary information, summary of review committee deliberations, reports on site visits, and related documents.

Authority for maintenance of the system: NIDA: Public Health Service Act Section 301(42 U.S.C. 241); Section 251 (42 U.S.C. 2688k) Community Mental Health Centers Act Section 410 (21 U.S.C. 1177); and the Drug Abuse Office and Treatment Act of 1972. NIAAA: Public Health Service Act Section 301 (42 U.S.C. 241); Comprehensive Alcohol Abuse and Alcoholism Treatment and Rehabilitation Act of 1970 Sections 101, 311 (42 U.S.C. 4551, 4577). NIMH: Public Health Service Act Section 301, 303(a), 433(a), 455, and 472(a)(1)(A), (42 U.S.C. 241, 242a 289c, 289k-1, and 289l-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records contained in the Official Grant File may be released:

1. to the Smithsonian Science Information Exchange for dissemination of science information.
2. to qualified experts for opinion during the review process.
3. to individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research.
4. to organizations deemed qualified by the Secretary to carry out quality assessment, medical audits, or utilization review.
5. to the Cognizant Audit Agency and the General Accounting Office for auditing.
6. to the Department of Justice or other law enforcement agencies as required for litigation.
7. to either House of Congress, or to the extent of matter within its jurisdiction, to any committee or subcommittee.
8. to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents filed in folders in enclosed file cabinets. Information on 3 x 5 cards in file cabinets.

Retrievability: By grant numbers and cross-indexed by name. Used by staff program and management specialists for purpose of awarding and monitoring grant funds.

Safeguards: Only authorized personnel have access to the files and the files themselves may not leave the premises.

Retention and disposal: Information retained indefinitely. Files retired to a Federal Records Center after the expiration of grant period and all closeout procedures are completed.

System manager(s) and address:

National Institute on Drug Abuse
Chief, Grants Management Branch, OPS
Room 854, Rockwall Building
11400 Rockville Pike
Rockville, Md. 20852

National Institute on Alcohol Abuse and Alcoholism
Chief, Grants Management Branch
Room 16-86, Parklawn Building
5600 Fishers Lane
Rockville, Md. 20852

National Institute of Mental Health
Chief, Grants and Contracts Management Branch
Room 7C-02, Parklawn Building
5600 Fishers Lane
Rockville, Md. 20852

Notification procedure: Same as the above.

Record access procedures: Same as above. Provide grant number under which employed.

Contesting record procedures: Same as above.

Record source categories: Grantees on whom the record is maintained, Federal advisory committees, site visitors, consultants, references.

Systems exempted from certain provisions of the act: None.

HRA BHM 0007.01

System name: Public Health Service Scholarship Program HEW/HRA/BHM.

Security classification: None.

System location:

Bldg 31
9000 Rockville Pk.
Bethesda, Md 20014
Div of Computer Research & Tech.
Bldg 12
Bethesda, Md 20014
and Regional Federal Records Center

Categories of individuals covered by the system: Students - Health Professionals as specified in 42 CFR 62: 1) Applicants, 2) Recipients.

Categories of records in the system: Application and associated forms; recipient records also contain progress reports, payroll forms, deferment and placement data.

Authority for maintenance of the system: P.L. 92-585.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Name of scholarship recipient, professional school he or she is attending, and date of graduation are made available to health professions associations and other interested health professions groups who have responsibility for coordinating funds paid to students from Federal and other sources.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File Cabinets: ADP - Tapes.

Retrievability: The records in this system are used in the following manner: 1) Application - for the selection process by HRA and HSA 2) Recipient - Payroll, tuition and fees, tracking, deferment, defaults, & placement by HRA, HSA, central payroll and PHS claims office. Retrievability: Name, Award No., University, Social Security No. (Permission has been requested from the department for the continued use in this system of the SSN as a use within Sec. 7(a)(2)(B) of the Privacy Act.)

Safeguards: Locking file units have been requested. (Lektriever 200).

Retention and disposal: Number of years held at HRA: 12. Number of years held at Federal Record Center before disposal: 3. How destroyed: shredder (non-selected applicant files destroyed: after six months from deadline due date).

System manager(s) and address:

Chief, Scholarship Section, Student Assistance Staff
9000 Rockville, Pike
Bethesda, Md 20014

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories:

Evaluation forms from school faculty - requested by student applicant
Educational Institution attended
Internship and/or residency training site
HSA and CPOD, OPM/H

Systems exempted from certain provisions of the act: None.

HSA BMS 0004.02

System name: Federal Employee Occupational Health Data System HEW/HSA/BMS.

Security classification: None.

System location:

FCB 03, Room 330
6525 Belcrest Road
W.Hyattsville, Maryland 20782

Categories of individuals covered by the system: Federal employees enrolled in PHS/DFEH Health Units. (See appendix to Division of Federal Employee Health (DEFH) Employee Health Records System to determine covered employees).

Categories of records in the system: Health Records.

Authority for maintenance of the system: 5 USC 7901, 5 USC 8101, OMB Circular No. A-72.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Purpose: access to files of those persons claiming compensation benefits due to personal injury while on the job. Users: U.S. Department of Labor, Officer of Worker's Compensation Program. Certain records may be disclosed to medical laboratories, medical consultants, or computer processing firms under service contract agreement. In the event of a change in sponsorship of a PHS/DFEH health care unit or in a case of mass transfer of employees covered by a PHS/DFEH health care unit to one served by a non-departmental organization, the health records will be transferred to the custodianship of the new organization.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, and disc.

Retrievability: Purpose: The system is designed to provide improved information to DFEH management while simultaneously reducing the administrative workload on the medical professionals in the health units. Users: physicians, nurses, other health professionals. Retrievability: by SSN. (Permission has been requested from the Department for the continued use in this system of the SSN as a use within Sec 7 (a)(2)(B) of the Privacy Act.)

Safeguards: Access to information limited to authorized DFEH personnel.

Retention and disposal: Number of years held at HSA - Indefinitely or until 6 years after record becomes inactive. Purged from computer and stored on computer tape for a period of 6 years after file becomes inactive.

System manager(s) and address:

Director
Division of Federal Employee Health
FCB 03 6526 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Data resulting from the clinical and preventive services offered by the PHS/DFEH Health Units and data obtained from individual.

NIH DRG 0134.01

System name: Grants: Application Control File. HEW/NIH/DRG.

Security classification: None.

System location:

Westwood Building, Room 248, NIH
5333 Westbard Avenue
Bethesda, MD 20016

Categories of individuals covered by the system: Grantees and applicants for NIH extramural biomedical research grants.

Categories of records in the system: Grant Application Data reflecting the identification and qualifications of the Principal Investigator.

Authority for maintenance of the system: 42 USC 241c, 2891; 289-1; 58 Stat 691c (Repealed).

Routine uses of records maintained in the system, including categories of users and the purpose of such uses: Information sent to National Science Foundation for program coordination; a record from this system may be disclosed to a federal, state, or local agency, in response to its request in connection with the issuance of a grant by the requesting agency; Appendix B of the Department Regulations (45 CFR Part 5b) items 9, 101, 102.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders, on cards, in notebooks and on film.

Retrievability: They are retrieved by name. NIH Use: Used by division staff and outside consultants to review applications for scientific merit, evaluate award decisions, and to communicate with applicant.

Safeguards: Limited access.

Retention and disposal: Years at NIH: indefinitely.

System manager(s) and address:

Chief, Referral Branch, DRG
Westwood Building, Room 248, NIH
5333 Westbard Avenue
Bethesda, MD 20016

Notification procedure:

Chief, Grants Inquiries Office
Westwood Building, Room 448, NIH
5333 Westbard Avenue
Bethesda, MD 20016

Record access procedures: Same as Notification.

Contesting record procedures: Same as Notification.

Record source categories: Data is obtained from the individual Principal Investigator.

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NIH DRG 0137.02

System name: Grants: IMPAC (Grant/Contract Information). HEW/NIH/DRG.

Security classification: None.

System location:
Westwood Building, Room 1A03B
5333 Westbard Avenue
Bethesda, MD 20016

Categories of individuals covered by the system: Applicants for and recipients of PHS grants (NIH and ADAMHA).

Categories of records in the system: Applications, awards, and trainee appointments.

Authority for maintenance of the system: 42 USC 241c; 58 Stat. 691c & d Repealed.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information sent to Science Information Exchange for dissemination of science info; to cognizant audit agency & the Government Accounting Office for auditing; to Professional, Scientific Organizations, Individual's Educational Institution for dissemination of information; Information is also sent to other federal, state, and local agencies, public and private organizations, and private individuals; Appendix B of the Department Regulations (45 CFR Part 5b) items 1, 9, 101, 102. Purposes include administrative (fiscal operations, budgeting, program direction, planning, etc); public information; research and analysis, judicial and legislative.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored on discs and magnetic tapes.

Retrievability: They are retrieved by name, application, grant, and contract ID number. NIH Use: The records are used by NIH & ADAMHA management and operating staff to prepare listing, tabulations, magnetic tapes and other machine processable media, microfiche and publications for administrative purposes such as fiscal operations, budgeting, program direction and planning; public information; research and analysis.

Safeguards: Limited access.

Retention and disposal: Years at NIH: indefinitely.

System manager(s) and address:
Chief, Statistics and Analysis Branch, DRG
Westwood Building, Room 1A03B, NIH
5333 Westbard Avenue
Bethesda, MD 20016

Notification procedure:
Grants Inquiries Officer, DRG
Westwood Building, Room 448, NIH
5333 Westbard Avenue
Bethesda, MD 20016

Record access procedures: Same as Notification.

Contesting record procedures: Same as Notification.

Record source categories: Individual, individual's educational institution, and references.

NIH OD 0300.02

System name: Grants: Research, Research Training, Fellowship and Construction Applications and Awards. HEW/NIH/OD.

Security classification: None.

System location: See Appendix I.

Categories of individuals covered by the system: Grant applicants and Grantees, and Reviewers.

Categories of records in the system: Grant Applications and review history, awards, financial records and progress reports and correspondence.

Authority for maintenance of the system: 42 USC 241(c), (d), 276, 281, 287, 288, 289(a), (d), (e), (i), 289(k-2) 58 Stat. 691 (repealed).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information sent to Science Information Exchange for dissemination of science info; to Cognizant Audit Agency & GAO for auditing; to Dept. of Justice as required for litigation; to Professional, Scientific Organizations; Individuals Educational Institution; for dissemination of information and used to respond to Congressional inquiries; to qualified experts, not within the definition of department employees as prescribed in Department Regulations (45 CFR Part 5b 2), for opinions as a part of the review process; Appendix B of the Department Regulations (45 CFR Part 5b) items 9,101,102; a record from this system may be disclosed to a federal, state or local agency, in response to its request in connection with the issuance of a grant by the requesting agency.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders, on computer tapes and discs, cards and in notebooks.

Retrievability: Retrieved by name and grant number. Use: By staff for review, award, and administration, of grants.

Safeguards: Access limited to authorized personnel.

Retention and disposal: Years at NIH: 1 year after close out except for Construction Grants which are retained for 3 years after close-out. Years at FRC: 5 years except for National Research Service Awards, 9 years and Construction Awards, 12 years.

System manager(s) and address: See Appendix II.

Notification procedure: See Appendix III.

Record access procedures: See Appendix IV.

Contesting record procedures: Same as System Manager.

Record source categories: Information submitted by applicant, supplemented by outside reviewers and internal staff.

Systems exempted from certain provisions of the act: None.

Appendix I System Location

National Cancer Institute
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 837, 10A15, 8A18, 805, 855, 809, 848

National Heart and Lung Institute
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 5A15

National Library of Medicine
Federal Building
7550 Rockville Pike
Bethesda, MD 20014
Room 916A

National Institute of Allergy and Infectious Diseases
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 722

National Institute of Arthritis, Metabolism, and Digestive Diseases
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 621

National Institute of Child Health and Human Development
Landow Building
7910 Woodmont Avenue
Bethesda, MD 20014
Room A621

National Institute on Aging
Landow Building
7910 Woodmont Avenue
Bethesda, MD 20014
Room A621

National Institute of Dental Research
Westwood Building
5333 Westbard AVenue
Bethesda, MD 20016
Room 510

National Institute of Environmental Health Sciences
Building 12

Research Triangle Park, North Carolina 27709
Room 1213

National Institute of General Medical Sciences
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 938

National Institute of Neurological and Communicative Disorders and Stroke
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 748

National Eye Institute
Building 31
9000 Rockville Pike
Bethesda, MD 20014
Room 6A47

Division of Research Resources
Building 31
9000 Rockville Pike
Bethesda, MD 20014
Room 5B05

Regional Federal Records Center

Appendix II System Manager and Address

National Cancer Institute

Chief, Program Analysis & Evaluation Branch
Room 837, Westwood Building

Fellowships Officer (Fellowship and Research Career Awards)
Room 10A15, Westwood Building

Chief, Grants Administration Branch
Room 8A18, Westwood Building

Grants Technical Assistant (Institutional Research Fellowships)
Room 805, 855, Westwood Building

Referral Officer (Applications Referrals, Site Visits and Conference Grants)
Room 809, Westwood Building

Program Director for Review Activities
Room 805, Westwood Building

Executive Secretary, DCRRC (Center Grant Application)
Room 809, Westwood Building

Associate Director for Research Programs
Room 848, Westwood Building

Review Activities Program Director (Research Grant Applications)
Room 809, Westwood Building

National Heart and Lung Institute
Administrative Officer, DEA
Room 5A15, Westwood Building

National Library of Medicine
Associate Director for Extramural Programs
Room 816A, Federal Building

National Institute of Allergy and Infectious Diseases
Administrative Officer, NIAID
Room 707, Westwood Building

National Institute of Arthritis, Metabolism, and Digestive Diseases
Technical Information Specialist
Room 726A, Westwood Building

National Institute of Child Health and Human Development
Chief, Office of Grants & Contracts
Room A621, Landow Building

National Institute on Aging
Grants Management Officer
Room A621, Landow Building

National Institute of Dental Research
Grants Management Officer, NIDR
Room 510, Westwood Building

National Institute of Environmental Health Sciences
Grants Management Officer
Room 1213, Building 12

National Institute of General Medical Sciences
Grants Management Officer, NIGMS
Room 938, Westwood Building

National Institute of Neurological and Communicative Disorders and Stroke
Grants Officer, Extramural Programs
Room 738, Westwood Building

National Eye Institute
Ass. Dir. for Extramural & Collaborative Programs
Room 6A04, Building 31

Division of Research Resources
Executive Officer, DRR
Room 5B05, Building 31

Appendix III Notification Procedures

National Cancer Institute
Chief, Grants Administration Branch
Room 8A18, Westwood Building

National Heart and Lung Institute
Privacy Act Coordinator, NHLI
Room 5A50, Building 31

National Library of Medicine
See Appendix II.

National Institute of Allergy and Infectious Diseases
See Appendix II.

National Institute of Arthritis, Metabolism, and Digestive Diseases
Administrative Assistant
Room 9A35, Building 31

National Institute of Child Health and Human Development
See Appendix II.

National Institute on Aging
See Appendix II.

National Institute of Dental Research
See Appendix II.

National Institute of Environmental Health Sciences
See Appendix II.

National Institute of General Medical Sciences
See Appendix II.

National Institute of Neurological and Communicative Disorders and Stroke
See Appendix II.

National Eye Institute
See Appendix II.

Division of Research Resources
See Appendix II.

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Appendix IV Record Access Procedures

National Cancer Institute
Chief, Grants Administration Branch
Room 8A18, Westwood Building

National Heart and Lung Institute
See Appendix III.

National Library of Medicine
See Appendix II.

National Institute of Allergy and Infectious Diseases
Chief, Of. of Research Reporting & Public Response
Room 7A32, Building 31

National Institute of Arthritis, Metabolism, and Digestive Diseases
See Appendix III.

National Institute of Child Health and Human Development
See Appendix II.

National Institute on Aging
See Appendix II.

National Institute of Dental Research
Personnel Officer, NIDR
Room 2C23, Building 31

National Institute of Environmental Health Sciences
See Appendix II.

National Institute of General Medical Sciences
Research Reports Officer
Room 909, Westwood Building

National Institute of Neurological and Communicative Disorders and Stroke
Head, Administration Mgmt. Section
Room 8A47, Building 31

National Eye Institute
Administrative Officer
Room 6A31, Building 31

Division of Research Resources
See Appendix II.

Revisions of a number of paragraphs to the following Notices of Systems of Record:

OS ASAM SM 1.01

System name: Safety Management Information System (DHEW Accident, Injury and Illness Reporting System). HEW/OS/ASAM/SM

Security classification: None.

System location: At Departmental Regional and Headquarters facilities (see Appendix I).

Categories of individuals covered by the system:

1. DHEW Employees, including both civilian and commissioned corps personnel, who are involved in an accident which arises out of and in the course of their employment whether occurring on HEW premises or not and results in:
   a. A fatality.
   b. Lost workdays beyond the day in which the accident occurred.
   c. Nonfatal injuries which result in transfer to another job, termination of employment, medical treatmeat other than first aid, loss of consciousness or restriction of work or motion.
   d. A possible tort claim.
   e. A claim for compensation.
   f. Property damage in excess of $0.00.
   g. Interrupts or interferes with the orderly progress of work of other employees.
   h. Radiation over exposure.
   i. Biological exposure resulting in lost time or accidental release of biologicals where the public may be over-exposed.
2. Visting scientists, contractor personnel, hospitalized patients, out-patients, employees of other Federal agencies, state or local governments or members of the public who suffer injury, illness or property damage on or in HEW premises or as a result of HEW activities.

Categories of records in the system: This system consists of a variety of information and supporting documentation resulting from the reporting and investigation of accidents which have resulted in injury, illness, property damage or the interruption or interference with the orderly progress of work. The records contain information about individuals involved in or experiencing accidents including but not limited to the severity of the injury, whether consciousness was lost, the type of injury, culmination of any injury, days lost from work if any, the nature of the injury, illness or disease, the body part affected, causal factors, weather factors, agency of accident, whether unsafe mechanical, physical, or personal acts or factors were involved, the accidents area of origin and if fire was involved, the type and form of materials involved. Property damage (both public and private) is noted through the property sequency number, who owned the property involved, property damaged and actual or estimated monetary loss, the HEW installation number if appropriate and the year of manufacture or construction if appropriate. Identifiers relating to a particular accident include the organization, case number assigned, date and time of occurrance, state or territory, site, type and classification of accident, estimated amount of tort claims if appropriate, name of individual(s) involved, the social security number, sex, age, grade series and level, CSC series, address, other Departments notified of accident, duty status, activity at time of accident and time on duty before accident. Management's evaluation and corrective action taken or proposed is also noted.

Authority for maintenance of the system: Section 19 of the Occupational Safety and Health Act of 1970 (PL 91-596); 5 U.S.C. 7902; 29 CFR Part 1960; Executive Order No. 11807

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. See Appendix B, Departmental Regulations (45 CFR Part 5b) Items 01,5
b. To request from a Federal, state, local agency or private sources information relevant to the investigation of an accident and/or corrective action.
c. To respond to an inquiry from a member of Congress made on behalf of a constituent.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are or may be maintained on magnetic tapes, punchcards, lists, forms, discs, computer storage, in file folders, binders and index cards.

Retrievability:

1. At the Departmental level, the system is completely computerized with no other records normally maintained or retained in the Office of Safety Management. While individual identifiers such as name, case number, and social security number are within the computer storage banks, special programming would be required to extract individual records. Normal output consists of statistical reports and surveys including those required by the Department of Labor and Statistical Analysis in support of the Departmental occupational safety and health program for dissemination to the Principal Operating Components, Regions and Staff Offices.
2. The Principal Operating Components of the Department, their sub-components, Regional Offices and Staff Offices may maintain original or copies of the accident reports and supporting documentation by name, social security number, case number or cross reference.
3. Establish a written record of the causes of accidents.
4. Provide information to initiate and support corrective or preventive action.
5. Provide statistical information relating to accidents resulting in occupational injuries, illnesses, and/or property damage.
6. Provide management with information with which to evaluate the effectiveness of safety management programs.
7. Provide the means for complying with the reporting requirements of Section 19 of the Occupational Safety and Health Act of 1970 and such other reporting requirements as may be required by legislative or regulative requirements.
8. Provide such other summary descriptive statistics and analytical studies as necessary in support of the function for which the records are collected and maintained including general requests for statistical information without personal identification of individuals.
9. Information in these records is used by or may be disclosed to: a. The Office of Safety Management, Office of the Secretary, DHEW in the review of accident experience data to determine the adequacy of corrective actions, the effect of codes, standards and guides, the consolidation, summarization and dissemination of accident experience data throughout DHEW and other Government Departments and agencies as needed or required. b. The supervisor, administrative officer or other official initiating an accident report, including each succeeding reviewing official in the chain of command through which the report passes to insure that corrective action, as needed and appropriate, is taken. c. Appropriately appointed Safety Directors, Officers, or others with safety responsibilities within the Department in the verifying, assembling, analyzing, summarizing and disseminating data concerning the accident experience in their areas of responsibility and the initiation of appropriate corrective action.

Safeguards: Access to and use of these records is made available to those personnel having a legitimate need for the information (those whose duties require review or access) including inspecting or evaluating personnel. Records, which under the law, may not be disclosed such as information pertinent to national security or trade secrets are maintained separately, adequately safeguarded and released only in accordance with the law. When there is doubt regarding the release of information, the matter will be referred, in advance of release, to the Office of the General Counsel, DHEW.

Retention and disposal: All accident reports, records, logs, and other information relating to an accident are retained by the Principal Operating Components and their agencies, the Regional Offices and the Office of the Secretary for at least five years following the end of the calendar year in which the accident occurred. Specific occupational safety and health standards (such as the standards covering the handling of carcinogenic chemicals) may be required to be kept for up to twenty years. Records may be retained indefinitely.

System manager(s) and address:

Director
Office of Safety Management
Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Individuals wishing to inquire whether this system of records contains information about them should address their inquiries to one of the following as appropriate:

1. If employed or formerly employed in DHEW Regional Office, the Regional Occupational Safety and Health Manager of the Region involved (see list and addresses under appendix).
2. If employed or formerly employed in a DHEW Principal Operating Component or sub-agency, a staff office or the Office of the Secretary, the Occupational Safety and Health Manager of the component where employed with the exception of the Food and Drug Administration (see list and addresses under appendix). The contact for the Food and Drug Administration is:

Privacy Act Coordinator
Food and Drug Administration
5600 Fishers Lane
Rockville, Maryland 20852 Individuals requesting information about this system of records should provide their full name, social security number, name and address of office and agency in which currently or formerly employed and the accident(s) case number if known.

Record access procedures: Individuals wishing to gain access to or contest their records should contact the following in person or writing as appropriate; with the exception of Food and Drug Administration, See 'Notification' above. 1. If employed or formerly employed in a DHEW Regional Office, the Regional Occupational Safety and Health Manager of the Region involved (see list and addresses under appendix). 2. If employed or formerly employed in a DHEW Principal Operating Component or sub-agency, a staff office or the Office of the Secretary, the Occupational Safety and Health Manager of the component where employed. (see list and addresses under appendix). Individuals requesting information in this system of records should provide their full name, social security number, case number if known, time and brief description of the accident in which they were involved and the name and address of office in which employed.

Contesting record procedures: Same as above.

Record source categories: The information in this system is obtained from the following sources: 1) the individual to whom the record pertains; 2) witnesses to the accident; 3) investigating officials (Federal, state, local); 4) medical personnel seeing the individual as a result of the accident; 5) supervisory personnel; 6) reviewing officials; 7) personnel offices; 8) investigative material furnished by Federal, state, or local agencies; 9) on site observations.

Appendix

Region I:
DHEW Regional Safety and Occupational Health Manager
John F. Kennedy Federal Building - Room 1503
Government Center
Boston, Massachusetts 02203

Regional II:
DHEW Regional Safety and Occupational Health Manager
Federal Building - Room 3835
26 Federal Plaza
New York, New York 10007

Regional III:
DHEW Regional Safety and Occupational Health Manager
3535 Market Street
Philadelphia, Pennsylvania 19101

Regional IV:
DHEW Regional Safety and Occupational Health Manager
50 7th Street, N.E. - Room 447
Atlanta, Georgia 30323

Regional V:
DHEW Regional Safety and Occupational Health Manager
300 South Wacker Drive - 35th Floor
Chicago, Illinois 60606

Regional VI:
DHEW Regional Safety and Occupational Health Manager
1114 Commerce Street - Room 1025
Dallas, Texas 75202

Regional VII:
DHEW Regional Safety and Occupational Health Manager
601 East 12th Street - Room 566
Kansas City, Missouri 64106

Regional VIII:
DHEW Regional Safety and Occupational Health Manager
1961 Stout Street - Room 11037
Denver, Colorado 80202

Regional IX:
DHEW Regional Safety and Occupational Health Manager
Federal Office Building - Room 8
50 Fulton Street
San Francisco, California 94102

Regional X:
DHEW Regional Safety and Occupational Health Manager
Arcade Plaza - Room 6003
1321 Second Avenue
Seattle, Washington 98101

Office of Education:
Safety Officer
FOB 06 - Room 1175

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400 Maryland Avenue, S.W.
Washington, D.C.

National Institute of Education:
Safety Officer
1200 19th Street, N.W.
Washington, D.C. 20208

Social and Rehabilitaition Service:
Safety Officer
Room 4228 - Switzer Building
300 C Street, S.W.
Washington, D.C. 20201

Social Security Administration:
Director, Occupational Health Management
Room 3205 Annex
6401 Security Boulevard
Baltimore, Maryland 21235

Office of the Secretary, DHEW
Safety Officer
Room 4440 - North Building
Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Public Health Service:
Director, Division of Health Facilities Planning
Room 18-42 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Alcohol, Drug Abuse, and Mental Health Administration:
Safety Officer
Room 6-105 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Center for Disease Control:
Chief, Office of Biosafety
Building 8 - Room 232
1600 Clifton Road, N.E.
Atlanta, Georgia 30333

Food and Drug Administration
Safety and Occupational Health Manager
Room 10-71 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Health Resources Administration:
Safety Officer
Room 10A-19 - Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

National Institutes of Health:
Associate Director, Environmental Health and Safety, Division of Research Sciences
Room 4051 - Building 12A
9000 Rockville Pike
Bethesda, Maryland 20014

Health Service Administration
Director, Safety and Environmental Health
Room 14-A-39 Parklawn Bld
5600 Fishers Lane
Rockville, Maryland 20852

ADAMHA NIAAA 0833.01

System name: Records of Research on Alcohol Abusers and Addicts. HEW/ADAMHA/NIAAA.

Security classification: None.

System location:
Intramural Research Branch
National Institute on Alcohol Abuse and Alcoholism
Rm. 493, Wm. A. White Building
Saint Elizabeths Hospital
Washington, D.C. 20032

Categories of individuals covered by the system: Alcohol abusers and addicts.

Categories of records in the system: Case studies, medical records of individuals involved in studies between 1969 and 1973 in the Intramural Research Laboratory pertaining to alcohol abuse and alcoholism; medical, non-medical, test and laboratory data, observation data, data from interviews, data from previous records, data from epidemiological, biochemical, and behavioral areas, and other data from investigations in medical and related sciences. This includes material contained on video tapes.

Authority for maintenance of the system: Public Health Service Act, Sections 301,303 (42 U.S.C. 241, 242(a), 4551).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See, Appendix B of DHEW Regulations, Item 101, 45 CFR 5(b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents filed in metal file cabinets and in cardboard boxes.

Retrievability: By case study number and/or by patient's last name.

Safeguards: Only authorized personnel have access to the files and the files themselves may not leave the premises.

Retention and disposal: Case studies and patient records will be retained for five years and then transferred to the Federal Records Center.

System manager(s) and address:
Chief, Intramural Research Branch
National Institute on Alcohol Abuse and Alcoholism
Rm. 493, Wm. A. White Building
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: An individual may have access to his/her record upon written request, with notarized signature, addressed to the System Manager identified above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Directly from the individual and from observation during research studies.

Systems exempted from certain provisions of the act: None. /*

federal register

WEDNESDAY, JANUARY 7, 1976



PART V:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Insurance Administration

■

NATIONAL FLOOD INSURANCE PROGRAM

Flood Prone Areas

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Insurance Administration

[Docket No. N-76-376]

NATIONAL FLOOD INSURANCE PROGRAM

Notice of Flood-Prone Areas of Communities Subject to Section 202 Prohibition of Federal and Federally Related Assistance

The purpose of this notice is to provide a list of commodities that contain areas of special flood hazard potentially subject to the provisions of Section 202 of the Flood Disaster Protection Act of 1973 (PL-93-234) on July 1, 1975, or an appropriate later date, and to provide a convenient reference for interested persons, communities, Federal agencies and instrumentalities, and others involved in assuring compliance with that section. This list supersedes and up-dates the list published in the FEDERAL REGISTER at 40 FR 56592-56649.

Section 202 provides that effective July 1, 1975, Federal agencies and federally supervised, approved, insured, or regulated lending institutions are prohibited from providing financial assistance or making loans for acquisition or construction purposes in areas which (a) have been designated by the Secretary of Housing and Urban Development as Special Flood Hazard Areas for at least one year; and (b) are in communities which are not participating in the National Flood Insurance Program (42 U.S.C. 4001-4128).

The prohibition does not apply to any loan made by a federally-supervised, approved, insured, or regulated lending institution made prior to March 1, 1976, to finance the acquisition of a previously occupied residential dwelling.

Each of the communities listed below received notice of its designation as flood-prone prior to February 1, 1975, and legal notice was furnished of such designation by publication under Part 1915 of Title 24 of the Code of Federal Regulations in the FEDERAL REGISTER. These communities have failed to provide the Federal Insurance Administrator with sufficient technical or scientific data to rebut their designation as flood prone nor have they as yet qualified for participation in the National Flood Insurance Program. Thus, the sanctions of Section 202 apply as of July 1, 1975, or one year after a community's identification, whichever is later, until the community participates in the program.

In order to continue Federal or federally related assistance or lending in its Special Flood Hazard Area, a community must apply for and be made eligible for participation in the program in accordance with 24 CFR (Parts 1909 to 1920). Communities may receive assistance in applying for participation by contacting the Federal Insurance Administration, 451 Seventh St., SW., Washington, D.C. 20410, (202) 755-5581, or its toll-free numbers 800-424-8872 or 800-424-8873.

Communities on this list may be made eligible to participate in the program after the date of publication of this list. Such eligibility will be published periodically in the FEDERAL REGISTER under 24 CFR § 1914.4 List of eligible communities. At that time the sanctions of Section 202 will no longer apply to the communities listed below.

• UNINCORPORATED AREAS ONLY

ARIZONA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
040028	GILA COUNTY •	NOVEMBER 01, 1974
040086	HAMBOTH, TOWN OF (PINAL CO.)	DECEMBER 07, 1973
040053A	SURPRISE, TOWN OF (MARICOPA CO.)	JUNE 28, 1974 AND
		DECEMBER 05, 1975

TOTAL IN THE STATE 3

• UNINCORPORATED AREAS ONLY

ARKANSAS

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
050177A	ALPENA, TOWN OF (BOONE CO.)	AUGUST 30, 1974 AND
050123	AUBREY, TOWN OF (LEE CO.)	OCTOBER 03, 1975
050002A	CARTHAGE, CITY OF (DALLAS CO.)	DECEMBER 06, 1974 AND
		MARCH 05, 1976
050214	ELKINS, TOWN OF (WASHINGTON CO.)	OCTOBER 10, 1975
050019	EVERTON, TOWN OF (BOONE CO.)	DECEMBER 20, 1974
050150A	FOREMAN, CITY OF (LITTLE RIVER CO.)	AUGUST 30, 1974
		MARCH 05, 1976 AND
050224A	GARNER, TOWN OF (WHITE CO.)	AUGUST 30, 1975 AND
		NOVEMBER 07, 1975 AND
050217A	GREENLAND, TOWN OF (WASHINGTON CO.)	JUNE 28, 1974 AND
		OCTOBER 24, 1975
050234A	HAVANA, CITY OF (YELL CO.)	AUGUST 29, 1974
050240	HEBER SPRINGS, CITY OF (CLEBURNE CO.)	JANUARY 24, 1975
050225	HIGGINSON, TOWN OF (WHITE CO.)	AUGUST 16, 1974 AND
050120A	IMBODEN, TOWN (LAWRENCE CO)	MAY 03, 1974 AND
		OCTOBER 10, 1975
050227	KENSETT, CITY OF (WHITE CO.)	OCTOBER 10, 1975
050222	KENSETT, TOWN OF (WHITE CO.)	OCTOBER 10, 1974
050069	MITCHELLVILLE, TOWN OF (DESHA CO.)	NOVEMBER 08, 1974
050095	MOUNT PLEASANT, TOWN OF (IZARD CO.)	NOVEMBER 22, 1974
050051A	MOUNTAINBURG, TOWN OF (CRAWFORD CO.)	MAY 03, 1974 AND
		NOVEMBER 07, 1975
050357	OLA, CITY (YELL CO)	NOVEMBER 28, 1975 AND
050007A	PARKDALE, CITY OF (ASHLEY CO.)	MARCH 31, 1975
		OCTOBER 03, 1975 AND
050060A	RISON, CITY OF (CLEVELAND CO.)	MARCH 06, 1974 AND
		OCTOBER 10, 1975
050043A	VALDO, CITY OF (COLUMBIA CO.)	APRIL 05, 1974 AND
		OCTOBER 17, 1975 AND
050077A	WINCHESTER, TOWN OF (DREW CO.)	AUGUST 30, 1974 AND
		OCTOBER 10, 1975

TOTAL IN THE STATE 22

• UNINCORPORATED AREAS ONLY

ALABAMA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
010267	ADAMSVILLE, CITY (JEFFERSON CO)	JANUARY 17, 1975
010229	ALGOOD, TOWN (BLOUNT CO)	JANUARY 24, 1975
010001	AUTAUGAVILLE, TOWN OF (AUTAUGA CO.)	JUNE 07, 1974
010242	BARBOUR, TOWN (COVINGTON CO)	JANUARY 10, 1975
010255	BERRY, TOWN OF (FAYETTE CO.)	DECEMBER 27, 1974
010053	BOLIGEE, CITY OF (GREENE CO.)	DECEMBER 13, 1974
010092	BRANTLEY, TOWN OF (CRENSHAW CO.)	JUNE 28, 1974
010119	CARDIFF, TOWN OF (JEFFERSON CO.)	SEPTEMBER 20, 1974
010240	CAROLINA, TOWN (COVINGTON CO)	JANUARY 10, 1975
010259	COFFEE COUNTY •	JANUARY 17, 1975
010034	COLLINSVILLE, TOWN OF (DEKALB CO.)	AUGUST 15, 1974
010053A	COURTLAND, TOWN OF (HOUSTON CO.)	SEPTEMBER 20, 1974
010050	DOZIER, TOWN OF (CRENSHAW CO.)	NOVEMBER 15, 1974
010212	ELBERTA, TOWN OF (BALDWIN CO.)	JANUARY 10, 1975
010219	FAYETTE COUNTY •	NOVEMBER 03, 1975
010027	FLVE POINTS, TOWN OF (LAMBERS CO.)	JUNE 07, 1974
010028	GANTT, TOWN OF (COVINGTON CO.)	SEPTEMBER 20, 1974
010057A	GLENWOOD, TOWN OF (CRENSHAW CO.)	OCTOBER 25, 1974
010105	GORDON, TOWN OF (HOUSTON CO.)	JANUARY 10, 1975
010294	HELENA, TOWN (SHELBY CO)	
010271	LAMAR COUNTY •	DECEMBER 06, 1974
010248	MIDLAND CITY, TOWN (DALE CO)	JANUARY 10, 1975
010238	NEW BROCKTON, TOWN (COFFEE CO.)	JANUARY 17, 1975
010232	OWATCHEE, TOWN OF (CALHOUN CO)	JANUARY 31, 1975
010098	PARRISH, TOWN (WALKER CO)	JANUARY 10, 1975
010283	PICKENS COUNTY •	JANUARY 17, 1975
010269	PINCKARD, TOWN (DALE CO)	JANUARY 24, 1975
010226	PINSON, CITY OF (JEFFERSON CO.)	DECEMBER 20, 1974
010075	POLLARD, TOWN OF (ESCAMBIA CO)	JANUARY 31, 1975
010159	PROVIDENCE, TOWN OF (CHAMBERS CO.)	NOVEMBER 01, 1974
010162	RANDOLPH COUNTY •	SEPTEMBER 13, 1974
010243	RED LEVEL, TOWN (COVINGTON CO)	JANUARY 10, 1975
010107	SUMMERDALE, TOWN OF (BALDWIN CO.)	JANUARY 24, 1975
010108	TAYLOR, TOWN OF (HOUSTON CO.)	SEPTEMBER 13, 1974
010273	THOMASTON, TOWN	JANUARY 10, 1975
010302	WASHINGTON COUNTY •	DECEMBER 20, 1974

TOTAL IN THE STATE 39

• UNINCORPORATED AREAS ONLY

ALASKA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
020069	HOONAH, CITY OF (UNORGANIZED BORO.)	JUNE 07, 1974
020108	HOOPER BAY, CITY OF (UNORGANIZED BORO.)	JUNE 28, 1974

TOTAL IN THE STATE 2

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* UNINCORPORATED AREAS ONLY

CALIFORNIA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
060271	BARSTOW, CITY OF (SAN BERNARDINO CO.)	JANUARY 17, 1975
060017	BUTTE COUNTY *	SEPTEMBER 06, 1974
060068A	CALIPATRIA, CITY OF (IMPERIAL CO.)	APRIL 12, 1974
060196A	CARMEL BY-THE-SEA, CITY OF (MONTEREY CO.)	JUNE 14, 1974
060249	COACHELLA, CITY OF (RIVERSIDE CO.)	MAY 17, 1974
060022	COLUSA COUNTY *	OCTOBER 25, 1974
060110A	COMMERCE, CITY OF (LOS ANGELES CO.)	JUNE 28, 1974
060040	EL DORADO COUNTY *	AUGUST 02, 1974
060445	FERNDALE, CITY (HUMBOLDT CO.)	DECEMBER 20, 1974
060386	HUGHSON, CITY OF (STANISLAUS CO.)	MAY 24, 1974
060255A	INDIO, CITY OF (RIVERSIDE CO.)	MAY 31, 1974 AND
		AUGUST 08, 1975
060079A	MARICOPA, CITY OF (KERN CO.)	JUNE 14, 1974 AND
		NOVEMBER 14, 1975
060192	MODOC COUNTY	JANUARY 24, 1975
060454	PARLIER, CITY OF (FRESNO CO)	JANUARY 24, 1975
060185	POINT ARENA, CITY OF (MENDOCINO CO.)	OCTOBER 18, 1974
060349	SAN JOSE, CITY OF (SANTA CLARA CO)	JANUARY 24, 1975
060056	SELMA, CITY OF (FRESNO CO.)	MAY 24, 1974
060412A	SONORA, CITY OF (TUOLUMNE CO.)	MAY 31, 1974 AND
		OCTOBER 10, 1975

TOTAL IN THE STATE 18

* UNINCORPORATED AREAS ONLY

COLORADO

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
080003	BENNETT, TOWN OF (ADAMS CO.)	NOVEMBER 22, 1974
080146	BOONE, TOWN OF (PUEBLO CO.)	SEPTEMBER 06, 1974
080192	CALHAN, TOWN OF (EL PASO CO)	JANUARY 17, 1975
080111	CHOUK, TOWN OF (LOGAN CO.)	NOVEMBER 08, 1974
080120	DINOSAUR, TOWN OF (MOFFAT CO.)	AUGUST 30, 1974
080047A	DOVE CREEK, TOWN OF (DOLORES CO.)	MAY 24, 1974 AND
		NOVEMBER 28, 1975
080056	ELIZABETH, TOWN OF (ELBERT CO.)	SEPTEMBER 06, 1974
080112	FLEMING, TOWN OF (LOGAN CO.)	NOVEMBER 08, 1974
080073	FRASER, TOWN OF (GRAND CO.)	SEPTEMBER 06, 1974
080117A	GRAND JUNCTION, CITY OF (MESA CO.)	FEBRUARY 01, 1974 AND
		JUNE 28, 1974
080195	GREENWOOD VILLAGE, CITY OF (ARAPAHOE CO.)	DECEMBER 27, 1974
080074A	HOT SULPHUR SPRINGS, TOWN OF (GRAND CO.)	NOVEMBER 22, 1974
080064	HOTCHKISS, TOWN OF (DELTA CO.)	JUNE 21, 1974
080268	IGNACIO, TOWN (LA PLATA CO)	MARCH 22, 1974
080207	ILIFF, TOWN OF (LOGAN CO.)	DECEMBER 27, 1974
080057	KIOWA, TOWN OF (ELBERT CO.)	SEPTEMBER 06, 1974
080033	KIT CARSON, TOWN OF (CHEYENNE CO.)	DECEMBER 13, 1974
080096A	LEADVILLE, CITY OF (LAKE CO.)	MAY 17, 1974
080167	NORWOOD, TOWN OF (SAN MIGUEL CO.)	NOVEMBER 22, 1974
080127	NUCLA, TOWN OF (MONTROSE CO.)	MAY 24, 1974
080178A	OTIS, TOWN OF (WASHINGTON CO.)	MAY 24, 1974 AND
		OCTOBER 31, 1975
080170	OVID, TOWN OF (SEDGWICK CO.)	NOVEMBER 15, 1974
085078	RIFLE, CITY OF (GARFIELD CO.)	JUNE 13, 1973
080200	SILVER PLUME, TOWN OF (CLEAR CREEK CO.)	DECEMBER 13, 1974
080058	SIMLA, TOWN OF (ELBERT CO.)	SEPTEMBER 13, 1974
080106	STARKVILLE, TOWN OF (LAS ANIMAS CO.)	SEPTEMBER 06, 1974
080160	YAMPA, TOWN OF (ROUTT CO.)	MAY 24, 1974

TOTAL IN THE STATE 27

* UNINCORPORATED AREAS ONLY

CONNECTICUT

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
090163	CANTERBURY, TOWN (WINDHAM CO)	JANUARY 10, 1975
090169	DANIELSON, BOROUGH OF (WINDHAM CO.)	JANUARY 24, 1975
090180	KENT, TOWN (LITCHFIELD CO)	JANUARY 03, 1975
090155	LEBANON, TOWN (NEW LONDON CO)	JANUARY 24, 1975
090172	LISBON, TOWN OF (NEW LONDON CO.)	JANUARY 31, 1975
090182	SCOTLAND, TOWN OF (WINDHAM CO.)	JANUARY 31, 1975
090159	WILLINGTON, TOWN OF (TOLLAND CO.)	DECEMBER 20, 1974

TOTAL IN THE STATE 7

* UNINCORPORATED AREAS ONLY

DELAWARE

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
100055	BETHEL, TOWN (SUSSEX CO)	JANUARY 17, 1975
100013	KENTON, TOWN OF (KENT CO.)	SEPTEMBER 13, 1974
100014	LEIPSIC, TOWN OF (KENT CO.)	AUGUST 09, 1974
100044A	MILLVILLE, TOWN OF (SUSSEX CO.)	OCTOBER 18, 1974 AND
		DECEMBER 12, 1975
100058	ODESSA, TOWN OF (NEW CASTLE CO.)	JANUARY 31, 1975

TOTAL IN THE STATE 5

* UNINCORPORATED AREAS ONLY

FLORIDA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
120194	BELLE GLADE, CITY OF (PALM BEACH CO.)	JULY 10, 1974
120071	BIG ALLIGATOR LAKE, TOWN OF (COLUMBIA CO.)	SEPTEMBER 06, 1974
120323	BITHLO, TOWN OF (ORANGE CO.)	DECEMBER 13, 1974
120197	BRINY BREEZES, TOWN OF (PALM BEACH CO.)	JANUARY 23, 1974
120324	BRISTOL, TOWN OF (LIBERTY CO.)	DECEMBER 13, 1974
120016	BROOKER, TOWN OF (BRADFORD CO.)	AUGUST 30, 1974
120171	CALLAHAN, CITY OF (NASSAU CO.)	JULY 19, 1974
120126	CAMPBELLTON, CITY OF (JACKSON CO.)	SEPTEMBER 06, 1974
120128	GRAND RIDGE, TOWN OF (JACKSON CO.)	AUGUST 02, 1974
120205	HAVERHILL, TOWN OF (PALM BEACH CO)	JUNE 28, 1974
120269	NORTH BAYPORT, CITY OF (POLK CO)	JUNE 28, 1974
120163	OCEAN BREEZE, TOWN OF (MARTIN CO.)	AUGUST 02, 1974
120051	PARKLAND, TOWN OF (BROWARD CO.)	AUGUST 30, 1974
120130	SNEADS, TOWN OF (JACKSON CO.)	AUGUST 02, 1974
120270	WEST BUNDEE, CITY OF (POLK CO.)	AUGUST 02, 1974
120100	WEWAHITCHKA, TOWN OF (GULF CO.)	AUGUST 09, 1974

TOTAL IN THE STATE 16

* UNINCORPORATED AREAS ONLY

GEORGIA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
130235	ADAIRSVILLE, TOWN OF (BARTOW CO.)	JUNE 14, 1974
130205	BALDWIN, TOWN OF (BANKS CO.)	JUNE 28, 1974
130103	CLARKESVILLE, CITY OF (HABERSHAM CO.)	JUNE 21, 1974
130146	CRAWFORD, CITY OF (OGLETHORPE CO.)	JUNE 07, 1974
130129	DANLONEGA, CITY OF (LUMPKIN CO.)	JUNE 28, 1974
130066	DAWSONVILLE, CITY OF (DAWSON CO)	JANUARY 17, 1975
130213	DENTON, CITY OF (JEFF DAVIS CO.)	DECEMBER 13, 1974
130023	GIRARD, TOWN OF (BURKE CO.)	SEPTEMBER 06, 1974
130220	GREENSBORO, CITY OF (GREENE CO.)	DECEMBER 20, 1974
130107	HAMPTON, CITY OF (HENRY CO.)	JUNE 28, 1974
130192A	HELEN, CITY OF (WHITE CO.)	SEPTEMBER 06, 1974 AND
		OCTOBER 17, 1975
130221	HIRAM, CITY OF (PAULDING CO.)	OCTOBER 18, 1974
130132	JEFFERSON, CITY OF (JACKSON CO.)	JUNE 28, 1974
130043	JONESBORO, CITY OF (CLAYTON CO.)	MAY 24, 1974
130128	LUDOWICI, CITY OF (LONG CO.)	JUNE 14, 1974
130223A	LYONS, CITY OF (TOOMBS CO.)	DECEMBER 06, 1974 AND
		NOVEMBER 21, 1975
130252	MOUNTAIN CITY, TOWN (RABUN CO.)	JANUARY 17, 1975
130046	MOUNTAIN VIEW, CITY OF (CLAYTON CO.)	MAY 10, 1974
130161	NEWINGTON, TOWN OF (SCREVEN CO.)	SEPTEMBER 06, 1974
130189	ODUM, CITY (WAYNE CO)	JANUARY 03, 1975
130162	ROCKY FORD, TOWN OF (SCREVEN CO.)	SEPTEMBER 06, 1974
130168	SCOTLAND, CITY OF (TELFAIR + WHEELER COS.)	AUGUST 30, 1974
130260	STONE MOUNTAIN, CITY OF (DEKALB CO.)	MAY 12, 1974
130003	SURRENCY, TOWN (APPLING CO)	JANUARY 03, 1975
135165A	VERNONBURG, TOWN OF (CHATHAM CO.)	JULY 27, 1973 AND
		OCTOBER 31, 1975
138176	YOUNG HARRIS, TOWN OF (TOWNS CO.)	JUNE 14, 1974

TOTAL IN THE STATE 36

* UNINCORPORATED AREAS ONLY

IDAHO

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
160042	ALBION, TOWN (CASSIA CO)	JANUARY 10, 1975
160015	CHATCOLET, CITY OF (BENEWAH CO.)	SEPTEMBER 13, 1974
160005A	COUNCIL, CITY OF (ADAMS CO.)	MAY 03, 1974 AND
		DECEMBER 12, 1975
160068	FERDINAND, CITY OF (IDAHO CO.)	SEPTEMBER 06, 1974
160079	FERNAN LAKE, CITY OF (KOOTENAI CO.)	SEPTEMBER 06, 1974
160004A	GARDEN CITY, CITY OF (ADA CO.)	DECEMBER 17, 1973
160080	HARRISON, CITY OF (KOOTENAI CO.)	MARCH 22, 1974
160082	HAYDEN LAKE, CITY OF (KOOTENAI CO.)	SEPTEMBER 06, 1974
160089A	KENDRICK, CITY OF (LATAH + NEZ PERCE COS.)	OCTOBER 18, 1974
160197	MALTA, TOWN OF (CASSIA CO.)	DECEMBER 13, 1974
160045	OAKLEY, TOWN OF (CASSIA CO.)	OCTOBER 18, 1974
160039	PARMA, CITY OF (CANYON CO.)	MAY 17, 1974
160152	ROBERTS, CITY (JEFFERSON CO)	JANUARY 24, 1975
160119A	VICTOR, CITY OF (TETON CO.)	SEPTEMBER 06, 1974 AND
		DECEMBER 05, 1975
160072	WHITE BIRD, CITY OF (IDAHO CO.)	SEPTEMBER 13, 1974

TOTAL IN THE STATE 15

* UNINCORPORATED AREAS ONLY

ILLINOIS

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
170228	ALTAMONT, CITY OF (EFFINGHAM CO.)	MARCH 22, 1974
170489	ANCHOR, VILLAGE OF (MCLEAN CO.)	DECEMBER 06, 1974
170857	ANNA, CITY OF (UNION CO.)	MARCH 29, 1974
170741	ASTORIA, TOWN OF (FULTON CO)	JANUARY 31, 1975
170543A	ATWOOD, VILLAGE OF (PIATT CO.)	NOVEMBER 23, 1973
170742	AVON, VILLAGE OF (FULTON CO.)	OCTOBER 18, 1974
170470	BARDOLPH, VILLAGE OF (MCDONOUGH CO.)	SEPTEMBER 13, 1974
170404	BATH, VILLAGE OF (MASON CO.)	DECEMBER 17, 1973
170608	BLUFFS, VILLAGE OF (SCOTT CO.)	JUNE 07, 1974
170268	BOWEN, VILLAGE OF (HANCOCK CO.)	NOVEMBER 15, 1974
170046	BREESE, CITY OF (CLINTON CO.)	JUNE 07, 1974
170468	BROOKPORT, CITY OF (MASSAC CO.)	JUNE 28, 1974
170224	BROWNS, VILLAGE OF (EDWARDS CO.)	NOVEMBER 15, 1974
170747	BRUSSELS, VILLAGE OF (CALHOUN CO.)	NOVEMBER 22, 1974
170746	BRYANT, VILLAGE OF (FULTON CO.)	DECEMBER 06, 1974
170471	BUSHNELL, CITY OF (MCDONOUGH CO.)	JUNE 07, 1974
170784	BUSH, VILLAGE OF (WILLIAMSON CO.)	MARCH 29, 1974
170785	CAMARGO, VILLAGE OF (DOUGLAS CO.)	APRIL 05, 1974
170250	CARROLLTON, CITY OF (GREEN CO.)	JUNE 07, 1974
170059	CASEY, CITY OF (CLARK CO.)	JUNE 28, 1974
170748	CLEVELAND, VILLAGE OF (HENRY CO.)	NOVEMBER 15, 1974
170044	CLINTON COUNTY *	DECEMBER 20, 1974
170193	CLINTON, CITY OF (DEWITT CO.)	MAY 24, 1974
170446	CREVE COEUR, VILLAGE OF (TAZEWELL CO.)	MARCH 01, 1974
170422	CULLOM, VILLAGE OF (LIVINGSTON CO.)	FEBRUARY 22, 1974
170292	DANFORTH, VILLAGE OF (IROQUOIS CO.) (IROQUOIS CO.)	FEBRUARY 22, 1974 SEPTEMBER 13, 1974
170751	DE SOTO, VILLAGE OF (JACKSON CO.)	APRIL 05, 1974
170447	DEER CREEK, VILLAGE OF (TAZEWELL CO.)	JUNE 28, 1974
170658	DONGOLA, VILLAGE OF (UNION CO.)	MARCH 08, 1974
170432	EAST GILLESPIE, VILLAGE (MACOUPIN CO)	JULY 19, 1974
170441	EDWARDSVILLE, CITY OF (MADISON CO.)	APRIL 05, 1974
170251	ELDRED, VILLAGE OF (GREENE CO.)	DECEMBER 17, 1973
170889	ELLISVILLE, VILLAGE OF (FULTON CO.)	MARCH 22, 1974
170628	FAYETTEVILLE, VILLAGE OF (ST. CLAIR CO.)	FEBRUARY 22, 1974
170552	FLORENCE, VILLAGE OF (PIKE CO.)	DECEMBER 17, 1973
170790	FREEBURG, VILLAGE OF (ST. CLAIR CO.)	MARCH 22, 1974
170283	GALVA, CITY OF (HENRY CO.)	JUNE 14, 1974
170049	GERMANTOWN, VILLAGE OF (CLINTON CO.)	MARCH 29, 1974
170234	GIBSON CITY, CITY OF (FORD CO.)	MARCH 29, 1974
170326	GILBERTS, VILLAGE OF (KANE CO.)	SEPTEMBER 06, 1974
170002	GOLDEN, VILLAGE OF (ADAMS CO.)	JUNE 07, 1974
170252	GREENFIELD, CITY OF (GREEN CO.)	FEBRUARY 22, 1974
170548	HAMMOND, VILLAGE OF (PIATT CO.)	JUNE 14, 1974
170327	HAMPSHIRE, VILLAGE OF (KANE CO.)	MAY 03, 1974
170267	HANCOCK COUNTY	JANUARY 24, 1975
170405	HAVANA, CITY OF (MASON CO.)	APRIL 05, 1974
170497A	HEYWORTH, VILLAGE OF (MCLEAN CO.)	JUNE 14, 1974

• UNINCORPORATED AREAS ONLY

ILLINOIS

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
170253	MILLVIEW, VILLAGE OF (GREENE CO.)	DECEMBER 06, 1974
170184	MINCKLEY, VILLAGE OF (DEKALB CO.)	MARCH 01, 1974
170307	INA, VILLAGE OF (JEFFERSON CO.)	AUGUST 16, 1974
170369	INDIAN CREEK, VILLAGE OF (LAKE CO.)	AUGUST 23, 1974
170315	JERSEYVILLE, CITY OF (JERSEY CO.)	JUNE 07, 1974
170757	JOPPA, VILLAGE OF (MASSAC CO.)	NOVEMBER 23, 1973
170457	LACON, CITY OF (MARSHALL CO.)	NOVEMBER 30, 1973
170373	LAKE BLUFF (VILLAGE OF (LAKE CO.)	FEBRUARY 01, 1974
170458	LAROSE, VILLAGE OF (MARSHALL CO.)	OCTOBER 25, 1974
170500	LEXINGTON, CITY OF (MCLEAN CO.)	JUNE 28, 1974
170118	LINCOLNWOOD, VILLAGE OF (COOK CO.)	JUNE 21, 1974
170342	LISBON, VILLAGE OF (KENDALL CO.)	NOVEMBER 01, 1974
170794	LIVINGSTON, VILLAGE OF (MADISON CO.)	MARCH 22, 1974
170763	LONDON MILLS, VILLAGE OF (LAKE CO.)	OCTOBER 18, 1974
170765A	MAEYSTOWN, VILLAGE (MONROE CO.)	DECEMBER 20, 1974 AND
		OCTOBER 31, 1975
170301	MAKANDA, VILLAGE OF (JACKSON CO.)	AUGUST 23, 1974
170187	MALTA, VILLAGE OF (DEKALB CO.)	JUNE 07, 1974
170549	MANSFIELD, VILLAGE (PIATT CO)	JANUARY 03, 1975
170351	MAQUON, VILLAGE OF (KNOX CO.)	NOVEMBER 15, 1974
170766	MARIETTA, VILLAGE OF (MARIETTA CO)	JANUARY 31, 1975
170650	MARQUETTE HEIGHTS, CITY OF (TAZEWELL CO.)	MARCH 08, 1974
170061	MARTINSVILLE, CITY OF (CLARK CO.)	NOVEMBER 23, 1973
170463	MASON COUNTY •	JANUARY 31, 1975
170684	MAUNIE, VILLAGE OF (WHITE CO.)	JANUARY 09, 1974
170501	MCLEAN, VILLAGE OF (MCLEAN CO.)	DECEMBER 06, 1974
170573	MCNABB, VILLAGE OF (PUTNAM CO.)	SEPTEMBER 13, 1974
170381	METTAWA, VILLAGE OF (LAKE CO.)	OCTOBER 18, 1974
170665	MILL SHOALS, VILLAGE OF (WHITE CO.)	JULY 19, 1974
170230	MONTROSE, VILLAGE OF (EFFINGHAM CO.)	AUGUST 23, 1974
170309	MASON, CITY OF (JEFFERSON CO.)	AUGUST 16, 1974
170554	NEBO, VILLAGE OF (PIKE CO.)	DECEMBER 28, 1973
170555A	NEW CANTON, TOWN OF (PIKE CO.)	AUGUST 16, 1974
170769	NEWMAN, VILLAGE OF (DOUGLAS CO.)	NOVEMBER 29, 1974
170303	NEWTON, CITY OF (JASPER CO.)	DECEMBER 17, 1973
170430	NIANTIC, VILLAGE OF (MACON CO.)	MARCH 01, 1974
170515	NOKOMIS, CITY OF (MONTGOMERY CO.)	MARCH 29, 1974
170770A	NORRIS, VILLAGE OF (FULTON CO.)	DECEMBER 06, 1974
170352	OKEENA, CITY OF (KNOX CO.)	JUNE 07, 1974
170641	ORANGEVILLE, VILLAGE OF (STEPHENSON CO.)	AUGUST 16, 1974
170556	PEARL, VILLAGE OF (PIKE CO.)	DECEMBER 28, 1973
170797	PECATONICA, VILLAGE OF (WINNEBAGO CO.)	APRIL 05, 1974
170538	PERRY COUNTY •	DECEMBER 13, 1974
170542	PIATT COUNTY •	JANUARY 31, 1975
170796	PLEASANT PLAINS, VILLAGE OF (SANGAMON CO.)	MARCH 22, 1974
170272	PONTOOSUC, VILLAGE OF (HANCOCK CO.)	JANUARY 16, 1974
170643	RIDOTT, VILLAGE OF (STEPHENSON CO.)	DECEMBER 17, 1973
170603	RIVERTON, VILLAGE OF (SANGHON CO.)	NOVEMBER 16, 1973
170635	SAUGET, VILLAGE OF (ST. CLAIR CO.)	DECEMBER 13, 1974

• UNINCORPORATED AREAS ONLY

ILLINOIS

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
170605	SCHUYLER COUNTY	JANUARY 03, 1975
170595	SILVIS, CITY OF (ROCK ISLAND CO.)	MAY 31, 1974
170776	SMITHFIELD, VILLAGE OF (FULTON CO.)	DECEMBER 06, 1974
170892	SMITHTON, VILLAGE OF (ST. CLAIR CO.)	MARCH 29, 1974
170190	SOMONAUK, VILLAGE (DEKALB CO)	JANUARY 24, 1975
170519	SOUTH JACKSONVILLE, CITY OF (MORGAN CO.)	MARCH 29, 1974
170459	SPARLAND, VILLAGE OF (MARSHALL CO.)	NOVEMBER 23, 1973
170886	SPRINGERTON, VILLAGE OF (WHITE CO.)	DECEMBER 06, 1974
170600	STONEFORT, VILLAGE OF (SALINE CO.)	AUGUST 30, 1974
170775	ST. DAVID, VILLAGE OF (FULTON CO.)	DECEMBER 06, 1974
170801	ST. FRANCISVILLE, VILLAGE OF (LAWRENCE CO.)	MARCH 29, 1974
170636	SUMMERFIELD, VILLAGE OF (ST. CLAIR CO.)	MAY 03, 1974
170412	SUMNER, CITY OF (LAWRENCE CO.)	MARCH 01, 1974
170803	TALLULA, VILLAGE OF (MENARD CO.)	MARCH 29, 1974
170005	TAMMS, VILLAGE OF (ALEXANDER CO.)	MAY 10, 1974
170010	TIREWELL, VILLAGE OF (BROWN CO.)	SEPTEMBER 20, 1974
170559	VALLEY CITY, VILLAGE OF (PIKE CO.)	DECEMBER 17, 1973
170781	VERMONT, VILLAGE OF (FULTON CO.)	NOVEMBER 29, 1974
170310	WALTONVILLE, VILLAGE OF (JEFFERSON CO.)	AUGUST 23, 1974
170455	WAMAC, CITY OF (CLINTON CO)	JUNE 28, 1974
170254	WHITE HALL, CITY OF (GREENE CO.)	APRIL 05, 1974
170356	YATES CITY, VILLAGE OF (KNOX CO.)	JUNE 14, 1974

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• UNINCORPORATED AREAS ONLY

INDIANA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
180012	ADVANCE, TOWN OF (BOONE CO.)	SEPTEMBER 20, 1974
180184	ALBION, TOWN OF (NOBLE CO.)	JUNE 07, 1974
180031	ALTON, TOWN OF (CRAWFORD CO.)	JANUARY 23, 1974
180303	AMBOY, TOWN OF (MIAMI CO.)	NOVEMBER 29, 1974
180097	ANDREWS, TOWN OF (HUNTINGTON CO.)	JUNE 07, 1974
180315	ARCADIA, TOWN OF (HAMILTON CO.)	FEBRUARY 01, 1974
180233	AUSTIN, CITY OF (SCOTT CO.)	NOVEMBER 23, 1973
180112	BARGERSVILLE, TOWN OF (JOHNSON CO.)	NOVEMBER 01, 1974
180310	BLOOMFIELD, TOWN OF (GREENE CO.)	NOVEMBER 23, 1973
180273	BOONVILLE, CITY OF (WARRICK CO.)	DECEMBER 28, 1973
180087	BROWNSBURG, TOWN OF (HENDRICKS CO.)	NOVEMBER 23, 1973
180317	BROWNSTOWN, TOWN OF (JACKSON CO.)	NOVEMBER 23, 1973
180318	BURLINGTON, TOWN OF (CARROLL CO.)	NOVEMBER 23, 1973
180319	CAMDEN, TOWN OF (CARROLL CO.)	NOVEMBER 23, 1973
180258	CATUSA, TOWN OF (VERMILLION CO.)	MAY 31, 1974
180274A	CHANDLER, TOWN OF (WARRICK CO.)	JANUARY 09, 1974 AND
		JULY 11, 1975
180247A	CLEAR LAKE, TOWN OF (STEUBEN CO.)	DECEMBER 06, 1974 AND
		DECEMBER 12, 1975
180029	CLINTON COUNTY •	DECEMBER 13, 1974
180167A	CONVERSE, TOWN OF (MIAMI CO.)	MAY 17, 1974
180044	DEKALB COUNTY •	DECEMBER 06, 1974
180054	DUBOIS COUNTY •	DECEMBER 13, 1974
180106	DUPONT, TOWN OF (JEFFERSON CO.)	NOVEMBER 29, 1974
180324	EDWARDSPORT, TOWN OF (KNOX CO.)	NOVEMBER 23, 1973
180032A	ENGLISH, TOWN OF (CRAWFORD CO.)	APRIL 12, 1974 AND
		OCTOBER 24, 1975
180261	FAIRVIEW PARK, TOWN OF (VERMILLION CO.)	SEPTEMBER 20, 1974
180282	FOUNTAIN CITY, CITY OF (WAY	MAY 10, 1974
180187	FRENCH LICK, TOWN OF (ORANGE CO.)	FEBRUARY 01, 1974
180070	FULTON COUNTY •	DECEMBER 20, 1974
180325	GOSPORT, TOWN OF (OWEN CO.)	NOVEMBER 23, 1973
180080	HAMILTON COUNTY •	DECEMBER 13, 1974
180009	HARTFORD CITY, CITY OF (BLACKFORD CO.)	NOVEMBER 23, 1973
180327	HAZLETON, TOWN OF (GIBSON CO.)	NOVEMBER 23, 1973
180328	HILLSBORO, TOWN OF (FOUNTAIN CO.)	FEBRUARY 01, 1974
180249	HUDSON, TOWN OF (STEUBEN CO.)	JULY 19, 1974
180225	INDIAN VILLAGE, TOWN OF (ST. JOSEPH CO.)	OCTOBER 18, 1974
180108	JENNINGS COUNTY •	DECEMBER 13, 1974
180193	JUDSON, TOWN OF (PARKE CO.)	DECEMBER 17, 1973
180098	KNIGHTSTOWN, TOWN OF (HENRY CO.)	NOVEMBER 30, 1973
180172	LADOGA, TOWN OF (MONTGOMERY CO.)	MAY 24, 1974
180144	LAPORTE COUNTY •	DECEMBER 20, 1974
180035	LEAVENWORTH, TOWN OF (CRAWFORD CO.)	NOVEMBER 30, 1973
180091	LEWISVILLE, TOWN OF (HENRY CO.)	SEPTEMBER 20, 1974
180276	LIVONIA, TOWN OF (WASHINGTON CO.)	OCTOBER 18, 1974
180307	MACY, TOWN OF (MIAMI CO.)	DECEMBER 06, 1974
180033A	MARENGO, TOWN OF (CRAWFORD CO.)	FEBRUARY 01, 1974 AND
		SEPTEMBER 19, 1975

• UNINCORPORATED AREAS ONLY

INDIANA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
180330	MECCA, TOWN OF (PARKE CO.)	JANUARY 23, 1974
180098	MEBORA, TOWN OF (JACKSON CO.)	NOVEMBER 23, 1973
180034A	MILLTOWN, TOWN OF (CRAWFORD • HARRISON COS.)	NOVEMBER 30, 1973 AND
		OCTOBER 10, 1975
180010	MONTPELIER, TOWN OF (BLACKFORD CO.)	DECEMBER 07, 1973
180176	MORGAN COUNTY •	DECEMBER 20, 1974
180178	MORGANTOWN, TOWN OF (MORGAN CO.)	SEPTEMBER 20, 1974
180336A	NEW PALESTINE, TOWN OF (HANCOCK CO.)	NOVEMBER 30, 1973
180337	NEWBERRY, TOWN OF (GREENE CO.)	FEBRUARY 01, 1974
180262	NEWPORT, TOWN OF (VERMILLION CO.)	MAY 31, 1974
180072	OAKLAND CITY, CITY OF (GIBSON CO.)	MAY 10, 1974
180200	OGDEN DUNES, TOWN OF (PORTER CO.)	MAY 31, 1974
180250	ORLAND, TOWN OF (STEUBEN CO.)	MAY 31, 1974
180188	ORLEANS, TOWN OF (ORANGE CO.)	MAY 31, 1974
180229A	OSCEOLA, TOWN OF (ST. JOSEPH CO.)	DECEMBER 17, 1973 AND
		DECEMBER 05, 1975
180189A	PADLI, TOWN OF (ORANGE CO.)	NOVEMBER 23, 1973 AND
		OCTOBER 31, 1975
180338	PARAGON, TOWN OF (MORGAN CO.)	FEBRUARY 01, 1974
180192	PARKE COUNTY •	DECEMBER 20, 1974
180340	PATOKA, TOWN (GIBSON CO.)	NOVEMBER 23, 1973
180395	PERRYSVILLE, TOWN (VERMILLION CO.)	NOVEMBER 23, 1973
180089A	PLAINFIELD, TOWN OF (HENDRICKS CO.)	FEBRUARY 01, 1974 AND
		SEPTEMBER 26, 1975
180213	PUTNAM COUNTY	JANUARY 03, 1975
180342	RILEY, TOWN OF (VIGO CO.)	FEBRUARY 01, 1974
180221	RIPLEY COUNTY •	DECEMBER 13, 1974
180096	ROANOKE, TOWN OF (HUNTINGTON CO.)	DECEMBER 28, 1973
180071	ROCHESTER, CITY OF (FULTON CO.)	FEBRUARY 15, 1974
180343A	ROSEDALE, TOWN OF (PARKE CO.)	NOVEMBER 30, 1973 AND
		AUGUST 08, 1975
180216	RUSSELLVILLE, TOWN OF (PUTNAM CO.)	SEPTEMBER 20, 1974
180143	SCHNEIDER, TOWN OF (LAKE CO.)	DECEMBER 17, 1973
180404	SPENCERVILLE, TOWN OF (DEKALB CO.)	FEBRUARY 15, 1974
180346	SPRING LAKE PARK, TOWN OF (HANCOCK CO.)	FEBRUARY 01, 1974
180347	SPRINGPORT, TOWN OF (HENRY CO.)	FEBRUARY 01, 1974
180348	STINESVILLE, TOWN OF (MONROE CO.)	FEBRUARY 01, 1974
180349	SULPHUR SPRINGS, TOWN OF (HENRY CO.)	FEBRUARY 01, 1974
180350	TENNYSON, TOWN OF (WARRICK CO.)	FEBRUARY 01, 1974
180198A	TROY, TOWN OF (PERRY CO.)	MAY 31, 1974
180351	UNIVERSAL, TOWN OF (VERMILLION CO.)	FEBRUARY 01, 1974
180175	WAYNETOWN, TOWN OF (MONTGOMERY CO.)	MAY 31, 1974
180288	WELLS COUNTY •	DECEMBER 13, 1974
180190	WEST BADEN SPRINGS, TOWN OF (ORANGE CO.)	DECEMBER 28, 1973
180265	WEST TERRE HAUTE, TOWN (VIGO CO)	NOVEMBER 22, 1974
180313	WHITING, CITY (LAKE CO)	JANUARY 10, 1975
180272	WILLIAMSPORT, TOWN OF (WARREN CO.)	DECEMBER 17, 1973
180280	WINSLOW, TOWN OF (PIKE CO.)	DECEMBER 17, 1973

TOTAL IN THE STATE 88

• UNINCORPORATED AREAS ONLY

IOWA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
190138	ALDEN, TOWN OF (HARDIN CO.)	JUNE 21, 1974
190065	ALTA VISTA, TOWN OF (CHICKASAW CO.)	DECEMBER 20, 1974
190286	ANTHON, TOWN OF (WOODBURY CO.)	JANUARY 23, 1974
190092	ARION, TOWN OF (CRAWFORD CO.)	SEPTEMBER 06, 1974
190303A	BELMOND, CITY OF (WRIGHT CO.)	MAY 03, 1974 AND
		AUGUST 22, 1975
190266	BONAPARTE, CITY OF (VAN BUREN CO.)	JANUARY 09, 1974
190093	BUCK GROVE, TOWN OF (CRAWFORD CO.)	NOVEMBER 29, 1974
190277	CALLENDER, TOWN OF (WEBSTER CO.)	NOVEMBER 08, 1974
190269	CHILLICOTHE, TOWN OF (WAPELLO CO.)	NOVEMBER 08, 1974
190307	COLUMBUS JUNCTION, CITY OF (LOUISA CO.)	JANUARY 09, 1974
190421	DAKOTA CITY, TOWN OF (HUMBOLDT CO.)	NOVEMBER 08, 1974
190240	DEFIANCE, TOWN OF (SHELBY CO.)	DECEMBER 20, 1974
190095	DELOIT, TOWN OF (CRAWFORD CO.)	AUGUST 30, 1974
190097	DOW CITY, TOWN OF (CRAWFORD CO.)	MAY 31, 1974
190305	DOWS, TOWN OF (WRIGHT CO.)	JUNE 21, 1974
190271	ELDON, TOWN OF (WAPELLO CO.)	DECEMBER 17, 1973
190301	FERTILE, TOWN OF (WORTH CO.)	DECEMBER 27, 1974
190027	FREDERIKA, TOWN OF (BREMER CO.)	NOVEMBER 22, 1974
190279	GOWRIE, TOWN OF (WEBSTER CO.)	JUNE 28, 1974
190104	GRANGER, TOWN OF (DALLAS CO.)	MARCH 22, 1974
190159	GREEN ISLAND, TOWN OF (JACKSON CO.)	OCTOBER 25, 1974
190236	HANCOCK, TOWN OF (POTTAWATTAMIE CO.)	AUGUST 30, 1974
190260A	HARCOURT, TOWN OF (WEBSTER CO.)	DECEMBER 06, 1974
190224	HINTON, TOWN OF (PLYMOUTH CO.)	SEPTEMBER 06, 1974
190275	INDIANOLA, CITY OF (WARREN CO.)	JUNE 07, 1974
190511	IRETON, TOWN (SIOUX CO)	JANUARY 24, 1975
190023	JANESVILLE, TOWN OF (BLACK HAWK AND BREMER COS.)	DECEMBER 28, 1973
190164	KELLOGG, TOWN OF (JASPER CO.)	JUNE 21, 1974
190066	KIRON, CITY OF (CRAWFORD CO.)	NOVEMBER 08, 1974
190309	LA PORTE CITY, CITY OF (BLACK HAWK CO.)	DECEMBER 06, 1974
190006	LANSING, TOWN OF (ALLAMAKEE CO.)	JANUARY 06, 1974
190311	LETTS, TOWN OF (LOUISA CO.)	DECEMBER 27, 1974
190052	LINN GROVE, TOWN OF (BUENA VISTA CO.)	AUGUST 16, 1974
190078	LITTLEPORT, TOWN OF (CLAYTON CO.)	AUGUST 23, 1974
190165	LYNNVILLE, TOWN (JASPER CO)	JANUARY 03, 1975
190160	MAQUOKETA, CITY OF (JACKSON, CO.)	JUNE 28, 1974
190148A	MORALE, TOWN OF (HARRISON CO.)	OCTOBER 18, 1974
190161	MONMOUTH, TOWN (JACKSON CO)	JANUARY 17, 1975
190312	MORNING SUN, TOWN (LOUISA CO)	JANUARY 17, 1975
190010	MYSTIC, CITY OF (APPANOOSE CO.)	NOVEMBER 01, 1974
190007	NEW ALBIN, TOWN OF (ALLAMAKEE CO.)	MAY 17, 1974
190082	NORTH BUENAVISTA, TOWN OF (CLAYTON CO.)	OCTOBER 18, 1974
190176	OLIN, TOWN OF (JONES CO.)	AUGUST 30, 1974
190294	OTO, TOWN OF (WOODBURY CO.)	SEPTEMBER 13, 1974
190172	OXFORD, TOWN OF (JOHNSON CO.)	MAY 10, 1974
190150	PERSIA, TOWN OF (HARRISON CO.)	DECEMBER 13, 1974
190151	PISGAH, TOWN OF (HARRISON CO.)	DECEMBER 06, 1974
190061	PLYMOUTH, TOWN OF (CERRO GORDO CO.)	NOVEMBER 08, 1974
190167	PRAIRIE, TOWN OF (JASPER CO.)	NOVEMBER 01, 1974
190180	RICKETTS, TOWN OF (CRAWFORD CO.)	NOVEMBER 22, 1974
190197A	SHEFFIELD, TOWN OF (FRANKLIN CO.)	JUNE 28, 1974
190176A	SIGOURNEY, CITY OF (KEOKUK CO.)	MARCH 15, 1974
190207	SILVER CITY, TOWN OF (MILLS CO.)	NOVEMBER 08, 1974
190056	STANWOOD, TOWN OF (CEDAR CO.)	AUGUST 09, 1974
190147	STEAMBOAT ROCK, TOWN (HARDIN CO)	JANUARY 03, 1975
190173	TIFFIN, TOWN OF (JOHNSON CO.)	NOVEMBER 22, 1974
190196	WAPELLO, CITY OF (LOUISA CO.)	JANUARY 16, 1974
190179	WHAT CHEER, CITY OF (KEOKUK CO.)	JANUARY 09, 1974
190090	WHEATLAND, TOWN OF (CLINTON CO.)	JUNE 28, 1974
190070	WOODBURN, TOWN OF (CLARKE CO.)	DECEMBER 20, 1974
190260	ZEARING, TOWN OF (STORY CO.)	JULY 19, 1974

TOTAL IN THE STATE 61

• UNINCORPORATED AREAS ONLY

KANSAS

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
200291	ALDEN, CITY OF (RICE CO.)	DECEMBER 27, 1974
2N0360	ATHOL, CITY OF (SMITH CO.)	DECEMBER 13, 1974
2N0287A	BELLEVILLE, CITY OF (REPUBLIC CO.)	FEBRUARY 15, 1974 AND OCTOBER 31, 1975
200270	BELVUE, CITY OF (POTTAWATOMIE CO.)	NOVEMBER 29, 1974
200194	BLUE MOUND, CITY (LINN CO)	JANUARY 17, 1975
200128	BLUFF CITY, CITY OF (HARPER CO.)	DECEMBER 27, 1974
200157	BUNK OAK, CITY OF (JEWELL CO.)	NOVEMBER 29, 1974
200130X	BURRTON, CITY OF (HARVEY CO.)	MARCH 15, 1974 AND OCTOBER 24, 1975
200258A	CANEY, CITY OF (MONTGOMERY CO.)	FEBRUARY 15, 1974 AND OCTOBER 24, 1975
200004	COLONY, CITY OF (ANDERSON CO.)	DECEMBER 20, 1974
200139	DELIA, CITY OF (JACKSON CO.)	AUGUST 30, 1974
200079	DENTEN, CITY OF (DONIPHAN CO.)	DECEMBER 27, 1974
200235	DUNLAP, CITY (MORRIS CO)	JANUARY 03, 1975
200162	EDGERTON, CITY OF (JOHNSON CO.)	MARCH 08, 1974
200258A	ELKHART, CITY OF (MORTON CO.)	MAY 24, 1974 AND DECEMBER 05, 1975
200271	EMMETT, CITY OF (MIAMI CO.)	DECEMBER 20, 1974
200120	EUREKA, CITY OF (GREENWOOD CO.)	APRIL 12, 1974
200028	FAIRVIEW, CITY OF (BROWN CO.)	NOVEMBER 08, 1974
200221	FONTANA, CITY OF (MIAMI CO.)	DECEMBER 20, 1974
500211E	FRANKFORT, CITY OF (MARSHALL CO.)	JANUARY 23, 1974 AND OCTOBER 24, 1975
200024	FULTON, CITY (BOURBON CO)	JANUARY 10, 1975
200342	GAYLORD, CITY OF (SMITH CO.)	DECEMBER 27, 1974
200263	GLADE, CITY OF (PHILLIPS CO.)	DECEMBER 27, 1974
200227	GLEN ELDER, CITY OF (MITCHELL CO.)	DECEMBER 27, 1974
200206	GOESSEL, CITY OF (MARION CO.)	NOVEMBER 22, 1974
200239	GOFF, CITY OF (NEMAHA CO.)	NOVEMBER 08, 1974
200111	GRANDVIEW PLAZA, CITY OF (GEARY CO.)	FEBRUARY 01, 1974 AND AUGUST 09, 1974
200006	GREELEY, CITY OF (ANDERSON CO.)	NOVEMBER 22, 1974
200064	GRIDLEY, CITY OF (COFFEY CO.)	NOVEMBER 22, 1974
200355	HADDAM, CITY OF (WASHINGTON CO.)	DECEMBER 27, 1974
200352	HARVEYVILLE, CITY OF (WABAUNSEE CO.)	NOVEMBER 08, 1974
200141A	HOLTON, CITY OF (JACKSON CO.)	FEBRUARY 22, 1974
200142	HOYT, CITY OF (JACKSON CO.)	DECEMBER 20, 1974
200226	HUNTER, CITY OF (MITCHELL CO.)	DECEMBER 13, 1974
200012	HURON, CITY OF (ATCHISON CO.)	DECEMBER 13, 1974
200118	INGALLS, CITY OF (GRAY CO.)	DECEMBER 20, 1974
200007	KINCAID, CITY OF (ANDERSON CO.)	NOVEMBER 22, 1974
200329	KISMET, CITY OF (SEWARD CO.)	NOVEMBER 22, 1974
200196	LA CYGNE, CITY OF (LINN CO.)	MARCH 15, 1974
200103	LANE, CITY OF (FRANKLIN CO.)	DECEMBER 27, 1974
200189A	LANSING, CITY OF (LEAVENWORTH CO.)	AUGUST 23, 1974 AND NOVEMBER 28, 1975

• UNINCORPORATED AREAS ONLY

KANSAS

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
200343	LEBANON, CITY OF (SMITH CO.)	DECEMBER 20, 1974
200082	LEONA, CITY OF (DONIPHAN CO.)	DECEMBER 20, 1974
200060A	LEROY, CITY OF (COFFEY CO.)	DECEMBER 20, 1973 AND OCTOBER 24, 1975
200389	LIEBENTHAL, CITY (RUSH CO)	JANUARY 03, 1975
200265A	LOGAN, CITY OF (PHILLIPS CO.)	JULY 19, 1974 AND OCTOBER 17, 1975
200222	LOUISBURG, CITY OF (MIAMI CO.)	MARCH 01, 1974
200272	LOUISVILLE, CITY OF (POTTAWATOMIE CO.)	DECEMBER 06, 1974
200143	MAYETTA, CITY OF (JACKSON CO.)	NOVEMBER 08, 1974
200318	MCCRACKEN, CITY OF (RUSH CO.)	NOVEMBER 22, 1974
200051A	MINNEOLA, CITY OF (CLARK CO.)	FEBRUARY 08, 1974 AND OCTOBER 17, 1975
200055	MORGANVILLE, CITY OF (CLAY CO.)	DECEMBER 20, 1974
200032	MORRILL, CITY OF (BROWN CO.)	NOVEMBER 22, 1974
200356	MORROWVILLE, CITY OF (WASHINGTON CO.)	DECEMBER 06, 1974
200197A	MOUND CITY, CITY OF (LINN CO.)	MARCH 01, 1974
200014	MUSCOTAH, CITY OF (ATCHISON CO.)	NOVEMBER 22, 1974
200360	NEOSHO FALLS, CITY OF (WOODSON CO)	JANUARY 31, 1975
200204	NEOSHO RAPIDS, CITY (LYON CO)	JANUARY 03, 1975
200144	NETAWAKA, CITY OF (JACKSON CO.)	NOVEMBER 22, 1974
200318	NEW CAMBRIA, CITY OF (SALINE CO.)	DECEMBER 27, 1974
200067	NEW STRAWN, CITY OF (COFFEY CO.)	NOVEMBER 22, 1974
200150	NORTONVILLE, CITY OF (JEFFERSON CO.)	MARCH 01, 1974
200292A	OSAGE CITY, CITY OF (OSAGE CO)	MARCH 01, 1974 AND FEBRUARY 28, 1975
200311	OTIS, CITY OF (RUSH CO.)	NOVEMBER 22, 1974
200357	PALMER, CITY OF (WASHINGTON CO.)	DECEMBER 20, 1974
200021	PAWNEE ROCK, CITY (BARTON CO)	JANUARY 10, 1975
200105	PEABODY, CITY OF (MARION CO.)	FEBRUARY 08, 1974
200256	PORTIS, CITY OF (OSBORNE CO.)	DECEMBER 27, 1974
200253	QUENEMO, CITY OF (OSAGE CO.)	DECEMBER 20, 1974
200296	RAYMOND, CITY OF (RICE CO.)	DECEMBER 27, 1974
200268	REDFIELD, CITY OF (BOURBON CO.)	DECEMBER 27, 1974
200268	REPUBLIC, CITY OF (REPUBLIC CO.)	DECEMBER 06, 1974
200360	ROZEL, CITY (PAWNEE CO)	JANUARY 03, 1975
200312	RUSH CENTER, CITY OF (RUSH CO.)	NOVEMBER 22, 1974
200315B	RUSSELL, CITY OF (RUSSELL CO.)	FEBRUARY 08, 1974 AND NOVEMBER 08, 1974
200097	SCHOENCHEN, CITY (ELLIS CO)	JANUARY 17, 1975
200083	SEVERANCE, CITY OF (DONIPHAN CO.)	DECEMBER 20, 1974
200145	SOLDIER, CITY OF (JACKSON CO.)	NOVEMBER 22, 1974
200274	ST. GEORGE, CITY (POTTAWATOMIE CO)	JANUARY 03, 1975
200213	VERMILLION, TOWN OF (MARSHALL CO.)	DECEMBER 20, 1974
200312	VIRGIL, CITY (GREENWOOD CO)	JANUARY 10, 1975
200374	WALTON, CITY (HARVEY CO)	JANUARY 24, 1975
200277	WESTMORELAND, CITY OF (POTTAWATOMIE CO.)	MARCH 08, 1974
200086	WESTPHALIA, CITY (ANDERSON CO)	DECEMBER 20, 1974
200086	WHITE CLOUD, CITY OF (DONIPHAN CO.)	DECEMBER 27, 1974
200146	WHITING, CITY OF (JACKSON CO.)	NOVEMBER 29, 1974

TOTAL IN THE STATE 66

• UNINCORPORATED AREAS ONLY

KENTUCKY

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
210070	ALLEN, TOWN OF (FLOYD CO.)	JANUARY 23, 1974
210063	ARLINGTON, TOWN OF (CARLISLE CO.)	MAY 17, 1974
210044	BARDWELL, TOWN OF (CARLISLE CO.)	MAY 17, 1974
210104	BERRY, TOWN OF (HARRISON CO.)	AUGUST 16, 1974
210167	BOONEVILLE, CITY OF (OWSLEY CO.)	FEBRUARY 01, 1974
210161	BRADFORDSVILLE, CITY OF (MARION CO.)	MAY 10, 1974
210023	BREATHITT COUNTY	JANUARY 03, 1975
210201	BROOKSIDE, CITY OF (ROCK CASTLE CO.)	MAY 17, 1974
210154	CALHOUN, TOWN OF (MCLEAN CO.)	FEBRUARY 01, 1974
210042	CARLISLE COUNTY *	OCTOBER 18, 1974
210050	CARTER COUNTY *	DECEMBER 13, 1974
210053	CASEY COUNTY *	DECEMBER 13, 1974
210195	CLAY CITY, CITY OF (POWELL CO.)	FEBRUARY 01, 1974
210057	CLAY COUNTY *	DECEMBER 27, 1974
210222	CLAY, CITY OF (WEBSTER CO.)	FEBRUARY 01, 1974
210111	CLINTON, TOWN OF (HICKMAN CO.)	MAY 17, 1974
210263	COAL RUN, CITY (PIKE CO)	JANUARY 10, 1975
210227	CORBIN, CITY OF (WHITLEY CO.)	JUNE 14, 1974
210143	CRAB ORCHARD, TOWN OF (LINCOLN CO.)	JUNE 14, 1974
210060	CUMBERLAND COUNTY	JANUARY 03, 1975
210167	DOVER, TOWN OF (MASON CO.)	AUGUST 02, 1974
210238	FLORENCE, TOWN OF (BOONE CO.)	FEBRUARY 01, 1974
210069	FLOYD COUNTY *	DECEMBER 13, 1974
210036	FORT THOMAS, CITY OF (CAMPBELL CO.)	JANUARY 25, 1974 AND OCTOBER 18, 1974
210081	GARRARD COUNTY *	OCTOBER 18, 1974
210046	GHENT, TOWN OF (CARROLL CO.)	JANUARY 10, 1974
210078	GLENCOE, CITY OF (CALLATIN CO.)	FEBRUARY 01, 1974
210096	HARDIN COUNTY *	OCTOBER 18, 1974
210303	HARDIN, CITY OF (MARSHALL CO.)	JUNE 14, 1974
210165	HARDIN, TOWN OF (MARSHALL CO.)	MAY 10, 1974
210172	HARRODSBURG, CITY OF (MERCER CO.)	MAY 10, 1974
210032	HAZEL, TOWN OF (CALLOWAY CO.)	MAY 10, 1974
210110	HENRY COUNTY *	AUGUST 09, 1974
210077	HICKMAN, CITY OF (FULTON CO)	OCTOBER 18, 1974
210112	HOPKINS COUNTY *	JUNE 28, 1974
210137	HYDEN, CITY OF (LESLIE CO.)	OCTOBER 18, 1974
210138	JENKINS, CITY OF (LETCHER CO.)	MAY 24, 1974
210134	LAUREL COUNTY *	JUNE 07, 1974
210306	LEBANON JUNCTION, CITY OF (BULLITT CO.)	DECEMBER 27, 1974
210085	LEITCHFIELD, TOWN OF (GRAYSON CO.)	MARCH 15, 1974
210141	LEWIS COUNTY *	MAY 10, 1974
210166	MARION COUNTY *	DECEMBER 20, 1974
210071	MARTIN, TOWN OF (FLOYD CO.)	DECEMBER 13, 1974
210233	MCHENRY, TOWN OF (OHIO CO.)	MAY 24, 1974
210153	MCLEAN COUNTY *	OCTOBER 25, 1974
210014	MILLERSBURG, CITY OF (BOURBON CO.)	DECEMBER 06, 1974
210262	MORGANTOWN, TOWN OF (BUTLER CO.)	MAY 10, 1974
210139	NEON, TOWN OF (LETCHER CO.)	FEBRUARY 01, 1974 MAY 24, 1974

• UNINCORPORATED AREAS ONLY

KENTUCKY

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
210186	OWEN COUNTY *	OCTOBER 18, 1974
210244	PETERSBURG, TOWN OF (BOONE CO.)	JANUARY 23, 1974
210194	POWELL COUNTY *	NOVEMBER 29, 1974
210047	PRESTONVILLE, TOWN OF (CARROLL CO.)	AUGUST 16, 1974
210089	RACELAND, TOWN OF (GREENUP CO.)	FEBRUARY 08, 1974
210319	RAVENNA, CITY OF (ESTILL CO.)	MAY 17, 1974
210245	ROCKPORT, TOWN OF (OHIO CO.)	FEBRUARY 01, 1974
210260	SADIEVILLE, CITY (SCOTT CO)	JANUARY 03, 1975
210048	SANDERS, TOWN OF (CARROLL CO.)	JANUARY 23, 1974
210209	SHELBY COUNTY *	OCTOBER 18, 1974
210028	SHEPHERDSVILLE, CITY OF (BULLITT CO.)	MAY 24, 1974
210225	SLAUGHTERS, CITY OF (WEBSTER CO.)	AUGUST 16, 1974
210079	SPARTA, CITY OF (GALLATIN CO.)	FEBRUARY 01, 1974
210261	STAMPING GROUND, CITY (SCOTT CO)	JANUARY 03, 1975
210212	TAYLOR COUNTY *	OCTOBER 18, 1974
210216	UNIONTOWN, TOWN OF (UNION CO.)	MAY 17, 1974
210192	VICCO, CITY OF (PERRY CO.)	MAY 10, 1974
210096	VINE GROVE, CITY OF (HARDIN CO.)	MAY 17, 1974
210309	VISALIA, CITY OF (KENTON CO.)	JANUARY 23, 1974
210080	WARSAW, CITY OF (GALLATIN CO.)	FEBRUARY 01, 1974
210073	WATLAND, TOWN OF (FLOYD CO.)	AUGUST 23, 1974
210264	WEST BUECHEL, CITY (JEFFERSON CO)	JANUARY 10, 1975
210248	WHEAT CROFT, TOWN OF (WEBSTER CO.)	FEBRUARY 15, 1974
210307	WINSTON PARK, TOWN OF (KENTON CO.)	JANUARY 23, 1974
210049	WORTHVILLE, TOWN OF (CARROLL CO.)	JANUARY 23, 1974

TOTAL IN THE STATE 73

• UNINCORPORATED AREAS ONLY

LOUISIANA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
220116	ALBANY, VILLAGE OF (LIVINGSTON PARISH)	APRIL 12, 1974
220231	ANGIE, VILLAGE OF (WASHINGTON PARISH)	JANUARY 03, 1975
220065A	BASILE, TOWN (EVANGELINE PARISH)	MAY 24, 1974 AND
		OCTOBER 31, 1975
220028	BEAUREGARD PARISH	JANUARY 17, 1975
220314	BERWICK TOWN (UNION CO)	JANUARY 17, 1975
220147A	BOYCE, TOWN OF (RAPIDES PARISH)	APRIL 05, 1974
220130	CLARENCE, VILLAGE OF (NATCHITOCHES PARISH)	MARCH 01, 1974
220236A	DOYLINE, VILLAGE OF (WEBSTER PARISH)	APRIL 05, 1974 AND
		OCTOBER 17, 1975
220117	FRENCH SETTLEMENT, VILLAGE OF (LIVINGSTON PAR.)	OCTOBER 25, 1974
220333	JACKSON, TOWN (EAST FELICIANA CO.)	JANUARY 10, 1975
220255	MANSURA, TOWN (AVOYELLES PARISH)	JANUARY 10, 1975
220006A	MERMENTAU, TOWN OF (ACADIA PARISH)	NOVEMBER 23, 1973 AND
		NOVEMBER 14, 1975
220007	MORSE, TOWN (ACADIA PARISH)	NOVEMBER 23, 1973
220012A	OBERLIN, CITY OF (ALLEN PARISH)	JUNE 21, 1974 AND
		NOVEMBER 14, 1975
220203	PEARL RIVER, TOWN OF (ST. TAMMANY PARISH)	MAY 24, 1974
220030	RINGGOLD, TOWN OF (BIENVILLE PARISH)	MAY 03, 1974
220212	ROSELAND, TOWN OF (TANGIPAHOA PARISH)	OCTOBER 26, 1973
220050	SICILY ISLAND, VILLAGE OF (CATAHOULA PARISH)	DECEMBER 28, 1973
220120	SPRINGFIELD, TOWN OF (LIVINGSTON PARISH)	AUGUST 23, 1974
220137	STERLINGTON, TOWN OF (OUACHITA PARISH)	DECEMBER 17, 1973
220205	SUN, VILLAGE OF (ST. TAMMANY PARISH)	AUGUST 30, 1974
220069A	TURKEY CREEK, VILLAGE OF (EVANGELINE PARISH)	AUGUST 30, 1974 AND
		OCTOBER 31, 1975
220336	VARNADO, VILLAGE OF (WASHINGTON PARISH)	OCTOBER 25, 1974
220078	VILLE PLATTE, TOWN OF (EVANGELINE PARISH)	MAY 17, 1974
220230	WASHINGTON PARISH	JANUARY 10, 1975

TOTAL IN THE STATE 25

• UNINCORPORATED AREAS ONLY

MAINE

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
230303	ALEXANDER, TOWN OF (WASHINGTON CO.)	DECEMBER 06, 1974
230083	ALNA, TOWN OF (LINCOLN CO)	JANUARY 03, 1975
230272	AMHERST, TOWN (HANCOCK CO)	JANUARY 24, 1975
230208	ARROWSIC, TOWN (SAGADAHOC CO)	JANUARY 17, 1975
230345	AVON, TOWN OF (FRANKLIN CO)	JANUARY 10, 1975
230144	BERWICK, TOWN OF (YORK CO.)	AUGUST 09, 1974
230214	BREMEN, TOWN OF (LINCOLN CO.)	JANUARY 31, 1975
230130	BURNHAM, TOWN OF (WALDO CO.)	JULY 26, 1974
230146	BURTON, TOWN OF (YORK CO.)	APRIL 05, 1974
230276	CRANBERRY ISLE, TOWN OF (HANCOCK CO.)	JANUARY 31, 1975
230309	CRAWFORD, TOWN (WASHINGTON CO)	JANUARY 17, 1975
230224	CUSHING, TOWN (KNOX CO)	JANUARY 03, 1975
230148	DAYTON, TOWN OF (YORK CO)	JUNE 28, 1974
230240	DEER ISLE, TOWN OF (HANCOCK CO.)	JANUARY 31, 1975
230084	DRESDEN, TOWN OF (LINCOLN CO.)	SEPTEMBER 20, 1974
230382	EDDINGTON, TOWN (PENOBSCOT CO)	JANUARY 24, 1975
230217	EDGECOMB, TOWN (LINCOLN CO)	JANUARY 03, 1975
230385	ETNA, TOWN (PENOBSCOT CO)	JANUARY 17, 1975
230237	FAYETTE, TOWN OF (KENNEBEC CO.)	NOVEMBER 29, 1974
230105	FREACHVILLE, TOWN OF (CARIBOU CO.)	SEPTEMBER 20, 1974
230225	FRIENDSHIP, TOWN (KNOX CO)	JANUARY 03, 1975
230425	HERSEY, TOWN OF (CARIBOU CO.)	DECEMBER 20, 1974
230362	JACKMAN, TOWN (SOMERSET CO)	JANUARY 24, 1975
230382	EDDINGTON, TOWN (PENOBSCOT CO)	NOVEMBER 01, 1974
230217	EDGECOMB, TOWN (LINCOLN CO)	JANUARY 03, 1975
230385	ETNA, TOWN (PENOBSCOT CO)	JANUARY 17, 1975
230237	FAYETTE, TOWN OF (KENNEBEC CO.)	NOVEMBER 29, 1974
230105	FREACHVILLE, TOWN OF (CARIBOU CO.)	SEPTEMBER 20, 1974
230225	FRIENDSHIP, TOWN (KNOX CO)	JANUARY 03, 1975
230425	HERSEY, TOWN OF (CARIBOU CO.)	DECEMBER 20, 1974
230362	JACKMAN, TOWN (SOMERSET CO)	JANUARY 24, 1975
230108	KENDUSKEAG, TOWN OF (PENOBSCOT CO.)	NOVEMBER 01, 1974
230394	LEE, TOWN (PENO-SCOT CO)	JANUARY 31, 1975
230152	LIMINGTON, TOWN OF (YORK CO.)	MAY 31, 1974
230173	LIVERMORE, TOWN OF (ANDROSCOGGIN CO.)	NOVEMBER 08, 1974
230350	MADRID, TOWN (FRANKLIN CO)	JANUARY 10, 1975
230176	MERCER, TOWN OF (SOMERSET CO.)	JANUARY 31, 1975
230008	MINOT, TOWN OF (ANDROSCOGGIN CO.)	FEBRUARY 01, 1974
230363	MOOSE RIVER, TOWN (SOMERSET CO)	JANUARY 17, 1975
230287	MT. DESERT, TOWN (HANCOCK CO)	JANUARY 17, 1975
230202	NORTH YARMOUTH, TOWN OF (CUMBERLAND CO.)	JANUARY 31, 1975
230203	OTISFIELD, TOWN OF (CUMBERLAND CO.)	JANUARY 31, 1975
230366	PALMYRA, TOWN OF (SOMERSET CO.)	NOVEMBER 29, 1974
230154	PARSONFIELD, TOWN OF (YORK CO.)	JUNE 28, 1974
230115	PATTEN, TOWN OF (PENOBSCOT CO.)	NOVEMBER 01, 1974
230163	PEMBROKE, TOWN OF (WASHINGTON CO.)	OCTOBER 18, 1974
230290	PENOBSCOT, TOWN (HANCOCK CO)	JANUARY 24, 1975
230206	POWNAL, TOWN OF (CUMBERLAND CO.)	JANUARY 31, 1975
230368	RIPLEY, TOWN (SOMERSET CO)	JANUARY 03, 1975
230266	ROME, TOWN OF (KENNEBEC CO.)	DECEMBER 27, 1974
230011	SABATTUS, TOWN OF (ANDROSCOGGIN CO.)	MAY 31, 1974
230206	SEBAGO, TOWN (CUMBERLAND CO)	JANUARY 17, 1975
230291	SEDGWICK, TOWN (HANCOCK CO)	JANUARY 24, 1975
230198	SHAPLEIGH, TOWN (YORK CO)	JANUARY 17, 1975
230415	SHIRLEY, TOWN (PISCATAQUIS CO)	JANUARY 24, 1975

• UNINCORPORATED AREAS ONLY

MAINE

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
230370	SMITHFIELD, TOWN (SOMERSET CO)	JANUARY 24, 1975
230292	SORRENTO, TOWN (HANCOCK CO)	JANUARY 24, 1975
230293	SOUTHWEST HARBOR, TOWN (HANCOCK CO)	JANUARY 17, 1975
230400	SPRINGFIELD, TOWN (PENOBSCOT CO.)	JANUARY 24, 1975
230035	STOCKHOLM, TOWN (AROOSTOOK CO)	JANUARY 10, 1975
230186	STOW, TOWN (OXFORD CO)	JANUARY 24, 1975
230183	ST. FRANCIS, TOWN OF (AROOSTOOK CO.)	DECEMBER 20, 1974
230229	ST. GEORGE, TOWN (KNOX CO)	JANUARY 24, 1975
230266	THORNDIKE, TOWN (WALDO CO)	JANUARY 10, 1975
230298	TREMONT, TOWN OF (HANCOCK CO.)	JANUARY 31, 1975
230299	TRENTON, TOWN (HANCOCK CO)	JANUARY 24, 1975
230403	VEAZIE, TOWN (PENOBSCOT CO.)	JANUARY 03, 1975
230381	WALTHAM, TOWN (HANCOCK CO)	JANUARY 03, 1975
230082	WASHINGTON, TOWN OF (KNOX CO.)	SEPTEMBER 06, 1974
230416	WELLINGTON, TOWN (PISCATAQUIS CO)	JANUARY 10, 1975
230156	WELLS, TOWN OF (YORK CO.)	OCTOBER 18, 1974
230327	WESLEY, TOWN OF (WASHINGTON CO.)	DECEMBER 27, 1974
230211	WEST BATH, TOWN (SAGADAHOC CO)	JANUARY 03, 1975
230250	WEST GARDINER, TOWN OF (KENNEBEC CO.)	DECEMBER 27, 1974
230222	WESTPORT, TOWN (LINCOLN CO)	JANUARY 03, 1975
230087	WHITEFIELD, TOWN OF (LINCOLN CO.)	JULY 26, 1974
230231	WINDSOR, TOWN (KENNEBEC CO)	JANUARY 17, 1975
230404	WINN, TOWN (PENOBSCOT CO)	JANUARY 24, 1975

TOTAL IN THE STATE 70

• UNINCORPORATED AREAS ONLY

MARYLAND

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
240007	BROOKVIEW, TOWN OF (DORCHESTER CO.)	DECEMBER 06, 1974
240102	DEER PARK, TOWN OF (GARRETT CO.)	NOVEMBER 08, 1974
240059	QUEEN ANNE, TOWN OF (QUEEN ANNE'S CO.)	AUGUST 09, 1974

TOTAL IN THE STATE 3

• UNINCORPORATED AREAS ONLY

MASSACHUSETTS

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
250048	ACUSHNET, TOWN OF (BRISTOL CO.)	SEPTEMBER 06, 1974
250109A	ASHFIELD, TOWN OF (FRANKLIN CO.)	JUNE 28, 1974 AND
		NOVEMBER 14, 1975
250136	BLANDFORD, TOWN OF (HAMPDEN CO.)	JULY 26, 1974
250135	BRIMFIELD, TOWN OF (HAMPDEN CO.)	JULY 19, 1974
250185	BURLINGTON, TOWN OF (MIDDLESEX CO.)	DECEMBER 20, 1974
250187	CARLISLE, TOWN OF (MIDDLESEX CO.)	AUGUST 16, 1974
250136	CHESTER, TOWN OF (HAMPDEN CO.)	JULY 19, 1974
250068	CHILMARK, TOWN OF (DUKES CO.)	DECEMBER 06, 1974
250300	CLINTON, TOWN OF (WORCESTER CO.)	AUGUST 09, 1974
250115	DEERFIELD, TOWN OF (FRANKLIN CO.)	SEPTEMBER 13, 1974
250191	DUNSTABLE, TOWN OF (MIDDLESEX CO.)	NOVEMBER 29, 1974
250168	EAST HAMPTON, TOWN OF (HAMPSHIRE CO.)	JUNE 21, 1974
250070	GAY HEAD, TOWN OF (DUKES CO.)	DECEMBER 06, 1974
250071	GOSNOLD, TOWN OF (DUKES CO.)	DECEMBER 20, 1974
250139	GRANVILLE, TOWN OF (HAMPDEN CO.)	AUGUST 30, 1974
250119	HAWLEY, TOWN OF (FRANKLIN CO.)	NOVEMBER 22, 1974
250311	HUBBARDSTON, TOWN OF (WORCESTER CO.)	SEPTEMBER 06, 1974
250204	MAYNARD, TOWN OF (MIDDLESEX CO.)	JULY 26, 1974
250316	MENDON, TOWN OF (WORCESTER CO.)	SEPTEMBER 06, 1974
250166	MIDDLEFIELD, TOWN OF (HAMPSHIRE CO.)	DECEMBER 20, 1974
250094	MIDDLETON, TOWN OF (ESSEX CO.)	DECEMBER 06, 1974
250244	MILLIS, TOWN OF (NORFOLK CO.)	JULY 19, 1974
250146	MONTGOMERY, TOWN OF (HAMPDEN CO.)	NOVEMBER 22, 1974
250032	NEW ASHFORD, TOWN OF (BERKSHIRE CO.)	NOVEMBER 22, 1974
250324	OAKHAM, TOWN OF (WORCESTER CO.)	AUGUST 02, 1974
250328	PAXTON, TOWN OF (WORCESTER CO.)	JULY 26, 1974
250168	PELHAM, TOWN OF (HAMPSHIRE CO.)	JUNE 28, 1974
250036	PERU, TOWN OF (BERKSHIRE CO.)	NOVEMBER 01, 1974
250169	PLAINFIELD, TOWN OF (HAMPSHIRE CO.)	NOVEMBER 01, 1974
250101	ROWLEY, TOWN OF (ESSEX CO.)	JULY 26, 1974
250063	TYRINGHAM, TOWN OF (BERKSHIRE CO.)	NOVEMBER 29, 1974
250130	WARWICK, TOWN OF (FRANKLIN CO)	JANUARY 24, 1975
250044	WASHINGTON, TOWN OF (BERKSHIRE CO.)	NOVEMBER 01, 1974
250131	WENDELL, TOWN OF (FRANKLIN CO)	JANUARY 17, 1975
250047	WINDSOR, TOWN OF (BERKSHIRE CO.)	NOVEMBER 22, 1974

TOTAL IN THE STATE 38

• UNINCORPORATED AREAS ONLY

MICHIGAN

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
260210	BANGOR, TOWNSHIP OF (VAN BUREN CO)	JANUARY 10, 1975
260096	BELDING, CITY OF (IONIA CO)	JANUARY 17, 1975
260192	BERLIN, TOWNSHIP OF (ST. CLAIR CO.)	AUGUST 23, 1974
260027	BLAINE, TOWNSHIP OF (BENZIE CO.)	SEPTEMBER 20, 1974
260073	BURTON, TWP OF (GENESEE CO)	AUGUST 16, 1974
260195	CLYDE, TOWNSHIP OF (ST. CLAIR CO.)	JULY 26, 1974
260144A	HASTINGS, CITY OF (BARRY CO.)	APRIL 12, 1974 AND
		OCTOBER 03, 1975
260137	HINTON, TOWNSHIP OF (CHECOSTA CO.)	SEPTEMBER 06, 1974
260086	ITHACA, CITY OF (GRATIOT CO.)	DECEMBER 27, 1974
260014	LINCOLN, TOWNSHIP OF (ARENAC CO.)	JUNE 14, 1974
260310	MELVINDALE, CITY (WAYNE CO)	JANUARY 10, 1975
260235	NORTHVILLE, CITY OF (WAYNE CO.)	SEPTEMBER 06, 1974
260319A	PARCHMENT, CITY OF (KALAMAZOO CO.)	MAY 10, 1974
260236	PLYMOUTH, CITY OF (WAYNE CO.)	MAY 17, 1974
260240A	RIVERVIEW, CITY OF (WAYNE CO.)	MAY 03, 1974 AND
		FEBRUARY 28, 1975
260243	SUMPTER, TOWNSHIP OF (WAYNE CO)	JUNE 28, 1974
260049	WEESAW, TOWNSHIP OF (EMMET CO.)	JUNE 28, 1974

TOTAL IN THE STATE 17

• UNINCORPORATED AREAS ONLY

MINNESOTA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
270365A	ASKOV, CITY OF (PINE CO.)	OCTOBER 25, 1974 AND
		AUGUST 29, 1975
270417	AURORA, CITY OF (ST. LOUIS CO.)	APRIL 05, 1974
270552	AVOCA, CITY OF (MURRAY CO)	JANUARY 10, 1975
270443	AVON, CITY OF (STEARNS CO.)	MARCH 29, 1974
270554	BAUDETTE, CITY OF (LAKE OF THE WOODS CO.)	DECEMBER 27, 1974
270555	BEJOU, CITY OF (MAHNOMEN CO)	JANUARY 03, 1975
270663	BIG LAKE, CITY (SHERBURNE CO.)	JANUARY 17, 1975
270261	BISCAY, CITY OF (MCLEOD CO.)	NOVEMBER 15, 1974
270333	BLUFFTON, CITY OF (OTTER TAIL CO.)	AUGUST 09, 1974
270293	BOWLUS, CITY OF (MORRISON CO.)	OCTOBER 25, 1974
270070	BRANCH, CITY OF (ISANTI CO.)	AUGUST 30, 1974
270557	BROOK PARK, CITY OF (PINE CO.)	OCTOBER 25, 1974
270368	BROOKS, CITY OF (RED LAKE CO.)	AUGUST 09, 1974
270191	BROWNSVILLE, CITY OF (HOUSTON CO.)	OCTOBER 18, 1974
270262	BROWNTON, CITY OF (MCLEOD CO.)	MAY 03, 1974
270294	BUCKMAN, CITY OF (MORRISON CO.)	AUGUST 09, 1974
270521	CAMPBELL, CITY OF (WILKIN CO.)	AUGUST 02, 1974
270512A	CHANDLER, CITY OF (MURRAY CO.)	AUGUST 09, 1974 AND
		NOVEMBER 21, 1975
278484A	CHOKIO, CITY OF (STEVENS CO.)	MAY 03, 1974
278684A	CLEAR LAKE, CITY (SHERBURNE CO.)	JANUARY 03, 1975 AND
		SEPTEMBER 12, 1975
270559	CLEARBROOK, CITY OF (CLEARWATER CO.)	NOVEMBER 01, 1974
270560	CLEVELAND, CITY OF (LESUEUR CO.)	DECEMBER 27, 1974
270563	CLIMAX, CITY OF (POLK CO.)	SEPTEMBER 20, 1974
270024	CLINTON, CITY OF (BIG STONE CO.)	MAY 17, 1974
270468	CLONTARF, CITY OF (SWIFT CO.)	JULY 19, 1974
270561	CORDEN, CITY OF (BROWN CO.)	NOVEMBER 01, 1974
270562	COLOGNE, CITY OF (CARVER CO.)	NOVEMBER 01, 1974
270035	COMFREY, CITY OF (BROWN CO.)	SEPTEMBER 20, 1974
270025	CORRELL, CITY OF (BIG STONE CO)	JANUARY 24, 1975
270282	COSMOS, CITY OF (MEEKER CO.)	MAY 17, 1974
270314	COURTLAND, CITY OF (NICOLLET CO.)	JULY 19, 1974
270313	CURRIE, CITY OF (MURRAY CO.)	AUGUST 02, 1974
270369	CYRUS, CITY OF (POPE CO.)	AUGUST 09, 1974
270395	DANUBE, CITY OF (RENVILLE CO.)	SEPTEMBER 20, 1974
270469A	DANVERS, CITY OF (SWIFT CO.)	AUGUST 09, 1974
270334	DEER CREEK, CITY OF (OTTER TAIL CO.)	AUGUST 16, 1974
270470	DEGRAFF, CITY OF (SWIFT CO.)	AUGUST 09, 1974
270117	DELAVAN, CITY OF (FARIBAULT CO.)	AUGUST 16, 1974
270563	DELHI, CITY OF (REDWOOD CO.)	OCTOBER 25, 1974
270346	DENHAM, CITY OF (PINE CO)	JANUARY 24, 1975
270225	DONALDSON, CITY OF (KITTSON CO)	JANUARY 24, 1975
270566A	DOVER, CITY OF (OLMSTEAD CO.)	NOVEMBER 01, 1974 AND
		OCTOBER 17, 1975
270059A	EAST GULL LAKE, CITY OF (CASS CO.)	DECEMBER 20, 1974 AND
		OCTOBER 10, 1975
270283	EDEN VALLEY, CITY OF (STEARNS CO.)	MAY 03, 1974

• UNINCORPORATED AREAS ONLY

MINNESOTA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
270320	ELLSWORTH, CITY OF (NOBLES CO.)	MAY 03, 1974
270295	ELMDALE, CITY OF (MORRISON CO.)	AUGUST 09, 1974
270119	ELMORE, CITY OF (FAIRMAULT CO.)	MAY 16, 1974
270657	EMMONS, CITY OF (FARIBAULT CO.)	DECEMBER 27, 1974
270336	EKHARD, CITY OF (OTTER TAIL CO.)	AUGUST 09, 1974
270422	EVELETH, CITY OF (ST. LOUIS CO.)	JUNE 07, 1974
270329A	EYOTA, CITY OF (OLMSTEAD CO.)	APRIL 12, 1974
270396	FAIRFAX, CITY OF (RENVILLE CO.)	MARCH 29, 1974
270270A	FAIRMONT, CITY OF (MARTIN CO.)	JUNE 07, 1974 AND
		DECEMBER 12, 1975
270096	FIFTY LAKES, CITY OF (CROW WING CO.)	OCTOBER 18, 1974
270366	FISHER, CITY OF (POLK CO.)	AUGUST 02, 1974
270570	FRAZEE, CITY OF (BECKER CO.)	NOVEMBER 15, 1974
270440A	FREEPORT, CITY OF (STEARNS CO.)	MAY 03, 1974 AND
		AUGUST 08, 1975
270136	GENEVA, CITY OF (FREEBORN CO.)	SEPTEMBER 06, 1974
270439	GIBBON, CITY OF (SIBLEY CO.)	JUNE 21, 1974
270088	GONVICK, CITY OF (CLEARWATER CO.)	AUGUST 23, 1974
270142A	GOODHUE, CITY OF (GOODHUE CO.)	MAY 24, 1974
270026A	GRACEVILLE, CITY OF (BIG STONE CO.)	MAY 17, 1974 AND
		NOVEMBER 14, 1975
270277	GRANADA, CITY OF (MARTIN CO.)	AUGUST 02, 1974
270447	GREENWALD, CITY OF (STEARNS CO.)	AUGUST 23, 1974
270061	HACKENSACK, CITY OF (CASS CO.)	SEPTEMBER 20, 1974
270227	HALMA, CITY OF (KITTSON CO)	JANUARY 31, 1975
270071A	HARRIS, CITY OF (CHISAGO CO.)	SEPTEMBER 20, 1974 AND
		OCTOBER 24, 1975
270355	HATFIELD, CITY OF (PIPESTONE CO)	JANUARY 31, 1975
270149	HENNEPIN COUNTY •	DECEMBER 13, 1974
270338A	HENNING, CITY OF (OTTER TAIL CO.)	MAY 03, 1974 AND
		OCTOBER 31, 1975
270002	HILL CITY, CITY OF (AITKIN CO.)	NOVEMBER 08, 1974
270409A	HILLS, CITY OF (ROCK CO.)	APRIL 12, 1974
270578A	HOFFMAN, CITY OF (GRANT CO)	JANUARY 31, 1975
270448A	HOLDINGFORD, CITY OF (STEARNS CO.)	MAY 17, 1974
270138	HOLLANDALE, CITY OF (FREEBORN CO.)	SEPTEMBER 20, 1974
270356A	HOLLAND, CITY OF (PIPESTONE CO.)	AUGUST 30, 1974 AND
		DECEMBER 05, 1975
270471	HOLLOWAY, CITY OF (SWIFT CO.)	SEPTEMBER 06, 1974
270228	HUMBOLDT, CITY OF (KITTSON CO.)	AUGUST 09, 1974
270357	INLEN, CITY OF (PIPESTONE CO.)	AUGUST 02, 1974
270235	INTERNATIONAL FALLS, CITY OF (KOOCHICHING CO.)	JUNE 07, 1974
270579	IONA, CITY OF (MURRAY CO.)	DECEMBER 20, 1974
270580	IRON JUNCTION, CITY OF (ST. LOUIS CO.)	OCTOBER 25, 1974
270098	JENKINS, CITY OF (CROW WING CO.)	AUGUST 23, 1974
270205	KEEWATIN, CITY OF (ITASCA CO.)	MAY 03, 1974
270655	KELLOGG, CITY OF (WABASHA CO)	JANUARY 31, 1975
270143	KENYON, CITY OF (GOODHUE CO.)	MAY 24, 1974
270121	KIESTER, CITY OF (FARIBAULT CO.)	MAY 10, 1974

• UNINCORPORATED AREAS ONLY

MINNESOTA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
270200A	LA PRAIRIE, CITY OF (ITASCA CO.)	AUGUST 23, 1974 AND
		OCTOBER 17, 1975
278862	LAKE SHORE, CITY OF (CASS CO.)	SEPTEMBER 13, 1974
275241A	LILYDALE, CITY OF (DAKOTA CO.)	FEBRUARY 08, 1974
270015	LINO LAKES, CITY OF (RAMSEY CO.)	DECEMBER 13, 1974
270517	MADELIA, CITY OF (WATONWAN CO.)	APRIL 12, 1974
270242	MADISON, CITY OF (LAC QUI PARLE CO.)	APRIL 12, 1974
270667	MAPLE LAKE, CITY (WRIGHT CO.)	JANUARY 10, 1975
270243	MARIETTA, CITY OF (LAC QUI PARLE CO.)	SEPTEMBER 06, 1974
270053	MAYER, CITY OF (CARVER CO.)	NOVEMBER 23, 1973
270567	MAYNARD, CITY OF (CHIPPEWA CO.)	NOVEMBER 15, 1974
270487	MAZEPPA, CITY OF (WABASHA CO.)	JULY 19, 1974
270588	MELROSE, CITY OF (STEARNS CO.)	NOVEMBER 29, 1974
270493A	MENAHGA, CITY OF (WADENA CO.)	APRIL 12, 1974 AND
		AUGUST 29, 1975
270110	MENDOTA HEIGHTS, CITY OF (DAKOTA CO.)	NOVEMBER 23, 1973
270109	MENDOTA, CITY OF (DAKOTA CO.)	FEBRUARY 08, 1974
270367	MENTOR, CITY OF (POLK CO.)	DECEMBER 17, 1975
270270	MIDDLE RIVER, CITY OF (MARSHALL CO.)	JULY 19, 1974
270111	MILESVILLE, CITY OF (DAKOTA CO.)	JULY 19, 1974
270486	MILLVILLE, CITY OF (WABASHA CO.)	AUGUST 02, 1974
270122	MINNESOTA LAKE, CITY OF (FARIBAULT CO.)	MAY 17, 1974
270485A	MORRISTOWN, CITY OF (RICE CO.)	MARCH 29, 1974 AND
		SEPTEMBER 12, 1975
270380	MOTLEY, CITY OF (MORRISON CO.)	AUGUST 02, 1974
270424	MOUNTAIN IRON, VILLAGE OF (ST. LOUIS CO.)	MAY 24, 1974
278473A	MURDOCK, CITY OF (SWIFT CO.)	AUGUST 23, 1974
270451	NEW MUNICH, CITY OF (STEARNS CO.)	OCTOBER 25, 1974
270497	NEW RICHLAND, CITY OF (WASECA CO.)	APRIL 12, 1974
270315	NICOLLET, CITY OF (NICOLLET CO.)	APRIL 05, 1974
270590	NIELSVILLE, CITY OF (POLK CO.)	NOVEMBER 01, 1974
278592	NORCROSS, CITY OF (GRANT CO.)	DECEMBER 13, 1974
270072	NORTH BRANCH, CITY OF (CHISAGO CO.)	MAY 10, 1974
270512	OAK PARK HEIGHTS, CITY OF (WASHINGTON CO.)	MARCH 22, 1974
270594	ODIN, CITY OF (WATONWAN CO.)	DECEMBER 13, 1974
270595	OKABENA, CITY OF (JACKSON CO.)	DECEMBER 27, 1974
270668	ORR, CITY OF (ST. LOUIS CO.)	DECEMBER 13, 1974
270656	OSSEO, CITY (HENNEPIN CO.)	JANUARY 10, 1975
270004	PALISADE, CITY OF (AITKIN CO.)	AUGUST 02, 1974
270291	PEASE, CITY OF (MILLE LACS CO.)	AUGUST 02, 1974
270126	PETERSON, CITY OF (FILLMORE CO.)	AUGUST 30, 1974
270063A	PILLAGER, CITY OF (CASS CO.)	JULY 19, 1974
270596	PLATO, CITY OF (MCLEOD CO.)	NOVEMBER 01, 1974
270221	PLUMMER, CITY OF (RED LAKE CO.)	AUGUST 23, 1974
270218	QUAMBA, CITY OF (GRANITE CO.)	AUGUST 09, 1974
270374	RAMSEY COUNTY	JANUARY 03, 1975
270670	RAVENNA, CITY OF (DAKOTA CO.)	FEBRUARY 25, 1974
270223	REGAL, CITY OF (KANDIYOHI CO)	JANUARY 31, 1975
270597	RICE, CITY OF (BENTON CO)	JANUARY 17, 1975

• UNINCORPORATED AREAS ONLY

MINNESOTA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
270453	RICHMOND, CITY OF (STEARNS CO.)	MARCH 29, 1974
270341	RICHVILLE, CITY OF (OTTER TAIL CO.)	OCTOBER 25, 1974
270455	ROSCOE, CITY OF (STEARNS CO.)	AUGUST 02, 1974
270599A	ROSEVILLE, CITY OF (RAMSEY CO)	JANUARY 24, 1975 AND
		OCTOBER 31, 1975
270073	RUSH CITY, CITY OF (CHISAGO CO.)	MAY 10, 1974
270600	RUSSELL, CITY OF (LYON CO.)	DECEMBER 13, 1974
270360A	RUTHTON, CITY OF (PIPESTONE CO.)	AUGUST 09, 1974
270350	RUTLEDGE, CITY OF (PINE CO.)	AUGUST 09, 1974
270402A	SACRED HEART, CITY OF (RENVILLE CO.)	MAY 03, 1974
270046	SCANLON, CITY OF (CARLTON CO.)	NOVEMBER 02, 1973
270602	SEAFORTH, CITY OF (REDWOOD CO.)	DECEMBER 13, 1974
270496A	SEBEKA, CITY OF (WADENA CO.)	APRIL 12, 1974 AND
		JULY 11, 1975
270682	SILVER LAKE, CITY (MCLEOD CO.)	JANUARY 24, 1975
270332	STURGEON LAKE, CITY OF (PINE CO.)	OCTOBER 25, 1974
270183	ST. BONIFACIUS, CITY OF (HENNEPIN CO.)	JUNE 07, 1974
270033	ST. CLAIR, CITY OF (BLUE EARTH CO.)	AUGUST 23, 1974
270458	ST. STEPHEN, CITY OF (STEARNS CO.)	AUGUST 23, 1974
270680A	S. INTERNATIONAL FALLS, CITY (KOOCHICHING CO.)	JANUARY 17, 1975
270604	TAOPI, CITY OF (MOWER CO)	JANUARY 24, 1975
270260A	TAUNTON, CITY OF (LYON CO.)	JULY 19, 1974 AND
		NOVEMBER 14, 1975
270047	THOMSON, CITY OF (CARLTON CO.)	AUGUST 02, 1974
270605	TOWER, CITY OF (ST. LOUIS CO.)	DECEMBER 13, 1974
270361	TROSKY, CITY OF (PIPESTONE CO.)	AUGUST 09, 1974
270139	TWIN LAKES, CITY OF (FREEBORN CO.)	AUGUST 02, 1974
270255	TYLER, CITY OF (LINCOLN CO.)	MAY 03, 1974
270306	UPSALA, CITY OF (MORRISON CO.)	OCTOBER 25, 1974
270607	VERNDALE, CITY OF (WADENA CO.)	OCTOBER 25, 1974
270608	VERNON CENTER, CITY (BLUE EARTH CO)	JANUARY 03, 1975
270609	VESTA, CITY OF (REDWOOD CO)	JANUARY 10, 1975
270498	WALDORF, CITY OF (WASECA CO.)	AUGUST 09, 1974
270147A	WANAMINGO, CITY OF (GOODHUE CO.)	MAY 10, 1974 AND
		AUGUST 29, 1975
270210	WARBA, CITY OF (ITASCA CO.)	SEPTEMBER 13, 1974
270286	WATKINS, CITY OF (MEEKER CO.)	APRIL 12, 1974
270610	WATSON, CITY OF (CHIPPEWA CO.)	DECEMBER 06, 1974
270669	WAVERLY, CITY (WRIGHT CO.)	JANUARY 17, 1975
270279	WELCOME, CITY OF (MARTIN CO.)	MAY 10, 1974
270612	WILLIAMS, CITY OF (LAKE OF THE WOODS CO.)	NOVEMBER 29, 1974
270613	WINGER, CITY OF (POLK CO)	JANUARY 31, 1975
270627	WINTON, CITY OF (ST. LOUIS CO.)	AUGUST 02, 1974
270524	WOLVERTON, CITY OF (WILKIN CO.)	AUGUST 09, 1974
270615	WOOD LAKE, CITY (YELLOW MEDICINE CO)	JANUARY 17, 1975
270048	WRIGHT, CITY OF (CARLTON CO.)	SEPTEMBER 13, 1974

TOTAL IN THE STATE 175

* UNINCORPORATED AREAS ONLY

MISSISSIPPI

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
280156	BRAXTON, VILLAGE OF [SIMPSON CO.]	JULY 19, 1974
280240	CHUNKY, TOWN OF [NEWTON CO.]	DECEMBER 20, 1974
280220	CLARKE COUNTY *	NOVEMBER 29, 1974
280017	DUNCAN, TOWN OF [BOLIVAR CO.]	JUNE 21, 1974
280188	EDEN, VILLAGE OF [YAZOO CO.]	JULY 19, 1974
280117	GATTMAN, VILLAGE OF [MONROE CO.]	JULY 19, 1974
280045A	GEORGETOWN, TOWN OF [COPIAH CO.]	AUGUST 02, 1974
280093	LAFAYETTE COUNTY *	DECEMBER 27, 1974
280149	LAKE, TOWN OF [SCOTT CO.]	JULY 19, 1974
280204	LENA, TOWN [LEAKE CO]	OCTOBER 25, 1974
280008	MCCOOL, VILLAGE OF [ATTALA CO]	JANUARY 31, 1975
280225	MONTICELLO, TOWN OF [LAWRENCE CO.]	DECEMBER 27, 1974
280219	PACHUTA, TOWN OF [CLARKE CO.]	NOVEMBER 08, 1974
280234	PONTOTOC COUNTY *	NOVEMBER 29, 1974
280147	PUCKETT, TOWN OF [RANKIN CO.]	AUGUST 23, 1974
280009	SALLIS, VILLAGE OF [ATTALA CO.]	AUGUST 09, 1974
280105	SCHLATER, TOWN OF [LEFLORE CO.]	AUGUST 23, 1974
280034	SHUBUTA, TOWN OF [CLARKE CO.]	JUNE 07, 1974
280263	TOCCOPOLA, TOWN OF [POTOTOC CO.]	DECEMBER 13, 1974
280237	UNION COUNTY *	DECEMBER 13, 1974
280098	WALNUT GROVE, TOWN OF [LEAKE CO]	JUNE 28, 1974
280238	WAYNE COUNTY *	DECEMBER 20, 1974
280025	WINSTONVILLE, TOWN OF [BOLIVAR CO.]	JULY 19, 1974

TOTAL IN THE STATE 23

* UNINCORPORATED AREAS ONLY

MISSOURI

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
290749	ADRIAN, CITY [BATES CO.]	JANUARY 24, 1975
290005	AMAZONIA, TOWN OF [ANDREW CO.]	AUGUST 16, 1974
290217	ANDERSON, CITY OF [MCDONALD CO.]	MAY 17, 1974
290229A	ANNISTON, TOWN OF [MISSISSIPPI CO.]	MAY 03, 1974
290061A	ARCHIE, TOWN OF [CASS CO.]	JUNE 07, 1974 AND DECEMBER 12, 1975
290461	AUGUSTA, VILLAGE OF [ST. CHARLES CO.]	DECEMBER 06, 1974
290121	AVA, CITY OF [DOUGLAS CO.]	MAY 17, 1974
290332	BEL NOR, VILLAGE OF [ST. LOUIS CO.]	APRIL 05, 1974
290421A	BELL CITY, CITY OF [STODDARD CO.]	OCTOBER 18, 1974 AND NOVEMBER 21, 1975
290139	BLAND, CITY OF [GASCONADE CO.]	MAY 17, 1974
290463	BOSWORTH, CITY [CARROLL CO]	JANUARY 17, 1975
290170A	BUCKNER, TOWN OF [JACKSON CO.]	DECEMBER 21, 1973 AND NOVEMBER 07, 1975
290119	BUNKER, TOWN OF [REYNOLDS CO.]	SEPTEMBER 06, 1974
290124	CAMPBELL, CITY OF [DUNKLIN CO.]	MARCH 29, 1974
290180	CARTERVILLE, TOWN OF [JASPER CO.]	DECEMBER 28, 1973
290311	CENTERVILLE, VILLAGE OF [REYNOLDS CO.]	NOVEMBER 22, 1974
290303	CENTER, TOWN OF [RALLS CO.]	JULY 26, 1973
290028	COLE CAMP, CITY OF [BENTON CO.]	OCTOBER 25, 1974
290190A	CONWAY, TOWN OF [LACLEDE CO.]	MAY 10, 1974 AND NOVEMBER 21, 1975
290160	CRAIG, TOWN OF [HOLT CO.]	DECEMBER 06, 1974
290430A	CRANE, CITY OF [STONE CO.]	JUNE 07, 1974 AND OCTOBER 31, 1975
290464	DALTON, VILLAGE OF [CHARITON CO.]	DECEMBER 13, 1974
290140	DARLINGTON, VILLAGE OF [GENTRY CO.]	DECEMBER 13, 1974
290055	DELTA, CITY OF [CAPE GIRARDEAU CO.]	DECEMBER 06, 1974
290453	DENVER, VILLAGE OF [WORTH CO.]	NOVEMBER 22, 1974
290465	DEWITT, CITY OF [CARROLL CO.]	SEPTEMBER 06, 1974
290182A	DUENWEG, CITY OF [JASPER CO.]	MAY 03, 1974 AND OCTOBER 24, 1975
290466A	ELLSINORE, CITY OF [CARTER CO.]	OCTOBER 18, 1974 AND NOVEMBER 15, 1975
290219	ELMER, CITY OF [MACON CO.]	DECEMBER 06, 1974
290425	ESSEX, TOWN OF [REYNOLDS CO.]	SEPTEMBER 06, 1974
290016	FARBER, CITY OF [AUDRAIN CO.]	NOVEMBER 01, 1974
290292	FARLEY, TOWN [PLATTE CO]	JANUARY 24, 1975
290066	FREEMAN, CITY OF [CASS CO.]	NOVEMBER 08, 1974
290051	FULTON, CITY OF [CALLAWAY CO.]	MAY 17, 1974
290431A	GALENA, CITY OF [STONE CO.]	AUGUST 30, 1974 AND OCTOBER 31, 1975
290151	GALT, CITY OF [GRUNDY CO.]	OCTOBER 18, 1974
290460	GRANDIN, CITY OF [CARTER CO.]	NOVEMBER 08, 1974
290308	HENRIETTA, CITY OF [RAY CO.]	OCTOBER 18, 1974
290581	JAMESTOWN, CITY [MONITEAU CO]	JANUARY 24, 1975
290266A	KOSHKONONG, CITY OF [OREGON CO.]	SEPTEMBER 06, 1974 AND DECEMBER 12, 1975

* UNINCORPORATED AREAS ONLY

MISSOURI

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
290152A	LAREDO, CITY OF [GRUNDY CO.]	OCTOBER 18, 1974
290561	LEASBURG, VILLAGE OF [CRAWFORD CO]	JANUARY 31, 1975
290053A	LINN CREEK, CITY OF [CAMDEN CO.]	OCTOBER 25, 1974 AND NOVEMBER 28, 1975
290082A	LURAY, VILLAGE OF [CLARK CO.]	OCTOBER 18, 1974 AND OCTOBER 31, 1975
290031	LUTESVILLE, CITY OF [BOLLINGER CO.]	MAY 10, 1974
290402A	MALTA BEND, CITY OF [SALINE CO.]	OCTOBER 18, 1974 AND NOVEMBER 07, 1975
290032A	MARBLE HILL, CITY OF [BOLLINGER CO.]	MAY 10, 1974 AND NOVEMBER 28, 1975
290215	MARCELINE, CITY OF [LINN CO.]	MARCH 29, 1974
290200A	MARIONVILLE, CITY OF [LAWRENCE CO.]	MAY 17, 1974 AND OCTOBER 17, 1975
290368	MARLBOROUGH, VILLAGE OF [ST. LOUIS CO.]	MAY 31, 1974
290444A	MARTHASVILLE, VILLAGE OF [WARREN CO.]	SEPTEMBER 13, 1974
290369	MARY RIDGE, VILLAGE OF [ST. LOUIS CO.]	APRIL 05, 1974
290271A	META, TOWN OF [OSAGE CO.]	SEPTEMBER 13, 1974 AND NOVEMBER 28, 1975
290499	MILL SPRING, VILLAGE OF [WAYNE CO.]	DECEMBER 13, 1974
290097	MISSOURI CITY, VILLAGE OF [CLAY CO.]	AUGUST 16, 1974
290207	MONTICELLO, VILLAGE OF [LEWIS CO.]	DECEMBER 27, 1974
290316A	NAYLOR, CITY OF [RIPLEY CO.]	MARCH 01, 1974 AND NOVEMBER 21, 1975
290405	NELSON, CITY OF [SALINE CO.]	OCTOBER 18, 1974
290078	NIXA, CITY OF [CHRISTIAN CO]	JUNE 28, 1974
290218A	NOEL, TOWN OF [MCDONALD CO.]	MAY 24, 1974 AND NOVEMBER 14, 1975
290059A	NORBORNE, CITY OF [CARROLL CO.]	APRIL 05, 1974
290293A	NORTHMOOR, TOWN OF [PLATTE CO.]	JULY 19, 1974 AND NOVEMBER 14, 1975
290079A	OZARK, CITY OF [CHRISTIAN CO.]	DECEMBER 28, 1973
290224A	PALMYRA, CITY OF [MARION CO.]	MARCH 29, 1974 AND JULY 18, 1975
290428	PERICO, TOWN OF [STODDARD CO.]	MARCH 08, 1974
290070	RAYMORE, CITY OF [CASS CO.]	DECEMBER 27, 1974
290083	REVERE, TOWN [CLARK CO]	JANUARY 10, 1975
290656	RICHLAND, CITY OF	JANUARY 31, 1975
290465	RITCHEY, TOWN [NEWTON CO]	JANUARY 10, 1975
290381A	RIVERVIEW, CITY OF [ST. LOUIS CO]	JUNE 28, 1974 AND NOVEMBER 14, 1975
290438	ROCKAWAY BEACH, TOWN[TANEY CO]	JANUARY 10, 1975
290522	SHELDON, CITY OF [VERNON CO]	JANUARY 31, 1975
290467	SNOAL CREEK DRIVE, TOWN OF [NEWTON CO.]	AUGUST 16, 1974
290177	SIBLEY, VILLAGE OF [JACKSON CO.]	AUGUST 30, 1974
290212A	SILER, VILLAGE OF [LINCOLN CO.]	NOVEMBER 22, 1974 AND DECEMBER 05, 1975
290117	STEWARTSVILLE, CITY OF [DEKALB CO.]	DECEMBER 20, 1974
290071A	STRASBURG, CITY OF [CASS CO.]	AUGUST 16, 1974 AND

* UNINCORPORATED AREAS ONLY

MISSOURI

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
290135A	ST. CLAIR, TOWN OF [FRANKLIN CO.]	NOVEMBER 14, 1975 APRIL 12, 1974 AND DECEMBER 05, 1975
290587	SUMMERSVILLE, CITY OF [SHANNON & TEXAS CO]	JANUARY 31, 1975
290076	SUMNER, TOWN [CHARITON CO]	JANUARY 10, 1975
290640	TIPTON, CITY [MONITEAU CO.]	JANUARY 17, 1975
290228A	TUSCUMBIA, VILLAGE OF [MILLER CO.]	OCTOBER 25, 1974 AND NOVEMBER 21, 1975
290824	WASHBURN, TOWN [BARRY CO]	JANUARY 10, 1975
290014	WATSON, VILLAGE OF [ATCHISON CO.]	NOVEMBER 29, 1974
290634	WEAUBLEAU, CITY OF [HICKORY CO]	JANUARY 31, 1975
290483	WENTWORTH, TOWN [NEWTON CO]	JANUARY 10, 1975
290272A	WESTPHALIA, CITY OF [OSAGE CO.]	OCTOBER 18, 1974 AND NOVEMBER 21, 1975
290452	WILLIAMSVILLE, CITY OF [WAYNE CO.]	OCTOBER 18, 1974
290156	WINDSOR, CITY OF [HENRY CO.]	APRIL 05, 1974
290085A	WYACONDA, CITY OF [CLARK CO.]	OCTOBER 18, 1974 AND NOVEMBER 14, 1975
290033A	ZALMA, VILLAGE OF [BOLLINGER CO.]	OCTOBER 25, 1974 AND NOVEMBER 07, 1975

TOTAL IN THE STATE 91

* UNINCORPORATED AREAS ONLY

MONTANA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
300066	BAINVILLE, TOWN [ROOSEVELT CO]	JANUARY 03, 1975
300018A	BAKER, CITY OF [FALLON CO.]	MARCH 15, 1974 AND OCTOBER 24, 1975
300012A	BIG SANDY, TOWN OF [CHOUTEAU CO.]	MARCH 29, 1974
300091	CLYDE PARK, TOWN [PARK CO]	JANUARY 03, 1975
300020	DENTON, TOWN OF [FERGUS CO.]	DECEMBER 27, 1974
300053	DODSON, TOWN OF [PHILLIPS CO.]	DECEMBER 27, 1974
300044A	ENNIS, TOWN OF [MADISON CO.]	MARCH 15, 1974
300064	FAIRVIEW, TOWN OF [RICHLAND CO.]	AUGUST 16, 1974
300070	FORSYTH, CITY OF [ROSEBUD CO.]	MARCH 15, 1974
300013A	FORT BENTON, CITY OF [CHOUTEAU CO.]	MAY 10, 1974 AND NOVEMBER 28, 1975
300005	FROMBERG, TOWN OF [CARBON CO.]	NOVEMBER 22, 1974
300081	GLASGOW, CITY OF [VALLEY CO.]	JANUARY 03, 1975
300021	GRASS RANGE, TOWN OF [FERGUS CO.]	DECEMBER 27, 1974
300073	HOT SPRINGS, TOWN OF [SANDERS CO.]	JUNE 07, 1974
300080	HYSHAM, TOWN OF [TREASURE CO.]	DECEMBER 27, 1974
300006	JOLIET, TOWN OF [CARBON CO.]	DECEMBER 27, 1974
300025	KALISPELL, CITY OF [FLATHEAD CO.]	FEBRUARY 15, 1974
300031	LAVINA, TOWN [GOLDEN VALLEY CO]	JANUARY 24, 1975
300074	PLAINS, TOWN OF [SANDERS CO.]	MARCH 22, 1974
300069	ROSEBUD COUNTY *	AUGUST 02, 1974
300037	STANFORD, TOWN OF [JUDITH BASIN CO.]	JUNE 28, 1974
300127	SUNBURST, TOWN [TOOLE CO]	JANUARY 10, 1975
300047	WHITE SULPHUR SPRINGS, CITY OF [MEAGER CO.]	MAY 24, 1974
300052	WINNETT, TOWN OF [PETROLEUM CO.]	DECEMBER 27, 1974

TOTAL IN THE STATE 26

• UNINCORPORATED AREAS ONLY

NEBRASKA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
310050	ANSELMO, VILLAGE OF (CUSTER CO.)	NOVEMBER 22, 1974
310006	ARTHUR, VILLAGE OF (ARTHUR CO)	JANUARY 10, 1975
310090A	BARNESTON, TOWN OF (GAGE CO.)	SEPTEMBER 06, 1974 AND NOVEMBER 21, 1975
310206	BEAVER CROSSING, VILLAGE OF (SEWARD CO.)	NOVEMBER 08, 1974
310026	BELLWOOD, VILLAGE OF (BUTLER CO.)	NOVEMBER 22, 1974
310066	BIG SPRINGS, VILLAGE OF (DEUEL CO.)	DECEMBER 20, 1974
310012A	BRISTOW, VILLAGE OF (BOYD CO)	JANUARY 03, 1975
310253	BRUNING, VILLAGE OF (THAYER CO)	JANUARY 31, 1975
310169	BURCHARD, VILLAGE OF (PAWNEE CO.)	NOVEMBER 08, 1974
310161	BURR, VILLAGE OF (OTOE CO.)	DECEMBER 06, 1974
310257	CARROLL, VILLAGE OF (WAYNE CO)	JANUARY 31, 1975
310256	CEDAR RAPIDS, VILLAGE (BOONE CO.)	JANUARY 10, 1975
310359	CLARKSON, CITY (COLFAX CO.)	JANUARY 17, 1975
310040	CLAY CENTER, CITY OF (CLAY CO.)	MARCH 22, 1974
310123A	COOK, VILLAGE OF (JOHNSON CO.)	OCTOBER 18, 1974 AND NOVEMBER 28, 1975
310041	DEWEESE, VILLAGE OF (CLAY CO.)	NOVEMBER 08, 1974
3101G2A	DONIPHAN, VILLAGE (HALL CO)	JANUARY 24, 1975
310102	DOUGLAS, VILLAGE OF (OTOE CO.)	NOVEMBER 29, 1974
310007	DUNNING, VILLAGE OF (BLAINE CO.)	DECEMBER 20, 1974
310060	EDDYVILLE, VILLAGE OF (DAWSON CO.)	NOVEMBER 29, 1974
310125A	ELK CREEK, VILLAGE OF (JOHNSON CO.)	NOVEMBER 01, 1974 AND NOVEMBER 21, 1975
310114	EWING, VILLAGE OF (HOLT CO.)	MAY 05, 1974
310061A	FARNAM, VILLAGE OF (DAWSON CO.)	NOVEMBER 08, 1974 AND DECEMBER 06, 1974
310152	FULLERTON, CITY OF (NANCE CO.)	JUNE 07, 1974
310213A	HAY SPRINGS, CITY OF (SHERIDAN CO9)	MARCH 22, 1974 AND NOVEMBER 07, 1975
310142	HERSHEY, VILLAGE OF (LINCOLN CO)	JANUARY 10, 1975
310380	HOWELLS, VILLAGE (COLFAX CO.)	JANUARY 17, 1975
310292	JACKSON, VILLAGE OF (DAKOTA CO.)	DECEMBER 20, 1974
310293	JUNIATA, VILLAGE (ADAMS CO.)	JANUARY 17, 1975
310097	LEWELLEN, VILLAGE OF (GARDEN CO)	JANUARY 10, 1975
310177A	LINDSAY, VILLAGE OF (PLATTE CO.)	NOVEMBER 08, 1974 AND DECEMBER 05, 1975
310028A	LINWOOD, VILLAGE OF (BUTLER CO.)	OCTOBER 25, 1974
310045	MAYWOOD, VILLAGE OF (FRONTIER CO.)	DECEMBER 20, 1974
310156	NEMAHA, VILLAGE OF (NEMAHA CO.)	AUGUST 30, 1974
310070A	NICKERSON, TOWN OF (DODGE CO.)	JANUARY 23, 1974
310159	OAK, VILLAGE OF (NUCKOLLS CO.)	NOVEMBER 15, 1974
310081	ONEIDA, VILLAGE OF (FILLMORE CO.)	NOVEMBER 08, 1974
310044	ONG, VILLAGE OF (CLAY CO.)	NOVEMBER 08, 1974
310005	ORCHARD, VILLAGE OF (ANTELOPE CO.)	NOVEMBER 15, 1974
3101e5	PALMYRA, VILLAGE OF (OTOE CO.)	SEPTEMBER 06, 1974
310216	PILGER, VILLAGE OF (STANTON CO.)	DECEMBER 06, 1974
310067	PONCA, CITY OF (DIXON CO.)	APRIL 12, 1974
310202	PRAGUE, VILLAGE OF (SAUNDERS CO.)	NOVEMBER 15, 1974
310138A	RAYMOND, VILLAGE OF (LANCASTER CO.)	OCTOBER 18, 1974 AND DECEMBER 12, 1975
310139	ROCA, VILLAGE OF (LANCASTER CO.)	NOVEMBER 29, 1974
310214	RUSHVILLE, CITY OF (SHERIDAN CO.)	MAY 03, 1974
310315	RUSKIN, VILLAGE OF (NUCKOLLS CO)	JANUARY 31, 1975
310185	SALEM, VILLAGE OF (RICHARDSON CO.)	NOVEMBER 08, 1974
310398	SPALDING, VILLAGE (GREELEY CO.)	JANUARY 10, 1975
310322	STAPLEHURST, VILLAGE (SEWARD CO.)	JANUARY 10, 1975
310171	STEINAUER, VILLAGE OF (PAWNEE CO.)	NOVEMBER 22, 1974
310106	STOCKHAM, VILLAGE OF (HAMILTON CO.)	DECEMBER 06, 1974
310172	TABLE ROCK, VILLAGE OF (PAWNEE CO.)	NOVEMBER 01, 1974
310079	WATERLOO, VILLAGE OF (DOUGLAS CO.)	SEPTEMBER 06, 1974
310205	WESTON, VILLAGE OF (SAUNDERS CO.)	OCTOBER 18, 1974
310049	WISNER, TOWN OF (CUMING CO.)	DECEMBER 07, 1973
310099	WOLBACH, VILLAGE OF (GREELEY CO.)	NOVEMBER 08, 1974

TOTAL IN THE STATE 57

• UNINCORPORATED AREAS ONLY

NEVADA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
320025	LOVELOCK, CITY OF (PERSHING CO.)	DECEMBER 13, 1974
320018	NYE COUNTY •	OCTOBER 18, 1974

TOTAL IN THE STATE 2

• UNINCORPORATED AREAS ONLY

NEW HAMPSHIRE

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
330152	ACWORTH, TOWN OF (SULLIVAN CO.)	SEPTEMBER 13, 1974
330174	ALBANY, TOWN (CARROLL CO)	JANUARY 17, 1975
330104	ANDOVER, TOWN OF (MERRIMACK CO)	JUNE 28, 1974
330175	ATKINSON, TOWN (ROCKINGHAM CO)	JANUARY 03, 1975
330177	BARNSTEAD, TOWN (BELKNAP CO)	JANUARY 03, 1975
330010	BARTLETT, TOWN OF (CARROLL CO)	JUNE 28, 1974
330044	BENTON, TOWN OF (GRAFTON CO.)	DECEMBER 27, 1974
330105	BOSCAWEN, TOWN OF (MERRIMACK CO.)	MARCH 15, 1974
330047B	BRISTOL, TOWN OF (GRAFTON CO.)	JUNE 21, 1974 AND SEPTEMBER 26, 1975
330179	BROOKFIELD, TOWN (CARROLL CO)	JANUARY 03, 1975
330048	CAMPTON, TOWN OF (GRAFTON CO.)	APRIL 05, 1974
330030	CARROLL, TOWN (COOS CO)	JANUARY 24, 1975
330181	CHATHAM, TOWN (CARROLL CO)	JANUARY 03, 1975
330109	CHICHESTER, TOWN OF (MERRIMACK CO.)	APRIL 05, 1974
330184	CLARKSVILLE, TOWN (COOS CO)	JANUARY 03, 1975
330185	COLUMBIA, TOWN (COOS CO)	JANUARY 03, 1975
330156	CROYDON, TOWN OF (SULLIVAN CO.)	NOVEMBER 29, 1974
330199	DANVILLE, TOWN (ROCKINGHAM CO)	JANUARY 17, 1975
330201	DUMMER, TOWN (COOS CO)	JANUARY 17, 1975
330202	DUNBARTON, TOWN (MERRIMACK CO)	JANUARY 17, 1975
330204	EATON, TOWN (CARROLL CO)	JANUARY 17, 1975
330012	EFFINGHAM, TOWN (CARROLL CO.)	MARCH 15, 1974
330112	EPSOM, TOWN OF (MERRIMACK CO.)	JANUARY 17, 1975
330206	ERROL, TOWN (COOS CO)	AUGUST 30, 1974
330013	FREEDOM, TOWN OF (CARROLL CO.)	AUGUST 09, 1974
330131	FREMONT, TOWN OF (ROCKINGHAM CO.)	JANUARY 17, 1975
330206	GILMANTON, TOWN (BELKNAP CO.)	JANUARY 17, 1975
330054	GRAFTON, TOWN (GRAFTON CO)	JANUARY 24, 1975
330158	GRANTHAM, TOWN OF (SULLIVAN CO.)	JANUARY 24, 1975
330212	HARRISVILLE, TOWN (CHESHIRE CO)	MARCH 08, 1974
330057	HAVERHILL, TOWN OF (GRAFTON CO.)	JANUARY 03, 1975
330058	HEBRON, TOWN (GRAFTON CO)	MARCH 15, 1974
330114	HENNIKER, TOWN OF (MERRIMACK CO.)	MARCH 08, 1974
330092	HUDSON, TOWN OF (HILLSBOROUGH CO.)	JANUARY 24, 1975
330215	JAFFREY, TOWN (CHESHIRE CO)	JANUARY 31, 1975
330216	KENSINGTON, TOWN OF (ROCKINGHAM CO.)	JANUARY 17, 1975
330217	KINGSTON, TOWN (ROCKINGHAM CO)	APRIL 15, 1973
335277	LANCASTER, TOWN OF (COOS CO.)	DECEMBER 06, 1974
330060	LANDAFF, TOWN OF (GRAFTON CO.)	JANUARY 03, 1975
330159	LANGDON, TOWN (SULLIVAN CO)	JANUARY 31, 1975
330160	LEMPSTER, TOWN OF (SULLIVAN CO.)	AUGUST 09, 1974
330134	LONDONDERRY, TOWN OF (ROCKINGHAM CO.)	AUGUST 02, 1974
330117	LOUDON, TOWN OF (MERRIMACK CO.)	JANUARY 17, 1975
330219	MADBURY, TOWN (STRAFFORD CO)	JANUARY 17, 1975
330220	MADISON, TOWN (CARROLL CO)	JANUARY 31, 1975
330222	MIDDLETON, TOWN OF (STRAFFORD CO.)	JUNE 28, 1974
330035	MILAN, TOWN OF (COOS CO)	NOVEMBER 29, 1974
330068	MONROE, TOWN OF (GRAFTON CO.)	

• UNINCORPORATED AREAS ONLY

NEW HAMPSHIRE

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
330224	MOUNT VERNON, TOWN (HILLSBOROUGH CO)	JANUARY 17, 1975
330067	NEW HAMPTON, TOWN OF (BELKNAP CO.)	MARCH 08, 1974
330099	NEW IPSWICH, TOWN OF (HILLSBOROUGH CO.)	DECEMBER 13, 1974
330226	NEWBURY, TOWN OF (MERRIMACK CO.)	JANUARY 31, 1975
330228	NEWFIELDS, TOWN (ROCKINGHAM CO)	JANUARY 17, 1975
330137	NOTTINGHAM, TOWN OF (ROCKINGHAM CO)	JUNE 28, 1974
330069	ORANGE, TOWN (GRAFTON CO)	JANUARY 10, 1975
330186	PITTSBURG, TOWN OF (COOS CO.)	JANUARY 31, 1975
330120	PITTSFIELD, TOWN OF (MERRIMACK CO.)	MARCH 15, 1974
330138	PLAISTOW, TOWN OF (ROCKINGHAM CO.)	OCTOBER 18, 1974
330147	RANDOLPH, TOWN (COOS CO)	JANUARY 03, 1975
330168	RICHMOND, TOWN (CHESHIRE CO)	JANUARY 03, 1975
330199	ROLLINSFORD, TOWN (STRAFFORD CO)	JANUARY 03, 1975
330073	RUMNEY, TOWN OF (GRAFTON CO.)	MARCH 15, 1974
330191	SANDOWN, TOWN (ROCKINGHAM CO)	JANUARY 03, 1975
330163	SEABROOK, TOWN OF (ROCKINGHAM CO.)	AUGUST 02, 1974
330037	SHELBURNE, TOWN OF (COOS CO.)	NOVEMBER 29, 1974
330163	SPRINGFIELD, TOWN (SULLIVAN CO)	JANUARY 17, 1975
330038	STARK, TOWN OF (COOS CO.)	NOVEMBER 29, 1974
330194	STEWARTSTOWN, TOWN (COOS CO)	JANUARY 10, 1975
330195	STODDARD, TOWN (CHESHIRE CO)	JANUARY 17, 1975
330164	SUNAPEE, TOWN OF (SULLIVAN CO.)	JUNE 28, 1974
330170	SURRY, TOWN (CHESHIRE CO)	JANUARY 03, 1975
330122	SUTTON, TOWN OF (MERRIMACK CO)	JUNE 28, 1974
330018	TAMWORTH, TOWN OF (CARROLL CO.)	JULY 19, 1974
330173	TROY, TOWN (CHESHIRE CO)	JANUARY 03, 1975
330165	UNITY, TOWN OF (SULLIVAN CO.)	MAY 31, 1974
330019	WAKEFIELD, TOWN OF (CARROLL CO.)	JULY 26, 1974
330168	WARREN, TOWN OF (GRAFTON CO.)	SEPTEMBER 13, 1974
330166	WASHINGTON, TOWN OF (SULLIVAN CO.)	DECEMBER 27, 1974
330077	WATERVILLE VLY, TOWN(GRAFTON CO)	JANUARY 10, 1975
330236	WEBSTER, TOWN (MERRIMACK CO)	JANUARY 17, 1975
330236	WESTMORELAND, TOWN (CHESHIRE CO)	JANUARY 17, 1975
330040	WHITEFIELD, TOWN OF (COOS CO.)	JULY 26, 1974
330174	WILMOT, TOWN OF (MERRIMACK CO.)	AUGUST 16, 1974
330239	WOLFEBORO, TOWN (CARROLL CO)	JANUARY 17, 1975

TOTAL IN THE STATE 84

• UNINCORPORATED AREAS ONLY

NEW JERSEY

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
340122	AUDUBON PARK, BOROUGH OF (CAMDEN CO.)	JUNE 21, 1974
340525	BUENA VISTA, TOWNSHIP OF (ATLANTIC CO.)	DECEMBER 20, 1974
340558	CHESTER, TOWNSHIP OF (MORRIS CO.)	DECEMBER 06, 1974
340507	FRANKLIN, TOWNSHIP OF (HUNTERDON CO.)	JULY 26, 1974
340202	FRANKLIN, TOWNSHIP OF (GLOUCESTER CO.)	SEPTEMBER 13, 1974
340529	GREEN, TOWNSHIP OF (SUSSEX CO.)	NOVEMBER 01, 1974
340221	HARRISON, TOWN OF (HUDSON CO.)	JUNE 28, 1974
340343	KINNELON, BOROUGH OF (MORRIS CO.)	JULY 13, 1973
340449	LIBERTY, TOWNSHIP OF (WARREN CO.)	AUGUST 09, 1974
340132	LINDENWOLD, BOROUGH OF (CAMDEN CO.)	NOVEMBER 22, 1974
340206A	LOGAN, TOWNSHIP OF (GLOUCESTER CO.)	SEPTEMBER 13, 1974 AND NOVEMBER 28, 1975
340212	SOUTH HARRISON, TOWNSHIP OF (GLOUCESTER CO)	JUNE 28, 1974
340116	SPRINGFIELD, TWP (BURLINGTON CO)	JULY 26, 1974
340564	TAVISTOCK, BOROUGH OF (CAMDEN CO.)	NOVEMBER 29, 1974
340537	TETERBORO, BOROUGH OF (BERGEN CO.)	NOVEMBER 01, 1974
340332	UPPER FREEHOLD, TOWNSHIP OF (MONMOUTH CO.)	MARCH 22, 1974
340479A	WINFIELD, TOWNSHIP OF (UNION CO.)	MARCH 08, 1974 AND OCTOBER 17, 1975

TOTAL IN THE STATE 17

• UNINCORPORATED AREAS ONLY

NEW MEXICO

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
350050A	CHAMA, VILLAGE OF (RIO ARRIBA CO.)	AUGUST 16, 1974 AND DECEMBER 12, 1975
350007	CIMARRON, VILLAGE OF (COLFAX CO.)	MAY 17, 1974
350037	COLUMBUS, VILLAGE OF (LUNA CO.)	DECEMBER 13, 1974
350012	DONA ANA COUNTY	JANUARY 03, 1975
350036	JEMEZ SPRINGS, VILLAGE OF (SANDOVAL CO.)	DECEMBER 13, 1974
350076	MAGDALENA, VILLAGE OF (SOCORRO CO.)	AUGUST 02, 1974
350116	QUESTA, VILLAGE (TAOS CO)	JANUARY 17, 1975
350052	TATUM, TOWN OF (LEA CO.)	JUNE 21, 1974

TOTAL IN THE STATE 8

• UNINCORPORATED AREAS ONLY

NEW YORK

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
360324	ADAMS, TOWN OF (JEFFERSON CO.)	MAY 31, 1974
361067	ALABAMA, TOWN OF (GENESEE CO.)	MAY 03, 1974
361252A	ALBION, TOWN OF (ORLEANS CO.)	OCTOBER 25, 1974 AND DECEMBER 12, 1975
360641	ALBION, VILLAGE OF (ORLEANS CO.)	MAY 24, 1974
361361	ALLEN, TOWN OF (ALLEGHANY CO.)	JANUARY 31, 1975
360980	ALMA, TOWN OF (ALLEGANY CO.)	DECEMBER 13, 1974
360646	ALTMAR, VILLAGE OF (OSWEGO CO.)	NOVEMBER 15, 1974
361280	AMBOY, TOWN OF (OSWEGO CO.)	NOVEMBER 15, 1974
361332	ARENIA, TOWN OF (DUTCHESS CO.)	OCTOBER 18, 1974
361096	ANDOVER, TOWN OF (ALLEGANY CO.)	DECEMBER 27, 1974
360023	ANGELICA, VILLAGE (ALLEGANY CO)	DECEMBER 06, 1974
361960	ANTWERP, TOWN OF (JEFFERSON CO.)	JANUARY 31, 1975
361105	ARKWRIGHT, TOWN OF (CHAUTAUQUA CO.)	OCTOBER 18, 1974
361385	AUSTERLITZ, TOWN OF (COLUMBIA CO.)	DECEMBER 27, 1974
360518	AVA, TOWN OF (ONEIDA CO.)	JUNE 28, 1974
361085	BAINBRIDGE, TOWN (CHENANGO CO)	JANUARY 10, 1975
361054	BALDWIN, TOWN OF (CHEMUNG CO.)	MAY 31, 1974
360166	BECKWITHTOWN, TOWN OF (CLINTON CO.)	AUGUST 30, 1974
361333	BEEKMAN, TOWN OF (DUTCHESS CO.)	OCTOBER 18, 1974
361096	BELFAST, TOWN OF (ALLEGANY CO.)	OCTOBER 18, 1974
361932	BELLE TERRE, VILLAGE OF (SUFFOLK CO.)	DECEMBER 27, 1974
361392	BELLVON, TOWN (FRANKLIN CO)	JANUARY 17, 1975
361137	BERGEN, TOWN OF (GENESEE CO.)	NOVEMBER 22, 1974
361362	BIRDSALL, TOWN (ALLEGANY CO)	JANUARY 03, 1975
361309	BLACK BROOK, TOWN (CLINTON CO)	JANUARY 10, 1975
361525	BLACK RIVER, VILLAGE (JEFFERSON CO.)	JANUARY 03, 1975
361127A	BLEECKER, TOWN OF (FULTON CO.)	NOVEMBER 22, 1974 AND NOVEMBER 14, 1975
361498	BLOOMINGDALE, VILLAGE OF (ESSEX CO.)	NOVEMBER 15, 1974
361455	BOYLSTON, TOWN (OSWEGO CO)	JANUARY 03, 1975
361207	BRADFORD, TOWN OF (STEUBEN CO.)	DECEMBER 13, 1974
361393	BRANDON, TOWN (FRANKLIN CO)	JANUARY 17, 1975
361171	BRASHER, TOWN (ST. LAWRENCE CO)	JANUARY 03, 1975
360521	BRIDGEWATER, TOWN OF (ONEIDA CO.)	SEPTEMBER 06, 1974
360522	BRIDGEWATER, VILLAGE OF (ONEIDA CO.)	MAY 17, 1974
361128	BROADALBIN, TOWN OF (FULTON CO.)	SEPTEMBER 20, 1974
361063A	BROWNVILLE, TOWN OF (JEFFERSON CO.)	DECEMBER 06, 1974
361480	BRUSHTON, VILLAGE OF (FRANKLIN CO.)	NOVEMBER 15, 1974
361479	BURKE, VILLAGE (FRANKLIN CO)	JANUARY 03, 1975
361416	BURLINGTON, TOWN OF (OTSEGO CO.)	NOVEMBER 22, 1974
361098	BURNS, TOWN OF (ALLEGANY CO.)	NOVEMBER 08, 1974
360445	BUTLER, TOWN OF (WAYNE CO.)	NOVEMBER 29, 1974
361247	BUTTERNUTS, TOWN OF (OTSEGO CO.)	DECEMBER 13, 1974
361223	CAMBRIDGE, TOWN OF (WASHINGTON CO.)	OCTOBER 25, 1974
361208	CAMERON, TOWN (STEUBEN CO)	JANUARY 10, 1975
361313	CANAAN, TOWN OF (COLUMBIA CO.)	NOVEMBER 01, 1974
361297	CANADICE, TOWN OF (ONTARIO CO.)	NOVEMBER 08, 1974

• UNINCORPORATED AREAS ONLY

NEW YORK

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
360393	CANASTOTA, VILLAGE OF (MADISON CO.)	MARCH 29, 1974
360883	CANDOR, TOWN OF (TIOGA CO.)	AUGUST 02, 1974
361129	CAROGA, TOWN OF (FULTON CO.)	NOVEMBER 08, 1974
360063	CARROLLTON, TOWN OF (CATTARAUGUS CO.)	SEPTEMBER 20, 1974
360994	CARROLL, TOWN OF (CHAUTAUQUA CO.)	SEPTEMBER 20, 1974
361243	CASTILE, TOWN OF (WYOMING CO.)	DECEMBER 27, 1974
360359	CASTORLAND, VILLAGE OF (LEWIS CO.)	AUGUST 09, 1974
361203	CATUTA, TOWN OF (SCHUYLER CO.)	NOVEMBER 15, 1974
360528B	CHAMPION, TOWN OF (JEFFERSON COU)	MAY 31, 1974 AND FEBRUARY 07, 1975
360464	CHARLESTON, TOWN OF (MONTGOMERY CO.)	JULY 26, 1974
361071	CHAUTAUQUA, TOWN (CHAUTAUQUA CO)	JANUARY 24, 1975
360136	CHERRY CREEK, VILLAGE OF (CHAUTAUQUA CO.)	MAY 10, 1974
360264	CHESTERFIELD, TOWN OF (ESSEX CO.)	SEPTEMBER 06, 1974
360524	CLAYVILLE, VILLAGE OF (ONEIDA CO.)	MAY 24, 1974
360998	CLEVELAND, VILLAGE OF (OSWEGO CO.)	MAY 31, 1974
361173	CLIFTON, TOWN OF (ST. LAWRENCE CO.)	NOVEMBER 29, 1974
361380	CLINTON, TOWN (CLINTON CO)	JANUARY 24, 1975
361336	CLINTON, TOWN OF (DUTCHESS CO.)	DECEMBER 20, 1974
360890	CLYDE, VILLAGE OF (WAYNE CO.)	MAY 31, 1974
361369	CLYMER, TOWN (CHAUTAUQUA CO)	JANUARY 17, 1975
361573A	COBLESKILL, TOWN OF (SCHOHARIE CO.)	DECEMBER 20, 1974
360743A	COBLESKILL, VILLAGE OF (SCHOHARIE CO.)	JUNE 07, 1974 AND SEPTEMBER 12, 1975
360864	COLD SPRING, TOWN OF (CATTARAUGUS CO.)	JUNE 21, 1974
360299	COLUMBIA, TOWN OF (HERKIMER CO.)	MARCH 29, 1974
361432	CONESVILLE, TOWN OF (SCHOHARIE CO.)	DECEMBER 13, 1974
360065	CONEWANGO, TOWN OF (CATTARAUGUS CO.)	JUNE 28, 1974
360108A	CONQUEST, TOWN OF (CAYUGA CO.)	AUGUST 16, 1974 AND SEPTEMBER 12, 1975
360360	CONSTABLEVILLE, VILLAGE OF (LEWIS CO.)	AUGUST 09, 1974
361395	CONSTABLE, TOWN (FRANKLIN CO)	JANUARY 03, 1975
361375	COVENTRY, TOWN (CHENANGO CO)	JANUARY 17, 1975
361068	CROGHAN, VILLAGE OF (LEWIS CO.)	MAY 31, 1974
361148	CROWN POINT, TOWN OF (ESSEX CO.)	NOVEMBER 08, 1974
361049	CUBA, TOWN (ALLEGANY CO)	JANUARY 24, 1975
361687	DANNEMORA, VILLAGE (CLINTON CO)	JANUARY 03, 1975
361209	DANSVILLE, TOWN (STEUBEN CO)	JANUARY 24, 1975
360300	DANUBE, TOWN OF (HERKIMER CO.)	APRIL 05, 1974
361168	DAY, TOWN OF (SARATOGA CO.)	NOVEMBER 15, 1974
361417	DECATUR, TOWN (OTSEGO CO)	JANUARY 17, 1975
361174	DEKALB, TOWN (ST. LAWRENCE CO)	JANUARY 10, 1975
361368	DELEVAN, VILLAGE (CATTARAUGUS CO)	JANUARY 03, 1975
361524	DERING HARBOR, VILLAGE OF (SUFFOLK CO.)	DECEMBER 20, 1974
360364	DIANA, TOWN OF (LEWIS CO.)	SEPTEMBER 13, 1974
361122	DICKINSON, TOWN OF (FRANKLIN CO.)	NOVEMBER 08, 1974
360908	DOUBS FERRY, VILLAGE OF (WESTCHESTER CO.)	MAY 17, 1974
361333	DOVER, TOWN OF (DUTCHESS CO.)	DECEMBER 06, 1974
361396	DUANE, TOWN (FRANKLIN CO)	JANUARY 17, 1975

• UNINCORPORATED AREAS ONLY

NEW YORK

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
360963	EAGLE, TOWN OF (WYOMING CO.)	SEPTEMBER 13, 1974
361224	EASTON, TOWN OF (WASHINGTON CO.)	DECEMBER 20, 1974
361189	EDINBURG, TOWN OF (SARATOGA CO.)	NOVEMBER 01, 1974
361176	EDWARDS, TOWN (ST. LAWRENCE CO)	JANUARY 24, 1975
361463	EDWARDS, VILLAGE OF (ST. LAWRENCE CO.)	NOVEMBER 15, 1974
361499	ELBA, VILLAGE (GENESEE CO)	JANUARY 24, 1975
361491	ELIZABETHTOWN, VILLAGE (ESSEX CO)	JANUARY 24, 1975
361073	ELLICOTT, TOWN OF (CHAUTAUQUA CO.)	DECEMBER 06, 1974
361074	ELLINGTON, TOWN OF (CHAUTAUQUA CO.)	OCTOBER 25, 1974
361399	EPHRATAH, TOWN OF (FULTON CO.)	JANUARY 31, 1975
361374	ERIN, TOWN (CHEMUNG CO)	JANUARY 10, 1975
361542	ESPERANCE, VILLAGE (SCHOHARIE CO)	JANUARY 24, 1975
361149	ESSEX, TOWN OF (ESSEX CO.)	DECEMBER 20, 1974
361418	EXETER, TOWN (OTSEGO CO)	JANUARY 10, 1975
360302	FAIRFIELD, TOWN OF (HERKIMER CO.)	MARCH 29, 1974
360071	FARMERSVILLE, TOWN OF (CATTARAUGUS CO.)	JUNE 28, 1974
360399	FENNER, TOWN OF (MADISON CO.)	SEPTEMBER 13, 1974
360030A	FILLMORE, VILLAGE OF (ALLEGANY CO.)	FEBRUARY 01, 1974 AND DECEMBER 12, 1975
360527	FLORENCE, TOWN OF (ONEIDA CO.)	SEPTEMBER 13, 1974
360529	FOREST PORT, TOWN OF (ONEIDA CO.)	JUNE 28, 1974
361231	FORT ANN, TOWN OF (WASHINGTON CO.)	DECEMBER 06, 1974
360698A	FOWLER, TOWN OF (ST. LAWRENCE CO.)	NOVEMBER 01, 1974 AND OCTOBER 17, 1975
360073A	FRANKLINVILLE, VILLAGE OF (CATTARAUGUS CO.)	MAY 31, 1974
361325	FREETOWN, TOWN (CORTLAND CO)	JANUARY 17, 1975
361370	FRENCH CREEK, TOWN (CHAUTAUQUA CO)	JANUARY 17, 1975
361195	FULTON, TOWN OF (SCHOHARIE CO.)	NOVEMBER 08, 1974
361225	GALEN, TOWN OF (WAYNE CO.)	DECEMBER 06, 1974
361361	GALWAY, VILLAGE OF (SARATOGA CO.)	JANUARY 31, 1975
361101	GENESEE, TOWN OF (ALLEGANY CO.)	DECEMBER 13, 1974
361452A	GENESEO, VILLAGE OF (LIVINGSTON CO.)	NOVEMBER 15, 1974 AND NOVEMBER 14, 1975
360111	GENOA, TOWN OF (CAYUGA CO.)	JUNE 28, 1974
361109	GERRY, TOWN OF (CHAUTAUQUA CO.)	NOVEMBER 08, 1974
361455	GILBERTSVILLE, VILLAGE (OTSEGO CO)	OCTOBER 25, 1974
361433	GILBOA, TOWN OF (SCHOHARIE CO.)	DECEMBER 06, 1974
360336	GLEN PARK, VILLAGE OF (JEFFERSON CO.)	MARCH 29, 1974
361295	GLEN, TOWN (MONTGOMERY CO)	JANUARY 17, 1975
361178	GOUVERNEUR, TOWN (ST. LAWRENCE CO)	JANUARY 24, 1975
361383	GRANGER, TOWN (ALLEGANY CO)	JANUARY 03, 1975
361087	GREENE, TOWN OF (CHENANGO CO.)	DECEMBER 27, 1974
361210	GREENWOOD, TOWN (STEUBEN CO)	JANUARY 03, 1975
360365	GREIG, TOWN OF (LEWIS CO.)	JUNE 28, 1974
361005	GROVE, TOWN OF (ALLEGANY CO)	JUNE 28, 1974
361442	HAMPTON, TOWN OF (WASHINGTON CO.)	JANUARY 03, 1975
361124	HARRIETSTOWN, TOWN (FRANKLIN CO)	JANUARY 10, 1975
361451	HARRISVILLE, VILLAGE OF (LEWIS CO.)	NOVEMBER 15, 1974
361234	HARTFORD, TOWN OF (WASHINGTON CO.)	DECEMBER 27, 1974

• UNINCORPORATED AREAS ONLY

NEW YORK

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
361271	HARTWICK, TOWN OF (OTSEGO CO.)	OCTOBER 25, 1974
361513	HEAD OF THE HARBOR, VILLAGE OF (SUFFOLK CO.)	NOVEMBER 15, 1974
361443	HEBRON, TOWN (WASHINGTON CO)	JANUARY 24, 1975
361204A	HECTOR, TOWN OF (SCHUYLER CO.)	DECEMBER 06, 1974
361164	HERMON, VILLAGE (SAINT LAWRENCE CO)	JANUARY 10, 1975
360367	HIGH MARKET, TOWN OF (LEWIS CO.)	SEPTEMBER 13, 1974
361179	HOPKINTON, TOWN OF (ST. LAWRENCE CO.)	NOVEMBER 15, 1974
361436	HOWARD, TOWN OF (STEUBEN CO.)	DECEMBER 27, 1974
360078	HUMPHREY, TOWN OF (CATTARAUGUS CO.)	AUGUST 30, 1974
360293	HUNTER, VILLAGE OF (GREENE CO.)	AUGUST 16, 1974
361338	HYDE PARK, TOWN OF (DUTCHESS CO.)	DECEMBER 20, 1974
361008	INDEPENDENCE, TOWN OF (ALLEGANY CO.)	SEPTEMBER 06, 1974
361406	INLET, TOWN (HAMILTON CO)	JANUARY 24, 1975
360112	IRA, TOWN OF (CAYUGA CO.)	JULY 26, 1974
360079	ISCHUA, TOWN OF (CATTARAUGUS CO.)	MAY 31, 1974
360958	ITALY, TOWN OF (YATES CO.)	JUNE 28, 1974
361212	JASPER, TOWN OF (STEUBEN CO.)	NOVEMBER 01, 1974
361244	JAVA, TOWN OF (WYOMING CO.)	OCTOBER 25, 1974
360265	JAY, TOWN OF (ESSEX CO.)	NOVEMBER 08, 1974
361151	KEENE, TOWN OF (ESSEX CO.)	NOVEMBER 01, 1974
360266	KEESEVILLE, VILLAGE OF (ESSEX CO.)	MAY 31, 1974
361350	LACONA, VILLAGE OF (OSWEGO CO.)	NOVEMBER 22, 1974
361405	LAKE PLEASANT, TOWN (HAMILTON CO)	JANUARY 24, 1975
361419	LAURENS, TOWN (OTSEGO CO)	JANUARY 03, 1975
361351	LAWRENCE, VILLAGE OF (OTSEGO CO.)	NOVEMBER 15, 1974
361205	LEICESTER, TOWN OF (LIVINGSTON CO.)	OCTOBER 18, 1974
361456	LEICESTER, VILLAGE (LIVINGSTON CO)	JANUARY 10, 1975
360080	LEON, TOWN OF (CATTARAUGUS CO.)	MAY 31, 1974
360502	LEWISTON, VILLAGE OF (NIAGARA CO.)	FEBRUARY 15, 1974
361152	LEWIS, TOWN OF (ESSEX CO.)	NOVEMBER 29, 1974
360360	LEWIS, TOWN OF (LEWIS CO.)	JUNE 28, 1974
361457	LIMA, VILLAGE (LIVINGSTON CO)	JANUARY 10, 1975
361376	LINCKLAEN, TOWN OF (CHENANGO CO.)	DECEMBER 06, 1974
360309	LITCHFIELD, TOWN OF (HERKIMER CO.)	MARCH 15, 1974
360175	LIVINGSTON, TOWN OF (COLUMBIA CO.)	MAY 24, 1974
361458	LIVONIA, VILLAGE (LIVINGSTON CO)	JANUARY 10, 1975
360753	LODI, TOWN OF (SENECA CO.)	JULY 26, 1974
360362A	LORRAIN, TOWN OF (JEFFERSON CO.)	MAY 10, 1974 AND OCTOBER 17, 1975
361459	LYNDONVILLE, VILLAGE OF (ORLEANS CO.)	DECEMBER 20, 1974
360083	LYNDON, TOWN OF (CATTARAUGUS CO.)	AUGUST 09, 1974
360371	LYONSDALE, TOWN OF (LEWIS CO.)	AUGUST 16, 1974
360084	MACHIAS, TOWN OF (CATTARAUGUS CO.)	OCTOBER 18, 1974
361292	MADISON, TOWN OF (MADISON CO.)	DECEMBER 20, 1974
361181	MADRID, TOWN OF (ST. LAWRENCE CO.)	NOVEMBER 01, 1974
360085	MANSFIELD, TOWN OF (CATTARAUGUS CO.)	MAY 31, 1974
361327	MARATHON, TOWN OF (CORTLAND CO.)	NOVEMBER 29, 1974
361446	MARION, TOWN (WASHINGTON CO)	JANUARY 17, 1975
361272	MARYLAND, TOWN OF (OTSEGO CO.)	OCTOBER 18, 1974

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NEW YORK

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
361132	MAYFIELD, TOWN (FULTON CO)	JANUARY 17, 1975
361403	MAYFIELD, VILLAGE OF (FULTON CO.)	NOVEMBER 15, 1974
361377	MCDONOUGH, TOWN OF (CHENANGO CO.)	JANUARY 31, 1975
360207	MEREDITH, TOWN OF (DELAWARE CO.)	JUNE 28, 1974
360634	MEXICO, TOWN OF (OSWEGO CO.)	NOVEMBER 15, 1974
360744A	MIDDLEBURG, TOWN OF (SCHOHARIE CO.)	AUGUST 30, 1974
360209	MIDDLETOWN, TOWN OF (DELAWARE CO.)	SEPTEMBER 06, 1974
361274	MILFORD, TOWN OF (OTSEGO CO.)	DECEMBER 13, 1974
361332	MILFORD, VILLAGE (OTSEGO CO)	JANUARY 10, 1975
361371	MINA, TOWN (CHAUTAUQUA CO)	JANUARY 03, 1975
361153	MINERVA, TOWN OF (ESSEX CO.)	DECEMBER 20, 1974
361125	MOIRA, TOWN OF (FRANKLIN CO.)	NOVEMBER 15, 1974
361488	MOOERS, VILLAGE (CLINTON CO)	JANUARY 03, 1975
360917	MORAVIA, TOWN OF (CAYUGA CO.)	JUNE 14, 1974
361389	MORIAH, TOWN OF (ESSEX CO.)	NOVEMBER 22, 1974
360706	MORRISTOWN, TOWN OF (ST. LAWRENCE CO.)	SEPTEMBER 06, 1974
360406	MORRISVILLE, VILLAGE OF (MADISON CO.)	MARCH 08, 1974
361273	MORRIS, TOWN OF (OTSEGO CO.)	NOVEMBER 15, 1974
361353	MORRIS, VILLAGE OF (OTSEGO CO.)	NOVEMBER 15, 1974
360407	MUNNSVILLE, VILLAGE OF (MADISON CO.)	AUGUST 30, 1974
360086	NAPOLI, TOWN OF (CATTARAUGUS CO.)	JUNE 14, 1974
361155	NASSAU, TOWN OF (RENSSELAER CO.)	NOVEMBER 22, 1974
360675	NASSAU, VILLAGE OF (RENSSELAER CO.)	MARCH 22, 1974
360453	NELLISTON, VILLAGE OF (MONTGOMERY CO.)	FEBRUARY 15, 1974
361293	NELSON, TOWN OF (MADISON CO.)	OCTOBER 25, 1974
360373	NEW BREMEN, TOWN OF (LEWIS CO.)	NOVEMBER 01, 1974
361420	NEW LISBON, TOWN OF (OTSEGO CO.)	JANUARY 31, 1975
361544A	NEW PALTZ, VILLAGE (ULSTER CO.)	JANUARY 24, 1975
360836	NEWARK VALLEY, VIL (TIOGA CO)	JUNE 07, 1974
361390	NEWCOMB, TOWN (ESSEX CO)	JANUARY 24, 1975
361111	NEWPORT, TOWN OF (HERKIMER CO.)	NOVEMBER 15, 1974
360838	NICHOLS, VILLAGE OF (TIOGA CO.)	JUNE 07, 1974
361240	NORTH SALEM, TOWN OF (WESTCHESTER CO.)	JANUARY 31, 1975
361480	NORTHAMPTON, TOWN OF (FULTON CO.)	JANUARY 31, 1975
361484	NORTHVILLE, VILLAGE (FULTON CO)	JANUARY 10, 1975
361500	NORTHFIELD, VILLAGE OF (GENESEE CO.)	NOVEMBER 15, 1974
361408	ONIO, TOWN (HERKIMER CO)	JANUARY 03, 1975
361134	OPPENHEIM, TOWN OF (FULTON CO.)	NOVEMBER 08, 1974
361356	ORISKANY FALLS, VILLAGE OF (ONEIDA CO.)	NOVEMBER 22, 1974
361262	ORWELL, TOWN OF (OSWEGO CO.)	OCTOBER 25, 1974
360657A	OSWEGO, TOWN OF (OSWEGO CO.)	MAY 10, 1974 AND SEPTEMBER 12, 1975
360589	OTISCO, TOWN OF (ONONDAGA CO.)	MAY 31, 1974
361270	OTSEGO, TOWN OF (OTSEGO CO.)	DECEMBER 20, 1974
361690	OTSELIC, TOWN OF (CHENANGO CO.)	DECEMBER 20, 1974
360890A	OTTO, TOWN OF (CATTARAUGUS CO.)	MAY 31, 1974 AND SEPTEMBER 19, 1975
360754A	OVID, TOWN OF (SENECA CO.)	JULY 26, 1974 AND SEPTEMBER 12, 1975

• UNINCORPORATED AREAS ONLY

NEW YORK

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
360120	OWASCO, TOWN OF [CAYUGA CO.]	MAY 31, 1974
361433	PALATINE, TOWN OF [MONTGOMERY CO.]	NOVEMBER 29, 1974
360368A	PAMELIA, TOWN OF [JEFFERSON CO.]	OCTOBER 18, 1974
361425	PARISHVILLE, TOWN [ST. LAWERENCE CO]	JANUARY 17, 1975
361357	PARISH, TOWN OF [OSWEGO CO.]	DECEMBER 27, 1974
361341	PAWLING, TOWN OF [DUTCHESS CO.]	OCTOBER 25, 1974
360091	PERRYSBURG, TOWN OF [CATTARAUGUS CO.]	MAY 17, 1974
360946	PERRY, TOWN OF [WYOMING CO.]	JUNE 28, 1974
361135	PERTH, TOWN OF [FULTON CO.]	OCTOBER 18, 1974
361091	PHARSALIA, TOWN OF [CHENANGO CO.]	OCTOBER 18, 1974
361426	PIERCEFIELD, TOWN OF [ST. LAWRENCE CO.]	JANUARY 31, 1975
361427	PIERREPONT, TOWN [ST. LAWERENCE CO]	JANUARY 17, 1975
360947	PIKE, TOWN OF [WYOMING CO.]	SEPTEMBER 13, 1974
361027	PIKE, VILLAGE OF [WYOMING CO.]	AUGUST 09, 1974
360375	PINCKNEY, TOWN OF [LEWIS CO.]	SEPTEMBER 06, 1974
361141	PINE PLAINS, TOWN OF [DUTCHESS CO.]	DECEMBER 20, 1974
361277	PITTSFIELD, TOWN OF [OTSEGO CO.]	OCTOBER 25, 1974
361278	PLAINFIELD, TOWN OF [OTSEGO CO.]	NOVEMBER 08, 1974
361221	PLATTEKILL, TOWN OF [ULSTER CO.]	DECEMBER 06, 1974
360318	POLAND, VILLAGE OF [HERKIMER CO.]	MARCH 08, 1974
361518	PORDUTT, VILLAGE OF [SUFFOLK CO.]	NOVEMBER 15, 1974
361029	PORTAGE, TOWN OF [LIVINGSTON CO.]	AUGUST 16, 1974
361306	PRESTON, TOWN OF [CHENANGO CO]	JANUARY 17, 1975
361192	PRINCETOWN, TOWN OF [SCHENECTADY CO.]	DECEMBER 20, 1974
361356	PROSPECT, VILLAGE OF [ONEIDA CO.]	NOVEMBER 15, 1974
361190	PROVIDENCE, TOWN OF [SARATOGA CO.]	NOVEMBER 15, 1974
361236	PUTNAM, TOWN OF [WASHINGTON CO.]	DECEMBER 20, 1974
360781	RATHBONE, TOWN OF [STEUBEN CO.]	JANUARY 17, 1975
361205	READING, TOWN OF [SCHUYLER CO.]	AUGUST 02, 1974
361548	RED CREEK, VILLAGE [WAYNE CO]	OCTOBER 25, 1974
361265	REDFIELD, TOWN OF [OSWEGO CO.]	JANUARY 10, 1975
360014	RENSSELAERVILLE, TOWN OF [ALBANY CO.]	NOVEMBER 22, 1974
360032	RICHBURG, VILLAGE OF [ALLEGANY CO.]	DECEMBER 06, 1974
361360	RICHFIELD SPRINGS, VILLAGE OF [OTSEGO CO.]	AUGUST 09, 1974
361216	RICHFORD, TOWN OF [TIOGA CO.]	NOVEMBER 15, 1974
361467	RICHVILLE, VILLAGE [ST. LAWERENCE CO]	DECEMBER 20, 1974
360755	ROMULUS, TOWN OF [SENECA CO.]	JANUARY 10, 1975
361421	ROSEBOOM, TOWN [OTSEGO CO]	JANUARY 17, 1975
360897	ROSE, TOWN OF [WAYNE CO.]	JUNE 28, 1974
361033	ROSLYN HARBOR, VILLAGE OF [NASSAU CO]	JUNE 28, 1974
361186	ROSSIE, TOWN OF [ST. LAWRENCE CO.]	NOVEMBER 01, 1974
361121	RUSSIA, TOWN OF [HERKIMER CO.]	NOVEMBER 01, 1974
360317	SALISBURY, TOWN OF [HERKIMER CO.]	JUNE 07, 1974
361167	SAND LAKE, TOWN OF [RENSSELAER CO.]	DECEMBER 27, 1974
361358	SANDY CREEK, VILLAGE OF [OSWEGO CO.]	NOVEMBER 15, 1974
361504	SAUGERTIES, VILLAGE OF [ULSTER CO.]	NOVEMBER 15, 1974
361228	SAVANNAH, TOWN OF [WAYNE CO.]	DECEMBER 20, 1974
361168	SCHAGHTICOKE, TOWN OF [RENSSELAER CO.]	DECEMBER 20, 1974
361169	SCHODACK, TOWN OF [RENSSELAER CO.]	JANUARY 31, 1975

• UNINCORPORATED AREAS ONLY

NEW YORK

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
361158	SCHROON, TOWN OF [ESSEX CO.]	DECEMBER 20, 1974
360172	SCHUYLER FALLS, TOWN OF [CLINTON CO.]	SEPTEMBER 13, 1974
360122	SCIPIO, TOWN OF [CAYUGA CO.]	MAY 31, 1974
360123	SEMPRONIUS, TOWN OF [CAYUGA CO.]	MAY 31, 1974
360124	SENNETT, TOWN OF [CAYUGA CO.]	JUNE 14, 1974
361549A	SHARON SPRINGS, VILLAGE [SCHOHARIE CO]	JANUARY 10, 1975
361200	SHARON, TOWN OF [SCHOHARIE CO.]	NOVEMBER 08, 1974
361258A	SHELBY, TOWN OF [ORLEANS CO.]	NOVEMBER 08, 1974 AND DECEMBER 12, 1975
361308	SMYRNA, TOWN OF [CHENANGO CO.]	DECEMBER 20, 1974
361329	SOLON, TOWN OF [CORTLAND CO]	JANUARY 17, 1975
361242	SOMERS, TOWN OF [WESTCHESTER CO.]	DECEMBER 20, 1974
360099	SOUTH CAYTON, VILLAGE OF [CATTARUUGUS CO.]	MAY 31, 1974
360100	SOUTH VALLEY, TOWN OF [CATTARAUGUS CO.]	SEPTEMBER 06, 1974
361286	SPARTA, TOWN OF [LIVINGSTON CO.]	NOVEMBER 08, 1974
361471A	SPENCER, VILLAGE OF [TIOGA CO.]	NOVEMBER 15, 1974
361118	STAFFORD, TOWN OF [GENESEE CO]	JANUARY 24, 1975
361145	STANFORD, TOWN OF [DUTCHESS CO.]	OCTOBER 18, 1974
361170	STEPHENTOWN, TOWN OF [RENSSELAER CO.]	DECEMBER 20, 1974
360126	STERLING, TOWN OF [CAYUGA CO.]	JULY 26, 1974
360555	STEUBEN, TOWN OF [ONEIDA CO.]	JUNE 28, 1974
361412	STOCKBRIDGE, TOWN [MADISON CO]	JANUARY 03, 1975
361429	STOCKHOLM, TOWN [ST. LAWERENCE CO]	JANUARY 03, 1975
361081	STOCKTON, TOWN OF [CHAUTAUQUA CO.]	NOVEMBER 01, 1974
361136	STRATFORD, TOWN OF [FULTON CO.]	NOVEMBER 15, 1974
361157	ST. ARMAND, TOWN OF [ESSEX CO.]	OCTOBER 25, 1974
360456	ST. JOHNSVILLE, TOWN OF [MONTGOMERY CO.]	AUGUST 16, 1974
360353A	THERESA, VILLAGE OF [JEFFERSON CO.]	MAY 10, 1974 AND DECEMBER 05, 1975
361213	THURSTON, TOWN OF [STEUBEN CO.]	OCTOBER 25, 1974
361507	TIVOLI, VILLAGE OF [DUTCHESS CO.]	DECEMBER 20, 1974
360960	TORREY, TOWN OF [YATES CO.]	MAY 31, 1974
360557	TRENTON, VILLAGE OF [ONEIDA CO.]	AUGUST 30, 1974
360055A	TRIANGLE, TOWN OF [BROOME CO.]	APRIL 05, 1974 AND NOVEMBER 21, 1975
361470	TRUMANSBURG, VILLAGE [TOMPKINS CO]	JANUARY 10, 1975
361355	TURIN, VILLAGE OF [LEWIS CO.]	NOVEMBER 29, 1974
360561	VERONA, TOWN OF [ONEIDA CO.]	SEPTEMBER 13, 1974
361057	VETERAN, TOWN OF [CHEMUNG CO.]	OCTOBER 25, 1974
360131	VICTORY, TOWN OF [CAYUGA CO.]	JULY 26, 1974
360733	VICTORY, VILLAGE OF [SARATOGA CO.]	APRIL 05, 1974
361102	VILLENOVA, TOWN OF [CHAUTAUBUA CO.]	OCTOBER 18, 1974
361228A	WALDORTH, TOWN OF [WAYNE CO.]	DECEMBER 13, 1974 AND OCTOBER 10, 1975
361485	WAMPSVILLE, VILLAGE [MADISON CO]	JANUARY 17, 1975
361364	WARD, TOWN [ALLEGANY CO]	JANUARY 17, 1975

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NEW YORK

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
360563	WATERVILLE, VILLAGE OF [ONEIDA CO.]	JUNE 14, 1974
360377	WATSON, TOWN OF [LEWIS CO.]	NOVEMBER 01, 1974
361126	WAVERLY, TOWN OF [FRANKLIN CO.]	OCTOBER 25, 1974
360035	WELLSVILLE, TOWN OF [ALLEGANY CO.]	DECEMBER 20, 1974
361112	WELLS, TOWN OF [HAMILTON CO.]	NOVEMBER 29, 1974
361365	WEST ALMOND, TOWN [ALLEGANY CO]	JANUARY 17, 1975
360564	WESTERN, TOWN OF [ONEIDA CO.]	AUGUST 02, 1974
361262	WESTFORD, TOWN OF [OTSEGO CO.]	OCTOBER 25, 1974
361160	WESTPORT, TOWN OF [ESSEX CO.]	DECEMBER 20, 1974
361123	WESTVILLE, TOWN OF [FRANKLIN CO.]	DECEMBER 27, 1974
361246	WETHERSFIELD, TOWN OF [WYOMING CO.]	DECEMBER 13, 1974
361238	WHITE CREEK, TOWN OF [WASHINGTON CO.]	OCTOBER 18, 1974
361331	WILLET, TOWN OF [CORTLAND CO.]	DECEMBER 20, 1974
361267	WILLIAMSTOWN, TOWN OF [OSWEGO CO.]	NOVEMBER 01, 1974
360267	WILLSBORO, TOWN OF [ESSEX CO.]	NOVEMBER 08, 1974
361161	WILMINGTON, TOWN [ESSEX CO]	JANUARY 17, 1975
360736	WILTON, TOWN OF [SARATOGA CO.]	JUNE 14, 1974
360901	WOLCOTT, TOWN OF [WAYNE CO.]	JUNE 28, 1974
361283	WORCESTER, TOWN OF [OTSEGO CO.]	NOVEMBER 01, 1974
361409	WORTH, TOWN [JEFFERSON CO]	JANUARY 17, 1975
361202	WRIGHT, TOWN OF [SCHOHARIE CO.]	NOVEMBER 08, 1974
360952	WYOMING, VILLAGE OF [WYOMING CO.]	MAY 17, 1974

TOTAL IN THE STATE 345

• UNINCORPORATED AREAS ONLY

NORTH CAROLINA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
370010	AVERY COUNTY	JANUARY 03, 1975
370210	CHINA GROVE, TOWN OF [ROWAN CO.]	JANUARY 09, 1974
370099	GASTON COUNTY *	NOVEMBER 29, 1974
370233	INDIAN TRAIL, CITY OF [UNION CO.]	SEPTEMBER 06, 1974
370138	JOHNSTON COUNTY	JANUARY 03, 1975
370146	LENOIR COUNTY *	DECEMBER 27, 1974
370146	LINCOLN COUNTY *	DECEMBER 27, 1974
370090	MACCLESFIELD, TOWN OF [EDGECOMBE CO.]	JANUARY 09, 1974
370101	MCADENVILLE, CITY OF [GASTON CO.]	JUNE 21, 1974
370184	PASQUOYANK COUNTY	JANUARY 10, 1975
370195	RANDOLPH COUNTY	JANUARY 03, 1975
370106	ROBBINSVILLE, TOWN OF [GRAHAM CO.]	JUNE 14, 1974
370146	ROWLAND, TOWN OF [MOORE CO.]	NOVEMBER 22, 1974
370258	RONDA, TOWN OF [WILKES CO.]	SEPTEMBER 06, 1974
370217	RUTHERFORD COUNTY	JANUARY 10, 1975
370228	SAMPSON COUNTY *	DECEMBER 20, 1974
370003	SPARTA, CITY [ALLEGANY CO.]	FEBRUARY 13, 1974
370093	SPELCE, TOWN OF [EDGECOMBE CO.]	JANUARY 09, 1974
370075	VANCEBORO, TOWN OF [CRAVEN CO.]	MARCH 01, 1974
370254	WAYNE COUNTY *	DECEMBER 27, 1974
370269	WEAVERVILLE, TOWN OF [BUNCOMBE CO.]	NOVEMBER 29, 1974
370256	WILKES COUNTY *	DECEMBER 20, 1974

TOTAL IN THE STATE 22

• UNINCORPORATED AREAS ONLY

NORTH DAKOTA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
380055	ALEXANDER, CITY OF [MCKENZIE CO.]	DECEMBER 13, 1974
380154	ANAMOOSE, CITY [MCHENRY CO]	JANUARY 17, 1975
380080	BATHGATE, CITY OF [PEMBINA CO.]	NOVEMBER 22, 1974
380217A	CANDO, CITY [TOWNER CO]	JANUARY 10, 1975 AND SEPTEMBER 26, 1975
380142	CARRIO, CITY OF [WARD CO]	JANUARY 31, 1975
380164	COGSWELL, CITY [SARGENT CO]	JANUARY 17, 1975
380121	COURTENAY, CITY OF [STUTSMAN CO.]	DECEMBER 27, 1974
380093	CRARY, CITY OF [RAMSEY CO.]	NOVEMBER 15, 1974
380039	DAWSON, CITY OF [KIDDER CO.]	DECEMBER 06, 1974
380165	EDINBURG, CITY [WALSH CO]	JANUARY 17, 1975
380228	FORMAN, CITY [SARGENT CO]	JANUARY 10, 1975
380035	GILBY, CITY OF [GRAND FORKS CO.]	NOVEMBER 22, 1974
380176	GRANVILLE, CITY [MCHENRY CO]	JANUARY 17, 1975
380229	GWINNER, CITY [SARGENT CO]	JANUARY 10, 1975
380084	HAMILTON, CITY OF [PEMBINA CO.]	DECEMBER 20, 1974
380094	HAMPDEN, CITY OF [RAMSEY CO.]	NOVEMBER 29, 1974
380178	HANNAFORD, CITY [LUBIGGS CO]	JANUARY 17, 1975
380131A	HATTON, CITY OF [TRAIL CO.]	MAY 10, 1974
380232	HAZELTON, CITY [SIMMONS CO]	JANUARY 17, 1975
380048	KARLSRUME, CITY [MCHENRY CO]	JANUARY 10, 1975
380123	KENSAL, CITY OF [STUTSMAN CO.]	DECEMBER 20, 1974
380075	LAKOTA, CITY OF [NELSON CO.]	MAY 03, 1974
380095	LAWTON, CITY OF [RAMSEY CO.]	DECEMBER 06, 1974
380003	LEEDS, CITY OF [BENSON CO.]	APRIL 05, 1974
380043	LEHR, CITY OF [LOGAN + MCINTOSH COS.]	NOVEMBER 22, 1974
380187	LITCHVILLE, CITY [BARNES CO]	JANUARY 17, 1975
380004A	MADDOCK, CITY OF [BENSON CO.]	MARCH 08, 1974 AND NOVEMBER 15, 1974
380037	MANVEL, CITY [GRAND FORKS CO]	JANUARY 10, 1975
380113	MARMARTH, CITY OF [SLOPE CO.]	NOVEMBER 29, 1974
380008	MAXBASS, CITY OF [BOTTINEAU CO.]	NOVEMBER 22, 1974
380060	MAX, CITY OF [MCLEAN CO.]	NOVEMBER 22, 1974
380124	MEDINA, CITY OF [STUTSMAN CO.]	DECEMBER 20, 1974
380239	MILNOR, CITY [SARGENT CO]	JANUARY 17, 1975
380240	MINNEWAUKAN, CITY [BENSON CO]	JANUARY 17, 1975
380125	MONTPELIER, CITY OF [STUTSMAN CO.]	NOVEMBER 15, 1974
380189	MUNICH, CITY [CAVALIER CO]	JANUARY 17, 1975
380031	NEW ROCKFORD, CITY OF [EDDY CO.]	NOVEMBER 29, 1974
380009	NEWBURG, CITY OF [BOTTINEAU CO.]	DECEMBER 06, 1974
380073	PARSHALL, CITY OF [MOUNTRAIL CO.]	NOVEMBER 29, 1974
380129	ROCK LAKE, CITY OF [TOWNER CO.]	NOVEMBER 22, 1974
380088A	RUGBY, CITY OF [PIERCE CO.]	MARCH 22, 1974 AND OCTOBER 03, 1975
380143	SAWYER, CITY OF [WARD CO]	JANUARY 31, 1975
380010	SOURIS, CITY OF [BOTTINEAU CO.]	NOVEMBER 29, 1974
380096	STARKWEATHER, CITY OF [RAMSEY CO.]	DECEMBER 06, 1974
380227	STREETER, CITY OF [STUTSMAN CO.]	NOVEMBER 22, 1974
380040	TAPPEN, CITY OF [KIDDER CO.]	DECEMBER 06, 1974
380210	TOWER CITY, CITY [BARNES CO.]	JANUARY 10, 1975
380253	TOWNER, CITY OF [MCHENRY CO]	JANUARY 31, 1975
380061	TURTLE LAKE, CITY OF [MCLEAN CO.]	MARCH 22, 1974
380041	TUTTLE, CITY OF [KIDDER CO.]	NOVEMBER 29, 1974
380050	UPHAM, CITY OF [MCHENRY CO.]	DECEMBER 06, 1974
380254	WALHALLA, CITY OF [PEMBINA CO]	JANUARY 31, 1975
380063	WASHBURN, CITY OF [MCLEAN CO.]	MARCH 22, 1974
380074	WHITE EARTH, CITY OF [MOUNTRAIL CO.]	DECEMBER 20, 1974
380011	WILLOW CITY, CITY OF [BOTTINEAU CO.]	NOVEMBER 15, 1974
380065A	WILTON, CITY OF [MCLEAN AND BURLEIGH CO.]	MAY 24, 1974

TOTAL IN THE STATE 56

• UNINCORPORATED AREAS ONLY

COMMUNITY NUMBER	OHIO NAME	HAZARD AREA IDENTIFIED
390205	ADDYSTON, VILLAGE OF (HAMILTON CO.)	MARCH 01, 1974
390329	ALEXANDRIA, VILLAGE OF (LICKING CO.)	MAY 31, 1974
390296	AMSTERDAM, VILLAGE OF (JEFFERSON CO.)	APRIL 12, 1974
390435	ANTWERP, VILLAGE OF (PAULDING CO.)	MARCH 29, 1974
390207A	ARLINGTON HEIGHTS, VILLAGE OF (HAMILTON CO.)	FEBRUARY 01, 1974 AND DECEMBER 05, 1975
390242	ARLINGTON, VILLAGE OF (HANCOCK CO.)	MAY 17, 1974
390159	BALTIMORE, VILLAGE OF (FAIRFIELD CO.)	JUNE 21, 1974
390024	BARNESVILLE, VILLAGE OF (BELMONT CO.)	JUNE 07, 1974
390066	BATAVIA, VILLAGE OF (CLERMONT CO.)	NOVEMBER 30, 1973
390650	BERLIN HEIGHTS, VILLAGE OF (ERIE CO.)	APRIL 05, 1974
390590	BETTSVILLE, VILLAGE OF (SENECA CO.)	APRIL 12, 1974
390074	BLANCHESTER, VILLAGE OF (CLINTON CO.)	APRIL 05, 1974
390488	BURGOON, VILLAGE OF (SANDUSKY CO.)	AUGUST 02, 1974
390461	CARDEN, VILLAGE OF (PERRY CO.)	MAY 10, 1974
390053	CASTALIA, VILLAGE OF (ERIE CO.)	MARCH 29, 1974
390607	CEDARVILLE, VIL (GREENE CO)	JANUARY 10, 1975
390017	CHAUNCEY, VILLAGE OF (ATHENS CO.)	JUNE 21, 1974
390608	CHESAPEAKE, VIL (LAWRENCE CO)	JANUARY 10, 1975
390056	CHRISTIANSBURG, VILLAGE OF (CHAMPAIGN CO.)	AUGUST 09, 1974
390326	COAL GROVE, VILLAGE OF (LAWRENCE CO.)	JUNE 14, 1974
390291	COALTON, VILLAGE OF (JACKSON CO.)	FEBRUARY 01, 1974
390466	COLUMBUS GROVE, VILLAGE OF (PUTNAM CO.)	FEBRUARY 08, 1974
390711	COMMERCIAL POINT, VILLAGE OF (PICKAWAY COU)	JANUARY 31, 1975
390575	CRESTON, VILLAGE OF (WAYNE CO.)	FEBRUARY 01, 1974
390461	CROOKSVILLE, VILLAGE OF (PERRY CO.)	FEBRUARY 01, 1974
390167	CROWN CTY, VILLAGE (GALLIA CO)	JANUARY 10, 1975
390654	CUYAHOGA HEIGHTS, VILLAGE OF (CUYAHOGA CO.)	MARCH 29, 1974
390137	DARKE COUNTY •	DECEMBER 20, 1974
390049	DELLROY, VILLAGE OF (CARROLL CO.)	AUGUST 09, 1974
390061	DOWNEYSVILLE, VILLAGE OF (CLARK CO.)	FEBRUARY 01, 1974
390467	DUPONT, VILLAGE OF (PUTNAM CO.)	AUGUST 09, 1974
390080	EAST ROCHESTER, VILLAGE OF (COLUMBIANA CO.)	SEPTEMBER 13, 1974
390656A	ELIDA, VILLAGE OF (ALLEN CO.)	MARCH 29, 1974
390153	ERIE COUNTY •	JANUARY 31, 1975
390214	EVENDALE, VILLAGE OF (HAMILTON CO.)	MARCH 01, 1974
390668	FORT JENNINGS, VILLAGE OF (PUTNAM CO.)	MAY 31, 1974
390395	FORT RECOVERY, VILLAGE OF (MERCER CO.)	JUNE 07, 1974
390426	FRAZEYSBURG, VILLAGE OF (MUSKINGHAM CO.)	AUGUST 30, 1974
390185	GALLIA COUNTY •	DECEMBER 27, 1974
390469	GILEAD, VILLAGE OF (PUTNAM CO.)	AUGUST 09, 1974
390442	GLENFORD, VILLAGE OF (PERRY CO.)	AUGUST 23, 1974
390694	GRAFTON, VILLAGE OF (LORAIN CO.)	DECEMBER 20, 1974
390492	GREEN SPRINGS, VILLAGE OF (SANDUSKY CO.)	MARCH 01, 1974
390554	HAMDEN, VILLAGE OF (VINTON CO.)	FEBRUARY 01, 1974
390204	HAMLER, VILLAGE OF (HENRY CO.)	APRIL 12, 1974
390250	HARDIN COUNTY	JANUARY 03, 1975
390255	HARRISON COUNTY •	JANUARY 31, 1975

• UNINCORPORATED AREAS ONLY

COMMUNITY NUMBER	OHIO NAME	HAZARD AREA IDENTIFIED
390531	HARTFORD, VILLAGE OF (LICKING CO.)	SEPTEMBER 13, 1974
390505	JACKSON CENTER, VILLAGE OF (SHELBY CO.)	MAY 31, 1974
390290	JACKSON COUNTY	JANUARY 10, 1975
390019	JACKSONVILLE, VILLAGE OF (ATHENS CO.)	MAY 17, 1974
390294	JEFFERSON COUNTY •	DECEMBER 27, 1974
390246	JENERA, VILLAGE OF (HANCOCK CO.)	AUGUST 09, 1974
390471	KALIDA, VILLAGE OF (PUTNAM CO.)	MARCH 01, 1974
390201	KIMBOLTON, VILLAGE OF (GUERNSEY CO.)	DECEMBER 06, 1974
390306	KNOX COUNTY •	JANUARY 31, 1975
390270	LEESBURG, VILLAGE OF (HIGHLAND CO.)	APRIL 05, 1974
390050	LEESVILLE, VILLAGE OF (CARROLL CO.)	SEPTEMBER 20, 1974
390085	LISBON, VILLAGE OF (COLUMBIANA CO.)	APRIL 12, 1974
390691	LOCKBOURNE, VILLAGE OF (FRANKLIN COU)	JANUARY 31, 1975
390223	LOCKLAND, CITY OF (HAMILTON CO.)	FEBRUARY 15, 1974
390366	LONDON, CITY OF (MADISON CO.)	MAY 10, 1974
390202	LORE CITY, VILLAGE OF (GUERNSEY CO.)	AUGUST 30, 1974
390861A	LUCAS, VILLAGE OF (RICHLAND CO.)	APRIL 05, 1974 AND SEPTEMBER 26, 1975
390271	LYNCHBURG, VILLAGE OF (HIGHLAND CO.)	MARCH 29, 1974
390051	MAGNOLIA, VILLAGE OF (CARROLL CO.)	MAY 03, 1974
390226A	MARIEMONT, VILLAGE OF (HAMILTON CO.)	FEBRUARY 08, 1974 AND JANUARY 10, 1975
390256	MCGUFFEY, VILLAGE OF (HARDIN CO.)	MAY 10, 1974
390378	MEDINA COUNTY	JANUARY 10, 1975
390398	MIAMI COUNTY	JANUARY 10, 1975
390155	MILAN, VILLAGE OF (ERIE CO.)	APRIL 12, 1974
390689	MILLERSPORT, VILLAGE OF (FAIRFIELD COU)	JANUARY 31, 1975
390041	MILLVILLE, VILLAGE OF (BUTLER CO.)	JUNE 07, 1974
390396	MONTEZUMA, VILLAGE OF (MERCER CO.)	AUGUST 09, 1974
390581	MONTPELIER, VILLAGE OF (WILLIAMS CO.)	MAY 31, 1974
390420	MORGAN COUNTY	JANUARY 10, 1975
390268	MOUNT BLANCHARD, VILLAGE OF (HANCOCK CO.)	AUGUST 09, 1974
390249	MOUNT CORY, VILLAGE OF (HANCOCK CO.)	SEPTEMBER 20, 1974
390119	NEWBURGH HEIGHTS, VILLAGE OF (CUYAHOGA CO.)	MARCH 15, 1974
390428	NOBLE COUNTY	JANUARY 10, 1975
390231	NORTH BEND, VILLAGE OF (HAMILTON CO.)	MARCH 15, 1974
390285	NORTH FAIRFIELD, VILLAGE OF (HURON CO.)	MARCH 15, 1974
390433	OAK HARBOR, VILLAGE OF (OTTAWA CO.)	MARCH 01, 1974
390437	OAKWOOD, VILLAGE OF (PAULDING CO.)	MAY 17, 1974
390176	OBETZ, VILLAGE OF (FRANKLIN CO.)	FEBRUARY 15, 1974
390141	OSGOOD, VILLAGE OF (DARKE CO.)	AUGUST 30, 1974
390150A	OSTRANDER, VILLAGE OF (DELAWARE CO.)	SEPTEMBER 20, 1974
390439	PAYNE, VILLAGE OF (PAULDING CO.)	MAY 03, 1974
390162A	PICKERINGTON, VILLAGE OF (FAIRFIELD CO.)	JUNE 28, 1974
390450	PIKE COUNTY	JANUARY 03, 1975
390203	PLEASANT CITY, VILLAGE OF (GUERNSEY CO.)	AUGUST 23, 1974
390287	PLYMOUTH, VILLAGE OF (HURON CO.)	MAY 03, 1974
390453	PORTAGE COUNTY •	DECEMBER 27, 1974
390390	RACINE, VILLAGE OF (MEIGS CO.)	APRIL 05, 1974

• UNINCORPORATED AREAS ONLY

COMMUNITY NUMBER	OHIO NAME	HAZARD AREA IDENTIFIED
390499	RARDEN, VILLAGE OF (SCIOTO CO.)	AUGUST 23, 1974
390692	RIVERLEA, VILLAGE OF (FRANKLIN COU)	JANUARY 31, 1975
390476A	RIVERSIDE, VILLAGE OF (MONTGOMERY CO.)	FEBRUARY 15, 1974
390645	ROGERS, VILLAGE OF (COLUMBIANA CO.)	MARCH 22, 1974
390086	SALEM, CITY OF (COLUMBIANA CO.)	MAY 03, 1974
390151	SHAWNEE HILLS, VILLAGE OF (DELAWARE CO.)	FEBRUARY 08, 1974
390503	SHELBY COUNTY •	DECEMBER 20, 1974
390054	SHERRODSVILLE, VILLAGE OF (CARROLL CO.)	AUGUST 09, 1974
390647	SHREVE, VILLAGE OF (WAYNE CO.)	MARCH 29, 1974
390630	SOUTH POINT, VIL (LAWRENCE CO)	JANUARY 03, 1975
390465	SOUTH SALEM, VILLAGE OF (CROSS CO.)	AUGUST 23, 1974
390059	ST. PARIS, VILLAGE OF (CHAMPAIGN CO.)	JUNE 07, 1974
390546	SUGAR CREEK, VILLAGE OF (TUSCARAWAS CO.)	MAY 31, 1974
390690	THURSTON, VILLAGE OF (FAIRFIELD COU)	JANUARY 31, 1975
390666	TUSCARAWAS, VILLAGE OF (TUSCARAWAS CO.)	APRIL 05, 1974
390592	UPPER SANDUSKY, CITY OF (WYANDOT CO.)	JANUARY 09, 1974
390385	VALLEY CITY, VILLAGE OF (MEDINA CO.)	AUGUST 02, 1974
390648	VAN BUREN, VILLAGE OF (HANCOCK CO.)	MARCH 22, 1974
390475	VAUGHNSVILLE, TOWN OF (PUTNAM CO.)	NOVEMBER 15, 1974
390466	VERNONA, VILLAGE OF (PREBLE CO.)	OCTOBER 18, 1974
390189	VINTON, VILLAGE OF (GALLIA CO.)	DECEMBER 27, 1974
390649	WAITE HILL, VILLAGE OF (LAKE CO.)	DECEMBER 17, 1973
390288	WAKEMAN, VILLAGE OF (HURON CO.)	NOVEMBER 09, 1973
390087	WASHINGTONVILLE, VILLAGE OF (COLUMBIANA • MAHONING	NOVEMBER 09, 1973
390574	WAYNE COUNTY	JANUARY 03, 1975
390565	WAYNESVILLE, VILLAGE OF (WARREN CO.)	NOVEMBER 09, 1973
390293	WELLSTON, CITY OF (JACKSON CO.)	FEBRUARY 15, 1974
390072A	WILLIAMSBURG, VILLAGE OF (CLERMONT CO.)	MARCH 29, 1974
390459	WINDHAM, VILLAGE OF (PORTAGE CO.)	MARCH 15, 1974
390345	ZANESFIELD, VILLAGE OF (LOGAN CO.)	OCTOBER 18, 1974

TOTAL IN THE STATE 134

• UNINCORPORATED AREAS ONLY

COMMUNITY NUMBER	OKLAHOMA NAME	HAZARD AREA IDENTIFIED
400074	ADDINGTON, TOWN OF (JEFFERSON CO.)	OCTOBER 18, 1974
400101	BLANCHARD, TOWN OF (GRADY • MCCLAIN COS.)	SEPTEMBER 13, 1974
400138	BOLEY, TOWN OF (OKFUSKEE CO.)	APRIL 12, 1974
400038	BOSWELL, TOWN OF (CHOCTAW CO.)	MARCH 15, 1974
400051	BRISTOW, CITY OF (CREEK CO)	JUNE 28, 1974
400149	BURNHAM, TOWN (OSAGE CO)	JANUARY 10, 1975
400175A	BYNG, TOWN OF (PONTOTOC CO.)	AUGUST 30, 1974 AND DECEMBER 05, 1975
400185	CATOOSA, TOWN OF (ROGERS CO.)	SEPTEMBER 06, 1974
400187A	CHELSEA, CITY OF (ROGERS CO.)	DECEMBER 28, 1973 AND DECEMBER 12, 1975
400183	CHEYENNE, TOWN OF (ROGER MILLS CO.)	JUNE 28, 1974
400225	COPAN, TOWN (WASHITA CO)	JANUARY 10, 1975
400122	COUNCIL HILL, TOWN OF (MUSKOGEE CO.)	DECEMBER 13, 1974
400220A	DACOMA, TOWN OF (WOODS CO.)	NOVEMBER 08, 1974 AND DECEMBER 12, 1975
400204A	DAVIDSON, TOWN OF (TILLMAN CO.)	JULY 26, 1974
400229	FORT SUPPLY, TOWN OF (WOODWARD CO.)	MAY 24, 1974
400039	FORT TOWSON, TOWN (CHOCTAW CO)	JANUARY 10, 1975
400194	GANS, TOWN OF (SEQUOYAH CO.)	NOVEMBER 29, 1974
400032	GENE AUTRY, TOWN OF (CARTER CO.)	NOVEMBER 08, 1974
400013	GREENFIELD, TOWN OF (BLAINE CO.)	AUGUST 30, 1974
400167	HAILEYVILLE, CITY OF (PITTSBURG CO.)	JULY 26, 1974
400140	HARRAH, TOWN OF (OKLAHOMA CO.)	AUGUST 02, 1974
400151	HOMINY, CITY OF (OSAGE CO.)	DECEMBER 28, 1973
400824A	HYDRO, TOWN OF (CADDO CO.)	JULY 26, 1974 AND DECEMBER 05, 1975
400450	INOLA, CITY OF (ROGERS CO.)	MAY 10, 1974
400057	JAY, TOWN OF (DELAWARE CO)	JUNE 28, 1974
400007	JET, TOWN OF (ALFALFA CO.)	DECEMBER 06, 1974
400071	KINTA, CITY OF (HASKELL CO.)	NOVEMBER 08, 1974
400190	KONAWA, CITY OF (SEMINOLE CO.)	APRIL 05, 1974
400169	KREBS, CITY OF (PITTSBURG CO.)	DECEMBER 28, 1973
400096	LOGAN COUNTY •	DECEMBER 27, 1974
400085	LONE WOLF, TOWN OF (KIOWA CO.)	MAY 03, 1974
400014	LONGDALE, TOWN OF (BLAINE CO.)	DECEMBER 13, 1974
400825A	LOOKEBA, TOWN OF (CADDO CO.)	OCTOBER 25, 1974 AND DECEMBER 12, 1975
400203	MARLOW, CITY OF (STEPHENS CO.)	DECEMBER 28, 1973
400113	MENO, TOWN OF (MAJOR CO.)	NOVEMBER 15, 1974
400217	OKAY, TOWN OF (WAGONER CO.)	AUGUST 16, 1974
400015A	OKEENE, TOWN OF (BLAINE CO)	JUNE 28, 1974 AND DECEMBER 05, 1975
400158	PEORIA, TOWN OF (OTTAWA CO.)	NOVEMBER 22, 1974
400171	PITTSBURG, TOWN OF (PITTSBURG CO.)	NOVEMBER 08, 1974
400127A	PORUM, TOWN OF (MUSKOGEE CO.)	JUNE 28, 1974 AND NOVEMBER 28, 1975
400222A	RAMONA, TOWN OF (WASHINGTON CO.)	JULY 19, 1974 AND DECEMBER 05, 1975
400437	RED OAK, TOWN OF (LATIMER CO.)	DECEMBER 20, 1974
400176	ROFF, CITY OF (PONTOTOC CO.)	MARCH 22, 1974
400038	ROOSEVELT, TOWN OF (KIOWA CO.)	NOVEMBER 01, 1974
400191	SASAKWA, TOWN OF (SEMINOLE CO.)	NOVEMBER 08, 1974
400061	SHATTUCK, TOWN OF (ELLIS CO.)	MAY 24, 1974
400414	STERLING, TOWN (COMANCHE CO.)	JANUARY 10, 1975
400177	STONEWALL, TOWN OF (PONTOTOC CO)	JUNE 28, 1974
400128A	TAFT, TOWN OF (MUSKOGEE CO.)	JUNE 28, 1974 AND DECEMBER 12, 1975
400055	THOMAS, CITY OF (CUSTER CO.)	APRIL 05, 1974
400077	TISHOMINGO, CITY OF (JOHNSTON CO.)	JANUARY 16, 1974
400079	TONKAWA, CITY OF (KAY CO.)	NOVEMBER 23, 1973
400219	WAGONER, CITY OF (WAGONER CO)	JUNE 28, 1974
400129	WAINWRIGHT, TOWN OF (MUSKOGEE CO.)	DECEMBER 13, 1974
400180	WANETTE, TOWN OF (POTTAWATOMIE CO.)	DECEMBER 20, 1974
400109	WRIGHT CITY, TOWN (MCCURTAIN CO)	JANUARY 10, 1975
400161A	WYANDOTTE, TOWN OF (OTTAWA CO.)	JUNE 28, 1974 AND DECEMBER 12, 1975

TOTAL IN THE STATE 57

• UNINCORPORATED AREAS ONLY

OREGON

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
410205	ADAMS, CITY OF (UMATILLA CO.)	AUGUST 30, 1974
410013	BARLOW, CITY OF (CLACKAMAS CO)	JANUARY 10, 1975
410217	COVE, CITY OF (UNION CO.)	DECEMBER 06, 1974
410055	DESCHUTES COUNTY	JANUARY 17, 1975
410157	DETROIT, CITY OF (MARION CO.)	NOVEMBER 01, 1974
410062A	ELKTON, CITY OF (DOUGLAS CO.)	SEPTEMBER 15, 1974
410139	HALSEY, CITY OF (LINN CO.)	NOVEMBER 22, 1974
410208	HELIX, CITY OF (UMATILLA CO.)	DECEMBER 20, 1974
410037	PRESCOTT, CITY OF (COLUMBIA CO)	JANUARY 10, 1975
410166	ST. PAUL, CITY OF (MARION CO.)	NOVEMBER 22, 1974

TOTAL IN THE STATE 10

• UNINCORPORATED AREAS ONLY

PENNSYLVANIA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
422453	ABINGTON, TOWNSHIP OF (LACKAWANNA CO.)	DECEMBER 27, 1974
422508	ADDISON, TOWNSHIP (SOMERSET CO.)	JANUARY 03, 1975
422401	AKRON, BOROUGH OF (LANCASTER CO.)	JANUARY 31, 1975
421266	ALEPPO, TOWNSHIP OF (ALLEGHENY CO.)	MAY 10, 1974
421667	ALEPPO, TOWNSHIP OF (GREENE CO.)	DECEMBER 27, 1974
422529	ALLEGHENY, TOWNSHIP (VENANGO CO.)	JANUARY 17, 1975
422509	ALLEGHENY, TOWNSHIP (SOMERSET CO.)	JANUARY 03, 1975
421928	ALLEN, TOWNSHIP OF (NORTHAMPTON CO.)	SEPTEMBER 06, 1974
422072	APOLACON, TOWNSHIP OF (SUSQUEHANNA CO.)	NOVEMBER 29, 1974
421879	ARMAGH, TWP (MIFFLIN CO)	JANUARY 10, 1975
420871	ARONA, BOROUGH OF (WESTMORELAND CO.)	AUGUST 09, 1974
422361	ASHLAND, TOWNSHIP (CLARION CO.)	JANUARY 10, 1975
422297	ATWOOD, BOROUGH OF (ARMSTRONG CO.)	JANUARY 31, 1975
422074	AUBURN, TOWNSHIP OF (SUSQUEHANNA CO.)	DECEMBER 27, 1974
422435	BANKS, TOWNSHIP (INDIANA CO.)	JANUARY 17, 1975
421643	BARNETT, TOWNSHIP OF (FOREST CO.)	DECEMBER 27, 1974
422440	BARNETT, TOWNSHIP OF (JEFFERSON CO.)	DECEMBER 27, 1974
421883	BARREE, TOWNSHIP OF (HUNTINGDON CO.)	DECEMBER 06, 1974
421434	BARR, TWP (CAMBRIA CO)	JANUARY 17, 1975
421738	BEALE, TOWNSHIP (JUNIATA CO)	DECEMBER 06, 1974
422129	BEALLSVILLE, BOROUGH OF (WASHINGTON CO.)	DECEMBER 13, 1974
422544	BEAR LAKE, BOROUGH OF (WARREN CO.)	DECEMBER 27, 1974
421547	BEAVER, TOWNSHIP OF (COLUMBIA CO.)	NOVEMBER 01, 1974
422362	BEAVER, TOWNSHIP (CLARION CO.)	JANUARY 24, 1975
422032	BEAVER, TOWNSHIP OF (SNYDER CO.)	NOVEMBER 01, 1974
422441	BEAVER, TOWNSHIP (JEFFERSON CO.)	JANUARY 17, 1975
421049	BEDMINSTER, TOWNSHIP OF (BUCKS CO.)	JANUARY 31, 1975
421659	BELFAST, TOWNSHIP OF (FULTON CO.)	DECEMBER 20, 1974
420089	BELLEVUE, BOROUGH OF (ALLEGHENY CO.)	DECEMBER 20, 1973
421513	BELL, TOWNSHIP OF (CLEARFIELD CO.)	DECEMBER 20, 1974
422264	BELL, TOWNSHIP OF (JEFFERSON CO.)	DECEMBER 13, 1974
422185	BELL, TOWNSHIP OF (WESTMORELAND CO.)	SEPTEMBER 13, 1974
420011	BEN AVON HEIGHTS, BOROUGH OF (ALLEGHANY CO.)	JANUARY 31, 1975
420010	BEN AVON, BOROUGH OF (ALLEGHENY CO.)	DECEMBER 20, 1973
421749	BENTON, TWP (LACKAWANNA CO)	JANUARY 10, 1975
422158	BERLIN, TWP (WAYNE CO)	JANUARY 10, 1975
421051	BERNVILLE, BOROUGH OF (BERKS CO.)	SEPTEMBER 13, 1974
421052	BETHEL, TOWNSHIP OF (BERKS CO.)	SEPTEMBER 20, 1974
421606	BETHEL, TWP (DELAWARE CO)	JANUARY 24, 1975
420508	BIG RUN, BOROUGH OF (JEFFERSON CO.)	JULY 10, 1974
421514	BIGLER, TOWNSHIP OF (CLEARFIELD CO.)	DECEMBER 06, 1974
421973	BINGHAM, TOWNSHIP OF (POTTER CO.)	NOVEMBER 29, 1974
420482	BIRMINGHAM, BOROUGH OF (HUNTINGDON CO.)	DECEMBER 06, 1974
421435	BLACK LICK, TOWNSHIP OF (CAMBRIA CO.)	JANUARY 10, 1975
421709	BLACK LICK, TOWNSHIP OF (INDIANA CO.)	NOVEMBER 15, 1974
422510	BLACK, TOWNSHIP (SOMERSET CO.)	JANUARY 24, 1975
422341	BLAINE, TOWNSHP OF (WASHINGTON CO.)	OCTOBER 18, 1974
420495	BLAIRSVILLE, BOROUGH OF (INDIANA CO.)	JULY 26, 1974

• UNINCORPORATED AREAS ONLY

PENNSYLVANIA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
421332	BLOOMFIELD, TOWNSHIP OF (BEDFORD CO.)	JANUARY 31, 1975
421962	BLOOMING GROVE, TOWNSHIP OF (PIKE CO.)	NOVEMBER 08, 1974
421515	BOGGS, TOWNSHIP OF (CLEARFIELD CO.)	NOVEMBER 15, 1974
421301	BOGGS, TOWNSHIP OF (ARMSTRONG CO.)	AUGUST 30, 1974
420873	BOLIVAR, BOROUGH OF (WESTMORELAND CO.)	JUNE 14, 1974
420794	BOSWELL, BOROUGH OF (SOMERSET CO.)	JULY 26, 1974
421202	BRADFORD WOODS, BORO(ALLEGHENY CO)	JANUARY 03, 1975
421516	BRADFORD, TOWNSHIP OF (CLEARFIELD CO.)	DECEMBER 06, 1974
421302	BRADYS BEND, TOWNSHIP OF (ARMSTRONG CO.)	NOVEMBER 29, 1974
421517	BRADY, TOWNSHIP OF (CLEARFIELD CO.)	NOVEMBER 15, 1974
422241	BRADY, TOWNSHIP OF (BUTLER CO.)	OCTOBER 25, 1974
420297	BRISBIN, BOROUGH OF (CLEARFIELD CO.)	SEPTEMBER 20, 1974
420483	BROAD TOP CITY, BORO(HUNTINGDON CO)	JANUARY 10, 1975
422115	BROKENSTRAW, TOWNSHIP OF (WARREN CO.)	DECEMBER 20, 1974
422075	BROOKLYN, TOWNSHIP OF (SUSQUEHANNA CO.)	DECEMBER 13, 1974
421511	BROTHERSVALLEY, TWP (SOMERSET CO.)	JANUARY 10, 1975
421710	BRUSH VALLEY, TWP (INDIANA CO)	JANUARY 03, 1975
421899	BRYN ATHYN, BOROUGH OF (MONTGOMERY CO.)	DECEMBER 20, 1974
421824	BUCK, TOWNSHIP OF (LUZERNE CO.)	DECEMBER 20, 1974
421711	BUFFINGTON, TOWNSHIP OF (INDIANA CO.)	DECEMBER 27, 1974
421022	BULLSKIN, TOWNSHIP OF (FAYETTE CO.)	DECEMBER 27, 1974
420847	BURGETTSTOWN, BOROUGH OF (WASHINGTON C.)	JANUARY 23, 1974
421054	BURLINGTON, TOWNSHIP OF (BRADFORD CO.)	SEPTEMBER 13, 1974
420298	BURNSIDE, BOROUGH OF (CLEARFIELD CO.)	NOVEMBER 15, 1974
421518	BURNSIDE, TWP (CLEARFIELD CO)	JANUARY 24, 1975
421303	BURNELL, TOWNSHIP OF (ARMSTRONG CO.)	SEPTEMBER 20, 1974
421920	BUSHKILL, TOWNSHIP OF (NORTHAMPTON CO.)	NOVEMBER 08, 1974
421304	CADOGAN, TOWNSHIP OF (ARMSTRONG CO.)	DECEMBER 06, 1974
422364	CALLENSBURG, BOROUGH OF (CLARION CO.)	JANUARY 31, 1975
420213	CALLERY, BOROUGH OF (BUTLER CO.)	AUGUST 09, 1974
422108	CANAL, TOWNSHIP OF (VENANGO CO.)	DECEMBER 06, 1974
421397	CANTON, TOWNSHIP OF (BRADFORD CO.)	OCTOBER 18, 1974
421758	CARBONDALE, TOWNSHIP OF (LACKAWANNA CO.)	JANUARY 31, 1975
421665	CARMON, TWP (HUNTINGDON CO)	JANUARY 10, 1975
421949	CARROLL, TWP (PERRY CO)	JANUARY 24, 1975
421637	CASCADE, TOWNSHIP (LYCOMING CO)	OCTOBER 18, 1974
420795	CASSELMAN, BOROUGH OF (SOMERSET CO.)	NOVEMBER 08, 1974
421686	CASS, TOWNSHIP OF (HUNTINGDON CO.)	DECEMBER 27, 1974
420020	CASTLE SHANNON, BOROUGH OF (ALLEGHENY CO)	JUNE 28, 1974
420129	CENTERPORT, BOROUGH OF (BERKS CO.)	NOVEMBER 22, 1974
421417	CENTER, TOWNSHIP OF (BUTLER CO.)	SEPTEMBER 13, 1974
422310	CENTER, TWP (BEAVER CO.)	JANUARY 17, 1975
421050A	CENTRE, TOWNSHIP OF (BERKS CO.)	NOVEMBER 01, 1974 AND NOVEMBER 07, 1975
422217	CHANCEFORD, TWP (YORK CO)	JANUARY 17, 1975
422251	CHAPMAN, BOROUGH OF (NORTHAMPTON CO.)	NOVEMBER 15, 1974
422545	CHERRY GROVE, TOWNSHIP OF (WARREN CO.)	DECEMBER 27, 1974
421716	CHERRYHILL, TOWNSHIP (INDIANA CO)	JANUARY 24, 1975
422530	CHERRYTREE, TOWNSHIP (VENANGO CO.)	JANUARY 10, 1975

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422342	CHERRY, TOWNSHIP (BUTLER CO.)	JANUARY 10, 1975
422058	CHERRY, TOWNSHIP OF (SULLIVAN CO.)	DECEMBER 20, 1974
421885	CHESTNUT HILL, TOWNSHIP OF (MONROE CO.)	NOVEMBER 15, 1974
421519	CHEST, TOWNSHIP OF (CLEARFIELD CO.)	NOVEMBER 15, 1974
422004	CHEST, TOWNSHIP (CAMBRIA CO)	JANUARY 10, 1975
422311	CHIPPEWA, TOWNSHIP OF (BEAVER CO.)	DECEMBER 27, 1974
422076	CHOCONUT, TWP (SUSQUEHANNA CO)	JANUARY 10, 1975
421974	CLARA, TOWNSHIP OF (POTTER CO.)	OCTOBER 18, 1974
421221	CLARENDON, BOROUGH OF (WARREN CO)	SEPTEMBER 06, 1974
421507	CLARION, TOWNSHIP OF (CLARION CO.)	NOVEMBER 29, 1974
421887	CLAY, TOWNSHIP OF (HUNTINGDON CO.)	DECEMBER 13, 1974
422343	CLAY, TOWNSHIP (BUTLER CO.)	JANUARY 17, 1975
422366	CLEARFIELD, TOWNSHIP (BUTLER CO.)	JANUARY 10, 1975
422077	CLIFFORD, TOWNSHIP OF (SUSQUEHANNA CO.)	DECEMBER 27, 1974
421731	CLIFTON, TWP (LACKAWANNA CO)	JANUARY 24, 1975
422332	CLINTONVILLE, BOROUGH OF (VENANGO CO.)	DECEMBER 27, 1974
422345	CLINTON, TOWNSHIP (BUTLER CO.)	JANUARY 10, 1975
422331	CLINTON, TOWNSHIP (VENANGO CO.)	JANUARY 17, 1975
422442	CLOVER, TOWNSHIP (JEFFERSON CO.)	JANUARY 03, 1975
421334	COLERAIN, TWP (BEDFORD CO)	JANUARY 03, 1975
420059	COLLEY, TOWNSHIP OF (SULLIVAN CO.)	DECEMBER 13, 1974
422346	CONCORD, TOWNSHIP (BUTLER CO.)	JANUARY 17, 1975
422410	CONCORD, TOWNSHIP (ERIE CO.)	JANUARY 17, 1975
421715	CONEMAUGH, TOWNSHIP OF (INDIANA CO.)	DECEMBER 06, 1974
422406	CONEWAGO, TOWNSHIP OF (DAUPHINCO.)	DECEMBER 27, 1974
421361	CONNEAUT, TOWNSHIP OF (ERIE CO.)	DECEMBER 13, 1974
422387	CONNEAUT, TOWNSHIP (CRAWFORD CO.)	JANUARY 10, 1975
421623	CONNELLSVILLE, TOWNSHIP OF (FAYETTE CO.)	DECEMBER 20, 1974
421413	CONOQUENESSING, BOROUGH OF (BUTLER CO.)	NOVEMBER 15, 1974
421549	CONYNGHAM, TWP (COLUMBIA CO)	JANUARY 03, 1975
422186	COOK, TOWNSHIP OF (WESTMORELAND CO.)	SEPTEMBER 20, 1974
421520	COOPER, TOWNSHIP OF (CLEARFIELD CO.)	DECEMBER 20, 1974
421521	COVINGTON, TOWNSHIP OF (CLEARFIELD CO.)	DECEMBER 06, 1974
422455	COVINGTON, TOWNSHIP (LACKAWANNA CO.)	JANUARY 10, 1975
421230	COWANSHANNOCK, TOWNSHIP OF (ARMSTRONG CO.)	SEPTEMBER 13, 1974
421335	CRAWFORD, TOWNSHIP OF (CLINTON CO.)	DECEMBER 20, 1974
421688	CROWELL, TOWNSHIP OF (HUNTINGDON CO.)	DECEMBER 27, 1974
422209	CROSS ROADS, BOROUGH OF (YORK CO.)	DECEMBER 13, 1974
421188	CURBERLAND, TOWNSHIP OF (GREENE CO.)	AUGUST 30, 1974
422388	CUSSEWAGO, TOWNSHIP (CRAWFORD CO.)	JANUARY 10, 1975
421319	DARLINGTON, BOROUGH (BEAVER CO)	JANUARY 24, 1975
422313	DAUGHERTY, TOWNSHIP OF (BEAVER CO.)	DECEMBER 27, 1974
421440	DEAN, TOWNSHIP OF (CAMBRIA CO.)	NOVEMBER 08, 1974
421189	DECATUR, TOWNSHIP OF (CLEARFIELD CO.)	SEPTEMBER 20, 1974
422476	DEER CREEK, TWP (MERCER CO.)	JANUARY 10, 1975
421176	DEERFIELD, TOWNSHIP OF (TIOGA CO.)	AUGUST 30, 1974
422116	DEERFIELD, TOWNSHIP OF (WARREN CO.)	NOVEMBER 15, 1974
420090	DELAWARE WATER GAP, BOROUGH OF (MONROE CO.)	JUNE 21, 1974
422177	DELMONT, BOROUGH OF (WESTMORELAND CO.)	NOVEMBER 22, 1974

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422211	DELTA, BOROUGH OF (YORK CO.)	NOVEMBER 22, 1974
422078	DIMOCK, TWP (SUSQUEHANNA CO)	JANUARY 17, 1975
422187	DONEGAL, TOWNSHIP OF (WESTMORELAND CO.)	JUNE 21, 1974
422146	DONEGAL, TOWNSHIP OF (WASHINGTON CO.)	DECEMBER 06, 1974
421689	DUBLIN, TOWNSHIP OF (HUNTINGDON CO.)	DECEMBER 13, 1974
421681A	DUBLEY, BOROUGH OF (HUNTINGDON CO.)	NOVEMBER 08, 1974 AND NOVEMBER 14, 1975
422431	DUNKARD, TWP (GREENE CO.)	JANUARY 10, 1975
421716	E WHEATFIELD, TWP (INDIANA CO)	JANUARY 24, 1975
422527	EAGLES MERE, BOROUGH (SULLIVAN CO.)	JANUARY 24, 1975
422252	EAST BANGOR, BOROUGH OF (NORTHAMPTON CO.)	NOVEMBER 15, 1974
420215	EAST BUTLER, BOROUGH OF (BUTLER CO.)	JULY 26, 1974
422539	EAST CONEMAUGH, BOROUGH OF (CAMBRIA CO.)	NOVEMBER 15, 1974
422389	EAST FALLOWFIELD, TOWNSHIP (CRAWFORD CO.)	JANUARY 10, 1975
422147	EAST FINLEY, TOWNSHIP OF (WASHINGTON CO.)	NOVEMBER 29, 1974
422218	EAST HOPEWELL, TOWNSHIP OF (YORK CO.)	DECEMBER 27, 1974
422188	EAST HUNTINGDON, TOWNSHIP OF (WESTMORELAND CO.)	SEPTEMBER 20, 1974
421864	EAST LACKAWANNOCK, TOWNSHIP OF (MERCER CO.)	SEPTEMBER 06, 1974
422436	EAST MAHONING, TOWNSHIP (INDIANA CO.)	JANUARY 17, 1975
421481	EAST NANTMEAL, TOWNSHIP OF (CHESTER CO.)	DECEMBER 20, 1974
420108	EAST ROCHESTER, BOROUGH OF (BEAVER CO.)	FEBRUARY 01, 1974
422360	EAST SIDE, BOROUGH OF (CARBON CO.)	JANUARY 31, 1975
421357	EAST SPRINGFIELD, BOROUGH OF (ERIE CO.)	JANUARY 31, 1975
421441	EAST TAYLOR, TWP (CAMBRIA CO)	JANUARY 17, 1975
422314	EASTVALE, BOROUGH OF (BEAVER CO.)	JANUARY 31, 1975
422348	EAU CLAIRE, BORO (BUTLER CO.)	JANUARY 10, 1975
420109	ECONOMY, BOROUGH OF (BEAVER CO.)	APRIL 05, 1974
421772	EDEN, TOWNSHIP OF (LANCASTER CO.)	AUGUST 30, 1974
420228	EHRENFELD, BOROUGH OF (CAMBRIA CO.)	AUGUST 09, 1974
422592	ELDER, TOWNSHIP (CAMBRIA CO)	JANUARY 10, 1975
422443	ELDRED, TOWNSHIP (JEFFERSON CO.)	JANUARY 17, 1975
422546	ELDRED, TOWNSHIP (WARREN CO.)	JANUARY 17, 1975
421887	ELDRED, TOWNSHIP OF (MONROE CO.)	NOVEMBER 06, 1974
421263	ELIZABETH, BOROUGH OF (ALLEGHENY CO.)	JANUARY 09, 1974
422412	ELK CREEK, TOWNSHIP (ERIE CO.)	JANUARY 24, 1975
422048	ELK LICK, TOWNSHIP OF (SOMERSET CO.)	DECEMBER 27, 1974
422096	ELKLAND, TOWNSHIP OF (TIOGA CO.)	NOVEMBER 22, 1974
422365	ELK, TOWNSHIP OF (CLARION CO.)	JANUARY 31, 1975
422462	ELLPORT, BORO (LAWRENCE CO.)	JANUARY 24, 1975
421752	ELMHURST, TOWN OF (LACKAWANNA CO.)	OCTOBER 18, 1974
422287	ELVERSON, BORO (CHESTER CO)	JANUARY 03, 1975
422189	FAIRFIELD, TOWNSHIP OF (WESTMORELAND CO.)	SEPTEMBER 06, 1974
422049	FAIRHOPE, TOWNSHIP OF (SOMERSET CO.)	NOVEMBER 15, 1974
421827	FAIRMOUNT, TWP (LUZERNE CO)	JANUARY 17, 1975
421236A	FAIRVIEW, BORO (ERIE CO)	JULY 26, 1974
422603	FAIRVIEW, TOWNSHIP (BUTLER CO)	JANUARY 24, 1975
421865	FAIRVIEW, TOWNSHIP OF (MERCER CO.)	NOVEMBER 29, 1974
422219	FAWN, TOWNSHIP OF (YORK CO.)	DECEMBER 27, 1974

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422380	FERGUSON, TOWNSHIP OF [CLEARFIELD CO.)	JANUARY 03, 1975
422067	FOREST CITY, BOROUGH OF [SUSQUEHANNA CO.]	NOVEMBER 22, 1974
422574	FOREST LAKE, TWP [SUSQUEHANNA CO.]	JANUARY 24, 1975
421419	FORWARD, TOWNSHIP OF [BUTLER CO.]	SEPTEMBER 13, 1974
421502	FOXBURG, BOROUGH OF [CLARION CO.]	DECEMBER 20, 1974
422063	FOX, TOWNSHIP OF [SULLIVAN CO.]	DECEMBER 20, 1974
422315	FRANKFORT SPRINGS, BORO [BEAVER CO.]	JANUARY 17, 1975
422593	FRANKLIN, BOROUGH OF [CAMBRIA CO.]	JANUARY 10, 1975
421398	FRANKLIN, TOWNSHIP OF [BRADFORD CO.]	OCTOBER 25, 1974
421362	FRANKLIN, TOWNSHIP OF [ERIE CO.]	DECEMBER 13, 1974
422350	FRANKLIN, TOWNSHIP OF [BUTLER CO.]	JANUARY 24, 1975
422288	FRANKLIN, TOWNSHIP OF [CHESTER CO.]	NOVEMBER 29, 1974
422595	FRANKLIN, TOWNSHIP [GREENE CO]	JANUARY 03, 1975
422573	FRANKLIN, TOWNSHIP OF [HUNTINGDON CO.]	DECEMBER 27, 1974
422030	FREEBURG, BOROUGH OF [SNYDER CO.]	DECEMBER 13, 1974
422121	FREEHOLD, TWP [WARREN CO]	JANUARY 24, 1975
422432	FREEPORT, TWP [GREENE CO.]	JANUARY 03, 1975
422110	FRENCH CREEK, TOWNSHIP OF [VENANGO CO.]	NOVEMBER 22, 1974
421727	GASKILL, TOWNSHIP OF [JEFFERSON CO.]	DECEMBER 13, 1974
421027	GERMAN, TWP [FAYETTE CO]	JANUARY 03, 1975
422433	GILMORE, TWP [GREENE CO.]	JANUARY 10, 1975
420112	GLASGOW, BOROUGH OF [BEAVER CO.]	AUGUST 16, 1974
422437	GLEN CAMPBELL, BORO [INDIANA CO.]	JANUARY 24, 1975
420305	GLEN HOPE, BOROUGH OF [CLEARFIELD CO.]	DECEMBER 20, 1974
421754	GLENBURN, TOWNSHIP OF [LACKAWANNA CO.]	DECEMBER 27, 1974
421522	GRAHAM, TWP [CLEARFIELD CO]	JANUARY 03, 1975
421717	GRANT, TOWNSHIP OF [INDIANA CO.]	JANUARY 31, 1975
421591	GRATZ, BOROUGH OF [DAUPHIN CO.]	DECEMBER 20, 1974
421669	GRAY, TOWNSHIP OF [GREENE CO.]	DECEMBER 20, 1974
422317	GREENE, TOWNSHIP OF [ERIE CO.]	DECEMBER 13, 1974
421670	GREENE, TWP [GREENE CO]	JANUARY 17, 1975
421365	GREENFIELD, TOWNSHIP OF [ERIE CO.]	DECEMBER 06, 1974
422456	GREENFIELD, TOWNSHIP [LACKAWANNA CO.]	JANUARY 10, 1975
421523	GREENWOOD, TOWNSHIP OF [CLEARFIELD CO.]	DECEMBER 20, 1974
422390	GREENWOOD, TOWNSHIP [CRAWFORD CO.]	JANUARY 17, 1975
421644	GREEN, TWP [FOREST CO]	JANUARY 24, 1975
421539	GRUGAN, TOWNSHIP OF [CLINTON CO.]	NOVEMBER 08, 1974
421650	GUILFORD, TWP [FRANKLIN CO]	JANUARY 03, 1975
421524	GULICH, TOWNSHIP OF [CLEARFIELD CO.]	DECEMBER 20, 1974
421888	HAMILTON, TOWNSHIP OF [MONROE CO.]	NOVEMBER 22, 1974
421223	HANOVER, TOWNSHIP OF [BEAVER CO.]	SEPTEMBER 06, 1974
422081	HARFORD, TOWNSHIP OF [SUSQUEHANNA CO.]	SEPTEMBER 20, 1974
422528	HARTLETON, BOROUGH OF [UNION CO.]	DECEMBER 27, 1974
422102	HARTLEY, TOWNSHIP OF [UNION CO.]	DECEMBER 20, 1974
421503	HAWTHORNE, BOROUGH OF [CLARION CO.]	DECEMBER 27, 1974
421728	HEATH, TOWNSHIP OF [JEFFERSON CO.]	DECEMBER 06, 1974
421069	HEIDELBERG, TOWNSHIP OF [CLEARFIELD CO.]	DECEMBER 06, 1974
421809A	HEIDELBERG, TOWNSHIP OF [LEHIGH CO.]	DECEMBER 27, 1974 AND OCTOBER 17, 1975

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422221	HEIDELBERG, TWP [YORK CO]	JANUARY 10, 1975
421626	HENRY CLAY, TOWN OF [FAYETTE CO.]	DECEMBER 06, 1974
422289	HIGHLAND, TOWNSHIP OF [CHESTER CO.]	NOVEMBER 29, 1974
421609	HIGHLAND, TWP [ELK CO]	JANUARY 10, 1975
422319	HOOKSTOWN, BOROUGH OF [BEAVER CO.]	JANUARY 31, 1975
421581	HOPEWELL, TOWNSHIP OF [CUMBERLAND CO.]	DECEMBER 27, 1974
421690	HOPEWELL, TOWNSHIP OF [HUNTINGDON CO.]	DECEMBER 06, 1974
421610	HORTON, TOWNSHIP OF [ELK CO.]	SEPTEMBER 13, 1974
420307	HOUTZDALE, BOROUGH OF [CLEARFIELD CO.]	MAY 17, 1974
422299	HOVEY, TWP [ARMSTRONG CO.]	JANUARY 24, 1975
421464	HOWARD, TOWNSHIP OF [CENTRE CO.]	NOVEMBER 22, 1974
421525	HUSTON, TOWNSHIP OF [CLEARFIELD CO.]	DECEMBER 20, 1974
422332	HUSTON, TOWNSHIP [BLAIR CO.]	JANUARY 10, 1975
421323	INDEPENDENCE, TOWNSHIP OF [BEAVER CO.]	AUGUST 30, 1974
420308	IRVONA, BOROUGH OF [CLEARFIELD CO.]	APRIL 12, 1974
422534	IRWIN, TOWNSHIP OF [VENANGO CO.]	JANUARY 31, 1975
420502	JACKSONVILLE, BOROUGH OF [INDIANA CO.]	DECEMBER 13, 1974
421552	JACKSON, TOWNSHIP OF [COLUMBIA CO.]	DECEMBER 13, 1974
421671	JACKSON, TOWNSHIP OF [GREENE CO.]	DECEMBER 20, 1974
421691	JACKSON, TOWNSHIP OF [HUNTINGDON CO.]	DECEMBER 13, 1974
421593	JACKSON, TOWNSHIP OF [DAUPHIN CO.]	JANUARY 31, 1975
422535	JACKSON, TOWNSHIP [VENANGO CO.]	JANUARY 24, 1975
421952	JACKSON, TOWNSHIP OF [PERRY CO.]	DECEMBER 27, 1974
421889	JACKSON, TWP [MONROE CO]	JANUARY 03, 1975
422481	JAMESTOWN, BORO [MERCER CO.]	JANUARY 03, 1975
421611	JAY, TOWNSHIP OF [ELK CO.]	NOVEMBER 15, 1974
421421	JEFFERSON, TOWNSHIP OF [BUTLER CO.]	NOVEMBER 01, 1974
421596	JEFFERSON, TOWNSHIP OF [DAUPHIN CO.]	JANUARY 31, 1975
422457	JEFFERSON, TOWNSHIP [LACKAWANNA CO.]	JANUARY 03, 1975
422050	JEFFERSON, TOWNSHIP OF [SOMERSET CO.]	DECEMBER 13, 1974
421629	JEFFERSON, TWP [FAYETTE CO]	JANUARY 03, 1975
422422	JERKS, TOWNSHIP [FOREST CO.]	JANUARY 17, 1975
422514	JENNERSTOWN, BOROUGH OF [SOMERSET CO.]	DECEMBER 27, 1974
422051	JENNER, TWP [SOMERSET CO]	JANUARY 24, 1975
422084	JESSUP, TOWNSHIP OF [SUSQUEHANNA CO.]	DECEMBER 27, 1974
422596	JORDAN, TOWNSHIP [LYCOMING CO]	JANUARY 24, 1975
422383	JORDON, TOWNSHIP [CLEARFIELD CO]	JANUARY 17, 1975
421390	JUNIATA, TOWNSHIP OF [BLAIR CO.]	DECEMBER 27, 1974
421692	JUNIATA, TWP [HUNTINGDON CO]	JANUARY 17, 1975
420218	KARNS CITY, BOROUGH OF [BUTLER CO.]	NOVEMBER 08, 1974
421526	KARTHAUS, TOWNSHIP OF [CLEARFIELD CO.]	NOVEMBER 29, 1974
421981	KEATING, TOWNSHIP OF [POTTER CO.]	NOVEMBER 22, 1974
422423	KINGSLEY, TOWNSHIP OF [FOREST CO.]	DECEMBER 27, 1974
421342	KING, TOWNSHIP OF [BEDFORD CO.]	JANUARY 31, 1975
421209	KISKIMINTAS, TOWNSHIP OF [ARMSTRONG CO.]	SEPTEMBER 20, 1974
421730	KNOX, TOWNSHIP OF [JEFFERSON CO.]	DECEMBER 20, 1974
422320	KOPPEL, BOROUGH OF [BEAVER CO.]	JANUARY 31, 1975
422483	LAKE, TOWNSHIP OF [MERCER CO.]	JANUARY 31, 1975

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421422	LANCASTER, TOWNSHIP OF [BUTLER CO.]	SEPTEMBER 06, 1974
422057	LAPORTE, BOROUGH OF [SULLIVAN CO.]	DECEMBER 20, 1974
422515	LARIMER, TOWNSHIP [SOMERSET CO.]	JANUARY 10, 1975
422065	LATHROP, TOWNSHIP OF [SUSQUEHANNA CO.]	NOVEMBER 29, 1974
421454	LAUSANNE, TWP [CAMBON CO]	JANUARY 03, 1975
422334	LE RAYSVILLE, BORO [BRADFORD CO.]	JANUARY 24, 1975
422567	LEBANON, TWP [WAYNE CO.]	JANUARY 03, 1975
421967	LEHMAN, TWP [PIKE CO]	JANUARY 03, 1975
421540	LEIDY, TOWNSHIP OF [CLINTON CO.]	DECEMBER 20, 1974
422200	LEMON, TOWNSHIP OF [WYOMING CO.]	NOVEMBER 29, 1974
422086	LENOX, TOWNSHIP OF [SUSQUEHANNA CO.]	DECEMBER 20, 1974
421076	LEROY, TOWNSHIP OF [BRADFORD CO.]	SEPTEMBER 20, 1974
422428	LETTERKENNY, TOWNSHIP OF [FRANKLIN CO.]	DECEMBER 20, 1974
420924	LEWISBERRY, BOROUGH OF [YORK CO.]	AUGUST 02, 1974
421940	LEWIS, TOWNSHIP OF [NORTHUMBERLAND CO.]	JANUARY 31, 1975
422087	LIBERTY, TOWNSHIP OF [SUSQUEHANNA CO.]	NOVEMBER 29, 1974
421662	LICKING CREEK, TOWNSHIP OF [FULTON CO.]	DECEMBER 20, 1974
422368	LICKING, TOWNSHIP [CLARION CO.]	JANUARY 24, 1975
422609	LIGONIER, BOROUGH OF [WASHINGTON CO.]	APRIL 12, 1974
421430	LILLY, BOROUGH OF [CAMBRIA CO.]	NOVEMBER 01, 1974
422547	LIMESTONE, TOWNSHIP OF [WARREN CO.]	DECEMBER 27, 1974
422588	LIMESTONE, TOWNSHIP [LYCOMING CO]	JANUARY 24, 1975
422516	LINCOLN, TOWNSHIP [SOMERSET CO]	JANUARY 10, 1975
421693	LINCOLN, TWP [HUNTINGDON CO]	JANUARY 03, 1975
421560	LINESVILLE, BORO [CRAWFORD CO]	JANUARY 10, 1975
421533	LOGANTON, BOROUGH OF [CLINTON CO.]	NOVEMBER 08, 1974
421694	LOGAN, TOWNSHIP OF [HUNTINGDON CO.]	DECEMBER 06, 1974
421582	LOWER MIFFLIN, TOWNSHIP OF [CUMBERLAND CO.]	DECEMBER 27, 1974
422253	LOWER NAZARETH, TOWNSHIP OF [NORTHAMPTON CO.]	NOVEMBER 15, 1974
422517	LOWER TURKEYFOOT, TWP [SOMERSET CO.]	JANUARY 24, 1975
421930	LOWER TYRONE, TOWNSHIP OF [FAYETTE CO.]	DECEMBER 06, 1974
421811	LOWHILL, TOWNSHIP OF [LEHIGH CO.]	DECEMBER 20, 1974
421595	LYKENS, TOWNSHIP OF [DAUPHIN CO.]	JANUARY 31, 1975
421812	LYNN, TOWNSHIP OF [LEHIGH CO.]	NOVEMBER 29, 1974
421308	MADISON, TOWNSHIP OF [ARMSTRONG CO.]	NOVEMBER 22, 1974
422370	MADISON, TOWNSHIP [CLARION CO.]	JANUARY 10, 1975
421755	MADISON, TWP [LACKAWANNA CO]	JANUARY 03, 1975
420310	MAHAFFEY, BOROUGH OF [CLEARFIELD CO.]	AUGUST 30, 1974
421338	MANNS CHOICE, BOROUGH OF [BEDFORD CO.]	DECEMBER 13, 1974
420219	MARION TWP [BUTLER CO]	JUNE 02, 1974
421364	MARTINSBURG, BOROUGH OF [BLAIR CO.]	DECEMBER 20, 1974
421935	MCENERSVILLE, BOROUGH OF [NORTHUMBERLAND CO.]	DECEMBER 27, 1974
421581	MENNO, TOWNSHIP OF [MIFFLIN CO.]	NOVEMBER 22, 1974
422352	MERCER, TOWNSHIP [BUTLER CO.]	JANUARY 10, 1975
421653	METAL, TWP [FRANKLIN CO]	JANUARY 24, 1975
422044	MEYERSDALE, BOROUGH OF [SOMERSET CO.]	NOVEMBER 15, 1974
421443	MIDDLE TAYLOR, TOWNSHIP OF [CAMBRIA CO.]	NOVEMBER 22, 1974
422514	MIDDLECREEK, TOWNSHIP [SOMERSET CO.]	JANUARY 03, 1975
422321	MIDLAND, BOROUGH OF [BEAVER CO.]	JANUARY 31, 1975

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COMMUNITY NUMBER	PENNSYLVANIA NAME	HAZARD AREA IDENTIFIED
422558	MIDWAY, BORO [WASHINGTON CO.]	JANUARY 24, 1975
422519	MILFORD, TOWNSHIP [SOMERSET CO.]	JANUARY 03, 1975
421871	MILL CREEK, TOWNSHIP OF [MERCER CO.]	DECEMBER 20, 1974
421695	MILLER, TOWNSHIP OF [HUNTINGDON CO.]	NOVEMBER 29, 1974
421954	MILLER, TWP [PERRY CO]	JANUARY 17, 1975
422536	MINERAL, TOWNSHIP OF [VENANGO CO.]	JANUARY 31, 1975
421744	MONROE, TOWNSHIP [JUNIATA CO]	JANUARY 10, 1975
422372	MONROE, TOWNSHIP [CLARION CO]	JANUARY 03, 1975
421083	MONROE, TWP [BRADFORD CO]	SEPTEMBER 13, 1974
422426	MONTGOMERY, TOWNSHIP OF [FRANKLIN CO.]	DECEMBER 13, 1974
421719	MONTGOMERY, TWP [INDIANA CO]	JANUARY 03, 1975
421674	MORGAN, TOWNSHIP OF [GREENE CO.]	NOVEMBER 01, 1974
421696	MORRIS, TOWNSHIP OF [HUNTINGDON CO.]	NOVEMBER 22, 1974
420692	MT. POCONO, BOROUGH OF [MONROE CO.]	JANUARY 24, 1975
421847	MUNCY, TOWNSHIP [LYCOMING CO]	DECEMBER 20, 1974
422263	MUNSTER, TOWNSHIP OF [CAMBRIA CO.]	NOVEMBER 22, 1974
421348	NAPIER, TOWNSHIP OF [BEDFORD CO.]	JANUARY 31, 1975
420725	NAZARETH, BOROUGH OF [NORTHAMPTON CO.]	JANUARY 09, 1974
420889A	NEW ALEXANDRIA, BOROUGH OF [WESTMORELAND CO.]	JUNE 28, 1974 AND OCTOBER 17, 1975
420799	NEW BALTIMORE, BOROUGH OF [SOMERSET CO.]	NOVEMBER 08, 1974
422012	NEW CASTLE, TOWNSHIP OF [SCHUYLKILL CO.]	DECEMBER 27, 1974
422522	NEW GALILEE, BOROUGH OF [BEAVER CO.]	JANUARY 31, 1975
422484	NEW LEBANON, BORO [MERCER CO.]	JANUARY 24, 1975
422485	NEW WILMINGTON, TOWNSHIP OF [MERCER CO.]	JANUARY 31, 1975
420312	NEW WASHINGTON, BOROUGH OF [CLEARFIELD CO.]	DECEMBER 20, 1974
422405	NEWBURG, BORO [CUMBERLAND CO.]	JANUARY 10, 1975
420311	NEWBURG, BOROUGH OF [CLEARFIELD CO.]	NOVEMBER 29, 1974
421579	NEWVILLE, BOROUGH OF [CUMBERLAND CO.]	JANUARY 31, 1975
422460	NORTH ABINGTON, TOWNSHIP OF [LACKAWANNA CO.]	DECEMBER 27, 1974
422300A	NORTH APOLLO, BOROUGH OF [ARMSTRONG CO.]	JANUARY 31, 1975 AND OCTOBER 31, 1975
422182	NORTH BELLE VERNON, BOROUGH OF [WESTMORELAND CO.]	NOVEMBER 29, 1974
422203	NORTH BRANCH, TOWNSHIP OF [WYOMING CO.]	NOVEMBER 29, 1974
421310	NORTH BUFFALO, TOWNSHIP OF [ARMSTRONG CO.]	APRIL 05, 1974
421085	NORTH FAYETTE, TWP [ALLEGHENY CO]	SEPTEMBER 20, 1974
421086	NORTH HEIDELBERG, TOWNSHIP OF [BERKS CO.]	SEPTEMBER 13, 1974
422538	NORTH HOMINY, TWP [CAMBRIA CO.]	JANUARY 10, 1975
422204	NORTH MORELAND, TOWNSHIP OF [WYOMING CO.]	NOVEMBER 15, 1974
421583	NORTH NEWTON, TWP [CUMBERLAND CO]	JANUARY 17, 1975
421392	NORTH WOODBURY, TWP [BLAIR CO]	JANUARY 24, 1975
422520	NORTHAMPTON, TOWNSHIP [SOMERSET CO.]	JANUARY 03, 1975
422111	OAKLAND, TOWNSHIP OF [VENANGO CO.]	DECEMBER 13, 1974
422354	OAKLAND, TOWNSHIP [BUTLER CO.]	JANUARY 10, 1975
422052	OGLE, TOWNSHIP OF [SOMERSET CO.]	DECEMBER 13, 1974
421615	OHIOPYLE, BOROUGH OF [FAYETTE CO.]	JANUARY 31, 1975
422537	OILCREEK, TOWNSHIP [VENANGO CO.]	JANUARY 24, 1975
421732	OLIVER, TOWNSHIP OF [JEFFERSON CO.]	DECEMBER 13, 1974

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421401	ORWELL, TWP [BRADFORD CO]	JANUARY 24, 1975
420393	OSCEOLA MILLS, BOROUGH OF [CLEARFIELD CO.]	MARCH 28, 1974
421982	OSWAYO, TOWNSHIP OF [POTTER CO.]	NOVEMBER 22, 1974
422486	OTTER CREEK, TOWNSHIP OF [MERCER CO.]	JANUARY 31, 1975
421860	OTTO, TOWNSHIP OF [MCKEAN CO.]	NOVEMBER 15, 1974
422504	OVERFIELD, TOWNSHIP OF [WYOMING CO.]	DECEMBER 27, 1974
421402	OVERTON, TOWNSHIP OF [BRADFORD CO.]	AUGUST 30, 1974
422521	PAINT, TOWNSHIP OF [SOMERSET CO.]	DECEMBER 27, 1974
422373	PAINT, TOWNSHIP [CLARION CO.]	JANUARY 24, 1975
421968	PALMYRA, TOWNSHIP OF [PIKE CO.]	DECEMBER 13, 1974
420099	PARKER CITY, CITY OF [ARMSTRONG CO.]	JUNE 14, 1974
421219	PARKER, TOWNSHIP OF [BUTLER CO.]	SEPTEMBER 20, 1974
421311	PARKS, TOWNSHIP OF [ARMSTRONG CO.]	MAY 03, 1974
422325	PATTERSON HEIGHTS, BORO [BEAVER CO.]	JANUARY 17, 1975
422496	PENNSBURG, BOROUGH OF [MONTGOMERY CO.]	DECEMBER 27, 1974
421848	PENN, TOWNSHIP [LYCOMING CO]	NOVEMBER 01, 1974
421698	PENN, TOWNSHIP OF [HUNTINGDON CO.]	DECEMBER 06, 1974
421530	PENN, TOWNSHIP OF [CLEARFIELD CO.]	NOVEMBER 29, 1974
421509	PERRY, TOWNSHIP OF [CLARION CO.]	NOVEMBER 15, 1974
422464	PERRY, TOWNSHIP [JEFFERSON CO.]	JANUARY 10, 1975
422434	PERRY, TOWNSHIP [GREENE CO.]	JANUARY 31, 1975
422487	PERRY, TOWNSHIP OF [MERCER CO.]	JANUARY 03, 1975
422030	PERRY, TWP [SNYDER CO]	NOVEMBER 22, 1974
420221	PETROLIA, BOROUGH OF [BUTLER CO.]	SEPTEMBER 06, 1974
421190	PIKE, TOWNSHIP OF [CLEARFIELD CO.]	NOVEMBER 01, 1974
421403	PIKE, TOWNSHIP OF [BRADFORD CO.]	JANUARY 24, 1975
422465	PINECREEK, TOWNSHIP [JEFFERSON CO.]	JANUARY 24, 1975
422538	PINEGROVE, TOWNSHIP [VENANGO CO.]	JANUARY 17, 1975
422374	PINEY, TOWNSHIP [CLARION CO.]	SEPTEMBER 20, 1974
421312	PINE, TOWNSHIP OF [ARMSTRONG CO.]	JANUARY 03, 1975
421720	PINE, TWP [INDIANA CO]	NOVEMBER 08, 1974
422125	PITTSFIELD, TOWNSHIP OF [WARREN CO.]	NOVEMBER 29, 1974
421984	PLEASANT VALLEY, TOWNSHIP OF [POTTER CO.]	NOVEMBER 29, 1974
421327	PLEASANTVILLE, BOROUGH OF [BEDFORD CO.]	JANUARY 17, 1975
422548	PLEASANT, TOWNSHIP [WARREN CO.]	SEPTEMBER 06, 1974
421313	PLUM CREEK, TOWNSHIP OF [ARMSTRONG CO.]	AUGUST 09, 1974 AND
420504A	PLUMVILLE, BOROUGH OF [INDIANA CO.]	OCTOBER 18, 1975
422539	PLUM, TOWNSHIP [VENANGO CO.]	JANUARY 24, 1975
421733	POLK, TOWNSHIP OF [JEFFERSON CO.]	DECEMBER 06, 1974
421985	PORTAGE, TOWNSHIP OF [POTTER CO.]	DECEMBER 13, 1974
422555	PORTERSVILLE, BORO [BUTLER CO.]	JANUARY 10, 1975
421510	PORTER, TOWNSHIP OF [CLARION CO.]	SEPTEMBER 06, 1974
421327	POTTER, TOWNSHIP OF [BEAVER CO.]	DECEMBER 13, 1974
422358	PROSPECT, BORO [BUTLER CO.]	JANUARY 17, 1975
422328	PULASKI, TOWNSHIP OF [BEAVER CO.]	DECEMBER 20, 1974
422053	QUEMAHONING, TOWNSHIP OF [SOMERSET CO.]	DECEMBER 20, 1974
421655	QUINCY, TOWNSHIP OF [FRANKLIN CO.]	DECEMBER 27, 1974
421220	RACCOON, TOWNSHIP OF [BEAVER CO.]	AUGUST 02, 1974

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422393	RANDOLPH, TOWNSHIP [CRAWFORD CO.]	JANUARY 10, 1975
421721	RAYNE, TWP [INDIANA CO]	JANUARY 17, 1975
421445	READE, TOWNSHIP OF [CAMBRIA CO.]	DECEMBER 06, 1974
421315	REDBANK, TOWNSHIP OF [ARMSTRONG CO.]	DECEMBER 06, 1974
422375	RICHLAND, TOWNSHIP [CLARION CO.]	JANUARY 17, 1975
422540	RICHLAND, TOWNSHIP [VENANGO CO.]	JANUARY 24, 1975
422447	RINGGOLD, TOWNSHIP [JEFFERSON CO.]	JANUARY 03, 1975
421557	ROARING CREEK, TOWNSHIP OF [COLUMBIA CO.]	DECEMBER 13, 1974
421097	ROBINSON, TOWNSHIP OF [ALLEGHENY CO.]	SEPTEMBER 20, 1974
422562	ROBINSON, TWP [WASHINGTON CO.]	JANUARY 17, 1975
422113	ROCKLAND, TWP [VENANGO CO]	JANUARY 10, 1975
422045	ROCKWOOD, BOROUGH OF [SOMERSET CO.]	DECEMBER 06, 1974
422395	ROME, TOWNSHIP [CRAWFORD CO.]	JANUARY 03, 1975
422255	ROSETO, BOROUGH OF [NORTHAMPTON CO.]	NOVEMBER 15, 1974
420826	ROSEVILLE, BOROUGH OF [TIOGA CO.]	DECEMBER 13, 1974
421736	ROSE, TOWNSHIP OF [JEFFERSON CO.]	SEPTEMBER 20, 1974
421895	ROSS, TOWNSHIP OF [MONROE CO.]	NOVEMBER 29, 1974
421835	ROSS, TWP [LUZERNE CO]	JANUARY 24, 1975
421986	ROULETTE, TOWNSHIP OF [POTTER CO.]	DECEMBER 20, 1974
422302	RURAL VALLEY, BORO [ARMSTRONG CO.]	JANUARY 24, 1975
422090	RUSH, TOWNSHIP OF [SUSQUEHANNA CO.]	SEPTEMBER 20, 1974
421597	RUSH, TOWNSHIP OF [DAUPHIN CO.]	JANUARY 31, 1975
421488	SADSBURY, TOWNSHIP OF [CHESTER CO.] [CHESTER CO.]	JANUARY 31, 1975
422192	SALEM, TOWNSHIP OF [WESTMORELAND CO.]	SEPTEMBER 13, 1974
422376	SALEM, TOWNSHIP [CLARION CO.]	SEPTEMBER 20, 1974
420492	SALTLICK, BOROUGH OF [HUNTINGDON CO.]	JANUARY 10, 1975
421874	SANDY LAKE, TOWNSHIP OF [MERCER CO.]	JANUARY 31, 1975
422357	SARONBURG, BOROUGH OF [BUTLER CO.]	DECEMBER 13, 1974
420237	SCALP LEVEL, BOROUGH OF [CAMBRIA CO.]	DECEMBER 27, 1974
422173	SCOTT, TOWNSHIP OF [WAYNE CO.]	JUNE 28, 1974
421757	SCOTT, TOWNSHIP OF [LACKAWANNA CO.]	NOVEMBER 22, 1974
420071	SEWICKLEY HTS, BORO [ALLEGHENY CO]	DECEMBER 27, 1974
420802	SHANKSVILLE, BOROUGH OF [SOMERSET CO.]	MARCH 22, 1974 AND
422126	SHEFFIELD, TOWNSHIP OF [WARREN CO.]	MAY 17, 1974
421585	SHIPPENSBURG, TWP [CUMBERLAND CO]	NOVEMBER 15, 1974
420117	SHIPPING PORT, BOROUGH OF [BEAVER CO.]	NOVEMBER 22, 1974
420493	SHIRLEYSBURG, BOROUGH OF [HUNTINGDON CO.]	SEPTEMBER 06, 1974
421700	SHIRLEY, TOWNSHIP OF [HUNTINGDON CO.]	DECEMBER 13, 1974
422230	SHREWSBURY, TWP [YORK CO]	FEBRUARY 01, 1974
422091	SILVER LAKE, TWP [SUSQUEHANNA CO]	NOVEMBER 15, 1974
422338	SILVERDALE, BORO [BUCKS CO.]	DECEMBER 13, 1974
421506	SLIGO, BOROUGH OF [CLARION CO.]	JANUARY 03, 1975
420899	SMITHTON, BOROUGH OF [WESTMORELAND CO.]	JANUARY 03, 1975
421369	SNAKE SPRING, TWP [BEDFORD CO]	NOVEMBER 08, 1974
422055	SOMERSET, TWP [SOMERSET CO]	MAY 31, 1974
421214	SOUTH BEND, TOWNSHIP OF [ARMSTRONG CO.]	JANUARY 24, 1975
420100	SOUTH BETHLEHEM, BOROUGH OF [ARMSTRONG CO]	SEPTEMBER 20, 1974
		JUNE 28, 1974

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421619	SOUTH CONNELLSVILLE, BOROUGH OF [FAYETTE CO.]	NOVEMBER 08, 1974
420080	SOUTH GREENSBURG, BOROUGH OF [WESTMORELAND CO.]	JUNE 14, 1974
422330	SOUTH HEIGHTS, BOROUGH OF [BEAVER CO.]	JANUARY 31, 1975
422196	SOUTH HUNTINGDON, TOWNSHIP OF [WESTMORELAND CO.]	AUGUST 09, 1974
422439	SOUTH MAHONING, TWP [INDIANA CO.]	JANUARY 24, 1975
422467	SOUTH NEW CASTLE, BORO [LAWRENCE CO.]	JANUARY 17, 1975
421586	SOUTH NEWTON, TOWNSHIP OF [CUMBERLAND CO.]	DECEMBER 27, 1974
421587	SOUTHAMPTON, TOWNSHIP OF [CUMBERLAND CO.]	DECEMBER 27, 1974
422523	SOUTHAMPTON, TOWNSHIP OF [SOMERSET CO.]	DECEMBER 27, 1974
422127	SOUTHWEST, TOWNSHIP OF [WARREN CO.]	NOVEMBER 29, 1974
421739	SPRING BROOK, TOWNSHIP OF [LACKAWANNA CO.]	DECEMBER 27, 1974
421614	SPRING CREEK, TOWNSHIP OF [ELK CO.]	DECEMBER 06, 1974
421038	SPRINGFIELD, TOWNSHIP OF [FAYETTE CO.]	DECEMBER 27, 1974
422092	SPRINGVILLE, TWP [SUSQUEHANNA CO]	JANUARY 10, 1975
421570	SPRING, TOWNSHIP OF [CRAWFORD CO.]	MAY 31, 1974
422039	SPRING, TWP [SNYDER CO]	JANUARY 17, 1975
421745	SPRUCE HILL, TOWNSHIP OF [JUNIATA CO.]	NOVEMBER 22, 1974
421406	STANDING STONE, TOWNSHIP OF [BRADFORD CO.]	SEPTEMBER 20, 1974
421407	STEVENS, TOWNSHIP OF [BRADFORD CO.]	NOVEMBER 01, 1974
421640	STEWART, TOWNSHIP OF [FAYETTE CO.]	DECEMBER 13, 1974
422524	STONYCREEK, TOWNSHIP [SOMERSET CO.]	JANUARY 03, 1975
420152	STRAUSSTOWN, BORO [BERKS CO]	JANUARY 24, 1975
421526	ST. CLAIRSVILLE, BOROUGH OF [BEDFORD CO.]	JANUARY 31, 1975
421991	ST. CLAIR, TOWNSHIP OF [WESTMORELAND CO.]	SEPTEMBER 20, 1974
422489	SUGAR GROVE, TOWNSHIP OF [MERCER CO.]	JANUARY 31, 1975
422549	SUGAR GROVE, TOWNSHIP [WARREN CO.]	JANUARY 24, 1975
422303	SUGARCREEK, TWP [ARMSTRONG CO.]	JANUARY 24, 1975
422399	SUMMERHILL, TOWNSHIP OF [CRAWFORD CO.]	JANUARY 31, 1975
422398	SUMMIT, TOWNSHIP [BUTLER CO.]	JANUARY 24, 1975
422056	SUMMIT, TWP [SOMERSET CO]	JANUARY 03, 1975
420816	SUSQUEHANNA DEPOT, BOROUGH OF [SUSQUEHANNA CO.]	JUNE 21, 1974
421467	SUSQUEHANNA, TOWNSHIP OF [CAMBRIA CO.]	NOVEMBER 15, 1974
421990	SYLVANIA, TOWNSHIP OF [POTTER CO.]	DECEMBER 06, 1974
422397	S. SHENANGO, TOWNSHIP [CRAWFORD CO.]	JANUARY 03, 1975
421669	TAYLOR, TOWNSHIP OF [CENTRE CO.]	DECEMBER 20, 1974
422339	TELFORD, BOROUGH OF [MONTGOMERY CO.]	JANUARY 10, 1975
422582	THOMPSON, BORO [SUSQUEHANNA CO.]	JANUARY 24, 1975
421664	THOMPSON, TOWNSHIP [FULTON CO.]	DECEMBER 13, 1974
422576	THREE SPRINGS, BORO [HUNTINGDON CO.]	JANUARY 24, 1975
422448	TIMBLIN, BORO [JEFFERSON CO.]	JANUARY 24, 1975
420468	TIONESTA, BOROUGH OF [FOREST CO.]	MARCH 29, 1974
421113	TOWANDA, TOWNSHIP OF [BRADFORD CO.]	JULY 26, 1974
422401	TOWNVILLE, BORO [CRAWFORD CO.]	JANUARY 24, 1975
422550	TRIUMPH, TWP [WARREN CO.]	JANUARY 17, 1975
420315	TROUTVILLE, BOROUGH OF [CLEARFIELD CO.]	DECEMBER 06, 1974
421115	TULPEHOCKEN, TOWNSHIP OF [BERKS CO.]	NOVEMBER 08, 1974
423898	TUNKHANNOCK, TOWNSHIP OF [MONROE CO.]	JANUARY 31, 1975
421116	TUSCARORA, TOWNSHIP OF [BRADFORD CO.]	OCTOBER 18, 1974

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421960	TUSCARORA, TWP [PERRY CO]	JANUARY 17, 1975
421961	TYRONE, TOWNSHIP OF [PERRY CO.]	JANUARY 31, 1975
422564	UNIONDALE, BORO [SUSQUEHANNA CO.]	JANUARY 24, 1975
421573	UNION, TOWNSHIP OF [CRAWFORD CO.]	AUGUST 30, 1974
421704	UNION, TOWNSHIP [HUNTINGDON CO]	DECEMBER 06, 1974
421370	UNION, TOWNSHIP OF [ERIE CO.]	DECEMBER 13, 1974
421261	UNION, TOWNSHIP OF [ADAMS CO.]	DECEMBER 06, 1974
422430	UNION, TOWNSHIP OF [FULTON CO.]	DECEMBER 27, 1974
422449	UNION, TOWNSHIP OF [JEFFERSON CO.]	DECEMBER 27, 1974
421636	UNION, TWP [LUZERNE CO]	JANUARY 17, 1975
421531	UNION, TWP [CLEARFIELD CO]	JANUARY 17, 1975
421118	UPPER BERN, TOWNSHIP OF [BERKS CO.]	SEPTEMBER 20, 1974
421589	UPPER MIFFLIN, TOWNSHIP OF [CUMBERLAND CO.]	NOVEMBER 15, 1974
421934	UPPER NAZARETH, TOWNSHIP OF [NORTHAMPTON CO.]	DECEMBER 27, 1974
421916	UPPER SALFORD, TOWNSHIP OF [MONTGOMERY CO.]	DECEMBER 06, 1974
422525	UPPER TURKEYFOOT, TOWNSHIP OF [SOMERSET CO.]	DECEMBER 27, 1974
421491	UPPER UWCHLAN, TOWNSHIP OF [CHESTER CO.]	DECEMBER 20, 1974
421120	UPR TULPEHOCKEN, TWP[BERKS CO]	JANUARY 10, 1975
420841	UTICA, BOROUGH OF [VENANGO CO.]	AUGUST 16, 1974
421316	VALLEY, TOWNSHIP OF [ARMSTRONG CO.]	NOVEMBER 29, 1974
421620	VANDERBILT, BOROUGH OF [FAYETTE CO.]	JANUARY 31, 1975
420355	VENANGO, BOROUGH OF [CRAWFORD CO.]	AUGUST 30, 1974
421574	VENANGO, TOWNSHIP OF [CRAWFORD CO.]	MAY 31, 1974
422359	VENANGO, TOWNSHIP [BUTLER CO.]	JANUARY 24, 1975
420081	VERSAILLES, BOROUGH OF [ALLEGHENY CO.]	MARCH 29, 1974
422543	VICTORY, TOWNSHIP OF [VENANGO CO.]	JANUARY 31, 1975
421577	W FALLOWFIELD, TWP [CRAWFORD CO]	JANUARY 17, 1975
422577	WALKER, TWP [HUNTINGDON CO.]	JANUARY 10, 1975
420316	WALLACETON, BOROUGH OF [CLEARFIELD CO.]	NOVEMBER 08, 1974
421493	WALLACE, TWP [CHESTER CO]	JANUARY 10, 1975
421408	WARREN, TOWNSHIP OF [BRADFORD CO.]	JANUARY 31, 1975
422427	WARREN, TOWNSHIP [FRANKLIN CO.]	JANUARY 24, 1975
422232	WARRINGTON, TOWNSHIP [YORK CO]	DECEMBER 27, 1974
421705	WARRIORS MARK, TWP [HUNTINGDON CO]	JANUARY 17, 1975
422450	WARSAW, TOWNSHIP [JEFFERSON CO.]	JANUARY 17, 1975
421363	WASHINGTON, TOWNSHIP OF [BERKS CO.]	NOVEMBER 22, 1974
422378	WASHINGTON, TOWNSHIP [CLARION CO.]	JANUARY 17, 1975
421678	WASHINGTON, TOWNSHIP OF [GREENE CO.]	NOVEMBER 01, 1974
422207	WASHINGTON, TOWNSHIP OF [WYOMING CO.]	DECEMBER 06, 1974
421317	WASHINGTON, TOWNSHIP OF [ARMSTRONG CO.]	NOVEMBER 15, 1974
421598	WASHINGTON, TOWNSHIP OF [DAUPHIN CO.]	DECEMBER 13, 1974
421448	WASHINGTON, TOWNSHIP OF [CAMBRIA CO.]	NOVEMBER 22, 1974
420224	WASHINGTON, TOWNSHIP OF [BUTLER CO.]	SEPTEMBER 13, 1974
422196	WASHINGTON, TOWNSHIP OF [WESTMORELAND CO.]	SEPTEMBER 06, 1974
422041	WASHINGTON, TWP [SNYDER CO]	JANUARY 17, 1975
421722	WASHINGTON, TWP [INDIANA CO]	DECEMBER 27, 1974
422419	WATERFORD, TOWNSHIP [ERIE CO.]	JANUARY 24, 1975
422551	WATSON, TWP [WARREN CO.]	JANUARY 10, 1975
422027	WAYNE, TOWNSHIP OF [SCHUYLKILL CO.]	NOVEMBER 29, 1974

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421679	WAYNE, TOWNSHIP OF (GREENE CO.)	DECEMBER 27, 1974
421599	WAYNE, TWP (DAUPHIN CO)	JANUARY 17, 1975
421817	WEISENBERG, TWP (LEHIGH CO)	JANUARY 10, 1975
422526	WELLERSBURG, BOROUGH OF (SOMERSET CO.)	JANUARY 31, 1975
421760	WEST ABLINGTON, TOWNSHIP OF (LACKAWANNA CO.)	DECEMBER 20, 1974
422507	WEST BEAVER, TWP (SNYDER CO.)	JANUARY 24, 1975
422156	WEST BETHLEHEM, TOWNSHIP OF (WASHINGTON CO.)	NOVEMBER 29, 1974
422028	WEST BRUNSWICK, TWP (SCHUYLKILL CO)	JANUARY 10, 1975
422106	WEST BUFFALO, TOWNSHIP OF (UNION CO.)	NOVEMBER 01, 1974
421497	WEST CALN, TOWNSHIP OF (CHESTER CO.)	SEPTEMBER 06, 1974
421449	WEST CARROLL, TOWNSHIP OF (CAMBRIA CO.)	NOVEMBER 22, 1974
422565	WEST FINLEY, TOWNSHIP OF (WASHINGTON CO.)	DECEMBER 27, 1974
422304	WEST FRANKLIN, TWP (ARMSTRONG CO.)	JANUARY 10, 1975
421542	WEST READING, TOWNSHIP OF (CLINTON CO.)	DECEMBER 06, 1974
420905	WEST LEECHBURG, BOROUGH OF (WESTMORELAND CO.)	JUNE 21, 1974
421723	WEST MAHONING, TWP (INDIANA CO)	JANUARY 24, 1975
422234A	WEST MANHEIM, TOWNSHIP OF (YORK CO.)	DECEMBER 13, 1974 AND OCTOBER 31, 1975
422280	WEST NOTTINGHAM, TOWNSHIP OF (CHESTER CO.)	NOVEMBER 22, 1974
422029	WEST PENN, TOWNSHIP OF (SCHUYLKILL CO.)	NOVEMBER 15, 1974
422042	WEST PERRY, TOWNSHIP OF (SNYDER CO.)	NOVEMBER 01, 1974
421123	WEST ROCKHILL, TOWNSHIP OF (BUCKS CO.)	SEPTEMBER 13, 1974
422490	WEST SALEM, TWP (MERCER CO.)	JANUARY 24, 1975
422402	WEST SHENANGO, TOWNSHIP (CRAWFORD CO.)	JANUARY 17, 1975
423450	WEST TAYLOR, TOWNSHIP OF (CAMBRIA CO.)	NOVEMBER 22, 1974
421706	WEST, TWP (HUNTINGDON CO)	JANUARY 17, 1975
421660	WHITELEY, TOWNSHIP OF (GREENE CO.)	DECEMBER 27, 1974
422258	WHITE, TOWNSHIP OF (CAMBRIA CO.)	NOVEMBER 22, 1974
421725	WHITE, TOWNSHIP OF (INDIANA CO.)	DECEMBER 13, 1974
420400	WILLIAMSTOWN, BOROUGH OF (DAUPHIN CO.)	JUNE 28, 1974
421601	WILLIAMS, TOWNSHIP OF (DAUPHIN CO.)	DECEMBER 13, 1974
420244	WILMORE, BOROUGH OF (CAMBRIA CO.)	AUGUST 09, 1974
421124	WILROT, TOWNSHIP OF (BRADFORD CO.)	SEPTEMBER 06, 1974
421215	WINSLOW, TWP (JEFFERSON CO)	SEPTEMBER 20, 1974
422491	WOLF CREEK, TOWNSHIP OF (MERCER CO.)	JANUARY 31, 1975
420157	WOMELSDORF, BOROUGH OF (BERKS CO.)	MAY 24, 1974
421330	WOODBURY, BOROUGH OF (BEDFORD CO.)	DECEMBER 06, 1974
421355	WOODBURY, TOWNSHIP OF (BEDFORD CO.)	JANUARY 31, 1975
422403	WOODCOCK, BOROUGH OF (CRAWFORD CO.)	SEPTEMBER 13, 1974
421532	WOODWARD, TOWNSHIP OF (CLEARFIELD CO.)	DECEMBER 27, 1974
422366	WORTHINGTON, BORO (ARMSTRONG CO.)	DECEMBER 27, 1974
422492	WORTH, TWP (MERCER CO.)	JANUARY 24, 1975
421126	WYALUSING, TOWNSHIP OF (BRADFORD CO.)	SEPTEMBER 20, 1974
420960	YORK HAVEN, BOROUGH OF (YORK CO.)	JANUARY 23, 1974
421737	YOUNG, TOWNSHIP OF (JEFFERSON CO.)	AUGUST 30, 1974
421726	YOUNG, TWP (INDIANA CO)	DECEMBER 20, 1974

TOTAL IN THE STATE 628

• UNINCORPORATED AREAS ONLY

RHODE ISLAND

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED

TOTAL IN THE STATE 0

• UNINCORPORATED AREAS ONLY

SOUTH CAROLINA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
450201	ALLENDALE COUNTY •	NOVEMBER 29, 1974
450222A	ATLANTIC BEACH, TOWN OF	AUGUST 23, 1974
450203	BARNERS COUNTY •	NOVEMBER 29, 1974
450204	BARNWELL COUNTY •	DECEMBER 20, 1974
450027A	BLUFFTON, TOWN OF (BEAUFORT CO.)	MAY 17, 1974
450096A	BRUNSON, TOWN (HAMPTON CO)	MAY 31, 1974 AND NOVEMBER 14, 1975
450004	BURNETTOWN, TOWN OF (AIKEN CO.)	OCTOBER 25, 1974
450032	CAMERON, TOWN (CALHOUN CO)	JANUARY 03, 1975
450077	COWARD, TOWN OF (FLORENCE CO.)	OCTOBER 25, 1974
450124	CROSS HILL, TOWN OF (LAURENS CO.)	SEPTEMBER 06, 1974
450060	DARLINGTON COUNTY •	DECEMBER 27, 1974
450065	DILLON, TOWN OF (DILLON CO.)	MAY 17, 1974
450076	EDGEFIELD, TOWN OF (EDGEFIELD CO.)	MAY 24, 1974
450022	EHRHARDT, TOWN OF (BAMBERG CO.)	JULY 19, 1974
450118	ELGIN, TOWN (KERSHAW CO)	JANUARY 24, 1975
450010	FAIRFAX, TOWN OF (ALLENDALE CO.)	MAY 31, 1974
450132	GILBERT, TOWN OF (LEXINGTON CO.)	OCTOBER 25, 1974
450210	GRAY COURT, TOWN OF (LAURENS CO.)	DECEMBER 13, 1974
450163	HOLLY HILL, TOWN OF (ORANGEBURG CO.)	JUNE 07, 1974
450057	HOLLYWOOD, TOWN OF (CHARLESTON CO.)	SEPTEMBER 06, 1974
450217	INMAN, TOWN OF (SPARTANBURG COU)	JANUARY 31, 1975
450005	JACKSON, TOWN OF (AIKEN CO.)	MAY 17, 1974
450080	OLANTA, TOWN OF (FLORENCE CO.)	MAY 24, 1974
450081	PAMPLICO, TOWN OF (FLORENCE CO.)	MAY 10, 1974
450053	PAXVILLE, TOWN OF (CLARENDON CO.)	AUGUST 09, 1974
450135	PELION, TOWN OF (LEXINGTON CO.)	AUGUST 09, 1974
450183	PINEWOOD, TOWN OF (SUMTER CO.)	JUNE 21, 1974
450218	REEVESVILLE, TOWN OF (DORCHESTER CO.)	DECEMBER 27, 1974
450071	RIDGEVILLE, TOWN OF (DORCHESTER CO.)	MAY 31, 1974
450165	ROWESVILLE, TOWN OF (ORANGEBURG CO.)	SEPTEMBER 20, 1974
450212	SALEM, TOWN OF (OCONEE CO.)	NOVEMBER 08, 1974
450145	SELLERS, TOWN OF (MARION CO.)	JUNE 07, 1974
450155	SILVERSTREET, TOWN (NEWBERRY CO)	JANUARY 24, 1975
450057	SMOAKS, TOWN OF (COLLETON CO.)	SEPTEMBER 06, 1974
450011	SYCAMORE, TOWN OF (ALLENDALE CO.)	OCTOBER 25, 1974
450084A	TIMMONSVILLE, TOWN OF (FLORENCE CO.)	MAY 24, 1974
450012	ULMERS, TOWN OF (ALLENDALE CO.)	AUGUST 16, 1974
450059	WILLIAMS, TOWN (COLLETON CO)	JANUARY 10, 1975

TOTAL IN THE STATE 38

• UNINCORPORATED AREAS ONLY

SOUTH DAKOTA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
460077	ASHTON, CITY OF (SPINK CO.)	DECEMBER 06, 1974
460058	BALTIC, TOWN OF (MINNEHAHA CO.)	DECEMBER 06, 1974
460008	COLUMBIA, TOWN OF (BROWN CO.)	DECEMBER 06, 1974
460078	CONDE, TOWN OF (SPINK CO.)	DECEMBER 20, 1974
460026	EDGEMONT, CITY OF (FALL RIVER CO.)	AUGUST 02, 1974
460009	FREDERICK, TOWN OF (BROWN CO.)	NOVEMBER 22, 1974
460050	KENNEBEC, TOWN (LYMAN CO)	JANUARY 17, 1975
460068	LEBANON, TOWN (POTTER CO)	JANUARY 03, 1975
460080	NORTHVILLE, TOWN OF (SPINK CO.)	DECEMBER 13, 1974
460082	TURTON, TOWN OF (SPINK CO.)	DECEMBER 20, 1974

TOTAL IN THE STATE 10

• UNINCORPORATED AREAS ONLY

TENNESSEE

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
470159	ADAMS, TOWN OF (ROBERTSON CO.)	NOVEMBER 15, 1974
470007	BELL BUCKLE, TOWN OF (BEDFORD CO.)	JUNE 14, 1974
470240	BELLS, TOWN (CROCKETT CO)	JANUARY 10, 1975
470216	BENTON COUNTY	JANUARY 10, 1975
470128	BETHEL SPRINGS, TOWN OF (MCNAIRY CO.)	JUNE 28, 1974
470220	BLOUNT COUNTY	JANUARY 10, 1975
470057	BRADFORD, TOWN OF (GIBSON CO.)	JUNE 21, 1974
470244	BRUCETON, TOWN (CARROLL CO)	JANUARY 10, 1975
470147	BYRDSTOWN, CITY OF (PICKETT CO.)	JUNE 21, 1974
470016	CAMPBELL COUNTY •	NOVEMBER 29, 1974
470120	CHAPEL HILL, TOWN OF (MARSHALL CO.)	JUNE 14, 1974
470160	CROSS PLAINS, TOWN (ROBERTSON CO)	JANUARY 24, 1975
470046	DICKSON COUNTY •	DECEMBER 06, 1974
470166	EAGLEVILLE, TOWN OF (RUTHERFORD CO.)	AUGUST 23, 1974
470271	ENGLEWOOD, CITY OF (MCMINN CO.)	MAY 17, 1974
470129	FINGER, TOWN OF (MCNAIRY CO.)	SEPTEMBER 06, 1974
470247	GADSDEN, TOWN (CROCKETT CO)	JANUARY 24, 1975
470048	GALLAWAY, CITY OF (FAYETTE CO.)	DECEMBER 13, 1974
470246	GARLAND, TOWN OF (TIPTON COU)	JANUARY 31, 1975
470190	GILT EDGE, CITY OF (TIPTON CO.)	SEPTEMBER 13, 1974
470255	GRAND JUNCTION, CITY OF (HARDEMAN COU)	JANUARY 31, 1975
470161	GREENBRIER, CITY OF (ROBERTSON CO.)	JUNE 21, 1974
470226	HANCOCK COUNTY	JANUARY 24, 1975
470088	HENDERSON COUNTY •	DECEMBER 20, 1974
470259	HENNING, TOWN (LAUDERDALE CO)	JANUARY 03, 1975
470101	IRON CITY, CITY OF (LAWRENCE CO.)	JUNE 14, 1974
470224	KENTON, TOWN OF (GIBSON CO.)	DECEMBER 27, 1974
470231	LAWRENCE COUNTY	JANUARY 17, 1975
470121	LEWISBURG, CITY OF (MARSHALL CO.)	MARCH 01, 1974
470065	LYNNVILLE, CITY OF (GILES CO.)	JUNE 14, 1974
470251	MEDINA, CITY (GIBSON CO)	JANUARY 03, 1975
470139	MORGAN COUNTY	JANUARY 17, 1975
470149	PUTNAM COUNTY •	SEPTEMBER 13, 1974
470131	RAMER, TOWN OF (MCNAIRY CO.)	NOVEMBER 29, 1974
470277	RICHARD CITY, CITY OF (MARION CO.)	FEBRUARY 01, 1974
470162	RIDGETOP, CITY OF (ROBERTSON CO.)	JUNE 07, 1974
470058	ROSSVILLE, TOWN OF (FAYETTE CO.)	JULY 19, 1974
470061	RUTHERFORD, TOWN OF (GIBSON CO.)	JUNE 07, 1974
470083	SALTILLO, TOWN OF (HARDIN CO.)	JUNE 14, 1974
470078	SIGNAL MOUNTAIN, TOWN OF (HAMILTON CO.)	JUNE 14, 1974
470256	STANTON, TOWN (HAYWOOD CO)	JANUARY 03, 1975
470180	STEWART COUNTY •	SEPTEMBER 13, 1974
470279	SURGOINSVILLE, CITY OF (HAWKINS CO.)	MAY 17, 1974
470280	TELLICO PLAINS, CITY OF (MONROE CO.)	MARCH 08, 1974
470282	TRACY CITY, CITY OF (GRUNDY CO.)	MAY 10, 1974
470249	TRIMBLE, TOWN (DYER CO)	JANUARY 03, 1975
470252	TROY, CITY (OBION CO)	JANUARY 24, 1975
470009	VARTRACE, TOWN OF (BEDFORD CO.)	JUNE 14, 1974
470201	WAYNESBORO, CITY OF (WAYNE CO.)	JUNE 14, 1974
470118	WHITEVILL, CITY OF (MARION CO.)	FEBRUARY 15, 1974

TOTAL IN THE STATE 50

• UNINCORPORATED AREAS ONLY

TEXAS

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
480335A	ALAMO, CITY OF (HIDALGO CO.)	JANUARY 23, 1974 AND SEPTEMBER 05, 1975
480397	ALVARADO, CITY OF (JOHNSON CO.)	AUGUST 09, 1974
480007	ANGELINA COUNTY •	DECEMBER 27, 1974
480132	ANNA, CITY OF (COLLIN CO.)	AUGUST 09, 1974
480567	ARP, CITY OF (SMITH CO.)	AUGUST 16, 1974
480065	BAILEYS PRAIRIE, TOWN OF (BRAZORIA CO.)	NOVEMBER 08, 1974
480021	BANDERA, CITY OF (BANDERA CO.)	APRIL 12, 1974
480706	BELL COUNTY	JANUARY 10, 1975
480350	BLUM, CITY OF (HILL CO.)	NOVEMBER 01, 1974
480051	BOSQUE COUNTY •	DECEMBER 27, 1974
480676	BOYD, CITY OF (WISE CO.)	DECEMBER 20, 1974
480084	BREWSTER COUNTY •	DECEMBER 27, 1974
480398	BRIAR OAKS, CITY OF (JOHNSON CO.)	MARCH 29, 1974
480849	BURTON, CITY OF (WASHINGTON CO.)	DECEMBER 20, 1974
480490	CACTUS, CITY OF (MOORE CO.)	JUNE 14, 1974
480364	CADDO MILLS, CITY OF (HUNT CO.)	JUNE 28, 1974
480365	CELESTE, CITY OF (HUNT CO.)	JUNE 21, 1974
480586	CENTER, CITY OF (SHELBY CO.)	MARCH 01, 1974
480326	CHANDLER, CITY OF (HENDERSON CO)	JUNE 28, 1974
480169	COCKRELL HILL, CITY OF (DALLAS CO.)	DECEMBER 07, 1973
480144	COLORADO COUNTY •	OCTOBER 25, 1974
480106	COMBES, TOWN OF (CAMERON CO.)	MAY 10, 1974
480193	COOPER, CITY OF (DELTA CO.)	JANUARY 09, 1973
480527	CORRIGAN, CITY OF (POLK CO.)	MAY 24, 1974
480409	CRANDALL, CITY OF (KAUFMAN CO.)	MARCH 08, 1974
480166	DALHART, CITY OF (DALLAM CO.)	AUGUST 23, 1974
480088	EARLY, CITY OF (BROWN CO.)	MAY 17, 1974
480635	EDGEWOOD, CITY OF (VAN ZANDT CO.)	JUNE 14, 1974
480207	ENNIS, CITY OF (ELLIS CO.)	JUNE 28, 1974
480277	ESTELLINE, CITY OF (HALL CO.)	NOVEMBER 08, 1974
481069	FAIRVIEW, TOWN (COLLIN CO)	JANUARY 10, 1975
480226	FLOYDADA, CITY OF (FLOYD CO.)	MAY 31, 1974
480446A	FOLLETT, CITY OF (LIPSCOMB CO.)	JUNE 28, 1974 AND AUGUST 15, 1975
480003	FRANKSTON, CITY OF (ANDERSON CO.)	AUGUST 16, 1974
480523A	FRIONA, CITY OF (PARMER CO.)	APRIL 12, 1974
480574	GLEN ROSE, CITY (SOMERVELL CO)	AUGUST 23, 1974
480328	GUN BARREL CITY, CITY OF (HENDERSON CO.)	NOVEMBER 08, 1974
480153	GUSTINE, TOWN OF (COMANCHE CO.)	ADGUST 02, 1974
480273	HALE CENTER, CITY OF (HALE CO.)	MAY 10, 1974
480400	HASLET, CITY OF (TARRANT CO.)	NOVEMBER 01, 1974
480201	HEDLEY, CITY OF (DONLEY CO.)	NOVEMBER 08, 1974
480458	HENLEY, CITY OF (MCLENNAN CO.)	JANUARY 23, 1974
481072	IREDELL, TOWN OF (BOSQUE CO.)	NOVEMBER 01, 1974
480411	KAUFMAN, CITY OF (KAUFMAN CO.)	MARCH 22, 1974
480417	KENDALL COUNTY •	DECEMBER 27, 1974
480674	KERMIT, CITY OF (WINKLER CO.)	MAY 24, 1974

• UNINCORPORATED AREAS ONLY

TEXAS

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
480475	LACOSTE, CITY OF [MEDINA CO.]	JANUARY 09, 1974
480278	LAKEVIEW, TOWN OF [HALL CO.]	DECEMBER 06, 1974
480441	LIBERTY, TOWN OF [LIBERTY CO.]	DECEMBER 20, 1974
480569	LINDALE, CITY OF [SMITH CO.]	MARCH 22, 1974
480451	LLANO, CITY OF [LLANO CO.]	DECEMBER 28, 1973
480329	MALAKOFF, CITY OF [HENDERSON CO.]	OCTOBER 25, 1974
480208	MARION, CITY OF [GUADALUPE CO.]	JANUARY 09, 1974
480467	MASON, CITY OF [MASON CO.]	MAY 10, 1974
480206	MAYPEARL, CITY OF [ELLIS CO.]	NOVEMBER 29, 1974
480257	MCLEAN, CITY OF [GRAY CO.]	MAY 17, 1974
480463	MCMULLEN COUNTY *	DECEMBER 27, 1974
480376	MERTZON, CITY OF [IRION CO.]	JULY 26, 1974
480561	MIAMI, CITY OF [ROBERTS CO.]	MAY 24, 1974
480679	MINEOLA, CITY OF [WOOD CO.]	MAY 03, 1974
480937	MITCHELL COUNTY *	APRIL 12, 1974
480433	MOULTON, TOWN OF [LAVACA CO.]	APRIL 05, 1974
480500	NEWTON, CITY OF [NEWTON CO.]	JUNE 07, 1974
480430	NORMANGEE, CITY OF [LEON CO.]	AUGUST 16, 1974
480437	OAKWOOD, TOWN OF [LEON CO.]	MAY 24, 1974
480206A	ODESSA, CITY OF [ECTOR CO.]	JUNE 28, 1974
481082	OZONA, CITY OF [CROCKETT CO.]	DECEMBER 07, 1973
480258	PAMPA, CITY OF [GRAY CO.]	MAY 10, 1974
480509A	PERRYTON, CITY OF [OCHILTREE CO.]	SEPTEMBER 13, 1974
480274	PETERSBURG, CITY OF [HALE CO.]	APRIL 12, 1974
480116	PITTSBURG, CITY OF [CAMP CO.]	JANUARY 23, 1974
480141	PROSPER, TOWN OF [COLLIN CO.]	JUNE 21, 1974
480645	PYOTE, CITY OF [WARD CO.]	AUGUST 16, 1974
480370	QUINLAN, CITY OF [HUNT CO.]	APRIL 12, 1974
480205	RANGER, CITY OF [EASTLAND CO.]	MAY 17, 1974
480628	RANKIN, CITY OF [UPTON CO.]	MAY 10, 1974
480562	RICHLAND SPRINGS, CITY OF [SAN SABA CO.]	NOVEMBER 08, 1974
480496	ROARING SPRINGS, CITY OF [MOTLEY CO.]	NOVEMBER 08, 1974
480225	ROBY, CITY OF [FISHER CO.]	MAY 17, 1974
480610	SAGINAW, CITY OF [TARRANT CO.]	MARCH 08, 1974
480667	SAN PERLITA, CITY OF [WILLACY CO.]	OCTOBER 25, 1974
480114	SANTA ROSA, CITY OF [CAMERON CO.]	MAY 17, 1974
480488	SPLENDORA, CITY OF [MONTGOMERY CO.]	AUGUST 30, 1974
480375	STINNETT, CITY OF [HUTCHINSON CO.]	MAY 31, 1974
480673A	STOCKDALE, CITY OF [WILSON CO.]	MAY 31, 1974 AND OCTOBER 10, 1975
480355	SUNDOWN, CITY OF [HOCKLEY CO.]	APRIL 12, 1974
480416	TERRELL, CITY OF [KAUFMAN CO.]	DECEMBER 20, 1974
480315	TOMBALL, CITY [HARRIS CO]	JANUARY 24, 1975
480663	VERNON, CITY OF [WILBARGER CO.]	MAY 17, 1974
480652	WHARTON COUNTY *	AUGUST 02, 1974
480633	WILLS POINT, CITY OF [VAN ZANDT CO.]	MAY 17, 1974
480675	WINK, CITY OF [WINKLER CO.]	JUNE 28, 1974
480573	WINONA, CITY OF [SMITH CO.]	NOVEMBER 01, 1974
480372	WOLFE CITY, CITY OF [HUNT CO.]	JUNE 28, 1974
480434	YOAKUM, CITY OF [LAVACA CO.]	MAY 10, 1974
480687	ZAPATO COUNTY *	AUGUST 02, 1974

TOTAL IN THE STATE 98

• UNINCORPORATED AREAS ONLY

UTAH

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
490122	ANNABELLA, TOWN [SEVIER CO]	JANUARY 10, 1975
490123	AURORA, TOWN OF [SEVIER CO]	JANUARY 31, 1975
490002	BEAVER, CITY OF [BEAVER CO.]	JUNE 11, 1974
490095	CIRCLEVILLE, TOWN OF [PIUTE CO.]	AUGUST 02, 1974
490007	ELWOOD, TOWN [BOX ELDER CO]	JANUARY 24, 1975
490169	ENTERPRISE, CITY OF [WASHINGTON CO.]	AUGUST 16, 1974
490008	HONEYVILLE, TOWN OF [BOX ELDER CO]	JUNE 28, 1974
490188	HUNTSVILLE, TOWN OF [WEBER CO.]	JUNE 21, 1974
490127	JOSEPH, TOWN [SEVIER CO]	JANUARY 10, 1975
490018	LEWISTON, CITY OF [CACHE CO.]	AUGUST 16, 1974
490185	LOA, TOWN OF [WAYNE CO.]	DECEMBER 20, 1974
490300A	RANDOLPH, TOWN OF [RICH CO.]	AUGUST 16, 1974
490144	STOCKTON, TOWN [TOOELE CO]	JANUARY 24, 1975
490037	WELLINGTON, CITY OF [CARBON CO.]	JULY 26, 1974
490011	WILLARD, CITY OF [BOX ELDER CO.]	JUNE 07, 1974

TOTAL IN THE STATE 15

• UNINCORPORATED AREAS ONLY

VERMONT

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
500243	ALBANY, TOWN [ORLEANS CO]	JANUARY 10, 1975
500279	ATHENS, TOWN OF [WINDHAM CO.]	DECEMBER 06, 1974
500062	BARTON, VILLAGE OF [ORLEANS CO.]	NOVEMBER 08, 1974
500262	BELLE HAVEN, TOWN OF [ACCOMACK CO.]	JANUARY 17, 1975
500227	BELVIDERE, TOWN OF [LAMOILLE CO.]	DECEMBER 06, 1974
500234	BRADFORD, VILLAGE OF [ORANGE CO.]	OCTOBER 25, 1974
500236	BROOKFIELD, TOWN OF [ORANGE CO.]	DECEMBER 13, 1974
500245	BROWNINGTON, TOWN OF [ORLEANS CO.]	DECEMBER 13, 1974
500107	CABOT, VILLAGE OF [WASHINGTON CO.]	SEPTEMBER 06, 1974
500083	CHARLESTON, TOWN OF [ORLEANS CO.]	AUGUST 09, 1974
500312	DANBY, TOWN [RUTLAND CO]	JANUARY 17, 1975
500185	DANVILLE, TOWN [CALEDONIA CO]	JANUARY 17, 1975
500127	DOVER, TOWN OF [WINDHAM CO.]	AUGUST 02, 1974
500209	EAST HAVEN, TOWN OF [ESSEX CO.]	DECEMBER 13, 1974
500229	EDEN, TOWN OF [LAMOILLE CO.]	DECEMBER 06, 1974
500051	ENOSBURG, TOWN OF [FRANKLIN CO.]	AUGUST 09, 1974
500035	ESSEX JCT., VILLAGE OF [CHITTENDEN CO.]	JUNE 28, 1974
500210	FERDINAND, TOWN OF [ESSEX CO.]	DECEMBER 13, 1974
500251	GLOVER, TOWN OF [ORLEANS CO.]	DECEMBER 20, 1974
500129	GRAFTON, TOWN OF [WINDHAM CO.]	DECEMBER 06, 1974
500211	GRANBY, TOWN OF [ESSEX CO.]	DECEMBER 13, 1974
500003	GRANVILLE, TOWN OF [ADDISON CO.]	JANUARY 24, 1975
500261	HALIFAX, TOWN OF [WINDHAM CO.]	JANUARY 31, 1975
500187	HARDWICK, VILLAGE OF [CALEDONIA CO.]	DECEMBER 20, 1974
500055	HIGHGATE, TOWN OF [FRANKLIN CO.]	MAY 31, 1974
500322	HINESBURG, TOWN OF [CHITTENDEN CO.]	JANUARY 31, 1975
500313	HUBBARDTON, TOWN OF [RUTLAND CO.]	DECEMBER 13, 1974
500036	HUNTINGTON, TOWN OF [CHITTENDEN CO.]	JULY 21, 1974
500230	HYDE PARK, TOWN OF [LAMOILLE CO.]	DECEMBER 06, 1974
500231	HYDE PARK, VILLAGE OF [LAMOILLE CO.]	AUGUST 30, 1974
500252	IRASBURG, TOWN OF [ORLEANS CO.]	DECEMBER 20, 1974
500253	JAY, TOWN OF [ORLEANS CO.]	SEPTEMBER 13, 1974
500188	KIRBY, TOWN OF [CALEDONIA CO.]	DECEMBER 13, 1974
500254	LOWELL, TOWN OF [ORLEANS CO.]	SEPTEMBER 20, 1974
500048	LUNENBURG, TOWN OF [ESSEX CO.]	JUNE 28, 1974
500213	MALDSTONE, TOWN OF [ESSEX CO.]	DECEMBER 13, 1974
500283	MARLBORO, TOWN OF [WINDHAM CO.]	DECEMBER 27, 1974
500039	MILTON, VILLAGE OF [CHITTENDON CO.]	MAY 03, 1974
500167	MONKTON, TOWN [ADDISON CO]	JANUARY 24, 1975
500255	MORGAN, TOWN OF [ORLEANS CO.]	JANUARY 31, 1975
500262	MT. TABOR, TOWN [RUTLAND CO]	JANUARY 10, 1975
500285	N WESTMINSTER, VILL [WINDHAM CO]	JANUARY 10, 1975
500190	NEWARK, TOWN [CALEDONIA CO.]	JANUARY 10, 1975
500284	NEWFANE, VILLAGE [WINDHAM CO]	JANUARY 03, 1975
500256	NEWPORT, TOWN OF [ORLEANS CO.]	NOVEMBER 01, 1974
500223	NORTH HERO, TOWN [GRAND ISLE CO]	JANUARY 10, 1975
500087	NORTH TROY, VILLAGE OF [ORLEANS CO.]	AUGUST 02, 1974
500296	PERKINSVILLE, VILL [WINDSOR CO]	JANUARY 03, 1975

• UNINCORPORATED AREAS ONLY

VERMONT

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
500181	PERU, TOWN [BENNINGTON CO]	JANUARY 10, 1975
500218	RICHFORD, TOWN OF [FRANKLIN CO.]	AUGUST 02, 1974
500010	RIPTON, TOWN [ADDISON CO]	JANUARY 17, 1975
500183	SANDGATE, TOWN OF [BENNINGTON CO.]	JANUARY 31, 1975
500184	SEARSBURG, TOWN OF [BENNINGTON CO.]	NOVEMBER 15, 1974
500287	SOMERSET, TOWN OF [WINDHAM CO.]	NOVEMBER 22, 1974
500321	STRATTON, TOWN OF [WINDHAM CO.]	JANUARY 31, 1975
500219	ST. ALBANS, TOWN [FRANKLIN CO]	JANUARY 10, 1975
500269	SUDBURY, TOWN [RUTLAND CO]	JANUARY 24, 1975
500198	SUTTON, TOWN OF [CALEDONIA CO.]	DECEMBER 13, 1974
500270	TINMOUTH, TOWN OF [RUTLAND CO.]	DECEMBER 06, 1974
500241	TOPSHAM, TOWN OF [ORANGE CO.]	DECEMBER 13, 1974
500288	TOWNSEND, VILLAGE OF [WINDHAM CO.]	NOVEMBER 29, 1974
500215	VICTORY, TOWN OF [ESSEX CO.]	DECEMBER 13, 1974
500077	WASHINGTON, TOWN OF [ORANGE CO]	JUNE 28, 1974
500253	WATERVILLE, TOWN OF [LAMOILLE CO.]	DECEMBER 20, 1974
500078	WELLS RIVER, VILLAGE OF [ORANGE CO.]	AUGUST 09, 1974
500272	WEST HAVEN, TOWN [RUTLAND CO]	JANUARY 03, 1975
500257	WESTFIELD, TOWN OF [ORLEANS CO.]	SEPTEMBER 06, 1974
500203	WESTFORD, TOWN [CHITTENDEN CO]	JANUARY 03, 1975
500140	WESTMINSTER, VILLAGE OF [WINDHAM CO.]	DECEMBER 20, 1974
500311	WESTMORE, TOWN [ORLEANS CO]	JANUARY 03, 1975
500204	WHEELOCK, TOWN OF [CALEDONIA CO.]	NOVEMBER 15, 1974
500314	WOODBURY, TOWN [WASHINGTON CO]	JANUARY 17, 1975

TOTAL IN THE STATE 72

• UNINCORPORATED AREAS ONLY

VIRGINIA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
510022	BRISTOL, CITY OF [INDP. CITY]	MARCH 08, 1974
510289	GLEN LYN, TOWN OF [GILES CO.]	NOVEMBER 15, 1974
510218	HALLWOOD, TOWN OF [ACCOMACK CO.]	AUGUST 09, 1974
510121A	HAYMARKET, TOWN OF [PRINCE WILLIAM CO.]	AUGUST 09, 1974
510226A	NEW CASTLE, TOWN OF [CRAIG CO.]	AUGUST 09, 1974
510298	ONANCOCK, TOWN OF [ACCOMACK CO.]	JANUARY 31, 1975
510128	RAPPAHANNOCK COUNTY *	NOVEMBER 29, 1974
510322	ROXANE, TOWN OF [SOUTHAMPTON CO.]	MAY 31, 1974

TOTAL IN THE STATE 8

• UNINCORPORATED AREAS ONLY

WASHINGTON

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
530107	ALMIRA, TOWN OF [LINCOLN CO.]	DECEMBER 06, 1974
530278	BRIER, CITY [SNOHOMISH CO]	JANUARY 24, 1975
530106	CRESTON, TOWN OF [LINCOLN CO.]	DECEMBER 20, 1974
530150A	FRIDAY HARBOR, TOWN OF [SAN JUAN CO.]	NOVEMBER 29, 1974
530110	HARRINGTON, TOWN OF [LINCOLN CO.]	DECEMBER 13, 1974
530045	KAHLOTUS, TOWN OF [FRANKLIN CO.]	DECEMBER 13, 1974
530178	LATAH, TOWN OF [SPOKANE CO.]	DECEMBER 06, 1974
530136	METALINE FALLS, TOWN OF [PEND OREILLE CO.]	DECEMBER 20, 1974
530112	REARDAN, TOWN [LINCOLN CO]	JANUARY 10, 1975
530042	REPUBLIC, TOWN OF [FERRY CO.]	JUNE 07, 1974
530298	RIDGEFIELD, TOWN [CLARK CO.]	JANUARY 24, 1975
530039	ROCK ISLAND, TOWN [DOUGLAS CO]	JANUARY 24, 1975
530181	ROCKFORD, TOWN OF [SPOKANE CO.]	DECEMBER 06, 1974
530031	STARBUCK, CITY [COLUMBIA CO]	JANUARY 03, 1975
530184	WAVERLY, TOWN OF [SPOKANE CO.]	NOVEMBER 15, 1974

TOTAL IN THE STATE 13

• UNINCORPORATED AREAS ONLY

WEST VIRGINIA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED	
540226	HAMPSHIRE COUNTY •	JANUARY	31, 1975
540270	MASONTOWN, TOWN OF (PRESTON CO.)	NOVEMBER	15, 1974
540263	POCAHONTAS COUNTY •	JANUARY	24, 1975
540198	UPSHUR COUNTY	JANUARY	17, 1975
540207	WETZEL COUNTY •	DECEMBER	20, 1974
540211	WINT COUNTY	JANUARY	17, 1975
540213	WOOD COUNTY	JANUARY	17, 1975

TOTAL IN THE STATE 7

• UNINCORPORATED AREAS ONLY

WISCONSIN

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED	
550009	ALMENA, VILLAGE OF (BARRON CO.)	SEPTEMBER	06, 1974
550174	BARNEVELD, VILLAGE OF (IOWA CO.)	MAY	17, 1974
550526	BEAR CREEK, VILLAGE OF (OUTAGAMIE CO.)	NOVEMBER	22, 1974
550311	BELGIUM, VILLAGE OF (OZAUKEE CO.)	JUNE	07, 1974
550068	BELL CENTER, VILLAGE OF (CRAWFORD CO.)	JANUARY	09, 1974
550493	BIG FALLS, VILLAGE OF (WAUPACA CO.)	AUGUST	30, 1974
550148	BOSCOBEL, CITY OF (GRANT CO.)	DECEMBER	17, 1973
550161	BROWNTOWN, VILLAGE OF (GREEN CO.)	JANUARY	09, 1974
550018A	CABLE, VILLAGE OF (HATFIELD CO.)	AUGUST	30, 1974 AND
		NOVEMBER	21, 1975
550011	CAMERON, VILLAGE OF (BARRON CO.)	DECEMBER	28, 1973
550425	CASCADE, VILLAGE OF (SHEBOYGAN CO.)	MAY	03, 1974
550358A	CAZENOVIA, VILLAGE OF (RICHLAND CO.)	AUGUST	23, 1974 AND
		OCTOBER	24, 1975
550371	CONRATH, VILLAGE OF (RUSK CO.)	AUGUST	30, 1974
550069	DESOTO, VILLAGE (CRAWFORD CO)	JANUARY	09, 1974
550121	DOWNING, VILLAGE OF (DUNN CO.)	NOVEMBER	08, 1974
550059	DOYLESTOWN, VILLAGE OF (COLUMBIA CO.)	MAY	17, 1974
550461	EAGLE RIVER, CITY OF (VILAS CO.)	DECEMBER	28, 1973
550417	ELAND, VILLAGE OF (SHAWANO CO.)	AUGUST	23, 1974
550249	ELDERON, VILLAGE OF (MARATHON CO.)	JULY	19, 1974
550129	FAIRCHILD, VILLAGE OF (EAU CLAIRE CO.)	MAY	31, 1974
550250	FENWOOD, VILLAGE OF (MARATHON CO.)	AUGUST	02, 1974
550110	FORESTVILLE, VILLAGE OF (DOOR CO.)	NOVEMBER	30, 1973
550367	FORTVILLE, VILLAGE OF (ROCK CO.)	MAY	31, 1974
550238	FRANCIS CREEK, VILLAGE OF (MANITOWOC CO.)	MAY	17, 1974
550463	GALESVILLE, CITY OF (TREMPEALEAU CO.) (SHAWANO CO.)	MAY	17, 1974
550372	GLEN FLORA, VILLAGE OF (RUSK CO.)	NOVEMBER	30, 1973
550050	GRANTON, VILLAGE OF (CLARK CO.)	NOVEMBER	08, 1974
550229	GRATIOT, VILLAGE OF (LAFAYETTE CO.)	AUGUST	30, 1974
550157	GREEN COUNTY •	JANUARY	16, 1974
550023	HOWARD, VILLAGE OF (BROWN CO.)	DECEMBER	06, 1974
550557A	HUSTISFORD, VILLAGE (DODGE CO)	DECEMBER	28, 1973
550202	HUSTLER, VILLAGE OF (JUNEAU CO.)	NOVEMBER	30, 1973
550374	INGRAM, VILLAGE OF (RUSK CO.)	AUGUST	23, 1974
550393	IRONTON, VILLAGE OF (SAUK CO.)	SEPTEMBER	06, 1974
550194	JOHNSON CREEK, VILLAGE OF (JEFFERSON CO.)	AUGUST	16, 1974
550505	LAC LABELLE, VILLAGE OF (WAUKESHA COU)	JANUARY	09, 1974
550396	LIME RIDGE, VILLAGE OF (SAUK CO.)	JANUARY	31, 1975
550397	LOGANVILLE, VILLAGE OF (SAUK CO.)	SEPTEMBER	06, 1974
550102	LOWELL, VILLAGE OF (DODGE CO.)	AUGUST	23, 1974
550434	LUBLIN, VILLAGE OF (TAYLOR CO.)	SEPTEMBER	06, 1974
550178	MARQUETTE, VILLAGE OF (GREEN LAKE CO.)	MAY	17, 1974
550419	MATTOON, VILLAGE OF (SHAWANO CO.)	SEPTEMBER	20, 1974
550268	MELVINA, VILLAGE OF (MONROE CO.)	DECEMBER	28, 1973
550123A	MENOMONIE, CITY (DUNN CO)	AUGUST	30, 1974
550189	MERRILLAN, VILLAGE OF (JACKSON CO.)	AUGUST	30, 1974 AND
		JUNE	28, 1974 AND
		AUGUST	15, 1975
		MAY	31, 1974

• UNINCORPORATED AREAS ONLY

WISCONSIN

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED	
550152	MOUNT HOPE, VILLAGE OF (GRANT CO.)	AUGUST	30, 1974
550205	NECEDAH, VILLAGE OF (JUNEAU CO.)	JANUARY	09, 1974
550046	NEW AUBURN, CITY OF (CHIPPEWA CO.)	JULY	19, 1974
550350	NORTH BAY, VILLAGE OF (RACINE CO.)	SEPTEMBER	06, 1974
550500	OGDENSBURG, VILLAGE OF (WAUPACA CO.)	AUGUST	23, 1974
550113	OLIVER, VILLAGE OF (DOUGLAS CO.)	AUGUST	30, 1974
550533	ONRO, VILLAGE OF (WINNEBAGO CO.)	NOVEMBER	15, 1974
550457	ONTARIO, VILLAGE OF (VERNON CO.)	JANUARY	09, 1974
550427	OOSTBURG, VILLAGE OF (SHEBOYGAN CO.)	JUNE	28, 1974
550062	PARDEEVILLE, VILLAGE OF (COLUMBIA CO.)	DECEMBER	28, 1973
550446	PIGEON FALLS, VILLAGE OF (TREMPEALEAU CO.)	SEPTEMBER	06, 1974
550114	POPLAR, VILLAGE OF (DOUGLAS CO.)	DECEMBER	28, 1973
550155	POTOSI, VILLAGE OF (GRANT CO.)	DECEMBER	28, 1973
550401	PRAIRIE DU SAC, VILLAGE OF (SAUK CO.)	DECEMBER	07, 1973
550024	PULASKI, VILLAGE OF (BROWN CO.)	MAY	24, 1974
550508	REDGRANITE, VILLAGE OF (WAUSHARA CO.)	MAY	17, 1974
550556	SHOREWOOD HILLS, VILLAGE OF (DANE COU)	JANUARY	31, 1975
550230	SHULLSBURG, CITY OF (LAFAYETTE CO.)	MAY	17, 1974
550231	SOUTH WAYNE, VILLAGE OF (LAFAYETTE CO.)	DECEMBER	07, 1973
550358	STANTON, TOWN OF (ST. CROIX CO.)	NOVEMBER	15, 1974
5503c7	STAR PRAIRIE, VILLAGE OF (ST. CROIX CO.)	DECEMBER	28, 1973
550353A	STURTEVANT, VILLAGE OF (RACINE CO.)	MAY	24, 1974
550142	ST. CLOUD, VILLAGE OF (FOND DU LAC CO.)	DECEMBER	28, 1973
550190	TAYLOR, VILLAGE OF (JACKSON CO.)	DECEMBER	07, 1973
550207	UNION CENTER, VILLAGE OF (JUNEAU CO.)	NOVEMBER	15, 1974
550257	UNITY, CITY OF (MARATHON CO.)	SEPTEMBER	20, 1974
550519	VESPER, VILLAGE OF (WOOD CO.)	AUGUST	02, 1974
550124	WHEELER, VILLAGE OF (DUNN CO.)	AUGUST	02, 1974
550507	WILD ROSE, VILLAGE OF (WAUSHARA CO.)	MAY	31, 1974
550389A	WILSON, VILLAGE OF (ST. CROIX CO.)	AUGUST	30, 1974
550156A	WOODMAN, VILLAGE OF (GRANT CO.)	JANUARY	16, 1974 AND
		AUGUST	08, 1975

TOTAL IN THE STATE 96

• UNINCORPORATED AREAS ONLY

WYOMING

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED	
560041	CHUGWATER, TOWN OF (PLATTE CO.)	DECEMBER	13, 1974
560018	DUBOIS, TOWN OF (FREMONT CO.)	JANUARY	23, 1974
560025	EAST THERMOPOLIS, TOWN OF (HOT SPRINGS CO.)	NOVEMBER	08, 1974
560005A	GREYBULL, TOWN (BIG HORN CO)	JUNE	21, 1974
560026	KAYCEE, TOWN OF (JOHNSON CO.)	NOVEMBER	22, 1974
560035	KEMMERER, TOWN OF (LINCOLN CO.)	MARCH	29, 1974
560002	LARAMIE, CITY OF (ALBANY CO.)	APRIL	05, 1974
560006	MANDERSON, TOWN OF (BIG HORN CO.)	SEPTEMBER	13, 1974
560046	RANCHESTER, TOWN OF (SHERIDAN CO.)	SEPTEMBER	06, 1974
560021	RIVERTON, CITY OF (FREMONT CO.)	MARCH	29, 1974
560055	TEN SLEEP, TOWN OF (WASHAKIE CO.)	DECEMBER	13, 1974
560023A	TORRINGTON, TOWN OF (GOSHEN CO.)	MARCH	15, 1974 AND
		SEPTEMBER	12, 1975
560053	UINTA COUNTY •	DECEMBER	27, 1974
560024	YODER, TOWN OF (GOSHEN CO.)	DECEMBER	06, 1974

TOTAL IN THE STATE 14

National Total 2,871

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804 Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: December 23, 1975.

J. ROBERT HUNTER,
Acting Federal
Insurance Administrator.

[FR Doc.76-344 Filed 1-6-76;8:45 am]

• UNINCORPORATED AREAS ONLY

WEST VIRGINIA

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
540228	HAMPSHIRE COUNTY •	JANUARY 31, 1975
540278	MASONTOWN, TOWN OF (PRESTON CO.)	NOVEMBER 15, 1974
540283	POCAHONTAS COUNTY •	JANUARY 24, 1975
540198	UPSHUR COUNTY	JANUARY 17, 1975
540207	WETZEL COUNTY •	DECEMBER 20, 1974
540213	WIRT COUNTY	JANUARY 17, 1975
540213	WOOD COUNTY	JANUARY 17, 1975

TOTAL IN THE STATE 7

• UNINCORPORATED AREAS ONLY

WISCONSIN

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
550009	ALMENA, VILLAGE OF (BARRON CO.)	SEPTEMBER 06, 1974
550174	BARNEVELD, VILLAGE OF (IOWA CO.)	MAY 17, 1974
550526	BEAR CREEK, VILLAGE OF (OUTAGAMIE CO.)	NOVEMBER 22, 1974
550311	BELGIUM, VILLAGE OF (OZAUKEE CO.)	JUNE 07, 1974
550068	BELL CENTER, VILLAGE OF (CRAWFORD CO.)	JANUARY 09, 1974
550493	BIG FALLS, VILLAGE OF (WAUPACA CO.)	AUGUST 30, 1974
550148	BOSCOBEL, CITY OF (GRANT CO.)	DECEMBER 17, 1973
550161	BROWNTOWN, VILLAGE OF (GREEN CO.)	JANUARY 09, 1974
550018A	CABLE, VILLAGE OF (BAYFIELD CO.)	AUGUST 30, 1974 AND NOVEMBER 21, 1975
550011	CAMERON, VILLAGE OF (BARRON CO.)	DECEMBER 28, 1973
550425	CASCADE, VILLAGE OF (SHEBOYGAN CO.)	MAY 03, 1974
550358A	CAZENOVIA, VILLAGE OF (RICHLAND CO.)	AUGUST 23, 1974 AND OCTOBER 24, 1975
550371	CONRATH, VILLAGE OF (RUSK CO.)	AUGUST 30, 1974
550069	DESOTO, VILLAGE (CRAWFORD CO)	JANUARY 09, 1974
550121	DOWNING, VILLAGE OF (DUNN CO.)	NOVEMBER 08, 1974
550059	DOYLESTOWN, VILLAGE OF (COLUMBIA CO.)	MAY 17, 1974
550461	EAGLE RIVER, CITY OF (VILAS CO.)	DECEMBER 28, 1973
550417	ELAND, VILLAGE OF (SHAWANO CO.)	AUGUST 23, 1974
550249	ELDERON, VILLAGE OF (MARATHON CO.)	JULY 19, 1974
550129	FAIRCHILD, VILLAGE OF (EAU CLAIRE CO.)	MAY 31, 1974
550250	FENWOOD, VILLAGE OF (MARATHON CO.)	AUGUST 02, 1974
550110	FORESTVILLE, VILLAGE OF (DOOR CO.)	NOVEMBER 30, 1973
550367	FORTVILLE, VILLAGE OF (ROCK CO.)	MAY 31, 1974
550238	FRANCIS CREEK, VILLAGE OF (MANITOWOC CO.)	MAY 17, 1974
550443	GALESVILLE, CITY OF (TREMPEALEAU CO.) (SHAWANO CO.)	MAY 17, 1974 NOVEMBER 30, 1973
550372	GLEN FLORA, VILLAGE OF (RUSK CO.)	NOVEMBER 08, 1974
550050	GRANTON, VILLAGE OF (CLARK CO.)	AUGUST 30, 1974
550229	GRATIOT, VILLAGE OF (LAFAYETTE CO.)	JANUARY 16, 1974
550157	GREEN COUNTY •	DECEMBER 06, 1974
550023	HOWARD, VILLAGE OF (BROWN CO.)	DECEMBER 28, 1973
550557A	HUSTISFORD, VILLAGE (DODGE CO)	NOVEMBER 30, 1973
550202	HUSTLER, VILLAGE OF (JUNEAU CO.)	AUGUST 23, 1974
550374	INGRAM, VILLAGE OF (RUSK CO.)	SEPTEMBER 06, 1974
550393	IRONTON, VILLAGE OF (SAUK CO.)	AUGUST 16, 1974
550196	JOHNSON CREEK, VILLAGE OF (JEFFERSON CO.)	JANUARY 09, 1974
550565	LAC LABELLE, VILLAGE OF (WAUKESHA COU)	JANUARY 31, 1975
550396	LIME RIDGE, VILLAGE OF (SAUK CO.)	AUGUST 23, 1974
550397	LOGANVILLE, VILLAGE OF (SAUK CO.)	SEPTEMBER 06, 1974
550102	LOWELL, VILLAGE OF (DODGE CO.)	MAY 17, 1974
550434	LUBLIN, VILLAGE OF (TAYLOR CO.)	SEPTEMBER 20, 1974
550170	MARQUETTE, VILLAGE OF (GREEN LAKE CO.)	DECEMBER 28, 1973
550419	MATTOON, VILLAGE OF (SHAWANO CO.)	AUGUST 30, 1974
550288	MELVINA, VILLAGE OF (MONROE CO.)	AUGUST 30, 1974
550123A	MENOMONIE, CITY (DUNN CO)	JUNE 28, 1974 AND AUGUST 15, 1975
550189	MERRILLAN, VILLAGE OF (JACKSON CO.)	MAY 31, 1974

• UNINCORPORATED AREAS ONLY

WISCONSIN

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
550152	MOUNT HOPE, VILLAGE OF (GRANT CO.)	AUGUST 30, 1974
550205	NECEDAH, VILLAGE OF (JUNEAU CO.)	JANUARY 09, 1974
550046	NEW AUBURN, CITY OF (CHIPPEWA CO.)	JULY 19, 1974
550350	NORTH BAY, VILLAGE OF (RACINE CO.)	SEPTEMBER 06, 1974
550500	OGDENSBURG, VILLAGE OF (WAUPACA CO.)	AUGUST 23, 1974
550113	OLIVER, VILLAGE OF (DOUGLAS CO.)	AUGUST 30, 1974
550533	OMRO, VILLAGE OF (WINNEBAGO CO.)	NOVEMBER 15, 1974
550457	ONTARIO, VILLAGE OF (VERNON CO.)	JANUARY 09, 1974
550427	OOSTBURG, VILLAGE OF (SHEBOYGAN CO.)	JUNE 28, 1974
550062	PARDEEVILLE, VILLAGE OF (COLUMBIA CO.)	DECEMBER 28, 1973
550446	PIGEON FALLS, VILLAGE OF (TREMPEALEAU CO.)	SEPTEMBER 06, 1974
550114	POPLAR, VILLAGE OF (DOUGLAS CO.)	DECEMBER 28, 1973
550155	POTOSI, VILLAGE OF (GRANT CO.)	DECEMBER 28, 1973
550401	PRAIRIE DU SAC, VILLAGE OF (SAUK CO.)	DECEMBER 07, 1973
550024	PULASKI, VILLAGE OF (BROWN CO.)	MAY 24, 1974
550508	REDGRANITE, VILLAGE OF (WAUSHARA CO.)	MAY 17, 1974
550556	SHOREWOOD HILLS, VILLAGE OF (DANE COU)	JANUARY 31, 1975
550230	SHULLSBURG, CITY OF (LAFAYETTE CO.)	MAY 17, 1974
550231	SOUTH WAYNE, VILLAGE OF (LAFAYETTE CO.)	DECEMBER 07, 1973
550358	STANTON, TOWN OF (ST. CROIX CO.)	NOVEMBER 15, 1974
550367	STAR PRAIRIE, VILLAGE OF (ST. CROIX CO.)	DECEMBER 28, 1973
550353A	STURTEVANT, VILLAGE OF (RACINE CO.)	MAY 24, 1974
550142	ST. CLOUD, VILLAGE OF (FOND DU LAC CO.)	DECEMBER 28, 1973
550190	TAYLOR, VILLAGE OF (JACKSON CO.)	DECEMBER 07, 1973
550287	UNION CENTER, VILLAGE OF (JUNEAU CO.)	NOVEMBER 15, 1974
550257	UNITY, CITY OF (MARATHON CO.)	SEPTEMBER 20, 1974
550519	VESPER, VILLAGE OF (WOOD CO.)	AUGUST 02, 1974
550124	WHEELER, VILLAGE OF (DUNN CO.)	AUGUST 02, 1974
550507	WILD ROSE, VILLAGE OF (WAUSHARA CO.)	MAY 31, 1974
550389A	WILSON, VILLAGE OF (ST. CROIX CO.)	AUGUST 30, 1974
550150	WOODMAN, VILLAGE OF (GRANT CO.)	JANUARY 16, 1974 AND AUGUST 08, 1975

TOTAL IN THE STATE 76

• UNINCORPORATED AREAS ONLY

WYOMING

COMMUNITY NUMBER	NAME	HAZARD AREA IDENTIFIED
560041	CHUGWATER, TOWN OF (PLATTE CO.)	DECEMBER 13, 1974
560018	DUBOIS, TOWN OF (FREMONT CO.)	JANUARY 23, 1974
560025	EAST THERMOPOLIS, TOWN OF (HOT SPRINGS CO.)	NOVEMBER 08, 1974
560005A	GREYBULL, TOWN (BIG HORN CO)	JUNE 21, 1974
560028	KAYCEE, TOWN OF (JOHNSON CO.)	NOVEMBER 22, 1974
560035	KEMMERER, TOWN OF (LINCOLN CO.)	MARCH 29, 1974
560002	LARAMIE, CITY OF (ALBANY CO.)	APRIL 05, 1974
560006	MANDERSON, TOWN OF (BIG HORN CO.)	SEPTEMBER 13, 1974
560046	RANCHESTER, TOWN OF (SHERIDAN CO.)	SEPTEMBER 06, 1974
560021	RIVERTON, CITY OF (FREMONT CO.)	MARCH 29, 1974
560055	TEN SLEEP, TOWN OF (WASHAKIE CO.)	DECEMBER 13, 1974
560023A	TORRINGTON, TOWN OF (GOSHEN CO.)	MARCH 15, 1974 AND SEPTEMBER 12, 1975
560053	UINTA COUNTY •	DECEMBER 27, 1974
560024	YODER, TOWN OF (GOSHEN CO.)	DECEMBER 06, 1974

TOTAL IN THE STATE 14

National Total 2,871

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804 Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: December 23, 1975.

J. ROBERT HUNTER,
Acting Federal
Insurance Administrator.

[FR Doc 76-244 Filed 1-6-76;8:45 am]

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94th Congress, 2d Session
1976

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THURSDAY, JANUARY 8, 1976

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58625; 12–18–75

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Title 3—The President

Executive Order 11895 • **January 6, 1976**

Delegating Authority of the President To Designate Individuals Appointed by the President To Receive Training

By virtue of the authority vested in me by Section 301 of Title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. Except as provided in Section 2 of this Order, the United States Civil Service Commission is hereby designated and empowered to exercise the authority vested in the President by Section 4102(a)(2)(B) of Title 5, United States Code, to designate individuals appointed by the President for training under Chapter 41 of Title 5, United States Code.

SEC. 2. The Attorney General is hereby designated and empowered to exercise the authority vested in the President by Section 4102(a)(2)(B) to designate individuals appointed by the President as United States Attorneys and United States Marshals for training under Chapter 41 of Title 5, United States Code.

SEC. 3. Executive Order No. 11531 of May 26, 1970, is hereby superseded.

Gerald R. Ford

THE WHITE HOUSE,
January 6, 1976.

[FR Doc.76–669 Filed 1–6–76;3:53 pm]

EDITORIAL NOTE: For the President's letter of January 6, 1976, to the Chairman of the Civil Service Commission designating individuals to participate in training programs, see the Weekly Compilation of Presidential Documents, vol. 12, no. 2.

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rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3114 is amended to show that three additional positions of Business Management Fellowship Program Specialist, GS–11/12 are excepted under Schedule A.

Effective January 8, 1976, § 213.3114 (b) (4) is revised as set out below:

§ 213.3114 Department of Commerce.

* * * * * * *

(b) *Office of the Secretary.* * * *

(4) Until February 20, 1977, not to exceed 29 positions of Business Management Fellowship Program Specialists, GS–11/12.

(5 U.S.C. secs. 3301, 3302; EO 10577, 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION.

[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76–456 Filed 1–7–76;8:45 am]

PART 213—EXCEPTED SERVICE

Department of Transportation

Section 213.3394 is amended to show that one position of Secretary to the Assistant Secretary for Congressional and Intergovernmental Affairs and one position of Secretary to the Deputy Assistant Secretary for Congressional and Intergovernmental Affairs are reestablished under Schedule C.

Effective January 8, 1976, §§ 213.3394 (a) (39) and (40) are amended as set out below:

§ 213.3394 Department of Transportation.

(a) *Office of the Secretary.* * * *

(39) One Secretary to the Assistant Secretary for Congressional and Intergovernmental Affairs.

(40) One Secretary to the Deputy Assistant Secretary for Congressional and Intergovernmental Affairs.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76–618 Filed 1–7–76;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 75–EA–70]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Alteration of Transition Area

Correction

In FR Doc. 75–34178, appearing at page 58849 in the issue for Friday, December 19, 1975, in the fourth paragraph, the effective date should read "December 19, 1975".

[Airspace Docket No. 75–NW–25]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Additional Control Area

On October 21, 1975, a notice of proposed rulemaking (NPRM) was published in the Federal Register (40 FR 49100) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate an additional control area over northeast Wash.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 25, 1976, as hereinafter set forth.

In § 71.163 (41 FR 348) the following is added:

COLVILLE, WASH.

That airspace extending upward from 7,000 feet MSL bounded on the north by the United States/Canadian border, on the east by the west edge of V–112, on the south by Lat. 48°00′ N., and on the west by Long. 119°00′ W., excluding the Spokane, Wash., transition area. That airspace below 1,200 feet AGL is excluded.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)), sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on December 31, 1975.

WILLIAM E. BROADWATER,
Chief, Airspace and Air Traffic Rules Division.

[FR Doc.76–526 Filed 1–7–76;8:45 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE

[T.D. 76–5]

PART 159—LIQUIDATION OF DUTIES

Cheese From Switzerland

On July 3, 1975, a "Notice of Preliminary Countervailing Duty Determination" was published in the FEDERAL REGISTER (40 F.R. 28104). The notice stated that it had been determined preliminarily that payments are being made, directly or indirectly, by the Government of Switzerland, upon the manufacture, production, or exportation of Emmenthaler and Gruyere Cheese, which constitute a bounty or grant within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303). The notice provided interested parties 15 days from the date of publication to submit relevant data, views, or arguments in writing with respect to the preliminary determination. The 15-day period was extended to September 3, 1975, by notice published in the FEDERAL REGISTER on August 15, 1975 (40 F.R. 34423).

After consideration of all information received, it has been determined that exports of Emmenthaler and Gruyere Cheese from Switzerland are subject to bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303).

Accordingly, notice is hereby given that Emmenthaler and Gruyere Cheese imported directly or indirectly from Switzerland, if entered, or withdrawn from warehouse, for consumption on or after January 8, 1976, will be subject to payment of countervailing duties equal to the net amount of any bounty or grant determined or estimated to have been paid or bestowed.

In accordance with section 303, the net amount of the bounties or grants has been ascertained and determined, or estimated, to be the amounts of the deficiency payments made at the end of each fiscal year by the Swiss Government to the Swiss Cheese Union to compensate for losses incurred in marketing Emmenthaler and Gruyere Cheese in both domestic and export markets. To the extent that it has been established

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to the satisfaction of the Commissioner of Customs that imports of Emmenthaler and Gruyere Cheese from Switzerland are subject to a bounty or grant in an amount other than that applicable under the above declaration, the amount so established shall be assessed and collected on imports of such cheese.

Effective on or after January 8, 1976 and until further notice, upon the entry for consumption or withdrawal from warehouse for consumption of Emmenthaler and Gruyere Cheese imported directly or indirectly from Switzerland, which benefit from these bounties or grants, there shall be collected, in addition to any other duties estimated or determined to be due, countervailing duties in the amount ascertained in accordance with the above declaration.

The liquidation of all entries for consumption or withdrawal from warehouse for consumption of such dutiable Emmenthaler and Gruyere Cheese imported directly or indirectly from Switzerland, which benefit from these bounties or grants and are subject to this order, shall be suspended pending declarations of the net amounts of the bounties or grants paid.

Notwithstanding the above, a notice of "Waiver of Countervailing Duties" is being published concurrently with this order in accordance with section 303(d) of the Tariff Act of 1930, as amended (19 U.S.C. 1303(d)). At such time as the waiver ceases to be effective, in whole or in part, a notice will be published setting forth the deposit of estimated countervailing duties which will be required at the time of entry, or withdrawal from warehouse, for consumption of each product then subject to the payment of countervailing duties.

§ 159.47 [Amended]

The table in § 159.47(f) of the Customs Regulations (19 CFR 159.47(f)) is amended by inserting in the column headed "Country", the name Switzerland. The column headed "Commodity" is amended by inserting the words "Emmenthaler and Gruyere Cheese" after the entry for Switzerland. The column headed "Treasury Decision" is amended by inserting the number of this Treasury Decision, and the words "Bounty Declared—Rate" in the column headed "Action".

(R.S. 251, secs. 303, as amended, 624; 46 Stat. 687, 759, 88 Stat. 2050; 19 U.S.C. 66, 1303, as amended, 1624)

VERNON D. ACREE,
Commissioner of Customs.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

DECEMBER 23, 1975.

[FR Doc.76-316 Filed 1-7-76;8:45 am]

[T.D. 76-6]

PART 159—LIQUIDATION OF DUTIES

Cheese From Switzerland

In T.D. 76-5, published concurrently with this determination, it has been determined that bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303) are being paid or bestowed, directly or indirectly, upon the manufacture, production, or exportation of Emmenthaler and Gruyere Cheese from Switzerland.

Section 303(d) of the Tariff Act of 1930, as amended by the Trade Act of 1974 (P.L. 93-618, January 3, 1975), authorizes the Secretary of the Treasury to waive the imposition of countervailing duties during the four year period beginning on the date of enactment of the Trade Act of 1974 if he determines that:

(1) adequate steps have been taken to reduce substantially or eliminate during such period the adverse effect of a bounty or grant which he has determined is being paid or bestowed with respect to any article or merchandise;

(2) there is a reasonable prospect that, under section 102 of the Trade Act of 1974, successful trade agreements will be entered into with foreign countries or instrumentalities providing for the reduction or elimination of barriers to or other distortions of international trade; and

(3) the imposition of the additional duty under this section with respect to such article or merchandise would be likely to seriously jeopardize the satisfactory completion of such negotiations.

Based upon analysis of all relevant factors and after consultation with interested agencies, I have concluded that adequate steps have been taken to reduce substantially or eliminate the adverse effects, or potential adverse effects, of the bounty or grant by virtue of the commitment of the Swiss Government to adhere to policies which will not cause disruption in the U.S. market. These policies are as follows:

(1) There will be no aggressive marketing of Emmenthaler or Gruyere Cheese in the U.S. market, the effect of which is to increase these exports substantially from historic levels, or to vary substantially the proportional relationship of Gruyere to Emmenthaler exports to the U.S.;

(2) There will be no exports of low quality subsidized "grinder" cheese from Switzerland to the U.S.;

(3) Deficiency payments for Emmenthaler Cheese exports to the U.S. will not exceed those for domestic sales of equivalent categories. Such payments for Gruyere exports will maintain the historic relationship to such payments for domestic sales for Gruyere.

I note further that as a result of these policies, as practiced in the past, the Swiss share of the U.S. market for these cheeses has been in decline, the Swiss product is not priced competitively with domestically produced cheeses, and in general the Swiss program has not acted as an incentive to export. Our understanding of Swiss intentions regarding future policies, as set forth above, removes the threat to the U.S. industry inherent in the existence of a subsidy program, which, while not now causing disruption in domestic markets, might do so in the future.

After consulting with appropriate agencies, including the Department of State, the Office of the Special Representative for Trade Negotiations, and the Department of Agriculture, I have concluded (1) that there is a reasonable prospect that, under section 102 of the Trade Act of 1974, successful trade agreements will be entered into with foreign countries or instrumentalities providing for the reduction or elimination of barriers to or other distortions of international trade; and (2) that the imposition of countervailing duties on Emmenthaler and Gruyere Cheese from Switzerland would be likely to seriously jeopardize the satisfactory completion of such negotiations.

Accordingly, pursuant to section 303 (d) of the Tariff Act of 1930, as amended (19 U.S.C. 1303(d)), I hereby waive the imposition of countervailing duties as well as the suspension of liquidation ordered in T.D. 76-5 on Emmenthaler and Gruyere Cheese from Switzerland.

This determination may be revoked, in whole or in part, at any time and shall be revoked whenever the basis supporting such determination no longer exists. Unless sooner revoked or made subject to a resolution of disapproval adopted by either House of the Congress of the United States pursuant to section 303(e) of the Tariff Act of 1930, as amended (19 U.S.C. 1303(e)), this waiver of countervailing duties will in any event, by statute, cease to have force and effect on January 4, 1979.

On or after the date of publication in the FEDERAL REGISTER of a notice revoking this determination in whole or in part, the day after the date of adoption by either House of the Congress of a resolution disapproving this "Waiver of Countervailing Duties", or January 4, 1979, whichever occurs first, countervailing duties will be assessable on Emmenthaler and Gruyere Cheese imported directly or indirectly from Switzerland in accordance with T.D. 76-5, published concurrently with this determination.

§ 159.47 [Amended]

The table in § 159.47(f) of the Customs Regulations (19 CFR 159.47(f)) is amended by inserting after the last entry from Switzerland under the commodity heading "Emmenthaler and Gruyere Cheese", the number of this Treasury Decision in the column heading "Treasury Decision", and the words "imposition of countervailing duties waived" in the column headed "Action".

(R.S. 251, secs. 303, as amended, 624; 46 Stat. 687, 759, 88 Stat. 2051, 2052; 19 U.S.C. 66, 1303, as amended, 1624)

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

DECEMBER 23, 1975.

[FR Doc.76-317 Filed 1-7-76;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

[Docket No. 75P-0100]

PART 27—CANNED FRUITS AND FRUIT JUICES

Amendments to Canned Fruit Standards of Identity; Extension of Effective Date

The Commissioner of Food and Drugs issued, in the FEDERAL REGISTER of February 7, 1975 (40 FR 5762, 5772), amendments to a number of canned fruit standards of identity (21 CFR Part 27). Compliance with the amended standards was to be required for all products initially introduced into interstate commerce after December 31, 1975. Confirmation of that effective date was published in the FEDERAL REGISTER of July 9, 1975 (40 FR 28791). The Commissioner is now extending the effective date for these canned fruit standards of identity to January 1, 1978.

The Commissioner had previously denied, by letter dated August 19, 1975, a request by the Canners League of California for an extension of the effective date for certain canned fruit standards. Subsequent to this denial, however, the Commissioner received two additional requests for extension. In a letter to the Food and Drug Administration, Purity Supreme Supermarkets, 312 Boston Rd., North Billerica, MA 01862, requested an extension of time beyond the effective date of December 31, 1975, established for the amended canned fruit standards of identity for eight products it currently markets. As the reason for its request, the firm cited examples of product shortages over the last 2 years, which have prevented the firm from depleting label inventories. The firm asked for the extension so that existing label inventories may be used. Extension requests for the eight products varied from 3 months to 2 years. In two cases, the firm stated that new labels complying with the amended standards have been ordered. In all other cases, new labeling orders have been scheduled.

The Food and Drug Administration also received a letter from the Kroger Co., 1240 State Ave., Cincinnati, OH 45204, requesting an extension of time beyond the effective date established for the amended canned fruit standards of identity. As reasons for its request, the firm cited abnormally slow sales of certain items affected by high sugar prices and product shortages.

Copies of the two letters requesting an extension of the effective date have been placed on file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852.

The Commissioner realizes that fruit canning operations are seasonal and is now aware that problems in obtaining supplies apparently have caused a number of manufacturers to maintain larger than normal packaging inventories. Rather than granting extensions on a case-by-case basis at the request of individual companies, however, the Commissioner has concluded that a general extension of time to the affected industry is appropriate to allow manufacturers to use existing label inventories.

Since there are a number of other labeling regulations pending and to minimize the number of label changes imposed upon industry, the Commissioner is granting an extension of the January 1, 1976 effective date to January 1, 1978 for compliance by products covered by the following regulations, all of which were published in the FEDERAL REGISTER of February 7, 1975 (40 FR 5762, 5772): Canned peaches, identity (21 CFR 27.2); canned apricots, identity (21 CFR 27.10); canned prunes, identity (21 CFR 27.15); canned pears, identity (21 CFR 27.20); canned seedless grapes, identity (21 CFR 27.25); canned cherries, identity (21 CFR 27.30); canned berries, identity (21 CFR 27.35); canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail, identity (21 CFR 27.40); canned plums, identity (21 CFR 27.45); canned plums, quality (21 CFR 27.46); canned plums, fill of container (21 CFR 27.47); canned figs, identity (21 CFR 27.70). Compliance with these regulations, which shall include any labeling changes required, may have begun March 11, 1975, and all products initially introduced into interstate commerce on or after January 1, 1978 shall comply with these regulations.

This extension of effective date is issued under the Federal Food, Drug, and Cosmetic Act (sec. 401, 701, 52 Stat. 1046, 1055-1056 as amended by 70 Stat. 919 and 72 Stat. 948 (21 U.S.C. 341, 371)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: January 2, 1976.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.76-459 Filed 1-7-76;8:45 am]

PART 121—FOOD ADDITIVES

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Lincomycin, Monensin, and Roxarsone

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (92-522V) filed by the Upjohn Co., Kalamazoo, MI 49001, providing additional data to establish efficacy of the combination drug containing lincomycin, monensin, and roxarsone in the feed of broiler chickens for the purposes of improved feed efficiency and improved pigmentation, where roxarsone is present at 15 to 30 grams per ton. The supplemental application is approved, effective January 8, 1976.

The Commissioner is amending parts 121 and 558 (21 CFR Parts 121 and 558) to reflect this approval.

In accordance with § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)) of the animal drug regulations, a summary of the safety and effectiveness data and information submitted to support the approval of this application is released publicly. The summary is available for public examination at the office of the Hearing Clerk, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, Monday through Friday from 9 a.m. to 4 p.m., except on Federal legal holidays.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))), in accordance with § 510.6 (21 CFR 510.6), and under authority delegated to the Commissioner (21 CFR 2.120), Parts 121 and 558 are amended as follows:

1. In Part 121, § 121.262(c) is amended by adding to table 1 a new item 1.29 to read as follows:

§ 121.262 3-Nitro-4-hydroxyphenylarsonic acid.

* * * * *

(c) * * *

TABLE 1.—*3-nitro-4-hydroxyphenylarsonic acid in complete chicken and turkey feed*

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1.29 3-nitro-4-hydroxy-phenylarsenic acid (roxarsone).	15-30	Monensin + Lincomycin	90-110 2	For broiler chickens; do not feed to laying chickens; feed continuously as the sole ration; withdraw 5 d before slaughter; as sole source of organic arsenic; 3-nitro-4-hydroxyphenylarsonic acid provided by No. 017210 in sec. 510.600(c) of this chapter; monensin sodium provided by No. 000986 in sec. 510.600(c) of this chapter; lincomycin provided by No. 000009 in sec. 510.600(c) of this chapter; combination provided by No. 000009 in sec. 510.600(c) of this chapter.	For increase in rate of weight gain; improved feed efficiency; improved pigmentation; as an aid in the prevention of coccidiosis caused by *E. necatrix*, *E. tenella*, *E. acervulina*, *E. brunetti*, *E. mivati*, and *E. maxima*.

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2. In Part 558, § 558.355 is amended by adding a new paragraph (f)(1)(xi) to read as follows:

§ 558.355 **Monensin.**

* * * * *

(f) * * *

(1) * * *

(xi) *Amount per ton.* Monensin, 90 to 110 grams, plus lincomycin, 2 grams and 3-nitro-4-hydroxyphenylarsonic acid, 15 to 30 grams.

(a) *Indications for use.* For increase in rate of weight gain, improved feed efficiency, improved pigmentation, and as an aid in the prevention of coccidiosis caused by *E. necatrix, E. tenella, E. acervulina, E. brunetti, E. mivati* and *E. maxima.*

(b) *Limitations.* Do not feed to laying chickens; feed continuously as the sole ration; withdraw 5 days before slaughter; as sole source of organic arsenic; as 3-nitro-4-hydroxyphenylarsonic acid provided by No. 017210 in § 510.600(c) of this chapter; as monensin sodium provided by No. 000986 in § 510.600(c) of this chapter; as lincomycin provided by No. 000009 in § 510.600(c) of this chapter; as a combination provided by No. 000009 in § 510.600(c) of this chapter.

* * * * *

Effective date. This amendment shall become effective January 8, 1976.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))))

Dated: December 30, 1975.

FRED J. KINGMA,
Acting Director, Bureau of Veterinary Medicine.

[FR Doc.76-303 Filed 1-7-76;8:45 am]

Title 46—Shipping

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER E—LOAD LINES

[CGD 74-164]

PART 42—DOMESTIC AND FOREIGN VOYAGES BY SEA

Rail Height Adjustment

The purpose of this amendment is to change the minimum rail height for tugboats that are issued a load line under either the International Voyage Load Line Act or the Coastwise Load Line Act. This amendment is based on a notice of proposed rulemaking published in the October 4, 1974, issue of the FEDERAL REGISTER (39 FR 35820).

Interested persons were given the opportunity to participate in the rule making through submission of written comments. Comments were received from four towing companies and the American Waterways Operators, Incorporated.

Two commenters requested clarification as to whether the proposed regulations will be applied to existing vessels. The new regulations applicable to vessels engaged in towing operations will apply to vessels having an initial survey for load line assignment after January 1, 1976.

One commenter stated that the proposed regulation implies that the 30-inch bulwark height would only be permissible in way of deckhouses. The proposal states that the 30-inch bulwark is permitted anywhere on the freeboard deck.

Two commenters suggested that the minimum bulwark height for towing vessels be reduced to 27 inches and 24 inches respectively. The Coast Guard feels that to reduce rail heights below 30 inches would constitute an unsafe condition for towing vessel personnel.

One commenter asked for clarification concerning the use of temporary rails on towing vessels. The use of portable rails is an acceptable and desirable method of providing personnel safety, and the regulation has been modified to provide for their use on all vessels.

In consideration of the foregoing, Part 42 of Title 46 of the Code of Federal Regulations, is amended as follows:

By amending § 42.15-75(b) to read as follows:

§ 42.15-75 **Protection of the crew.**

* * * * *

(b) Efficient guard rails or bulwarks must be fitted on all exposed parts of the freeboard and superstructure decks as follows:

(1) The height of the bulwarks or guard rails must be at least 39½ inches from the deck, provided that where this height would interfere with the normal operation of the vessel, a lesser height may be approved if the Commandant and the assigning authority are satisfied that adequate protection is provided.

(2) On each vessel that is initially surveyed for load line assignment after January 1, 1976, and that is exclusively engaged in towing operations, the minimum bulwark or rail height on the freeboard deck may be reduced to 30 inches provided the assigning authority is satisfied that adequate grabrails are provided around the periphery of the deckhouse.

(3) Portable rails may be used when operating conditions warrant their use.

* * * * *

(46 U.S.C. 86-86i, 46 U.S.C. 88-88i, 49 U.S.C. 1655(b), 49 CFR 1.4(a)(2))

Effective date. These amendments shall become effective on February 9, 1976.

Dated: December 23, 1975.

O. W. SILER,
Admiral, U.S. Coast Guard Commandant.

[FR Doc.76-523 Filed 1-7-76;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-523]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

The purpose of this notice is to list those communities wherein the sale of flood insurance is authorized under the National Flood Insurance Program (42 U.S.C. 4001-4128).

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 39 F.R. 26186-93). A list of servicing companies is also available from the Federal Insurance Administration (FIA), HUD, 451 Seventh Street, S.W., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in a flood plain area having special hazards within any community identified by the Secretary of Housing and Urban Development.

The requirement applies to all identified special flood hazard areas within the United States, and no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program. Accordingly, for communities listed under this Part no such restriction exists, although insurance, if required, must be purchased.

The Federal Insurance Administrator finds that delayed effective dates would be contrary to the public interest. The Administrator also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The date that appears in the fourth column of the table is provided in order to designate the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. These dates serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. 551. The entry reads as follows:

§ 1914.4 **List of Eligible Communities.**

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Michigan	Calhoun	Fredonia, township of	Dec. 23, 1975, emergency	Oct. 3, 1975		
New York	Madison	DeRuyter, town of	do	Sept. 20, 1974		
Pennsylvania	Cambria	Croyle, township of	do	Nov. 22, 1974		
Do	Lawrence	Little Beaver, township of	do	Jan. 10, 1975		
Texas	Medina	Castroville, city of	do			
West Virginia	Marshall	Unincorporated areas	do	Dec. 20, 1974		
*	*	*	*	*	*	
California	Fresno	Huron, city of	Dec. 23, 1975, emergency	May 17, 1974		
Colorado	Crowley	Crowley, town of	do	Aug. 15, 1975		
Illinois	Ford	Paxton, city of	do	Nov. 22, 1974		
New York	Fulton	Broadalbin, village of	do	Jan. 3, 1975		
Do	Oswego	New Haven, town of	do	July 19, 1974		
Do	Sullivan	Wurtsboro, village of	do	Jan 17, 1975		
North Carolina	Davie	Unincorporated areas	do			
North Dakota	Cass	Hunter, city of	do	Feb. 21, 1975		
Texas	Hockley	Anton, city of	do	Mar. 29, 1974		
Vermont	Bennington	Landgrove, town of	do	Jan. 3, 1975		
Do	Addison	Panton, town of	do	Jan. 17, 1975		
Do	Windham	Wardsboro, town of	do	Dec. 27, 1974		
Do	Addison	Weybridges, town of	do	Jan. 17, 1975		
West Virginia	Tyler	Friendly, town of	do	Nov. 29, 1974		
Do	Mercer	Unincorporated areas	do	Dec. 13, 1974		
Do	Tucker	do	do	do		
*	*	*	*	*	*	
Alabama	Houston	Cottonwood, town of	Dec. 24, 1975. Emergency	May 17, 1974		
Do	Covington	River Falls, town of	do	Sept. 20, 1974		
Colorado	Huerfano	LaVeta, town of	do	Dec. 27, 1974		
Georgia	Cherokee	Holly Springs, city of	do	Dec. 11, 1975		
Indiana	Tippecanoe	Unincorporated areas	do			
Massachusetts	Middlesex	Lincoln, town of	do	Dec. 13, 1974		
Michigan	Shiawassee	Corunna, city of	do	Sept. 19, 1975		
Do	Calhoun	Homer, township of	do			
Minnesota	Carver	Norwood, city of	do	Nov. 8, 1974		
Missouri	Audrain	Rush Hill, village of	do	Dec. 6, 1974		
New Hampshire	Cheshire	Sullivan, town of	do	Jan. 17, 1975		
New York	Montgomery	Palatine Bridge, village of	do	Feb. 15, 1974		
Do	Ulster	Pine Hall, village of	do	Jan. 10, 1975		
Ohio	Washington	Unincorporated areas	do	Jan. 31, 1975		
Vermont	Rutland	Ira, town of	do	Dec. 6, 1974		
West Virginia	Pleasants	Unincorporated areas	do	Jan. 3, 1975		
*	*	*	*	*	*	
Arkansas	Clay	Greenway, city of	Dec. 26, 1975. Emergency	Aug. 30, 1974		
Georgia	Coweta	Unincorporated areas	do			
Do	Seminole	Donalsonville, city of	do			
Do	do	Unincorporated areas	do			
Illinois	Lake	Third Lake, village of	do	Sept. 6, 1974		
Nebraska	Nemaha	Brock, village of	do	Aug. 16, 1974		
New York	Seneca	Tyre, town of	do	Dec. 12, 1975 Oct. 18, 1974 Oct. 17, 1975		
North Dakota	Benson	Esmond, city of	do	Feb. 21, 1975		
Pennsylvania	Monroe	Barrett, township of	do	Nov. 15, 1974		
Do	Schuylkill	Kline, township of	do	Nov. 8, 1974		
Do	Potter	Oswayo, borough of	do			
Texas	Starr	La Grulla, city of	do	Dec. 27, 1974		
Washington	Adams	Washtucna, town of	do	Dec. 27, 1974 Oct. 10, 1975		
*	*	*	*	*	*	
Iowa	Montgomery	Elliott, city of	Dec. 26, 1975. Emergency			
Kansas	Riley	Riley, city of	do	Feb. 15, 1974 Nov. 14, 1975		
Maine	Somerset	Athens, town of	do	Jan. 17, 1975		
Do	do	New Portland, town of	do	Dec. 27, 1974		
New York	Chenango	Afton, town of	do	Jan. 17, 1975		
Do	Ulster	Hardenburgh, town of	do			
Do	Chautauqua	Sherman, village of	do	Jan. 3, 1975		
Texas	Duval	San Diego, city of	do			
Utah	Rich	Woodruff, town of	do	Aug. 22, 1975		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 26, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: December 18, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76-397 Filed 1-7-76;8:45 am]

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PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

[Docket No. R-76-365]

Revision of Part

The purpose of this notice is to revise Part 1915 of Title 24 of the Code of Federal Regulations to indicate communities which have been provided detailed engineering data and to indicate periods in which the insurance purchase requirements under the National Flood Insurance Program, authorized by the National Flood Insurance Act of 1968, (Pub. L. 90-448) as amended, and the Flood Disaster Protection Act of 1973 (Pub. L. 93-234, December 31, 1973), 42 U.S.C. § 4001-4128, was suspended.

The Flood Disaster Protection Act requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or Federally-related financial assistance for acquisition or construction purposes in an identified flood plain area having special flood hazards that is located within any community currently participating in the program. Prior to July 1, 1975, the statutory requirement for the purchase of flood insurance did not apply until and unless the community entered the program and the special flood hazard areas were identified by the issuance of a Flood Hazard Boundary Map or a Flood Insurance Rate Map. However, after July 1, 1975, or one year after identification, whichever is later, the requirement applies to all communities in the United States that are identified as having special flood hazard areas within their community boundaries, so that no such financial assistance can legally be provided for buildings in these areas unless the community has entered the program. Moreover, the prohibition does not apply to the purchase of a residential dwelling prior to March 1, 1976, and the denial of such financial assistance has no application outside of the identified special flood hazard areas of such flood-prone communities.

The insurance purchase requirement with respect to a particular community may be altered by the issuance or withdrawal of the Federal Insurance Administration's (FIA's) official flood maps, the Flood Insurance Rate Map (FIRM) or the Flood Hazard Boundary Map (FHBM). A FHBM is designated by the letter "H" preceding the map number and a FIRM by the letter "I" preceding the map number. If the FIA withdraws a FHBM for any reason the insurance purchase requirement is suspended during the period of withdrawal. However, if the community is in the Regular Program and only the FIRM is withdrawn but a FHBM remains in effect, then flood insurance is still required for properties located in identified special flood hazard areas, but the maximum amount of insurance available for new applications or renewal is first layer coverage under the Emergency Program, since the community's Regular Program status is suspended while the map is withdrawn. (For definitions see 24 CFR Part 1909 et seq.).

As the purpose of this revision is the convenience of the public, notice and public procedure are unnecessary, and cause exists to make this amendment effective upon publication. Accordingly, Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended as follows:

1. The title and index of present Part 1915 is revised to read as follows:

PART 1915—IDENTIFICATION AND MAPPING OF SPECIAL HAZARD AREAS

Sec.
1915.1 Purpose of Part.
1915.2 Definitions.
1915.3 List of communities with special hazard areas (FHBM's in effect).
1915.4 List of communities with detailed engineering data (FIRM's).
1915.5 [Reserved]
1915.6 Administrative withdrawal of maps.

AUTHORITY: The provisions of this Part 1915 issued under Sec. 7(d), 79 Stat. 670; 42 U.S.C. 3535(d), Sec. 1360, 82 Stat. 587, 42 U.S.C. 4101.

2. § 1915.4 is added to read as follows:

§ 1915.4 List of communities with detailed engineering data (FIRM's).

(a) This section provides a cumulative list of communities for which the Administrator has published a FIRM, thereby usually providing water surface elevations for Special Flood Hazard Area.

(b) The effective date of the most recent revision of the FIRM for the communities listed are entered as follows (which will not appear in the Code of Federal Regulations except for the page number of this entry in the FEDERAL REGISTER):

Latest firm map

State	County	Location	Community No.	Effective date of latest revision
Alabama	Baldwin	Baldwin county	015000A	July 1, 1974
Do	Mobile	Bayou La Batre, city of	015001	Do.
Do	Lowndes	Benton, town of	025002A	Oct. 17, 1975
Do	Mobile	Chickasaw, city of	015003A	Oct. 24, 1975
Do	Coffee	Elba, city of	015004	July 1, 1974
Do	Baldwin	Gulf Shores, town of	015005	Do.
Do	Jefferson	Homewood, city of	015006	Do.
Do	Mobile	Unincorporated areas	015008	Do.
Do	do	Mobile, city of	015007	Do.
Alaska	Unorganized	Bethel, city of	020104A	Mar. 10, 1976
Do	do	Nenana, city of	025010A	Jan. 9, 1976
Do	Fairbanks-North Star borough.	Fairbanks and vicinity	025009B	Oct. 3, 1975
Arkansas	Yell	Dardanelle, city of	050151B	Nov. 7, 1975
Do	Sebastian	Fort Smith, city of	055013	July 1, 1974
Do	Pope	Russellville, city of	050178B	Nov. 21, 1975
Arizona	Cochise	Huachuca, city of	040016A	Feb. 14, 1976
Do	Maricopa	Scottsdale, city of	045012A	Jan. 9, 1976
California	Los Angeles	Paramount, city of	060071B	May 2, 1975
Do	do	San Gabriel, city of	060060	July 1, 1974
Do	Riverside	San Jacinto, city of	060056A	Dec. 12, 1975
Do	San Bernardino	Victorville, city of	060068	July 1, 1974
Colorado	Adams, Jefferson, Boulder	Arvada, city of	085072	July 1, 1974
Do	Boulder	Broomfield, city of	085073A	Aug. 22, 1975
Do	Arapahoe	Englewood, city of	085074B	Apr. 11, 1975
Do	Jefferson	Lakewood, city of	085075	July 1, 1974
Do	Boulder	Louisville, city of	085076B	July 25, 1975
Do	Pueblo	Pueblo, city of	085077	July 1, 1974
Do	Garfield	Rifle, city of	080078	Do.
Do	Jefferson	Wheat Ridge, city of	085079	Do.
Connecticut	Hartford	Hartford, city of	090080	July 1, 1974
Do	Litchfield	Torrington, city of	095081	Do.
Do	Hartford	West Hartford, town of	095082	Do.
Delaware	Sussex	Bethany Beach, town of	105083	Do.
Do	do	Fenwick Island, town of	105084B	Sept. 26, 1975
Do	New Castle	Unincorporated areas	105085A	Dec. 26, 1975
Do	do	New Castle, city of	105086A	Do.
Do	do	Newark, city of	105087A	Do.
Do	Sussex	Rehoboth Beach, town of	105088	July 1, 1974
Florida	Manatee	Anna Maria, city of	125087B	May 23, 1975
Do	Pinellas	Belleair Beach, city of	125089A	Nov. 28, 1975
Do	do	Belleair Shore, town of	125090A	Oct. 17, 1975
Do	do	Belleair, town of	125088	July 1, 1974
Do	Manatee	Bradenton Beach, town of	125091	Do.
Do	Brevard	Unincorporated areas	125092A	Do.
Do	Broward	do	125093A	Do.
Do	Brevard	Cape Canaveral, city of	125094A	Aug. 15, 1975
Do	Charlotte	Unincorporated areas	120061A	Sept. 19, 1975
Do	Pinellas	Clearwater, city of	125096	July 1, 1974
Do	Brevard	Cocoa Beach, city of	125097A	Do.
Do	Dade	do	125098A	Do.
Do	Broward	Dania, city of	120034A	May 14, 1976
Do	Volusia	Daytona Beach Shores, city of	125100B	Sept. 26, 1975
Do	do	Daytona Beach, city of	125099A	July 1, 1974
Do	Broward	Deerfield Beach, city of	125101A	Do.
Do	Palm Beach	Delray Beach, city of	125102	Do.
Do	Pinellas	Dunedin, city of	125103A	Do.
Do	Collier	Everglades, city of	125104C	Nov. 28, 1975
Do	Broward	Fort Lauderdale, city of	125105A	July 1, 1974
Do	Alachua	Gainesville, city of	125107	Do.
Do	Pinellas	Gulfport, city of	125108A	Dec. 26, 1975
Do	Palm Beach	Gulfstream, town of	125109B	Sept. 26, 1975
Do	Broward	Hallandale, city of	125110	July 1, 1974
Do	Palm Beach	Highland Beach, town of	125111A	Jan. 9, 1976
Do	Volusia	Holly Hill, city of	125112B	Oct. 31, 1975
Do	Broward	Hollywood, city of	125113A	July 1, 1974

Latest firm map

State	County	Location	Community No.	Effective date of latest revision
Do	Manatee	Holmes Beach, city of	125114A	Oct. 3, 1975
Do	Brevard	Indialantic, town of	125115A	July 1, 1974
Do	Brevard	Indian Harbor Beach, city of	125116B	Sept. 26, 1975
Do	Pinellas	Indian Rocks Beach, city of	125117	July 1, 1974
Do	do	Indian Shores, town of	125118B	June 6, 1975
Do	Palm Beach	Jupiter Inlet Colony, town of	125120	July 1, 1974
Do	do	Jupiter, town of	125119A	Do.
Do	Monroe	Key Colony Beach, city of	125121C	Oct. 17, 1975
Do	do	Key West, city of	120168	July 1, 1974
Do	Palm Beach	Lantana, town of	125111	Do.
Do	Pinellas	Largo, town of	125122A	Do.
Do	Broward	Lauderdale-By-The-Sea, town of	125123	Do.
Do	Monroe	Layton, city of	120169	Do.
Do	Broward	Lighthouse Point, city of	125125A	Do.
Do	Manatee	Longboat Key, town of	125126	Do.
Do	Pinellas	Madeira Beach, city of	125127A	Oct. 17, 1975
Do	Palm Beach	Manalapan, town of	120215	July 1, 1974
Do	Manatee	Unincorporated areas	120153	Do.
Do	Brevard	Melbourne Beach, town of	125128A	Oct. 3, 1975
Do	Monroe	Unincorporated areas	125129A	July 1, 1974
Do	Collier	Naples, city of	125130	Do.
Do	Escambia	Navarre Beach	125131	Do.
Do	Volusia	New Smyrna Beach, city of	125132	Do.
Do	Pinellas	North Redington Beach, town of	125133A	Oct. 31, 1975
Do	Palm Beach	Ocean Ridge, town of	125134A	Dec. 5, 1975
Do	Okaloosa	Okaloosa Island Beaches	125135	July 1, 1974
Do	Pinellas	Oldsmar, city of	120260	Do.
Do	Volusia	Ormond Beach, city of	125136A	Do.
Do	Palm Beach	Palm Beach Shores, town of	125137A	Do.
Do	Escambia	Pensacola Beach, city of	125138	Do.
Do	Pinellas	Unincorporated areas	125139A	Do.
Do	Charlotte	Punta Gorda, city of	120062A	Sept. 19, 1975
Do	Pinellas	Redington Beach, town of	125140B	Sept. 26, 1975
Do	do	Redington Shores, town of	125141A	Oct. 17, 1975
Do	Palm Beach	Riviera Beach, city of	125142A	Oct. 24, 1975
Do	Pinellas	Safety Harbour, city of	125143A	July 1, 1974
Do	Sarasota	Unincorporated areas	125144	Do.
Do	do	Sarasota, city of	125150	Do.
Do	Pinellas	South Pasadena, city of	125151C	Oct. 31, 1975
Do	St. Johns	St. Augustine Beach, town of	125146B	Do.
Do	do	St. Augustine, city of	125145B	Nov. 28, 1975
Do	do	Unincorporated areas	125147A	July 1, 1974
Do	Pinellas	St. Petersburg Beach, city of	125149A	Oct. 17, 1975
Do	do	St. Petersburg, city of	125148	July 1, 1974
Do	do	Tarpon Springs, city of	120259	Do.
Do	Palm Beach	Tequesta, village of	120228	Do.
Do	Brevard	Titusville, city of	125152	Do.
Do	Pinellas	Treasure Island, city of	125153B	Sept. 26, 1975
Do	Sarasota	Venice, city of	125154	July 1, 1974
Do	Volusia	Unincorporated areas	125155A	Do.
Do	Broward	Wilton Manor, city of	125156A	Oct. 17, 1975
Do	Levy	Yankeetown, town of	120147	July 1, 1974
Georgia	Multiple	Atlanta, city of	135157	July 1, 1974
Do	Muscogee	Columbus, city of	135158	Do.
Do	De kalb	Decatur, city of	135159A	Nov. 28, 1975
Do	Fulton	Unincorporated areas	135160	July 1, 1974
Do	Chatham	Garden City, city of	135161	Do.
Do	do	Port Wentworth, city of	135164A	Dec. 26, 1975
Do	do	Savannah Beach, town of	135164B	Sept. 5, 1975
Do	do	Savannah, city of	135162	July 1, 1974
Do	do	Vernonburg, city of	135165A	Oct. 31, 1975
Hawaii	Hawaii	Hilo and vicinity	150160A	July 1, 1974
Iowa	Dubuque	Dubuque, city of	190190A	Oct. 31, 1975
Do	Webster	Fort Dodge, city of	190181A	Jan. 2, 1976
Do	Clayton	Marquette, town of	190183C	Oct. 3, 1975
Do	do	McGregor, town of	190183A	Oct. 17, 1975
Illinois	Jo Daviess	Galena, city of	170168A	Sept. 5, 1975
Do	Cook	Markham, city of	170169B	Sept. 12, 1975
Do	do	Palatine, village of	170170	July 1, 1974
Do	Rock Island	Rock Island, city of	170171A	Sept. 12, 1975
Indiana	Dearborn	Aurora, city of	180172A	Dec. 26, 1975
Do	Porter	Beverly Shores, town of	180173A	Oct. 17, 1975
Do	Brown	Unincorporated areas	180174	July 1, 1974
Do	Lake	Griffith, town of	180175B	May 30, 1975
Do	do	Highland, town of	180176B	Oct. 10, 1975
Do	La Porte	Long Beach, town of	180177	July 1, 1974
Do	Brown	Nashville, town of	180018A	Jan. 26, 1976
Do	Jay	Portland, city of	180178A	Nov. 7, 1975
Do	St. Joseph	Rossland, town of	180179A	Aug. 15, 1975
Kansas	Montgomery	Coffeyville, city of	200183A	Mar. 12, 1976
Do	Ford	Dodge City, city of	200184	July 1, 1974
Do	Butler	El Dorado, city of	200030A	Mar. 5, 1976
Do	Johnson	Fairway, city of	200185C	Jan. 9, 1976
Do	Finney	Garden City, city of	200186B	Apr. 11, 1975
Do	Shawnee	Topeka, city of	200187A	Oct. 10, 1975
Kentucky	Perry	Hazard, city of	215188	July 1, 1974
Do	Jefferson	Jeffersontown, city of	210121A	Mar. 5, 1976
Do	Harlan	Loyall, city of	215189A	Nov. 7, 1975
Do	Bell	Middlesboro, city of	215190A	Nov. 14, 1975
Do	Perry	Unincorporated areas	215191	July 1, 1974
Do	Jefferson	St. Matthews, city of	210173A	Mar. 5, 1976
Do	Harlan	Wallins Creek, city of	215192B	May 23, 1975
Louisiana	East Baton Rouge	Baker, city of	225193	July 1, 1974
Do	Cameron	Cameron Parish	225194A	Do.
Do	Acadia	Crowley, city of	225195B	Apr. 4, 1975
Do	Lafourche	Golden Meadow, town of	225196B	July 11, 1975
Do	Jefferson	Grande Isle, town of	225197B	Apr. 18, 1975
Do	do	Gretna, city of	225198A	July 1, 1974
Do	do	Harahan, city of	225200B	July 11, 1975
Do	do	Unincorporated areas	225199B	July 1, 1974
Do	do	Kenner, city of	225201A	Aug. 22, 1975
Do	Orleans	Orleans Parish	225202A	Apr. 14, 1975

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Latest firm map

State	County	Location	Community No.	Effective date of latest revision
Do	St. Bernard	St. Bernard's Parish	225204A	Feb. 6, 1975
Do	St. Tammany	Unincorporated areas	225205	July 1, 1974
Do	Terrebonne	do	225206	Do.
Maryland	Worcester	Ocean City, town of	245907C	Dec. 19, 1975
Do	Prince Georges		245208	July 1, 1974
Massachusetts	Middlesex	Bedford, town of	250209	July 1, 1974
Do	Barnstable	Bourne, town of	250210B	Jan. 2, 1976
Do	Bristol	Fairhaven, town of	250054A	Mar. 16, 1976
Do	Barnstable	Falmouth, town of	250211A	Aug. 8, 1975
Do	Norfolk	Holbrook, town of	250212A	Jan. 2, 1976
Do	Plymouth	Marion, town of	250213A	Do.
Do	do	Mattapoisett, town of	250214A	Jan. 9, 1976
Do	Norfolk	Needham, town of	250215	July 1, 1974
Do	Bristol	New Bedford, city of	250216	Do.
Do	Norfolk	Norfolk, town of	250217	Do.
Do	Barnstable	Provincetown, town of	250218	Do.
Do	Norfolk	Quincy, city of	250219	Do.
Do	Bristol	Somerset, town of	250220	Do.
Do	do	Swansea, town of	250221	Do.
Do	Barnstable	Truro, town of	250222A	Dec. 12, 1975
Do	Plymouth	Wareham, town of	250223	July 1, 1974
Do	Bristol	Westport, town of	250224	Do.
Do	Norfolk	Westwood, town of	250225	Do.
Minnesota	Washington	Afton, city of	270226	Do.
Do	Anoka	Anoka, city of	270227	Do.
Do	Mower	Austin, city of	270228A	Nov. 28, 1975
Do	Washington	Bayport, city of	270229	July 1, 1974
Do	Hennepin	Bloomington, city of	270230	Do.
Do	Blue Earth	Unincorporated areas	270231	Do.
Do	Wilkin	Breckenridge, city of	270232	Do.
Do	Carver	Carver, city of	270233	Do.
Do	do	Chaska, city of	270234	Do.
Do	Clay	Unincorporated areas	270235	Do.
Do	Washington	Cottage Grove, city of	270502A	Apr. 2, 1976
Do	Houston	La Crescent, city of	270237A	Nov. 28, 1975
Do	Washington	Lake St. Croix Beach, city of	270240A	Sept. 5, 1975
Do	do	Lakeland Shores, city of	270239A	Do
Do	do	Lakeland, city of	270238B	June 6, 1975
Do	Dakota	Lilydale, city of	270241A	Nov. 14, 1975
Do	Blue Earth	Mankato, city of	270242	July 1, 1974
Do	Chippewa	Montevideo, city of	270243A	Aug. 29, 1975
Do	Clay	Moorhead, city of	270244A	July 1, 1974
Do	Nicollet	North Mankato, city of	270245C	Oct. 17, 1975
Do	Olmsted	Rochester, city of	270246	July 1, 1974
Do	Washington	Stillwater, city of	270249A	Nov. 21, 1975
Do	do	St. Mary's Point, city of	270247B	Sept. 26, 1975
Do	Ramsey	St. Paul, city of	270248	July 1, 1974
Do	Winona	Winona, city of	270250	Do.
Missouri	St. Louis	Clayton, city of	290341A	Feb. 14, 1976
Do	Boone	Columbia, city of	290036	July 1, 1974
Do	Jefferson	De Soto, city of	290190B	July 18, 1975
Do	do	Festus, city of	290191A	Feb. 14, 1976
Do	St. Francois	Flat River, city of	295264A	Sept. 5, 1975
Do	Gasconade	Hermann, city of	290141A	Mar. 5, 1976
Do	Cape Girardeau	Jackson, city of	295265A	Jan. 2, 1976
Do	St. Louis	Ladue, city of	290363B	Mar. 16, 1976
Do	do	Maplewood, city of	295266B	May 2, 1975
Do	Audrain	Mexico, city of	295267	July 1, 1974
Do	Phelps	Newburg, city of	295268	Do.
Do	Clay	North Kansas City, city of	290099A	Mar. 5, 1976
Do	Monroe	Paris, city of	290241A	Do.
Do	Cass	Pleasant Hill, city of	295269	July 1, 1974
Do	Mercer	Princeton, city of	290225A	Feb. 14, 1976
Do	New Madrid	Sikeston, city of	295270	July 1, 1974
Do	Clay	Smithville, city of	295271	Do.
Do	Crawford	Steelville, city of	290114A	Feb. 14, 1976
Mississippi	Hancock	Bay St. Louis, city of	285251	July 1, 1974
Do	Harrison	Biloxi, city of	285252	Do.
Do	do	Gulfport, city of	285253	Do.
Do	do	Southern part	285255	Do.
Do	Forrest	Hattiesburg, city of	280053	Do.
Do	Harrison	Long Beach, city of	285257A	Oct. 17, 1975
Do	Jackson	Moss Point, city of	285258A	July 1, 1974
Do	do	Ocean Springs, city of	285259	Do.
Do	do	Pascagoula, city of	285260A	Do.
Do	Harrison	Pass Christian, city of	285261A	Oct. 17, 1975
Do	Hancock	Waveland, city of	285262	July 1, 1974
Do	do	Southern part	285254	Do.
Do	Jackson	do	285256	Do.
Nebraska	Platte	Columbus, city of	315272	July 1, 1974
Do	Lancaster	Lincoln, city of	315273	Do.
Do	Douglas	Omaha, city of	315274	Do.
Do	Sarpy	Papillion, city of	315275C	Oct. 10, 1975
New Hampshire	Coos	Lancaster, town of	330277A	Dec. 12, 1975
North Carolina	Carteret	Beaufort, town of	375340A	Aug. 29, 1975
Do	New Hanover	Carolina Beach, town of	375347B	May 2, 1975
Do	Forsyth	Unincorporated areas	375349	July 1, 1974
Do	Macon	Franklin, town of	375350	Do.
Do	Guilford	Greensboro, city of	375351	Do.
Do	Brunswick	Holden Beach, town of	375352	Do.
Do	Dare	Kill Devil Hills, town of	375353	Do.
Do	Brunswick	Long Beach, town of	375354B	Dec. 26, 1975
Do	Dare	Manteo, town of	375355	July 1, 1974
Do	do	Nags Head, town of	375356A	Oct. 17, 1975
Do	Brunswick	Ocean Isle Beach, town of	375357A	Dec. 5, 1975
Do	Transylvania	Rosman, town of	375358	July 1, 1974
Do	Brunswick	Sunset Beach, town of	375359	Do.
Do	Forsyth	Winston-Salem, city of	375360C	July 25, 1975
Do	New Hanover	Wrightsville Beach, town of	375361B	Sept. 5, 1975
Do	Dare	Southern Shores	375344	July 1, 1975

Latest firm map

State	County	Location	Community No.	Effective date of latest revision
New Jersey	Atlantic	Absecon City, city of	340001A	Mar. 5, 1976
Do	do	Atlantic City, city of	340078B	Jan. 9, 1976
Do	Cape May	Avalon, borough of	340379A	Oct. 31, 1975
Do	Ocean	Barnegat Light, borough of	340280	July 1, 1974
Do	do	Bay Head, borough of	340281B	Apr. 18, 1975
Do	do	Beach Haven, bourough of	345282B	Sept. 26, 1975
Do	Monmouth	Belmar, borough of	340283	July 1, 1974
Do	Passaic	Bloomingdale, borough of	345284A	Do.
Do	Ocean	Brick, township of	345285A	Do.
Do	Atlantic	Brigantine, city of	345286	Do.
Do	Burlington	Burlington, city of	345287	Do.
Do	Cape May	Cape May City, city of	345288	Do.
Do	do	Cape May Point, borough of	345289A	Do.
Do	Morris	Chatham, borough of	340338A	Feb. 14, 1976
Do	Union	Clark, township of	345290A	July 1, 1974
Do	do	Cranford, township of	345291	Do.
Do	Monmouth	Deal, borough of	340292A	Mar. 5, 1976
Do	Morris	Denville, township of	345292	July 1, 1974
Do	Ocean	Dover, township of	345293A	Do.
Do	Union	Elizabeth, city of	345293B	Dec. 26, 1975
Do	Mercer	Ewing, township of	345294	July 1, 1974
Do	Essex	Fairfield, borough of	345295	Do.
Do	Ocean	Harvey Cedars, borough of	345296	Do.
Do	Monmouth	Highlands, borough of	345297	Do.
Do	Mercer	Hopewell, township of	345298	Do.
Do	Ocean	Lavallette, borough of	340379B	May 23, 1975
Do	Hunterdon	Lebanon, borough of	345299	July 1, 1974
Do	Morris	Lincoln Park, borough of	345300	Do.
Do	Ocean	Long Beach, township of	345301	Do.
Do	Monmouth	Long Branch, city of	340307A	May 5, 1976
Do	Atlantic	Longport, borough of	345302A	Aug. 22, 1975
Do	Monmouth	Manasquan, borough of	345303B	Jan. 16, 1976
Do	Atlantic	Margate City, city of	340304A	July 1, 1974
Do	Middlesex	Middlesex, borough of	340305A	Jan. 9, 1976
Do	Union	New Providence, borough of	340306	July 1, 1974
Do	Somerset	North Plainfield, borough of	345307	Do.
Do	Cape May	North Wildwood, city of	340308B	Dec. 19, 1975
Do	Bergen	Oakland, borough of	340309	July 1, 1974
Do	Cape May	Ocean City, city of	345310B	Dec. 26, 1975
Do	Morris	Pequannock, township of	345311	July 1, 1974
Do	Union	Plainfield, city of	345312B	June 13, 1975
Do	Ocean	Point Pleasant, borough of	340313	July 1, 1974
Do	Passaic	Pompton Lakes, borough of	345528A	July 1, 1974
Do	Union	Rahway, city of	345314B	Sept. 5, 1975
Do	Morris	Rockaway, borough of	345315A	Sept. 26, 1975
Do	Monmouth	Rumson, borough of	345316A	Nov. 7, 1975
Do	do	Sea Bright, borough of	345317	July 1, 1974
Do	do	Sea Girt, borough of	340325A	Mar. 5, 1976
Do	Cape May	Sea Isle City, city of	345318B	Dec. 26, 1975
Do	Ocean	Seaside Park, borough of	345319B	Sept. 5, 1975
Do	do	Ship Bottom, borough of	345320A	Aug. 29, 1975
Do	Monmouth	Spring Lake, borough of	340329A	Mar. 5, 1976
Do	Union	Springfield, township of	345321	July 1, 1974
Do	Hunterdon	Stockton, borough of	345322C	Nov. 14, 1975
Do	Cape May	Stone Harbor, borough of	345323B	Do.
Do	Ocean	Surf City, borough of	345324A	Nov. 7, 1975
Do	Mercer	Trenton, city of	345325	July 1, 1974
Do	Atlantic	Ventnor City, city of	345326	Do.
Do	Passaic	Wayne, township of	345327	Do.
Do	Cape May	West Wildwood, borough of	345328B	Oct. 17, 1975
Do	do	Wildwood Crest, borough of	345330A	Dec. 26, 1975
Do	do	Wildwood, city of	345329	July 1, 1974
Do	Middlesex	Woodbridge, township of	345331A	Do.
New Mexico	Dona Ana	Las Cruces, city of	350032	July 1, 1974
New York	Suffolk	Asharoken village of	365333B	Oct. 10, 1975
Do	do	Brookhaven, town of	365334	July 1, 1974
Do	Erie	East Aurora, village of	360335A	Dec. 5, 1975
Do	Nassau	Freeport, village of	360056A	Feb. 14, 1976
Do	Chautauqua	Hanover, town of	365336A	Oct. 31, 1975
Do	Nassau	Island Park, village of	360471A	Feb. 14, 1976
Do	Suffolk	Islip, town of	365337	July 1, 1974
Do	Nassau	Long Beach, city of	360338A	Oct. 24, 1975
Do	Suffolk	Ocean Beach, village of	360339A	Oct. 17, 1975
Do	Rockland	Ramapo, town of	365340	July 1, 1974
Do	Suffolk	Saltaire, village of	360341	Do.
Do	do	Southampton, town of	365342	Do.
Do	do	Southampton, village of	360343A	Sept. 12, 1975
Do	Rockland	Spring Valley, village of	360344B	Sept. 26, 1975
Do	Suffolk	Westhampton Beach, village of	360345B	Oct. 10, 1975
North Dakota	Ransom	Enderlin, city of	385363B	July 11, 1975
Do	Cass	Fargo, city of	385364	July 1, 1974
Do	Stutsman	Jamestown, city of	385366A	Sept. 5, 1975
Do	Ward	Minot, city of	385367A	Nov. 14, 1975
Do	Pembina	Pembina, city of	385368	July 1, 1974
Do	Stark	Unincorporated areas	385369	Do.
Do	Ward	do	385370	Do.
Ohio	Lorain	Brownhelm, township of	390371A	Nov. 14, 1975
Do	Cuyahoga	Garfield Heights, city of	390100A	Jan. 16, 1976
Do	do	Rocky River, city of	390372A	Oct. 31, 1975
Do	Multiple	Vermilion, city of	390374A	Oct. 3, 1975
Oklahoma	Rogers	Claremore, city of	400375C	Oct. 3, 1975
Do	Stephens	Comanche, city of	400376C	Sept. 26, 1975
Do	Canadian	El Reno, city of	400377	July 1, 1974
Do	Multiple	Oklahoma City, city of	400378	Do.
Do	Rogers	Unincorporated areas	400379	Do.
Do	Payne	Stillwater, city of	400381A	Jan. 9, 1976
Do	Multiple	Tulsa, city of	400381H	May 23, 1975
Do	Leflore	Wister, town of	400006A	Apr. 14, 1976
Oregon	Douglas	Winston, city of	410049C	Aug. 22, 1975

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State	County	Location	Community No.	Effective date of latest revision
Pennsylvania	Delaware	Brookhaven, borough of	420403A	Feb. 14, 1976
Do	Cumberland	Carlisle, borough of	425382A	Oct. 10, 1975
Do	Northampton	Easton, city of	425383A	Nov. 7, 1975
Do	Lycoming	Jersey Shore, borough of	420642A	Mar. 5, 1976
Do	Northumberland	Milton, borough of	425384B	Nov. 28, 1975
Do	Allegheny	Neville, township of	425385A	Sept. 5, 1975
Do	Montgomery	Norristown, borough of	425386A	Dec. 5, 1975
Do	Snyder	Selinsgrove, borough of	425387A	Oct. 31, 1975
Do	Montgomery	Springfield, township of	425388A	Jan. 2, 1976
Do	Schuylkill	Tamaqua, borough of	425389A	Oct. 31, 1975
Do	Delaware	Thornbury, township of	425390A	Oct. 17, 1975
Do	Washington	West Brownsville, borough of	425391A	Aug. 22, 1975
Do	Berks	West Reading, borough of	420156A	Mar. 16, 1976
Rhode Island	Bristol	Barrington, town of	445392B	Oct. 17, 1975
Do	do	Bristol, town of	445393B	Do.
Do	Providence	Central Falls, city of	445394A	Aug. 22, 1975
Do	Washington	Charlestown, town of	445395	July 1, 1974
Do	Providence	Cranston, city of	445396	Do.
Do	Kent	East Greenwich, town of	445397	Do.
Do	Providence	East Providence, city of	445398A	Nov. 11, 1975
Do	Newport	Jamestown, town of	445399	July 1, 1974
Do	Providence	Lincoln, town of	445400A	Oct. 10, 1975
Do	Newport	Middletown, town of	445401B	Jan. 16, 1976
Do	Washington	Narragansett, town of	445402A	July 1, 1974
Do	Newport	Newport, city of	445403B	Nov. 21, 1975
Do	Washington	North Kingston, town of	445404A	Jan. 9, 1976
Do	Providence	Pawtucket, city of	440022	July 1, 1974
Do	Newport	Portsmouth, town of	445405A	Dec. 19, 1975
Do	Providence	Providence, city of	445406A	Nov. 28, 1975
Do	Washington	South Kingston, town of	445407	July 1, 1974
Do	Bristol	Warren, town of	445408A	Oct. 31, 1975
Do	Kent	Warwick, city of	445409	July 1, 1974
Do	Washington	Westerly, town of	445410A	Dec. 26, 1975
Do	Providence	Woonsocket, city of	445411A	Jan. 16, 1976
South Carolina	Charleston	Unincorporated areas	455413A	July 1, 1974
Do	do	Charleston, city of	455412A	Do.
Do	do	Edisto Beach, town of	455414	Do.
Do	do	Folly Beach, township of	455415A	Oct. 3, 1975
Do	do	Isle of Palms, city of	455416A	Do.
Do	do	Mount Pleasant, town of	455417A	July 1, 1974
Do	do	Sullivan's Island, township of	455418A	Oct. 31, 1975
South Dakota	Stanley	Fort Pierre, city of	465419	July 1, 1974
Do	Pennington	Rapid City, city of	465420	Do.
Tennessee	Blount	Alcoa, city of	475421	July 1, 1974
Do	Hamilton	Collegedale, city of	475422	Do.
Do	Maury	Columbia, city of	475423	Do.
Do	Hamilton	East Ridge, city of	475424	Do.
Do	Carter	Elizabethton, city of	475425	Do.
Do	Sevier	Gatlinburg, city of	475426	Do.
Do	Roane	Harriman, city of	475427	Do.
Do	Campbell	Jacksboro, town of	475428	Do.
Do	Marion	Jasper, town of	475429	Do.
Do	Jefferson	Jefferson City, town of	475430	Do.
Do	Campbell	Jellico, city of	475431A	Oct. 3, 1975
Do	Washington	Johnson City, city of	475432	July 1, 1974
Do	Knox	Knox County	475433	Do.
Do	do	Knoxville, city of	475434	Do.
Do	Campbell	Lafollette, city of	475435	Do.
Do	Anderson	Lake City, town of	475436	Do.
Do	Lawrence	Lawrenceburg, city of	475437	Do.
Do	Loudon	Lenoir City, city of	475438	Do.
Do	Blount	Maryville, city of	475439	Do.
Do	Cocke	Newport, town of	475440	Do.
Do	Multiple	Oak Ridge, city of	475441A	Do.
Do	Sevier	Pigeon Forge, city of	475442	Do.
Do	Roane	Rockwood, city of	475443	Do.
Do	Sevier	Sevierville, town of	475444	Do.
Do	Hamilton	Soddy-Daisy, city of	475445A	May 18, 1973
				July 1, 1974
Do	Obion	South Fulton, city of	475446A	Dec. 19, 1975
Do	Marion	South Pittsburg, city of	475447	July 1, 1974
Do	Rhea	Spring City, town of	475448	Do.
Do	Claiborne	Tazewell, city of	475449	Do.
Texas	Tarrant	Arlington, city of	485454	July 1, 1974
Do	Matagorda	Bay City, city of	485455	Do.
Do	Harris	Baytown, city of	485456A	Nov. 14, 1975
Do	Jefferson	Beaumont, city of	480457A	Do.
Do	Brazoria	Unincorporated areas	485458A	July 1, 1974
Do	Johnson and Tarrant	Burleson, city of	485459	Do.
Do	Calhoun	Unincorporated areas	480097	Do.
Do	Harris	Clear Lake City, city of	485460A	Do.
Do	Galveston	Clear Lake Shores, city of	485461B	Apr. 18, 1975
Do	Johnson	Cleburne, city of	485462A	Sept. 12, 1975
Do	Comal	Unincorporated areas	485463	July 1, 1974
Do	Nueces	Corpus Christi, city of	485464B	Oct. 31, 1975
Do	Jackson	Edna, city of	485465B	Apr. 18, 1975
Do	Harris	El Lago, city of	485466B	July 11, 1975
Do	Brazoria	Freeport, city of	485467C	Oct. 31, 1975
Do	Galveston	Friendswood, city of	485468B	Dec. 19, 1975
Do	do	Unincorporated areas	485470A	July 1, 1974
Do	do	Galveston, city of	485469B	Oct. 3, 1975
Do	Dallas	Garland, city of	485471A	Do.
Do	Multiple	Grand Prairie, city of	485472	July 1, 1974
Do	Hunt	Greenville, city of	485473B	Apr. 11, 1975
Do	Jefferson	Griffing Park, town of	485474B	Nov. 28, 1975
Do	do	Groves, city of	485475B	Do.
Do	Lavaca	Hallettsville, city of	485476C	Dec. 5, 1975
Do	Cameron	Harlingen, city of	485477A	Oct. 17, 1975
Do	Brazoria	Hillcrest Village, city of	485478B	Apr. 11, 1975

Latest firm map

State	County	Location	Community No.	Effective date of latest revision
Do	Galveston	Hitchcock, city of	485479C	Oct. 31, 1975
Do	San Patricio	Ingleside, city of	485480B	May 2, 1975
Do	Galveston	Kemah, city of	485481A	Aug. 22, 1975
Do	Karnes	Kenedy, city of	485482A	Sept. 12, 1975
Do	Kleberg	Kingsville, city of	480424A	Nov. 21, 1975
Do	do	Unincorporated areas	480423	July 1, 1974
Do	Dawson	La Mesa, city of	480191A	Apr. 30, 1976
Do	Harris	La Porte, city of	485483C	Aug. 22, 1975
Do	Cameron	Laguna Vista, village of	485484B	July 11, 1975
Do	Brazoria	Lake Jackson	485484B	July 25, 1975
Do	Jefferson	Lakeview, town of	485485B	Nov. 28, 1975
Do	Galveston	Lamarque, city of	485486A	Oct. 17, 1975
Do	do	League City, city of	485488A	Sept. 12, 1975
Do	Matagorda	Unincorporated areas	485489	July 1, 1974
Do	Dallas	Mesquite, city of	485490A	Sept. 26, 1975
Do	Harris	Nassau Bay, city of	485491C	Sept. 5, 1975
Do	Jefferson	Nederland, city of	485492B	Nov. 28, 1975
Do	Comal	New Braunfels, city of	485493A	Sept. 12, 1975
Do	Nueces	Nueces County	485494A	July 1, 1974
Do	Matagorda	Palacios, city of	485495B	July 11, 1975
Do	Harris	Pasadena, city of (Harris County Water Control District F60 only).	485497	July 1, 1974
Do	Jefferson	Pear Ridge, city of	485497B	Nov. 28, 1975
Do	Orange	Pinehurst, city of	480513A	Nov. 7, 1975
Do	Nueces	Port Aransas, city of	485498A	July 1, 1974
Do	Jefferson	Port Arthur, city of	485499A	Do.
Do	Calhoun	Port Lavaca, city of	485500A	Sept. 5, 1975
Do	Jefferson	Port Neches, city of	485500A	July 1, 1974
Do	Refugio	Unincorporated areas	485501A	Do.
Do	Brazoria	Richwood, city of	485502C	Nov. 28, 1975
Do	Nueces	Robstown, city of	485503B	Apr. 18, 1975
Do	Arkansas	Rockport, city of	485504B	Nov. 7, 1975
Do	Hays	San Marcos, city of	485505	July 1, 1974
Do	San Patricio	Unincorporated areas	485506	Do.
Do	Harris	Seabrook, city of	485507A	Aug. 22, 1975
Do	Calhoun	Seadrift, city of	485001B	May 2, 1975
Do	Guadalupe	Seguin, city of	485508A	Aug. 22, 1975
Do	Grayson	Sherman, city of	485509A	Dec. 5, 1975
Do	Harris	Shoreacres, city of	485510B	Sept. 12, 1975
Do	San Patricio	Sinton, city of	485511	July 1, 1974
Do	Brazoria	Sweeny, city of	485512A	Aug. 22, 1975
Do	Harris	Taylor Lake, village of	485513A	Sept. 5, 1975
Do	Galveston	Texas City, city of	485514A	July 1, 1974
Do	Live Oak	Three Rivers, city of	485515C	Sept. 26, 1975
Do	Victoria	Victoria, city of	485516A	Aug. 22, 1975
Do	Harris	Webster, city of	485516	July 1, 1974
Vermont	Washington	Montpelier, city of	505518	Do.
Virginia	Independent city	Alexandria, city of	515519	Do.
Do	Arlington	Four Mile Run area	515520	Do.
Do	Wise	Big Stone Gap, town of	515521	Do.
Do	Russell	Cleveland, town of	515522	Do.
Do	Fairfax	Unincorporated areas	515525	Do.
Do	Independent city	Fairfax, city of	515524A	Oct. 31, 1975
Do	Rockbridge	Glasgow, town of	515526A	Dec. 12, 1975
Do	Independent city	Hampton, city of	515527A	July 1, 1974
Do	do	Portsmouth, city of	515529A	Nov. 7, 1975
Do	Wise	St. Paul, town of	515530	July 1, 1974
Do	Independent city	Virginia Beach, city of	515531A	Do.
Do	do	Waynesboro, city of	515532A	Dec. 5, 1975
Washington	Benton	Richland, city of	535533C	Nov. 14, 1975
West Virginia	Logan	Chapmanville, town of	540090	July 1, 1974
Do	do		545536	Do.
Do	do	Logan, city of	545537B	Dec. 19, 1975
Do	do	Man, town of	545537A	Dec. 26, 1975
Do	Mingo	Matewan, town of	540538	July 1, 1974
Do	Logan	Mitchell Heights, town of	540085	Do.
Do	do	West Logan, town of	545539C	Nov. 28, 1975
Wisconsin	Buffalo	Alma, city of	555540A	July 1, 1974
Do	Langlade	Antigo, city of	555541A	Oct. 31, 1975
Do	Multiple	Appleton, city of	555542A	Dec. 26, 1975
Do	Pierce	Bay City, village of	555543A	Oct. 17, 1975
Do	Rock	Beloit, city of	555544	July 1, 1974
Do	Wood	Biron, village of	555545	Do.
Do	Buffalo	Unincorporated areas	555547	Do.
Do	do	Buffalo, city of	555548A	Oct. 17, 1975
Do	Grant	Cassville, village of	555549A	Nov. 28, 1975
Do	Chippewa	Unincorporated areas	555550	July 1, 1974
Do	Buffalo	Cochrane, village of	555551	May 23, 1975
Do	Crawford	Unincorporated areas	555551	July 1, 1974
Do	Eau Claire	do	555552	Do.
Do	Crawford	Ferryville, village of	555553A	Oct. 31, 1975
Do	Jefferson	Fort Atkinson, city of	555554	July 1, 1974
Do	Buffalo	Fountain, city of	555555A	Aug. 29, 1975
Do	Vernon	Genoa, village of	555556A	Oct. 10, 1975
Do	Grant	Unincorporated areas	555557	July 1, 1974
Do	St. Croix	Hudson, city of	555558A	Oct. 3, 1975
Do	Iron	Hurley, city of	555559A	Nov. 14, 1975
Do	Rock	Janesville, city of	550380A	Dec. 19, 1975
Do	Jefferson	Jefferson, city of	555561A	Sept. 5, 1975
Do	La Crosse	La Crosse, city of	555562	July 1, 1974
Do	Crawford	Lynxville, village of	555563A	Nov. 28, 1975
Do	Ozaukee	Mequon, city of	555564A	July 1, 1974
Do	Lincoln	Merrill, city of	555565A	Nov. 28, 1975
Do	Manitowoc	Mishicot, village of	555566A	Oct. 17, 1975
Do	Marathon	Mosinee, city of	555567A	Nov. 14, 1975
Do	St. Croix	North Hudson, village of	555568B	Aug. 22, 1975
Do	Pepin	Unincorporated areas	555570C	Jan. 2, 1975
Do	do	Pepin, village of	555569B	May 2, 1975
Do	Pierce	Unincorporated areas	555571A	Jan. 9, 1976
Do	Wood	Port Edwards, village of	555572	July 1, 1974
Do	Crawford	Prairie Du Chien, city of	555573A	Nov. 28, 1975
Do	Pierce	Prescott, city of	555574	July 1, 1974

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Latest firm map

State	County	Location	Community No.	Effective date of latest revision
Do	Racine	Racine, city of	555575A	Jan. 2, 1976
Do	Vernon	Readstown, village of	550418A	Mar. 16, 1976
Do	Richland	Richland Center, city of	550170	July 1, 1974
Do	Marathon	Rothschild, village of	555577	Do.
Do	do	Schofield, city of	555579	Do.
Do	Crawford	Steuben, village of	550390	Do.
Do	Pepin	Stockholm, village of	555581B	Mar. 28, 1975
Do	Vernon	Stoddard, village of	550671B	Jan. 23, 1976
Do	Trempealeau	Strum, village of	555583A	Aug. 29, 1975
Do	St. Croix	Unincorporated areas	555578A	July 1, 1974
Do	Trempealeau	do	555585	Do.
Do	do	Trempealeau, village of	555584C	Nov. 7, 1975
Do	Crawford	Wauzeka, village of	555586	July 1, 1974
Do	Wood	Wisconsin Rapids, city of	555587	Do.

3. § 1915.5 is added and reserved as follows:

§ 1915.5 [Reserved]

4. Present § 1915.6 is revised to read as follows:

§ 1915.6 Administrative withdrawal of maps.

(a) *Flood Hazard Boundary Maps (FHBM's).*

The following is a cumulative list of withdrawals pursuant to this Part: 40 FR 5149; 40 FR 17015; 40 FR 20798; 40 FR 46102; 40 FR 53579; 40 FR 56672; 40 FR 1472.

(b) *Flood Insurance Rate Maps (FIRM's).*

The following is a cumulative list of withdrawals pursuant to this Part: 40 FR 17015.

5. The following additional entries (which will not appear in the Code of Federal Regulations) are made pursuant to § 1915.6:

State	County	Location	Map number and Federal Register citation	Effective date of withdrawal
Alabama	Shelby	Unincorporated areas [1]	H 010191 01-02; Vol. 39, No. 24, pg. 43892.	Nov. 28, 1975
Connecticut	Litchfield	Colebrook, town of [1]	H 090180 01-09; Vol. 39, No. 241, pg. 43893.	Do.
Florida	Pasco	Odessa, city of [2]	H 120233 01; Vol. 39, No. 238, pg. 43080	Do.
Kentucky	Butler	Rochester, town of [2]	H 21 031 2760 01; Vol. 39, No. 24, pg. 4099.	Do.
Minnesota	Itasca	Cohasset, city of [3]	H 270202 01; Vol. 39, No. 115, pg. 20681	Do.
			H 270202A 01; Vol. 40, No. 179, pg. 42555.	
New York	Greene	Hunter, town of [1]	H 360292 01-12; Vol. 40, No. 144, pg. 31221.	Do.
Texas	Orange	Unincorporated areas [3]	I 48 361 0000 02-12; Vol. 36, No. 94, pg. 8677.	Do.
Do	do	Pinehurst, city of [3]	I 48 339 5357 02; Vol. 36, No. 128, pg. 12611.	Do.
Utah	Tooele	Grantsville, city of [4]	H 490141 01-06; Vol. 39, No. 115, pg. 30693.	Do.

NOTES.—REASONS FOR WITHDRAWAL

[1] The flood hazard boundary map (FHBM) contained printing errors or was improperl, distributed. A new FHBM will be prepared and distributed.
[2] The community lacked enabling authority over the special flood hazard areas.
[3] The flood insurance rate map was rescinded because of inaccurate flood elevations contained on the map.
[4] A revision of the FHBM within a reasonable period of time was not possible. A new FHBM will be prepared and distributed.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969.)

Issued: December 19, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76-246 Filed 1-7-76;8:45 am]

Title 29—Labor

CHAPTER I—NATIONAL LABOR RELATIONS BOARD

PART 102—RULES AND REGULATIONS SERIES 8

Amendments to Rules

By virtue of the authority vested in it by the National Labor Relations Act approved July 5, 1935,[1] and by section (f) of the Privacy Act of 1974,[2] the National Labor Relations Board hereby promulgates the following amendments to its rules which it finds necessary to carry out the provisions of said Acts.

Dated, Washington, D.C., December 31, 1975.

By direction of the Board:

JOHN C. TRUESDALE,
Executive Secretary.

§ 102.117 Board materials and formal documents available for public inspection and copying; requests for identifiable records; files and records not subject to inspection; fees for copying and production; access to and amendments of records pertaining to individuals in systems of records.

* * * * *

(e) An individual will be informed whether a system of records maintained by this agency contains a record pertaining to such individual. An inquiry should be made in writing or in person during normal business hours to the official of this agency designated for that purpose and at the address set forth in a notice of a system of records published by this agency, in a Notice of Systems of Government-wide Personnel Records published by the Civil Service Commission, or in a Notice of Government-wide System of Records published by the Department of Labor. Copies of such notices, and assistance in preparing an inquiry, may be obtained from any regional office of the Board or at the Board offices at 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570. The inquiry should contain sufficient information, as defined in the notice, to identify the record. Reasonable verification of identity of the inquirer, as described in subsection (i) of this section, will be required to assure that information is disclosed to the proper person. The agency shall acknowledge the inquiry in writing within 10 days (excluding Saturdays, Sundays, and legal public holidays) and, wherever practicable, the acknowledgment shall supply the information requested. If, for good cause shown, the agency cannot supply the information within 10 days, the inquirer shall within that time period be notified in writing of the reasons therefor and when it is anticipated the information will be supplied. An acknowledgment will not be provided where the information is supplied within the 10-day period. If the agency refuses to inform an individual whether a system of records contains a record pertaining to an individual, the inquirer shall be notified in writing of that determination and the reasons therefor, and of the right to obtain review of that determination under the provisions of paragraph (j) of this section.

(f) An individual will be permitted access to records pertaining to such individual contained in any system of records described in the notices of systems of records published by this agency, or access to the accounting of disclosures from such records. The request for access must be made in writing or in person during normal business hours, to the person designated for that purpose and at the address set forth in the published notice of systems of records. Copies of such notices, and assistance in preparing a request for access, may be obtained from any regional office of the Board or at the Board offices at 1717 Pennsylvania Avenue NW., Washington, D.C. 20570. Reasonable verification of the identity of the requester, as described in subsection (i) of this section, shall be required to assure that records are disclosed to the proper person. A request for access to records or the accounting of disclosures from such records shall be acknowledged in writing by the agency within 10 days of receipt (excluding Saturdays, Sundays, and legal public holidays) and, wherever practicable, the acknowledgement shall inform the requester whether or not access will be granted and, if so, the time and location at which the records or accounting will be made available. If access to the record or accounting is to be granted, the record or accounting will normally be provided within 30 days (excluding Saturdays, Sundays, and legal public holidays) of the request, unless for good cause shown the agency is unable to do so, in which case the individual will be informed in writing within that 30-day period of the reasons therefor and when it is anticipated that access will be granted. An acknowledgement of a request will not be provided if the record is made available within the 10-day period. If an individual's request for access to a record or an accounting of disclosures from such a record under the provisions of this subsection is denied, the notice informing the individual of the denial shall set forth the reasons therefor and advise the individual of the right to obtain a review of that determination under the provisions of subsection (j) of this section.

(g) An individual granted access to records pertaining to such individual contained in a system of records may review all such records. For that purpose the individual may be accompanied by a person of the individual's choosing, or the record may be released to the individual's representative who has the written consent of the individual, as described in subsection (i) of this section. A first copy of any such record or information will ordinarily be provided without charge to the individual or representative in a form comprehensible to the individual. Fees for any other copies of requested records shall be assessed at the rate of $0.10 for each sheet of duplication.

(h) An individual may request amendment of a record pertaining to such individual in a system of records maintained by this agency. A request for amendment of a record must be in writing and submitted during normal business hours to the person designated for that purpose and at the address set forth in the published notice for the system of records containing the record of which amendment is sought. Copies of such notices, and assistance in preparing a request for amendment, may be obtained from any regional office of the Board or at the Board offices at 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570. The requester must provide verification of identity as described in subsection (i) of this section, and the request should set forth the specific amendment requested and the reason for the requested amendment. The agency shall acknowledge in writing receipt of the request within 10 days of its receipt (excluding Saturdays, Sundays, and legal public holidays) and, wherever practicable, the acknowledgment shall advise the individual of the determination of the request. If the review of the request for amendment cannot be completed and a determination made within 10 days, the review shall be completed as soon as possible, normally within 30 days (Saturdays, Sundays, and legal public holidays excluded) of receipt of the request unless unusual circumstances preclude completing the review within that time, in which event the requester will be notified in writing within that 30-day period of the reasons for the delay and when the determination of the request may be expected. If the determination is to amend the record, the requester shall be so notified in writing and the record shall be amended in accordance with that determination. If any disclosures accountable under the provisions of 5 U.S.C. Sec. 552a(c) have been made, all previous recipients of the record which was amended shall be advised of the amendment and its substance. If it is determined that the request should not be granted, the requester shall be notified in writing of that determination and of the reasons therefor, and advised of the right to obtain review of the adverse determination under the provisions of paragraph (j) of this section.

* * * * *

(j) (1) Review may be obtained with respect to (i) a refusal, under paragraph (e) or (k) of this section, to inform an individual if a system of records contains a record concerning that individual, (ii) a refusal, under paragraph (f) or (k) of this section, to grant access to a record or an accounting of disclosures from such a record, or (iii) a refusal, under paragraph (h) of this section, to amend a record. The request for review should be made to the chairman of the Board if the system of records is maintained in the offices of a member of the Board, the office of the executive secretary, the office of the solicitor, the division of information, or the division of administrative law judges. Consonant with the provisions of section 3(d) of the National Labor Relations Act, as amended, and the delegation of authority from the Board to the general counsel, the request should be made to the general counsel if the system of records is maintained by any office of the agency other than those enumerated above. Either the chairman of the Board or the general counsel may designate in writing another officer of the agency to review the refusal of the request. Such review shall be completed within 30 days (excluding Saturdays, Sundays, and legal public holidays) from the receipt of the request for review unless the chairman of the Board or the general counsel, as the case may be, for good cause shown, shall extend such 30-day period.

* * * * *

(j) (3) If, upon review of a refusal under paragraph (f) or (k), the reviewing officer determines that access to a record or to an accounting of disclosures should be granted, the requester shall be so notified and the record or accounting shall be promptly made available to the requester. If the reviewing officer determines that the request for access was properly denied, the individual shall be so informed in writing with a brief statement of the reasons therefor, and of the right to judicial review of that determination under the provisions of 5 U.S.C. section 552a(g) (1) (B).

[FR Doc.76-444 Filed 1-7-76;8:45 am]

[1] 49 Stat. 449; 29 U.S.C. 151–166, as amended by act of June 23, 1947 (61 Stat. 136; 29 U.S.C. Sup. 151–167), act of October 22, 1951 (65 Stat. 601; 29 U.S.C. 158, 159, 166), and act of September 14, 1959 (73 Stat. 519; 29 U.S.C. 141–168).

[2] 88 Stat. 1896; 5 U.S.C. section 552a(f).

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 75-201]

PART 157—RULES AND REGULATIONS FOR PROTECTION OF THE MARINE ENVIRONMENT RELATING TO TANK VESSELS CARRYING OIL IN DOMESTIC TRADE

Tank Vessels Carrying Oil in Domestic Trade

The purpose of these amendments to the oil pollution regulations is to add requirements for the distribution of segregated ballast in certain seagoing U.S. tankships and barges certified to carry oil in the domestic U.S. trade.

In the October 14, 1975, issue of the FEDERAL REGISTER (40 FR 48289) the Coast Guard proposed specific criteria for the distribution of segregated ballast required in section 33 CFR 157.09. In response to several requests for additional time to comment on the proposal, the comment period was extended from November 13, 1975, to December 1, 1975, by a notice published in the FEDERAL REGISTER (40 FR 54006) on November 20, 1975.

The limited issue of this rulemaking action is "What distribution of segregated ballast spaces required for new tank vessels of 70,000 DWT and over will result in the best improvement in environmental protection with no compromise of overall safety?" Safety, for the purposes of the issue of this rulemaking action, is an all inclusive term that includes environmental protection as one aspect. The rules recently issued in part

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33 CFR 157 (40 FR 48280), while primarily concerned with abatement of operational pollution, also will be effective in abating pollution in accidents where the more stringent subdivision and damage stability requirements and tank size limits operate to reduce outflows of oil or prevent the total loss of a ship and its oil cargo. The distribution of required segregated ballast spaces in accordance with rules in this amendment will also reduce outflow of oil from a tanker in case of accident. Tank vessel accidents are statistically small in number involving random, unpredictable events. The number of accidents that result in spillage is even smaller, on the order of one-fourth of the accident events. Further, accident analysis shows that about 80 percent of the oil pollution outflow is caused by approximately 2 percent of the accidents. Several commenters suggested that all very large spills and accidents where the vessels ultimately sank should be withdrawn from the data base, leaving only smaller spills. This approach is not considered sound for two reasons: (1) it rests on the assumption that nothing could be done which would have altered the outcome of those events, and (2) those events by their very magnitude are most deserving of attention.

Several commenters stated that oil spilled from accidents is severely harmful to the marine environment. Because many accidents occur in near-shore areas these commenters suggested that a higher degree of built-in vessel protection against spillage is warranted. It is appropriate to review the history of where oil has been deemed to fit on the relative scale of risk posed to the general public and the port areas, to the vessel and its crew, and to the environment. The Coast Guard has regulated liquid cargo vessels for a number of years by establishing (with the assistance of the National Academy of Sciences) categories of cargo based upon the potential hazards and has required more stringent design and construction features for the vessels as the hazard category of the cargo increased. This methodology has been successful in service as is evidenced by the results shown in the joint MARAD-Coast Guard Tank Barge Study which was referred to by several commenters. The United States has been successful in having this methodology adopted internationally through the deliberations of the Inter-Governmental Maritime Consultative Organization (IMCO). The IMCO Code for the Construction and Equipment of Ships Carrying Dangerous Liquids in Bulk, IMCO Resolution A.212 (VII), recognizes four categories of bulk liquid cargoes. One category consists of substances whose hazards fall outside of the scope of the Code. A second category consists of substances that are considered dangerous, having hazards analogous to oil but of a different nature. Bulk cargoes of these substances are not required to be carried in tanks separated from the hull of the vessel. The other two categories consist of substances which present more substantial hazards than that of oil, *e.g.*, substances which are water reactive, highly toxic to humans, corrosive in the presence of water, which have extremely hazardous flammability characteristics, and which have other properties that make their release a serious safety risk. These substances are required to be transported in tanks separated from the hull because they present greater hazards to the safety of crew, the vessel, and populace in the surrounding area. The Coast Guard considers oil to be similar in hazard to the first two categories of substances described above and has developed construction standards accordingly, including these distribution of ballast requirements.

Several commenters implied that *all* new tank vessels, regardless of tonnage, should be built with defensive space for environmental protection. The Coast Guard is not requiring defensive spaces solely to provide protection against spillage in event of grounding or collision accident. As the final environmental impact statement on this subject, published August 15, 1975, pointed out, in new tank vessels of 70,000 DWT and above, segregated ballast tanks are required to eliminate the routine event of contaminating ballast water by the addition of that water to tanks which previously contained oil cargo. It is this practice, necessary to immerse the hull for the return voyage, that leads to intentional operational discharge of oily ballast water, a principal source of marine pollution. The proper distribution of these segregated ballast spaces to achieve a secondary benefit in case of accident is a logical extension of the regulations. Segregated ballast is not required on new tank vessels of less than 70,000 DWT because it would not be an effective pollution prevention measure on smaller vessels since most of these vessels carry petroleum products rather than crude oil and most wash tanks for cargo purity reasons rather than to provide space for clean ballast.

The historical data with respect to the relative frequencies of occurrences of side damaging accidents as a result of collisions and rammings versus bottom damaging accidents as a result of groundings reveal that the side damaging accidents occur 1.5 times as often as the bottom damaging accidents.

Data on spill frequency by type of accident are considered more reliable because of better reporting procedures. These data reveal that spills from the side of a vessel from collisions and rammings occur 1.4 times as often as the spills from the bottom from strandings and groundings. As a general rule, within the cargo tank length, the side shell area of a tank vessel including both sides is very nearly equal to the bottom shell area. These two factors would suggest a preference for side protection over bottom protection. The Coast Guard studied a large number of U.S. Salvage Association damage reports to determine if there were any particular areas of the cargo tank block of a tanker that were more prone to damage than other areas. The study revealed that no particular area of the tanker is immune to damage. However, one damage prone area was identified, the area of the turn of the bilge.

Information on the depth of penetration in cases of collision and grounding is extremely scarce. It must be remembered, however, that the physical phenomenon of a side damaging accident makes likely the loss to the sea of the entire contents of an injured tank. This is due to the fact that the specific gravity of most oils is less than seawater and a pressure differential is created by the breach of the hull which allows entering water to displace the oil within the tank. How fast this occurs depends, of course, on the size of the hole and whether it is at or below the waterline. This phenomenon was documented in a Coast Guard report dated May 1945 entitled, "Suggestions Concerning Tank Vessel Operation During Wartime (Based upon Experiences of 6,000 Tankermen Attacked by Submarine)." The following excerpt from that report concerning torpedo damage is of interest:

> We would find a hole in the ship's side at least large enough to drive a truck through. Let us go through the hole into the tank, we would find an interesting thing happening. Although the tank was full of cargo we would see the ocean pouring into the tank at the bottom of the hole and the crude oil cargo pouring into the ocean at the top of the hole—*i.e.*, we would see two liquids, water and oil, pouring through the same hole at the same time in opposite directions! This is a very interesting discovery for it means that all of the oil in the tank is going to be displaced by seawater very quickly and that, in a matter of minutes either the tank will be filled with seawater or what oil remains in the tank will be trapped at the top by the seawater.

This early report was further corroborated by model testing conducted by the Japanese which simulated various size holes in the side of a vessel. This information was submitted to IMCO in 1970 in document DE/25.

In the case of bottom damage, the physics are such that when a puncture of similar size to the previously mentioned side injury is made into the bottom of the cargo tank, a portion of the oil will flow out until a hydrostatic balance is achieved within the tank. This portion will tend to be increased by any dynamic pumping action due to the motion of the ship. This behavior has been demonstrated by model tests conducted at the Netherlands Ship Model Basin. It is also confirmed by the experience of the VLCC Metula where more oil was apparently lost than would have been expected owing to the unusually strong currents to which the vessel was subjected while grounded in the Straits of Magellan in late 1974.

Both of these phenomena regarding side and bottom injuries have been well understood for a number of years. In fact, they underlie the development of cargo tank size and arrangement regulations that deal with the probability of volume of outflows. It is also necessary to understand that the hypothetical damages that are imposed upon a tanker design in arriving at the assumed

outflows are severe conditions of damage. They do not necessarily represent the absolute worst case but are well up a relative scale toward the worst case. Furthermore, the hypothetical damages are not imposed randomly but are assumed to occur at the *worst location*. This means that in a large number of collisions and groundings the actual extent of damage will be considerably less than the hypothetical damage, which also means that the actual outflow will likely be less than hypothetical. A smaller degree of damage, however, does not in itself ensure a considerable outflow reduction. As already pointed out, a very small hole in the side of a tank will eventually result in the loss of the total contents of the tank, whereas a similar hole in the bottom will result in considerably less outflow.

Many spills, of course, do not approach the hypothetical limits primarily because the damage is not as severe as the damage assumptions. This would appear to favor a scheme of uniform distribution of ballast space so as to cover as much of the shell area of the tanker as possible. However, as already noted, historical data show that a small number of accidents where large amounts of oil have been spilled or where the vessel has been totally lost account for the bulk of the total spillage. This would indicate that protection is warranted in order to decrease the severity of the spillage in these cases and to ensure the survivability of the vessel. In some accidents the severity of damage will be such that no amount of protection will be effective, but there are still many accidents where the protection will be effective. The problem of whether the defensive space should be used as lump placement or as relatively thin uniform distribution leads to conflicting solutions. The amount of segregated ballast to be distributed within the cargo block of a tanker is limited, being on the order of 20 percent of the full load displacement. Uniform distribution of this ballast volume into relatively thin spaces separating cargo from shell can reduce hypothetical outflows to some extent, however, lump placement of the ballast as in staggered wing tank designs can effect a greater reduction in the hypothetical outflows associated with more serious accidents.

There is another reason entirely divorced from the spillage problems, that uniform distribution is not entirely feasible. This involves the problem of maintaining the longitudinal stress within established criteria while ensuring that segregated ballast is so distributed as to be able to meet the draft and trim requirements. The amount of segregated ballast to be distributed is not sufficient to accommodate both uniform distribution and necessary location. Therefore, the proposed segregated ballast distribution formula was developed as a compromise requiring some amount of uniform distribution of the ballast but also leaving the designer sufficient flexibility to place some of the ballast within the cargo tank length at the proper locations to ensure that the vessel remains within the strength criteria and meets the draft and trim requirements.

Several commenters suggested that the proposed formula for ballast distribution was biased in favor of side protection versus bottom protection because of accepting smaller minimum separation spaces for sides. Several commenters also criticized the .65 and .45 coefficients which were embodied in the formula as biasing the formula in favor of side protection versus bottom protection. The bias for side protection was attributable to the additional consequences that occur in cases of collisions and rammings. Often collisions and rammings of tankers penetrating the cargo tank area result in fire and explosions of serious proportions, in many cases engulfing the entire vessel with the potential for loss of life of the crew members in addition to oil outflow.

It is not necessary to have a high energy collision for this to occur. The 1975 collision of the *Edgar M. Queeny* with the moored vessel *Corinthos* in the Delaware River is a notable example. The port anchor of the *Queeny* penetrated the *Corinthos* in the cargo tank area and that was the *sole* contact between the two vessels. Yet, by this minor injury, the *Corinthos* was subsequently engulfed by explosions and fire resulting in 26 deaths, pollution, and hazarding of the nearby refinery facility and community. Notwithstanding this explanation, these regulations have been adjusted to remove the bias for side protection, recognizing that prevention of pollution is a directly relatable benefit and the additional benefits implied above are more conjectural.

Several commenters referred to the Office of Technology Assessment report on "Oil Transportation by Tankers: An Analysis of Marine Pollution and Safety Measures" (July 1975) and also an ECO, Inc., report entitled, "Economic and Environmental Aspects of the Construction and Operation of Oil Tankers," (March 1975) done for the Council on Environmental Quality. Both of these reports purported to be complete examinations of the factors involved. From their limited viewpoint of spill mitigation, the reports concluded that double bottoms and double hulls would be the most effective type of construction in respect of prevention of outflows in case of accidents. The Coast Guard must, however, appraise the subject from a broader viewpoint, including kinds of accidents that may occur, types of accidents that warrant protective emphasis, and other safety aspects of the vessel that are affected by the manner of ballast distribution. It is the Coast Guard's view that these regulations do not emphasize side protection, recognize that there is a trade-off between the amount of area covered versus the outflow reductions to be effected on a hypothetical basis, and are the best approach. The Coast Guard believes this technical approach is sound, and coupled with other considerations involved, results in a rational solution to a difficult problem.

One commenter suggested that the Coast Guard's proposed action fails to meet the mandates of the Ports and Waterways Safety Act, specifically those of Title II, in that the Coast Guard proposal does not require application of the "best available pollution prevention technology." Title II of the Ports and Waterways Safety Act, section 201(4) does not specifically require the application of the best available pollution prevention technology. The criterion in that section requires that the Coast Guard establish a need for a particular regulation. Alternative solutions must then be examined from the point of view of the extent of the improvement in safety and/or environmental protection expected by that alternative together with its practical feasibility and cost. The Coast Guard is mandated to publish as a proposed rule the selected alternative that best meets all the criteria.

One commenter suggested the deletion of paragraph 33 CFR 157.09(d)(1) since it appeared it would be redundant because the distribution of the ballast would have to be on the sides and the bottom in order to meet the formula. This is true and this paragraph has been deleted. The same commenter questioned whether the spaces along the area of the turn of the bilge of a vessel where the cargo tanks were separated would be credited as both side protection and bottom protection. This was the intent of the proposed rule because this area is prone to damage, and it is the intent in the revised wording of 33 CFR 157.09(d)(2).

The Council on Wage and Price Stability suggested that in view of the cost versus the benefits to be derived from segregated ballast, there is no justification for requiring segregated ballast and, therefore, the distribution of ballast was a moot point. The Coast Guard does not agree. The 1973 International Conference on Marine Pollution reached an agreement that segregated ballast is needed as a measure to improve the environmental quality of the oceans. The Coast Guard fully supports the Conference view, and, therefore, considers it would be a grave loss of environmental protection to set aside the requirement for segregated ballast on new tank vessels of 70,000 DWT and greater. Essentially, the argument of this commenter was that improved load-on-top procedures if strictly enforced, would achieve the same reduction of operational pollution as could be achieved by segregated ballast tanks, and that the cost would be considerably less. This argument is not persuasive for two reasons. First, the rationale for requiring segregated ballast is to eliminate as much of the source of operational pollution from these vessels as possible. The alternatives are either "built-in" protection against discharge or stricter implementation and enforcement of discharge criteria through an elaborate operational process. The second reason is the concern for the absolute amounts of oil entering the ocean from operational discharges. Even though the amounts of oil discharged from a vessel conscientiously practicing

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LOT can be small, the amounts are considered unacceptable in terms of the total quantity entering the sea from all the tankers plying the oceans.

Two commenters, the Environmental Protection Agency and the Council on Environmental Quality, supported the concept of the distribution of segregated ballast space because it achieved two purposes: (1) A reduction in the hypothetical outflows and (2) defensive space over a certain portion of the hull. These two agencies also suggested, along with others, that the formula was cumbersome and not easily understood and that the coefficients and minimal separation established as protective space all militated against effective use of a formula. The formula concept has been dropped and 33 CFR 157.09(d) has been revised to embody specific goals to be achieved in the design of conventionally configured tank vessels. The present rule (33 CFR 157.09(d)) on segregated ballast space distribution is retained for vessels not of conventional configuration. It is appropriate to briefly examine what the effect of these goals will be on specific design configurations for new tank vessels. The regulations will require two things: first, a 20 percent reduction from maximum in the average of the hypothetical outflows and second, that a certain percentage of the hull must have protective space separating the cargo from the hull. Certain vessel design configurations do not meet the hull coverage criteria and these particular designs are required to achieve a greater outflow reduction in the hypothetical outflow. For these designs, the effect of the rule is that the vessels must be designed with greater internal subdivision of the cargo tanks. One commenter pointed out that he was satisfied that the amount of oil spilled would be inversely proportional to the number of cargo compartments on a tanker. This is true to the point beyond which the extent of damage to be expected becomes too great, i.e., where multiple tank boundaries become involved.

Many commenters expressed a concern with respect to the application of these rules to existing tank vessels. The Coast Guard has a working group as a subsidiary body to the National Committee for the Prevention of Marine Pollution examining all aspects of this problem. It must be emphasized that even should the study determine the desirability of retrofitting segregated ballast on existing vessels, the only apparent practical way of doing this would be to use a staggered wing tank type of design configuration.

In summary, the Coast Guard considers the revised rules as published in this document to be an improvement upon the proposed rules in that the criteria are easier to understand and apply. Yet, the revised rules are not substantially different in their effect from the previously proposed rules. The rules provide sufficient flexibility for the design of safe, efficient segregated ballast tankers. The Coast Guard believes that providing sufficient flexibility is absolutely necessary to encourage variations in design and intends in the long term to review the historical experience resulting from the application of these regulations. The review may result in revision of these rules if certain alternatives are found in practice to be superior to others.

In consideration of the foregoing, the proposed regulations that appear in the October 14, 1975, issue of the FEDERAL REGISTER (40 FR 48289) are hereby adopted subject to changes discussed in preceding paragraphs. It was Congressional intent that the regulations be effective not later than June 30, 1974, and any further delay would be contrary to the public interest. Accordingly, it is found necessary to make the regulations effective on January 8, 1976.

In consideration of the foregoing, Chapter I of Title 33, Code of Federal Regulations, is amended as follows:

1. Section 157.03 is amended by adding paragraph (aa) to read as follows:

§ 157.03 Definitions.

* * * * *

(aa) "Cargo tank length" means the length from the collision bulkhead to the forward bulkhead of the machinery spaces.

2. Section 157.08 is amended by adding paragraph (a)(4) to read as follows:

§ 157.08 Applicability.

(a) * * *

(4) The requirements in § 157.09(d) do not apply to vessels constructed under a contract awarded before January 8, 1976.

* * * * *

3. Section 157.09 is amended by revising paragraph (d) and adding paragraphs (e) through (g) to read as follows:

§ 157.09 Segregated ballast.

* * * * *

(d) Segregated ballast spaces, voids, and other noncargo-carrying spaces for a vessel of conventional form must be distributed—

(1) So that the mathematical average of the hypothetical collision (O_c) and the hypothetical stranding (O_s) outflows as determined by the application of the procedures in § 157.19 and Appendix B is 80 percent or less of the maximum allowable outflow (O_A) as determined by paragraph 157.19(b)(1); and

(2) To protect at least 45 percent of the sum of the side and bottom shell areas, based upon projected moided dimensions, within the cargo tank length. When the vessel design configuration does not provide for the spaces to be distributed to protect at least 45 percent of the side and bottom shell areas, the spaces must be distributed so that the mathematical average of the hypothetical collision (O_c) and the hypothetical stranding (O_s) outflows, determined by application of the procedures in § 157.19 and Appendix B, is a further 2 percent less than the maximum allowable outflow (O_s) for each 1 percent by which the shell area protection coverage required is not achieved.

(e) A ballast space, void or other noncargo-carrying space used to meet requirements in paragraph (d) of this section must separate the cargo tank boundaries from the shell plating of the vessel by at least 2 meters.

(f) A vessel of conventional form for application of this section has—

(1) A block coefficient of .80 or greater,

(2) A length to depth ratio between 12 and 16, and

(3) A breadth to depth ratio between 1.5 and 3.5.

(g) Segregated ballast spaces, voids, and other noncargo-carrying spaces for a vessel not of conventional form must be distributed in a configuration acceptable to the Coast Guard.

4. Section 157.24 is amended by adding new paragraph (c) to read as follows:

§ 157.24 Submission of calculations, plans and specifications.

* * * * *

(c) Calculations to substantiate compliance with the segregated ballast distribution requirements in § 157.09(d).

* * * * *

(RS 4417a(3) and (7), as amended (46 U.S.C. 391a(3) and (7); 49 CFR 1.46(n)(4))

Dated: January 2, 1976.

E. L. PERRY,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[FR Doc.76-522 Filed 1-7-76;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[FCC 75-1418]

PART 97—AMATEUR RADIO SERVICE AMATEUR EXTRA CLASS LICENSE

Amendment To Simplify Eligibility

1. The Commission intends by this Order to simplify the eligibility requirements for the Amateur Extra Class license. We are deleting that part of § 97.9(a) of the Commission's Rules requiring that each applicant for that license must have held a license for at least 1 year previously.

2. Under § 97.9(a) of the rules, an applicant for the Amateur Extra Class license must meet one of the following requirements: (1) Any time prior to receipt of his application by the Commission, he must have held for at least 1 year an amateur operator license of other than the Novice or Technician Class, issued by any agency of the U.S. Government, or he must submit proof that he held for a period of 1 year an amateur operator license at least equivalent to a General Class license issued by a foreign government, or (2) He must submit evidence of having held a valid amateur radio station or operator license issued by any agency of the U.S. Government prior to April, 1917.

3. We believe that § 97.9(a) is unduly restrictive because it prohibits otherwise qualified applicants from qualifying for the Amateur Extra Class license. The Amateur Extra Class license is the highest license available in the Amateur Service, and carries with it certain privileges not available to lower classes of licensees. We encourage all Amateur operators to strive for this license class, and the restrictions of § 97.9(a) are inimical to that goal. No one has ever shown that the imposition of the "prior experience" requirement has had any beneficial effect on the quality of licensees advancing to Amateur Extra Class status.

4. We believe that the elimination of the "prior experience" requirement is justified and will further the Commission's continuing efforts to deregulate the Amateur Radio Service. Therefore, for the reasons cited in the preceding paragraphs we are deleting all of § 97.9(a) except that part stating that an Amateur Extra Class license is available to anyone except a representative of a foreign government.

5. Authority for this amendment appears in sections 4(i) and 303 of the Communications Act of 1934, as amended. The prior notice and public procedure provisions of the Administrative Procedure Act, 5 U.S.C. 553 are unnecessary because the Commission believes the minor amendment adopted herein will have an insignificant impact on Amateur licensees and the public at large and that no objection to such an amendment will be received. No present or future licensees in the Amateur Radio Service will be adversely affected by the removal of this restriction. Since the amendment relieves a Rule restriction the effective date of the Rule change may be immediate, pursuant to the Administrative Procedure Act.

6. In view of the foregoing, *it is ordered*, That the rule amendment as set forth below shall be adopted effective January 9, 1976.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; 47 U.S.C. 154, 155, 303)

Adopted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

Part 97 of Chapter 1 of Title 47 of the Code of Federal Regulations is amended as follows:

Paragraph (a) of § 97.9 is revised to read as follows:

§ 97.9 Eligibility for new operator license.

* * * * *

(a) Amateur Extra Class. Anyone except a representative of a foreign government.

* * * * *

[FR Doc.76-510 Filed 1-7-76;8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 69-19; Notice 12]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Lamps, Reflective Devices, and Associated Equipment

This notice amends 49 CFR 571.108, Motor Vehicle Safety Standard No. 108, to allow conformance with SAE Standard J579c, "Sealed Beam Headlamp Units for Motor Vehicles", December 1974 as an option to compliance with the presently referenced SAE Standard J579a.

On October 25, 1972, the National Highway Traffic Safety Administration proposed (37 FR 22801) as part of a comprehensive rulemaking action that SAE Standard J579a, as currently referenced in Standard No. 108, be replaced by SAE Standard J579b. Except for the increased maximum candlepower (75,000 candlepower) specified in SAE Standard J579b, the commenters generally supported this proposal. SAE Standard J579c has added a definition of H–V axis and a description of rectangular sealed beam headlighting systems; otherwise it is identical to J579b.

SAE Standard J579c provides compatibility between headlight beam positions regardless of whether the headlamp is aimed by mechanical, optical, or visual methods, unlike SAE Standard J579a, which results in different beam positions if the lamp is aimed by mechanical methods instead of optical or visual methods. Since the headlamp beam position provided by the optical and visual aim methods is higher and results in greater seeing distance for the driver, the same improvement should be afforded by mechanical aim methods.

SAE Standard J579c contains minor changes in photometrics at certain test points which also provide improved lighting, but are of such a minor technical nature that allowance of these values would be a relief of a restriction. However, this amendment of Standard No. 108 restricts the maximum candlepower output, for the present time, to 37,500. The question of allowing the SAE maximum of 75,000 candlepower was raised in the notice of October 25, 1972, and will be considered in future rulemaking actions.

§ 571.108 [Amended]

In consideration of the foregoing, the following amendments are made to 49 CFR 571.108, Motor Vehicle Safety Standard No. 108:

1. A new paragraph S4.1.1.33 is adopted to read as follows:

S4.1.1.33 Headlamps may conform to SAE Standard J579c, *Sealed Beam Headlamp Units for Motor Vehicles*, December 1974, except that:

(a) In Table I of SAE Standard J579c, the maximum candela at any test point shall not exceed 37,500;

(b) In Table II of SAE Standard J579c, the combined maximum candela at any test point shall not exceed 37,500; and

(c) At a voltage of 12.8 volts, the maximum design wattage, with an allowable tolerance of plus 7.5 percent, shall be as follows: 50 watts for Type 1 (5¾-inch); 37.5 watts for Type 2 (5¾-inch) high beam; and 60 watts for Type 2 (5¾-inch) low beam, Type 2 (7-inch) low beam, and Type 2 (7-inch) high beam.

2. Paragraph S5.1 is amended to read as follows:

S5.1 SAE Standards and Recommended Practices subreferenced by the SAE Standards and Recommended Practices included in Tables I and III and paragraphs S4.1.4 and S4.5.1 are those published in the 1970 edition of the SAE Handbook, except that the SAE Standard referred to as "J599" is J599c, *Lighting Inspection Code*, March 1973, and the subreferenced SAE Standard referred to as "J575" is J575e, *Tests for Motor Vehicle Lighting Devices and Components*, August 1970, for tail lamps, stop lamps, and turn signal lamps designed to conform to SAE Standard J585d, J586c, and J588e respectively.

Effective date: January 8, 1976. Because the amendment allows an option, relieves restrictions, and creates no addifional burden on any person, it is found for good cause shown that an immediate effective date is in the public interest.

(Sec. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegation of authority at 49 CFR 1.50)

Issued on January 5, 1976.

JAMES B. GREGORY,
Administrator.

[FR Doc.76-525 Filed 1-7-76;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Ex Parte No. 55; Sub-No. 20C]

PART 1002—FEES

Filing Fee for Related or Consolidated Proceedings

● **Purpose: The purpose of this notice is to inform the public that the Interstate Commerce Commission has amended the regulation governing the filing fee assessed for related or consolidated proceedings.** ●

The Interstate Commerce Commission has amended the regulations governing the schedule of fees assessed for related or consolidated proceedings. The amended fee schedule applies to applications for the transfer of operating authorities under the rules contained in 49 CFR Part 1132 which also involve directly related applications for gateway elimination and/or conversion.

The transfer rules contained in 49 CFR Part 1132 are intended for small carriers as defined in section 5(10) of the Interstate Commerce Act. The filing fee for a transfer application is $100. Where, however, an applicant seeks to tack its existing irregular route authority with irregular route rights sought to be acquired, a directly related gateway elimination application must be filed. Under the existing fee schedule, the $350 gateway elimination application filing fee, being the highest of the embraced proceeding, is assessed. If the transaction also includes a conversion application, an additional $350 is assessed. The Commission believes that filing fees of $350 and $700, the same amounts paid by large carriers in similarly embraced application proceedings, are too burdensome for small carriers. Accordingly, 49 CFR 1002.2(c) has been amended to require carriers subject to the transfer

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rules contained in 49 CFR 1132 to pay only the $100 filing fee which is assessed for the basic transfer application.

The notice and public rulemaking procedure contained in 5 USC 553 are omitted as unnecessary because the change applies to a regulation governing Commission practice and procedure. The amended regulation shall become effective on March 8, 1976.

The regulation is issued under the authority of 31 USC 483a.

Issued in Washington, D.C.

ROBERT L. OSWALD,
Secretary.

49 CFR 1002.2 is amended by changing the final colon in paragraph (c)(1) to a semicolon, and adding the following phrase:

1002.2 Filing fees.

* * * * *

(c)(1) * * *; except that, directly related applications involving a transfer under section 206(a)(6) or section 212(b), and an application on Form OP-OR-9 for gateway elimination and/or a conversion, the sole fee shall be the basic fee for the transfer application.

[FR Doc.76-546 Filed 1-7-76;8:45 am]

SUBCHAPTER B—PRACTICE AND PROCEDURES

[Ex Parte No. 55 (Sub-No. 20A)]

MOTOR CARRIERS AND BROKERS

Applications for Transfer or Lease of Operating Authorities and Brokers' Licenses, and for Change in Control of Corporations or Associations Holding Brokers' Licenses

● Purpose: The purpose of this notice is to inform the public that the Interstate Commerce Commission has amended its rules and regulations governing the application procedures for transfer of operating authorities issued under sections 206, 209, and 211 of the Interstate Commerce Act. ●

The Interstate Commerce Commission has uniformly amended the rules and regulations governing the application procedures for the transfer of certain operating authorities. As amended, the procedures apply (1) to transfer (a) of motor carrier certificates and permits not subject to sections 5 and 210(b) of the Interstate Commerce Act, (b) of Certificates of Registration, and (c) of passenger and property brokers' licenses, and (2) to changes in the control of corporations and associations holding brokers' licenses. Under a related and concurrently decided proceeding (Ex Parte No. 55 (Sub-No. 20B)), the amended procedures will also apply to applications for transfer of water carrier certificates and permits to operate, and freight forwarder operating rights (permits).

Under existing procedures, a transfer application is considered by the Motor Carrier Board without opposition. Notice to the public of approval of an application is published in the FEDERAL REGISTER. Interested persons then have 20 days to petition for reconsideration. These procedures have been amended to allow interested persons to file protests against approval of a transfer application before it is considered by the Board. As amended, the procedures will enable the Motor Carrier Board to make more informed and equitable initial decisions in transfer proceedings.

The most significant procedural changes are made in 49 CFR 1132. Section 1132.2 governs applications for transfer of operating rights as defined in § 1132.1(b). As amended, paragraph (a) of § 1132.2 combines former paragraphs (a) and (c). Paragraph (b) raises from four to six the number of copies which must be filed with the original application. Under paragraph (c) the Commission will now provide notice to the public of the filing of an application by publishing a summary of the application in the FEDERAL REGISTER before the initial decision is made. An applicant should advise the Commission of errors contained in the summary as published. Under new paragraph (d) an interested person may file a protest against approval of the application within 30 days of the date of notice in the FEDERAL REGISTER. The protest may contain a request for oral hearing. A synopsis of the necessary elements of a proper protest and the method of its service and filing is included in paragraph (d).

Section 1132.4, which deals with petitions for reconsideration of an initial decision, has been amended to coincide with the changes in the application procedures. The requirement that notice of approval of a transfer application be published in the FEDERAL REGISTER has been deleted since publication will now be accomplished prior to an initial decision. A synopsis of the necessary elements of a proper petition for reconsideration is included in section 1132.4.

The form and filing of petitions for reconsideration and replies are governed by the Special Rules of Practice contained in Rule 225 of the Commission's general rules of practice (49 CFR 1100.225). Paragraph (g) of Rule 225 has been amended to omit reference (1) to the publication of approval of a transfer application, and (2) to requests for oral hearing, since both matters will now precede an initial decision. Under paragraph (g), as amended, the time schedule for filing petitions seeking reconsideration of concurrently decided gateway elimination or conversion applications and replies will coincide with the time schedule which applies to transfer applications.

Applications for the transfer of Certificates of Registration will be processed under the amended procedures. Section 1132.12 has been amended to adopt the application procedures contained in § 1132.2. Section 1132.13, which outlines the general basis for approval and denial of applications for transfer of Certificates of Registration, has been amended to reflect the amended application procedures. Obsolete language relating to a registrant's qualification has been deleted, but the basis for approval and denial of an application remains unchanged. Petitions for reconsideration of an initial decision will also follow the amended procedures. Section 1132.14 has been amended to adopt the petition procedures contained in § 1132.4 and Rule 225.

The amended procedures will also apply to applications seeking to transfer property (49 CFR 1045) and passenger (49 CFR 1133) brokers' licenses, and to changes in the control of corporations and associations holding brokers' licenses. Section 1045.11 has been amended to combine former §§ 1045.11 and 1045.12 into paragraphs (a) and (b) respectively. Section 1133.1 has been amended to combine former §§ 1131.1 and 1133.2 into paragraphs (a) and (b) respectively. Under new paragraph (c), which has been added to both §§ 1045.11 and 1133.1, the application procedures contained in § 1132.2 are adopted. Petitions for reconsideration of initial decisions in these proceedings will also follow the amended procedure. Sections 1045.12 and 1133.2 have been amended to adopt the petition procedures contained in § 1132.4 and Rule 225.

The notice and public rulemaking procedure contained in 5 USC 553 are omitted as unnecessary because the changes apply to rules and regulations governing Commission practice and procedure. The amended rules and regulations shall become effective on March 8, 1976.

The rules and regulations are issued under the authority of 49 USC 303, 304, 306, 309, 311, and 312.

Issued in Washington, D.C.

[SEAL] ROBERT L. OSWALD,
Secretary.

49 CFR Parts 1045, 1100, 1132 and 1133 are amended as follows:

PART 1045—BROKERS OF PROPERTY

1. Section 1045.11 is revised to read as follows:

§ 1045.11 Transfer of property brokers' licenses; change in control of corporations and associations holding brokers' licenses.

(a) A license issued a broker may be transferred, if approved by the Commission, upon application and proof that the transferee is fit, willing, and able to perform the duties, and that the transfer will not be contrary to the public interest.

(b) A change in the control of a corporation or association holding a broker's license may be accomplished only with the approval of the Commission upon application and proof that the change in control will not be contrary to the public interest.

(c) The form of applications for authority under this part, the manner of filing, notice to the public, and the filing of protests by interested persons will be the same as provided under § 1132.2 of this chapter.

2. Section 1045.12 is revised to read as follows:

§ 1045.12 Petitions for reconsideration.

Petitions seeking reconsideration of an order entered pursuant to this part will be handled as provided in § 1132.4 of this chapter and Rule 225 of the Commissions General Rules of Practice (49 CFR 1100.225).

PART 1100—SPECIAL RULES OF PRACTICE

3. Section 1100.225 is amended by revising paragraph (g) to read as follows:

§ 1100.225 Special rules of practice governing the procedure of the Motor Carrier Board, the Finance Board, the Operations Boards, the Special Permission Board, the Released Rates Board, and the Tariff Rules Board (Rule 225).

* * * * *

(g) A petition seeking reconsideration or other relief of an order of the Motor Carrier Board entered pursuant to the rules and regulations governing transfers of property brokers' licenses, Part 1045 of this chapter; Passenger brokers licenses, Part 1133 of this chapter; motor carrier operating rights and certificates of registration, Part 1132 of this chapter (or pertaining to the disposition of a gateway elimination or conversion application directly related to such transfer); water carrier operating rights, Part 1141 of this chapter; and freight forwarder permits, Part 1151 of this chapter, must be filed with the Secretary of this Commission and all parties of record within 20 days of the service date of such order, or within such further period as may be authorized. In such a petition, matters claimed to have been erroneously decided and alleged errors must be specified with particularity. Within 20 days after the final date for filing such petitions with the Commission or within such further period as may be authorized, any interested person may file and serve a reply thereto.

PART 1132—TRANSFERS OF OPERATING RIGHTS

4. Section 1132.2 is revised to read as follows:

§ 1132.2 Applications.

(a) *Form.* Applications for approval of the transfer of operating rights shall be made in writing and shall be in such form and contain such information as the Commission shall prescribe. Applicants who seek approval of a transfer of operating rights for a limited term, such as a lease, shall attach to their application a written agreement covering the specific period for which the transfer is sought, the rental stated in dollars, the time and method of payment, and a provision that all the operating rights involved shall revert to the transferor at the expiration of said term or upon a discontinuance of operations thereunder by the transferee at any time prior to the expiration of said term. In case of reversion, the transferor shall give immediate notice thereof in writing to the Commission.

(b) *Filing.* An original application properly executed, and six copies thereof, each complete with any necessary attachments, shall be filed with the Secretary of the Commission, Washington, D.C. 20423. An additional copy of the complete application shall be delivered in person or by mail, to the Regional Director in each region of the Bureau of Operations in which headquarters of the parties signing such application are located, and to the board, commission or official (or to the Governor where there is no board, commission or official) having authority to regulate the business of transportation by motor vehicle of each State in which are located the headquarters of applicants. Proof of delivery of copies of the application to the appropriate Regional Directors and State authorities shall be made a part of the original application filed with the Commission.

(c) *Notice to interested persons.* (1) The Commission will provide notice of the filing of an application for the transfer of operating rights, by publishing a summary of the application in the FEDERAL REGISTER. The summary will state whether an application has or has not been filed for temporary authority under section 210a(b) of the Act.

(2) It shall be the responsibility of applicants to promptly advise the Commission if the Summary does not properly describe the authority sought. Notice by applicant to interested persons is not required, except that applicants are not relieved from the obligation to file copies of the application on parties prescribed in the application form.

(d) *Filing of protests.* Within 30 days of the date notice of a transfer application is published in the FEDERAL REGISTER, any interested person may file a protest against approval of the application, and in such protest, may request oral hearing. A protest filed under the rules shall certify that it has been served upon applicant's representative, or applicant, if no such representative is named in the notice of filing published in the FEDERAL REGISTER. Unless otherwise specified in the public notice, the signed original and six copies of the protest shall be filed with the Commission. All Protests must specify with particularity the factual basis, the section of the Act, or the applicable rule governing the proposed transfer which protestant believes would preclude approval of the application. If the protest contains a request for oral hearing, the request shall be supported by an explanation as to why the evidence sought to be presented cannot reasonably be submitted through the use of affidavits.

5. Section 1132.4 is revised to read as follows:

§ 1132.4 Petitions for reconsideration.

(a) If a petition is timely filed seeking reconsideration or other relief from an order entered under this part, and such order has not yet become effective, then, pursuant to section 17(8) of the Interstate Commerce Act, the effective date will be stayed or postponed pending disposition of the petition.

(b) Any petition, seeking reconsideration or other relief of an order entered subject to this part, must specify with particularity the alleged errors contained in the said order, and shall cite in all cases the particular section or sections of the Act, the Commission's General Rules of Practice (Part 1100 of this Chapter), and the Rules and Regulations Governing Transfers of Rights to Operate as a Motor Carrier in Interstate or Foreign Commerce (Part 1132 of this Chapter) which are involved, and the arguments based thereon, which petitioner believes warrant a conclusion different from that set forth in the said order. The petition may be rejected for failure to cite the particular section relied upon.

(c) Petitions seeking reconsideration of an order of the Motor Carrier Board will be governed by the special rules of practice, set forth in Rule 225 of the Commission's general rules of practice (49 CFR 1100.225).

6. Section 1132.12 is revised to read as follows:

§ 1132.12 Applications.

(a) The form of applications for the transfer of Certificates of Registration, the manner of filing, as well as the notice to the public and the filing of protests by interested persons will be the same as described in § 1132.2 of this chapter.

(b) Applicants who seek transfer of a Certificate of Registration shall either attach to their application, and each copy thereof, or prior to consummation of the authorized transaction, furnish the Commission with a copy of the order of the State Board approving the transfer or lease of the corresponding State certificate to the transferee of lessee thereof. The copy furnished must be properly certified by a duly authorized official of the State as being a true copy of the State order. If the State order does not specify the terms and expiration date of leased rights, copies of the lease agreement between the parties must also be submitted. In case of reversion of the State certificate, the transferor shall give immediate notice thereof in writing to the Commission.

7. Section 1132.13 is revised to read as follows:

§ 1132.13 General bases for approval and denial.

(a) Except as may be otherwise provided in §§ 1132 to 1132.5, the proposed transfer described in any such application shall be approved if it is shown that the proposed transaction is not subject to the provisions of section 5 of the Interstate Commerce Act; that the proposed transferee will be a carrier engaged in operations solely within a single State, not controlled by, controlling, or under common control with a carrier engaged in operations outside such State; that

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the Certificate of Registration has not been invalidated by the transfer of the State certificate without the interstate or foreign rights; and that the proposed transfer will not invalidate the Certificate of Registration by a transfer of such certificate of registration apart from the corresponding State certificate. Otherwise, the application will be denied.

(b) An application for transfer may be denied for any of the reasons set forth as bases for disapproval in § 1132.5 of this Part.

8. Section 1132.14 is revised to read as follows:

§ 1132.14 Petitions for reconsideration.

Petitions seeking reconsideration of an order of the Motor Carrier Board entered pursuant to this Part, will be governed by Rule 225 of the Commission's General Rules of Practice (49 CFR 1100.225) and § 1132.4 of this Part.

PART 1133—TRANSFERS OF PASSENGER BROKERS' LICENSES

9. Section 1133.1 is revised to read as follows:

§ 1133.1 Transfer of passenger brokers' licenses, change in control of corporations and associations holding brokers' licenses.

(a) A license issued a passenger broker under section 211 of the Interstate Commerce Act may be transferred, if approved by the Commission, upon application and proof that the transferee is fit, willing, and able to perform the duties, and that the transfer will not be contrary to the public interest.

(b) A change in the control of a corporation or association holding a brokers license may be accomplished only with the approval of the Commission upon application and proof that the change in control will not be contrary to the public interest.

(c) The form of application for authority under this part, the manner of filing, notice to the public, and the filing of protests will be the same as provided under § 1132.2 of this chapter.

10. Section 1133.2 is revised to read as follows:

§ 1133.2 Petitions for reconsideration.

Petitions seeking reconsideration of an order entered pursuant to this part, will be handled as provided in Rule 225 of the General Rules of Practice and § 1132.4 as set forth in this chapter.

[FR Doc.76-544 Filed 1-7-76;8:45 am]

[Ex Parte No. 55; Sub-No. 20B]

PART 1141—TRANSFERS OF CERTIFICATES AND PERMITS TO OPERATE (WATER CARRIERS)

PART 1151—TRANSFERS OF OPERATING RIGHTS (FREIGHT FORWARDER PERMITS)

Transfer of Operating Authorities Application Procedures

● **Purpose: The purpose of this notice is to inform the public that the Interstate Commerce Commission has amended rules and regulations governing the application procedures for transfer of operating authorities issued under sections 309(c), 309(f), and 410(c) of the Interstate Commerce Act.** ●

This notice is directly related to Ex Parte No. 55 (Sub-No. 20A), in which the Interstate Commerce Commission informed the public that it had amended rules and regulations governing the application procedures for transfer of certain operating authorities. The purpose of this notice is to inform the public that the procedures governing applications for transfer of water carrier certificates and permits to operate and freight forwarder operating rights (permits) have been amended to coincide with the changes in the application procedure announced in this Commission's previous notice.

Under existing procedures, a transfer application is considered by the Motor Carrier Board without opposition. Notice to the public of approval of an application is published in the FEDERAL REGISTER. Interested persons then have 20 days to petition for reconsideration. These procedures have been amended to allow interested persons to file protests against approval of a transfer application before it is considered by the Board. As amended, the procedures will enable the Motor Carrier Board to make more informed and equitable initial decisions in transfer proceedings.

Section 1141.6(c), which deals with procedures governing the transfer of water carrier certificates and permits to operate, has been amended to adopt the application and petition procedures described in §§ 1132.2 and 1132.4, and Rule 225 of the Commission's general rules of practice (49 CFR 1100.225), as modified by this Commission's previous notice.

Applications for the transfer of freight forwarder operating rights (permits) will also be processed under the amended procedures. Section 1151.5(c) has been amended to adopt the application procedure contained in § 1132.2. Section 1151.5(e) has been amended to adopt the petition procedure described in § 1132.4. Obsolete language relating to requests for oral hearing has been deleted from paragraphs (c) and (e) of § 1151.1, as amended, since this matter will now precede an initial decision.

The notice and public rulemaking procedure contained in 5 U.S.C. 553 are omitted as unnecessary because the changes apply to rules and regulations governing Commission practice and procedure. The amended rules and regulations shall become effective on March 8, 1976.

The rules and regulations are issued under the authority of 49 U.S.C. 5, 12, 17, 904, 912, 1003, and 1010.

Issued in Washington, D.C.

ROBERT L. OSWALD,
Secretary.

49 CFR Parts 1141 and 1151 are amended as follows:

1. Section 1141.6 is amended by revising paragraph (c) to read as follows:

§ 1141.6 Procedure.

* * * * *

(c) The notice to the public of the filing of an application and the filing of protests will be the same as provided under § 1132.2 of this chapter; and petitions seeking reconsideration of an order entered pursuant to this part will be handled as provided in Rule 225 of the general rules of practice, and § 1132.4 as set forth in this chapter.

2. Section 1151.5 is amended by revising paragraphs (c) and (e) as follows:

§ 1151.5 Procedure.

* * * * *

(c) The Notice to the public of the filing of an application, and the filing of protests will be the same as provided under § 1132.2 of this chapter.

* * * * *

(e) (1) If a petition is timely filed, seeking reconsideration or other relief from an order entered under this part, and such order has not yet become effective, then, pursuant to section 17(8) of the Interstate Commerce Act, the effective date will be postponed pending disposition of the petition.

(2) Any petition, seeking reconsideration of, or other relief from an order entered subject to this part, must specify with particularity the alleged errors contained in the said order, and shall cite in all cases the particular section or sections of the Act, the Commission's general rules of practice (Part 1100 of this chapter), and the rules and regulations governing the transfers of operating rights (Part 1151 of this chapter), which are involved, and the arguments based thereon, which petitioner believes warrant a conclusion different from that set forth in the said order. The petition may be rejected for failure to cite the particular section relied upon.

(3) Petitions seeking reconsideration of an order of the Motor Carrier Board will be governed by the special rules of practice, set forth in Rule 225 of the Commission's general rules of practice (49 CFR 1100.225).

[FR Doc.76-545 Filed 1-7-76;8:45 am]

Title 10—Energy

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 210—GENERAL ALLOCATION AND PRICE RULES

Applicability of the Antitrust Laws to Actions Taken in Compliance With the Emergency Petroleum Allocation Act of 1973

On December 22, 1975, the President signed the Energy Policy and Conservation Act (EPCA), Pub. L. 94-163, which modified the system of price controls implemented by the Federal Energy Administration (FEA) pursuant to the Emergency Petroleum Allocation Act of 1973 (EPAA). That Act had expired on December 15, 1975, and was extended, in amended form, retroactive to that date. In addition to changes in price controls, several other amendments were made in the EPAA. Among these was the elimination of the provisions in Section 6 relating to the availability of an affirmative defense in antitrust litigation, where the alleged offense was caused by compliance with the EPAA or regulations issued thereunder. These provisions were implemented in Subpart E of Part 210, Chapter II, Title 10, Code of Federal Regulations, and it is the purpose of this rulemaking to amend Part 210 accordingly in order to conform that Part to the EPAA as amended.

I. *Revocation of Subpart E.* Under this amendment, which is effective December 15, 1975, Subpart E of Part 210 is revoked. This eliminates the statutory defense of compliance with the EPAA in antitrust litigation with respect to actions taken after December 15, 1975. Since the EPAA expired on that date, and was extended without the provisions relating to the defense, the EPCA and this amendment do not constitute a retroactive withdrawal of the defense with respect to actions taken after December 15. It should be noted that while the EPCA preserves the affirmative defense in suits relating to breach of contract (where the alleged offense is based on compliance with the EPAA), and the availability of such defense had previously been recited in Subpart E, the statutory provision is effective without regulatory implementation and deletion of such recital does not affect the statute's application.

II. *Applicability of the Federal Energy Administration Act.* Under section 7(i)(1)(B) of the Federal Energy Administration Act of 1974 (FEAA), opportunity to comment prior to the promulgation of a rule, regulation or order is protected except where requirements for opportunity to comment are waived by FEA upon a finding that strict compliance with those requirements would cause serious harm or injury to the public health, safety, or welfare. In addition, Section 7(i)(1)(C) of the FEAA guarantees an opportunity for oral presentation of views in all caess in which the rule, regulation or order concerned is likely to have a substantial impact on the national economy or on large numbers of individuals or businesses. To the maximum extent practicable, opportunity for oral presentation of views must be afforded under section 7(i)(1)(C) prior to issuance of the rule, regulation or order, but in all cases that opportunity must be afforded no later than 45 days after the issuance thereof.

The FEA hereby waives the requirements of section 7(i)(1)(B) of the FEAA for opportunity to comment prior to the issuance of the regulation amendments adopted today. The FEA also waives hereby the requirements of section 7(i)(1)(C).

However, FEA will accept written comment with respect to these amendments if received prior to January 30, 1976. Interested persons are invited to submit data, views or arguments with respect to the amendments set forth herein to Executive Communications, Room 3309, Federal Energy Administration, Box FH, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on documents submitted to FEA Executive Communications with the designation "Revocation of Subpart E of Part 210". Fifteen copies should be submitted. All comments received by Friday, January 30, 1976, before 4:30 p.m., e.s.t., and all other relevant information, will be considered by the Federal Energy Administration.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination.

The waiver of the requirements of section 7(i)(1)(B) and (C) of the FEAA is based upon the finding that solicitation of comments on whether Subpart E should be revoked would be superfluous, since no statutory authority for the affirmative defense heretofore provided by the EPAA now exists. In addition, the delay which would be occasioned by further review of this matter and further rulemaking in accordance with usual procedures would result in a degree of conflict and confusion over the availability of the defense, and possible reliance thereon in view of the EPAA's extension, such as to cause serious harm to the public welfare.

The review provisions of section 7(c)(2) of the FEAA, relating to prior comment by the Administrator of the Environmental Protection Agency do not apply since the regulation will not affect the quality of the environment.

Finally, this regulation has been reviewed in accordance with Executive Order 11821 and OMB Circular No. A-107 and has been determined not to require evaluation of its inflationary impact as provided therein.

(Energy Policy and Conservation Act, Pub. L. 94-163, Emergency Petroleum Allocation Act of 1973, as amended, Pub. L. 93-159, as amended by Pub. L. 93-511, Pub. L. 94-99 and Pub. L. 94-133; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185)

In consideration of the foregoing, Part 210 of Chapter II, Title 10 Code of Federal Regulations, is amended as set forth below, effective December 15, 1975.

Issued in Washington, D.C. January 3, 1976.

MICHAEL F. BUTLER,
General Counsel,
Federal Energy Administration.

§§ 210.71-210.77 [Removed]

Part 210 is amended by revoking Subpart E, §§ 210.71 through 210.77 inclusive.

[FR Doc.76-489 Filed 1-5-76;12:28 pm]

PART 211—MANDATORY PETROLEUM ALLOCATION REGULATIONS

Notice of Change of Location of Public Hearing for Emergency Amendment Adopting Special Rule No. 6 for Subpart C

On December 31, 1975, FEA issued Special Rule No. 6 for Subpart C as an emergency amendment to Part 211 of Title 10, Code of Federal Regulations, which provided for a public hearing on said amendment to be held beginning at 9:30 a.m. on January 22, 1976, in Room 2105, 2000 M Street, N.W., Washington, D.C. (41 FR 1044; January 6, 1976).

FEA hereby gives notice that the location at which the public hearing will take place on this emergency amendment has been changed to Room 3000-A, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C. No change has been made with respect to the date on which the public hearing is scheduled to take place.

Issued in Washington, D.C. on January 6, 1976.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.76-744 Filed 1-7-76;9:12 am]

Title 7—Agriculture

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—GENERAL REGULATIONS AND POLICIES—FOOD DISTRIBUTION

[Amdt. 31]

PART 250—DONATION OF FOODS FOR USE IN THE UNITED STATES, ITS TERRITORIES AND POSSESSIONS AND AREAS UNDER ITS JURISDICTION

Processing of Federally-Donated Foods by Commercial Facilities

Notice of proposed rulemaking was published in the FEDERAL REGISTER on September 23, 1975, (40 FR 43738) setting forth a proposal to amend the regulations governing the food distribution program to (1) revise contractual, performance, and review requirements when distributing agencies, subdistributing agencies, and recipient agencies employ commercial or institutional facilities to process or repackage Federally-donated commodities, (2) clarify the fact that processing contracts are public records, and (3) disclaim liability with respect to the provisions of such contracts or performance related thereto. Interested persons were given 38 days in which to submit comments, suggestions, or objections to the proposed amendments.

Responses to the proposed amendments were received from nine parties; viz., the American Frozen Food Institute, one State Office of General Services, one State Department of Agriculture, one State Department of Agriculture and Commerce, one State Department of Finance and Control, and four State Departments of Education. An analysis of the comments and

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the changes resulting therefrom, as well as any clarifying changes made, are discussed below.

1. § 250.6 *Obligations of distributing agencies.* § 250.6(m)(2)(i) *"Description of End Product and Ingredients."* Three comments were received on this subparagraph. Each expressed concern that processors might be reluctant to identify the ingredients of a secret formula developed by them which might be used in producing an end product. It was not the intent of the proposed rule to require a processing facility to disclose any secret formulas, including seasonings or flavorings. Although the ingredients of any formula can usually be analyzed by sophisticated equipment and techniques, the proportion of ingredients used and the manner in which they are blended or processed generally remain secret. However, to allay the concern expressed, the proposed rule has been modified so that distributing, subdistributing, or recipient agencies may permit processors to state the quantity of seasonings or flavorings which will be used without identifying the ingredients which are, or may be components of, seasonings or flavorings.

§ 250.6(m)(3) *"Substitution for Donated Commodities."* Only two respondents commented on this paragraph and they recommended that salad oil be added to the list of commodities for which substitution by the processor is authorized when depleted inventories of such commodities would otherwise hold up production. The recommendation will not be adopted since only peanut oil, which is not a salad oil, is being offered for use by domestic feeding programs.

§ 250.6(m)(4) *"Review and Approval of Processing Contracts and Performance Reports by Distributing Agencies."* Only one comment was received concerning this requirement. The respondent contends that distributing agencies do not have adequate staff or knowledge to analyze reports on the many varied products available under processing contracts. Commodities are made available to distributing agencies which execute with the Department an agreement which incorporates by reference or otherwise the terms and conditions set forth in food distribution regulations. Section 250.6(o) of the regulations stipulates that adequate personnel shall be provided to review distribution programs and to effect distribution in accordance with the requirements of the regulations. Therefore, this requirement shall remain.

§ 250.6(m)(6) *"Labeling of End Products."* Five comments were received on this paragraph. All agreed with the proposed amendment to eliminate the labeling legend when any authorized food is substituted. One of the respondents suggested that FNS consider eliminating labeling altogether and another qualified his recommendation to suggest that, if any section 6 foods are used in an end product, the product should be labeled "Restricted For Use in Authorized Child Nutrition Programs." One of the respondents called attention to the fact that the proposed amendments make no reference to labeling an end product which may contain foods substituted by the processor for donated commodities and which may also contain donated commodities for which no substitution is authorized by FNS. After reviewing the comments received and further considering the remarks made in recent years by interested parties regarding the added expense of labeling processed foods, the fact that the labeling legend now required by FNS is not fully comprehensive if foods are substituted for donated commodities, and the fact that contract provisions generally insure accountability of commodities and minimize possible diversion, FNS has decided to eliminate its requirement that containers of processed or repackaged commodities be labeled "Contains Commodities Donated by the United States of Agriculture—Not To Be Sold Or Exchanged." However, distributing agencies may, at their discretion, require subdistributing agencies, recipient agencies, and commercial or institutional facilities to label the containers of processed or repackaged commodities in any manner and with whatever legend the distributing agency deems appropriate to insure that commodities are distributed and used in accordance with the agreement entered into by the distributing agency and the Department.

2. § 250.10 *Miscellaneous provisions—§ 250.10(e) "Processing Contracts are Public Records."* Four comments were received on this subsection. One voiced no objection to processing contracts being considered public records, while three were opposed. Concern was expressed about the confidentiality of yield information, formulas, price information, trade secrets, and commercial or financial information that is confidential or privileged. One respondent qualified his objection by explaining that public disclosure of the information contained in processing agreements, other than the portions involving proprietary product formulas and processes and other confidential information, can be in the public interest. This respondent believes, too, that processing contracts will provide useful information to interested persons concurrent with the use of Federally-donated foods in meeting the needs of the Nation's school children for proper lunches. This subsection will be retained because (1) the number of respondents objecting is minimal in relation to the number of affected persons who have expressed no objection, (2) processing contracts have been treated as public information for several years, and (3) protection of any secret formula is assured by the modification being made in the provisions of § 250.6(m)(2)(i) as described above.

Therefore, the regulations for the operation of the Food Distribution Program (31 FR 14297) as amended, are further amended as set forth below.

1. In § 250.6, paragraph (m) is revised to read as follows:

§ 250.6 Obligations of distributing agencies.

* * * * *

(m) *Processing and labeling of commodities.* (1) Distributing agencies, subdistributing agencies, or recipient agencies may employ commercial or institutional facilities to process commodities by converting them into different end products or by repackaging them. Distributing agencies or subdistributing agencies may contract for the processing of commodities and pay the processing cost or may contract for the processing of commodities on behalf of one or more recipient agencies, each of which either pays the processor directly or pays the distributing agency for the processed end product it receives. Where the recipient agency will pay the processor, the agreement of the recipient agency may be obtained by making that agency a party to the processing contract or separate contracts may be entered into between the recipient agency and the processor and the recipient agency and the distributing or subdistributing agency. Distributing or subdistributing agencies shall require recipient agencies which employ commercial or institutional facilities to process commodities to enter into written contracts with such facilities.

(2) Contracts with processing facilities shall be in writing. The distributing, subdistributing or recipient agency (contracting agency) should have an attorney prepare or review the contracts which it intends to sign to insure that such contracts conform to the requirements of local law. These processing contracts shall include the cost to the contracting agency and provide, as a minimum, that the processing facility shall (i) describe each end product to be produced and the quantity of each ingredient which is needed to yield a specific number of each end product, except that distributing, subdistributing, or recipient agencies may permit processors to specify the total quantity of any flavorings or seasonings which may be used without identifying the ingredients which are, or may be components of, seasonings or flavorings (ii) fully account for the commodities delivered into its possession by production of an appropriate number of units of end products or packages, (iii) return all commodities not so accounted for or pay the value of any such commodities which cannot be returned, (iv) use or dispose of the containers in which the commodities are received in accordance with the instructions of the distributing, subdistributing, or recipient agency, (v) apply as a credit against contract cost any funds received from the sale of containers of commodities and obliterate or remove all restrictive markings if the containers are sold for commercial reuse, (vi) apply as a credit against contract costs the market value or the price received from the sale of any by-products derived from the processing of commodities, including substituted foods which are used by the processor, and (vii) maintain records and submit reports to the distributing, subdistributing, or recipient agency pertaining to the performance of the contract.

(3) The processing contract may provide that the processor may substitute for the commodities a like quantity of the same foods of equal or better quality whenever depleted inventories of commodities would otherwise hold up production. The contract shall specify the commodities which may be substituted. Only butter, flour, rice, rolled oats, rolled wheat, nonfat dry milk, shortening, cornmeal, dried peas, lentils, dried beans, cheese, orange juice, peanut butter, raisins, and such other foods as FNS specifically approves may be substituted.

(4) Distributing agencies shall review and approve processing contracts entered into by subdistributing agencies and recipient agencies prior to the delivery of commodities for processing under such contracts. The distributing agency which enters into or approves a processing contract shall provide a copy to each of the parties to the contract, forward a copy to the appropriate FNS Regional Office, and retain a copy for its files. Distributing agencies shall review and analyze reports submitted by processors to insure that performance under such contracts is in accordance with the provisions set forth in this section.

(5) When donated meat or poultry products are processed, all of the processing shall be performed in a plant or plants under continuous Federal meat or poultry inspection, or continuous State meat or poultry inspection in States certified to have programs at least equal to the Federal inspection program.

(6) Distributing agencies may, at their discretion, require subdistributing agencies, recipient agencies, and commercial or institutional facilities which process or repackage commodities to label the containers of processed or repackaged commodities in any manner and with whatever legend the distributing agency deems appropriate to comply with the agreement it has entered into with the Department under this part. Any labeling requirement imposed by a distributing agency should be specified in written contracts with processors which distributing agencies are required to review and approve.

(7) If the distributing agency which enters into or approves a contract for the processing of commodities for use in a child nutrition program does not also administer such programs, it shall (i) collaborate with the State agency which administers the child nutrition programs and have that agency provide technical assistance to determine whether end products to be provided under the terms of the processing contracts meet required nutritional standards for reimbursement under the regulations governing the child nutrition programs (7 CFR Parts 210, 220, and 225), (ii) furnish that agency with reports, as requested, on the number of approved processing contracts, the donated foods utilized, and the identity of the processing companies, and (iii) furnish that agency with such performance reports as are needed by that agency to assist it in evaluating use of end products by the recipient agencies.

2. In § 250.10, a new paragraph (e) is added as follows:

§ 250.10 Miscellaneous provisions.

* * * * *

(e) *Processing contracts.* Processing contracts entered into in accordance with § 250.6(m) of this part are public records and FNS will provide copies of such contracts to any person upon request. FNS also may use copies of such contracts in developing informational releases pertaining to the processing of commodities by commercial or institutional facilities. FNS Regional Offices shall retain copies of processing contracts submitted by distributing agencies for a period of three years from the close of the Federal fiscal year to which they pertain and may review such contracts for the purpose of advising and counseling distributing agencies with respect to the provisions of such contracts. However, FNS assumes no liability with regard to the provisions of processing contracts or performance related thereto since FNS is not a party to such contracts and the contracts are not subject to FNS' approval.

* * * * *

NOTE: The reporting and/or recordkeeping requirements contained herein have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

(Catalog of Federal Domestic Assistance Program No. 10.550, National Archives Reference Services)

Effective date. This amendment shall become effective on January 8, 1976.

Dated: December 31, 1975.

JOHN DAMGARD,
Assistant Secretary.

[FR Doc.76-536 Filed 1-7-76;8:45 am]

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Navel Orange Regulation 361]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Navel oranges that may be shipped to fresh market during the weekly regulation period Jan. 9–15, 1976. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 907. The quantity of Navel oranges so fixed was arrived at after consideration of the total available supply of Navel oranges, the quantity currently available for market, the fresh market demand for Navel oranges, Navel orange prices, and the relationship of season average returns to the parity price for Navel oranges.

§ 907.661 Navel Orange Regulation 361.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the respective quantities of Navel oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Navel orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Navel oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Navel oranges is slow as the market continues dull. Prices f.o.b. averaged $4.09 a carton on a reported sales volume of 494 carlots last week, compared with an average f.o.b. price of $4.35 per carton and sales of 1,071 carlots a week earlier. Track and rolling supplies at 329 cars were down 9 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Navel oranges which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open

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meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 6, 1976.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period January 9, 1976, through January 15, 1976, are hereby fixed as follows:

(i) District 1: 980,000 cartons;

(ii) District 2: Unlimited movement;

(iii) District 3: 20,000 cartons."

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: January 7, 1976.

CHARLES R. BRADER,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.76-758 Filed 1-7-76;11:38 a.m.]

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS AND GRANTS PRIMARILY FOR REAL ESTATE PURPOSES

[FmHA Instruction 442.1]

PART 1823—ASSOCIATION LOANS AND GRANTS—COMMUNITY FACILITIES, DEVELOPMENT, CONSERVATION, UTILIZATION

Subpart A—Community Facility Loans

MISCELLANEOUS AMENDMENTS

Subpart A of Part 1823, Title 7, Code of Federal Regulations (38 FR 29026; 39 FR 12729; 39 FR 17971; 40 FR 24517) is amended by the deletion of § 1823.2 (a)(2) and the revision of § 1823.3(b) pertaining to the use of community facility loans for electric and telephone facilities.

These changes are being published without notice of proposed rulemaking because such publication is unnecessary. The Secretary of Agriculture has recently redelegated authority to the Administrator, Farmers Home Administration, for administration of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) except (1) financing under section 306(a)(1) of any rural electrification or telephone systems or facilities other than supplemental or supporting structures such as headquarters and office buildings, storage facilities, and maintenance shops and only in such cases if they are not eligible for Rural Electrification Administration financing. These regulations merely implement the cited redelegation of authority. Interested persons are invited, however, to submit written comments, suggestions, or objections regarding this amendment to the Chief, Directives Management Branch, Farmers Home Administration, U.S. Department of Agriculture, Room 6316, South Building, Washington, D.C. 20250, on or before February 9, 1976. Material thus submitted will be evaluated and acted upon in the same manner as if this document were a proposal. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Chief, Directives Management Branch, during regular business hours (8:15 a.m.–4:45 p.m.).

Part 1823 is amended as follows:

§ 1823.2 [Amended]

1. § 1823.2(a)(2) is deleted.

2. § 1823.3(b) is revised to read as follows:

§ 1823.3 Eligible loan purposes.

* * * * *

(b) To construct, enlarge, extend, or otherwise improve community facilities providing essential service to rural residents. Such facilities include but are not limited to those providing or supporting overall community development such as fire and rescue services; transportation; traffic control; community, social, cultural, and recreational benefits; supplemental and supporting structures for rural electrification or telephone systems or facilities such as headquarters and office buildings, storage facilities, and maintenance shops only when they are not eligible for Rural Electrification Administration financing; industrial parks including utilities and access ways but not improvements erected on the land such as business industrial buildings.

* * * * *

(7 U.S.C. 1989; delegation of authority by the Sec. of Agri., 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70)

Effective date. This amendment shall be effective on January 8, 1976.

Inflation Impact Statement: It is hereby certified that the economic and inflationary impacts of this regulation have been carefully evaluated in accordance with OMB Circular A-107.

Dated: December 17, 1975.

FRANK B. ELLIOTT,
Administrator, Farmers Home Administration.

[FR Doc.76-537 Filed 1-6-76;8:45 am]

SUBCHAPTER F—SECURITY SERVICING AND LIQUIDATION

[FmHA Instruction 465.2]

PART 1872—REAL ESTATE SECURITY

Subpart C—Management and Sale of Acquired Real Estate

MISCELLANEOUS AMENDMENTS

Section 1872.63 (h) and (i) of Subpart C of Part 1872, Title 7, Code of Federal Regulations (38 FR 19204) are amended. The purpose of these amendments are: To revise paragraph (h) of this section to eliminate authority to pay taxes on property that is acquired under Title V of the Housing Act and to clarify when taxes may be paid on property acquired under the Consolidated Farm and Rural Development Act, and to revise paragraph (i) of this section to delete references to State Rural Rehabilitation Corporation (SRRC) property since the United States no longer holds any SRRC property in trust.

It is unnecessary to publish notice of proposed rulemaking in the FEDERAL REGISTER since changes being made are to conform to existing policy and law regarding taxes under Title V of the Housing Act and the Consolidated Farm and Rural Development Act, and in as much as all SRRC funds and property have been returned to the State Rural Rehabilitation Corporations or their successor agencies, Farmers Home Administration is no longer involved.

Paragraphs (h) and (i) of § 1872.63 are revised to read as follows:

§ 1872.63 Management of acquired real estate.

* * * * *

(h) *Taxes.* Property acquired by the Government is not subject to taxation by a State, territory, district, or local political subdivision unless such taxation is consented to by a Federal statute and the taxing authority does not specifically exempt Government property from taxation. Taxes on property acquired by FmHA will be handled as follows:

(1) Acquired property which was security only for a loan or loans made pursuant to Title V of the Housing Act of 1949 is not subject to state or local taxes. When property which secured only a 502 RH, 504 RH, RCH, RRH, LH, or RHS loan, or any combination thereof, is taken into inventory, the County Supervisor will notify the appropriate taxing authority in writing that the property is now owned by the Government, is not subject to state or local taxes, and should be removed from the tax rolls. Except that cases involving property which was security for RCH, RRH, LH, and RHS loans and which was acquired by voluntary conveyance will be referred to the National Office for a determination of its taxable status if—

(i) The value of the property acquired is less than the indebtedness owed, and

(ii) The borrower is released from personal liability.

(2) Acquired property which was security for a loan made pursuant to the Consolidated Farm and Rural Development Act may be subject to state or local taxes even if it is also security for another type FmHA loan. A State Instruction will be issued, with the advice of OGC, setting forth whether the state or any local taxing authorities within the state specifically exempt Government property from taxation.

(i) If the acquired property is located in a taxing jurisdiction which exempts Government property from taxation, the County Supervisor will notify the appropriate authority in writing that the property is now owned by the Government and should be removed from the tax rolls.

(ii) If the acquired property is located in a taxing jurisdiction which does not exempt Government property from taxation, the County Supervisor will notify the appropriate taxing authority in writing that title to the real estate has been acquired by the Government and that claims for taxes during the Government's ownership should be billed to FmHA at the County Office address. If taxes become due and payable during the period of the Government's ownership, the County Supervisor will pay the taxes by voucher unless the taxes are paid by a prior lienholder.

(3) When any acquired property is sold, either in whole or in part, the County Supervisor will advise the taxing authority of the sale and the purchaser's name, and provide a description of the parcel sold.

(i) *Insurance.* Insurance on acquired real estate will not be maintained by the Government after the date it is acquired. Any insurance in force at the time the property is acquired by the Government will not be cancelled. However, no additional premium will be paid. The original insurance policy may be returned to the insuring company if notification of cancellation is received. If title to real estate is acquired subject to a prior lien, the lienholder will be advised that the Government will not carry insurance on the property. If the lienholder pays insurance as an advance under his lien, such insurance premiums may be included in payments made by the Government to the lienholder.

* * * * *

(7 U.S.C. 1989, 42 U.S.C. 1480, 42 U.S.C. 2942, 5 U.S.C. 301, delegation of authority by the Secretary of Agriculture, 7 CFR 2.23, delegation of authority by the Assistant Secretary for Rural Development, 7 CFR 2.70, delegations of authority by Director, Office of Economic Opportunity 29 FR 14764, 33 FR 9680.)

Effective date. This document shall become effective on January 8, 1976.

Dated: December 23, 1975.

FRANK B. ELLIOTT,
Administrator, Farmers Home Administration.

[FR Doc.76-559 Filed 1-7-76;8:45 am]

Title 20—Employees' Benefits

CHAPTER III—SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

[Regulations No. 5, further amended]

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED [1965–]

Limitations on the Recovery of Incorrect Payments Made to Beneficiaries and Providers of Services

On April 18, 1974, there was published in the FEDERAL REGISTER (39 FR 13897) a Notice of Proposed Rule Making with proposed amendments to Subparts B, C, F, and P of Regulations No. 5. The proposed amendments revise the present regulations to implement section 281 of the Social Security Amendments of 1972 (Public Law 92–603) which limits the recovery of incorrect payments from beneficiaries, providers of services, physicians, and suppliers who were without fault in causing such incorrect payments. In addition, with respect to the assignment of claims for supplementary medical insurance benefits and in connection with the provider agreement for participation in the Medicare program, providers, physicians, and suppliers are precluded under certain circumstances from charging for items or services where a determination is made more than 3 years after the year in which notice of payment was sent that such items or services were not medically necessary or constituted custodial care.

Interested persons were given the opportunity to submit within 30 days, comments, views, or arguments with regard to the proposed amendments. Comments and suggestions received with regard to the Notice of Proposed Rule Making, responses thereto and changes in the proposed regulations are summarized below.

1. A comment was received requesting clarification of § 405.355 of the proposed regulations. That section deals with conditions for waiver of title XVIII overpayments. The comment pointed out that whereas paragraph (a) of § 405.355 uses the term "overpayment," paragraph (b) refers to "incorrect payment." In both paragraphs the reference is to a payment of more than the correct amount under title XVIII or a payment under the "guarantee of payment" provision (§ 405.350(b)). To avoid misunderstanding we believe a uniform terminology should be used in paragraphs (a) and (b) of § 405.355. Since the term "incorrect payment" (rather than "overpayment") is used in section 1870(c) of the Social Security Act (42 U.S.C. 1395 gg(c)), we have substituted "incorrect payment" for overpayment in § 405.355 (a) and § 405.352.

The commenter also suggested that the term "against equity and good conscience" be defined in this section. We are not adopting this suggestion because that term is already defined in §§ 404.509 and 404.512 of this chapter which are applicable to payments under title XVIII of the Act as well as payments under title II of the Act. We are, however, adding to § 405.355(a) a reference to §§ 404.509 and 404.512.

The commenter further suggested that the regulations should contain a provision that, after a prescribed period of time, there would be no recovery from an incorrectly paid provider. We feel that this comment does not warrant any change in the proposed regulations since the proposed § 405.350(c) already provides that where the Secretary determines subsequent to the third year after the year notice of payment was sent that more than the correct amount was paid, the provider will be deemed to be without fault in the absence of evidence to the contrary, and therefore relieved of liability for the incorrect payment.

2. A recommendation was received that the proposed regulations be modified to include a definitive statement that the provider may charge patients for noncovered services without fear of recovery from the Medicare program if the provider, within such time as permitted by law and regulations, notifies the patient or a responsible party representing the patient that the services are not covered and constitute a liability of the patient. We have not adopted this suggestion because the nature and extent of the patient's liability for the noncovered services are set forth in the proposed regulations (see § 405.607(a)(4)) in accordance with § 1866(a)(1)(B) of the Act.

In addition to the changes reflecting comments received in response to the Notice of Proposed Rule Making, § 405.251(b)(4)(iv)(C) is revised by substituting "the carrier, the intermediary, or the Social Security Administration" for "the carrier or the Administration." There are situations where the intermediary makes the payments referred to in this section. For purposes of improved clarity, § 405.350(c) is revised by substituting "the determination of the carrier, the intermediary, or the Social Security Administration" for "the Secretary's determination." Also, § 405.607(a)(4)(ii) is revised by substituting "the carrier, the intermediary, or the Social Security Administration" for "the intermediary or the Administration." There are situations where the carrier makes the payments referred to in this section.

Section 405.355(b) is revised to include a reference to §§ 405.330–405.332 which deal with payment for items or services furnished after October 30, 1972, which constitute custodial care or which are not medically reasonable and necessary. Section 405.356(b) is further revised to provide that recovery from a beneficiary

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who was without fault, will be deemed to be against equity and good conscience in any case where the payment was determined by the Secretary to be incorrect subsequent to the third year after the year in which notice of payment was sent. The Notice of Proposed Rule Making provided for deeming recovery to be against equity and good conscience in such cases only if the overpayment was caused by medically unnecessary services or custodial care. The effect of this change is to provide parallel relief to providers and beneficiaries where the Secretary determines that a payment was incorrect subsequent to the third year after the year of payment.

The statute (section 1870 of the act) provides that there will be no recovery from an overpaid provider or other person who was without fault with respect to the overpayment, and that a provider or other person will be deemed without fault in any case where the Secretary determined that the payment was incorrect subsequent to the third year after the year of payment. The statute also provides that recovery from a beneficiary will be deemed to be against equity and good conscience where a payment is determined by the Secretary to be incorrect subsequent to the third year after the year of payment but only where the incorrect payment was for medically unnecessary services or custodial care. The revision in § 405.355(b), to provide that recovery from a beneficiary who was without fault will be deemed against equity and good conscience in any case where the overpayment was determined to exist subsequent to the third year after the year in which notice of payment was sent, equalizes the relief given providers and beneficiaries.

This change is not inconsistent with the provisions of section 1870. The statute sets forth circumstances in which recovery or adjustment of an overpayment must be deemed against equity and good conscience. However, this does not preclude the Secretary from setting out what constitutes against equity and good conscience in circumstances other than those addressed by section 1870. The Secretary has authority pursuant to sections 1102 and 1871 of the act to prescribe such regulations as may be necessary to define situations arising under title XVIII in which recovery will be against equity and good conscience, quite apart from those situations so deemed by statute.

The new section 405.355(b) is not being published as a Notice of Proposed Rule Making, the Secretary having found such notice to be unnecessary and not in the public interest. The change made in section 405.355(b) extends relief granted program beneficiaries pursuant to section 281 of P.L. 92-603 by creating a presumption that recovery would be against equity and good conscience in all cases where a determination of incorrect payment is not timely made (as set forth in section 281). The public interest would not be served by further delay of this liberalized waiver provision. For this reason, good cause exists to dispense with the notice of proposed rule making as to this change from the proposed regulation.

Accordingly, with the addition of a reference to §§ 404.509 and 404.512 of this chapter in § 405.355(a), the substitution of "incorrect payment" for "overpayment" in §§ 405.355(a) and 405.352, the substitution of "the carrier, the intermediary, or the Social Security Administration" for "the carrier or the Administration" in § 405.251(b)(4)(iv)(C), the substitution of "the determination of the carrier, the intermediary, or the Social Security Administration" for "the Secretary's determination" in § 405.350(c), the addition of a reference to §§ 405.330-405.332 in § 405.355(b) and the modification of § 405.355(b) to provide that recovery from an individual who was without fault will be deemed to be against equity and good conscience in any case where the overpayment was determined by the Secretary to be incorrect subsequent to the third year after the year in which notice of payment was sent, and the substitution of "the carrier, the intermediary, or the Social Security Administration" for "the intermediary or the Administration" in § 405.607(a)(4)(ii) the proposed amendments are adopted as set forth below.

(Secs. 1102, 1842, 1862, 1866, 1870, and 1871 of the Social Security Act, as amended; 49 Stat. 647, as amended; 79 Stat. 309, 325, 327, and 331, as amended; 42 U.S.C. 1302, 1395u, 1395y, 1395cc, 1395gg, and 1395hh)

Effective date. These amendments shall be effective February 9, 1976.

(Catalog of Federal Domestic Assistance Program Nos. 13.800, Health Insurance for the Aged—Hospital Insurance; and 13.801, Health Insurance for the Aged—Supplementary Medical Insurance.)

Dated: November 3, 1975.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: December 29, 1975.

DAVID MATHEWS,
Secretary of Health, Education, and Welfare.

Part 405 of Chapter III of the Code of Federal Regulations is further amended as follows:

Subpart B—Supplementary Medical Insurance Benefits, Enrollment, Coverage, Exclusions, and Payments

1. In § 405.251(b), subparagraph (4) is amended by revising subdivisions (ii) and (iii) and adding thereto a new subdivision (iv) to read as follows:

§ 405.251 Procedures for payment, medical and other health services furnished by other than a participating provider.

* * * * * * *

(b) *Payment to the person who furnished the services.* * * *

(4) The person or organization to whom such assignment has been made: * * *

(ii) Agrees that the reasonable charge for such services shall be the full charge for such services;

(iii) Agrees to charge the individual not more than the amount of any unpaid annual deductible (see § 405.245), if any, the blood deductible (see § 405.246), if applicable, plus 20 percent of the difference between the deductibles and the reasonable charge (as determined in subdivision (ii) of this subparagraph); and

(iv) Where payment has already been made under this paragraph and such payment has been determined to be incorrect, agrees not to charge for items and services for which such individual was not entitled to have payment made under this part if:

(A) Such payment is incorrect by reason of paragraph (k) of § 405.310;

(B) The individual was without fault in incurring the expenses for such items or services; and

(C) The determination of the carrier, the intermediary, or the Social Security Administration, as appropriate, that the payment was incorrect was made subsequent to the third year following the year in which the payment notice was sent to the individual.

Subpart C—Exclusions, Recovery of Overpayment, Liability of a Certifying Officer, and Suspension of Payment

2. Section 405.350 is revised to read as follows:

§ 405.350 Individual's liability for payments made to providers and other persons for items and services furnished the individual.

Any payment made under title XVIII of the Act to any provider of services or other person with respect to any item or service furnished an individual shall be regarded as a payment to the individual, and adjustment shall be made pursuant to §§ 405.352-405.356, where:

(a) More than the correct amount is paid to a provider of services or other person and the Secretary determines that: (1) Within a reasonable period of time, the excess over the correct amount cannot be recouped from the provider of services or other person, or (2) the provider of services or other person was without fault with respect to the payment of such excess over the correct amount, or

(b) A payment has been made under the provisions described in section 1814(e) of the Act, to a provider of services for items and services furnished the individual.

(c) For purposes of paragraph (a)(2) of this section, a provider of services or other person shall, in the absence of evidence to the contrary, be deemed to be without fault if the determination of the carrier, the intermediary, or the Social Security Administration that more than the correct amount was paid was made subsequent to the third year following the year in which notice was sent to such individual that such amount had been paid.

3. In § 405.352, the material preceding paragraph (a) is revised to read as follows:

§ 405.352 Adjustment of title XVIII incorrect payments.

Where an individual is liable for an incorrect payment (i.e., a payment made under § 405.350(a) or § 405.350(b)) adjustment is made (to the extent of such liability) by:

* * * * *

4. Section 405.355 is revised to read as follows:

§ 405.355 Waiver of adjustment or recovery.

(a) The provisions of § 405.352 may not be applied and there may be no adjustment or recovery of an incorrect payment (i.e., a payment made under § 405.350(a) or § 405.350(b)) in any case where such incorrect payment has been made with respect to an individual who is without fault, or where such adjustment or recovery would be made by decreasing payments to which another person who is without fault is entitled as provided in section 1870(b) of the Act where such adjustment or recovery would defeat the purpose of title II or title XVIII of the Act or would be against equity and good conscience. (See §§ 404.509 and 404.512 of this chapter)

(b) Adjustment or recovery of an incorrect payment (or only such part of an incorrect payment as may be determined to be inconsistent with the purposes of title XVIII of the Act) against an individual who is without fault shall be deemed to be against equity and good conscience if the determination that such payment was incorrect was made subsequent to the third year following the year in which notice of such payment was sent to such individual. (See §§ 405.330-405.332 for conditions under which payment may be made for items or services furnished after October 30, 1972 which are noncovered by reasons of § 405.310(g) and (k).)

Subpart F—Agreements, Elections, Contracts, Nominations, and Notices

5. In § 405.607, paragraph (a) is amended by revising subparagraph (3) and adding a new subparagraph (4) to read as follows:

§ 405.607 Essentials of agreements with providers of services.

Under the terms of the agreement (see § 405.606) the provider agrees:

(a) Not to charge any individual or other person (except as described in §§ 405.608-405.610): * * *

(3) For inpatient hospital services furnished an individual who exhausted his benefits under Subpart A of this part, if the provider is reimbursed by the Secretary as discussed in § 405.161; or

(4) For items and services for which the individual is not entitled to have payment made under this part by reason of paragraphs (g) or (k) of § 405.310, but only if:

(i) The individual was without fault in incurring the expenses for such items and services; and

(ii) The determination of the carrier, the intermediary or the Social Security Administration as appropriate, that payment for such items and services was incorrect was made subsequent to the third year following the year in which the payment notice was sent to the individual;

* * * * *

Subpart P—Certification and Recertification; Requests for Payment

6. Paragraph (a)(1) of § 405.1675 is revised to read as follows:

§ 405.1675 Assignment of right to receive payment under the supplementary medical insurance benefits plan.

(a)(1) When an individual is furnished covered medical or other health services (other than physicians' and ambulance services furnished outside the United States and emergency outpatient services) for which he may receive direct payment of supplementary medical insurance benefits on the basis of reasonable charges (see § 405.1672(b)), he may assign the rights to such payment to the physician or other person who furnished the services, if such physician or other person agrees to the assignment. (See § 405.1680 concerning payment of assigned benefits to an employer, facility, or health care delivery system with which the physician or other person furnishing the service has a contractual arrangement.) The claim must be completed in accordance with the instructions prescribed by the Social Security Administration (see § 405.1678). In accepting assignment the physician or other person agrees to the following:

(i) The reasonable charge, as determined by the carrier or the Social Security Administration, as appropriate, shall be his full charge for the service and, aside from the benefit payment, he will not charge or collect from the individual or any other source an amount in excess of the applicable unmet deductible (see §§ 405.245 and 405.246) applied to the reasonable charge and 20 percent of the remaining reasonable charge; and

(ii) Where payment has already been made under this paragraph and such payment has been determined to be incorrect, he will not charge for items and services for which such individual was not entitled to have payment made under this part if:

(A) Such payment is incorrect by reason of paragraph (k) of § 405.310; and

(B) The individual was without fault in incurring the expenses for such items or services; and

(C) The determination of the carrier or the Social Security Administration, as appropriate, that payment was incorrect was made subsequent to the third year following the year in which the payment notice was sent to the individual.

* * * * *

[FR Doc.76-149 Filed 1-7-76;8:45 am]

CHAPTER VIII—JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

PART 903—ACCESS TO RECORDS

Subpart A—Records Pertaining to Individuals

On September 30, 1975, there was published in the FEDERAL REGISTER (40 FR 45113), a notice of proposed rulemaking setting forth proposed regulations to implement the Privacy Act of 1974 (5 U.S.C. 552a). The proposed regulations prescribed the means by which any individual may learn whether records pertaining to such individual are being maintained by the Joint Board for the Enrollment of Actuaries and limitations on access to such records by anyone, including the individual to whom they pertain; provided for annual publication in the FEDERAL REGISTER of notices concerning the existence of, and nature of information contained in, systems of such records and the intended uses of such information; provided procedures by which an individual may gain access to such records which pertain to him, procedures for the resolution of disputes when a request for amendment of such records is denied; set forth a schedule of fees for the copying of such records; and designated the persons responsible for making determinations concerning notification, access and requests for amendment of records. All comments on the proposed regulations were given due consideration.

As a result of comments received, the following changes in the proposed regulations are made:

1. Section 903.4 *Procedures for access to records regarding individuals* is amended to include procedures whereby an individual can gain access to accountings of disclosures from his or her record.

2. Section 903.5(e)(5) *Procedures for amendment of records regarding individual—format, agency review and appeal from initial adverse agency determination* is amended to provide for distribution of corrections and statements of disagreement to those persons or agencies who received the disputed record prior to such correction or filing of such statement of disagreement.

Accordingly 20 CFR, Part 903, is adopted as set forth below.

Effective date. This regulation shall become effective on January 8, 1976.

Adopted by the Joint Board for the Enrollment of Actuaries on the 8th day of January, 1976.

DONALD S. GRUBBS, JR.,
Chairman, Joint Board for the Enrollment of Actuaries.

Subpart A—Records Pertaining to Individuals

Sec.
903.1 Purpose and scope of regulations.
903.2 Definitions.
903.3 Procedures for notification with respect to records regarding individuals.
903.4 Procedures for access to records regarding individuals.
903.5 Procedures for amendment of records regarding individuals-format, agency review and appeal from initial adverse agency determination.
903.6 Fees.
903.7 Guardianship.
903.8 Exemptions.

AUTHORITY: (5 U.S.C. 552) a.

Subpart A—Records Pertaining to Individuals

§ 903.1 Purpose and scope of regulations.

The regulations in this subpart are issued to implement the provisions of the

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Privacy Act of 1974 (5 U.S.C. 552a). The regulations relate to all records maintained by the Joint Board for the Enrollment of Actuaries (Joint Board) which are identifiable by individual name or identifier and all systems of such records which are retrievable by name or other identifier. They do not relate to personnel records of Government employees, which are under the jurisdiction of the Civil Service Commission, and, thus, subject to regulations issued by such Commission. The regulations set forth the procedures by which individuals may request notification of whether the Joint Board maintains or has disclosed a record pertaining to them or may seek access to such records maintained in any non-exempt system of records, request amendment of such records, and appeal any initial adverse determination with respect to any such request.

§ 903.2 Definitions.

(a) The term "agency" includes any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency (see 5 U.S.C. 552(e));

(b) The term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(c) The term "maintain" includes maintain, use, collect or disseminate;

(d) The term "record" means any item, collection, or grouping of information about an individual that is maintained by the Joint Board, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual such as a finger or voice print or a photograph;

(e) The term "system of records" means a group of any records under the control of the Joint Board from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual;

(f) The term "routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

§ 903.3 Procedures for notification with respect to records regarding individuals.

(a) *Procedures for notification.* The systems of records maintained by the Joint Board are listed annually as required by the Privacy Act of 1974. Any individual, who wishes to know whether a system of records contains a record regarding him, may write to the Executive Director, Joint Board for the Enrollment of Actuaries, c/o U.S. Department of the Treasury, Washington, D.C. 20220. Requests may also be delivered personally to the Executive Director, Joint Board for the Enrollment of Actuaries, 2401 E Street, NW., Suite 1537, Washington, D.C. between the hours of 9 a.m. and 5 p.m. on workdays. Any such inquiry will be acknowledged in writing within 10 days (excluding Saturdays, Sundays and legal public holidays) of receipt of the request.

(b) *Requests.* A request for notification of whether a record exists shall:

(1) Be made in writing and signed by the person making the request, who must be the individual about whom the record is maintained, or his duly authorized representative (see § 903.7);

(2) State that it is made pursuant to the Privacy Act, 5 U.S.C. 552a, or the regulations contained in this Part;

(3) Furnish the name of the system of records with respect to which notification is sought, as specified in the systems notices published in the FEDERAL REGISTER, Volume 40, No. 167;

(4) Mark "Privacy Act Request" on the request and on the envelope in which the request is contained;

(5) Be addressed as specified in paragraph (a) of this section, unless personally delivered; and

(6) Meet the requirements set forth in paragraph (c) of this section.

(c) *Verification of identity.* Notification of the existence of records in certain systems maintained by the Joint Board will not be made unless the individual requester's identity is verified. Where applicable, requirements for verification of identity are specified in the notices of systems published in the FEDERAL REGISTER, Volume 40, No. 167.

(d) *Date of receipt of request.* A request for notification with respect to records shall be considered to have been received on the date on which the requirements of paragraphs (a), (b) and (c) of this section have been satisfied. Requests for notification shall be stamped with the date of receipt by the Office of the Executive Director.

(e) *Exemptions.* The procedures prescribed under paragraphs (a), (b) and (c) of this section shall not apply to: (1) Systems of records exempted pursuant to 5 U.S.C. 552a(k); (2) information compiled in reasonable anticipation of a civil action or proceeding (see 5 U.S.C. 552a(d)(5)); or (3) information regarding an individual which is contained in, and inseparable from, another individual's record.

(f) *Notification of determination.*—(1) *In general.* The Executive Director shall, except as otherwise provided in this paragraph, notify an individual requester as to whether or not a system of records contains a record regarding such individual. Such notification shall be made within 30 days (excluding Saturdays, Sundays and legal public holidays) after the date of receipt of the request, as determined in accordance with paragraph (d) of this section. If it is not possible to respond within 30 days, the Executive Director will inform the requester, stating the reasons for the delay (e.g., volume of records involved, need to consult other agencies, or the difficulty of the legal issues involved) and when a response will be dispatched.

(2) *Denial of request.* When it is determined that a request for notification with respect to records will be denied (whether in whole or in part or subject to conditions or exceptions), the person making the request shall be so notified by mail in accordance with paragraph (f)(1) of this section. The letter of notification shall set forth the name and title or position of the responsible official.

(3) *Records exempt in whole or in part.* (i) When an individual requests notification with respect to records concerning himself which have been compiled in reasonable anticipation of a civil action or proceeding either in a court or before an administrative tribunal, the Executive Director will neither confirm nor deny the existence of the record but shall advise the individual only that no record with respect to the existence of which he is entitled to be notified pursuant to the Privacy Act of 1974 has been identified.

(ii) Requests for records which have been exempted from the requirement of notification pursuant to 5 U.S.C. 552a(k)(2) shall be responded to in the manner provided in paragraph (f)(3)(i) of this section.

§ 903.4 Procedures for access to records and accountings of disclosures from records, regarding individuals.

(a) *Access.* The Executive Director of the Joint Board shall, upon request by any individual to gain access to a record regarding him which is contained in a system of records maintained by the Joint Board, or to an accounting of a disclosure from such record made pursuant to 5 USC 552a(c)(1), permit that individual and, upon his/her request, a person he/she chooses to accompany him/her, to review the record or any such accounting and have a copy made of all or any portion thereof in a form comprehensible to the individual, except that the Executive Director may require the individual to furnish a written statement authorizing discussion of that individual's record in the accompanying person's presence. Such request may be addressed to the Executive Director, Joint Board for the Enrollment of Actuaries, c/o U.S. Department of the Treasury, Washington, D.C. 20220. Requests may also be delivered personally to the Executive Director, Joint Board for the Enrollment of Actuaries, 2401 E Street, NW., Suite 1537, Washington, D.C., between the hours of 9 a.m. and 5 p.m. on workdays. Any such inquiry will be acknowledged in writing within 10 days (excluding Saturdays, Sundays and legal public holidays) of receipt of the request (see paragraph (e) of this section).

(b) *Requests.* A request for access to records or accountings of disclosure from records, shall:

(1) Be signed in writing by the person making the request, who must be the individual about whom the record is maintained, or his duly authorized representative (see § 903.7);

(2) State that it is made pursuant to the Privacy Act, 5 U.S.C. 552a, or the regulations contained in this Part;

(3) Furnish the name of the system of records to which access is sought, or the name of the system for a disclosure from which an accounting is sought, as specified in the systems notices published in the FEDERAL REGISTER, Volume 40, No. 167;

(4) Mark "Privacy Act Request" on the request and on the envelope in which the request is contained;

(5) Be addressed as specified in paragraph (a) of this section, unless personally delivered;

(6) State whether the requester wishes to inspect the records and/or accountings of disclosures therefrom, or desires to have a copy made and furnished without inspecting them;

(7) State, if the requester desires to have a copy made, the requester's agreement to pay the fees for duplication as ultimately determined in accordance with § 903.6; and

(8) Meet the requirements set forth in paragraph (c) of this section.

(c) *Verification of identity.* Access to records contained in certain systems maintained by the Joint Board and/or accountings of disclosures from such records, will not be granted unless the individual requester's identity is verified. Where applicable, requirements for verification of identity are specified in the notices of systems published in the FEDERAL REGISTER, Volume 40, No. 167.

(d) *Exemptions.* The procedures specified in paragraphs (a), (b) and (c) of this section shall not apply to: (1) Systems of records exempted pursuant to 5 U.S.C. 552a(k); (2) information compiled in reasonable anticipation of a civil action or proceeding (see 5 U.S.C. 552a(d)(5)); or (3) information regarding an individual which is contained in, and inseparable from, another individual's record.

(e) *Date of receipt of request.* A request for access to records and/or accountings shall be considered to have been received on the date on which the requirements of paragraphs (a), (b) and (c) of this section have been satisfied. Requests for access, and any separate agreement to pay, shall be stamped with the date of receipt by the Office of the Executive Director. The latest of such stamped dates will be deemed to be the date of receipt of the request.

(f) *Notification of determination.*—(1) *In general.* Notification of determinations as to whether to grant access to records and/or accountings requested will be made by the Executive Director of the Joint Board. The notification of the determination shall be made within 30 days (excluding Saturdays, Sundays and legal public holidays) after the date of receipt of the request, as determined in accordance with paragraph (g) of this section. If it is not possible to respond within 30 days, the Executive Director will inform the requester, stating the reason(s) for the delay (e.g., volume of records requested, need to consult other agencies, or the difficulty of the legal issues involved) and when a response will be dispatched (See 5 U.S.C. 552a (d) and (f)).

(2) *Granting of access.* (i) When it has been determined that the request for access will be granted—(A) and a copy requested; such copy in a form comprehensible to him shall be furnished promptly, together with a statement of the applicable fees for duplication as set forth elsewhere in these regulations (See § 903.6); and (B) and the right to inspect has been requested, the requester shall be promptly notified in writing of the determination, and when and where the requested records and/or accountings may be inspected. (ii) An individual seeking to inspect records concerning himself and/or accountings of disclosure from such records may be accompanied by another individual of his own choosing. The individual seeking access shall be required to sign the required form indicating that the Joint Board is authorized to discuss the contents of the subject record in the accompanying person's presence. If, after making the inspection, the individual making the request desires a copy of all or portion of the requested records, such copy in a form comprehensible to him shall be furnished upon payment of the applicable fees for duplication as prescribed by § 903.6. Fees shall not be charged where they would amount, in the aggregate, to less than $53.00. (See 5 U.S.C. 552a (d) and (f)):

(3) *Denial of request.* (i) When it is determined that the request for access to records will be denied (whether in whole or in part or subject to conditions or exceptions), the person making the request shall be so notified by mail in accordance with paragraph (f)(1) of this section. The letter of notification shall contain a statement of the reasons for not granting the request as made, set forth the name and title or position of the responsible official and advise the individual making the request of the right to file suit in accordance with 5 U.S.C. 552a(g)(1)(B).

(ii) When it is determined that a request for access to accountings will be denied, the person making the request shall be so notified by mail in accordance with paragraph (f)(1)(4)(iii) of this section.

(4) *Records exempt in whole or in part.* (i) When an individual requests records concerning himself which have been compiled in reasonable anticipation of a civil action or proceeding either in a court or before an administrative tribunal, the Executive Director will neither confirm nor deny the existence of the record but shall advise the individual only that no record available to him pursuant to the Privacy Act of 1974 has been identified.

(ii) Requests for records which have been exempted from disclosure pursuant to 5 U.S.C. 552a(k)(2) shall be responded to in the manner provided in paragraph (f)(4)(i) of this section unless a review of the information indicates that the information has been used or is being used to deny the individual any right, privilege or benefit for which he is eligible or to which he would otherwise be entitled under federal law. In that event, the individual shall be advised of the existence of the information but such information as would identify a confidential source shall be extracted or summarized in a manner which protects the source to the maximum degree possible and the summary extract shall be provided to the requesting individual.

(iii) When an individual requests access to acountings of disclosure from records concerning himself which have been compiled in reasonable anticipation of a civil action or proceeding, either in a court or before an administrative tribunal, or which have been exempted from disclosure pursuant to 5 USC 552a(k)(2), the Executive Director will neither confirm nor deny the existence of the record or accountings of disclosure therefrom, but shall advise the individual that no accounting available to him pursuant to the Privacy Act of 1974 has been identified.

§ 903.5 Procedures for amendment of records regarding individual—format, agency review and appeal from initial adverse agency determination.

(a) *In general.* Subject to the application of exemptions promulgated by the Joint Board, in accordance with 5 U.S.C. 552a(k), the Executive Director shall, in conformance with 5 U.S.C. 552a(d)(2), permit an individual to request amendment of a record pertaining to him. Any such request shall be addressed to the Executive Director, Joint Board for the Enrollment of Actuaries, U.S. Department of the Treasury, Washington, D.C. 20220 or delivered personally to the Executive Director, Joint Board for the Enrollment of Actuaries, 2401 E Street, N.W., Suite 1537, Washington, D.C. Any request for amendment of records or any appeal from the initial denial of a request which does not fully comply with the requirements of this section will not be deemed subject to the time constraints of paragraph (e) of this section, unless and until amended so as to comply. However, the Executive Director shall forthwith advise the requester in what respect the request or appeal is deficient so that it may be resubmitted or amended. (See 5 U.S.C. 552a (d) and (f)).

(b) *Form of request to amend records.* In order to be subject to the provisions of this section, a request to amend records shall:

(1) Be made in writing and signed by the person making the request, who must be the individual about whom the record is maintained, or his duly authorized representative. (See § 903.7);

(2) State that it is made pursuant to the Privacy Act, 5 U.S.C. 552a or these regulations;

(3) Mark "Privacy Act Amendment Request" on the request and on the envelope; and

(4) Reasonably describe the records which the individual desires to have amended, including, to the best of the re-

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quester's knowledge, dates of letters requesting access to such records previously and dates of letters in which notification concerning access was made, if any, and the individual's documentation justifying the correction. (See 5 U.S.C. 552a (d) and (f)).

(c) *Date of receipt of request.* A request for amendment of records pertaining to an individual shall be deemed to have been received for purposes of this subpart when the requirements of paragraphs (a) and (b) of this section have been satisfied. The Office of the Executive Director shall stamp the date of receipt of the request thereon. (See 5 U.S.C. 552a (d) and (f)).

(d) *Review of requests to amend records.* The Executive Director shall:

(1) Not later than 10 days (excluding Saturdays, Sundays, and legal public holidays) after the date of receipt of such request, acknowledge in writing such receipt; and

(2) Promptly, either—(i) make any correction of any portion of a record which the individual believes and the Executive Director agrees is not accurate, relevant, timely, or complete; or (ii) inform the individual of the refusal to amend the record in accordance with his request, the reason for the refusal, and that he may request that the Joint Board review such refusal. (See 5 U.S.C. 552a (d) and (f)).

(e) *Administrative appeal.*—(1) *In general.* The Joint Board shall permit individuals to request a review of initial decisions made under paragraph (d) of this section when an individual disagrees with a refusal to amend his record. (See 5 U.S.C. 552a(d), and (g)(1)).

(2) *Form of request for administrative review of refusal to amend record.* At any time within 35 days after the date of the notification of the initial decision described in paragraph (d)(2)(ii) of this section, the requester may submit a request for review of such refusal to the official specified in the notification of the initial decision. The appeal shall:

(i) Be made in writing stating any arguments in support thereof and be signed by the person to whom the record pertains, or his duly authorized representative (See § 903.7);

(ii) Within 35 days of the date of the initial decision: (A) be addressed and mailed to the Joint Board for the Enrollment of Actuaries, c/o U.S. Department of the Treasury, Washington, D.C. 20220; or (B) be personally delivered to the Executive Director, Joint Board for the Enrollment of Actuaries, 2401 E Street, N.W., Suite 1537, Washington, D.C. on workdays between the hours of 9 a.m. and 5 p.m.;

(iii) Have clearly marked on the appeal and on the envelope, "Privacy Act Amendment Appeal";

(iv) Reasonably describe the records requested to be amended; and

(v) Specify the date of the initial request to amend records, and the date of the letter giving notification that the request was denied. (See 5 U.S.C. 552a (d) and (f)).

(3) *Date of Receipt.* Appeals shall be promptly stamped with the date of their receipt by the Office of the Executive Director and such stamped date will be deemed to be the date of receipt for all purposes of this section. The receipt of the appeal shall be acknowledged within 10 days from the date of receipt (unless the determination on appeal is dispatched in 10 days, in which case, no acknowledgment is required) by the Joint Board and the requester is advised of the date of receipt established by the foregoing and when a response is due in accordance with this paragraph. (See 5 U.S.C. 552a (d) and (f)).

(4) *Review of administrative appeals from denial of requests to amend records.* The Joint Board shall complete the review and notify the requester of the final agency decision within 30 days (exclusive of Saturdays, Sundays and legal public holidays) after the date of receipt of such appeal, unless it extends the time for good cause shown. If such final agency decision is to refuse to amend the record, in whole or in part, the requester shall also be advised of his right; (i) to file a concise "Statement of Disagreement" setting forth the reasons for his disagreement with the decision which shall be filed within 35 days of the date of the notification of the final agency decision and (ii) to seek judicial review of the final agency decision under 5 U.S.C. 552a(g)(1)(A). (See 5 U.S.C. 552a (d), (f) and (g)(1)).

(5) *Notation on record and distribution of statements of disagreement.* (i) The Executive Director is responsible, in any disclosure containing information about which an individual has filed a "Statement of Disagreement," occurring after the filing of the statement under (4) above, for clearly noting any portion of the record which is disputed and providing copies of the statement and, if deemed appropriate, a concise statement of the Joint Board's reasons for not making the amendments requested, to persons or other agencies to whom the disputed record has been disclosed. (See 5 U.S.C. 552a(d)(4)).

(ii) In addition, when a "Statement of Disagreement" is filed regarding information previously disclosed to a person or other agency and when, for such disclosure, an accounting was made pursuant to 5 U.S.C. 552(c)(1), then the Executive Director shall provide such person or other agency with the following:

(A) Copy of the "Statement of Disagreement";

(B) Copy of the portion of the previously disclosed in dispute clearly noted as disputed and;

(C) If deemed appropriate, a concise statement of the Joint Board's reasons for not making requested amendments.

(f) *Records not subject to correction.* The following records are not subject to correction or amendment by individuals:

(i) Transcripts or written statements made under oath;

(ii) Transcripts of Grand Jury proceedings, judicial or quasi-judicial proceedings which form the official record of those proceedings;

(iii) Pre-sentence reports comprising the property of the courts but maintained in agency files;

(iv) Records pertaining to the determination, the collection and the payment of federal taxes; and

(v) Records duly exempted from correction by notice published in the FEDERAL REGISTER.

§ 903.6 Fees.

Charges for copies of records made pursuant to part 903 of this chapter will be at the rate of $0.10 per copy. For records not susceptible to photocopying, e.g., over-size materials, photographs, etc., the amount charged will be the actual cost of copying. Only one copy of each record requested will be provided. No charge will be made unless the charge as computed above would exceed $3 for each request or related series of requests. If a fee in excess of $25 is required, the requester will be notified that the fee must be tendered before the records will be copied.

§ 903.7 Guardianship.

The guardian of a person judicially determined to be incompetent shall, in addition to establishing the identity of the person he represents, establish his own guardianship by furnishing a copy of a court order establishing the guardianship and may thereafter act on behalf of such individual. (See 5 U.S.C. 552a(h)).

§ 903.8 Exemptions.

(a) *Names of systems:* (1) JBEA—Enrollment Files.

(2) JBEA—Application Files.

(3) JBEA—General Information.

(4) JBEA—Charge Case Inventory Files.

(5) JBEA—Suspension and Termination Files.

(b) *Provisions from which exempted:* These systems contain records described in 5 U.S.C. 552a(k), the Privacy Act of 1974. Exemption will be claimed for such records only where appropriate from the following provisions: subsections (c)(3), (d)(1), (2), (3) and (4), (e)(1), (e)(4)(G), (H) and (I), and (f)(1), (2), (3), (4) and (5) of 5 U.S.C. 552a.

(c) *Reasons for claimed exemptions:* (1) The Privacy Act of 1974 creates several methods by which individuals may learn of and obtain records containing information on such individuals and consisting of investigatory material compiled for law enforcement purposes. These methods are as follows: subsection (c)(3) allows individuals to discover if other agencies are investigating such individuals; subsections (d)(1), (e)(4)(H) and (f)(2), (3) and (5) establish the ability of individuals to gain access to investigatory material compiled on such individuals; subsections (d)(2), (3) and (4), (e)(4)(H) and (f)(4) presuppose access and enable individuals to contest the contents of investigatory material compiled on these individuals;

and subsections (e)(4)(G) and (f)(1) allow individuals to determine whether or not they are under investigation. Because these subsections are variations upon the individual's ability to ascertain whether his civil or criminal misconduct has been discovered, these subsections have been grouped together for purposes of this notice.

(2) (i) The Joint Board believes that imposition of the requirements of subsection (c)(3), which requires that accountings of disclosures be made available to individuals, would impair the ability of the Joint Board and other investigative entities to conduct investigations of alleged or suspected violations of the regulations governing the performance of actuarial services with respect to plans to which the Employee Retirement Income Security Act (ERISA) applies, and of civil or criminal laws. Making the accountings of disclosures available to individuals enables such individuals to identify entities investigating them and thereby to determine the nature of the violations of which they are suspected. With such knowledge, individuals would be able to alter their illegal activities, destroy or alter evidence of such activities and seriously impair the successful completion of investigations. For these reasons, the Joint Board seeks exemption from the requirements of subsection (c)(3).

(ii) With respect to subsections (d)(1), (e)(4)(H), and (f)(2), (3) and (5), the Joint Board believes that access to investigatory material would prevent the successful completion of investigations. Individuals who gain access to investigatory material involving them discover the nature and extent of the violations of regulations, and of civil and criminal laws, of which they are suspected. By gaining access, such individuals also learn the facts developed during investigations. Knowledge of these matters enables these individuals to destroy or alter evidence which would otherwise have been used against them. In addition, knowledge of the facts and suspected violations gives individuals, who are committing ongoing violations, or who are about to commit violations of regulations, or of civil or criminal laws, the opportunity to temporarily postpone the commission of the violations or to effectively disguise the commission of these violations. Material compiled on investigated individuals reveals investigative techniques and procedures, disclosure of which enables such individuals to structure their illegal activities so as to escape detection. Further, such material may contain, or by its very nature reveal, the identity of confidential sources. When the identities of confidential sources are revealed, they may be subjected to various forms of reprisal. If confidential sources of information are subjected to actual reprisals or fear thereof, they may become reluctant to provide information necessary to identify or prove the guilt of persons who violate regulations, or civil or criminal laws. Further, the protections afforded by the above-referenced subsections are unnecessary because the Joint Board may not deny enrollment or suspend or terminate the enrollment of an individual to perform actuarial services until it has provided such individual with due process safeguards. For the reasons stated in this subparagraph, the Joint Board seeks exemptions from the requirements of subsections (d)(1), (e)(4)(H), and (f)(2), (3) and (5).

(iii) With respect to subsections (d)(2), (3) and (4), (e)(4)(H), and (f)(4), the Joint Board believes that the imposition of these requirements, which presuppose access and provide for amending records, would impair the ability to conduct investigations and would be unnecessary for the same reasons stated in the preceding subparagraph (2)(B). These reasons herein are incorporated by reference. Therefore, the Joint Board seeks exemption from the requirements of subsections (d) (2), (3) and (4), (e)(4)(H), and (f)(4).

(iv) With respect to subsections (e)(4)(G) and (f)(1), the Joint Board believes that informing individuals that they are the subjects of a particular system or systems of records would impair the ability of the Joint Board and its agents to successfully complete investigations of suspected or alleged violators of the regulations governing the performance of actuarial services with respect to plans to which ERISA applies. Individuals who learn that they are suspected of violating said regulations are given the opportunity to destroy or alter evidence needed to prove the alleged violations. Such individuals may also be able to impair investigations by temporarily suspending or restructuring the activities which place them in violation of said regulations. Further, as noted in preceding subparagraph (2)(B) and incorporated by reference herein, the procedural requirements imposed on the Joint Board by ERISA make the protections afforded by subsections (c)(4)(G) and (f)(1) unnecessary. For these reasons, the Joint Board seeks exemptions from the requirements of subsections (c)(4)(G) and (f)(1).

(v) Subsection (e)(1) of the Privacy Act of 1974 requires that the Joint Board maintain in its records only information that is relevant and necessary to accomplish a purpose of the Office required to be accomplished by statute or by executive order of the President. The Joint Board believes that imposition of said requirement would seriously impair its ability, and the abilities of its agents and other investigative entities to effectively investigate suspected or alleged violations of regulations and of civil or criminal laws. The Joint Board does not initiate inquiries into individuals' conduct unless it receives information evidencing violation by such individuals of the regulations governing performance of actuarial services with respect to plans to which ERISA applies. Sources of such information may be unfamiliar with the Joint Board's interpretations of said regulations and, therefore, may not always provide only relevant and necessary information. Therefore, it may often be impossible to determine whether or not information is relevant and necessary. For these reasons, the Joint Board seeks exemptions from the requirement of subsection (e)(1).

(vi) Subsection (e)(4)(I) of the Privacy Act of 1974 requires the publication of the categories of sources of records in each system of records. The Joint Board believes that imposition of said requirement would seriously impair its ability to obtain information from such sources for the following reasons. Revealing such categories of sources could disclose investigative techniques and procedures and could cause sources to decline to provide information because of fear of reprisal, or fear of breaches of promises of confidentiality. For these reasons, the Joint Board seeks exemptions from the requirement of subsection (e)(4)(I).

[FR Doc.76-496 Filed 1-7-76;8:45 am]

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proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[21 CFR Part 1304]

RECORDS AND REPORTS OF REGISTRANTS

Records for Manufacturers

Regulations of the Drug Enforcement Administration require, in § 1304.22 of Title 21 of the Code of Federal Regulations, that manufacturers of controlled substances maintain records which show the quantity of controlled substances actually manufactured or actually used, to be used, or capable of use in manufacturing controlled or non-controlled substances.

These records, while revealing the theoretical and actual yield of controlled substances produced by the manufacturing process, as determined by the manufacturer, fail to provide DEA with any information upon which it can independently determine such yields.

Lacking this information, DEA cannot establish whether amounts of controlled substances produced in fact are more than what is reported to DEA as the actual yield.

Such discrepancies could occur with DEA unaware of the existence of any such unreported amounts of controlled substances produced, or their disposition. That such amounts could exist and be diverted is a real possibility which requires DEA, in its effort to identify diversion, to establish some means for determining that the yield of a controlled substance manufacturing process corresponds with the theoretical yield, which the process and the materials used therein, are designed to produce.

Therefore, in view of the foregoing, and pursuant to the authority vested in the Attorney General by sections 301 and 501(b) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 821, 871(b)), and delegated to the Administrator of the Drug Enforcement Administration by § 0.100 of Title 28 of the Code of Federal Regulations (See 38 FR 18380, July 2, 1973), and redelegated to the Deputy Administrator of the Drug Enforcement Administration by 28 CFR 0.104 [Appendix to Subpart R] Sec. 6(g), the Deputy Administrator of the Drug Enforcement Administration hereby proposes that Part 1304 of Title 21 of the Code of Federal Regulations be amended as follows:

Existing paragraphs (a) (2) through (9) are to be renumbered as paragraphs (a) (3) through (10), and a new paragraph (a)(2) is to be added, to read as set forth below.

§ 1304.22 Records for manufacturers.

(a) • • •

(2) For each batch, the identity, amount, and percent purity of each ingredient used in manufacturing each controlled substance;

• • • • •

All interested parties are invited to submit their comments and objections in writing regarding this proposal. Comments and objections should be submitted in quintuplicate to the Administrator, Drug Enforcement Administration, United States Department of Justice, Washington, D.C. 20537, Attention: DEA Federal Register Representative and must be received no later than February 11, 1976.

Dated: December 24, 1975.

JERRY N. JENSON,
Deputy Administrator,
Drug Enforcement Administration.

[FR Doc.76-557 Filed 1-7-76;8:45 am]

DEPARTMENT OF THE TREASURY

Customs Service

[19 CFR Part 12]

SPECIAL CLASSES OF MERCHANDISE

Importation of Motor Vehicles and Motor Vehicle Equipment; Extension of Time

Correction

In FR Doc. 75-35040, appearing at page 59745, in the issue for Tuesday, December 30, 1975, the second paragraph should read as set out below:

"Requests have been received for an extension of the time for the submission of comments. Therefore, the period for submission of data, views, or arguments with respect to the cited amendments is extended to January 22, 1976.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 338, 339, 340]

[Docket No. 75-N-0244]

OVER-THE-COUNTER DRUGS

Proposal To Establish Monographs for OTC Nighttime Sleep-Aid, Daytime Sedative, and Stimulant Products

Correction

In FR Doc. 75-32774, appearing on page 59447 in the issue of Monday, December 8, 1975 make the following changes:

1. On page 57298, the second column, in the first complete paragraph, the second word in the eighth line should read "extracellular".

2. On page 57298, the third column, the sixth complete paragraph; in the third line the word "and" should have read "an", and in the fourth line the word "Larges" should have read "Larger".

3. On page 57299, in the first column, the second complete paragraph, the ninth line should have read "logical tests showed that 44 percent (6 subjects)".

4. On page 57300, in the third column, paragraph "b.", the first word in each of the third and fourth lines was mispelled. The correct spelling is "hydrobromide".

5. On page 57301, in the third column, the fifth paragraph, in the tenth line the fourth word should have been spelled "medullary".

6. On page 57302, in the third column, second paragraph, in the second line the last word should have been preceded with an "s".

7. On page 57305, in the second column, the first whole paragraph, the second word in the sixteenth line should have read "of".

8. On page 57307, in the second column, the sixth paragraph should have read: "(15) Cappe, B. E. and I. M. Tallin, "Recent Advances In Obstetric Analgesia,", *"Journal of the American Medical Association,* 154: 377-379, 1954."

9. On page 57309, the third column; in the first complete paragraph, eleventh line, the first word should have read "hydramine". In the third complete paragraph, the seventh word in the first sentence should have read "effects".

10. On page 57310, the second column, after the heading "References", the first word in the second line should have read "Antihistaminic".

11. On page 57312, the second column, the second paragraph after the heading "References", in the first line the word "Propandiol" was misspelled. In the third column the last line should have read "Methoxybenzyl-N-Dimethylaminoethyl al-".

12. On page 57316, in the second column, fifth line, the fourth word should have read "as".

13. On page 57324, in the first column, under "REFERENCES" the footnote to "(1)" should have read "3" and refers to the note on page 57310.

14. On page 57325, in the 36th line the fourth word was misspelled, it should have read "incidence".

15. On page 57327, in the third column, 16th line the second word should have read "an".

16. On page 57328, the first column, in the last line of the "Authority" the first number should have read "553".

17. On page 57328, the second column, the last line of § 339.3 should have read "sional simple nervous tension.".

Social Security Administration

[20 CFR Part 405]

FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED

Conditions of Participation; Skilled Nursing Facilities; Withdrawal of Notice of Proposed Rule Making

On February 11, 1975, there was published in the FEDERAL REGISTER (40 FR 6369) a Notice of Proposed Rule Making which set forth a proposed technical amendment to Subpart K of Regulations No. 5 relating to the conditions of participation for skilled nursing facilities. The proposed amendment would have effected a technical change in the Medicare regulations to correspond to a proposed revision of Part 249 of the Social and Rehabilitation Service regulations (45 CFR Part 249) which was also published on February 11, 1975, (40 FR 6368). The proposed Medicare regulation would have provided that, with respect to skilled nursing facilities participating only in the Medicaid program, the Secretary of Health, Education, and Welfare (rather than the State survey agency as at present) would grant waivers of specific provisions of the standards of the American National Standards Institute regarding the usability of facilities by handicapped persons and would permit variations in the standards regarding room size and the number of patients per room.

Under the proposed amendment, the Secretary would thus have had the authority to grant waivers where the skilled nursing facility is participating in the Medicare program, the Medicaid program, or both.

Interested parties were given 30 days within which to submit data, views, and arguments. Three comments were received in response to the notice of proposed rule making. Two comments were in favor of the State agency's retaining the waiver authority. The third comment favored transfer of waiver authority to the Secretary.

Since many of the comments received in response to the proposed amendment to 45 CFR Part 249 published at 40 FR 6368 were unfavorable, it was withdrawn (see 40 FR 51474, November 5, 1975). Accordingly, the proposed amendment to 20 CFR Part 405 published at 40 FR 6369, which was primarily for the purpose of consistency, is hereby withdrawn. The proposed amendment and the withdrawal thereof will have no effect on skilled nursing facilities participating under title XVIII or both under title XVIII and title XIX, since for both categories, the Secretary has the authority under existing regulations to issue the subject waivers (see 20 CFR 405.1134 (c) and (e)).

(Secs. 1102 and 1871 of the Social Security Act, 49 Stat. 647, as amended, 79 Stat. 331; 42 U.S.C. 1302 and 1395 hh.)

(Catalog of Federal Domestic Assistance Program No. 13.800, Health Insurance for the Aged and Disabled—Hospital Insurance.)

Dated: December 11, 1975.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: January 2, 1976.

MARJORIE LYNCH,
Acting Secretary of Health, Education, and Welfare.

[FR Doc.76-521 Filed 1-7-76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Insurance Administration

[24 CFR Part 1905]

[Docket No. R-76-367]

NATIONAL INSURANCE DEVELOPMENT PROGRAM

Notice of Proposed Rule Making

Pursuant to Title XI and Title XII of the National Housing Act (added by the Urban Property Protection and Reinsurance Act of 1968, 12 U.S.C. 1749 bbb-1749 bbb-21), 5 U.S.C. 553, as amended by the National Insurance Development Act of 1975 (Pub. L. 94-13, 89 Stat. 68, 12 U.S.C. 1749 bbb Note), and delegation of authority by the Secretary of Housing and Urban Development (34 FR 2680, February 27, 1969), the Federal Insurance Administrator is considering the revision of Part 1905 as set forth below. The revision is a result of a recent examination, by the Department, of its own role in consumer protection activities and follows the spirit of President Ford's April 17, 1975, letter to the Congress stressing the importance of assuring that consumer interests "receive full consideration in all Government actions." The President directed that each agency and Department undertake a review of its policies and procedures as they affect consumer representation in agency decisionmaking and this revision is in furtherance of the Department's commitment to a primary goal to assure that the rights and interests of consumers are fully considered and duly respected.

Section 1102 of the Urban Property Protection and Reinsurance Act of 1968 has, as its purpose, "to encourage and assist the various State insurance authorities and the property insurance industry to develop and carry out statewide programs which will make necessary property insurance coverage against the fire, crime, and other perils more readily available for residential, business, and other properties meeting reasonable underwriting standards," which purpose is carried out through statewide plans requiring insurance industry cooperation in all-industry insurance placement facilities to assure Fair Access to Insurance Requirements (FAIR Plans) pursuant to Sections 1211 et seq. of the National Insurance Development Program.

Interested persons are invited to participate in the making of the proposed rule by submitting such written comments or suggestions as they may desire. Communications should identify the subject matter by the above title and area affected and should be submitted to the Rules Docket Clerk, Office of General Counsel, Department of Housing and Urban Development, Room 10245, 451 Seventh Street SW., Washington, D.C. 20410.

All communications received on or before February 9, 1976, will be considered by the Administrator before taking action on the proposal. The proposals in this notice may be changed in the light of the comments received. A copy of each submission will be available for public inspection during business hours at the above address.

Accordingly, in furtherance of the goals of such FAIR Plans and in order to implement the Department's consumer goals, Subchapter A of Chapter X of Title 24 of the Code of Federal Regulations is proposed to be amended as follows:

PART 1905—STATEWIDE "FAIR" PLANS

1. § 1905.13 is added to read as follows:

§ 1905.13 Notice to policyholders.

(a) Each participating or cooperating insurer offering insurance pursuant to this program (12 U.S.C. 1749bbb-1749bbb-21) shall provide a notice to all FAIR Plan policies issued or renewed on and after April 1, 1976, containing the following information:

(1) Authority for issuance of policy.

(2) FAIR Plan name, address, and telephone numbers.

(3) State Insurance Department addresses and telephone numbers.

(4) Federal Insurance Administrator's address and telephone number.

(b) Compliance with the requirements of paragraph (a) above will be satisfied provided the participating or cooperating insurer complies with a format of notice as designated by the Administrator; such notices shall, as a minimum, include the following information employing the same terms or substantially similar terms subject to prior approval by the Administrator.

Dear Policyholder: The attached FAIR Plan Insurance Policy, or renewal thereof, has been issued to you by the FAIR Plan in cooperation with your State Insurance Authority and the Federal Insurance Administration of the United States Department of Housing and Urban Development. The policy is serviced generally by the statewide FAIR Plan, as listed at the end of this Notice. The FAIR Plan or your insurance agent will assist you if you need to report a loss or if you have any questions pertaining to the premium charged or the scope of the coverage afforded under the policy. In addition, your State Insurance Department and the Federal Insurance Administration (FIA) is ready to be of assistance to you in these matters, if the FAIR Plan or agent cannot help you. Moreover, since the FAIR Plan Program is intended to provide you with the highest caliber of service, FIA would welcome any suggestions you may have for improving the program. Please do not hesitate to write, for assistance, to:

(1) FAIR Plan: [Name, Address, Telephone Number].

V 41 N 5 JAN 8 76 XUM

(2) State Insurance Department [Name, Address, Telephone Number].

(3) Federal Insurance Administrator, Department of Housing and Urban Development, Washington, D.C. (202) 755-6580.

(Sec. 7(d), 79 Stat. 670 (42 U.S.C. 3535d); sec. 1103, 82 Stat. 566 (12 U.S.C. 1749bbb-17))

Issued: January 7, 1976.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-497 Filed 1-7-76;8:45 am]

[24 CFR Part 1912]

[Docket No. R-76-366]

NATIONAL FLOOD INSURANCE PROGRAM

Notice of Proposed Rule Making

Pursuant to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968), 42 U.S.C. 4001-4128, effective January 28, 1969 (33 FR. 17804, November 28, 1968), as amended by Sections 408-410 of the Housing and Urban Development Act of 1969 (Pub. L. 91-152, December 24, 1969), the Flood Disaster Protection Act of 1973 (87 Stat. 980), Section 816 of the Housing and Community Development Act of 1974 (87 Stat. 975), and the Secretary's Delegation of Authority to the Federal Insurance Administrator dated February 27, 1969 (34 FR 2680), as amended January 24, 1974 (39 FR 2787), the Federal Insurance Administrator is considering the revision of Part 1912 as set forth below. The revision is a result of a recent examination, by the Department, of its own role in consumer protection activities and follows the spirit of President Ford's April 17, 1975, letter to the Congress stressing the importance of assuring that consumer interests "receive full consideration in all Government actions." The President directed that each agency and Department undertake a review of its policies and procedures as they affect consumer representation in agency decisionmaking and this revision is in furtherance of the Department's commitment to a primary goal to assure that the rights and interests of consumers are fully considered and duly respected.

Section 1304 of the National Flood Insurance Act of 1968 requires the Secretary to establish and carry out a National Flood Insurance Program and, to the maximum extent possible, among other things, to encourage and arrange for appropriate participation on other than a risk-sharing basis, by insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations in accordance with the provisions of the 1968 Act relating to the Administration of the program, including the services to be provided by the insurance industry.

Interested persons are invited to participate in the making of the proposed rule by submitting such written comments or suggestions as they may desire. Communications should identify the subject matter by the above title and area affected and should be submitted to the Rules Docket Clerk, Office of General Counsel, Department of Housing and Urban Development, Room 10245, 451 Seventh Street SW., Washington, D.C. 20410.

All communications received on or before February 9, 1976, will be considered by the Administrator before taking action on the proposal. The proposals in this notice may be changed in the light of the comments received. A copy of each submission will be available for public inspection during business hours at the above address.

Accordingly, in order to implement the Department's consumer goals and with the assistance of the insurance industry pool servicing the flood insurance program, Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is proposed to be amended as follows:

PART 1912—SALE OF INSURANCE AND ADJUSTMENT OF CLAIMS

1. § 1912.6 is added to read as follows:

§ 1912.6 Notice to policyholders.

(a) Each participating or cooperating insurer offering flood insurance pursuant to this National Flood Insurance Program (42 U.S.C. §§ 4001-4128) shall provide a notice in all flood insurance policies issued and renewed as of April 1, 1976, containing the following information:

(1) Authority for issuance of policy.

(2) Servicing Company's name, address and toll free telephone number.

(3) Federal Insurance Administrator's address and toll free telephone number.

(b) Compliance with the requirements of paragraph (a) above will be satisfied provided the participating or cooperating insurer complies with a format of notice as designated by the Administrator; such notice shall, as a minimum, include the following information employing the same terms or substantially similar terms subject to prior approval by the Administrator:

Dear Policyholder: The attached Standard Flood Insurance Policy, or renewal thereof, has been issued pursuant to the National Flood Insurance Act of 1968, as amended (42 U.S.C. §§ 4001-4128) by the National Flood Insurers Association in cooperation with the Federal Insurance Administration of the United States Department of Housing and Urban Development and is generally serviced by the _____
Name
The _____ or your insurance agent
Name
will assist you if you need to report a loss or if you have any questions pertaining to the premium charged or the scope of the coverage afforded under the policy. In addition, the Federal Insurance Administration (FIA) is ready to be of assistance to you in these matters, if we or your agent cannot help you. Moreover, since the National Flood Insurance Program is intended to provide you with the highest caliber of service, FIA would welcome any suggestions you may have for improving the program.

Please do not hesitate to write, for assistance to:

Federal Insurance Administrator, Department of Housing and Urban Development, Washington, D.C. 20410. Telephone No. (202) 800-424-8872 or 424-8873.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: January 7, 1976.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-498 Filed 1-7-76;8:45 am]

CIVIL AERONAUTICS BOARD

[14 CFR Part 399]

[PSDR-43B; Docket No. 27417]

DOMESTIC LOAD-FACTOR STANDARDS

Statements of General Policy; Supplemental Advance Notice of Proposed Rulemaking

JANUARY 5, 1976.

By motion filed December 23, 1975, the Bureau of Economics contends that the results of the prehearing conference held on December 19, 1975, in this matter require a change in the currently effective procedural dates.[1] The Bureau requests that a time schedule be fixed running from the date it makes a composite tape of daily load-factor data available to interested persons.[2] The Bureau also suggests that the establishment of the new procedural dates would be facilitated if the responsibility were delegated to the administrative law judge.

Upon consideration of the matter, we have decided to grant the substance of the Bureau's motion. The procedural dates established in PSDR-43A, November 21, 1975, are hereby postponed until further notice. The new procedural dates shall be set by the administrative law judge. We shall not adopt the time schedule proposed by the Bureau, leaving that matter to the discretion of the administrative law judge in light of our desire to expedite the hearing.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 49 U.S.C. 1324.)

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76-532 Filed 1-7-76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR—Part 73]

[Docket No. 19824; RM-2060]

FM BROADCAST STATIONS, IDAHO

Table of Assignments; Order Extending Time for Filing Supplemental Information

1. An August 14, 1975, the Commission adopted a Memorandum Opinion and

[1] Direct exhibits and exhibits in rebuttal of the Bureau's exhibits are due January 12, 1976. All other rebuttal exhibits are due March 1, 1976. PSDR-43A, November 21, 1975, 40 FR 54812 (1975).

[2] The Bureau's proposal would require that all interested persons, including the Bureau, be required to submit direct exhibits 75 days after the Bureau makes available a tape of composite daily load-factor data and that rebuttal exhibits be served 45 days after the service of direct exhibits. Hearing would be held four weeks thereafter.

Order in the above-entitled proceeding. Publication was given in the FEDERAL REGISTER on August 28, 1975, 40 FR 39529. Interested parties were given until January 2, 1976, to file the supplemental information requested in the above-mentioned document.

2. On December 23, 1975, counsel for Leisure Time Communication, Inc. and Sun Valley Radio, Inc., jointly filed a request seeking an extension until March 1, 1976, in which to file the supplemental information asked for in the Commission's Memorandum Opinion and Order. Counsel state that the information sought is not readily available from usual sources, and therefore must be gathered and compiled locally. The time necessary for the gathering and compilation of this data has turned out to be longer than originally anticipated, thus necessitating the requested extension.

3. We are of the view that the public interest would be served by extending the time in this proceeding. Accordingly, *It it ordered*, That the date for filing the supplemental information is extended to and including March 1, 1976.

4. This action is taken pursuant to authority found in Sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and Sections 0.281 and 1.46 of the Commission's Rules.

Adopted: December 29, 1975.

Released: January 2, 1976.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.76-511 Filed 1-7-76;8:45 am]

[47 CFR Part 73]

[Docket No. 20645]

STANDARD BROADCAST STATIONS WITH DIRECTIONAL ANTENNAS

Design and Measurement of Radiation Patterns; Order Extending Time for Filing Comments and Reply Comments

1. On November 12, 1975, the Commission adopted a notice of proposed rulemaking in the above-entitled proceeding. Publication was made in the FEDERAL REGISTER on November 26, 1975, 40 FR 54826. The dates for filing comments and reply comments are presently December 29, 1975, and January 9, 1976, respectively.

2. On December 22, 1975, the Association of Federal Communications Consulting Engineers (AFCCE), proponent in this proceeding, requested that the time for filing comments and reply comments be extended to January 29, 1976, and February 9, 1976, respectively. AFCCE states that the additional time is needed due to the press of other business before the Commission, particularly with respect to Docket 20418, and the usual distractions of the holiday season, which has prevented the AFCCE members who have been charged with preparing its comments from being able to devote the necessary time to this proceeding.

3. We are of the view that the public interest would be served by extending the time in this proceeding. Accordingly, *it is ordered*, That the dates for filing comments and reply comments are extended to and including January 29, 1976, and Februray 9, 1976, respectively.

4. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and §§ 0.281 and 1.46 of the Commission's rules.

Adopted: December 29, 1975.

Released: January 2, 1976.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.76-512 Filed 1-7-76;8:45 am]

FEDERAL TRADE COMMISSION

[16 CFR Part 450]

ADVERTISING FOR OVER-THE-COUNTER DRUGS

Extension of Time To Propose Disputed Issues of Fact on Proposed Trade Regulation Rule

Notice of opportunity to propose disputed issues of fact regarding the proposed Trade Regulation Rule concerning the Advertising for Over-the-Counter Drugs was published in the FEDERAL REGISTER on November 11, 1975 (40 FR 52631). The Notice also sets forth the text of the proposed Rule and a statement of reasons for the proposed rule.

In response to a petition on behalf of certain industry members, the Presiding Officer has determined, pursuant to the authority of § 1.13(6)(1) of the Commission's Procedures and Rules of Practice, to extend the time for proposing disputed issues of fact for a period of sixty days beyond the original closing date of January 12, 1976. Accordingly, the record will remain open for that purpose until no later than March 12, 1976.

Proposed disputed issues of fact concerning the proposed Rule should be filed with the Special Assistant Director for Rulemaking, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580.

Issued: January 5, 1976.

ROGER J. FITZPATRICK,
Presiding Officer.

[FR Doc.76-526 Filed 1-7-76;8:45 am]

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notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

REGIONAL ADVISORY COMMITTEE ON BANKING POLICIES AND PRACTICES FOR THE EIGHTH NATIONAL BANK REGION

Notice of Meeting

A meeting of the Advisory Committee on Banking Policies and Practices for the Eighth National Bank Region will be held January 26, 1976, at the Grand Hotel, Point Clear, Alabama. The meeting will start at 9 a.m. and will be open to the public. Interested members of the public will be admitted on a first come basis.

Topics will include discussions on CBCTs, payment of interest on demand deposits, the FINE Study, the Controller's Study of High Performing Community Banks, the Short-Form Examination Report, and the assessment fees for National Banks.

Dated: January 6, 1976.

[SEAL] JAMES E. SMITH,
Comptroller of the Currency.

[FR Doc.76-629 Filed 1-7-76;8:45 am]

INSURED BANKS

Joint Call for Report of Condition

CROSS REFERENCE: For a document issued jointly by the Comptroller of the Currency, Department of the Treasury; the Federal Deposit Insurance Corporation; and the Federal Reserve System on the subject of a joint call for a report of conditions of insured banks, see FR Doc. 76-5138 appearing in the notices section of this issue under the Federal Deposit Insurance Corporation.

Office of the Secretary

PRIMARY LEAD METAL FROM CANADA AND AUSTRALIA

Receipt and Referral of Petition for Revocation of Dumping Finding

The Treasury Department received a petition on February 4, 1975, on behalf of several large United States consumers of lead metal requesting a revocation of the dumping findings on primary lead metal from Canada (T.D. 74-127, April 17, 1974) and Australia (T.D. 74-128, April 17, 1974). The petition made no allegations relevant to Treasury's determination of sales at less than fair value, but was concerned solely with alleged changes in circumstances claimed to affect the earlier injury determination by the Tariff Commission (now the International Trade Commission).

In a letter of April 9, 1975, the Treasury Department referred the petition to the Commission. The petition was referred back to the Treasury Department pursuant to a notice published by the Commission in the Federal Register of July 24, 1975 (40 FR 31042) which contained a Treasury letter of July 15, 1975, and cancelled a scheduled hearing on the matter, so that Treasury might gather more price information on this product.

The gathering and analysis of additional price information having been completed, the Treasury Department, in the following letter, is referring the matter back to the International Trade Commission for whatever review it deems appropriate:

DEAR MR. CHAIRMAN: As you recall, on April 9, 1975, the Treasury Department forwarded to the U.S. International Trade Commission a petition which solely on injury grounds requested revocation of the dumping findings on primary lead metal from Australia and Canada (T.D. 74-127 and T.D. 74-128). On July 15, and pursuant to discussions with the Commission, I forwarded to the U.S.I.T.C. a letter which described the procedures Treasury was willing to undertake to obtain the pricing information that the Commission felt was necessary to reconsider the injury determinations. In response to my letter the Commission returned the Customs file to Treasury and cancelled a scheduled hearing on the matter.

We have received, to the extent possible, the pricing information requested by the Commission. After analysis, we are again forwarding the case to the Commission for such review as it deems appropriate.

One Canadian exporter submitted data through July, 1975, while the other exporter presented data through September, 1975. For one Australian firm, information was presented through August, 1975. These data appear to indicate that had the dumping findings not been in effect, export prices to the United States would have been at the prevailing U.S. price. In fact, actual Canadian sales in the U.S. have been at such prices. There have been no lead imports from Australia since the dumping finding.

Canadian home market prices through the first three quarters of 1975 have been slightly lower than U.S. prices. Representatives of the Canadian firms, however, have asserted that absent the dumping finding, the Canadian home market price would have been roughly equivalent to the U.S. price. On the other hand, representatives of the petitioner have asserted that without the finding of dumping, the prevailing U.S. price would have fallen to the Canadian level. Accordingly, regardless of which assertion actually would have resulted, technically sales at less than fair value would have existed when the statutorily required deductions for transportation costs and U.S. duties were made to export prices to the U.S. Although, we certainly cannot be precise in a hypothetical estimation of what LTFV margins might have been, from the information submitted, it appears that LTFV margins on Canadian sales would have been in the range of 5-10 percent.

With respect to Australia, we would estimate that LTFV margins of roughly 2.5 to 10 percent might have occurred. Again, the margins would appear to be caused technically due to the deduction of transportation costs and duties required by statute.

During Treasury's fair value investigation which covered the latter portion of 1972 and the first quarter of 1973, the weighted average of LTFV margin was 14 percent.

Enclosed for the Commission's use is the information received as the result of our inquiries, as well as the Customs's case file. Since some of the data enclosed is regarded to be of a confidential nature, the Commission is requested to consider all information contained therein for its official use, and not to be disclosed to others without prior clearance by the U.S. Treasury Department.

Sincerely yours,

PETER O. SUCHMAN,
Deputy Assistant Secretary (Tariff Affairs).

Dated: January 2, 1976.

PETER O. SUCHMAN,
Acting Assistant Secretary of the Treasury.

[FR Doc.76-494 Filed 1-7-76;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Navy

CHIEF OF NAVAL OPERATIONS EXECUTIVE PANEL ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. I), notice is hereby given that the Chief of Naval Operations Executive Panel Advisory Committee will hold a closed meeting on February 10-11, 1976, at the Pentagon, Washington, D.C. The sessions will commence at 9:00 a.m. and terminate at 5:30 p.m. daily.

The agenda will consist of matters required by Executive Order to be kept secret in the interest of national defense, including presentations on ocean surveillance, strategic systems, foreign naval operations, security programs, advanced and specialized technology, and long-range Navy plans. Accordingly, the Secretary of the Navy has determined in writing that the public interest requires that all sessions of the meeting be closed to the public because they will be concerned with matters listed in section 552(b)(1) of Title 5, *United States Code*.

Dated: December 30, 1975.

LARRY G. PARES,
Captain, JAGC, U.S. Navy, Assistant Judge Advocate General (Civil Law).

[FR Doc.76-454 Filed 1-7-76;8:45 am]

SECRETARY OF THE NAVY'S ADVISORY BOARD ON EDUCATION AND TRAINING (SABET)

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. I), notice is hereby given of an open meeting of the Secretary of the Navy's Advisory Board on Education and Training, to commence at 8:15 a.m. on Monday, February 2, 1976, and continuing through Wednesday, February 4, 1976. The board will meet in the management information center at the Headquarters of the Chief of Naval Education and Training, Pensacola, Florida.

The board will receive a series of briefings on training requirements and training technology, technical training, education and training support, the Defense Activity for Nontraditional Education Support, education programs, and the Navy Campus for Achievement. The board will then consider the impact of the changing roles of women in the Navy and preparation for making maximum utilization of their potential, the extent and means by which education and training programs might be conducted in the operational environment rather than in the schoolhouse, and the current scope and adequacy of the Navy Campus for Achievement to provide the variety of educational and training opportunities necessary to meet the Navy needs of the future as well as the desires of the individual.

Dated: December 31, 1975.

LARRY G. PARES,
Captain, JAGC, U.S. Navy, Assistant Judge Advocate General (Civil Law).

[FR Doc.76-453 Filed 1-7-76;8:45 am]

DEPARTMENT OF JUSTICE

VOTING RIGHTS ACT AMENDMENTS OF 1975

Partial List of Determinations Pursuant to Votings Rights Act of 1965, as Amended

Correction

In FR Doc. 76-185, appearing at page 783 in the issue for Monday, January 5, 1976, the following changes should be made:

1. The citation at the end of the first paragraph on page 784 should read, "42 U.S.C. 1973b(3)".

2. Between the two dates following the Attorney General's signature, another signature should appear, reading, "Vincent P. Barabba, Director, Bureau of the Census".

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. A 9275]

ARIZONA

Proposed Withdrawal and Reservation of Lands

The Forest Service, United States Department of Agriculture, has filed an application, Serial Number A 9275, for the withdrawal of the lands described below from location and entry under the general mining laws, but not the mineral leasing laws, subject to existing valid rights.

The Forest Service wants to use the lands as a Research Natural Area for the purpose of conducting scientific studies on natural trends in vegetation change following the removal of domestic livestock. Disturbance of the area for purposes other than research would adversely affect its value for research.

On or before February 9, 1976 all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 2400 Valley Bank Center, Phoenix, Arizona 85073.

The Department's regulations provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demands for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

GILA AND SALT RIVER MERIDIAN, ARIZONA

CORONADO NATIONAL FOREST

Elgin Research Natural Area

T. 21 S., R. 18 E.,
Sec. 26; W½W½E½NE¼, W½NE¼, E½NW¼, E½SW¼, E½SE¼SW¼SW¼, W½W½NE¼SE¼, W½SE¼.

The areas described aggregate 355 acres in Santa Cruz County, Arizona.

Dated: December 29, 1975.

ROBERT O. BUFFINGTON,
State Director.

[FR Doc.76-455 Filed 1-7-76;8:45 am]

[N-12392]

NEVADA

Proposed Withdrawal and Reservation of Lands

DECEMBER 31, 1975.

The Bureau of Land Management has filed the above application for withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws, 30 U.S.C. Ch. 2, but not the mineral leasing laws.

The applicant desires the lands so as to protect them from the filing of applications and location of claims pending completion of an environmental impact statement on the use of the lands as a site for Sierra Pacific Power Company's proposed Valmy power generating plant. This temporary segregation will be terminated December 8, 1980.

On or before February 9, 1976, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 300 Booth Street, Reno, Nevada 89509.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN, NEVADA

T. 34 N., R. 42 E.,
Sec. 12, NE¼;
T. 34 N., R. 43 E.,
Sec. 8, All;
Sec. 18, NE¼;
Sec. 20, NE¼;
T. 35 N., R. 43 E.,
Secs. 20, 22, 28, All;
Sec. 32, N½N½, S½NE¼.

The areas described aggregate 3,280 acres.

A. JOHN HILLSAMER,
Acting Chief,
Division of Technical Services.

[FR Doc.76-490 Filed 1-7-76;8:45 am]

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National Park Service

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

Notice of Meeting

Notice is hereby given in accordance with Public Law 92–463 that a meeting of the Cape Cod National Seashore Advisory Commission will be held on Friday, January 23, 1976, at 1:30 p.m., at the Headquarters Building, Cape Cod National Seashore, Marconi Station Area, South Wellfleet, Massachusetts.

The Commission was established by Public Law 87–126 to meet and consult with the Secretary of the Interior on general policies and specific matters relating to the development of Cape Cod National Seashore.

The purpose of the meeting is to consider the following Agenda items: (1) Hanggliding, (2) Proposed improvements at the Provincetown Airport, (3) Alterations/improvements of "improved property," (4) Tenure of Advisory Commission and (5) 1976 Oversand vehicle operations/regulations. The Superintendent will give a progress report covering current problems and items of interest, which will be reviewed and discussed.

The meeting is open to the public. It is expected that 15 persons will be able to attend the session in addition to Commission members. Interested persons may make oral/written presentations to the Commission or file written statements. Such requests should be made to the official listed below at least seven days prior to the meeting.

Further information concerning this meeting may be obtained from Lawrence C. Hadley, Superintendent, Cape Cod National Seashore, South Wellfleet, Massachusetts 02663 (telephone: 617–349–3785). Minutes of the meeting will be available for public inspection and copying four weeks after the meeting at the office of the Superintendent, Cape Cod National Seashore, South Wellfleet, Massachusetts.

Dated: December 15, 1975.

JERRY D. WAGERS,
Regional Director,
North Atlantic Region.

[FR Doc.76–508 Filed 1–7–76;8:45 am]

Office of the Secretary

NATIONAL PETROLEUM COUNCIL

Notice of Subcommittee and Task Groups Meetings

Notice is hereby given for the following meeting:

There will be a joint meeting of the Technical Subcommittee, the Technology Task Group, and the Economic Conditions Task Group of the National Petroleum Council's Committee on Enhanced Recovery Techniques for Oil and Gas in the United States on Monday, January 26, 1976 and Tuesday, January 27, 1976 at 10:00 a.m. in the Cafe D'Or Room, Sheraton Dallas Hotel, Live Oak and Olive Streets, Dallas, Texas.

The agenda includes the following items for discussion:

1. An outline for a study in response to the Assistant Secretary of the Interior's request for an analysis of enhanced recovery techniques for oil and gas in the United States.
2. An organizational structure for the Technical Subcommittee, Technology Task Group, and Economic Conditions Task Group.
3. A timetable for completion of the study.
4. Any other matters pertinent to the overall assignment of the Subcommittee and Task Groups.

The purpose of the National Petroleum Council is to provide to the Secretary of the Interior, upon request, advice, information, and recommendations upon any matter relating to petroleum or the petroleum industry.

The meeting will be open to the public to the extent that space and facilities permit. Any member of the public may file a written statement with the Council either before or after the meeting. Interested persons who wish to speak at the meeting must apply to the Council and obtain approval in accordance with its established procedures.

Further information about the meetings may be obtained from Ben Tafoya, Office of the Assistant Secretary-Energy and Minerals, Department of the Interior, Washington, D.C. (telephone number 343–6226).

Dated: January 5, 1976.

WILLIAM L. FISHER,
Deputy Assistant Secretary
of the Interior.

[FR Doc.76–509 Filed 1–7–76;8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

OREGON DUNES NATIONAL RECREATION AREA ADVISORY COUNCIL

Notice of Meeting

The Oregon Dunes National Recreation Area Advisory Council will meet on Thursday and Friday, January 22 and 23, 1976, for a two-day session. The session will start on Thursday, January 22, at 9:00 a.m. with a tour by Council members of proposed boundary adjustments in the National Recreation Area. On Friday, January 23, the Council will meet from 10:00 a.m. to noon, and from 1:30 p.m. to 5:00 p.m. in the NRA Headquarters Conference Room at 855 Highway Avenue, Reedsport, Oregon.

The purposes of the meeting on Friday morning will be to discuss the Management Plan developments and implementation and on Friday afternoon, to review the proposed boundary adjustments.

The meetings will be open to the public. Persons who wish to attend should notify Marne Irwin, 855 Highway Avenue, Reedsport, Oregon 97467. The telephone number is 502–271–3611. Written statements may be filed with the Council before or after the meetings.

The Council has established the following rules for public participation. Any member of the public who wishes to speak must be recognized by the Council Chairman. The Chairman will decide the time when public participation will take place.

ROLF D. ANDERSON,
Area Ranger.

JANUARY 2, 1976.

[FR Doc.76–527 Filed 1–7–76;8:45 am]

Soil Conservation Service

ELK TWOMILE CREEK WATERSHED PROJECT, WEST VIRGINIA

Availability of Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part Service Guidelines (39 FR 19651) June 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for work remaining to be done in the Elk Twomile Creek Watershed Project, Kanawha County, West Virginia.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. James S. Bennett, State Conservationist, Soil Conservation Service, USDA, Federal Building, High Street, Morgantown, West Virginia 26505, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection and flood prevention. The remaining planned works of improvement as described in the Negative Declaration include conservation land treatment supplemented by four single-purpose floodwater retarding structures.

The environmental assessment file is available for inspection during regular working hours at the following location:

Soil Conservation Service, USDA, Federal Building, High Street, Morgantown, West Virginia 26505.

Requests for the Negative Declaration should be sent to the above address.

No administrative action on implementation of the proposal will be taken until January 22, 1976.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

Dated: December 30, 1975.

JAMES W. MITCHELL,
Acting Deputy Administrator
for Water Resources, Soil
Conservation Service.

[FR Doc.76–449 Filed 1–7–76;8:45 am]

FERRON WATERSHED PROJECT, UTAH

Availability of Negative Declaration

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651), June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental statement is not being prepared for the Ferron Watershed project, Emery and Sanpete Counties, Utah.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. A. W. Hamelstrom, State Conservationist, Soil Conservation Service, USDA, 125 South State Street, Room 4012, Salt Lake City, Utah 84138, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection, flood prevention, recreation, and irrigation water management. The planned works of improvement as described in the negative declaration include conservation land treatment supplemented by reconstruction of an existing irrigation dam and reservoir for use as a fishery.

The environmental assessment file is available for inspection during regular working hours at the following location:

Soil Conservation Service, USDA, 4012 Federal Building, 125 South State Street, Salt Lake City, Utah 84138.

Requests for a single copy of the negative declaration should be sent to the above address.

No administrative action on implementation of the proposal will be taken until January 22, 1976.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

Dated: December 30, 1975.

JAMES W. MITCHELL,
Acting Deputy Administrator
for Water Resources, Soil
Conservation Service.

[FR Doc,76–451 Filed 1–7–76;8:45 am]

LITTLE ELM AND LATERALS (TRINITY RIVER) WATERSHED PROJECT, TEXAS

Availability of Negative Declaration

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Little Elm and Laterals (Trinity River) Watershed Project, Denton, Collin, and Grayson Counties, Texas.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. George C. Marks, State Conservationist, Soil Conservation Service, USDA, First National Bank Building, Temple, Texas 76501, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection and flood prevention. The remaining planned works of improvement as described in the negative declaration include conservation land treatment supplemented by four single purpose floodwater retarding structures.

The environmental assessment file is available for inspection during regular working hours at the following location:

Soil Conservation Service, USDA, First National Bank Building, Temple, Texas 76501.

Requests for the negative declaration should be sent to the above address.

No administrative action on implementation of the proposal will be taken until January 22, 1976.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

Dated: December 30, 1975.

JAMES W. MITCHELL,
Acting Deputy Administrator
for Water Resources, Soil
Conservation Service.

[FR Doc,76–452 Filed 1–7–76;8:45 am]

NEWTOWN-HOFFMAN CREEKS WATERSHED PROJECT, NEW YORK

Availability of Negative Declaration

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for a portion of the Newtown-Hoffman Creeks Watershed Project, Schuyler and Chemung Counties, New York.

The environmental assessment of this federal action indicates that this portion of the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with this portion of the project. As a result of these findings, Mr. Robert L. Hilliard, State Conservationist, Soil Conservation Service, USDA, Room 400, Midtown Plaza, 700 East Water Street, Syracuse, New York 13210, has determined that the preparation and review of an environmental impact statement is not needed for this portion of the project.

The project concerns a plan for watershed protection and flood prevention. The planned works of improvement as described in the negative declaration include conservation land treatment supplemented by one single purpose floodwater retarding structure.

The environmental assessment file is available for inspection during regular working hours at the following location:

Soil Conservation Service, USDA, Room 400, Midtown Plaza, 700 East Water Street, Syracuse, New York 13210.

Individual copies of the negative declaration are available upon request.

Requests for the negative declaration should be sent to the above address.

No administrative action on implementation of the proposal will be taken until January 22, 1976.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

Dated: December 30, 1975.

JAMES W. MITCHELL,
Acting Deputy Administrator
for Water Resources, Soil
Conservation Service.

[FR Doc.76–452 Filed 1–7–76;8:45 am]

DEPARTMENT OF COMMERCE

Maritime Administration

SHAWMUT BANK OF BOSTON, N.A.

Notice of Change of Name of Approved Trustee

Notice is hereby given that effective as of the close of business on March 31, 1975, The National Shawmut Bank of Boston changed its name to Shawmut Bank of Boston, N.A.

Dated: December 18, 1975.

BURT KYLE,
Director,
Office of Domestic Shipping.

[FR Doc.76–556 Filed 1–7–76;8:45 am]

SS UNITED STATES

Amended Notice of Invitation for Bids for Sale and Operation of the Vessel

Notice is hereby given that Invitation for Bids No. PD–X–999, dated August 7, 1975, inviting sealed bids from citizens of the United States for purchase of the SS *United States*, Official No. 263934, Notice of which was published in the FEDERAL REGISTER of August 11, 1975 (40 F.R. 33696) as amended by Amendment No. 2, dated October 7, 1975, so as to extend the time for receipt of bids from November 5, 1975 to December 9, 1975, and as amended by Amendment No. 3, dated November 20, 1975, so as to extend the time for receipt of bids from December 9, 1975 to January 13, 1976, has been further amended by Amendment No. 4, dated January 2, 1976, so as to extend further the time for receipt of bids from January 13, 1976 to January 27, 1976, to provide for public opening of such bids at

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2:15 P.M. EST on said date at the office of the Maritime Administration, Room 3708, Commerce Building, 14th Street between E and Constitution Avenue, N.W., Washington, D.C. 20230.

Copies of Amendment No. 4 (dated January 2, 1976) to the Invitation for Bids No. PD–X–999, dated August 7, 1975, may be obtained from the Contracting Officer, Burton T. Kyle, Director, Office of Domestic Shipping, Maritime Administration, Washington, D.C. 20230.

By order of the Assistant Secretary of Commerce for Maritime Affairs.

Dated: January 5, 1976.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.76–554 Filed 1–7–76;8:45 am]

National Oceanic and Atmospheric Administration

MARINE PETROLEUM AND MINERALS ADVISORY COMMITTEE, DEEP OCEAN MINING ENVIRONMENTAL STUDY ADVISORY PANEL

Notice of Open Meeting

The Marine Petroleum and Minerals Advisory Committee's Deep Ocean Mining Environmental Study Advisory Panel (the "Advisory Panel") will meet from 9:30 a.m. until 4:30 p.m. on February 12, 1976 and from 9:00 a.m. until approximately 4:30 p.m. on February 13, 1976 in Room 5230 of the Department of Commerce Building, 14th Street between E Street and Constitution Avenue NW., Washington, D.C. The meeting will be open for public observation.

The Advisory Panel was established as a subcommittee of the Marine Petroleum and Minerals Advisory Committee (the "Committee") for the purpose of advising Department of Commerce officials on the planning for and conduct of the National Oceanic and Atmospheric Administration's Deep Ocean Mining Environmental Study (DOMES) Program and to develop, when necessary, recommendations to the Secretary regarding the DOMES Program. The Panel members represent environmental, industrial, and academic sectors concerned with determining the possible environmental effects of deep ocean mining.

The purposes of the meeting are to complete business and the development of recommendations regarding the DOMES Program and to consider and develop planning guidance for the second phase of the DOMES Program. The Advisory Panel began these efforts at an open meeting held on December 16, 1975, in Seattle, Washington. It is anticipated that the Advisory Panel will work on the recommendations, which will be considered by the Committee at its February 24 and 25, 1976, meeting, during the morning of February 5 and spend the remainder of the meeting on the second phase of the DOMES Program.

The notice of the December 16 meeting (FEDERAL REGISTER, Vol. 40, No. 220, Page 52877, November 13, 1975) alerted the public that because of the nature of the work being performed by the Advisory Panel, it might be necessary to call another meeting of the Panel before the February 24 and 25, 1976, meeting of the Committee without there being adequate time to provide advance notice as prescribed by the U.S. District Court for the District of Columbia in Civil Action No. 1838–73. In accordance with the procedure given in the November 13 notice, the public in attendance at the December 16 meeting was informed that the Panel would meet again on one of three sets of alternate dates in Washington, D.C., that the agenda would include the matters described above, and that this notice would be published as soon as possible after meeting arrangements could be confirmed.

Approximately 15 seats will be available for the public on a first-come, first-served basis. Written statements from interested persons will be accepted before or after the meeting either directly or by mail. Inquiries or statements should be addressed to: Charles Gunnerson (or alternatively Edward Altouney), DOMES Advisory Panel Secretariat, NOAA Environmental Research Laboratories (Rx5), Boulder, Colorado 80302, Telephone: (303) 499–1000, Extension 6551.

Dated: January 2, 1976.

R. L. CARRAHAN,

T. P. GLEITER,
Assistant Administrator for Administration, National Oceanic and Atmospheric Administration.

[FR Doc.76–495 Filed 1–7–76;8:45 am]

Office of the Secretary

FEDERAL INFORMATION PROCESSING STANDARDS TASK GROUP 15—COMPUTER SYSTEMS SECURITY

Notice of Renewal

In accordance with the provisions of the Federal Advisory Committee Act (P.L. 92–463) and OMB/Justice Department guidelines on the Act, and after consultation with the Office of Management and Budget, it has been determined that the renewal of the Federal Information Processing Standards Task Group 15—Computer Systems Security is in the public interest in connection with the performance of duties imposed on the Department of Commerce by law.

The Committee was established on January 4, 1974. Its current charter expires on January 4, 1976. Its original purpose was to advise the Secretary of Commerce through the Federal Information Processing Standards Coordinating and Advisory Committee (FIPSCAC) on matters relating to protecting and controlling access to the data and services of computer systems. The Group functioned solely as an advisory body, and in compliance with the requirements of P.L. 92–463. It functioned under the Department's National Bureau of Standards and reported to FIPSCAC.

As initially established (38 F.R. 32961, 11–29–73), Task Group 15 will consist of up to 40 members selected on the basis of their specialized knowledge of the technical aspects of computer systems security. Members will be selected by the Assistant Secretary of Commerce for Science and Technology from Federal agencies and other public and private organizations.

Task Group 15's revised charter will be filed under P.L. 92–463, fifteen days from the date of this notice.

Inquiries or comments may be made to Mr. Harry S. White, Office of ADP Standards Management, Room B–226, Building 225, National Bureau of Standards, Washington, D.C. 20234.

Dated: January 5, 1976.

GUY W. CHAMBERLIN, Jr.,
Acting Assistant Secretary for Administration.

[FR Doc.76–502 Filed 1–7–76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

EDUCATION PROFESSIONS DEVELOPMENT

Notice of Correction

In the notice of closing date for receipt of applications under the Education Professions Development Act, published at 40 F.R., 60106, (December 31, 1975), the following corrections are made.

Paragraph A(4)

(4) "Applications for new awards under the Vocational Education Leadership Development Program, from institutions of higher education for approval of their graduate programs of vocational education leadership development, must be submitted through the State board for vocational education in the States in which the institutions are located, to the Commissioner of Education for approval. These applications, and the recommendations from State boards regarding their approval must be received in the U.S. Office of Education Application Control Center in Washington, D.C., on or before *February 5, 1976.*"

Paragraph C (1) (a)

"If the document was sent by registered or certified mail (a) not later than *February 2, 1976,* for institutional applications under the Bilingual Education Training, Teachers for Indian children, and Urban/Rural School Development Programs, and for applications and recommendations under the Vocational Education Leadership Development Program, due on or before February 5, 1976;"

(20 U.S.C. 1091, 1119–1119a, 1119c–1119c–3)

Dated: January 5, 1976.

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.76–629 Filed 1–7–76;8:45 am]

NATIONAL ADVISORY COMMITTEE ON THE HANDICAPPED

Notice of Public Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), that the next meeting of the National Advisory Committee on the Handicapped will be held on January 19–21, 1976, 8:30 a.m., at the Crystal City Marriott Hotel, 1999 Jefferson Davis Highway, Arlington, Va.

The National Advisory Committee on the Handicapped is established under (20 U.S.C. 1233g) section 448(b) of the General Education Provisions Act. The Committee is established to review the administration and operation of programs for the handicapped in the Office of Education, and make recommendations for their improvement.

The meeting of the Committee shall be open to the public. The proposed agenda includes a review of BEH Programs for the Severely Handicapped; reports from subcommittees; and discussions regarding the Committee's 1976 Annual Report. Records shall be kept of all Committee proceedings and shall be available for public inspection at the Office of the Deputy Commissioner, Bureau of Education for the Handicapped, located in Room 2100, Regional Office Building 3, 7th and D Streets, S.W., Washington, D.C. 20202.

Signed at Washington, D.C. on December 30, 1975.

LEROY V. GOODMAN,
Executive Secretary, Bureau of Education for the Handicapped.

[FR Doc.76–458 Filed 1–7–76;8:45 am]

PRESIDENT'S BIOMEDICAL RESEARCH PANEL

Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the President's Biomedical Research Panel on February 8, and 9, 1976, in the Belmont Conference Center in Elkridge, Maryland.

Substantive program information will be provided by Dr. Charles Lowe, Executive Director of the Panel (202–634–1907) Suite 3100, 2401 E Street, NW., Washington, D.C. 20506.

Conference participants and the public must be registered by session, in advance, to obtain entry to the Conference Room. Consequently, the public is requested to notify Ms. Rosemarie Lazo at the above address as to which session or sessions they wish to attend. Attendance will be limited to space available. The meeting will be open to the public from 9 a.m. to 12 noon and from 5:00 p.m. to 7:00 p.m. on Sunday, February 8, and from 9 a.m. to 3 p.m. on Monday, February 9. Meals for the public cannot be obtained at the Conference Center but can be obtained in nearby Elkridge.

All requests for information should be directed to Ms. Rosemarie Lazo.

Dated: December 31, 1975.

CHARLES U. LOWE,
Executive Director.

[FR Doc.76–460 Filed 1–7–76;8:45 am]

Rehabilitation Services Administration

REHABILITATION SERVICES NATIONAL ADVISORY COMMITTEE

Meeting

The Rehabilitation Services National Advisory Committee was established by the Secretary of Health, Education, and Welfare (Charter, September 3, 1974) for the purpose of advising the Secretary and the Commissioner, Rehabilitation Services Administration with respect to objectives, priorities, implementation activities, short-term and long-term training and research, and other matters in the Act of 1973, as amended.

Notice is hereby given pursuant to Pub. L. 92–463 that a meeting preceeded by orientation briefings by Rehabilitation Services Administration staff will be held at the HEW–Switzer Building, 330 C Street SW., Washington, D.C. On January 21, beginning at 1:00 p.m., in Room 3065, committee members will consult with committee staff and receive appropriate orientation briefings. On January 22 from 9:00 a.m. to 5:00 p.m., a regular meeting of the Committee will be held in Room 3065. Since this is the initial meeting of the Committee, the agenda will consist of a review of the policies and programs of Rehabilitation Services Administration and the development of issues of concerns upon which the Committee desires to focus in subsequent meetings. Committee members will be officially sworn-in on January 22.

Further informtaion on the Committee may be obtained from: Harry Hall, Confidential Assistant to the Commissioner, Rehabilitation Services Administration, 330 C Street SW., Washington, D.C. 20201, Telephone (202) 245–8492.

HARRY L. HALL,
Staff to the Committee, Rehabilitation Services Administration.

[FR Doc.76–748 Filed 1–7–76;10:51 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[FDAA–492–DR; NFD–317]

WASHINGTON

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Washington, dated December 13, 1975, is hereby amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of December 13, 1975:

The counties of:

Benton	Mason
Cowlitz	Thurston
Klittitas	

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

Dated: December 19, 1975.

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.76–542 Filed 1–7–76;8:45 am]

Office of Interstate Land Sales Registration

[Docket No. N–76–471]

LAKE CREEK SUBDIVISION

Notice of Proceedings and Opportunity for Hearing

In the matter of Lake Creek Subdivision, Land Sales Enforcement Division File No. 75–302 IS.

Notice is hereby given that: On or about November 15, 1974, The Department of Housing and Urban Development, Office of Interstate Land Sales Registration, attempted to serve upon Salmon Syndicate Trust at the last known address listed in the filing, P.O. Box 907, Phoenix, Arizona 85001, a notice entitled "Submission of Property Reports and Contracts," which notice required certain revisions in those instruments. Though service of notice by certified mail was attempted, it was not possible since the addressee could not be located. On or about October 20, 1975, another attempt to notify the developer was made at the following address, 1001 North Central Avenue, Phoenix, Arizona 85001 which is the address of the authorized agent and service of notice by certified mail was not possible since the addressee could not be located. Accordingly, pursuant to 15 USC 1706(d) and 24 CFR 1710.45(b)(1) a Notice of Proceeding and Opportunity for Hearing is being issued as follows:

I. The Secretary, in administering the Interstate Land Sales Full Disclosure Act of 1968, 15 U.S.C. 1701, et seq. and Regulations, finds the public files disclose that:

A. Respondent is a trust organized under the laws of the State of Idaho and has its principal office in Phoenix, Arizona.

B. Ronald E. Glenn, is the Executive Vice President of Imperial Trust which is the authorized agent of the developer.

C. The last known mailing address of the Respondent is Salmon Syndicate Trust, P.O. Box 907, Phoenix, Arizona 85001.

D. The last known mailing address of the authorized agent of the developer is Imperial Trust, 1001 North Central Avenue, Phoenix, Arizona 85001.

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E. The Respondent, Salmon Syndicate Trust filed a Statement of Record and Property Report for Lake Creek Subdivision, located in the County of Lemhi, State of Idaho, which became effective on March 23, 1972 and is still effective.

II. The Office of Interstate Land Sales Registration (OILSR) from its records or from other sources has obtained information which tends to show, and it so alleges, that the Statement of Record and Property Report of the subdivision captioned above include untrue statements of material fact or omit to state material facts required to be stated therein or necessary to make statements therein not misleading, to wit:

A. Respondent has failed to amend his Statement of Record and Property Report, to reflect that a material change has occurred, e.g., that he has had a change of address, as required by 24 CFR 1710.23, 1710.105 and 1710.110, Part A.1.

B. Respondent has failed to revise his contract or agreement to advise purchasers of certain rights, e.g., the lengthened period for rescission, and to amend his Statement of Record to reflect this change, both as required by 24 CFR 1710.105, Part VI.C.1. or in the States of California, Florida, Hawaii, and New York, Section 1710.120, Part 1, Sec. II. B.

C. Respondent has failed to revise the first page of the Property Report or the State Property Report disclaimer as required by 24 CFR 1710.110, Part A and Part B 2, 4, 5 and 6, or, in the States of California, Florida, Hawaii and New York, Section 1710.115.

The Regulatory Sections listed in B. and C. above (except Part B 2, 5 and 6 in Section C), were amended pursuant to amendments made in the Interstate Land Sales Full Disclosure Act (15 U.S.C. 1701 et seq.) by subsection 812(c)(1) of the Housing and Community Development Act of 1974 (P.L. 93-383) which subsection became effective October 21, 1974.

III. In view of the allegations contained in Part I above, the Secretary will provide an opportunity for a public hearing to determine:

A. Whether the allegations set forth in Part II are true and in connection therewith to afford Respondent an opportunity to establish any defenses to such allegation; and

B. What, if any, remedial action is appropriate in the public interest and for the protection of purchasers pursuant to the Interstate Land Sales Full Disclosure Act.

IV. If the Respondent desires a hearing, he shall file a request for hearing accompanied by an answer within fifteen days after service of this Notice of Proceedings. Respondent is hereby notified that if he fails to file an answer, motion or other appropriate response within 15 days after service of this Notice of Proceedings, Respondent shall be deemed in default, and the proceedings shall be determined against him, the allegations of which shall be determined to be true, and an order suspending the Statement of Record and Property Report hereinabove identified shall be issued pursuant to 24 CFR 1710.45(b)(1) and 24 CFR 1720.160(c). Such order shall remain in effect until the Statement of Record and Property Report have been amended in accordance therewith, and thereupon the Order shall cease to be effective.

V. Any request for hearing, answer, motion, amendment to pleadings, offer of settlement or correspondence forwarded during the pendency of this proceedings shall be filed with the General Counsel's Clerk for Administrative Proceedings, Room 10150, HUD Building, 451 Seventh Street, S.W., Washington, D.C. 20410. All such papers shall clearly identify the type of matter and the docket number as set forth in this Notice of Proceedings.

VI. It is hereby ordered that upon request of the Respondent, a public hearing for the purpose of taking evidence on the questions set forth in Part III hereof be held before Administrative Law Judge James W. Mast or such other Judge as may be designated, in Room 7146, HUD Building, 451 Seventh Street, S.W., Washington, D.C. 20410, at 10 a.m. on the 30th day after receipt of the answer or at such other time as the Secretary or his designee may fix by further order.

This Notice of Proceedings shall be served upon the Respondent pursuant to 44 U.S.C. 1508.

Issued at Washington, D.C., January 2, 1976.

JOHN R. MCDOWELL,
Interstate Land Sales Administrator (Acting).

[FR Doc.76-543 Filed 1-7-76;8:45 am]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. EX74-2; Notice 4]

CARROZZERIA ZAGATO

Petition for Temporary Exemption From Motor Vehicle Safety Standards

This notice grants Carrozzeria Zagato of Milan, Italy, a 1-year renewal of the temporary exemption granted its Elcar passenger car from certain safety standards on grounds that exemption would facilitate the development and field evaluation of a low-emission motor vehicle. The company had previously applied for (39 FR 25969) and received (39 FR 32774) a 1-year exemption from Motor Vehicle Safety Standards Nos. 103, 114, 206, and 208. Notice of the extension was published on October 24, 1975 (40 FR 49815), and an opportunity afforded for comment.

Elcar is a corporation engaged in the importation and marketing of an electrically-powered two-passenger vehicle manufactured by Zagato. The vehicle, currently sold abroad as the "Zele," is marketed under the name "Elcar" in the United States. Elcar requested an extension for 1 year only and does not intend to import more than 2,500 vehicles during this time.

The extension that it requested would allow it to continue to manufacture vehicles without defrosting/defogging systems (Standard No. 103), key-lock warning systems (Standard No. 114), and conforming door latches and hinges (Standard No. 206). The year provided by the extension would allow further time for design and tooling of non-standard components necessary for lightweight electric vehicles. The Elcar cannot comply currently with Standard No. 103 as presently available electric defrosting systems are allegedly unsuitable, and SAE test procedures incorporated in Standard No. 103 require idling, a physical impossibility for electric vehicles. Concerning Standard No. 114, the design of its "key insertion area is not compatible to facilitate additional electric circuits capable of accommodating an alarm system at this time." Its problems with Standard No. 206 stem from the fact that the hinge load requirements specified are in its opinion more appropriate for heavier weight vehicles.

The company's arguments that a 1-year exemption will not unreasonably degrade the safety of the vehicle may be summarized as follows: Standard No. 103: The sliding windows in the doors will alleviate fogging conditions and Elcar anticipates major market areas for the cars in the Southern, Western, and Southwestern states "that do not require defrosting and heater systems." Standard No. 114: The steering wheel lock requirement of the Standard is met, and "it is practically impossible to short circuit the entirely-closed encasements containing the circulatory system for starting." Standard No. 206: The vehicle has such a low top speed (25 mph for one model, 35 mph for another) that it is less likely that impacts will occur such as could throw occupants from the vehicle. Further, the hinges have steel reinforcements embedded in the fiberglass body structure.

One comment was received in response to the petition, from Consumers Union (CU), which opposed it. CU repeated the views expressed in *Consumer Reports* for October 1975, that the Elcar has

> • • • [D]eficiencies with respect to chassis and suspension integrity, handling, brakes, windshield wipers, bumpers, seatbelts, fuel system integrity and controls; as well as defrosting, keylock warning and door hardware systems for which extension of FMVSS exemption is petitioned.

CU questioned the Elcar's compliance with Standards Nos. 214 and 216 as well: "Side door strength and roof crash resistance appear to be marginal at best". It suggested problems with Standard No. 204 as "there appear to be no energy absorbing mechanism in the steering column". The Elcar's compliance with the strength requirements of Standards Nos. 207 and 210 also came under CU's scrutiny "although we have not tested the seatbelt and seat anchorages". Finally it asked whether there is any evidence that progress towards compliance has been made since the exemption went into effect.

In granting renewals of exemptions, the Administrator must make the same findings that sustained the original exemption. This means that it must be found that the temporary exemption for Elcar would facilitate the development or field evaluation of a low emission motor vehicle and would not unreasonably degrade the safety of the vehicle, and that it is consistent with the public interest and the objectives of the National Traffic and Motor Vehicle Safety Act.

The allegations by CU of nonconformity are serious. However, at this point they are not supported by that organization's testing to verify conformance with the Federal standards. The Elcar is certified by its manufacturer as meeting all standards (except the ones from which it is exempted) that apply to it. Although CU experienced mechanical problems with its vehicles, this agency has received no complaints or reports of safety-related defects from any owner of the approximately 145 vehicles that had been sold in the United States and its territories as of September 15, 1975.

With respect to its efforts to conform while the current exemption has been in effect, "Zagato has incorporated instrument board windshield ducts and electric switches" in all Elcars shipped to the United States since December 1974, "making them readily adaptable to a defrosting and defogging system." Contracts have been made with two corporations in the United States that are developing system suitable for electric vehicles. As for its efforts to meet Standard No. 114, "a manual key removal steering locking system has been installed." The company continues to believe that the load requirements of Standard No. 206 are inappropriate for a vehicle of its size and construction.

The NHTSA therefore finds that a renewal of the exemption is in the public interest, and will contribute to the development and field evaluation of a low-emission motor vehicle by allowing continued sale of electric vehicles to be operated under a variety of terrain, weather, temperature, and other operating conditions. Because of the low top speed of the vehicles the exemptions should not substantially degrade the overall safety of the vehicle.

In consideration of the foregoing, NHTSA Exemption No. 74-2 is hereby renewed for a period ending December 1, 1976.

(Sec. 3, Pub. L. 92-548, 86 Stat. 1159 (15 U.S.C. 1410), delegation of authority at 49 CFR 1.50)

Issued on January 2, 1976.

JAMES B. GREGORY,
Administrator.

[FR Doc.76-524 Filed 1-7-76;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 27573; Agreements C.A.B. 25171, C.A.B. 25186, C.A.B. 25202, R-1 through R-13; C.A.B. 25256, R-1 through R-9; Order 75-12-147]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

North Atlantic Cargo Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 30th day of December, 1975.

In the matter of agreements adopted by the Joint Traffic Conferences of the International Air Transport Association relating to North Atlantic cargo rates.

In FR Doc. 76-152, published at 41 FR 807, January 5, 1976, the last line of footnote 8 should read as follows:

"deferred by Order 75-12-146, December 30, 1975."

By the Civil Aeronautics Board.

Dated: December 31, 1975.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76-533 Filed 1-7-76;8:45 am]

PAN AMERICAN WORLD AIRWAYS, INC., ET AL.

[Docket 28332; Order 76-1-10]

North Atlantic Cargo Rates; Order of Reconsideration

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 5th day of January, 1976.

By Order 75-10-113, October 28, 1975, the Board rejected tariff revisions filed September 25, 1975 for effectiveness October 29, 1975, by Trans World Airlines, Inc. (TWA), Pan American World Airways, Inc. (Pan American) and various foreign carriers, to revise their rules governing intermediate application of transatlantic specific commodity rates so as to restrict such intermediate application only to cities which are intermediate to New York or Montreal. Currently, intermediate application of commodity rates applies to all points which are intermediate to Boston, New York, Philadelphia, Baltimore, Washington, Cleveland, Detroit or Chicago.[1]

The tariffs of the IATA carriers had provided for the intermediate application of specific commodity rates at cities intermediate to the above U.S. points other than New York (the Seven Cities) following implementation of the Board's decision in Docket 20522, *Agreements Adopted by IATA Relating to North Atlantic Cargo Rates*. In this proceeding, the Board found that the IATA rate structure on the North Atlantic unduly preferred New York and unduly prejudiced the Seven Cities and concluded that such preference and prejudice should be corrected by placing the Seven Cities upon an equal per-mile basis with New York.

Prior to the Board's decision in Docket 20522, the IATA North Atlantic cargo rate resolutions specified rates only to/from New York and Montreal; subsequent to the Docket 20522 decision the IATA carriers also specified rates between Europe and the Seven Cities.[2]

TWA, in the justification accompanying its tariff filing, stated that although it believes that intermediate application based on specified rates at the Seven Cities should be allowed, it was obligated to cancel such application to conform to a recent decision by the IATA Breaches Commissioner that only points intermediate to New York or Montreal may use the intermediate-point rule.

Pan American, which requested the interpretation of the IATA Commissioner, opposes intermediate application over the Seven Cities, and has filed a petition requesting reconsideration of Order 75-10-113, and permission to refile the tariffs rejected therein. Scandinavian Airlines System (SAS) has submitted an answer in support of Pan American's petition, and Trans World Airlines, Inc. (TWA), Milwaukee County and the Metropolitan Milwaukee Association of Commerce (Milwaukee), the City of Memphis and the Memphis Area Chamber of Commerce (Memphis), and the Indianapolis Airport Authority (Indianapolis) have each filed an answer in opposition.

Pan American submits that the Board's interpretation of Resolution 590 is inconsistent with the literal language of the resolution and the interpretation given it by the carriers; that although the Board allegedly indicates it is willing to accept the carriers' interpretation, the Board essentially relies on TWA's interpretation which was rejected by an overwhelming majority of carriers at the Nice Cargo Conference who were forced to match TWA's filing permitting intermediate application out of competitive necessity; that the Board totally ignores the injurious impact on Pan American and other transatlantic carriers who lack the U.S. domestic route authority enjoyed by TWA;[3] and that what the Board has done, in effect, is to impose a condition on Resolution 590, and that it would be much less destructive were the Board to require that rates to intermediate cities be established on a mileage basis.

SAS generally supports Pan American's arguments, and emphasizes that TWA's

[1] The intermediate application provisions adopted by the carrier members of the International Air Transport Association (IATA), and approved by the Board, permit a specific commodity rate to apply to a point intermediate to a specified point if the under —45 kg. general cargo rate for the "intermediate" point is equal to or lower than the comparable rate for the specified point. For instance, specific commodity rates between New York and London may also be applied for carriage between Hartford and London because the under —45 kg. general cargo rate between Hartford and London is equal to the under —45 kg. rate between New York and London. It is not necessary that the intermediate point be situated geographically between the specified origin and destination points, e.g., St. Louis and Kansas City are intermediate to Chicago under the IATA definition.

[2] See Order 73-2-24, February 6, 1973; Order 73-7-9, July 5, 1973; and Order 74-8-54, August 13, 1974. The Board permitted deviations from the per-mile formula to allow common-rating of Baltimore and Washington, and to maintain common-rating or other historical relationships among European points.

[3] Here Pan American alleges it will suffer an annual revenue loss of $1.5 million under the rate reductions resulting from the Board's action.

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interpretation was rejected by an overwhelming majority of carriers at the Nice Conference; that the Board has deviated from its own established principles by, in effect, requiring common-rating of gateway and nongateway points; and that the Board has erred further in rejecting the tariffs without finding them unlawful, unreasonable, unjustified or not in the public interest. Finally, SAS believes that, rather than establishing rates to/from intermediate points on a mileage basis, they should be the lesser of the sum of the sector rates applicable (1) between such cities and either (a) an interior gateway city or (b) New York, on the one hand; and (2) between either (a) said interior gateway city and Europe or (b) New York and Europe, on the other hand.

TWA assets that Pan American's petition, which allegedly centers on the Board's failure to fully consider the Breaches Commissioner's interpretation, advances no new arguments or points not previously considered and rejected by the Board; that the Breaches Commissioner's report noted that the interpretation of Resolution 590 was not free from doubt; that none of the carriers who matched TWA's intermediate point filing submitted complaints against TWA's tariff; that the Board's fundamental decision that intermediate application based on rates at the Seven Cities should continue until proper steps are taken within IATA to rationalize any anomalies, is sound; and that Pan American's contentions regarding prorates are irrelevant, as the prorate requirements of the domestic carriers are not at issue and will not change.

Milwaukee submits that the IATA Commissioner himself acknowledged the ambiguity of Resolution 590; that the filing of tariffs based on intermediacy to the Seven Cities constituted an effective interpretation by the carriers to resolve that ambiguity, and it is immaterial whether some carriers filed to match TWA only for competitive reasons; that there were no complaints filed against TWA's intermediate point rule; and that Pan American's allegation of a $1.5 million revenue loss, which in any event is irrelevant, is pure speculation as it is unsupported by any data and relates to future rather than past operations.

Memphis contends that it would be prejudiced by the rejected tariffs Pan American seeks to file; that an internal IATA interpretation of the ambiguous Resolution 590 language is insufficient justification for Pan American's proposed action which would, allegedly, violate the principles enunciated in Docket 20522; and that the IATA Commissioner's construing of the Board's decisions in Docket 20522 as supporting the type of differentiation between gateway and nongateway points proposed by Pan American, has no basis in the record.

Indianapolis asserts that, contrary to Pan American's contentions, Order 75–10–113 depends not on the Board's interpretation of Resolution 590, but rather on the carriers' own interpretation through currently effective tariffs on file with the Board; that the Board found the present intermediate application rules lawful in Order 74–8–54, and the carriers cannot now, in concert, abrogate those rules without the benefit of an IATA agreement approved by the Board; and that Pan American's proposed action, which would increase transatlantic rates to/from Indianapolis substantially, could well force a reduction of Indianapolis' all-cargo service.

Upon full consideration of Pan American's petition, the answers thereto, and all other relevant matters, the Board has concluded that the petition should be denied. The thrust of Pan American's argument is that the Board's action rejecting the tariffs was predicated on our own interpretation of Resolution 590 rather than the carriers', most of whom oppose intermediate application other than at New York and Montreal, and thus it was incorrect to characterize the tariff revisions as a de facto amendment to the resolution. We do not find these arguments persuasive. If Pan American and other carriers objected to TWA's 1974 tariff filing permitting intermediate application at the Seven Cities on the grounds that it violated Resolution 590, or for any other reason, they were free to file a complaint with the Board. No such complaints were filed. Although the minutes of the Nice Cargo Conference indicate that a proposal to consider U.S. points other than New York as base points for the intermediate rule was defeated, this only means that there was a lack of unanimity among the IATA carriers on this issue. In this situation, the only effective interpretation of the resolution was that found in the carriers' tariffs on file with the Board. If it is true, as Pan American alleges, that these tariffs were filed only for competitive reasons to match TWA, nevertheless the other carriers should have submitted complaints when TWA first filed its intermediate point rule. In the absence of such complaints, it was not unreasonable to regard these tariffs as the practical application of Resolution 590 as interpreted by the carriers.

As noted in Order 75–10–113, the present application of the intermediate rule does create certain anomalies due to IATA's particular definition of intermediacy,[1] and the Board believes that it is well within the carriers' power to amend the intermediate rule in such a manner as to remove these anomalies without creating undue preference and prejudice. Until such time as a new intermediate rule is approved by the Board, however, we have determined that the present tariff provisions should remain in effect.

Accordingly, it is ordered that:

The petition of Pan American World Airways, Inc. for reconsideration of Order 75–10–113 be and hereby is denied.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

[FR Doc.76–534 Filed 1–7–76;8:45 am]

[1] Cf. fn. 1 supra.

[Docket 27868, Agreements CAB 5044, 16874, 25312, 5044–A182, 16874–A45, 12075–A6; Order 76–1–11]

TRAVEL AGENTS' PROCEDURAL RULES AND PRACTICES

ATC Agreements

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 5th day of January, 1976.

Request for comments concerning the measure of procedural fairness accorded travel agents pursuant to certain ATC procedures established in its Agency Resolution, Sales Agency Agreement, and Area Settlement Plan; Application of the members of ATC for prior Board approval of agreements to establish the Office of Travel Agent Commissioner.

By order 75–6–49, dated June 10, 1975, the Board approved under section 412 of the Federal Aviation Act the bylaws of the Air Traffic Conference of America (ATC), subject to certain conditions. During the course of that proceeding, issues were raised concerning the measure of procedural fairness accorded travel agents through ATC's administration of its travel agent program. These issues were not resolved by the Board's opinion since they were outside the scope of the *ATC Bylaws Investigation*.[1] However, the Board determined that these questions warranted its consideration and would be handled in ancillary proceedings. Consistent with that decision, the Board is issuing the instant order inviting comments on the issues delineated below. The Board noted in its opinion in the *Bylaws Investigation* that the record in such proceedings provides a substantial basis for further review of the measure of procedural fairness accorded travel agents by ATC's agent program. Accordingly, no further hearings on these matters are presently contemplated. Relevant material contained in the record of the *Bylaws Investigation*, docket 23542, which is submitted in support of comments filed herein will be considered.

ATC has filed agreements with the Board for prior approval under section 412 of the Act which substantially address many areas of concern noted in the *Bylaws Investigation*. These agreements would establish an Office of Travel Agent Commissioner and transfer to the Commissioner the review functions presently exercised by ATC's compliance panels and Agency Committee. Some pertinent details of those agreements are given below. Since the travel agent due process review directed by the Board in the *Bylaws Investigation* and the Travel Agent Commissioner agreements involve substantially similar issues and parties, the Board believes that the consolidation of these two matters in this docket will be conducive to the proper dispatch of the Board's business and to the ends of justice and will not unduly delay the proceedings.

The Board outlined two areas of concern relating to the agency program in the *Bylaws Investigation*.[2]

One area of concern pertained to the method and manner by which ATC assures agent compliance with the rules and regulations of the *Sales Agency Agreement* (Res. 80.15) and the *Agency Resolution* (Res. 80.10). The travel agent parties complained that ATC procedures before the compliance panels and Agency Committee, which pass judgment on alleged violations of those resolutions, do not provide agents with a fair hearing. A travel agent has no right of personal appearance before those bodies, no opportunity to be represented or accompanied by counsel, no opportunity to cross-examine any witness. It was stated that ATC's compliance panels "meet in secret, maintain no transcript, keep no minutes of their deliberations, and make no findings."[3]

Another area of concern pertained to ATC's administration of remittance procedures pursuant to the *Area Settlement Plan*. The travel agent parties complained that "ATC procedures regarding remittances do not provide travel agents with adequate notice and hearing when penalties are either contemplated or actually imposed."[4] The Area Settlement Plan provides that an agent must submit the receipts from tickets sold to a designated area settlement bank. The procedures used to bring a matter before a compliance panel or the Agency Committee and those used to administer the late remittance provision of the Area Settlement Plan are detailed below.

EXISTING ATC TRAVEL AGENT PROCEDURES

Since the end of World War II, the major domestic certificated scheduled air carriers have determined their rules for the selection, retention, and compensation of travel agents on a joint basis, through ATC.[5] The agreement establishing the ATC travel agent program (primarily ATC Resolutions 80.10 and 80.15, as amended by 80.1 and 80.1B, Agreements CAB 5044 and 16874) has been approved by the Board, and more than 200 amendments to the agreement have been acted on by the Board. The Board earlier conducted a comprehensive investigation of the substantive and procedural resolutions and procedures of the ATC agent program—the *ATC Agency Resolution Investigation*, 29 C.A.B. 258 (1959) and 30 C.A.B. 570 (1960)—which resulted in several Board-ordered amendments to the substantive and procedural aspects of that program including a requirement for *de novo* arbitration.[6]

At the present time, persons desiring to become travel agents authorized to sell air transportation on behalf of the ATC member air carriers are furnished by ATC staff with information, including applications to be submitted to the Executive Secretary of ATC. The Executive Secretary notifies the members of ATC of the receipt of each application, and institutes an investigation as prescribed by the ATC Agency Committee to determine if each applicant meets the requirements for approval. Within 30 days after receipt of each application, if no problems are presented by the application, the Executive Secretary enters into an ATC standard form Sales Agency Agreement with the applicant, places the name of the applicant on the ATC Agency List, and notifies all members of these facts. After receipt of such notice, any ATC member may deliver its airline identification plates to the new agent for use in validating airline tickets. Each airline can withdraw its plates from any agent at any time.

The approval by ATC of an agent gives that agent the right to represent all ATC members. However, if an ATC member or members so notify the agent and the Executive Secretary, that agent cannot represent or sell any air transportation on that carrier or carriers.

If an application or investigation reveals to the Executive Secretary that there are material misrepresentations or inaccuracies in the application or that the applicant does not meet certain substantive criteria, that application is placed on the agenda for the next meeting of the ATC Agency Committee taking place not less than 45 days thereafter for review by the committee.[7] The Agency Committee meets at least twice each year to conduct such reviews. The applicant being reviewed is also given at least 45 days' notice of the meeting and the reason or reasons for review of the application, and is given an opportunity to submit additional written information to show qualifications. A two-thirds favorable vote by the Agency Committee is needed for approval of an application which is referred to it. If the Agency Committee disapproves the application, the Executive Secretary of ATC records the reasons for such action and informs the applicant.

Disapproved applicants may, within 30 days of notice of rejection of their application, notify the Executive Secretary of their desire for review of such rejection by an arbitral tribunal, name one arbiter, and enclose $100 as a deposit towards the applicant's share of the expenses of arbitration. Within 10 days after that, the Executive Secretary names an arbiter and so notifies the applicant. Within 20 days after that, the two arbiters designate a third arbiter, who acts as chairman, or if they cannot do so within 90 days, the third arbiter is designated by the American Arbitration Association. The tribunal sets the matter for hearing within 30 days after selection of the chairman and notifies the applicant and the Executive Secretary of the time and place of the hearing.[8]

The arbitration proceedings are governed by the rules and procedures of the American Arbitration Association. The decision of a majority of the arbiters is final and binding. Expenses of arbitration are shared equally by the applicant and ATC.

The ATC Agency Resolution also provides procedures for the removal of agents from the Agency List. The ATC Agency Committee may, on its own initiative or upon the complaint of any interested person, review the eligibility of any travel agent to remain as such, and may remove an agent by a two-thirds vote of those committee members present and voting. In such reviews, the Agency Committee considers the same factors as would be considered in acting on an original application, as well as the agent's record with ATC and its members. Forty-five days' notice of such reviews is given to each ATC member and the affected agent.[9] Affected agents are

[1] Order 71–6–127, June 24, 1971, instituting the *Bylaws Investigation*, stated: "We do not intend in this proceeding to reexamine our approval of any prior resolution adopted by ATC and approved by the Board, since the status of such resolutions under section 412 has already been examined and determined. To the extent the outcome of the *Investigation* affects any extant resolution, we shall consider such matters subsequent to the conclusion of the *Investigation*."

[2] Order 75–6–49, pp. 38–40.

[3] Order 75–6–49, p. 39 and oral argument transcript of docket 23542 at p. 43.

[4] Order 75–6–49, p. 39.

[5] The original ATC Agency Resolution (Agreement CAB 149) was filed with the Board in 1940, but before the Board acted on it ATC superseded it by filing Agreement CAB 182, which was approved by order 988, Apr. 18, 1941. This agreement was suspended during World War II. In 1944 ATC filed a new agency agreement (Agreement CAB 309), which was superseded before Board action on it, by Agreement CAB 403, approved by order 4057, Sept. 27, 1945. The present ATC agency program resolutions (Agreement CAB 5044) were filed in 1940 and approved by order E–5685, Sept. 7, 1951.

[6] The *de novo* requirement was imposed to ensure that rejected applicants and removed agents would obtain the substance and not merely the illusion of review of committee action. *De novo* arbitration was viewed as a reasonable method of guarding against arbitrary action.

[7] There is one instance in which the Executive Secretary submits an application to the ATC members for mail vote, instead of referring it to the next meeting of the ATC Agency Committee. See ATC Resolution 80.10, sec. IV, D, 2.

[8] The applicant may request a postponement of the arbitration until after the next meeting of the Agency Committee to permit it to reconsider that application.

[9] Only 10 days' notice is given in certain circumstances. See ATC Resolution 80.10 sec. IV, I, 3.

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given the opportunity to submit written rebuttal evidence. If the committee disapproves an agent, the reasons for such action are recorded and the agent is informed of them. Disapproved agents are removed from the ATC Agency List, and their Sales Agency Agreements are terminated.

Removal of agents by the ATC Agency Committee is subject to appeal to arbitral tribunals, using the same procedures as described above for rejected applicants. Removed agents who are appealing such action must post a bond in order to continue their business as usual.[10] If the agent does not post this bond, the airline plates and ticket stock of that agency are withdrawn, and the agent must use envelope-type Air Transportation Exchange Orders, which require full remittance to the airlines before tickets are issued, during the arbitration period. If the agent wins the arbitration, or if the Agency Committee reconsiders and reinstates the agent, the airlines pay retroactive commissions for sales made using envelope-type Exchange Orders. Otherwise, no commissions are paid.

The ATC Agency Committee is permitted to direct suspension of an agent for 90 days instead of removal. A two-thirds vote is required, and the same notice, recordation of reasons, and arbitration procedures are applicable. Suspension entails removal of airline plates and ticket stock.

If an agent fails to maintain the bond required of agents by ATC, the Executive Secretary of ATC immediately terminates the Sales Agency Agreement with that agent. If an agent's bond is canceled, the Executive Secretary can reinstate the agent if a new bond is obtained within 30 days.

If an agent fails to remit in full to the designated area bank,[11] within 10 days after the close of each report period, the Executive Secretary informs the agent to immediately cease the sale of air transportation. Airlines plates and ticket stock are then removed. If, within 30 days, such an agent pays all money due all airlines, and is fully bonded, the plates and ticket stock are returned. Otherwise, 30 days after receipt of the default notice, the Sales Agency Agreement with that agent is terminated, and there is no appeal to arbitration. The same procedures are followed if an agent's check is dishonored by the applicable bank, except that the agent must correct the deficiency by certified check.

The Executive Secretary circulates to ATC members a list of agents who remitted late each reporting period, and of agents whose checks were dishonored (which counts for two appearances on the list). If an agent appears on this list four times in any 12 months, the agent is so informed, told of the reinstatement procedures, placed on the agenda for Agency Committee review, and airline plates and ticket stock are withdrawn. An agent can be reinstated by so requesting of the Executive Secretary, who transmits to the ATC members such request, accompanied by the agent's written explanation for each late remittance, the measures taken to avoid recurrence, and justification for prompt reinstatement. Reinstatement is granted in 15 days unless any ATC member requests that the agent be reviewed by the Agency Committee. Reinstatement by mail leaves the agent charged with three late remittances, while reinstatement by Agency Committee review expunges all prior later remittance charges.

The resolution also provides that the Executive Secretary notify the International Air Transport Association (IATA) where an agent fails to remit or has a remittance check dishonored. If the Executive Secretary receives such notification from IATA, that information is sent to all ATC members, and airline plates and ticket stock are removed from the agent and the agent must use envelope-type Exchange Orders to buy airline tickets. Such agents are reinstated when IATA informs the Executive Secretary that the agent has been restored to good standing or after ATC Agency Committee review.

If an ATC audit or investigation of an agent reveals irregularities, such as failure to report all tickets sold, false reporting of types of sales or missing ticket stock, under circumstances which lead the Executive Secretary or another ATC officer to believe that an agent is knowingly or through gross negligence attempting to circumvent the reporting and remitting requirements, or that there is serious jeopardy to the ATC members' ability to collect for tickets sold, airline plates and ticket stock are withdrawn and the Executive Secretary files a complaint with a Compliance Panel, as described below.

In all cases of termination of Sales Agency Agreements, such action takes place 5 days after mailing of notification.

ATC Resolution 80.30 gives the Director of the ATC Enforcement Office and his staff the authority to represent ATC members for purposes of inspecting the books and records of travel agents.[12] ATC forcement staff seeks to determine if agents are acting in compliance with the ATC Agency Agreement and whether the air carriers are acting in compliance with ATC resolutions concerning the agency program. The Director of the ATC Enforcement Office reports to the ATC Executive Secretary whenever an investigation indicates the failure of an agent to comply with the Sales Agency Agreement. If the report of the ATC Enforcement Director indicates a probable violation by an agent of certain listed categories of violations, such as rebating, misrepresentation, or failure to maintain ethical standards of business, the Executive Secretary brings a formal written complaint against the agent before an ATC Compliance Panel.[13] This complaint is sent to the agent and all ATC members, and the agent can then submit a written answer to the complaint within 30 days. The compliance panels, consisting of three airline officials or attorneys selected on a rotating basis, make written decisions on whether or not violations have been committed, and if so, whether the agent involved should be reprimanded, suspended, or removed from the ATC Agency List.[14] Compliance panel decisions can be appealed to arbitral tribunals using the same procedures as described above.

The Travel Agent Commissioner Proposal

The Travel Agent Commissioner resolution would amend many present procedures. The Commissioner would be appointed for 5 years and could be reappointed. He would be an employee of the Air Transport Association of America (ATA), the parent organization of ATC, but would act independently of ATA and ATC. The President of ATA would appoint the Commissioner from a list of at least four names prepared by ATC from which the four major travel agency organizations could strike all but two names. The Commissioner could be removed by the President of ATA if guilty of serious misfeasance or malfeasance in office.

The Commissioner Resolution and related amendments would change the procedures followed with regard to applicants desiring approval as travel agents and to the review of existing agents. The Executive Secretary would disapprove, rather than refer to the Agency Committee, applicants who, it was decided, failed to meet the substantive requirements. The Executive Secretary would inform the disapproved applicant of the reasons for such action, and the applicant could appeal to the Travel Agent Commissioner within 30 days. Appeals from the Commissioner's decisions would be taken to arbitration. Such arbitration would follow the rules now in effect, except that the scope of review would be appellate; that is, the arbitral tribunal would be required to affirm the Commissioner's decision unless it found that decision deficient in certain listed respects, such as not being supported by sufficient evidence, containing errors of law, or being arbitrary or capricious. The arbitral tribunal could direct action or remand a case to the Commissioner.

[10] This bond amount is equal to the highest monthly total of air transportation sales in the 12 preceding months.

[11] The ATC Area Settlement Plan prescribes procedures for agents to remit money collected for all ATC member air carriers, and other participating airlines, to the area settlement bank three times a month or weekly, depending on locations. See ATC Resolutions 80.1 and 80.1B, Agreement CAB 16874.

[12] The ATC Sales Agency Agreement provides that the books and records of agents are open to inspection by each carrier or representatives of ATC.

[13] For violations other than those listed in ATC Resolution 80.30, the matter is referred to the Agency Committee for review.

[14] Lifting of suspensions may be conditional on restitution of money involved.

The Commissioner would also receive complaints by the Executive Secretary against agents and conduct reviews. In the case of complaints which are now directed to compliance panels, the Director of ATC's Office of Enforcement would file complaints directly with the Commissioner, rather than first reporting to the Executive Secretary. Also, the Enforcement Director could bring a case before the Commissioner for any alleged agent violation of the ATC Sales Agency Agreement rather than the present procedure of having violations other than those specifically listed in Resolution 80.80 referred to the Agency Committee by the Executive Secretary.

In proceedings before the Commissioner, each party would have, at a minimum, the right to move for dismissal or summary judgment, to submit written information it deems appropriate, to appear personally or through counsel and present evidence and arguments in support of its position, to hear the evidence and arguments of the other party, and to cross-examine the other party. In reviewing disapproved applicants and agents under review, the Commissioner would conduct a *de novo* review, that is, without placing any weight on the Executive Secretary's previous disapproval of the applicant or other action. If the Commissioner determined that an agent failed to maintain the standards and qualifications required by applicable ATC resolutions, or that an agent suspended for having four late remittance listings (see above) cannot be relied upon to adhere to the terms of the Sales Agency Agreement, the Commissioner shall direct the Executive Secretary to remove the agent from the ATC Agency List. If the Commissioner decided that a charge brought by the ATC Enforcement Director is well-founded, various penalties ranging up to removal from the Agency List could be imposed, so long as an agent is suspended or put on a gross cash basis (including use of envelope Exchange Orders) until restitution is made of any money owed to members of ATC or participants in the Area Settlement Plan. The Commissioner would be bound by applicable ATC resolutions in reaching decisions, and such decisions would constitute binding precedents in interpreting the applicable resolution.

Attached to this order, as Appendix A, is an outline of the major differences between present procedures and the procedures contemplated under the Travel Agent Commissioner Agreements.

Comments on the proposed Travel Agent Commissioner agreements were made by three major travel agent organizations, namely, the American Automobile Association (AAA), the Association of Retail Travel Agents (ARTA), and the American Society of Travel Agents (ASTA). Those comments are outlined below.

ATC's initial comments indicated the significant changes to existing practices which would be made by the Commissioner agreements. ATC's supplementary comments in support of its application, which were filed after the decision and order of the Board in the *ATC Bylaws Investigation* was issued on June 10, 1975, presented the view that the instant agreements substantially address the areas of concern noted by the Board in the *Bylaws* decision, and that approval of these agreements will moot any further proceedings on this subject.

AAA endorses the concept of an office of Travel Agent Commissioner. AAA criticizes the present agreements for failing to provide for any significant travel agent input and for failing to provide for the issuance of advisory opinions relating to interpretations of ATC resolutions. AAA suggests that there should be equal travel agent-ATC funding for the program and that there be a joint agent-ATC board to oversee the office. Further objections were made to the requirement that the agency organization submit its objections to nominees for Commissioner within 15 days and unanimously. AAA also objects to the loss of *de novo* review in arbitration, but suggests that if agents are permitted more participation in the selection, funding, and operation of the Commissioner's office, then appellate arbitration, conditioned to include an absolute right to present additional evidence, would be more acceptable. AAA recommends that approval of these agreements be deferred pending a joint ATC-travel agent study followed by a review of the study by a joint dialogue and a reconsideration of the proposals by the full Air Traffic Conference.

ARTA supports the concept of a Commissioner but opposes these agreements. ARTA strongly objects to the loss of *de novo* arbitration and asserts that more agent participation in the selection of the Commissioner is essential to guarantee impartiality. It, therefore, proposes a joint Board of Governors.

ASTA endorses the concept of the Commissioner as set forth in the agreements and urges approval subject to two conditions: (1) absolute veto power by the agency groups participating in dialogue sessions over nominees for Commissioner; and (2) joint funding. They also assert that the Commissioner should be enabled to issue advisory opinions interpreting ATC agency resolutions which would be binding on ATC. ASTA also urges that only attorneys be eligible for nominations to the Commissioner position.

Due to the fact that the Commissioner agreements were filed before the Board's decision was issued in the *Bylaws Investigation* and as we have decided to consolidate our consideration of these agreements with our review of the due process accorded travel agents, we will allow any interested persons an additional opportunity to comment on the merits of the Travel Agent Commissioner agreements under consideration herein.

The basic issues to be resolved are:

1. Whether and to what extent the Travel Agent Commissioner proposal in its present form alleviates the lack of procedural fairness complained of with regard to the operations of the ATC compliance panels and the Agency Committee as provided in the ATC Agency Resolution and Sales Agency Agreement.

2. If the Travel Agent Commissioner proposal in its present form does not alleviate the lack of procedural fairness complained of, what further action is required? Should the agreements be approved, disapproved, or approved subject to conidtions under section 412 of the Act? If the agreements should be approved subject to conditions, what conditions should be imposed?

3. Whether ATC procedures regarding remittances under the Area Settlement Plan provide travel agents with adequate notice and hearing when penalties are either contemplated or actually imposed.[15]

All interested persons will be given 30 days following the service of this order to submit comments on the issues to be resolved in this proceeding. Rebuttal comments will be due 15 days thereafter.[16] Comments should be directed to the specific issues set forth herein and supported with detailed reasoning. Vague, general, or unsupported comments will be given little weight.[17]

Accordingly it is ordered That:

1. This further review of the measure of procedural fairness accorded travel agents as ordered in docket 23542 be and hereby is consolidated with consideration of ATC's application for prior Board approval of an agreement to establish the Office of Travel Agent Commissioner and related amendments to other ATC resolutions;

2. All interested persons will be given 30 days following the service of this order to submit in docket 27868 comments regarding the issues set forth above. Rebuttal comments will be due 15 days thereafter, and may be filed by any person filing initial comments; and

3. This order will be served on ATC and its member air carriers, the American Society of Travel Agents, Inc., the Association of Retail Travel Agents, the American Automobile Association, the Association of Bank Travel Bureaus, the

[15] We note that ATC has filed an agreement with the Board for prior approval under sec. 412 of the Act (CAB 16874–A46, docket 28218) which defines circumstances in which a late remittance should be excused because it is caused by an action or event beyond the control of the agent. While mitigating the effects of the literal application of the late remittance provisions of Res. 80.10, that agreement does not directly address the area of concern noted by the Board with respect to notice and hearing procedures. Therefore, the agreement will be processed independently of this proceeding.

[16] All filings to date in docket 27868 will be considered as comments in this consolidated proceeding. Persons who made such filings may file additional comments as detailed herein.

[17] Filings in other dockets, including testimony, exhibits, and briefs in the *ATC Bylaws Investigation*, may be reproduced and submitted with comments thereon. Such items should not be incorporated by reference.

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Travel Agents' Legal Action Committee, the National Passenger Traffic Association, the Aviation Consumer Action Project, and the United States Departments of Justice, Transportation, and Commerce.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

APPENDIX A

Type of proceeding	Action presently taken	Action to be taken under Commissioner agreements
1. Application to become an agent pursuant to Res. 80.10, Agency Resolution.	Initially submitted to Executive Secretary. If approved, agent placed on Agency list not more than 90 d after receipt of application. If applicant does not, in the opinion of Executive Secretary, meet criteria, the application is scheduled for review by Agency Committee. Applicants receive at least 45 d notice of meeting, plus reasons for review, and may submit additional written information to support application. A ⅔ vote of the Committee is necessary for approval. An agent disapproved by the Agency Committee may appeal to an arbitral tribunal within 30 d after notice of disapproval. Such arbitration is de novo.	Initially submitted to Executive Secretary who will then review application and approve or disapprove it. An applicant is notified of the disapproval, with reasons therefor, by the Executive Secretary. An applicant may request review of the disapproval by the Commissioner within 30 d after notification. An agent disapproved by the Commissioner may appeal to an arbitral tribunal within 30 d of notice of disapproval. Such arbitration is appellate.
2. Review of agent's continued eligibility pursuant to Res. 80.10, Agency Resolution.	Take by Agency Committee on its own initiative or complaint of any interested person. Notice of Agency Committee Review given to members and agents at least 45 d prior to review. Agent may be suspended or removed by ⅔ vote of Committee. Suspension or removal by Agency Committee may be appealed to arbitral tribunal within 30 d after notice of removal. Such arbitration is de novo.	Taken by Commissioner upon complaint of Executive Secretary. Notice of Commissioner review given to members and agents at least 30 d prior to review. Commissioner has discretion with respect to proper penalty to be imposed. Commissioner's decision may be appealed on same terms given above.
3. Failure to maintain bond required by pt. 5A of Sales Agency Agreement (see Res. 80.10).	Determination of failure made by Agency Committee or any member who then notifies Executive Secretary of such failure. Executive Secretary notifies all members and terminates Sales Agency Agreement. Agent may be reinstated if proper bonding reacquired within 30 d of prior bond cancellation.	Determination is made by Executive Secretary. No other change.
4. (a) Defaults, (b) late remittances, and (c) financial irregularities (see Res. 80.10).	(a) Failure to make full payment to Area Settlement Bank within 10 d after end of report period results in removal of ticket stock and airline plates by Executive Secretary. If agency pays all money owed within 30 d, stock and plates are returned. If agent fails to pay within 30 d of default notice Agency Agreement is terminated. No appeal to arbitration is provided. Dishonored remittance checks are treated the same as failure to make full payment. The procedures outlined above apply except that an agent must correct the deficiency by certified check. A dishonored check which is made good by such payment, and thus does not result in default, is counted as 2 late remittances charges.	(a) No change.
	(b) Failure to make timely payment to Area Settlement Bank results in a late charge. 4 late charges in 1 yr results in notification of this fact to the agent, and notification of the reinstatement procedures. The agent is placed on the agenda for Agency Committee review and airline plates and ticket stock are removed. An agent can be reinstated by the Agency Committee after review, or by a request for reinstatement with accompanying justification circulated by mail to ATC members. If such request is not objected to by any member within 15 d, the agent is reinstated. Notice of Agency Committee review must be given to members at least 45 d prior to such review. Appeal to an arbitral tribunal from an adverse decision of the Agency Committee is available as a matter of practice. Reinstatement by the Agency Committee expunges all prior outstanding late remittance charges. Reinstatement by mail leaves the agent charged with 3 most recent late charges.[1]	(b) The procedures remain the same except that the Commissioner, rather than the Agency Committee, will review the agent's eligibility. Notice of Commissioner review must be given to members at least 21 d prior to such review. Reinstatement by mail is not affected. Reinstatement by the Commissioner expunges all prior late remittance charges unless the Commissioner directs otherwise. The Commissioner had discretion to impose an appropriate penalty where the agent is ordered reinstated to the agency list. (Also see 4(c) below for possible mandatory penalties.)

APPENDIX A—Continued

Type of proceeding	Action presently taken	Action to be taken under Commissioner agreements
	(c) Sec. VII, I. of Res. 80.10 lists 9 other financial irregularities which may be revealed by audit or investigation. When the Executive Secretary concludes that these irregularities have occurred under circumstances which indicate an agent is knowingly or through gross negligence attempting to circumvent the reporting and remittance requirements or that there is serious jeopardy to ATC members' ability to collect for tickets sold, airline plates and ticket stock are removed and the Executive Secretary files a complaint with a compliance panel. Compliance panels may direct reprimand, suspension, or removal from the Agency list. Appeals from compliance panel decisions can be taken to an arbitral tribunal for de novo review. If ticket stock has been withdrawn, an agent can continue to write tickets with envelope exchange orders during pendency of the complaint.	(c) The same procedures remain except that the Director of the Office of Enforcement will file a complaint based on such irregularities directly with the Commissioner for review. The Commissioner's decision is subject to appellate review by an arbitral tribunal. If the Commissioner finds than an agent has improperly withheld money from an ATC member or participant in the area settlement plan or has otherwise improperly obtained funds belonging to any carrier, he shall, in addition to the penalty he otherwise imposes, either suspend or place the agent on a gross cash basis, including use of envelope exchange orders, until full restitution is made.[2]
5. Security of ticket stock and airline plates (Res. 80.15, par. 17a).	Failure to maintain minimum safeguards to protect airline ticket stock, MCO's, identification plates, and other standard ticket forms contained in schedule B to Res. 80.15 constitutes a breach of the Sales Agency Agreement and will subject the agent to review by a compliance panel. Agents are informed of the exact provisions of Schedule B allegedly violated and specific details of the alleged violations in connection with the review. (See CAB Order 74-3-88.)	Same except that the agent will be reviewed by the Commissioner. Appeal of the Commissioner's decision by an arbitral tribunal is available.
6. Late remittances under Res. 80.1B, The Mechanized Reporting System to the Area Settlement Plan.	The procedures are the same as those described in 4.b above.	Same as 4.b above in that the Commissioner will review the agent's eligibility. However, notice will still be given to members 45 d in advance of review rather than 21 d prior.
7. Notification of or from IATA that an agent failed to remit or has a remittance check dishonored (pursuant to Res. 80.10, sec. VII.F), under the Area Settlement Plan, Res. 80.1, or the Mechanized Reporting System, Res. 80.1B.	When Executive Secretary is notified by IATA of such failures, ATC members are then notified and ticket stock and airline plates are removed until IATA notifies him the agent has been restored to good standing or until Agency Committee has reviewed the agent's eligibility as outlined in 4.b above. The agent can continue to write tickets during this period with envelope exchange orders.	Same except that the review will be by the Commissioner rather than Agency Committee. The Commissioner's decision is, as always, appealable to an arbitral tribunal.
8. Inspection of books and records of travel agents pursuant to Res. 80.80 by the ATC Enforcement Office.	The Director of the ATC Enforcement Office reports to the Executive Secretary where an investigation reveals an agent has failed to comply with certain listed conditions of the Sales Agency Agreement (see Res. 80.80B for list). The Executive Secretary then files a formal written complaint with an ATC compliance panel. The complaint must be sent to the named agent within 10 d by registered mail together with a notice to the agent of his right to submit a written answer to the complaint within 30 d from the date the complaint is received. The decision of the compliance panel is subject to de novo arbitration. If a violation other than those enumerated in the list given in Res. 80.80B is indicated the matter is referred to the Agency Committee for review and action.	The Director of the Office of Enforcement will file a formal written complaint directly with the Commissioner if an investigation reveals a probable violation of the Sales Agency Agreement, including, but not limited to those violations enumerated in Res. 80.80B. Those sections dealing with notice to the agent by the Executive Secretary are deleted. The Commissioner's decision is subject to arbitration.
9. Arbitration	Scope of review is de novo. During pendency of an agent's appeal to arbitration he must post a bond equal to the highest monthly total of air transportation sales in the 12 preceding months in order to continue to do business as usual. If the bond is not posted, the airline plates and ticket stock are withdrawn and the agent may use envelope-type exchange orders during the arbitration period.	Scope of review is appellate. The tribunal shall affirm the decision of the Commissioner unless it is deficient in 1 or more of the following respects: (1) It is not supported by substantial evidence; (2) new evidence is available to the tribunal which for good cause was not presented to the Commissioner; (3) it contains errors of applicable law; (4) it is arbitrary or capricious; or (5) it is not in accordance with the terms of the Agency Resolution, Sales Agency Agreement or Travel Agent Commissioner Agreement.[3] There is an additional ground for finding deficiency where the Commissioner has imposed a penalty for a violation of the Sales Agency Agreement, and that is where the arbitral tribunal finds the penalty inappropriate, inadequate, or excessive. No change in bonding requirements is made under the Commissioner agreements.

[1] Although nothing in the travel agent's handbook or other material indicates that actions other than terminations are arbitrable, testimony of record in the ATC bylaws investigation indicates that as a matter of practice any claim or controversy stemming from any action of the Agency Committee or a compliance panel is arbitrable. (Tr. at p. 2234.)

[2] The penalties which the Commissioner is authorized to impose in his discretion are: (1) Removal from the Agency list; (2) suspension from the Agency list for not more than 90 d; (3) placement on a net cash basis, including use of envelope exchange orders, for not more than 90 d; (4) a fine of not more than $1,000 payable to ATA, as the Commissioner shall direct; (5) a fine in the form of requiring an agent to remit in gross or at a reduced level of commission for not more than 90 d; (6) loss of reduced rate privileges in whole or in part for not more than 1 yr; (7) reprimand; or (8) a combination of the above.

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This outline has not attempted to specify *every* detail which is changed by the Commissioner's proposal. In general, substantive criteria for reviewing agent's eligibility, for establishing in-plant locations, and for approving transfer, assignment, or change of name or address of an agent's business remain the same. However, the decisions made concerning these issues will all be reviewable by the Commissioner at the aggrieved agent's request and any claim or controversy arising out of, or relating to, *any* action of the Commissioner shall be settled by arbitration.

[FR Doc.76–535 Filed 1–7–76;8:45 am]

[Docket 27592; Agreement C.A.B. 25605; Order 75–12–119]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreements on Currency Matters

Correction

In FR Doc. 75–35057 appearing on page 59772 in the issue of December 30, 1975 make the following changes:

1. The heading should have appeared as set forth above.

2. The first sentence of the text was inadvertently omitted. It should have read "Issued under Delegated authority December 22, 1975.".

[Docket 27573; Agreement C.A.B. 25432, R–2 and R–3, Agreement C.A.B. 25433, R–5, Agreement C.A.B. 25437, R–3, Agreement C.A.B. 25509, Agreement C.A.B. 25510, Agreement C.A.B. 25546, R–1 and R–2; Order 75–12–108]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreements on Commodity Rates

Correction

In FR Doc. 75–35028 appearing on page 59772 in the issue of Tuesday, December 30, 1975 make the following changes:

1. The heading should have appeared as set forth above.

2. In the third column, 29th line the final two words were inadvertently dropped. The 29th line should have read "to the public interest and in violation of the Act.".

CIVIL SERVICE COMMISSION

FEDERAL EMPLOYEES PAY COUNCIL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92–463, notice is hereby given that the Federal Employees Pay Council will meet at 2:00 p.m. on Wednesday, January 28, 1976. This meeting will be held in room 5323 of the U.S. Civil Service Commission building, 1900 E. Street, NW., and will consist of continued discussions on future comparability adjustments for the statutory pay systems of the Federal Government, which are defined in section 5301 of title 5, United States Code.

The Chairman of the U.S. Civil Service Commission is responsible for the making of determinations under section 10(d) of the Federal Advisory Committee Act as to whether or not meetings of the Federal Employees Pay Council shall be open to the public. He has determined that this meeting will consist of exchanges of opinions and information which, if written, would fall within exemptions (2) or (5) of 5 U.S.C. 552(b). Therefore, this meeting will not be open to the public.

For the President's Agent.

RICHARD H. HALL,
Advisory Committee Management Officer for the President's Agent.

[FR Doc.76–457 Filed 1–7–76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 786]

COMMON CARRIER SERVICES INFORMATION

Applications Accepted for Filing

DECEMBER 29, 1975.

The applications listed herein have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any of these applications, if upon further examination, it is determined they are defective and not in conformance with the Commission's Rules and Regulations or its policies.

Final action will not be taken on any of these applications earlier than 31 days following the date of this notice, except for radio applications not requiring a 30 day notice period (see § 309(c) of the Communications Act of 1934) or as otherwise noted. Unless specified to the contrary, comments or petitions may be filed concerning any of these applications within 30 days of the date of this notice.

In order for an application filed under Part 21 of the Commission's Rules (Domestic Public Radio Services) to be considered mutually exclusive with any other such application appearing herein, it must be substantially complete and tendered for filing by whichever date is earlier: (a) the close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which the subsequent application is in conflict) as having been accepted for filing. In common carrier radio services other than those listed under Part 21, the cut-off date for filing a mutually exclusive application is the close of business one business day preceding the day on which the previously filed application is designated for hearing. With limited exceptions, an application which is subsequently amended by a major change will be considered as a newly filed application for purposes of the cut-off rule. [See § 1.227(b)(3) and 21.30(b) of the Commission's Rules.]

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

21054–CD–P–76 Telephone Answering Bureau, Inc. (NEW) C. P. for a new 1-way station to operate on 152.24 MHz to be located on Pleasant Mountain, 1.25 miles SW of Graniteville near Williamstown, Vermont.

21055–CD–AL–(2)–76 Sierra Communications, Inc. Consent to Assignment of License from Sierra Communications, Inc., ASSIGNOR to Cook's Communications Corp., ASSIGNEE. Stations: KOP244 & KFH673, Reno, Nevada.

21056–CD–P–76 Northwestern Bell Telephone Company (NEW) C. P. for a new 1-way station to operate on 152.84 MHz to be located at 421 Main Street, Williston, North Dakota.

21057–CD–P–(3)–76 Delta Valley Radiotelephone Co., Inc. (KRM983) C. P. for additional facilities to operate base facilities on 152.24 MHz to be located at a new site described as Loc. #2: 1,800 feet W. of Calif. Hwy. 49, 3.5 miles S. of Eldorado, California; additional control facilities to operate on 72.50 MHz at a new site described as Loc. #3: 3502 Kroy Way, Sacramento, California; and additional control facilities to operate on 72.50 MHz at a new site described as Loc. #4: 2171 Ralph Avenue, Stockton, California.

21058–CD–P–76 South Central Bell Telephone Company (KKI455) C. P. to change antenna system operating on 152.57 MHz located 3 miles South of Erath, Louisiana.

21059–CD–P–76 Mobilfone Service, Inc. (KLF558) C. P. to replace transmitter, change antenna system and relocate facilities operating on 454.200 MHz to be located at 1204 12th Street, N. W., Ardmore, Oklahoma.

21060–CD–P–76 Sioux Valley Telephone Company (NEW) C. P. for a new station to operate on 152.81 MHz to be located 4.5 miles West of Dell Rapids, South Dakota.

21061–CD–P–(2)–76 Radio Dispatch Company (NEW) C. P. for a new station to operate on 152.12 & 152.15 MHz to be located 2.2 miles NW Manahawkin city center, Manahawkin, New Jersey.

21062–CD–P–(4)–76 King Communications, Inc. (KQD310) C. P. to change antenna system operating on 152.03 454.225 & 454.325 MHz and change antenna system & relocate facilities operating on 152.15 MHz all located at Loc. #1: 1795 Tittabawasee, Saginaw, Michigan.

21063–CD–P–76 Central Mobile Radio Phone Service (KUO557) C. P. for additional facilities to operate on 505 Jefferson Avenue, Toledo, Ohio.

MAJOR AMENDMENT:

20890–CD–P–(2)–76 Mt. Shasta Radiotelephone, Inc. (KUS379) Amend to change frequency from 159.05 to 459.05 MHz for auxiliary test facility. All other particulars remain as reported in PN #783 dated December 8, 1975.

RURAL RADIO SERVICE

60246–CR–P–76 RCA Alaska Communications, Inc. (NEW) C.P. for a new rural subscriber station to operate on 157.86 MHz to be located at Village 20 miles SE of Tok, Alaska, Tetlin Village, Alaska.

60247–CR–P–76 RCA Alaska Communications, Inc. (NEW) C.P. for a new central office station to operate on 152.60 MHz to be located at Siana Ave. & East First Street, Tok, Alaska.

60248–CR–P–76 RCA Alaska Communications, Inc. (NEW) C.P. for a new inter office station to operate on 152.69 MHz to be located 0.3 miles NW of Thorne Bay Village, Thorne Bay, Alaska.

60249–CR–P–76 RCA Alaska Communications, Inc. (NEW) C.P. for a new inter office station to operate on 157.95 MHz to be located on Lot 1 at South End of Meyers Chuck, Alaska.

60250–CR–P/L–76 Salinas Valley Radio Telephone Company (NEW) C.P. and License to operate on 158.49 158.52 158.61 & 518.64 MHz located at any temporary-fixed location within the territory of the grantee.

POINT-TO-POINT MICROWAVE RADIO SERVICE

1382–CF–P/L–76 RCA Alaska Communications, Inc. (New) Dillingham FAA, Dillingham, Alaska. Lat. 59 00 02 N.-Long 158 32 42 W. C.P. and License for a new station on 2116H MHz towards Dillingham, Alaska on azimuth 48.1 degrees.

1383–CF–P/ML–76 Same (WOE75) Dillingham, Alaska. Lat. 59 02 30 N.-Long. 158 27 22 W. C.P. and Mod. of License to add 2166H MHz towards a new point of communication at Dillingham FAA, Alaska on azimuth 228.1 degrees; move antenna on 2178V MHz towards Muklung Hills, Alaska on azimuth 33.6 degrees; 2162V MHz towards Tuklung Mountain, Alaska on azimuth 251 degrees.

1379–CF–P–76 Puerto Rico Telephone Company (WQP81) State Road #2, Km 30 Hm 7 Vega Alta, Puerto Rico. Lat. 18 24 57 N.-Long. 66 19 43 W. C.P. to change station location resulting in a change of coordinates as shown above; replace and remove antenna on 10715.0H MHz towards Bajura on azimuth 237.4 degrees.

2302–CF–AL–(19)–76 Continental Telephone Company of Utah Consent to Assignment of License from Continental Telephone Company of Utah, ASSIGNOR to Continental Telephone Company of the West, ASSIGNEE; for station KPC53– Abajo Peak, Utah; KPC54– Monticello, Utah; KPC55– Mexican Hat, Utah; KPN73– Bald Mesa, Utah; KPT20– NW of Helper, Utah; KPX20– Blanding, Utah; KPY77– Moab, Utah; WOE34– SE of Escalante, Utah; WOE35– NW of Mexican Hat, Utah; WOE36– NNE of Mexican Hat, Utah; WOE37– SW of Monticello, Utah; KEZ82– Any temporary fixed location within the territory of the grantee; KPI82– Hall's Crossing, Utah; WAH452– LaSal, Utah; KGC92– Fullmore, Utah; KPS97– 6 miles ENE of Promontory, Utah; KVU95– North Delta, Utah; KZA55– 5.3 miles SE of Delta, Utah; KZS73– Tremonton, Utah.

2341–CF–AL–(5)–76 Idaho Telephone Company Consent to Assignment of License from Idaho Telephone Company, ASSIGNOR; to Continental Telephone Company of the West, ASSIGNEE for station WSM67– Horseshoe Bend, Idaho; KPQ35– McCall, Idaho; KPQ36– No Business Mountain, Idaho; KPY78– Brundage Mountain, Idaho; KYO98– Iron Mountain, Idaho and KYO99– Elk City, Idaho.

2412–CF–AL–(1)–76 Montana Telephone Company Consent to Assignment of License from Montana Telephone Company, ASSIGNOR; to Continental Telephone Company of the West, ASSIGNEE; for station WJK79– Big Sky, Montana.

1389–CF–P–76 United Video, Inc. (KSV40) 5.0 Miles North of Streator, Illinois. Lat. 41 08 35 N.—Long. 88 49 45 W. C.P. (a) to change four (4) existing frequencies to 6226.9H MHz, 6286.2H MHz, 6345.5H and 6404.8H MHz toward Pontiac, Michigan, on azimuth 151.6 degrees and (b) to replace four (4) existing transmitters toward Pontiac.

1387–CF–P–76 United Video, Inc. (KSV41) 3.0 Miles North of Peru, Illinois. Lat. 41 20 34 N.—Long. 89 06 42 W. C.P. (a) to change four (4) existing frequencies to 11265H MHz, 11425H MHz, 11505H MHz and 11585H MHz toward Mendota, Illinois, on azimuth 358.5 degrees and (b) to change two (2) existing frequencies to 11265H MHz and 11425H MHz toward Amboy, Illinois, on azimuth 329.2 degrees.

1388–CF–P–76 United Video, Inc. (KSV42) 6.0 Miles South of Amboy, Illinois. Lat. 41 37 40 N.—Long. 89 20 17 W. C.P. to replace two (2) existing transmitters on frequencies 5945.2V MHz and 6004.5V MHz toward Sterling, Illinois, on azimuth 299.9 degrees.

1384–CF–P–76 United Video, Inc. (KSP97) 0.5 Mile South of Vandalia, Illinois. Lat. 38 57 01 N.—Long. 89 06 02 W. C.P. (a) to correct station coordinates to foregoing; (b) to change two (2) existing frequencies to 5960.0V MHz and 6019.3V MHz toward Effingham, Illinois, on azimuth 68.6 degrees; and (c) to replace two (2) existing transmitters toward Effingham.

1385–CF–P–76 United Video, Inc. (KSP98) 0.9 Mile East of Effingham, Illinois. Lat. 39 07 35 N.—Long. 88 31 06 W. C.P. to replace two (2) existing transmitters on frequencies 6212.0H MHz and 6301.0H MHz toward Olney, Illinois, on azimuth 138.6 degrees.

1386–CF–P–76 United Video, Inc. (KYO25) 0.5 Mile North of Olney, Illinois. Lat 38 44 18 N.—Long. 88 04 55 W. C.P. to replace one (1) existing transmitter on frequency 6108.3V MHz toward Robinson, Illinois, on azimuth 41.1 degrees.

[FR Doc.76–517 Filed 1–7–76;8:45 am]

[Report No. 787]

COMMON CARRIER SERVICES INFORMATION

Applications Accepted for Filing

JANUARY 5, 1976.

The applications listed herein have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any of these applications, if upon further examination, it is determined they are defective and not in conformance with the Commission's Rules and Regulations or its policies.

Final action will not be taken on any of these applications earlier than 31 days following the date of this notice, except for radio applications not requiring a 30 day notice period (see § 309(c) of the Communications Act of 1934) or as otherwise noted. Unless specified to the contrary, comments or petitions may be filed concerning any of these applications within 30 days of the date of this notice.

In order for an application filed under Part 21 of the Commission's Rules (Domestic Public Radio Services) to be considered mutually exclusive with any other such application appearing herein, it must be substantially complete and tendered for filing by whichever date is earlier: (a) the close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which the subsequent application is in conflict) as having been accepted for filing. In common carrier radio services other than those listed under Part 21, the cut-off date for filing a mutually exclusive application is the close of business one business day preceding the day on which the previously filed application is designated for hearing. With limited exceptions, an application which is subsequently amended by a major change will be considered as a newly filed application for purposes of the cut-off rule. [See §§ 1.227(b)(3) and 21.30(b) of the Commission's Rules.]

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

20863–CD–MP–(12)–76, General Telephone Company of Florida (KRS647), C.P. for additional facilities to operate on 454.575, 454.600, 454.625, and 454.650 MHz at Loc. #1: Cleveland Ave. and Betty Lane, Clearwater, Florida; change antenna system operating on 454.575, 454.600, 454.625, and 454.650 MHz at Loc. #2: 3240 54th Avenue South, St. Petersburg, and Loc. #3: 2 Blocks West of Intersection of Gunn Hwy. and Florida Hwy. 54, Odessa, Florida.

20864–CD–MP–(12)–76, General Telephone Company of Florida (KIY397), C. P. for additional facilities to operate on 454.575, 454.600, 454.625 and 454.650 MHz at Loc. #1: Corner of Pine Place and Bamboo Lane, Sarasota; change antenna system operating on 454.575, 454.600, 454.625, 454.650 MHz at Loc. #2: 1.8 Miles 11 degrees NE from Laurel, Nokomis; and Loc. #3: 716 49th Street East, Palmetto, Florida.

21084–CD–P–76, The Lincoln Telephone & Telegraph Co. (KAA689), C. P. to change antenna system operating on 454.575 and 454.600 MHz at Loc. #1: 1440 M Street, Lincoln, Nebraska.

21085–CD–P–(3)–76, Pacific Northwest Bell Telephone Company (KOA246), C. P. to change antenna system of existing base facilities operating on 454.60 and 454.65 MHz and for additional base facility to operate on 454.55 MHz. All to be located at Sentinel Hill near S.W. Fairmount Boulevard, Portland, Oregon.

21086–CD–P–76, Euclid Telecommunications, Inc. (KQC880), C. P. to relocate facilities operating on 152.21 MHz to 5949 Mayfield Road, Mayfield Heights, Ohio.

21087–CD–MP–76, Radiofone of Georgia, Inc. (KUS411), C. P. to change antenna system operating on 152.24 MHz located at 600 North Lee Street, Valdosta, Georgia.

21088–CD–P–76, General Telephone Company of Wisconsin (KSA622), C. P. to change antenna system operating on 152.570 MHz located 3 miles South Southwest of Jct. U.S. 51 and State Trunk Highway 29, Rio Mountain, Wisconsin.

21089–CD–P–(2)–76. Mt. Shasta Radiotelephone, Inc. (KUS379), C. P. for additional facilities to operate on 152.06 MHz and 454.05 MHz at Loc. #1: KC Road 0.25 Miles East of Mt. Shasta Boulevard, Mt. Shasta, California.

21090–CD–R–76, The Bell Telephone Company of Pennsylvania (KCI268) (Developmental) (Pa.) Renewal of License expiring 10–31–75. Term: 10–31–75 to 10–31–76.

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21091–CD–R–76, The C & P Telephone Company of Maryland (KGI270) (Developmental (Md.) Renewal of License expiring 10–31–75. Term: 10–31–75 to 10–31–76.

21092–CD–R–76, The C & P Telephone Company of Maryland (KGI271) (Developmental) (Md.) Renewal of License expiring 10–31–75. Term: 10–31–75 to 10–31–76.

21093–CD–R–76, The C & P Telephone Company of Maryland (KGI272) (Developmental) (Md.) Renewal of License expiring 10–31–75. Term: 10–31–75 to 10–31–76.

21094–CD–R–76, The C & P Telephone Company of Maryland (KGI273) (Developmental) (Md.), Renewal of License expiring 10–31–75. Term: 10–31–75 to 10–31–76.

21095–CD–R–76, The Diamond State Telephone Company (KGI269) (Developmental) (Delaware), Renewal of License expiring 10–31–75. Term: 10–31–75 to 10–31–76.

21096–CD–R–76, New Jersey Bell Telephone Company (KEK270) (Developmental) (N.J.), Renewal of License expiring 10–31–75. Term: 10–31–75 to 10–31–76.

21097–CD–R–76, New Jersey Bell Telephone Company (KEK271) (Developmental) (N.J.), Renewal of License expiring 10–31–75. Term: 10–31–75 to 10–31–76.

21098–CD–R–76, New Jersey Bell Telephone Company (KEK272) (Developmental) (N.J.), Renewal of License expiring 10–31–75 Term: 10–31–75 to 10–31–76.

Major amendment

20773–CD–P–76, American Communication Systems, Inc. (KIG300), Amend to change the base frequency to 43.58 MHz. All other particulars are to remain as reported on PN #780 dated 11–17–75.

APPLICATIONS ACCEPTED FOR FILING

Rural Radio

60251–CR–P/L–76, Continental Telephone Company of California (NEW), C.P. for a new rural subscriber station to operate on 157.86 MHz, located at 40892 Harper Lake Road, Hinkley, California.

POINT-TO-POINT MICROWAVE RADIO SERVICE

1391–CF–P–76, American Telephone and Telegraph Company (KAO47), 2 miles SSE of Aurora, Kansas. Lat. 39°25'14" N., Long. 97°31'00" W. C.P. to change polarization from Vertical to Horizontal on frequencies 3750, 3830, and from Horizontal to Vertical on 3770, 3850, 3930, 4010, 4090, and 4170 MHz toward Minneapolis, Kansas on azimuth 217°27'.

1392–CF–P–76, Same (KAO46), 6.5 miles West of Minneapolis, Kansas. Lat. 39°06'39" N., Long. 97°49'07" W. C.P. to change polarization from Vertical to Horizontal on frequencies 3710, 3790, and from Horizontal to Vertical on 3730, 3810, 3890, 3970, 4050, and 4130 MHz toward Aurora, Kansas on azimuth 37°16'.

1393–CF–P–76, Same (KTF90), 1 mile NE of Dermott, Texas. Lat. 33°58'01" N., Long. 100°54'23" W. C.P. to change polarization from Horizontal to Vertical on frequencies 3710, 4110, and from Vertical to Horizontal on 3730, 3810, 3890, 3970, 4050, and 4130 MHz toward Post, Texas on azimuth 305°59'.

1394–CF–P–76, Same (KTF89), 4.5 miles East of Post, Texas Lat. 33°11'55" N. Long. 101°17'23" W. C.P. to change polarization from Vertical to Horizontal on frequencies 3770, 3850, 3930, 4010, 4090, and 4170 MHz toward Dermott, Texas on azimuth 125°47'.

1395–CF–P–76, Same (KLS90), 9 miles WNW of Graford, Texas. Lat. 32°59'25" N. Long. 98°23'24" W. C.P. to change polarization from Horizontal to Vertical on frequencies 3710, 3790, 3870, 4030, 4110, and from Vertical to Horizontal on 3730, 3810, 3890, 3970, 4050, and 4130 MHz toward Perrin, Texas on azimuth 84°37'.

1396–CF–P–76, Same (KLS89), 5.5 miles ESE of Perrin, Texas. Lat 33°01'21" N. Long. 97°58'32" W. C P. to change polarization from Horizontal to Vertical on frequencies 3750, 3830, 3910, 3990, 4070, 4150, and from Vertical to Horizontal on 3770, 3850, 3930, 4010, 4090, and 4170 MHz toward Graford, Texas on azimuth 264°50'.

1397–CF–P–76, Same (KPV21), C.P. to install an amplifier at the passive repeater at 111 West Monroe Street, Phoenix, Arizona. Lat. 33°27'00" N. Long. 112°04'30" W. Frequencies 3750H, 3770V, 3830H, 3850V, 3910H, 3930V, 3990H, 4010V, 4070H, 4090V, 4150H, 4170V, and 4190H MHz on azimuth 64.5°.

1400–CF–P–76, The Rye Telephone Company, Inc. (New), Beckwith Drive at Valverde Circle, Colorado City, Colorado. Lat. 37°56'42" N. Long. 104°50'17" W. C. P. for a new station on frequency 2128V MHz towards Colorado City, passive reflector on azimuth 266.1°, and from passive reflector to Greenhorn, Colorado on azimuth 119.4°.

1401–CF–P–76, Idaho Telephone Company (New), Pharmacy Hill, 0.6 mile NW of Jordan Valley, Oregon. Lat. 42°58'55" N. Long 117°03'43" W. C.P. for a new station on frequency 2118.4V MHz towards a new station at War Eagle Mountain, Idaho on azimuth 84.4°.

1402–CF–P–76, Same (New), War Eagle Mountain, 1.6 miles SE of Silver City, Idaho. Lat. 43°00'25" N. Long. 116°42'14" W. C.P. for a new station on frequencies 2168.4V MHz towards a new station at Pharmacy Hill, Arizona on azimuth 264.7°, and 2178.0H MHz towards Boise, Idaho on azimuth 31.0°.

1414–CF–P–76, Southwestern Bell Telephone Company (KLV29), Amarillo Junction, 10th and Jackson Streets, Amarillo, Texas. Lat. 35°13'25" N. Long. 101°50'21" W. C.P. to add freqs. 5960.0V, 6078.6V MHz towards John Ray, Texas on azimuth 350.8°; change freq. 5989.6V to 5989.7H MHz and change polarization from V to H on 6108.3 MHz towards John Ray; replace transmitters on 5989.7V, 6049.0H, 6108.3H, and 6167.6H MHz, add and replace antenna towards John Ray.

1415–CF–P–76, Same (KLV30), John Ray, 24 miles North of Amarillo, Texas. Lat. 35°-33'58" N. Long. 101°54'25" W. C.P. to add freqs. 6212.0H, 6330.7H MHz towards Amarillo Junction, Texas on azimuth 170.7°; 6360.3V MHz towards Sanford, Texas on azimuth 75.6°; 6286.2V MHz towards Dumas, Texas on azimuth 349.3°; change freq. 6360.4V to 6360.3V MHz and polarity from Horizontal to Vertical on 6301.0 and 6419.6 MHz toward Amarillo Junction; replace transmitters on 6241.7V, 6360.3V, 6301.0V, and 6419.6V MHz, add and replace antennas toward Amarillo Junction.

1416–CF–P–76, Same (WAY31), 142' SW of 9th and Porter Streets, Dumas, Texas. Lat. 35°51'22" N. Long. 101°58'29" W. C.P. to add frequency 6034.2H MHz toward John Ray, Texas on azimuth 169.2°.

1417–CF–P–76, Same (KLV34), 4.5 miles SE of Sanford, Texas. Lat. 35°39'16" N. Long. 101°28'31" W. C.P. to increase antenna structure height and add frequencies 6108.3V MHz toward John Ray, Texas on azimuth 255.9°, and 6078.6H MHz toward Borger, Texas on azimuth 74.1°.

1418–CF–P–76, Same (KLV31), SW Corner of Brain and 9th Streets, Borger, Texas. Lat. 35°40'31" N. Long. 101°29'07" W. C.P. to add frequency 6330.7H MHz toward Sanford, Texas on azimuth 254.2°.

1427–CF–P–76, RCA Alaska Communications, Inc. (WAS451), Pump Station No. 6, Yukon River Valley, 90 miles NW of Fairbanks, Alaska. Lat. 65°51'16" N. Long. 149°44'05" W. C.P. to replace transmitters and increase power output for frequency 2112.4V MHz toward Hamlin, Alaska on azimuth 304.7°.

1428–CF–P–76, Same (KFJ63), Hamlin, 3911, 128 miles NW of Fairbanks, Alaska. Lat. 66°08'33" N. Long. 150°46'24" W. C.P. to replace transmitters and increase power output for frequencies 2162.4V MHz toward Pump Station No. 6, Alaska on azimuth 123.7°, and 2174.8V MHz toward West, Alaska on azimuth 133.6°.

1430–CF–P–76, New York Telephone Company (KEH95), Developmental. Any fixed location within the territory of the Grantee. C.P. to delete (4)RCA, TVT–1A, and (4)RCA, TVT–3B transmitters, increase power output power and add (5) Farinon, FV6P–01 and (8)Farinon, FV11P–01 transmitters.

1426–CF–P–76, Southwestern Bell Telephone Company (KKB26), 1.6 miles NNW of Silsbee, Texas. Lat. 30°22'37" N. Long. 94°12'-02" W. C.P. to add 4090V MHz toward Beaumont, Texas, on azimuth 163.2°.

1429–CF–P–76, Hi-Desert Microwave, Inc. (KPN78), Pine Mountain, 5.0 miles of Millican, Oregon. Lat. 43°48'36" N. Long. 120°52'36" W. C.P. to change frequencies to 5990.0V MHz, 6019.3V MHz, 6078.6V MHz, and 6137.9V MHz toward Glass Butte, Oregon, on azimuth 113.0°.

Major amendment

1202–CF–P–76, Microwave Transmission Corporation (WQR44), application amended to change frequencies to 11305H MHz and 11385H MHz toward Williams Hill, California. Station Location: Escrito, California. Lat. 36°24'22" N. Long. 121°29'26" W. All other particulars remain same as reported by public notice dated November 10, 1975.

[FR Doc.76–518 Filed 1–7–76;8:45 am]

FM BROADCAST APPLICATIONS READY AND AVAILABLE FOR PROCESSING

Notice is hereby given, pursuant to section 1.573(d) of the Commission's rules, that on February 2, 1976, the FM broadcast applications listed in the attached Appendix will be considered as ready and available for processing. Pursuant to section 1.227(b)(1) and section 1.591(b) of the Commission's rules, an application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on January 30, 1976, which involves a conflict necessitating a hearing with any application on this list, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by the close of business on January 30, 1976. The attention of prospective applicants is directed to the fact that some contemplated proposals may not be eligible for consideration with an application appearing in the attached Appendix by reason of conflicts between the listed applications and

applications appearing in previous notices published pursuant to § 1.573(d) of the Commission's rules.

The attention of any party in interest desiring to file pleadings concerning any pending FM broadcast applications, pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

Adopted: December 12, 1975.

Released: December 18, 1975.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] VINCENT J. MULLINS, *Secretary.*

APPENDIX

BPH–8677 New, Nampa, Idaho.
Nampa Broadcasting Co.
Req: 96.9 MHz; Channel No. 245C.
ERP: 44 kW; HAAT: 2503 ft.

BPH–9370 New, Walla Walla, Wash.
Stl. Inc.
Req: 97.1 MHz; Channel No. 246C.
ERP: 50 kW; HAAT: 1330 ft.

BPH–9412 New, Port Sulphurs, La.
River Bend Broadcasting Company, Inc.
Req: 106.7 MHz; Channel No. 294C.
ERP: 100 kW; HAAT: 442 ft.

BPH–9438 New, Liberty, Ky.
Carlos Wesley TR/AS Radio Station WKDO.
Req: 105.5 MHz; Channel No. 288A.
ERP: 3 kW; HAAT: 204 ft.

BPH–9475 New, Melbourne, Fla.
First Baptist Church of Melbourne, Fla.
Req: 106.3 MHz; Channel No. 292A.
ERP: 3 kW; HAAT: 212 ft.

BPH–9476 New, Sullivan, Ind.
Radio Sullivan.
Req: 95.3 MHz; Channel No. 237A.
ERP: 3 kW; HAAT: 300 ft.

BPH–9536 New, Hollister, Calif.
Vernon Miller.
Req: 93.5 MHz; Channel No. 228A.
ERP: 3 kW; HAAT: −216 ft.

BPH–9542 New, Shafter, Calif.
Combined Communications Broadcast Group.
Req: 97.7 MHz; Channel No. 249A.
ERP: 3 kW; HAAT: 300 ft.
(Allocated to Wasco, Calif.)

BPH–9549 New, Anchorage, Alaska.
Christian Voice of Alaska.
Req: 100.5 MHz; Channel No. 263C.
ERP: 25 kW; HAAT: 307.5 ft.

BPH–9651 New, Batesville, Ind.
Batesville Broadcasting Co.
Req: 103.9 MHz; Channel No. 280A.
ERP: 3 kW; HAAT: 300 ft.

BPH–9561 New, Jensen Beach, Fla.
HLG, Inc.
Req: 107.1 MHz; Channel No. 296A.
ERP: 3 kW; HAAT: 300 ft.

BPH–9563 New, Tuscaloosa, Ala.
Radio South, Inc.
Req: 92.7 MHz; Channel No. 224A.
ERP: 1.26 kW; HAAT: 430 ft.

BPH–9564 New, Weatherford, Okla.
KWEY, Inc.
Req: 97.3 MHz; Channel No. 247C.
ERP: 69.4 kW; HAAT: 383 ft.

BPH–9568 New, Dodge City, Kans.
Cattle Country Broadcasting.
Req: 93.9 MHz; Channel No. 230C.
ERP: 59.5 kW; HAAT: 313 ft.

BPH–9569 New, Ridgecrest, Calif.
Space/Time Broadcasting Co.
Req: 92.7 MHz; Channel No. 224A.
ERP: 3 kW; HAAT: 120 ft.

BPH–9570 New, Seward, Nebr.
Tricounty Broadcasting Co.
Req: 96.9 MHz; Channel No. 245C.
ERP: 100 kW; HAAT: 610 ft.

BPH–9571 KXOA, Sacramento, Calif.
KXOA–FM, Inc.
Has: 107.9 MHz; Channel No. 300B.
ERP: 49 kW; HAAT: 140 ft. (Lic.).
Req: 107.9 MHz; Channel No. 300B.
ERP: 27.4 kW; HAAT: 418 ft.

BPH–9573 WIVK–FM, Knoxville, Tenn.
Dick Broadcasting Co., Inc. of Tennessee
Has: 107.7 MHz; Channel No. 299C.
ERP: 100 kW; HAAT: 390 ft. (Lic.).
Req: 107.7 MHz; Channel No. 299C.
ERP: 100 kW; HAAT: 1000 ft.

BPH–9574 WFAW–FM, Fort Atkinson, Wis.
Goetz Broadcasting Corp.
Has: 107.3 MHz; Channel No. 297B.
ERP: 50 kW; HAAT: 210 ft. (Lic.).
Req: 107.3 MHz; Channel No. 297B.
ERP: 50 kW; HAAT: 500 ft.

BPH–9576 New, Sheridan, Wyo.
Sheridan Communications Co.
Req: 94.9 MHz; Channel No. 235C.
ERP: 25 kW; HAAT: 44 ft.

BPH–9577 New, Montrose, Colo.
Woodland Broadcasting Co.
Req: 94.1 MHz; Channel No. 231C.
ERP: 32 kW; HAAT: 1754 ft.

BPH–9578 New, Germantown, Tenn.
OMNI Broadcasting.
Req: 94.3 MHz; Channel No. 232A.
ERP: 3 kW; HAAT: 300 ft.

BPH–9579 WBZA–FM, Glens Falls, N.Y.
Pathfinder Communications Corp.
Has: 107.1 MHz; Channel No. 296A.
ERP: 3 kW; HAAT: −14 ft. (Lic.).
Req: 107.1 MHz; Channel No. 296A.
ERP: 275 kW; HAAT: 840 ft.

BPH–9580 New, Many, La.
WLV–TV, Inc.
Req: 107.1 MHz; Channel No. 296A.
ERP: 3 kW; HAAT: 300.6 ft.

BPH–9582 New, Altoona, Pa.
Altoona Trans-Audio Corp., Inc.
Req: 104.9 MHz; Channel No. 285A.
ERP: 234 kW; HAAT: 889 ft.

BPH–9583 New, Naples, Fla.
Sterling Communications Corp.
Req: 92.1 MHz; Channel No. 221A.
ERP: 4 kW; HAAT: 300 ft.

BPH–9586 WNHV–FM, White River Junction, Vt.
New Hampshire - Vermont Broadcasting Corp.
Has: 95.3 MHz; Channel No. 237A.
ERP: 3 kW; HAAT: −77 ft. (Lic.).
Req: 95.3 MHz; Channel No. 237A.
ERP: 3 kW; HAAT: 245 ft.

BPH–9587 New, Springfield, Ill.
Group 76, Inc.
Req: 98.7 MHz; Channel No. 254B.
ERP: 50 kW; HAAT: 500 ft.

BPH–9588 KPWD, Plentywood, Mont.
BCT Broadcasting, Inc.
Has: 100.1 MHz; Channel No. 261A.
ERP: .88 kW; HAAT: 34 ft. (Lic.).
Req: 100.1 MHz; Channel No. 261A.
ERP: 3 kW; HAAT: 34 ft.

BPH–9589 New, Valdosta, Ga.
EV–CO Broadcasters, Inc.
Req: 95.9 MHz; Channel No. 240A.
ERP: 3 kW; HAAT: 300 ft.

BPH–9590 New, Starke, Fla.
Sanders Enterprises, Inc.
Req: 106.3 MHz; Channel No. 292A.
ERP: 3 kW; HAAT: 120.2 ft.

BPH–9593 New, Mandan, N. Dak.
Central Dakota Enterprises, Inc.
Req: 104.9 MHz; Channel No. 285A.
ERP: 3 kW; HAAT: 287 ft.

BPH–9594 New, Sparks, Nev.
Pendor Communications
Req: 98.3 MHz; Channel No. 252A.
ERP: 1 kW; HAAT: 434 ft.

BPH–9602 New, Meredith, N.H.
Lakes Region Broadcasting, Inc.
Req: 105.3 MHz; Channel No. 287C.
ERP: 91 kW; HAAT: 2050 ft. (Allocated to Plymouth, N.H.)

BPH–9603 New, Lampasas, Tex.
Lampasas Broadcasting Co.
Req: 99.3 MHz; Channel No. 257A.
ERP: 3 kW; HAAT: 178 ft.

BPH–9609 New, Jackson, Ky.
Intermountain Broadcasting Co., Inc.
Req: 97.7 MHz; Channel No. 249A.
ERP: .580 kW; HAAT: 606 ft.

BPH–9614 WOFM, Greenville, Tenn.
Radio Greenville, Inc.
Has: 94.9 MHz; Channel No. 235C.
ERP: 26.5 kW; HAAT: 245 ft. (Lic.).
Req: 94.9 MHz; Channel No. 235C.
ERP: 100 kW; HAAT: 315 ft.

BPH–9618 New, Riverton, Wyo.
Riverton Broadcasting Co., Inc.
Req: 93.5 MHz; Channel No. 228A.
ERP: 3 kW; HAAT: 278 ft.

BPH–9619 New, Kenai, Alaska.
KSRM, Inc.
Req: 100.1 MHz; Channel No. 261A.
ERP: 3 kW; HAAT: 193.7 ft.

BPH–9624 New, Prattville, Ala.
Fountain City Broadcasting Corp.
Req: 95.3 MHz; Channel No. 237A.

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BPH–9625 New, Eldon, Mo.
Triple K Broadcasting, Inc.
Req: 92.7 MHz; Channel No. 224A.
ERP: 2.44 kW; HAAT: 303.5 ft.

BPH–9632 New, Springfield, Ill.
Midwest Broadcasting Co.
Req: 98.7 MHz; Channel No. 254B.
ERP: 50 kW; HAAT: 500 ft.

BPH–9634 New, Beaverton, Oreg.
Columbia Willamette Broadcasting Co.
Req: 103.3 MHz; Channel No. 277C.
ERP: 100 kW; HAAT: 940 ft.
(Allocated to Portland, Oreg.)

BPH–9636 New, Aberdeen, S. Dak.
Aberdeen Broadcasting Co.
Req: 94.1 MHz; Channel No. 231C.
ERP: 100 kW; HAAT: 211 ft.

BPH–9638 New, Springfield, Ill.
Lincoln-Douglas Communications.
Req: 98.7 MHz; Channel No. 254B.
ERP: 50 kW; HAAT: 500 ft.

BPH–9639 New, Bardstown, Ky.
Old Kentucky Home Broadcasting, Inc.
Req: 96.7 MHz; Channel No. 244A.
ERP: 3 kW; HAAT: 232 ft.

BPH–9640 New, Plainwell, Mich.
Robert B. Taylor.
Req: 100.9 MHz; Channel No. 265A.
ERP: 3 kW; HAAT: 300 ft.
(Allocated to Otsego, Mich.)

BPH–9642 New, Warrenton, Va.
Goldcup Broadcasting, Inc.
Req: 94.3 MHz; Channel No. 232A.
ERP: 3 kW; HAAT: 300 ft.

BPH–9648 New, Alexandria, La.
United Communications, Inc.
Req: 93.1 MHz; Channel No. 226C.
ERP: 99.7 kW; HAAT: 806 ft.

BPH–9649 New, Sonora, Tex.
Sonora Broadcasting Co., Inc.
Req: 92.1 MHz; Channel No. 221A.
ERP: 3 kW; HAAT: 28 ft.

BPH–9650 New, Morton, Ill.
Morton-Washington Broadcasting Co.
Req: 102.3 MHz; Channel No. 272A.
ERP: 3 kW; HAAT: 300 ft.

BPH–9657 KJLH, Compton, Calif.
John Lamar Hill.
Has: 102.3 MHz; Channel No. 272A.
ERP: 3 kW; HAAT: 300 ft. (Lic.).
Req: 102.3 MHz; Channel No. 272A.
ERP: 3 kW; HAAT: 300 ft.

BPH–9658 New, Marlin, Tex.
The Midwestern Broadcasting Corp.
Req: 96.7 MHz; Channel No. 244A.
ERP: 1.25 kW; HAAT: 200 ft.

BPH–9663 New, Lake City, S.C.
Coastline Broadcasting Co., Inc.
Req: 100.1 MHz; Channel No. 261A.
ERP: 3 kW; HAAT: 196 ft.

BPH–9664 New, Missoula, Mont.
Rex K. Jensen.
Req: 93.3 MHz; Channel No. 227C.
ERP: 45 kW; HAAT: 2,480 ft.

BPH–9667 New, Cheraw, S.C.
Cheraw Broadcasting Co., Inc.
Req: 103.1 MHz; Channel No. 276A.
ERP: 3 kW; HAAT: 300 ft.

BMPH–14557 KDOM–FM, Windom, Minn.
Schneider Broadcasting.
Has: 94.3 MHz; Channel No. 232A.
ERP: 3 kW; HAAT: 95 ft. (CP).
Req: 94.3 MHz; Channel No. 232A.
ERP: 2.85 kW; HAAT: 310 ft.

BMPH–14558 KFAT, Gilroy, Calif.
Entertainment Radio Inc.
Has: 94.3 MHz; Channel No. 232A.
ERP: .09 kW; HAAT: 1350 ft. (Lic.).
Has: 94.5 MHz; Channel No. 233B.
ERP: 4.5 kW; HAAT: 1320 ft. (CP.).
Req: 94.5 MHz; Channel No. 233B.
ERP: .800 kW; HAAT: 2578 ft.

BMPH–14583 KSUE–FM Susanville, Calif.
Radio Lassen.
Has: 92.7 MHz; Channel No. 224A.
ERP: 2.75 kW; HAAT: —750 ft. (CP.).
Req: 92.7 MHz; Channel No. 224A.
ERP: .160 kW; HAAT: 1050 ft.

BMPH–14600 KCHI–FM Chillicothe, Mo.
Rontedick, Inc.
Has: 103.9 MHz; Channel No. 280A.
ERP: 1.85 kW; HAAT: 160 ft. (CP.).
Req: 103.9 MHz; Channel No. 280A.
ERP: 1.55 kW; HAAT: 400 ft.

BMPH–14602 KJNA Jena, La.
LaSalle Broadcasters.
Has: 99.3 MHz; Channel No. 257A.
ERP: 3 kW; HAAT: 73 ft. (CP.).
Req: 99.3 MHz; Channel No. 257A.
ERP: 3 kW; HAAT: 300 ft.

BPED–1748 New, St. Louis, Mo.
Double Helix Corp.
Req: 88.1 MHz; Channel No. 201C.
ERP: 50 kW; HAAT: 980 ft. (mutually exclusive with renewal of KHRU, Clayton, Mo.).

BPED–1961 New, Chicago, Ill.
Illinois Institute of Technology.
Req: 88.9 MHz; Channel No. 205D.
TPO: .01 kW; HAAT.

BPED–2007 WNAZ–FM Nashville, Tenn.
Trevecca Nazarene College, Inc.
Has: 88.9 MHz; Channel No. 205D.
TPO: .01 kW; HAAT: ft. (lic.).
REQ: 89.1 MHz; Channel No. 206A.
ERP: 1 kW; HAAT: 145.6 ft.

BPED–2015 WFAM Jacksonville, Fla.
Jones College.
Has: 91.1 MHz; Channel No. 216D.
ERP: .037 kW; HAAT: 460 ft. (lic.).
Req: 91.1 MHz; Channel No. 216A.
ERP: 925 kW; HAAT: 463 ft.

BPED–2033 New, Holliston, Mass.
Holliston High School.
Req: 91.5 MHz; Channel No. 218D.
TPO: .01 kW; HAAT.

BPED–2034 New, San Jose, Calif.
San Jose Unified School District.
Req: 89.3 MHz; Channel No. 207D.
TPO: .01 kW; HAAT.

BPED–2038 New, Novi, Mich.
Board of Education Novi Community School District.
Req: 89.5 MHz; Channel No. 208D.
TPO: .01 kW; HAAT.

BPED–2062 WNUB–FM Northfield, Vt.
The Trustees of the Norwich University.
Has: 89.1 MHz; Channel No. 206D.
TPO: .01 kW; HAAT.
Req: 89.5 MHz; Channel No. 208D.
TPO: .01 kW; HAAT.

BPED–2070 New, Memphis, Tenn.
Memphis State University.
Req: 89.9 MHz; Channel No. 210D.
TPO: .01 kW; HAAT.

BPED–2072 New, Fort Wayne, Ind.
The Fort Wayne Luthern Assn.
Req: 88.3 MHz; Channel No. 202D.
TPO: .01 kW; HAAT.

BPED–2073 New, Ethete, Wyo.
The Wind River Indian Education Association.
Req: 89.7 MHz; Channel No. 209D.
TPO: .01 kW; HAAT.

BPED–2074 New, West Des Moines, Iowa.
W. Des Moines Community School District.
Req: 88.9 MHz; Channel No. 205D.
TPO: .01 kW; HAAT.

BPED–2082 KTXT–FM Lubbock, Tex.
Texas Tech University.
Has: 91.9 MHz; Channel No. 220D.
TPO: .01 kW; HAAT: ft. (Lic.).
Req: 88.1 MHz; Channel No. 201C.
ERP: 16.5 kW; HAAT: 341 ft.

BPED–2086 New Marshall, Tex.
Wiley College.
Req: 91.1 MHz; Channel No. 216D.
TPO: .01 kW; HAAT.

BPED–2087 New, Bellaire, Ohio.
Board of Education of the Bellaire City Schools.
Req: 88.7 MHz; Channel No. 204D.
TPO: .01 kW; HAAT.

BPED–2089 New, Erockton, Mass.
Massasoit Community College.
Req: 90.5 MHz; Channel No. 213D.
TPO: .01 kW; HAAT.

BPED–2091 New, Poughkeepsie, N.Y.
Vassar College.
Req: 91.3 MHz; Channel No. 217D.
TPO: .01 kW; HAAT.

BPED–2093 New, Kettering, Ohio.
Broadcast Workshop, Inc.
Req: 88.7 MHz; Channel No. 204D.
TPO: .01 kW; HAAT.

BPED–2094 New, Dayton, Ohio.
Wright State University.
Req: 88.5 MHz; Channel No. 203D.
TPO: .01 kW; HAAT.

BPED–2096 New, West Chester, Ohio.
Lakota Local School District.
Req: 89.9 MHz; Channel No. 210D.
TPO: .01 kW; HAAT.

BPED–2097 New, Cullowhee, N.C.
Western Carolina University.
Req: 91.7 MHz; Channel No. 219D.
TPO: .01 kW; HAAT.

BPED–2099 WEMH–FM Lancaster, N.Y.
St. Mary's High School.
Has: 91.3 MHz; Channel No. 217D.
TPO: .01 kW; HAAT.
Req. 89.9 MHz; Channel No. 210D.
TPO: .01 kW; HAAT.

BPED–2101 New, Albuquerque, N. Mex.
Christian Broadcasting Academy, Inc.
Req: 88.3 MHz; Channel No. 202C.
ERP: 3.36 kW; HAAT: —307 ft.

BPED–2102 New, Tallahassee, Fla.
Florida A. & M. University.
Req: 90.5 MHz; Channel No. 213D.
TPO: .01 kW; HAAT.

BPED–2104 New, Chesterton, Ind.
Duneland School Corp.
Req: 89.1 MHz; Channel No. 206D.
TPO: .01 kW; HAAT.

BPED–2107 WCWM, Williamsburg, Va.
The College of William & Mary in Virginia.
Has: 89.1 MHz; Channel No. 206A.
ERP: .077 kW; HAAT; 125 ft. (Lic.).
Req: 89.1 MHz; Channel No. 206A.
ERP: 1.50 kW; HAAT: 127 ft.

BPED–2108 New, Tacoma, Wash.
University of Puget Sound.
Req: 90.1 MHz; Channel No. 211D.
TPO: .01 kW; HAAT.

BPED–2110 New, Cottage Grove, Minn.
Independent School District No. 833.
Req: 88.1 MHz; Channel No. 201D.
TPO: .01 kW; HAAT.

BPED–2117 New, San Antonio, Tex.
Yanaguana Radio Station Inc.
Req: 89.1 MHz; Channel No. 206C.
ERP: 78.3 kW; HAAT: 421.5 ft.

BPED–2119 New, Austin, Tex.
Austin Community Radio.
Req: 88.7 MHz; Channel No. 204C.
ERP: .13 kW; HAAT: 1118 ft.

BMPED–1299 KUHF, Houston, Tex.
University of Houston.
Has: 88.7 MHz; Channel No. 204C.
ERP: 12 kW; HAAT: 110 ft. (Lic.).
Has: 88.7 MHz; Channel No. 204C.
ERP: 20 kW; HAAT: 110 ft. (CP).
Req: 88.7 MHz; Channel No. 204C.
ERP: 27 kW; HAAT: 967 ft.

BMPED–1311 WRCJ, Reading, Ohio.
Reading Community City Schools.
Has: 89.3 MHz; Channel No. 207D.
TPO: .01 kW; HAAT.
Has: 89.3 MHz; Channel No. 207A.
ERP: 2 kW; HAAT: 185 ft. (CP).
Req: 89.3 MHz; Channel No. 207A.
ERP: .382 kW; HAAT: 125 ft.

BMPED–1320 WLYX, Memphis, Tenn.
Southwestern at Memphis.
Has: 89.3 MHz; Channel No. 207A.
ERP: 1.1 kW; HAAT: 150 ft. (Lic.).
Has: 89.3 MHz; Channel No. 207A.
ERP: 2.75 kW; HAAT: 196 ft. (CP).
Req: 89.3 MHz; Channel No. 207A.
ERP: 37.2 kW; HAAT: 182 ft.

BMLED–99 WHLA, Lacrosse, Wis.
State of Wisconsin—Educational Communications Board.
Has: 90.3 MHz; Channel No. 212C.
ERP: 57 kW; HAAT: 1010 ft. (Lic.). (Holmen, Wis.)
Req: 90.3 MHz; Channel No. 212C.
ERP: 57 kW; HAAT: 1010 ft. (Lacrosse, Wis.)

BMLED–100 WHWC, Menomonie, Wis.
State of Wisconsin—Educational Communications Board.
Has: 88.3 MHz; Channel No. 202C.
ERP: 10 kW; HAAT: 1050 ft. (Lic.).
(Colfax, Wis.)
Req: 88.3 MHz; Channel No. 202C.
ERP: 10 kW; HAAT: 1050 ft. (Menomonie, Wis.)

[FR Doc.76–379 Filed 1–7–76;8:45 am]

[Docket No. 20657; CSC–125; (KS4637); FCC 75–1372]

IOLA CABLE TV, INC.

Order To Show Cause

1. Mid-Continent Telecasting, Inc., licensee of Station KOAM–TV (NBC, Channel 7), Pittsburg, Kansas, filed the above-captioned petition requesting the Commission to order Iola Cable TV, Inc., Iola, Kansas, operator of a cable television system at Iola, Kansas, to show cause why Iola Cable should not be directed to cease and desist from violating the Commission's Rules. Specifically, KOAM–TV alleges that the Iola cable system is in violation of §§ 76.92 and 76.94 of the Commission's Rules by failing to provide KOAM–TV with network program nonduplication protection vis-a-vis the signal of Station WDAF–TV (NBC, Channel 4), Kansas City, Missouri. The petition is unopposed.[1]

2. In support of the petition, KOAM–TV asserts that: (a) Iola, Kansas, is located within 55 miles of Pittsburg, Kansas, KOAM–TV's city of license, which is part of the Pittsburg, Kansas–Joplin, Missouri smaller television market, and as a smaller market television station, KOAM–TV is entitled to network program nonduplication protection vis-a-vis the signal of WDAF–TV which is licensed to Kansas City, Missouri, a major television market located more than 55 miles from Iola; (b) KOAM–TV has consistently requested network program nonduplication protection on the Iola system in accordance with Section 76.94 of the Rules[2] but Iola Cable has refused to provide the requested protection. In this regard KOAM–TV asserts that on June 25, 1975 Mr. Lou Martin, Vice President of programming for KOAM–TV received a call from Mr. Robert Livingston, District Manager for Iola Cable, at which time Mr. Livingston allegedly informed KOAM–TV that it was not receiving nonduplication protection, and would not receive such protection until it was determined that KOAM–TV was entitled to such protection; and (c) Iola Cable with approximately 3,820 subscribers is an important element in the Pittsburg–Joplin smaller television market, and because of Iola Cable's undisputed disregard for the Commission's Rules an order to show cause should issue.

3. We note that General Communications, parent company of Iola Cable is aware of the fact tht KOAM–TV has filed the instant request for order to show cause but has failed to file a responsive pleading. Therefore, in light of the allegations and documents submitted by KOAM–TV to demonstrate compliance with the requirements of Sections 76.92 and 76.94 of the Commission's Rules, and Iola Cable's lack of response to these allegations in addition to its apparent failure to provide KOAM–TV with the requested protection, we believe an order to show cause should issue.

Accordingly, it is ordered, That pursuant to Section 312(b) and (c) of the Communications Act of 1934, as amended, 47 U.S.C. 312(b) and (c), Iola Cable TV, Inc., is directed to show cause why it should not be ordered to cease and desist from further violations of Section 76.92 et seq. of the Commission's Rules and Regulations on its cable television system at Iola, Kansas.

It is further ordered, That Iola Cable TV, Inc., is directed to appear and give evidence with respect to the matters described above at a hearing to be held at Washington, D.C. at a time and place and before an Administrative Law Judge to be specified by subsequent order, unless the hearing is waived, in which event a written statement may be submitted.

It is further ordered, That Mid-Continent Telecasting, Inc., and the Chief, Cable Television Bureau, are made parties to this proceeding.

It is further ordered, That the Secretary of the Federal Communications

[1] On September 8, 1975, General Communications, Inc., parent company of Iola Cable TV, Inc., by its counsel filed a "Motion for Extension of Time" within which to respond to KOAM–TV's petition. General Communications asserted that "discussions have been initiated between the parties relating to the subject matter of the above-captioned pleading and may moot the issue in controversy." Additionally, General Communications indicated that counsel for KOAM–TV had consented to the requested extension of time. Similarly, on October 1, 1975, General Communications requested a further extension of time until November 1, 1975, based on the same grounds, and again indicating the consent to the request by KOAM–TV's counsel. Both requests for extension of time were unopposed. No further communications have been received from General Communications and the time for filing responsive pleadings in this matter has since passed.

[2] A copy of one such notice has been submitted with the petition.

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Commission shall send copies of this Order by certified mail to Iola Cable TV, Inc.

Adopted: December 16, 1975.

Released: December 31, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76-513 Filed 1-7-76;8:45 am]

[Docket No. 20656; File No. BP-19759; FCC 75-1375]

MONTEREY BROADCASTING CO.

Application for Construction Permit

Commissioner Hooks concurring in the result.

1. The Commission has before it the above-captioned application to provide new standard broadcast service to Monterey, Tennessee, filed by Monterey Broadcastnig Company [MBC], Monterey, Tennessee. Also before the Commission are a petition to deny, filed by WHUB, Inc. [WHUB], licensee of stations WHUB and WHUB-FM, Cookeville, Tennessee, and related pleadings in opposition and reply thereto.

2. The petitioner is the licensee of two broadcast stations located in Cookeville, Tennessee, some 16 miles from Monterey, the proposed community of license of the MBC facility. As a grant of the application would result in direct competition between the applicant and petitioner for audience and revenue, WHUB has demonstrated the requisite standing under section 309(d) (1) of the Communications Act of 1934, as amended, and section 1.580 (i) of the rules. *Sanders Brothers Radio Station* v. *Federal Communications Commission*, 309 U.S. 470, 9 RR 2008 (1940).

3. The petition challenges the MBC application on several bases: that the application involves prohibited overlap with the petitioner's second adjacent channel operation; that the application is not substantially complete; that the applicant is not financially qualified; and that the application is but one of a series of substantially identical proposals tendered by or on behalf of the applicant.[1] Each of these alleged deficiencies will be discussed below.

4. WHUB asserts that the proposed operation would result in overlap of the 2 mV/m and 25 mV/m contours of the MBC facility and WHUB, to the extent of 0.17 miles, computed in accordance with FCC Figure M-3. In addition, the petitioner submits that the proposal would cause objectionable interference to the normally protected service area of WHUB. The applicant contends that no overlap of the pertinent contours would obtain from operation as proposed, nor would its facility cause interference to WHUB as alleged. Each party has supported its claims with corresponding engineering documentation.

5. Our analysis reveals that there is no 2 mV/m and 25 mV/m overlap as regards MBC and WHUB. Using FCC Figure M-3 conductivities, the respective contours are tangent. In addition, to rebut petitioner's assertions, the applicant has submitted actual field intensity measurements made on WHUB's operation which clearly establish that there would be no 2 mV/m and 25 mV/m overlap in either direction, and further, that the application is in full compliance with the overlap criteria of section 73.37(a) of the rules.

6. The petitioner argues that these actual measurements submitted by MBC should not be allowed, as the only available measurements were made on WHUB, while none were made from the proposed site. In effect, WHUB proposes to apply the same criteria to both the existing and proposed operations as the only manner by which to arrive at a "valid comparison." However, as noted by the applicant, section 73.153 of the rules states that "• • • groundwave field intensity measurements will take precedence over theoretical values." Therefore, the applicant's measurement data on WHUB must be used to establish the extent of the pertinent WHUB contours, and FCC Figure M-3 conductivity values, in the absence of actual measurements, must be used to establish the extent of the pertinent contours of the proposed station. As noted, these data document that no overlap of the 2 mV/m and 25 mV/m contours will obtain from operation of the applicant's facility as proposed.

7. As to the petitioner's allegations that the proposal would cause objectionable interference within the normally protected service area of WHUB, the petition advances such claims based on reliance upon superseded rules. Instead of relying upon a demnostration of 2 mV/m and 25 mV/m contour overlap, which is the present standard for determination of whether two second adjacent channel operations are too closely spaced in a geographic sense, WHUB cites now-defunct rules, adopted in 1939, which provided for a 1:10 ratio (and later a 1:30 ratio) for determining second adjacent channel interference within a station's 0.5 mV/m contour. Utilizing these former criteria, there would be interference to WHUB. However, the last of these criteria—the 1:30 ratio—was eliminated in 1964. *AM Station Assignment Standards (Docket 15084)*, 45 FCC 1515, 2 RR 2d 1658 (1964). At that time, we concluded that the 1:30 ratio should be abolished and noted that:

> • • • [T]he new prohibitive overlap rules should be based only on prohibitive overlap of 2 mV/m and 25 mV/m contours for second adjacent channel stations • • • [W]e do not feel that elimination of the 1:30 ratio will result in any substantial loss of service to the public.

Id. at 1525, 2 RR 2d at 1669. Thus, second adjacent channel stations are not protected from interference per se.

8. By way of explanation, when the 2 mV/m and 25 mV/m proscription was initially adopted in Docket 8089, 12 FR 3893 (1947), three reasons were given for the promulgation of the rule: poor selectivity of receivers, avoidance of external cross-modulation, and avoidance of internal cross-modulation. At that time, the 1:30 ratio was also in existence, and the 2 mV/m and the 25 mV/m overlap prohibition was instituted solely to prevent the anomalous occurrence of two second adjacent channel stations occupying the same site, not in violation of the 1:30 ratio. For this single reason, the overlay proscription and the 1:30 ratio ran in tandem until 1964, at which time the latter was abolished. The effect of this action was to eliminate the concept of interference caused to second adjacent channel stations and, as a result, the normally protected 0.5 mV/m contour was no longer protected from such interference.

9. The remaining basis for the prohibition of 2 mV/m and 25 mV/m overlap—avoidance of cross-modulation—does not result, when it occurs, in interference to either of the two stations involved, but rather results in interference at the sum and difference of the frequencies of the stations. As there is no overlap of these pertinent contours, no interference results. Even if it did occur, however, it would not be interference to WHUB's frequency, but interference of the sum and difference frequencies.

10. The petitioner cites the language of section 73.182(w) which states that "as a practical matter, serious interference problems may arise when two or more stations with the same general service area are operated on channels 10, 20, and 30 kiloherts apart. [Emphasis added]." WHUB proceeds from this acknowledgment of potential problems to the conclusion that objectionable interference will be caused to its service area. As indicated supra, the 2 mV/m and 25 mV/m overlap prohibition is designed to avoid cross-modulation rather than interference to the two second-adjacent channel stations. Thus, the application of this provision of the rules is inapposite to the subject proposal.

11. Similarly misplaced is the petitioner's reliance upon the designation order in *Nebraska Rural Radio Association*, FCC 65-54, released January 29, 1965, 4 RR 2d 239, wherein an issue was specified regarding interference based on the 1:30 ratio between second adjacent channel stations. Although the applications were designated for hearing subsequent to the effective date of the elimination of the 1:30 ratio, they were tendered for filing prior to that date, and were held to comply with the standards in effect at the time of acceptance. *Nebraska Rural Radio Association*, FCC 65R-158, released May 4, 1965, 5 RR 2d 42, at par. 3. The MBC application was accepted approximately ten years after the abolition of the 1:30 ratio, and is clearly distinguishable from the petitioner's precedent.

12. Finally, WHUB contends that, as the 1:30 ratio (and its predecessor, the 1:10 ratio), was used in some 94 percent of the existing AM allocations,[2] it is reasonable to continue the use of this standard to determine interference. "If these standards were in error certainly twenty-five years of operating experience would have exposed the error," notes the petitioner. However, this appeal neglects to consider the advances in the state of the art in receiver design which have occurred since the promulgation, in 1939, of the desired:undesired signal ratios, and the resulting improvement in receiver selectivity. Utilization of the ratio to afford protection from second adjacent channel stations, was made unnecessary by these advances, and the use of the 1:30 ratio was accordingly discarded in 1964.

13. Therefore, WHUB's contentions that objectionable interference would be caused to it by the proposed operation are denied, and no further inquiry into this matter is warranted.

14. WHUB notes that the sole-owner of the applicant,[3] with interests in numerous broadcast applications, permits and licenses for communities in the Tennessee-Kentucky area,[4] has failed to include all of these interests in his application, or to amend the application to reflect subsequent changes in his broadcasting interests. In opposition, the applicant avers that this failure was the result of oversight and lack of legal counsel, and contends that the full disclosure of all broadcast interests in each subsequent application demonstrates the absence of any intent to conceal or deceive either the Commission or the public. Moreover, the MBC application has been amended on at least two occasions to list and then update these diverse and previously undisclosed broadcast interests.

15. Despite the petitioner's protestations, we are persuaded that the applicant's negligence in this matter as regards other broadcast activity is not of decisional significance and does not appear to be motivated by an intent to conceal or mislead. This instance is not substantially distinct from similar cases of this nature in the past, wherein no further inquiry was undertaken, see, e.g., *Jerry J. Collins*, 50 FCC 2d 715, 32 RR 2d 649 (1975); *Vogel-Ellington Corp.*, 41 FCC 2d 1005, 27 RR 2d 1685 (Rev. Bd., 1973). Therefore, no issue concerning these allegations is merited.

16. The petition further questions MBC's financial qualifications, alleging that the loan commitment letters in the Crossville and Monterey applications are from the same bank, the First National Bank of Crossville, and require the personal endorsement of Mr. Johnson. From this, WHUB intimates that these loans may not be fully independent of each other, and that the bank may not be willing to loan the applicant a total of $175,000. In rebuttal, MBC emphasizes that each letter is wholly indepndent and the transaction thereby contemplated is fully described by each letter of credit.

17. We will not specify an issue concerning these letters of credit. As the Review Board recently noted, where no basis is presented for assuming that the financial institution is unaware of the applicant's other contingent liabilities, as here, the mere fact that the applicant may have such liabilities is insufficient to warrant an inquiry as requested by WHUB. *Teche Broadcasting Corporation*, FCC 75R-395 at par. 10, released October 24, 1975. Although the applicant herein does have extensive existing and potential interests in numerous broadcast facilities in Tennessee and Kentucky, each application still outstanding appears to be independently financed, with no overlap or double commitment of collateral, and WHUB has failed to advance information to the effect that none of the financial institutions were aware of the applicant's other contingent liabilities at the time the loans were negotiated. This is especially true in the case at present, for the same bank has extended credit to Mr. Johnson on two separate occasions. WHUB's assertions would have us believe that the bank is incapable of cross-referencing its own files, an assumption which we will not make.

18. Other aspects of the petitioner's financial objections, however, are more substantive and troubling. WHUB alleges that the applicant has underestimated its operating costs, specifically those associated with its proposed news operation. The breakdown of estimated cost of operation, submitted with the application, indicates that a total of $4,600 has been allocated to the "news department," a figure which would appear to include both salaries and equipment. Elsewhere in the application (Ex. IV-4), MBC describes the news operation of its proposed facility; the proposal would involve a "full staff, round the clock local news operation," with a fulltime news director, two staff reporters, community stringers, a "fully equipped news mobil unit,"[5] several cassette tape recorders and finally, broadcast wire service from both of the national services. Although the applicant simply contends that the indicated figure is sufficient to provide those services proposed, the petitioner suggests that this estimate is " • • • so low and unrealistic on [its] face that further support and justification of those estimates is clearly required."

19. The cost estimates advanced by MBC have been studied in detail, for, as noted infra, the applications for facilities in Dayton, Monterey, and Newport, Tennessee, as well as that for Burkesville, Kentucky, all utilize the identical cost estimates. While the applicant appears to possess sufficient funding, in the form of a bank loan, to meet its stated costs of construction and estimates of operation for the first year, there is a question as to whether the estimates advanced by MBC are in fact the result of true study and analysis of the proposed stations' requirements and the local economy. The broad classifications used by MBC in its estimates, while not objectionable per se, *Dubois County Broadcasting*, 53 FCC 2d 828, 34 RR 2d 10 (1975), do not afford us the opportunity to determine what portion of the applicant's allotment in each category is for salaries and what portion for other overhead items, such as equipment. The specific deficiency emphasized by WHUB is but one example of the applicant's failure to justify, by clear documentation of the elements of each proposal, the bases for its cost estimates. We addressed this point long ago, *Ultravision Standard for Financial Qualifications*, 9 FCC 2d 26, 10 RR 2d 1757 (1967), and noted that when "• • • the estimate of operating costs is unrealistic, or if it is contested, • • • a detailed breakdown of the estimate will be required." Id. at 28, n. 2, 10 RR 2d 1760. Since the applicant has not provided such a breakdown, we are unable to determine whether its estimates are valid, and thus we cannot conclude that MBC has adequately demonstrated its financial qualifications. Accordingly, an appropriate issue will be specified.

20. The petitioner's final objection concerns the numerous instances of duplicated material in several of the applications (Burkesville, Kentucky, and Monterey, Dayton, Crossville, and Newport, Tennessee), which are now or were recently pending before us and in which the applicant herein has a significant interest. WHUB contends that in response to the following portions of the application form, three or more of these applications duplicate word-for-word the information contained in the others: estimates of operating costs and revenues; bank loan terms; staffing plans; programming plans; and the extent of the proposed news service. Of course, some of the instances of duplication are of little consequence; for example, that the bank loan commitments are no more than "boilerplate" letters is not a reflection upon the applicant's qualifications, nor does the fact that the same individuals will ultimately be responsible for the formulation of station policy in each case trouble us. However, where the descriptions of programming content, format, percentages and the asserted contribution to overall diversity of broadcast services in the service area are all identical and appear to be mere photocopies of the same printed text, serious questions are posed. We have in the past

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[1] Edward M. Johnson is the sole owner of Cumberland Television Company, applicant for a new commercial television station in Crossville, Tennessee (File No. BPCT-4832), in addition to his full interest in the instant application. Further, he has a 49 percent interest in the following: Rhea County Broadcasting Co., applicant for a new standard broadcast station in Dayton, Tennessee (File No. BP-18000); Newport Broadcasting Co., applicant for a new standard broadcast station in Newport, Tennessee (File No. BP-19855); Cumberland County Broadcasting Co., permittee of standard broadcast station WKYR, Burkesville, Kentucky, and WCSV, Inc., licensee of standard broadcast station WCSV, Crossville, Tennessee. He also has a one-third interest in Kingston Broadcasting Co., applicant for a new standard broadcast station in Kingston, Tennessee (not yet accepted for filing), Bedford Broadcasting Company, proposed assignee of stations WHAL and WHAL-FM, Shelbyville, Tennessee (File Nos. BAL-8435 and BALH-2148), and a recently tendered application for a new FM station in Kingston, Tennessee.

[2] This figure was submitted by WHUB without apparent factual documentation, and is therefore understood to be a rough estimate.

[3] See note 1, supra.

[4] MBC indicates this will be " • • • [a] late model automobile [which] will have complete, powerful remote pickup equipment • • •."

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specified issues to inquire in such cases as to whether the application proposes programs to meet the needs and problems revealed in the ascertainment process, or rather imposed a predetermined framework on the operation of the facility. In *Vernon Broadcasting Co.*, 12 FCC 2d 946, 13 RR 2d 245 (1968), we indicated that "[i]t has long been Commission policy to question whether the programming proposals have been tailored to meet the needs of the proposed service area, where * * * the applicant has submitted nearly identical programming proposals for different communities." Id. at 950, 13 RR 2d 251. The applicant's opposition to the petition herein—that "the method of meeting the various [ascertained] needs [by each station] will *perhaps* be very different [emphasis supplied]"—does not convince us that the petitioner's allegations are without merit. As noted in connection with the discussion of the petitioner's financial objections to the application, the duplication of the estimated operating costs in each application was a significant factor in the specification of an issue regarding the applicant's financial qualifications. Similarly, we will inquire into these duplications of programming information within the scope of an ascertainment issue.

21. In addition, study by the Commission's staff has revealed further deficiencies in MBC's application. Despite an explicit request in a letter from the staff for additional interviews with community leaders in other towns within the proposed service area (see questions and answers 6 and 7 of the Primer on the *Ascertainment of Community Problems by Broadcast Applicants*, 27 FCC 2d 650, 21 RR 2d 1507 (1971)), the applicant has failed to consult with leaders representing several communities with larger populations than Monterey which will be served by the proposed station. As this deficiency may be examined within the scope of the issue specified in the preceding paragraph, no additional issue is warranted.

22. In light of the foregoing, it is ordered, that the petition to deny, filed herein by WHUB, is granted to the extent indicated and is denied in all other respects, and that, pursuant to section 309(e) of the Communications Act of 1934, as amended, the application of MBC is designated for hearing, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine with respect to the application of Monterey Broadcasting Company:

(a) Whether sufficient, valid estimates of the costs of operation of the proposed facility for the first year have been submitted; and

(b) Whether, in light of the evidence adduced pursuant to (a), above, MBC is financially qualified to construct and operate its proposed facility.

2. To determine the efforts made by MBC to ascertain the community needs and interests of the area to be served and the means by which the applicant proposes to meet those needs and interests.

3. To determine, in light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest, convenience and necessity.

23. It is further ordered, That WHUB, Inc., licensee of stations WHUB and WHUB–FM, Cookeville, Tennessee, is made a party to this proceeding.

24. It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant and party respondent herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

25. It is further ordered, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594 (g) of the rules.

Adopted: December 16, 1975.

Released: December 31, 1975.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] VINCENT J. MULLINS, *Secretary.*

[FR Doc.76–514 Filed 1–7–76;8:45 am]

[Docket No. 19660; RM 690; FCC 75–1431]

INTERNATIONAL RECORD CARRIERS

Scope of Operations in the Continental United States

In the matter of International Record Carriers' scope of operations in the Continental United States, including possible revisions to the formula prescribed under Section 222 of the Communications Act.

1. By Report and Order and Notice of Proposed Rulemaking in the above-captioned proceeding released this day, FCC 75–1430, — FCC 2d —, which is incorporated herein by reference, we repealed, effective March 1, 1976, the formula prescribed by the Commission in 1943 governing distribution of outbound, unrouted international message telegraph traffic (international formula). In connection therewith, we considered a request by Comsat General Corporation that we institute an investigation into the formula prescribed by the Commission in 1943 as Appendix 2 to the international formula which governs distribution of outbound, unrouted message telegraph traffic destined to ships at sea (Maritime formula). See FCC 75–1430 at paragraph 61.

2. None of the parties to the international formula inquiry opposed a grant of Comsat General's request. Further, we noted that the anticompetitive features of the maritime formula are in conflict with the policy we announced with respect to the international formula and should therefore be examined. However, inasmuch as the maritime formula was not among the issues under consideration in the formula inquiry, we conclude that the most expeditious course will be to continue the present maritime formula in effect and to institute a separate investigation into its continued reasonableness under present conditions.

3. Accordingly, it is ordered, Pursuant to Sections 4(i), 4(j), 201, 222(e)(3), and 403 of the Communications Act of 1934, as amended, that an investigation is hereby instituted to determine whether the distribution of outbound, unrouted Marine (Shore to Ship) message telegraph traffic presently being made by The Western Union Telegraph Company among mobile service carriers under the formula for such traffic prescribed by the Commission in 1943 pursuant to 47 U.S.C. § 222(e)(1) (1971) (maritime formula) is or will be unjust, unreasonable, inequitable, or not in the public interest and, if so, the measures which the Commission should prescribe to remove such conditions.

4. It is further ordered, That without in any way limiting the scope thereof, the maritime formula investigation shall include the following issues:

(1) The manner in which distribution of traffic is presently being made;

(2) The present defects in the maritime formula;

(3) Specific amendments which should be made to the maritime formula to remove each such defect;

(4) What changes, if any, should be made to the maritime formula to accommodate the introduction of the maritime satellite communications system; and

(5) Should the maritime fromula be replaced by a method of distribution based on required customer routings and appropriate carrier interconnection and if so, what economic, operational and legal considerations must be taken into account in implementing any such method.

5. It is further ordered, That any interested common carrier or other member of the public intending to participate in the maritime formula investigation shall, on or before March 1, 1976, file a notice of intention to participate; the Commission will then issue a Public Notice, stating the names of participants upon whom copies of the comments, responses and replies shall be served; and

6. It is further ordered, That any interested person may participate in the maritime formula investigation by filing comments, responses, and replies in accordance with the following schedule: Comments are to be filed on or before April 12, 1976; Responses to those Comments may be filed on or before May 14, 1976; and Replies may be filed on or before May 28, 1976; persons participating in this investigation shall submit to the Commission an original and 11 copies of all comments, responses, replies and other pleadings which may be called for hereafter.

Adopted: December 22, 1975.

Released: January 7, 1976.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] VINCENT J. MULLINS, *Secretary.*

[FR Doc.76–516 Filed 1–7–76;8:45 am]

[1] Commissioner Hooks concurring in the result.

[Docket Nos. 20591, 20592; File Nos. BR–4792, BL–13657; FCC 75D–479]

WWLE, INC. AND MECHANICVILLE BROADCASTING CO.

New and Renewal License Applications

1. By Memorandum Opinion and Order, 40 FR 33873, published September 30, 1975, the Commission designated the application of WWLE, Incorporated (WWLE) for hearing on issues to determine whether WWLE engaged in reporting violations, misrepresentation, and unauthorized transfers of control.[1] Now before the Review Board is a petition to enlarge issues, filed October 15, 1975, by WWLE, seeking the addition of a meritorious programming issue.[2]

2. The Board is satisfied that, consistent with past precedent, WWLE should be afforded an opportunity to show meritorious programmings in mitigation of such adverse findings as may be made under the issues relating to the past operation of its facilities. See *Norjud Broadcasting, Incorporated*, FCC 75R–362, — FCC 2d —, released September 30, 1975; and *Friendly Broadcasting Company*, 35 FCC 2d 611, 24 RR 2d 712 (1972).[3] In this regard, however, we agree with the Broadcast Bureau that it would be inappropriate to permit the evidence of meritorious programming to be used to mitigate adverse findings under the misrepresentation issue (issue 4).[4] *KFPW Broadcasting*, supra. Finally, we note that a showing of meritorious programming must be limited to the licensee's performance prior to the time it learned that its license was in jeopardy[5] and that addition of the issue will not preclude the parties from arguing the weight which should be accorded such evidence. See *Cosmopolitan Broadcasting Corp.*, 39 FCC 2d 698, 26 RR 2d 1172 (1973).

3. Accordingly, it is ordered, That the petition to enlarge issues, filed October 15, 1975, by WWLE, Incorporated is granted, and that the issues in this proceeding are enlarged by the addition of the following issue:

To determine whether the programming of Station WWLE has been meritorious, particularly with regard to public service programs.

4. It is further ordered, That the burdens of proceeding and proof under the issue added herein shall be on WWLE, Incorporated.

Adopted: December 29, 1975.

Released: December 31, 1975.

FEDERAL COMMUNICATIONS COMMISSION,[6]

[SEAL] VINCENT J. MULLINS, *Secretary.*

[FR Doc.76–515 Filed 1–7–76;8:45 am]

[1] Commissioner Hooks issued a separate statement attached to Report and Order and Notice of Proposed Rulemaking (FCC 75–1430).

[2] A misrepresentation issue was also specified against Mechanicville Broadcasting Co. (issue 7).

[3] The Broadcast Bureau filed comments on the petition on October 30, 1975.

[4] The Board is cognizant of the fact that the rule violations and unauthorized transfers of control alleged in this proceeding could involve possible misrepresentation, but we concur with the Broadcast Bureau that such acts do not necessarily involve the degree of culpable conduct which renders consideration of past programming inappropriate. *Cf. Herts Broadcasting of Birmingham, Inc.*, 45 FCC 2d 479, 29 RR 2d 921 (1974). In this connection, however, it is important to note that any mitigating effect of the evidence adduced pursuant to the added issue herein shall be limited to those issues which are not ultimately resolved against the applicant because of misrepresentation or other acts involving moral turpitude directly relating to the operation of a broadcast station. *KFPW Broadcasting Co.*, 40 FCC 2d 126, 26 RR 2d 1633 (1973).

[5] With regard to the Bureau's contention relating to the other misrepresentation issue (issue 7), the Board notes that that issue is not included in the foregoing discussion since the issue was designated against Mechanicville Broadcasting Co. See note 1, supra.

[6] Evidence of programming after the expiration of the license period in question will also not be admissible. See *Norjud Broadcasting, Incorporated*, supra. Although petitioner contends that it did not know its license was "in jeopardy" until the release of the designation Memorandum Opinion and Order, the Board agrees with the Bureau that the question of when the licensee first received such notice should be resolved by the presiding judge in the first instance. *Chesapeake-Portsmouth Broadcasting Corp.*, 42 FCC 2d 1030, 28 RR 2d 703 (1973).

[6] Review Board Member Zias absent.

FEDERAL DEPOSIT INSURANCE CORPORATION

INSURED BANKS

Joint Call for Report of Condition

Pursuant to the provisions of section 7(a)(3) of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1817 (a)(3)), each insured bank is required to make a Report of Condition as of the close of business December 31, 1975, to the appropriate agency designated herein, within ten days after notice that such report shall be made: *Provided*, That if such reporting date is a nonbusiness day for any bank, the preceding business day shall be its reporting date.

Each national bank and each bank in the District of Columbia shall make its original Report of Condition on Office of the Comptroller Form CC–8022–05—Call No. 496[1], and shall send the same to the Comptroller of the Currency and shall send a signed and attested copy thereof to the Federal Deposit Insurance Corporation. Each insured State bank which is a member of the Federal Reserve System, except a bank in the District of Columbia, shall make its original Report of Condition on Federal Reserve Form 105—Call No. 218[1] and shall send the same to the Federal Reserve Bank of the District wherein the bank is located and shall send a signed and attested copy thereof to the Federal Deposit Insurance Corporation. Each insured State bank not a member of the Federal Reserve System, except a bank in the District of Columbia and a mutual savings bank, shall make its original Report of Condition and one copy thereof on FDIC Form 64—Call No. 114[1] and shall send the same to the Federal Deposit Insurance Corporation.

The original Report of Condition required to be furnished hereunder to the Comptroller of the Currency and the copy thereof required to be furnished to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for Preparation of Consolidated Reports of Condition by National Banking Associations," dated November 1972 and any amendments thereto[1]. The original Report of Condition required to be furnished hereunder to the Federal Reserve Bank of the District wherein the bank is located and the copy thereof required to be furnished to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for the Preparation of Reports of Condition by State Member Banks of the Federal Reserve System," dated January 1973 and any amendments thereto[1]. The original Report of Condition and the copy thereof required to be furnished hereunder to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for the Preparation of Report of Condition on Form 64 by Insured State Banks Not Members of the Federal Reserve System," dated December 1970, and any amendments thereto[1].

Each insured mutual savings bank not a member of the Federal Reserve System shall make its original Report of Condition and one copy thereof on FDIC Form 64 (Savings)[1], prepared in accordance with "Instructions for the Preparation of Report of Condition on Form 64 (Savings) and Report of Income on Form 73 (Savings) by Insured Mutual Savings Banks," dated December 1971, and any amendments thereto[1], and shall send the

[1] Filed as part of original document.

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same to the Federal Deposit Insurance Corporation.

[SEAL] FRANK WILLE,
Chairman, Federal Deposit Insurance Corporation.
ROBERT BLOOM,
Acting Comptroller of the Currency.
GEORGE W. MITCHELL,
Vice Chairman, Board of Governors of the Federal Reserve System.

[FR Doc.76-538 Filed 1-7-76;8:45 am]

INSURED MUTUAL SAVINGS BANKS NOT MEMBERS OF THE FEDERAL RESERVE SYSTEM

Call for Annual Report of Income

Pursuant to the provisions of section 7(a) of the Federal Deposit Insurance Act each insured mutual savings bank not a member of the Federal Reserve System is required to make a Report of Income for the calendar year 1975 on FDIC Form 73 (Savings), revised December 1971, to the Federal Deposit Insurance Corporation within 30 days after December 31, 1975. Said Report of Income shall be prepared in accordance with "Instructions for the Preparation of Report of Condition on Form 64 (Savings) and Report of Income on Form 73 (Savings)," dated December 1971 and any amendments thereto.

FEDERAL DEPOSIT INSURANCE CORPORATION,
[SEAL] ALAN R. MILLER,
Executive Secretary.

[FR Doc.76-539 Filed 1-7-76;8:45 am]

INSURED STATE BANKS NOT MEMBERS OF THE FEDERAL RESERVE SYSTEM EXCEPT BANKS IN THE DISTRICT OF COLUMBIA AND MUTUAL SAVINGS BANKS

Call for Annual Report of Income

Pursuant to the provisions of section 7(a) of the Federal Deposit Insurance Act each insured State bank not a member of the Federal Reserve System, except a bank in the District of Columbia and a mutual savings bank, is required to make a Report of Income for the calendar year 1975 on FDIC Form 73 (revised December 1969) to the Federal Deposit Insurance Corporation within 30 days after December 31, 1975. Said Report of Income shall be prepared in accordance with "Instructions for the Preparation of Report of Income on Form 73," dated December 1970 and any amendments thereto.

FEDERAL DEPOSIT INSURANCE CORPORATION,
[SEAL] ALAN R. MILLER,
Executive Secretary.

[FR Doc.76-540 Filed 1-7-76;8:45 am]

FEDERAL ENERGY ADMINISTRATION

NATIONAL OFFICE OF EXCEPTIONS AND APPEALS

Cases Filed

Notice is hereby given that during the week of December 12 to December 19, 1975, the appeals and applications for exception or other relief listed in the Appendix to this notice were filed with the Federal Energy Administration's Office of Exceptions and Appeals.

Under the FEA's procedural regulations, 10 CFR, Part 205, any person who will be aggrieved by the FEA action sought in such cases may file with the FEA written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of those regulations, the date of service of notice shall be deemed to be the date of publication of this notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first.

MICHAEL F. BUTLER,
General Counsel.

JANUARY 2, 1976.

APPENDIX—*List of cases received by the Office of Exceptions and Appeals, Dec. 12 to 19, 1975*

Date	Name of applicant	Case No.	Location	Type of submission
Dec. 12, 1975	Skelly Oil Co. (If granted: FEA Region VI's Nov. 24, 1975, remedial order would be rescinded and Skelly Oil Co. would not be required to refund its solvent purchasers from May 1, 1974, through Jan. 16, 1975, for alleged overcharges.)	FEA-0696	Tulsa, Okla.	Appeal of FEA Region VI's remedial order.
Dec. 15, 1975	Ameropan Oil Corp. (If granted: Ameropan Oil Corp. would receive an additional import allocation of residual fuel oil.)	FPI-0060	Syosset, L.I., N.Y.	Exception to base fee requirements.
Do	Major Brands Distributing Co. (If granted: FEA's June 27, 1975 decision and order would be modified to permit importation of finished products on a fee-exempt basis into District V as well as into District II through IV.	FPI-0061	Washington, D.C.	Modification of FEA's June 27, 1975 decision and order.
Do	R. G. Berry Co. (If granted: Crude oil produced from the Carmichael lease would be sold at exempt prices.)	FEE-2121	Tulsa, Okla.	Price exception (sec. 212.72).
Do	Saveway Gas & Appliance, Inc. (If granted: Saveway Gas & Appliance, Inc. would be assigned a new, lower priced supplier of propane to replace its base period supplier, NGL Supply, Inc.)	FEE-2122	Dexter, Mo.	Exception to change suppliers.
Do	Sunland Refining Corp. (If granted: Sunland Refining Corp. would receive an extension of the entitlement exception relief granted in FEA's Dec. 5, 1975 decision and order.)	FEE-2123	Los Angeles, Calif.	Extension of FEA's entitlement exception relief, Sunland Refining Corp., 3 FEA Par.—(Dec. 5, 1975).
Dec. 16, 1975	International Trading & Transport, Ltd. (If granted: The FEA would review the regulation governing resellers which function as brokers to determine the appropriateness of their regulation.)	FSG-0016	New Orleans, La.	Application for special redress.
Do	Mar-Low Corp. (If granted: Crude oil produced from the West Tepetate Field would be sold at exempt prices.)	FEE-2105	Lafayette, La.	Price exception (sec. 212.72).
Do	San Joaquin Refining Co. (If granted: FEA's Nov. 26, 1975 decision and order would be rescinded and San Joaquin Refining Co. would receive a stay of the requirements of the entitlement program pending final determination of its exception request.)	FEA-0687	Oildale, Calif.	Appeal of FEA's Nov. 26, 1975 decision and order, San Joaquin Refining Co., 3 FEA Par. 80, 508 (Nov. 26, 1975).
Dec. 17, 1975	Continental Oil Co. (If granted: Continental Oil Co. would be permitted to prospectively pass through the cash discounts which its customers received during the months September, 1974 through January, 1975	FEE-2124	Houston, Tex.	Price exception (sec. 212.83).
Do	Mohawk Petroleum Corp., Inc. (If granted: Mohawk Petroleum Corp. would be permitted to import license fee-free an additional 2,182,500 barrels of crude oil on the level permitted in a decision of the Director of Oil Imports.)	FPI-0062	Bakersfield, Calif.	Appeal of base fee requirement.
Do	New England Petroleum Corp. (If granted: FEA's Nov. 17, 1975 decision and order would be rescinded and New England Petroleum Corp. would receive an extension of the entitlement exception relief granted in FEA's May 2, 1975 decision and order.)	FEA-0688	Washington, D.C.	Appeal of FEA's exception decision and order, New England Petroleum Corp., 3 FEA Par. 83,018 (Nov. 17, 1975).
Dec. 19, 1975	Atlantic Richfield Co. (If granted: FEA Region IX's Nov. 11, 1975 interpretation would be rescinded and Gordon H. Wallace would not be classified as a wholesale purchaser/reseller.)	FEA-0691	Los Angeles, Calif.	Appeal of Region IX's interpretation.
Do	D&R Distributors, Inc. (If granted: FEA Region III's modification of a remedial-order issued Nov. 26, 1975 would be rescinded.)	FEE-0690 FES-0690	Kingswood, W. Va.	Appeal of Region III's modification of remedial order; stay requested.
Do	Nestle Co., Inc. (If granted: The Nestle Company would be permitted to convert one of its boilers from coal to fuel oil.)	FEE-2126	White Plains, N.Y.	Exception to part 215.
Do	Northwest Propane, Inc. (If granted: Northwest Propane, Inc. would be assigned a new, lower priced supplier of propane to replace its base period supplier, Petrolane Gas Co.)	FEE-2125	Farmington, Mich.	Exception to change suppliers.
Do	Sound Oil Co.	FEA-0689	Northport, L.I. N.Y.	Appeal of FEA's exception decision and order, Sound Oil Co., 3 FEA Par. 83, 011 (Nov. 21, 1975).

[FR Doc.76-311 Filed 1-2-76;12:46 pm]

NATIONAL OFFICE OF EXCEPTIONS AND APPEALS

Cases Filed

Notice is hereby given that during the week of December 19 to December 26, 1975, the appeals and applications for exception or other relief listed in the Appendix to this notice were filed with the Federal Energy Administration's Office of Exceptions and Appeals.

Under the FEA's procedural regulations, 10 CFR, Part 205, any person who will be aggrieved by the FEA action sought in such cases may file with the FEA written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of those regulations, the date of service of notice shall be deemed to be the date of publication of this notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first.

MICHAEL F. BUTLER,
General Counsel.

JANUARY 2, 1976.

List of cases received by the Office of Exceptions And Appeals, Dec. 19 to 26, 1975

Date	Name of applicant	Case No.	Location	Type of submission
Dec. 9,1975	Louisiana Land & Exploration Co. (If granted: FEA's Oct. 22, 1975 decision and order would be modified so that Louisiana Land & Exploration would receive Jay crude oil rather than crude oil on the buy/sell list.)	FEA-0095	New Orleans, La.	Appeal of FEA's Oct. 22, 1975 decision and order.
Dec. 22,1975	Cox, Edwin L. (If granted: The current cumulative crude oil deficiency with respect to the M-25936 Texas lease would be eliminated.)	FEE-2092	Dallas, Tex.	Price exception (sec. 212.72).
Do	D.C. Curtis, Inc. (If granted: D.C. Curtis, Inc. would be permitted to increase its selling price of No. 2 fuel oil above its maximum allowable selling price under the mandatory petroleum regulations.)	FEE-2127	Lee Hall, Va.	Prince exception (sec. 212.98).
Do	Eagle Oil Co. (If granted: Eagle Oil Co. would be assigned a new, lower priced supplier of petroleum products retroactive to September 1975.)	FEE-2130	Columbus, Ohio	Exception to change suppliers.
Do	Kaibab Industries, Inc. (If granted: FEA's Oct. 30, 1975 decision and order would be rescinded and Kaibab Industries would be permitted to increase its prices for motor oil.)	FMR-0082	Phoenix, Ariz.	Modification of FEA's Oct. 30, 1975 decision and order, Kaibab Industries, Inc., 2 FEA Par. 80, 730 (Oct. 30, 1975).
Do	Kerr-McGee Corp. (If granted: FEA's Nov. 14, 1975 decision and order would be modified to make the relief granted retroactive to March 1974.)	FEA-0094	Okla. City, Okla.	Appeal of FEA's exception decision and order, Kerr-McGee Corp., 2 FEA Par. 83, 003 (Nov. 14, 1975).
Do	Naph-Sol Refining Co. (If granted:Naph-Sol Refining Co. would be assigned a new, lower priced supplier of motor gasoline and fuel oil to replace its base period suppliers, Koch Refining Co. and Osceola Refining Co.)	FEE-2132	Muskegon, Mich.	Exception to change suppliers.
Do	Oil Supply Co., Inc. (If granted: Oil Supply Co., Inc. would be permitted to increase its selling price for fuel oil above its maximum allowable selling price under the mandatory petroleum price regulations.)	FEE-2128	Norfolk, Va.	Price exception (Sec. 212.98).
Do	Petrochemical Energy Group (If granted: FEA's Nov. 14, 1975 assignment order granting a base period use for synthetic natural gas "feedstocks" would be rescinded.)	FEA-0693	Philadelphia, Pa.	Appeal of FEA's Nov. 14, 1975 order issued by regulatory programs.
Do	Petroleum Management, Inc. (If granted: Crude oil produced from the W. A. Jackson Lease, Bach Lease, Clark Lease, South Oeser Lease, and North Oeser Lease could be sold at exempt prices.)	FEE-2129	Wichita, Kans.	Price exception (Sec. 212.72).
Do	Point Landing, Inc. (If granted: A Notice of probable violation issued to Point Landing on Oct. 28, 1975 would be revoked and FEA remedial action would be initiated against a major integrated oil company.)	FSG-0017	New Orleans, La.	Petition for special redress.
Do	South Alabama General Aviation, Inc. (If granted: FEA's Nov. 13, 1975 decision and order would be rescinded and South Alabama General would receive retroactive price relief.)	FEA-0692	Mobile, Ala.	Appeal of FEA's exception decision and order, South Alabama General Aviation, 2 FEA Par. 83,007 (Nov. 13, 1975).
Do	Utopia Oil Industries, Inc. (If granted: Utopia Oil Industries, Inc. would be assigned a new, lower priced supplier of motor gasoline to replace its base period supplier, Time Oil Co.)	FEE-2131	Richland, Wash.	Exception to change suppliers.
Dec. 23, 1975	C & H Refining, Inc. (If granted: FEA's Dec. 18, 1975 remedial order would be rescinded and C & H Refining, Inc. would not be required to purchase entitlements for its receipts of old oil in excess of the adjusted national old oil supply ratio.)	FEA-0697	Tulsa, Okla.	Appeal of FEA's Dec. 18, 1975, remedial order.
Do	C & H Refining, Inc. (If granted: FEA's Dec. 15, 1975 decision and order issued to C & H Refining, Inc. would be modified and retroactive relief would be awarded to refiner.)	FMR-0083	Tulsa, Okla.	Request for modification of FEA's decision and order, C & H Refining, Inc., 3 FEA Par. — (Dec. 15, 1975).
Do	North American Petroleum Corp. (If granted: North American Petroleum Corp. would receive an extension of the entitlement exception relief granted in FEA's Dec. 5, 1975 decision and order.)	FEE-2133	Abilene, Tex.	Extension of FEA's entitlement exception relief, North American Petroleum Corp., 3 FEA Par. — (Dec. 5, 1975).
Do	Standard Oil Co. (KY50) (If granted: FEA's Oct. 14, 1975 decision and order which was issued to Colonial Oil Co. would be rescinded and Standard Oil Co. of Kentucky would not be required to supply Colonial Oil Co. with motor gasoline.)	FEA-0696	Washington, D.C.	Appeal of FEA's Oct. 14, 1975, decision and order, Colonial Oil Co., 2 FEA Par. 83,706 (Oct. 14, 1975).
Do	TAC Air Services, Inc. (If granted: FEA's Nov. 21, 1975 decision and and order would be rescinded and the firm would receive retroactive price relief.)	FEA-0696	Pittsburgh, Pa.	Appeal of FEA's exception decision and order, TAC Air Services, Inc., 2 FEA Par. 83,017 (Nov. 21, 1975).
Dec. 24, 1975	Tidewater Metro Transit (If granted: Tidewater Metro Transit would be supplied diesel fuel by Exxon Co. rather than both Exxon and American Oil Co.)	FEE-2134	Norfolk, Va.	Exception to change suppliers.

[FR Doc.76-312 Filed 1-2-76;12:46 pm]

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FEDERAL HOME LOAN BANK BOARD

[No. AC-6]

FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF FRESNO, FRESNO, CALIFORNIA

Notice of Approval of Conversion; Notice of Final Action

Correction

In FR Doc. 75-34705, appearing on page 59481 in the issue of Wednesday, December 24, 1975, the heading should have appeared as set forth above.

[No. AC-4]

STANDARD FEDERAL SAVINGS AND LOAN ASSOCIATION, GAITHERSBURG, MARYLAND

Notice of Approval of Conversion; Notice of Final Action

Correction

In FR Doc. 75-34707 appearing on page 59482 in the issue of December 24, 1975, the heading should have appeared as set forth above.

FEDERAL POWER COMMISSION

[Docket Nos. ER76-321 and E-7775, et al.]

APPALACHIAN POWER CO.

Order Accepting for Filing and Suspending Proposed Rate Increase, etc.

DECEMBER 24, 1975.

On November 26, 1975, Appalachian Power Company (Appalachian) tendered for filing two supplements to its F.P.C. Rate Schedule No. 27 and a letter dated November 25, 1975 to the Mayor of the City of Martinsville, Virginia in which Appalachian notified Martinsville of its intention to serve the city on an after January 1, 1976 on a day-to-day basis.

Appalachian states that the filing of the First Supplement is made in order to place Martinsville on the same Rate Schedule which is applicable to those of its customers whom the Commission has determined are not under fixed rate-fixed-term contracts. Appalachian states further that notice to continue service to Martinsville after December 31, 1975, on a day to day basis was given to Martinsville on December 29, 1972.

Appalachian states that this supplement would place service to Martinsville under Rate Schedule WS which is the same rate schedule presently under consideration in Docket No. E-7775. Appalachian requests therefore that the Commission permit it to incorporate by reference the comparative billing analysis contained in the cost-of-service study dated June 20, 1975 and filed in Docket Nos. E-7775 and E-9101. Appalachian contends that the comparative billing analysis reveals that for the 12 months ended December 1974, if the rates, terms and conditions of Rate Schedule WS had been in effect and applicable to the City of Martinsville, the increased rates paid by the city would have been $165,552, or an increase of 7.03 percent.

The second supplement filed by Appalachian would amend the fuel adjustment clause contained in Rate Schedule WS in purported compliance with Order No. 517 and is in the identical form as the fuel clauses filed by Appalachian in Docket No. ER76-24, as the fuel clause to be contained in its Rate Schedule WS.

Appalachian requests that the Commission permit the supplements to become effective January 1, 1976.

Notice of Appalachian's filing was issued December 10, 1975 with all protests, petitions to intervene or comments to be filed on or before December 19, 1975.

On December 19, 1975, the City of Martinsville (Martinsville) filed a petition to intervene and a protest to Appalachian's filing. Martinsville's first objection to Appalachian's filing is based on Appalachian's intent to continue service only on a day to day basis on and after January 1, 1976. Martinsville requests that the Commission require Appalachian to file testimony or other evidence to support its position that it is in the public interest to serve Martinsville on a day to day basis. Martinsville further requests the Commission to direct Appalachian to submit a curtailment plan with the Commission to inform the Commission and the public of the priorities of service on its system.

Upon consideration we shall grant Martinsville's request directing Appalachian to file testimony in this proceeding on its justification of continuing service to Martinsville on a day to day basis. We shall further treat this change in service as an issue in this proceeding and require Appalachian to carry forth its statutory burden of proof showing the change in service to be just and reasonable. In accordance with this directive we shall amend the previously established procedural dates in this proceeding as hereinafter ordered.

We note further that pursuant to Section 35.15 of our Regulations Under the Federal Power Act, Appalachian must give this Commission at least thirty days' notice prior to any termination or cancellation of service to Martinsville. Martinsville's second basis of protest is that acceptance of Appalachian's filing would result in an extension of two contractual terms upon which Martinsville is unable to agree. Specifically, the expiring contract provides that Appalachian be permitted to continue to serve six industrial customers within the City of Martinsville[1] and that Martinsville will grant to Appalachian permits for any facilities necessary to serve these six industrial customers.[2] Martinsville contends that the Federal Power Commission does not have the authority to extend the effectiveness of these terms since such issues are of purely local concern and the authority over the grants lies with the City Council. Martinsville therefore requests that the Commission summarily reject Appalachian's attempt to extend Sections 11 and 12 of the expired service agreement beyond the expiration of the service agreement. In its letter of November 25, 1975 to the Mayor of the City of Martinsville, Appalachian informed the City of its intention, on and after January 1, 1976, to serve Martinsville on a day to day basis and that such service "will be provided to Martinsville under the terms, rates and conditions of our F.P.C. Rate Schedule No. 27, as heretofore amended and as further amended by this letter and by the supplements to this letter which incorporate "Rate Schedule WS." Upon consideration of this statement of Appalachian's intent to serve Martinsville under the terms and conditions of the expired contract and upon consideration of the fact that the parties have not entered a new contract we are of the opinion that the issue of the just and reasonable terms and conditions of service for Appalachian to Martinsville should be subjected to the evidentiary proceeding in this docket and considered therein. We shall therefore deny Martinsville's request for a summary disposition of this issue.

Our review of Appalachian's filing and the issues raised therein and by Martinsville's pleading indicates that the proposed changes have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful. Accordingly, we shall accept the tendered filing but shall suspend the proposed changes for one day. The proposed rate for Martinsville will therefore be permitted to become effective January 2, 1976 subject to refund.

Since proposed rates proposed by Appalachian for Martinsville are the same as those which are the subject of Docket No. E-7775, administrative efficiency and convenience dictate that Docket No. ER76-321 be consolidated with Docket No. E-7775.

As requested by Appalachian, we shall order that the comparative billing analysis contained in the cost-of-service study dated June 20, 1975 and filed by Appalachian in Docket Nos. E-7775 and E-9101 be deemed to have been incorporated by reference in the present filing.

The Commission finds: (1) The proposed rate increase tendered by Appalaposed rate increase tendered by Appa-

[1] Section 11 of F.P.C. Rate Schedule No. 27 provides that "the Company shall continue to serve its six industrial customers located within the present Martinsville city limits; namely, Sale Knitting Co., Inc.—Franklin Street Plant, W. M. Basset Furniture Company, Hooker Furniture Company, Lester Lumber Company, Continental Can Company, and Morris Novelty Furniture Company."

[2] Section 12 of F.P.C. Rate Schedule No. 27 provides that "the Customer will grant to Company such permits for its poles and facilities located within the present Martinsville city limits as are necessary for the Company to supply service to the aforesaid six industrial customers and to its present and future customers located outside of the Martinsville city limits."

lachian in Docket No. ER76-321 should be accepted for filing and suspended one day to become effective January 2, 1976 subject to refund.

(2) The proceeding in Docket No. ER76-321 should be consolidated with the proceedings in Docket No. E-7775, *et al.*

(3) The comparative billing analysis contained in the cost-of-service study dated July 20, 1975 and filed by Appalachian in Docket Nos. E-7775 and E-9101 should be deemed incorporated by reference in Appalachian's filing.

(4) Good cause does not exist to grant Martinsville's motion for summary disposition.

(5) Good cause does exist to grant Martinsville's request that Appalachian be directed to file evidence justifying its change in service to Martinsville.

(6) Good cause exists to grant Martinsville's petition to intervene.

(7) The procedural schedule in this docket should be extended as hereinbelow ordered.

The Commission orders: (A) The rate increase tendered in Docket No. ER76-321 is hereby accepted for filing and suspended one day to become effective January 2, 1976, subject to refund.

(B) The proceeding in Docket No. ER76-321 is hereby consolidated with the proceedings in Docket No. E-7775, *et al.*

(C) The comparative billing analysis contained in the cost-of-service study dated July 20, 1975 and filed by Appalachian in Docket Nos. E-7775 and E-9101 is hereby deemed to be incorporated by reference in the filing herein.

(D) Martinsville's request for summary disposition is hereby denied.

(E) Martinsville's request that Appalachian be directed to file evidence justifying its change in service to Martinsville is hereby granted.

(F) Martinsville's petition to intervene is hereby granted.

(G) The procedural schedule in this docket is hereby amended as follows: Additional evidence on behalf of Appalachian shall be filed on or before February 17, 1976; Staff and Intervenor evidence shall be filed on or before March 9, 1976; Rebuttal evidence shall be filed on or before March 23, 1976; the hearing shall be held April 13, 1976.

(H) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-471 Filed 1-7-76;8:45 am]

[Docket No. CP76-186]

COLUMBIA GAS TRANSMISSION CORP.

Notice of Application

DECEMBER 23, 1975.

Take notice that on December 4, 1975, Columbia Gas Transmission Corporation (Applicant), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, filed in Docket No. CP76-186 an application pursuant to Section 7(c) of the Natural Gas Act, as implemented by Section 157.7(c) of the Regulations thereunder (18 CFR 157.7(c)), for a certificate of public convenience and necessity authorizing the miscellaneous rearrangements of various gas sales and transportation facilities during the twelve-month period commencing March 1, 1976, and operation of said facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that the purpose of the proposed rearrangements and operation is to augment Applicant's ability to act with reasonable dispatch in making miscellaneous rearrangements which will not result in any material change in service.

Applicant states that the total cost of the proposed facilities would not exceed $300,000, which would be financed by funds generated from internal sources.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 12, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to the proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearings will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-468 Filed 1-7-76;8:45 am]

[Docket No. CP76-183]

COLUMBIA GAS TRANSMISSION CORP.

Notice of Application

DECEMBER 23, 1975.

Take notice that on December 3, 1975, Columbia Gas Transmission Corporation (Applicant), 1700 MacCorkle Avenue, Charleston, West Virginia 25314, filed in Docket No. CP76-183 an application pursuant to Sections 7(b) and (c) of the Natural Gas Act, as implemented by Section 157.7(g) of the Regulations thereunder (18 CFR 157.7(g)), for a certificate of public convenience and necessity authorizing the construction and for permission and approval to abandon, for the twelve-month period commencing March 1, 1976, and the operation of field gas compression and related metering and appurtenant facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in the construction and abandonment of facilities which will not result in changing Applicant's system salable capacity or service from that authorized prior to the filing of the instant application.

Applicant states that the total cost of the proposed facilities, construction and abandonment would not exceed $3,000,000, nor would the cost of any single project exceed $500,000, which would be financed by funds generated from internal sources.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 13, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commissions' Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience

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and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-467 Filed 1-7-76;8:45 am]

[Docket No. RP76-24]

FLORIDA GAS TRANSMISSION CO.

Order Granting Timely and Untimely Petitions To Intervene

DECEMBER 22, 1975.

On October 15, 1975, Florida Gas Transmission Company tendered for filing proposed changes in its FPC Gas Tariff, Original Volume Nos. 1 and 2, to become effective on November 15, 1975. Notice of said filing was issued on October 24, 1975, with protests and petitions to intervene due on or before November 14, 1975.

Timely petitions to intervene were filed by Sun Oil Company on November 3, 1975, by Florida Power & Light Company on November 6, 1975, by the City of Sunrise, Florida, on November 7, 1975, by Florida Power Corporation on November 7, 1975, by Florida Public Utilities Company on November 10, 1975, by Southern Gas Company, Division of Donovan Companies, Inc., on November 13, 1975, by Gulf Natural Gas Corporation on November 14, 1975, and by Gainesville Gas Company on November 14, 1975. An untimely petition to intervene was filed by City Gas Company of Florida on November 18, 1975. Having reviewed said petitions, we believe that the petitioners have an interest in this proceeding which is sufficient to warrant their intervention herein.

The Commission finds: It is desirable and in the public interest to permit Sun Oil Company; Florida Power & Light Company; the City of Sunrise, Florida; Florida Power Corporation; Florida Public Utilities Company; Southern Gas Company, Division of Donovan Companies, Inc.; Gulf Natural Gas Corporation; Gainesville Gas Company and City Gas Company of Florida to intervene in the above-referenced proceeding, provided such intervention is conditioned as hereinafter ordered.

The Commission orders: (A) Sun Oil Company; Florida Power & Light Company; the City of Sunrise, Florida; Florida Power Corporation; Florida Public Utilities Company; Southern Gas Company, Division of Donovan Companies, Inc.; Gulf Natural Gas Corporation; Gainesville Gas Company and City Gas Company of Florida are hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *Provided, however,* that participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in the petitions to intervene; and *Provided, further,* that the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-466 Filed 1-7-76;8:45 am]

[Docket Nos. E-9296 and E-9297]

IOWA PUBLIC SERVICE CO.

Order Granting Motion To Dismiss

DECEMBER 22, 1975.

On November 17, 1975, Iowa Public Service Company (IPS) filed a Motion to Dismiss the proceedings in the captioned dockets. IPS states that these dockets relate to sales under agreements which have expired by their own terms. By order issued herein on May 5, 1975, we consolidated the captioned dockets and instituted an investigation under Section 206 of the Federal Power Act.

On December 2, 1975, the Commission Staff filed an answer to IPS' motion, supporting IPS' Motion to Dismiss. No other response to the motion has been received. Insofar as no useful purpose would be served by the continuation of the investigation of these now completed sales, we shall grant IPS' motion.

The Commission finds: Good cause exists to grant IPS' Motion to Dismiss the instant proceedings.

The Commission orders: (A) The Section 206 investigation instituted by our order of May 5, 1975 is hereby dismissed and the instant dockets are terminated.

(B) The Secretary shall cause prompt publication of this order to be made in the Federal Register.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-462 Filed 1-7-76;8:45 am]

[Docket Nos. RP73-102, RP75-96 (AP76-1)]

MICHIGAN-WISCONSIN PIPE LINE CO.

Order Rejecting Proposed Tariff Sheets and Granting Intervention

DECEMBER 22, 1975.

On October 30, 1975, Michigan Wisconsin Pipe Line Company (Mich-Wis) tendered for filing proposed changes in its FPC Gas Tariff, Second Revised Volume No. 1[1] which reflects a 1.06¢ per Mcf increase in its rates to recover the carrying charges related to additional advance payments for exploration and development in the lower 48 states and advance payments to EXXON Company, U.S.A. for exploration and development in the Prudhoe Bay Field, Alaska. Mich-Wis states that the instant filing is made pursuant to the provisions of the Stipulation and Agreement in Docket No. RP73-102[2] which states in part that "Michigan Wisconsin may increase and shall decrease its rates to reflect changes in advance payments . . ." Mich-Wis requests a proposed effective date of January 1, 1976 and further requests waiver of the requirements of Part 154 of the Commission's Regulations under the Natural Gas Act to the extent such waiver is necessary to permit the filing to be made effective January 1, 1976. Notice of Mich-Wis' October 30, 1975 filing was issued November 19, 1975 with all comments, protests or petitions to intervene due on or before December 1, 1975. On November 28, 1975 a notice of intervention and protest was filed on behalf of the People of the State of California and the Public Utilities Commission of the State of California (California PUC). A petition to intervene was filed on behalf of Southern Natural Gas Company. California PUC protests that portion of Mich-Wis' filing which relates to advance payments made to EXXON with respect to its share of the Prudhoe Bay reserves. In support of its protest California PUC points out that the advance payments to EXXON merely represent a change in the form of agreement betwen the two parties which had previously provided that Mich-Wis pay EXXON imputed interest on producer loans. Since the Commission required Mich-Wis to file revised tariff sheets reflecting the elimination of the rate impact of those costs based on the conclusion that EXXON did not need capital in order to produce its share of the reserves[3] California PUC argues that the Commission here should likewise reject Mich-Wis' filing.

In reviewing Mich-Wis' filing we note that by order issued October 31, 1975 in Docket No. RP75-96 we rejected proposed revised tariff sheets tendered for filing by Mich-Wis' which reflected in part increases in advance payments made to producers over the levels included in its suspended rates in that docket. In rejecting the tariff sheet reflecting that portion of Mich-Wis requested increase we found, due to the filing of a superseding rate increase, that Mich-Wis' tracking authority emanating from the Stipulation and Agreement approved in Docket No. RP73-102 expired on October 31, 1975. We therein found that a request to track advances effective November 1, 1975 was untimely and should be rejected.

[1] Eleventh Revised Sheet No. 27F.

[2] The Stipulation and Agreement was approved by Commission order issued June 26, 1974.

[3] Michigan Wisconsin Pipe Line Company, Docket No. RP75-96, orders issued May 19, 1975 and July 11, 1975.

Mich-Wis presently tendered tracking filing requests an effective date beyond the date its tracking authority for advance payments terminates. Mich-Wis' request for a waiver of all requirements under our Regulations necessary to permit and effective date of January 1, 1976 is therefore a request for an extension in its advance payment tracking authority. This Commission has consistently refused to extend tracking authority for advance payments beyond the expiration of the provisions of the settlement agreement embodying such tracking authority when the next major change becomes effective.[4] In Mich-Wis' case the expiration of the authority to track advance payments expired on October 31, 1975. We perceive no basis for departing from our consistent policy and will not permit Mich-Wis to track the advance payments contained in its instant filing beyond October 31, 1975.

Since Mich-Wis no longer has the requisite authority to track advance payments made to producers we shall reject the proposed tariff sheet tendered on October 31, 1975. Since we are rejecting the proposed tariff sheet on this basis we need not reach the merits of California PUC's arguments for rejection or suspension of Mich-Wis' filing.

The Commission finds: (1) Good cause does not exist to accept for filing Mich-Wis' Eleventh Revised Sheet No. 27F to its FPC Gas Tariff Second Revised Volume No. 1 tendered on October 31, 1975.

(2) Good cause exists to grant intervention to the above-named petitioners.

The Commission orders: (A) Mich-Wis' Eleventh Revised Sheet No. 27F to its FPC Gas Tariff Second Revised Volume No. 1 tendered on October 31, 1975 is hereby rejected.

(B) The above-named petitioners are hereby permitted to intervene in this proceeding.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-465 Filed 1-7-76;8:45 am]

[4] Order No. 499, 50 FPC 2111, issued December 29, 1973, in Docket No. RM74-4; Southern Natural Gas Company, —— FPC ——, issued April 13, 1973, in Docket No. RP72-91, et al.; rehearing denied —— FPC ——, issued June 6, 1973; Northern Natural Gas Company, —— FPC ——, issued May 20, 1974, in Docket No. RP74-80; rehearing denied in pertinent part, —— FPC ——, issued July 15, 1974; Florida Gas Transmission Company, —— FPC ——, issued May 29, 1974, in Docket No. RP74-80; Columbia Gas Transmission Corporation, —— FPC ——, issued March 24, 1975, in Docket No. RP74-82; Columbia Gas Transmission Corporation, et al., —— FPC ——, issued July 14, 1975, in Docket Nos. RP75-106, et al.; Transcontinental Gas Pipe Line Corporation, —— FPC ——, issued November 28, 1975, in Docket Nos. RP74-48, RP75-3, AP76-4; Panhandle Eastern Pipe Line Company, —— FPC ——, issued November 28, 1975, in Docket No. RP75-102.

[Docket No. ER76-97]

NEW ENGLAND POWER POOL

Order Accepting for Filing and Making Effective Amendment to Power Pool Agreement and Granting Waiver

DECEMBER 24, 1975.

On September 2, 1975, the New England Power Pool (NEPOOL) filed an Agreement Amending NEPOOL Power Pool Agreement (Amendment), dated June 1, 1975 which proposed to modify certain provisions of the New England Power Agreement, dated September 1, 1971. The proposed Amendment, requested to become effective on October 1, 1975, provides for revision of the Capability Responsibility adjustment charges and of the Capability Responsibility deficiency charge computations and charges to be made after October 31, 1975 for Capability Periods commencing May 1, 1975 and ending October 31, 1977.

The filing advised the Commission that the NEPOOL Executive Committee had waived all Capability Responsibility deficiency charges incurred under the present terms of the NEPOOL Agreement for the period specified above.

The proposed changes are the result of a determination by the NEPOOL participants that the presently forecasted aggregate coincidental adjusted load of the participants for the Capability Periods commencing May 1, 1975 and ending October 31, 1977 are significantly lower than the forecasted loads which had been used as the basis for computations of the NEPOOL Objective Capability for each of those Capability Periods. The Amendment is intended to assure a more equitable distribution of the Capability Responsibility obligations among the various participants during those periods.

Notice of the NEPOOL Executive Committee filing was issued on September 10, 1975 with protests and comments due on or before September 22, 1975. No comments or protests were received.

By letter dated October 1, 1975, NEPOOL was advised by the Commission Secretary that (1) its proposed waiver of incurred charges constituted a change in rate requiring an appropriate request for waiver of notice requirements and revenue data and (2) that its filing of the proposed amendment to the NEPOOL Agreement was deficient with respect to the requirements of the Commission's Regulations under the Federal Power Act. NEPOOL replied by letter dated November 21, 1975.

Based upon review of both the original filing and the Executive Committee's response to the Commission's letter, we shall accept the proposed Amendment to the NEPOOL Agreement effective October 1, 1975 as requested.

However, the proposed waiver of charges already incurred for the period from May 1, 1975 to October 1, 1975, under the filed rates should be construed as a change in rate schedule on file with this Commission requiring a filing of notice of change in rates under Section 205 of the Federal Power Act and not as a simple exercise of the Executive Committee's rights under Section 9.4(d) of the agreement. Insofar as we believe the change sought is appropriate for the period May 1, 1975 through October 1, 1975, and since the filing herein encompasses the period May 1, 1975 through October 31, 1977, we shall grant waiver of the notice requirement and permit this change to be effective during that time period.

NEPOOL also stated in the instant filing that it had, as of March 31, 1975, waived all past and then existing deficiency charges under the agreement. In its November 21 response, it stated that this grant of waiver was also pursuant to Section 9.4(d) of the NEPOOL agreement and does not require a filing of a notice of change in rates and a showing of good cause for waiver of our Regulations. We disagree, insofar as the waiver, while it may be contractually permissible under the agreement, nonetheless represents a change in rates on file with this Commission. Our review of the reasons stated by NEPOOL for this waiver indicate that we should grant waiver of the notice requirements and permit the change in the deficiency charge prior to May 1, 1975, to be effective.

The Commission finds: (1) The revised charges under the proposed Amendment to the NEPOOL Agreement contained in the instant filing are just and reasonable and the Amendment should be permitted to be effective as of October 1, 1975.

(2) Good cause exists to grant waiver of the requirement of filing of notice of change in rates to permit the waiver of the charges granted by the NEPOOL Executive Committee to be effective for the period May 1 through October 1, 1975, the effective date of the instant filing.

(3) Good cause exists to grant waiver to permit NEPOOL to waive its deficiency charges for periods prior to May 1, 1975.

The Commission orders: (A) The Amendment to the NEPOOL Agreement filed on September 2, 1975 is accepted for filing and permitted to become effective October 1, 1975, for charges during the Capability Periods commencing May 1, 1975 and ending October 31, 1977.

(B) Waiver of the requirement of filing of notice of change in rates to permit the waiver of the charges granted by the NEPOOL Executive Committee to be effective for the period May 1 through October 1, 1975, is hereby granted as proposed in the instant filing and waiver to permit these changes for periods prior to May 1, 1975, is also granted.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-472 Filed 1-7-76;8:45 am]

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[Docket No. ER76-291]

NEW ENGLAND POWER POOL AGREEMENT

Order Accepting for Filing, etc.

DECEMBER 24, 1975.

On November 24, 1975, the New England Power Pool (NEPOOL) Executive Committee tendered for filing on behalf of the jurisdictional NEPOOL Participants an amendment to the NEPOOL Agreement[1] providing for uniform rules for calculating Lower Voltage PTF (LV PTF)[2] costs of the NEPOOL Participants. The NEPOOL Executive Committee requests waiver of the Commission's notice requirements and an effective date of June 14, 1975, in order to permit payment for LV PTF transmission service rendered since that date.

Notice of the filing was issued on December 12, 1975, with comments, protests, and petitions to intervene due on or before December 23, 1975. None have been received to date.

We note that the EHV PTF Cost Rules are currently under investigation in New England Power Pool Agreement No. E-7690 (PTF Cost Rules). The EHV PTF Cost Rules contain cost principles similar to the rate schedule materials filed in this docket and is currently before a Presiding Administrative Law Judge. We shall assign the investigation to be ordered herein to him for the purpose of convening a conference and establishing procedural dates for the service of such additional evidence as may be deemed necessary.

Our review of the tendered filing indicates that the proposed rates, charges, terms and conditions of service of the proposed rate schedule have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential or otherwise unlawful. Accordingly, we shall accept the submittal for filing and shall institute an investigation into the lawfulness of the proposed rates pursuant to the Commission's authority under Section 206 of the Federal Power Act.

This amended agreement was not filed with the Commission until over five months after the commencement date for the service. Under the provisions of the Federal Power Act and the Regulations thereunder, public utilities are required to file rate schedules at least thirty days prior to the date on which service under such schedules is to commence. This notice requirement can be waived for good cause shown. However, under circumstances when a public utility files a proposed initial rate schedule approximately five months after service commences and prevents a thorough examination of such rate schedule, our ability to protect the consumer against what may be unjust, unreasonable, unduly discriminatory or otherwise unlawful rates and charges is jeopardized.[4] Consequently, we shall deny waiver of the notice requirements of our Regulations and shall assign the submittal an effective date of December 24, 1975, 30 days after filing. Pursuant to our authority in Section 309 of the Federal Power Act, we shall also make such filing subject to refund of any amounts found to be excessive after the hearing which will be ordered hereinafter. Moreover, we shall require the NEPOOL Participants to refund all amounts collected under this amended agreement prior to December 24, 1975, without prejudice to their filing within fifteen days of the issuance of this order, a request that we accept the agreement to become effective as of June 14, 1975, the proposed effective date, based upon an agreement by the NEPOOL Participants that the rates charges under this amended agreement shall be subject to refund pending final disposition following the conclusion of the hearing to be held in this proceeding. After receipt of the NEPOOL Participants' response, if any, we shall issue a further order taking appropriate action.

The Commission finds:

(1) The requested waiver of Section 35.3 of the Commission's Regulations should be denied.

(2) The proposed amended agreement filed by the NEPOOL Participants on November 24, 1975, should be accepted for filing to become effective, subject to refund, on December 24, 1975, thirty days after the filing.

(3) Good cause exists to require the NEPOOL Participants to refund all amounts collected under the amended agreement prior to December 24, 1975, without prejudice to their filing with the Commission within fifteen days of the issuance of this order a request that the Commission accept the submittal to be effective as of June 14, 1975, the proposed effective date, based upon an agreement by the NEPOOL Participants that the rates charged under the amended agreement shall be subject to refund as of that effective date, pending final disposition following the conclusion of the hearing hereinafter ordered.

(4) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act, that the Commission institute a Section 206 investigation and hearing concerning the lawfulness of the initial rate schedule tendered herein and that such rate schedule be accepted for filing.

The Commission orders:

(A) The requested waiver of Section 35.3 of the Commission's Regulations is hereby denied.

(B) The proposed amended cost rules filed by the NEPOOL Executive Committee on November 24, 1975, is accepted for filing to become effective December 24, 1975, thirty days after filing, subject to refund.

(C) NEPOOL's Participants shall refund all amounts collected under the amended agreement prior to December 24, 1975, without prejudice to their filing with the Commission within fifteen days of the issuance of this order, a request that the Commission accept the submittal to be effective as of June 14, 1975, their proposed effective date, based on an agreement by the NEPOOL Participants that the rates charged under the agreement will be subject to refund as of that effective date pending final disposition following the conclusion of the hearing ordered.

(D) Pursuant to the authority of the Federal Power Act, particularly Section 206 thereof, and the Commission's Rules and Regulations, an investigation concerning the lawfulness and reasonableness, of the instant submittal is hereby initiated.

(E) The Presiding Administrative Law Judge in the proceeding in Docket No. E-7690 (PTF Cost Rules) shall schedule a conference for the purpose of establishing procedural dates for the service of such additional evidence as may be deemed necessary.

(F) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-473 Filed 1-7-76;8:45 am]

[Docket No. E-9379]

NIAGARA MOHAWK POWER CORP.

Order Denying Application for Stay

DECEMBER 22, 1975.

On November 26, 1975, Niagara Mohawk Power Corporation (Niagara) filed its application for stay of two Commission orders in order to pursue judicial review of those orders as provided in 16 U.S.C. § 825 L (Section 313 of The Federal Power Act). Those subject orders are our November 13, 1975, Order Denying Rehearing and Modifying Procedural Dates and our September 25, 1975, Order Denying Motion to Dismiss Investigation.

Niagara states that it requests such stay upon the ground that the procedural dates established in Ordering Paragraph (B) of our November 13, 1975, order requires compliance with the subject orders before judicial review may be had, which Niagara contends prejudices them and renders judicial review ineffective. Niagara states no grounds for seeking judicial review, but refers us to its application for rehearing of our September 25, 1975, order, which we denied by order issued November 26, 1975.

By an errata notice issued December 2, 1975 to the notice of extension of procedural dates issued November 26, 1975, the Secretary established the following procedural dates in this proceeding:

Service of Intervenor Testimony, December 29, 1975; Service of Staff Testimony, January 19, 1976; Service of Company Rebuttal, February 9, 1976; Hearing, March 1, 1976 (10:00 a.m., EST).

On December 3, 1975, the Town of Massena, New York (Massena) filed a "memorandum" opposing Niagara's motion for stay. Massena contends that Niagara's motion ought to be rejected for failing to allege or establish facts sufficient to satisfy the criteria for a stay of proceedings *pendante lite* established in *Virginia Jobbers*.[1]

In particular, Massena states that Niagara has failed to show that it has a likelihood of success on the merits of the appeal, that it will suffer irreparable harm if the orders are not stayed, that the issuance of a stay would not substantially harm other parties and that the issuance of a stay is in the public interest. Furthermore, Massena states that Niagara has not yet filed for review with the Court of Appeals making Niagara's application here premature. Massena maintains that for failure to comply with *Virginia Jobbers* and to state reasons in support of its application, that Niagara's motion for stay ought to be denied.

Niagara filed a reply to Massena's memorandum on December 11, 1975, stating that it had petitioned for review of our orders and that it believes we can stay our own order in order to prevent irreparable injury to Niagara.

We agree with Massena. In its Application, Niagara adduces no reasons to warrant grant of its Application. Similarly, nothing contained in Niagara's Application for Rehearing of our September 25 order or in its December 11 Reply to Massena persuade us to stay our orders. Accordingly, we shall deny Niagara's application for stay of our previous orders in this proceeding.

The Commission finds:

Good cause exists to deny Niagara's application for stay of our November 13, 1975, order.

The Commission orders:

(A) Niagara's application for stay of our order issued November 13, 1975, in this proceeding is denied.

(B) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-464 Filed 1-7-76;8:45 am]

[Docket Nos. RP71-107 (Phase II) (PGA76-1) and RP72-127 (R&D 76-1)]

NORTHERN NATURAL GAS CO.

Order Accepting for Filing, Etc.

DECEMBER 24, 1975.

On October 24, 1975, Northern Natural Gas Company (Northern) filed a 3.08¢ per Mcf rate increase reflecting (1) an increase of 4.56¢ per Mcf in the cost of purchased gas (2) a reduction of 1.43¢ per Mcf (from 1.79¢ to 0.36¢) in the surcharge to recoup the balance in the Deferred Purchase Gas Account and (3) a reduction of 0.05¢ per Mcf for reduced Research and Development (R&D) expenses. The proposed effective date is December 27, 1975.

In response to the notice issued for Northern's filing, petitions to intervene was received from Michigan Wisconsin Pipe Line Company, Iowa Southern Utilities Company, and Wisconsin Gas Company.

Our review of the R&D portion of Northern's October 24, 1975, filing indicates that there are costs associated with the Vincent, Iowa Storage Project, the Canadian Arctic Study, Northern Border Study, and the Conoco Methanation Project Study; all of which have been approved previously by this Commission for R&D treatment.[3] Accordingly, it is appropriate that the costs related to these projects contained in the instant filing also be approved.

The R&D portion of Northern's filing also contains costs related to the Coal Gasification Study and the Coal Slagging Gasifier Project which are currently the subject of hearing procedures in Docket No. RP72-127 (R&D 75-1). Accordingly, we shall permit costs related to these projects to be collected, subject to refund, after a one day suspension, pending final Commission determination of the appropriateness of treating these items as R&D for rate purposes in Docket No. RP72-127 (R&D 75-1).

Finally, Northern's filing contains costs related to a project which Northern alleges is R&D and which costs have not previously been reflected in Northern's rates. The new project is Northern's annual payment to the CoGas Development Company.[5] The CoGas Development Company is organized to perform R&D studies on a bench scale and pilot plant scale to determine the feasibility of a new method of coal gasification using coal char to produce pipeline quality gas. Our review of this project indicates that it is within the definition of R&D expenditures as promulgated by Order No. 483 and is acceptable for rate treatment.

Our review of the purchased gas portion of Northern's filing indicates that it is based in part on small producer and emergency purchases in excess of the rate levels prescribed in Opinion Nos. 742 and 699-H respectively. Therefore, the proposed rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. Accordingly, we shall accept for filing Northern's filing and suspend it for one day until December 28, 1975, when it shall become effective subject to refund, as hereinafter ordered and conditioned.

With regard to the issue of small producer purchases, other than those small producer purchases made pursuant to the Commission's 60 day emergency sales regulation, we shall establish hearing procedures to determine the just and reasonable rate levels of those small producer purchases to be included in Northern's filing in excess of the rate levels resulting from use of the "130% formula" prescribed in Opinion No. 742.[6] In this connection, we believe it appropriate to make the small producers involved respondents so that they may present evidence to show that the rates charged by them to Northern are just and reasonable. Although the small producers are not required to make refunds, we believe it appropriate to institute a Section 5 investigation against the small producers involved so that the just and reasonable small producer rate determination in this proceeding can be applied respectively.

Within 15 days of the date of this order, Northern shall file a list with addresses of the small producers, other than small producers making 60 day emergency purchases, making sales reflected in the instant filing in excess of the "130% formula" rates in order that they may be made respondents to this proceeding.

Cost evidence relating to the small producer sales which are the subject of the hearing ordered herein can clearly provide the basis for "just and reasonable" rate findings. *F.P.C. v. Texaco, Inc.*, 417 U.S. 380 (1974). Accordingly, we shall require the small producer respondents to submit cost evidence in order that we may determine the justness and reasonableness of Northern's rates and make appropriate prospective adjustments, if found necessary, to the small producer rate pursuant to our authority under Section 5 of the Natural Gas Act.

Northern must show that the rate paid by it to the small producer is just and reasonable by presenting evidence considering all relevant factors including *inter alia*, (1) the pipeline's need for gas, (2) the availability of other gas suppliers, (3) the amount of gas dedicated under the contract, (4) the rates of other recent small producer sales previously approved for flow through and (5) comparison with appropriate market prices.[7]

Finally, the parties may submit any other evidence relevant to the Commission's determination of whether the rates paid by the pipeline with respect to the subject small producer sales are just and reasonable.

With regard to the 60-day emergency purchases the Commission noted in Opinion No. 699-B [8] that a pipeline would

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[1] Designated as: NEPOOL, Supplement No. 9 to Rate Schedule FPC No. 2.

[2] PTF is defined as pool transmission facilities rated 69 kV or above owned by the Participants and required in order to allow power and energy to move freely on the New England network. PTF is further classified as PTF-EHV (230 kV and above) or Lower Voltage PTF.

[3] *Northeast Utilities Company*, issued May 31, 1974, in Docket Nos. E-8756, *et al.*

[1] *Virginia Petroleum Jobbers Association* v. *Federal Power Commission*, 259 F. 2d 921 (D.C. Cir. 1958, per curiam).

[1] *Northern Natural Gas Company*, 51 FPC 49 (1974); *Northern Natural Gas Company*, ---- FPC ------ issued December 26, 1974, in Docket Nos. RP71-107 (Phase II), *et al.*

[3] CoGas Development Company was organized as a joint venture of several companies, including Northern, Tennessee Gas Pipeline Company, Panhandle Eastern Pipeline Company and Consolidated Gas Supply Corporation, and the FMC Corporation with the support of the Department of Interior's Office of Coal Research.

[5] —— FPC —— issued August 28, 1975, in Docket No. R-393.

[6] Opinion No. 742 (mimeo, p. 13, paragraph (1)).

[7] — FPC — issued September 9, 1975, in Docket No. R-389-B.

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be entitled to include in its purchased gas costs a rate for such purchases "which a reasonably prudent pipeline purchaser would pay for gas under the same or similar circumstances." Accordingly, we believe it appropriate to establish hearing procedures to determine the appropriate rate level of those 60-day emergency purchases included in the filing which are in excess of the rate levels prescribed in the Opinion No. 699–H for sellers other than small producers and in excess of the Opinion No. 742 rate for small producers.

Our review of such emergency purchases will consider all of the relevant factors of such purchases including *inter alia* (1) the pipeline's need for gas, (2) the availability of other gas supplies, (3) the amount of gas dedicated to the purchase, (4) comparison of the price with appropriate market prices in the same or nearby areas, and (5) the relationship between the purchaser and the seller. If the need for such emergency purchases is established and the conditions of the purchase are prudent, the pipeline company will have no refund obligations associated with that purchase.

We note further that Northern's proposed rates are over the level of its RP75–89 suspended rates, as revised, which became effective October 27, 1975, but which were subsequently reduced pursuant to Commission order issued October 31, 1975, at RP75–89. Accordingly, Northern's proposed rates herein should also be reduced to reflect that action. Furthermore, Northern has filed increased rates for emergency service under Rate Schedule E–1 and temporary storage service under Rate Schedule TSS–1. The E–1 rate schedule was rejected by the October 31st order while the rate under Rate Schedule TSS–1 which became effective November 27, 1975, is keyed to the RP75–89 rate levels by Commission order issued November 26, 1975, at CP76–40. Therefore, the E–1 rate schedule should be eliminated and the TSS–1 rate should be reduced to reflect the revised rate levels which became effective, subject to refund, in Docket No. RP75–89.

Our review of those claimed increased costs contained in Northern's filing, other than a) those claimed increased costs associated with that portion of small producer purchases in excess of the rate levels prescribed by the "130% formula" in Opinion No. 742, b) with that portion of the 60-day emergency purchases from sellers other than small producers in excess of the rate levels prescribed in Opinion No. 699–H, c) those R&D costs associated with the Coal Gasification Study and the Coal Slagging Gasifier Project and d) those costs required to be eliminated to reflect: the rejection of Rate Schedule E–1, the revised underlying rates in Docket No. RP75–89, and the revised rate for temporary storage service under Rate Schedule TSS–1, are in conformance with the standards set forth in Docket No. R–406 and Order 483.

The Commission finds:

(1) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that hearing procedures be established, as hereinafter ordered and conditioned, and that Northern's October 24, 1975, filing be accepted for filing, suspended and permitted to become effective December 28, 1975, subject to refund as hereinafter ordered and conditioned.

(2) The claimed increased costs, other than those associated with that a) portion of small producer and emergency purchases in excess of the rate levels established in Opinion No. 742 and Opinion No. 699–H as appropriate, b) those costs associated with the Coal Gasification Study and the Coal Slagging Gasifier Project and c) those costs required to be eliminated to reflect the rejection of Rate Schedule E–1, the revised underlying rates in Docket No. RP75–89, and the revised rate for temporary storage service under Rate Schedule TSS–1, are in conformance with the standards set forth in Docket No. R–406 and Order 483.

(3) Participation in this proceeding by Michigan Wisconsin may be in the public interest.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly Sections 4, 5, 7, 14 and 16 thereof, a public hearing shall be held in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, to determine the lawfulness of Northern's proposed PGA rates filed on November 14, 1975, insofar as those proposed rates reflect (1) small producer purchases in excess of the "130% formula" prescribed in Opinion No. 742 and (2) 60 day emergency purchases from sellers other than small producers in excess of the rate levels prescribed in Opinion No. 699–H.

(B) Within 15 days of the date of this order, Northern shall file with the Commission list, including addresses, of the small producers other than small producers under emergency purchases sales, from whom it purchased at rates in excess of the rate level provided for by Opinion No. 742. Following receipt of this list, we shall make the small producers parties respondents to this investigation for the purposes discussed in the body of this order.

(C) Pursuant to Section 5 of the Natural Gas Act, we hereby institute an investigation into the just and reasonable rates to be charged by the small producers making sales to Northern in excess of the rates resulting from the "130% formula" prescribed in Opinion No. 742 and consolidate this investigation with the hearing ordered in Ordering Paragraph (A) above for purposes of hearing and decision. These consolidated hearings will be docketed as RP1–107 (Phase II) (PGA76–1).

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of authority, 18 CFR 3.5(d)), shall preside at an initial conference in this proceeding on February 13, 1976, at 10:00 A.M., in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates for this proceeding and to rule upon all motions, except petitions to intervene.

(E) Northern's Rate Schedule E–1 is rejected.

(F) Northern's October 24, 1975, filing is accepted for filing and suspended for one day until December 26, 1975, subject to the condition of Northern, within 15 days of the date of issuance of this order, file revised tariff sheets reflecting a) rejection of Rate Schedule E–1, b) the revised underlying rates in Docket No. RP75–89, and c) the revised rate for temporary storage service under Rate Schedule TSS–1.

(G) Within 15 days of the date of issuance of this order, Northern may file revised tariff sheets to become effective December 27, 1975, which reflect those claimed increased purchased gas costs contained in Northern's PGA adjustment other than those claimed increased costs associated with a) that portion of small producer purchases in excess of the rate levels resulting from the "130% formula" prescribed by Opinion No. 742 and b) that portion of the 60-day emergency purchases in excess of the rate levels prescribed in Opinion No. 699–H and Opinion No. 742, as appropriate c) those costs associated with the Coal Gasification Study and the Coal Slagging Gasifier Project d) those costs required to be eliminated to reflect the rejection of Rate Schedule E–1 as well as those costs required to be eliminated to reflect the revised underlying rates in Docket No. RP75–89 and the revised rate for storage service under Rate Schedule TSS–1.

(H) The rate treatment of cost related to the Coal Gasification Study and the Coal Slagging Gasifier Project in this filing are hereby made subject to the outcome of the proceedings in Docket No. RP72–127 (R&D 75–1).

(I) The above-named petitioners are permitted to intervene in these proceedings subject to the rules and regulations of the Commission: *Provided, however,* that the participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in their petitions for leave to intervene; and *Provided, further,* that the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in these proceedings.

(J) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-474 Filed 1-7-76;8:45 am]

[Docket No. E-9148]

NORTHERN STATES POWER CO. (MINNESOTA)

Notice of Further Extension of Procedural Dates

DECEMBER 22, 1975.

On December 10, 1975, Northern States Power Company filed a motion to extend the procedural dates fixed by order issued December 31, 1974, as most recently modified by notice issued September 8, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of Company Rebuttal, January 20, 1976; Hearing, February 17, 1976. (10:00 a.m., EST).

By direction of the Commission.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-463 Filed 1-7-76;8:45 am]

[Docket No. ER76-83]

OHIO POWER CO.

Order Denying Motions To Reject and Requests for Summary Disposition

DECEMBER 22, 1975.

We issued on November 14, 1975 an Order Accepting For Filing and Suspending Proposed Tariff Changes, Granting Intervention, Denying Motion to Reject and Establishing Procedural Dates in this proceeding. The Ohio Wholesale Municipal Customers[1] have filed a Petition for Clarification of our order "[i]n view of the fact that based on established Commission precedent 72% of OP's claimed increase is on its face without basis or merit." The Municipals also ask that we consider their Motion to Reject, and for Summary Disposition, Protest and Petition to Intervene filed on November 11, 1975.

Municipals motion to reject is based in part on its allegation that Ohio Power Company's filing does not meet the filing requirements prescribed in Order No. 537 which requires the filing of information relating to rate design. We note that Ohio's filing was completed as of October 17, 1975, and thus would not be subject to Order No. 537 which only governs electric rate filings made 30 days *following* October 9, 1975, the issue date of Order No. 537.

Municipals also argue that Ohio has not met the requirements of Section 35.-14(a)(7) of the Regulations which covers the reasonableness of fuel costs from company-owned and controlled fuel sources. Specifically, Municipals argue that while the company has generally discussed the fact that coal from company-controlled and company-owned sources is used in the calculation of its base cost of fuel it has not specifically broken down the sources and amounts of such coal. Our review of Ohio's filing indicates that the filing sufficiently describes the fact that company-controlled and company-owned coal is used in the calculation of the cost of fuel so as to meet the *filing* requirements of Section 35.14(a)(7) of the Regulations. The issue of the reasonableness of the costs of the coal from company-owned and company-controlled sources may be raised by interested parties in the proceeding instituted by our November 14, 1975, order.

Municipals further argue *inter alia,* that: the proposed rate of return is excessive and discriminatory; the federal income taxes are improperly calculated; the deferred fuel expense and unbilled revenues are improperly calculated; that the fuel costs are improperly calculated and that the rate schedules contain discriminatory and anti-competitive provisions. We find that these issues are not appropriate bases for summary disposition or for the granting of a motion to reject Ohio's filing in whole or in part. However, certain of the issues raised by Municipals may require development in the evidentiary proceeding ordered herein.

Finally, Municipals raise the "price squeeze" issue citing the *Conway* case.[2] We properly disposed of this issue in our November 14, 1975, order and therefore it needs no further discussion herein.

For the foregoing reasons, we shall deny Municipals requests for summary disposition and their motions to reject Ohio's filing.

The Commission finds:

Good cause exists to deny Municipals' motions to reject and requests for summary disposition set forth in their November 11, 1975 and November 19, 1975, pleadings in this proceeding.

The Commission orders:

(A) The motions to reject and requests for summary disposition set forth in their November 11, 1975 and November 19, 1975, pleadings are hereby denied.

(B) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-461 Filed 1-7-76;8:45 am]

[Docket No. CP76-189]

TRANSCONTINENTAL GAS PIPE LINE CORP. AND TEXAS EASTERN TRANSMISSION CORP.

Notice of Application

DECEMBER 23, 1975.

Take notice that on December 5, 1975, Transcontinental Gas Pipe Line Corporation (Transco), P.O. Box 1396, Houston, Texas 77001, and Texas Eastern Transmission Corporation (Texas Eastern), P.O. Box 2521, Houston, Texas 77001, jointly Applicants, filed in Docket No. CP76–189 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of natural gas, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicants state that by letter amendment dated November 24, 1975, to an existing exchange agreement they have agreed to exchange natural gas in order to assist Transco in taking new supplies of natural gas into its system from the Southwest Bird Island Field Area, Kleberg County, Texas. Transco would deliver or cause to be delivered to Texas Eastern up to 6,000 Mcf of natural gas per day, at a mutually agreeable point on Texas Eastern's 12-inch pipeline crossing the Laguna Madre, Kleberg County. Texas Eastern would contemporaneously return equivalent volumes of natural gas to Transco at a mutually agreeable existing authorized interconnection.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 14, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-470 Filed 1-7-76;8:45 am]

[1] Villages of Arcadie, Bloomdale, Carey, Bygnet, Greenwich, Ohio City, Plymouth, Republic, Shiloh, St. Clarisville, Sycamore, Wapukoneta and Wharton, Ohio.

[2] *Conway Corp. v. F.P.C.*, 510 F.2d 1264 (D.C. Cir. 1975).

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[Docket No. CP76-168]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

DECEMBER 23, 1975.

Take notice that on November 20, 1975, Transcontinental Gas Pipe Line Corporation (Applicant), P. O. Box 1396, Houston, Texas 77001, filed in Docket No. CP76-168 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas for the Celotex Corporation (Celotex), all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant alleges that Celotex has agreed to purchase natural gas from The South Coast Corporation through its agent, Exchange Oil & Gas Corporation (Exchange), pursuant to a gas purchase agreement dated August 18, 1975, produced from Vermilion Block 16 (state waters), Vermilion Parish, Louisiana. The gas to be produced is estimated at 500 Mcf per day at 15.025 psia and would be delivered to Applicant at an existing interconnection on Applicant's Central Louisiana Gathering system in Block 16. It is indicated that Celotex would pay Exchange $1.50 per million Btu plus tax reimbursement.

Applicant would redeliver such volumes, less 4.4 percent of the gas accepted as line loss and compressor fuel, to Pennsylvania Gas & Water Company (PG&W) at existing Saylor Avenue and Wyoming Monument delivery points for the account of Celotex. Applicant would charge Celotex 22.0 cents at 14.73 psia per Mcf transported. PG&W would deliver such gas to Celotex's plant located in Pittston, Pennsylvania, and would charge Celotex 16.5 cents per Mcf transported at 14.73 psia. The proposed transportation would continue for a period of twelve months from the initial delivery of natural gas by Exchange to Applicant for the account of Celotex.

The gas proposed to be transported for Celotex by Applicant alleged to be for priority 3 end-use as set forth in Section 2.78 of the Commission's General Policy and Interpretations (18 CFR 2.78) and particularly would be used to dry mineral acoustical tile by the direct fire method. This process is stated to be limited by current technology to the use of propane as an alternative fuel. It is stated that Celotex requires approximately 500 Mcf per day of natural gas for its Pittston plant. The application indicates that total deliveries of natural gas to Celotex have been curtailed, that Celotex is presently using propane, and that the cost of propane is approximately four times that of natural gas.

Applicant states that the volumes to be transported under this and any similar arrangements with customers of the distributors, when added to the volumes being transported for the distributors themselves and the distribution customers' scheduled daily deliveries, would not exceed the contract entitlement of the distributors from Applicant. Applicant alleges that the proposed transportation service would not have an impact on Applicant's ability to provide systemwide deliveries to its priority 1 markets.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 14, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commmission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-469 Filed 1-7-76;8:45 am]

[Docket No. RP76-15]

ALGONQUIN GAS TRANSMISSION

Order Granting Untimely Petition To Intervene

DECEMBER 22, 1975.

On September 24, 1975 Algonquin Gas Transmission Company (Algonquin) tendered for filing four proposed tariff sheets[1] to its FPC Gas Tariff, First Revised Volume No. 1. Algonquin tendered for filing substitute Ninth Revised Sheet No. 10 on October 3, 1975. Notice of Algonquin's initial filing was issued on October 6, 1975 with comments, protests or petitions to intervene due on or before October 10, 1975. Notice of the Substitute Sheet was issued on October 20, 1975 with comments, protests or petitions to intervene due on or before October 28, 1975.

By order issued October 24, 1975, the Commission accepted for filing and suspended the proposed tariff sheets, granted waiver and granted interventions.

On November 28, 1975 the Rhode Island Consumers' Council filed an untimely petition to intervene. The Council states that it is a statutory agency whose principal responsibility is to appear before local, state and federal commissions in matters affecting consumers. Rhode Island General Laws, 1956, as amended, Section 42-42-5. The Council indicates that Rhode Island consumers are affected by Algonquin's filing because nearly all natural gas supplied to Rhode Island is received by companies who purchase from Algonquin. Our review indicates that the Council has a sufficient interest in this proceeding to warrant intervention.

The Commission finds. The Council's participation in this proceeding may be in the public interest.

The Commission orders. (A) The Council is hereby permitted to intervene in this proceeding subject to the rules and regulations of the Commission; *Provided, however,* that participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in the petition to intervene; and *Provided,* further, that the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The late intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-483 Filed 1-7-76;8:45 am]

[Docket No. RP75-106; Docket No. RP75-105]

COLUMBIA GAS TRANSMISSION CORP. AND COLUMBIA GULF TRANSMISSION CO.

Further Extension of Procedural Dates

DECEMBER 29, 1975.

On December 22, 1975, Columbia Gas Transmission Corporation and Columbia Gulf Transmission Company filed a motion to extend the procedural dates fixed by order issued July 14, 1975, as most recently modified by notice issued December 10, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

[1] Original Sheet No. 20-A, Original Sheet No. 20-B, Original Sheet No. 20-C, Ninth Revised Sheet No. 10.

Service of Intervenor Testimony, February 13, 1976.
Service of Company Rebuttal, February 26, 1976.
Hearing, March 11, 1976 (10:00 a.m., e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-477 Filed 1-7-76;8:45 am]

[Docket Nos. RP75-106 and RP75-105, (Consolidated Taxes)]

COLUMBIA GAS TRANSMISSION CORP. AND COLUMBIA GULF TRANSMISSION CO.

Extension of Procedural Dates

DECEMBER 29, 1975.

On December 22, 1975, Columbia Gas Transmission Corporation and Columbia Gulf Transmission Company filed a motion to extend the procedural dates fixed by order issued December 1, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of Company Testimony, February 6, 1976.
Service of Staff Testimony, April 2, 1976.
Service of Intervenor Testimony, April 16, 1976.
Service of Company Rebuttal, April 30, 1976.

Hearing, May 13, 1976 (10:00 a.m., e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-478 Filed 1-7-76;8:45 am]

[Docket No. RP75-114]

EAST TENNESSEE NATURAL GAS CO.

Motion To Place Revised Tariff Sheets in Effect

DECEMBER 29, 1975.

Take notice that on December 15, 1975, East Tennessee Natural Gas Company (East Tennessee) filed certain revised tariff sheets together with a motion to place said revised tariff sheets in effect as of January 15, 1976. East Tennessee states that said sheets reflect certain changes ordered by the Commission in its order issued in the above-referenced proceeding on August 14, 1975, the average cost of purchased gas, the flow-through of demand charge credits, and the assignment of 75 percent of East Tennessee's fixed costs to the commodity rate.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 12, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-479 Filed 1-7-76;8:45 am]

[Docket No. E-9091]

GEORGIA POWER CO.

Order Accepting Compliance Filing

DECEMBER 24, 1975.

On October 31, 1974, Georgia Power Company (Georgia Power) tendered for filing a $42,981,351 rate increase in jurisdictional sales based upon a test period consisting of the twelve months ending December 31, 1975. The submittal was accepted for filing and suspended by order issued December 26, 1974.

On August 5, 1975, the Commission issued an order requiring Georgia Power to file revised tariff sheets reflecting the exclusion of construction work in progress from rate base and further requiring Georgia Power to make refunds of the amounts collected attributable to the inclusion of CWIP in rate base. On August 22, 1975, the Company applied for rehearing and a stay of the Commission's August 5, order, which the Commission denied by order issued September 19, 1975. On September 24, 1975, Georgia Power filed a petition for review of the Commission's Order of August 5, 1975, with the United States Court of Appeals for the District of Columbia Circuit. Pending review, Georgia Power requested the Court of Appeals to stay the Commission's Order requiring it to refund any revenues already collected. By order dated October 3, 1975, the Court of Appeals denied Georgia Power's request for stay.

By letter dated October 6, 1975, Georgia Power submitted revised tariff sheets[1] reflecting the exclusion of CWIP from its rate base. The filing was completed on November 25, 1975, when additional data was received from Georgia Power.

Notice of the tendered filing was issued on October 15, 1975, with responses due on or before October 31, 1975.

On October 30, 1975, Oglethorpe Electric Membership Corporation (Oglethorpe) filed a response to the notice and a motion to compel Georgia Power's compliance with the August 5, 1975 order. Oglethorpe contends that in filing to exclude CWIP from the rate base, Georgia Power improperly revised its class allocation of federal and state income taxes from the amounts originally used in the initial WR-8 rate filing. The alleged revision in the allocation of federal and state taxes by Georgia Power has caused the refund from the WR-8 revised rate to Oglethorp to be approximately $400,000 less than it would have been, had Georgia Power used a proper application of the allocation formula, according to Oglethorpe. Oglethorpe requests that the Commission order Georgia Power to file revised tariff sheet reflecting a different allocation of taxes to wholesale customers.

On October 31, 1975, the Cities of Acworth, Georgia, et al., and Electric Cities of Georgia (the Cities) filed a protest and motion to enforce compliance with the order issued August 5. The Cities content that Georgia Power incorrectly computed refunds due its wholesale customers as a result of excluding CWIP from its rate base. According to the Cities, Georgia Power's claimed refunds to the jurisdictional customers are deficient by $1,591,514. The Cities attribute Georgia Power's alleged error to an apparent reallocation of "pre-rate change" income taxes between its original filing and its purported compliance filing made pursuant to our August 5, 1975 order. The Cities ask that the Commission order Georgia Power to file a revised tariff sheet consistent with the Cities recalculation of the gross revenues to be derived under the originally filed WR-8 and, accordingly, to refund with interest additional amounts of money to its wholesale customers for the period during which Georgia Power included CWIP in its rate base under the WR-8 rate.

On October 31, 1975, the City of Dalton, Georgia (Dalton) filed to join in the Cities' protest and motion to enforce compliance with the Commission's August 5, 1975 order.

On November 14, 1975, Georgia Power filed a response to the intervenors' protests and motions regarding compliance with the Commission's order issued August 5, 1975. According to Georgia Power, the difference in the CWIP revenue calculation made by Georgia Power and that made by the intervenors rests solely in the methodology employed in the allocation of income taxes to the various customers. The Company contends it used the identical tax allocation procedure in removing CWIP revenues as it did in originally designing the rates which produced such revenues. The Company concludes that it has complied with the August 5, 1975 order and, further, that the issue of the propriety of the Company's tax allocation procedure should be determined following a hearing on the merits. Accordingly, Georgia Power requests that the intervenors' motions to enforce compliance with the August 5 order be denied.

Our review of Georgia Power's initial and compliance filings and the above-described responses by the intervenors indicates that Georgia Power's revised tariff sheets tendered October 6, 1975 and November 25, 1975 are in compliance with our August 5 order. Georgia Power's revised income tax computation reflecting the exclusion of CWIP from rate base is consistent with the methodology used by the Company in its original filing in this proceeding. Accordingly,

[1] Designated as: Georgia Power Company, Fourth Revised Sheet No. 23 to FPC Electric Tariff Original Volume No. 1 (Supersedes Third Revised Sheet No. 23).

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Georgia Power's tendered revised tariff sheets reflecting the exclusion of CWIP from the rate base will be accepted for filing and made effective as of April 1, 1975, subject to refund; and the intervenors' motions will be denied as hereinafter ordered.

The Commission finds. (1) Good cause exists to accept for filing Georgia Power's revised tariff sheets reflecting the exclusion of CWIP from rate base and to make those sheets effective as of April 1, 1975, subject to refund.

(2) Good cause exists to deny the intervenors' motion filed herein.

The Commission orders. (A) Georgia Power's revised tariff sheets reflecting the exclusion of CWIP from the rate base tendered for filing on October 6, 1975, as supplemented on November 25, 1975, are found to be in compliance with our order issued August 5, 1975 in this proceeding and are hereby accepted for filing and made effective as of April 1, 1975, subject to refund.

(B) Intervenors' motion filed herein are hereby denied.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-487 Filed 1-7-76;8:45 am]

[Docket No. ER76-352]

KANSAS POWER AND LIGHT CO.

Renewal Contract

DECEMBER 23, 1975.

Take notice that on December 10, 1975 The Kansas Power and Light Company (KPL) tendered for filing a Renewal Contract dated October 1, 1975 to its contract with the City of Enterprise, Kansas, designated as KPL's Rate Schedule FPC No. 85.

KPL requests waiver of the notice requirement to permit the Renewal Contract to become effective October 1, 1975. KPL states there are no changes in conditions from the original contract and the applicable rate schedule, WSM-75, was made effective October 1, 1975, subject to refund, pending decision in Docket No. ER76-39.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 16, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-484 Filed 1-7-76;8:45 am]

[Docket No. ER76-353]

KANSAS POWER AND LIGHT CO.

Renewal Contract

DECEMBER 23, 1975.

Take notice that on December 10, 1975 The Kansas Power and Light Company (KPL) tendered for filing a Renewal Contract, dated October 14, 1975, to its contract with the City of Chapman, Kansas for wholesale electric service, designated as KPL's Schedule FPC No. 87.

KPL requests waiver of the notice requirement in order to allow the Renewal Contract to become effective on November 1, 1975. KPL states that there are no changes in conditions of service and that the applicable rate schedule, WSM-75, was ordered to be effective October 1, 1975, subject to refund, pending decision in Docket No. ER76-39.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 16, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-485 Filed 1-7-76;8:45 am]

PENNSYLVANIA ELECTRIC CO.

[Docket No. ER76-301]

Order Accepting Proposed Tariff Sheets for Filing, Suspending Use Thereof, Providing for Hearing, Granting Intervention and Establishing Procedures

DECEMBER 24, 1975.

On November 26, 1975, Pennsylvania Electric Company (Penelec) tendered for filing proposed changes in its FPC Electric Tariff, Original Volume No. 1.[1] The proposed tariff sheets provide for an increased rate "RP" and for various changes in the service to Penelec's all-requirements wholesale customers at primary voltage. The customers affected by these proposed changes are six Pennsylvania municipal customers (the Boroughs of Berlin, East Conemaugh, Girard, Hooversville, Smithport and Summerhill) and six investor-owned utilities (Rockingham Light, Heat & Power Company, Eckland Electric Company, Waterford Electric Light Company, Wellsborough Electric Company, Windber Electric Corporation and West Penn Power Company). Also tendered for filing were increased rates for partial requirements and wheeling service to Allegheny Electric Cooperative, Inc. (Allegheny).[2] Included in the changes proposed by Penelec were revised fuel cost adjustment clauses for its all-requirements service and its partial-requirements service to Allegheny.

Penelec states that the proposed rate increases are intended to recover sharp increases in cost over the 1972 costs underlying the present all-requirements wholesale rates, and the 1971 costs used to derive rates for service to Allegheny. Penelec states further that the increase is overdue and that without immediate rate relief it will be unable to meet coverage requirements to issue bonds by mid-1976. We note that the proposed rates would produce $1,854,542 in additional revenues from its all-requirements customers on the basis of the 12 month test period ending June 30, 1976 (Period II). This increase represents an increase in the demand charge from $2.50 per kw to $4.26 per kw, as well as an increase in the energy charges from 1.40 cents per kwh to 2.70 cents per kwh for the first 200 hours' use block, from 1.10 cents per kwh to 2.10 cents per kwh for the next 200 hours' use block, and from 0.85 cents per kwh to 1.50 cents per kwh for the tail block. Under the terms of the proposed rate increase the additional revenues from Allegheny would amount to $7,557,472 for the same 12 month test period ending June 30, 1976 (Period II). This increase represents an increase in the demand charge from $1.78 per kw to $3.05 per kw, an increase in the energy charge from 1 cent per kwh to 2.3 cents per kwh, and an increase in the wheeling charge from $1.62 per kw per month to $3.25 per kw per month. The proposed rates would thus increase revenues for the 12 months ending June 30, 1976 by approximately $9,412,064, or 61%. Penelec indicates that the proposed increase would result in an overall earned return of 9.58% with a return on common equity of 14.50%.

In addition to the proposed increases in its rates, Penelec has proposed a change in the notice period for termination in the tariff from two to three years. The contracts under which Penelec serves its all-requirements customers do not permit Penelec to unilaterally change the notice provision until the present contracts are terminated. Accordingly, Penelec has indicated that it intends to give notice of termination of the contracts and, upon termination, to offer service to each affected customer under a contract with identical terms and conditions, except for the lengthened notice period. Penelec claims that the increase in the notice period for termination is required to adjust system capacity for the attendant loss in load.

Penelec also proposes a revision to the late payment charge which would replace the presently effective one-time only late payment charge of 1% on amounts not paid within 15 days from the billing date with a monthly late payment charge of 1% per month on amounts not paid within 15 days. Penelec states that the proposed provision would permit the collection of more reasonable compensation for payments which are substantially delayed.

Finally, Penelec has proposed revised fuel adjustment clauses for service to both its rate "RP" customers and to Allegheny. Both of these fuel clauses include Gross Receipts Tax adjustment factors. Penelec states that the changes are being made to conform the fuel clauses with Order No. 517 issued November 13, 1974.

Public notice of Penelec's filing was issued on December 10, 1975, with comments, protests and petitions to intervene due on or before December 22, 1975. Several timely protests filed.[3] Pursuant to Section 1.10 of our Rules of Practice and Procedure, 18 CFR 1.10, these protests will be placed into a public file associated with, but not part of the record upon which the Commission's decision is made, and will be available for such further exploration of the substantive matters raised therein by the Commission Staff and the other parties as may be appropriate. As set forth in Section 1.10 the filing of a protest does not make the protestant a party to the proceeding; a separate petition to intervene is required for this purpose.

Also filed with the Commission was a joint Protest and Petition To Intervene by Allegheny and several of Penelec's municipal distributor customers.[4] In protesting the proposed increase for all-requirements service, the Boroughs allege that the increase would seriously impede the operation of their systems by impairing their ability to compete with Penelec for new industrial retail customers. Allegheny alleges that the proposed increase in Penelec's wheeling rates would force Allegheny to increase its purchase of supplemental power from Penelec and Metropolitan Edison Company (Met-Ed) at a substantially greater cost. Allegheny therefore concludes that the proposed increase in wheeling rates is anti-competitive and is an apparent violation of the Sherman Act and the Clayton Act.

Further objections by Allegheny and the Boroughs include allegations that (1) the 14.50% rate of return on common equity and the 9.74% overall return are excessive; (2) the allowance for funds used during construction have been capitalized at an inordinately high rate; (3) Penelec's cost of service study fails to reflect the income tax savings resulting from tax deductions for interest payable on its debt; (4) improper treatment has been accorded deferred income taxes on construction overhead items; (5) compensating bank balances have been improperly included as a component of working capital; and (6) that Penelec has improperly allocated its primary distribution facilities. Allegheny and the Boroughs therefore request that they be allowed to intervene in this proceeding, that the proposed increase be suspended for five months and that a hearing be held on the lawfulness of the proposed rates.

Our review of Penelec's filing and the pleadings filed to date in this docket indicate that several issues may require development in an evidentiary hearing. Moreover, the proposed increase in rates and charges has not been shown to be just and reasonable and may be unjust, unreasonable or otherwise unlawful. We shall therefore suspend the proposed rate increase for two months and direct that a hearing be held on the justness and reasonableness of the rates proposed therein. Allegheny and the Boroughs will be allowed to intervene in these proceedings.

The Commission must utilize a cost plus fair return standard for establishing the justness and reasonableness of wholesale rates and does not have the authority under the Federal Power Act to set wholesale rates predicated upon retail rates over which we have no jurisdiction.[5] We shall therefore limit this proceeding so as to exclude consideration of the price squeeze issue raised by the Boroughs. We are aware of the decision by the United States Court of Appeals for the District of Columbia Circuit in *Conway Corporation* v. *FPC*, 510 F2d 1264 (1975). However, the court in *Conway* stayed its mandate pending appeal by the Commission and a writ of *certiorari* has subsequently been issued by the Supreme Court.[6] Accordingly, the Boroughs may renew their price squeeze allegations when and if the Conway decision becomes final.

Evidence relevant to the remaining issues raised by the instant filing should be submitted by all parties including the Commission Staff. Without limiting their right to present such further evidence as they deem relevant and material, the parties and our Staff should present evidence which considers in addition to the issues set forth above, the following: (1) reduction of rate base by the amount of accumulated provision for deferred federal income taxes (Account Nos. 281 and 283); (2) separation of transmission function into various subfunctions reflecting voltage or service levels for allocation purposes; (3) deferral of fuel costs in Period I and no apparent matching of fuel costs with revenues in Period II; (4) increase in the notice period for termination from two to three years; and (5) revision of the late payment charge.

The Commission further finds: (1) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of Penelec's rate increase filed in Docket No. ER76-301, and that such increase be accepted for filing, suspended and the use thereof deferred as hereinafter ordered.

(2) Participation in this proceeding by Allegheny and the Boroughs may be in the public interest.

The Commission orders: (A) Pending a hearing and decision thereon, Penelec's November 26, 1975 filing is accepted for filing and suspended for two months until February 26, 1976, or until such time as it is made effective in the manner provided by the Federal Power Act, subject to refund.

(B) Allegheny and the Boroughs are hereby permitted to intervene in this proceeding subject to the rules and regulations of the Commission; *Provided, however*, That participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in the petition to intervene; and *Provided, further*, That the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(C) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at the initial conference in this proceeding on January 19, 1976, at 9:30 a.m., e.s.t., in a hearing room of the Federal Power Commission,

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[1] Penelec's proposed tariff sheets are designated Third Revised Sheet No. 4, First Revised Sheet No. 7, First Revised Sheet No. 9, Second Revised Sheet No. 11, Second Revised Sheet No. 13, Second Revised Sheet No. 14, and Fourth Revised Sheet No. 15.

[2] These proposed changes were designated Supplement Nos. 7, 8 and 9 to Rate Schedule FPC No. 70.

[3] Those filing protests include the Shade Township Supervisors; the Borough of Windber; Mrs. Lily Chweh, Mrs. Sandra Tallyen, Mrs. Terry Weaver, on behalf of themselves and certain unnamed concerned residents in the Windber Electric Corporation service area; Mrs. Frances Lewandowski; and the Eureka Department Store, and the Windber Area School District.

[4] The municipal customer group includes the Boroughs of Berlin, East Conemaugh, Girard, Hooversville, Smethport, and Summerhill (hereinafter referred to collectively as the Boroughs).

[5] *See, eg., Virginia Electric and Power Company*, Docket No. E-9147 (order issued January 22, 1975), *Carolina Power and Light Company*, Docket No. E-8884 (order issued August 26, 1974); *Wisconsin Public Service Corporation*, Docket No. E-8867 (order issued August 23, 1974); and *Pacific Gas and Electric Company*, Docket No. E-7777 (order issued March 14, 1974).

[6] November 11, 1975, in Docket No. 75-342.

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825 North Capitol Street NE., Washington, D.C. 20426 Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates and to rule upon all motions (with the exception of petitions to intervene, motions to consolidate and sever, and motions to dismiss, as provided for in the Rules of Practice and Procedure).

(D) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to Section 1.18 of the Commission's Rules of Practice and Procedure.

(E) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-475 Filed 1-7-76;8:45 am]

[Docket No. ER76-156]

PUBLIC SERVICE ELECTRIC AND GAS CO.

Order Granting Petitions To Intervene and Denying Petitions for Rehearing

DECEMBER 24, 1975.

On November 28, 1975, the Borough of Milltown, New Jersey (Milltown) and the Borough of South River, New Jersey (South River) each filed an application for rehearing of our letter order dated October 31, 1975[1], in the above-referenced docket, and a petition to intervene. Milltown contends initially that the flat $5.00 per kilowatt demand rate included in its new rate schedule makes no provision for reduced costs for increased consumption, as is reflected in PSEC's non-jurisdictional rates, and secondly, that the approved rate schedule is contrary to a retail rate schedule recently approved by the New Jersey Public Utility Commission for large power and lighting service to private industry. Milltown also alleges that the increases as to it are generally excessive. South River essentially set forth the same arguments as Milltown, including, however, two additional allegations. One is that the Federal Power Commission does not have jurisdiction over PSEC's rates to South River inasmuch as PSEC's sales to South River do not involve interstate commerce, and the second is that the fuel adjustment charges made to South River are somehow "buried deceptively" within PSEC's energy and demand rates.

Notice of PSEC's filing was issued on October 8, 1975 with comments, protests, or petitions to intervene due on or before October 20, 1975. We find that it may be in the public interest to grant the late-filed petitions to intervene submitted on November 28, 1975 by Milltown and South River, and shall so order. PSEC responded to Milltown's petition for rehearing on December 2, 1975, and to South River's petition for rehearing on December 15, 1975. Our Rules, however, provide that "no answers to petitions for rehearing will be entertained by the Commission" unless rehearing is granted (18 C.F.R. Section 1.34(d)). Inasmuch as both of PSEC's responses are in fact answers to the instant petitions for rehearing, we must reject them as being prematurely filed.

The joint arguments raised by Milltown and South River which are based upon differences between PSEC's jurisdictional and non-jurisdictional rates are essentially "price-squeeze" allegations with which we have dealt on many occasions.[2] We have consistently declined to consider such arguments on the basis that we do not have the authority under the Federal Power Act to set wholesale rates predicated upon retail rates over which we have no jurisdiction, and we shall do likewise in this instance. We note, however, that on November 11, 1975 the U.S. Supreme Court granted the Commission petition for a writ of certiorari in Conway Corporation v. FPC.[3] Our exclusion of the Boroughs' price squeeze allegations are, therefore, made without prejudice to their renewal of said issues when and if the Conway decision becomes final.

We find South River's jurisdictional arguments to be without merit. The Federal Power Act has charged this Commission with the responsibility to regulate the transmission of electric energy in interstate commerce and the sale of such energy at wholesale in interstate commerce. Our review of PSEC's current operating data indicates that a portion of the energy sold on its system is generated outside of the state of New Jersey, thereby conferring our jurisdiction over PSEC's wholesale sales to South River.

With respect to South River and Milltown's allegations that PCES's rates are excessive, as well as South River's contention that PCES does not properly reflect its fuel adjustment charges in its rates, we find them to be equally without merit. Our review of PSEC's filing indicates that the company's claimed jurisdictional costs are based upon an historical test year ending June 30, 1975 (which used actual costs for the period including relatively minor adjustments), and include an overall rate of return from resale customers of 5.22 percent, which produces a return on equity of 2.69 percent on PSEC's equity capitalization ratio of 35.68 percent. We also note that for the year ended June 30, 1975, PSEC's actual data reflects that the company only earned a 3.65 percent overall rate of return on its jurisdictional service. Based upon the foregoing circumstances, we find that the rate of return proposed and the return on equity to be realized by PSEC in this proceeding, are within the zone of reasonableness. Therefore, inasmuch as the cost of service is essentially "per books" and we have determined that the proposed rate of return is within the zone of reasonableness, we find the wholesale rates proposed by PSEC in this proceeding are just and reasonable. We further find that PSEC's fuel adjustment clause, as proposed in this proceeding, is in conformance with Section 35.14 of our Rules and Regulations, as amended by Order No. 517, and suggest that South River's misunderstanding arises not because the fuel adjustment is "buried" elsewhere in the rate, but because the base cost of fuel within the clause has been updated to reflect current fuel costs.

We conclude that neither South River nor Milltown has presented us with specific reasons sufficient to warrant a rehearing. Therefore, based upon the foregoing discussion, we find that the petitions for rehearing of South River and Milltown should be denied, and we reaffirm our letter order of acceptance issued on October 31, 1975 in this proceeding.

The Commission finds. (1) Good cause exists to grant the petitions to intervene of Milltown and South River.

(2) Good cause does not exist to grant the petition for rehearing of either Milltown or South River.

(3) Good cause exists to reject both the answer filed by PSEC on December 2, 1975, as well as the answer of PSEC filed on December 15, 1975.

The Commission orders. (A) The Boroughs of Milltown and South River are hereby permitted to intervene in this proceeding.

(B) The petitions for rehearing of the Borough of Milltown and the Borough of South River are hereby denied.

(C) The answers filed by PSEC on December 2, 1975 and December 15, 1975 in this proceeding are hereby rejected.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-476 Filed 1-7-76;8:45 am]

[Docket No. RP75-113]

TENNESSEE GAS PIPELINE CO.

Motion To Place Revised Tariff Sheets in Effect

DECEMBER 29, 1975.

Take notice that on December 15, 1975, Tennessee Gas Pipeline Company, a Division of Tenneco, Inc., (Tennessee) filed certain revised tariff sheets together with a motion to place said revised tariff sheets in effect as of January 15, 1976. Tennessee states that said revised tariff sheets reflect certain changes ordered by the Commission in its order issued August 15, 1975, in the above-referenced docket, the current average cost of purchased gas, and the assignment of 75 percent of Tennessee's fixed costs to the commodity rates.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Section 1.8 and 1.10 of the Commissions' Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 12, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-480 Filed 1-7-76;8:45 am]

[Docket No. RP74-98]

TIDAL TRANSMISSION CO.

Order Denying Application for Rehearing or Reconsideration and Request for Waiver

DECEMBER 23, 1975.

On September 15, 1975, Tidal Transmission Company (Tidal) tendered for filing a revised tariff sheet[1] seeking to implement a current Research and Development Rate Adjustment under its previously approved R&D Adjustment Clause.[2] Tidal requested that its revised sheet become effective November 1, 1975. By letter order issued October 31, 1975, we rejected Tidal's tariff sheet since it was inconsistent with the provisions of Section 154.38(d)(5) of our Regulations. Specifically, we stated that Tidal's filing was inconsistent with the Regulations in that it did not reflect the balances in Account 188 for the 12 month period ending 3 months prior to the proposed effective date, or July 31, 1975. Tidal used the balance in that account as of the 12 months ended December 31, 1974. We also stated that Tidal's filing did not conform to the requirement that the balance in Account 188 as of April 30, 1973,[3] be subtracted from the July 31, 1975 balance. On November 26, 1975, Tidal filed an Application for Rehearing or Reconsideration of our October 31, 1975 order.

In support of its Application for Rehearing, Tidal argues that its filing was made to permit Tidal to recover R&D expenditures in accordance with its approved R&D Rate Adjustment Clause included in its tariff which, it alleges, is binding on Tidal and the Commission. Tidal states further that its use of the December 31, 1974 balance instead of July 31, 1975 balance is a technical defect only and not a basis for rejection. Tidal also argues that its tariff does not require subtraction of the April 30, 1973 balance in Account 188. Tidal submits that the Commission should seek to determine the proper level for its rate instead of rejecting its filing. In the alternative, Tidal requests reconsideration of our action and waiver of the provisions of our Regulations to permit its revised tariff sheet to become effective.

We shall deny Tidal's Application. Simply stated, Tidal's filing does not conform to the requirements of our Regulations and, pursuant to § 154.24, the Commission may reject materials which do not comply with the requirements of Part 154 of the Regulations. Section 154.38 (d)(5)(ii) provides specifically as follows:

> R&D expenditures in Account 186 which are eligible to receive rate base treatment and which may be tracked and reflected in rates shall be the amount which the actual balances in such account during the 12-month period ending three months prior to the proposed rate adjustment exceed or are less than the balances in such account as of the date of this regulation [April 30, 1973], if an initial filing. . . .

Tidal's filing is not in conformity with the requirement that the balance used be for the 12 month period ending three months prior to the proposed effective date, nor does it subtract the balance in Account 188 as of April 30, 1973, the effective date of § 154.38(d)(5). Accordingly, we believe that the filing should be rejected. The court described our rejection of filings as:

> a peremptory form of response to filed tariffs" which classically is used not to dispose of a matter on the merits but rather as a technique for calling on the filing party to put its papers in proper form and order.[5] . . . In these situations, a rate filing may be rejected both when the governing statute explicitly provides for rejection [footnote omitted] and when it does not. The Commission had the authority to issue a regulation like 18 C.F.R. § 35.5 . . . for the rejection of filings that patently fail to establish substantial compliance with duly issued regulations. *Municipal Light Board of Reading and Wakefield Massachusetts* v. *Federal Power Commission*, 450 F. 2d 1341, 1346 (1971).

Tidal's Application for Rehearing does not persuade us that rejection of its filing was improper nor that we should grant reconsideration and grant waiver of the Regulations. The action taken herein is without prejudice to Tidal's right to file pursuant to Section 4 of the Natural Gas Act and § 154.63 of the regulation thereunder for such other rate relief as it may deem appropriate.

The Commission finds: Tidal's Application for Rehearing or Reconsideration raises no new issue of fact or law to justify granting rehearing or reconsideration of our order or waiver of the Regulations.

The Commission orders: (A) Tidal's Application for Rehearing or Reconsideration and request for waiver is hereby denied.

(B) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-486 Filed 1-7-76;8:45 am]

[Docket No. CI75-395]

TRANSCO EXPLORATION CO.

Notice of Redesignation

DECEMBER 29, 1975.

On April 16, 1975, Transco Exploration Company notified the Commission of its corporate name change from the former Transcontinental Production Company effective March 10, 1975.

Notice is hereby given that the certificate of public convenience and necessity, covering the sale of gas to Transcontinental Gas Pipe Line Corporation from the Ewing Field, San Patricio County, Texas, issued in the subject docket on February 12, 1975, and the related FPC Gas Rate Schedule No. 2 are redesignated as those of Transco Exporation Company.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-481 Filed 1-7-76;8:45 am]

[Docket No. E-9496]

UNION ELECTRIC CO.

Postponement of Hearing Date

DECEMBER 24, 1975.

On December 16, 1975, Union Electric Company filed a motion to postpone the hearing date fixed by order issued July 11, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the hearing date in the above is postponed from January 6, 1976, to January 21, 1976.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-488 Filed 1-7-76;8:45 am]

[1] Wherein we accepted Public Service Electric and Gas Company's (PSEC) proposed Rate Schedules FPC No. 53 (Milltown) and FPC No. 54 (South River) for filing to become effective without suspension on November 1, 1975.

[2] See e.g., Virginia Electric and Power Company, Docket No. E-9147 order issued January 22, 1975; Carolina Power and Light Company, Docket No. E-8884, order issued August 26, 1974; Wisconsin Public Service Corporation, Docket No. E-8867, order issued August 23, 1974; and Pacific Gas and Electric Company, Docket No. E-7777, order issued March 14, 1974; Detroit Edison Company, Docket No. E-9294, order issued July 2, 1975; Ohio Power Company, Docket No. ER76-83, order issued November 14, 1975.

[3] 510 F.2d 1264 (1975).

[1] Second Revised Sheet No. 17 to its FPC Gas Tariff, Original Volume No. 1.

[2] By order issued February 21, 1975, in the instant docket, we accepted for filing and permitted to become effective Tidal's tariff sheets containing its proposed R&D Rate Adjustment Clause.

[3] The date Order No. 483, permitting the filing of such R&D rate adjustment provisions, was issued.

[5] F. Welch, Cases and Text on Public Utility Regulation 561 (1961). "A 'notice of rejection' is not generally used to dispose of a case on its merits. It is more in the nature of a procedural or interim pleading or response, giving the utility an opportunity to correct some defect in its original filings, or to file new schedules or tariffs in proper order, if it so desires." *Id.*

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[Docket No. E-9147]

VIRGINIA ELECTRIC AND POWER CO.

Motion for Approval of Settlement Agreements

DECEMBER 29, 1975.

Take notice that on December 15, 1975, Virginia Electric and Power Company (Vepco), the Cooperative Intervenors,[1] and ElectriCities of North Carolina [2] filed a joint motion for approval of two Settlement Agreements in the above captioned docket and for deferral of any further procedural dates in Phase I of this proceeding pending Commission action on the Settlement Agreements.

Docket No. E-9147 was initiated on December 2, 1974 (as supplemented on December 23, 1974) when Vepco tendered for filing with the Federal Power Commission proposed changes to its FPC Electric Tariff, Original Volume Nos. 1 and 2, applicable to Resale Municipalities and Private Utilities, and proposed changes in its electric resale rate schedule applicable to electric Cooperatives. Notice of VEPCO's filing was issued on December 5, 1974 with protests and comment due on or before December 23, 1974. In response to this notice, ElectriCities of North Carolina (ElectriCities) [3] and a group of Cooperatives [4] separately filed Motions to Intervene and Reject on December 23, 1974. On January 6, 1975, VEPCO filed answers to each of the intervenors pleadings.

By order issued January 22, 1975, the Commission accepted the proposed rate increases for filing as of December 23, 1974, and suspended it for thirty days, the use thereof to be deferred until February 21, 1975, subject to refund.

Direct testimony has been filed by Vepco, the intervenors both jointly and separately, and the Commission Staff. No rebuttal testimony has been filed because the parties have been involved in settlement negotiations.

The settlement negotiations have resulted in the execution of the two documents offered for the Commission's approval: "Settlement Agreement Between Virginia Electric and Power Company and Wholesale Cooperative Electric Customers" ("Cooperative Agreement") and "Settlement Agreement Between Virginia Electric and Power Company and Wholesale Municipal Electric Customers" ("Municipal Agreement"). For the Cooperative customers, the settlement increase would be in the amount of $7,854,000 on a 1975 estimated test year basis. For the Municipal customers the increase would be in the amount of $5,171,000 on the same basis. Both Agreements contain a moratorium provision, with certain exceptions, to run to February 21, 1977, and other provisions.

Counsel for Vepco states that he is authorized by the parties joining in the joint motion for settlement approval, as well as Counsel for the Commonwealth of Virginia, to state that they stipulate that, for the limited purpose of determining the reasonableness and justness of the Settlement Agreements, the record in this proceeding shall consist of the Application for an Increase in Vepco's Rates, the direct testimony submitted under affidavit by Vepco and that submitted by the Commission Staff.

Counsel for the Commonwealth of Virginia and Commission Staff Counsel have concurred in that portion of the Motion which requests that the procedural dates for Phase I be deferred pending action by the Commission on these Settlement Agreements.

Any person desiring to be heard or to protest the proposed settlement agreement should file comments with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before January 12, 1976. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this agreement are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-482 Filed 1-7-76;8:45 am]

[Docket No. CP73-332]

NORTHWEST PIPELINE CORP.

Petition To Amend

DECEMBER 23, 1975.

Take notice that on November 28, 1975, Northwest Pipeline Corporation (Petitioner), P.O. Box 1526, Salt Lake City, Utah 84110, filed in Docket No. CP73-332 a petition to amend the order of the Commission of February 26, 1975 (53 FPC —), as amended, pursuant to Sections 7 (b) and (c) of the Natural Gas Act for permission and approval to abandon the sales and delivery of natural gas made to Intermountain Gas Company (Intermountain) pursuant to Petitioner's Rate Schedule TS-1 and for the inclusion in Petitioner's certificate of public convenience and necessity of authorization to sell the volumes of natural gas released by the proposed abandonment to other customers subscribing to the TS-1 service, all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

In the instant petition to amend, Petitioner states that Intermountain has failed to receive the necessary authorization from the Idaho Public Utilities Commission to implement Intermountain's TS-1 service agreement with Petitioner. It is further stated that service has commenced pending the authorization requested by Intermountain.

Intermountain is alleged to have requested Petitioner by a letter of November 17, 1975, to reallocate among Petitioner's other customers of service under Rate Schedule TS-1 the 5,000 Mcf of natural gas per day that Intermountain had requested and has begun to receive, pursuant to Rate Schedule TS-1.

Petitioner indicates that three existing recipients of Petitioner's service pursuant to Rate Schedule TS-1, Southwest Gas Corporation, Northwest Natural Gas Company, and California-Pacific Utilities Co., have requested the allocation of the volumes released by Intermountain in proportional amounts. The existing and proposed volumes of natural gas service pursuant to Petitioner's Rate Schedule TS-1 are as follows:

Customer	Existing contract demand	Increase or (decrease)	Proposed contract demand	
	1,000 ft³	*1,000 ft³*	*1,000 ft³*	*Therms*
California-Pacific Utilities Co.	2,000	[redacted]	2,288	23,914
Cascade Natural Gas Co.	8,000	.....	8,000	83,600
Intermountain Gas Co.	5,000	(5,000)	0	0
Northwest Natural Gas Co.	28,750	[redacted]	[redacted]	342,640
Southwest Gas Corp.	4,750	[redacted]	5,423	56,671
Washington Natural Gas Co.	1,500	.....	1,500	15,675
Total	[a]50,000	0	[a]50,000	522,500

[a] Although petitioner is authorized to import up to 55,000 (M ft³/d) it has contracted to sell 50,000 (M ft³/d) which is the amount it has estimated to be available after fuel usage.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before January 15, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-491 Filed 1-7-76;8:45 am]

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[1] Old Dominion Electric Cooperative, Northern Neck Electric Cooperative, North Carolina Electric Membership Corporation and Roanoke Electric Membership Corporation, representing all of Vepco's cooperative customers.

[2] Representing all of Vepco's municipal customers with the exception of the Town of Elkton, Virginia.

[3] See footnote 2 above.

[4] See footnote 1 above.

[Docket No. ER76-39]

KANSAS POWER & LIGHT CO.

Order Denying Motion To Reject, Amending Prior Order, Establishing Section 206(a) Proceedings and Consolidating Proceedings

DECEMBER 22, 1975.

On July 28, 1975, the Kansas Power and Light Company (KPL) tendered for filing proposed Schedules of Rates and Charges for Wholesale Service-Municipalities to supersede and replace those rate provisions of KPL's contract rate schedules presently in effect and on file with the Commission, which relate to thirty-four (34) wholesale municipal customers (Municipals).[1] KPL requested an effective date of September 1, 1975 for the proposed changes to all customers except the City of Herington (Herington). The proposed date to Herington is January 23, 1976.

Notice of KPL's filing was issued on August 11, 1975, and a "Motion To Reject, Protest and Petition To Intervene Of The Kansas Wholesale Municipal Customers" was filed by the Municipals on August 20, 1975. Municipals make the following allegations: 1) KPL's filing as to twenty-five of the thirty-four Municipals is prohibited by the terms of its contracts with those cities, and should be rejected under the *Mobile-Sierra* doctrine[2], 2) KPL's filing should be rejected as failing to conform to Section 35.13(b) of the Commission's Rules and Regulations, 3) the proposed rate increases to the Municipals are discriminatory vis-a-vis both other wholesale and/or retail customers of the company, and 4) the proposed rate schedule changes are unjust and unreasonable and should be suspended for the full five-month period.

By order dated August 29, 1975 we accepted KPL's proposed rate schedules for filing, suspended the proposed changes for thirty days (or until February 23, 1976 as to Herington and until October 1, 1975 as to all other customers), granted Municipals' intervention, instituted proceedings, and established a procedural schedule. Due to the number of issues raised in the Municipals' motion, we deferred action on that motion until a later date, and held that our action at that time was without prejudice to our disposition of the Municipals' motion to reject.

On September 4, 1975, KPL filed a motion for extension of time to respond to Municipal's motion. KPL's request was granted by a Secretary's notice issued September 9, 1975, and KPL subsequently filed its response on September 19, 1975. Municipals' reply to KPL's response was then filed on September 25, 1975 and amended on September 26, 1975.

The Municipals' initial objection to KPL's proposed rate schedule changes is that the terms of the January 23, 1959 agreement between Herington and KPL (FPC Rate Schedule No. 56) make no provision for a unilateral rate filing by KPL under Section 205 of the Federal Power Act. Article IV of the contract in question reads as follows:

> This agreement and all of the terms and conditions thereof shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns for a period of ten (10) years from the date hereof; and from year-to-year thereafter unless cancelled by sixty (60) days written notice from one party to the other prior to the end of the primary term or any yearly period thereafter.

Municipals claim that no written notice of termination has been received by Herington from KPL and that the proposed rate change to Herington must therefore be rejected as violative of the *Mobile-Sierra* doctrine. They base their objection upon the *Mobile-Sierra* doctrine.[3] In *Mobile*, the Supreme Court held that a jurisdictional company may not escape a contract obligation to provide service at a single specified price for a term of years by unilaterally filing an increased rate schedule under Section 4(d) of the Natural Gas Act, a section like section 205(d) of the Federal Power Act. Simultaneously, in *Sierra*, the Court set down the test for determining whether a fixed rate contract on file at the Commission is unjust or unreasonable under Section 206(a) of the Federal Power Act:

> [W]hether the rate is so low as to adversely affect the public interest—as where it might impair the financial ability of the public utility to continue its service, cast upon other consumers an excessive burden, or be unduly discriminatory.

KPL states that it recognized the fixed-rate nature of the Herington contract, and styled its filing as to Herington so as to delay its effectiveness until after the expiration of the contract. On December 8, 1975, KPL filed the required notice of termination with this Commission in Docket No. ER76-340, to be effective on January 23, 1976. In our previous order of August 29, 1975 in this docket, we accepted the proposed change in rates and charges as to Herington to become effective on February 23, 1976, subject to refund. We will, therefore, expressly condition that acceptance and the effectiveness of KPL's proposed increase as to Herington upon our acceptance of KPL's filing terminating the Herington contract in Docket No. ER76-340.

The Municipals also claim that twenty-four[4] of KPL's other contracts prohibit unilaterally-filed rate increases. Municipals state that the terms thereof vary from five to ten years and provide as follows:

> City shall pay Company monthly on or before ten (10) days after rendition of the bill for electric energy delivered during the preceding months on the basis of the Company's electric price schedule MWH-63, now filed with and approved by the Kansas Corporation Commission or at such revised price schedule as may from time to time be authorized by the said Kansas Corporation Commission for the class of service furnished hereunder, or by any other lawfully constituted regulatory body having jurisdiction in the premises. A copy of the said schedule MWH-63 is attached and made a part hereof.

Such language, the Municipals allege, does not reserve to KPL the right to unilaterally file with the Commission a tariff inconsistent with its contractual obligation under the agreements.[5]

KPL argues that the above-quoted language is clearly different from that contained in the Herington contract, and that these contracts are clearly "going-rate" and not "fixed rate" contracts, as defined in *Sierra*. KPL emphasizes the use of the phrase "from time to time" in the other twenty-four contracts, suggesting that this indicates that the parties specifically contemplated revisions in the price schedule on a regular basis. KPL also argues that a review of the history of these contracts establishes the interpretation given them by the parties in past filings before this Commission.

On May 16, 1963, this Commission accepted the contracts in question for filing as initial rate schedules. Included in those contracts was the identical above-cited language, with the exception that the rate schedule referred to therein was MWH-2. By order dated September 15, 1964, the Commission accepted for filing as a supplement to those contracts rate schedule MWH-63 to be applicable to service to the municipals in lieu of MWH-2, effective August 31, 1964. KPL states that the instant filing merely proposed to substitute rate WSM-75 for MWH-63 just as MWH-63 replaced MWH-2 in 1964.

Under the Commission Regulations under the Federal Power Act, 18 CFR 35.1(d), a public utility may only charge that rate which is set forth in an effective rate schedule on file with this Commission. The filed rate doctrine of the Federal Power Act is well established. As the Supreme Court pointed out in *Montana-Dakota Utilities Co. v. Northwestern Public Service Co.* 341 U.S. 246, 251 (1951):

> • • • It [public utility] can claim no rate as a legal right that is other than the filed rate whether fixed or merely accepted by the Commission, and not even a Court can authorize Commerce in the commodity on other terms.

The effective rate schedule may be one which is established by an appropriate

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[1] See "Order Accepting For Filing . . . And Establishing Dates" issued in this docket on August 29, 1975, Appendix A for designations.

[2] *United Gas Pipeline Co. v. Mobile Gas Service Corp.*, 350 U.S. 332 (1956) and *F.P.C. v. Sierra Pacific Power Co.*, 350 U.S. 348 (1956).

[3] See note 2, *supra*.

[4] Although Municipals state "twenty-six" on page one of its motion, only twenty-five cities (including Herington) are listed under Appendix A thereto, labelled "Sierra Customers." We have corrected this apparent error.

[5] Municipals cite *Richmond Power & Light Company v. F.P.C.*, 481 F. 2d 490 (D.C. Cir. 1973) and *Southern California Edison Co.*, "Order on Reconsideration," issued January 23, 1975, in Docket No. E-8176, as authority.

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filing of the public utility and "• • • permitted by the Commission to become effective as a filed rate schedule • • •", 18 CFR 35.2(e), or "• • • established in conformity with an order of the Commission • • •", 18 CFR 35.18. See *City of Colton* v. *Southern California Edison Company*, 376 U.S. 205 (1964). Thus an "effective rate schedule" before this Commission need not in every circumstance be Commission prescribed. Absent contractual limitations of the *Mobile-Sierra* type, a public utility may perfect an effective rate schedule under which it may legally collect revenues for jurisdictional services rendered pursuant to the Federal Power Act.

However, with respect to the aforesaid twenty-four contracts, in addition to the Herington contract discussed above, we have concluded that KPL does have a *Mobile* contractual restraint. We cannot agree with KPL's interpretation of the contracts' meaning. The only changes provided for in the contracts were those "authorized" by the lawfully recognized body having jurisdiction. The contracts in question provide that KPL shall charge on the basis of Schedule MWH–63 or such revised price schedule as may from time to time be authorized. Nowhere do the contracts state, nor may we infer, that the parties contemplated unilateral *filings* as provided for in Section 205 of the Federal Power Act. The contract language in the *Memphis* case,[6] where the Court held the parties had by contract agreed to unilateral filings, differed from the contract before us now. That contract stated the rate was to be, "*any effective superseding rate schedules*, on file with the Federal Power Commission." There a unilateral filing was contemplated by the contract. We do not believe the word "authorized" contemplates a unilateral filing which may be made effective merely by Commission acceptance but rather that it contemplates a rate fixed by the Commission. We have consistently held that similar phrases such as "approved"[7] and "ordered"[8] . . . "by the Commission" do not support unilateral filings by the company. We find therefore, as did the Court in *Mobile*, that the parties to the contracts in question consented only to those changes finally authorized or ordered by the appropriate Commission, and clearly did not contemplate unilateral filings as permitted by Section 205.

Moreover, under the state public utility laws of Kansas, as interpreted by the Supreme Court, public utilities do not have the power to effect unilateral contract changes. The Court in *Mobile*, *supra*, stated at p. 346:

• • • in *Wichita Railroad & Light Co.* v. *Public Utilities Commission of Kansas*, 260 U.S. 48, this Court interpreted a Kansas Statute, not yet fully construed by the State Court, as not giving such a power to a public utility • • •

The Supreme Court of Kansas reaffirmed this view in 1967, subsequent to the date of these contracts, and in doing so relied upon its own 1957 opinion in another case. See *Kansas Power and Light Co.* v. *Mobil Oil Co.*, 426 F. 2d 60 (1967). KPL's arguments to construe its contractual provisions as "authorizing" unilateral contract changes ignore this bar. Under state law as well as under the Federal Power Act, KPL is constrained from effecting unilateral changes to its aforesaid contract sales.

Nor do we find the treatment given similar contracts in the past to be conclusive of what our action should be in the present situation. As pointed out on page four of KPL's Answer, there were no objections raised by any of the Municipalities at the time KPL filed to replace rate schedule MWH–2 with WMH–63. However, it does not follow, as suggested by KPL, that the lack of an objection denotes a change in the fixed-rate nature of the contract. The Court in *Mobile* recognized that a contract rate may be changed by mutual agreement of the parties without changing the fixed-rate nature of the contract. A subsequent filing made to effect that mutually agreed-upon change would not then be contrary to the terms of the amended, though nonetheless still fixed-rate, contract. Such is not the situation presented to us by KPL's latest filing, and the rule of *Mobile-Sierra* therefore dictates that we disallow these Section 205 filings. Accordingly, we shall not treat KPL's filing as to the customers listed in Appendices A and B as unilateral filings under Section 205 of the Federal Power Act.

However, we shall institute a Section 206(a) proceeding to determine the just and reasonable rate for KPL's service to the customers listed in Appendices A and B[9], all changes to be prospective in application. KPL's filing as to these customers shall represent its case-in-chief in these proceedings. We shall further order refunds since October 1, 1975, to these customers. In light of this action, we shall deny Municipals' motion to reject KPL's filing as to these customers.

Our review further indicates that certain of the twenty-four contracts in question will expire on a date certain (See Appendix A), whereas the remaining contracts will run continuously until proper notice of termination is given (See Appendix B). We therefore find it is appropriate that as each of the above-mentioned contracts expires, we will grant a waiver of the ninety-day notice requirements of the Commission's Regulations, and permit an effective date for the proposed changes as of the expiration date of said contracts. Pursuant to *Municipal Electric Utility Association of Alabama* v. *F.P.C.*,[10] however, we will require that, as each of the above-mentioned contracts expires, KPL will file with the Commission a superseding service agreement capable of serving as a notice of termination of contractual service required by 18 C.F.R. Section 35.15, and an amended list of purchasers.

The Municipals' second major argument is that KPL's filing does not conform to the Commission's Regulations, specifically Sections 35.13(b)(4) and Section 35.13(b)(2) thereof, and should be rejected fo rthat reason. In support of this allegation, Municipals point out that Section 35.13(b)(4) of the Regulations requires Period I data to be the most recent twelve months of actual company experience. Municipals state that it is "clear from the face" of KPL's filing that the company possessed, at the time of the filing, actual data beyond the test year chosen ending March 31, 1975 (although no specifics are mentioned), and suggest that the test year should have been July 1974 through June 1975[11]. Our review of KPL's filing, however, does not reveal that the company had available to it any data more recent than that already provided in its filing of July 28, 1975, and we will therefore deny Municipal's motion to reject on these grounds.

The Municipals have also alleged KPL's filing to be deficient in that it does not provide a comparison of the proposed rate with other rates of the filing public utility for similar wholesale or resale and transmission services as required by § 35.13(b)(2) of the Regulations. Specifically, the Municipals state that KPL has not compared the proposed rates to the Municipals with the rates KPL charges its seventeen Rural Electric Cooperative (Cooperatives) customers. Our review has not revealed any such comparison to be necessary. We do not find, nor does the information provided by the Municipals support a finding, that the electric service provided by KPL to the Cooperatives is indeed "similar" to that provided to the Municipals. The submission of this data is only required when similar services exist, and we think that the failure to file such data in this case does not warrant rejection of KPL's filing.[12]

The Municipals third point of contention is that the proposed rate increases are discriminatory vis-a-vis both other wholesale and/or retail customers of the company. In support of its wholesale discrimination allegation, the Municipals have compared the proposed capacity and energy charges with those charges made to the Doniphan Electric Cooperative Association, Inc., one of KPL's seventeen Cooperative customers. Municipals contend that this comparison indicates a totally unjustified and patently discriminatory pricing bias to the proposed rates to the Municipals, even though the services were essentially similar. The Municipals may present evidence to substantiate this claim in the proceeding to be established.[13]

Municipals further contend that the proposed rate to them by KPL is discriminatory on its face by attempting to foreclose competition by the Municipals for retail loads, and state that Section 205(b) therefore requires that we reject KPL's filing on that basis. *Conway Corporation* v. *F.P.C.* 510 F. 2d 1264 (1975) is cited as authority for this proposition. However, the Court in *Conway* stayed its mandate pending appeal by the Commission. Accordingly, petitioners may renew its request for consideration of the price squeeze issue when and if the *Conway* decision becomes final.

The Municipals' fourth contention is that the proposed rate schedule changes are unjust and unreasonable, lacking in support, and should be suspended for the full five-month period. Specifically, the Municipals allege that a) the claimed rate of return is excessive, b) the proposed demand ratchet is unjust and unreasonable, and c) the proposed increase to the base power factor is unjust and unreasonable. We believe that these issues are best decided only after a full and complete record is developed concerning same during the evidentiary hearings provided for in this proceeding.

The Commission finds:

(1) The motion to reject KPL's rate increase filing should be denied as to all customers. However, acceptance of the filing as to Herington should be specifically conditioned upon acceptance of KPL's proposed termination of the Herington contract in Docket No. ER76–340.

(2) Good cause exists to grant a waiver of the ninety day notice requirements and amend the previous order in this docket so as to permit an effective date upon the expiration of the contract of each customer listed in Appendix A and B.

(3) A proceeding under Section 206(a) of the Federal Power Act should be instituted to determine the just and reasonable rate to be charged those customers listed in Appendix A and B. Such proceeding should use the material submitted in KPL's original filing of July 28, 1975.

(4) "Price-squeeze" issues should be excluded from these proceedings.

The Commission orders:

(A) Ordering Paragraph (A) of our order issued August 29, 1975, in this docket is hereby amended so as to permit a waiver of the ninety day notice requirement of the Commission's Regulations as to those customers listed in Appendix A and B attached hereto. The proposed changes are to become effective as to these customers upon the expiration of each of their contracts, on condition that, when each of their respective contracts does expire, KPL will file with the Commission, pursuant to *Municipal Electric Utility Association of Alabama* v. *F.P.C.*, *supra*, a superseding service agreement capable of serving as the notice of termination of contractual service rendered required by 18 C.F.R. Section 35.15, and an amended list of purchasers.

(B) Pursuant to the authority of the Federal Power Act, particularly Section 206 thereof, and the Commission's Rules and Regulations, and the Regulations under the Federal Power Act, a public hearing shall be held on March 9, 1976, at 10:00 a.m., in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, concerning the lawfulness and reasonableness of the rates and charges in KPL's FPC Rate Schedules, as proposed to be amended and made applicable to those customers listed in Appendix A and B. This proceeding shall be consolidated with that previously established in this docket.

(C) All rate increases to those customers listed in Appendices A and B which we may approve shall be effective only from the date of such approval or upon the expiration of the contracts, as provided by Ordering Paragraph (A) above, as applicable. All amounts collected, subject to refund, related to the proposed increases to the customers listed in Appendices A and B since October 1, 1975, shall be refunded forthwith. KPL's filing as to these customers shall represent its case-in-chief in the Section 206(a) proceeding ordered herein.

(D) The Municipals' motion to reject as to all customers is hereby denied. Our acceptance of the filing as to Herington, however, is specifically conditioned upon our acceptance of KPL's proposed termination of the Herington contract in Docket No. ER76–340.

(E) "Price-squeeze" issues are hereby excluded from these proceedings.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

APPENDIX A

KANSAS POWER & LIGHT CO.—DOCKET NO. ER76–49

Wholesale municipal customer	*Date of expiration of contract*
1. City of Enterprise	Oct. 1, 1975.
2. City of Eudora, Kans.	Nov. 26, 1975.
3. City of Chapman, Kans.	Nov. 1, 1975.
4. City of Desoto, Kans.	Dec. 12, 1975.
5. City of Axtell, Kans.	Feb. 13, 1976.
6. City of Robinson, Kans.	Apr. 3, 1976.
7. City of Reserve, Kans.	Dec. 1, 1976.
8. City of St. Marys, Kans.	Nov. 1, 1977.
9. City of Vermillion, Kans.	Feb. 5, 1978.
10. City of Alma, Kans.	Feb. 22, 1978.
11. City of Centralia, Kans.	May 1, 1978.
12. City of Elwood, Kans.	Do.
13. City of Troy, Kans.	Aug. 6, 1978.
14. City of Morrill, Kans.	July 2, 1980.
15. City of Toronto, Kans.	Apr. 6, 1980.
16. City of Seneca, Kans.	Nov. 1, 1982.
17. City of Waterville, Kans.	May 1, 1983.

APPENDIX B

KANSAS POWER & LIGHT CO.—DOCKET NO. ER76–49

Wholesale Municipal Customers

1. City of Larned, Kansas.
2. City of Sterling, Kansas.
3. City of Clay Center, Kansas.
4. City of Lindsborg, Kansas.
5. City of St. John, Kansas.
6. City of Hillsboro, Kansas.
7. City of Stafford, Kansas.

[FR Doc.76–493 Filed 1–7–76;8:45 am]

FEDERAL RESERVE SYSTEM

EMPIRE BANCORP INC.

Order Approving Formation of Bank Holding Company

Empire Bancorp Inc., Kansas City, Missouri, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 80 percent or more of the voting shares of Empire State Bank, Kansas City, Missouri ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act (12 U.S.C. 1842(b)). The time for filing comments and views has expired, and the Board has considered the application and all comments received, including those submitted by the Commissioner of Finance of the State of Missouri, in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is a corporation organized under the laws of the State of Missouri for the purpose of becoming a bank holding company through the acquisition of Bank. In the relevant banking market,[1] Bank (total deposits of $17.1

[6] *United Gas Pipe Line Co.* v. *Memphis, Light Gas and Water Division*, 358 U.S. 103.

[7] *Detroit Edison Company*, Docket No. E–9294, "Order Instituting Section 206 Investigation", issued July 2, 1975, Docket No. E–9294.

[8] *Id., Public Service Company of New Mexico*, "Order Instituting Section 206(a) Proceeding", issued July 21, 1975, Docket No. E–9454.

[9] We note that the procedures under such a Section 206(a) proceeding would not entail meeting the heavy burden of proof associated with the *Mobile-Sierra* decision. See: *Indiana & Michigan Electric Company*, Docket No. E–7740, Order on Reconsideration, issued June 3, 1974; *Potomac Edison Company*, Docket No. E–8378, order issued July 31, 1974; *Southern California Edison Company*, Docket No. E–8178, orders issued January 23, 1975 and March 31, 1975; *Detroit Edison Company*, Docket No. E–9294, order issued July 2, 1975; *Public Service Company of New Mexico*, Docket No. E–9454, order issued September 29, 1975.

[10] 485 F. 2d 867 (D.C. Cir. 1973); See also *Arkansas-Missouri Power Company*, Docket No. E–9092, "Order Accepting For Filing", issued November 29, 1974.

[11] We assume the dates listed as "July 1973 through June 1974" in Municipals' motion are typographical errors and have corrected them.

[12] *Public Service Company of New Mexico*, *supra*.

[13] *St. Michaels Utilities Commission* v. *The Eastern Shore Public Service Co. of Maryland*, 36 FPC 801 (1966), aff'd 377 F. 2d 912 (USCA—4th Cir. 1967).

[1] The relevant market is Kansas City, Kansas, and includes Johnson and Wyandotte Counties in Kansas and Cass (less the cities of Archie, Creighton, Drexel, and Garden City), Clay, Jackson and Platte Counties in Missouri.

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million) is the 66th largest of 132 commercial banks and controls approximately .37 percent of the total deposits held by commercial banks in that market.[2] Inasmuch as Applicant currently has no banking subsidiaries, the acquisition of Bank by Applicant would neither eliminate significant existing or potential competition nor increase the concentration of banking resources in the relevant banking market. Accordingly, the Board concludes that competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant, which are dependent upon those of Bank, are considered to be satisfactory. In light of the past earnings of Bank, its anticipated growth, and its present capital position, the debt that Applicant would incur as a result of this proposal will be serviceable by Applicant from Bank's dividends without jeopardizing the capital position of Bank. The considerations relating to banking factors and to the convenience and needs of the community to be served are consistent with approval of the application, particularly in that Applicant would provide stability to Bank's management. It is the Board's judgment that consummation of the holding company formation would be consistent with the public interest and that the application to acquire Bank should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,[3] effective December 31, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-499 Filed 1-7-76;8:45 am]

MONTROSE BANCSHARES, INC.

Formation of Bank Holding Company

Montrose Bancshares, Inc., Montrose, Missouri, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 84.76 percent or more of the voting shares of Montrose Savings Bank, Montrose, Missouri. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than January 29, 1976.

Board of Governors of the Federal Reserve System, December 31, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-500 Filed 1-7-76;8:45 am]

SECURITY BANCORP., INC.

Proposed Retention of Security Datacenter and A.D.P.C., Inc.

Security Bancorp, Inc., Ponca City, Oklahoma, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to retain voting shares of Security Datacenter and A.D.P.C., Inc., both of Ponca City, Oklahoma. Notice of the application to retain shares of Security Datacenter was published on June 17, 1975; and notice of the application to retain shares of A.D.P.C., Inc. was published on May 29, 1975. Both notices were published in the Ponca City News, a newspaper circulated in Ponca City, Oklahoma.

Applicant states that Security Datacenter performs various computer services for Security Bank & Trust Co., Ponca City, Oklahoma, (a subsidiary of Applicant) and other businesses and municipalities; A.D.P.C., Inc. leases computer time to perform bookkeeping services for public schools. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 29, 1976.

Board of Governors of the Federal Reserve System, December 31, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-501 Filed 1-7-76;8:45 am]

INSURED BANKS

Joint Call for Report of Condition

GROSS REFERENCE: For a document issued jointly by the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Comptroller of the Currency, Department of the Treasury, on the subject of a call for a report of conditions of insured banks, see FR Doc. 76-538 appearing in the notices section of this issue under the Federal Deposit Insurance Corporation.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 76-01]

JAPAN ENGINEERING DEVELOPMENT CO.

Intent To Grant Foreign Exclusive Patent License

In accordance with the NASA Foreign Licensing Regulations, 14 C.F.R. 1245.405 (e), the National Aeronautics and Space Administration announces its intention to grant to the Japan Engineering Development Company, Tokyo, Japan, exclusive patent licenses in Japan for the four NASA owned inventions covered by the Japanese counterparts of: (1) U.S. Patent No. 3,672,999 for "Use of Unilluminated Solar Cells as Shunt Diodes for a Solar Array", issued to NASA on June 27, 1972; (2) U.S. Patent No. 3,847,689 for "Method of Forming Aperture Plate for Electron Microscope", issued to NASA on November 12, 1974; (3) U.S. Patent No. 3,753,148 for "Infrared Tunable Laser", issued to NASA on August 14, 1973 and (4) U.S. Patent No. 3,772,216 for "Polyimide Foam for Thermal Insulation and Fire Protection", issued to NASA on November 13, 1973. Copies of the above identified U.S. Patents can be purchased from the U.S. Patent Office, Department of Commerce, Washington, D.C., 20231 for $.50 a copy. Interested parties should submit written inquiries or comments within 60 days to the Assistant General Counsel for Patent Matters, Code GP, National Aeronautics and Space Administration, Washington, D.C., 20546.

Dated: January 5, 1976.

S. NEIL HOSENBALL,
General Counsel.

[FR Doc.76-531 Filed 1-7-76;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

RESEARCH PANEL

Notice of Meeting

DECEMBER 19, 1975.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given that a meeting of the Research Panel will meet at Washington, D.C. on January 23, 1976, from 9:00 A.M. to 5:00 P.M.

The purpose of the meeting is to review research grant applications submitted to the National Endowment for the Humanities for possible grant funding.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, N.W., Washington, D.C. 20506, or call area code 202 382-2031.

JOHN W. JORDAN,
Advisory Committee Management Officer.

[FR Doc.76-581 Filed 1-7-76;8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

[N-R 76-2]

RESPONSES TO SAFETY RECOMMENDATIONS

Notice of Receipt

The National Transportation Safety Board announces the receipt last week of two letters from the U.S. Coast Guard updating responses to 1974 Safety Board recommendations.

USCG letter of 15 December 1975 concerns recommendation M-74-31 which was contained in marine casualty report USCG/NTSB-MAR-74-6, entitled "SS WILLIAM T. STEELE; death of three ships officers at Guayanilla, Puerto Rico on 18 November 1972." The Coast Guard is now preparing a notice of proposed rulemaking that will implement the recommendation which asked that "all operators of chemical tank vessels be required to maintain updated operating manuals aboard each ship showing the proper operation of the piping system for anticipated transfer operations."

USCG letter of 18 December 1975 concerns recommendation M-74-5 contained in marine casualty report USCG/NTSB-MAR-74-2 regarding the collision of the Tug CAROLYN and Barge WEEKS No. 254 with the Chesapeake Bay Bridge and Tunnel on or about 21 September 1972. The Board recommended that the Coast Guard place additional emphasis in its search and rescue procedures on protecting bridges from vessel impacts. Enclosed with the letter is a copy of Commandant Notice 3130, promulgated 12 November 1975, to assist in promoting safety with regard to bridge collisions. The Coast Guard states that this Notice calls for meetings to be held by all interested parties to develop contingency plans to prevent or minimize loss or damage caused by vessel impact with bridges.

A $4.00 user-service charge will be made for each recommendation response letter, in addition to a charge of 10¢ per page for reproduction. Requests must be in writing, identified by report and/or recommendation number and date of publication of this FEDERAL REGISTER notice. Address inquiries to: Publications Unit, National Transportation Safety Board, Washington, D.C. 20594.

(Sec. 307 of the Independent Safety Board Act of 1974 (Pub. L. 93-633, 88 Stat. 2172 (49 U.S.C. 1906))

MARGARET L. FISHER,
Federal Register Liaison Officer.

JANUARY 5, 1976.

[FR Doc.76-519 Filed 1-7-76;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-331]

IOWA ELECTRIC LIGHT AND POWER COMPANY ET AL.

Notice of Proposed Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendment to Facility Operating License No. DPR-49 issued to Iowa Electric Light and Power Company Central Iowa Power Company Corn Belt Power Cooperative (the licensees) for operation of the Duane Arnold Energy Center (the facility) located near Palo in Linn County, Iowa.

The amendment would revise the Technical Specifications to (1) add requirements that would limit the period of time operation can be continued with immovable control rods that could have control rod mechanism collet housing failures and (2) require increased control rod surveillance when the possibility of a control rod drive mechanism collet housing failure exists.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By February 9, 1976, the licensees may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of these amendments to the subject facility operating licenses. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to Jack R. Newman, Esquire, Harold F. Reis, Esquire, Lowenstein, Newman, Reis and Axelrad, 1025 Connecticut Avenue, NW., Washington, D.C. 20036, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifics with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied. All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the Commission's letter to Iowa Electric Light & Power Company dated September 23, 1975 and the attached proposed Technical Specifications and the Safety Evaluation by the Commission's staff dated September 23, 1975 and Iowa Electric Light and Power Company's letter dated October 13, 1975, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Cedar Rapids Public Library, 426 Third Avenue, S.E., Cedar Rapids, Iowa 52401. These license amendments and the Safety Evaluation may be inspected at the above locations and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 29th day of December 1975.

For the Nuclear Regulatory Commission.

DONALD M. ELLIOTT,
Acting Chief, Operating Reactors Branch No. 3, Division of Reactor Licensing.

[FR Doc.76-353 Filed 1-7-76;8:45 am]

[2] All banking data are as of December 31, 1974, unless otherwise indicated.

[3] Voting for this action: Vice Chairman Mitchell and Governors Bucher, Holland, Wallich, and Jackson. Absent and not voting: Chairman Burns and Governor Coldwell.

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[DOCKET NO. 50-219]

JERSEY CENTRAL POWER AND LIGHT CO.

Notice of Proposed Issuance of Amendment to Provisional Operating License

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendment to Provisional Operating License No. DPR-16 issued to Jersey Central Power & Light Company (the licensee) for operation of the Oyster Creek Nuclear Generating Station Unit 1 (the facility) located in Ocean County, New Jersey.

The amendment would revise the Technical Specifications to (1) add requirements that would limit the period of time operation can be continued with immovable control rods that could have control rod mechanism collect housing failures and (2) require increased control rod surveillance when the possibility of a control rod drive mechanism collet housing failure exists.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By February 9, 1976, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of these amendments to the subject provisional operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to G. F. Trowbridge, Esquire, Shaw, Pittman, Potts and Trowbridge, Barr Building, 910 17th Street, NW., Washington, D.C. 20006, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the Commission's letter to Jersey Central Power & Light Company dated September 25, 1975 and the attached proposed Technical Specifications and the Safety Evaluation by the Commission's staff dated September 25, 1975 and Jersey Central Power & Light Company's letter dated October 17, 1975, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Ocean County Library, 15 Hooper Avenue, Toms River, New Jersey 08753. The license amendment and the Safety Evaluation may be inspected at the above locations, and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 17th day of December 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Reactor Licensing.

[FR Doc.76-354 Filed 1-7-76;8:45 am]

[DOCKET NO. 50-220]

NIAGARA MOHAWK POWER CORP.

Notice of Proposed Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendment to Facility Operating License No. DPR-63 issued to Niagara Mohawk Power Corporation for operation of Nine Mile Point Unit 1 located in Oswego County, New York.

This amendment would revise the Technical Specifications to (1) add requirements that would limit the period of time operation can be continued with immovable control rods that could have control rod mechanism collet housing failures and (2) require increased control rod surveillance when the possibility of a control rod drive mechanism collet housing failure exists.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By February 9, 1976, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of this amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to Arvin E. Upton, Esquire, LeBoeuf, Lamb, Leiby & MacRae, 1757 N Street, NW., Washington, D.C. 20036, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to these actions, see the Commission's letter to Niagara Mohawk Power Corporation dated September 23, 1975 and the attached proposed Technical Specifications and the Safety Evaluation by the Commission's staff dated September 23, 1975 and Niagara Mohawk Power Corporation' letter dated October 14, 1975, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Oswego City Library, 120 E. Second Street, Oswego, New York 13126. This license amendment and the Safety Evaluation may be inspected at the above locations and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 29th day of December 1975.

For the Nuclear Regulatory Commission.

DONALD M. ELLIOTT,
Acting Chief, Operating Reactors Branch No. 3, Division of Reactor Licensing.

[FR Doc.76-355 Filed 1-7-76;8:45 am]

[Docket No. 50-245]

NORTHEAST NUCLEAR ENERGY COMPANY ET AL.

Notice of Proposed Issuance of Amendment to Facility Operating License

The Nuclear Regulatory Commission (the Commission) is considering the issuance of an amendment to Provisional Operating License No. DPR-21 issued to Northeast Nuclear Energy Company, The Hartford Electric Light Company, Western Massachusetts Electric Company, and Connecticut Light and Power Company (the Licensees), for operation of the Millstone Nuclear Power Station, Unit No. 1, located in Waterford, Connecticut.

This amendment would revise the Technical Specifications to (1) add requirements that would limit the period of time operation can be continued with immovable control rods that could have control rod drive mechanism collet housing failures and (2) require increased control rod surveillance when the possibility of a control rod drive mechanism collet housing failure exists.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations.

By February 9, 1976, the licensees may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of this amendment to the subject Provisional Operating License. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to William H. Cuddy, Esquire, Day, Berry & Howard, Counselors at Law, One Constitution Plaza, Hartford, Connecticut 06103, the attorney for the licensees.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to these actions, see the Commission's letter to Northeast Nuclear Energy Company dated September 25, 1975 with the attached proposed Technical Specifications and the Safety Evaluation by the Commission's staff dated September 23, 1975, and the licensees' letter dated October 10, 1975, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut 06385. A copy of the proposed license amendment and the related Safety Evaluation may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 29th day of December 1975.

For the Nuclear Regulatory Commission.

DONALD M. ELLIOTT,
Acting Chief, Operating Reactors Branch No. 3, Division of Reactor Licensing.

[FR Doc.76-356 Filed 1-7-76;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON INSPECTION AND ENFORCEMENT ACTIVITIES

Notice of Meeting

In accordance with the purposes of sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the ACRS Subcommittee on Inspection and Enforcement Activities will hold a meeting on January 23, 1976, at the Read House and Motor Inn, 9th and Broad Streets, Chattanooga, TN. The purpose of this meeting is to continue discussion of third-party inspection and the roles of inspection and examination organizations in relation to nuclear safety.

The agenda for subject meeting shall be as follows:

Friday, January 23, 1976, 12:45 p.m. The Subcommittee will meet in closed Executive Session, with any of its consultants who may be present, to explore their preliminary opinions, based upon their independent knowledge of inspection and examination practices and organizations, regarding the matters which should be covered during the following open meeting in order to formulate a Subcommittee report and recommendations to the full Committee.

1:00 p.m. until the conclusion of business. The Subcommittee will meet in open session to hold discussions with invited inspection-oriented participants and members of the NRC Staff on topics pertinent to examination and inspection of safety related systems of nuclear power plants.

At the conclusion of the open session, the Subcommittee may caucus in a brief, closed session to determine whether the matters identified in the initial closed session have been adequately covered and whether the project is ready for review by the full Committee. During the session Subcommittee members and consultants will discuss their final opinions and recommendations on these matters.

I have determined, in accordance with Subsection 10(d) of Public Law 92-463, that it is necessary to conduct the above closed sessions to protect the free interchange of internal views in the final stages of the Subcommittee's deliberative process (5 U.S.C. 552(b)(5)). Separation of factual material from individuals' advice, opinions, and recommendations while closed Executive Sessions are in progress is considered impractical.

Practical considerations may dictate alterations in the above agenda or schedule. The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that, in his judgment, will facilitate the orderly conduct of business, including provisions to carry over an incompleted open session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda items may do so by providing 15 readily reproducible copies to the Subcommittee at the beginning of the meeting. Comments should be limited to safety related areas within the Committee's purview.

Persons desiring to mail written comments may do so by sending a readily reproducible copy thereof in time for consideration at this meeting. Comments postmarked no later than January 16, 1976 to Mr. G. R. Quittschreiber, ACRS, NRC, Washington, D.C. 20555 will normally be received in time to be considered at this meeting. Background information concerning items to be considered at this meeting can be found in documents on file and available for

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public inspection at the NRC Public Document Room, 1717 H St., N.W., Washington, D.C. 20555.

(b) Those persons wishing to make an oral statement at the meeting should make a written request to do so, identifying the topics and desired presentation time so that appropriate arrangements can be made. The Committee will receive oral statements on topics relevant to the Committee's purview at an appropriate time chosen by the Chairman of the Subcommittee.

(c) Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call on January 22, 1976 to the Office of the Executive Director of the Committee (telephone 202/634–1347, Attn: Mr. G. R. Quittschreiber) between 8:15 a.m. and 5:00 p.m., EST.

(d) Questions may be propounded only by members of the Subcommittee and its consultants.

(e) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(f) A copy of the transcript of the open portion of the meeting will be available for inspection on or after January 30, 1976 at the NRC Public Document Room, 1717 H St., N.W., Washington, D.C. 20555. Copies of the minutes of the meeting will be made available for inspection at the NRC Public Document Room, 1717 H St., N.W., Washington, D.C. 20555 after April 23, 1976. Copies may be obtained upon payment of appropriate charges.

Dated: January 5, 1976.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.76–502 Filed 1–7–76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500–1]

CONRAC CORP.

Suspension of Trading

DECEMBER 31, 1975.

The common stock of Conrac Corporation being traded on the New York Stock Exchange and Pacific Coast Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Conrac Corporation being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from 4:00 p.m. (EST) on December 31, 1975 through midnight (EST) on January 9, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–503 Filed 1–7–76;8:45 am]

[811–1912]

BURNHAM FUND

Filing of Application

JANUARY 2, 1976.

Notice is hereby given that the Burham Fund ("Applicant"), 60 Broad Street, New York 10004, an open-end, diversified management investment company registeerd under the Investment Company Act of 1940 ("Act"), has filed on November 25, 1975, an application pursuant to Section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the facts and representations contained therein, which are summarized below.

Applicant states that it was incorporated in New Jersey and registered under the Act on August 1, 1969.

Applicant represents that on June 16, 1975, pursuant to an Agreement and Plan of Reorganization and Articles of Transfer ("Agreement"), which had been approved by its shareholders on June 12, 1975, the Fund sold substantially all of its assets to the Drexel Equity Fund, Inc., now the Drexel Burnham Fund, Inc. ("Drexel Burnham"), in exchange for common stock of Drexel Burnham and that a total of 1,552,156.154 Drexel Burnham shares were exchanges, representing an exchange ratio of 1.016968 shares of Drexel Burnham for each outstanding share of Applicant. Applicant states that such shares were subsequently distributed to shareholders of the Applicant according to their respective interests in liquidation of the Applicant. Applicant further represents that it now has no stockholders, engages in no business activity and that on the date of filing its only assets consisted of $25,000 in cash which is to be retained as a provision for liabilities not reasonably foreseeable at the time of the exchange.

Applicant states that any portion of such retained cash that is not used to pay liabilities of Applicant ("reserve surplus") will be paid over to Drexel Burnham. Applicant further states that a proportionate amount of reserve surplus attributable to shareholders of Drexel Burnham will be distributed in additional shares of Drexel Burnham to be valued at the net asset value of Drexel Burnham on the date of the payment of the reserve surplus, which shall be made no later than June 16, 1976. Applicant states that its shareholders who do not remain shareholders of Drexel Burnham at the date of distribution of reserve surplus will receive no portion of the reserve surplus; but, the amount apportionable to such shareholders will be added to the assets of Drexel Burnham.

Applicant represents that it is filing a Certificate of Dissolution with the Secretary of State of New Jersey.

Section 8(f) of the Act provides in pertinent part, that when the Commission, on application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order and, upon the effectiveness of such order, the registration of such company shall cease to be in effect.

Notice is further given, that any interested person may, not later than January 26, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–505 Filed 1–7–76;8:45 am]

[File No. 500–1]

EQUITY FUNDING CORP. OF AMERICA

Suspension of Trading

JANUARY 2, 1976.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, warrants to purchase the stock, 9½% debentures due 1990, 5½% convertible subordinated debentures due 1991, and all other securities of Equity Funding Corporation of America being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from January 2, 1976 through January 11, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–507 Filed 1–7–76;8:45 am]

[70–6780]

INDIANA & MICHIGAN ELECTRIC CO.

Proposed Sale of Utility Assets

JANUARY 2, 1976.

Notice is hereby given that Indiana & Michigan Electric Company ("I&M"), 2101 Spy Run Avenue, Fort Wayne, Indiana 46801, an electric utility subsidiary company of American Electric Power Company, Inc. ("AEP"), a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Section 12(d) of the Act and Rule 44 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

I&M proposes to sell to Miles Laboratories, Inc. ("Miles"), which is not affiliated with either I&M or AEP, certain transformers and related equipment and facilities located in place on Miles' property in Elkhart, Indiana. These facilities were constructed by I&M for the sole purpose of serving Miles. Miles desires to purchase these facilities in order to take advantage of a lower rate schedule for an anticipated increase in electric consumption.

The sale involves two 12/16/20MVA transformers, switching equipment, two bay steel structures, and related equipment and facilities. The selling price, which is based on the depreciated replacement cost, will be $271,153. The original installed cost of these facilities was $238,680, and the original cost less book depreciation is $227,597.

The fees and expenses to be incurred by I&M or AEP in connection with the proposed transaction are estimated at $2,300. It is stated that no state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than January 27, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–506 Filed 1–7–76;8:45 am]

[SR–NYSE–75–11]

NEW YORK STOCK EXCHANGE, INC.

Order Approving Proposed Rule Changes

JANUARY 2, 1976.

On November 6, 1975, the New York Stock Exchange, 55 Water Street, New York, New York, filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Acts Amendments of 1975, and Rule 19b–4 thereunder, copies of proposed rule changes. The Uniform Net Capital Rule adopted by the Commission on June 26, 1975, becomes fully effective on January 1, 1976, thereby setting minimum capital standards for all brokers and dealers. The changes in NYSE Rules 325, 313.11, 313.12, 313.22, 320(f), 321.34, 322.10, 324.24, 326, 420 and 431 incorporate by reference Rule 15c3–1 and are intended to implement the minimum net capital requirements adopted by the Commission and to make conforming changes to related rules.

Notice of the proposed rule changes together with the substance of the proposed rule changes was given by publication of a Commission Release (Securities Exchange Act Release No. 11909, December 9, 1975, and by publication in the FEDERAL REGISTER (40 FR 250, December 30, 1975)).

The Commission finds that the proposed rule changes are consistent with the requirements of the Act and the rules and regulations thereunder applicable to registered national securities exchanges, and in particular, the requirements of Section 6 and the rules and regulations thereunder.

Further, the Commission finds good cause for approving the proposed rule changes prior to the thirtieth day after the date of publication of notice of filing thereof in that the effective dates of the proposed amendments are intended to take effect on the day on which the Uniform Net Capital Rule becomes effective, January 1, 1976, and this approval is necessary for the protection of investors, the maintenance of fair and orderly markets and the safeguarding of securities and funds.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule changes filed with the Commission on November 6, 1975, be, and they hereby are, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–504 Filed 1–7–76;8:45 am]

VETERANS ADMINISTRATION

PRIVACY ACT OF 1974

Proposed Amendment of Notice of Systems of Records

Notice is hereby given that the Veterans Administration is considering adding one new routine use statement and amending one routine use statement in the system of records entitled, "Veterans, Dependents and Beneficiaries Compensation and Pension Records—VA," appearing on page 38117 of the FEDERAL REGISTER of August 26, 1975 and adopted by notice published on page 47980 of the Federal Register of October 10, 1975. The proposed statements, which follow, all of which involve the routine uses of records in systems maintained by the Veterans Administration, including categories of users and the purposes of such uses, will avoid the need for the written consent of the individual in every case which would involve a disclosure of information pertaining to that individual.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue N.W., Washington, D.C. 20420. All relevant material received before February 9, 1976, will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 am and 4:30 pm Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any VA field station will be informed that the com-

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ments are available for inspection only in Central Office and furnished the address and the above room number.

Notice is given that it is proposed to make this description effective September 27, 1975, the effective date of section 3, Pub. L. 93–579.

Approved: December 31, 1975.

By direction of the Administrator:

[SEAL] ODELL W. VAUGHN,
Deputy Administrator.

NOTICE OF SYSTEMS OF RECORDS

In the system, "Veterans, Dependents and Beneficiaries Compensation and Pension Records—VA," appearing at 40 F.R. 38117, the second routine use is amended and one additional use is added so that the amended and added routine uses read as follows:

System Name: Veterans, Dependents and Beneficiaries Compensation and Pension Records—VA

• • • • •

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

• • • • •

Delete the present routine use, "Disclosure of VA records as deemed necessary and proper . . . under the laws administered by the VA," and insert "Disclosure of VA records as deemed necessary and proper to accredited service organizations, agents and attorneys recognized under a power of attorney or declaration of representation to assist in the preparation, presentation and prosecution of claims."

• • • • •

A record from this system of records may be disclosed to a fiduciary (including those acting in a fiduciary capacity) recognized or appointed by the VA to the extent necessary to fulfill the fiduciary's function.

• • • • •

[FR Doc.76–529 Filed 1–7–76;8:45 am]

PRIVACY ACT OF 1974

Notice of Proposed Additional Routine Use

Notice is hereby given that the Veterans Administration is considering adding a new statement in the description of the system of records entitled, "Veterans, Spouses, Widows(ers), Armed Forces Personnel, Transferee Owners and other Applicants for Home, Condominium and Mobile Home Loan Records and Paraplegic Grant Applicants Records—VA," set forth on page 38121 of the FEDERAL REGISTER of August 26, 1975 and adopted by notice published on page 47980 of the FEDERAL REGISTER of October 10, 1975. This proposed use is not a new use for the system involved, but was overlooked in the preparation of the initial notice. The proposed statement, which follows, involves the routine use of records in the system, including categories of users and the purposes of such uses and will obviate the need for written consent of an individual in every case which would involve a disclosure of information pertaining to that individual.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, N.W., Washington, D.C. 20420. All relevant material received before February 9, 1976, will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 am and 4:30 pm Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any VA field station will be informed that the comments are available for inspection only in Central Office and furnished the address and the above room number.

Notice is given that it is proposed to make this description effective September 27, 1975, the effective date of section 3, Pub. L. 93–579.

Approved: December 31, 1975.

By direction of the Administrator:

[SEAL] ODELL W. VAUGHN,
Deputy Administrator.

NOTICE OF SYSTEM OF RECORDS

In the system, "Veterans, Spouses, Widows(ers), Armed Forces Personnel, Transferee Owners and other Applicants for Home, Condominium and Mobile Home Loan records and Paraplegic Grant Applicants Records—VA," the following routine use is added to read as follows:

System Name: Veterans, Spouses, Widow(ers), Armed Forces Personnel, Transferee Owners and other Applicants for Home, Condominium and Mobile Home Loan Records and Paraplegic Grant Applicants Records—VA.

• • • • •

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

• • • • •

Transfer of information to fee attorneys, fee appraisers, brokers, process servers, title companies and abstractors for the purposes of approval or termination of portfolio loans by non-judicial means, obtaining possession of VA property in cases of default or foreclosures, and issuing and posting of Demands for Possession or Notices to Quit.

• • • • •

[FR Doc.76–530 Filed 1–7–76;8:45 am]

DEPARTMENT OF LABOR

Wage and Hour Division

FULLTIME STUDENTS AT INSTITUTIONS OF HIGHER EDUCATION

Certificates Authorizing Employment at Subminimum Wages

Correction

In FR Doc. 75–32597, appearing at page 56513 in the issue for Wednesday, December 3, 1975, make the following changes in the list of institutions:

1. For Bacons College, correct the location to read "Muskogee, OK".

2. On page 56514, in the first column, there are two Campbellsville Colleges listed. The second "Campbellsville" should be changed to read "Cardinal Stitch College, Milwaukee, WI."

3. For Washburn University of Topeka, add the location "Topeka, KS".

INTERSTATE COMMERCE COMMISSION

[AB 37; Sub-No. 3]

OREGON-WASHINGTON RAILROAD AND NAVIGATION CO. AND UNION PACIFIC RAILROAD CO.

Abandonment of Portion of Pendleton Branch

JANUARY 6, 1976.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Columbia County, Wash., on or before January 13, 1976 and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the Federal Register as notice to interested persons.

Dated at Washington, D.C., this 19th day of December, 1975.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

OREGON-WASHINGTON RAILROAD AND NAVIGATION COMPANY AND UNION PACIFIC RAILROAD COMPANY ABANDONMENT PORTION PENDLETON BRANCH BETWEEN MCKAY AND ALTO, IN COLUMBIA COUNTY, WASHINGTON

The Interstate Commerce Commission hereby gives notice that by order dated December 19, 1975, it has been determined that the proposed abandonment of the Oregon-Washington Railroad and Navigation Company and the Union Pacific Railroad Company line between McKay and Alto, a distance of approximately 6.52 miles, all in Columbia County, Wash., if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the associated environmental impacts are considered insignificant because the line has not been utilized in the previous four years, there are no land use plans dependent on the subject line, and no historic sites would be altered.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-7966.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C., 20423, on or before January 28, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76–547 Filed 1–7–76;8:45 am]

[AB 37; Sub-No. 4]

OREGON-WASHINGTON RAILROAD AND NAVIGATION CO. AND UNION PACIFIC RAILROAD CO.

Abandonment of Portion of Dayton Branch

JANUARY 6, 1976.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, *et seq.*; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Columbia County, Wash., on or before January 13, 1976 and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for publication in the Federal Register, for publication in the FEDERAL REGISTER as notice to interested persons.

Dated at Washington, D.C., this 19th day of December 1975.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

OREGON-WASHINGTON RAILROAD AND NAVIGATION COMPANY AND UNION PACIFIC RAILROAD COMPANY ABANDONMENT PORTION OF DAYTON BRANCH BETWEEN DAYTON AND TURNER, IN COLUMBIA COUNTY, WASHINGTON

The Interstate Commerce Commission hereby gives notice that by order dated December 19, 1975, it has been determined that the proposed abandonment of the Oregon-Washington Railroad and Navigation Company and the Union Pacific Railroad Company line between Dayton and Turner, a distance of approximately 11.02 miles, all in Columbia County, Wash., if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the associated environmental impacts are considered insignificant because (1) the diversion of the approximate 15 carloads of traffic a year to motor carriers would result in only minor alterations in fuel consumption, air quality, ambient noise levels, and safety conditions, (2) there are no land use plans dependent on the subject line, (3) and no historic sites would be altered.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-7966.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before January 28, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76–548 Filed 1–7–76;8:45 am]

[Finance Docket No. 26764]

ILLINOIS CENTRAL GULF RAILROAD CO.

Abandonment Between Dwight, Livingston County, and Washington, Tazewell County, Illinois

JANUARY 5, 1976.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental theshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. § 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Livingston, LaSalle, Marshall, Woodford, and Tazewell Counties, Ill., on or before January 13, 1976 and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested persons.

Dated at Washington, D.C., this 18th day of December, 1975.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

ILLINOIS CENTRAL GULF RAILROAD COMPANY ABANDONMENT BETWEEN DWIGHT, LIVINGSTON COUNTY, AND WASHINGTON, TAZEWELL COUNTY, ILLINOIS

The Interstate Commerce Commission hereby gives notice that by order dated December 18, 1975, it has been determined that the proposed abandonment by the Illinois Central Gulf Railroad Company (formerly the Gulf, Mobile and Ohio Railroad Company) of the Dwight Branch between Dwight, Livingston County, and Lacon, Marshall County; and between Varna, Marshall County, and Washington, Tazewell County, a total distance of 79.7 miles, all in the State of Illinois, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. § 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental impacts of the proposed action are considered insignificant because of the absence of industrial development dependent on rail service, the low volume of freight handled on the line, the proximity of alternate transportation modes including barge and other rail lines, and the low volume of truck traffic which would be added to the existing highway system. The degradation of air and water quality in the area attributable to the abandonment is expected to be insignificant in relation to ambient conditions. Local and State interest has been expressed toward acquisition of the right-of-way upon abandonment for either continued

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rail operation or recreational development.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-7966.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C., 20423, on or before January 28, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-549 Filed 1-7-76;8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 5, 1976.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed on or before January 23, 1976.

FSA No. 43097—*Joint Water-Rail Container Rates—Orient Overseas Container Line, Inc.* Filed by Orient Overseas Container Line, Inc., (No. 1), for itself and interested rail carriers. Rates on general commodities, from the Republic of the Philippines, to rail carrier's terminals on the U.S. Atlantic and Gulf Coasts.

Grounds for relief—Water competition.

Tariff—Orient Overseas Container Line, Inc., tariff I.C.C. No. 2. Rates are published to become effective on January 25, 1976.

FSA No. 43098—*Fertilizer and fertilizer Materials to Points in Southwestern Territory.* Filed by Southwestern Freight Bureau, Agent, (No. B-575), for interested rail carriers. Rates on fertilizer and fertilizer materials, in carloads, as described in the application, from Salida and Wellsville, Colorado, to points in southwestern territory.

Grounds for relief—Market competition, short-line distance formula and grouping.

Tariff—Supplement 35 to Southwestern Freight Bureau, Agent, tariff 273-G, I.C.C. No. 5188. Rates are published to become effective on January 31, 1976.

FSA No. 43099—*Iron and Steel Articles Between Points in Official Territory.* Filed by Traffic Executive Association-Eastern Railroads, Agent (E.R. No. 3046), for interested rail carriers. Rates on iron and steel articles, in carloads, as described in the application, between points in official territory and points in New England territory, as described in the application.

Grounds for relief—Motor competition, kindred articles.

Tariffs—Supplement 253 to Erie Lackawanna Railway Company tariff G.O. 3500-D (Eries Series), I.C.C. No. 21067, and 9 other schedules named in the application. Rates are published to become effective on January 31, 1976.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-551 Filed 1-7-76;8:45 am]

[Notice No. 153]

MOTOR CARRIER BOARD

Transfer Proceedings

JANUARY 8, 1976.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to Sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before January 28, 1976. Pursuant to Section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-76188. By order of December 24, 1975, the Motor Carrier Board approved the transfer to Rudloff Transfer, Inc., Orwigsburg, Pennsylvania, of Certificates No. MC 63332; No. MC 63332 (Sub-No. 1) and No. MC 63332 (Sub-No. 2), issued August 28, 1950, August 28, 1950, and August 17, 1972, respectively, to Henry B. Rudloff (Kathryn E. Rudloff, Executrix), Orwigsburg, Pennsylvania, authorizing the transportation of general commodities (with the usual exceptions) between Orwigsburg, Pa., on the one hand, and, on the other, Landingville, Adamsdale, and Auburn, Pa., and points and places in Pennsylvania within ten miles of Orwigsburg; between Landingville, Pa., on the one hand, and on the other, points and places within ten miles of Orwigsburg; and from points in Schuylkill County, Pa., to Reading, Pa., with no transportation for compensation on return except as otherwise authorized, restricted against the transportation of shipments destined to Reading, Pa.

Frederick H. Hobbs, Thompson Building, Pottsville, Pennsylvania 17901, Representative of Applicants.

No. MC-FC-76245. By order of January 2, 1976, the Motor Carrier Board approved the transfer to Edwin A. Umstead and Robert A. Umstead, a partnership, doing business as Umstead Bros. Logging Co., Fountainville, Bucks County, Pennsylvania, of Certificate No. MC 113457, issued February 27, 1953, to A. L. Umstead, Fountainville, Pennsylvania, authorizing the transportation of logs and pilings, from points in Bucks, Philadelphia, Montgomery, Lehigh, Delaware, Schuylkill, and Northampton Counties, Pa., to points in Hudson, Union and Middlesex Counties, N.J., with no transportation for compensation on return except as otherwise authorized.

Harry J. Liederbach, 892 Second Street Pike, Richboro, Pa. 18954, Attorney for Applicants.

No. MC-FC-76268. By order of January 2, 1976, the Motor Carrier Board approved the transfer to Clyde Lewis, doing business as J & R Trucking, Willingboro, New Jersey, of Permit No. MC 136370 (Sub-No. 2), issued February 6, 1973, to Shore Fruit, Inc., East Brunswick, New Jersey, authorizing the transportation of: (1) Bananas, and (2) agricultural commodities exempt from economic regulation under section 203(b)(6) of the Interstate Commerce Act, when transported in mixed loads with bananas, from the facilities of United Fruit Co., at Albany, N.Y., and Baltimore, Md., to points in Bronx County, N.Y., with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract, or contracts, with Striks & Schwartz, Inc., of Bronx County, N.Y.

George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306, Representative of Applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-552 Filed 1-7-76;8:45 am]

Office of Hearings

[Notice No. 945]

ASSIGNMENT OF HEARINGS

JANUARY 5, 1976.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 140369 Sub 2, Osborn Transportation, Inc., now assigned January 19, 1976, at Atlanta, Ga. will be held in Room 109-E 1776 Peachtree Road.

MC 127042 Sub 154, Hagen, Inc., now assigned February 4, 1976, at Los Angeles, Calif., will be held in Room 1501, Federal Courthouse, 312 North Spring Street.

MC 128273 Sub 172, Midwestern Distribution, Inc., now assigned February 5, 1976, at Los Angeles, Calif., will be held in Room 1501 Federal Courthouse, 312 North Spring Street.

MC-F-12313, Wells Cargo, Inc.—Purchase—Western Truck Lines and MC 3269 Sub 60, Wells Cargo, Inc., now assigned February 9, 1976, at Los Angeles, Calif. will be held in Room 1501, Federal Courthouse, 312 North Spring Street.

MC 140724, Burning Bar Sales Co., Inc., now assigned February 2, 1976, at Los Angeles, Calif., will be held in Room 1501, Federal Courthouse, 312 North Spring Street.

AB 1 Sub 45, Chicago, and North Western Transportation Company Abandonment between Minerva Junction and Boland, in Story and Marshall Counties, Iowa, now assigned January 20, 1976, at Marshalltown, Iowa, will be held in the Municipal Building, 24 North Center Street.

MC 133082 Sub 4, Moore's Hauling, Inc., application dismissed.

MC 136486 Sub 11, Jack Hodge Transport, Inc., now assigned January 16, 1976, at Dallas, Tex., is canceled and application dismissed.

MC 10761 Sub 240, 246, 247, 249, 253, 254, 256, 257, 259, and 260, Transamerican Freight Lines, Inc., now assigned January 27, 1976, at Chicago, Ill., is cancelled and these proceedings are reassigned for hearing on March 2, 1976 (4 days) at Chicago, Ill., in a hearing room to be later designated.

MC-F-12321, Akers Motor Lines, Inc.—Control—Central Motor Lines, Inc., F.D. 27900, Akers Motor Lines, Inc.—Securities and MC-F-12557, Transcon Lines—Purchase (Portion) Central Motor Lines, Inc., Northern Freight Lines, Inc. and Akers Motor Lines, Incorporated, assigned February 9, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 139539 Sub-4, Afro-Urban Transportation, Inc., now being assigned February 11, 1976 (3 days) at New York, N.Y., in a hearing room to be later designated.

MC 130279, Four Winds Travel, Inc., now assigned February 11, 1976, at New York, N.Y., is canceled, and transferred to Modified Procedure.

MC 107496 Sub 1003, Ruan Transport Corporation; MC 110420 Sub-739, Quality Carriers, Inc.; MC 112801 Sub-175, Transport Service Co.; and MC 124078 Sub-637, Schwerman Trucking Co., now being assigned March 8, 1976 (2 days) at Chicago, Illinois, in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-550 Filed 1-7-76;8:45 am]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

[Notice No. 2]

JANUARY 2, 1976.

The following applications are governed by Special Rule 1100.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission on or before February 9, 1976. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the Federal Register of a notice that the proceeding has been assigned for oral hearing.*

Evidence respecting how equipment is expected to be returned to an origin point, as well as other data relating to operational feasibility (including the need for dead-head operations) must be presented as part of an applicant's initial evidentiary presentation (either at oral hearing or in its opening verified statement under the modified procedure) with respect to all applications filed on or after December 1, 1973.

If an applicant states in its initial evidentiary presentation that empty or partially empty vehicle movements will result upon a grant of its application, applicant will be expected (1) to specify the extent of such empty operations, by mileages and the number of vehicles, that would be incurred, and (2) to designate where such empty vehicle operations will be conducted.

Each applicant (except as otherwise specifically noted) states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

No. MC 1328 (Sub-No. 19) filed November 17, 1975. Applicant: MGS TRANSPORTATION, INC., P.O. Box 270, Alexandria, Ind. 46001. Applicant's representative: Darrel K. Peckinpaugh, Century Bldg., 330 E. Main St., Muncie, Ind. 46305. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rock wool and rock wool products*, from Rock Wool Industries, Inc., Missouri Division, at Cameron, Mo., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Nebraska, North Carolina, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia, under contract with Rock Wool Industries, Inc., Missouri Division.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or St. Louis, Mo.

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

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No. MC 2202 (Sub-No. 503) filed November 28, 1975. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, P.O. Box 471, Akron, Ohio 44309. Applicant's representative: William O. Turney, 2001 Massachusetts Ave NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (a) Between Tupelo, Miss. and Nashville, Ten. serving Nashville for joinder only: (1) From Tupelo, Miss. over U.S. Highway 78 to junction Mississippi Highway 23, thence over Mississippi Highway 23 to the Mississippi-Alabama State line, thence over Alabama Highway 24 to junction Alabama Highway 247, thence over Alabama Highway 247 to junction U.S. Highway 72, thence over U.S. Highway 72 to junction U.S. Highway 43, thence over U.S. Highway 43 to junction U.S. Highway 31, thence over U.S. Highway 31 to Nashville, Tenn., and return over the same route; (2) From Tupelo, Miss. over U.S. Highway 45 to junction Mississippi Highway 2, thence over Mississippi Highway 2 to the Mississippi-Tennessee State line, thence over Tennessee Highway 22 to junction U.S. Highway 64, thence over U.S. Highway 64 to junction U.S. Highway 43, thence over U.S. Highway 43 to junction U.S. Highway 31, thence over U.S. Highway 31 to Nashville, Tenn., and return over the same route; (B) Between Tupelo, Miss. and Jackson, Tenn. serving Jackson for joinder only: From Tupelo, Miss. over U.S. Highway 45 to Jackson, Tenn., and return over the same route.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 15728 (Sub-No. 11) filed November 17, 1975. Applicant: AUTO PRODUCTS TRANSPORT, INC., 28000 Southfield, Lathrup Village, Mich. 48076. Applicant's representative: William B. Elmer, 21635 East Nine Mile Road, St. Clair Shores, Mich. 48080. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Used wooden boxes, used wood pallets, used wooden crates and other used shipping containers, and materials and supplies*, used in the repair and manufacture thereof, from points in Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Michigan, Illinois, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Maryland, Delaware, New Jersey, Pennsylvania, New York, Connecticut, Rhode Island, Massachusetts, and the District of Columbia to Dayton, Ohio; and (2) *reconditioned wooden boxes, reconditioned wooden pallets, reconditioned wooden crates and other reconditioned wooden shipping containers*, from Dayton, Ohio, to points in Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Michigan, Illinois, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Maryland, Delaware, New Jersey, Pennsylvania, New York, Connecticut, Rhode Island, Massachusetts, and the District of Columbia, restricted to a transportation service to be performed, under a continuing contract, or contracts, with Auto Palletts-Boxes, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Detroit or Lansing, Mich., or Chicago, Ill.

No. MC 30837 (Sub-No. 471), filed November 26, 1975. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, Wis. 53140. Applicant's representative: Charles M. Pieroni, 4000 W. Sample St., South Bend, Ind. 46619. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, in secondary movements, in truckaway service, from Albany, N.Y., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 30837 (Sub-No. 472), filed November 28, 1975. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, Wis. 53140. Applicant's representative: Charles M. Pieroni, 4000 West Sample Street, South Bend, Ind. 46619. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buses*, self-propelled and non self-propelled, weighing less than 15,000 pounds, in driveaway and truckaway service, from Los Angeles County, Calif., to points in the United States, excluding Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 40915 (Sub-No. 49) filed November 28, 1975. Applicant: BOAT TRANSIT, INC., P.O. Box 1403, Newport Beach, Calif. 92663. Applicant's representative: David R. Parker, 2310 Colorado State Bank Building, 1600 Broadway, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Recreational vehicles and accessories* therefor, between points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. MC 49387 (Sub-No. 45) (Correction), filed November 7, 1975, published in the FEDERAL REGISTER issue of December 4, 1975, republished as corrected this issue. Applicant: ORSCHELN BROS. TRUCK LINES, INC., P.O. Box 658, Highway 24 East, Moberly, Mo. 65270. Applicant's representative: John E. Burruss, Jr., Central Trust Bldg., P.O. Box 1069, Jefferson City, Mo. 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, commodities in bulk and household goods), (1) Between Jefferson City, Mo., and Reform, Mo.: From Jefferson City, Mo., over U.S. Highway 54 to junction Missouri Highway 94, thence over Missouri Highway 94 to junction Callaway County Route D, thence over Callaway County Route D to junction Callaway County Route O, thence over Callaway County Route O to junction Callaway County Route CC, thence over Callaway County Route CC to Reform, Mo., and return over the same route, serving the intermediate points of Wainwright, Tebbetts, Mokane, and Portland, Mo., and the off-route point of the facilities of the Union Electric Company at or near Reform, Mo.; (2) between junction Missouri Highway 94 and Callaway County Route CC and Reform, Mo.: From junction Missouri Highway 94 and Callaway County Route CC over Callaway County Route CC to Reform, Mo., and return over the same route, serving the intermediate point of Steedman, Mo., and the off-route points of the facilities of the Union Electric Company at or near Reform, Mo.; (3) between junction U.S. Highway 54 and Callaway County Route O and junction Callaway County Route O and Callaway County Route CC: From junction U.S. Highway 54 and Callaway County Route O over Callaway County Route O to junction Callaway Route CC, and return over the same route serving no intermediate points, and serving the termini for the purposes of joinder only; (4) between junction U.S. Highway 54 and Callaway County Route C and junction Callaway County Route C and Missouri Highway 94: From junction U.S. Highway 54 and Callaway County Route Cover Callaway County Route C to junction Missouri Highway 94, and return over the same route, serving no intermediate points and serving the termini for the purpose of joinder only; (5) between junction Interstate Highway 70 and Callaway County Route D and junction Callaway County Route D and Callaway County Route O: From junction Interstate Highway 70 and Callaway County Route D over Callaway County Route D to junction Callaway County Route O, and return over the same route serving Readsville, Mo., as an intermediate point and the termini for the purpose of joinder only; (6) between junction Interstate Highway 70 and Missouri Highway 19 and junction Missouri Highway 94 and Callaway County Route D: From junction Interstate Highway 70 and Missouri Highway 19 over Missouri Highway 19 to junction Missouri Highway 94, thence over Missouri Highway 94 to junction Callaway County Route D, and return over the same route, serving Rhineland, Mo., as an intermediate point and the termini for the purpose of joinder only; and (7) Between junction of Callaway County Route D and Callaway County Route K and junction Montgomery County Route K and Missouri Highway 19: From junction Callaway County Route D and Callaway County Route K over Callaway County Route K and its continuation as Montgomery County Route K to junction Missouri Highway 19, and return over the same route, serving no intermediate points and serving the termini for the purpose of joinder only.

NOTE.—The purpose of this republication is to correct the requested authority in this proceeding. If a hearing is deemed necessary, the applicant requests it be held at either Jefferson City, St. Louis, or Kansas City, Mo.

No. MC 59367 (Sub-No. 103) filed December 1, 1975. Applicant: DECKER TRUCK LINE, INC., P.O. Box 915, Fort Dodge, Iowa 50501. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of Geo. A. Hormel & Co., at Fort Dodge, Iowa, to points in Indiana within the Chicago, Ill. Commercial Zone as defined by the Commission, restricted to the transportation of traffic originating at the above-named plantsite and storage facilities and destined to the named destination.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn., or Chicago, Ill.

No. MC 61396 (Sub-No. 298), filed Nov. 13, 1975. Applicant: HERMAN BROS. INC., 2565 St. Marys Ave., P.O. Box 189, Omaha, Nebr. 68101. Applicant's representative: John E. Smith, II (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Argon, hydrogen, nitrogen, and oxygen*, in bulk, in tank vehicles, from Mt. Vernon, Ind.; Chicago, Ill.; and Chattanooga, Tenn., to points in Arkansas, Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Tennessee, and Wisconsin.

NOTE. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Chicago, Ill.

No. MC 61396 (Sub-No. 301), filed November 24, 1975. Applicant: HERMAN BROS. INC., 2565 St. Marys Avenue, P.O. Box 189, Omaha, Nebr. 68101. Applicant's representative: John E. Smith, II (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Kiln dust*, in bulk, in tank vehicles, from the plantsite of Dundee Cement Company, located at or near Clarksville, Mo., to points in Arkansas, Illinois, Iowa, Kansas, Kentucky, Michigan, Indiana, Missouri, Ohio, Oklahoma and Tennessee.

NOTE. If a hearing is deemed necessary, the applicant requests it be held at either Omaha, Nebr., or St. Louis, Mo.

No. MC 61396 (Sub-No. 302), filed Nov. 28, 1975. Applicant: HERMAN BROS. INC., 2565 St. Marys Ave., P.O. Box 189, Omaha, Nebr. 68101. Applicant's representative: John E. Smith, II (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk and in bags, from the plantsite of Alpha Portland Cement Company, Division of Alpha Portland Industries, Inc., at St. Louis, Mo., to points in Missouri and Illinois.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Omaha, Nebr.

No. MC 102616 (Sub-No. 913), filed November 28, 1975. Applicant: COASTAL TANK LINES, INC., 250 N. Cleveland-Massillon Road, Akron, Ohio 44313. Applicant's representative: David F. McAllister (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal oils*, in bulk, in tank vehicles, from Cincinnati and Cleveland, Ohio to Greensboro and Fayetteville, N.C.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Columbus, Ohio or Washington, D.C.

No. MC 107478 (Sub-No. 22), filed November 25, 1975. Applicant: OLD DOMINION FREIGHT LINE, P.O. Box 2006, High Point, N.C. 27261. Applicant's representative: Francis W. McInerny, 1000 16th St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery and articles*, used in the farming and forestry industries, from Tarboro, N.C., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Louisiana, Arkansas, Missouri, Minnesota, Wisconsin, Iowa, Illinois, Michigan, Indiana, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, West Virginia, Ohio, Pennsylvania, Maryland, Delaware, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont, Maine, and the District of Columbia; and (2) *materials and supplies*, used in the manufacture of agricultural machinery, and articles, used in the farming or forestry industries (except commodities in bulk), from points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Louisiana, Arkansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Michigan, Indiana, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, West Virginia, Ohio, Pennsylvania, Maryland, Delaware, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont, Maine, and the District of Columbia, to Tarboro, N.C., restricted to the transportation of shipments originating at or destined to the plantsites or storage facilities of the Long Manufacturing Company, at Tarboro, N.C.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Raleigh, N.C.

No. MC 107993 (Sub-No. 44), filed Nov. 28, 1975. Applicant: J. J. WILLIS TRUCKING COMPANY, a Corporation, P.O. Box 5328, Terminal Station, Dallas, Tex. 75222. Applicant's representative: J. G. Dail, Jr., 1111 E St. NW., Washington, DC. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal haulers and related parts, accessories and supplies*, between Cardin, Okla., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 107993 (Sub-No. 45), filed Nov. 28, 1975. Applicant: J. J. WILLIS TRUCKING COMPANY, a Corporation, P.O. Box 5328, Terminal Station, Dallas, Tex. 75222. Applicant's representative: J. G. Dail, Jr., 1111 E St. NW., Washington, DC. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cooling towers and fluid coolers, and parts and accessories therefor*, between Houston, Tex; Henderson, Ky.; Tulsa, Okla.; and points in Sonoma County, Calif., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii); and (2) *Materials, equipment and supplies*, used in the manufacture, sale and distribution of cooling towers and fluid coolers (except in bulk), between points in the United States (except Alaska and Hawaii).

NOTE —Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla., or Dallas, Tex.

No. MC 111401 (Sub-No. 459), filed Nov. 28, 1975. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Alvin J. Meiklejohn, Jr., Suite 1600 Lincoln Center, 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid feed and feed supplements*, in bulk, from Dundee, Kans., to points in Oklahoma; (2) *nitrogen fertilizer solutions*, in bulk, from the plantsite and storage facilities of Farmland Industries, Inc., at or near Dodge City, Kans., to points in Wyoming; and (3) *sodium dichromate*, in bulk, from Albuquerque, N. Mex., to Grand Prairie, Tex.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Dallas, Tex.

No. MC 111545 (Sub-No. 218), filed November 28, 1975. Applicant: HOME TRANSPORTATION COMPANY, INC.,

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1425 Franklin Road SE., Marietta, Ga. 30062. Applicant's representative: Robert E. Born, P.O. Box 6426, Station A, Marietta, Ga. 30062. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Heat exchangers and equalizers* for air, gas or liquids; *machinery and equipment* for heating, cooling, conditioning, humidifying, and moving air, gas, or liquids; (2) *parts, materials, equipment, and supplies* used in the manufacture, distribution, installation, or operation of those items named in (1) above (except in bulk), between points in Monroe, Randolph, Perry Counties, Ill. and St. Clair County, Ill. on and south of State Highways 177 and 158, on the one hand, and, on the other, points in the United States, (except Alaska and Hawaii), restricted to shipments originating at or destined to the plantsite and warehouse facilities of the Singer Company located at Monroe, Randolph, Perry and St. Clair Counties, Ill.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 112713 (Sub-No. 188), filed November 24, 1975. Applicant: YELLOW FREIGHT SYSTEM, INC., P.O. Box 7270, 10990 Roe Avenue, Shawnee Mission, Kans. 66207. Applicant's representative: David B. Schneider (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring the use of special equipment), serving the plantsite and facilities of Rimpull Corporation, located at or near Olathe, Kans., as an off-route point in connection with carrier's regular route operations.

NOTE.—If a hearing deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 113388 (Sub-No. 112), filed November 26, 1975. Applicant: LESTER C. NEWTON TRUCKING CO., a Corporation, P.O. Box 618, Seaford, Del. 19973. Applicant's representative: Chester A. Zyblut, 366 Executive Bldg., 1030 15th St. NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration, from the warehouse and storage facilities utilized by Pepperidge Farm, Inc., located in Delaware, Maryland and Pennsylvania, to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island and New York.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 113624 (Sub-No. 72), filed November 28, 1975. Applicant: WARD TRANSPORT, INC., P.O. Box 735, Pueblo, Colo. 81001. Applicant's representative: Alvin J. Meiklejohn, Jr., Suite 1600 Lincoln Center, 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Denver, Colo., to points in Montana.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo., or Houston, Tex.

No. MC 113843 (Sub-No. 226), filed Nov. 28, 1975. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: William J. Boyd, Suite 222, 600 Enterprise Drive, Oak Brook, Ill. 60521. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pet foods*, from the plantsite and storage facilities utilized by Ralston Purina Co., at Jersey City, N.J., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Nebraska, Ohio, Virginia, West Virginia, Wisconsin and the District of Columbia, and points in that part of Pennsylvania on and west of U.S. Highway 15, restricted to the transportation of traffic originating at the named plantsite and storage facilities.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 113861 (Sub-No. 66), filed November 28, 1975. Applicant: WOOTEN TRANSPORTS, INC., 153 Gaston Avenue, Memphis, Tenn. 38106. Applicant's representative: James N. Clay, III, 2700 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar, corn syrups, and blends of liquid sugar and corn syrups*, in bulk, in tank vehicles, from Memphis, Tenn., to points in Alabama and Missouri.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 114457 (Sub-No. 250), filed November 26, 1975. Applicant: DART TRANSIT COMPANY, a Corporation, 2102 University Avenue, St. Paul, Minn. 55114. Applicant's representative: James C. Hardman, 33 North LaSalle Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Prepared animal food* (except in bulk), from the facilities of Landon Company, Inc., near Delavan, Wis., to points in Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Texas, Pennsylvania, New York, and New Jersey; and (2) *materials and supplies* (except in bulk), used in the manufacture of prepared animal food, from points in Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Texas, Pennsylvania, New York, and New Jersey, to the facilities of Landon Company, Inc., near Delaven, Wis.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis-St. Paul, Minn., or Chicago, Ill.

No. MC 116763 (Sub-No. 327), filed Nov. 28, 1975. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are processed, used, or distributed by manufacturers and converters or paper and paper products (except in bulk), from Indianapolis, Ind., to points in New York, New Jersey and Pennsylvania.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Columbus, Ohio.

No. MC 116763 (Sub-No. 328), filed Nov. 28, 1975. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: John Duncan Varda, P.O. Box 2509, Madison, Wis. 53701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from points in Portage and Wood Counties, Wis., to points in Connecticut, Delaware, lower peninsula of Michigan, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Madison or Milwaukee, Wis., or Chicago, Ill.

No. MC 118039 (Sub-No. 25), filed November 26, 1975. Applicant: MUSTANG TRANSPORTATION, INC., 833 Warner Street SW., Atlanta, Ga. 30310. Applicant's representative: Virgil H. Smith, 1587 Phoenix Boulevard, Suite 12, Atlanta, Ga. 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boxes, fiberboard, and beverage cartons*, from the plant site and warehouse facilities of the Mead Packing Division of the Mead Corporation located in Fulton County, Ga., to points in Illinois, Kentucky, Kansas, Colorado, Missouri and points in Tennessee east of a line beginning at the Alabama-Tennessee State Boundary line and extending along Tennessee Highway 13 to junction U.S. Highway 79, thence along U.S. 79 to the Tennessee-Kentucky State Boardary line.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Atlanta, Ga., or Washington, D.C.

No. MC 118304 (Sub-No. 3), filed November 28, 1975. Applicant: CALDWELL TRANSPORT, LTD., P.O. Box 127, Florenceville, New Brunswick, Canada. Applicant's representative: Francis E. Barrett, Jr., 10 Industrial Park Road, Hingham, Mass. 02043. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Lumber*, from Ashland, and Bagor, Maine, to ports of entry on the International Boundary line between the United States and Canada located at or near Calais and Houlton, Maine; (b) *particle board*, from the ports of entry on the International Boundary line between the United States and Canada located at or near Calais, and Houlton, Maine, to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York and New Jersey, restricted to traffic originating at Chatham, New Brunswick, Canada; and (c) *lumber*, from the ports of entry on the International Boundary line between the United States and Canada located at or near Calais and Houlton, Maine, to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York and New Jersey.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Bangor, Augusta or Portland, Maine.

November 24, 1975. Applicant: JERRY LIPPS, INC., 130 South Frederick Street, Cape Girardeau, Mo. 63701. Applicant's representative: William P. Jackson, Jr., 3426 North Washington Blvd., Arlington, Va. 22201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Crated cabinets, vanities and cases*, from the facilities of Kitchen Kompact, Inc., located at or near Jeffersonville, Ind., to points in the United States (except Alaska and Hawaii); and (2) *materials and supplies* used in the manufacture and distribution of crated cabinets, vanities, and cases (except commodities in bulk), from points in the United States (except Alaska and Hawaii), to the facilities of Kitchen Kompact, Inc., located at or near Jeffersonville, Ind.

NOTE.—Applicant holds contract carrier authority in MC 125664, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Louisville, Ky.

No. MC 119422 (Sub-No. 58), filed November 28, 1975. Applicant: EE-JAY MOTOR TRANSPORTS, INC., 15th and Lincoln, E. St. Louis, Ill. 62204. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Bldg., St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum lubricating oil*, in bulk, from the plantsite of Mobil Oil Corporation at St. Louis, Mo., to points in Arkansas, Kansas, Kentucky, Louisiana, Nebraska, and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 119880 (Sub-No. 74), filed Dec. 1, 1975. Applicant: DRUM TRANSPORT, INC., P.O. Box 2056, East Peoria, Ill. 61611. Applicant's representative: Bruce A. Bullock, 530 Univac Bldg., Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors*, in bulk, in tank vehicles, in straight or mixed shipments, from Bardstown and Owensboro, Ky.; Atchison, Kans.; and Muscatine, Iowa, to Long Prairie, Minn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 123255 (Sub-No. 57), filed November 28, 1975. Applicant: B & L MOTOR FREIGHT, INC., 140 Everett Avenue, Newark, Ohio 43055. Applicant's representative: C. F. Schnee, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic containers and lids*, from Rochester, Mich., to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC 123255 (Sub-No. 58), filed November 28, 1975. Applicant: B & L MOTOR FREIGHT, INC., 140 Everett Ave., Newark, Ohio 43055. Applicant's representative: C. F. Schnee, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bathroom and plumbing fixtures, parts, attachments and accessories, materials, equipment and supplies* used in the manufacture and shipping of the above articles, between Evansville and Rockfort, Ind. and Henderson, Ky., on the one hand, and, on the other, points in Wisconsin, Illinois, Ohio, Michigan, Pennsylvania, New York, Maryland, Delaware, New Jersey, Rhode Island, Connecticut, New Hampshire, Massachusetts, Maine, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC 126988 (Sub-No. 73), filed November 28, 1975. Applicant: JO/KEL, INC., 159 South Seventh Avenue, P.O. Box 1249, City of Industry, Calif. 91749. Applicant's representative: Patrick E. Quinn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives and household goods as defined by the Commission), from the facilities of Westinghouse Electric Corporation located at or near Sidney, Ohio, to points in the United States on and west of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada; (2) *such commodities* as are dealt in and utilized by manufacturers or distributors of electric and electronic products and devices, from points in the United States on and west of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada located at or near Sidney, Ohio, restricted against the transportation of commodities which by reason of size or weight require the use of special equipment, and commodities in bulk and further restricted to a transportation service to be performed under a continuing contract or contracts with Westinghouse Electric Corporation of Pittsburgh, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. MC 126988 (Sub-No. 74), filed November 28, 1975. Applicant: JO/KEL, INC., 159 South Seventh Avenue, P.O. Box 1249, City of Industry, Calif. 91749. Applicant's representative: Patrick E. Quinn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Outdoor lighting fixtures*, from the facilities of Westinghouse Electric Corporation located at or near Cleveland, Ohio to points in Arizona, California, Nevada, Oregon and Washington, restricted against the transportation of commodities in bulk and commodities which by reason of size and weight require the use of special equipment and further restricted to a transportation service to be performed under a continuing contract or contracts with Westinghouse Electric Corporation of Pittsburgh, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. MC 129032 (Sub-No. 18), filed Nov. 10, 1975. Applicant: TOM INMAN TRUCKING, INC., 6015 S. 49th St., P.O. Box 7606, Tulsa, Okla. 74105. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 N.W. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit juice*, in containers, in vehicles equipped with mechanical refrigeration, from Bradford, Ill., to Dallas and Fort Worth, Tex., and points in Missouri and Oklahoma.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Tulsa or Oklahoma City, Okla.

No. MC 129808 (Sub-No. 19), filed November 28, 1975. Applicant: GRAND ISLAND CONTRACT CARRIER, INC., P.O. Box 2078, Grand Island, Nebr. 68801. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Irrigation pipe and fittings*, from the plantsite and facilities of Heinsman Manufactur-

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ing Co., Division of Heinzman Engineering, Inc., located at or near Grand Island, Nebr., to San Ysidro, Calif., under a continuing contract or contracts with Heinzman Manufacturing Co., Division of Heinzman Engineering, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Lincoln, Nebr.

No. MC 133119 (Sub-No. 79), filed November 28, 1975. Applicant: HEYL TRUCK LINES, INC., 200 Norka Drive, P.O. Box 206, Akron, Iowa 51001. Applicant's representative: A. J. Swanson, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dehydrated potato products* (except commodities in bulk), from Laramie County, Wyo., to points in the United States (except Alaska, Hawaii, Wyoming, Montana, Idaho, Washington, Oregon, Maine, Vermont, New Hampshire, Connecticut, Rhode Island and Massachusetts), restricted to the transportation of traffic originating at the named origin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Omaha, Nebr. or Denver, Colo.

No. MC 134323 (Sub-No. 80), filed November 28, 1975. Applicant: JAY LINES, INC., 720 North Grand, P.O. Box 4146, Amarillo, Tex. 97105. Applicant's representative: Gailyn L. Larsen, 521 South 14th St., P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, plastic materials, and plastic products, and equipment, materials, and supplies* used in the manufacture and distribution thereof (except in bulk), between the facilities of Union Carbide Corporation located at or near North Seadrift, (Texas City) Tex. and Houston, Tex. and Taft, La., on the one hand, and, on the other, points in Louisiana, Arkansas, Missouri, Illinois, Indiana, Nebraska, Wisconsin, Minnesota, Iowa, Texas, Oklahoma, North Dakota, South Dakota, Kansas, New Mexico, Colorado, Wyoming and Montana, under a continuing contract or contracts with Union Carbide Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y. or Lincoln, Nebr.

No. MC 135811 (Sub-No. 7), filed Nov. 28, 1975. Applicant: GARDNER TRUCKING CO., INC., 320 Woodlawn, Box 567, Walterboro, S.C. 29488. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, foodstuffs, and Classes A and B explosives), from the facilities of Essex International, Inc., located in Illinois, Indiana, Michigan, North Carolina, Ohio and South Carolina, to points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington and Wyoming, under a continuing contract with Essex International, Inc.

NOTE.—If a hearing is deemed necessary, applicant does not specify a location.

No. MC 136244 (Sub-No. 2), filed November 28, 1975. Applicant: G. CHARETTE TRANSPORT LIMITED, 930 Broadway Blvd., Windsor, Ontario, Canada N9C 3W7. Applicant's representative: Wilhelmina Boersma, 1600 First Federal Building, Detroit, Mich. 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel*, between ports of entry on the International Boundary line between the United States and Canada located at Detroit, Mich., on the one hand, and, on the other, points in Michigan and Ohio, operations to be performed to and from Windsor, Ontario, Canada, under a continuing contract or contracts with Namasco Limited.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Detroit, Mich. or Lansing, Mich.

No. MC 136343 (Sub-No. 64), filed November 28, 1975. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printing paper, groundwood paper, and paper products*, from the facilities of the St. Regis Paper Co., at or near Deferiet, N.Y., to points in Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Delaware, Rhode Island, New Hampshire, Maryland, Virginia, West Virginia, North Carolina, Tennessee, Kentucky, Ohio, Indiana, Illinois, Michigan and the District of Columbia.

NOTE.—Applicant holds contract carrier authority in MC 96098 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 138807 (Sub-No. 13), filed November 25, 1975. Applicant: ZIP TRUCKING, INC., P.O. Box 5717, Jackson, Miss. 39208. Applicant's representative: K. Edward Wolcott, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ceramic wall and floor tile and such materials and supplies* as are used in the preparation and installation thereof, from the plantsite and storage facilities of Robertson-American of Mississippi, Inc., at Cleveland, Miss., to points in Arizona, California, Colorado, Idaho, Montana, New Mexico, Oregon and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Jackson, Miss.

No. MC 139495 (Sub-No. 114), filed November 25, 1795. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th St., P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H St., NW., Suite 1030, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass bottles and jars and containers*, from Corsicana, Tex., to points in Kansas, Oklahoma, Mississippi, and Arkansas.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 141088 (Sub-No. 1), filed November 25, 1975. Applicant: KEYSTONE DELIVERY SERVICE, INC., 13045 Emerald Drive, N. Miami, Fla. 33161. Applicant's representative: Guy H. Postell, Suite 713, 3384 Peachtree Rd., NE., Atlanta, Ga. 30326. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cosmetics, toilet preparations, toilet articles and premiums and equipment and supplies* used in connection with the described commodities above, from Tampa, Fla., to points in Charlotte, Collier, DeSoto, Hardee, Lee, Manatee, Pasco, Polk, and Sarasota Counties, Fla., under a continuing contract with Avon Products, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 141329 (Sub-No. 2), filed November 24, 1975. Applicant: EDWARD STAPLETON AND ALFRED GLESSMAN, a partnership, 140 Flintoft Street, Kelowna, British Columbia, Canada. Applicant's representative: Michael B. Crutcher, 2000 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, in bulk, from the International Boundary line between the United States and Canada located at or near Northport or Metaline Falls, Wash., and Spokane, Wash., limited to foreign commerce, under a continuing contract or contracts with Kootenay Forest Products, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Seattle, Wash.

No. MC 141427 (Sub-No. 2), filed November 28, 1975. Applicant: ROBERT L. HUDSON, JR., 4 North 6th Street, Richmond, Ind. 47374. Applicant's representative: Robert W. Loser II, 1009 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motion picture film and theatre supplies*, (1) between Indianapolis, Ind., on the one hand, and, on the other, points in Indiana (except Marion County, Ind., and Cumberland, Clermont, and Greenwood, Ind.), and points in Jefferson County, Ky; and (2) between Cincinnati, Ohio, on the one hand, and, on the other, Richmond and Indianapolis, Ind.

NOTE.—Applicant holds contract carrier authority in MC 124052 and Sub 1, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 141513, filed November 18, 1975. Applicant: THOMAS H. DEYAMPERT, doing business as, G & R DELIVERY SERVICE, 25 Amore Road, Springfield, Mass. 01109. Applicant's representative Michael J. Flaherty, 95 State Street, Suite 725, Springfield, Mass. 01103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machine shop tools, auto parts, flowers, and packages and bundles* not to exceed one hundred pounds in weight capable of being hand carried by an individual and transported in a van, between White River Junction, Vt., and Hartford, Conn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Springfield, Worcester or Boston, Mass.

No. MC 141542, filed November 24, 1975. Applicant: GEORGE A. WILLIAMS, doing business as, AM-TRUCK, 648 21st Ave., Paterson, N.J. 07513. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic articles, and materials, equipment and supplies* used in the manufacture and sale of plastic articles (except commodities in bulk in tank vehicles), between Paterson, N.J., on the one hand, and, on the other, points in New Jersey, New York, Maryland, Delaware, Pennsylvania, Virginia, and Washington, D.C., restricted to shipments having prior or subsequent movement by common contract or private carrier and further restricted to a service to be performed under a continuing contract with American Cellophane Co.

NOTE.—If a hearing is deemed necessary, the applicant does not specify a location.

No. MC 141543, filed November 24, 1975. Applicant: C. M. CARPENTER, Annville, Ky. 40402. Applicant's representative: Fred F. Bradley, 213 St. Clair Street, Box 773, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, between points in Kentucky, on and east of I-75 and on and south of I-64, on the one hand, and, on the other, points in Indiana and Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Frankfort, Lexington or Louisville, Ky.

No. MC 141544, filed November 24, 1975. Applicant: CORTESE & PROUTY TRUCKING CO., 36891 Daniel Road, Pueblo, Colo. 81006. Applicant's representative: Leslie R. Kehl, Suite 1600 Lincoln Center Bldg., 1600 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry feed and dry feed ingredients and supplements*, from Otero and Crowley Counties, Colo., to points in Arizona, Kansas, Nebraska, New Mexico, Oklahoma, Texas, Utah and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC 141568, filed Dec. 1, 1975. Applicant: S & S TRANSPORT, INC., R.R. 3, Box 74A, Elkart, Ind. 46514. Applicant's representative: Alki E. Scopelitis, 815 Merchants Bank Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Limestone*, from Thornton, Ill., to points in Elkhart County, Ind., restricted to a contract or continuing contracts with Rieth-Riley Construction Company, Inc., and Yoder Ready-Mixed Concrete Co., Inc., at Elkhart, Ind.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 141570, filed November 26, 1975. Applicant: ELECTRONICS TRANSPORT, INC., 3213 Eighth Avenue North, Birmingham, Ala. 35222. Applicant's representative: N. Craig Massey, 202 East Walnut St. (P.O. Drawer J), Lakeland, Fla. 33802. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Copying machines, and parts, materials and supplies*, used in the manufacture, installation, or sale of such commodities, between Arlington, Tex., on the one hand, and, on the other, points in Alabama, Arkansas, Louisiana, Mississippi, Oklahoma, and Tennessee, under a continuing contract or contracts with Xerox Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas, Tex. or Birmingham, Ala.

No. MC 141571, filed November 18, 1975. Applicant: DOMENICK BATTELINI, doing business as, BATTELINI'S GARAGE, 351 Harding Highway Landisville, N.J. 08326. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wrecked and disabled motor vehicles and replacement vehicles*, therefor (except trailers designed to be drawn by passenger automobiles); and (2) *repossessed vehicles, and used fork-lift trucks*, by use of wrecker equipment only, between points in Atlantic County, N.J., on the one hand, and, on the other, points in Pennsylvania, Maryland, Delaware, New York, Virginia, West Virginia, Ohio, Connecticut, Massachusetts, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Newark, N.J. or Philadelphia, Pa.

PASSENGER APPLICATION

No. MC 141327 (Sub-No. 1), filed November 6, 1975. Applicant: GARDEN STATE TRANSIT LINES, INC., P.O. Box 343, Ford Road, Rockaway, N.J. 07866. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers*, limited to employees of American Telephone and Telegraph Co., between the American Telephone and Telegraph Company facility at or near Maple Avenue, Basking Ridge, N.J., and 195 Broadway, New York, N.Y., under a continuing contract or contracts with 195 Broadway Corporation.

NOTE.—Applicant holds common carrier authority in MC-69260 and sub-No. 2 thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y., or Newark, N.J.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-339 Filed 1-7-76;8:45 am]

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federal register

THURSDAY, JANUARY 8, 1976

PART II:

FEDERAL ENERGY ADMINISTRATION

DOMESTIC CRUDE OIL PRICES

Proposed Rule and Hearing

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FEDERAL ENERGY ADMINISTRATION

[10 CFR Parts 210 and 212]

DOMESTIC CRUDE OIL PRICES

Notice of Proposed Rulemaking and Public Hearing

I. INTRODUCTION

On December 22, 1975, the Energy Policy and Conservation Act was enacted into law (Pub. L. 94–163, hereinafter referred to as the "EPCA"). Section 401 of the EPCA amends the Emergency Petroleum Allocation Act of 1973 ("EPAA") by adding a new section 8, which sets forth a crude oil pricing policy, and requires the President to adopt implementing regulations to be made effective "(n)ot later than the first day of the second full calendar month following the date of enactment of (section 8)."

Accordingly, in order to implement the crude oil pricing policy of section 401 of the EPCA, the Federal Energy Administration ("FEA") hereby gives notice of a proposal to revise Parts 210 and 212 of Title 10 Code of Federal Regulations with respect to the regulations applicable to prices charged in all first sales of domestic crude oil. The revisions adopted pursuant to this rulemaking proceeding will become effective not later than February 1, 1976.

The principal issue to be addressed in this proceeding will be a new domestic crude oil pricing mechanism that is designed to result in the maximum weighted average first sale price during the month of February 1976 of $7.66 per barrel which is stipulated in the EPCA. Other revisions to the current regulations are also proposed to remove disincentives to increased production that are now present. Included for consideration in this category are proposals to revise the definition of "property," and to consider generally the effects of FEA Ruling 1975–15 upon enhanced recovery projects. Finally, FEA will also in this proceeding reconsider whether to permit adjustments to gravity price differentials for heavy crude oil produced in California, Alaska or elsewhere. An opportunity for written comment and oral testimony on all these proposals, including those to adopt EPCA implementing regulations, is being afforded to interested parties. In addition, with respect to all of the proposals contained in this notice, FEA solicits comments as to whether certain findings (required by the EPCA, and discussed more fully below) can be made.

In months subsequent to February 1976, the EPCA permits certain adjustments to the first sale price of domestic crude oil to take into account the impact of inflation and as a production incentive. Other adjustments are also allowed in subsequent periods to reflect the amount that the actual weighted average first sale prices for any particular prior period is above or below the maximum allowable weighted average first sale price for that period. At the conclusion of this rulemaking proceeding, which is to adopt the EPCA implementing regulations that are required to be made effective not later than February 1, 1976, FEA will initiate a second rulemaking proceeding to propose implementing regulations with respect to these allowable adjustments to domestic crude oil prices during the remaining 39 months in which price controls on crude oil are in effect. Amendments adopted pursuant to this second rulemaking will be made effective not later than March 1, 1976.

II. BACKGROUND

A. *Current Regulations.* The current Mandatory Petroleum Price Regulations were adopted pursuant to the EPAA. These regulations incorporate the "two-tier" price system originally adopted by the Cost of Living Council (38 FR 22536, August 22, 1973) and impose ceiling prices on the first sales of certain amounts of domestic crude oil from properties which were in production during 1972 ("old crude oil") and allow crude oil from properties which began production after 1972 to be priced at market levels without respect to the ceiling price rule ("new crude oil"). (See 10 CFR 212.74).

Recognizing a need to stimulate increased domestic production from old oil properties in addition to encouraging production from properties developed after 1972, the "two-tier" price system also allows increased production (i.e., above 1927 levels) from each producing property to be sold as new crude oil and an equal amount of current production ("released crude oil") to be sold without respect to the ceiling price rule. Accordingly, if current production from a property exceeds 1972 base production control levels ("BPCL") for the property—and there is no current cumulative deficiency—the excess production qualifies under current regulations as new crude oil. (A property's current cumulative deficiency is equal to the total cumulative number of barrels of crude oil by which current levels of production and sale have been less than the BPCL, for all months subsequent to the first month in which new crude oil was produced and sold. Thus, once a producer produces and sells new crude oil from a property, the cumulative deficiency provision of the regulations acts as an additional incentive for the producer to maintain current production levels above the property's BPCL.)

Finally, subsequent to the adoption of CLC regulations, a "stripper well" lease exemption was required by section 4(e)(2) of the EPAA, in order to ensure that crude oil production would be sustained from marginal properties for as long as market economics would permit. This exception allows oil from stripper well leases to be sold, like new oil, at market levels.

Thus, under the two-tier system of price controls, the lower or "ceiling price," tier of domestic crude oil production consists generally of that volume of crude oil produced and sold in a particular month from a property in a particular month which is equal to or less than the BPCL (less any amounts of "released crude oil"). Crude oil subject to the ceiling price rule is referred to as "old crude oil."

The upper, or "unregulated," tier of domestic crude oil production, which may be sold under current regulations without respect to the ceiling price rule, consists generally of three classifications: (1) "new crude oil," or that volume of crude oil produced and sold from a property in excess of the BPCL (after adjustments for any current cumulative deficiency), including all production from properties from which there was no production and sale prior to 1973; (2) "released crude oil," or the amount of crude oil that would be subject to the ceiling price rule, but for the fact that for every barrel of "new crude oil" produced and sold from a property (that produced crude oil prior to 1973), a corresponding barrel of what would otherwise be "old crude oil" production is "released" from the ceiling price rule; and (3) "stripper well lease crude oil," or crude oil produced from any property whose average daily production of crude oil, including condensates, per well did not exceed 10 barrels per day during any preceding calendar year beginning after December 31, 1972.

B. *The Crude Oil Pricing Policy of Section 401 of the EPCA.* Section 401 of the EPCA establishes a crude oil pricing policy under which the President is required to—

> Establish ceiling prices (or the manner of determining ceiling prices) applicable to any first sale of crude oil produced in the United States, such that the resulting actual weighted average first sale price for all such crude oil during (the second full calendar month following the date of enactment of section 401) . . . shall not exceed a maximum of $7.66 per barrel.

In establishing such different ceiling prices and classifications of crude oil, section 8(b)(1) requires the President to determine that they

> (A) Are administratively feasible; and
> (B) Are justified on the basis that such prices and such classifications are consistent with obtaining optimum production of crude oil in the United States.

With regard to this determination, the Conference Committee emphasized that it was intended that the term "administratively feasible"

> Be understood to mean a workable pricing program which is both enforceable under section 5 and compatible with achieving the policy objectives set forth in section 4(b)(1) of the Emergency Petroleum Allocation Act. (*Conf. Rep. No. 516, 94th Cong., 1st Sess. 191 (1975)*).

Accordingly, with respect to the proposed pricing mechanism outlined in this notice (and such other proposals as interested parties may offer), comments are requested as to the bases on which the statutory determination of 8(b)(1) with respect to administrative feasibility and optimum production can be made.

Subject to the requirement to establish a pricing mechanism for all first sales of domestic crude oil that will yield a composite first sale price of $7.66 per barrel, the President is given discretionary authority to promulgate implementing regulations designed to provide incentives to increasing domestic crude oil production. However, with respect to any amendment to the regulations that would permit an increase in the price for any volume of "old crude oil production" (as defined in section 8(b)(3)) after December 22, 1975, section 8(b)(2) requires the President to make more particularized findings that such amendment—

> (A) Will give positive incentives for (i) enhanced recovery techniques, or (ii) deep horizon development for such properties; or
> (B) Is necessary to take into account declining production from such properties; and
> (C) Is likely to result in a level of production from such properties beyond that which would otherwise occur if no such amendment were made.

Section 8(b)(3) defines "old crude oil production" generally for a particular property as equal to the average volume of old crude oil (as that term is currently defined in 10 CFR 212.72) produced and sold from the property in September, October, and November 1975. Accordingly, with respect to the proposals for increased production incentives outlined in this notice (as well as such other proposals as interested parties may offer), comments are also requested as to the basis on which the statutory findings required by section 8(b)(2) can be made, if such proposals would result in a price increase for any volume of "old crude oil production" as defined in section 8(b)(3).

Finally, section 401(b)(1) of the EPCA repeals section 4(e)(2) of the EPAA to remove the stripper well lease exemption as of the effective date of the amendments required under section 8 of the EPAA and which are proposed herein.

Inasmuch as the President has been granted broad statutory authority (subject to the overall limitation that the "maximum weighted average first sale price" not exceed $7.66 per barrel) to establish appropriate price levels for particular classifications of crude oil, the overall objective of the amendments proposed herein is to satisfy the statutory objective of adopting the crude oil classifications and corresponding ceiling prices that are best suited to optimize domestic production within the limitation of the maximum weighted average first sale price and subject to considerations of administrative feasibility. There are numerous alternatives to be considered in this regard, and FEA has sought to set forth in this notice as many of the alternatives as it is reasonably possible to consider and to implement within the limited period of time available prior to February 1, 1976. FEA is setting forth this broad range of proposals so that it will be able better to adopt the combination of measures which, after receipt and consideration of all the comments in this proceeding, appear to be most appropriate to achieving the foregoing objective.

III. PROPOSED AMENDMENTS

A. *Number of Tiers.* In this initial set of implementing regulations FEA proposes basically to continue the "two-tier" system by establishing two classifications, and corresponding ceiling price rules, in order to maintain the statutorily mandated maximum weighted average first sale price of $7.66 per barrel. In setting up the classifications and ceiling prices, FEA has made the following assumptions which are based on the best information currently available to FEA:

(1) The percentage of old crude oil is currently estimated to be 60 percent of total current domestic production; and

(2) The current price of old crude oil, fixed by the ceiling price rule of 10 CFR 212.73, is currently estimated to average $5.25 per barrel, nationally.

Maintaining these two parameters, therefore, FEA proposes to establish the upper tier ceiling price for all domestic crude oil production other than old crude oil so that it will average $11.28 per barrel, nationally.

There are several reasons for proposing the establishment of only two domestic tiers at this time. First, it provides producers and refiners with the smoothest transition from present regulations to those required to be adopted under the EPCA. Second, it will serve to maintain the current proportion of controlled versus uncontrolled domestic oil until FEA has had an opportunity more accurately to determine that proportion through new data collection measures which will be implemented to measure compliance with the weighted average ceiling price requirement of section 8.

Accordingly, the lower tier is anticipated to be comprised of old crude oil, or that crude oil currently sold at the ceiling price. The upper tier would consist of what is now "uncontrolled" crude oil, i.e., that which is currently designated "new," "released," and "stripper well lease crude oil."

Finally, in designing different ceiling prices and classifications of crude oil that are "administratively feasible," FEA is particularly concerned that these be compatible with a crude oil cost equalization program which achieves the objective of minimizing economic distortion as required in section 4(b)(1)(D) of the EPAA. A two tier domestic price system which imposes ceiling prices on both tiers may necessarily require a new entitlements program which equalizes three price tiers because imported crude oil will still be sold at market levels. If three or more domestic price levels were created, it is possible that the operation of any entitlements program designed in conjunction with that crude oil price system would become so complicated that it would no longer be administratively feasible.

Although it thus preliminarily appears to FEA that only two tiers should be established in this initial set of implementing regulations, comments are specifically requested addressed to the advisability of considering more than two tiers at this time, or the possibility of establishing a single tier at a ceiling price that would average $7.66 per barrel. FEA will, for example, consider alternative systems not specifically detailed in this notice, such as a third tier category, priced at a market clearing level, and consisting of quantities of crude oil produced from properties that did not produce crude oil prior to January 1, 1976, or of certain very high cost crude oil. Comments are therefore invited on the nature and estimated volume of any classification of domestic crude oil which interested parties believe should receive separate ceiling price treatment from the more general classifications that are proposed in this notice.

B. *Lower Tier Crude Oil—Base Production Control Level ("BPCL").* As noted, the FEA has projected that old crude oil production will account for approximately 60 percent of total domestic crude oil production in February 1976. This figure represents the average monthly production of oil crude oil, based upon the percentage of oil crude oil to total production during the first ten months of 1975, derived from data collected on Form FEA–P–102 (as shown in Table 1 below).

TABLE 1

PERCENTAGE OF OLD CRUDE OIL TO TOTAL DOMESTIC PRODUCTION

	1975 (percent)
January	58.4
February	58.4
March	58.5
April	59.9
May	60.5
June	60.1
July	60.2
August	60.7
September	61.8
October	61.0

In designing a pricing mechanism that will yield a composite first sale price of $7.66, one basic assumption is that in February 1976 production and sale of old crude oil will account for 60 percent of total domestic production, as nearly as possible. For this reason, FEA is proposing to revise the definition of Base Production Control Level ("BPCL") so that for any property the BPCL in February 1976 will be equal to that property's average monthly production and sale of old crude oil during calendar year 1975, and to eliminate any further provision for releasing any quantities of the BPCL amount to the upper tier when production exceeds the BPCL. Such a proposal will ensure that the proportion of old crude oil remains pery nearly 60 percent of total domestic production in February 1976. The proposal also acts to reestablish certain incentives to increased production, which have become of questionable value with the passage of time since the 1972 base year under current regulations.

More specifically, FEA has found that the production incentives afforded by the current price regulations permitting new and released domestic crude oil to be sold without respect to the ceiling price rule are of decreasing impact or effectiveness

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because, due to natural rates of decline, production levels are now generally well they continue to decline. Inasmuch as below 1972 levels for most properties, and 1972 levels of production for a particular property are now used as that property's BPCL and must be exceeded before any crude oil can be sold from the property without respect to the ceiling price rule, the new and released price rules do not operate as a realistic incentive in many cases.

Thus, many producers, especially those operating properties whose current production levels are substantially below their 1972 base production control levels and are further declining, remain unaffected by the incentives presently afforded because those incentives are too remote to outweigh the substantial costs associated with implementing secondary or tertiary recovery programs, which would be necessary to bring current production levels up to and above the 1972 base production control levels. Moreover, the use of a BPCL based upon 1972 production levels, while suited to the temporary program envisioned by the price regulations adopted initially by the Cost of Living Council in August of 1973 pursuant to the Economic Stabilization Act of 1970, is not at all well suited for use over the longer term, as it does not take into account the natural decline rate associated with primary production.

Accordingly, FEA is proposing to revise the definition of base production control level so as to reference the actual average monthly production and sale of old crude oil during the calendar year 1975 for each property. FEA proposes defining BPCL as the average monthly level during the year, in order to avoid the anomalous results that have been encountered in some cases under the current regulations where actual monthly production levels during 1972 varied considerably from month to month.

A further effect of referencing 1975 production and sale of old crude oil as a property's BPCL rather than referencing 1972 total production and sale, is to eliminate the need for continuing any provision for releasing lower tier crude oil to the upper tier, and thereby tend to establish the 60–40 percent relationship between lower and upper tier crude oil for the month of February 1976. For example, if 500 barrels of crude oil were produced and sold from a property in September 1972, and if 600 barrels of crude oil were produced and sold from that property in September 1975, old crude oil production and sale for September 1975 would equal 400 barrels (600 barrels less 100 barrels new, less 100 barrels, assuming no cumulative deficiency). To determine the property's BPCL for February 1976 under the proposed amendments, the producer would total production and sale of old crude oil (calculated as above) for calendar year 1975, and divide by twelve. The result would be the property's BPCL for February 1976. Production in excess of the BPCL would be sold at upper tier prices, but no corresponding amount of the BPCL volume would be released for sale at upper tire prices.

In order to maximize the impact of this new production incentive, the proposed revision of base production control levels will also eliminate, effective February 1, 1976, all current deficiencies that have accumulated for properties under the current regulations. That is, all properties will effectively begin with a new BPCL, and any production in excess of that level during the month of February 1976, will qualify as new crude oil. Provisions for cumulative deficiency calculations with respect to the revised BPCL will, however, be adopted, so that only the cumulative production in excess of the revised BPCL may be sold at upper tier prices, once the revised BPCL has been exceeded. Otherwise month-to-month variations in production and sales volumes would result in crude oil becoming eligible for sale at upper tier prices, even though the property concerned was not exceeding its BPCL on a cumulative basis.

To the extent that the use of the proposal outlined above achieves its objective—to establish for February 1976, an old crude oil to total domestic production ratio of 60 percent—the necessary result will be to raise the price of some quantity of old crude oil that qualified as such during the months of September, October, and November 1975—which Table 1 indicates may average between 61–62 percent during those months. The elimination of all cumulative deficiencies is likely to have the same effect. Accordingly, comments are solicited as to the basis upon which the findings required by section 8(b)(2) can be made, i.e., whether use of the proposed BPCL (average monthly production and sale of old crude oil during calendar year 1975), and the elimination, prospectively, of current cumulative deficiencies—

(A) Will give positive incentives for (i) enhanced recovery techniques, or (ii) deep horizon development for such properties; or

(B) Is necessary to take into account declining production from such properties; and

(C) Is likely to result in a level of production from such properties beyond that which would otherwise occur if no such amendment were made.

FEA also solicits comments as to whether the selection of some other historical period for use in measuring old crude oil volumes to be used as the base production control level will result in an old crude oil to total production ratio more nearly 60 percent. In this regard, comments should address the months of September, October, and November 1975, as well as any other historical period that might be appropriate.

C. *Upper Tier Crude Oil—"Stripper Well Lease Crude Oil" and "New Crude Oil"*. FEA estimates that during calendar year 1975, the balance of total domestic crude oil production (approximately 40 percent was classified as either "new" and "released" crude oil, or "stripper well lease crude oil," and as such was eligible to be sold without respect to the ceiling price rule. It is proposed that these same classifications constitute upper tier crude oil under the EPCA implementing regulations to become effective February 1, 1976.

1. *Stripper well leases*. FEA recognizes that crude oil production from marginal stripper well leases makes a substantial contribution to meeting the energy needs of the nation. Therefore, notwithstanding repeal by the EPCA of the statutorily mandated exemption of the EPAA, FEA proposes to continue an incentive to produce from stripper well leases by including this classification in the upper tier. This is consistent with the expressed understanding of the Conference Committee:

> Under the conference substitute, stripper well ceiling prices come within the President's broad discretion to set ceiling prices to implement the maximum weighted average price requirement of the legislation. It is the conferees' understanding, that, within the limitations of the conference substitute, the President will most likely establish a separate stripper well ceiling price of approximately $11.28—the equivalent of the upper tier under a continuation of the current two-tier pricing program subject to limits of the conference substitute in order to assure sustained rates of production from such properties. (Conf. Rep. at 197.)

Where a property has qualified under 10 CFR 210.32 for treatment as a stripper well lease, first sales of crude oil produced from the property are currently exempt from price and allocation regulations. Recognizing the importance of ensuring the continued production from these marginal stripper well leases, the FEA amended the original regulatory exemption to provide that where production is increased from a property that qualified for the exemption on the basis of its per-well average daily production in any previous calendar year beginning after December 31, 1972, the property will not lose its exempt status, even if production surpasses the qualifying limit of 10 barrels per well per day.

That amendment (originally adopted May 15, 1975) was designed to remove a disincentive to increased production that existed under the previous regulation, which afforded an exemption only in the year following a calendar year in which production from the property was at or below the statutory stripper well level of 10 barrels or less per well per day. FEA believed that producers were discouraged under the original regulation from attempting to increase production levels above the 10 barrel per well per day level through techniques such as work-overs or enhanced recovery because increasing per-well production to levels above 10 barrels per day for a calendar year would have resulted in the loss of the stripper well lease exemption in the following calendar year. Accordingly, pursuant to a rulemaking proceeding, FEA amended the stripper well lease exemption to remove the disincentive (40 FR 22123, May 21, 1975). That amendment, which became effective June 3, 1975, was adopted pursuant to section 4(g)(2) of the EPAA, which provided

that such an amendment could be effective only for a period of ninety days. Subsequent ninety-day extensions became effective September 1, 1975, and November 30, 1975.

FEA proposes to continue to define stripper well leases in the same terms as the May 15 amendment. Accordingly, a stripper well lease will be defined as a property whose average daily production of crude oil, including condensates, per well did not exceed 10 barrels per day during any one of the preceding calendar years, beginning after December 31, 1972.

Since the new stripper well lease rule will no longer operate as an exemption—crude oil from stripper well leases will instead be controlled at the upper tier price—the rule is proposed to be deleted from Part 210 and included in Part 212 and conformed with all crude oil and other FEA price regulations. Other proposals with respect to the unitization of previously qualified stripper well leases are discussed below.

2. *New crude oil*. Inasmuch as the proposed concept of upper tier crude oil is proposed simply to be production in excess of the revised BPCL, and does not include any released crude oil provision—except to the extent that what was formerly classified as released crude oil serves to reduce the level of revised BPCL—calculations of upper tier crude oil produced and sold from a property would be simplified. If the property does not qualify as a stripper well lease, quantities of upper tier crude oil would include the excess of current production and sale over the property's BPCL. For example, if the BPCL is computed to be 400 (average monthly production and sale of old crude oil during calendar year 1975, or some other historical period, if selected, and if production and sale in February is equal to 600 barrels, the property's February production and sale would consist of 200 barrels of new crude oil (priced at the upper tier ceiling price) and 400 barrels of old crude oil (priced at the lower tier ceiling price). No additional computation would be done for released crude oil as there would no longer be any provision for such a classification.

The concept of current cumulative deficiency would be retained, however, and after February 1, 1976, such a deficiency would begin to run anew for each property from the time that production and sale of crude oil fell below the BPCL, once new crude oil had been produced and sold from the property. This would act as an additional incentive to maintain increased levels of production, and would prevent producers from building up production inventories for periodic sales, thereby qualifying for new crude oil where there has been no actual increase in cumulative production.

D. *Maximum Weighted Average First Sale Price*. FEA solicits comments designed to aid in the adoption of a price mechanism that will establish for February 1976, a weighted average first sale price for all domestic crude oil of $7.66 per barrel. For purposes of receiving public comments, FEA proposes the following price ceilings, which will be applicable to the lower and upper tiers respectively: sales of crude oil at the lower tier are assumed to constitute 60 percent of domestic production and sale in February 1976, and will average $5.25 per barrel nationally; sales of crude oil at the upper tier will be assumed to constitute the remaining 40 percent of domestic production and sale in February 1976, and will average $11.28 per barrel nationally. Production and sale of these quantities at these average price ceilings will yield a maximum weighted average first sale price of $7.66 per barrel:

$(.6)($5.25)+(.4)($11.28)=$7.66.

1. *Definition of "First Sale"*. FEA is proposing a definition of "first sale" that will mean the first transfer for value by a producer or royalty owner, or a comparable inter-affiliate transfer. In this regard, FEA seeks to implement a definition that will comport with the intention of the Conference Committee:

> The conference substitute specifies a "first sale" price (with discretion in the President to impute, in a manner to be specified by regulation, an equivalent price for inter-affiliate transfers). The first sale price, which is currently the price to which FEA's current ceiling price rules apply, is the price charged in the first transfer for value by the producer or royalty owner, which transfer usually but not always occurs at or near the wellhead. The first sale price for crude oil may, in some instances, include costs for transportation and other services.
>
> It is the intention of the conferees that the term "first sale" be defined in the regulations to make clear that it applies to the first transfer of a barrel of crude oil for value in an arms-length transaction.
>
> With respect to transactions between affiliated or associated companies, FEA has the authority to impute a transfer value which bears a reasonable relationship to transfers between unaffiliated persons in arms-length transactions. It is the conferees' understanding that the regulation defining "first sale" could extend principles and procedures now applicable under current regulations to determine transfer prices for imports as well as the point of sale and sales price of old crude oil and stripper well oil, to all ceiling prices promulgated under the new pricing program. (Conf. Rep. at 190.)

Accordingly, FEA solicits comments as to whether the proposed definition, or some other alternative, will satisfy, as fair as is possible, the legislative intent.

2. *Lower Tier Ceiling Price Rule*. In order to maintain an average first sale price for old crude oil of $5.25 per barrel, first sales of lower tier crude oil in February 1976 will generally continue to be subject to the ceiling price rule of 10 CFR 212.73.

> The ceiling price for a particular grade of domestic crude oil in a particular field is the sum of (1) the highest posted price at 6 a.m., local time, May 15, 1973, for that grade of crude oil at that field, or if there are no posted prices in that field, the related price for that grade of domestic crude oil which is most similar in kind and quality at the nearest field for which prices are posted; and (2) a maximum of $1.36 per barrel.

The estimate of $5.25 per barrel as the average first sale price of controlled crude oil was derived from an examination of representative crude oils by the Cost of Living Council ("CLC") and has been carried over to the FEA and is generally used in all its published data. More specifically, in March 1973, crude oil prices for certain 34° API crude oils were approximately $3.65 per barrel. In the following four months typical market prices for that quality of crude oil increased twice by increments of about $.25 and $.35, respectively, bringing the price to about $4.25 per barrel when CLC issued its Phase IV regulations in August of 1973. At that time CLC established the maximum price at which old crude oil could be sold as the May 15, 1973, posted price in the applicable field plus $.35 per barrel. It then adjusted the price of all old crude oil upward by $1.00 on December 19 of that year, which accounts for the current $5.25 per barrel estimate. A precise average controlled crude oil price, on the other hand, has never been determined by the FEA, because old crude oil prices have remained frozen without change since December 19, 1973, and because there has been no regulatory need for a more precise figure. While the FEA Form 90 collects some data on old crude oil prices, that form covers only those producers that also produce new and released crude oil.

The price of old crude oil varies from field to field, depending on the May 15, 1973, posted price in that field for the grade and quality of crude oil concerned, and may be as low as $3.50 a barrel or as high as $7.00 a barrel. These price differentials reflect the different values of crude oils depending upon their yield characteristics, location with respect to markets, and other relevant factors. It is important to note that although the ceiling price of controlled crude oil has been frozen for nearly two years, the average price of all controlled crude oil undoubtedly varies slightly from month to month as a function of the mix of types of crude oil selling at controlled prices.

The Conference Committee recognized that although it is assumed that the weighted average first sale price of old crude oil is approximately $5.25 per barrel, adjustments may be necessary if it is later determined that some other figure is more correct:

> Should the $5.25 average price prove to be an inaccurate measure of actual prices, the President shall take this into consideration before making any upward adjustment in upper tier prices. Conf. Rep. at 190, n.1.

Accordingly, for the purpose of initiating the pricing system under the EPCA, FEA will assume that continued use of the ceiling price rule of § 212.73 will yield an average first sale price for lower tier crude oil of $5.25 per barrel. Appropriate adjustments will be made later, if the new data system implemented to test compliance with the $7.66 per barrel weighted average price constraint shows that the actual weighted average price of old crude oil is lower than $5.25 per barrel.

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In this regard, however, comments are requested as to whether an alternative method (such as is discussed following the discussion of the upper tier price ceiling, below) for establishing the lower tier ceiling price would more closely result in an average first sale price for crude oil at the lower tier of $5.25 and more accurately reflect current quality differentials. Use of the current ceiling price for lower tier crude oil appears to be desirable because it would serve to provide continuity between sales of old crude oil before and after February 1, 1976, when the EPCA implementing regulations will become effective. Use of the current ceiling price rule would also avoid the many complications that might be involved if the FEA prescribed a ceiling price without regard to historical prices, including the necessity of having to prescribe adjustments to reflect price differentials for location and quality—the principal factors being gravity and sulfur content. Existing price differentials for old crude oil would, however, be maintained as of May 15, 1973, with a possible exception for sales of heavy California and Alaska crude oil, discussed below.

3. *Upper Tier Ceiling Price Rule.* In order to maintain a weighted average first sale price of $11.28 for upper tier crude oil, FEA proposes to select as a reference, actual prices for uncontrolled crude oil for the latest month during 1975 when prices for crude oil were in relative stability. FEA believes that September 1975, when first sale prices for uncontrolled domestic crude oil averaged $12.46 nationally may be such a representative month.

Data applicable to new and released crude oil is derived from FEA Form 90 and is set forth below in Table 2:

TABLE 2.—*New and released crude oil prices*

Month	1974	Price increase over prior month	1975	Price increase over prior month
January	$9.82		$11.28	$0.20
February	9.87	$0.05	11.39	.09
March	9.89	.02	11.47	.08
April	9.88		11.64	.17
May	9.96	.07	11.69	.05
June	9.95		11.73	.04
July	9.98	.03	12.30	.57
August	10.10	.12	12.38	.08
September	10.74	.64	12.46	.08
October	10.90	.16	13.72	1.26
November	11.08	.18		
December				

As can be seen from the data in Table 2, new and released crude oil prices have been in transition since the fall of 1974. Although it might have been assumed that prices would have stabilized prior to the imposition of the first one dollar import fee in February 1975, the data indicates that price increases in the five months prior to February 1975 were significantly higher than in the five months after imposition of the first dollar import fee. The imposition of the second dollar import fee on June 1, 1975 caused a $.57 per barrel increase in new and released crude oil prices between July and August 1975, but following that jump, the rate of increase again became more gradual, for the next two months.

Therefore, use of September 1975 as the reference month for upper tier crude oil prices has the dual advantage of referencing ceiling prices to a month of relative price stability, as well as to one of the most recent months for which data is available.

In order to avoid anomalies that might occur where an unrepresentative sale at a disproportionately high price may have occurred during September 1975, the reference price will be based upon the highest price at which at least 25 percent of the monthly transactions occurred from the property concerned.

Therefore, with respect to properties from which a particular grade of uncontrolled crude oil was produced and sold during September 1975, the upper tier ceiling price will be, in February 1976, the highest price at which at least 25 percent of the monthly transactions occurred, for that grade of crude oil produced and sold from that property during September 1975 minus $1.18 per barrel. Because September 1975 prices average $12.46 per barrel, subtraction of $1.18 per barrel should result in a weighted average price for upper tier crude oil of approximately $11.28 per barrel. Use of September 1975 prices in this manner will preserve the quality and locational differentials reflected in actual September 1975 prices for uncontrolled crude oil, so that the upper tier ceiling price rule should not result generally in purchasers paying the same price for different quality crude oil sold at the upper tier.

Comments are, however, requested as to whether any other month, such as January 1975, would serve as a more representative month for purposes of computing upper tier prices. FEA is particularly interested in determining how it should balance the relative degree of price stability in different possible reference months against how recent those months are to February 1976. Comments are also solicited as to whether specifications of imputed crude oil prices as is proposed for crude oil produced for the first time after September 1975 would be more appropriate than any reference month that might be selected.

With respect to upper tier crude oil produced from properties producing old crude oil but from which a particular grade of uncontrolled crude oil was not produced and sold in September 1975, it is proposed that the upper tier ceiling price be established with reference to the lower tier ceiling price. That is, the upper tier ceiling price will be the lower tier ceiling price for that grade of crude oil produced and sold from that property, plus $6.03 (i.e., $5.25+$0.03=$11.28). This system will result in the May 15, 1973 price differentials which prevail for lower tier crude oil to be applied to upper tier crude oil produced from properties that did not produce uncontrolled crude oil in September 1975. Comments are solicited as to the extent, if any, to which this might result in a distortion of relative values of lower grade and quality crude oils sold at the upper tier ceiling price pursuant to this rule, and whether the same price rule should be adopted for this crude oil as is proposed below for crude oil produced from properties developed after September 1975.

With respect to upper tier crude oil produced from properties from which a particular grade of crude oil was not produced and sold at all in September 1975, it is proposed that the upper tier ceiling price for the month of February 1976 be specified as $11.28 per barrel for crude oil having sulfur content of 1.7 percent or less and an API gravity of 34°. FEA proposes to set appropriate price differentials above and below the $11.28 upper tier ceiling price for such crude oil, but only to reflect the extent to which the sulfur content differs from 1.7 percent and the API gravity differs from 34°. Thus, the upper tier ceiling price for such crude oil would permit quality differentials to be reflected. At the same time, however, the national average price level would be maintained at or very near the specified upper tier ceiling price level. In this regard, comments should address the most appropriate method of adjusting the ceiling price to reflect such differentials, and should include data indicating the degree, if any, to which differentials have changed since May 15, 1973. FEA is also interested in comments as to how locational differences could be reflected in such an imputed price system.

Comments are also solicited as to whether (with respect to properties from which upper and lower tier crude oil are produced) it would be more appropriate to determine lower tier ceiling prices with reference to the upper tier price, rather than with respect to May 15, 1973, postings. That is, to establish the upper tier ceiling price as described above, and then to establish the lower tier ceiling price (for the same grade and quality) as the upper tier ceiling price, less $6.03 per barrel.

FEA also solicits comments as to whether some other mechanism for establishing ceiling prices might be more appropriate than that which is outlined above. For example, comments are specifically requested whether it would be more appropriate to determine upper tier ceiling prices by applying a multiplier factor to the lower tier ceiling price. In the latter case for example, upper tier ceiling prices might be established by multiplying the lower tier ceiling price by a factor equal to 11.28/5.25. In this regard comments should specifically address the effect, if any, of such a proposal on the relative values of lower gravity crude oils as reflected in price differentials.

E. *Monitoring Crude Oil Prices.* The EPCA, in section 8(c)(1) requires the President periodically to review actual prices charged in first sales of crude oil, and to make adjustments every six months to correct for variations from the established maximum weighted average first sale price. FEA solicits comments on methods for obtaining data by which to monitor crude oil prices, which will produce an accurate estimate of actual prices. Comments should address the relative benefits and costs of data collection methods which would be suitable for monthly monitoring of prices and for less frequent reporting, perhaps through use of sampling techniques.

FEA is currently considering four methods for monitoring crude oil prices: (1) A lease operator survey; (2) a gathering line survey; (3) a refinery survey; and (4) a survey of "purchasers". The first method would expand the reporting coverage of the FEA Form 90 to include a representative sample of old crude oil and stripper well leases. Lease operators would be the basic reporting entity and would report wellhead prices on a lease-by-lease basis. The second method would involve developing a new survey of gathering lines to obtain average first sale price data. The third method would use the existing refiner crude oil entitlements form (P-102) as a means of obtaining the price of domestic crude oil delivered to refineries. From this price, transportation and other delivery costs would be subtracted to obtain an estimate of first sale price. This method would require an accurate estimation of transportation and delivery costs. The fourth method would define an entity known in the industry as a "purchaser," which receives from the producer the first sale certification required by § 212.131. Initial inquiries indicate that the second and fourth approaches may be feasible and benefit from the use of a much smaller universe of reporting entities than the first or third methods. FEA is considering using several of these methods for purposes of validation and accuracy and to meet different data requirements, i.e., policy guidance, price monitoring, and compliance.

F. *Incentives for Enhanced Recovery.* On August 29, 1975, the FEA issued Ruling 1975-15 (Definition of "Property" for Purposes of Computing Base Production Control Level Pursuant to 10 CFR 212.72; 40 FR 40832, September 4, 1975). The Ruling—which addressed those cases where, due to a change in ownership or restructuring of a property since 1972, an interpretation of the definition of "property" was required for proper application of the price rules—makes it clear that "in applying the provisions of Subpart D regarding new and released crude oil, a producer must look to the limits of the right to produce crude oil in defining a particular property." This basic interpretation of the regulatory definition of "property" is consistent with the language of the regulation itself, as well as the general understanding of the producing industry since the inception of the price regulations. While some producers have since the issuance of the Ruling indicated that they had been applying a different construction in isolated cases, FEA believes that most producers have correctly understood the basic property concept to be one that encompasses the "right to produce crude oil", and have properly calculated quantities of new and released crude oil under current regulations from the vast majority of properties in the United States.

Since the issuance of the Ruling, however, many producers have indicated that application of the current "right to produce" concept to unitized properties may act in some cases to discourage projects designed to increase production, such as the initiation of enhanced recovery projects in unitized fields, and may in other cases act to discourage unitization altogether. What have been perceived by producers as disincentives under the current regulations may be eliminated to a large extent if a more current BPCL (based upon production and sale of old crude oil) is established for all properties under the EPCA-implementing regulations.

However, to ensure that any disincentives that might exist under the current regulations are not carried over into the new regulations, FEA will consider at this time certain issues that have been raised with respect to Ruling 1975-15. Issues to be considered in this rulemaking include (1) the extent, if any, to which FEA should reconsider in whole or in part Ruling 1975-15, including the effective date of any such revisions, and (2) whether any regulatory amendments are needed to remove disincentives that exist under current regulations, as interpreted by Ruling 1975-15.

If, and to the extent, however, that FEA determines that the Ruling has correctly interpreted current regulations, but that the pertinent regulations contain production disincentives which should not be continued under the EPCA, appropriate amendments can only be made if the findings required by section 8(b)(2) with respect to "old crude oil production" are made. Accordingly, with respect to each of the proposals that follow, FEA solicits comments as to the extent to which any such proposals, if adopted:

(A) Will give positive incentives for (i) enhanced recovery techniques, or (ii) deep horizon development for such properties; or

(B) [Are] necessary to take into account declining production from such properties; and

(C) [Are] likely to result in a level of production from such properties beyond that which would otherwise occur if no such amendment were made.

1. *Unitization.* As FEA noted in the Ruling, there will normally have been no change in ownership or restructuring of the right to produce crude oil since before the base period (either 1972 under current regulations, or some later period under the proposed regulations). In most cases, therefore, proper application of the property concept requires a producer to compare the property's current production levels with the property's base production control level in determining quantities of new and released crude oil (under current regulations) or quantities of upper tier crude oil (under the proposed regulations).

There are cases, however, where production operations have been, or are contemplated to be, significantly restructured, so as not to proceed on the same basis as in the base period. For example, during the base period, production operations from a single reservoir may have been spread over many leases and may have been carried out on a competitive basis, whereas the current (or future) operation of the reservoir is to proceed on a unitized basis, treating operations from all leases as a single operation from one unit.

In a simplified example, a single reservoir may be overlain by four leases, constituting four properties under current regulations. Although the four producers would not normally be free to produce at unrestrained levels (see the discussion of MER allowables under part G below), the four properties would normally be operated on a competitive basis, with each producer seeking to maximize production from the reservoir through its lease. It may be determined, however, that a unitized operation is the more desirable method of maximizing total recovery from the reservoir.

FEA understands that the mechanics of unitization are likely to begin with a determination that additional volumes of crude oil can be recovered from a known producing reservoir through some form of enhanced recovery. This determination usually follows a comprehensive geological and engineering study of the producing characteristics and potential of the reservoir. If it is determined that additional volumes of crude oil can be recovered from the reservoir through the application of enhanced recovery techniques, however, the existing properties that produce from the reservoir normally need to be unitized. That is, those with interests in the individual leases must agree upon a method for apportioning the benefits of production from the reservoir without regard to the lease through which the crude oil is actually produced. This is because enhanced recovery techniques normally involve the stimulation of production through the injection of gases or fluids into the reservoir, and injection wells distributed widely among the individual leases are employed for the injection of fluids or gases into the producing reservoir in large quantities.

An enhanced recovery project, then, requires operating the field as the natural productive unit that it is (rather than on a competitive basis), since the

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injection project would necessarily cause reservoir fluids to flow across existing lease lines. Accordingly, a unitization agreement is required in order to permit the field which encompasses the producing reservoir to be treated as if it were a single property and operated as such. The competitive operations which exist in fields prior to unitization, however, usually follow individual lease lines, and do not permit this. Therefore, once it has been determined that an enhanced recovery operation is technically feasible for a particular field, efforts begin for the consolidation of the several producing rights into a "unit." Royalty owners who become parties to the unit by ratifying the "unit agreement" are credited with a share of all crude oil and natural gas produced from the reservoir, regardless of whether crude oil and gas are actually produced from within the physical boundaries of their particular leases. This is normally accomplished by allocating a share of the total unit production to each lease that comprises the unit, with royalties then paid on the quantity of production allocated to each lease just as if that amount of crude oil and natural gas had actually been produced from within the physical boundaries of that particular lease.

In most jurisdictions, once the participating leaseholders and royalty owners have agreed to proceed on a unitized basis, the unitization agreement and enhanced recovery project require state approval. If granted, that approval establishes an effective date for the commencement of operations on a unitized basis. The actual implementation of enhanced recovery techniques, however, does not normally follow very closely the effective date of unitization. Rather, there normally exists a lag time, which may vary from as little as six months or less to as much as two years or more, during which equipment is ordered and plans are completed for the initiation of enhanced recovery operations. During this start-up period, while individual leases may continue to be operated substantially as before, but under the auspices of a single unit operator, there is usually no significant change in producing patterns. When operations to implement the enhanced recovery project are actually begun, however, significant changes in producing patterns with respect to individual leases can begin to occur.

By combining the operations from several leases, producers are able to direct this operation to the production of crude oil from the reservoir as a whole. For this reason, the location of producing and injection wells, for example, is determined based upon the physical characteristics of the producing reservoir, rather than upon the physical boundaries of the several participating leases. Freed from the artificial geographical strictures of the several lease agreements, producers are then able to concentrate on maximizing ultimate recovery from the reservoir.

As a result of adapting producing operations to the reservoir, rather than to the geographical boundaries of individual leases, current production patterns (if viewed on a lease-by-lease basis) often bear no relationship to actual lease-by-lease production patterns that existed prior to unitization. In the case of a secondary recovery project employing a water flood, for example, some wells are converted to water injection wells and others are completely shut-in, in order to achieve the proper application of the water flood technique to the reservoir. As a result, some leases might be left with fewer or possibly even no producing wells within their geographical boundaries after enhanced recovery operations have begun. From that point forward actual production from within the boundaries of a particular lease is not relevant to a determination of the share of that lease in the total production from the unit. Rather, all crude oil is normally considered to be produced from the unit and shared in by the participating leases not on the basis of actual current production, but accord to imputed percentages negotiated by the parties and incorporated in the unitization agreement at the outset.

It is for this reason that with respect to production from unitized properties, Ruling 1975–15 makes it clear that FEA regulations require producers to treat the unitized property as the aggregate of all the leases that comprise the unit. Therefore, in determining quantities of new and released crude oil from a unit under current regulations, Ruling 1975–15 requires that current total production from the unit exceed the total base production control levels for all the participating properties of the unit before any of the unit production qualifies as new crude oil.

This result is dictated under the current regulations by the need to compare current production levels with like quantities of base production control levels in determining whether there has been an increase in production above base period levels. On the other hand, a meaningful comparison could not ordinarily be obtained where current production figures from individual leases are compared with base period production levels from those leases, because of the realignment of producing patterns that normally accompanies enhanced recovery. The bulk of the actual production from the unit may be concentrated from only a few producing wells located on fewer than all of the several leases that comprise the unit. Thus, lease-by-lease comparisons would yield no meaningful result in terms of measuring actual increases in production from those leases since the base period.

Accordingly, for purposes of determining new and released crude oil under the current regulations, the current total monthly production from a unitized property must be compared with the limits of the corresponding right to produce crude oil that existed in the base period. Possible disincentives to unitization and the increased production associated with unitization which exist under this form of regulation are discussed below.

2. Production and Sale of Upper Tier Crude Oil from Unitized Properties.—a. Stripper Well Leases. Current price regulations might tend to discourage producers of stripper well leases from entering unitization agreements because of the potential loss of the property's uncontrolled (or upper tier) status. For example, if a stripper well lease is unitized with other, non-stripper well leases, the resultant production rate (when the unit production is averaged over the total number of wells in the unit) might exceed 10 barrels per well per day. If the effect of Ruling 1975–15, as applied to this example, is to remove the uncontrolled status of the production and sale of crude oil from this previously-qualified stripper well lease, the producer might be reluctant to enter the unit unless his share of crude oil production were to be increased significantly.

FEA has not determined the extent to which the current price regulations act to discourage unitization as described in the example above. Comments, therefore, are expressly solicited addressed to whether such an amendment, if adopted, would ensure the maximum participation by stripper well leases in enhanced recovery units. FEA, is therefore, considering a possible amendment to the regulations in this regard which would provide that when a previously-qualified stripper well lease has been unitized with other properties (some or all of which are non-stripper well leases), the stripper well lease would be deemed to contribute to the unit an amount of upper tier crude oil equal to its average daily production of crude oil, excluding condensate recovered in non-associated production, calculated over the 6 month period (or alternatively the 3 or 12 month period) immediately preceding unitization. For example, if a stripper well lease had been producing a total of 38 barrels of crude oil per day (averaged over the preceding period), the same quantity of crude oil would retain its upper tier status when produced from the unit. Therefore, after unitization, 38 barrels per day of crude oil produced from the unit would continue to be classified as upper tier crude oil and could be sold at the upper tier ceiling price, without regard to whether the unit, as a whole, was producing in excess of its BPCL, and such upper tier crude oil deemed to have been produced from a stripper well lease would be in addition to any upper tier crude resulting from production in excess of the unit's BPCL.

b. New Crude Oil. Just as the producer of a previously-qualified stripper well lease might be discouraged from entering a unitization agreement to facilitate an enhanced recovery project unless assured of the continued production of upper tier crude oil, so might the producer of new crude oil if the effect of unitization would be to reclassify his current production as lower tier crude oil.

Producers maintain, for example, that where a potential unit would be comprised of several properties currently producing at sub-1972 levels, or with large current cumulative deficiencies, the producer operating a property that qualifies some or all of its production as new crude oil might be discouraged under current regulations (as interpreted by Ruling 1975–15) from entering the unit if the total amount of crude oil production from all properties to be unitized were insufficient to exceed the total BPCL's of the participating properties, including any total current cumulative deficiencies of those properties.

FEA believes that to whatever extent the current regulations might act as a disincentive to unitization, this disincentive should be largely eliminated under the revised BPCL associated with the EPCA-implementing regulations proposed today. Establishing a more recent BPCL based upon production and sale of old crude oil, for example, will have the effect of eliminating all current cumulative deficiencies as of February 1, 1976. Therefore, producers would begin in February 1976, under the EPCA-implementing regulations, with revised BPCL's. Once new crude oil was sold from a property after that time, the cumulative deficiency provisions would begin to run anew, of course, to provide the additional incentive to maintain levels of increased production. Accordingly, there is not likely in the near future to be any disincentive to the prospective unitization of properties arising out of the potential loss of upper tier crude oil derived from production and sale in excess of a property's BPCL, even where the individual lease BPCL's are combined to form a single BPCL for the unit. FEA, however, requests comments on the extent to which the establishment of a more recent BPCL will operate to maintain units in existence which were formed between 1973 and 1975.

For units established later in 1976 or thereafter as individual leases may begin to accumulate deficiencies or to fall below their revised BPCL's, a special rule may be needed. One proposal, which FEA believes to have merit, would permit the determination of quantities of new crude oil from enhanced recovery units to be based upon an even more current base level. This special BPCL rule would apply only to unitized properties, which would qualify for the special treatment at the time enhanced recovery operations were commenced. Prior to that time, quantities of new crude oil would continue to be calculated on a lease-by-lease basis, provided that no significant changes had occurred with respect to producing operations. However, if producing patterns were significantly altered so as to bear no meaningful relationship to 1972 patterns, new crude oil would have to be determined in accordance with Ruling 1975–15. Once enhanced recovery operations were begun, a special BPCL rule would apply and a more current base level, perhaps production from all the several leases during the calendar year immediately preceeding implementation of enhanced recovery, would be used to determine increases in production.

In order to ensure that the proposal outlined above would be properly used as an incentive only in cases of legitimate enhanced recovery projects on unitized fields, FEA proposes as a threshold qualification that the appropriate state regulatory authority have approved the unitization agreement and enhanced recovery project. In states where such prior approval is not required by law, prior FEA approval would be required. In this context, FEA solicits comments that would aid in adopting a definition of "enhanced recovery" that would best serve the policy of promoting real increases in the production of crude oil. For purposes of receiving comment with respect to this issue, FEA proposes to define "enhanced recovery" as "any method of recovering crude oil in which part of the energy employed to move the crude oil through the reservoir is applied from extraneous sources by the injection of liquids or gases into the reservoir."

G. Definition of "Property". Ruling 1975–15 also held that since the property as it existed during the base period must be used as the basis for comparison of production volumes, a new property—and, hence, new crude oil—cannot be created simply by subdividing a property that existed during the base period.

Producers have urged that this Ruling makes it impossible for independent producers to undertake production on portions of properties that are "farmed-out" to them by major companies, since the costs of such new production can only be justified by upper tier prices. While it has not been determined that a regulatory amendment is needed in this regard, FEA believes that there may be some merit to this contention. Under current regulations, however, there would be no basis for distinguishing such legitimate subdivisions of properties from those undertaken simply to gerrymander existing properties to create new crude oil—without any additional production resulting therefrom. Accordingly, FEA will consider comments addressed to the extent, if any, to which the current price regulations, as interpreted by Ruling 1975–15, act to discourage increases in production through farm-outs. The following proposal to revise the definition of property would, in part, address this problem.

The FEA is proposing for comment an amended definition of property, to be applied prospectively, effective February 1, 1976, in determining quantities of new crude oil from all properties, and solicits comments as to whether the proposed definition provides a more appropriate method for determining current real increases in crude oil production as measured against the base period.

The proposed definition would define as the property, the right to produce crude oil from a reservoir, whether arising from a lease or from a fee interest. The amended definition, if adopted, would recognize the existence of separate properties on one lease, where the lease encompasses separate and distinct producing reservoirs.

Just as FEA recognized in Ruling 1975–12 (Calculation of "Average Daily Production" for Purposes of the Stripper Well Lease Exemption of 10 CFR 210.32 where Production has been Curtailed; 40 FR 40828, September 4, 1975) that production from a separate and distinct reservoir may, in the case of a multiple completion well, represent a significant capital investment, it recognizes also that for purposes of determining quantities of new crude oil there may be valid policy considerations involved in treating separate reservoirs as separate properties, even though both reservoirs are overlain by a single lease. Therefore, FEA specifically solicits comments as to whether there is sufficient justification for so treating separate reservoirs, and, if so, the appropriate method of defining reservoirs and of determining the volumes of production attributable to them, particularly in cases where there are multiple completion wells.

In this regard, however, FEA is concerned that the practice of state regulatory authorities in establishing maximum efficient rate (MER) allowables would appear in some circumstances to result under current regulations in the classification of some production as new crude oil in cases where there has been no actual increased production from a reservoir above 1972 levels.

Maximum efficient rate is defined generally as "[t]he maximum rate at which oil can be produced without excessive decline or loss of reservoir energy." H. Williams and C. Meyers, *Manual of Oil and Gas Terms* 258 (3d ed. 1971). Some states, notably Texas, establish allowables for each known producing reservoir as an upper production limit for that reservoir. If there is more than one lease producing from the reservoir, allowables are normally established for each lease, usually on a well-by-well basis. The total allowables for the reservoir, therefore, is equal to the sum of all allowables for all wells that produce crude oil from that reservoir. Maximum rates are prescribed by the state in order to prevent production at indiscriminately excessive rates, which might maximize production in the short run yet reduce the likelihood of obtaining the most efficient recovery of reservoir fluids over the long term.

While FEA is in favor of methods established by state authorities that are designed to ensure the most efficient production of crude oil over the long term, there is nevertheless a basis for concern that the incentives contained in current FEA crude oil price regulations may not be effective in promoting real increases in crude oil production from properties located in those states that establish allowables, but may simply result in windfalls to those producers receiving a larger portion of a reservoir output. This is best illustrated in the example of several leases that produce crude oil from the same reservoir. If there has been no upward adjustment to the reservoir allowables since 1972, and if all leases were operating in 1972 at allowable levels, there can have been no increase in production from the reservoir above 1972 levels without a violation of state regulations. However, if there has been a redistribution of the total reservoir production among the several leases, there may be apparent increased production from any

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one or more of those leases. For example, where the reservoir production was 400 barrels per day both in 1972 and today, and where each of four leases was assigned an allowable of 100 barrels per day in 1972, and if the MER for one lease was decreased by 75 barrels per day and the MER for each of the other three leases was increased by 25 barrels per day, part of the current production from three of the leases would now qualify as new crude oil. In that case, each of the three leases would qualify under current regulations for 25 barrels of new and 25 barrels of released crude oil per day, even though there had been no actual increase in production from the reservoir, and even though no steps to increase production were taken other than to operate at an increased rate.

Accordingly, FEA solicits comments directed to whether the current property definition can be revised so as to provide a method to measure real increases in production. For example, it might be appropriate to provide by regulation that no upper tier crude oil shall be sold which is produced from a property which produces from a reservoir which has not had an increase in its allowables since 1972. Comments are also solicited as to the extent to which the state systems of allowables operate as described above. Specific data is requested from which it can be determined the extent to which levels of "new crude oil," as calculated under current regulations, represent real, or only apparent, increases in crude oil production above base period levels.

Finally, FEA solicits comments as to the appropriate method of determining BPCL's should a revised definition of property be adopted. That is, if the proposed amendment to the definition of property is adopted, it may result in some producers having to treat what was formerly one property, as two or more properties. Comments should address the specific mechanisms for allocating the base period production and sale of old crude oil to the "new" properties.

H. *Heavy California Crude Oil.* On July 1, 1975, FEA gave notice (40 FR 28637, July 8, 1975) of a proposed rulemaking and public hearing to consider whether to permit an adjustment in the gravity price differential for crude oil produced in California. After consideration of all the written and oral presentations received in connection with the proceeding, and after consideration of FEA's analysis of the impact of permitting such an adjustment, FEA determined that no adjustment should be permitted.

FEA concluded that adjustments were not appropriate because—

(1) Current differentials for "uncontrolled" crude oil produced in California may not reflect long-term market changes, but may reflect instead the relatively higher prices of residual fuel oil, which more directly reflect the higher prices of imported residual fuel oil than do the prices of other petroleum prices; and

(2) There was no evidence to support the conclusion that a special upward price adjustment for California would result in more increased production than would result if the same price adjustment were applied in other areas of the nation.

Accordingly, on November 17, 1975, FEA issued a "Withdrawal of Notice of Proposed Rulemaking" (40 FR 54263, November 21, 1975).

Since that time, numerous California producers and royalty owners, including the State and certain local governments, have urged FEA to reconsider the decision not to permit an adjustment to existing gravity price differentials for old crude oil produced in California. These parties have urged that such an adjustment is warranted, based upon new data not previously made available to FEA.

It should be noted that any adjustments, if determined to be warranted, would be made only to the May 15, 1973 posted prices which form the basis for old crude oil prices. No adjustments would be needed with regard to September 1975 uncontrolled prices, inasmuch as differentials existing at that time were determined without regard to FEA price regulations.

Accordingly, FEA solicits comments on the extent, if any, to which any information not previously made available tends to affect the conclusions stated in the November 17, 1975 decision not to permit adjustments to May 15, 1973 price differentials. Inasmuch as comments received in the prior proceeding indicated that the considerations that obtain in California also obtain in Alaska and perhaps elsewhere with respect to this issue, FEA will also consider whether to amend the regulation with repsect to crude oil produced in Alaska or elsewhere in the same manner as was proposed initially with respect to crude oil produced in California. In this regard, FEA solicits data in support of the contention that the adjustment is warranted. However, to the extent, if any, to which adjustments are permited (and prices for old crude oil are permitted to increase) FEA is required to make the statutory findings of section 8(b)(2) of the EPCA. Accordingly, comments should address the extent, if any, to which an adjustment to May 15, 1973 differentials for heavy crude oil produced in California, Alaska, or elsewhere (A) will give positive incentives for (i) enhanced recovery techniques, or (ii) deep horizon development for such properties; or (B) is necessary to take into account declining production from such properties; and (C) is likely to result in a level of production from such properties beyond that which would otherwise occur if no such amendment were made.

I. *Future EPCA Implementing Regulations.* Pursuant to section 401 of the EPCA, the President—

may provide for an adjustment to the maximum weighted average first sale price . . . to begin no earlier than in [March 1976]—

(A) to take into account the impact of inflation as measured by the GNP deflator; and

(B) as a production incentive. . . .

At the conclusion of this rulemaking prior to February 1, 1976, FEA will propose adjustments to the ceiling prices established for domestic crude oil which are consistent with the adjustments allowed to the maximum weighted average first sale price, pursuant to section 401 of the EPCA. FEA will also consider the use of a mechanism to adjust the BPCL for each property, to take into account the natural decline rate, and whether an adjustment to the basic price mechanism, such as the implementation of additional tiers, is warranted. This second rulemaking proceeding will be effective for March 1976 and each of the months thereafter during which price controls on crude oil continue in effect.

IV. PROCEDURES FOR RECEIVING COMMENTS AND CONDUCTING PUBLIC HEARING

Interested persons are invited to participate in this rulemaking by submitting data, views or arguments with respect to the proposals set forth in this notice to Executive Communications, Room 3309, Federal Energy Administration, Box FD, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on documents submitted to FEA Executive Communications with the designation "Domestic Crude Oil Prices." Fifteen copies should be submitted. All comments received by Thursday, January 22, 1976, before 4:30 p.m., e.s.t., and all other relevant information, will be considered by the Federal Energy Administration before final action is taken on the proposal regulations.

The proposals made in this notice are complex and interrelated. Parties commenting on this notice are requested, therefore, to identify clearly the aspects of the notice upon which they are commenting, in order to facilitate FEA consideration of their comments. The FEA intends to adopt whatever proposal or combination of proposals appears best suited to carrying out the intent of the EPCA, and parties commenting on these proposals are therefore urged to construe broadly the scope of this notice and to comment on all aspects of the possible new crude oil price regulations that may be of interest to them.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination. The public hearing in this proceeding will be held at 9:30 a.m., e.s.t., on Thursday, January 22 and Friday, January 23, 1976, in Room 2105, 2000 M Street, N.W., Washington, D.C. 20461, in order to receive comments from interested persons on the matters set forth herein.

Any person who has an interest in the proposed amendments issued today, or who is a representative of a group or class of persons that has an interest in today's proposed amendments, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, and must be received before 4:30 p.m., e.s.t., on Monday, January 19, 1976. Such a request may be hand delivered to Room 3309, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned, if appropriate, to state why he is proper representative of a group or class of persons that has such an interest, and to give a concise summary of the proposed oral presentation and a phone number where he may be contacted through Wednesday, January 21, 1976. Each person selected to be heard will be so notified by the FEA before 4:30 p.m., Tuesday, January 20, 1976 and must submit 100 copies of his statement to Allocations Regulations Development Office, FEA, Room 2214, 2000 M Street, NW., Washington, D.C. 20461, before 4:30 p.m., e.s.t., on Wednesday, January 21, 1976.

The FEA reserves the right to select the persons to be heard at these hearings, to schedule their respective presentations, and to establish the procedures governing the conduct of the hearings. The length of each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearings. These will not be judicial or evidentiary-type hearings. Questions may be asked only by those conducting the hearings, and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearings will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any interested person may submit questions to be asked of any person making a statement at the hearings, to Executive Communications, FEA, before 4:30 p.m., e.s.t., Wednesday, January 21, 1976. Any person who wishes to ask a question at the hearings may submit the question, in writing, to the presiding officer. The FEA or the presiding officer, if the question is submitted at the hearings, will determine whether the question is relevant, and whether the time limitations permit it to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearings will be announced by the presiding officer.

A transcript of the hearings will be made and the entire record of the hearings, including the transcript, will be retained by FEA and made available for inspection at the Freedom of Information Office, Room 3116, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. Any person may purchase a copy of the transcript from the reporter.

As required by section 7(c)(2) of the Federal Energy Administration Act of 1974, Pub. L. 93-275, a copy of this notice has been submitted to the Administrator of the Environmental Protection Agency for his comments concerning the impact of this proposal on the quality of the environment. The Administrator had no comments on this proposal.

This proposal has been reviewed in accordance with Executive Order 11821, issued November 27, 1974, and has been determined not to be a nature that requires an evaluation of its inflationary impact pursuant to Executive Order 11821.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, as amended, Pub. L. 93-511, Pub. L. 94-99, Pub. L. 94-133 and Pub. L. 94-163; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185).

In consideration of the foregoing, it is proposed to amend Parts 210 and 212 of Chapter II of Title 10 Code of Federal Regulations, as set forth below.

Issued in Washington, D.C. January 6, 1976.

MICHAEL F. BUTLER,
General Counsel,
Federal Energy Administration.

§ 210.32 [Deleted]

1. Section 210.32 is deleted.

2. Section 212.52 is revised to read as follows:

§ 212.52 Sales by Federal, State or local governments.

The prices charged for any sale of a covered product by any Federal department, agency, or other instrumentality, including any wholly owned Government corporation as defined in the Government Corporation Control Act of 1945, as amended, and by State and local governments are subject to the price regulations of this part, except that, with respect to deliveries of crude oil made on or before February 21, 1974, a State or local governments may charge a bonus price per barrel of crude oil provided that such bonus price was stipulated in existing contracts and provided further that the balance of the price per barrel shall be based upon lawful prices charged for domestic crude oil subject to price regulations in effect at the time such deliveries were made, and not upon prices charged for crude oil that was exempt from price regulation.

§ 212.54 [Deleted]

3. Section 212.54 is deleted.

4. Section 212.71 is revised to read as follows:

§ 212.71 Applicability.

This subpart applies to any first sale of domestic crude oil.

5. Section 212.72 is amended to delete the definitions of "Retroactive increase in price," and "Stripper well crude oil," to revise the definitions of "Base production control level crude oil," "New crude oil," "Old crude oil," and "Property," and to add the definitions of "Current cumulative deficiency," and "First sale" to read as follows:

§ 212.72 Definitions.

"Base production control level crude oil" for a particular month for a particular property means: (1) prior to February 1, 1976.

(i) If crude oil was produced and sold from that property in every month of 1972, the total number of barrels of domestic crude oil produced and sold from that property in the same month of 1972;

(ii) If domestic crude oil was not produced and sold from that property in every month of 1972, the total number of barrels of domestic crude oil produced and sold from that property in 1972, divided by 12;

(2) Effective February 1, 1976, the total number of barrels of old crude oil produced and sold from the property during calendar year 1975, divided by 12.

* * * * *

"Current cumulative deficiency in base production control level crude oil" means: (1) prior to February 1, 1976, the total number of barrels by which production and sale of crude oil was less than the base production control level, for all months in which production and sale of crude oil was less than the base production control level subsequent to the first month in which new crude oil was produced and sold, minus the total number of barrels of domestic crude oil produced and sold in each prior month which was in excess of the base production control level for that month, but which was not classified as new crude oil because of this requirement to reduce the amount of new crude oil in each month by the amount of the current cumulative deficiency in base production control level crude oil;

(2) Effective February 1, 1976, the total number of barrels by which production and sale of crude oil has been less than the base production control level subsequent to the first month after February 1, 1976 in which new crude oil was produced and sold, minus the total number of barrels of domestic crude oil produced and sold in each prior month after February 1, 1976, but which was not classified as new crude oil because of this requirement to reduce the amount of new crude oil in each month by the amount of the current cumulative deficiency in base production control level crude oil.

* * * * *

"First sale" means the first transfer for value by the producer or royalty owner. With respect to transfers between affiliated entities, the "first sale" shall be imputed to occur at the same point as in arms-length transactions.

* * * * *

"New crude oil" means, with respect to a specific property: (1) prior to February 1, 1976, the total number of barrels of domestic crude oil produced and sold in a specific month, less (i) the base production control level for that month, and less (ii) the current cumulative deficiency in base production control level crude oil;

(2) Effective February 1, 1976, the total number of barrels of domestic crude oil

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produced and sold in a specific month, less (i) the property's base production control level and less (ii) the current cumulative deficiency in base production control level since February 1, 1976; and

(3) Shall not include any number of barrels not certified as such pursuant to the provisions of § 212.131(a)(1) within the consecutive two-month period immediately succeeding the month in which the crude oil is produced and sold, except where such recertification is required or permitted by FEA order, interpretation, or ruling.

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"Old crude oil" means: (1) prior to February 1, 1976, the total number of barrels of crude oil produced and sold from a property in a specific month, less the total number of barrels of new crude oil for that property in that month, and less the total number of barrels of released crude oil for that property in that month;

(2) Effective February 1, 1976, the total number of barrels of crude oil produced and sold from a property in a specific month, less the total number of barrels of new crude oil for that property in that month.

• • • • •

"Property" means the right to produce domestic crude oil from a reservoir, which arises from a lease or from a fee interest.

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"Released crude oil" means that part of the base production control level crude oil for a property in a particular month prior to February 1, 1976, which is equal to the total number of barrels of new crude oil produced and sold from that property in a specific month. The amount of released crude oil for a property in a particular month shall not exceed the amount of the base production control level crude oil for that property in that month, and shall not include any number of barrels not certified as such pursuant to the provisions of § 212.131 (a)(1) within the consecutive two-month period immediately succeeding the month in which the crude oil is produced and sold, except where such recertification is required or permitted by FEA order, interpretation, or ruling.

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6. Section 212.73 is revised to read as follows:

§ 212.73 Lower tier ceiling price rule.

(a) *Rule.* Except as provided in § 212.74 with respect to new crude oil and stripper well lease crude oil, no producer may charge a price higher than the lower tier ceiling price for the first sale of domestic crude oil.

(b) *Lower tier ceiling price determination.* The lower tier ceiling price for a particular grade of domestic crude oil in a particular field is the sum of (1) the highest posted price at 6 a.m., local time, May 15, 1973, for that grade of crude oil at that field, or if there are no posted prices in that field, the related price for that grade of domestic crude oil which is most similar in kind and quality at the nearest field for which prices are posted; and (2) a maximum of $1.35 per barrel.

7. Section 212.74 is revised to read as follows:

§ 212.74 Upper tier ceiling price rule.

(a) *Rule.* Notwithstanding the provisions of § 212.73(a), a producer of crude oil may charge, in any month, a price not to exceed the upper tier ceiling price, in first sales of new crude oil or crude oil produced and sold from a stripper well lease in that month.

(b) *Upper tier ceiling price determination.* The upper tier ceiling price for a particular grade of domestic crude oil for a particular property is:

(1) With respect to properties from which that particular grade of crude oil was produced and sold during September 1975 without respect to the ceiling price then in effect, the highest price actually received in at least 25 percent of all first sales of that particular grade of crude oil in September 1975 from that particular property, less $1.18 per barrel;

(2) With respect to properties in production on May 15, 1973 in which that particular grade of crude oil was not produced and sold in September 1975 without respect to the ceiling price then in effect, the lower tier ceiling price for that particular grade of crude oil in that particular field, plus a maximum of $6.03 per barrel;

(3) With respect to properties not in production on May 15, 1973 in which that particular grade of crude oil was not produced and sold in September 1975, $11.28 per barrel with adjustments upward or downward to reflect the extent to which the particular grade crude oil differs from 1.7 per cent sulfur and 34° API gravity, such adjustments to be specified by FEA order or regulation.

(c) *Stripper well leases.* (1) For purposes of this section, "stripper well lease" means a property whose average daily production of crude oil (excluding condensate recovered in non-associated production) per well did not exceed 10 barrels per day during any preceding calendar year beginning December 31, 1972. "Average daily production" means the qualified maximum total production of crude oil (excluding condensate recovered in non-associated production) produced from a property, divided by a number equal to the number of days in the year times the number of wells that produced crude oil (excluding condensate recovered in non-associated production) from that property in that year. To qualify as maximum total production, each well on the property must have been maintained at the maximum feasible rate of production, in accordance with recognized conservation practices, and not significantly curtailed by reason of mechanical failure or other disruption in production.

(2) Crude oil produced from a stripper well lease shall not include any number of barrels not certified as such pursuant to the provisions of § 212.131(a)(1) within the consecutive two-month period immediately succeeding the month in which the crude oil is produced and sold, except where such recertification is required or permitted by FEA order, interpretation, or ruling.

(d) *Retroactive increase in price.* No producer may charge or accept a retroactive increase in price for new crude oil or crude oil production from stripper well leases. Retroactive increase in price means any price charged or offered after the close of the calendar month in excess of the highest price prevailing for that grade of crude oil, in first sales between the producer and the purchaser of the domestic crude oil, during the calendar month in which it was produced and sold.

8. Subpart D of Part 212 is amended by adding a new section 212.75 as follows:

§ 212.75 Enhanced recovery projects on unitized properties.

(a) *Rule.* In determining quantities of lower and upper tier crude oil produced and sold from a unitized property, a producer shall, as of the date of implementation of at least 25% of the enhanced recovery operations on the unitized property, establish a unitized base production control level for the unitized property.

(b) *Definitions.* For purposes of this section—

"Enhanced recovery" means any method, previously approved by applicable state regulatory authority (or by FEA), of recovering crude oil in which part of the energy employed to move the crude oil through the reservoir is applied from extraneous sources by the injection of liquids or gases into the reservoir.

"New crude oil" means the total number of barrels of crude oil produced and sold from all properties that constitute the unitized property in a specific month, less (1) the unitized base production control level, and less (2) the current cumulative deficiency in the unitized base production control level crude oil.

"Old crude oil" means the total number of barrels of crude oil produced and sold from all properties that constitute the unitized property in a specific month, less the total number of barrels of new crude oil produced and sold from the unitized property in that month.

"Unitized base production control level crude oil" means the total number of barrels of old crude oil produced and sold from all properties that constitute the unit, during the 13 month period immediately preceding implementation of at least 25% of the enhanced recovery operations on the unitized property, divided by 12.

"Unitized property" means the right to produce crude oil from a reservoir that arises from a state (or FEA) approved unitization agreement.

(c) *Stripper well leases.* A producer of crude oil from a unitized property may sell in each month at a price not to exceed the upper tier ceiling price rule, the number of barrels of crude oil that is equal to the total number of barrels of crude oil produced from each stripper well lease as defined in § 212.74 (that qualified as such prior to becoming part of the unitized property) during the 13

month period immediately preceding the effective date of unitization, divided by 12.

9. Section 212.131 is amended by revising paragraph (a)(1) to read as follows:

§ 212.131 Certification of domestic crude petroleum sales.

(a)(1) Each producer of domestic crude oil shall, with respect to a first sale of domestic crude oil, certify in writing to the purchaser: (i) the lower tier ceiling price of that domestic old crude oil, (ii) the amount of stripper well crude oil, (iii) the amount of new crude oil, (iv) the amount of released crude oil (produced and sold prior to February 1, 1976), and (v) the amount of old crude oil, provided, that the certification requirements of this paragraph (a)(1) may be complied with by a one-time certification by a producer to the purchaser as to the base production control level crude oil for each month of 1972 for the particular property (prior to February 1, 1976) or as to the base production control level crude oil for average monthly old crude oil production and sale for 1975 (effective February 1, 1976). The certification shall also contain a statement that the price charged for the domestic crude oil is no greater than the maximum price permitted pursuant to this part.

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Action

Schedule B, § 213.3259 is amended to show that total employment in positions of Regional Director for Domestic and Anti-Poverty Operations under this authority may not exceed 4 years, 3 months.

Effective January 9, 1976, § 213.3259 (a) (2) is amended as set forth below:

§ 213.3259 ACTION.

(a) *Office of Domestic and Anti-Poverty Operations.* • • •

(2) Not to exceed ten positions of Regional Director, GS–15. Employment under this authority may not exceed 2 years: *Provided*, That the Director of ACTION may extend appointments made under this authority for up to an additional 2 years, 3 months if he deems such action essential to the accomplishment of agency goals. No one may be initially appointed under this authority after March 31, 1976.

• • • • • •

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76–834 Filed 1–8–76;8:45 am]

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to show that one position of Special Assistant to the Deputy Assistant Secretary for Legislation (Congressional Liaison) is established in lieu of one position of Assistant to the Assistant Secretary for Legislation.

Effective on January 9, 1976, § 213.3316 (f) (5) is revoked and (f) (10) is amended as set out below:

§ 213.3316 Department of Health, Education, and Welfare.

• • • • • •

(f) *Office of the Assistant Secretary for Legislation.* • • •

(5) [Revoked.]

• • • • • •

(10) Five Special Assistants to the Deputy Assistant Secretary for Congressional Liaison.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76–619 Filed 1–8–76;8:45 am]

Title 7—Agriculture

CHAPTER IV—FEDERAL CROP INSURANCE CORPORATION, DEPARTMENT OF AGRICULTURE

PART 401—FEDERAL CROP INSURANCE

Regulations for the 1969 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR BARLEY CROP INSURANCE; 1977 CROP

Pursuant to the authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for barley crop insurance for the 1977 crop year.

ARIZONA	
Maricopa	Yuma
Pinal	
CALIFORNIA	
Fresno	Modoc
Kern	Stanislaus
Kings	Tulare
Madera	San Joaquin
Merced	
COLORADO	
Boulder	Morgan
Larimer	Weld
IDAHO	
Ada	Jerome
Bannock	Kootenai
Benewah	Latah
Bingham	Lewis
Bonneville	Lincoln
Camas	Madison
Canyon	Minidoka
Caribou	Nez Perce
Cassia	Oneida
Franklin	Owyhee
Fremont	Power
Gooding	Teton
Idaho	Twin Falls
Jefferson	
MARYLAND	
Caroline	Queen Annes
Kent	
MINNESOTA	
Becker	Otter Tail
Big Stone	Pennington
Chippewa	Polk
Clay	Pope
Douglas	Red Lake
Grant	Stevens
Kittson	Swift
Mahnomen	Traverse
Marshall	Wilkin
Norman	
MONTANA	
Big Horn	Musselshell
Blaine	Phillips
Carbon	Pondera
Cascade	Prairie
Chouteau	Richland
Daniels	Roosevelt
Dawson	Rosebud
Fallon	Sheridan
Fergus	Stillwater
Glacier	Teton
Golden Valley	Toole
Hill	Valley
Judith Basin	Wheatland
Liberty	Yellowstone
McCone	
NORTH DAKOTA	
Barnes	McLean
Benson	Mercer
Bottineau	Mountrail
Burke	Nelson
Burleigh	Oliver
Cass	Pembina
Cavalier	Pierce
Dickey	Ramsey
Divide	Ransom
Dunn	Renville
Eddy	Richland
Emmons	Rolette
Foster	Sargent
Golden Valley	Sheridan
Grand Forks	Stark
Grant	Steele
Griggs	Stutsman
Hettinger	Towner
Kidder	Traill
La Moure	Walsh
Logan	Ward
McHenry	Wells
McKenzie	Williams
OREGON	
Gilliam	Sherman
Jefferson	Umatilla
Klamath	Union
Linn	Wallowa
Malheur	Wasco
Morrow	Wheeler
PENNSYLVANIA	
Adams	Franklin
Chester	Lebanon
Cumberland	York
Dauphin	
SOUTH DAKOTA	
Beadle	Grant
Brookings	Hamlin
Brown	Kingsbury
Clark	McPherson
Codington	Marshall
Day	Miner
Deuel	Roberts
Edmunds	Spink
Faulk	
UTAH	
Cache	Utah
Davis	Weber
Salt Lake	
WASHINGTON	
Adams	Klickitat
Asotin	Lincoln
Columbia	Spokane
Franklin	Walla Walla
Garfield	Whitman
Grant	

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WYOMING

Big Horn	Park
Goshen	Washakie

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; (7 U.S.C. 1506, 1516))

[SEAL] M. R. PETERSON,
Manager,
Federal Crop Insurance Corporation.

[FR Doc.76-741 Filed 1-8-76;8:45 am]

PART 401—FEDERAL CROP INSURANCE

Regulations for the 1969 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR SUGAR BEET CROP INSURANCE; 1977 CROP

Pursuant to the authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for sugar beet crop insurance for the 1977 crop year.

CALIFORNIA

Fresno	Merced
Imperial	Stanislaus
Kern	Tulare
Kings	San Joaquin
Madera	

COLORADO

Adams	Morgan
Boulder	Phillips
Kit Carson	Sedgewick
Larimer	Weld
Logan	Yuma

IDAHO

Ada	Franklin
Bannock	Jerome
Bingham	Minidoka
Bonneville	Owyhee
Canyon	Power
Cassia	Twin Falls

KANSAS

Finney	Sherman
Grant	Stanton
Kearny	Wallace

MICHIGAN

Bay	Saginaw
Huron	Tuscola

MINNESOTA

Chippewa	Norman
Clay	Polk
Freeborn	Redwood
Grant	Renville
Kandiyohi	Swift
Kittson	Traverse
Lac qui Parle	Wilkin
Marshall	Yellow Medicine

MONTANA

Carbon	Rosebud
Custer	Stillwater
Dawson	Treasure
Prairie	Yellowstone
Richland	

NEBRASKA

Box Butte	Scots Bluff
Morrill	

NORTH DAKOTA

Cass	Richland
Grand Forks	Traill
McKenzie	Walsh
Pembina	Williams

OHIO

Hancock	Putnam
Henry	Sandusky
Lucas	Wood
Ottawa	

OREGON

Malheur	

UTAH

Box Elder	Salt Lake
Cache	Utah
Davis	Weber

WASHINGTON

Adams	Grant
Benton	Yakima
Franklin	

WYOMING

Big Horn	Park
Goshen	Washakie

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; (7 U.S.C. 1506, 1516))

[SEAL] M. R. PETERSON,
Manager,
Federal Crop Insurance Corporation.

[FR Doc.76-743 Filed 1-8-76;8:45 am]

PART 401—FEDERAL CROP INSURANCE

Regulations for the 1969 and Succeeding Crop Years

APPENDIX — COUNTIES DESIGNATED FOR SUGARCANE CROP INSURANCE; 1977 CROP

Pursuant to the authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for sugarcane crop insurance for the 1977 crop year.

LOUISIANA

Ascension	St. James
Assumption	St. John the Baptist
Iberia	St. Martin
Iberville	St. Mary
Lafayette	Terrebonne
Lafourche	West Baton Rouge
Pointe Coupee	

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; (7 U.S.C. 1506, 1516)

[SEAL] M. R. PETERSON,
Manager,
Federal Crop Insurance Corporation.

[FR Doc.76-742 Filed 1-8-76;8:45 am]

PART 401—FEDERAL CROP INSURANCE

Regulations for the 1969 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR WHEAT CROP INSURANCE; 1977 CROP

Pursuant to the authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for wheat crop insurance for the 1977 crop year.

ARIZONA

Maricopa	Yuma
Pinal	

ARKANSAS

Chicot	Desha
Clay	Greene
Craighead	Mississippi
Crittenden	Poinsett
Cross	St. Francis

CALIFORNIA

Fresno	Merced
Imperial	Modoc
Kern	Stanislaus
Kings	Tulare
Madera	San Joaquin

COLORADO

Adams	Logan
Arapahoe	Morgan
Cheyenne	Phillips
Elbert	Sedgewick
Kit Carson	Washington
Larimer	Weld
Lincoln	Yuma

GEORGIA

Houston	

IDAHO

Ada	Jefferson
Bannock	Jerome
Benewah	Kootenai
Bingham	Latah
Bonneville	Lewis
Camas	Lincoln
Canyon	Madison
Caribou	Minidoka
Cassia	Nez Perce
Franklin	Oneida
Fremont	Power
Gooding	Teton
Idaho	Twin Falls

ILLINOIS

Adams	Logan
Bond	McDonough
Brown	McClean
Cass	Macon
Champagne	Macoupin
Christian	Madison
Clark	Marion
Clay	Mason
Clinton	Menard
Coles	Monroe
Crawford	Montgomery
Cumberland	Morgan
Dewitt	Moultrie
Douglas	Piatt
Edgar	Pike
Effingham	Randolph
Fayette	Richland
Fulton	St. Clair
Greene	Sangamon
Hancock	Schuyler
Iroquois	Scott
Jasper	Shelby
Jefferson	Tazewell
Jersey	Vermillion
Kankakee	Washington
Lawrence	Wayne

INDIANA

Adams	Howard
Allen	Huntington
Bartholomew	Jackson
Benton	Jasper
Blackford	Jay
Boone	Johnson
Carroll	Knox
Cass	Kosciusko
Clay	Lagrange
Clinton	Madison
Daviess	Marion
Decatur	Marshall
De Kalb	Miami
Delaware	Montgomery
Elkhart	Morgan
Fayette	Newton
Fountain	Noble
Fulton	Parke
Gibson	Posey
Grant	Pulaski
Greene	Putnam
Hamilton	Randolph
Hancock	Ripley
Hendricks	Rush
Henry	Shelby

INDIANA—Continued

Sullivan	Wabash
Tippecanoe	Warren
Tipton	Wayne
Union	Wells
Vermillion	White
Vigo	Whitley

KANSAS

Allen	Lincoln
Anderson	Linn
Atchison	Logan
Barber	Lyon
Barton	McPherson
Bourbon	Marion
Brown	Marshall
Butler	Meade
Chase	Miami
Chautauqua	Mitchell
Cherokee	Montgomery
Cheyenne	Morris
Clark	Nemaha
Clay	Neosho
Cloud	Ness
Coffey	Norton
Comanche	Osage
Cowley	Osborne
Crawford	Ottawa
Decatur	Pawnee
Dickinson	Phillips
Doniphan	Pottawatomie
Douglas	Pratt
Edwards	Rawlins
Elk	Reno
Ellis	Republic
Ellsworth	Rice
Finney	Riley
Ford	Rooks
Franklin	Rush
Geary	Russell
Gove	Saline
Graham	Scott
Grant	Sedgewick
Gray	Seward
Greeley	Shawnee
Greenwood	Sheridan
Hamilton	Sherman
Harper	Smith
Harvey	Stafford
Haskell	Stanton
Hodgeman	Stevens
Jackson	Sumner
Jefferson	Thomas
Jewell	Trego
Johnson	Wabaunsee
Kearney	Wallace
Kingman	Washington
Kiowa	Wichita
Labette	Wilson
Lane	Woodson

KENTUCKY

Christian	

MARYLAND

Caroline	Queen Annes
Kent	

MICHIGAN

Bay	Kalamazoo
Branch	Lenawee
Calhoun	Livingston
Cass	Monroe
Clinton	Saginaw
Eaton	St. Clair
Gratiot	St. Joseph
Hillsdale	Sanilac
Huron	Shiawassee
Ingham	Tuscola
Ionia	Washtenaw
Jackson	

MINNESOTA

Becker	Douglas
Big Stone	Faribault
Blue Earth	Freeborn
Chippewa	Grant
Clay	Kandiyohi
Dakota	Kittson

MINNESOTA—Continued

Lac qui Parle	Red Lake
LeSueur	Redwood
Lincoln	Renville
Mahnomen	Roseau
Marshall	Stevens
Meeker	Swift
Norman	Traverse
Otter Tail	Waseca
Pennington	Wilkin
Polk	Yellow Medicine
Pope	

MISSISSIPPI

Bolivar	Sunflower
Coahoma	Tallahatchie
Humphreys	Tunica
Quitman	Washington
Sharkey	

MISSOURI

Adair	Knox
Andrew	Lafayette
Audrain	Lawrence
Barton	Lewis
Bates	Lincoln
Boone	Linn
Buchanan	Livingston
Butler	Macon
Caldwell	Marion
Callaway	Mississippi
Cape Girardeau	Monroe
Carroll	Montgomery
Cass	New Madrid
Chariton	Nodaway
Clark	Pemiscot
Clinton	Pettis
Cooper	Pike
Dade	Platte
Daviess	Ralls
DeKalb	Randolph
Dunklin	Ray
Franklin	St. Charles
Gentry	Saline
Harrison	Scotland
Henry	Scotz
Holt	Shelby
Howard	Stoddard
Jackson	Sullivan
Jasper	Vernon
Johnson	

MONTANA

Big Horn	Petroleum
Blaine	Phillips
Carbon	Ponders
Cascade	Prairie
Chouteau	Richland
Custer	Roosevelt
Daniels	Rosebud
Dawson	Sheridan
Fallon	Stillwater
Fergus	Teton
Glacier	Toole
Golden Valley	Treasure
Hill	Valley
Judith Basin	Wheatland
Liberty	Wibaux
McCone	Yellowstone
Musselshell	

NEBRASKA

Adams	Garden
Banner	Gosper
Box Butte	Hall
Butler	Hamilton
Cass	Harlan
Chase	Hayes
Cheyenne	Hitchcock
Clay	Jefferson
Dawes	Johnson
Dueul	Kearney
Dodge	Keith
Fillmore	Kimball
Franklin	Lancaster
Frontier	Lincoln
Furnas	Merrick
Gage	Morrill

NEBRASKA—Continued

Nance	Saline
Nemaha	Saunders
Nuckolls	Scotts Bluff
Otoe	Seward
Pawnee	Sheridan
Perkins	Thayer
Phelps	Washington
Polk	Webster
Red Willow	York
Richardson	

NEW MEXICO

Curry	

NORTH DAKOTA

Adams	McLean
Barnes	Mercer
Benson	Morton
Bottineau	Mountrail
Bowman	Nelson
Burke	Oliver
Burleigh	Pembina
Cass	Pierce
Cavalier	Ramsey
Dickey	Renville
Divide	Richland
Dunn	Rolette
Eddy	Sargent
Emmons	Sheridan
Foster	Sioux
Golden Valley	Slope
Grand Forks	Stark
Grant	Steele
Griggs	Stutsman
Hettinger	Towner
Kidder	Traill
La Moure	Walsh
Logan	Ward
McHenry	Wells
McIntosh	Williams
McKenzie	

OHIO

Allen	Logan
Ashland	Lucas
Auglaize	Madison
Butler	Marion
Champaign	Medina
Clark	Mercer
Clinton	Miami
Crawford	Montgomery
Drake	Morrow
Defiance	Ottawa
Delaware	Paulding
Erie	Pickaway
Fairfield	Preble
Fayette	Putnam
Franklin	Richland
Fulton	Sandusky
Greene	Seneca
Hancock	Shelby
Hardin	Union
Henry	Van Wert
Highland	Wayne
Huron	Williams
Knox	Wood
Licking	Wyandot

OKLAHOMA

Alfalfa	Harper
Beaver	Jackson
Beckham	Kay
Blaine	Kingfisher
Caddo	Kiowa
Canadian	Logan
Comanche	Major
Cotton	Mayes
Craig	Noble
Custer	Nowata
Delaware	Osage
Dewey	Ottawa
Ellis	Pawnee
Garfield	Payne
Grady	Texas
Grant	Tillman
Greer	Williams
Harmon	

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OKLAHOMA—Continued	
Washita	Woodward
Woods	
OREGON	
Gilliam	Sherman
Jefferson	Umatilla
Klamath	Union
Linn	Wallowa
Malheur	Wasco
Morrow	Wheeler
PENNSYLVANIA	
Adams	Lancaster
Chester	Lebanon
Cumberland	Perry
Dauphin	York
Franklin	
SOUTH DAKOTA	
Aurora	Hughes
Beadle	Hutchinson
Bennett	Hyde
Bon Homme	Jones
Brown	Kingsbury
Campbell	Lyman
Clark	McPherson
Codington	Marshall
Corson	Mellette
Day	Miner
Deuel	Perkins
Dewey	Potter
Douglas	Roberts
Edmunds	Spink
Faulk	Stanley
Grant	Sully
Hsakon	Tripp
Hamlin	Walworth
Hand	
TENNESSEE	
Dyer	Obion
Lake	Robertson
Lauderdale	
TEXAS	
Baylor	Hansford
Carson	Hartley
Castro	Hutchinson
Collin	Jones
Cooke	Knox
Dallam	Lipscomb
Deaf Smith	Moore
Denton	Ochiltree
Fannin	Oldham
Floyd	Parmer
Foard	Randall
Gray	Sherman
Grayson	Swisher
Hale	Wilbarger
UTAH	
Box Elder	Salt Lake
Cache	Utah
Davis	Weber
WASHINGTON	
Adams	Klickitat
Asotin	Lincoln
Benton	Okanogan
Columbia	Spokane
Douglas	Walla Walla
Franklin	Whitman
Garfield	Yakima
Grant	
WYOMING	
Goshen	Platte
Laramie	

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; (7 U.S.C. 1506, 1516))

[SEAL] M. R. PETERSON,
Manager,
Federal Crop Insurance Corporation.

[FR Doc.76-740 Filed 1-8-76;8:45 am]

CHAPTER VII—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (AGRICULTURAL ADJUSTMENT), DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1976 Crop of Extra Long Staple Cotton; Acreage Allotments and Marketing Quotas

NATIONAL MARKETING QUOTA REFERENDUM RESULT

Section 722.564 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). This section announces the result of the national marketing quota referendum with respect to the 1976 crop of extra long staple cotton held during the period December 8 to 12, 1975, each inclusive.

Since the only purpose of § 722.564 is to announce the referendum result, it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date requirements of 5 U.S.C. 553 is unnecessary. Accordingly, § 722.564 shall be effective on January 6, 1976. The material previously appearing in this section as "Subpart—1975 Crop of Extra Long Staple Cotton; Acreage Allotments and Marketing Quotas" remains in full force and effect as to the crop to which it was applicable.

The title to the subpart is amended to read as set forth above and § 722.564 is amended to read as follows:

§ 722.564 Result of the national marketing quota referendum for the 1976 crop of extra long staple cotton.

(a) *Referendum period.* The national marketing quota referendum for the 1976 crop of extra long staple cotton was held by mail ballot during the period December 8 to 12, 1975, each inclusive, in accordance with § 722.561 (40 FR 48685) and Part 717 of this chapter.

(b) *Farmers voting.* A total of 1,070 farmers engaged in the production of the 1975 crop of extra long staple cotton voted in the referendum. Of those voting, 966 farmers, or 90.3 percent, favored the 1976 national marketing quota, and 104 farmers, or 9.7 percent, opposed the 1976 national marketing quota.

(c) *1976 national marketing quota continues in effect.* The national marketing quota for the 1976 crop of extra long staple cotton of 82,481 bales proclaimed in § 722.558 (40 FR 48685) shall continue in effect since two-thirds or more of the extra long staple cotton farmers voting in the referendum favored the quota.

(Sec. 343, 63 Stat. 670, as amended (7 U.S.C. 1343))

Effective date. These amendments become effective on January 6, 1976.

Signed at Washington, D.C., on January 6, 1976.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.76-584 Filed 1-6-76;10:31 am]

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Lemon Reg. 21]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period January 11–17, 1976. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.3210 Lemon Regulation 21.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this section to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons is good this week on all sizes and grades. Average f.o.b. price was $5.52 per carton this week ended January 3, 1976, compared to $5.82 per carton the previous week. Track and rolling supplies at 115 cars were down 65 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other aavilable information, the Secretary finds that the quantity of lemons which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication

hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available an dthe time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any spcial preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 6, 1976.

(b) *Order* (1) The quantity of lemons grown in California and Arizona which may be handled during the period January 11, 1976, through January 17, 1976, is hereby fixed at 210,000 cartons.

(2) As used in this section, "handled", and "carton(s)" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: January 8, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.76-943 Filed 1-8-76;11:31 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 75-28-NW-AD; Amdt. 39-2467]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 737 Series Airplanes

It has come to the attention of the FAA that the floor beam attaching angle tieing the floor beam to the frame on the left hand side at fuselage station 907 may not have been installed at time of manufacture. Omission of the angle may result in noncompliance with the 9G minor crash landing conditions of FAR 25, depending on seating configuration. Since this condition is likely to exist in other airplanes of the same type design, an airworthiness directive is being issued to require installation of the angle by December 31, 1976.

This situation represents a noncompliance with the type design. Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BOEING: Applies to all Boeing Model 737 series airplanes certificated in all categories. Compliance required as indicated.

To assure that passenger seats situated over left hand body station 907 will be restrained if subjected to a minor crash landing as required by FAR 25.561, unless already accomplished, by December 31, 1976, install the floor beam attaching angle in accordance with Boeing Service Bulletin No. 737-53-1044, or later FAA approved revisions, or in a manner approved by the Chief, Engineering and Manufacturing Branch, FAA Northwest Region.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1).

All persons affected by this directive, who have not already received these documents from the manufacturer, may obtain copies upon request to Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124. The documents may also be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective January 23, 1976.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, (49 U.S.C. 1354(a), 1421, 1423); sec. 6(c), Department of Transportation Act, (49 U.S.C. 1655(c))

Issued in Seattle, Wash., December 30, 1975.

J. H. TANNER,
Acting Director, Northwest Region.

NOTE: The incorporation by reference provisions in the document were approved by the Director of the Federal Register on June 19, 1967.

[FR Doc.76-657 Filed 1-8-76;8:45 am]

[Docket No. 75-GL-26, Amdt. 39-2485]

PART 39—AIRWORTHINESS DIRECTIVES

Grumman American Model AA-5B

There have been failures of the upper engine cowl hinge assemblies on Grumman American Model AA-5B airplanes that could result in the loss of the engine cowl. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require periodic inspections and subsequent modification of the upper engine cowl hinge assembly of Grumman American Model AA-5B airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697) and (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

GRUMMAN AMERICAN. Applies to Grumman American Model AA-5B airplanes, serial numbers AA5B-0001 through AA5B-0169, AA5B-0171, and AA5B-180 through AA5B-0183, certificated in all categories.

Compliance required as indicated, unless already accomplished.

To prevent failure of the upper engine cowl, accomplish the following:

(a) Visually check the upper engine cowl hinge assembly adjacent to the forward and aft attach brackets for cracks,

(1) Within the next 15 hours' time in service after the effective date of this airworthiness directive, or within 50 hours' total time in service, whichever occurs last, and

(2) Thereafter at intervals not to exceed 15 hours' time in service from the last inspection until modified in accordance with paragraph (b) below.

(b) Replace the upper engine cowl hinge assembly with Grumman American Part Number 5101030-001 hinge assembly in accordance with Grumman American Service Bulletin No. 152 dated December 24, 1975 or later FAA approved revision thereto.

(1) Before further flight if cracks are found, but

(2) No later than 100 hours' time in service from the effective date of this airworthiness directive.

Equivalent modification may be approved by the Chief, Engineering and Manufacturing Inspection Branch, FAA Great Lakes Region.

The checks for cracks required by this AD constitute preventive maintenance and may be performed by persons authorized to perform preventive maintenance under Federal Aviation Regulations, Part 43.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Grumman American Aviation Corporation, 318 Bishop Road, Cleveland, Ohio 44143. These documents may also be examined at FAA Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018 and at FAA headquarters, 800 Independence Avenue, SW., Washington, D.C. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at the Great Lakes Region.

This amendment becomes effective January 12, 1976.

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(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, (49 U.S.C. 1354(a), 1421, 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Des Plaines, Ill., on December 29, 1975.

RYAN N. WHITTEN,
Acting Director,
Great Lakes Region.

NOTE: The incorporation by reference provisions in this document was approved by the Director of the Federal Register on June 19, 1967.

[FR Doc.76-656 Filed 1-8-76;8:45 am]

[Airspace Docket No. 75-SO-158]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Jacksonville, N.C., control zone and transition area.

The Jacksonville control zone is described in § 71.171 (41 FR 355) and the Jacksonville transition area is described in § 71.181 (41 FR 440). In each description, an extension is predicated on the 051° bearing from New River RBN. The NDB RWY 23 Instrument Approach Procedure for which these extensions were designated has been cancelled. It is necessary to alter the descriptions by revoking the extensions. Since these amendments are less restrictive in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 25, 1976, as hereinafter set forth.

In § 71.171 (41 FR 355), the Jacksonville, N.C., control zone is amended as follows: "• • • within 2 miles each side, expanding to 3 miles each side of the 051° bearing from New River RBN, extending from the 5-mile radius zone to 8.5 miles northeast of the RBN; • • •" is deleted.

In § 71.181 (41 FR 440), the Jacksonville, N.C., transition area is amended as follows: "• • • within 3 miles each side of the 051° bearing from New River RBN, extending from the 8.5-mile radius area to 8.5 miles northeast of the RBN; • • •" is deleted.

(Sec. 307(a), Federal Aviation Act of 1958, (49 U.S.C. 1348(a)); sec. 6(c) Department of Transportation Act, (49 U.S.C. 1655(c)))

Issued in East Point, Ga., on December 24, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.76-658 Filed 1-8-76;8:45 am]

[Airspace Docket No. 75-SW-72]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate a 700-foot transition area at Sonora, Tex.

On November 7, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 52053) stating the Federal Aviation Administration proposed to designate a 700-foot transition area at Sonora, Tex.

Interested persons were afforded an opportunity to participate in the rulemaking through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 25, 1976, as hereinafter set forth.

In § 17.181 (41 FR 440), the following transition area is added:

SONORA, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Sonora Municipal Airport (latitude 30°35'00" N., longitude 100°39'00" W.) and within 3 miles each side of the 358° bearing from the Sonora, Tex., NDB (latitude 30°34'-54" N., longitude 100°38'48" W.) extending 8.5 miles northwest of the Sonora, Tex., NDB.

(Sec. 307(a), Federal Aviation Act of 1958, (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Fort Worth, Tex., on December 15, 1975.

ALBERT H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.76-663 Filed 1-8-76;8:45 am]

[Airspace Docket No. 75-SW-73]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the La Pryor, Tex. (La Paloma Ranch Airport), transition area.

On November 7, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 52052) stating the Federal Aviation Administration proposed to alter the La Pryor, Tex. (La Paloma Ranch Airport), transition area.

Interested persons were afforded an opportunity to participate in the rulemaking through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 25, 1976, as hereinafter set forth.

In § 71.181 (41 FR 440), the La Pryor, Tex. (La Paloma Ranch Airport), transition area is amended to read:

LA PRYOR, TEX. (LA PALOMA RANCH AIRPORT)

That airspace extending upward from 700 feet above the surface within a 5-mile radius of La Paloma Ranch Airport (latitude 28°53'30" N., longitude 99°51'09" W.) and within 3.5 miles each side of the 002° bearing from the La Pryor, Tex., NDB (latitude 28°55'47" N., longitude 99°51'16" W.) extending from the 5-mile-radius area to 11.5 miles northwest of the La Pryor, Tex., NDB.

(Sec. 307(a), Federal Aviation Act of 1958, (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Fort Worth, Tex., on December 15, 1975.

ALBERT H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.76-662 Filed 1-8-76;8:45 am]

[Airspace Docket No. 75-SW-74]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate a transition area at Canadian, Tex.

On November 7, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 52052) stating the Federal Aviation Administration proposed to designate a transition area at Canadian, Tex.

Interested persons were afforded an opportunity to participate in the rulemaking through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 25, 1976, as hereinafter set forth.

In § 71.181 (41 FR 440), the following transition area is added:

CANADIAN, TEX.

That airspace extending upward from 700 feet above the surface within a 5.5-statute-mile radius of Hemphill County Airport, Canadian, Tex. (latitude 35°53'45" N., longitude 100°24'06" W.), including an extension from the 5.5-statute-mile-radius area to 8.5 statute miles southwest of the NDB and 3 statute miles either side of the 054° bearing to the NDB.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348); Sec. 6(c), Department of Transportation Act, (49 U.S.C. 1655(c)))

Issued in Fort Worth, Tex., on December 15, 1975.

ALBERT H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.76-661 Filed 1-8-76;8:45 am]

[Airspace Docket No. 75-SW-75]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate a transition area at Gruver, Tex.

On November 7, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 52052) stating the Federal Aviation Administration proposed to designate a transition area at Gruver, Tex.

Interested persons were afforded an opportunity to participate in the rulemaking through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 25, 1976, as hereinafter set forth.

§ 71.181 (41 FR 440), the following transition area is added:

GRUVER, TEX.

That airspace extending upward from 700 feet above the surface within a 6-statute-mile radius of the Cluck Ranch Airport (latitude 36°10'45" N., longitude 101°41'40" W.).

(Sec. 307(a), Federal Aviation Act of 1958, (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act, (49 U.S.C. 1655(c)))

Issued in Fort Worth, Tex., on December 15, 1975.

ALBERT H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.76-660 Filed 1-8-76;8:45 am]

[Airspace Docket No. 75-WE-23]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area; Correction

On December 9, 1975 FR Doc. 75-33005 was published in the FEDERAL REGISTER (40 FR 57354) which amended Part 71 of the Federal Aviation Regulations by adding a new transition area for Page Airport, Page, Arizona. Subsequent to the document publication information was received that the Page Airport coordinates were in error. Action is taken herein to correct this error.

Since this change is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In view of the foregoing, FR Doc. 75-33005 (40 FR 57354) is amended by changing the location of the Page Airport reference as follows:

In the text change "latitude 36°55'35" N., longitude 111°26'53" W." to read "latitude 36°55'29" N., longitude 111°-26'54" W."

The effective date of the amendment as originally established is being changed to coincide with the 56-day charting cycle. The new effective date is established as "0901 G.m.t., March 25, 1976."

(Sec. 307(a), Federal Aviation Act of 1958, as amended, (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act, (49 U.S.C. 1655(c)))

Issued in Los Angeles, Calif. on December 24, 1975.

LYNN L. HINK,
Acting Director,
Western Region.

[FR Doc.76-659 Filed 1-8-76;8:45 am]

[Airspace Docket No. 75-SO-159]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to change the using agency for Restricted Area R-2903B Stevens Lake, Fla.

The change will correct the identity of the military organization for whom the restricted area is designated.

Since designation of a different using agency is a minor amendment upon which the public should have no particular reason to comment, notice and public procedure thereon are unnecessary. However, as it is essential that the correct using agency of the restricted area be identified, good cause exists for making this amendment effective less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., January 29, 1976, as hereinafter set forth.

In § 73.29 (41 FR 664) the using agency for R-2903B Stevens Lake, Fla., is amended to read as follows:

Using agency. Department of Army Affairs, State of Fla., St. Augustine, Fla.

(Sec. 307(a), Federal Aviation Act of 1958, (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act, (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on January 5, 1976.

WILLIAM E. BROADWATER,
Chief, Airspace and Air Traffic Rules Division.

[FR Doc.76-664 Filed 1-8-76;8:45 am]

Title 15—Commerce and Foreign Trade

SUBTITLE A—OFFICE OF THE SECRETARY OF COMMERCE

PART 3—RULES OF PROCEDURE FOR HANDLING CONTRACT APPEALS

On October 10, 1975, a document was published in the FEDERAL REGISTER (40 FR 47797) proposing to adopt revised rules based upon those recommended by the National Conference of Boards of Contract Appeals Members. Minor revisions have been made as a result of the comments received. The following rules are adopted effective January 15, 1976.

HUGH J. DOLAN,
Chairman, Appeals Board.

PREFACE

1. *Jurisdiction for considering appeals.* The Appeals Board for the Department of Commerce—constituted under Department Organization Order 20-11 (40 FR 17771, April 22, 1975) (referred to herein as "the Board") is authorized to consider and determine appeals from decisions of contracting officers arising under contracts which contain provisions requiring the determination of appeals by the Secretary of Commerce or his duly authorized representative or board. In addition, the Board has jurisdiction over other matters assigned to it by appropriate authority. Decisions by the Appeals Board are final within the Department of Commerce.

2. *Organization and location of the Board.* (a) The Board is located in Washington, D.C., and its mailing address is U.S. Department of Commerce, Appeals Board, Room 3516, Washington, D.C. 20230.

(b) The Appeals Board consists of a full-time Chairman and fifteen (15) to twenty (20) departmental officials specially qualified to serve as members and designated as such by the Secretary. The Chairman is the administrative head of the Board and is authorized to assign each matter on appeal to a panel of three (3) Board members. The Chairman may serve as a member of each panel, but in the event of his absence or unavailability for any other reason he may designate another Board member to serve in that capacity. In general, the appeals are assigned to a panel of three members of the Board. The decision of a majority of the panel constitutes the decision of the Board.

3. *Decisions on questions of law.* When an appeal is taken pursuant to a Disputes clause in a contract which limits appeals to disputes concerning questions of fact, the Board may, in its discretion, hear, consider, and decide all questions of law necessary for the complete adjudication of the issue. In the consideration of an appeal, should it appear that a claim is involved which is not cognizable under the terms of the contract, the Board may make findings of fact with respect to such a claim without expressing an opinion on the question of liability.

4. *Appeals Board procedure.*—(a) *Rules.* Appeals referred to the Board are handled in accordance with the rules of the Board. Though these rules are particularly applicable to contract appeals they will be generally utilized in other appeals to the Board except to the extent that other specific rules apply.

(b) *Administration and interpretation of rules.* Emphasis is placed upon the sound administration of these rules in specific cases, because it is impracticable to articulate a rule to fit every possible circumstance which may be encountered. These rules will be interpreted so as to secure a just and inexpensive determination of appeals without unnecessary delay. In any situation for which these rules make no provision, the Board may, in its discretion, conform the proceedings to the Federal Rules of Civil Procedure.

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(c) *Preliminary procedures.* Preliminary procedures are available to encourage full disclosure of relevant and material facts, and to discourage unwarranted surprise.

(d) *Time, computation, and extensions.* (1) All time limitations specified for various procedural actions are computed as maximums, and are not to be fully exhausted if the action described can be accomplished in a lesser period. These time limitations are similarly eligible for extension in appropriate circumstances, on good cause shown.

(2) Except as otherwise provided by law, in computing any period of time prescribed by these rules or by order of the Board, the day of the event from which the designated period of time begins to run shall not be included, but the last day of the period shall be included unless it is a Saturday, Sunday, or a legal holiday, in which event the period shall run to the end of the next business day.

(3) Requests for extensions of time from either party shall be made in writing, stating good cause therefor.

5. *Authority.* Department of Commerce Organizational Order 20–11, March 28, 1975, is reprinted here for the convenience of the public.

APPEALS BOARD

Section 1. Purpose. This order prescribes the authority and functions of the Appeals Board for the Department of Commerce.

Section 2. General. The Appeals Board for the Department of Commerce, initially established on August 18, 1953, by Department Order 106 of that date, and which serves as an impartial body to consider certain appeals from the public, is continued within the Office of the Assistant Secretary for Administration. It shall be composed of a chairman and other members as may be designated by the Assistant Secretary for Administration and approved by the Secretary.

Section 3. Authority and Functions. .01 The Appeals Board is authorized to consider and decide appeals by contractors from decisions made by contracting officers under contracts which provide for such an appeal to the Secretary.

.02 The Appeals Board is also authorized to consider and decide appeals by persons affected by:

a. Any order, regulation or administrative action issued pursuant to the authority delegated to the Secretary of Commerce under the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), and the authority of the Secretary of Commerce under Section 402 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 512);

b. Any denial or probation order, civil penalty or other administrative sanction of the Domestic and International Business Administration's Bureau of East-West Trade in connection with its authority for the administration of export controls under the Export Administration Act of 1969, as amended (50 U.S.C. App. 2401 et seq.); and

c. Other administrative actions taken pursuant to law and referred to the Board by appropriate authority.

.03 Decisions by the Appeals Board on appeals arising under paragraphs .01 and .02 of this section shall be final within the Department.

.04 No member may act for the Appeals Board or participate in a decision on appeal if he has otherwise been directly involved in the administration of matter of the appeal.

.05 The Chairman of the Appeals Board is authorized to issue rules governing the handling of appeals.

Section 4. Effect on other orders. .01 This order supersedes Department Organization Order 20–11 (formerly Department Order 106) dated July 7, 1967.

.02 All outstanding delegations, regulations, orders and other actions issued by or relating to the Appeals Board shall remain in effect until amended or revoked by proper authority.

In consideration of the foregoing 15 CFR Part 2 is revised to read as follows:

PRELIMINARY PROCEDURES

Sec.
3.1 Appeals, how taken.
3.2 Notice of appeal, contents of.
3.3 Forwarding of appeals.
3.4 Preparation, contents, organization, forwarding, and status of appeal file.
3.5 Dismissal for lack of jurisdiction.
3.6 Pleadings.
3.7 Amendments of pleadings or record.
3.8 Hearing election.
3.9 Prehearing briefs.
3.10 Prehearing or presubmission conference.
3.11 Submission without a hearing.
3.12 Optional accelerated procedure.
3.13 Settling the record.
3.14 Discovery—depositions.
3.15 Interrogatories to parties, admission of facts, and production and inspection of documents.
3.16 Service of papers.

HEARINGS

3.17 Where and when held.
3.18 Notice of hearings.
3.19 Unexcused absence of a party.
3.20 Nature of hearings.
3.21 Examination of witnesses.
3.22 Copies of papers.
3.23 Posthearing briefs.
3.24 Transcript of proceedings.
3.25 Withdrawal of exhibits.

REPRESENTATION

3.26 The appellant.
3.27 The respondent.

DECISIONS

3.28 Decisions.

MOTION FOR RECONSIDERATION

3.29 Motion for reconsideration.

DISMISSALS

3.30 Dismissal without prejudice.
3.31 Dismissal for failure to prosecute.

EX PARTE COMMUNICATIONS

3.32 Ex parte communications.

SANCTIONS

3.33 Sanctions.

EFFECTIVE DATE AND APPLICABILITY

3.34 Effective date and applicability.

AUTHORITY: R.S. 161; 5 U.S.C. 301, Department Organization Order 20–11 (40 FR 17771, April 23, 1975).

PRELIMINARY PROCEDURES

§ 3.1 Appeals, how taken.

Notice of an appeal must be in writing, and the original, together with two copies may be filed with the contracting officer from whose decision the appeal is taken. The notice of appeal must be mailed or otherwise filed within the time specified therefor in the contract or allowed by applicable provision of directive or law.

§ 3.2 Notice of appeal, contents of.

A notice of appeal should indicate that an appeal is thereby intended, and should identify the contract by number, the department and agency or bureau cognizant of the dispute, and the decision from which the appeal is taken. The notice of appeal should be signed personally by the contractor making the appeal, or by an officer of the appellant corporation or member of the appellant firm, or by the contractor's attorney. The complaint referred to in Rule 3.6 may be filed with the notice of appeal, or the appellant may designate the notice of appeal as a complaint, if it otherwise fulfills the requirements of a complaint.

§ 3.3 Forwarding of appeals.

When a notice of appeal in any form has been received by the contracting officer, he shall endorse thereon the date of mailing, or date of receipt, if otherwise conveyed, and within 10 days shall forward said notice of appeal to the Board. Following receipt by the Board of the original notice of an appeal, whether through the contracting officer or otherwise, the contractor, the contracting officer and government counsel will be promptly advised of its receipt. The contractor will be furnished a copy of these rules and notices of appearance will be requested.

§ 3.4 Preparation, contents, organization, forwarding, and status of appeal file.

(a) *Duties of Contracting Officer.* Within 30 days of receipt of an appeal, or advice that an appeal has been filed, the contracting officer shall assemble and transmit to the Board, an appeal file consisting of all documents pertinent to the appeal, including:

(1) The decision and findings of fact from which appeal is taken;

(2) The contract including specifications and pertinent amendments, plans and drawings;

(3) All correspondence between the parties pertinent to the appeal, including the letter or letters of claim in response to which decision was issued;

(4) Transcripts of any testimony taken during the course of proceedings, and affidavits or statements of any witnesses on the matter in dispute made prior to the filing of the notice of appeal with the Board; and

(5) Any additional information considered pertinent.

Within the same time above specified, the contracting officer shall furnish the appellant a copy of each document he transmits to the Board, except those

stated in paragraph (a) (2) and (3) of this section as to which a list furnished appellant indicating documents transmitted will suffice, and those stated in paragraph (d) of this section.

(b) *Duties of the Appellant.* Within 30 days after receipt of a copy of the appeal file assembled by the contracting officer, the appellant shall supplement the same by transmitting to the Board any documents not contained therein which he considers pertinent to the appeal, and furnishing two copies of such documents to the Government counsel.

(c) *Organization of Appeal File.* Documents in the appeal file may be originals or legible facsimile or authenticated copies thereof, and shall be arranged in chronological order where practicable, numbered sequentially, tabbed, and indexed to identify the contents of the file.

(d) *Lengthy Documents.* The Board may waive the requirement of furnishing to the other party copies of bulky, lengthy, or out-of-size documents in the appeal file when a party has shown that doing so would impose an undue burden. At the time a party files with the Board a document as to which such a waiver has been granted, he shall notify the other party that the same or a copy is available for inspection at the offices of the Board or of the party filing same.

(e) *Status of Documents in Appeal File.* Documents contained in the appeal file are considered, without further action by the parties, as part of the record upon which the Board will render its decision, unless a party objects to the consideration of a particular document in advance of hearing or of settling the record in the event there is no hearing on the appeal. If objection to a document is made, the Board will rule upon its admissibility into the record as evidence in accordance with §§ 3.13 and 3.20.

§ 3.5 Dismissal for lack of jurisdiction.

Any motion addressed to the jurisdiction of the Board shall be promptly filed. Hearing on the motion shall be afforded on application of either party, unless the Board determines that its decision on the motion will be deferred pending hearing on both the merits and the motion. The Board shall have the right at any time and on its own motion to raise the issue of its jurisdiction to proceed with a particular case, and shall do so by an appropriate order, affording the parties an opportunity to be heard thereon.

§ 3.6 Pleadings.

(a) *Appellant.* Within 30 days after receipt of notice of docketing of the appeal, the appellant shall file with the Board an original and two copies of a complaint setting forth simple, concise and direct statements of each of his claims, alleging the basis, with appropriate reference to contract provisions, for each claim, and the dollar amount claimed. This pleading shall fulfill the generally recognized requirements of a complaint, although no particular form or formality is required. Upon receipt thereof, the Board shall serve a copy upon the respondent. Should the complaint not be received within 30 days, appellant's claim and appeal may, if in the opinion of the Board the issues before the Board are sufficiently defined, be deemed to set forth his complaint and the respondent shall be so notified.

(b) *Respondent.* Within 30 days from receipt of said complaint, or the afore said notice from the Board, respondent shall prepare and file with the Board an original and two copies of an answer thereto, setting forth simple, concise, and direct statements of respondents defenses to each claim asserted by appellant. This pleading shall fulfill the generally recognized requirements of an answer, and shall set forth any affirmative defenses or counter-claims as appropriate. Upon receipt thereof, the Board shall serve a copy upon appellant. Should the answer not be received within 30 days, the Board may, in its discretion, enter a general denial on behalf of the Government, and the appellant shall be so notified.

§ 3.7 Amendments of pleadings or record.

The Board upon its own initiative or upon application by a party may, in its discretion, order a party to make a more definite statement of the complaint or answer, or to reply to an answer. The Board may, in its discretion, and within the proper scope of the appeal, permit either party to amend his pleading upon conditions just to both parties. When issues within the proper scope of the appeal, but not raised by the pleadings or the documentation described in § 3.4, are tried by express or implied consent of the parties, or by permission of the Board, they shall be treated in all respects as if they had been raised therein. In such instances, motions to amend the pleadings to conform to the proof may be entered, but are not required. If evidence is objected to at a hearing on the ground that it is not within the issues raised by the pleadings or the § 3.4 documentation (which shall be deemed part of the pleadings for this purpose), it may be admitted within the proper scope of the appeal: *Provided, however,* That the objecting party may be granted a continuance if necessary to enable him to meet such evidence.

§ 3.8 Hearing election.

Upon receipt of respondent's answer or the notice referred to in the last sentence of § 3.6(b), above, appellant shall advise whether he desires a hearing as prescribed in §§ 3.17 through 3.25 or whether, in the alternative, he elects to submit his case on the record without a hearing, as prescribed in § 3.11. In appropriate cases, the appellant shall also elect whether he desires the optional accelerated procedure prescribed in § 3.12.

§ 3.9 Prehearing briefs.

Based on an examination of the documentation described in § 3.4, the pleadings, and a determination of whether the arguments and authorities addressed to the issues are adequately set forth therein, the Board may, in its discretion, require the parties to submit prehearing briefs in any case in which a hearing has been elected pursuant to § 3.8. In the absence of a Board requirement therefor, either party may, in its discretion and upon appropriate and sufficient notice to the other party, furnish a prehearing brief to the Board. In any case where a prehearing brief is submitted, it shall be furnished so as to be received by the Board at least 15 days prior to the date set for hearing, and a copy shall simultaneously be furnished to the other party as previously arranged.

§ 3.10 Prehearing or presubmission conference.

Whether the case is to be submitted pursuant to § 3.11, or heard pursuant to §§ 3.17 through 3.25, the Board may upon its own initiative or upon the application of either party, call upon the parties to appear before a member of the Board for a conference to consider:

(a) The simplification or clarification of the issues;

(b) The possibility of obtaining stipulations, admissions, agreements on documents, understandings on matters already of record, or similar agreements which will avoid unnecessary proof;

(c) The limitation of the number of expert witnesses, or avoidance of similar cumulative evidence, if the case is to be heard;

(d) The possibility of agreement disposing of all or any of the issues in dispute; and

(e) Such other matters as may aid in the disposition of the appeal.

The results of the conference, except as otherwise recorded, shall be reduced to writing by the Administrative Judge or examiner and this writing shall thereafter constitute part of the record.

§ 3.11 Submission without a hearing.

Either party may elect to waive a hearing and to submit his case upon the record before the Board, as settled pursuant to § 3.13. Submission of a case without hearing does not relieve the parties from the necessity of proving the facts supporting their allegations or defenses. Affidavits, depositions, admissions, answers to interrogatories, and stipulations may be employed to supplement other documentary evidence in the Board record. The Board may permit such submission to be supplemented by oral argument (transcribed if requested), and by briefs arranged in accordance with § 3.23.

§ 3.12 Optional accelerated procedure.

(a) In appeals involving $25,000 or less, either party may elect, in his notice of appeal, complaint, answer, or by separate correspondence or statement prior to commencement of hearing or settlement of the record, to have the appeal processed under a shortened and accelerated procedure. For application of this rule the amount in controversy will be determined by the sum of the amounts claimed by either party against the other in the appeal proceeding. If no specific amount

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of claim is stated, a case will be considered to fall within this rule if the sum of the amounts which each party represents in writing that it could recover as a result of a Board decision favorable to it does not exceed $25,000. Upon such election, a case shall then be processed under this rule unless the other party objects and shows good cause why the substantive nature of the dispute requires processing under the Board's regular procedures and the Board sustains such objection. In cases proceeding under this section, parties are encouraged, to the extent possible consistent with adequate presentation of their factual and legal positions, to waive pleadings, discovery, and briefs.

(b) Written decision by the Board in cases proceeding under this rule normally will be short and contain summary findings of fact and conclusions only. The Board will endeavor to render such decisions within 30 days after the appeal is ready for decision. Such decisions will be rendered for the Board by a single member with the concurrence of the Chairman or a designated member; except that in cases involving $5,000 or less where there has been a hearing, the single member presiding at the hearing may, in his discretion, at the conclusion of the hearing and after entertaining such oral arguments as he deems appropriate, render on the record oral summary findings of fact, conclusions and decision of the appeal. In the later instance, the Board will subsequently furnish the parties a typed copy of such oral decision for record and payment purposes and to establish the date from which the period for filing a motion for reconsideration under § 3.29 commences.

(c) Except as herein modified, these rules otherwise apply in all respects.

§ 3.13 Settling the record.

(a) The record upon which the Board's decision will be rendered consists of the appeal file described in § 3.4 and, to the extent the following items have been filed, pleadings, prehearing conference memoranda or orders, prehearing briefs, depositions or interrogatories received in evidence, admissions, stipulations, transcripts of conferences and hearings, hearing exhibits, posthearing briefs, and documents which the Board has specifically designated be made a part of the record. The record will at all reasonable times be available for inspection by the parties at the office of the Board.

(b) Except as the Board may otherwise order in its discretion, no proof shall be received in evidence after completion of an oral hearing or, in cases submitted on the record, after notification by the Board that the case is ready for decision.

(c) The weight to be attached to any evidence of record will rest within the sound discretion of the Board. The Board may in any case require either party, with appropriate notice to the other party, to submit additional evidence on any matter relevant to the appeal.

§ 3.14 Discovery—depositions.

(a) *General policy and protective orders.* The parties are encouraged to engage in voluntary discovery procedures. In connection with any deposition or other discovery procedure, the Board may make any order which justice requires to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, and those orders may include limitations on the scope, method, time and place for discovery, and provisions for protecting the secrecy of confidential information or documents.

(b) *When depositions permitted.* After an appeal has been docketed and complaint filed, the parties may mutually agree to, or the Board may, upon application of either party and for good cause shown, order the taking of testimony of any person by deposition upon oral examination or written interrogatories before any officer authorized to administer oaths at the place of examination, for use as evidence or for purpose of discovery. The application for order shall specify whether the purpose of the deposition is discovery or for use as evidence.

(c) *Orders on depositions.* The time, place, and manner of taking depositions shall be as mutually agreed by the parties, or failing such agreement, governed by order of the Board.

(d) *Use as evidence.* No testimony taken by depositions shall be considered as part of the evidence in the hearing of an appeal unless and until such testimony is offered and received in evidence at such hearing. It will not ordinarily be received in evidence if the deponent is present and can testify personally at the hearing. In such instances, however, the deposition may be used to contradict or impeach the testimony of the witness given at the hearing. In cases submitted on the record, the Board may, in its discretion, receive depositions as evidence in supplementation of that record.

(e) *Expenses.* Each party shall bear its own expenses associated with the taking of any deposition.

§ 3.15 Interrogatories to parties, admission of facts, and production and inspection of documents.

(a) *Interrogatories to parties.* After an appeal has been filed with the Board, a party may serve on the other party written interrogatories to be answered separately in writing, signed under oath and returned within 30 days. Upon timely objection by the party, the Board will determine the extent to which the interrogatories will be permitted.

(b) *Admission of facts.* After an appeal has been filed with the Board, a party may serve upon the other party a request for the admission of specified facts. Within 30 days after service, the party served shall answer each requested fact or file objections thereto. The factual propositions set out in the request shall be deemed admitted upon the failure of a party to respond to the request for admission.

(c) *Production and inspection of documents.* Upon motion of any party showing good cause therefor, and upon notice, the Board may order the other party to produce and permit the inspection and copying or photographing of any designated documents or objects, not privileged, specifically identified, and their relevance and materiality to the cause or causes in issue explained, which are reasonably calculated to lead to the discovery of admissible evidence. If the parties cannot themselves agree thereon, the Board shall specify just terms and conditions in making the inspection and taking the copies and photographs.

§ 3.16 Service of papers.

Papers shall be served personally or by mailing the same, addressed to the party upon whom service is to be made. Copies of complaints, answers and simultaneous briefs shall be filed directly with the Board. The party filing any other paper with the Board shall send a copy thereof to the opposing party, noting on the paper filed with the Board, or on the letter transmitting the same, that a copy has been so furnished.

HEARINGS

§ 3.17 Where and when held.

Hearings will ordinarily be held in the Washington, D.C. area, except that upon request seasonably made and upon good cause shown, the Board may set the hearing at another location. Hearings will be scheduled at the discretion of the Board with due consideration to the regular order of appeals and other pertinent factors. On request or motion by either party and upon good cause shown, the Board may, in its discretion, advance a hearing.

§ 3.18 Notice of hearings.

The parties shall be given at least 15 days notice of the time and place set for hearings. In scheduling hearings, the Board will give due regard to the desires of the parties and to the requirement for just and inexpensive determination of appeals without unnecessary delay. Notices of hearing shall be promptly acknowledged by the parties.

§ 3.19 Unexcused absence of a party.

The unexcused absence of a party at the time and place set for hearing will not be occasion for delay. In the event of such absence, the hearing will proceed and the case will be regarded as submitted by the absent party as provided in § 3.11.

§ 3.20 Nature of hearings.

Hearings shall be as informal as may be reasonable and appropriate under the circumstances. Appellant and respondent may offer at a hearing on the merits such relevant evidence as they deem appropriate and as would be admissible under the generally accepted rules of evidence applied in the courts of the United States in nonjury trials, subject, however, to the sound discretion of the presiding member in supervising the extent and manner of presentation of such evidence. In general, admissibility will hinge on relevancy and materiality. Letters or copies thereof, affidavits, or other evidence not ordinarily admissible under the generally accepted rules of evidence, may be admitted in the discretion of the presiding member. The weight to be attached to evidence presented in any particular form will be within the discretion of the Board, taking into consideration all the circumstances of the particular case. Stipulations of fact agreed upon by the parties may be regarded and used as evidence at the hearing. The parties may stipulate the testimony that would be given by a witness if the witness were present. The Board may in any case require evidence in addition to that offered by the parties.

§ 3.21 Examination of witnesses.

Witnesses before the Board will be examined orally under oath or affirmation, unless the facts are stipulated, or the Board member shall otherwise order. If the testimony of a witness is not given under oath, the Board may warn the witness that his statements may be subject to the provisions of Title 18, United States Code, sections 287 and 1001, and any other provisions of law imposing penalties for knowingly making false representations in connection with claims against the United States or in any matter within the jurisdiction of any department or agency thereof.

§ 3.22 Copies of papers.

When books, records, papers, or documents have been received in evidence, a true copy thereof or of such part thereof as may be material or relevant may be substituted therefor, during the hearing or at the conclusion thereof.

§ 3.23 Posthearing briefs.

Posthearing briefs may be submitted upon such terms as may be agreed upon by the parties and the presiding member at the conclusion of the hearing. Ordinarily, they will be simultaneous briefs, exchanged within 30 days after receipt of transcript.

§ 3.24 Transcript of proceedings.

Testimony and argument at hearings shall be reported verbatim, unless the Board otherwise orders. Transcripts or copies of the proceedings shall be supplied to the parties at such rates as may be fixed by the Board.

§ 3.25 Withdrawal of exhibits.

After a decision has become final the Board may, upon request and after notice to the other party, in its discretion, permit the withdrawal of original exhibits, or any part thereof, by the party entitled thereto. The substitution of true copies of exhibits or any part thereof may be required by the Board in its discretion as a condition of granting permission for such withdrawal.

REPRESENTATION

§ 3.26 The appellant.

An individual appellant may appear before the Board in person, a corporation by an officer thereof, a partnership or joint venture by a member thereof, or any of these by an attorney at law duly licensed in any state, commonwealth, territory, or in the District of Columbia. An attorney representing an appellant shall file a written notice of appearance with the Board.

§ 3.27 The respondent.

Government counsel may, in accordance with their authority represent the interest of the Government before the Board. They shall file notices of appearance with the Board, and notice thereof will be given appellant or his attorney in the form specified by the Board from time to time. Whenever at any time it appears that appellant and the Government counsel are in agreement as to disposition of the controversy, the Board may suspend further processing of the appeal: *Provided, however,* That if the Board is advised thereafter by either party that the controversy has not been disposed of by agreement, the case shall be restored to the Board's calendar without loss of position.

DECISIONS

§ 3.28 Decisions.

Decisions of the Board will be made in writing and authenticated copies thereof will be forwarded simultaneously to both parties. The rules of the Board and all final orders and decisions shall be open for public inspection at the offices of the Board in Washington, D.C. Decisions of the Board will be made solely upon the record, as described in § 3.13.

MOTION FOR RECONSIDERATION

§ 3.29 Motion for reconsideration.

A motion for reconsideration, if filed by either party, shall set forth specifically the ground or grounds relied upon to sustain the motion, and shall be filed within 30 days from the date of the receipt of a copy of the decision of the Board by the party filing the motion.

DISMISSALS

§ 3.30 Dismissal without prejudice.

In certain cases, appeals docketed before the Board are required to be placed in a suspense status and the Board is unable to proceed with disposition thereof for reasons not within the control of the Board. In any such case where the suspension has continued, or it appears that it will continue, for an inordinate length of time, the Board may, in its discretion, dismiss such appeals from its docket without prejudice to their restoration when the cause of suspension has been removed. Unless either party or the Board acts within three years to reinstate any appeal dismissed without prejudice, the dismissal shall be deemed with prejudice.

§ 3.31 Dismissal for failure to prosecute.

Whenever a record discloses the failure of either party to file documents required by these rules, respond to notices or correspondence from the Board, comply with orders of the Board, or otherwise indicates an intention not to continue the prosecution or defense of an appeal, the Board may issue an order requiring the offending party to show cause why the appeal should not be either dismissed or granted, as appropriate. If the offending party shall fail to show such cause, the Board may take such action as it deems reasonable and proper under the circumstances.

EX PARTE COMMUNICATIONS

§ 3.32 Ex parte communications.

No member of the Board or of the Board's staff shall entertain, nor shall any person directly or indirectly involved in an appeal submit to the Board or the Board's staff, off the record, any evidence, explanation, analysis, or advice, whether written or oral, regarding any matter at issue in an appeal. This provision does not apply to consultation among Board members nor to ex parte communications concerning the Board's administrative functions or procedures.

SANCTIONS

§ 3.33 Sanctions.

If any party fails or refuses to obey an order issued by the Board, the Board may make such order in regard to the failure as it considers necessary to the just and expeditious conduct of the appeal.

EFFECTIVE DATE AND APPLICABILITY

§ 3.34 Effective date and applicability.

These rules shall take effect on January 15, 1976. Except as otherwise directed by the Board, these rules shall not apply to appeals which have been docketed prior to their effective date.

[FR Doc.76-594 Filed 1-8-76;8:45 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 76-14]

PART 159—LIQUIDATION OF DUTIES

Waiver of Countervailing Duties—Rubber Footwear from Korea

In T.D. 76-13 published concurrently with this determination, it has been determined that bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended, (19 U.S.C. 1303), are being paid or bestowed, directly or indirectly, upon the manufacture, production, or exportation of rubber footwear from Korea.

Section 303(d) of the Tariff Act of 1930, as added by the Trade Act of 1974 (Pub. L. 93-618, January 3, 1975), authorizes the Secretary of the Treasury to waive the imposition of countervailing duties during the 4-year period beginning on the date of enactment of the Trade Act of 1974 if he determines that:

(1) Adequate steps have been taken to reduce substantially or eliminate during such period the adverse effect of a bounty or grant which he has determined is being paid or bestowed with respect to any article or merchandise;

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(2) There is a reasonable prospect that, under section 102 of the Trade Act of 1975, successful trade agreements will be entered into with foreign countries or instrumentalities providing for the reduction or elimination of barriers to or other distortions of international trade; and

(3) The imposition of the additional duty under this section with respect to such article or merchandise would be likely to seriously jeopardize the satisfactory completion of such negotiations.

Based upon analysis of all the relevant factors and after consultation with interested agencies, I have concluded that steps have been taken to reduce substantially the adverse effect of the bounties or grants on footwear (except footwear having uppers of which over 50 percent of the exterior surface is leather) which is over 50 percent by weight of rubber or plastics, or over 50 percent by weight of fibers and rubber or plastics with at least 10 percent by weight being rubber or plastics, classifiable in items 700.51, 700.52, 700.53, 700.55, or 700.60, Tariff Schedules of the United States. These steps are the elimination by the Korean Government of programs to reduce the corporate income tax by exempting 50% of earnings derived from exports, and the elimination of duty free exemption for imported machinery and equipment. The elimination of these programs reduced the estimated bounty or grant on rubber footwear by approximately 80 percent.

The requirement set forth in (1) above has been met and will continue to be met so long as new or existing programs are not implemented or modified so as to make more favorable to the manufacturer or exporter the interest rate, the terms of the loans, or any other condition or term employed in the program as presently constituted.

After consulting with appropriate agencies, including the Department of State, and the Office of the Special Representative for Trade Negotiations, I have further concluded (1) that there is a reasonable prospect that, under section 102 of the Trade Act of 1974, successful trade agreements will be entered into with foreign countries or instrumentalities providing for the reduction or elimination of barriers to or other distortions of international trade; and (2) that the imposition of countervailing duties on rubber footwear from Korea as defined above would be likely to seriously jeopardize the satisfactory completion of such negotiations.

Accordingly, pursuant to section 303 (d)" of the Tariff Act of 1930, as amended (19 U.S.C. 1303(d)), I hereby waive the imposition of countervailing duties in T.D. 76–13 on rubber footwear from Korea as defined above.

This determination may be revoked, in whole or in part, at any time and shall be revoked whenever the basis supporting such determination no longer exists. Unless sooner revoked or made subject to a resolution of disapproval adopted by either House of the Congress of the United States pursuant to section 303(e) of the Tariff Act of 1930, as amended, (19 U.S.C. 1303(e)), this waiver of countervailing duties will, in any event, by statute cease to have force and effect on January 4, 1979.

On or after the date of publication in the FEDERAL REGISTER of a notice revoking this determination in whole or in part, the day after the date of adoption by either House of Congress of a resolution disapproving this "Waiver of Countervailing Duties," or January 4, 1979, whichever occurs first, countervailing duties will be assessable on rubber footwear imported directly or indirectly from Korea in accordance with T.D. 76–13 published concurrently with this determination.

The table in § 159.47(f) of the Customs Regulations (19 CFR 159.47(f)) is amended by inserting after the last entry for Korea under the commodity heading "Rubber Footwear" the number of this Treasury Decision in the column heading "Treasury Decision", and the words "Imposition of countervailing duties waived" in the column headed "Action".

(R.S. 251, secs. 303, as amended, 624; 46 Stat. 687, 759; 88 Stat. 2050; (19 U.S.C. 66, 1303), as amended, 1624).

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

DECEMBER 30, 1975.

[FR Doc.76–638 Filed 1–8–76;8:45 am]

[T.D. 76–13]

PART 159—LIQUIDATION OF DUTIES

Countervailing Duties—Footwear From the Republic of Korea

On July 3, 1975, a "Notice of Preliminary Countervailing Duty Determination" was published in the FEDERAL REGISTER (40 FR 28105). This preliminary determination consolidated two separate investigations, the first of which was commenced on June 20, 1972 (37 FR 12163); the second on January 15, 1975 (40 FR 2718). The first covered footwear (except footwear having uppers of which is over 50 percent of the exterior surface is leather) which is over 50 percent by weight of rubber or plastics, or over 50 percent by weight of fibers and rubber or plastics with at least 10 percent by weight being rubber or plastics, classifiable in items 700.51, 700.52, 700.53, 700.55, or 700.60, Tariff Schedules of the United States. The second covered non-rubber footwear.

The "Notice of Preliminary Countervailing Duty Determination" stated that it had been determined preliminarily that a benefit in the form of preferential financing has been received by Korean manufacturers/exporters of footwear which constitutes a bounty or grant within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303) (hereinafter referred to as "the Act"). The notice provided interested parties 30 days from the date of publication to submit relevant data, views, or arguments in writing with respect to the preliminary determination. The time period was later extended to September 3, 1975 (40 FR 34423).

In addition to the benefits mentioned above, subsequent investigation also revealed that some facilities receive tax benefits in the form of accelerated depreciation for fixed assets directly used in the exportation of merchandise, income tax deferrals arising from the treatment of expenditures in overseas investments as losses, and special tax benefits provided to an enterprise located in the Masan Free Trade Zone. All of the incentives constitute the payment or bestowal of a bounty or grant, directly or indirectly, within the meaning of the Act, as amended.

Accordingly, notice is hereby given that footwear imported directly or indirectly from the Republic of Korea, if entered, or withdrawn from warehouse, for consumption on or after January 9, 1976, will be subject to payment of countervailing duties equal to the net amount of any bounty or grant determined or estimated to have been paid or bestowed.

In accordance with section 303, the net amount of the bounties or grants has been ascertained and determined, or estimated, to be .7 percent of the value of the merchandise. To the extent that it has been or can be established to the satisfaction of the Commissioner of Customs that imports of footwear from the Republic of Korea are subject to a bounty or grant in an amount other than that applicable under the above declaration, the amount so established shall be assessed and collected on imports of such footwear.

Effective on January 9, 1976, and until further notice, upon the entry for consumption or withdrawal from warehouse for consumption of such dutiable footwear imported directly from the Republic of Korea, which benefit from these bounties or grants, there shall be collected, in addition to any other duties estimated or determined to be due, countervailing duties in the amount ascertained in accordance with the above declaration.

To the extent it can be established to the satisfaction of the Commission of Customs that imports of such footwear manufactured by a particular firm are the recipients of a bounty or grant smaller than the amount which would otherwise be applicable under the above declaration, the smaller amount so established shall be assessed and collected on imports of such footwear.

Notwithstanding the above, a notice of "Waiver of Countervailing Duties" is being published concurrently with this order which covers footwear (except footwear having uppers of which over 50 percent of the exterior surface is leather) which is over 50 percent by weight of rubber or plastics, or over 50 percent by weight of fibers and rubber or plastics with at least 10 percent by weight being rubber or plastics, classifiable in items 700.51, 700.52, 700.53, 700.55, or 700.60, Tariff Schedules of the United States, in accordance with section 303(d) of the Tariff Act of 1930 (19 U.S.C. 1303 (d)). At such time as the waiver ceases to be effective, in whole or in part, a notice will be published setting forth the deposit of estimated countervailing duties which will be required at the time of entry, or withdrawal from warehouse, for consumption of each product then subject to the payment of countervailing duties.

The table in § 159.47(f) of the Customs Regulations (19 CFR 159.47(f)) is amended by inserting in the column headed "Country", the name Republic of Korea. The column headed "commodity" is amended by inserting the word "footwear". The column headed "Treasury Decision" is amended by inserting the number of this Treasury Decision, and the words "Bounty Declared—Rate" in the column headed "Action".

(R.S. 251, secs. 303, as amended, 624; 46 Stat. 687, 759, 88 Stat. 2050; (19 U.S.C. 66, 1303), as amended, 1624).

ROLAND RAYMOND,
Acting Commissioner of Customs.

Approved: December 30, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76–639 Filed 1–8–76;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

[FAP5H5087/R19; FRL 476–8]

PART 123—TOLERANCES FOR PESTICIDES IN FOOD ADMINISTERED BY THE ENVIRONMENTAL PROTECTION AGENCY

Propylene Oxide

On June 18, 1975, the Environmental Protection Agency (EPA) announced (40 FR 25713) that Stein-Hall Specialty Chemicals, 605 3rd Avenue, New York, NY 10016, had filed a petition (FAP 5H5087) which proposed that 21 CFR 123.380 be amended by establishing a food additive regulation permitting the use of propylene oxide for the fumigation of gum Arabic and gum tragacanth for a period not to exceed 24 hours. No comments were received by the Agency in response to this notice of filing.

The data submitted in the petition and other relevant material have been evaluated. Section 123.380 now permits gums (in general) to be fumigated with propylene oxide for a period not to exceed 4 hours and at a temperature not to exceed 125° F. Residues of propylene oxide per se (resulting from fumigation of gums under the prescribed conditions) are permitted up to 300 parts per million (ppm) by paragraph (c) of the regulation. The purpose of the fumigation is to sterilize the exposed surfaces of gums in bulk. Section 123.380 further provides in paragraph (a) that bulk foods subjected to propylene oxide fumigations are to be further processed into a final food form. The Agency has concluded that the public health will be protected if the regulation is amended in the manner proposed. However, the Agency has further concluded that the public interest would be better served if the proposed change in the permissible period of fumigant exposure were extended to apply to propylene oxide fumigation of edible gums in general. Data indicate that residues in or on gums (in general) would be below the limitation of 300 ppm. The regulation established by amending 21 CFR 123.380 will protect the public health. Subparagraph (d) of § 123.380 is also revised editorially at this time to ensure consistency with other sections of Part 123.

Any person adversely affected by this regulation may, on or before February 9, 1976, file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M St. SW, East Tower, Room 1019, Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify both the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective January 9, 1976, Part 123, Subpart A, § 123.380, is amended as set forth below.

(Sec. 409(b)(1), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(b)(1)))

Dated: January 6, 1976.

EDWIN L. JOHNSON,
Deputy Assistant Administrator for Pesticide Programs.

Section 123.380 is amended by revising paragraphs (b) and (d) as follows:

§ 123.380 Propylene oxide.

* * * * *

(b) Except in the fumigation of packaged dried prunes and glacé fruits, it is applied in fumigation chambers not more than one time at a temperature not in excess of 125°F. The maximum period of fumigation shall not exceed 4 hours for cocoa, processed nutmeats (except peanuts), processed spices, and starch. For edible gums, the maximum duration shall be 24 hours.

* * * * *

(d) To assure safe use of the additive, the label and labeling of the pesticide formulation containing the food additive shall conform to the label and labeling registered by the U.S. Environmental Protection Agency.

[FR Doc.76–735 Filed 1–8–76;8:45 am]

[FAP5H5070/R15; FRL 477–1]

PART 561—TOLERANCES FOR PESTICIDES IN ANIMAL FEEDS ADMINISTERED BY THE ENVIRONMENTAL PROTECTION AGENCY

Methoprene

On August 29, 1975, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (40 FR 39896) a notice of proposed rulemaking to amend 21 CFR 561.282 which provides for the safe use of the insect growth regulator methoprene (isopropyl (E,E) -11-methoxy - 3,7,11 - trimethyl - 2,4 - dodecadienoate) in processed feed supplements for cattle. This notice proposed that the prescribed conditions of use as a feed additive in the feed for cattle at the rate of 0.375 to 0.750 milligram per 100 pounds of body weight per month be amended to increase the rate to 22.7 to 45.4 milligrams per 100 pounds of body weight per month.

Interested persons have been afforded an opportunity to participate in the rulemaking process. Due consideration has been given to a comment received by the Agency in response to the notice, insofar as it related to matters within the scope of the notice. The comment received by the Agency states: (1) Methoprene is a "potent fly teratogen" and (2) as a feed additive in the feed for cattle the pesticide chemical is being used "merely for the convenience of using the bovine as a pesticide dispenser."

(This comment is available for public inspection in the office of the Federal Register Section, Office of Pesticide Programs, East Tower, Room 401, 401 M St. SW, Washington, D.C. 20460.)

Methoprene is not known to be a teratogen in any species, including the fly. This juvenile hormone analog produces its pesticidal action by arresting larval development which results in the death of the larva. A teratogen is any agent that induces developmental anomalies, deformities or malformations in the somatic or visceral architecture in the offspring of female creatures which have been exposed to it at any time during the prenatal period. Methoprene produces its effect directly on the larvae and is thus a larvacide, not a teratogen. Moreover, a teratogen is defined in terms of its mammalian effects as demonstrated in suitable laboratory tests accepted by the Agency. The fly in any case would not be an acceptable test species.

The bovine would not technically be a "dispenser" although this is, of course, the end result. More properly, the animal should be considered a "mixing tank" since the purpose of feeding methoprene is to thoroughly mix the larvacide in the manure which is the breeding ground of the fly larvae. For this reason, mixing methoprene in animal feed is not merely a convenience; rather, it permits thorough mixing of the insecticide which is an absolute necessity if the target organisms (the flies) are to be controlled effectively.

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It has been concluded, however, that the proposed amendment to the regulation should be adopted with appropriate revisions to include prescribed conditions of use to further protect the public health. Any person adversely affected by this regulation may, on or before February 9, 1976, file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M St. SW, East Tower, Room 1019, Washington, DC 20460. Such objections should be submitted in quintuplicate and should specify both the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective January 9, 1976, Part 561, § 561.282, is amended as follows:

Dated: January 6, 1976.

EDWIN L. JOHNSON,
Deputy Assistant Administrator for Pesticide Programs.

Section 561.282 is amended by revising paragraph (a)(1) as set forth below.

§ 561.282 Methoprene.

(a) • • •

(1) It is used as a feed additive in the form of mineral and/or protein blocks or other feed supplements in the feed of cattle at the rate of 22.7 to 45.4 milligrams per 100 pounds of body weight per month and is withdrawn from beef cattle 14 days prior to slaughter.

• • • • •

[FR Doc.76-736 Filed 1-8-76;8:45 am]

Title 36—Parks, Forests, and Public Property

CHAPTER I—NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

PART 60—NATIONAL REGISTER OF HISTORIC PLACES

Nominations by States and Federal Agencies

On August 29, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 39875) to amend Chapter I of Title 36 of the Code of Federal Regulations by adding a new Part 60 concerning the National Register of Historic Places program administered by the National Park Service, Department of the Interior.

At that time, it was explained that the purpose of the proposed rulemaking was to draw together procedures that have been developed to implement the National Historic Preservation Act of 1966, 80 Stat. 915, 16 U.S.C. 470 et seq. (1970 ed.). Specifically, this rulemaking articulates the actions taken and proposed by this Department to meet its responsibilities to "expand and maintain a national register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture" as prescribed by section 101(a)(1) of the 1966 Act.

With several exceptions, the materials contained herein represent the basic administrative approach adopted by the National Park Service after passage of the National Historic Preservation Act of 1966.

As stated in the prefatory remarks to the prior notice of proposed rulemaking, the administration of the program has evolved in the following manner. Initially, in January 1967, in order to obtain the expeditious participation of the States in the National Register program, the Secretary of the Interior sent letters to the Governors of all jurisdictions eligible to participate asking for their cooperation in the National Register program. The letter reiterated the spirit of the 1966 Act that it is the role of the Federal Government to encourage and assist the several States in expanding and accelerating their efforts to preserve examples of our historic and cultural foundations. The letter also requested each Governor to designate a representative responsible for preparing surveys, receiving grants, and working with the Department of the Interior in developing the new program.

The criteria used to evaluate properties for possible inclusion in the National Register were developed with the suggestions and recommendations of Federal and State officials and leading preservationists. They are worded in a flexible manner to provide for the diversity of resources within the Nation and are concerned with the quality of significance in American history, architecture, archeology, and culture in districts, sites, buildings, structures, and objects.

By July 1967 the first guidelines to the National Register criteria for evaluation and grants-in-aid applications, based on task force guidelines submitted in February, were formally issued by the Office of Archeology and Historic Preservation and sent to Governor-appointed State Liaison Officers (later changed to State Historic Preservation Officers) and representatives of Federal agencies. The guidelines detailed the role of the State in the National Register program, clearly stating that before any application for assistance could be considered, a State must designate in writing the State Liaison Officer who would act for the State in matters affecting this program. The guidelines further stated that no application for an acquisition or development project would be considered until the applicant had submitted and the Director had approved a statewide historic preservation plan. Statewide surveys and plans took top priority in the proposed allocation of grant funds because it was felt that surveys were essential to the expansion of the National Register and to sound statewide planning.

The concept developed during 1967 in consultation with the States contemplated the principal expansion of the National Register taking place as a direct result of statewide historical surveys conducted by the States with Federal financial aid. The main concern in these surveys was with places of State and local significance. The findings of Federal programs dealing with properties of less than national significance were made available to the States in the form of an advisory list published by the National Park Service in 1969.

In preparing the guidelines, the National Park Service coordinated closely with other Federal agencies having historic preservation responsibilities, most notably the Departments of Transportation and Housing and Urban Development, as well as with the National Trust for Historic Preservation and knowledgeable public and private authorities throughout the Nation.

The role of the State and the duties of the State Liaison Officer were first published in the FEDERAL REGISTER on February 25, 1969, 34 FR 2595 (1969), as official notice of the opportunities and restrictions and of the administrative procedures as appearing in the publication "Grants for Historic Preservation: a Guide for State Participation," which had been formally issued in July 1967. These guidelines were further amplified and refined in later written communications to the States and in such publications as "How to Complete National Register Forms" (September 1972) and "Historic Preservation Grants-in-Aid: Policies and Procedures" (June 1973). In these guidelines and procedures, the role of State and local governments in carrying out surveys and acquiring and restoring worthy properties was explained in further detail; nomination procedures, notification policy, professional staff and review board qualifications were also discussed at length. FEDERAL REGISTER notice, and incorporation by reference, of these materials has been provided each year since 1969. See, 35 FR 2495 (February 3, 1970); 36 FR 3337 (February 20, 1971); 37 FR 5467 (March 15, 1972); 38 FR 5439 (February 28, 1973); 39 FR 6476 (February 19, 1974); and, 40 FR 5333 (February 4, 1975). As indicated above, the rulemaking contained herein is based upon, and in most cases does not change, the policies and procedures that have been developed over the years as reflected in the above manuals, booklets, and publications.

Since the 1966 Act, and in accord with these previous guidelines, the National Register has grown from a listing of several hundred properties that possessed national significance to a listing of about 10,000 properties of State, local, and national significance. To ensure high professional standards among the 56 jurisdictions involved in submitting statewide surveys and nominations to the National Register, the National Park Service has required that each of the States develop expertise in the three basic disciplines of architecture, history, and archeology at the survey staff and review board level. The State plan, as called for in Title I of the act, and all nominations submitted to the National Register by a State for consideration, must first be prepared under the supervision of a full-time professional survey staff, responsible to the State Historic Preservation Officer (formerly known as the State Liaison Officer) and approved by a professional review board, the members of which must first be approved by the National Park Service. This system was purposely initiated in order to assure the National Register of two levels of expert professional opinion, at the State level, prior to a professional review of a nomination in the National Register office. The State survey staff has the responsibility of making the first determination of what satisfies the criteria for evaluation, which have been published in the FEDERAL REGISTER and which are applied equally across the country. The nomination is then submitted to the State review board for approval; if approved it must be signed by the State Historic Preservation Officer before it may be forwarded to the National Register for further professional review at the Federal level. The signature of the State Historic Preservation Officer on the nomination form certifies that the review board has approved the nomination and that all other applicable procedures, including notification to the property owner at least once during the nomination process, have been followed. This same approach has been continued in the rulemaking contained herein.

In the National Register office in Washington, the nomination goes through three stages. It is first stamped by date received and given technical review to be certain that all of the proper information—State Historic Preservation Officer signature, acreage, and other geographical data—is correct. From there it is transmitted to the professional review unit which consists of historians, architectural historians, and archeologists. Each nomination is reviewed individually by at least three professionals. When they concur that the property nominated is eligible for inclusion in the National Register, the nomination is forwarded to the Keeper of the National Register for review. If the Keeper concurs with the staff's recommendation, the nomination is signed and dated and sent to the Director of the Office of Archeology and Historic Preservation for additional review. If the Director concurs, the nomination is again signed and thereby is officially entered in the National Register. The National Register then notifies the State Historic Preservation Officer and the property is listed in the FEDERAL REGISTER. In this rulemaking the same procedures will be followed. In addition, the notice requirement has been clarified to include a formal opportunity for comment concerning the significance of the property under the National Register criteria for evaluation, first by the States as a part of their responsibility to provide notice to property owners at least once of the State's intent to nominate the property and then through publication in the FEDERAL REGISTER of a listing of nominations under consideration. Comments received by a State concerning the significance of a property under the National Register criteria for evaluation will be forwarded with the nomination for further consideration by the National Register of Historic Places.

In now adopting these proposed regulations, it is important to emphasize that there are a variety of other responsibilities concerning cultural resources resting with this Department that are not the subject of this rulemaking. Our earlier notice of proposed rulemaking and the regulations adopted herewith are not designed to cover the Secretary of the Interior's responsibilities under Executive Order 11593—May 13, 1971. Section 2(a) of that Executive order requires that Federal agencies locate, inventory, and nominate to the Secretary of the Interior all sites, buildings, districts, and objects under their jurisdiction or control that appear to qualify for listing in the National Register of Historic Places. Further, section 3(b) of Executive Order 11593 requires that the Secretary of the Interior develop criteria and procedures to be applied by Federal agencies in the reviews and nominations required by section 2(a).

This rulemaking articulates, inter alia, the process through which Federal agencies nominate properties under their jurisdiction or control to the National Register of Historic Places as provided by section 2(a) of Executive Order 11593. It does not detail further procedures relevant to the conduct of the inventory and identification process that is also required by section 2(a) of the Executive order. Nor does it apply to the process of referring questionable actions to the Secretary of the Interior for an opinion regarding the property's eligibility for inclusion in the National Register of Historic Places as required by section 2(b). These issues will be the subject of a subsequent rulemaking.

Interested persons have been afforded the opportunity to participate in the development of these procedures by a notice of proposed rulemaking published in the FEDERAL REGISTER on August 29, 1975 (40 FR 39875). Comments were received concerning the proposed rulemaking. All comments that were submitted were given due consideration. In general, these comments were concerned with four common issues.

There were a number of comments that expressed concern that more emphasis was not placed upon the development of procedures for several collateral programs of the Department of the Interior. It was felt that procedures for the historic preservation grant program, the development of the comprehensive statewide historic preservation plan, the Executive Order 11593 program, and the National Historic Landmark program should have been further detailed. As suggested above, however, the rulemaking adopted herewith solely concerns the nomination of properties to the National Register of Historic Places by the various State Historic Preservation Officers and by Federal agencies. Further procedures to draw together the existing practices with regard to these other programs are in preparation and will be published for comment as they become available.

A second concern was that these procedures should provide more detailed instructions to the various States with regard to the public notice requirements or, alternatively, questioned altogether the need for a public notice step at the State level. Several points need to be emphasized. First, listing in the National Register of Historic Places is a Department of the Interior decision. The nomination of a property is a proposal to the National Park Service and does not constitute listing. Second, the various States play a vital partnership role through their participation in this historic preservation program. Participation requires that a State must inventory and nominate properties to the National Register of Historic Places to be eligible for historic preservation grant assistance.

The public notice requirements of this rulemaking reflect these realities. The various States are not making final decisions concerning which properties will be listed in the National Register. They are, however, a very important professional step in the nomination process. Accordingly, these procedures require that each State solicit public comments during this process concerning the historical significance of the property, but permit a certain amount of flexibility in how this will be done.

A third comment, somewhat related to the issue of public notice, was that listing in the National Register of Historic Places could in some manner constitute a taking of a private property interest. As the rulemaking points out, however, this is not the case. At the present time, the Federal Executive is under an increasingly heavy responsibility to plan its programs objectively. The National Environmental Policy Act (NEPA) is the basic building block of this planning responsibility.

It is the basis of the National Environmental Policy Act that, prior to any major Federal action, the concerned Federal agency identify the nature of the resource and evaluate the impact of its decision on it. One element of that resource is the historic or cultural patterns that exist in an area. NEPA specifically provides that one declared National Environmental Policy is that the Nation may "preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice." Section 101(b)(4).

Under NEPA all Federal agencies must identify the historic and cultural patterns that exist in an area that will be impacted by their programs. The National Register of Historic Places is a central tool that permits agencies to accomplish this identification process, based upon the highest quality professional judgments, without duplication of effort. The National Register identifies districts, sites, buildings, structures, and objects significant to our historic and cultural heritage. The identification of our environment—both cultural and

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natural—does not constitute a taking of property interests.

A fourth concern, also related to the notice and taking issues, was that the role of the Advisory Council on Historic Preservation was not fully explained in the proposed procedures. Exception was taken to the fact that the proposed rulemaking clearly stated that the comments of the Advisory Council on Historic Preservation do not constitute a veto of another Federal agency's decisionmaking process. We believe these comments misinterpret the role of the Advisory Council on Historic Preservation. The role of the Council, in our view, is to provide comments on undertakings affecting properties on or eligible for the National Register of Historic Places. These comments are not a substitute for a Federal agency decision but rather information to be integrated into the decisionmaking process.

Changes have been incorporated in this final rulemaking both in response to the comments that were received and based upon National Park Service review. Consistent with the discussions above, however, no major changes have been necessary. The majority of the changes are as follows:

1. With regard to § 60.2(c), a reference has been added to the procedures of the Advisory Council on Historic Preservation. In addition, several changes have been made to reflect the fact that the Advisory Council comments should be considered in the decisionmaking process. These changes are responsive to the comments received concerning the role of the Advisory Council and to the discussion above. These changes also appear in § 60.12(a) which utilizes the same terminology.

2. Section 60.2(d)(1) has also been modified slightly to reflect that there may be portions of national historical areas administered by the National Park Service that are not of historic significance but that are included within the Park for administrative or other reasons.

3. Paragraph (c) of § 60.4 has been deleted because it primarily concerned the implementation of Executive Order 11593 and that is not the subject of this rulemaking.

4. Section 60.12 (c) and (d) have also been modified somewhat to reflect comments received concerning the various States responsibilities to notify property owners. The changes reinforce that listing in the National Register is a National Park Service decision but also reflect the important role that the States play in the nomination of properties. In our judgment, the State inventory and nomination process is vital to draw upon professional expertise throughout the country. Having the commenting process primarily at the State level is a logical extension of this premise. The requirement that the State's Attorney concur in the required procedures was considered somewhat overbearing and has been deleted.

5. Section 60.13 has been modified to reflect criticism that Federal agencies were not being given the same opportunity to comment on State nominations as the States were given on Federal nominations. It also reflects the request that the States be provided comments that are received by the Keeper of the National Register.

6. Section 60.16(b) has also been altered to add a new subparagraph (5) concerning the moving of properties in accord with the comments of the Advisory Council on Historic Preservation. Because this is now ore permissive than as publiahed for comment, the change is not considered major.

7. A new § 60.17 was added concerning the removal of properties. This section restates ideas implicit in the proposed rulemaking. Comments were received, however, suggesting that a separate section should be actually included for purposes of clarification.

The National Park Service will carefully consider any comments received prior to the effective date of this rulemaking on §§ 60.17 and 60.16(b)(5), discussed immediately above, and any other changes.

The National Register of Historic Places concept was initially authorized by the Congress in section 2 of the Historic Sites Act of 1935, 49 Stat. 666, 16 U.S.C. section 461 et seq. (1970 ed.), and was begun through a series of surveys conducted by the National Park Service throughout the 1960s to locate sites of national significance. This aspect of the 1935 Act is now implemented through the National Historic Landmark program also maintained by the National Park Service. All national historic landmarks are listed in the National Register of Historic Places. Determinations of national significance are made by the Secretary of the Interior.

The National Historic Preservation Act of 1966 authorized the Secretary of the Interior to "expand and maintain" such a national register to include sites significant in American history, architecture, archeology, and culture. The management of the National Register of Historic Places program and the implementation of the applicable portions of the Historic Sites Act and the National Historic Preservation Act have been delegated to the Director of the National Park Service by the Secretary of the Interior. These delegations and the role of the National Park Service in this regard appear at Part 145 and Part 245 of the Department of the Interior Departmental Manual. This rulemaking is developed under the authority of section 2(k) of the Historic Sites Act of 1935, 16 U.S.C. 462(k) (1970 ed.), and section 101(a)(1) of the National Historic Preservation Act of 1966, 16 U.S.C. 470a(a)(1) (1970 ed.).

Accordingly, with minor changes and additions, and in consideration of the foregoing comments and the reasons given in the preamble to the proposed rulemaking of August 29, 1975, which is specifically incorporated hereto by reference, the proposed new Part 60 of Chapter I of Title 36 of the Code of Federal Regulations is hereby adopted, effective April 1, 1976, as follows:

Sec.
60.1 The National Historic Preservation Act of 1966.
60.2 Authorization and expansion of the National Register.
60.3 Grants for historic preservation.
60.4 Executive Order 11593, "Protection and Enhancement of the Cultural Environment," May 13, 1971 (36 FR 8921, see 16 U.S.C. 470).
60.5 Appointment and responsibilities of the State Historic Preservation Officer.
60.6 Criteria for evaluation.
60.7 The State historic preservation plan.
60.8 State professional staff.
60.9 State review board.
60.10 Nomination forms.
60.11 Concurrent State and Federal nominations.
60.12 Notification.
60.13 Publication in the FEDERAL REGISTER.
60.14 Other State and local programs.
60.15 Processing for nominations.
60.16 Changes and revisions to properties listed in the National Register.
60.17 Removing properties from the National Register.

AUTHORITY: Sec. 2(k), 49 Stat. 666 [16 U.S.C. 462(k)]; Sec. 101(a)(1), 80 Stat. 915 [16 U.S.C. 470a(a)(1) (1970 ed.)]

§ 60.1 The National Historic Preservation Act of 1966.

In the National Historic Preservation Act of 1966, 80 Stat. 915, 16 U.S.C. 470, the Congress found and declared:

(a) That the spirit and direction of the Nation are founded upon and reflected in its historic past.

(b) That the historic and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people.

(c) That, in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation; and

(d) That, although the major burdens of historic preservation have been borne and major effects initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

§ 60.2 Authorization and expansion of the National Register.

(a) The National Historic Preservation Act of 1966, 80 Stat. 915, 16 U.S.C. 470, authorizes the Secretary of the Interior to expand and maintain a National Register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture. Previously, the National Register included only nationally significant properties that were historical or archeological units of the National Park System, or that had been declared eligible for designation as national historic landmarks. Because they must meet exacting criteria of national significance, such properties are few in number. The National Historic Preservation Act of 1966 provides a means for States to nominate properties of State and local significance, regardless of location within the State and whether publically or privately owned, for placement in the National Register.

(b) The National Register is an authoritative guide to be used by Federal, State, and local governments, private groups, and citizens to identify the Nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment. It is also the legal instrument to insure that registered properties affected by undertakings that are executed, licensed, or financially assisted by the Federal Government will be the subject of review and comment in accordance with section 106 of the Act. Such review and comment is the function of the Advisory Council on Historic Preservation. The Advisory Council has adopted procedures concerning, inter alia, their commenting responsibility in 36 CFR Part 800.

(c) The National Register was designed to be and is administered as a planning tool without restraint upon private property interests. Federal agencies undertaking a project having an effect on a listed property must provide the Advisory Council on Historic Preservation a reasonable opportunity to comment pursuant to 36 CFR Part 800. Having complied with this procedural requirement the Federal agency may adopt any course of action it may feel appropriate. While the Advisory Council comments must be taken into account and integrated into the decisionmaking process, the program decision rests with the agency implementing the undertaking. No requirements of any kind are imposed upon private initiative.

(d) The National Register is enlarged by:

(1) Acts of Congress and Executive orders which create areas of the National Park System administered by the National Park Service, all or portions of which may be determined to be of historic significance consistent with the intent of Congress;

(2) Properties declared by the Secretary of the Interior as eligible for designation as national historic landmarks;

(3) Nominations prepared by the States and approved by the National Park Service; and,

(4) Nominations of Federal properties prepared by Federal agencies as directed by Executive Order 11593 and approved by the National Park Service.

§ 60.3 Grants for historic preservation.

The National Historic Preservation Act also authorizes 50 percent matching grants-in-aid to the States and the National Trust for Historic Preservation. Grants to the States are authorized for comprehensive statewide historic site surveys and preservation plans and for preservation projects in accordance with approved statewide plans. With the exception of grants to the National Trust for Historic Preservation, all grants are made through the States. The State Historic Preservation Officer may then distribute the funds to other approved public and private recipients. Funds may be used for acquisition, protection, rehabilitation, restoration, and reconstruction of properties included in the National Register. For further information relating to the historic preservation grants-in-aid program, consult Chief, Division of Grants, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

§ 60.4 Federal nominations pursuant to Executive Order 11593, "Protection and Enhancement of the Cultural Environment," May 13, 1971 (36 FR 8921, see 16 U.S.C. 470).

(a) The Executive order states that the Federal Government shall provide leadership in preserving, restoring, and maintaining the historic and cultural environment of the Nation. Federal agencies are directed to administer cultural properties under their control in a spirit of stewardship and trusteeship for future generations and to initiate measures to direct their activities in such a way that federally owned properties of historical, architectural, or archeological significance are preserved, restored, and maintained for the inspiration and benefit of the people.

(b) Section 2(a) of Executive Order 11593 provides that Federal agencies shall locate, inventory, and nominate to the Secretary of the Interior all sites, buildings, districts, and objects under their jurisdiction or control that appear to qualify for listing on the National Register of Historic Places.

(c) Additional responsibilities of Federal agencies are detailed in Executive Order 11593, the National Historic Preservation Act of 1966, the National Environmental Policy Act of 1969, the Archeology and Historic Preservation Act of 1974, procedures developed pursuant to these authorities, and other related legislation. Detailed administrative procedures for the further implementation of Executive Order 11593 are being developed to set forth inter alia criteria and procedures to be applied by Federal agencies in the review and nomination required by section 2(a).

§ 60.5 Appointment and responsibilities of the State Historic Preservation Officer.

(a) Implementation of the National Historic Preservation Act of 1966 is accomplished primarily by the State Historic Preservation Officers (formerly known as State Liaison Officers), who are responsible for administering the National Register program within their jurisdictions. These officers are appointed by the Governors of the 50 States, Guam, American Samoa, the Commonwealth of Puerto Rico, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Mayor of the District of Columbia.

(b) The State Historic Preservation Officer is responsible for the development and implementation of a comprehensive State historic preservation plan, based clearly on the State's history and established in conformance with local, State, and Federal legislation and mechanisms, and approved by the Secretary of the Interior. The State Historic Preservation Officer supervises a professional staff in conducting a statewide survey of historic resources addressed to every aspect of the State's history. From this continuing inventory of historic resources, an integral part of the State historic preservation plan, the State Historic Preservation Officer should nominate properties for inclusion in the National Register. The nominated properties which are approved by the National Park Service are entered in the National Register by the Director, Office of Archeology and Historic Preservation, National Park Service.

(c) The State Historic Preservation Officer has been requested to assume certain responsibilities for compliance under section 106 of the National Historic Preservation Act as outlined by the Advisory Council on Historic Preservation in "Procedures for the Protection of Historic and Cultural Properties" (36 CFR Part 800).

(d) The following officials have been designated by their Governors to act as State Historic Preservation Officers responsible for State activities under the National Historic Preservation Act:

STATE HISTORIC PRESERVATION OFFICERS

ALABAMA

Chairman, Alabama Historical Commission, Alabama Department of Archives and History, Archives and History Building, Montgomery, Alabama 36104.

ALASKA

Director, Department of Natural Resources, Division of Parks, 323 East Fourth Avenue, Anchorage, Alaska 99501.

ARIZONA

Director, State Parks Board, 1688 West Adams, Phoenix, Arizona 85007.

ARKANSAS

Director, Department of Natural and Cultural Heritage, The Old State House, 300 West Markham, Little Rock, Arkansas 72201.

CALIFORNIA

Director, Department of Parks and Recreation, State Resources Agency, P.O. Box 2390, Sacramento, California 95811.

COLORADO

Chairman, State Historical Society, Colorado State Museum, 200 14th Avenue, Denver, Colorado 80203.

CONNECTICUT

Director, Connecticut Historical Commission, 59 South Prospect Street, Hartford, Connecticut 06106.

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DELAWARE

Director, Division of Historical and Cultural Affairs, Hall of Records, Dover, Delaware 19901.

FLORIDA

Director, Division of Archives, History and Records Management, Department of State, 401 East Gaines Street, Tallahassee, Florida 32304.

GEORGIA

Chief, Historic Preservation Section, Department of Natural Resources, 270 Washington Street SW., Room 403–C, Atlanta, Georgia 30334.

HAWAII

State Historic Preservation Officer, P.O. Box 621, Honolulu, Hawaii 96808.

IDAHO

Director, Idaho Historical Society, 610 North Julia Davis Drive, Boise, Idaho 83706.

ILLINOIS

Director, Department of Conservation, 602 State Office Building, 400 South Spring Street, Springfield, Illinois 62706.

INDIANA

Director, Department of Natural Resources, 608 State Office Building, Indianapolis, Indiana 46204.

IOWA

Director, State Historical Department, Division of Historic Preservation, B–13 MacLean Hall, Iowa City, Iowa 52242.

KANSAS

Executive Director, Kansas State Historical Society, 120 West 10th Street, Topeka, Kansas 66612.

KENTUCKY

Director, Kentucky Heritage Commission, 401 Wapping Street, Frankfort, Kentucky 40601.

LOUISIANA

Director, Department of Art, Historical and Cultural Preservation, Old State Capitol, Baton Rouge, Louisiana 70801.

MAINE

Director, Maine Historical Preservation Commission, 31 Western Avenue, Augusta, Maine 04330.

MARYLAND

Director, Maryland Historical Trust, The John Shaw House, 21 State Circle, Annapolis, Maryland 24101.

MASSACHUSETTS

Executive Director, Massachusetts Historical Commission, 294 Washington Street, Boston, Massachusetts 02108.

MICHIGAN

Director, Michigan History Division, Department of State, Lansing, Michigan 48918.

MINNESOTA

Director, Minnesota Historical Society, 690 Cedar Street, St. Paul, Minnesota 55101.

MISSISSIPPI

Director, State of Mississippi Department of Archives and History, P.D. Box 571, Jackson, Mississippi 39205.

MISSOURI

Director, Missouri Department of Natural Resources, P.O. Box 176, 1204 Jefferson Building, Jefferson City, Missouri 65101.

MONTANA

Administrator, Recreation and Parks Division, Department of Fish and Game, Helena, Montana 59601.

NEBRASKA

Director, The Nebraska State Historical Society, 1500 R Street, Lincoln, Nebraska 68508.

NEVADA

Administrator, Division of State Parks, 201 South Fall Street, Carson City, Nevada 89701.

NEW HAMPSHIRE

Commissioner, Department of Resources and Economic Development, P.O. Box 856, Concord, New Hampshire 03301.

NEW JERSEY

Commissioner, Department of Environmental Protection, P.O. Box 1420, Trenton, New Jersey 08625.

NEW MEXICO

State Planning Officer, State Capitol, 403 Capitol Building, Santa Fe, New Mexico 87501.

NEW YORK

Commissioner, Parks and Recreation, Room 308, South Swan Street Building, Albany, New York 12223.

NORTH CAROLINA

Director, Division of Archives and History, Department of Cultural Resources, 109 East Jones Street, Raleigh, North Carolina 27611.

NORTH DAKOTA

Superintendent, State Historical Society of North Dakota, Liberty Memorial Building, Bismarck, North Dakota 58501.

OHIO

Director, The Ohio Historical Society, Interstate #71 at 17th Avenue, Columbus, Ohio 43211.

OKLAHOMA

State Historic Preservation Officer, 1108 Colcord Building, Oklahoma City, Oklahoma 73102.

OREGON

State Parks Superintendent, 300 State Highway Building, Salem, Oregon 97310.

PENNSYLVANIA

Executive Director, Pennsylvania Historical and Museum Commission, Box 1026, Harrisburg, Pennsylvania 17120.

RHODE ISLAND

Director, Rhode Island Department of Community Affairs, 150 Washington Street, Providence, Rhode Island 02903.

SOUTH CAROLINA

Director, State Archives Department, 1430 Senate Street, Columbia, South Carolina 29211.

SOUTH DAKOTA

Director, Office of Cultural Preservation, Department of Education and Cultural Affairs, State Capitol, Pierre, South Dakota 57501.

TENNESSEE

Executive Director, Tennessee Historical Commission, 170 2nd Avenue North, Suite 100, Nashville, Tennessee 37219.

TEXAS

Executive Director, Texas State Historical Survey Committee, P.O. Box 12276, Capitol Station, Austin, Texas 78711.

UTAH

Director, Division of State History, 603 East South Temple, Salt Lake City, Utah 84102.

VERMONT

Director, Vermont Division of Historic Sites, Pavilion Building, Montpelier, Vermont 05602.

VIRGINIA

Executive Director, Virginia Historic Landmarks Commission, 221 Governor Street, Richmond, Virginia 23219.

WASHINGTON

Director, Washington State Parks and Recreation Commission, P.O. Box 1128, Olympia, Washington 98504.

WEST VIRGINIA

State Historic Preservation Officer, P.O. Box 937, Morgantown, West Virginia 26505.

WISCONSIN

Director, State Historical Society of Wisconsin, 816 State Street, Madison, Wisconsin 53706.

WYOMING

Director, Wyoming Recreation Commission, 604 East 25th Street, Box 309, Cheyenne, Wyoming 82001.

DISTRICT OF COLUMBIA

Director, Office of Housing and Community Development, 14th and E Streets NW., Washington, D.C. 20004.

AMERICAN SAMOA

Territorial Historic Preservation Officer, Department of Public Works, Government of American Samoa, Pago Pago, American Samoa 96799.

COMMONWEALTH OF PUERTO RICO

State Historic Preservation Officer, Institute of Puerto Rico Culture, Apartado 4184, San Juan, Puerto Rico 00905.

GUAM

Director, Department of Parks and Recreation, P.O. Box 682, Agana, Guam 96910.

TRUST TERRITORY

Chief, Land Resources Branch, Department of Resources and Development, Trust Territory of the Pacific Islands, Saipan, Mariana Islands 96950.

VIRGIN ISLANDS

Planning Director, Virgin Islands Planning Board, Charlotte Amalie, St. Thomas, Virgin Islands 00801.

(e) When a new State Historic Preservation Officer is appointed by a Governor, a letter must be sent to the Director of the National Park Service providing notice of the appointment. Similar written notification must also be sent in cases involving a successor to the State Historic Preservation Officer when the original appointment was made to the *office* rather than specifically to the *individual (by name)* holding the office. The National Park Service also requires notification when the State Historic Preservation Officer delegates authorities to other parties. Changes of address, telephone number, or personnel should also be brought promptly to the attention of the National Park Service.

(f) Questions concerning authorized signatures should be addressed to the Director, Office of Archeology and Historic Preservation, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

§ 60.6 Criteria for evaluation.

The criteria applied to evaluate properties for possible inclusion in the National Register are listed below. These criteria are worded in a manner to provide for the diversity of resources. The following criteria shall be used in evaluating properties for nomination to the National Register, by the National Park Service in reviewing nominations, and for evaluating National Register eligibility of properties affected by Federal agency undertakings.

National Register criteria for evaluation. The quality of significance in American history, architecture, archeology, and culture is present in districts, sites, buildings, structures, and objects of State and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and

(a) That are associated with events that have made a significant contribution to the broad patterns of our history; or

(b) That are associated with the lives of persons significant in our past; or

(c) That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(d) That have yielded, or may be likely to yield, information important in prehistory or history.

Criteria considerations. Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

(a) A religious property deriving primary significance from architectural or artistic distinction or historical importance.

(b) A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event.

(c) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life.

(d) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.

(e) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived.

(f) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance.

(g) A property achieving significance within the past 50 years if it is of exceptional importance.

§ 60.7 The State historic preservation plan.

(a) Before properties are nominated for inclusion in the National Register, a continuing statewide survey of historic, architectural, archeological, and cultural resources is undertaken. This survey may be conducted with matching funds from the grants-in-aid program of the National Park Service.

(b) The survey is the basis of a State historic preservation plan which is organized into three volumes. Volume I of this document provides a summary of the State's history and background of its preservation activities, a statement of its long-range goals, and its methods of operation. Volume II, an inventory of the State's cultural resources, identifies significant districts, sites, buildings, structures, and objects regardless of title, boundaries, or ownership so that properties which meet the criteria for evaluation can be nominated to the National Register. Volume III is the annual work program, which must be submitted annually with an apportionment warrant stating and explaining the State's request for historic preservation grants-in-aid. This volume includes a review of the past year's work, updates of volumes I and II, and plans for the next fiscal year.

(c) A State's eligibility to participate in the National Register program and the grants-in-aid program depends upon its submission of an acceptable State historic preservation plan to the National Park Service.

(d) More detailed information on the State historic preservation plan may be obtained by writing the Branch of Plans, National Register Division, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

§ 60.8 State professional staff.

The State plan and all nominations submitted to the National Register by a State for consideration must first be prepared under the supervision of a full-time professional staff, responsible to the State Historic Preservation Officer. The staff must possess professionally recognized qualifications by education and experience in the fields of history, archeology, architecture (architectural history), and other appropriate disciplines, such as planning, as may be necessary. The credentials for each proposed staff member must be presented to the National Park Service for approval as part of the State historic preservation plan, volume III, or whenever there is a change in the composition of the staff.

§ 60.9 State Review Board.

(a) Volumes I and II of the State plan and all nominations submitted to the National Register by a State Historic Preservation Officer must first have been approved by a professional review board. The State Historic Preservation Officer must identify the proposed members of the review board and present their credentials to the National Park Service for approval in volume III of the State historic preservation plan or whenever there is a change in the composition of the board. The members of the review board may be proposed to the National Park Service either by the Governor or by the State Historic Preservation Officer.

(b) A minimum membership of five is required, including an authority in each of the following fields: history, archeology, architectural history, or architecture, and such other professional disciplines as may be appropriate (i.e. urban or regional planning). Employees of the State agency having the responsibility for survey and planning under the provisions of the act may be members of this body but may not vote on documents which they have supervised or have prepared themselves. Employees of the State agency may not fill one of the five professional positions except with special written permission of the National Park Service.

§ 60.10 Nomination forms.

All nominations to the National Register are to be made on standard National Register forms (revised October 1974) as follows:

No.	Form title	User	Color
10-300	Inventory-nomination.	State	White.
10-300	do	Federal	Blue.
10-300a	Continuation sheet.	State and Federal	White.
10-301	Property map	do	Do.
10-301a	Property photograph.	do	Do.

These forms are provided upon request to the State Historic Preservation Officers and to the participating Federal agencies by the National Park Service. For archival reasons, no other forms, photocopied or otherwise, will be accepted.

§ 60.11 Concurrent State and Federal nominations.

(a) State Historic Preservation Officers and Federal Representatives are encouraged to cooperate in locating, inventorying, evaluating, and nominating all properties possessing historical, architectural, archeological, or cultural value.

(b) When a portion of the area included in a Federal nomination is not located on land under the jurisdiction or control of the Federal agency, but is an integral part of the cultural resource, the completed nomination form should be sent to the State Historic Preservation Officer for submission to the State review board, notification to property owners, and the solicitation of written comments.

(c) If the review board approves the nomination, the form should be signed

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by the State Historic Preservation Officer and returned to the Federal agency initiating the nomination along with a letter confirming that the nomination has been reviewed and approved by the State Historic Preservation Officer and the review board, that the appropriate owner or owners have been notified, and that all other State procedures have been fulfilled. Comments received by a State concerning the significance of the property should be included.

(d) Federally owned properties may be nominated by the State as well. In such cases the State Historic Preservation Officer shall notify the appropriate Federal representative in writing and, if possible, an agency official within the State before the nomination is forwarded to the National Park Service.

§ 60.12 Notification.

(a) As indicated previously in § 60.2 (c), the National Register was designed and has been implemented as a planning tool. Federal agencies that undertake a project having an effect on such a listed property must provide the Advisory Council on Historic Preservation a reasonable opportunity to comment pursuant to 36 CFR Part 800. Having complied with this requirement, the agency may adopt any course of action it may feel appropriate. While the Advisory Council comments must be taken into account and integrated into the decisionmaking process, the program decision rests with the agency implementing the undertaking. No requirements of any kind are imposed upon private initiative.

(b) The State Historic Preservation Officer concept has been developed within the various States at the urging of the Secretary of the Interior both to expand the National Register and to implement the historic preservation grants-in-aid program created by the National Historic Preservation Act of 1966, 16 U.S.C. 470 et seq. (1970 ed.). As such, this position has come to serve as a vital link between a State's participation in these programs and the National Park Service, and as a blending of State and Federal programs. This is particularly true of the identification and nomination of properties to the National Register by a State, which is required as a portion of the comprehensive statewide historic and cultural survey and a condition precedent to participation in the grants-in-aid program.

(c) The identification and nomination of historic and cultural resources, as a function that has been assumed by the various States, is essentially a State action. The nomination of a property is a proposal to the National Park Service and does not constitute listing. However, nominations received from the various States are, in the vast majority of situations, accepted by the National Park Service. Listing on the National Register is a Department of the Interior decision. As a part of the nomination process, each State is required to notify property owners in writing at least once of the State's intent to nominate a property and to allow a reasonable opportunity for the presentation of written comments concerning the property's significance prior to review board consideration. The various States are also strongly encouraged to notify appropriate county or municipal authorities and to allow them a reasonable opportunity to present written comment concerning that property's significance prior to review board consideration.

(d) In the event of a nomination of a historic district of multiple ownerships where notice to individual property owners is not practicable, each State is required to notify appropriate county or municipal authorities; to provide other means of general notice concerning the State's intent to nominate the district; and, to allow a reasonable opportunity for the presentation of written comments concerning the district's significance prior to review board consideration.

(e) State Historic Preservation Officers are required to inform property owners or appropriate local authorities, as appropriate, when properties are added to the National Register.

(f) In consultation with the State's Attorney, each State should adopt general notification procedures consistent with the considerations of this section and provide the National Register with a copy of these procedures when completed, and thereafter in the annual State historic preservation plan or whenever changes are made.

§ 60.13 Publication in the Federal Register.

(a) When a nomination is received, the National Park Service shall publish notice in the FEDERAL REGISTER that the property is being considered for listing and shall receive additional written comments concerning the significance of the property under National Register criteria for evaluation whenever possible.

(b) The National Register will notify the State Historic Preservation Officer of the listing of the property. The National Register will also place notice of listing in the FEDERAL REGISTER on a regular basis and in a cumulative edition which will appear once a year, usually in February.

§ 60.14 Other State and local programs.

State and local authorities that utilize the National Register nomination as the base for more restrictive provisions, such as halt-in-demolition provisions, must be aware that such uses of the information provided to the National Register are purely matters of State and local initiative and subject to the scope of a State's police powers. Such State and local provisions must be clearly separated from the role of the National Register as a planning tool and as the basis for participation in the historic preservation grants-in-aid program.

§ 60.15 Processing of nominations.

Nominations of properties to the National Register follow the process set forth below.

(a) Nominations by the State Historic Preservation Officer.

(1) Nomination forms (10–300) are prepared under the supervision of the State Historic Preservation Officer.

(2) Notice is provided of the intent to nominate the property and written comments are solicited. With regard to property under Federal jurisdiction or control, completed nomination forms should be submitted to the Federal representative for review and comment regarding the significance of the property. After receiving the comments of the Federal representative, or if there has been no response within 45 days, the State Historic Preservation Officer may approve the nomination and forward it to the Keeper, National Register, National Park Service, Washington, D.C. 20240. The comments of the Federal representative are appended to the nomination; or, if there are no comments, an explanation is attached.

(3) Completed nomination forms or the documentation proposed for submission on the nominations forms are submitted to the State review board for approval prior to submission to the National Register.

(4) Nomination forms approved by the State review board are reviewed by the State Historic Preservation Officer and, if approved, signed with the affirmation that all appropriate procedures have been followed.

(5) The State Historic Preservation Officer submits the completed nomination and comments received by a State concerning the significance of the property to the Keeper, National Register, National Park Service, Washington, D.C. 20240.

(6) Notice will be provided in the FEDERAL REGISTER that the nominated property is being considered for listing in the National Register of Historic Places and comments will be received whenever possible concerning the significance of the property. Copies of these written comments will be supplied to the State Historic Preservation Officer.

(7) Nominations are reviewed by the Office of Archeology and Historic Preservation to determine technical and professional sufficiency and conformance to the National Register criteria for evaluation and comments are considered.

(8) Nominations found to be technically and professionally sufficient and in conformance with the National Register criteria for evaluation will be approved by the Director, Office of Archeology and Historic Preservation, and entered in the National Register. Nominations found technically or professionally inadequate will be returned for correction and resubmission. When a property does not appear to meet the National Register criteria for evaluation, the nomination will be returned with an explanatory letter.

(b) *Nominations by a Federal agency.* (1) Nomination forms (10–306) are prepared under the supervision of the Federal Representative designated by the head of a Federal agency to fulfill agency responsibilities under Executive Order 11593.

(2) Completed nominations are submitted to the appropriate State Historic Preservation Officer for review and comment regarding the significance of the property and its eligibility for the National Register.

(3) After receiving the comments of the State Historic Preservation Officer, or if there has been no response within 45 days, the Federal Representative may approve the nomination and forward it to the Keeper, National Register, National Park Service, Washington, D.C. 20240. The comments of the State Historic Preservation Officer are appended to the nomination, or, if there are no comments, an explanation is attached. Concurrent nominations cannot be submitted, however, until the nomination has been approved by the State in accord with § 60.11, supra. Comments received by the State concerning concurrent nominations must be submitted with the nomination.

(4) Notice will be provided in the FEDERAL REGISTER that the nominated property is being considered for listing in the National Register of Historic Places and comments will be received whenever possible concerning the significance of the property. Copies of these written comments will be supplied to the Federal representative and to the State Historic Preservation Officer.

(5) Nominations are reviewed by the Office of Acheology and Historic Preservation to determine technical and professional sufficiency and conformance to the National Register criteria for evaluation and comments are considered.

(6) Nominations found to be technically and professionally sufficient and in conformance with the National Register criteria for evaluation will be approved by the Director, Office of Archeology and Historic Preservation, and entered in the National Register. Nominations found technically or professionally inadequate will be returned for correction and resubmission. When a property does not appear to meet the National Register criteria for evaluation, the nomination will be returned with an explanatory letter.

§ 60.16 Changes and revisions to properties listed in the National Register.

(a) *Boundary changes.* (1) A boundary alteration should be handled as a new property nomination supplanting the old nomination form. All forms, criteria, and procedures used in nominating a property to the National Register must be used at both the State and Federal levels. A professionally justified recommendation by the State Historic Preservation Officer or Federal Representative must be presented to the National Park Service. During this process, the property is not taken off the National Register. If the National Park Service finds the recommendation in accordance with the National Register criteria for evaluation, the change will be accepted. If the boundary change is not accepted, the old boundaries will remain.

(2) Two justifications exist for altering a boundary: Professional error in the initial nomination or loss of historic integrity. In some cases, accretion of additional significance may also be reason for altering property boundaries. No enlargement of a boundary should be recommended unless the additional area possesses previously unrecognized significance in American history, architecture, archeology, or culture. No diminution of a boundary should be recommended unless the properties being removed have lost the characteristics that endowed them with such significance and qualified them for the initial nomination. Any proposal to alter a boundary has to be documented in detail in order to avoid the necessity of an onsite inspection by National Park Service personnel. Specifically, the structures or other historic resources falling between the existing boundary and the other proposed boundary should be photographed.

(3) Attention should be given to the "Criteria for Effect," promulgated by the Advisory Council on Historic Preservation in "Procedures for the Protection of Historic and Cultural Properties" (36 CFR Part 800), for use in the application of section 106 of the National Historic Preservation Act. According to these criteria a project need not fall within the boundaries of a National Register property for an effect to exist.

(b) *Relocating properties listed in the National Register.* (1) Properties listed in the National Register should be moved only when there is no feasible alternative for preservation. When a property is moved, every effort should be made to reestablish its historic orientation, immediate setting, and general environment.

(2) If it is proposed that a structure listed in the National Register be moved and the State or Federal agency wishes the property to remain in the National Register during and after the move, the State or Federal agency must submit documentation prior to the move which should discuss:

(i) The reasons for the move;

(ii) The effect on the property's historical integrity; and

(iii) The new setting and general environment of the proposed site, including evidence that the proposed site does not possess historical significance that would be adversely affected by the intrusion of the structure.

In addition, photographs showing the proposed location must be sent along with the documentation. Any such proposal submitted by a State must be approved by the State review board and will continue to follow normal review procedures.

(3) If the National Park Service approves the proposal, the property will remain on the National Register during and after the move unless the integrity of the property is, in some unforeseen manner, destroyed. If the National Park Service does not approve the proposal, the property will be automatically deleted from the National Register when moved. If the State or Federal agency has proof that previously unrecognized significance exists, or has accrued, the State or Federal agency may resubmit a nomination for the property as outlined below.

(4) In the event that a structure is moved, deletion from the National Register will be automatic unless the above procedures are followed prior to the move. If the property has already been moved, it is the State or Federal agency's responsibility to notify the National Register. Assuming that the State or Federal agency wishes to have the structure reentered in the National Register, it must be nominated again on new forms which should discuss:

(i) The reasons for the move;

(ii) The effect on the property's historical integrity, and

(iii) The new setting and general environment, including evidence that the new site does not possess historical significance that would be adversely affected by the intrusion of the site.

In addition, new photographs showing the structure at its new location must be sent along with the revised nomination. Any such nomination submitted by a State must be approved by the State review board.

(5) Properties moved in a manner consistent with the comments of the Advisory Council on Historic Preservation, in accord with its procedures (36 CFR Part 800), are granted an exception to § 60.16 (b). Moving of properties in accord with the Advisory Council's procedures should be dealt with individually in each memorandum of agreement.

§ 60.17 Removing properties from the National Register.

(a) Properties nominated by the States or Federal agencies will be removed from the National Register only when they have ceased to meet the criteria for the National Register: when the qualities which caused them originally to be nominated have been lost or destroyed; upon proof that an error in professional judgment has been made; or, for failure to follow the procedures set forth herein. Information concerning the loss of integrity, error in judgement, or procedural error should be submitted through the appropriate State Historic Preservation Officer or Federal representative to the Keeper, National Register, National Park Service, Washington, D.C. 20240.

Dated: January 5, 1976.

GARY EVERHARDT,
Director, National Park Service.

[FR Doc.76-785 Filed 1-8-76;8:45 am]

Title 43—Public Lands: Interior

CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

SUBCHAPTER B—LAND RESOURCE MANAGEMENT (2000)

[Circular No. 2378]

PART 2090—SPECIAL LAWS AND RULES

PART 2510—SCRIP

Veterans Benefits

The authorities (43 U.S.C. 271, 272, 273; Pub. L. 88-545, 78 Stat. 751) for

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issuance of 43 CFR 2096.0–3(b); 2096.1–1(b) and 2096.1–2(a) (2), (3), (4), and (5) providing for benefits to veterans who served in certain wars prior to 1922; and 43 CFR Part 2610 providing for retirement of scrip, lieu selection, and similar rights have expired or have been fully executed.

Therefore, 43 CFR 2096.0–3(b); 2096.1–1(b) and 2096.1–2(a) (2), (3), (4), and (5) and 43 CFR Part 2610 are deleted from the Code of Federal Regulations.

JACK O. HORTON,
Assistant Secretary of the Interior.

JANUARY 5, 1976.

[FR Doc.76–596 Filed 1–8–76;8:45 am]

[Circular No. 2379]

PART 2090—SPECIAL LAWS AND RULES

PART 2740—RECREATION AND PUBLIC PURPOSES ACT

Classification of Lands for Disposal Under Recreation and Public Purposes Act

The purpose of this amendment is to revise regulations found at §§ 2091.3–2(a) and 2741.2(d) of Title 43, Code of Federal Regulations to correctly reflect provisions of the Recreation and Public Purposes Act, as amended (43 U.S.C. 869). Present regulations incorrectly state that classifications of land for disposal under the Recreation and Public Purposes Act, except for Alaska, will be made pursuant to section 7 of the act of June 28, 1934 (43 U.S.C. 315f). All classifications for disposal of lands under the Recreation and Public Purposes Act are properly made pursuant to the authority contained in that act. The subject regulations are hereby amended accordingly.

It is the policy of the Department of the Interior to give notice of proposed rulemaking and to invite the public to participate in rulemaking except where such participation would be impracticable, unnecessary or contrary to the public interest and a specific finding to this effect is published with the rules or regulations (36 FR 8336, May 4, 1971). Public participation is unnecessary in this case since the revision merely corrects erroneous statements of authority and will have no adverse effect on the interested public.

The amendments are hereby adopted as set forth below and will become effective February 9, 1976. Subchapter B of Chapter II, Title 43, Code of Federal Regulations, is amended as follows:

1. In § 2091.3–2, the heading and paragraph (a) are revised to read as follows:

§ 2091.3–2 Under the Recreation and Public Purposes Act.

(a) Lands classified under the Recreation and Public Purposes Act, as amended (43 U.S.C. 869), are segregated from all appropriations, including locations under the mining laws, except as provided in the order of classification or amendment thereof.

* * * * *

2. In § 2741.2, paragraph (d) is revised to read as follows:

§ 2741.2 Classification of the land.

* * * * *

(d) Lands classified pursuant to the act are segregated from all appropriations, including locations under the mining laws, except as provided in the order of classification or amendment thereof.

JACK O. HORTON,
Assistant Secretary of the Interior.

JANUARY 5, 1976.

[FR Doc.76–595 Filed 1–8–76;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 87—AVIATION SERVICES

Type Acceptance Equipment

Order. In the matter of editorial amendment of § 87.79 of the Commission's rules.

1. By this order, it is intended to editorially update, through an address change, Part 87 of the rules. The Federal Aviation Administration (FAA) has recently undergone a reorganization which affected the agency's frequency management organization.

2. Previously, the Spectrum Analysis Branch of the Systems Research and Development Service of the FAA handled notifications of type acceptance of equipment. The Spectrum Analysis Branch has been abolished. The FAA's Spectrum Management Staff of Systems Research and Development Service now has cognizance over type acceptance notifications.

3. Authority for this amendment appears in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and in § 0.231 of the Commission's rules and regulations. Since the amendment is editorial in nature, intended merely to change the address as noted above, the prior notice, procedure and effective date provisions of 5 U.S.C. 553 are not applicable.

4. In view of the above: *It is ordered*, That effective December 1, 1975, Part 87 is amended as set forth below.

(Secs. 4, 303, 48 Stat., 25 amended, 1066, 1082; (47 U.S.C. 154, 303))

Adopted: November 18, 1975.

Released: November 20, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] R. D. LICHTWARDT,
Executive Director.

Part 87 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

Section 87.79(d) is revised as follows:

§ 87.79 Type acceptance equipment.

* * * * *

(d) In the case of applications for type acceptance of equipment (ground and airborne) intended for transmission in any of the frequency bands listed below, the applicant shall, on a date no later than the date of filing of the application with the Commission, transmit to the Federal Aviation Administration (FAA) a letter of notification advising that agency of the intent to file, or the filing, as appropriate, of the type acceptance application. (Manufacturers and inventors are encouraged to contact the FAA in the early conceptual or developmental stages to reduce the possibilities of acceptance delays and economic loss.) The letter of notification shall be transmitted to: Federal Aviation Administration, Systems Research and Development Service Spectrum Management Staff, ARD–60, 2100 Second St., SW., Washington, D.C. 20591. It shall describe the equipment, giving the identification by manufacturer and type number and including statements of the antenna characteristics, rated output power, type and characteristics of emission, the frequency or frequencies of operation, statement of essential receiver characteristics if protection is required, and the purpose for which the equipment is to be used. The type acceptance application shall include a copy of the letter of notification and shall attest to its transmittal, and date thereof, to the FAA. Action will be withheld for a period of 21 days following the date of receipt of the type acceptance application in order to afford the FAA an opportunity to comment. If the Commission receives from FAA an objection to issuance of type acceptance which includes a showing of noncompatibility of the equipment with the National Airspace System, the Commission will consider this showing together with all other information in its possession concerning the equipment before taking final action on the application. The frequency bands are as follows:

108 MHz to 117.975 MHz
328.6 MHz to 335.4 MHz
960 MHz to 1215 MHz
1535 MHz to 1660 MHz
5000 MHz to 5250 MHz
14.0 GHz to 14.4 GHz
15.40 GHz to 15.70 GHz
24.25 GHz to 25.25 GHz
31.80 GHz to 33.40 GHz

[FR Doc.76–637 Filed 1–8–76;8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 75–16; Notice 06]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Bus Air Brake Systems

This notice amends Standard No. 121, *Air Brake Systems*, to suspend until January 1, 1977, the service brake stopping distance requirements as they apply to buses.

The NHTSA proposed a 1-year suspension of service brake stopping distances (40 FR 52856, November 13, 1975) following a public meeting on Standard No. 121 (49 CFR 571.121). Bus performance was reviewed by manufacturers and users, and by Rockwell International Corporation, presently the manufacturer of most of the axles and antilock components installed in transit and intercity buses. Other data collected by the NHTSA substantiate a pattern of erratic behavior in bus antilock equipment used in most transit and intercity operation that warrants disconnection while a correction is fully developed. The proposed suspension was based on manufacturer and user requests for a period in which modified hardware could be field-evaluated along with other antilock systems being offered for bus applications.

The comments uniformly supported the proposed suspension of service brake stopping distance requirements (including the "no lockup" requirement) for transit and intercity buses. However, component suppliers, bus manufacturers, and bus users differed over the extent of the proposal in three areas.

Rockwell and General Motors expressed concern that the preamble to the proposal had not made clear whether the proposal was intended to meet problems other than erratic antilock performance. Transport of New Jersey also objected that the proposal might be narrowly construed to mean that only the "no lockup" aspect of the stopping distance requirements would be suspended. AM General questioned whether the revision included "any attempt to impose stopping distance and lane limit test requirements."

The NHTSA proposed suspension of the service brake stopping distance requirements (S5.3.1) in their entirety, not just the "no lockup" requirements of the section. Suspension of the entire requirement was intended to moderate the maintenance and misadjustment problems that are associated with the faster wearing brake linings provided in compliance with the standard.

General Motors noted that, because of the unique configuration of the braking system on its new transit bus, the limited nature of the NHTSA's proposed suspension, specifically the continuation of the partial system failure requirements, inadvertently prevents their bus from utilizing the lower-coefficient linings intended by the proposal. This issue is presently under consideration by the agency, and may be the subject of another proposal to be issued shortly.

The second area of concern to some manufacturers was whether the NHTSA intended to cover school buses with the proposed exclusion. General Motors and Wagner Electric Corporation expressed the view that school buses should not be included. International Harvester, Crown Coach, and several school districts believed that the vehicles should be included in the suspension. The NHTSA intended to include school buses in its proposal and, based on review of the comments, has concluded that these buses should be included in the suspension.

International Harvester pointed out that the stop-and-go cycle of school buses can cause distinctive stresses on the air brake system that are similar to that encountered in transit bus operation. While not made explicit, Crown Coach's comments illustrate that some school buses utilize the same axles and antilock component as transit and intercity buses. Limiting the suspension to a portion of the air-braked school buses would create an unintended economic disadvantage for some school buses of this type.

Wagner and General Motors argued that some school buses utilize truck chassis and brake systems, and that these systems do not suffer from the same problems as the bus components criticized at the public meeting. It is true that the components utilized generally in trucks and also used in some buses have been determined to be reliable (40 FR 59222, December 22, 1975). The usage cycles of various vehicles are, however, evidently an important factor in some of the problems that have been experienced. Considering the similarity in the usage of school buses to that of transit buses, this agency has decided that the most desirable course of action is to include school buses in the suspension of stopping distance requirements.

The third area in which commenters questioned the extent of the proposal was the length of the suspension. Bus operators and their associations (e.g., National Association of Motor Bus Owners (NAMBO), American Public Transit Association (APTA), Chicago Transit Authority) and bus manufacturers (General Motors, AM General, and Eagle International) generally argued that a 1-year evaluation period following development of adequate corrections to existing or new hardware would be necessary. Motor Coach Industries and Transportation Manufacturing Corporation (manufacturers of the majority of intercity buses) supported the 1-year proposal without commenting on the adequacy of the proposed 1-year suspension period. Rockwell, as the present manufacturer of most of the transit and intercity bus axles and antilock systems, cautioned the NHTSA that a specific date for the effectiveness of S5.3.1 would reduce the thoroughness of the evaluation program. The company did support the 1-year suspension.

The proposal was for a 1-year suspension only. This agency has not found this to be an emergency situation that would justify promulgating a delay greater than that proposed without the benefit of notice and opportunity to comment. Therefore, the NHTSA hereby makes final its proposed 1-year suspension of the stopping distance requirements, and will further evaluate the requests for a longer period of suspension. Bus manufacturers have stated that they intend to initiate field evaluation of improved antilock systems, and this agency will actively monitor these efforts as the basis for future action. The support of field testing by NAMBO and APTA will also be important in making meaningful evaluations of anticipated system modifications.

Chrysler, Freightliner, and International Harvester recommendations on other aspects of the standard and its applicability to other vehicle types have been responded to in the NHTSA's recent proposal for modification of the standard's performance levels for trucks, buses and trailers (40 FR 59222, December 22, 1975).

AM General asked whether buses manufactured during the suspension could be required to be retrofitted in the future. The answer is no. The motor vehicle safety standards in effect at any date apply according to their terms only to vehicles manufactured on that date. In answer to AM General's question whether the antilock systems on 121-equipped buses may "be completely deactivitated and dismantled and the vehicle returned to the pre-FMVSS #121 status," it is the position of the NHTSA that manufacturers and operators are the persons qualified and required to determine the safest configuration for operation of their vehicles, subject to applicable Bureau of Motor Carrier Safety regulations. With regard to the effect of Federal law on the modification of safety systems, a manufacturer of air-braked buses that conform to the air brake standard may instruct the owners of its products to disconnect the antilock system used to meet the standard, for the period necessary to correct a safety-related defect in the system that may make its operation hazardous.

It is also noted that this amendment constitutes the NHTSA's favorable response to APTA's October 6, 1975, request for modification of the standard, and the October 22, 1975, petition of the Eastern Bus Maintenance Men's Conference concerning Standard No. 121.

In consideration of the foregoing, S5.3.1 of Standard No. 121 (49 CFR 571.121) is amended by the addition of the phrase "Except for a bus manufactured before January 1, 1977, and" at the beginning of the first sentence.

Effective date: January 6, 1976, because this amendment represents a relaxation of the requirements of the standard and does not place additional requirements on any person, it is found for good cause shown that an immediate effective date is in the public interest.

(Sec. 108, 119, Pub. L. 89–563, 80 Stat. 718 (14 U.S.C. 1392, 1407); delegation of authority at 49 CFR 1.50)

Issued on January 6, 1976.

JAMES B. GREGORY,
Administrator.

[FR Doc.76–630 Filed 1–6–76;2:00 p.m.]

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proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Part 7]

EL PORTAL ADMINISTRATIVE SITE YOSEMITE NATIONAL PARK, CALIFORNIA

Use of Site

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. 3), and the Act of September 2, 1958 (72 Stat. 1662; 16 U.S.C. 47–1), as amended by the Act of July 21, 1968 (82 Stat. 393; 16 U.S.C. 47–2), National Park Service Order No. 77 (38 FR 7478, as amended, 39 FR 4597) and Regional Director, Western Region Order No. 7 (37 FR 6326, as amended, 39 FR 13903, and 40 FR 19508), it is proposed to add a new § 7.17 to Chapter I, Title 36 of the Code of Federal Regulations as set forth below.

The Act of September 2, 1958, authorized the establishment of an administrative site for Yosemite National Park in the El Portal area adjacent to the park. The Act specified that the administrative site was not to become a part of Yosemite National Park and that it was not to be subject to regulations governing the park. However, the Secretary of the Interior was authorized to make and publish regulations deemed necessary for use and management of the site.

Paragraph (a) of the proposed regulations adopts certain general regulations from Parts 2 and 5 of 36 CFR Ch. I. These regulations pertain primarily to public use, resource protection and commercial operations. Paragraph (b) contains regulations which are specific to the El Portal site and cannot be directly adopted from elsewhere in this Chapter.

These regulations are being established in a separate section of Part 7 to avoid confusion with those special regulations for Yosemite National Park contained in § 7.16. The special regulations in § 7.16 are not applicable to the El Portal Administrative Site, since it is not a part of Yosemite National Park.

It is the policy of the Department of the Interior, whenever practical, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed regulations to the Superintendent, Yosemite National Park, California 95389, on or before February 9, 1976.

It is proposed to amend Part 7, Chapter I, Title 36 of the Code of Federal Regulations by adding a new § 7.17 as follows:

§ 7.17 El Portal Administrative Site for Yosemite National Park.

(a) The following regulations of Parts 1 through 6 of this chapter are adopted for the El Portal Administrative Site and shall apply to all persons entering, using, visiting, residing or otherwise within the boundaries of that site. No other regulations of Parts 1 through 6 of this chapter shall so apply. The adopted regulations shall reflect any changes in wording or numbering which may hereafter be made to the basic regulations.

(1) Sec. 2.1 (a), (b)
(2) Sec. 2.3(b)
(3) Sec. 2.4 (a), (c)
(4) Sec. 2.9 (a), (b)
(5) Sec. 2.10
(6) Sec. 2.12(e)
(7) Sec. 2.24 (a), (b), (d), (g)
(8) Sec. 2.27 (a), (b)
(9) Sec. 5.1
(10) Sec. 5.3
(11) Sec. 5.7
(12) Sec. 5.8 (a), (b), (c)
(13) Sec. 5.9 (a), (b), (c)
(14) Sec. 5.10 (a), (b), (c)
(15) Sec. 5.16

(b) The following regulations shall also apply to all persons entering, using, visiting, residing, or otherwise within the boundaries of the El Portal Administrative Site:

(1) Camping of any type is prohibited.

(2) Trees shall not be felled, cut or trimmed for any purpose, including fuel, except as authorized by the Superintendent to control tree hazards or disease.

(3) The keeping of animals as pets is permitted under such conditions as may be prescribed by the Superintendent.

(4) Permitting pets to run unrestricted or interfere with the passage of persons is prohibited.

(5) The use of motor vehicles off established public roads, and off public and residential parking areas, is prohibited.

(6) Prospecting, mining, and location of mining claims is prohibited.

(7) Residence is prohibited except in accordance with a written authorization by the United States.

(8) The intentional or wanton possession, destruction, injury, defacement, removal, or disturbance in any manner of any public building, sign, equipment, monument, marker, or other structure, or of any relic artifact, ruin, or historic or prehistoric feature or of any other similar public property is prohibited.

(9) The creation or maintenance of a nuisance is prohibited.

LESLIE P. ARNBERGER,
Superintendent,
Yosemite National Park.

[FR Doc.76–628 Filed 1–8–76;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 907]

HANDLING OF NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Proposed Expenses and Rate of Assessment for 1975–76 Fiscal Year and Carryover of Unexpended Funds

This notice invites written comment relative to proposed expenses of $475,500 and a rate of assessment of $0.013 per carton of oranges to support the activities of the Navel Orange Administrative Committee for the 1975–76 fiscal year under Marketing Order No. 907.

Consideration is being given to the following proposals submitted by the Navel Orange Administrative Committee, established under the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof:

(1) That the expenses that are reasonable and likely to be incurred by the Navel Orange Administrative Committee during the period November 1, 1975, through October 31, 1976, will amount to $475,500.

(2) That there be fixed, at $0.013 per carton of oranges, the rate of assessment payable by each handler in accordance with § 907.41 of the aforesaid marketing agreement and order.

(3) That unexpended funds in excess of expenses incurred during the fiscal year ended October 31, 1975, in the amount of $20,000, be carried over as a reserve in accordance with § 907.42 of said marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file same in quadruplicate with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than January 26, 1976. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: January 5, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.76–621 Filed 1–8–76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

[20 CFR Part 422]

[Regs. No. 23]

ORGANIZATION AND PROCEDURES

Availability of Information to the Public

Notice is hereby given, pursuant to the Administrative Procedure Act (5 U.S.C. 553), that the proposed amendments set forth in tentative form below are proposed by the Commissioner of Social Security with the approval of the Secretary of Health, Education, and Welfare. Subpart E of Part 422 constitutes the regulations issued by the Social Security Administration in implementation of the Freedom of Information Act (5 U.S.C. 552) and in supplementation of the Public Information Regulations (45 CFR Part 5) of the Department of Health, Education, and Welfare. Certain of the proposed amendments are being made in compliance with the Freedom of Information Act Amendments (Pub. L. 93–502) approved November 21, 1974. In addition, certain technical amendments are being made to conform Part 422 with the Department's regulations, as amended effective May 1, and June 24, 1975. See 40 FR 16997 and 26512.

The Freedom of Information Act Amendments require that each agency publish indexes: of final opinions and orders made in the adjudication of cases; of statements of policy and interpretation which are adopted by the agency and are not published in the FEDERAL REGISTER; and of administrative staff manuals and staff instructions that affect a member of the public. Such indexes must cover a period of time beginning with July 4, 1967. The Social Security Administration publishes these indexes in the "Social Security Rulings". It is proposed to amend § 422.406 to reflect this decision. Since July 4, 1967, the Social Security Administration has made some 149 million determinations in retirement and survivors insurance benefit cases, 9.3 million in disability insurance and miner's benefit cases, and 470 million in health insurance cases. The volume of determinations is so huge that publication of an index of all such determinations would be a virtual impossibility and would neither aid nor enlighten the public. Also, written rationale for the determination, often made on the basis of unquestioned facts, does not exist in the majority of cases. They are not considered precedential and they are not consulted in the adjudication of other cases. Those cases that influence determinations and decisions of the Social Security Administration, generally the final orders and opinions which 5 U.S.C. 552(a)(2) requires to be made available to the public, are published in the "Social Security Rulings".

It is proposed to revise § 422.125(e)(2) to charge a fee, in accordance with the schedule set out in § 422.440, when a more detailed statement of earnings is requested for a purpose not related to title II of the Social Security Act.

Section 422.412 now sets out the principle that staff manuals which contain policies, procedures, or interpretations that affect the public are available for public inspection and copying. The principle remains unchanged. The Social Security Administration, though, issues numerous manuals of procedures which have not previously been routinely made available to the public. For the most part, they are detailed instructions for the routine performance of specific jobs. These manuals of procedure will also be made available for inspection and copying. A complete listing of all manuals is published in the "Social Security Rulings". The listing first appeared in the January 1975 issue and will be republished annually thereafter in January issues. Supplements will be published throughout the year at quarterly intervals.

Section 422.428 discusses where requests for information may be made. The section presently provides that requests may be made to any office of the Social Security Administration. This is being modified to provide that requests for materials listed in §§ 422.430 and 422.432 should be submitted to social security district offices and branch offices, and requests for other records should be addressed to the Director, Office of Information, Social Security Administration, or to the Information Center Officer in the appropriate regional offices. Requests for information about certain individual records pertaining to individuals entitled to or receiving social security benefits should be addressed to specified officials having custody of the record.

It is proposed to revise § 422.436 to provide that a requester need only reasonably describe the record he seeks and that decisions must be reached within 10 working days from the date the request is received by the office designated in § 422.428. However, this time period may be extended under circumstances described in § 422.436(b). This conforms the section to the Freedom of Information Act Amendments.

Section 422.440 sets out a fee schedule conforming to the one prescribed by the Department of Health, Education, and Welfare on May 1, 1975, at 40 FR 18998 for Departmentwide use.

It is proposed to revise § 422.444 to authorize only certain specific individuals to officially deny the requests directed to them by proposed § 422.428.

It is proposed to revise § 422.448 to set out in more detail the procedure for handling an appeal of a denial of a request for information, and the time limits imposed by the Freedom of Information Act Amendments during which an agency must decide to affirm or reverse such denial. The time limit may be extended under circumstances described in § 422.436(b).

The present § 422.452 provides that a denial may be reviewed by the Federal courts pursuant to 5 U.S.C. 522(a)(3). It is proposed to revise this section to reflect the fact that judicial review is now authorized by 5 U.S.C. 552(a)(4), as amended by section 1(b)(2) of Pub. L. 93–502.

Prior to the final adoption of the proposed amendments, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in triplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare, P.O. Box 1585, Baltimore, Maryland 21203, on or before February 9, 1976.

Copies of all comments received in response to this notice will be available for public inspection during regular business hours at the Washington Inquiries Section, Office of Information, Social Security Administration, Department of Health, Education, and Welfare, North Building, Room 4146, 330 Independence Avenue, SE., Washington, D.C. 20201.

The proposed amendments are to be issued under the authority contained in sections 205, 1102, and 1106 of the Social Security Act, 53 Stat. 1368, as amended, 49 Stat. 647, as amended, 53 Stat. 1389, as amended; 42 U.S.C. 405, 1302, and 1306; and 5 U.S.C. 552.

(Catalog of Federal Domestic Assistance Program Nos. 13.800 through 13.807, Social Security Programs)

Dated: September 16, 1975.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: January 2, 1976.

MARJORIE LYNCH,
Acting Secretary of Health, Education, and Welfare.

Part 422 of Chapter III of Title 20 of the Code of Federal Regulations is amended as set forth below.

1. Section 422.125(e)(2) is revised to read as follows:

§ 422.125 Statements of earnings; resolving earnings discrepancies.

* * * * *

(e) *Detailed earnings statements.* * * *

(2) If the more detailed statement of earnings is requested for a purpose not related to title II of the Social Security Act, a charge will be imposed according to the schedule of fees set out in § 422.440.

* * * * *

2. Section 422.406(a) is amended by revising the material preceding paragraph (a)(1) and by adding a new paragraph (a)(4) to read as follows:

§ 422.406 Publication.

(a) *Methods of publication.* Materials required to be published pursuant to the provisions of 5 U.S.C. 552(a)(1) and (a)(2) are published in one of the following ways:

* * * * *

(4) By publication "Social Security Rulings" of indexes of precedential social security orders and opinions issued in the adjudication of claims, statements of policy and interpretations which have been adopted but have not been published in the FEDERAL REGISTER, and of

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administrative staff manuals and instructions to staff that affect a member of the public. The "Social Security Rulings" may be purchased through the Government Printing Office.

* * * * *

3. Section 422.412 is revised to read as follows:

§ 422.412 Availability of administrative staff manuals.

All administrative staff manuals of the Social Security Administration and instructions to staff personnel which contain policies, procedures, or interpretations that affect the public are available for inspection and copying. A complete listing of such materials is published in "Social Security Rulings." These manuals are generally not printed in a sufficient quantity to permit sale or other general distribution to the public. Selected material is maintained at district offices and field offices and may be inspected there. See §§ 422.430 and 422.432 for a listing of this material.

4. Section 422.428 is revised to read as follows:

§ 422.428 Where requests for records may be made.

(a) *General.* Any request for any record may be made to (1) the Director, Office of Information, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, or (2) the Information Center Officer, at the Regional Offices of the Department of Health, Education, and Welfare. The locations and service areas of these offices are as follows:

Region I—John F. Kennedy Federal Building, Boston, MA 02203. Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.

Region II—26 Federal Plaza, New York, NY 10007. New York, New Jersey, Puerto Rico, Virgin Islands.

Region III—P.O. Box 13716, Philadelphia, PA 19101. Delaware, Maryland, Pennsylvania, Virginia, West Virginia, District of Columbia.

Region IV—50 Seventh Street, NE, Atlanta, GA 30323. Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.

Region V—300 South Wacker Drive, Chicago, IL 60606. Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.

Region VI—1114 Commerce Street, Dallas, TX 75202. Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Region VII—601 East 12th Street, Kansas City, MO 64106. Iowa, Kansas, Missouri, Nebraska.

Region VIII—Federal Office Building, 19th and Stout Streets, Denver, CO 80202. Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming.

Region IX—Federal Office Building, 50 Fulton Street, San Francisco, CA 94102. Arizona, California, Hawaii, Nevada, Guam, Trust Territory of Pacific Islands, American Samoa.

Region X—Arcade Plaza Building, 1321 Second Avenue, Seattle, WA 98101. Alaska, Idaho, Oregon, Washington.

(b) *Records pertaining to individuals.* The Social Security Administration maintains numerous records pertaining to individuals. Disclosure of such records is generally prohibited by section 1106 of the Social Security Act (42 U.S.C. 1306), except as prescribed in Part 401 of this chapter. (See § 422.426(b)). Requests for records pertaining to individuals may be addressed to:

(1) Director, Bureau of Data Processing, Baltimore, Md. 21235, when earnings records are sought;

(2) Director, Division of International Operations, P.O. Box 1756, Baltimore, Md. 21203, when information is sought from the record of an individual entitled to benefits and living outside the United States;

(3) Director, Bureau of Disability Insurance, Baltimore, Md. 21241, when information is sought from the record of a person living in the United States who receives social security disability benefits, supplemental security income benefits as a blind or disabled individual, or miner's benefits under title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended (30 U.S.C. 901 et seq.).

(4) Regional Representative, Bureau of Retirement and Survivors Insurance, when information is sought from the record of a person living in the United States who receives social security retirement or survivors insurance benefits or supplemental security income benefits as an aged individual. The first three digits of the social security number (SSN) of the person on whose record benefits are being paid determines the regional representative who maintains the record.

Records are maintained as follows:

Regional representative	*1st 3 digits of social security number*
Northeastern Program Center, 9605 Horace Harding Expressway, Flushing, N.Y. 11368.	001 through 134.
Mid-Atlantic Program Center, 401 North Broad St., Philadelphia, Pa. 19108.	135 through 222, 232 through 236, 577 through 584.
Southeastern Program Center, 2001 12th Avenue, North, Birmingham, Ala. 35285.	223 through 231, 237 through 267, 400 through 428, 587.
Great Lakes Program Center, 165 North Canal Street, Chicago, Ill. 60606.	268 through 302, 316 through 399, 700 through 729.
Mid-American Program Center, 601 East 12th Street, Kansas City, Mo. 64106.	303 through 315, 429 through 500, 505 through 515, 525, 585.
Western Program Center, P.O. Box 2000, Richmond, Calif. 94802.	501 through 504, 516 through 524, 526 through 576, 586.

(5) Regional Representative, Bureau of Health Insurance when information is sought from the Medicare records of beneficiaries. Requests for these records may be addressed to the Regional Representative, Health Insurance, serving the geographic area in which the health care services were performed. The Regional Representatives are located at the regional offices listed in § 422.428(a).

(6) To an Administrative Law Judge (ALJ), a Hearing Examiner (Supplemental Security Income), or the Appeals Council, but only if the requester has actual knowledge that the record is in his or their possession;

(7) Managers of local district and branch offices of the Social Security Administration (the address of local offices may be found in local telephone directory) if the record requested is not listed in paragraphs (b)(1) through (b)(6) of this section.

(c) *Requests for materials listed in § 422.430 or § 422.432 or indexed in the Social Security Rulings.* A request to inspect and copy materials listed in § 422.430 or § 422.432 or indexed in the "Social Security Rulings" may be made to any district or branch office of the Social Security Administration. If the specific material requested is not available in the office receiving the request, the material will be obtained and made available promptly.

5. Section 422.436 is revised to read as follows:

§ 422.436 Requests for information or records.

(a) A request should reasonably identify the requested record by brief description. Requesters who have detailed information which would assist in identifying the records requested are urged to provide such information in order to expedite the handling of the request. Envelopes in which written requests are submitted should be clearly identified as a Freedom of Information request. The request should include the fee or request determination of the fee.

(b) Determinations of whether records will be withheld will be made within 10 working days from date of receipt of the request in the office listed in § 422.428 except where the Social Security Administration extends this time and sends notice of such extension to the requester. Such extension may not exceed 10 additional working days and shall apply only where the following unusual conditions exist:

(1) The need to search for and collect the requested records from offices that are separate from the office processing the requests;

(2) The need to search for, collect, and examine a voluminous amount of separate and distinct records which are requested in a single request; or

(3) The need for consultation wtih another agency having a substantial interest in the request or among two or more components of the Social Security Administration having a substantial interest in the subject matter of the request.

(c) If an extension is made, the requester will be notified in writing prior to the expiration of 10 working days from receipt of the request and will be given an explanation as to why the extension was necessary and the date on which a determination will be made.

(d) Authority to extend the time limit with respect to any request for information or records is granted to the Director,

Office of Information of the Social Security Administation and to the Information Center officers of the regional office of the Department of Health, Education, and Welfare. Those officers and employees of the Social Security Administration who are listed in § 422.444(b) as having authority to deny requests for information from records maintained on individuals are granted authority to extend the time limit for responding to requests for information from such records.

6. Section 422.440 is revised to read as follows:

§ 422.440 Fees and charges.

(a) *Statement of policy.* As specified in § 401.6 of Part 401 of this chapter, it is the policy of the Social Security Administration to comply with certain requests for information services without charge. Except as otherwise determined pursuant to paragraph (c) of this section, fees will be charged for the following services with respect to all other requests for information from records which are reasonably identified by the requesters:

(1) Reproduction, duplication, or copying of records;

(2) Searches for records; and

(3) Certification or authentication of records.

(b) *Fee schedules.* The fee schedule of the Social Security Administration is as follows:

(1) *Search for records.* Three dollars per hour: *Provided, however,* That no charge will be made for the first half hour.

(2) *Reproduction, duplication, or copying of records.* Ten cents per page where such reproduction can be made by commonly available photocopying machines. The cost of reproducing records which cannot be so photocopied will be determined on an individual basis at actual cost.

(3) *Certification or authentication of records.* Three dollars per certification or authentication.

(4) *Forwarding materials to destination.* Any special arrangements for forwarding which are requested shall be charged at actual cost; however, no charge will be made for postage.

(5) No charge will be made when the total amount does not exceed five dollars.

(c) *Waiver or reduction of fees.* Waiver or reduction of the fees set forth in paragraph (b) of this section may be made upon a determination that such waiver or reduction is in the public interest because furnishing the information can be considered as primarily benefiting the general public. Such determination may be made by the appropriate officer or employee identified in § 422.444.

(d) *Sale of documents.* On occasion, a previously printed document may be available for sale to the public; the cost of supplying the document is one cent per page unless the document is available for sale from the Superintendent of Documents, in which case the price shall be that determined by the Superintendent.

7. Section 422.444 is revised to read as follows:

§ 422.444 Denial of requests.

(a) *General authority.* Except as provided in paragraph (b) of this section, authority to deny written requests for inspection or copying of any social security record is granted only to the Director, Office of Information, (SSA), and to the Information Center Officers of the regional offices of the Department of Health, Education, and Welfare.

(b) *Limited authority.* Inspection or copying of records pertaining to one individual by another individual is generally prohibited by section 1106 of the Social Security Act (42 U.S.C. 1306) except as Part 401 of this chapter otherwise provides. Requests for inspection and copying of such records which § 422.428(b) designates them to receive may be denied by the following officers and employees of the Social Security Administration:

(1) Directors of the Bureaus of Data Processing, Disability Insurance, and Retirement and Survivors Insurance;

(2) Members of the Appeals Council, Administrative Law Judges, and Hearing Examiners (SSI);

(3) Regional Representatives of the Bureau of Retirement and Survivors Insurance;

(4) Regional Representatives, Bureau of Health Insurance;

(5) Director, Division of International Operations;

(6) District Managers;

(7) Branch Managers.

(c) *Forms of denials.* Oral requests may be dealt with orally, but if the requester is dissatisfied with the disposition of such a request he shall be advised that the oral response is not an official determination and that an official determination may be obtained by his submitting the request in writing. Denials of written requests shall be in writing and shall state the reasons for the denial and provide the requester with appropriate information as to how to exercise the right of appeal.

8. Section 422.448 is revised to read as follows:

§ 422.448 Review by the Commissioner.

A person whose request has been denied may initiate a review by filing a request for review with the Commissioner of Social Security, 6401 Security Boulevard, Baltimore, Maryland 21235, within 30 days of receipt of the determination to deny or within 30 days of receipt of records which are in partial response to his request if a portion of a request is granted and a portion denied, whichever is later. Upon receipt of a timely request for review, the Commissioner shall review the decision in question and the findings upon which it was based. Upon the basis of the data considered in connection with the decision and whatever other evidence and written argument is submitted by the person requesting the review or which is otherwise obtained, the Commissioner will affirm or revise in whole or in part the findings and decision in question. A decision to affirm the denial shall be made only upon concurrence of the Assistant Secretary for Public Affairs, or his designee, after consultation with the General Counsel, or his designee, and the appropriate program policy official. Written notice of the decision of the Commissioner shall be mailed to the person who requested the review. A written decision shall be made within 20 working days from receipt of the request review. Extension of the time limit may be granted under the circumstances listed in § 422.436(b) to the extent that the maximum 10 day limit on extensions has not been exhausted on the initial determination. The decision shall state the basis therefor and shall advise the requester of his right to judicial review.

9. Section 422.452 is revised to read as follows:

§ 422.452 Court review.

Where the Commissioner upon review affirms the denial of a request for records, in whole or in part, the requester may seek court review in the district court of the United States pursuant to 5 U.S.C. 552(a)(4)(B).

[FR Doc.76-520 Filed 1-8-76;8:45 am]

[20 CFR Part 450]

EXPERIMENTAL DAY-CARE PROGRAMS

Research Grants and Contracts

Notice is hereby given pursuant to the Administrative Procedure Act (5 U.S.C. 553) that the regulations set forth in tentative form below are proposed by the Commissioner of Social Security with approval of the Secretary of Health, Education, and Welfare. The proposed regulations implement section 402(a) of Pub. L. 90-248, the Social Security Amendments of 1967, as amended by section 222(b)(1) of Pub. L. 92-603, which added section 402 (a)(1)(H) to Pub. L. 90-248, authorizing the Secretary of Health, Education, and Welfare to establish an experimental program to provide day-care services. These regulations describe the scope of day-care services which are to be provided in such experiments and set forth the standards which day-care centers must meet in order to be eligible to render care under such experimental projects.

These regulations further provide that day-care experiments under section 402 (a) of Pub. L. 90-248, as amended, are required to provide ambulatory care services to impaired adults capable of only marginal self care. Such care, provided on a short-term basis, is intended to help serve as a transition from an acute care hospital, long-term care institution, or home health care program to personal independence or, if provided on a long-term basis, is intended to help serve as an alternative to institutionalization in a skilled nursing facility or other long-term care facility. The services provided are intended to meet the participants' physical, emotional, and

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social needs and to help prevent or retard physical or mental deterioration that might otherwise require institutionalization.

Prior to the final adoption of the proposed regulations, consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing in triplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare, Social Security Administration, P.O. Box 1585, Baltimore, Maryland 21203, or on before February 9, 1976.

Copies of all comments received in response to this notice will be available for public inspection during regular business hours at the Washington Inquiries Section, Office of Information, Social Security Administration, Department of Health, Education, and Welfare, North Building, Room 4146, 330 Independence Avenue SW., Washington, D.C. 20201.

(Catalog of Federal Domestic Assistance Program No. 13.801, Health Insurance for the Aged—Supplementary Medical Insurance)

Dated: October 22, 1975.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: January 5, 1976.

DAVID MATHEWS,
Secretary of Health, Education, and Welfare.

Part 450 of Chapter III of Title 20 of the Code of Federal Regulations is amended by adding thereto a new Subpart B to read as follows:

Subpart B—Experimental Day-Care Programs

Secs.

450.201 Day-care experiments; general.
450.203 Eligibility to participate in a demonstration program.
450.205 Standard for participation; compliance with Federal, State, and local laws.
450.207 Standard for participation; full-time director.
450.209 Standard for participation; professional and supportive personnel.
450.211 Standard for participation; written policies and procedures.
450.213 Standard for participation; written plan of day-care.
450.217 Standard for participation; physical plant.
450.225 Day-care services provided.

AUTHORITY: Sec. 402(a)(1)(H), Pub. L. 90-248, the Social Security Amendments of 1967, as amended by sec. 222, Pub. L. 92-603, 81 Stat. 931 as amended at 86 Stat. 1392, (42 U.S.C. 1395b-1(a)(1)(H)).

Subpart B—Experimental Day-Care Programs

§ 450.201 Day-care experiments; general.

Pursuant to section 402(a) of Pub. L. 90-248 (the Social Security Amendments of 1967), as amended by section 222(b)(1) of Pub. L. 92-603, the Secretary of Health, Education, and Welfare is authorized to enter into contracts with public or private agencies, institutions, and organizations, to develop and engage in experiments and demonstration projects to establish an experimental program to provide day-care services in day-care centers which meet such standards as the Secretary may establish by regulations.

§ 450.203 Eligibility to participate in a demonstration program.

To be eligible to participate in a demonstration program authorized by § 450.201, a day-care center must offer services:

(a) Which are provided under health leadership in an ambulatory care setting to adults who do not require 24-hour institutional care but who are incapable of full-time independent living due to physical or mental impairment; and

(b) To adults who are referred to the program by their attending physician or by some other appropriate source, i.e., an institutional discharge planning program, a welfare agency, or other similar agency; and

(c) Which satisfy the participants' health maintenance and restoration needs, including socialization elements to overcome isolation often associated with illness in the aged and disabled.

§ 450.205 Standard for participation; compliance with Federal, State, and local laws.

The experimental day-care center must be in compliance with applicable Federal, State, and local laws and regulations.

§ 450.207 Standard for participation; full-time director.

The participating day-care center must have a full-time director who is responsible for the overall conduct of all day-care program activities.

§ 450.209 Standard for participation; professional and supportive personnel.

The participating day-care center must have appropriate professional and supportive personnel to provide quality services efficiently and effectively.

§ 450.211 Standard for participation; written policies and procedures.

The participating day-care center must have written policies and procedures which reflect the day-care center's objectives and which govern the provision of services.

§ 450.213 Standard for participation; written plan of day-care.

The participating day-care center must provide a written individualized plan of day-care for each participant based on a preadmission physical examination and recommendations of the attending physician, and such physician must periodically review the plan in conjunction with the day-care program's multidisciplinary team.

§ 450.215 Standard for participation; health record system.

The participating day-care center must have a health record system which includes the maintenance of a complete file on each participant.

§ 450.217 Standard for participation; physical plant.

The participating day-care center must have a physical plant which:

(a) Complies with all applicable local and State building regulations;

(b) Complies with all applicable local and State health and safety codes;

(c) Is equipped and maintained to provide a safe, functional, sanitary, and comfortable environment, with special equipment for handicapped participants;

(d) Contains an area for dining, social activities, and a suitable area for rest periods;

(e) Contains an adequate number of easily accessible bathroom facilities; and

(f) Has a posted, written disaster preparedness plan, available to all personnel.

§ 450.225 Day-care services provided.

(a) All participating day-care centers must offer at least the following services:

(1) *Emergency services.* Instructions for dealing with emergency situations must be established in writing. Such instructions must include the name and telephone number of a physician on call, written arrangements with a nearby hospital for inpatient and emergency room service, and provision for ambulance transportation.

(2) *Rehabilitative services.* Rehabilitative services must include physical therapy, occupational therapy, and speech therapy services which are provided by the day-care program directly or indirectly through arrangements with qualified outside sources and which are designed to improve or maintain ability for independent functioning.

(3) *Personal care services.* Personal care services must include assistance with activities for daily living (i.e., walking, eating, toileting, grooming) and supervision of personal hygiene.

(4) *Nutrition services.* The day-care program must provide a minimum of one meal per day which is of suitable quality and quantity as to supply at least one-third (⅓) of the daily nutritional requirement. Special diets and supplemental feedings must be available if indicated.

(5) *Social work services.* Social work services must be designed and coordinated in such a manner as to promote maintenance of physical and mental health by alleviating personal and social problems. Such services must include guidance or or referral in social, financial, and legal matters, assistance with housing relocation and shopping, counseling on available community resources.

(6) *Patient activities services.* The day-care program must provide planned recreational and social activities suited to the needs of the participants and designed to encourage physical exercise, to prevent deterioration, and to stimulate social interaction.

(7) *Transportation services.* The day-care program must provide transportation, when indicated, for participants to and from their homes and to other community facilities utilized in implementing the participants' plan of day-care.

(b) The day-care center may provide other services that are consistent with the general requirements in paragraph (a) of this section.

[FR Doc.76-644 Filed 1-8-76;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 75-EA-83]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the St. Marys, Pa., transition area (40 FR 584).

Alteration of the transition area is required to provide additional controlled airspace for aircraft executing the new RNAV Rwy 10 and RNAV Rwy 28 instrument approach procedures developed for St. Marys Municipal Airport, St. Marys, Pa.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications received on or before February 9, 1976, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of St. Marys, Pennsylvania, proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by adding the following to the description of the St. Marys, Pa., transition area:

Within 3.5 miles each side of a 091° bearing from the center of the airport, extending from the 5.5-mile radius area to 10 miles east of the center of the airport; within 3.5 miles each side of a 271° bearing from the center of the airport, extending from the 5.5-mile radius area to 9 miles west of the center of the airport.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on December 17, 1975.

DUANE W. FREER,
Director, Eastern Region.

[FR Doc.76-665 Filed 1-8-76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 476-5]

MASS TRANSIT PRIORITY INCENTIVES IN THE STATE OF NEW JERSEY

Action on Employers' Incentive Programs

On November 13, 1973 (38 FR 31388) EPA published in the FEDERAL REGISTER a transportation control plan for the State of New Jersey. The plan included § 52.1590, Employer's provision for mass transit priority incentives. On December 7, 1973 (38 FR 33775) EPA published in the FEDERAL REGISTER proposed revisions to § 52.1590. Public hearings were held on the proposed revisions in Camden, Trenton and Newark, New Jersey on January 10, 11 and 12, 1974, respectively. On June 4, 1974 (38 FR 19779) a revised § 52.1590 was published.

The revised regulation requires each employer who maintains 400 or more employee parking spaces to submit an adequate transit incentive program designed to encourage the use by his employees of mass transit, carpooling, vanpooling, and other strategies. Initial submission of the program was required by July 1, 1974 of those employers subject to the regulation at that time.

On January 22, 1975 (40 FR 3465) EPA published the Administrator's proposed approval of 93 transit incentive programs. 47 other programs that had been submitted before December 4, 1974 were not acted upon due to incomplete submissions. Final approval of the 93 programs was published in the FEDERAL REGISTER on April 21, 1975 (40 FR 17633).

Also on January 22, 1975 (40 FR 3465), and in accordance with 40 CFR 52.1590 (e)(4), the EPA published a list of additional information to be supplied in the semiannual report required by the regulation.

Since the approval of the initial 93 programs, 51 programs have been newly submitted or have been reevaluated. The Administrator is proposing to take approval action on 46 of these programs.

These actions are subject to the condition stated in the regulation that employers are utilizing, in fact, that mix of incentive and disincentive measures most likely to obtain maximum use of carpooling, vanpooling, and mass transit. Though good faith efforts to comply with the regulation have been made by most employers, the Administrator hereby strongly reaffirms the need for continuing investigation and use of all additional incentive and disincentive measures which may be available.

Proper evaluation of the full effectiveness of these approvable programs will not be possible until semiannual reports containing the information required by the regulation are submitted. Therefore, at this time, EPA must rely upon employers' good faith claims that the programs do utilize the maximum reasonable mix of carpooling and mass transit measures. If, after the Administrator has approved a transit incentive program, he finds from the semiannual reports that a program is not providing adequate incentive and disincentive measures, the Administrator will require that additional measures be taken by the employer. In those cases where voluntary compliance is not obtained, EPA will prescribe a program and publish it in a future FEDERAL REGISTER.

The Administrator is also proposing to take a number of related actions. One program which was approved on January 22, 1975 is at this time being incorporated into another approved program, since both employers in question are New Jersey State Agencies located in the same building and share the same parking facilities. A third agency will also join in this program. Therefore, the Administrator is proposing to consolidate the following programs into a single program under the auspices of the New Jersey State Department of the Treasury:

New Jersey Department of Environmental Protection, Division of Environmental Quality, John Fitch Plaza, P.O. Box 2807, Trenton, New Jersey 08625.

New Jersey Department of Labor and Industry, John Fitch Plaza, Trenton, New Jersey 08625.

New Jersey State Department of the Treasury, John Fitch Plaza, Trenton, New Jersey 08625.

Four employers which had programs approved on January 22, 1975 have since presented evidence to the EPA showing a reduction to below 400 in the number of employee parking spaces provided. These programs are now formally discontinued. Therefore, the Administrator is formally discontinuing the following programs:

Cities Service Research and Development Company, Inc., Drawer No. 7, Carnbury, New Jersey 08512.

General Electric Company, 2231 East Side Street, Trenton, New Jersey 08619.

Hercules Incorporated, Parlin, New Jersey 08859.

United States Pipe and Foundry Company, Burlington, New Jersey 08016.

Finally, the Administrator is proposing to approve the following programs:

Amerada Hess Corporation, 1 Hess Plaza, Woodbridge, New Jersey 07095.

Amerace Corporation, Esna Division, 2330 Vauxhall Road, Union, New Jersey 07083.

American Cyanamid Company, Bound Brook, New Jersey 08805.

Automatic Switch Company, Florham Park, New Jersey 07932.

Burroughs Corporation, P.O. Box 1226, Plainfield, New Jersey 07061.

CBS Records, Lambs and Woodbury Roads, Pitman, New Jersey 08071.

Cessna Aircraft Company, Aircraft Radio and Control Div., P.O. Box 150, Boonton, New Jersey 07005.

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Chevron Oil Company, Eastern Division, 1200 State Street, Perth Amboy, New Jersey 08861.
Colgate-Palmolive Company, 105 Hudson Street, Jersey City, New Jersey 07302.
Department of the Army, Headquarters, Picatinny Arsenal, Dover, New Jersey.
Department of the Navy, Naval Air Propulsion Test Center, Trenton, New Jersey 08628.
Department of Transportation, State of New Jersey, 1035 Parkway Avenue, Trenton, New Jersey 08625.
Electronic Associates, West Long Branch, New Jersey 07764.
Essex County Hospital Center, 125 Fairview Avenue, Cedar Grove, New Jersey 07009.
Fabergé, 65 Railroad Avenue, Ridgefield, New Jersey 07657.
GAF Corporation, 1361 Alps Road, Wayne, New Jersey 07470.
Glassboro State College, U.S. Route 322, Glassboro, New Jersey 08028.
Hill Refrigeration Division, Emhart Corporation, P.O. Box 61, Trenton, New Jersey 08601.
Kimberly-Clark Corporation, Schweitzer Division, Spotswood, New Jersey 08884.
Interdata Incorporated, 2 Crescent Place, Oceanport, New Jersey 07757.
Johns-Manville Products, Manville, New Jersey 08835.
John F. Kennedy Medical Center, Edison, New Jersey 08817.
Walter Kidde & Company, Inc., 675 Main Street, Belleville, New Jersey 07109.
McGraw-Hill, Incorporated, Hightstown, New Jersey 08920.
Monmouth Medical Center, Second Avenue, Long Branch, New Jersey 07740.
Morristown Memorial Hospital, 100 Madison Avenue, Morristown, New Jersey.
National Starch & Chemical Corp., 10 Finderne Avenue, Bridgewater, New Jersey 08876.
New Jersey Institute of Technology, 323 High Street, Newark, New Jersey 07102.
New Jersey Manufacturers Insurance Company, Sullivan Way, Trenton, New Jersey 08807.
New Jersey Neuropsychiatric Institute, State of New Jersey, Box 1000, Princeton, New Jersey 08540.
William Paterson College of New Jersey, 300 Pompton Road, Wayne, New Jersey 07470.
Princeton University, Office of Administrative Services, P.O. Box 32, Princeton, New Jersey 08540.
Research Cottrell, Box 750, Bound Brook, New Jersey 08805.
Revlon, Rt. 27 and Alnadge Road, Edison, New Jersey 08817.
Rutgers University, New Brunswick, New Jersey.
Saint Barnabas Medical Center, Old Short Hills Road, Livingston, New Jersey 07039.
Saint Josephs Hospital and Medical Center, 703 Main Street, Paterson, New Jersey.
Scholastic Magazines, Inc., 900 Sylvan Avenue, Englewood Cliffs, New Jersey 07632.
Sunshine Biscuits, Bordentown Avenue and Jernee Hill Road, P.O. Box 7, Sayreville, New Jersey 08872.
The Thomas & Betts Company, Butler Street, Elizabeth, New Jersey 07207.
Trenton State College, Trenton, New Jersey 08625.
Wallace & Tiernan Division, 25 Main Street, Belleville, New Jersey 07109.
Westinghouse Electric Corporation, One Westinghouse Plaza, Bloomfield, New Jersey 07003.
Weston Instrument Division, 614 Frelinghuysen Avenue, Newark, New Jersey 07114.
The J. B. Williams Company, Incorporated, 750 Walnut Avenue, Cranford, New Jersey 07016.
Union Carbide Corporation, Chemical and Plastics, River Road, Bound Brook, New Jersey 08805.

This notice is issued to advise the public that comments may be submitted on whether the proposed employer incentive programs should be approved, as required by section 110 of the Clean Air Act. Only comments received on or before the end of the 30-day public comment period will be considered. The Administrator's decision to approve or disapprove the proposed approval action is based on whether they meet the requirements of section 110(a)(2)(A)–(H) and EPA regulations in 40 CFR Part 51.

Copies of the employer programs proposed for approval action are available for public inspection during normal business hours at the Office of Public Affairs, EPA, Region II, 26 Federal Plaza, New York, N.Y. 10007. Additional copies are available at the Public Information Reference Unit, 401 M Street, SW., Washington, D.C. 20460. All comments should be addressed to the Regional Administrator, Environmental Protection Agency, Region II, 26 Federal Plaza, New York, N.Y. 10007.

Dated: December 23, 1975.

GERALD M. HANSLER,
Regional Administrator,
Environmental Protection Agency.

[FR Doc.76–580 Filed 1–8–76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 76]

[Docket No. 20881; FCC 75–1422]

CABLE TELEVISION SYSTEM

Regular Subscriber Rates

In the matter of amendment of subpart C of Part 76 of the Commission's rules and regulations regarding the regulation of cable television system regular subscriber rates.

1. Notice of proposed rulemaking is hereby given in the captioned proceeding which concerns the regular subscriber rates of cable television systems. This proceeding is directed toward the requirements of § 76.31(a)(4) of our rules which presently oblige State or local authorities, as is appropriate in the individual circumstances, to review and approve rates charged subscribers for the provision of cable television service.[1]

2. On August 13, 1975, the Commission released its "Report and Order in Docket 20272," FCC 75–897, 54 FCC 2d 855 (1975) regarding duplicative and excessive over-regulation of cable television. In that rulemaking we investigated the alternative courses open to us to avoid and eliminate unnecessary over-regulation of cable television at the Federal, State, and local levels. We concluded that the basic problem of overlapping and sometimes conflicting regulatory jurisdiction could only be adequately solved by the adoption of legislation by Congress. In the interim, we decided that some steps could be taken to ease burdens that are identifiable in specific areas. One such area which appears to be presenting significant problems is the subject of rate regulation.

3. In the 1972 "Cable Television Report and Order," FCC 72–108, 36 FCC 2d 143, we decided that franchising authorities would be permitted to continue regulating regular subscriber rates. Indeed we made such regulation, via a full public proceeding, mandatory (§ 76.31(a)(4)). This now appears to be causing several unintented problems which prompt us to commence this proceeding to review the question of whether we should continue to require local authorities to undertake this rate review function. One problem with the existing situation arises from the fact that some cable television franchising authorities apparently do not have legal authority under State law to engage in rate regulation.

4. As we have stated on several occasions, our rules do not, and can not give authority to franchising bodies when that authority does not exist under State law. Rather, our rules and guidelines only apply when and if such authority is exercised pursuant to existing powers. One proposed modification of § 76.31(a)(4) herein would make that clear.

5. The advisability of the mandatory aspect of our rule is also being questioned. In certain instances local authorities apparently have concluded that rate regulation in their particular area is not necessary, that the market place is an adequate regulator. Other local regulators have expressed the view that they are not adequately equipped to or prepared to engage in rate regulation and that to require them to do so imposes a heavy administrative burden that they do not wish to bear. In both cases the local authorities may be right. We are aware that, depending on the particular situation, different procedures might be appropriate for rate making. For instance, some communities might decide to include an automatic rate escalator clause based on some known or established criterion such as the cost of living index. Others might prefer to allow rate increases to go into effect after formal notice and a specified waiting period without formal proceedings unless specifically called for by local officials at their discretion. Still others might prefer rate increases to become immediately effective while reserving the option of the authorities, after appropriate proceedings, to order a rollback of rates. Another alternative might be to establish rates by arbitration if a question arises. All of these methods are used in various other areas of rate regulation and we believe each may be appropriate in particular instances. A rule change is, therefore, being proposed that is intended to allow any of these options, or other similar approaches, at the discretion of the franchising authority. Moreover, we would propose that the decision as to the necessity to regulate the rates of regular subscriber services in the first instance also be left solely to the franchising authority.

6. Thus, in order to correct both problems mentioned above and to allow greater flexibility at the local (or State) level, we propose to revise § 76.31(a)(4) to read:

§ 76.31 Franchise standards.

(a) • • •

(4) If the franchisor has the appropriate authority and elects to exercise rate regulation of regular subscriber services it shall do so only after adopting procedures to insure public notice of any formal consideration of rate increases and an opportunity for the public to be heard.

• • • • •

This will allow those authorities who have the jurisdiction and wish to exercise it in the franchise agreement that option without requiring those who do not deem it necessary, to engage in rate making. Of course the proposed modification will still require that if a franchising authority does decide to regulate rates it must adopt a procedure that insures the public notice and an opportunity to be heard.

7. An alternative proposal that we are seeking comment on would simply be to delete § 76.31(a)(4) in its entirety. Since the principal intent of changing this rule is to make rate making a discretionary aspect of non-federal regulation, rather than mandatory as is the present case, it seems to be equally efficacious to allow procedures for such rate making to be discretionary. Of course even with the proposed first alternative, procedural rules would in essence be the responsibility of local and state authorities. We do not intend to become the arbiters of local disputes over the procedure of making rate decisions. This being the case it might be administratively clearer if we left these matters totally to the discretion of non-federal officials.

8. While some might argue that the elimination of the procedural safeguards in § 76.31(a)(4) would not be in the public interest, we believe that most states already have procedural safeguards for public decision-making. If this is the case then our rules would be redundant. Others might argue that to leave procedures solely to local officials might result in unnecessarily costly or complex procedures with undue delays. This, however, is something that would presumably be negotiated in the franchise, and could be remedied during those negotiations.

9. We believe that either of these alternatives would serve the public interest. In both cases the decision as to what to do about the rate question would have to be made in a public proceeding following notice to the public and an opportunity to be heard, just as with all other major franchise provisions. They would leave flexibility, however, for a decision to be made on whether regulation of regular subscriber service rates is needed at all, and if so, what the appropriate procedures for that regulation should be in that particular locality.

10. It should be noted that this rulemaking only relates to the regulation of regular subscriber service rates, that is, charges imposed for receipt of broadcast signals required to be carried by our rules as well as all required access services associated therewith and installation and reconnection charges, etc. It does not apply to auxiliary services such as pay cable, advertising, leased channels, etc. We continue to relieve that it is premature for any rate regulation to be imposed on these other services. We have preempted such regulation with the express intent of allowing the market place to function freely.

11. Authority for the rule making proposed herein is contained in sections 2, 3, 4 (i) and (j), 301, 303, 307, 308, and 403 of the Communications Act of 1934, as amended. All interested parties are invited to file written comments on or before January 30, 1976, and reply comments on or before February 10, 1976. In reaching a decision on this matter the Commission may take into account any other relevant information before it, in addition to the comments invited by this notice.

In accordance with the revised provisions of § 1.419 of the Commission's rules and regulations, an original and 11 copies of all comments, replies, pleadings, briefs, or other documents filed in this proceeding shall be furnished to the Commission. Responses will be available for public inspection during regular business hours in the Commission Public Reference Room (Room 239) at its Headquarters in Washington, D.C. (1919 "M" Street NW.).

Adopted: December 22, 1975.

Released: January 5, 1976.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76–635 Filed 1–8–76;8:45 am]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1056]

[Ex Parte No. MC–19 (Sub-No. 28)]

ADVERTISING BY MOTOR CARRIERS OF HOUSEHOLD GOODS

Proposed Rulemaking

JANUARY 6, 1976.

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 23d day of December, 1975.

It is ordered, That based on the reasons set forth below a proceeding be, and it is hereby, instituted pursuant to Part II of the Interstate Commerce Act and sections 552, 553, and 559 of the Administrative Procedure Act (5 U.S.C. 552, 553, and 559), for the purpose of amending 49 CFR Part 1056 by adding 49 CFR 1056.30 and modifying 49 CFR 1056.1.

It is further ordered, That the attached notice be, and it is hereby, adopted and is incorporated by reference into this order.

It is further ordered, That all motor common carriers of household goods be, and they are hereby, made respondents in the above-entitled proceeding.

And it is further ordered, That notice of the institution of this proceeding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register as notice to interested persons.

Dated: December 23, 1975.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

The Interstate Commerce Commission is proposing to amend Part 1056 of Title 49 of the Code of Federal Regulations by adding § 1056.30 and modifying § 1056.1. The proposed changes would add a definition of the term "advertising" to § 1056.1 and would require household goods carriers to include in their advertising the name of the motor carrier under whose operating rights the advertised service will be performed and the certificate or docket number assigned to such operating rights by the I.C.C. This would include advertising by an agent which is holding itself out to provide interstate motor carrier service under the authority of its principal carrier.

This proceeding is being instituted as a result of investigations by this Commission's field staff of several consumer complaints regarding telephone directory Yellow Pages advertisements which were alleged to be misleading. It is apparent from an examination of representative Yellow Pages advertisements from various cities throughout the Nation that "long distance" and "interstate" moving services are being advertised by companies without appropriate authority from this Commission. Such a practice is harmful to the competitive structure of the regulated household goods industry and to the general public it serves. This Commission requires household goods carriers to adhere to a high standard of service which the public would not receive if it contacts a carrier advertising an unlawful service. If the proposed rules are adopted, the Reuben Donnelly Corporation agree to cooperate with the Commission in this matter and Yellow Pages advertisements which do not comply with the rules will not be accepted.

[1] Section 76.31(a)(4) of the cable television rules states that a cable television system, in order to obtain a Certificate of Compliance from the Commission, shall have:

a franchise or other appropriate authorization that contains recitations and provisions consistent with the following requirements:

• • • • •

(4) The franchising authority has specified or approved the initial rates that the franchisee charges subscribers for installation of equipment and regular subscriber services. No increases in rates charged to subscribers shall be made except as authorized by the franchising authority after an appropriate public proceeding affording due process.

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Oral hearings do not appear necessary at this time and none is contemplated. Anyone wishing to present views and evidence, either in support of, or in opposition to, the action proposed in this notice may do so by the submission of written data, views, or arguments. An original (and 15 copies whenever possible) of such data, views, or arguments shall be filed with Secretary, Interstate Commerce Commission, Washington, D.C. 20423, on or before March 1, 1976.

All written submissions will be available for public inspection during regular business hours at the offices of the Interstate Commerce Commission, 12th and Constitution Avenue, Washington, D.C.

This notice of proposed rulemaking is issued under the authority of Part II of the Interstate Commerce Act and sections 552, 553, and 559 of the Administrative Procedure Act (5 U.S.C. 552, 553, and 559).

Issued in Washington, D.C., December 23, 1975.

[SEAL] ROBERT L. OSWALD,
Secretary.

Accordingly, it is proposed to amend 49 CFR Part 1056 by adding § 1056.30 as follows:

§ 1056.30 Advertising by motor common carriers of household goods.

(a) On and after January 1, 1977, every motor common carrier engaged in the transportation of household goods in interstate or foreign commerce, including carriers providing any accessorial service incidental to or a part of such interstate or foreign transportation, shall include in every advertisement as defined in § 1056.1(d) the name or trade name of the motor carrier under whose operating authority the advertised service will be performed, and the certificate or docket number assigned to such operating authority by the Interstate Commerce Commission.

(b) Such certificate or docket number shall be in the following form in every advertisement: "I.C.C. No. MC ------" but shall not include any sub numbers which may have been assigned.

§ 1056.1 [Amended]

Section 1056.1 is modified by relettering the present paragraph (d) and making it paragraph (e) without any other change and inserting a new paragraph (d) as follows:

* * * * *

(d) *Advertisement.* The term "advertisement" means any communication published in written or printed form in connection with an offer or sale of any interstate transportation service.

* * * * *

[FR Doc.76-670 Filed 1-8-76;8:45 am]

[49 CFR Part 1056]

[Ex Parte No. MC-19 (Sub-No. 29)]

PRACTICES OF MOTOR COMMON CARRIERS OF HOUSEHOLD GOODS

Filing Petition Regarding Performance Reports

JANUARY 5, 1975.

● **Purpose: Petition for rulemaking. Request to amend ICC's regulations governing the transportation of household goods by motor common carriers so (1) that annual performance reports become due on March 31 each year, and (2) that the format of the report be revised in a manner suggested by the petitioner. Comments of any interested person due on or before March 5, 1976.** ●

Petitioner: American Movers Conference, 1117 North 19th Street, Arlington, Va. 22209. Petitioner's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C. 20006.

By petition filed December 31, 1975, the above-named petitioner requests that the Interstate Commerce Commission institute a rulemaking proceeding for the purpose of amending § 1056.7 of the Commission's general rules and regulations (49 CFR 1056.7) in order to (a) extend the date for filing annual performance reports from on or before the 45th day following the termination of each calendar year to on or before March 31st of each year, (b) permit percentages in the annual performance report to be stated in the affirmative rather than in the negative (e.g., the percent of timely delivered shipments, rather than the percent of late delivered shipments), and (c) require the use of a prescribed reporting forms which would be 8.5 inches by 11 inches in size and which would set forth separately the three types of accounts (C.O.D., D.O.D., and national accounts).

In support of modification (a) above, petitioner asserts that the burden on carriers would be reduced if the date for filing annual performance reports coincided with the date carriers are required to file their regular ICC report (see 49 CFR Part 1249). In support of (b) above, petitioner claims that statistics framed in a positive manner will provide the shipper with the same information it now receives but without a negative connotation. Finally, in regard to (c) above, petitioner asserts that a required uniform format is necessary to enable shippers properly to compare the performances of various carriers.

No oral hearing is contemplated at this time, but any person (including petitioner) wishing to make representations in favor of, or against, the relief sought in the petition may do so by the submission of written data, views, or arguments. An original and fifteen (15) copies of such data, views, or arguments should be filed with the Commission on or before March 5, 1976. A copy of each representation must be served upon petitioner's representative. Written material or suggestions submitted will be available for public inspection at the Offices of the Interstate Commerce Commission, 12th and Constitution, Washington, D.C., during regular business hours. Notice to the general public of the matter herein under consideration will be given by depositing a copy of this notice in the Office of the Secretary of the Commission for public inspection and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-668 Filed 1-8-76;8:45 am]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 115]

SURETY BOND GUARANTEE

Policy and Guarantee Fees

Notice is hereby given that the Small Business Administration proposes to amend Part 115 of Chapter I, Title 13, of the Code of Federal Regulations. Interested parties are hereby given until February 9, 1976, in which to submit written comments, suggestions, or objections regarding the proposed amendments, to the Associate Administrator for Finance and Investment, 1441 L Street, NW., Washington, D.C. 20416.

INFORMATION

The proposed amendments are intended:

(1) To reflect a statutory change in the insurable contract amount from $500,000 to $1,000,000;

(2) To increase the percentage of the premium which a surety pays SBA in consideration of a guarantee, from 10 to 20 percent;

(3) To impose a deductible amount not to exceed $500 on the surety; and

(4) To require a $10 application fee from the contractor with each guarantee application, as partial compensation for administrative costs. These changes are considered necessary in view of Pub. L. 93-386 which increased the contract amount, and requires SBA to "administer the program on a prudent and economically justifiable basis * * *" and to "determine what must be done to make the program economically sound * * *". The statute also requires the Administration to fix "* * * uniform fees for the processing of applications for guarantees * * *". (15 U.S.C. 694b(c).)

Accordingly, it is proposed to amend Part 115 of Chapter I, Title 13 of the Code of Federal Regulations as follows:

1. Section 115.2, *Policy*, is proposed to be revised to read as follows:

§ 115.2 Policy.

It is the intent of Congress to strengthen the competitive free enterprise system by assisting qualified small business concerns to obtain certain bid, payment or performance bonds that are otherwise not obtainable, by authorizing SBA to guarantee surety companies up to 90 percent of their losses incurred by reason of the breach of the terms of such bonds executed on behalf of such concerns, on contracts not exceeding a contract amount of $1,000,000. Payments by SBA of such losses shall be subject to a deductible amount of $500 or the amount of the gross bond premium charged such small concern by the surety, whichever is less.

§ 115.6 [Amended]

2. Section 115.6(c) is to be amended by changing the words "10 percent" in the first line thereof to "20 percent."

3. Section 115.7, *Guarantee fees*, would be revised to read as follows:

§ 115.7 Guarantee fees.

(a) Each application submitted to SBA shall be accompanied by an application fee of $10 from the contractor on whose behalf a guarantee is sought. Such fee shall not be refundable in the event the application is rejected.

(b) Upon obtaining the contract, the contractor shall be required to pay to SBA a processing fee in consideration of SBA's guarantee to the surety of the performance or payment bond required of the contractor. Such fee shall equal either:

(1) 0.2 percent of the contract amount if such bond equals 100 percent of such amount, or

(2) The lesser of 0.2 percent of the contract amount, or an amount equal to 20 percent of the premium charged by the surety, if such bond equals less than 100 pecent of the contract amount.

(c) The surety shall pay to SBA a guarantee fee of 20 percent of the bond premium.

(Catalog of Federal Domestic Assistance Program No. 59.016, Bond Guarantees for Surety Companies)

Dated: December 24, 1975.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.76-598 Filed 1-8-76;8:45 am]

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notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

CHILD CARE FOOD PROGRAM

National Average Payments for the Period January 1–June 30, 1976

Pursuant to § 226.4 of the regulations governing the Child Care Food Program (7 CFR Part 226), notice is hereby given that the national average payment factors for meals served to children attending institutions which participate in the Child Care Food Program during the period January 1–June 30, 1976, shall be as follows:

For breakfasts served in the program: (a) 10.0 cents for all breakfasts served; (b) an additonal 19 cents for each breakfast served to children from families whose incomes meet the eligibility criteria for reduced price school meals; and (c) an additional 25.25 cents for each breakfast served to children from families whose incomes meet the eligibility criteria for free school meals.

For lunches and suppers served in the program: (a) 12.5 cents for all lunches and suppers served; (b) an additional 46.75 cents for each lunch and supper served to children from families whose incomes meet the eligibility criteria for reduced price school meals; and (c) an additional 56.75 cents for each lunch and supper served to children from families whose incomes meet the eligibility criteria for free school meals.

For supplements served in the program: (a) 5.25 cents for all supplements served; (b) an additional 10.25 cents for each supplement served to children from families whose incomes meet the eligibility criteria for reduced price school meals; and (c) an additional 15.50 cents for all supplements served to children from families whose incomes meet the eligibility criteria for free school meals.

The total amount of payments to be made to each State agency from the sums appropriated for the program shall be based upon these national average payment factors and the number of meals of each type served.

The above factors for breakfasts are identical to those factors prescribed for breakfasts served under the School Breakfast Program; the factors for lunches and suppers are identical to those factors prescribed for lunches served under the National School Lunch Program. National average payment factors for supplements are unique to the Child Care Food Program. These factors are adjusted semi-annually to reflect changes in the Consumer Price Index series for food away from home.

The above factors represent a 3.70 percent increase in the factors prescribed for the period ending December 31, 1975. This represents the percent of increase during the six-month period June–November 1975 (from 172.8 in May 1975 to 179.2 in November 1975) in the series for food away from home of the Consumer Price Index, published by the Bureau of Labor Statistics of the Department of Labor.

Definitions. The terms used in this notice shall have the meanings ascribed to them in the regulations governing the Child Care Food Program (7 CFR Part 226).

Effective date. This notice shall become effective as of January 1, 1976.

Dated: January 5, 1976.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.76-588 Filed 1-8-76;8:45 am]

NATIONAL SCHOOL LUNCH PROGRAM

National Average Payments for the Period January 1–June 30, 1976

Pursuant to §§ 210.4 and 210.11 of the regulations governing the National School Lunch Program (7 CFR Part 210), notice is hereby given of adjustments in the national average factors for payment for lunches and the maximum rates of reimbursement. The national average factors for payment for lunches served during the six-month period January 1–June 30, 1976, to children participating in the National School Lunch Program are as follows: (a) 12.5 cents from general cash-for-food assistance funds for each lunch; (b) an additional 46.75 cents from special cash assistance funds for each reduced price lunch; and (c) an additional 56.75 cents from special cash assistance funds for each free lunch.

The total amount of general cash-for-food assistance payments and special cash assistance payments to be made to each State agency from the sums appropriated therefor, shall be based upon such national average factors.

The above factors represent a 3.70 percent increase in the factors prescribed for the period July–December 1975. This represents the percent of increase during the six-month period June–November 1975 (from 172.8 in May 1975 to 179.2 in November 1975) in the series for food away from home of the Consumer Price Index, published by the Bureau of Labor Statistics of the Department of Labor.

For the six-month period January 1–June 30, 1976, (a) the maximum rate of reimbursement from general cash-for-food assistance funds shall be 18.5 cents per lunch served; (b) the maximum per lunch reimbursement (from a combination of general cash-for-food assistance and special cash assistance funds) shall be $4.25 cents for a free lunch and 74.25 cents for a reduced price lunch.

Definitions. The terms used in this notice shall have the meanings ascribed to them in the regulations governing the National School Lunch Program (7 CFR Part 210) and the regulations for Determining Eligibility for Free and Reduced Price Meals and Free Milk in Schools (7 CFR Part 245).

(Catalog of Federal Domestic Assistance Program No. 10.555, National Archives Reference Service)

Effective date. This notice shall become effective as of January 1, 1976.

Dated: January 5, 1976.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.76-586 Filed 1-8-76;8:45 am]

SCHOOL BREAKFAST PROGRAM

National Average Payments for the Period January 1–June 30, 1976

Pursuant to §§ 220.4 and 220.9 of the regulations governing the School Breakfast Program (7 CFR Part 220), notice is hereby given that the national average breakfast factors for breakfasts served during the six-month period January 1–June 30, 1976, to children participating in the School Breakfast Program shall be: (a) 10.0 cents for all breakfasts; (b) an additional 19.0 cents for each reduced price breakfast; and (c) an additional 25.25 cents for each free breakfast. The total amount of breakfast assistance payments to be made to each State agency from the sums appropriated therefor, shall be based upon such national average factors: *Provided, however,* That additional payments shall be made in such amounts as are needed to finance reimbursement rates assigned in accordance with the provisions of § 220.9(b–1) of the regulations.

The above factors represent a 3.70 percent increase in the factors prescribed for the period July–December 1975. This represents the percent of increase during the six-month period June–November 1975 (from 172.8 in May 1975 to 179.2 in November 1975) in the series for food away from home of the Consumer Price Index, published by the Bureau of Labor Statistics of the Department of Labor.

For noneespecially needy schools, the maximum rates of reimbursement for paid breakfasts, for reduced price breakfasts, and for free breakfasts shall be equal to the respective factors set out above.

For especially needy schools, the maximum rate of reimbursement for paid breakfasts shall be equal to the national average factor for all breakfasts; the maximum rate of reimbursement for reduced price and free breakfasts shall be 40 cents and 45 cents, respectively.

Definitions. The terms used in this notice shall have the meanings ascribed to them in the regulations governing the School Breakfast Program (7 CFR Part 220) and the regulations for Determining Eligibility for Free and Reduced Price Meals and Free Milk in Schools (7 CFR Part 245).

(Catalog of Federal Domestic Assistance Program No. 10.558, National Archives Reference Service)

Effective date. This notice shall be effective January 1, 1976.

Dated: January 5, 1976.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.76-587 Filed 1-8-76;8:45 am]

Forest Service

REGIONAL FORESTER, ALASKA

Delegation of Authority

By virtue of the authority delegated to me by the Secretary of Agriculture through the Assistant Secretary for Conservation, Research and Education (7 CFR 2.60), there is hereby delegated to the Regional Forester, Alaska, Forest Service, United States Department of Agriculture, authority to approve selections of National Forest lands made by the State of Alaska pursuant to Section 6(a) of the Act of July 7, 1958 (72 Stat. 399).

The authority herein delegated may not be redelegated.

J. W. DEINEMA,
Acting Chief.

JANUARY 2, 1976.

[FR Doc.76-620 Filed 1-8-76;8:45 am]

Packers and Stockyards Administration

RECTOR LIVESTOCK AUCTION, RECTOR, ARKANSAS, ET AL.

Proposed Posting of Stockyards

The Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the Act.

AR-154—Reactor Livestock Auction
Reactor, Arkansas
IA-252—Beemer Livestock Auction
Gravity, Iowa
KS-201—Hesston Sales
Hesston, Kansas
NY-156—Whitney Point Livestock Market
Whitney Point, New York
RI-100—Danny's Auction Barn
Foster, Rhode Island
WI-132—Beetown Livestock Exchange
Beetown, Wisconsin

Notice is hereby given, therefore, that the said Chief, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the Act as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule, may do so by filing them with the Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, United States Department of Agriculture, Washington, D.C. 20250, by January 26, 1976.

All written submissions made pursuant to this notice shall be made available for public inspection at such times and places in a manner convenient to the public business (7 U.S.C. 1.27(b)).

Done at Washington, D.C., this 5th day of January 1976.

EDWARD L. THOMPSON,
Chief, Registrations, Bonds, and Reports Branch, Livestock Marketing Division.

[FR Doc.76-622 Filed 1-8-76;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

COMPUTER SYSTEMS TECHNICAL ADVISORY COMMITTEE

Open Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. IV, 1974), notice is hereby given that a meeting of the Computer Systems Technical Advisory Committee will be held on Tuesday, February 10, 1976, at 9:30 a.m. in Room 5230, Main Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C.

The Computer Systems Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974, the Acting Assistant Secretary for Administration approved the recharter and extension of the Committee for two additional years, pursuant to section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act.

The Committee advises the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, world-wide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to computer systems, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls.

The agenda for the meeting is:

(1) Opening remarks by the Chairman.
(2) Presentation of papers or comments by the public.
(3) Reports on the work programs of the Subcommittees:
(a) Technology Transfer;
(b) Foreign Availability;
(c) Licensing Procedures; and
(d) Hardware.

The meeting will be open to public observation, and a limited number of seats will be available. To the extent time permits members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting.

Copies of the minutes of the meeting will be made available upon written request addressed to the Freedom of Information Officer, Room 3100, Domestic and International Business Administration, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact, Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Domestic and International Business Administration, U.S. Department of Commerce, Washington, D.C. 20230, telephone A/C 202–967–4196.

Dated: January 6, 1976.

RAUER H. MEYER,
Director, Office of Export Administration, Bureau of East-West Trade, U.S. Department of Commerce.

[FR Doc.76-676 Filed 1-8-76;8:45 am]

BISHOP CLARKSON MEMORIAL HOSPITAL

Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before January 29, 1976.

Amended regulations issued under cited Act, (40 FR 12253 et seq, 15 CFR Part 701, 1975) prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket Number: 76–00227. Applicant: Bishop Clarkson Memorial Hospital, Dewey Avenue at 44th, Omaha, Nebraska 68105. Article: EMI Scanner System with Magnetic Tape Storge System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for computerized

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axial tomagraphy technique for study of neurological function in dialysis patients with a precison of observation (in the area under observation) which is at least an order of magnitude greater than ever previously available. The article will also be utilized in the physician education program in which the role the EMI Brain Scanner can play in medicine will be taught. This program will concentrate on the areas of (1) where a scan will be beneficial in achieving a diagnosis and (2) the limits of the scanner in diagnosing diseases. Application received by Commissioner of Customs: December 8, 1975.

Docket Number: 76–00229. Applicant: University of California, San Diego, 3175 Miramar Road, Physics Dept., Mail Code B–019, La Jolla, CA 92093. Article: Thermometer, NMR Platinum Model PLM–3, Electronics Console and Premamplifier, Two (2) Option 31, Plug in Cards. Manufacturer: Instruments for Technology OY, AB, Finland. Intended use of article. The article is intended to be used for measurement of temperature in the range of a few thousandths of a degree above absolute zero in experiments on true properties of ^{3}He. These properties include flow, thermal and magnetic properties, as well as the phase diagram. The purpose of the measurements is to achieve a fundamental understanding of the quantum superfluid liquid ^{3}He. Application received by Commissioner of Customs: December 11, 1975.

Docket Number: 76–00230. Applicant: Tacoma General Hospital, Post Office Box 5277, 315 South K Street, Tacoma, Washington 98405. Article: EMI Scanner System with Magnetic Tape System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for quantifications of endocranial cancers in man by measurement of their respective x-ray absorption coefficients. Another investigation will involve analysis of the physiological change of grey matter with age. Post treatment cancer development analysis will also be carried out. Application received by Commissioner of Customs: December 11, 1975.

Docket Number: 7600231. Applicant: University of Rochester, 300 Crittenden Blvd., Rochester, New York 14642. Article: A H E Multipurpose Reaction Timer, Model 1075 with 2 IEEE Display. Manufacturer: A. Hillis Electronics, Canada. Intended use of article: The article will be used for the identification of etiological factors, specifically attentional deficits, in the physchological disorder of schizophrenia. The article will provide the visual and auditory cues as well as the mode of response necessary for measuring attentional factors in schizophrenia. Application received by Commissioner of Customs: December 11, 1975.

Docket Number: 76–00232. Applicant: National Bureau of Standards, Thermal Engineering Section, Room B104, Building 226, Washington, D.C. 20234. Article: Long-wave Radiometer. Manufacturer: Center for Building Science and Technology, France. Intended use of article: The article is intended to be used to measure the long wavelength radiation from building surfaces to the sky. Application received by Commissioner of Customs: December 11, 1975.

Docket Number: 76–00233. Applicant: University of California, San Diego, Marine Physical Laboratory of the Scripps Institution of Oceanography, San Diego, California 92132. Article: Ocean Bottom Seismograph Katsujima Model CJ–1B without Pressure Case and (3) sets Cassette Tape Deck. Manufacturer: Pacico Boeki Co., Ltd., Japan. Intended use of article: The article is intended to be used in basic seismic refraction studies in various localities under various conditions. Application received by Commissioner of Customs: December 11, 1975.

Docket Number: 76–00234. Applicant: Creighton Medical School, 2500 California Street, Omaha, Nebraska 68178. Article: Electron Microscope, Model EM 10, and accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for the investigations of biological materials including sections of tissue originating from man and the various common laboratory animals as well as lower cases of vertebrates and examples of the invertebrate phyla. Investigators will work in such diverse fields as cell biology, experimental embryology, neuroscience, experimental pathology, cytology and microbiology. In addition, the article will be used in the courses: Microscopy and Cell Biology, Practicum in Microscopy and Cell Biology, Histochemistry and Cytochemistry, and Graduate Research to prepare students having a reasonably adequate background in Physics, Chemistry, Histology, and Biochemistry to undertake independent research in fields where the application of electron microscopic techniques is required for the solution of problems peculiar to those fields. Application received by Commissioner of Customs: December 11, 1975.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Director,
Special Import Programs Division.

[FR Doc.76–615 Filed 1–8–76;8:45 am]

PENNSYLVANIA STATE UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq, 15 CFR Part 701, 1975).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 75–00230–33–46040. Applicant: The Pennsylvania State University College of Medicine, Department of Microbiology, 500 University Drive, Hershey, Pa. 17033. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments, NVD, The Netherlands. Intended use of article: The article is intended to be used in the graduate course "Electron Microscope Techniques" to teach the basic techniques in specimen preparation, use of the electron microscope and photographic competence in developing and printing of electron micrographs to graduate students, medical students and post-doctoral fellows, who intend to examine DNA or to use the ultrastructural approach in some phase of their research.

Comments: Comments dated January 3, 1975 were received from the Adam David Company (AD), which state inter alia that the Model EMU–4C electron microscope is equivalent to the foreign article.

Decision: Application denied. An instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant in response to Questions 7 and 8 alleges that the foreign article provides the following pertinent specifications:

(1) *Simplicity and ease of operation and column alignment.* (a) Filament exchange facilitated by a gun lifting mechanism supplied for the purpose.

(b) Gun centering which is entirely electromagnetic.

(c) Objective lens with a short focal length and very low aberations providing a very high inherent resolution resulting in a lens that has plenty of resolution in hand. Thus it is not necessary to have perfected all adjustments in order to obtain high quality results.

(d) Image magnification with a digital readout.

(2) *Accurate focusing.* For quick focusing a proximity focusing circuitry is provided so that once the image has been focused, it will stay close to focus in spite of wide changes in magnification and acceleration voltage. For accurate focusing the article has a special wobbler which can be used throughout the complete magnification range.

(3) *Mini-lens illumination system.* A single mini-condenser lens which forms a bright circular spot of 6 micrometers minimum diameter is provided. Images of high intensity can thus be formed even at high magnifications, and work normally requiring a double condenser system can be carried out quickly and easily. Only one potentiometer is needed to control the lens excitation and for most purposes this single control can be regarded as the sole illumination control for the instrument.

(4) *Specimen stage.* A high resolution standard stage is provided for use where the highest degree of resolution is required. The holder can be tilted ±6° for stereo photography. The stage has a pre-pumped airlock which means that, when specimens are changed, no air or water vapor is admitted to the column. Specimen contamination is, therefore, minimized, and it is not necessary to switch off the high tension. In this way, the high tension build-up time is eliminated, and the stability remains unaffected.

(5) *Viewing and recording.* Strain free viewing is ensured by the use of two fluorescent screens. The main screen for direct viewing has a diameter of 12 centimeters. The small screen is for critical viewing and focusing. There is a choice of three cameras: plate, 70mm, and 35 mm, roll film, all of which can be available simultaneously. Camera selection is by push button. A television display system with videotape can be added at a later date.

(6) *Wide range of magnifications.* Provides high magnifications with high resolution without excessive mechanical manipulation or prolonged delay or image distortion.

(7) *Maintenance.* Article must be reliable and have a low overall maintenance requirement (reduced "down-time").

(8) *Anticontamination device and cold trap.* Permits long term viewing necessary for the intended teaching program and to reduce "down-time" in maintenance and cleaning.

The Department of Health, Education, and Welfare (HEW) advises in its memoranda dated March 3, 1975 and July 17, 1975 that the Model EMU–4C electron microscope, which was manufactured by the Adam David Company (Adam David) at the time that the article was ordered (October 2, 1974), is the most closely comparable domestic instrument with guaranteed resolution, magnification range and accelerative voltages equivalent to similar features in the article. HEW further advises that the applicant provides no pertinent specification within the meaning of § 301.2(n) of the regulations upon which duty-free entry could be based.

The following comments are made keyed to the specific points made by the applicant above:

(1) *Simplicity and ease of operation, etc.* HEW advises that the applicant's intended use is research-oriented and that use in teaching is at a sophisticated level. Accordingly, HEW advises that simplicity and ease of operation, (1) (a) through (d) above, are not pertinent.

HEW further advises that the interchangeable filaments of the EMU–4C ((1)(a)) match those of the article and that gun lift mechanism ((1)(a)), focal length ((1)(c)), relative ease of aberration control ((1)(c)), and digital magnification display ((1)(d)) are all conveniences which are not pertinent.

(2) *Accurate focusing.* Specifications for the EMU–4C provide that there shall be no change in magnification with change in accelerating voltage, that magnification at each magnification step shall be reproducible to within 2%, that the fine focusing control shall be calibrated in fixed steps of 60 Angstroms (Å) to one micron per step to insure perfect focus; and that there shall be a wobbler focusing device. HEW advises that the wobbler is equivalent to that of the article. We find that accurate focusing can be obtained with the EMU–4C. If there were any difference between the focusing capability of this instrument and that of the foreign article, such a difference would have to fall into a category of ease of operation which HEW advises is not pertinent.

(3) *Mini-lens illumination system.* The EMU–4C provides a high-intensity grid cap for adequate illumination and contrast and either a single condenser or double condenser system (the mini-condenser lens system of the article is a single condenser lens system). The applicant states that with the minicondenser lens system of the article "work normally requiring a double condenser system can be carried out quickly and easily." Thus it is clear that the claimed difference between the article's condenser system and a system available with the EMU–4C lies in the area of ease of operation which HEW advises is not pertinent. Moreover, HEW advises that the EMU–4C provides an equivalent single or double-condenser and further that the number of potentiometers needed to control lens excitation is a matter of convenience which is not pertinent.

(4) *Specimen stage.* HEW advises that the EMU–4C provides a resolution guarantee (5Å point-to-point) equivalent to that of the article 4Å point-to-point) as well as an equivalent tilt stage (±30°) and equivalent prepumped airlock (no high tension "switch-off" or vacuum break required).

(5) *Viewing and Recording—Viewing screen design.* HEW advises that the EMU–4C has viewing screens equivalent to those of the article. Moreover, HEW advises tht viewing screen design is either a convenience or a cost-related feature which is not pertinent within the meaning of § 301.2(n) of the regulations.

Camera system. HEW advises that the EMU–4C provides a 35 millimeter (mm) camera equivalent to that of the article and further that the types of cameras available with the EMU–4C match those available with the article. We note in this connection that the EMU–4C can also be equipped with a 70mm and plate camera system. As to the simultaneous availability of all three cameras in the article, we note that the plate and 70mm cameras were not ordered with the article and therefore, in accordance with §§ 301.2(d) and 301.6(a)(3) of the regulations, cannot be considered in this determination. Moreover, we note that the specifications provided with the application refer to the fact that the use of three cameras with the article provides a total of 106 exposures. The EMU–4C with its plate camera alone can provide a maximum of 240 exposures.

Television display. The television display with videotape was not ordered with the article. Therefore, in accordance with §§ 301.2(d) and 301.6(a)(3) these features cannot be considered in this determination.

(6) *Wide range of magnifications.* The article provides a standard pole piece with a magnification range of 1,500× to 200,000×. The EMU–4C provides a standard pole piece with a magnification range of 1,400× to 240,000×. Although both instruments can be equipped with low magnification pole pieces, neither requires a pole piece change for survey and scanning below the lower magnification limit of the standard pole piece. HEW advises that the EMU–4C provides magnification range equivalent to that of the article.

(7) *Maintenance.* HEW advises that any difference in degree of service requirements based on reliability projections and ease of maintenance are all cost-related and are therefore nonpertinent. We would also note that service was available (when the article was ordered) and is available now on the EMU–4C from the RCA Service Company.

(8) *Anticontamination device and cold trap.* The EMU–4C provides a liquid nitrogen anticontamination device which permits long term viewing due to reduced anticontamination rate. With its optional anticontamination cold stage the guaranteed contamination rate of the EMU–4C is less than 0.0017 Å/second. The guaranteed anticontamination rate of the foreign article is less than 0.01 Å/second using the optional liquid nitrogen cooled cold trap around the specimen. Thus it is clear that the anticontamination features of the 4C are scientifically equivalent to the corresponding features of the foreign article. Moreover, these features affect ease of operation which HEW has pointed out is not pertinent. HEW also advises that any difference in service needs based on design of cold trap or anticontamination device is cost-related and is therefore not pertinent.

For the foregoing reasons, we find that the Model EMU–4C electron microscope is of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Director,
Special Import Programs Division.

[FR Doc.76–616 Filed 1–8–76;8:45 am]

Maritime Administration

MARINE MIDLAND BANK–NEW YORK

Approval of Applicant as Trustee

On October 25, 1966, Marine Midland Grace Trust Company of New York (renamed Marine Midland Bank-New York) was approved as a Trustee pursuant to Pub. L. 89–346 and 46 CFR 221.21–221.30.

Notice is hereby given that Marine Midland Bank-New York was merged

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into Marine Midland Bank on January 1, 1976, and that Marine Midland Bank, the continuing corporation, a banking corporation organized under the laws of the State of New York, with offices at 140 Broadway, New York, New York, has been approved as a Trustee pursuant to Pub. L. 89–346 and 46 CFR 221.21–221.30.

Dated: December 30, 1975.

EDWARD S. KARLSON,
Acting Director,
Office of Domestic Shipping.

[FR Doc.76–555 Filed 1–8–76;8:45 am]

[Docket No. S–480]

PYRAMID SUGAR TRANSPORT, INC.

Application

Notice is hereby given that application has been filed under the Merchant Marine Act, 1936, as amended (the Act), for operating-differential subsidy with respect to bulk cargo carrying service in the U.S. foreign trade, principally between the United States and the Union of Soviet Socialist Republics, to expire on December 31, 1975, unless further extended, or until completion of voyages in progress on that date.

Inasmuch as the applicant, and/or related persons or firms, employ or may employ ships in the domestic intercoastal or coastwise service, written permission of the Maritime Administration under section 805(a) of the Act will be required if its application for operating-differential subsidy is granted.

Applicant states that it bareboat charters the MV SUGAR ISLANDER, the vessel for which subsidy is requested, from the owners and that California & Hawaiian Sugar Company has entered into a 20-year time charter party for the vessel with applicant who operates and manages the vessel. Pyramid also states that California & Hawaiian Sugar Company has entered into spot voyage charter parties, and from time to time continues to enter into such charter parties for the carriage of sugar in bulk in the intercoastal and/or coastwise service of the United States.

Such written permission is now required under section 805(a) notwithstanding the fact that a voyage in the proposed service on which the vessel engaged in domestic intercoastal or coastwise trade would not be eligible for subsidy.

Any person, firm or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) and desiring to submit comments or views concerning the application must, by close of business on January 19, 1976, file same with the Secretary, Maritime Administration, in writing, in triplicate, together with petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief.

If no petitions for leave to intervene are received within the specified time or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Administration will take such action as may be deemed appropriate.

In the event petitions regarding the relevant section 805(a) issues are received from parties with standing to be heard, a hearing will be held, the purpose of which will be to receive evidence under section 805(a) relative to whether the proposed operation (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service, or (b) would be prejudicial to the objects and policy of the Act relative to domestic trade operations.

(Catalog of Federal Domestic Assistance Program No. 11.504, Operating-Differential Subsidies (ODS))

Dated: December 30, 1975.

By order of the Assistant Secretary for Maritime Affairs.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.76–591 Filed 1–8–76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

BASIC EDUCATIONAL OPPORTUNITY GRANT PROGRAM

Closing Date for Receipt of Applications for Determining Expected Family Contribution

Pursuant to the authority contained in section 411(b) of Title IV, Part A, Subpart 1 of the Higher Education Act of 1975 as amended (20 U.S.C. 1070a(b)(1)), notice is hereby given that the United States Commissioner of Education has established a final cutoff date for the receipt of applications for the determination of expected family contributions (student eligibility index) under the Basic Educational Opportunity Grant Program for the academic year ending June 30, 1976. Under this program the calculation of an expected family contribution is a prerequisite to receiving a Basic Educational Opportunity Grant.

1. In order to be eligible to receive a Basic Educational Opportunity Grant for the academic year ending June 30, 1976, applications for determining expected family contributions for the academic year 1975–76 must be submitted to BEOG, P.O. Box A, Iowa City, Iowa 52240, on or before March 15, 1976.

2. Applicants may request a recomputation of their expected family contribution (student eligibility index) pursuant to § 190.16 of the Basic Opportunity Grant Program Regulations (45 CFR 190.16) because of extraordinary circumstances affecting the expected family contribution determination. Requests for such a recomputation shall be made by submitting the Supplemental Form for the 1975–76 academic year together with a new regular application form to BEOG, P.O. Box A, Iowa City, Iowa 52240. In order to be processed such application must be submitted no later than March 15, 1976.

3. Applications submitted under paragraphs 1 and 2 above will be considered to have been submitted on time if the application was received at P.O. Box A, Iowa City, Iowa, no later than March 25, 1976.

4. Applicants may request a recomputation of their expected family contribution (student eligibility index) pursuant to § 190.15 of the Basic Educational Opportunity Grant Program Regulations (45 CFR 190.15) because of clerical or arithmetic error. Such requests must be submitted to BEOG, P.O. Box C, Iowa City, Iowa 52240. In order to be processed such requests must be received at that address no later than May 10, 1976.

5. Applicants whose applications were submitted on a timely basis but were returned because of incomplete or inconsistent information must submit their corrected application to BEOG, P.O. Box C, Iowa City, Iowa 52240. In order to be processed such corrected applications must be received at that address no later than May 10, 1976.

6. Information and application forms may be obtained at institutions of higher education, high schools, or from the Office of Education at the following address: BEOG, P.O. Box 84, Washington, D.C. 20044.

7. It should be noted that in order to receive a Basic Grant for the 1975–76 academic year a student must apply for such a grant by submitting his Student Eligibility Report to the institution in which he is enrolled no later than May 31, 1976, or the end of his school year, whichever comes first; except that if a student begins his enrollment after May 1, 1976, he must submit his Student Eligibility Report to the Institution in which he is enrolled no later than June 30, 1976 (45 CFR 190.76).

(20 U.S.C. 1070a)
(Catalog of Federal Domestic Assistance No. 13.539, Basic Educational Opportunity Grant Program)

Dated: January 3, 1976.

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.76–624 Filed 1–8–76;8:45 am]

CONSUMERS' EDUCATION PROGRAM

Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in Section 811 of the Elementary and Secondary Education Act of 1965, as enacted by Section 505 of the Education Amendments of 1972, Pub. L. 92–318, and as amended by the Education Amendments of 1974, Title IV, Sections 402 and 407, Pub. L. 93–380, 20 U.S.C. 887d, applications are being accepted from institutions of higher education, local educational agencies, State educational agencies, and other public and private non-profit organizations and institutions (including libraries) for grants to support research, demonstration, and pilot projects designed to provide consumers' education to the public.

Applications must be received by the U.S. Office of Education Application Control Center on or before March 8, 1976.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Washington, D.C. 20202; Attention 13.564. An application sent by mail will be considered to be received on time by the Application Center if:

(1) The application was sent by registered or certified mail not later than March 3, 1976, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

B. *Hand delivered applications.* An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8:00 a.m. and 4:00 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4:00 p.m. on the closing date.

C. *Program information and forms.* Information and application forms may be obtained from the Office of Consumers' Education, Bureau of Occupational and Adult Education, Office of Education, ROB–3, Room 5624, 7th and D Streets SW., Washington, D.C. 20202.

D. *Applicable regulations.* Awards made pursuant to this notice will be subject to: (1) The Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) published in the FEDERAL REGISTER on November 6, 1973 and, (2) upon becoming effective in final form, the regulation for the Consumers' Education Program. The proposed regulation was published in the FEDERAL REGISTER on November 26, 1975 (40 FR 54805–54811).

(20 U.S.C. 887d)

(Catalog of Federal Domestic Assistance No. 13.564; Consumers' Education)

Dated: January 5, 1976.

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.76–625 Filed 1–8–76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. D–76–397]

ACTING AREA DIRECTOR, COLUMBUS, OHIO, AREA OFFICE

Designation and Delegation of Authority

Designation of Acting Area Director—Each of the officials appointed to the following positions is designated to serve as Acting Area Director during the absence of the Area Director, with all the powers, functions, and duties redelegated or assigned to the Area Directors: *Provided*, That no official is authorized to serve as Acting Area Director unless all officials listed before him in this designation are unavailable to act by reason of absence or vacancy in the position:

1. The Deputy Area Director.
2. The Director, Housing Production and Mortgage Credit.
3. The Director, Community Planning and Development.
4. The Director, Housing Management.
5. The Area Council.

(36 FR 3380, Feb. 23, 1971, as amended at 37 FR 746, Jan. 18, 1972)

Effective date. This designation and delegation shall be effective as of October 1, 1975.

PAUL G. LYDENS,
Area Director,
Columbus Area Office, Region V.

[FR Doc.76–592 Filed 1–8–76;8:45 am]

[Docket No. 28522]

CIVIL AERONAUTICS BOARD

AMERICAN SAFE SYSTEM, INC.

Prehearing Conference Regarding Indirect Air Carrier Permit Application (German)

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on January 26, 1976, at 10 a.m. (local time) in Room 1003–C, North Universal Building, 1875 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge Richard V. Backley.

Dated at Washington, D.C., January 5, 1976.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.76–650 Filed 1–8–76;8:45 am]

[Docket No. 28501; Order 76–1–9]

PAN AMERICAN WORLD AIRWAYS, INC.

Order Denying Petition for Investigation and Adjustment of Joint Forces in Foreign Air Transportation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 5th day of January 1976.

By petition dated November 14, 1975 Pan American World Airways, Inc. (Pan American) requests the Board to investigate and adjust the division of joint fares in foreign air transportation which Pan American would experience commencing November 15, 1975 as a result of the three percent increase in U.S. domestic fares which became effective on that date. Pan American states that (1) the domestic add-ons used in constructing joint fares between nongateway U.S. points and foreign points will not be adjusted by the International Air Transport Association (IATA) to reflect the increase in U.S. domestic fares until some time after November 15, 1975; (2) the U.S. domestic carriers will receive an automatic increase in their portion of the unadjusted joint fares as of that date since the prorate agreement usually specifies the domestic carrier's share for the interior point-U.S. gateway segment of an international flight as a percentage of the normal local domestic fare to the gateway point; (3) the grace period which the U.S. domestic carriers had allowed Pan American and other international carriers in the past before collecting the increased prorate will not be accorded in the present case; and (4) Pan American will suffer a loss of revenue due to the impact of the increase in the domestic carriers' prorate of $300,000 for each 30-day period in which the situation continues. Pan American requests, inter alia, that the Board prescribe that, prior to approval of a new IATA joint-fare agreement, the domestic carriers shall receive the same dollar share of the joint through fare as they received prior to the November 15, 1975 increase in domestic fares and that such a prescription be made retroactive to that date.

Answers in opposition to Pan American's petition have been received from American Airlines, Inc. (American), Braniff Airways, Inc. (Braniff), Northwest Airlines, Inc. (Northwest), and Trans World Airlines, Inc. (TWA), all of whom are members of IATA except Northwest. No answers in support of the petition have been received. These carriers state that the petition should be denied, inter alia, because any delay in adjusting add-ons is entirely within the control of IATA and its members; it is within IATA's power to develop a mechanism which would allow international fares to be adjusted to reflect changes in domestic fares without delay; if the domestic prorate increase were delayed pending action by IATA, any incentive within that organization toward expedition would be reduced; and Pan American's statement of lost revenue lacks any evidentiary support.

Upon consideration of all relevant factors the Board will deny Pan American's petition. Pan American seeks to have the Board compel the domestic carriers to accept a prorate based on domestic fares no longer in effect until new IATA proportional fares are put into effect. However, domestic fare increases are approved only after the Board is convinced that the carriers have demonstrated a

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need for the additional revenue, a need which encompasses the domestic portion of international flights, and which would be denied by Pan American's suggested remedy. In addition, we consider it unreasonable to expect the domestic carriers to shoulder the entire burden arising from the time lag in adjusting international fares since they are neither responsible for the lag nor in a position to reduce it.

Control of this situation is entirely within the hands of IATA and there would appear to be no reason why IATA could not develop a mechanism by which international fares can be adjusted promptly. Indeed, in the instant case, this delay was relatively short. By Order 75–11–97, November 25, 1975, the Board approved increases in North Atlantic, North/Central and South Pacific proportional fares used for construction of through international fares to U.S. interior points to reflect the three percent increase in U.S. domestic fares. The carriers were permitted to file tariffs implementing these increases for effect December 10, 1975. The time lag in this case was, therefore, less than 30 days.

Upon consideration of the foregoing, the Board finds that Pan American's petition is without merit and will be denied.[1]

Accordingly, it is ordered, That:

Pan American's petition in Docket 28501 be and hereby is denied.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76–653 Filed 1–8–76;8:45 am]

[Docket No. 22162]

SULLIVAN COUNTY CASE (REMANDED)

Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on February 10, 1976 at 9:30 a.m. (local time), in the Supervisor's Meeting Room, County Government Center, North Street, Monticello, New York 12701, before the undersigned.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served August 7, 1975, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

[1] It is noted that the general subject of prorate division was included in issue in the North Atlantic rate investigation by Order 75–6–42, June 9, 1975. Pan American will have an opportunity to raise specific issues on this subject under normal procedures as will any party to that proceeding.

Dated at Washington, D.C., January 5, 1976.

[SEAL] BURTON S. KOLKO,
Administrative Law Judge.

[FR Doc.76–651 Filed 1–8–76;8:45 am]

[Docket No. 27660]

WITS, INC. AND WITS AIR CARGO SERVICE

Postponement of Hearing Regarding Enforcement Proceeding

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding, which was assigned to be held on January 19, 1976 (40 FR 57831, December 12, 1975), is postponed indefinitely.

Dated at Washington, D.C., January 5, 1976.

[SEAL] RICHARD M. HARTSOCK,
Administrative Law Judge.

[FR Doc.76–652 Filed 1–8–76;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

Availability

The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the minimum period for public review and comment on draft environmental impact statements is forty-five (45) days from this FEDERAL REGISTER notice of availability. December 29, 1975–January 2, 1976. The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties (February 23, 1976).

Copies of individual statements are available for review from the originating agency. Back copies will also be available at cost from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: Dr. Fowden G. Maxwell, Coordinator of Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 359–A, Washington, D.C. 20250, 202–447–3965.

FOREST SERVICE

Draft

Blacktail land use plan, Routt National Forest, Grand and Routt Counties, Colo., Dec. 29: Proposed is the implementation of a revised Land Use Plan for the Blacktail Unit, Routt National Forest, Grand and Routt Counties. The Unit contains 23,475 acres of National Forest lands and includes Roadless Areas DL and DM. Adverse effects include modification of scenic values, periodic and temporary changes in water and air quality, and soil erosion due to the construction of roads and cutting of trees. Wilderness characteristics will be lost within Inventoried Roadless Areas DL and DM. (ELR Order No. 51862.)

Snake River Basin land use plan, Summit County, Colo., Dec. 29: The statement consists of a proposal to update the existing Multiple Use Management Guide and intensify management actions for lands in the Snake River Basin, Arapaho National Forest, Summit County. The basin contains approximately 58,240 acres. Adverse effects include temporary disturbance of big game populations, reduction in the present level of air quality, and the reduction of land classified for timber production by 710 acres. (ELR Order No. 51863.)

Beartrap-Dutchler Planning Unit, Salmon National Forest, Lemhi County, Idaho, Dec. 29: Proposed is the implementation of a land use plan for the Beartrap-Dutchler Planning Unit which contains approximately 169,000 acres in Lemhi County, Idaho. Adverse impacts include the alteration of wildlife habitat and the subsequent loss of species that are affected by habitat loss. Soil erosion also will occur in areas of timber harvest until revegetation and regeneration of timberstands is accomplished. (ELR Order No. 51858.)

Cankerworm suppression in Pennsylvania—1976, Pennsylvania, Jan. 2: This statement is an analysis of impacts associated with a proposed suppression of fall cankerworm infestations on 20,000 acres of State and private forests in north central Pennsylvania. Subjects discussed are the impacts of aerial applications of the chemical insecticide Dylox 1.5 oil. Possible adverse effects include increased noise levels from project aircraft and ground support equipment, and temporary displacement of wildlife caused by the activity. (ELR Order No. 60002.)

Salina Planning Unit, Fishlake National Forest, Sevier County, Utah, Jan. 2: Proposed is a land use plan for the 328,990-acre Salina Planning Unit located on the Fishlake National Forest, Utah. Adverse effects include the elimination of vegetative cover by mining, road construction, and heavy recreation pressure. Some wildlife habitat, primarily big game winter range, will be destroyed where the remainder of I–70 is to be constructed. (ELR Order No. 60001.)

SOIL CONSERVATION SERVICE

Draft

McKinney-Buzzard Creek watershed project, McCurtain County, Okla., Dec. 29: The proposed watershed project is located in McCurtain County, Okla. The planned action involves the installation of land treatment measures; one floodwater retarding structure; and 9.20 miles of multiple-purpose channel work with appurtenant structures. Adverse impacts include loss of wildlife habitat as a result of timber clearing, and localized increase in erosion and turbidity due to construction. (ELR Order No. 51871.)

Final

Cottonwood-Walnut Creek watershed, Chaves and Eddy Counties, N. Mex., Dec. 29: The statement concerns the watershed protection, flood prevention, and recreational development in Chaves and Eddy Counties, N. Mex. The project provides for land treatment on 140,000 acres of rangeland and 20,000 acres of irrigated cropland, 11 floodwater retarding structures, dams, and reservoirs, spillways, floodwater diversions, channels, and recreation facilities, with 2,400 additional acres interrupted by flooding. Comments made by: USA, HEW, DOI, EPA, DOT, AHP, and State agencies. (ELR Order No. 51869.)

DEPARTMENT OF DEFENSE

ARMY CORPS

Contact: Dr. G. Grant Ash, Office of Environmental Policy Development, Attn: DAEN–CWR–P, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314, 202–693–6795.

Draft

Waianae light-draft harbor construction, Oahu, Hawaii, Dec. 29: The proposed project involves the construction of a 12-acre harbor to accommodate berthing of approximately 300 recreational sailing and fishing boats and the launching of trailered boats on the Waianae coast of the island of Oahu, State of Hawaii. Adverse effects include disturbance of wildlife habitat and the alteration of approximately 1,200 linear feet of shoreline limestone cliff habitat. Water quality within the harbor will be degraded by boating activities and human use. (ELR Order No. 51870.)

B. Everett Jordan Dam and Lake (Supplement), Chatham County, N.C., Dec. 31: This statement is the draft supplement to a final EIS filed with CEQ Oct. 22, 1971. In reference to the B. Everett Jordan Dam and Lake, Cape Fear River Basin, N.C., the supplement includes a reassessment of water quality and observation of the effects of present dam operation on vegetation, birds, mosquitoes and other vectors, fish, mammals, and sedimentation. Also discussed are records of heights and duration of all floods impounded behind the dam (Wilmington District). (ELR Order No. 51874.)

Town Bluff Dam-B. A. Steinhagen Lake and Rayburn Dam, several counties in Texas, Dec. 31: Proposed is an integrated operation and maintenance program at the Town Bluff Dam-B. A. Steinhagen Lake and the Sam Rayburn Dam and Reservoir. The program consists of flood control, generation of hydroelectric power, water conservation, fish and wildlife conservation, and public recreational facilities development. Adverse effects include increased sanitation problems, altered water quality and chemistry caused by storage, and the displacement of some wildlife species. (ELR Order No. 51877.)

Final

Collins Generating Station, Ill., Jan. 2: The statement discusses the proposed Collins Generating Station, Goose Lake Township, Ill. The station will employ live oil-fired boilers to produce steam for the generation of 2,500 MW net of electrical power. The exhaust steam from the turbine generators will be cooled and condensed by the recirculation of water from a 1,900-acre cooling lake which will be constructed under this proposal. Adverse impacts include the diversion of land to industrial activity, inundation of 7 acres of the Goose Lake Prairie State Park, and increased fog caused by the heated lake (Chicago District). Comments made by: AEC, USDA, DOT, EPA, AHP, DOI, FEA, FPC, DOC, HUD, and State agencies. (ELR Order No. 60006.)

AIR FORCE

Contact: Dr. Billy Welch, Room 4D 873, The Pentagon, Washington, D.C. 20330, 202–OX 7–9297.

Final

Lincoln Experimental Satellites 8 and 9 Program, Florida, Dec. 30: The proposed action is the launch of the Lincoln Experimental Satellites 8 and 9 and soirad satellites 11A and 11B as a single payload by a Titan III–C from Launch Complex 40 at Cape Canaveral Air Force Station, Fla. The only adverse effects are a very small probability of small amounts of plutonium or beryllium being released and a very small probability of human fatality or injury from physical impact of accidently reentering payload hardware. Either of these effects could only result from a malfunction of the launch vehicle. Comments made by: DOT, NASA, DOC, HEW, DOI, NRC, ERDA, EPA, and one State agency. (ELR Order No. 51872.)

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

Contact: Mr. W. Herbert Pennington, Office of Assistant Administrator, E–201, ERDA, Washington, D.C. 20545, 301–973–4241.

Final

Liquid metal fast breeder reactor program, Dec. 31: Following the proposed final statement received by CEQ Jan. 16, 1975, this final EIS is issued in support of ERDA's program for the development of liquid metal fast breeder reactor (LMFBR) technology. The final statement incorporates the PFES and supplemental information required as a result of the Administrator's review of it. Comments made by: USDA, DOC, DOD, HEW, DOI, STAT, DOT, EPA, FEA, FPC, and NASA. (ELR No. 51881.)

GENERAL SERVICES ADMINISTRATION

Contact: Mr. Andrew E. Kauders, Executive Director of Environmental Affairs, General Services Administration, 18th and F Streets NW., Washington, D.C. 20405, 202–343–4161.

Draft

Fort Worth Federal Center, proposed alteration, Tarrant County, Tex., Dec. 31: Proposed is the repair, modification, alteration, and extension of facilities and buildings at the Federal Center, Fort Worth, Tarrant County, Tex., in conformance with an overall master plan developed for the programed accomplishment of this work. Operation of engine driven construction equipment will temporarily increase the levels of air pollutants such as hydrocarbons, oxides of nitrogen and sulphur, and possibly particulate matter. (ELR Order No. 51876.)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Room 7258, 451 7th Street SW., Washington, D.C. 20410, 202–755–6308.

Draft

Ray community public water system extension, Coosa County, Ala., Dec. 29: Proposed is the use of HUD grant money for alteration and extension of a rural water system which is in the process of being installed in Ray, a community in central Alabama. The alteration would involve increasing the sizes of some pipes to be installed along a small part of the water system. Adverse effects include increase in dust and other air pollutants, increased noise, and traffic interruptions. (ELR Order No. 51879.)

Woodbridge Village, Orange County, Calif., Dec. 30: Proposed is the provision of mortgage insurance, if requested, on 1,700 acres of various residential sites in a new development known as the village of Woodbridge in the south-central section of Orange County, Calif. Adverse effects include the conversion of agricultural land to urban use, elimination of native wildlife and flora, and modification of natural land forms in a flood plain. Project implementation would also cause an increase in public service, energy, and facilities demand. (ELR Order No. 51873.)

Final

Park Central Development, Port Arthur, Jefferson County, Tex., Dec. 31: Proposed is the transformation of 701 acres of coastal prairie land into a planned urban development. The tract, formerly undevelopable because of the threat of hurricanes, is now considered for development since the construction of the Port Arthur hurricane levee system. The statement indicates no significant adverse effects. Comments made by: AHP, DOT, EPA, USDA, COE, State and local agencies, and private groups. (ELR Order No. 51875.)

The following are Community Development Block Grant statements prepared and circulated directly by applicants pursuant to section 104(h) of the 1974 Housing and Community Development Act. Copies may be obtained from the office of the appropriate local chief executive. (Copies are not available from HUD.)

Final

Cleveland's Demolition Program: Ohio, January 2. The statement concerns an application for a Community Development Block Grant by the City of Cleveland for demolition of condemned structures. Because these structures are vacant, there will be no displacements of families. Noise pollution and construction disruption will result. Comments made by: USDA, USA, GSA, EPA, DOI. (ELR Order No. 60005.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, U.S. Department of Transportation, 400 7th Street SW., Washington, D.C. 20590 (202) 426–4357.

FEDERAL AVIATION ADMINISTRATION

Draft

New York Tracon, Hempstead, Nassau County, N.Y., December 29: The proposed action consists of construction of an air traffic control facility in Nassau County, New York, which will provide approach control services to and from Kennedy, La Guardia, Newark, Islip, Westchester and associated satellite airports. Adverse impacts include construction noise, dust and traffic disruption, and increased utility consumption. Topics House, a county sponsored drug rehabilitation center, will be forced to relocate. (ELR Order No. 51864.)

FEDERAL HIGHWAY ADMINISTRATION

Draft

St. Joe Road, Evard Rd. to Mayhew Rd. (Supplement), Allen County, Ind., December 29. The proposed project provides for improvements on St. Joe Road from Evard Road to Mayhew Road in Allen County, Indiana. Project length is approximately 1.70 miles. The only commitment of resources accountable to this project will be the actual construction materials and the human effort necessary to complete the roadway. (ELR Order No. 51886.)

This statement is the supplement to a draft EIS filed with CEQ 14 February 1973. The proposed project provides for improvements on St. Joe Road from jE This statement is the supplement to a draft EIS filed with CEQ 14 February 1973. The proposed project provides for improvements on St. Joe Road from Evard Road to Mayhew Road and from US–30 to Stellhorn Road, Allen County, Indiana. The only commitment of resources accountable to this project will be the actual construction materials and the human effort necessary to complete the roadway.

S.R. 1 Bridge Over the Penn Central RR, Dearborn County, Ind., January 2. The proposed project would be a reconstruction of the S.R. 1 bridge and approaches over the Penn Central Railroad in Dearborn County. The project would consist of a multi-span structure located approximately 150 feet west of the existing Penn Central bridge. Adverse

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effects include the destruction of some wildlife habitat and the displacement of persons along the new alignment. (ELR Order No. 60003.)

U.S. 90: IH 10, Harris County to SH 146, Liberty County, Tex. December 29. The proposed action is a controlled access freeway in northeast Harris County and consists of the relocation and improvement of US Highway 90, with a total length of approximately 21.5 miles. Adverse impacts include the taking of forest and grass lands for right-of-way purposes resulting in a loss of flora and fauna. Project implementation would require the displacement of 52 families and 13 businesses. (ELR Order No. 51866.)

Belknap Street Viaduct, City of Superior: Douglas County, Wisc. January 2. The proposed project involves replacement of the Belknap Street Viaduct which carriers local and USH 2 traffic in the City of Superior, Douglas County, Wisconsin. The new structure would be a 4-lane bridge and would be from 1500 to 1900 feet long, depending upon its new location. Adverse effects include right of way requirements; disruption of families, business, and wildlife in the center drainage area; and damages to haul roads not designed for heavy loads. (ELR Order No. 00004.)

Final

Freeway 520, Webster and Hamilton Counties, Iowa: Hamilton County, Iowa, December 31. Proposed is the construction of approximately twenty miles of Freeway 520 in Webster and Hamilton Counties, Iowa. The project will begin 1,000 feet north of the south line of section 36 and 300 feet east of U.S. 20. It extends in a northeasterly direction crossing U.S. 169, and then continues in a southeasterly and easterly direction to a point 0.25 mile west of Des Moines Street in Webster City. A total of 900 acres will be required for right-of-way, and 10 families will be displaced by the project. Comments made by: HEW, USDA, DOI, EPA, USCG (state and local agencies). (ELR Order No. 51875).

Texas SH 19: FM 1507 to Junction SH 19 and SH 24: Lamar and Delta Counties, Tex., December 29. The proposed facility consists of a four lane highway project extending from FM 1507 in Paris 14.7 miles south to the junction of State Highway 19 and State Highway 24 near Lake Creek. The project is located in Lamar and Delta Counties, Texas. Adverse effects include the displacement of 20 families and four businesses, destruction of vegetation within the area of construction, and the possible destruction of some timber. Comments made by: HEW, USA, USDA, DOI, EPA (state and local agencies). (ELR Order No. 51867.)

U.S. COAST GUARD

Final

Loran-C, Gulf of Alaska: December 29. The proposed action provides for the establishment of a new LORAN-C radio-navigation chain along the U.S. West Coast and in the Gulf of Alaska. Stations will be located in Nevada, California, Washington, Alaska, and Southwestern Canada. There will be minimal adverse impact on local water supplies, sanitation systems, and electric utilities. There will be some visual impact at all stations due to the height of the towers. Comments made by: DOT, EPA, COE, USDA, DOC, DOI (state and local agencies). (ELR Order No. 51865.)

GARY L. WIDMAN,
General Counsel.

[FR Doc.76-617 Filed 1-8-76;8:45 am]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

ANCEL M. JOHNSON

Receipt of Application for Amendment to Marine Mammal Permit

A permit authorizing retention, for scientific study, of parts or entire carcasses of SEA OTTERS (*Enhydra lutris*), found dead, as issued to Ancel Johnson, Marine Mammal Substation, Naval Support Activity, Seattle, Washington, on December 13, 1974, pursuant to the Marine Mammal Protection Act of 1972.

A notice containing the application for the permit was published in the FEDERAL REGISTER on September 16, 1974 (39 FR 33246-47), soliciting public comments for a period of 30 days.

A notice of the issuance of the permit was published on December 24, 1974 (39 FR 44465).

Mr. Ancel M. Johnson has submitted a request for an amendment to the permit. Published herewith is a copy of the terms of the permit, and the request for an amendment. This request is being considered pursuant to § 13.23, Title 50 Code of Federal Regulations (see 30 FR 1162).

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

3-201 (7/74)

FEDERAL FISH AND WILDLIFE PERMIT

AUTHORITY - STATUTES: 16 U.S.C. 1371
REGULATIONS (Attached): 50 C.F.R. 18.31

1. PERMITTEE
Ancel Johnson
Marine Mammal Substation - Building 192
Naval Support Activity
Seattle, Washington 98115

4. NUMBER: PRT-9-2-C

5. RENEWABLE: [ ] YES [X] NO
6. MAY COPY: [X] YES [ ] NO
7. EFFECTIVE: DEC 13 1974
8. EXPIRES: 12/31/79

9. NAME AND TITLE OF PRINCIPAL OFFICER (If not a person)
Ancel Johnson
Project Leader

9. TYPE OF PERMIT
Marine Mammal

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED
In the States of Alaska, California, Oregon, and Washington

11. CONDITIONS AND AUTHORIZATIONS

A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.

B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL OR OTHER FEDERAL LAW.

C. VALID FOR USE BY PERMITTEE NAMED ABOVE and his designated employees or cooperators operating under the supervision of the permittee or his designated employee.

D. Permittee may retain for scientific study, parts or entire carcasses of Sea Otters (Enhydra lutris), found dead.

E. Permittee may capture, mark, and retain in captivity for a period of up to three (3) months each, not more than ten (10) Sea Otters (Enhydra lutris), between January 1, 1975, and January 1, 1977.

F. Permittee may capture, mark, and release in Prince William Sound, Alaska, not more than thirty (30) Sea Otters (Enhydra lutris), per calendar year between January 1, 1976, and December 31, 1979.

G. Permittee may retain the carcasses of any Sea Otters (Enhydra lutris), accidentally killed during marking.

[ ] ADDITIONAL CONDITIONS AND AUTHORIZATIONS ON REVERSE ALSO APPLY

12. REPORTING REQUIREMENTS: A complete report of activities conducted under the authority of this permit including, but not limited to, numbers taken, numbers released, numbers retained in captivity, numbers killed during taking, and numbers collected dead, shall be submitted semiannually to the Director (FWS/LE), U.S. Fish & Wildlife Service, Washington, D.C.

ISSUED BY (Name) C. R. BAVIN (Title) Chief, Division of Law Enforcement (Date) DEC 13 1974

H. Activities permitted in (E) and (F) of this permit may be conducted at Prince William Sound, Alaska, only.

I. Not more than three (3) Sea Otters (*Enhydra lutris*), may be held in one pen at one time.

J. Nets, traps, or other devices used to take live Sea Otters must be closely attended at all times.

K. Any person designated by the permittee to conduct the authorized activities in this permit must have a copy of this permit in his possession at the time such activities are conducted.

L. A copy of this permit must be physically attached to the container, package, enclosure, or other means of containment, in which the Sea Otters or parts thereof are placed for purposes of storage, transit, supervision, or care.

M. This authorization may be amended, suspended, or revoked by the Director for good cause shown and upon reasonable notice to the permittee.

To: Director, Fish and Wildlife Service, Washington, D.C.
From: Ancel M. Johnson, Sea Otter/Walrus Project USFWS, NFWL, Anchorage, Alaska.
Subject: Request to amend permit PRT-9-2-C to capture sea otters.
Date: December 12, 1975.

I request Permit PRT-9-2-C be amended to allow the taking of up to ten (10) cc of blood from a portion of the sea otters that will be captured under this permit. The purpose of the blood samples is to obtain additional information on the reproductive cycle and the subspecies question. The blood samples will be studied by:

Dr. U. S. Seal, Veterans Administration Hospital, 54th Street and 48th Ave. So., Minneapolis, Minn. 55417; and
Dr. William Z. Lidicker, Jr., Associate Director of the Museum and Curator of Mammals, University of California, Museum of Vertebrate Zoology, 2593 Life Science Building, Berkeley, Calif. 94720.

Blood samples will be taken from all females captured and from a sample of the males captured. Kenyon (1969) found sea otters contain from 1500 to 2700 g of blood consequently 10 cc would be less than 1 percent of the total volume. The blood will be taken from the saphenous vein (see Tarasoff, 1974).

Comparisons of morphological and behavioral data from the California and Alaska populations of sea otters are insufficient to confidently answer the subspecies question. Also, analysis of data from genital tracts and other sources have resulted in widely different estimates of the length of the gestation period; Karl Schnieder, ADF and G estimates 7-8 months and Karl Kenyon 12-13 months. Analysis of blood samples should settle the subspecies question and provide significant information on the reproductive cycle.

In keeping with the spirit of the Marine Mammal Protection Act of 1972, this Notice is being published to allow public comment on the request for an amendment. Interested persons may comment on this amendment by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before February 9, 1976.

Dated: January 5, 1976.

C. R. BAVIN,
Chief, Division of Law Enforcement.

[FR Doc.76-574 Filed 1-8-76;8:45 am]

ENDANGERED SPECIES PERMITS

Official Action

Notice is hereby given that the U.S. Fish and Wildlife Service has taken the following action with regard to permit applications received under section 10 of the Endangered Species Act of 1973, 16 U.S.C. 1539. Each permit was issued only after it was determined that it was applied for in good faith; that by granting the permit it will not be to the disadvantage of the endangered species; and that it will be consistent with the purposes and policy set forth in the Endangered Species Act of 1973.

NOTICE OF APPLICATION PUBLISHED IN "FEDERAL REGISTER" JULY 28, 1975 (40 FR 31646-47)

Applicant: San Antonio Zoological Gardens and Aquarium, 3903 N. St. Mary's Street, San Antonio, Texas 78212. Louis R. DiSabato, Director.

Official action: Issued permit September 3, 1975: "Authorized to *import* one female Snow Leopard (*Panthera uncia*) from Finland, and *export* one female Snow Leopard (*Panthera uncia*), to Finland."

NOTICE OF APPLICATION PUBLISHED IN "FEDERAL REGISTER" JUNE 27, 1975 (40 FR 27279-80)

Applicant: Wildlife Safari, Inc., P.O. Box 600, Winston, Oregon 97496. Mr. Frank R. Hart, President.

Official action. Issued permit September 4, 1975: "Authorized to transport two (2) Tigers (*Panthera tigris*) from Sequim, Washington, to Winston, Oregon."

NOTICE OF APPLICATION PUBLISHED IN "FEDERAL REGISTER" FEBRUARY 3, 1975 (40 FR 4948).

Applicant. Dr. Clark Hubbs, Department of Zoology, The University of Texas at Austin, Austin, Texas 78712.

Official action. Issued permit September 5, 1975: "Authorized to take, propagate, study, and/or release—Fountain Darters (*Etheostoma fonticola*), Pecos Gambusia (*Gambusia nobilis*), Comanche Springs Pupfish (*Cyprinodon elegans*), Clear Creek Gambusia (*Gambusia heterochir*), and Big Bend Gambusia (*Gambusia gaigei*)."

NOTICE OF APPLICATION PUBLISHED IN "FEDERAL REGISTER" JULY 10, 1975 (40 FR 29097-98-99).

Applicant. Hawaii Division of Fish and Game, Department of Land and Natural Resources, Wildlife Branch, 1179 Punchbowl Street, Honolulu, Hawaii 96813. Donald L. Walker, Chief, Wildlife Branch.

Official action. Issued permit September 24, 1975: "Authorized to capture, band and mark, as authorized under the Federal Bird Marking and Salvage Permit, attach telemetry devices, and propagate and release the following species: HAWAIIAN GEESE (*Branta sandvicensis*), HAWAIIAN DUCK (*Anas wyvilliana*), LAYSAN DUCK (*Anas laysanensis*), HAWAIIAN COOT (*Fulica americana alai*), HAWAIIAN GALLINULE (*Gallinula chloropus sandvicensis*), and the HAWAIIAN STILT (*Himantopus himantopus knudseni*)."

NOTICE OF APPLICATION PUBLISHED IN "FEDERAL REGISTER" JULY 10, 1975 (40 FR 29096-97).

Applicant. Dr. Charles T. Collins, Department of Biology, California State University, Long Beach, California 90840.

Official action. Issued permit September 30, 1975: "Authorized to capture, band, and mark as authorized under Federal Bird Marking and Salvage Permit, CALIFORNIA LEAST TERNS (*Sterna albifrons browni*), in areas listed in Block 10—(Counties in California. San Diego, Orange, Los Angeles, and Ventura).

NOTICE OF APPLICATION PUBLISHED IN "FEDERAL REGISTER" May 21, 1975 (40 FR 22154-55-56).

Applicant. Daniel D. Berger, 1328 N. Jefferson Street, Milwaukee, Wisconsin 53202.

Official action. Issued permit September 30, 1975: "Authorized to capture, band, and attach telemetry equipment to PEREGRINE FALCONS, in areas listed in Block 10—Sheboygan and Ozaukee Counties, in Wisconsin."

Each permit is available for public inspection during normal business hours at the U.S. Fish and Wildlife Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

Dated: January 5, 1976.

C. R. BAVIN,
Chief, Division of Law Enforcement.

[FR Doc.76-573 Filed 1-8-76;8:45 am]

ENDANGERED SPECIES PERMITS

Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant. Mr. Leland B. Hayes, Route 1, Box 11, Silesia, Montana 59080.

V 41 16 JAN 9 76 XUM

OMB NO. 42-R1620

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE
FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)
☐ IMPORT OR EXPORT LICENSE ☒ PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
Purchase and transport interstate endangered species for propagation from captive stock.
One pair of each specie of pheasants: Bar-tailed; Chinese Monal; Edwards; Swinhoe; Mikado
(I want to buy and sell in interstate commerce)

3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)
Leland B. Hayes
Rt. 1, Box 11
Silesia, Mt. 59080
(ac)406-962-3749

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:

☐ MR. ☐ MRS. ☐ MISS ☐ MS.	HEIGHT 6'3"	WEIGHT 150
DATE OF BIRTH 6-11-35	COLOR HAIR Brn	COLOR EYES Blue
PHONE NUMBER WHERE EMPLOYED 406-656-7734	SOCIAL SECURITY NUMBER 457-54-3871	

OCCUPATION Minister

ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE, PERMIT
None

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.

IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
On 85 acre farm in Silesia, Mont. Carbon County, along Clark's Fork of Yellowstone River.
From Ft. Collins to above;
From Gurley, Neb. to above
From Pueblo, Co. to above

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? ☐ YES ☒ NO
(If yes, list license or permit numbers)
Application pending for waterfowl propagation permit

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☐ YES ☐ NO
(If yes, list jurisdictions and type of documents)
None Required

9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF
$ None required

10. DESIRED EFFECTIVE DATE 1-1-76

11. DURATION NEEDED 2 Yrs.

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12(a)) MUST BE ATTACHED, IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.
17:33 (1), (2), (3), (4), (5), (6), (7)

CERTIFICATION
I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In ink) Leland B Hayes DATE October 14, 1975

3-200 16-716

ATTACHMENT

(1) Common and scientific names. The eight checked below are the ones wanted to cover by the permit.

√ Pheasant, Bar-tailed, *Syrmaticus humiae.*
√ Pheasant, Brown-eared, *Crossoptilon mantchuricum.*
√ Pheasant, Chinese Monal, *Lophophorus lhuysii.*
√ Pheasant, Edward's, *Lophura edwardsi.*
√ Pheasant, Imperial, *Lophura imperialis*
√ Pheasant, Mikado, *Syrmaticus mikado.*
√ Pheasant, Swinhoe's, *Lophura swinhoii.*
√ Pheasant, White-eared, *Crossoptilon crossoptilon.*

(2) Each pair will have a pen, 20 by 40 feet with a wire-covered top. A shelter 6 feet by 20 feet runs along the back of each pen. The pens are protected from predators by side wire being buried. In addition to this an electric fence is run along the bottom of the sides and back about 8 inches to repel digging predators.

I know the pen is satisfactory as I have raised other pheasants under the same situation.

(3) I have raised game birds most of my life. This includes all types of upland game and waterfowl. I now have and am propagating several species of upland game birds. Some of the species I am propagating are: 5 varieties of quail, Silver pheasant, Reeves Pheasant, Golden Pheasant, and Swinhoe (hatched prior to 1973).

(4) I would be delighted to participate in any kind of co-operative breeding program and/or share data on studbook, and will keep accurate records of my activities.

(5) I will pick up the purchased birds by automobile. They will be in suitable containers as they will be home within 10 hours.

(6) For the past 5 years I have not had any mortality of any species covered by application.

(7) I want to get into propagating the endangered species for the following reasons:

a. I want to have a part in providing more of these birds * * * perhaps some day they may be taken from the endangered list because of their rapid growth in numbers.

b. I have raised most of the common birds and want some that present a challenge to the propagator.

c. As far as I know there are no birds covered by application in the entire state of Montana. I want my state to be a part in propagating these rare birds.

My activities under the permit will be the buying and selling of the species covered in the permit across state lines. Since there are no birds in the state I must go out of state to licensed captive bred game breeders.

I have no termination plans. I hope to renew the permit in two years.

I plan to purchase the birds from the following licensed game breeders:
Storm Mountain Game Farm, Fort Collins, Colorado.
McRobert's Game Farm, Gurley, Nebraska.
Vaughan's Ornamental Pheasantry, Pueblo, Colorado.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before February 9, 1976.

Dated: January 5, 1976.

C. R. BAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.76-575 Filed 1-8-76;8:45 am]

ENDANGERED SPECIES PERMITS

Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant. Mr. Hollis Carlos, Ozark Bantam & Game Farm, Route 1, Box 358, Hillsboro, Missouri 63050.

OMB NO. 42-R1620

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE
FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)
State to State
☐ IMPORT OR EXPORT LICENSE ☐ PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
Pheasants

3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)
Hollis Carlos
Rte. 1 Box 358
Hillsboro, Missouri 63050

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:

☒ MR. ☐ MRS. ☐ MISS ☐ MS.	HEIGHT 6'2in	WEIGHT 225
DATE OF BIRTH Oct. 11, 1908	COLOR HAIR grey	COLOR EYES blue
PHONE NUMBER WHERE EMPLOYED Retired 586-3760	SOCIAL SECURITY NUMBER 486-16-0115	

OCCUPATION Retired

ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT
no

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION
Ozark Bantam & Game Farms

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.
Hollis Carlos, 586-3760

IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
Hillsboro, Missouri

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? ☒ YES ☐ NO
(If yes, list license or permit numbers)
PRT 7_3_P_2 (MO)

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☐ YES ☐ NO
(If yes, list jurisdictions and type of documents)

9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF
$

10. DESIRED EFFECTIVE DATE Immediately

11. DURATION NEEDED 6 Months

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12(a)) MUST BE ATTACHED, IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.

CERTIFICATION
I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In ink) Hollis Carlos DATE 11-5-75

3-200 16-716

DECEMBER 1, 1975.

1. Brown eared Manchurians (pheasants), one female, 2 years old.

Want to purchase interstate for breeding purposes.

2. Pen raised female born in captivity.

3. Not applicable.

4. See 2 above—born in Salem, New Hampshire.

5. Pheasant will be used by Ozark Bantam and Game Farm at Hillsboro, Missouri for breeding purposes.

6. Pen is 8' by 24' by 6' high.

Ozark Bantam and Game Farm owned and operated by Hollis Carlos who has been in business 40 years raising pheasants, quail, silver foxes, mink, peacocks, chickens, South American ostrich, etc.

Mr. Carlos is willing to cooperate in breeding and other programs.

Bird will come by Air Freight in regular bird shipping crate; will be fed and watered before leaving, feed & water will be in crate, and bird will be in St. Louis in approximately three (3) hours after leaving New Hampshire. Mr. Carlos has had only one male bird for about five (5) years.

7. No contracts or agreements.

8. Applicant is entitled to permit so he can breed female bird.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before February 9, 1976.

Dated: January 5, 1976.

C. R. BAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.76-576 Filed 1-8-76;8:45 am]

ENDANGERED SPECIES PERMITS

Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant. James Warren Wiley, Wildlife Biologist, U.S. Department of Agriculture, Forest Service, Institute of Tropical Forestry, Rio Piedras, Puerto Rico 00928.

V 41 16 JAN 9 76 XUM

OMB NO. 42-R1670

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE
LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)

☐ IMPORT OR EXPORT LICENSE ☒ PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.

Investigation of the biology of the endangered subspecies – Puerto Rican Plain Pigeon, Columba inornata wetmorei, including determination of the species status in Puerto Rico, its biology, emphasizing the breeding biology particularly. Periodic monitoring of nesting success and population size will be conducted at Lago de Cidra, P.R.

3. APPLICANT. (If more, complete address and phone number of individual, business, agency, or institution for which permit is requested)

James Warren Wiley, Wildlife Biologist
USDA
Forest Service
Institute of Tropical Forestry
P.O. Box AQ, Rio Piedras, P.R. 00928

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:

☒ MR. ☐ MRS. ☐ MISS ☐ MS.

HEIGHT	WEIGHT
5'11"	160 lbs.
DATE OF BIRTH	COLOR HAIR	COLOR EYES
January 16, 1943	Brown	hazel
PHONE NUMBER WHERE EMPLOYED	SOCIAL SECURITY NUMBER
(809) 765-0404 (588)	559-62-3163

OCCUPATION: Wildlife Biologist

ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT:

Institute of Tropical Forestry
P.O. Box AQ
Rio Piedras, Puerto Rico 00926

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:

EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.

IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED

islandwide, Puerto Rico

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? ☒ YES ☐ NO
(If yes, list license or permit numbers)

migratory bird permit 4-SC-819-9
federal bird handing permit 09986

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☒ YES ☐ NO
(If yes, list jurisdictions and type of documents)

Commonwealth of Puerto Rico
Departamento de Recursos Naturales
permit to conduct research on Plain Pigeon

9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF: $ n.a.

10. DESIRED EFFECTIVE DATE: immediately

11. DURATION NEEDED: 3 years

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (see 50 CFR 13 EXHIBIT A) IS ATTACHED; IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In ink): James W Wiley — DATE: 20 oct 1975

FWS/LE 10-740

OBJECTIVES OF RESEARCH PROGRAM AND SPECIFIC REQUESTS FOR PERMIT PROVISIONS

1. *Abundance and distribution. Objective.* To determine the annual, seasonal, and distributional abundance of the Puerto Rican Plain Pigeon, *Columba inornata wetmorei.*

Procedures. a. Survey areas of known and possible occurrence of the Plain Pigeon for distribution and abundance.

b. Censusing known habitats for annual, seasonal, and distributional abundance through:

1. Simultaneous station censuses;
2. Coo-counts.

2. *Breeding biology. Objective.* To gather data on the breeding biology of the Plain Pigeon.

Procedures. a. Determine the optimal breeding requirement—by regular examination of nests for productivity in several divergent habitats.

b. Seasonal distribution and success of nesting attempts will be examined by observation of nesting habitat over the year-long period.

c. Breeding behavior will be observed at nests and on territories from observation blinds.

d. Family relationships, pair bond, number of broods per year and fledgling dependency will be investigated through color marking techniques for individual recognition and through observations made from blinds.

e. Growth and development data will be gathered by measuring and observing young birds at the nest.

3. *Food habits. Objective.* To determine the food habits of the Plain Pigeon.

Procedures. Observations made of the pigeons feeding in the field.

4. *Aging and sexing. Objective.* To develop methodology for determining age and sex for the Plain Pigeon in order to analyze population structure.

Procedures. Sex determination will be attempted from behavioral clues of Plain Pigeons during sexual encounters and at the nests. Aging criteria will be obtained from pigeons color marked as nestlings and monitored through field observations.

SPECIAL PROVISIONS

1. *Color marking.* I would like to place plastic color bands on Plain Pigeons to obtain data on movements, fidelity to mates, sex identification in the field, age at first breeding attempt, and number of nesting attempts made per year.

2. *Permission to possess, handle, and transfer specimens of the Plain Pigeon.* If such material as road-killed, found dead, hunter-killed, or similar specimens are made available I would like to be able to take possession, preserve and transfer these specimens to appropriate institutions. Also such data as size measurements and weight would be taken from the birds. Such authorization would also include the collecting of addled, deserted or otherwise destroyed eggs of the Plain Pigeon.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before February 9, 1976.

Dated: January 5, 1976.

C. R. BAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.76-577 Filed 1-8-76;8:45 am]

National Park Service

GARLAND VENDING CO.

Intention To Issue Concession Permit

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that on or before February 9, 1976, the Department of the Interior, through the Superintendent, Chamizal National Memorial, proposes to issue a concession permit to Garland Vending Company, authorizing it to provide concession facilities and services for the public at Chamizal National Memorial for a period of two (2) years from October 25, 1975 through October 24, 1977.

An assessment of the environmental impact of this proposed action has been made and it has been determined that it will not significantly affect the quality of the human environment, and that it is not a major Federal action under the National Environmental Policy Act and the guidelines of the Council on Environmental Quality. The environmental assessment may be reviewed in the Regional Office, P.O. Box 728, Santa Fe, New Mexico 87501.

The foregoing concessioner has performed its obligations under the expired permit to the satisfaction of the National Park Service, and therefore, pursuant to the Act cited above, is entitled to be given preference in the renewal of the permit and in the negotiation of a new contract. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted on or before February 9, 1976.

Interested parties should contact the Superintendent, Chamizal National Memorial, 620 Southwest National Bank Building, 300 E. Main Drive, El Paso, Texas 79901, for information as to the requirements of the proposed permit.

Dated: October 15, 1975.

FRANKLIN G. SMITH,
Superintendent.

[FR Doc.76-640 Filed 1-8-76;8:45 am]

LONGFELLOW NATIONAL HISTORIC SITE CAMBRIDGE, MASSACHUSETTS

Availability of Environmental Assessment of Alternatives; Extension of Time Period for Review and Comment

Notice is hereby given that the National Park Service has extended the time period for review and comment on the environmental assessment of management alternatives through January 31, 1976. This notice is relevant to a notice published in the FEDERAL REGISTER, Vol. 40, No. 226—Friday, November 21, 1975, (40 FR 54272) which was the initial notice of availability of this assessment of alternatives.

The assessment is on file and available for review and inspection at the North Atlantic Regional Office, 150 Causeway Street, Boston, Massachusetts 02114 and the Superintendent's office, Longfellow National Historic Site, 105 Brattle Street, Cambridge, Massachusetts 02138.

The assessment discusses, by way of impact analysis, adverse effects and mitigating measures, five alternate ways for handling the problems of management, development and public use of the historic site. Writen comments on this environmental assessment are invited and will be accepted on or before January 31, 1976. Comments should be addressed to: Superintendent, Longfellow National Historic Site, 105 Brattle Street, Cambridge, Massachusetts 02138.

Dated: December 12, 1975.

JERRY D. WAGERS,
Regional Director, North Atlantic Region.

[FR Doc.76-627 Filed 1-8-76;8:45 am]

GOLDEN GATE NATIONAL RECREATION AREA ADVISORY COMMISSION

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Golden Gate National Recreation Area Advisory Commission will be held at 9:30 a.m. (PST) on Saturday, January 24, 1976, at San Francisco Public Library, Larkin and McAllister Streets, San Francisco, CA.

The Advisory Commission was established by Pub. L. 92-589 to provide for the free exchange of ideas between the National Park Service and the public and to facilitate the solicitation of advice or other counsel from members of the public on problems and programs pertinent to the National Park Service system in Marin and San Francisco counties.

Members of the Advisory Commission are as follows:

Mr. Frank Boerger, Chairman
Ms. Amy Meyer, Secretary
Mr. Ernest Ayala
Mr. Richard Bartk
Mr. Fred Bjumberg
Mr. Lambrt Lee Choy
Ms. Daphne Greene
Mr. Peter Haas,, SSr.
Mr. Josepph Mendosa
Mr. John Mitchell
Mr. Merritt Robinson
Mr. William Thomas
Dr. Edgar Wayburn

The major items on the agenda are discussion of HR 10398, an update on parkwide planning, and swearing in of two Commission members.

The meeting will be open to the public. Any member of the public may file with the Commission a written statement concerning the matters to be discussed. Persons wishing further information concerning this meeting or who wish to submit written statements may contact William J. Whalen, General Manager, Bay Area National Parks, Fort Mason, San Francisco, CA. 94123, Telephone 415-556-2920.

Minutes of the meeting will be available for public inspection by February 28, 1976 in the Office of the General Manager, Bay Area National Parks, Fort Mason, San Francisco, CA.

Dated: January 6, 1976.

JOHN H. DAVIS,
Acting Regional Director, Western Region.

[FR Doc.76-851 Filed 1-8-76;9:15 am]

Bureau of Reclamation

COLORADO RIVER STORAGE PROJECT

Proposed Allocation of Peaking Power

Correction

In FR Doc. 75-34612 appearing at page 59362 in the Tuesday, December 23, 1975 issue of the FEDERAL REGISTER on page 59362 in the 2nd column, 20th line from the bottom, the equation which begins, "P=(−P) * * *." should read, "P=(L−P) * * *".

ENVIRONMENTAL PROTECTION AGENCY

[Docket No. 341; FRL 476-7]

COWLEY'S ORIGINAL RAT & MOUSE POISON

Hearing; Cancellation of Registration

Notice is hereby given pursuant to § 164.8 of the rules of practice (40 CFR 164.8) issued under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136, et seq.), that a hearing involving the intent to cancel the registration of Cowley's Original Rat & Mouse Poison (EPA Reg. No. 505-1) as registered by S. L. Cowley & Sons Mfg. Co., Inc., will commence on January 27, 1976, at 9:30 a.m. in Room 2409, Waterside Mall, 401 M Street, SW., Washington, D.C. 20460.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the docket of this proceeding on file with the Hearing Clerk, United States Environmental Protection Agency, Room 1019, East Tower, Waterside Mall, 401 M Street, SW., Washington, D.C. 20460.

EDWARD B. FINCH,
Administrative Law Judge.

JANUARY 6, 1976.

[FR Doc.76-734 Filed 1-8-76;8:45 am]

[OPP-180060; FRL 477-3]

MONTANA DEPARTMENT OF LIVESTOCK

Issuance of Specific Exemption to Montana To Use Strychnine To Control Rabid Skunks

Pursuant to the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136), notice is hereby given that the Environmental Protection Agency (EPA) has granted a specific exemption to the Montana Department of Livestock (hereafter referred to as the "Applicant") to use strychnine alkaloid baits to control populations of rabid skunks. The control program is designed to effect a reduction of the rabid skunk population and thereby reduce the probability of exposure to man and domestic animals to rabies in twenty-one (21) counties in eastern Montana. This exemption was granted in accordance with, and is subject to, the provisions of 40 CFR 166, issued December 3, 1973 (38 FR 33303), prescribes requirements for exemption of Federal and State agencies for use of pesticides under emergency conditions. The section 18 regulations provide that the Administrator may grant an emergency exemption to a Federal or State agency when the following conditions exist:

(a) A pest outbreak has or is about to occur and no pesticide registered for the particular use, or alternative method of control, is available to eradicate or control the pest, (b) significant economic or health problems will occur without the use of the pesticide, and (c) the time available from discovery or prediction of the pest outbreak is insufficient for a pesticide to be registered for the particular use. 40 CFR 166.1.

The exemption is also subject to the provisions of 40 CFR Part 164, specifically, Subpart D, published in the FEDERAL REGISTER on March 18, 1975 (40 FR 12261). In cases such as the one presented by this Applicant, if the request is for the use of a pesticide which has been finally cancelled or suspended, then the application constitutes a petition for reconsideration of such cancellation or suspension order. On March 9, 1972, Administrator Ruckelshaus cancelled and suspended the registration of strychnine, sodium cyanide, and 1080 (sodium fluoroacetate) for predator control. However, the Administrator's order banned the use of these pesticides for predator control without distinguishing between rabid and non-rabid predators, the former a human health problem and the latter an economic problem. Therefore, the exemption cannot be granted without the re-

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quirement of a prior public hearing, unless certain conditions are found to exist.

Subpart D of the section 6 regulations provides that in emergency circumstances the Administrator may rule on the application without convening a formal hearing and without making a finding as to the question of substantial new evidence when he determines:

(1) That the application presents a situation involving need to use the pesticide to prevent an unacceptable risk: (i) To human health, or (ii) to fish or wildlife populations when such use would not pose a human health hazard; and

(2) That there is no other feasible solution to such risk; and

(3) That the time available to avert the risk to human health or fish and wildlife is insufficient to permit convening a hearing as required by section 164.131; and

(4) That the public interest requires the granting of the requested use as soon as possible. 40 CFR 164.133.

In May 1973, the State of Montana requested permission from EPA for the Applicant to use strychnine egg baits in seven northeastern Montana counties for rabid skunk control effective May 21 through December 30, 1973. On June 6, 1973, the EPA granted Montana's requested use of strychnine through October 31, 1973. A specific exemption could not be issued, since the section 18 regulations were not promulgated until December 3, 1973. Subsequently, the Applicant requested and was granted a specific exemption from December 19, 1973, through October 1, 1974, for use of strychnine baits to suppress rabid skunks in eastern Montana. In October 1975, the Applicant again requested a specific exemption to use the same pesticide until March 31, 1976, for control and/or surveillance of rabid skunks which are threatening the health of man and domestic animals in twenty-one eastern counties. The affected counties are: Big Horn, Blaine, Carter, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Garfield, Hill, Phillips, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Valley, Wibaux, and Yellowstone.

According to the Applicant, the strychnine bait formulations (eggs or lard baits) were intended for the following uses:

1. For control of skunk populations within a three-mile radius which encompasses areas of human or domestic animal habitation where rabies has been diagnosed in skunks.

2. For surveillance of skunk populations outside the three-mile radius in order to determine the perimeter of rabies within any county and/or adjacent counties.

3. For surveillance of skunk populations to monitor the migration of rabies as a known disease in Montana and to support encephalitides studies in skunks from which which rabies is clinically indistinguishable.

As of November 7, 1975, the Applicant had reported to EPA the presence of 17 rabid skunks, one rabid cat, and one rabid calf in Blaine County, one rabid cat in Carter County, and one rabid skunk in Powder River County. Veterinarians have conducted rabies vaccination clinics in all of the affected Montana counties in order to provide an increased safety margin for domestic pets and, indirectly, humans. Every animal killed is submitted to laboratories for fluorescent antibody analysis for the rabies virus, with the exception of specimens which were shot in the head or which deteriorated from excessive heat. During 1975 up to October 17, approximately 1100–1200 animals were analyzed for rabies, of which about 734 were skunks. The 138 skunks found to be rabid thus constitutes a rabid skunk proportion of approximately nineteen (19) percent.

The definition of "emergency conditions" under section 18 of the amended FIFRA excludes the requested surveillance program to determine the perimeter of rabies and encephalitides in Montana. However, the use of strychnine baits to suppress populations of rabid skunks around areas of human habitation appears to be in accord with § 166.1 (b): "significant * * * health problems will occur without the use of the pesticide". In addition, the Fish and Wildlife Service of the U.S. Department of the Interior reports that there are no threatened or endangered species known to be present within the proposed treatment area. Strychnine toxicants show low secondary hazard to non-target species because they do not accumulate in poisoned animals and are insoluble in water.

In light of the above and pursuant to the controlling regulations, the Administrator determined that (a) a pest outbreak of rabid skunks had occurred; (b) there was no pesticide presently registered for use in suppressing populations of rabid skunks in Montana; (c) the application presented a situation involving a need to use the pesticide as requested to prevent an unacceptable risk to human health, (d) there was no other feasible solution to such human health risk; (e) the time available to avert the risk to human health was not sufficient to convene a hearing; and (f) the public interest required the granting of the requested use as soon as possible. Accordingly, the Applicant was granted a specific exemption to use strychnine baits in twenty-one counties in eastern Montana. The specific exemption is also subject to the following conditions:

1. The areas to be treated are presently limited to a circle with a five (5) mile radius around a confirmed rabid skunk found within a two (2) mile radius of areas of human habitation in Blaine, Carter, and Powder River Counties;

2. When the Applicant receives a report of a skunk, cat, or raccoon which is behaving abnormally and located within two (2) miles of an area of human habitation, personnel may place a maximum of one hundred (100) strychnine treated baits within a five (5) mile radius of the area of human habitation, pursuant to taking specimens of skunks to determine whether rabid skunks are present in the area. If no rabid skunks are found, the unconsumed strychnine baits will be retrieved. If one or more rabid skunks are found, a maximum of four hundred (400) additional baits may be placed in areas of skunk habitation within the five (5) mile radius circle around the location of the rabid skunk;

3. The Applicant, upon receipt of notification of issuance of this specific exemption, shall send an appropriate map of the State showing the location of currently active skunk rabies cases in Blaine, Carter, and Powder River Counties. Subsequently, the Applicant shall send a short telegram to the Registration Division, Office of Pesticide Programs, EPA, at any time that (1) one hundred or less strychnine baits are distributed to determine the presence of rabid skunks and (2) four hundred additional baits are distributed to suppress skunk populations in which the presence of rabies has been confirmed, giving adequate location data to pemit the location of the bait treatment areas on the map. There are twenty-one counties where strychnine baits may be applied following establishment of the presence of rabid skunks near areas of human habitation;

4. Exposure of any bait station within a five (5) mile radius circle (to survey for presence of rabies or suppress rabid skunk populations) may not exceed thirty (30) days;

5. Each strychnine lard bait will contain approximately 0.012 grams of actual strychnine alkaloid. Each strychnine egg bait will contain approximately 0.035 grams of actual strychnine alkaloid;

6. The Applicant's personnel are responsible for preparing the strychnine baits, selecting bait stations, posting warning signs, securing premise entry agreements, checking bait stations periodically for kills, and retrieving all unconsumed baits at the termination of the control program;

7. A maximum of two strychnine lard or egg baits per setting will be placed in the following skunk habitats: skunk dens, holes, garbage dumps, road culverts, junk piles, and unoccupied buildings;

8. Strychnine treated lard or egg baits will be placed only on those lands where premise entry agreements have been signed by the landowner, lessee, or administrator;

9. Warning signs will be posted at entries to all premises and other visible positions near locations where treated baits have been placed;

10. Each bait station will be checked as often as possible for kills, but, in any case, no less than once a week;

11. All retrieved or excess strychnine baits will be disposed of by burial at least 18 inches deep in an approved sanitary landfill. Containers to be destroyed will be handled in a similar manner;

12. Animals poisoned in the control program will be submitted for laboratory analysis for presence of rabies virus if possible. Otherwise, they will be buried on the premises to prevent possible secondary non-target species poisonings;

13. The Applicant must follow any more stringent requirements imposed by State law or regulation or applied by the State pesticide regulatory authority; and

14. The specific exemption expires on March 31, 1976.

This notice contains a summary of certain information set forth in the application for the specific exemption. For more detailed information, interested parties are referred to the Registration Division (WH–567), Office of Pesticide Programs, EPA, 401 M St., SW., Room E–315, Washington, D.C. 20460.

Dated: January 6, 1976.

EDWIN L. JOHNSON,
Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.76–738 Filed 1–8–76;8:45 am]

[OPP—180061; FRL 477–4]

NEW MEXICO DEPARTMENT OF AGRICULTURE

Receipt of Application for Specific Exemption To Control Fleas Harboring Plague Organisms

On December 5, 1975, the New Mexico Department of Agriculture applied to the Environmental Protection Agency (EPA) for a specific exemption to use 36 pounds of Dimethoate [0,0-Dimethyl S-(N-methylcarbamoyl) methyl) phosphorodithioate] and 36 pounds of Ronnel [0,0-Dimethyl 0-(2,4,5-trichlorophenyl) phosphorothioate] to control plague-infected fleas on wild rodents. The plague is most prevalent from May through October, and can be found in all areas of New Mexico. This specific exemption, if granted, will be valid for no longer than one (1) year from the date of approval by EPA.

This application is in accordance with the provisions of section 18 (40 CFR Part 166) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136). Part 166 was issued on December 3, 1973 (38 FR 33303), and prescribes the requirements for exemption of Federal and State agencies for the use of pesticides under emergency conditions.

This notice does not indicate a decision by this Agency on the application. Interested parties may review the application on file with the Registration Division (WH–567), Office of Pesticide Programs, EPA, 401 M St., SW., Room E–315, Washington, D.C. 20460.

Dated: January 6, 1976.

EDWIN L. JOHNSON,
Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.76–739 Filed 1–8–76;8:45 am]

[OPP–180054A; 477–2]

OKLAHOMA STATE DEPARTMENT OF AGRICULTURE

Specific Exemption To Use Sodium Chlorate for Dessication of Mung Beans; Correction

In FR Doc. 75–26949 appearing at page 46343 in the issue of October 7, 1975, the following corrections should be made:

The ninth line of paragraph two (2) in the first column on page 46344 now reading "* * * ticide oxidizes rapidly into sodium chlo- * * *" should read "* * * icide reduces rapidly into sodium chlo- * * *".

The first sentence in item number 11 in the second column on page 46344 now reading "It has been determined that residues resulting from use of sodium chlorate on mung beans will be adequate to protect the public health." should read "It has been determined that the use of sodium chlorate on mung beans will involve no hazard to the public health."

Dated: January 6, 1976.

EDWIN L. JOHNSON,
Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.76–737 Filed 1–8–76;8:45 am]

[FRL 466–4]

SCIENCE ADVISORY BOARD

Renewal

Pursuant to section 7(a) of the Office of Management and Budget Circular No. A–63, Transmittal Memorandum No. 1, dated July 19, 1974, it is hereby determined that renewal of the EPA Science Advisory Board (SAB) is in the public interest in connection with the performance of duties imposed on the Agency by law. The charter which continues the SAB through January 10, 1978, unless otherwise sooner terminated, will be filed at the Library of Congress.

JOHN QUARLES,
Acting Administrator.

DECEMBER 31, 1975.

[FR Doc.76–678 Filed 1–8–76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20667]

DOMESTIC PRIVATE LINE SERVICE

Preferential Rates for Press Use; Correction

On November 6, 1975 (40 FR 55386), the Commission released its Memorandum Opinion and Order in the above-captioned matter. The Commission therein granted interested persons leave to intervene, "upon filing of notice of intention to appear and participate within 20 days of the release date" of the Memorandum Opinion and Order. The foregoing quoted language should have granted interested persons leave to intervene herein upon filing of notice of intention to appear and participate on or before January 29, 1976.

In view of this inadvertent error, any other carrier, user of press facilities and interested persons shall have leave to intervene in Docket No. 20667 upon filing of notice of intention to appear and participate on or before January 29, 1976.

Adopted: December 24, 1975.

Released: December 31, 1975.

[SEAL] WALTER R. HINCHMAN,
Chief, Common Carrier Bureau.

[FR Doc.76–606 Filed 1–8–76;8:45 am]

FIXED SATELLITE ADVISORY COMMITTEE

Meeting

DECEMBER 30, 1975.

In further preparation for the 1979 World Administrative Radio Conference, a meeting of the Fixed Satellite Advisory Committee chaired by Raymond B. Crowell, will be held on Thursday, January 29, 1976, at 10 a.m., room 8210, located at 2025 M Street NW., Washington, D.C.

The meeting will be opened to the public and any member of the public is invited to participate and present oral or written statements of relevance to the agenda upon recognition by the Chairman. Any such oral statements should be cleared with the Chairman at least one day prior to the meeting.

The meeting will be conducted in accordance with the following agenda:

1. Chairmans Opening Remarks.
2. Approval of Minutes of December 5 Meeting.
3. Report of Informal Task Group 1 (Allocations).
4. Discussion of Draft Allocation Table distributed early in January.
5. Approval of Preliminary Allocations Table for Submission to the Steering Committee.
6. Discussion and review of further work assignments.
7. Suggestions for matters to be covered at next meeting.
8. Date of next meeting.
9. Any other business.
10. Adjournment.

No part of this meeting will be concerned with matters which are within the exemptions of the Public Information Act, 5 U.S.C. 55s(b).

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76–634 Filed 1–8–76;8:45 am]

[Docket Nos. 20637, 20638; File Nos. BPH–9017 and BPH–9173]

MIAMI COUNTY BROADCASTING CO., INC. AND Q COMMUNICATIONS CORP.

Memorandum Opinion and Order

In re applications of the Miami County Broadcasting Company, Incorporated, Sault Ste. Marie, Michigan, Docket No. 20627, File No. BPH–9017, Requests: 101.3 MHz; Channel No. 267; 100 kW (H); 60 kW (V); 260 feet; and Q Communications Corporation, Sault Ste. Marie, Michigan, Docket No. 20628, File No. BPH–9173, Requests: 101.3 MHz; Channel No. 267; 100 kW (H&V); 328 feet; for construction permit.

1. The Commission, by the Chief of the Broadcast Bureau, acting pursuant to delegated authority, has before it the above-captioned applications which are mutually exclusive in that they seek the same channel in Sault Ste. Marie, Michigan. Also before the Commission is an informal objection to the application of The Miami County Broadcasting Company, Incorporated (Miami), filed by Q Communications Corporation. Miami has filed no comments in response to the objection.

2. Q Communications in its objection

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alleges that duopoly considerations would preclude future expansion of Miami's proposed station and of existing WCBY–FM in Cheboygan, Michigan. The proposed and existing stations are Class C facilities with a distance of 54 miles between transmitter sites. Since there is no overlap between the proposed 1 mV/m contour and the existing 1 mV/m contour of WCBY–FM, a grant of the instant application would not contravene the provisions of § 73.240(a) (1) of the Commission's rules. However, were both of these stations to operate with maximum facilities, Commission studies indicate that the 1 mV/m contour of each would encompass the transmitter site of the other. Thus, since operation of the proposed new station and WCBY–FM with maximum facilities would be precluded by our duopoly rules, a question is raised as to whether the Miami proposal represents a fair, efficient and equitable use of the channel within the meaning of section 307(b) of the Communications Act of 1934, as amended, and an appropriate issue will be specified.

3. Q Communications also alleges in passing that a grant of Miami's application would result in undue concentration of control. Miami, licensee of WSOO–AM, Sault Ste. Marie, is wholly-owned by Mr. Richard E. Hunt who has the following additional broadcast interests: 100 percent ownership of WCBY Radio, Incorporated, licensee of WCBY (AM) and FM, Cheboygan, Michigan; and, 50 percent ownership of WPTW Radio, Incorporated, licensee of WPTW AM and FM, Piqua, Ohio. It is noted that this case involves no overlap with the commonly-owned stations in Cheboygan and Piqua which are 54 and 435 miles respectively from the Sault Ste. Marie transmitter site. Since Q Communications has made nothing more than a bare allegation of undue concentration, we find that it has failed to raise substantial or material questions of fact which warrant exploration in the forthcoming hearing.

4. Miami incorporated by reference an ascertainment survey contained in an amendment to an assignment application (BAL–7732) filed February 28, 1973. Miami filed its present application for construction permit on May 24, 1974. Accordingly, Miami was notified by letter of May 7, 1975, that the incorporated survey was unacceptable in light of the requirements of question and answer 2 of the "Primer on Ascertainment of Community Problems by Broadcast Applicants," 27 FCC 2d 650 (1971), more than one year having passed between the date of filing of the survey and the date of filing of the present application. Miami then submitted an ascertainment survey as an amendment of June 23, 1975. The amended survey, however, contained only one survey of 34 people, and it was not clear whether this was to be the community leader or general public survey. In addition, the applicant failed to list the communities to be served, failed to state the composition of the community of license, and failed to provide a racial, ethnic or minority breakdown. Accordingly, in view of the requirements of the Primer and the Commission's decision in "Voice of Dixie," 45 FCC 2d 1027 (1974), an appropriate issue will be added.

5. Q Communications Corporation has failed to list the communities it proposes to serve as required by question 1(A) (2), section IV–A, FCC Form 301. In addition, while some indication is given as to the racial and ethnic breakdown of the area, it is not clear that a breakdown for the city of license has been provided as required by Primer, supra, question and answer 9. Further, it does not appear that the applicant has interviewed any minority leaders or representatives of the five major businesses in this area; moreover, in many instances it is not clear that those persons chosen are actually leaders of their respective groups, since minimal information has been provided concerning their community activities. See A. V. Bamford, 48 FCC 2d 1155 (Rev. Bd., 1974). Therefore, an appropriate issue will be specified.

6. Q Communications Corporation proposes independent programming, while Miami proposes to duplicate the programming of its commonly-owned AM station WSOO during 45 percent of its broadcast time. Therefore, evidence regarding program duplication will be admissible under the standard comparative issue. When duplicated programming is proposed, the showing permitted under the standard comparative issue will be limited to evidence concerning the benefits to be derived from the proposed duplication which would offset its inherent inefficiency, "Jones T. Sudbury," 8 FCC 2d 360 (1967).

7. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, because the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

8. *It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the extent to which duopoly considerations would preclude future expansion of WCBY–FM and the proposed station of The Miami County Broadcasting Company, Incorporated, and in light of the evidence adduced in response thereto, whether the subject proposal represents a fair, efficient and equitable use of the channel within the meaning of section 307(b) of the Communications Act of 1934, as amended.

2. To determine the efforts made by The Miami County Broadcasting Company, Incorporated, to ascertain the community needs and interests of the area to be served and the means by which the applicant proposes to meet those needs and interests.

3. To determine the efforts made by Q Communications Corporation, to ascertain the community needs and interests of the area to be served and the means by which the applicant proposes to meet those needs and interests.

4. To determine which of the proposals would, on a comparative basis, better serve the public interest.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

9. *It is further ordered*, That, the informal complaint by Q Communications Corporation is granted to the extent indicated above, and DENIED in all other respects.

10. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants and party respondent herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney shall, within twenty (20) days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

11. *It is further ordered*, That, the applicants herein shall, pursuant to section 311(a) (2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: December 12, 1975.

Released: December 24, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.76–632 Filed 1–8–76;8:45 am]

FEDERAL ENERGY ADMINISTRATION

PRICE AND ALLOCATION CONTROLS AFTER DECEMBER 15, 1975

Application

The authority of the Federal Energy Administration ("FEA") under the Emergency Petroleum Allocation Act of 1973, as amended (the "EPAA"), to issue and enforce price and allocation regulations and orders expired at midnight on Monday, December 15, 1975. Subsequently, however, the Congress passed and, on December 22, 1975, the President signed into law the Energy Policy and Conversation Act (the "EPCA"), Pub. L. 94–163, which extended this authority of FEA.

Section 461 of the EPCA amends the EPAA by the addition of a provision extending the EPAA, as follows:

> The authority to promulgate and amend any regulation or to issue any order under this Act shall expire at midnight, September 30, 1981 * * *

In addition to the particular extension of authority provided for in the language quoted, the EPCA specifically deals with FEA authority during the period between the expiration of the EPAA (December 15, 1975) and the signing of the EPCA (December 22, 1975). Section 463 of the EPCA states:

> Except as otherwise provided, the amendments made by this Act to the Emergency Petroleum Allocation Act of 1973 shall take effect as of midnight, December 15, 1975.

Congress specifically intended in this section that the EPAA's extension would occur retroactively as well as prospectively if the EPCA were enacted after December 15, 1975, for it noted in the Joint Explanatory Statement:

> Section 463 provides that the amendments to the Allocation Act made by this Act shall be effective as of midnight December 15, 1975, except as otherwise provided. The conferees expressly recognize the possibility that this Act may not be enacted until after December 15, 1975. For that reason, the December 15, 1975 date was expressly written into section 463 as the effective date so as to make it absoutely clear that no gap in the President's authority to promulgate regulations or to issue or enforce orders under the Allocation Act is intended, that the extension of the Allocation Act authority will apply retroactively to December 15, 1975, and that the regulation under section 4(a) in effect on December 15, 1975, shall be deemed to have been continuously in full force and effect thereafter. (S. Rpt. 94–516, 94th Cong., 1st Sess., at 209 (Dec. 8, 1975).]

Thus, for all practical purposes no regulatory "hiatus" period existed between December 16, 1975 and December 22, 1975. The purpose of this notice is to make that fact clear to all persons subject to FEA regulations promulgated under the EPAA and to advise them that the FEA intends to enforce its regulations for that period in the same manner that it announced, in Ruling 1975–17 (40 FR 48341, October 15, 1975), that the regulations would be enforced for the similar hiatus that occurred in September 1975.

Finally, some questions have been raised as to the current status of regulations that are required by the EPCA to be modified. Until such time as such modifications are issued in final form, the regulations in existence on December 15, 1975 remain in full force and effect.

Issued in Washington, D.C., January 5, 1975.

MICHAEL F. BUTLER,
General Counsel,
Federal Energy Administration.

[FR Doc.76–583 Filed 1–6–76;10:26 am]

Meeting

RETAIL DEALERS ADVISORY COMMITTEE

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770), notice is hereby given that the Retail Dealers Advisory Committee will meet Monday, January 26, 1976, at 9:30 a.m., in the Commodore Room, Holiday Inn at Municipal Auditorium, 1301 Wyandotte Street, Kansas City, Missouri.

The Committee was established to provide the Administrator, FEA, with technical and timely information on a wide range of activities associated with the retail sale of gasoline/diesel fuel.

The agenda for the meeting is as follows:

1. Allocation—100% Current Needs (Decontrol of Prices and Allocations at the Retail and Wholesale Level By Product)
2. Regional Pricing
3. Salaried Operated Stations (Self Service)
4. Remarks from the Floor (10 Minute Rule)

The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Committee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform Lois Weeks, Director, Advisory Committee Management, at (202) 961–7022 at least five days before the meeting and reasonable provision will be made for their appearance on the agenda.

Further information concerning this meeting may be obtained from the Advisory Committee Management Office.

Minutes of the meeting will be made available for public inspection at the Federal Energy Administration, Washington, D.C.

Issued at Washington, D.C. on January 5, 1976.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.76–582 Filed 1–6–76;10:25 am]

FEDERAL MARITIME COMMISSION

[No. 76–1]

CSC INTERNATIONAL, INC. V. ORIENT OVERSEAS CONTAINER LINE, INC.

Filing of Complaint

JANUARY 5, 1976.

Notice is hereby given that a complaint filed by CSC International, Inc. against Orient Overseas Container Line, Inc. was served January 2, 1976. The complaint alleges that complainant has been subjected to payment of a freight rate for transportation which is unjust and unreasonable and in violation of section 18 (b) (3) of the Shipping Act, 1916.

Hearing in this matter shall commence on or before July 2, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–679 Filed 1–8–76;8:45 am]

[Independent Ocean Freight Forwarder License No. 1438]

CANALES INTERNATIONAL SERVICES

Order of Revocation

By letter dated November 24, 1975, Canales International Services, 1848 West 25th Street, Cleveland, Ohio 44113, was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 1438 would be automatically revoked or suspended unless a valid surety bond was filed with the Commission on or before December 19, 1975.

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.9 of Federal Maritime Commission General Order 4, further provides that a license will be automatically revoked or suspended for failure of a licensee to maintain a valid bond on file.

Canales International Services has failed to furnish a valid surety bond.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Revised) § 5.01(c) dated June 30, 1975;

It is ordered, That Independent Ocean Freight Forwarder License No. 1438 issued to Canales International Services, be returned to the Commission for cancellation.

It is further ordered, That Independent Ocean Freight Forwarder License No. 1438 be and is hereby revoked effective December 19, 1975.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon Canales International Services.

LEROY F. FULLER,
Director, Bureau of Certification and Licensing.

[FR Doc.76–680 Filed 1–8–76;8:45 am]

[Independent Ocean Freight Forwarder License No. 1561]

MAGNA FORWARDING, INC.

Order of Revocation

By letter dated November 20, 1975, Magna Forwarding, Inc., 1709 East Del Amo Boulevard, Wilmington, California 90746, was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 1561 would be automatically revoked or suspended unless a valid surety bond was filed with the Commission on or before December 18, 1975.

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.9 of Federal Maritime Commission General Order 4, further provides that a license will be automatically revoked or suspended for failure of a licensee to maintain a valid bond on file.

Magna Forwarding, Inc. has failed to furnish a valid surety bond.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Revised) § 5.01(c) (dated June 30, 1975);

It is ordered, That Independent Ocean Freight Forwarder License No. 1561, issued to Magna Forwarding, Inc., be returned to the Commission for cancellation.

It is further ordered, That Independent Ocean Freight Forwarder License No. 1561 be and is hereby revoked effective December 18, 1975.

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It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon Magna Forwarding, Inc.

LEROY F. FULLER,
Director, Bureau of Certification and Licensing.

[FR Doc.76-681 Filed 1-8-76;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RP73-77; PGA76-2]

ALABAMA-TENNESSEE NATURAL GAS CO.

Proposed PGA Rate Adjustment

DECEMBER 30, 1975.

Take notice that on December 15, 1975, Alabama-Tennessee Natural Gas Company (Alabama-Tennessee) tendered for filing as part of its FPC Gas Tariff, Third Revised Volume No. 1, Fourteenth Revised Sheet No. 3-A. Alabama-Tennessee requests that this revised tariff sheet become effective as of January 15, 1976.

Alabama-Tennessee states that the sole purpose of such revised tariff sheet is to adjust Alabama-Tennessee's rates pursuant to the PGA provisions of section 20 of the General terms and conditions of its tariff to reflect increased rates to become effective on January 15, 1976, to be charged by its sole supplier, Tennessee Gas Pipeline Company.

Alabama-Tennessee states that the revised tariff sheet provides for the following rates:

[In cents]

Rate schedule:	*Substitute 14th revised sheet No. 3-A*
G-1:	
Demand	232
Commodity	72.89
SG-1: Commodity	89.84
I-I: Commodity	74.89

Alabama-Tennessee states that copies of the filing have been mailed to all of its jurisdictional customers and affected State regulatory Commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 13, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-707 Filed 1-8-76;8:45 am]

[Docket No. ER76-157]

CAMBRIDGE ELECTRIC LIGHT CO.

Extension of Procedural Dates

DECEMBER 30, 1975.

On December 19, 1975, Cambridge Electric Light Company filed a motion to extend the procedural dates fixed by order issued October 31, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of staff testimony	Mar. 15, 1976.
Service of intervenor testimony.	Mar. 29, 1976.
Service of company rebuttal.	Apr. 19, 1976.
Hearing	[1] May 10, 1976.

[1] 10 a.m., e.s.t.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-708 Filed 1-8-76;8:45 am]

[Docket No. ER76-368]

CENTRAL ILLINOIS PUBLIC SERVICE CO.

Filing of Facility Use Agreement Appendix and Emergency Interchange Agreement Appendix

DECEMBER 30, 1975.

Take notice that on December 15, 1975, Central Illinois Public Service Company, (Central Illinois) tendered for filing a revised Appendix F dated November 10, 1975 to the Emergency Interchange Agreement dated January 17, 1956 between Central Illinois Public Service Company and Illinois Power Company, and a revised Appendix A dated November 10, 1975 to the Facility Use Agreement dated January 17, 1956 between Central Illinois Public Service Company and Illinois Power Company. Appendix F provides for a change in the nominal Capacity of Interchange at the interconnection point north of Brighton, Illinois. Appendix A provides for payment by Illinois Power of maintenance and operating charges to Central Illinois for any work performed on Illinois Power's 69-34.5 KV transformer rated 22.4 MVA located in Central Illinois' Jerseyville substation. Central Illinois requested that the proposed Appendices become effective on May 19, 1975, the date the 22.4 MVA transformer was placed in service. Central Illinois states that it has sent copies to the Illinois Power Company and the Illinois Commerce Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions should be filed on or before January 19, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are available for public inspection at the Federal Power Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-709 Filed 1-8-76;8:45 am]

[Docket No. E-9040]

CENTRAL VERMONT PUBLIC SERVICE CORP.

Joint Filing of Settlement Agreement

DECEMBER 30, 1975.

Take notice that the Vermont Public Service Board, Central Vermont Public Service Corporation (Central Vermont) and all of Central Vermont's affected wholesale customers, but Allied Power and Light Company have executed a Settlement Agreement in Docket No. E-9040 and, on December 11, 1975, jointly tendered it for filing. The proposed settlement provides for, among other things, a revised partial requirements Rate R-3P to be effective from January 6, 1975 to November 30, 1975 and a partial requirements Rate R-4P commencing on December 1, 1975. For the effective period of revised Rate R-3P, Central Vermont will refund revenues collected in excess of that rate. There are no refunds under Rate R-4P.

Any person desiring to be heard or to protest said filing should file comments with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before January 16, 1976. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-710 Filed 1-8-76;8:45 am]

[Docket No. CP76-162]

COLUMBIA GAS TRANSMISSION CORP.

Application

DECEMBER 30, 1975.

Take notice that on December 3, 1975, Columbia Gas Transmission Corporation (Applicant), 1700 MacCorkle Avenue, Charleston, West Virginia 25314, filed in Docket No. CP76-162 an application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the regulations thereunder (18 CFR 157.7 (b)), for a certificate of public convenience and necessity authorizing the construction during the twelve-month period commencing March 1, 1976, and operation of certain natural gas purchase facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that the purpose of this budget-type application is to augment its ability to act with reasonable dispatch in connecting to its pipeline system supplies of natural gas which may become available from producing areas generally coextensive with Applicant's pipeline system or the pipeline systems of other natural gas companies authorized to transport gas for or exchange gas with Applicant.

The total cost of the proposed facilities would not exceed $4,000,000 nor would the cost of any single project exceed $1,000,000 which costs, Applicant states, would be financed from funds generated from internal sources.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceedings. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by section 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-711 Filed 1-8-76;8:45 am]

[Docket No. RP73-65; PGA75-5]

COLUMBIA GAS TRANSMISSION CORP.

Further Extension of Procedural Dates

DECEMBER 30, 1975.

On December 8, 1975, Ohio Oil and Gas Association filed a motion to extend the procedural dates fixed by order issued October 22, 1975, as most recently modified by notice issued November 17, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of testimony by Ohio producers making sales to Columbia.	Apr. 23, 1976.
Service of staff testimony	May 20, 1976.
Service of intervenor testimony.	June 11, 1976.
Service of company and of Ohio rebuttal.	July 2, 1976.
Hearing	[1] July 13, 1976 [1] 10:00 a.m., e.s.t.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-712 Filed 1-8-76;8:45 am]

[Docket No. ER76-364]

CONNECTICUT LIGHT AND POWER CO.

Termination

DECEMBER 30, 1975.

Take notice that on December 16, 1975, Connecticut Light and Power Company (CLP) tendered for filing notice of termination of its Rates Schedule FPC No. 75, effective December 1, 1972, in accordance with its own terms. This termination is effective April 30, 1974.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 23, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-721 Filed 1-8-76;8:45 am]

[Docket No. ER76-354]

CONNECTICUT POWER AND LIGHT CO.

Terminations

DECEMBER 31, 1975.

Take notice that on December 10, 1975, The Connecticut Power and Light Company (CPL) tendered for filing notice of termination of

1. CPL's Rate Schedule FPC No. 59 with the Vermont Electric Power Company, Inc. The effective date of termination is October 31, 1972, in accordance with the contract's terms.

2. CPL's Rate Schedule FPC No. 50 with Central Maine Power Company. The effective date of termination is April 30, 1972, in accordance with the contract's terms.

3. CPL's Rate Schedule FPC No. 52 with Vermont Electric Power Company, Inc. The effective date of termination is April 30, 1972, in accordance with the contract's terms.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 16, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-697 Filed 1-8-76;8:45 am]

[Docket No. ER76-334]

CONNECTICUT LIGHT AND POWER CO.

Order Accepting for Filing and Suspending Proposed Rate Increase

DECEMBER 31, 1975.

On December 5, 1975, Connecticut Light and Power Company (CL&P) filed, on behalf of itself, the Hartford Electric Light Company (HELCO), and Western Massachusetts Electric Company (WMECO) (Jointly, "Companies") a proposed amendment [1] to the Companies' April 1, 1975, Transmission Agreement with the City of Holyoke Gas and Electric Department (Holyoke). The amendment, dated October 1, 1975, provides for an extension of the term of the Agreement from October 31, 1975, to April 30, 1978, and revises transmission charges under the agreement. The proposed change in the transmisison rates would result in a 18.8 percent, $4,104 increase in annual transmission charges.

Notice of CL&P's filing was issued on December 15, 1975, with comments, protests or petitions to intervene due on or before December 23, 1975. No petitions were received. CL&P requests waiver of our thirty day notice requirements to permit the amendment to become effective on November 1, 1975, the day after the present Agreement terminates. However, CL&P has not shown good cause to grant waiver. Accordingly, the request will be denied.

Under the present Agreement, CL&P, HELCO and WMECO transmit 5,000 kW of power which Holyoke purchases from Vermont Electric Power Company under a separate agreement. The present monthly charge for the transmission service is equal to one-twelfth of the estimated annual average unit cost of

[1] See Appendix A below for rate schedule designations of the proposed amendment.

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$4.68 per kW per year for transmission service on the system of the Northeast Utilities companies multiplied by Holyoke's entitlement and reduced by an amount which Holyoke pays to Public Service of New Hampshire (PSNH) for transmission service on the PSNH system. The present monthly charge to Holyoke is $1,815.

Under the proposed amendment, the monthly charges for transmission service would be one-twelfth of the annual average cost of transmission service on the Northeast Utilities system multiplied by Holyoke's entitlement and reduced by an amount which Holyoke pays PSNH for transmission service on its system. The cost of transmission service on the Northeast Utilities system would be determined in accordance with Section 13.9 (Determination of Amount of PTF Costs) of the New England Power Pool (NEPOOL) Agreement and the uniform rules adopted by the NEPOOL Executive Committee.

The proposed monthly charge to Holyoke under the proposed amendment would be approximately $2,157 for the period from November, 1975, through April, 1976. CL&P states that the transmission charge for the period from May, 1976, to April 30, 1978 cannot be determined at this time. Annual charges under the agreement would increase from $4.68/kW to $5.50/kW.

Proposed NEPOOL EHV Proposed Transmission Facilities (PTF) Cost Rules are presently under investigation in Docket No. E–7890. Proposed NEPOOL LV PTF Cost Rules have been tendered for filing in Docket No. ER76–291. In light of the fact that the charges proposed in the instant docket are based on NEPOOL PTF Costs and those costs have not yet been found to be just and reasonable, we conclude that the rate increase proposed in this docket has not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. Accordingly, we shall suspend the use thereof for one day until January 6, 1976 when the rates shall be permitted to become effective, subject to refund upon determination of just and reasonable NEPOOL PTF costs in Docket Nos. E–7690 and ER76–291.

The Commission finds. (1) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that the increased rates and charges as proposed by CL&P in Docket No. ER76–334 be accepted for filing and suspended as hereinafter provided.

(2) Good cause exists to deny CL&P's request for waiver of the Commission's notice requirement.

(3) The proposed transmission charges associated with NEPOOL PTF costs should be subject to the outcome of the proceedings in Docket Nos. E–7690 and ER76–291.

The Commission orders. (A) CL&P's proposed changes in rates, charges and conditions of service as filed on December 5, 1975, are accepted for filing and suspended for one (1) day and the use thereof deferred until January 6, 1976, when the proposed rates shall become effective, subject to refund.

(B) CL&P's request for waiver of the Commission's notice requirements is hereby denied.

(C) The proposed transmission charges associated with NEPOOL transmission charges shall be made subject to the outcome of the proceedings in Docket Nos. E–7690 and ER76–291.

(D) Nothing contained herein shall be construed as limiting the rights of the parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to § 1.18 of the Commission's rules of practice and procedure.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

APPENDIX A

THE CONNECTICUT LIGHT & POWER CO.—DOCKET NO. ER 76–334

Dated, Oct. 1, 1975; filed, Dec. 5, 1975; other party, City of Holyoke Gas & Electric Department.

Designation	*Description*
Suppl. No. 1 to (1) rate schedule FPC No. 113.	Amendment to Transmission Agreement.

THE HARTFORD ELECTRIC LIGHT COMPANY

Designation	*Description*
Supplement No. 1 to (2) rate schedule FPC No. 91 (concurs in (1) above).	Certificate of concurrence.

WESTERN MASSACHUSETTS ELECTRIC COMPANY

Designation	*Description*
Supplement No. 1 to (3) rate schedule FPC No. 105 (concurs in (1) above).	Certificate of concurrence.

[FR Doc.76–725 Filed 1–8–76;8:45 am]

[Docket No. CP76–194]

CONSOLIDATED GAS SUPPLY CORP.

Application

DECEMBER 30, 1975.

Take notice that on December 10, 1975, Consolidated Gas Supply Corporation (Applicant), 445 West Main Street, Clarksburg, West Virginia 26301, filed in Docket No. CP76–194 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon an emergency connection with Carnegie Natural Gas Company (Carnegie) and a connection with The Peoples Natural Gas Company (Peoples), all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant proposes to abandon a connection for the supply of possible future emergency needs of natural gas to Carnegie in or near the village of Mt. Morris, Pennsylvania. It is stated that Carnegie has informed Applicant by letter of October 23, 1975, that the Mt. Morris connection is no longer necessary. It is stated that Applicant was obligated to maintain the Mt. Morris connection as long as Applicant was required to maintain its pipeline facilities in the area in order to continue service to Peoples at Point Marion, Pennsylvania. Peoples has indicated to have advised Applicant that the Point Marion connection is no longer required due to the realignment of facilities. Therefore, Applicant requests permission and approval to abandon the two connections which, Applicant states, would also permit the abandonment of certain measuring and regulating facilities and approximately 400 feet of 6-inch pipeline.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 22, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–713 Filed 1–8–76;8:45 am]

[Docket No. CP70–196]

DISTRIGAS CORP.

Petition To Amend

DECEMBER 30, 1975.

Take notice that on December 5, 1975, Distrigas Corporation (Petitioner), 125 High Street, Boston, Massachusetts 02110, filed in Docket No. CP70–196 a petition to amend the order of the Commission accompanying Opinion 613 issued March 9, 1972 (47 FPC 752), pursuant to section 3 of the Natural Gas Act by authorizing the continued importation of natural gas from Algeria purchased at a price of 70.6 cents per million Btu, subject to adjustments for currency fluctuations and inflation, all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

Petitioner states that it is authorized to import approximately 15.4 trillion Btu of liquefied natural gas (LNG) annually from Algeria purchased from Alocean, Ltd. It is further stated that by an agreement of amendment dated October 4, 1975, Petitioner has agreed with Alocean, Ltd., to amend the purchase contract to provide for a price of 70.6 cents per million Btu, with currency and inflation adjustments. Petitioner requests that it be authorized to continue the importation of LNG at said rate effective July 1, 1975; or in the alternative, that the Commission authorize Petitioner to pay a surcharge to said rate of 0.35 cents per million Btu multiplied by the number of cargoes delivered between July 1, 1975, and the date of Commission authorization for the continued importation at said rate. Petitioner states that the alternative surcharge would be applicable to all volumes received after the date of authorization and is designed to conmpensate Alocean, Ltd., for the time lag in receiving the authorization.

Petitioner states that no change in volume or manner of delivery is involved in the instant proposal.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before January 21, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10).

All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–714 Filed 1–8–76;8:45 am]

[Docket Nos. RP71–15 and RP–75–28]

EAST TENNESSEE NATURAL GAS CO.

Notice of Corrected Tariff Sheet

DECEMBER 18, 1975.

Take notice that on December 18, 1975, East Tennessee Natural Gas Company (East Tennessee), tendered for filing corrections to its tariff filing of November 14, 1975, consisting of the following corrected revised tariff sheet:

SUBSTITUTE THIRTEENTH REVISED SHEET NO. 4

East Tennessee states that the sole purpose of the corrected tariff sheet is to reflect changes in the substitute tariff sheets of Tennessee Gas Pipeline Company, a Division of Tenneco Inc., which reflect the exclusion of additional small producer purchases at rates in excess of the levels prescribed by Opinion No. 742. East Tennessee states in all other respects this tariff sheet is identical to that filed on November 14, 1975, in the above-captioned dockets.

East Tennessee states that copies of the filing have been mailed to all its jurisdictional customers and affected state regulatory commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 19, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene; provided, however, that any person who has previously filed a petition to intervene in this proceeding is not required to file a further petition. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–699 Filed 1–8–76;8:45 am]

[Docket No. CP73–221]

EL PASO NATURAL GAS CO.

Petition To Amend

DECEMBER 29, 1975.

Take notice that on December 4, 1975, El Paso Natural Gas Company (Petitioner,) P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP73–221 a amend the order[1] issuing a certificate of public convenience and necessity in said docket pursuant to section 7(c) of the Natural Gas Act to extend the term of the authorized sale and delivery of natural gas by Petitioner to Northern Gas Company (Northern), all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

[1] By order accompanying the initial decision of the presiding administrative law judge issued November 6, 1975, in Docket No. CP73–215, et al. (50 FPC 1035), a certificate of public convenience and necessity was issued in Docket No. CP73–221. No exceptions to the decision having been filed or review initiated by the Commission, the decision became effective on December 18, 1973, as the final decision of the Commission.

Petitioner states that Northern is authorized to sell and deliver to Petitioner, on a best-efforts basis, up to 75,000 Mcf of raw natural gas per day in the Lea County, New Mexico, production area and that Petitioner is authorized to sell and deliver to Northern in Lea County and in Pecos County, Texas, concurrently, on a best-efforts basis, quantities of gas equivalent to the residue quantities attributable to the raw gas received and purchased by Petitioner from Northern all through January 31, 1976. It is further stated that the subject arrangements are designed to assist Northern in its efforts to maintain adequate service to its customers by adjusting the allowable level of production under proration rules prescribed by the New Mexico Oil Corservation Commission for Northern's sources of supply in Lea County through increased takes from such supply sources and that El Paso benefits in that the assigned proration allowables for El Paso's own supply sources in Lea County are also effectively increased as Northern's takes are increased.

Petitioner states that Northern has advised Petitioner that Northern continues to have available quantities of natural gas in excess of the capacity of Northern's gathering, processing and transmission facilities in the area and that Petitioner has excess capacity in the area. It is further stated that by the extension of the authorization through October 26, 1978, both Petitioner and Northern would benefit by the higher rates of production and the operating economies would be of benefit to both Northern's and Petitioner's customers.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before January 19, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in acordance with the Commission's rules.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–700 Filed 1–8–76;8:45 am]

[Docket No. CP76–171]

EQUITABLE GAS CO. AND UGI CORP.

Application

DECEMBER 29, 1975.

Take notice that on November 26, 1975, Equitable Gas Company (Equitable), 420 Boulevard of the Allies, Pittsburgh, Pennsylvania, 15219, and UGI Corpora-

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tion (UGI), Post Office Box 858, Valley Forge, Pennsylvania 19482, jointly Applicants, filed in Docket No. CP75–171 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the operation of a storage service for a four-year period, the construction of facilities therefor, and the operation of said facilities therefor and for future uses, and a request for a disclaimer of jurisdiction, all as more fully set forth in the application on file with the Commission and open to public inspection.

Under the proposed plan for the storage service set forth by Applicants, UGI would make deliveries from April 1 to November 1 of natural gas to Columbia Gas Transmission Corporation (Columbia) for delivery to Equitable for the account of UGI for injection into the storage fields of Equitable. It is further proposed by Applicant that Equitable would subsequently withdraw and redeliver such stored gas to Columbia for UGI from November 1 to April 1. The initial injection period would extend from the date of the initiation of operations until November 1, 1976. Applicants propose that 50 percent of the total volumes of gas delivered by UGI to Equitable during each injection period, up to 3,000,000 Mcf, would be release gas which would be sold by UGI to Equitable. The volumes to be delivered and sold to Equitable during each injection period would be as follows:

Injection period	Maximum volume (thousand cubic feet)	Maximum volume of gas delivered and sold to Equitable by UGI (thousand cubic feet)	Maximum volume of storage gas (thousand cubic feet)
1976–77	3,000,000	1,500,000	1,500,000
1977–78	3,000,000	1,500,000	1,500,000
1978–79	3,000,000	0	3,000,000
1979–80	3,000,000	0	3,000,000

UGI is seeking a declaration by the Commission that the sales to Equitable are nonjurisdictional because except for said sales, UGI does not make any sales for resale and neither owns nor operates any jurisdictional pipeline. UGI alleges that except for the instant sale, its operations consist of local distribution functions. Applicants state that the storage gas will enable UGI and the release gas will enable Equitable to meet their winter season, high priority requirements more reliably and effectively. They submit that the public interest requires that this result be achieved and that to make this service possible the Commission should disclaim jurisdiction over UGI and over UGI's sales to Equitable.

Applicants state that to effectuate the proposed service, a tap connection would need to be constructed between the facilities of Equitable and Columbia in Grant District, Wetzel County, West Virginia. The cost of the proposed tap required by Equitable is estimated at $10,000. It is stated that the point for the delivery to Equitable by Columbia for the account of UGI shall be at the connection in Wetzel County and to a lesser extent at an existing point where Equitable's and Columbia's pipelines intersect in Gilmer County, West Virginia. The delivery point for the gas returned by Equitable to Columbia for UGI's account would be in Gilmer County. Equitable requests authorization to maintain the Wetzel County interconnection for emergency use upon termination of the storage service.

It is indicated that UGI agrees to pay to Equitable for gas stored by Equitable, exclusive of release gas and gas carried forward, during each injection period the following:

Mcf	Cents per Mcf
First 500,000	58.5
500,001 to 1,000,000	56.5
1,000,001 to 1,500,000	54.5
1,500,001 to 2,000,000	52.5
2,000,001 to 2,500,000	50.5
2,500,001 to 3,000,000	48.5

It is further stated that UGI would have the right to carry forward unused gas that is in storage at the end of each injection period for 36 cents per Mcf.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–701 Filed 1–8–76;8:45 am]

[Docket Nos. RP72–136; PGA 76–1]

FLORIDA GAS TRANSMISSION CO.

Order Accepting for Filing and Suspending Proposed PGA Rate Increase, Instituting Investigation and Establishing Hearing Procedures

DECEMBER 31, 1975.

On November 14, 1975, Florida Gas Transmission Company (Florida) tendered for filing a 4.1652¢ per Mcf PGA rate increase[1] to reflect an increase in the cost of purchased gas and an increase in Florida's surcharge to recoup the balance in its deferred purchased gas cost account. The proposed increase, which Florida requests to be made effective January 1, 1976, would result in an annual increase of $4,219,558.

Notice of Florida's filing was issued December 2, 1975 with all protests, comments, or petitions to intervene due on or before December 15, 1975.

Our review of Florida's PGA filing indicates that it is based in part on small producer purchases at rate levels in excess of the rate level prescribed in Opinion No. 742. The proposed rates have not therefore been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. Accordingly, we shall accept the tariff sheet for filing and suspend its effectiveness for one day until January 2, 1976, when it shall become effective subject to refund.

With regard to the issue of small producer purchases, we shall establish hearing procedures to determine the just and reasonable rate levels of those small producer purchases to be included in Florida's filing in excess of the rate levels resulting from use of the "130 percent formula" prescribed in Opinion No. 742.[2] In this connection, we believe it appropriate to make the small producers involved respondents so that they may present evidence to show that the rates charged by them to Florida are just and reasonable. Although the small producers are not required to make refunds, we believe it appropriate to institute a Section 5 investigation against the small producers involved so that the just and reasonable small producer rate determination in this proceeding can be applied prospectively.

Within 15 days of the date of this order, Florida shall file a list of these small producers, making sales reflected in the instant filing in excess of the "130 percent formula" rates in order that they may be made respondents to this proceeding.

Cost evidence relating to the small producer sales which are the subject of the hearing ordered herein can clearly provide the basis for "just and reasonable" rate findings. "F.P.C. v. Texaco, Inc." 417 U.S. 380 (1974). Accordingly, we shall require the small producer respondents to submit cost evidence in order that we may determine the justness and reasonableness of Florida's rates and make appropriate prospective adjustments, if found necessary, to the small producer rate pursuant to our authority under Section 5 of the Natural Gas Act.

Florida should show that the rate paid by it to the small producer is just and reasonable by presenting evidence considering all relevant factors including inter alia, (1) the pipeline's need for gas, (2) the availability of other gas supplies, (3) the amount of gas dedicated under the contract, (4) the rates of other recent small producer sales previously approved for flow through and (5) comparison with appropriate market prices.[3]

Finally, the parties may submit any other evidence relevant to the Commission's determination of whether the rates paid by the pipeline with respect to the subject small producer sales are just and reasonable.

Our review of Florida's claimed increased purchased gas costs other than those claimed increased costs associated with that portion of small producer purchases in excess of the rate levels prescribed by the "130 percent formula" in Opinion No. 742 indicates that they comply with the standards set forth in Docket No. R–406. Accordingly, we shall permit Florida to file a revised tariff sheet to become effective January 1, 1976 to reflect the elimination of the costs associated with that portion of small producer purchases in excess of the rate levels prescribed by the "130 percent formula" in Opinion No. 742.

The Commission finds. (1) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that hearing procedures be established, as hereinafter ordered and conditioned, and that Florida's tariff sheet tendered in this docket on November 14, 1975, be accepted for filing and permitted to become effective January 2, 1976 subject to refund.

(2) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that Florida be permitted to file, to become effective January 1, 1976, a revised tariff sheet reflecting the elimination of purchased gas costs associated with that portion of small producer purchases in excess of the rate levels established in Opinion No. 742.

(3) The claimed increased costs, other than those associated with that portion of small producer purchases in excess of the rate levels established in Opinion No. 742 have been reviewed and found to be in compliance with the standards set forth in Docket No. R–406.

The Commission orders. (A) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, 7, 14 and 16 thereof, a public hearing shall be held in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426 to determine the lawfulness of Florida's proposed PGA rates filed on November 14, 1975, insofar as those proposed rates reflect small producer purchases in excess of the "130 percent formula" prescribed in Opinion 742.

(B) Within 15 days of the date of this order, Florida shall file with the Commission a list, including addresses, of the small producers from whom it purchased at rates in excess of the rate level provided for by Opinion No. 742. Following receipt of this list, we shall make the small producers parties respondents to this investigation for the purposes discussed in the body of this order.

(C) Pursuant to section 5 of the Natural Gas Act, we hereby institute an investigation into the just and reasonable rates to be charged by the small producers making sales to Florida in excess of the rates resulting from the "130 percent formula" prescribed in Opinion 742 and consolidate this investigation with the hearing ordered in Ordering Paragraph (A) above for purposes of hearing and decision. These consolidated hearings will be docketed as RP72–136 (PGA 76–1).

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)) shall preside at the hearing in this proceeding pursuant to the Commission rules of practice and procedure. He shall also preside at a pre-hearing conference to be held on February 25, 1976 at 9:30 a.m., in a hearing room at the address noted in ordering paragraph (A) for the purpose of setting dates for the presentation of Florida's direct testimony the small producer respondent's direct testimony, the Staff's and any intervenor's direct testimony, Florida's rebuttal evidence, and hearing.

(E) Florida's proposed tariff sheet tendered on November 14, 1975, is hereby accepted for filing and suspended for one day, until January 2, 1976, when it shall become effective, subject to refund.

(F) Within 15 days of the date of issuance of this order, Florida may file a revised tariff sheet to become effective January 1, 1976, which reflects those claimed increased purchased gas costs contained in Florida's PGA adjustment other than those claimed increased costs associated with that portion of small producer purchases in excess of the rate levels resulting from the "130 percent formula" prescribed by Opinion 742.

(G) The Secretary shall cause prompt publication of this order to be issued in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76–726 Filed 1–8–76;8:45 am]

[Docket No. ER76–318]

FLORIDA POWER CORP.

Order Accepting Initial Interconnection Agreement for Filing, Instituting Investigation, and Setting Pre-Hearing Conference

DECEMBER 31, 1975.

On December 1, 1975, the Florida Power Corporation (Florida Power) tendered for filing an initial Interconnection Agreement[1] between Florida Power and the City of Lakeland, Florida (Lakeland), dated October 22, 1975. The Agreement provides for the following interconnection services: emergency energy, short-term firm capacity and energy, economy energy, and long-term firm capacity and energy (Schedules A, B, C, and D, respectively). Florida Power requested that, in accordance with the terms of the Agreement, this filing be permitted to become effective January 1, 1976.

Notice of the proposed Agreement was issued on December 10, 1975, with all comments, protests, or petitions to intervene due on or before December 19, 1975.

Our investigation of the filing indicates that the proposed charge for services rendered under Schedule A consists of either the return of an equivalent amount of energy, or payment of the suppliers' net cost per MWh, while Schedule C provides for the exchange of energy on a shared-savings basis, and the rates for service under Schedule D are to be negotiated at the time of sale. The charge for service rendered under Schedule B, however, consists of the sum of (1) an energy charge equivalent to the suppliers' net cost per MWh, (2) a transmission facilities charge, and (3) a capacity charge based upon the annual cost per MWh of capital revenue requirements for the production facilities used to provide such power, which cost is reflective of Florida Power's proposed rate of return of 9.59 percent, including a 14.60 percent return on common equity. We also note that § 9.5 of the Agreement provides for an automatic adjustment to the proposed capacity and energy charges to account for any increases in taxes or assessments, or in the event either party pays a "gases receipts tax", to the State of Florida.

Our review indicates that the proposed rates, charges, terms, and conditions of service of the proposed Agreement, specifically the rate of return and return on common equity proposed in Schedule

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[1] First Substitute Eighth Revised Sheet No. 3–A to FPC Gas Tariff, Original Volume No. 1.

[2] —— FPC —— issued Aug. 28, 1975, in Docket No. R–406.

[3] Opinion No. 742 (mimeo. p. 13, paragraph (1)).

[1] Designated as shown on Attachment A.

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B therein, have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. We shall institute a section 206 investigation into the lawfulness of the rates charged and collected by Florida Power. We further note in this context that any change to the capacity and/or energy charges pursuant to the automatic tax adjustment provisions of section 9.5 of the Agreement, other changes to the capacity or transmission facilities charges, as well as any rate negotiated for service under Schedule D, will be considered as a change in rate requiring a timely filing pursuant to section 205 of the Federal Power Act and § 35.13 of our regulations.

The Commission finds. (1) It is necessary and appropriate in the public interest and to aid in the enforcement of the Federal Power Act that the Commission accept for filing Florida Power's filing of December 1, 1975, and permit it to become effective January 1, 1976.

(2) Good cause exists to institute a section 206 investigation into the lawfulness and reasonableness of the rates charged and collected by Florida Power pursuant to the proposed Agreement.

The Commission orders. (A) Florida Power's initial Interconnection Agreement, filed in this docket on December 1, 1975, is hereby accepted for filing to become effective January 1, 1976.

(B) Pursuant to the authority of the Federal Power Act, particularly section 206 thereof, and the Commission's rules and regulations, and the regulations under the Federal Power Act, a public hearing shall be held in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, concerning the justness and reasonableness of the rates, charges, terms and conditions of service of Florida Power's Interconnection Agreement accepted for filing herein.

(C) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding, and shall control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure. He shall also preside at a pre-hearing conference to be held on January 22, 1976, at the address noted in ordering paragraph (B) for the purpose of setting procedural dates for the filing of direct testimony by Florida Power, direct testimony by the Commission Staff and any intervenor, for the filing of rebuttal evidence by Florida Power, and for the hearing.

(D) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

ATTACHMENT A

FLORIDA POWER CORPORATION

Filed, Dec. 1, 1975; Dated, Oct. 22, 1975; Effective, Jan. 1, 1976.

Rate schedule FPC No.	*Designations*	*Descriptions*
79.		Basic contract.
Supplement No. 1 to rate schedule FPC No. 79.		Exhibit A, interconnection point No. 1.
Supplement No. 2 to rate schedule FPC No. 79.		Service schedule A, emergency electric service.
Supplement No. 3 to rate schedule FPC No. 79.		Service schedule B, scheduled electric service.
Supplement No. 4 to rate schedule FPC No. 79.		Service schedule C, economy service.
Supplement No. 5 to rate schedule FPC No. 79.		Service schedule D, firm electric service.

[FR Doc.76-727 Filed 1-8-76;8:45 am]

[Docket Nos. RP74-19, RP69-2, etc.]

FLORIDA GAS TRANSMISSION CO. AND FLORIDA GAS TRANSMISSION CO.

Order Approving Settlement

DECEMBER 24, 1975.

Docket Nos. RP74-19, RP69-2, RP70-25, RP71-27, RP71-28, RP72-144, RP72-136, RP71-67, R71-109, RP72-35, RP72-85 and RP72-123; Docket No. RP76-24.

On October 23, 1975, Florida Gas Transmission Company filed with the Commission a settlement agreement, which, if approved, would resolve all issues in the above-entitled proceedings and settle Florida Gas' jurisdictional rates for the period from February 16, 1969 through December 31, 1974. The record of these consolidated proceedings was before the Commission by virtue of the certification of an earlier settlement agreement by Presiding Administrative Law Judge Samuel Kanell on November 8, 1974. That settlement was approved conditionally by the Commission in Opinion No. 732 issued on May 20, 1975.

Opinion No. 732 ordered that the settlement certified on November 8, 1974 should be approved and made effective provided that it was revised so that the rates and possible refunds in Docket No. RP74-19 were based on a rate of return of 9.04 percent instead of the proposed level of 9.5 percent. By letter filed June 19, 1975, Florida Gas Transmission Company filed a proposed revised settlement agreement accepting the Commission's rate of return but proposing to adjust the sales volumes upon which the rates in Docket No. RP74-19 were predicated. The Commission treated the proposed revision as a withdrawal from the settlement agreement in its order of August 1, 1975, and reopened and remanded the proceeding for further evidentiary hearings. The order set procedural dates and directed the parties and Staff to address all matters relating to the justness and reasonableness of Florida Gas Transmission's rates.

Further negotiations and discussions involving the Staff and all parties were held and resulted in the settlement agreement now before the Commission.

Notice of submission of the proposed settlement agreement was issued on November 13, 1975 with protests and comments due on or before November 21, 1975. No comments in opposition to the settlement agreement have been received.

On November 21, 1975, Staff filed comments stating that Staff participated actively in the discussions leading to the settlement; that the settlement costs of service, upon which settlement rates and refunds are computed, are in Staff's judgment fully representatives of Florida Gas' expenses and investments associated with the applicable rate periods; and that Staff believes the settlement agreement represents a reasonable resolution of the issues in these proceedings and should be approved and adopted.

The settlement now before the Commission retains the essential elements of the original settlement conditionally approved by Opinion 732 and set out therein. In addition, it adopts the lower rate of return required by the Commission in that opinion. Actual 1974 volumes and actual peak day volumes for the 1974-1975 heating season are used in determining and allocating the revised cost of service and in determination of refunds.[1] (In the agreement certified on November 8, 1974 such actual data were not available but was to be reflected when available according to specified procedures). The settlement provides for refunds of $4.7 million to Florida Gas' customers.

We note that the proposed settlement reflects the use of the statutory rate for the computation of Federal Income Taxes. Article VIII, Paragraph 3 of the proposed settlement provides that use of the statutory tax rate is without prejudice to consideration of whether the consolidated effective tax rate should be used in a future rate proceeding involving Florida Gas. Although in our August 1, 1975, order in this proceeding, we directed that this issue be raised herein, we believe that the public interest would be served by accepting the use of the statutory tax rate in the proposed settlement, and to direct the parties in Florida Gas' latest rate case in Docket No. RP76-24[2] to address that issue.[3]

Our review of this settlement agreement as well as the entire record in this proceeding indicates that the proposed settlement agreement adequately meets the conditions imposed by Opinion 732 and resolves the issues raised by the rate increase filings consolidated herein, is in the public interest, and should therefore be approved and made effective as hereinafter ordered.

The Commission finds. The settlement agreement filed in this proceeding on October 23, 1975 is reasonable and proper and in the public interest in carrying out the provisions of the Natural Gas Act, and such agreement should be approved.

[1] In the suspension order issued November 14, 1975, in Docket No. RP76-24, we directed the parties to that proceeding to develop the issue of whether the statutory or the consolidated effective tax rate should be used.

[2] See also: Columbia Gas Transmission Corporation, et al., — FPC — issued December 1, 1975, in Docket Nos. RP73-86, et al.

The Commission orders. (A) The settlement agreement filed in this proceeding on October 23, 1975 is incorporated herein by reference, approved, and made effective as provided by the provisions of the settlement agreement.

(B) Within thirty days of the issuance of this order Florida Gas Transmission Company shall file revised tariff sheets which conform to the settlement agreement.

(C) Within thirty days after filing the revised tariff sheets, Florida Gas shall refund to its jurisdictional customers all revenues collected in excess of the settlement rates, with interest at the rate of 7 percent per annum.

(D) This order is without prejudice to any findings or orders which have been made or which may hereafter be made by this Commission, and it is without prejudice to any claims or contentions which may be made by the Commission, its Staff, the Company, or by any other party or person affected by this order in any proceedings now pending or hereafter instituted by or against the Company or any other person or party.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

APPENDIX B.—*Florida Gas Transmission Co., FPC docket Nos. RP69-2 and RP70-25*

Item	RP69-2		RP70-25			
	1969	1970	1970	1971	1972	1973
	Settlement costs of service					
Production expenses	$28,730,982	$28,690,986	$28,690,956	$28,085,827	$29,660,178	$28,101,858
Operation and maintenance	9,310,363	10,232,350	10,232,350	11,714,235	12,242,711	12,743,970
Depreciation	11,591,536	12,306,261	12,306,261	12,766,187	12,906,068	13,094,180
Taxes:						
Federal income	3,555,129	2,612,812	6,105,107	8,687,806	8,455,576	8,476,548
State income	71,664	107,036	107,036	185,610	861,156	1,099,700
Other	2,252,381	2,292,162	2,292,162	2,575,697	2,654,575	2,840,681
Return[1]	19,561,957	19,804,948	23,410,814	23,278,020	22,498,574	21,569,167
Other gas revenues—credit	(7,607,516)	(2,054,440)	(2,054,440)	(788,257)	(598,377)	(493,306)
Total	67,466,466	73,992,065	81,090,246	86,505,277	88,580,461	97,432,798
	Rate base and return					
Rate Base:						
Average gas plant investment	$338,910,601	$353,316,168	$353,316,168	$364,717,038	$369,810,667	$373,704,443
Average reserve for depreciation	(72,237,623)	(83,164,643)	(83,164,643)	(95,915,940)	(108,864,145)	(121,462,465)
Average contribution in aid of construction	(268,763)	(436,130)	(436,130)	(630,855)	(630,855)	(436,746)
Average net plant	266,404,215	269,715,390	269,715,390	268,170,243	260,315,667	251,805,232
Working capital	3,415,578	3,456,302	3,456,302	4,120,084	4,180,907	4,209,951
Average accrued deferred income taxes[2]				(988,154)	(1,969,454)	(4,332,949)
Rate base	269,820,093	273,171,692	273,171,692	271,622,173	262,527,120	251,682,234
Rate of return (percent)	7.25	7.25	8.57	8.57	8.57	8.57
Return	$19,561,957	$19,804,948	$23,410,814	$23,278,020	$22,498,574	$21,569,167

[1] 7.25 pct for RP69-2 and 8.57 pct for RP70-25. (See p. 2.)
[2] Average of 13 monthly balances for each year.

Florida Gas Transmission Co.—FPC Docket No. RP74-19—Allocation of cost of service per settlement agreement adjusted for 9.04 pct rate of return and related taxes, 1974 delivery volumes with cost of gas (cents per thousand cubic feet) for settlement agreement

[50 pct weighting for mileage]

Line No.		Total	Gas supply			Transmission (mileage)			Transmission (nonmileage)		
			Total	Peak	Annual	Total	Peak	Annual	Total	Peak	Annual
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	A. Adjusted cost of service[1]	$94,451,436	$33,466,832	$1,015,843	$32,450,989	$55,287,446	$26,787,462	$28,499,984	$5,697,158	$2,211,595	$3,485,563
	B. Allocation percentages:										
	Jurisdictional:										
2	Sales for resale			[illegible]	57.894193		44.660810	27.6444791		46.954075	29.348764
	Transportation:										
3	T-1						6.362998	6.790461		6.712635	7.250913
4	T-2						15.404954	16.538217		12.082743	13.051644
5	T-3						26.946309	29.744788		26.850529	29.009353
6	Total transportation						48.714261	53.079466		45.645917	49.309910
7	Total jurisdictional			86.385552	57.894193		93.401071	80.734257		92.599992	78.654071
8	Nonjurisdictional			13.614448	42.105807		6.598929	19.275743		7.400008	21.345929
9	Total			100.000000	100.000000		100.000000	100.000000		100.000000	100.000000
	C. Allocated costs:										
	Jurisdictional:										
10	Sales for resale	$41,404,967	$19,664,780	$877,542	$18,787,238	$19,678,803	$11,523,594	$8,155,209	$2,061,404	$1,038,434	$1,022,970
	Transportation:										
11	T-1	4,047,003				3,645,811	1,640,886	2,004,955	401,191	148,456	252,735
12	T-2	9,573,463				8,861,318	3,972,547	4,878,771	722,144	267,221	454,923
13	T-3	17,326,243				15,723,477	6,948,769	8,774,708	1,604,766	593,825	1,010,941
14	Total transportation	30,946,707				28,230,606	12,562,172	15,658,434	2,728,101	1,009,502	1,718,599
15	Total jurisdictional	72,353,674	19,664,780	877,542	18,787,238	47,909,409	24,085,766	23,813,643	4,789,505	2,047,936	2,741,569
16	Nonjurisdictional	22,097,763	13,802,053	138,301	13,663,751	7,377,987	1,701,696	5,676,341	917,653	163,659	743,994
17	Total	94,451,436	33,466,832	1,015,843	32,450,989	55,287,446	25,787,462	29,499,984	5,697,158	2,211,595	3,485,563

[1] See the following table:

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Line No.	Total	Gas supply			Transmission (mileage)			Transmission (nonmileage)		
		Total	Peak	Annual	Total	Peak	Annual	Total	Peak	Annual
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Stipulated cost of service per Nov. 5, 1974, settlement	$97,721,782	$34,476,135	$1,015,843	$33,460,292	$57,468,920	$36,885,200	$20,597,720	$5,782,697	$2,244,364	$3,518,333
Less adjustment per schedule 1 of exhibit No. (TDS-A)	(3,270,316)	(1,009,365)		(1,009,303)	(2,195,474)	(1,097,736)	(1,097,736)	(65,539)	(32,769)	(32,770)
Adjusted cost of service	$94,451,466	$33,466,822	$1,015,843	$32,450,989	$55,267,446	$35,787,462	$19,499,984	$5,697,158	$2,211,595	$3,485,563

[FR Doc.76-492 Filed 1-8-76;8:45 am]

[Docket No. G-6272]

GETTY OIL CO.

Application

DECEMBER 31, 1975.

Take notice that on November 28, 1975, Getty Oil Company (Applicant), P.O. Box 1404, Houston, Texas 77001, filed in Docket No. G-6272 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon the sale of natural gas for resale in interstate commerce to El Paso Natural Gas Company (El Paso) from the Percy Hardy No. 1 Well, Blinebry, et al., Fields, Lea County, New Mexico, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that it proposes to abandon the sale of natural gas to El Paso from the Percy Hardy No. 1 Well on the later of either the date of approval of abandonment by the Commission, or January 1, 1976, because effective January 1, 1976, the New Mexico Oil Conservation Commission reclassified said well from a gas well to an oil well. Applicant states further that the casinghead gas from said well is dedicated to Skelly Oil Company under a percentage-type contracts and that the gas well gas is dedicated to El Paso.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 16, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-728 Filed 1-8-76;8:45 am]

[Docket No. ES76-30]

IDAHO POWER CO.

Application

DECEMBER 30, 1975.

Take notice that on December 15, 1975, the Idaho Power Company (Applicant), filed an application, pursuant to section 204 of the Federal Power Act, for authorization to engage in negotiations with Dean Witter & Co., regarding the proposed issuance and sale of $25 million in preferred stock via private placement.

Applicant is incorporated under the laws of the State of Maine, with its principal business office at Boise, Idaho and is qualified to do business in the states of Idaho, Oregon, Nevada and Wyoming. Applicant is engaged in the generation, transmission, distribution and sale of electrical energy in the above-mentioned states.

The proceeds from the issuance will be used for construction purposes.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 16, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-715 Filed 1-8-76;8:45 am]

[Docket No. E-9520]

ILLINOIS POWER CO.

Further Extension of Procedural Dates

DECEMBER 29, 1975.

On December 18, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued October 29, 1975, as most recently modified by notice issued December 5, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of staff testimony	Feb. 13, 1976
Service of intervenor testimony	Feb. 27, 1976
Service of company rebuttal	Mar. 12, 1976
Hearing	Mar. 23, 1976 (10 a.m., e.s.t.)

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-702 Filed 1-8-76;8:45 am]

[Docket No. ER76-363]

KANSAS POWER AND LIGHT CO.

Renewal Contract

DECEMBER 30, 1975.

Take notice that on December 15, 1975, The Kansas Power and Light Company (KPL) tendered for filing a Renewal Contract, dated October 10, 1975, with the City of Clay Center, Kansas for wholesale electric service. KPL states this renews the contract dated April 20, 1965, between the parties which is designated KPL Schedule FPC No. 82. KPL further states the contract provides additional capacity to Clay Center.

KPL requests that the Commission waive the notice requirements of Section 35.11 of the Regulations to allow filing prior to the construction of facilities necessary for the implementation of this contract. The renewal contract is to be effective on the date facilities to provide additional capacity are completed, but in no event later than July 1, 1977.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 23, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-722 Filed 1-8-76;8:45 am]

[Docket No. CP76-196]

LONE STAR GAS CO. AND ENSERCH CORP.

Application

DECEMBER 31, 1975.

Take notice that on December 11, 1975, Lone Star Gas Company, a Division of Enserch Corporation (Applicant), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP76-196 an application pursuant to section 7(b) of the Natural Gas Act, as implemented by § 157.7(e) of the regulations thereunder (18 CFR 157.7(e)), for permission and approval to abandon service and facilities therefor no longer required by Applicant's direct-sales customers, all as more fully set forth in the application on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to enable Applicant to act with reasonable dispatch during the calendar year 1976 to cease service and remove direct sales measuring, regulating and related minor facilities no longer required by Applicant's direct sales customers. The deliveries to any direct sale customer to be abandoned would not exceed 100,000 Mcf in the last year of service. No facilities or service would be abandoned by Applicant unless it has received a written request or obtained written permission for such abandonment; except that if a request or permission cannot be obtained, Applicant shall certify that the customer has no further need for the service.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 15, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commisson by section 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-695 Filed 1-8-76;8:45 am]

[Docket No. CP76-198]

LONE STAR GAS CO. AND ENSERCH CORP.

Application

DECEMBER 31, 1975.

Take notice that on December 11, 1975, Lone Star Gas Company, a Division of Enserch Corporation (Applicant), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP76-198 an application pursuant to section 7(b) and (c) of the Natural Gas Act, as implemented by § 157.7(g) of the Regulations thereunder (18 CFR 157.7(g)), for a certificate of public convenience and necessity authorizing the construction and for permission and approval to abandon, for the calendar year 1976, and operation of field gas compression and related metering and appurtenant facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in the construction and abandonment of facilities which will not result in any changing of Applicant's system salable capacity or service from that authorized prior to the filing of the instant application.

Applicant states that the total cost of the proposed construction and abandonment would not exceed $800,000, and the cost of any single project would not cost in excess of $200,000. Applicant states that the proposed projects would be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 14, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-696 Filed 1-8-76;8:45 am]

[Docket No. RP76-97 (PGA76-1)]

MONTANA-DAKOTA UTILITIES CO.

Order Accepting for Filing and Suspending Proposed PGA Adjustment, Permitting Revised Filing, and Establishing Hearing Procedures

DECEMBER 31, 1975.

On November 14, 1975, Montana-Dakota Utilities Company (MDU) tendered for filing, pursuant to the Purchased Gas Cost Adjustment provision (PGA clause) of its tariff, proposed revisions to its FPC Gas Tariff, Original Volume No. 4.[1] MDU states that its filing revises only the "Current Surcharge Adjustment", MDU requests that such filing be made effective as of January 1, 1976.

Public notice of MDU's filing was issued on November 24, 1975, with comments, protests and petitions to intervene due on or before December 9, 1975. No responses were received.

MDU's filing proposes to decrease the "Current Surcharge" to recoup the balance in its Deferred Purchased Gas Cost Account. Our review of such filing indicates that the surcharge is based, in part, on small producer purchases at rate levels in excess of the rate level prescribed in Opinion No. 742.[2] Therefore,

[1] The proposed revised tariff sheet is designated Third Revised Sheet No. 3A. On December 15, 1975, MDU filed Substitute Third Revised Sheet No. 3A. The purpose of this substitute sheet, according to MDU, is to correct an error in the company's base cost of purchased gas.

[2] *Small Producer Regulation*, Opinion No. 742, — FPC — (Docket No. R-389, issued August 28, 1975).

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the proposed rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential or otherwise unlawful. Accordingly, we shall accept the tariff sheet for filing and suspend its effectiveness for one day until January 2, 1976, when it shall become effective subject to refund.

Review of MDU's proposed surcharge indicates that the only small producer purchases in excess of the rate level prescribed in Opinion No. 742 are those purchases made prior to August 28, 1975, the date of issuance of that opinion. From that date on, the rate levels reflected in the deferred account are in accord with the "130% formula" prescribed in Opinion No. 742. Accordingly, we shall establish hearing procedures to determine the just and reasonable rate levels for the deferred account balance for those pre-August 28, 1975, small producer purchases in excess of the Opinion No. 742 level. In this connection, we believe it appropriate to make the small producers involved respondents so that they may present evidence to show that the pre-August 28, 1975, rates charged MDU in excess of the Opinion No. 742 level were just and reasonable.

In view of the foregoing, we shall require MDU to file a list, with appropriate addresses, of those small producers whose sales reflected in the instant filing were in excess of the "130% formula" rates, in order that such producers may be made respondents to this proceeding. Such list shall be filed within 15 days of the date of issuance of this order.

Cost evidence relating to the small producer sales which are the subject of the hearing ordered herein can clearly provide the basis for "just and reasonable" rate findings. "F.P.C. v. Texaco, Inc.," 417 U.S. 380 (1974). Accordingly, we shall require the small producer respondents to submit cost evidence to enable us to determine the appropriate balance for MDU's deferred purchased gas cost account.

MDU should show that the rates paid by it to the small producers were just and reasonable by presenting evidence considering all relevant factors including, inter alia, (1) the pipeline's need for gas, (2) the availability of other gas supplies, (3) the amount of gas dedicated under the contract, (4) the rates of other recent small producer sales previously approved for flow through and (5) a comparison with appropriate market prices.[1]

Finally, the parties may submit any other evidence relevant to the Commission's determination of whether the rates paid by the pipeline with respect to the subject small producer sales were just and reasonable.

Our review of MDU's claimed purchased gas costs other than those costs associated with that portion of small producer purchases in excess of the rate level prescribed in Opinion No. 742 indicates that such costs comply with the standards set forth in Docket No. R-406. Accordingly, we shall permit MDU to file a revised tariff sheet to become effective January 1, 1976, to reflect the elimination of costs associated with small producer purchases in excess of the rate level prescribed by the "130% formula" in Opinion No. 742.

The Commission finds. (1) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that hearing procedures be established, as hereinafter ordered, and that MDU's tariff sheet tendered in this docket on November 14, 1975, be accepted for filing, suspended for one day, and permitted to become effective January 2, 1976, subject to refund.

(2) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that MDU be permitted to file, to become effective January 1, 1976, a revised tariff sheet reflecting the elimination of purchased gas costs associated with that portion of small producer purchases in excess of the rate levels established in Opinion No. 742.

(3) The claimed purchased gas costs, other than those associated with that portion of small producer purchases in excess of the rate levels established in Opinion No. 742, have been reviewed and found to be in compliance with the standards set forth in Docket No. R-406.

The Commission orders. (A) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at an initial conference in this proceeding on February 26, 1976, at 10:00 A.M., in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates for this proceeding and to rule upon all motions (except petitions to intervene), subject to review by the Commission.

(B) Within 15 days of the date of issuance of this order, MDU shall file with the Commission a list, including addresses, of the small producers from whom its purchases reflected in the instant filing were at rate levels in excess of the rate level prescribed in Opinion No. 742. Following receipt of such list, we shall make such small producers respondents to this proceeding for purposes discussed in the body of this order.

(C) MDU's proposed tariff sheet tendered on November 14, 1975, is hereby accepted for filing and suspended for one day, until January 2, 1976, when it shall become effective, subject to refund.

(D) Within 15 days of the date of issuance of this order, MDU may file a revised tariff sheet to become effective January 1, 1976, which reflects those claimed purchased gas costs contained in MDU's PGA adjustment other than those costs associated with small producer purchases in excess of the rate levels resulting from the 130% formula" prescribed by Opinion No. 742.

(E) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-682 Filed 1-8-76;8:45 am]

[1] Opinion No. 742, supra n. 2, mimeo at 18, para. (1).

[Docket Nos. E-9497, E-9068 and E-9118]

OHIO EDISON CO.

Further Extension of Procedural Dates

DECEMBER 30, 1975.

On December 22, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued August 5, 1975, as most recently modified by notice issued September 10, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of Staff Testimony, February 3, 1976.
Service of Intervenor Testimony, February 17, 1976.
Service of Company Rebuttal, March 2, 1976.
Hearing, March 16, 1976 (10 a.m., e.s.t.).

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-716 Filed 1-8-76;8:45 am]

[Docket No. RP72-116; PGA76-1]

OKLAHOMA NATURAL GAS GATHERING CORP.

Order Accepting and Suspending PGA Rate Increase, Granting Request for Waiver, Instituting Investigation, and Establishing Hearing Procedures

DECEMBER 31, 1975.

On November 24, 1975, the Oklahoma Gas Gathering Corporation (Oklahoma) tendered for filing Eighth Revised Sheet PGA-1 of its FPC Gas Tariff, Original Volume No. 1. Oklahoma proposes a 3.11¢ per Mcf increase to reflect a 1.09¢ per Mcf increase in its cost of purchased gas and to recover the balance in its deferred purchased gas costs by imposing an additional surcharge in the amount of 2.02¢ per Mcf. Oklahoma requested the Commission to waive its notice requirements so as to permit January 1, 1976, to become the date of effectiveness.

Notice of this filing was issued on December 8, 1975, with comments being due on or before December 19, 1975. To date, no comments, protests, or petitions to intervene have been received.

Our review indicates that Oklahoma's proposed PGA rate increase is based, in part, on small producer purchases at rates in excess of the rate levels which we established in Opinion 742.[1] Therefore, the proposed rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful.

[1] — FPC — issued August 28, 1975, in Docket No. R-398.

Accordingly, we shall accept Oklahoma's filing and suspend it for one day to become effective January 2, 1976, subject to refund.

With regard to the issue of small producers, we shall establish hearing procedures to determine the just and reasonable rate levels of those small producer purchases to be included in Oklahoma's filing which are in excess of the rate levels resulting from use of the "130% formula" prescribed in Opinion No. 742. In this connection, we believe it appropriate to make the small producers involved respondents so that they may present evidence to show that the rates charged by them to Oklahoma are just and reasonable. Although the small producers are not required to make refunds, we believe it appropriate to institute a Section 5 investigation against the small producers involved so that the just and reasonable small producer rate determined in this proceeding can be applied prospectively.

Within 15 days of the date of this order, Oklahoma shall file a list of the small producers making sales reflected in the instant filing in excess of the "130% formula" rates in order that they may be made respondent to this proceeding.

Cost evidence relating to the small producer sales which are the subject of the hearing ordered herein can clearly provide the basis for "just and reasonable" rate findings. "F.P.C. v. Texaco Inc."; 417 U.S. 380 (1974). Accordingly, we shall require the small producer respondents to submit cost evidence in order that we may determine the justness and reasonableness of Oklahoma's rates and make appropriate prospective adjustments, if found necessary, to the small producer rate pursuant to our authority under Section 5 of the Natural Gas Act.

Oklahoma should show that the rate it paid to the small producer is just and reasonable by presenting evidence considering all relevant factors including, inter alia, (1) the pipeline's need for gas, (2) the availability of other gas supplies, (3) the amount of gas dedicated under the contract, (4) the rates of other recent small producer sales previously approved for flow through and (5) comparison with appropriate market prices.[2]

Finally, the parties may submit any other evidence relevant to the Commission's determination of whether the rates paid by the pipeline with respect to the subject small producer sales are just and reasonable.

Our review of those claimed increased purchased gas costs contained in Oklahoma's filing other than such costs associated with that portion of small producer purchases in excess of the rate levels prescribed by the "130% formula" prescribed in Opinion No. 742 indicates that they should be approved as being in compliance with the provisions of Oklahoma's PGA clause. Accordingly, we shall permit Oklahoma to file revised tariff sheets to become effective January 1, 1976, reflecting increased costs other than those increased costs associated with that portion of small producer purchases in excess of the rate levels prescribed in Opinion No. 742. For good cause shown, we shall grant Oklahoma's request for waiver of the notice requirements of its PGA clause.

The Commission finds. (1) The requested waiver of the notice requirements in Oklahoma's PGA clause should be granted.

(2) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that hearing procedures be established, as hereinafter ordered and conditioned, and that Oklahoma's PGA rate increase be accepted for filing and suspended for one day until January 2, 1976, when they shall become effective, subject to refund.

(3) The claimed increased purchased gas costs in Oklahoma's PGA filing, other than those claimed increased costs associated with that portion of small producer purchases in excess of the "130% formula" prescribed in Opinion No. 742 are in compliance with Oklahoma's PGA clause.

The Commission orders. (A) The requested waiver of the notice requirements in Oklahoma's PGA clause is granted.

(B) Oklahoma's PGA rate increase is hereby accepted for filing and suspended for one day until January 2, 1976, when it shall become effective, subject to refund.

(C) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at an initial conference in this proceeding on February 5, 1976, at 10 a.m., in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, to determine the lawfulness of Oklahoma's small producer purchases in excess of the "130% formula" prescribed in Opinion No. 742. Said Presiding Administrative Law Judge is hereby authorized to establish all further procedural dates concerning this particular issue and to rule upon all motions except petitions to intervene.

(D) Within 15 days of the date of this order, Oklahoma shall file with the Commission a list, including addresses, of the parties from whom Oklahoma is purchasing gas involved in the small producer sales at rates in excess of the rate levels prescribed in Opinion No. 742. Following receipt of this list, we shall make the small producer sellers parties respondents to this investigation for the purposes discussed in the body of this order.

(E) Pursuant to section 5 of the Natural Gas Act, we hereby institute an investigation into the just and reasonable rate to be charged by the small producers making sales to Oklahoma in excess of the rates resulting from the "130% formula" prescribed in Opinion No. 742.

(F) Within 15 days of the date of issuance of this order, Oklahoma may file revised tariff sheets to become effective January 1, 1976, which reflect those claimed increased purchased gas costs contained in Oklahoma's PGA rate increase other than those claimed increased costs associated with the portion of small producer purchases in excess of the rate levels resulting from the "130% formula" prescribed by Opinion No. 742.

(G) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-729 Filed 1-8-76;8:45 am]

[2] Opinion No. 742 (mimeo, p. 13, paragraph (1)).

[Docket No. ER76-360]

PACIFIC POWER & LIGHT CO.

Filing of Service Agreements

DECEMBER 30, 1976.

Take notice that on December 12, 1975, Pacific Power & Light Company (Pacific) tendered for filing Service Agreements under its FPC Electric Tariff, Original Volume No. 1 for the following customers:

Purchaser	Date of execution	Date of initial service
City of Glendale, Calif....	Dec. 21, 1973	Dec. 21, 1973
Pacific Gas and Electric Co.	Nov. 30, 1973	Dec. 6, 1973
San Diego Gas & Electric Co.	Mar. 11, 1974	Mar. 25, 1974
Utah Power & Light Co....	Feb. 6, 1975	Feb. 6, 1975

Also submitted was an updated Index of Purchasers under the tariff.

The filing indicates that copies were sent to the affected customers.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 14, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-717 Filed 1-8-76;8:45 am]

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[Docket No. ER76-241]

PUBLIC SERVICE CO. OF INDIANA, INC.

Agreement

DECEMBER 30, 1975.

Take notice that on November 12, 1975, Public Service Company of Indiana, Inc. (PSCI) tendered for filing an agreement dated October 1, 1975, between Hendrick County Rural Electric Membership Company and PSCI. This agreement is the first supplement to the contract dated December 1, 1973, between the parties which was filed on August 29, 1975, as part of the compliance filing of PSCI's FPC Electric Tariff Original Volume No. 2.

PSCI states this agreement provides for the amending of Exhibit A to the contract by the addition of reference to a new delivery point designated as the Avon East delivery point. PSCI says it will notify the Commission as to the service commencement date of such new delivery point.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 23, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-718 Filed 1-8-76;8:45 am]

[Docket No. RP73-89 (PGA76-1)]

SEA ROBIN PIPELINE CO.

Order Accepting for Filing and Suspending Proposed PGA Rate Adjustment, Allowing Proposed Adjustment To Become Effective Subject to Refund and Instituting Show Cause Proceeding

DECEMBER 31, 1975.

On November 14, 1975, Sea Robin Pipeline Company (Sea Robin) tendered for filing Seventh Revised Sheet No. 4 to its FPC Gas Tariff, Original Volume No. 1 in which it proposed a 0.14¢ per Mcf PGA rate increase. The proposed increase reflects increased purchased gas costs of 1.08¢ per Mcf, or $2,990,571 per year, and a 0.94¢ reduction (from negative 2.17¢ to negative 3.11¢) in the surcharge to recoup the balance in the deferred account. The proposed surcharge reflects a $4,101,564 negative balance in the deferred account. Sea Robin has requested an effective date of January 1, 1976.

Public notice of Sea Robin's filing was issued on December 1, 1975 with comments, protests and petitions to intervene due on or before December 9, 1975. No responses have been received.

Our review of the proposed increase reveals that Sea Robin is attempting to collect amounts paid to Mesa Offshore Company (Mesa Offshore) for gas sold from East Cameron Block 270 and Eugene Island Block 330, Offshore Louisiana, under a contract dated February 1, 1972, at the small producer ceiling (130% of the national rate) prescribed in Opinion No. 742. The difficulty with including this sale at the small producer ceiling level is that Mesa Offshore does not appear to qualify as small producer.

Mesa Offshore has never filed under its name for a small producer exemption. Nor does it appear that Mesa Offshore is entitled to collect the small producer ceiling rate by virtue of the small producer exemption issued to its corporate parent, Mesa Petroleum Company (Mesa Petroleum).[1] Mesa Petroleum has never indicated that its small producer exemption was intended to cover Mesa Offshore. Nor does it appear that Mesa Petroleum's small producer exemption, even if it were originally applicable to Mesa Offshore, now entitles Mesa Offshore to collect the small producer ceiling rate. This follows from the fact that the Commission by order issued May 23, 1974, in Docket Nos. G-6083, et al., approved the acquisition by Mesa Petroleum of Pubco Petroleum Corporation effective as of April 30, 1973. With this acquisition, Mesa Petroleum's annual sales greatly exceeded the 10 million Mcf limitation prescribed by Order No. 428, 45 FPC 454 (1971), which is applicable to Mesa Petroleum and all of its affiliates. It would therefore appear that Mesa Petroleum's small producer exemption terminated by April 30, 1973. While the sale by Mesa Offshore to Sea Robin at issue in the instant proceeding was made under a contract dated February 1, 1972, the sale did not commence until after April 30, 1973.[2] Since Mesa Offshore's sale to Sea Robin began after the apparent termination of Mesa Petroleum's small producer exemption, Mesa Offshore would not be able to claim small producer status on the basis of a small producer exemption held by Mesa Petroleum.

If in fact that Mesa Offshore is not covered by a small producer exemption, Sea Robin should not be permitted to pass on any purchased gas costs related to Mesa Offshore in excess of the national ceiling rate. We will therefore order Mesa Offshore to show cause why it should not be required to (1) reduce its rate to the national ceiling rate, (2) refund all amounts collected in excess of the national ceiling rate, and (3) file for authorization under Section 7 of the Natural Gas Act to render the service now being made to Sea Robin. Pending resolution of the show cause proceeding we will suspend Sea Robin's proposed PGA rate increase for one day, until January 2, 1976, when the increase will be allowed to become effective subject to refund.

With the exception of the costs attributable to the purchase from Mesa Offshore, there are no small producer or emergency purchases at rates in excess of the rate levels prescribed in Opinion Nos. 742 and 699-H, respectively. Accordingly, we have concluded that the purchased gas costs included in Sea Robin's filing should, with the exception of purchases from Mesa Offshore, be approved. We shall therefore permit Sea Robin to file revised tariff sheets to become effective January 1, 1976, which reflect the costs in Sea Robin's filing which are in conformance with Opinion Nos. 742 and 699-H.

The Commission further finds. (1) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that Sea Robin's PGA rate increase be accepted for filing and suspended for one day until January 2, 1976, or until such time as it is made effective in the manner provided by the Natural Gas Act, subject to refund upon the outcome of the show cause proceeding instituted herein.

(2) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that a show cause proceeding be instituted against to Mesa Offshore, as hereinafter ordered and conditioned.

(3) The claimed increased purchased gas costs in Sea Robin's PGA filing, other than those claimed increased costs associated with purchases from Mesa Offshore, should be approved.

The Commission orders. (A) Pending decision in the show cause proceeding, Sea Robin's proposed tariff sheet to Original Volume No. 1 is accepted for filing and suspended for one day, until January 2, 1976, or until such time as it is made effective in the manner provided by the Natural Gas Act, subject to refund upon the outcome of the show cause proceeding instituted herein.

(B) Mesa Offshore Company is order to show cause why it should not be required to (1) reduce its rate to the national ceiling rate, (2) refund all amounts collected in excess of the national ceiling rate, and (3) file for authorization under section 7 of the Natural Gas Act to render the service now being made to Sea Robin. Pursuant to § 1.9(c) of the Commission's Regulations, 18 CFR 1.9(c), Mesa Offshore shall file its answer with the Commission within thirty (30) days of the date of issuance of this order.

(C) Within 15 days of the date of issuanace of this order, Sea Robin may file revised tariff sheets to become effective January 1, 1976, which reflect those claimed increased purchased gas costs contained in Sea Robin's PGA filing, other than those claimed increased costs associated with purchases from Mesa Offshore, and which have been approved herein.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-683 Filed 1-8-76;8:45 am]

[Docket No. RP73-64 (PGA 76-1)]

SOUTHERN NATURAL GAS CO.

Order Accepting for Filing and Suspending Proposed PGA Increase, Establishing Hearing Procedures, and Instituting Investigation

DECEMBER 31, 1975.

On November 14, 1975, Southern Natural Gas Company (Southern) tendered for filing a 5.576¢ per Mcf PGA rate increase[1] to reflect (1) increased purchased gas costs of 4.178¢ per Mcf ($25 million annually) and (2) at 1.398¢ per Mcf increase (from 0.974¢ to 2.372¢) in the surcharge to recoup the balance of $7,261,770 in its deferred purchased gas cost account. Southern requests a January 1, 1976 effective date.

Notice of Southern's filing was issued November 24, 1975, with protests and petitions to intervene due on or before December 9, 1975. On that date Atlanta Gas Light Company filed a petition to intervene. Alabama Gas Corporation petitioned to intervene on December 15, 1975.

Our review of Southern's proposed rates indicates that they contain, inter alia, small producer purchases at rates in excess of the rate levels prescribed in Opinion No. 742[2]. Therefore, the proposed rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, or otherwise unlawful. Accordingly, we shall accept Southern's proposal for filing and suspend it for one day until January 2, 1976, when it shall be permitted to become effective, subject to refund.

With regard to the issue of small producer purchases, we shall establish hearing procedures to determine the just and reasonable rate levels of those small producer purchases to be included in Southern's filing in excess of the rate levels resulting from use of the "130% formula" prescribed in Opinion No. 742. In this connection, we believe it appropriate to make the small producers involved respondents so that they may present evidence to show that the rates charged by them to Southern are just and reasonable. Although the small producers are not required to make refunds, we believe it appropriate to institute a Section 5 investigation against the small producers involved so that the just and reasonable small producer rate determination in this proceeding can be applied prospectively.

Within 15 days of the date of this order, Southern shall file a list of the small producers making sales reflected in the instant filing in excess of the "130% formula" rates in order that they may be made respondents to this proceeding.

Cost evidence relating to the small producer sales which are the subject of the hearing ordered herein can clearly provide the basis for "just and reasonable" rate findings. "F.P.C. v. Texaco, Inc.," 417 U.S. 380 (1974). Accordingly, we shall require the small producer respondents to submit cost evidence in order that we may determine the justness and reasonableness of Southern's rates and make appropriate prospective adjustments, if found necessary, to the small producer rate pursuant to our authority under section 5 of the Natural Gas Act.

Southern should show that the rate paid by it to the small producer is just and reasonable by presenting evidence considering all relevant factors including inter alia, (1) the pipeline's need for gas, (2) the availability of other gas supplies, (3) the amount of gas dedicated under the contract, (4 the rates of other recent small producer sales previously approved for flow through and (5) comparison with appropriate market prices.[3]

Finally, the parties may submit any other evidence relevant to the Commission's determination of whether the rates paid by the pipeline with respect to the subject small producer sales are just and reasonable.

We note that Southern's filing reflects 12,770,000 Mcf of non-certified new supplies at the Opinion 699-H rate for a proposed sale by Shell Oil Company. Although Shell has a certificate application currently pending in Docket No. CI76-8, it appears that the sale will not be certified and flowing by the January 2, 1976, effective date established herein. We shall therefore require that Southern's proposed rates be revised to exclude the non-certified and non-flowing purchases from its computations of purchased gas costs.

Our review of those claimed increased purchased gas costs contained in Southern's filing other than those claimed increased costs associated with that portion of small producer purchases in excess of the rate levels prescribed by the "130% formula" prescribed in Opinion No. 742, and those costs associated with gas purchases that will not be certified and flowing by January 1, 1976, indicates that they should be approved as being in compliance with the standards set forth in Docket No. R-406. Accordingly, we shall permit Southern to file revised tariff sheets to become effective January 1, 1976, which reflect the costs in Southern's filing which are in conformance with Docket No. R-406, as indicated above.

The Commission finds. (1) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that hearing procedures be established, as hereinafter ordered and conditioned, and that Southern's rates be accepted for filing and suspended for one day until January 2, 1976, when they shall become effective, subject to refund, and subject to the elimination of costs and volumes related to gas that will not be certified and flowing as of January 1, 1976.

(2) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that Southern be permitted to file, to become effective January 1, 1976, a revised tariff sheet reflecting the elimination of purchased gas costs associated with that portion of small producer purchases in excess of the rate levels established in Opinion No. 742. Southern's revised tariff sheet must also reflect, however, the exclusion of costs for purchased gas that will not be certified and flowing as of January 1, 1976.

(3) The claimed purchased gas costs in Southern's rate filing, other than those claimed increased costs associated with that portion of small producer purchases in excess of the "130% formula" prescribed in Opinion 742, and those costs associated with gas purchases that will not be certified and flowing by January 1, 1976, are in compliance with the standards set forth in Docket No. R-406.

(4) Good cause exists to permit the intervention of the above named petitioners.

The Commission orders. (A) Pursuant to the authority of the Natural Gas Act, particularly section 4, 5, 7, 14, and 16 thereof, a public hearing shall be held in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, to determine the lawfulness of Southern's proposed PGA rates filed on November 14, 1975, insofar as those proposed rates reflect small producer purchases in excess of the "130% formula" prescribed in Opinion 742.

(B) Within 15 days of the date of this order, Southern shall file with the Commission a list, including addresses, of the parties from whom Southern is purchasing gas involved in the small producer sales set for hearing above. Following receipt of this list, we shall make the small producer sellers parties respondents to this investigation for the purposes discussed in the body of this order.

(C) Pursuant to section 5 of the Natural Gas Act, we hereby institute an investigation into the just and reasonable rate to be charged by the small producers making sales to Southern in excess of the rates resulting from the "130% formula" prescribed in Opinion 742 and consolidate this investigation with the hearing ordered in Ordering Paragraph (A) above for purposes of hearing and decision.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)) shall preside at the hear-

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[1] A small producer certificate was issued to Mesa Petroleum's predecessor, Petroleum Exploration Inc. of Texas, et al., on December 21, 1967, in Docket No. CS67-82.

[2] Sales by Mesa Offshore commenced to Sea Robin as an emergency sale (May 15, through July 12, 1973) which was replaced by a limited term sale under a contract dated March 9, 1973, in Docket No. CI73-663 for the period July 13, 1973, to July 12, 1974. On July 13, 1974, Mesa began sales to Sea Robin, purportedly as a small producer under the February 1, 1972 contract at the national rate. After the issuance of Opinion No. 742 on August 28, 1975, Mesa Offshore raised its rate to Sea Robin to the small producer rate ceiling (130% of the national rate).

[1] Designated as: Fifteenth Revised Sheet No. 4A to FPC Gas Tariff, Sixth Revised Volume No. 1.

[2] — FPC — issued August 28, 1975, in Docket No. R-393.

[3] Opinion No. 742 (mimeo at 13, paragraph (1)).

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ing in this proceeding pursuant to the Commission's rules of practice and procedure. He shall also preside at a prehearing conference to be held on January 22, 1976 at 10 a.m., in a hearing room at the address noted in ordering paragraph (A), for the purpose of setting dates for the presentation of Southern's direct testimony, the small producer respondent's direct testimony, the Staff's and any intervenor's direct testimony, Southern's rebuttal evidence, and the hearing.

(E) Pending hearing and decision thereon, Southern's rates are accepted for filing and suspended for one day until January 2, 1976, when they shall become effective, subject to refund, and subject to elimination of costs and volumes related to gas that will not be certified and flowing as of January 1, 1976.

(F) Within 15 days of the date of issuance of this order, Southern may file revised tariff sheets to become effective January 1, 1976, which reflect those claimed purchased gas costs contained in Southern's rate other than those claimed increased costs associated with that portion of small producer purchases in excess of the rate levels resulting from the "130% formula" prescribed by Opinion 742. Southern's revised tariff sheets must also reflect, however, the exclusion of costs for purchased gas that will not be certified and flowing as of January 1, 1976.

(G) The above-named petitioners is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission: *Provided, however*, That participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in their petitions to intervene: *And Provided, further*, That the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(H) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-684 Filed 1-8-76;8:45 am]

[Docket No. ER76-302]

SOUTHERN SERVICES, INC.

Order Accepting and Suspending Proposed Amendment to Interchange Agreement

DECEMBER 31, 1975.

On November 28, 1975, Southern Services, Inc. (Southern) filed its annual revision to the interchange agreement between itself and the participating companies (Alabama Power Company, Georgia Power Company, Gulf Power Company, and Mississippi Power Company) who are all affiliates of the Southern Company, a holding company organized pursuant to the provisions of the Public Utility Holding Company Act of 1935. Southern states that no changes are proposed in the fixed charge rates currently in effect under the existing interchange agreement but that the changes which are reflected are required so as to reflect the best and most currently available information with regard to the amount and location of additional generating capacity being provided, estimates of company and system loads, basic costs of deficit plants, revisions in demonstrated capabilities and economies of existing generating units, variations associated with differences in generating availability, and routine additions and changes in equalization charges for transmission.

Southern requests an effective date of January 1, 1976.

Notice of Southern's filing was issued on December 17, 1975, with all comments, protests and petitions to intervene due on or before December 30, 1975.

On November 23, 1973, Southern filed its annual revision to the interchange agreement to apply to calendar year 1974. By order of May 8, 1974, in Docket No. E-8514, the Commission suspended for one day the effectiveness of the 1974 amendment and established a hearing schedule for that proceeding. On November 27, 1974, Southern filed its annual revision to the interchange agreement to apply to calendar year 1975. By order issued December 31, 1974, in Docket No. E-9133, the Commission suspended for one day the effectiveness of the 1975 amendments and made the proceeding subject to the final determination in Docket No. E-8514.

Our review of Southern's filing indicates that the proposed amendment has not been shown to be just and reasonable, and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful. We shall therefore accept the amendment for filing and suspend it for one day, to become effective January 2, 1976, subject to refund. Our review further indicates that the issues presented in the present proceeding are the same as those presented in Docket Nos. E-8514 and E-9133. Consistent with our action in Docket No. E-9133 we shall therefore make our determination of the issues presented in Docket No. ER76-302 subject to our final disposition in Docket No. E-8514 and such further proceedings, if any, as may be required.

The Commission finds. It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Federal Power Act, that the Commission accept Southern's November 28, 1975, filing in Docket No. ER76-302, suspend its effectiveness for one day until January 2, 1976, subject to refund, and make it subject to our final determination in Docket No. E-8514 and such other proceedings, if any, as may be required.

The Commission orders. (A) Southern's November 28, 1975, filing in Docket No. ER76-302 is hereby accepted for filing, suspended for one day to become effective January 2, 1976, subject to refund, and made subject to the Commission's final determination in Docket No. E-8514 and such further proceedings, if any, as may be required.

(B) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-685 Filed 1-8-76;8:45 am]

[Docket No. ER76-177]

SOUTHWESTERN ELECTRIC POWER CO.

Order Accepting for Filing, Suspending for One Month and Making Effective, Subject to Refund, Proposed Rate Schedule, Denying Motion To Reject, Instituting Investigation, and Establishing Prehearing Conference

DECEMBER 31, 1975.

On October 16, 1975, the Southwestern Electric Power Company, (SWEPCO) tendered for filing proposed changes in its rate schedule[1] under which it furnishes service to the Tex-La Electric Cooperative, Inc. (Tex-La).[2] SWEPCO requested an effective date of January 1, 1976. The proposed rates will generate additional revenues from Tex-La in the amount of $791,439, based on the twelve-month period ending April 30, 1975.

Public notice of the filing was issued on October 24, 1975, with protests or petitions to intervene due on or before November 6, 1975. On November 7, 1975, Tex-La filed its untimely petition to intervene, alleging that SWEPCO's data for the test period ending April, 1975, was outdated in that its filing was based on a period ending eight months prior to the proposed date of effectiveness and that the filing should therefore be rejected. Tex-La also objected to SWEPCO's alleged failure to support its rate of return on equity adequately and to SWEPCO's inclusion of construction work in progress (CWIP) in its rate base. On November 14, 1975, SWEPCO filed an answer to Tex-La's motion and petition.

In response to Tex-La's petition to intervene and motion to reject this filing, our policy is that Period I data reflect actual data for the most recent consecutive twelve months, this period be no earlier than seven months prior to the date of filing, as opposed to the date of effectiveness.[3] SWEPCO's Period I ends only six months before its date of filing. Our studies of this filing reveal that SWEPCO did not include CWIP in its rate base as Tex-La alleged. We believe that formal hearing procedures herein ordered provide the appropiate forum for Tex-La to be heard on the issues raised in its petition, and the filing should not be rejected.

[1] Designated as: Southwestern Electric Power Company, Supplement No. 4 to Rate Schedule FPC No. 67.

[2] Tex-La's members are listed in Appendix A.

[3] Arkansas Power and Light Co., Docket No. ER76-110, order issued November 14, 1975; Montaup Electric Company, Docket No. ER76-46, order issued November 3, 1975.

Our review indicates that these proposed rates, charges, terms and conditions of service of the proposed rate schedule have not been shown to be just and reasonable and may therefore be unjust, unreasonable, unduly discriminatory, preferential or otherwise unlawful. Accordingly, we shall accept the proposed rates for filing and suspend their effective date for one month, to become effective February 1, 1976, subject to refund. We shall institute an investigation as to the lawfulness of the proposed rates schedule pursuant to the Commission's authority under Section 205 of the Federal Power Act. Without limiting the issues to those herein mentioned or infringing upon the right of the parties in developing further issues for hearing, we request the parties to direct their attention to, among other things, normalization of the tax effects of SWEPCO's exploration costs, deferred taxes, functionalization of administrative, general and other expenses, allocation of demand related costs, rate base, and classification of costs.

The Commission finds. (1) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act, that the Commission accept for filing and institute a section 205 investigation and hearing concerning the lawfulness of the rates tendered by SWEPCO in Docket No. ER76-177.

(2) Good cause exists to grant Tex-La intervention in this proceeding.

(3) Tex-La's motion to reject this filing should be denied.

The Commission orders. (A) SWEPCO's rate schedule tendered on October 16, 1975, is hereby accepted for filing and suspended for one month, when it will be permitted to become effective, subject to refund, on February 1, 1976, pending hearing and decision as to the reasonableness of the proposed rates.

(B) Tex-La's motion to reject is hereby denied.

(C) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at an initial conference in this proceeding on February 5, 1976, at 10:00 a.m., in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates for this proceeding and to rule upon all motion (except petitions to intervene).

(D) Nothing contained herein should be construed as limiting the rights of parties to this proceeding regarding the conferring of conferences or offers of settlement pursuant to § 1.18 of the Commission's rules of practice and procedure.

(E) The above-named petitioner is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission: *Provided, however*, That the participation of such intervenor shall be limited to matters affecting rights and interests specifically set forth in its petition to intervene, *Provided, further*, That the admission of such intervenors shall not be construed as recognition by the Commission that they may be aggrieved because of any order or orders issued by the Commission in this proceeding.

(F) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

APPENDIX A

Bossier Rural Electric Membership Corporation
Bossier City, Louisiana
Bowie-Cass Electric Coop., Inc.
Douglasville, Texas
Deep East Texas Electric Coop., Inc.
San Augustine, Texas
Panola-Harrison Electric Coop., Inc.
Marshall, Texas
Rusk County Electric Coop., Inc.
Henderson, Texas
Upshur-Rural Electric Coop., Inc.
Gilmer, Texas
Valley Electric Membership Corporation
Natchitoches, Louisiana
Wood County Electric Coop., Inc.
Quitman, Texas

[FR Doc.76-686 Filed 1-8-76;8:45 am]

[Docket Nos. RP76-97 and RP72-121]

SOUTHWEST GAS CORP.

Scheduling Prehearing Conference

DECEMBER 29, 1975.

On December 19, 1975, Southwest Gas Corporation filed a motion to schedule a prehearing conference in the above-designated proceeding. Notice is hereby given that a prehearing conference will be held on January 7, 1976, at 10:00 a.m., e.s.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

All parties will be expected to come fully prepared to discuss the merits of all issues concerning the lawfulness of the proposed rate increase and any procedural matters preparatory to a full evidentiary hearing or to make commitments with respect to such issues and any offers of settlement or stipulations discussed at the conference.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-703 Filed 1-8-76;8:45 am]

[Docket Nos. RP73-114, etc.]

TENNESSEE GAS PIPELINE CO.

Order Accepting for Filing and Suspending Proposed Rate Schedule; Instituting Investigation and Establishing Procedures

DECEMBER 31, 1975.

On November 14, 1975, Tennessee Gas Pipeline Company (Tennessee) filed alternate rate increases, both proposed to be effective January 1, 1976. The higher alternative[1] reflects (1) a PGA rate adjustment of 3.57¢ per Mcf to track increased gas costs of $26.6 million per year (2.34¢ per Mcf) and to recoup the balance in the Unrecovered Purchased Gas Cost Account (1.23¢ surcharge increase[2]; (2) decreases in rates for three zones ranging from .03¢ to .41¢ per Mcf and increases in rates for three other zones ranging from .03¢ to .61¢ per Mcf per Mcf to reflect revised surcharges to recoup the balance of $9,043,225 in the account for curtailment credits; (3) a rate increase of .10¢ per Mcf to generate $1,074,991 in revenues to track increased research and development (R&D) expenses. This higher rate also reflects purchases from small producers at rates in excess of the applicable levels permitted by Opinion No. 742. Anticipating a one day suspension of this higher rate, Tennessee submitted alternative tariff sheets[3] eliminating the impact of small producer purchases at rates in excess of the level established by Opinion No. 742.[4] Tennessee requested that the alternate increase become effective January 1, 1976, and remain in effect in the course of any proposed suspension of the effectiveness for the other increases.

Notice of this filing was issued on December 2, 1975, with comments due on or before December 12, 1975. To date, no comments, protests, or petitions to intervene have been received.

Our review of the higher alternate tariff sheets indicates that they contain small producer purchases in excess of the rate levels prescribed in Opinion No. 742. Therefore, the proposed rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, or otherwise unlawful. Accordingly, we shall accept the higher alternate tariff sheets for filing and suspend them for one day until January 2, 1975, when they shall become effective, subject to refund.

With regard to the issue of small producers, we shall establish procedures to determine the just and reasonable rate levels of those small producer purchases to be included in Tennessee's filing which are in excess of the rate levels resulting from use of the "130% formula" prescribed in Opinion No. 742. In this connection, we believe it appropriate to make the small producers involved respondents so that they may present evidence to show that the rates charged by them to Tennessee are just and reasonable. Although the small producers

[1] Second Substitute Ninth Revised Sheet Nos. 12A and 12B to FPC Gas Tariff, Ninth Revised Volume No. 1 (higher rates).

[2] On December 18, 1975, Tennessee tendered a supplemental filing to revise its PGA rate adjustment exclusive of small producer purchases at rates in excess of the level prescribed by Opinion 742. These revisions alter its proposed PGA rate increase by .02¢ per Mcf.

[3] Substitute Ninth Revised Sheet Nos. 12A and 12B to FPC Gas Tariff, Ninth Revised Volume No. 1 (alternative rates).

[4] — FPC — issued August 28, 1975, in Docket No. R-393.

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are not required to make refunds, we believe it appropriate to institute a Section 5 investigation against the small producers involved so that the just and reasonable small producer rate determined in this proceeding can be applied prospectively.

Within 15 days of the date of this order, Tennessee shall file a list of the small producers making sales reflected in the instant filing in excess of the "130% formula" rates in order that they may be made respondent to this proceeding.

Cost evidence relating to the small producer sales which are the subject of the hearing ordered herein can clearly provide the basis for "just and reasonable" rate findings. "F.P.C. v. Texaco, Inc.", 417 U.S.C. 380 (1974). Accordingly, we shall require the small producer respondents to submit cost evidence in order that we may determine the justness and reasonableness of Tennessee's rates and make appropriate prospective adjustments, if found necessary, to the small producer rate pursuant to our authority under section 5 of the Natural Gas Act.

Tennessee should show that the rate paid to the small producer is just and reasonable by presenting evidence considering all relevant factors including, inter alia, (1) the pipeline's need for gas, (2) the availability of other gas suppliers, (3) the amount of gas dedicated under the contract, (4) the rates of other recent small producer sales previously approved for flow through and (5) comparison with appropriate market prices.

Finally, the parties may submit any other evidence relevant to the Commission's determination of whether the rates paid by the pipeline with respect to the subject small producer sales are just and reasonable.

Tennessee's proposed R&D adjustment indicates that it reflects R&D projects now subject to hearings in Docket Nos. RP75-13 and RP75-113 as well as the following five projects: buckling research, a deep water pipeline test program, a deep water offshore pipeline study, plant sites, and Project S-128 (consisting of several studies undertaken in conjunction with the Institute of Gas Technology).

Our review of these R&D rate adjustments indicates that they should not be subject to suspension but should become effective on January 1, 1976, subject to refund, pending a hearing and decision to determine whether the costs of the five new projects are acceptable for inclusion in Tennessee's rates.

Our review of those claimed rate increases contained in Tennessee's filing, other than those claimed increased costs associated with that portion of small producer purchases in excess of the rate levels prescribed by the "130 percent formula" prescribed in Opinion 742 indicates that they should be approved as being in compliance with Tennessee's tariff and PGA clause. Accordingly, we shall permit Tennessee to file revised tariff sheets to become effective January 1, 1976, reflecting increased costs other than those costs associated with that portion of small producer purchases in excess of the rate levels established in Opinion 742.

The Commission finds. (1) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that procedures be established, as hereinafter ordered and conditioned, and that Tennessee's higher alternate rates be accepted for filing and suspended for one day until January 2, 1976, when they shall become effective, subject to refund.

(2) The claimed increased purchased gas costs in Tennessee's lower alternate rate filing, other than those claimed increased costs associated with that portion of small producer purchases in excess of the "130 percent formula" prescribed in Opinion 742 should be accepted for filing and made effective on the requested date of January 1, 1976.

(3) The filing as it relates to R&D expenses incurred by Tennessee should be consolidated with the proceedings in RP73-113.

The Commission orders. (A) Pursuant to the authority of the Natural Gas Act, a public hearing shall be held on February 10, 1976 at 10:00 a.m., in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, to determine the lawfulness of Tennessee's proposed higher alternate PGA rates filed on August 15, 1975, insofar as those proposed "130 percent formula" prescribed in Opinion 742.

(B) Within 15 days of the date of this order, Tennessee shall file with the Commission a list, including addresses, of the parties from whom Tennessee is purchasing gas involved in the small producer. Following receipt of this list, we shall make the small producer sellers parties respondents to this investigation for the purposes discussed in the body of this order.

(C) Pursuant to section 5 of the Natural Gas Act, we hereby institute an investigation into the just and reasonable rate to be charged by the small producers making sales to Tennessee in excess of the rates resulting from the "130 percent formula" prescribed in Opinion 742.

(D) Within 15 days of the date of issuance of this order, Tennessee may file revised tariff sheets to become effective January 1, 1976, which reflect those claimed increased purchased gas costs contained in its higher alternate rate other than those claimed increased costs associated with that portion of small producer purchases in excess of the rate levels resulting from the "130% formula" prescribed by Opinion 742.

(E) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of authority, 18 CFR 3.5(d)), shall preside at an initial conference in this proceeding on February 12, 1976, at 10:00 a.m., in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates for this proceeding and to rule upon all motions, except petitions to intervene.

(F) This proceedings shall hereinafter be docketed as RP73-114 (PGA 76-1).

(G) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-687 Filed 1-8-76;8:45 am]

[Docket Nos. RP73-114, RP74-24 and RP 74-73; PGA76-1, DCA76-1, and R&D76-1]

TENNESSEE GAS PIPELINE CO., A DIVISION OF TENNECO INC.

Tariff Sheets; Correction

DECEMBER 29, 1975.

Take notice that on December 18, 1975, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), tendered for filing corrections to its tariff filing of November 14, 1975, consisting of the following corrected revised tariff sheets:

Substitute Ninth Revised Sheet Nos. 12A and 12B.

Tennessee states that the sole purpose of the corrected tariff sheets is to revise its PGA rate adjustment exclusive of small producer purchases at rates in excess of the level prescribed by Opinion No. 742 to reflect the exclusion of certain additional small producer purchases which were inadvertently omitted in the November 14, 1975 filing. Tennessee states that in all other respects these tariff sheets are identical to those filed on November 14, 1975.

Tennessee states that copies of the filing have been mailed to all its jurisdictional customers and affected state regulatory commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 20, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene; provided, however, that any person who has previously filed a petition to intervene in this proceeding is not required to file a further petition. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-704 Filed 1-8-76;8:45 am]

[Docket No. CP76-180]

TENNESSEE GAS PIPELINE CO., A DIVISION OF TENNECO INC., AND CONSOLIDATED GAS SUPPLY CORP.

Application

DECEMBER 30, 1975.

Take notice that on December 2, 1975, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), P.O. Box 2511, Houston, Texas 77001, and Consolidated Gas Supply Corporation (Consolidated), 445 West Main Street, Clarksburg, West Virginia 26301, jointly Applicants, filed in Docket No. CP76-180 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange and transportation of natural gas, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicants state that they are parties to an exchange and transportation agreement dated November 5, 1975, which is said to provide for the delivery to Consolidated of up to 15,000 Mcf of natural gas per day of Tennessee's share of gas produced from the Ship Shoal Area, Block 246, "B" producer platform and for the delivery of up to 20,000 Mcf of natural gas to Tennessee of Consolidated's share of gas produced from the Ship Shoal Area, Block 271, "A" producer platform. The deliveries of natural gas to Consolidated would be received by Consolidated at the inlet side of Consolidated's meter located on the Block 246, "B" platform; and the gas delivered to Tennessee would be received into the 30-inch Eugene Island Block 349 to Ship Shoal Block 198 pipeline (Project 349). It is stated that the proposed service would be rendered through existing facilities.

It is stated that in the event that the deliveries to Consolidated are in excess of the proposed deliveries to Tennessee, that Consolidated would deliver to Tennessee volumes equal to such excess in the Blue Water Project from alternative sources. If the deliveries to Tennessee are in excess of the deliveries to Consolidated, the excess volumes would be treated as gas for transportation and Consolidated would pay Tennessee a transportation charge of 4.0 cents per Mcf, which cost is said to reflect Tennessee's incremental cost of service. Such volumes transported for Consolidated by Tennessee would be redelivered for the account of Consolidated at the point of the tie-in of the Blue Water Project on the Ship Shoal Block 198 platform to Project 349.

Applicants state that there is presently production available to them from the Block 246 "B" and the 271 "A" platforms and that such gas could be used to offset 1975-76 winter heating season curtailments.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 15, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-719 Filed 1-8-76;8:45 am]

[Docket No. RP71-11 (PGA 76-1)]

TENNESSEE NATURAL GAS LINES, INC.

Order Accepting Certain Tariff Sheets for Filing Upon Condition and Suspending Certain Other Tariff Sheets

DECEMBER 31, 1975.

On December 1, 1975 Tennessee Natural Gas Lines, Inc. (Tennessee Natural) tendered for filing certain revised tariff sheets to reflect an increase in rates from its sole supplier, Tennessee Gas Pipeline Company, a Division of Tenneco, Inc. (Tennessee). One set of revised tariff sheets[1] tracks the tariff sheets filed by Tennessee on November 14, 1975 which reflect elimination of that portion of the price increase attributable to amounts paid to small producers in excess of those levels established in Opinion No. 742.[2] The other set of tariff sheets[3] tracks those tariff sheets filed by Tennessee on November 14, 1975 which do not reflect the elimination of amounts paid to small producers in excess of the levels set in Opinion No. 742.

Notice of the filing was issued December 11, 1975. A notice of intervention was received from the Tennessee Public Service Commission (PSC), on December 8, 1975. PSC requests that the increased rates be suspended for the full statutory period. PSC bases its request on its belief that Tennessee Natural does not flow through to its customers the demand charge credits it receives from Tennessee. As a result, PSC believes Tennessee Natural's rates may be unjust and unreasonable.

The Commission believes that PSC has raised a matter of concern. Accordingly, we shall accept for filing and suspend for one day the tariff sheets identified in footnote three of this order which reflect the higher alternate rates. Since we are unable, at this time, to determine what adjustments if any will be necessary to Tennessee Natural's rates. Accordingly, we shall reject Tennessee Natural's tariff sheets listed in footnote 1 reflecting the lower alternate rates.[4]

The rates proposed in Tennessee Natural's instant filing have not been shown to be just and reasonable, and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. Accordingly, we shall order a hearing at which the just and reasonable rates and charges shall be determined.

The Commission finds. (1) Tennessee Natural's tariff sheets listed in footnote 1 reflecting Tennessee Natural's lower alternate rates should be rejected.

(2) Those tariff sheets identified in footnote three should be accepted for filing and suspended for one day to become effective January 2, 1976, subject to refund.

The Commission orders. (A) Tennessee Natural's lower alternate rates reflected in the tariff sheets listed in footnote 1 are hereby rejected.

(B) Tennessee Natural's Substitute Thirteenth Revised Sheet No. PGA-1 and Substitute Eighth Revised Sheet No. PGA-2 to its FPC Gas Tariff Revised Volume No. 1 are hereby accepted for filing and suspended for one day to become effective January 2, 1976.

(C) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge (See Delegation of Authority, 18 CFR 3.5(d)) shall preside at the hearing in this proceeding, with the authority to establish and change all procedural dates, and to rule on all motions (with the exception of petitions to intervene, motions to consolidate and sever, and motions to dismiss, as provided for in the rules of practice and procedure).

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[1] Thirteenth Revised Sheet No. PGA-1 and Eighth Revised Sheet No. PGA-2 of Tennessee Natural's FPC Gas Tariff First Revised Volume No. 1 tracking Tennessee's Substitute Ninth Revised Sheet Nos. 12A and 12B.

[2] Issued August 28, 1975.

[3] Substitute Thirteenth Revised Sheet No. PGA-1 and Substitute Eighth Revised Sheet No. PGA-2 tracking Tennessee's Second Substitute Ninth Revised Sheet Nos. 12A and 12B.

[4] We do not make the small producers who are collecting amounts in excess of the levels prescribed in opinion No. 742 respondents in this proceeding because all issues concerning these purchases can be disposed of in the Tennessee proceeding.

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(D) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 5 thereof, and the Commission's rules and regulations, a public hearing concerning the justness and reasonableness of Tennessee Natural's rate as proposed to be increased herein shall be held at a time to be set by the Presiding Administrative Law Judge at a pre-hearing conference to be convened at 10:00 a.m. on January 16, 1976 at the Offices of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426.

(E) The above-mentioned petitioner is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervenor shall be limited to matters affecting the rights and interests specifically set forth in the petition to intervene: *And provided, further,* That the admission of such intervenor shall not be construed as recognition that PSC might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(F) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to § 1.18 of the Commission's rules of practice and procedure.

(G) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-688 Filed 1-8-76;8:45 am]

[Docket No. RP74-41 (PGA76-1, DCA76-1)]

TEXAS EASTERN TRANSMISSION CORP.

Order Accepting for Filing and Suspending Proposed PGA Rate Adjustment, Establishing Hearing Procedures, Instituting Investigation, and Consolidating Proceedings

DECEMBER 31, 1975.

On November 17, 1975, Texas Eastern Transmission Corporation (Texas Eastern) tendered for filing a proposed PGA rate decrease[1] reflecting the net effect of (1) increases of 1.98 cents per dth in Zone A and 2.0 cents per dth in Zones B, C, and D to track increased purchased gas costs and (2) a reduction of 2.80 cents per dth in the surcharge to clear a negative balance in the deferred purchased gas cost account. Additionally, Texas Eastern has filed revised surcharges to recover demand charge adjustments. Texas Eastern requests that the revised tariff sheets be made effective January 1, 1976.

Anticipating a one day suspension due to the inclusion in the PGA decrease of small producer and emergency purchases in excess of Opinion Nos. 742 and 699–H rate levels, Texas Eastern has concurrently filed alternate tariff sheets[2] which purportedly exclude those costs in excess of the applicable rate levels prescribed by Opinion Nos. 742 and 699–H. In the event of such suspension Texas Eastern requests that the alternate rates be made effective January 1, 1976.

Public notice of Texas Eastern's filing was issued on December 1, 1975, with protests or petitions to intervene due on or before December 12, 1975.

Our review of the proposed PGA rate adjustment indicates that it is based, in part, on small producer purchases in excess of the rate levels prescribed in Opinion No. 742 and 60-day emergency purchases from other than small producers in excess of the rate levels prescribed in Opinion No. 699–H. Therefore, the proposed rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, or otherwise unlawful. Accordingly, we shall accept the tariff sheets for filing and suspend them for one day until January 2, 1976, when they shall become effective, subject to refund, as hereinafter conditioned.

With regard to the issue of small producers, we shall establish hearing procedures to determine the just and reasonable rate levels of those small producer purchases to be included in Texas Eastern's filing in excess of the rate levels resulting from use of the "130 percent formula" prescribed in Opinion No. 742.[3] In this connection, we believe it appropriate to make the small producers involved respondents so that they may present evidence to show that the rates charged by them to Texas Eastern are just and reasonable. Although the small producers are not required to make refunds, we believe it appropriate to institute a Section 5 investigation against the small producer involved so that the just and reasonable small producer rate determined in this proceeding can be applied prospectively.

Within 15 days of the date of this order, Texas Eastern shall file a list of the small producers making sales reflected in the instant filing in excess of the "130 percent formula" rates in order that they may be made respondents to this proceeding.

Cost evidence relating to the small producer sales which are the subject of the hearing ordered herein can clearly provide the basis for "just and reasonable" rate findings. "F.P.C. v. Texaco, Inc.", 417 U.S. 380 (1974). Accordingly, we shall require the small producer respondents to submit cost evidence in order that we may determine the justness and reasonableness of Texas Eastern's rates and make appropriate prospective adjustments, if found necessary, to the small producer rate pursuant to our authority under section 5 of the Natural Gas Act.

Texas Eastern should show that the rate paid by Texas Eastern to the small producer is appropriate by presenting evidence considering all relevant factors including, inter alia, (1) the pipeline's need for gas, (2) the availability of other gas suppliers, (3) the amount of gas dedicated under the contract, (4) the rates of other recent small producer sales previously approved for flow through and (5) comparison with appropriate market prices.[4]

Finally, the parties may submit any other evidence relevant to the Commission's determination of whether the rates paid by the pipeline with respect to the subject small producer sales are just and reasonable.

With regard to the 60-day emergency purchases from other than small producers, the Commission noted in Opinion 699–B[5] that a pipeline would be entitled to include in its purchased gas costs a rate for such purchases "which a reasonably prudent pipeline purchaser would pay for gas under the same or similar circumstances." Accordingly, we believe it appropriate to establish hearing procedures to determine the appropriate rate level of those 60-day emergency purchases included in the filing which are in excess of the rate levels prescribed in Opinion 699–H. In satisfying the "reasonably prudent pipeline purchaser" standard, Texas Eastern must show that the price paid is appropriate by presenting evidence considering all relevant factors of such purchases, including, inter alia, (1) the pipeline's need for gas, (2) the availability of other gas supplies, (3) the amount of gas dedicated to the purchase, (4) comparison of the price with appropriate market prices in the same or nearby areas, and (5) the relationship between the purchaser and the seller.[6]

Our review of the proposed rates within the tariff sheets listed in footnote 1 indicates that with the exception of the increased purchased gas costs associated with that portion of small producer purchases in excess of the rate levels prescribed in Opinion No. 742 and with that portion of the 60-day emergency purchases from other than small producers in excess of the rate levels prescribed in Opinion 699–H, such rates are just and reasonable and should be approved. Although Texas Eastern has filed alternate tariff sheets listed in footnote 2 which purportedly excise those excess costs, we find that such alternate rates include certain small producer purchases of old gas (gas not eligible under the national rate and accordingly subject to the appropriate area rate) which are in excess of 130 percent of the applicable area rate level. Accordingly, the alternate tariff sheets listed in footnote 2 shall be rejected. However, we shall permit Texas Eastern to file revised rates

[1] Designated: Revised Fifteenth Revised Sheet Nos. 14 and 14A through 14D to FPC Gas Tariff, Fourth Revised Volume No. 1.

[2] Designated: Fifteenth Revised Sheet Nos. 14 and 14A through D to FPC Gas Tariff, Fourth Revised Volume No. 1.

[3] —— FPC —— issued August 28, 1975, in Docket No. R–393.

[4] Opinion No. 742 (mimeo, p. 18, paragraph (1)).

[5] —— FPC —— issued September 9, 1975, in Docket No. R–389–B.

[6] Transcontinental Gas Pipe Line Corporation, Docket No. RP76-2 (Order issued November 12, 1975).

which properly exclude that portion of small producer purchases in excess of the levels prescribed in Opinion No. 742 and that portion of the 60-day emergency purchases from other than small producers in excess of the rate levels prescribed in Opinion 699–H, to become effective on January 1, 1976, without refund obligation.

The Commission finds. (1) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that hearing procedures be established, as hereinafter ordered and conditioned, and that Texas Eastern's tariff sheets listed in footnote 1 of this order be accepted for filing and suspended for one day until January 2, 1976, when they shall become effective subject to refund.

(2) Good cause exists to reject the alternate tariff sheets listed in footnote 2 of this order, without prejudice to Texas Eastern's right to file the appropriate amended rates as hereinafter ordered.

The Commission orders. (A) Pursuant to the authority of the Natural Gas Act, particularly Sections 4, 5, 7, 14 and 16 thereof, a public hearing shall be held on May 12, 1976, at 10:00 a.m., in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, to determine the lawfulness of the proposed rates within the filed tariff sheets listed in footnote 1 insofar as those proposed rates reflect (1) small producer purchases in excess of the "130 percent formula" prescribed in Opinion 742 and (2) 60-day emergency purchases from other than small producers in excess of the rate levels prescribed in Opinion 699–H.

(B) Within 15 days of the date of this order, Texas Eastern shall file with the Commission a list, including addresses, of the parties from whom Texas Eastern is purchasing or has purchased gas involved in the small producer sales set for hearing above. Following receipt of this list, we shall make the small producer sellers parties respondents to this investigation for the purpoees discussed in the body of this order.

(C) Pursuant to section 5 of the Natural Gas Act, we hereby institute an investigation into the just and reasonable rates to be charged by the small producers making sales to Texas Eastern in excess of the rates resulting from the "130 percent formula" prescribed in Opinion No. 742 and consolidate with investigation with the hearing ordered in Ordering Paragraph (A), above for purposes of hearing and decision.

(D) Texas Eastern shall file its direct testimony and evidence on or before March 9, 1976. The parties from whom Texas Eastern makes the subject small producer purchases shall file their direct testimony on or before March 9, 1976. Any evidence by the Commission Staff or any intervenor shall be filed on or before April 6, 1976. Any rebuttal evidence shall be filed on or before April 20, 1976.

(E) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)) shall preside at the hearing in this proceeding in accordance with the Commission's rules of practice and procedure.

(F) Texas Eastern's filed tariff sheets listed in footnote 1 of this order are hereby accepted for filing and suspended for one day, until January 2, 1976, when they shall become effective subject to refund.

(G) Texas Eastern's filed alternate tariff sheets listed in footnote 2 of this order are hereby rejected.

(H) Within 15 days of the date of issuance of this order, Texas Eastern may file revised tariff sheets to become effective January 1, 1976, which reflect those claimed increased purchased gas costs contained in Texas Eastern's PGA adjustment other than those claimed increased costs associated with that portion of small producer purchases in excess of the rate levels resulting from the "130 percent formula" prescribed by Opinion 742 and that portion of the 60-day emergency purchases from other than small producers in excess of the rate levels prescribed in Opinion 699–H.

(I) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-689 Filed 1-8-76;8:45 am]

[Docket No. RP75-56]

TEXAS GAS PIPE LINE CORP.

Proposed Settlement

DECEMBER 30, 1975.

Take notice that on December 17, 1975, Texas Gas Pipe Line Corporation (TGPLC) filed a proposed "Stipulation and Agreement" in settlement and termination of the above-docketed rate proceeding. TGPLC states that the proposed settlement reflects the agreement of all parties as to all aspects of this proceeding.

Any person desiring to comment on such settlement should file such comments with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before January 15, 1976. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-720 Filed 1-8-76;8:45 am]

[Docket No. ER76-132]

TOLEDO EDISON CO.

Order Amending Prior Order

DECEMBER 31, 1975.

On September 17, 1975, Toledo Edison Company tendered for filing proposed changes in its F.P.C. Electric Service Tariff, Original Volume No. 1, applicable to sales for resale to fourteen Ohio municipalities. In support of its filing, Toledo Edison submitted Period I test data for the twelve months ending on December 31, 1974.

By letter order issued October 14, 1975, we notified the Company that the data it had submitted were out of date, and we informed the Company that a filing date would not be assigned to its application until it had submitted actual data for the period ending no earlier than four months prior to the proposed filing date.

On November 13, 1975, the Company filed a petition for rehearing and reconsideration of our October 14, 1975 order. On December 5, 1975, we issued an order denying that petition. In Finding Paragraph (2) of that order, we erroneously stated that Toledo Edison's filing would be assigned a filing date upon its filing of actual Period I data for the period ending no earlier than seven months prior to the proposed effective date. Such data should, instead, be submitted for a period ending no earlier than seven months prior to the date the data are filed.[1] Consequently Finding Paragraph (2) of our December 5, 1975 order should be amended as hereinafter ordered. For purposes of clarity and consistency, Ordering Paragraph (B) of our December 5, 1975 order is also amended as hereinafter ordered.

exists to amend Finding Paragraph (2)

The Commission finds. Good cause and Ordering Paragraph (B) of our December 5, 1975, order in this docket.

The Commission orders. (A) Our order of December 5, 1975 in this docket is hereby amended so that Finding Paragraph (2) reads as follows:

Good cause exists to amend our letter order of October 14, 1975 in this docket to provide that a filing date will be assigned upon Toledo Edison's filing of actual data for a Period I which ends no earlier than seven months prior to the date on which the data are filed.

(B) Our order of December 5, 1975, in this docket is hereby amended so that Ordering Paragraph (B) reads as follows:

Our letter order of October 14, 1975, in this docket is hereby amended to provide that a filing date will be assigned upon Toledo Edison's filing of actual data for a Period I which ends no earlier than seven months prior to the date on which the data are filed.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-694 Filed 1-8-76;8:45 am]

[1] This action is consistent with our actions in the following recent orders: Ohio Power Company, Docket No. ER76-88, order issued September 19, 1975; Boston Edison Company, Docket No. EA76-90, order issued September 24, 1975; Western Power Division, Central Telephone & Utilities Corporation, Docket No. EA75-92, order issued November 5, 1975.

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[Docket No. RP74–52; PGA76–1]

TRANSWESTERN PIPELINE CO.

Order Granting Motions for Dismissal as Parties Respondent

December 31, 1975.

On August 15, 1975 Transwestern Pipeline Company (Transwestern) filed alternate PGA adjustments, both proposed to be effective October 1, 1975. By order issued September 30, 1975, we accepted the higher alternate tariff sheets for filing and suspended them for one day until October 2, 1975, when they became effective subject to refund. This action was taken because our review of the higher alternate tariff sheets had indicated that they contained small producer purchases in excess of the rate levels prescribed in Opinion No. 742 and 60-day emergency purchases from other than small producers in excess of the rate levels prescribed in Opinion No. 699–H.[1]

With regard to small producers sales in excess of the Opinion No. 742 rate levels we ordered that such producers be made respondents so that they might present evidence to show that their rates to Transwestern were just and reasonable. Accordingly, Transwestern was required to file a list of small producers making sales reflected in its PGA filing at rates in excess of the Opinion No. 742 rate levels. In the same order we instituted a section 5 investigation against these small producers so that the just and reasonable small producer rate determined in this proceeding could be applied prospectively.

With respect to the 60-day emergency purchases from other than small producers in excess of the 699–H rate levels we established hearing procedures to determine what portion of those rates could be recovered by Transwestern through its PGA filing. In adopting these hearing procedures the Commission expressly noted that it had stated in Opinion No. 699–B that a pipeline would be entitled to include in its purchased gas costs those amounts which it could show "a reasonably prudent pipeline purchaser would pay for gas under the same or similar circumstances." Transwestern was ordered to file with the Commission a list of those parties, other than small producers, whose 60-day emergency sales were to be the subject of the hearing. These sellers were not, however, made respondents and a Section 5 investigation was not instituted against them.

By order issued November 10, 1975, we made respondents of those small producers making sales in excess of the Opinion No. 742 rate levels as reported to us by Transwestern herein. Included in that list were Commanche Oil and Gas Corporation (Commanche), Randall B. Johnson (Johnson) and Texas Oil and Gas Corporation (Texas Oil). On November 24, 1975 Commanche filed on behalf of itself and Johnson [2] a motion for dismissal as parties respondent. Thereafter on November 25, 1975 Texas Oil filed a motion for reconsideration of our November 10 order in which Texas Oil also requested that it be deleted from the list of small producer respondents in these proceedings. While we do not rely upon the grounds asserted by Commanche and Texas Oil, we shall nevertheless grant both motions for the reasons hereinafter set forth.

In its motion Commanche states that it is operating under small producer certificates and that the sale which is reflected in Transwestern's purchased gas costs is a 60-day emergency sale. In urging dismissal as parties respondent, Commanche stresses that the sale was made in minimal volumes and that minimal revenues are involved. In dismissing these producers as respondents we do not, however, find it necessary to consider or to rely upon the volumes and revenues involved. Rather, we base our decision upon the fact that, as reported to us by Transwestern, the sale of Commanche is a 60-day emergency sale.

In Opinion No. 699–B (Mimeo, p. 4), the Commission stated that it would allow a pipeline to include in its purchased gas cost a rate for an emergency purchase "which a reasonably prudent pipeline purchaser would pay for gas under the same or similar circumstances." This statement was made in the context of a discussion of rates charged by other than small producers. Consistent with the pronouncement in Opinion No. 699–B, we have in a series of orders involving pipeline PGA filings [3] required the filing pipeline to justify the rate at which it made 60-day emergency purchases from other than small producers. In none of these cases did we make the sellers parties respondent, nor did we institute a section 5 proceeding against the producers involved. Indeed, the institution of a section 5 proceeding would have been fruitless since under section 5 adjustments in rates could be prospective only and, by the time any such order could be issued, the sale, being only 60 days in duration, would have been completed.

We see no reason for treating small producers making 60-day emergency sales differently than we have treated other sellers making 60-day emergency sales. In both cases it would be pointless to institute a section 5 proceeding. In both cases, we believe it is the pipeline and not the sellers that should bear the responsibility for justifying the rate level. Our conclusion is consistent with our order issued November 12, 1975 in "Transcontinental Gas Pipe Line Corporation," Docket No. RP76–2. In that order we enumerated some of the factors we will consider in determining whether a pipeline should be allowed to recover the rate it pays for a 60-day emergency purchase. In setting forth those factors, we did not distinguish between 60-day emergency purchases from small producers and 60-day emergency purchases from other than small producers. Accordingly, we conclude that since Commanche and Johnson are making 60-day emergency sales, they, like other producers making 60-day emergency sales, should be relieved of the burden of participating in these proceedings as parties respondent. Instead, it is Transwestern that should be required to justify that portion of the rate level for these 60-day emergency purchases which is in excess of the rate levels prescribed in Opinion No. 742. The standard we will use in determining whether Transwestern should be allowed to recover the rate paid is the same standard set forth in the November 12 order in *Transcontinental, supra:*

> Our review of such purchases will consider all of the relevant factors of such purchases including, inter alia, (1) the pipeline's need for gas, (2) the availability of other gas supplies, (3) the amount of gas dedicated to the purchase, (4) comparison of the price with appropriate market prices in the same or nearby areas, and (5) the relationship between the purchase and the seller. If the need for such emergency purchases is established and the conditions of the purchase are prudent, the pipeline company will have no refund obligation associated with that purchase.

In its motion filed November 25, 1975, Texas Oil has relied upon a somewhat different ground for being deleted from the list of small producer respondents contained in our November 10 order. Texas Oil argues that it cannot be treated as a small producer and that since only small producers have been named respondents in this proceeding Texas Oil must be deleted from the list of respondents. In making this argument Texas Oil points out that the sales reported by Transwestern were made at a time when Texas Oil did not hold a small producer certificate. In this connection Texas Oil states that the Commission has not yet acted upon Texas Oil's application for a small producer certificate but that even if a certificate were issued, it could not become effective prior to May 6, 1975, the date Texas Oil filed its application, which date is after the sales reported by Transwestern had been completed. To support its argument that it cannot be treated as a small producer, Texas Oil cites our order of July 16, 1975 in El Paso Natural Gas Company, Docket Nos. RP72–155, et al., in which the Commission also refused to treat Texas Oil as a small producer. While we will dismiss Texas Oil as a party respondent, we do so on other grounds.

As reported to us by Transwestern, the sales made by Texas Oil were 60-day emergency sales. As stated above, we decline to make sellers who have made 60-day emergency sales respondents to proceedings such as these. Since Texas Oil's sales are 60-day emergency sales, we will therefore grant Texas Oil's motion and will dismiss Texas Oil from these proceedings as a party respondent.

Again, it is Transwestern that will be required to justify the rate level at which these sales were made. In view of the facts alleged by Texas Oil, *supra*, we believe that the sales by Texas Oil should not be treated as small producer sales. It will therefore be necessary for Transwestern to support that portion of the rate which is in excess of the rate levels prescribed in Opinion No. 699–H.

The Commission further finds. Good cause exists for dismissing the following producers from the instant proceedings as parties respondent: Commanche Oil and Gas Corporation, Randall B. Johnson, and Texas Oil and Gas Corporation.

The Commission orders. (A) Commanche Oil and Gas Corporation, Randall B. Johnson and Texas Oil and Gas Corporation are hereby dismissed as parties respondent in the instant proceeding.

(B) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–698 Filed 1–8–76;8:45 am]

[1] With respect to those increased purchased gas costs associated with small producer purchases at or below the rate levels prescribed in Opinion No. 742 and 60-day emergency purchases from other than small producers at or below the rate levels prescribed in Opinion No. 699–H, we permitted Transwestern to file revised tariff sheets to become effective October 1, 1975. (Mimeo, p. 6, Ordering Paragraph (G).) On October 15, 1975 Transwestern tendered for filing revised tariff sheets which purported to comply with Ordering paragraph (G) of the September 30 order. That filing was noticed by the Commission on October 29, 1975. These sheets were accepted for filing and approved by the Commission in a letter order issued October 29, 1975 in Docket No. RP75–74.

[2] Unless otherwise indicated we will hereafter refer to Commanche and Johnson collectively as Commanche.

[3] See, e.g., Order issued September 30, 1975 in El Paso Natural Gas Company, Docket Nos. RP72–155, et al., Order issued October 31, 1975 in Transcontinental Gas Pipe Line Corporation, Docket Nos. RP75–3, et al., and Order issued November 28, 1975 in Natural Gas Pipeline Company of America, Docket Nos. RP71–125, et al.

[Docket Nos. RP72–133, (PGA76–1)]

UNITED GAS PIPE LINE CO.

Order Accepting for Filing and Suspending Proposed PGA Rate Increase, Establishing Hearing Procedures, and Instituting Investigation

DECEMBER 31, 1975.

On November 14, 1975, United Gas Pipe Line Company (United) tendered for filing a 0.33 cents per Mcf PGA rate increase [1] to reflect (1) increased purchased gas costs of 2.46 cents per Mcf or $21,378,246 per year and (2) a 2.13 cents per Mcf reduction in the surcharge to return overcharges of $8.3 million accumulated in the Unrecovered Purchased Gas Cost Account. United has requested an effective date of January 1, 1976.

Our review of United's PGA filing indicates that it is based in part on small producer and emergency purchases in excess of the rate levels prescribed in Opinion Nos. 742 and 699–H respectively. The proposed increase additionally includes costs associated with non-certificated purchases which are at issue in Docket No. RP74–83. Therefore, the proposed rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. Accordingly, we shall accept the tariff sheet for filing and suspend it for one day until January 2, 1976, when it shall become effective subject to refund.

With regard to the issue of small producer purchases, other than those small producer purchases made pursuant to the Commission's 60-day emergency sales regulation, we shall establish hearing procedures to determine the just and reasonable rate levels of those small producer purchases to be included in United's filing in excess of the rate levels resulting from use of the "130 percent formula" prescribed in Opinion No. 742.[2] In this connection, we believe it appropriate to make the small producers involved respondents so that they may present evidence to show that the rates charged by them to United are just and reasonable. Although the small producers are not required to make refunds, we believe it appropriate to institute a section 5 investigation against the small producers involved so that the just and reasonable small producer rate determination in this proceeding can be applied prospectively.

Within 15 days of the date of this order, United shall file a list of the small producers, other than small producers making 60-day emergency sales, reflected in the instant filing in excess of the "130 percent formula" rates in order that they may be made respondents to this proceeding.

Cost evidence relating to the small producer sales which are the subject of the hearing ordered herein can clearly provide the basis for "just and reasonable" rate findings. "F.P.C. v. Texaco, Inc." 417 U.S. 380 (1974). Accordingly, we shall require the small producer respondents to submit cost evidence in order that we may determine the justness and reasonableness of United's rates and make appropriate prospective adjustments, if found necessary, to the small producer rate pursuant to our authority under section 5 of the Natural Gas Act.

United should show that the rate paid by it to the small producer is just and reasonable by presenting evidence considering all relevant factors including inter alia, (1) the pipeline's need for gas, (2) the availability of other gas supplies, (3) the amount of gas dedicated under the contract, (4) the rates of other recent small producer sales previously approved for flow through and (5) comparison with appropriate market prices.[3]

Finally, the parties may submit any other evidence relevant to the Commission's determination of whether the rates paid by the pipeline with respect to the subject small producer sales are just and reasonable.

With regard to the 60-day emergency purchases the Commission noted in Opinion No. 699–B [4] that a pipeline would be entitled to include in its purchased gas costs a rate for such purchases "which a reasonably prudent pipeline purchaser would pay for gas under the same or similar circumstances." Accordingly, we believe it appropriate to establish hearing procedures to review the rate level for those 60-day emergency purchases included in the filing which are in excess of the rate levels prescribed in Opinion No. 699–H for purchases other than from small producers and in excess of the Opinion No. 742 rate for small producers' purchases.

Our review of such emergency purchases will consider all of the relevant factors of such purchases including, inter alia (1) the pipeline's need for gas, (2) the availability of other gas supplies, (3) the amount of gas dedicated to the purchase, (4) comparison of the price with appropriate market prices in the same or nearby areas, and (5) the relationship between the purchaser and the seller. If the need for such emergency purchases is established and the conditions of the purchase are prudent, the pipeline company will have no refund obligations associated with that purchase.

Our review of United's filing indicates that the claimed increased purchased gas costs include costs anticipated to be incurred by United from non-certificated producers prior to December 31, 1975. In the event United does incur these anticipated increases it will be required to file a downward revision in its PGA rate to eliminate the effect of these anticipated but unincurred purchased gas cost increases.

Our review of United's filing additionally indicates that it is based in part on incurred costs associated with purchases from non-certificated producers. Since the issue of which of these costs United should be permitted to recoup from its jurisdictional ratepayers will be before this Commission in Docket No. RP74–83 the inclusion by United of these costs in its present filing will be subject to refund pending final disposition of that issue in that proceeding.

Our review of United's filing indicates that it complies with the standards set forth in Docket No. R–406 and should be approved with the following exceptions which warrant suspension and further investigation: (a) those claimed increased costs associated with the portion of small produced purchases in excess of the rate levels prescribed in the "130 percent formula" in Opinion No. 742, (b) that portion of the 60-day emergency purchases from other than small producers in excess of the rate levels prescribed in Opinion No. 699–H, and (c) those purchases from non-certificated producers. Accordingly, we shall permit

[1] Twenty-eighth Revised Sheet No. 4 to FPC Gas Tariff, First Revised Volume No. 1.

[2] —— FPC —— issued August 28, 1975, in Docket No. R–393.

[3] Opinion No. 742 (mimeo, p. 13, paragraph (1)).

[4] —— FPC —— issued September 9, 1975, in Docket No. R–389–B.

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United to file a revised tariff sheet to become effective January 1, 1976 to reflect the elimination of these costs which have not been found to be just and reasonable and to reflect only those costs which we find to be in conformance with the standards set forth in Docket No. R–406.

The Commission finds. (1) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that hearing procedures be established, as hereinafter ordered and conditioned, and that United's tariff sheet tendered in this docket on November 14, 1975, be accepted for filing and permitted to become effective January 2, 1976 subject to refund.

(2) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that United be permitted to file, to become effective January 1, 1976, a revised tariff sheet reflecting the elimination of purchased gas costs associated with that portion of small producer and emergency purchases in excess of the rate levels established in Opinion Nos. 742 and 699–H, as appropriate and elimination of costs associated with non-certificated producers.

(3) United should be required to file a revised tariff sheet reflecting a downward adjustment in its PGA increase in the event its anticipated purchased gas costs expenses are not incurred by January 1, 1976.

(4) The claimed increased costs, other than those associated with that portion of small producer and emergency purchases in excess of the rate levels established in Opinion No. 742 and Opinion 699–H as appropriate, and the costs associated with purchases from non-certificated producers have been reviewed and found to be in compliance with the standards set forth in Docket No. R–406.

The Commission orders. (A) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at an initial conference in this proceeding on February 26, 1976, at 10:00 a.m., in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates for this proceeding and to rule upon all motions (except petitions to intervene), subject to review by the Commission.

(B) Within 15 days of the date of this order, United shall file with the Commission a list, including addresses, of the small producers other than small producers under emergency purchase sales, from whom it purchased at rates in excess of the rate level provided for by Opinion No. 742. Following receipt of this list, we shall make those small producers parties respondents to this investigation for the purposes discussed in the body of this order.

(C) Pursuant to section 5 of the Natural Gas Act, we hereby institute an investigation into the just and reasonable rates to be charged by the small producers making sales, other than emergency sales, to United in excess of the rates resulting from the "130 percent formula" prescribed in Opinion No. 742 and consolidate this investigation with the proceeding ordered in Ordering Paragraph (A) above for purposes of hearing and decision. These consolidated hearings will be docketed as RP72–133 (PGA76–1).

(D) The inclusion of costs in the instant filing associated with purchases from uncertificated producers shall be subject to the disposition in Docket No. RP74–83.

(E) United's proposed tariff sheet tendered on November 14, 1975, is hereby accepted for filing and suspended for one day, until January 2, 1976, when it shall become effective, subject to refund.

(F) Within 15 days of the date of issuance of this order, United may file a revised tariff sheet to become effective January 1, 1976, which reflects those claimed increased purchased gas costs contained in United's PGA adjustment other than those claimed increased costs associated with that portion of small producer purchases in excess of the rate levels resulting from the "130 percent formula" prescribed by Opinion 742 and that portion of the 60-day emergency purchases from producers other than small producers in excess of the rate levels prescribed in Opinion 699–H and other than those costs which are associated with purchases from non-certificated producers.

(G) The Secretary shall cause prompt publication of this order to be issued in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–690 Filed 1–8–76;8:45 am]

[Docket No. CP76–188]

UNITED GAS PIPE LINE CO.

Notice of Application

DECEMBER 29, 1975.

Take notice that on December 5, 1975, United Gas Pipe Line Company (Applicant), 1500 Southwest Tower, Houston, Texas 77002, filed in Docket No. CP76–188 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction of a farm tap for the rendition of service to Laura G. Self (Self), a right-of-way grantor, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that on June 8, 1973, Applicant obtained a right-of-way and easement from Self for Applicant's Clarence-to-Bistineau 24-inch pipeline, and in partial consideration therefor Louisiana Gas Service Company (Louisiana Gas) agreed to construct a farm tap and deliver natural gas to Self.

Applicant proposes to construct a 1-inch farm tap for Self as an additional delivery point in Natchitoches Parish, Louisiana, at a total estimated cost of approximately $500. Deliveries of approximately 80 Mcf of gas annually to Self would be made by Louisiana Gas, and Applicant states that the proposed service can be provided by Louisiana Gas out of its authorized seasonal volumetric limitation of gas purchased from Applicant.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 21, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10).

All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–705 Filed 1–8–76;8:45 am]

[Docket No. RP76–41]

VALLEY GAS TRANSMISSION, INC.

Order Accepting Proposed Alternate Tariff Sheets for Filing, Suspending Use Thereof, Providing for Hearing, Granting Intervention and Establishing Procedures

DECEMBER 31, 1975.

On November 21, 1975, Valley Gas Transmission, Inc. (Valley) tendered for filing certain tariff sheets[1] to its FPC Gas Tariff, Original Volume No. 1, which provide for a cost of service tariff for the gathering service Valley renders for Tennessee Gas Pipeline Company, United Gas Pipe Line Company and National Fuel Gas Supply Corporation. The proposed effective date for the cost of service tariff is January 1, 1976. Valley also filed an alternate Sixth Revised Sheet No. 2A which contains a fixed rate per Mcf for the gathering charge. Valley requests that the Commission accept this sheet on an interim basis if the Commission deems it necessary to suspend the tariff sheets providing for a cost of service tariff.

Public notice of Valley's filing was issued on December 4, 1975, with comments, protests and petitions to intervene due on or before December 17, 1975. A timely petition to intervene was filed by National Fuel Gas Supply Corporation (NFG). In its petition NFG alleges that the proposed cost of service tariff is inappropriate and that the proposed alternate fixed gathering charge may be unjust and unreasonable. NFG therefore requests the Commission to institute a hearing on these proposed changes. A notice of intervention was also filed in this docket by the Public Service Commission of the State of New York (PSCNY). PSCNY requests us to suspend Valley's filing for at least one day and to order that a hearing be held to determine the justness and reasonableness of the proposed changes.

We shall grant NFG's petition to intervene. No action is necessary in connection with PSCNY's notice of intervention inasmuch as under § 1.8 of our rules and regulations, 18 CFR 1.8, a state commission may, as a matter of right, intervene in a proceeding by filing a notice.

Under the provisions of the proposed cost of service tariff Valley would be able to automatically adjust its rates on the basis of a cost of service formula. Section 2.1 of the proposed tariff provides that Valley's monthly cost of service shall equal the sum of the following amounts:

(1) Operating expenses;
(2) One-twelfth of the annual depreciation expense;
(3) Tax accruals;
(4) One-twelfth of the rate of return, and
(5) Credits as applicable.

The calculated monthly cost of service is to be allocated among Valley's buyers on a volumetric basis. The depreciation rate used in the proposed tariff is 6.78 percent. The proposed rate of return is 10.435 percent.

In support of its proposed cost of service tariff, Valley states that, aside from its purchased gas costs, its total cost of service is less than $800,000; that it is a true gatherer and not a long-haul pipeline; that most of its presently connected production areas are old, largely depleted fields whose production is marginal; and that a small decline in average day sales would reduce its net income to zero.

Section 154.38(d)(3) of our regulations, 18 CFR 154.38(d)(3), prohibits jurisdictional natural gas companies such as Valley from including in their rate schedules any rules, regulations, exceptions or conditions which purport to effect the modification or change of any rate or charge specified in the rate schedule. This prohibition applies to Valley's proposed cost of service tariff provisions. The first proviso of § 154.38(d)(3) does, however, provide for exception to this general prohibition for those natural gas companies who apply under § 154.52 of our regulations, 18 CFR 154.52, for authorization to sell gas "at charges computed on a cost-formula basis" and who show good cause for permitting such provisions to be put into effect. While the Commission has approved cost of service tariffs for other pipeline companies,[2] these companies each provide service to only one other company which is under common ownership and which can be considered an extension of the customer company. In these situations, the cost of service tariff provides essentially an intercorporate bookkeeping device, as the rates of the customer company cannot be increased without regulatory approval. In the instant case, Valley could automatically increase its rates to Tennessee, United and National Fuel and such incerases could be flowed through these companies automatically under PGA clauses with no review of Valley's costs. Furthermore, Valley sells to these three pipelines companies with a specific reserve dedication to each. Consequently, there could be future problems regarding the allocation of costs if the decline in reserves dedicated to one company is not proportional to the decline in reserves dedicated to the other two companies. This consideration is absent from other approved cost of service tariffs.

In view of the restrictions placed by our regulations on rate schedule provisions, such as cost of service tariff provisions, which purport to effect modification or changes in rates and charges, and in further review of the potential problems associated with Valley's proposed cost of service tariff sheets, we have concluded that these sheets should be treated as *pro forma* tariff sheets and should, as such, be the subject of a hearing to determine their appropriateness. We will take no action upon these sheets until final resolution of the issues they raise. Moreover, any determination by this Commission with respect to the *pro forma* sheets will have prospective effect only.

As noted above, Valley also filed an Alternate Sixth Revised Sheet No. 2A which Valley requested be made effective in the event the Commission decided to suspend the cost of service tariff sheets. The rate proposed in this alternate tariff sheet is 11.36 cents per Mcf and is expected to yield an overall rate of return of 10.435 percent with a 13 percent return on equity. This return is based upon a capitalization of 48.9 percent debt and 51.1 percent equity.[4] In view of the fact that Valley experienced an operating loss of $99,397 for the twelve months ended July 31, 1975, we have concluded that Alternate Sixth Revised Sheet No. 2A should be accepted for filing.

However, our review of Valley's alternate tariff sheet indicates that it raises several issues which may require development in an evidentiary hearing. Moreover, the proposed increase in rates and charges has not been shown to be just and reasonable and may be unjust, unreasonable or otherwise unlawful. We shall therefore suspend the proposed alternate tariff sheet for one day and direct that a hearing be held on the justness and reasonableness of the rates proposed therein.

Evidence relevant to the issues raised by the instant filing should be submitted by all parties including the Commission Staff. Without limiting the rights of the parties, including the Commission Staff, in presenting such further evidence as they deem relevant and material we hereby direct that the parties and our Staff present evidence which considers in addition to the appropriateness of a cost of service tariff the following issues: (1) The proposed 13 percent return on equity; (2) the amount of interest used as an income tax deduction; and (3) whether federal income taxes should have been computed on a consolidated basis rather than at the statutory rate.

The Commission further finds. (1) It is necessary and proper in the public interest and to aid in the enforcement of the Natural Gas Act that the Commission treat Valley's proposed cost of tariff sheets as *pro forma* tariff sheets and that the Commission enter upon a hearing to determine their appropriateness.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of Valley's alternate tariff sheet, and that such sheet be accepted for filing, suspended and the use thereof deferred as hereinafter ordered.

(3) Good cause exists to permit the intervention of NFG.

The Commission orders. (A) The proposed cost of service tariff sheets shall be treated as pro forma tariff sheets and will be a subject for review in this proceeding. No action will be taken upon these sheets until final resolution of the issues raised by them. Any determination with respect to these *pro forma* sheets will have prospective effect only.

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[1] Sixth Revised Sheet No. 2A, First Revised Sheet No. 101, Original Sheet Nos. 183, 183 and 184.

[2] Valley presently has an effective PGA clause under which it automatically reflects changes in the cost of purchased gas. The proposed cost of service tariff would operate independently of the PGA provision.

[3] Columbia Gulf Transmission Corporation and Pacific Gas Transmission Corporation are companies with cost of service tariffs.

[4] Since Valley is a wholly owned subsidiary of Houston Natural Gas Company with no public debt outstanding, the above capitalization ratios are based upon Houston's capital structure.

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(B) Pending a hearing and decision thereon, Valley's alternate tariff sheet filed on November 21, 1975 is accepted for filing and suspended for one day until January 2, 1976, or until such time as it is made effective in the manner provided by the Natural Gas Act, subject to refund.

(C) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at an initial conference in this proceeding on January 22, 1976 at 9:30 a.m., e.s.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates for this proceeding and to rule upon all motions (except petitions to intervene, motions to consolidate and sever, and motions to dismiss, as provided for in the rules of practice and procedure).

(D) NFG is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission: *Provided, however*, that the participation of NFG shall be limited to matters affecting the rights and interests specifically set forth in its petition to intervene: *And provided, further*, That the admission of NFG as an intervenor shall not be construed as recognition that NFG might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(E) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to § 1.10 of the Commission's rules of practice and procedure.

(F) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-691 Filed 1-7-76;8:45 am]

[Docket No. CP75-235]

WEST TEXAS NATURAL GAS CO.

Redesignation

DECEMBER 29, 1975.

Notice is hereby given that the name of the holder of a section 1(c) exemption issued in Docket No. CP75-235 is changed from West Texas Natural Gas Company to Clajon Gas Company.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-706 Filed 1-8-76;8:45 am]

[Docket No. ER76-303]

WISCONSIN ELECTRIC POWER CO. AND WISCONSIN MICHIGAN POWER CO.

Order Accepting for Filing and Suspending Proposed Increased Rates and Establishing Initial Conference

DECEMBER 31, 1975.

On November 28, 1975, Wisconsin Electric Power Company and its wholly owned subsidiary, Wisconsin Michigan Power Company (jointly, "the Companies") tendered for filing proposed rate increases for their twenty wholesale customers.[1] The proposed rate schedules would result in a 22.64 percent rate increase of approximately $3,053,000 for the twelve month test period ending July 31, 1976. The Companies also tendered for filing a revised fuel adjustment clause designed to comply with § 35.14 of our regulations as amended by our Order No. 517, issued on November 13, 1974.

Public notice of the Companies' filing was issued on December 12, 1975, with comments, protests or petitions to intervene due on or before December 23, 1975. Any petitions received will be the subject of a subsequent order. The Companies request that the proposed rates be made effective as of January 1, 1976.

The present filing is based on the alleged joint costs for the applicants' integrated system. The Companies state that one purpose of the present filing is to adjust wholesale rates to account for purportedly increased power supply costs.

Additionally, the Companies allege a need to increase their rate of return and return on equity. The applicants state that on the basis of their Period II study and the capital structure of the Companies as of the end of Period II, the present rates yield an overall rate of return of 5.67 percent and a return on common equity of 2.30 percent. According to the Companies, the proposed rate increases will result in an earned rate of return of 10.431 percent for the period ending July 31, 1976 with a 15.0 percent return on equity.

Another objective of the filing is, according to the Companies, to simplify their presently effective wholesale rate arrangements. The presently effective rates differ in design for service to large and small electric utilities, but the proposed rates are the same for all the affected customers. Principal changes in rate design are replacement of existing three block demand and energy charges with single, unblocked demand, energy and customer charges and addition of a 70 percent demand ratchet applicable to the eleven months preceding the billing month. The proposed monthly rates are a demand charge of $6.70/kW, an energy charge of .942¢/kWh and a customer charge of $250 for each point of delivery plus any fuel adjustment costs.

We have previously recognized the need of the electric industry as a whole to attract the capital necessary to provide adequate service to the consuming public,[2] and we have stated that a utility's need to increase its revenues so as to be able to satisfy its capital requirements may be a sufficient justification for a rate increase.[3] Our review of the Companies' filing indicates, however, that the proposed rate increase has not been shown to be just and reasonable and that it may be unjust, unreasonable, unduly discriminatory, preferential or otherwise unlawful.

Accordingly, pursuant to authority vested in us by Section 205 of the Federal Power Act, we shall accept the Companies' submittal for filing, but we shall suspend the use thereof for two months until March 1, 1976, at which time the rates will be permitted to become effective, subject to refund. In addition, we shall provide for the establishment of hearing procedures to determine the justness and reasonableness of the Companies' filing.

Evidence relevant to the issues raised by the instant filing should be submitted by all parties, including our Staff. Without limiting the rights of the parties, including Staff, in presenting such further evidence as they deem relevant and material, we hereby direct that the parties and Staff present evidence addressed in the following issues:

(1) The rate of return and return on common equity to be earned by the Companies from the proposed rates and charges;

(2) The functionalization of general plant, common plant, and administrative and general expenses on functional plant ratios and allocated operation and maintenance expenses and

(3) The inclusion of deferred income taxes resulting from liberalized depreciation in depreciation expenses.

We believe that the fuel adjustment clause included in the proposed rate satisfies the requirements set forth in Order No. 517.

The Commission finds. It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the increased rates, charges and conditions of service as proposed by the Companies in Docket No. ER76-303 and that such increase be accepted for filing and suspended as hereinafter ordered.

The Commission orders. (A) Pending a hearing and final decision thereon, the Companies' proposed changes in their rates, charges and conditions of service as filed on November 28, 1975, are accepted for filing and suspended for two months and the use deferred until March 1, 1976, when the proposed rate schedules shall become effective, subject to refund.

(B) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge (See Delegation of Authority, 18 CFR 3.5(d)) shall preside at an initial conference in this proceeding at 10 a.m., February 4, 1976, at the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates for this proceeding and to rule upon all motions (except petitions to intervene), subject to review by the Commission.

(C) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to § 1.18 of the Commission's rules of practice and procedure.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

APPENDIX A

WISCONSIN ELECTRIC POWER COMPANY

Rate Schedule Designations

Instrument: Revised Schedule A

Designations	Customer
Supp. No. 5 to Rate Schedule FPC No. 15 (supersedes supp. No. 4 to rate schedule FPC No. 15).	City of Cedarburg, Wis.
Supp. No. 5 to Rate Schedule FPC No. 16 (supersedes supp. No. 4 to rate schedule FPC No. 16).	Village of Deerfield, Wis. (Deerfield Water & Electric Utility).
Supp. No. 5 to Rate Schedule FPC No. 17 (supersedes supp. No. 4 to rate schedule FPC No. 17).	City of Elkhorn, Wis. (Elkhorn Light and Water Commission).
Supp. No. 5 to Rate Schedule FPC No. 18 (supersedes supp. No. 4 to rate schedule FPC No. 18).	City of Hartford, Wis.
Supp. No. 5 to Rate Schedule FPC No. 19 (supersedes supp. No. 4 to rate schedule FPC No. 19).	City of Jefferson, Wis. (Jefferson Water and Electric Department).
Supp. No. 5 to Rate Schedule FPC No. 20 (supersedes supp. No. 4 to rate schedule FPC No. 20).	City of Lake Mills, Wis. (Lake Mills Light and Water Department).
Supp. No. 5 to Rate Schedule FPC No. 21 (supersedes supp. No. 4 to rate schedule FPC No. 21).	City of Oconomowoc, Wis.
Supp. No. 5 to Rate Schedule FPC No. 22 (Supersedes Supp. No. 4 Rate Schedule FPC No. 22).	Village of Slinger, Wis. (Slinger Utilities).
Supp. No. 5 to Rate Schedule FPC No. 23 (Supersedes Supp. No. 4 to Rate Schedule FPC No. 23).	City of Waterloo, Wis. (Waterloo Water and Light Commission).
Supp. No. 5 to Rate Schedule FPC No. 24 (Supersedes Supp. No. 4 to Rate Schedule FPC No. 24).	City of Kiel, Wis. (Kiel Utilities).

WISCONSIN MICHIGAN POWER COMPANY

Rate Schedule Designations

Supp. No. 11 to Rate Schedule FPC No. 24 (Supersedes Supp. No. 10 to Rate Schedule FPC No. 24).	City of Clintonville (Clintonville Water & Electric Utility).

[1] Wholesale Customers of Wisconsin Electric and Wisconsin Michigan and designations of the proposed rate schedules are shown in Appendix A.

[2] See, e.g., Delmarva Power and Light Company, Docket No. ER76-151, order issued October 31, 1975, mimeo ed., p. 3.

[3] Ibid, See also, Nevada Power Company, Docket No. ER76-40, issued October 15, 1975, mimeo ed., p. 2.

Designations	Customer
Supp. No. 8 to Rate Schedule FPC No. 36 (Supersedes Supp. No. 7 to Rate Schedule FPC No. 36).	City of Crystal Falls.
Supp. No. 6 to Rate Schedule FPC No. 38 (Supersedes Supp. No. 5 to Rate Schedule FPC No. 38).	Town of Florence (Florence Water and Light Commission).
Supp. No. 6 to Rate Schedule FPC No. 41 (Supersedes Supp. No. 5 to Rate Schedule FPC No. 41).	City of New London (New London Electric and Water Utility).
Supp. No. 9 to Rate Schedule FPC No. 39 (Supersedes Supp. No. 7 to Rate Schedule FPC No. 39).	City of Oconto Falls (Oconto Falls Water and Light Commission).
Supp. No. 7 to Rate Schedule FPC No. 33 (Supersedes Supp. No. 6 to Rate Schedule FPC No. 33).	City of Shawano.
Supp. No. 8 to Rate Schedule FPC No. 25 (Supersedes Supp. No. 7 to Rate Schedule FPC No. 25).	Upper Peninsula Power Company.
Supp. No. 3 to Rate Schedule FPC No. 51 (Supersedes Supp. No. 1 to Rate Schedule FPC No. 1).	Alger-Delta Cooperative Electric Association.
Supp. No. 2 to Rate Schedule FPC No. 52 (Supersedes Supp. No. 1 to Rate Schedule FPC No. 52).	Ontonagon County Rural Electrification Association.
Supp. No. 11 to Rate Schedule FPC No. 32 (Supersedes Supp. No. 10 to Rate Schedule FPC No. 32).	Oconto Electric Cooperative.

[FR Doc.76-692 Filed 1-8-76;8:45 am]

[Docket No. ER76-345]

WISCONSIN POWER AND LIGHT CO.

Notice of Filing of Amendment to Wholesale Power Contract

DECEMBER 30, 1975.

Take notice that on December 8, 1975 Wisconsin Power and Light Company (Company) tendered for filing an amendment to the contract between the Company and Dairyland Power Cooperative concerning transmission line maintenance power.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 13, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-724 Filed 1-8-76;8:45 am]

[Docket No. ER76-341]

WISCONSIN POWER AND LIGHT CO.

Filing Wholesale Power Agreement

DECEMBER 30, 1975.

Take notice that on December 8, 1975, Wisconsin Power and Light Company (WPL) tendered for filing a Wholesale Power Contract dated November 25, 1975, between the Village of Wonewoc and Wisconsin Power and Light Company. WPL states that this contract will supersede an existing contract for wholesale electric service dated November 21, 1962.

WPL requests a proposed effective date of February 2, 1976.

WPL states that a copy of the Wholesale Power Contract and the filing have been sent to the Village of Wonewoc.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 20, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-723 Filed 1-8-76;8:45 am]

[Docket No. ER76-331]

WISCONSIN POWER & LIGHT CO.

Order in Part Accepting for Filing and in Part Rejecting Without Prejudice Proposed Rate Increase, Providing for Hearing and Establishing Procedures

DECEMBER 31, 1975.

On December 4, 1975, Wisconsin Power & Light Company (WP&L) tendered for filing proposed rate changes for its 5 cooperative, 32 municipal and 2 private utility wholesale customers. The proposed rates would increase revenues by $3,123,047 (13.42%) based on the 12-month period ending December 31, 1976. WP&L requests that the proposed rates become effective on January 1, 1976, with respect to 33 of its customers[1] and upon expiration of existing fixed rate contracts with 6 of its customers.[2]

WP&L states that the proposed rate increase became necessary in light of its continually rising financial and operating costs. The subject filing also incorporates various changes in rate design to include (1) a revised method of computing "billed demand" purporting to more properly reflect the cost of power factor correction, (2) time-of-day pricing to

[1] See Appendix for list of customers and rate schedule designations.

[2] The six customers and their contract expiration dates are as follows:

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more closely track cost behavior and (3) a revised fuel adjustment clause designed to conform with Order No. 517 in Docket No. R–479.

Pioneer Power & Light Co.	Oct. 14, 1976
Cross Plains Electric Co.	Sept. 16, 1977
Stoughton	Feb. 13, 1977
Columbus	June 26, 1976
Princeton	Oct. 21, 1977
Shullsburg	July 30, 1978

Public notice of WP&L's filing was issued on December 17, 1975, with protests or petitions to intervene due on or before December 29, 1975.

Our review indicates that the proposed rates filed by WP&L herein have not been shown to be just and reasonable and may by unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful. Therefore, we shall accept for filing the proposed rate changes as to the 33 customers listed in the attached Appendix, suspend the effectiveness of the proposed rates for two months and establish hearing procedures.

As to those 6 customers presently served under fixed rate contracts, we shall reject the proposed rate change as being premature, without prejudice to WP&L's right to timely file such rate changes upon expiration or cancellation of such existing contracts. Inasmuch as the rate changes at issue in this proceeding may be applied to those 6 customers at some future date, such customers should consider that their interests may be affected in this proceeding.

Evidence relevant to the issues raised by the subject filing should be submitted by all parties, including our Staff. Without limiting the rights of the parties, including Staff, to present such further evidence as they deem relevant and material, we hereby direct that the parties and Staff present evidence addressed to the following areas of potential dispute:

(1) The justness and reasonableness of the rate of return claimed by WP&L;

(2) The proposed inclusion of certain additional costs for unplanned outages in operation and maintenance expense;

(3) The proposed exclusion of certain deductions for capitalized items in the calculation of income taxes for Period II even though these items were included in the corresponding calculation for Period I; and

(4) The proposed time-of-day pricing scheme.

The Commission finds. (1) Good cause exists to accept for filing effective January 4, 1976, (30 days after filing) the proposed rate changes as designated in the attached Appendix below and to suspend the proposed rates for two months until March 4, 1976, when they shall become effective subject to refund.

(2) Good cause exists to reject the proposed rate changes as to those 6 customers listed in footnote 2.

(3) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Federal Power Act, that the Commission enter upon a hearing concerning the lawfulnes of the proposed rate changes.

The Commission orders. (A) Pursuant to the authority of the Federal Power Act, particularly sections 205 and 206 thereof, the Commission's rules of practice and procedure, and the Regulations under the Federal Power Act (18 CFR Ch. I), a public hearing shall be held concerning the justness and reasonableness of WP&L's proposed rate changes.

(B) Pending a hearing and a decision thereon, WP&L's proposed rate changes as designated in the attached Appendix below are hereby accepted for filing effective January 4, 1976, (30 days after filing) and suspended for two months, to become effective on March 4, 1976, subject to refund.

(C) The proposed rate changes as to those 6 customers listed in footnote 2 are hereby rejected without prejudice to WP&L's right to timely file such rate changes in conjunction with the proper termination or cancellation of the respective existing contracts.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5 (d)), shall preside at the hearing in this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure.

(E) The Presiding Administrative Law Judge shall preside at a prehearing conference in this proceeding to be held on February 5, 1976, at 9:30 a.m. at the offices of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish procedural dates for this proceeding and to rule upon all pending motions (except petitions to intervene).

(F) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to § 1.18 of the Commission's rules of practice and procedure.

(G) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

Rate schedule designations: Wisconsin Power and Light Co., undated. Filed: Dec. 4, 1975

Customer	Supplement No.	Rate schedule FPC No.	Supersedes supplement No.
Municipal customers—rate W-3:			
Village of Belmont	9	22	8
City of Evansville	9	29	8
Village of Footville	9	30	8
Village of Gresham	10	31	9
Village of Hustisford	8	71	7
City of Sun Prairie	8	73	7
City of Plymouth	7	75	6
Village of Muscoda	9	76	8
City of Boscobel	7	77	6
City of Cuba City	7	79	6
City of Waupun	7	82	6
City of Brodhead	7	83	6
Village of Sauk City	6	84	5
City of Juneau	6	86	5
Village of Benton	6	88	5
City of Reedsburg	6	89	5
Village of Hazel Green	5	91	4
Village of Mt. Horeb	6	92	5
Village of Black Earth	6	93	5
Village of Prairie de Sac	6	95	5
City of Wisconsin Dells	6	96	5
City of Sheboygan Fall	5	98	4
City of Lodi	5	101	4
Village of Pardeville	4	102	3
Village of Wonewoc	3	107	1
Village of Masomanie	3	108	1
Village of Waunakee	2	109	1
Village of New Glarus	6	39	5
Cooperative customers—rate W–2:			
Rock County Electric Cooperative Association	8	69	7
Adams-Marquette Electric Cooperative	8	85	6
Central Wisconsin Electric Cooperative	6	97	5
Columbus Rural Electric Cooperative	4	103	3
Waushara County Electric Cooperative, Inc	2	105	1

[FR Doc.76–693 Filed 1–8–76;8:45 am]

MARINE MAMMAL COMMISSION

MARINE MAMMAL COMMISSION AND COMMITTEE OF SCIENTIFIC ADVISORS ON MARINE MAMMALS

Meetings

Notice is hereby given that the Marine Mammal Commission and the Committee of Scientific Advisors on Marine Mammals will meet on February 19–21, 1976 in Seattle, Washington. Notice of the specific location, time, and agenda items of the meeting will be published in the near future.

The purpose of this notice is to invite the suggestions of interested persons concerning issues and subjects to be considered at the meetings. Suggestions should be submitted, in writing, to the Marine Mammal Commisison, 1625 Eye Street NW., Washington, D.C. 20006, by February 1, 1976.

Dated: January 5, 1976.

JOHN R. TWISS, Jr., *Executive Director.*

[FR Doc.76–597 Filed 1–8–76;8:45 am]

NUCLEAR REGULATORY COMMISSION

CLEVELAND ELECTRIC ILLUMINATING CO. AND PERRY NUCLEAR POWER PLANT, UNITS 1 AND 2

[Docket Nos. 50–440, 50–441]

Issuance of Limited Work Authorization

Pursuant to the provisions of 10 CFR 50.10(e) of the Nuclear Regulatory Commission's (Commission) regulations, the Commission has authorized the Cleveland Electric Illuminating Company to conduct certain site activities in connection with the Perry Nuclear Power Plant, Units 1 and 2.

The activities that are authorized are within the scope of those authorized by 10 CFR 50.10(e)(3) and include preparation of excavations for foundation construction, installation of underdrain system manholes, and construction of safety class structures such as the reactor building, control building, auxiliary building, fuel handling/intermediate building, radwaste building, diesel generator building, steam tunnel building, off-gas buildings, and emergency service water pumphouse.

Any activities undertaken pursuant to this authorization are entirely at the risk of the Cleveland Electric Illuminating Company and the grant of the authorization has no bearing on the issuance of a construction permit with respect to the requirements of the Atomic Energy Act of 1954, as amended, and rules, regulations, or orders promulgated pursuant thereto.

A Supplemental Partial Initial Decision on radiological health and safety considerations was issued by the Atomic Safety and Licensing Board in the above captioned proceeding on December 31, 1975. Authorization was given by the Commission to Cleveland Electric Illuminating Company on October 21, 1974, to proceed with certain non-safety related site activities within the scope of 10 CFR 50.10(e)(1).

A copy of (1) the Supplemental Partial Initial Decision; (2) the Partial Initial Decision; (3) the applicant's Preliminary Safety Analysis Report and amendments thereto; (4) the applicant's Environmental Report, and amendments thereto; (5) the staff's Final Environmental Statement dated April 1974; and (6) the Commission's letters of authorization, dated October 21, 1974 and December 31, 1975, are available for public inspection at the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. and the Perry Public Library 3753 Main Street, Perry, Ohio.

Dated at Rockville, Md., this 31st day of December 1975.

For the Nuclear Regulatory Commission.

JAN A. NORRIS, *Acting Chief, Environmental Projects Branch No. 4, Division of Reactor Licensing.*

[FR Doc.76–565 Filed 1–8–76;8:45 am]

[Docket No. 50–80]

COLORADO STATE UNIVERSITY RESEARCH REACTOR

Negative Declaration Regarding Facility Operating License R–26

The U.S. Nuclear Regulatory Commission (the Commission) has considered the order authorizing dismantling of facility for the Colorado State University (CSU) AGN 201 Training Reactor operated under Facility Operating License R–26. The order authorizes CSU to disassemble the reactor which operates at power levels up to 0.1 watts (thermal).

The U.S. Nuclear Regulatory Commission, Division of Reactor Licensing, has prepared an environmental impact appraisal for this research reactor. On the basis of this appraisal, we have concluded that an environmental impact statement for this particular action is not warranted because there will be no significant environmental impact attributable to the proposed action. The environmental impact appraisal is available for public inspection at the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C.

Dated at Bethesda, Md., this 31st day of December 1975.

For the Nuclear Regulatory Commission.

WM. H. REGAN, Jr., *Chief, Environmental Projects Branch No. 4, Division of Reactor Licensing.*

[FR Doc.76–569 Filed 1–8–76;8:45 am]

[Docket No. 50–247; OL No. DPR–26]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC., (INDIAN POINT STATION, UNIT NO. 2)

Hearing Respecting Proposed Amendment to Operating License Regarding Determination of Preferred Alternative Closed-Cycle Cooling System

Pursuant to the Atomic Energy Act of 1954, as amended, the National Environmental Policy Act of 1969 (NEPA), the rules and regulations of the Nuclear Regulatory Commisison, particularly 10 CFR Part 50, Licensing of Production and Utilization Facilities, and Part 2, Rules of Practice, Notice is hereby given that a hearing will be held concerning the Indian Point No. 2 nuclear power facility licensed to be operated by Consolidated Edison Company of New York, Inc. (Licensee). The hearing will convene to consider a proposed amendment requested by the Licensee that the Commission approve the Licensee's determination that a closed cycle natural draft, wet cooling tower system is the preferred alternative cooling system for installation at the Indian Point Unit No. 2 facility.

The amendment requested by the Licensee was filed at the time of the submittal by Licensee of the report entitled "Economic and Environmental Impacts of Alternative Closed-Cycle Cooling Systems for Indian Point Unit No. 2," dated December 1, 1974, which report was submitted in compliance with Paragraph 2.E.(2) of Facility Operating License No. DPR–26.

The hearing respecting this proposed amendment will be held at a time and place to be designated by a later Order by the Atomic Safety and Licensing Board (Board) named herein. The Board designated by the Acting Chairman of the Atomic Safety and Licensing Board Panel will consist of R. Beecher Briggs, Dr. Franklin C. Daiber, and Samuel W. Jensch, Esq., Chairman.

A Notice of Proposed Issuance of Amendment to Facility Operating License and Opportunity for Hearing for Indian Point Nuclear Generating Unit 2 was published in the FEDERAL REGISTER on July 23, 1975 (40 FR 30,882). That notice provided opportunity for public participation. In accordance with the rules of practice of the Commission and thereafter petitions to intervene were filed by Hudson River Fishermen's Association (HRFA) and the New York State Atomic Energy Council (Council). These petitions were granted and HRFA and the Council are parties to the proceeding. The State of New York will participate in accordance with 10 CFR 2.715(c) and HRFA is a party pursuant to 10 CFR 2.714.

A prehearing conference or conferences will be held by the Board, at a date and place to be set by it, to consider pertinent matters in accordance with the Commission's rules of practice. The date and place of the hearing will be set by the Board at or after the prehearing conference. Notices as to the dates and places of the prehearing conference and the hearing will be published in the FEDERAL REGISTER. The specific issues to be considered at the hearing will be determined by the Board.

For further details pertinent to the matters under consideration, see the licensee's application for Amendment to Facility Operating License No. DPR–26, the notice of availability of which was published in the FEDERAL REGISTER on March 3, 1974 (40 FR 8855).

After the above identified report on Economic and Environmental Impacts has been analyzed by the Commission's Director of Nuclear Reactor Regulation or his designee, a draft environmental statement on closed-cycle cooling systems will be prepared. Upon preparation of the draft environmental statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft environmental statement, with a request for comments from interested persons on the draft environmental statement. The summary notice will also contain a statement to the effect that comments from Federal agencies and State and local officials will be made available when received. Upon consideration of comments submitted with respect to the draft environmental statement, the staff will prepare a final environmental statement, the availability of which will be published in the FEDERAL REGISTER.

The Commission will consider the issuance of an amendment to the facility

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operating license to the Consolidated Edison Company for operation of Indian Point Unit No. 2 in accordance with the provisions of the license, as amended, and the technical specifications appended thereto, upon: (1) Completion of a favorable safety evaluation on the request by the Office of Nuclear Reactor Regulation; (2) completion of the environmental review required by the Commission's regulations in 10 CFR Part 51; (3) a finding by the Commission that the request for license amendment complies with the requirements of the Atomic Energy of 1954, as amended (the Act), and the Commission's regulations in 10 CFR Ch. I and that the license amendment will not be inimical to the common defense and security or to the health and safety of the public.

For additional details, see the licensee's report and request for amendment to the facility operating license dated December 1, 1974 which are available for public inspection in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. 20555 and in the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, New York. This report is also available at the New York State Office of Planning Services, 488 Broadway, Albany, New York 12207, and the Tri-State Regional Planning Commission, 100 Church Street, New York, New York 10006. As they become available, the following documents may be inspected at the above locations: (1) The safety evaluation report; (2) the draft environmental statement; (3) the final environmental statement; (4) the proposed facility operating license amendment.

Copies of the draft environmental statement and the facility operating license amendment, when available, may be obtained by request to the Director, Division of Reactor Licensing, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Copies of the Office of Nuclear Reactor Regulations' safety evaluation and final environmental statement, when available, may be obtained from the National Technical Information Service, Springfield, Virginia 22161.

Any person who wishes to make an oral or written statement in this proceeding but who has not filed a petition for leave to intervene may request permission to make a limited appearance pursuant to the provisions of 10 CFR 2.715 of the Commission's rules of practice. Limited appearances will be permitted at the time of the hearing in the discretion of the Board, within such limits and on such conditions as may be determined by it. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D.C. 20555, on or before February 9, 1976. A person permitted to make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of the hearing as specified above. A member of the public does not have the right to participate unless he has been granted the right to intervene as a party or the right of limited appearance.

An answer to this notice, pursuant to the provisions of 10 CFR 2.705 of the Commission's rules of practice, must be filed by the parties to this proceeding (other than the Regulatory Staff) on or before January 29, 1976. The parties are encouraged to confer and to stipulate if possible respecting the contentions and interests asserted.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D.C. 20555, ATTENTION: Docketing and Service Section, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. Pending further order of the Board, parties are required to file, pursuant to the provisions of 10 CFR Section 2.708, an original and twenty (20) conformed copies of each such paper with the Commission.

Wherefore, it is ordered, In accordance with the Atomic Energy Act, as amended, and the rules of practice of the Nuclear Regulatory Commission, that this Notice of Hearing be published in the FEDERAL REGISTER, also be given general public distribution and that further Orders will be issued for prehearing conference or conferences and evidentiary hearing and likewise published in the FEDERAL REGISTER.

Dated at Bethesda, Md., December 31, 1975.

The Atomic Safety and Licensing Board, designated to rule on petitions for leave to intervene.

SAMUEL W. JENSCH,
Chairman.

[FR Doc.76-570 Filed 1-8-76;8:45 am]

[Docket No. 50-315]

DONALD C. COOK NUCLEAR PLANT, UNIT 1, INDIANA AND MICHIGAN ELECTRIC CO. AND INDIANA AND MICHIGAN POWER CO.

Issuance of Facility License Amendment

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 9 to Facility Operating Licensing No. DPR-58, issued to Indiana and Michigan Electric Company and Indiana and Michigan Power Company, which revised Technical Specifications for operation of Donald C. Cook Nuclear Plant Unit No. 1, located in Berrien County, Michigan. The amendment is effective as of its date of issuance.

This amendment permits the licensee to institute a plan for monitoring the Essential Service Water System so that no release of radioactivity will occur through this system.

The application of the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Staff has evaluated the potential environmental impact of operating the plant in accordance with this amendment and has concluded that there will be no change in effluent types or total amounts nor an increase in power level, and will not result in any significant environmental impact. Having made this determination, the Commission has further concluded, pursuant to 10 CFR 51.5(d)(4), that an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with the issuance of these amendments.

For further details with respect to this action, see (1) the application for amendment dated July 2, 1975, and (2) Amendment No. 9 to License No. DPR-58 with Change No. 9. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Maude Preston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085.

Dated at Bethesda, Md. this 2d day of January 1976.

For the Nuclear Regulatory Commission.

GEORGE W. KNIGHTON,
Chief, Environmental Projects Branch No. 1, Division of Site Safety and Environmental Analysis.

[FR Doc.76-563 Filed 1-8-76;8:45 am]

[Docket No. 50-536]

GENERAL ELECTRIC TECHNICAL SERVICES COMPANY, INC.

Issuance of Facility Export License

Please take notice that no request for a hearing or a petition for leave to intervene having been filed following publication of notice of proposed action in the FEDERAL REGISTER on May 28, 1975 (40 FR 23123) and the Nuclear Regulatory Commission having found that:

(a) The application filed by General Electric Technical Services Company, Inc. Docket No. 50-536 complies with the requirements of the Act, and the Commission's regulations set forth in Title 10, Chapter I, Code of Federal Regulations, and

(b) The reactor proposed to be exported is a utilization facility as defined in said Act and regulations,

the Commission has issued License No. XR-104 to General Electric Technical Services Company, Inc., authorizing the export of a boiling water reactor with a thermal power level of 3012 megawatts to Kernkraft Leibstadt, AG, Zurich, Switzerland.

The export of this reactor to Switzerland is within the purview of the present Agreement for Cooperation Between the Government of the United States of America and the Government of Switzerland Concerning Civil Uses of Atomic Energy.

Dated at Bethesda, Md., this 31st day of December 1975.

For the Nuclear Regulatory Commission.

G. WAYNE KERR,
Chief, Agreements and Exports Branch Division of Fuel Cycle and Material Safety.

[FR Doc.76-567 Filed 1-8-76;8:45 am]

[Docket No. 50-298]

NEBRASKA PUBLIC POWER DISTRICT

Issuance of Amendment to Facility License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 11 to Facility Operating License No. DPR-46, issued to the Nebraska Public Power District (the licensee), which revised Technical Specifications for operation of the Cooper Nuclear Station (the facility) located in Nemaha County, Nebraska. The amendment is effective as of its date of issuance.

The amendment authorizes the licensee to perform control rod drive maintenance activities while the suppression pool is drained and the facility is shutdown with irradiated fuel in the reactor vessel.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated August 28, 1975, (2) Amendment No. 19 to License No. DPR-46, with Change No. 14 and (3) the Commission's concurrently issued Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Auburn Public Library, 1118-15th Street, Auburn, Nebraska 68305. A copy of items (2) and (3) may be obtained upon request addressed to the United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 30th day of December 1975.

For the Nuclear Regulatory Commission.

RICHARD D. SILVER,
Acting Chief, Operating Reactors Branch #2, Division of Reactor Licensing.

[FR Doc.76-568 Filed 1-8-76;8:45 am]

[Docket No. 50-333]

POWER AUTHORITY OF THE STATE OF NEW YORK AND NIAGARA MOHAWK POWER CORP.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 6 to Facility Operating License No. DPR-59 issued to the Power Authority of the State of New York and the Niagara Mohawk Power Corporation which revised Technical Specifications for operation of the James A. FitzPatrick Nuclear Power Plant, located in Oswego County, New York. The amendment is effective as of its date of issuance and will remain in effect until 12:00 midnight, January 18, 1976.

The amendment relates to an increase in the maximum ΔT across the main condenser during normal plant operation for 32.7° F to 34.5° F.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

In connection with issuance of this amendment, the Commission has issued a Negative Declaration and Environmental Impact Appraisal. The Negative Declaration was published in the FEDERAL REGISTER on December 4, 1975 (40 FR 56740).

For further details with respect to this action, see (1) the application for amendment dated November 12, 1975, as amended December 29, 1975, (2) Amendment No. 6 to License No. DPR-59, and (3) Amendment No. 5 to License No. DPR-59 issued November 25, 1975, with the Commission's related Negative Declaration and supporting Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Oswego City Library, 120 East Second Street, Oswego, New York.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Rockville, Md., this 31st day of December 1975.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Operating Reactors.

[FR Doc.76-566 Filed 1-8-76;8:45 am]

[Docket No. 50-333]

POWER AUTHORITY OF THE STATE OF NEW YORK AND NIAGARA MOHAWK POWER CORP.

Proposed Issuance of Amendment to Facility Operating License

The Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-59 issued to Power Authority of the State of New York and Niagara Mohawk Power Corporation (the co-licensees), for operation of the James A. FitzPatrick Nuclear Power Plant located in Oswego County, New York.

The amendment would revise the provisions in the Technical Specifications relating to use of the General Electric Thermal Analysis Basis (GETAB) for future reactor operation.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations.

By February 9, 1976, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Arvin E. Upton, Esq., LeBoeuf, Lamb, Leiby & MacRae, 1757 N Street, NW., Washington, D.C. 20036, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit

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which identifies the specific aspect or aspects of the processing as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission, or by a licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the letter from G. T. Berry to John F. Stolz dated October 16, 1974, and the letter, "Void Reactivity Coefficients," from G. T. Berry to Robert A. Purple dated August 1, 1975, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Oswego City Library, 120 E. Second Street, Oswego, New York 13126. The license amendment and Safety Evaluation, when issued, may be inspected at the above locations and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 30th day of December 1975.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Reactor Licensing.

[FR Doc.76-357 Filed 1-8-76;8:45 am]

[Docket No. 50-312]

SACRAMENTO MUNICIPAL UTILITY DISTRICT

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 2 to Facility Operating License No. DPR-54 issued to Sacramento Municipal Utility District which revised Technical Specifications for operation of the Rancho Seco Nuclear Generating Station, Unit 1, located in Sacramento County, California. The amendment becomes effective 30 days after the date of issuance.

The amendment revises the administrative control section of the Technical Specifications for the Rancho Seco Nuclear Generating Station, Unit 1.

The applications for the amendment comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the applications for amendment dated December 12, 1974 and October 3, 1975, (2) Amendment No. 2 to License No. DPR-54, with Change No. 2, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Business and Municipal Department, Sacramento City-County Library, 828 I Street, Sacramento, California.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 31st day of December 1975.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Reactor Licensing.

[FR Doc.76-564 Filed 1-8-76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[SR-Amex-75-5]

AMERICAN STOCK EXCHANGE, INC., ET AL.

Order Approving Proposed Rule Change

In the matter of American Stock Exchange, Inc., 86 Trinity Place, New York, New York 10006, (SR-Amex-75-5); Chicago Board Options Exchange, Incorporated, LaSalle at Jackson, Chicago, Illinois 60604, (SR-CBCE-75-5); PBW Stock Exchange, Inc., 17th Street and Stock Exchange Place, Philadelphia, Pennsylvania 19103, (SR-PBWSE-75-8).

The American Stock Exchange, Inc. ("Amex"), the Chicago Board Options Exchange, Incorporated ("CBOE"), and PBW Stock Exchange, Inc. ("PBW") have filed with the Commission, pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78(s)(b)(1), as amended by Pub. L. No. 94-29, section 16 (June 4, 1975) (the "Act"), and Rule 19b-4 thereunder, copies of proposed rule changes. Such proposals were submitted on October 30, 1975, November 4, 1975, and November 5, 1975, respectively. The PBW proposal was amended by a clarifying amendment submitted on November 18, 1975.

Each proposal is to modify the exercise price intervals which are established for options on securities trading between 100 and 200 so as to shorten such intervals from 20 points to 10 points. According to the respective submissions, as of the dates of such submissions there were four option classes traded on CBOE with underlying securities having per share market prices in excess of 100, two such option classes traded on Amex, and none traded on PBW. Although implementation of the proposals would expand the number of series of options on the affected underlying securities, Amex, CBOE and PBW have each expressed the view that such expansion will not adversely affect their respective operational capacities. CBOE has also stated that, as of December 15, 1975, there were one hundred eighty-four (184) securities eligible to be used as underlying securities for Exchange options trading (as such eligibility is determined under CBOE's Rules) which were not then being used as underlying securities for options traded on CBOE, Amex, or PBW, and that only one (1) of such available securities was trading at more than 100.

Notice of the Amex and CBOE proposed rule changes together with the terms of substance thereof was given by publication of a Commission Release (Securities Exchange Act Release No. 11836, November 17, 1975) and by publication in the FEDERAL REGISTER (40 FR 54312, November 21, 1975). Notice of the PBW proposed rule change together with the terms of substance thereof was given by publication of a Commission Release (Securities Exchange Act Release No. 11859, November 20, 1975) and by publication in the FEDERAL REGISTER (40 FR 54888, November 26, 1975).

The Commission finds that the proposed rule changes are consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of section 6 of the Act and the rules and regulations thereunder.

It is therefore ordered, Pursuant to section 19(b)(2) of the Act, that the aforementioned proposed rule changes filed with the Commission on October 30, 1975, November 4, 1975, and November 5, 1975, as thereafter amended, be, and they hereby are, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-569 Filed 1-8-76;8:45 am]

[SR-BSE-75-4]

BOSTON STOCK EXCHANGE

Order Approving Proposed Rule Change

On October 29, 1975, the Boston Stock Exchange ("BSE"), 53 State Street, Boston, Massachusetts 02109, filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the

Securities Acts Amendments of 1975, and Rule 19b-4 thereunder, copies of a proposed rule change. The proposed rule change would eliminate the required two-minute time delay prior to the execution of round-lot orders on the exchange, and redefine the term "next transaction occurring in the primary market" to mean the next transaction in the primary market as reported on the Consolidated Tape at the Boston Stock Exchange after the order is placed with a dealer for execution.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 11791 (November 5, 1975)) and by publication in the FEDERAL REGISTER (40 FR 52673 (November 11, 1975)).

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of section 6, and the rules and regulations thereunder.

It is therefore ordered, Pursuant to section 19(b)(2) of the Act, that the proposed rule change filed with the Commission on October 29, 1975, be, and it hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-590 Filed 1-8-76;8:45 am]

DEPARTMENT OF LABOR

Employment and Training Administration

EMPLOYMENT TRANSFER AND BUSINESS COMPETITION DETERMINATIONS

Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75, published January 29, 1975 (40 FR 4393). In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.
2. Employment trends in the same industry in the local area.
3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.
4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).
5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice to: Deputy Assistant Secretary for Employment and Training, 601 D St., NW, Washington, D.C. 20213.

Signed at Washington, D.C., this 5th day of January 1976.

BEN BURDETSKY,
Deputy Assistant Secretary for Employment and Training.

Applications received during the week ending Dec. 19, 1975

Name of applicant	Location of enterprise	Principal product or activity
Net House Restaurant and Campground	Pamlico County, N.C.	Campground, restaurant, and a marina.
Coast Lamp Manufacturing, Inc	Canton, N.C	Manufacturing and assembling of lamps.
Peabody Gallon Corp	Mount Vernon, and Winesburg, Ohio.	Manufacture and sale of dump bodies and hoists, power lift gates, farm hoists, and farm hoists cyclinders.
Galbraith Rock Products	Media, Ill	Production of road rock, chips, and agricultural limestone.
Tolibia Cheese, Inc	Fond du Lac, Oostburg, Wis.	Curing, storing, and packaging cheese.
Sugar Loaf Mountain Resort Corp	Cedar, Mich	Convention services, food, beverage, lodging, agricultural, recreation, and real estate.
The Brown Corp. of Ionia, Inc	Ionia, Mich	Metal stampings and metal assemblies to the industry.
Abendroth-Gamble-Ahonen, Inc. (tenant to township of Crystal Falls).	Iron County, Mich	Kiln drying and manufacturing hardwood flooring.
Migicilde, Inc. (tenant to tenant to township of Crystal Falls).	Crystal Falls, Mich	Manufacture of bi-fold closet doors; laminated desk and doors.
Richardson Farms	Skowhegan, Maine	Production of chicks and eggs.
Lenape Transportation Co., Inc	Lafayette, N.J	Transportation of various commodities.
Jo Lynn Associates	Buena, N.J	Hauling of general commodities.
Master Concrete Corp	Toa Baja, Puerto Rico.	Ready mix concrete.
James C. Robinson	Grantsville, W.Va	Lease of store facility.
P. & R. Rail Car Service Corp	Elkton, Md	Service all types of railroad cars.
Robert B. Hines doing business as Fairforest Landscape and Nursery.	Fairforest, S.C	Nursery stock and landscaping.
Pizza Inn of Wadesboro	Wadesboro, N.C	Food products—primarily pizza.
Berkeley Agricultural Sales Supply, Ltd	Jamestown, S.C	Mining rock and limestone.
Edelen-DuLaney Associates, Inc	Myrtle Beach, S.C	Campsite rentals.
Mississippi Stone Co., Inc	Iuka, Miss	Limestone.
Irathane Systems, Inc	Hibbing, Minn.	Manufacturing of polyurethane liquids and cast parts.
L. G. Van Winkle doing business as Van Winkle Roofing.	Roswell, N. Mex	To open a roofing and sheet metal business.
G. & G. Feed Co	Garrison, Tex	Retail feed sales.
John Fredinck Harold (Harold Nursing Home).	Olathe, Colo	Nursing beds.

[FR Doc.76-631 Filed 1-8-76;8:45 am]

FEDERAL COMMITTEE ON APPRENTICESHIP

Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 1) of October 6, 1972, notice is hereby given that the Federal Committee on Apprenticeship will conduct an open meeting on Thursday, January 22, from 9 a.m.-4:30 p.m.; Friday, January 23, 1976, from 9 a.m.-12:00 noon in the Ambassador Room, Shoreham Americana Hotel, Connecticut Avenue at Calvert St., N.W., Washington, D.C.

The Agenda for the meeting on the 22nd will include:

REPORTS OF FCA SUBCOMMITTEES

Goals of the FCA (Operating Research Priorities).

Federal-State Relations.

Trainees (Status of comments on 29 CFR 28)—Subcommittee Recommendations on Part 5 Trainee Programs.

The Agenda for the meeting on January 23, 1976 will include:

DISCUSSION WITH THE SECRETARY OF LABOR

Report of FCA Subcommittee on Occupational Safety and Health.

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Women in: Apprenticeship-Outreach Programs—and Nontraditional Occupations.

Agenda subject to change due to time constraints and priority items which may come before the Committee between the time of this publication and the scheduled date of the FCA meeting.

Members of the public are invited to attend the proceedings. Any member of the public who wishes to file written data, views or arguments pertaining to the agenda may do so by furnishing it to the Executive Secretary at any time prior to the meeting. Thirty duplicate copies are needed for the members and for inclusion in the minutes of the meeting.

Any member of the public who wishes to speak at this meeting should so indicate in such a written statement, also the nature of intended presentation and amount of time needed. The Chairman will announce at the beginning of the meeting the extent to which time will permit the granting of such requests.

Commications to the Executive Secretary should be addressed as follows:

Mrs. M. M. Winters, Bureau of Apprenticeship and Training, ETA, U.S. Dept. of Labor, 601 D St., N.W. (Rm. 5434), Washington, D.C. 20213.

Signed at Washington, D.C., this 8th day of January 1976.

WILLIAM H. KOLBERG,
Assistant Secretary for Employment and Training Administration.

[FR Doc.76-903 Filed 1-8-76;11:06 am]

Occupational Safety and Health Administration

NATIONAL ADVISORY COMMITTEE ON OCCUPATIONAL SAFETY AND HEALTH

Rescheduling of Subgroup Meeting

Notice is hereby given that the meeting of the Subgroup on Standards, National Advisory Committee on Occupational Safety and Health, formerly scheduled for January 16, 1976, has been changed to January 29, 1976. The meeting had been announced in the FEDERAL REGISTER on December 30, 1975, (40 FR 59799).

The subgroup will meet in Room S-4215 A, B, and C of the Department of Labor Building, 3rd Street and Constitution Avenue NW., Washington, D.C. 20210. The meeting will begin at 9 a.m. The public is invited to attend.

This group will discuss OSHA's continuing efforts to revise and modify safety and health standards adopted under section 6(a) of the Act. The subgroup also will examine the total standards development process. A representative from the National Institute for Occupational Safety and Health (NIOSH), the agency in the U.S. Department of Health, Education, and Welfare responsible for occupational safety and health research, will brief the subgroup on the Institute's activities in the standards development area.

Anyone wishing to submit written data or views concerning these agenda items should submit them along with 20 duplicate copies to the Committee's Executive Secretary one week prior to the meeting date. These documents will be presented to the subgroup and included in the official record of the meeting.

Although it is unlikely that at this time the subgroup will be able to schedule oral presentations from the public, the subgroup chairman will review all such requests. Anyone wishing to request an oral presentation should contact the Committee's Executive Secretary at least one week prior to the meeting. The request should state the amount of time desired, the capacity in which the person will appear, and a brief outline of the content of the presentation.

Please address all communications to the Executive Secretary as follows:

J. Goodell, Executive Secretary, National Advisory Committee on Occupational Safety and Health, Room N-3635, 3rd Street and Constitution Avenue NW., Washington, D.C. 20210.

Official transcripts of the meetings will be available for public inspection at OSHA's Technical Data Center, Room N-3620 at the above address.

Signed at Washington, D.C., this 5th day of January 1976.

J. GOODELL,
Executive Secretary.

[FR Doc.76-645 Filed 1-8-76;8:45 am]

Office of the Secretary

[TA-W-301]

BENJAMIN FLAX, INC., NEW YORK CITY, NEW YORK

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-301; investigation regarding certification of eligibility to apply for adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on November 4, 1975 in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suits at the New York City plant of Benjamin Flax.

The notice of investigation was published in the FEDERAL REGISTER on November 19, 1975 (40 FR 53641). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Benjamin Flax, the Department of Commerce, the International Trade Commission, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Without regard to whether any of the other criteria have been met, criterion (2) has not been met. The evidence developed in the Department's investigation reveals that sales at Benjamin Flax increased 53 percent in 1974 compared to 1973 and increased 87 percent in the first nine months of 1975 compared to the first nine months of 1974.

Production at Benjamin Flax increased 18 percent in 1974 compared to 1973 and increased 88 percent in the first nine months of 1975 compared to the first nine months of 1974. The increased sales and production resulted from the company's success with a new line of clothing.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that sales or production, or both, of men's suits produced by Benjamin Flax have not decreased absolutely as required by section 222 of the Trade Act of 1974.

Signed at Washington, D.C. this 31st day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-649 Filed 1-8-76;8:45 am]

[TA-W-212]

HART SCHAFFNER AND MARX CLOTHES, CHICAGO, ILLINOIS

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-212: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on October 2, 1975 in response to a worker petition received on October 2, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suits, sportcoats and overcoats at the five Chicago area plants of Hart Schaffner and Marx Clothes.

The notice of investigation was published in the FEDERAL REGISTER on October 15, 1975 (40 FR 48416). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Hart Schaffner and Marx Clothes, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a signficant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. The average number of production workers declined only 0.8 percent in the first three quarters of 1975 compared to the like period in 1974, but the average number of workers in September 1975 was 12.5 percent less than in September 1974. Average weekly hours declined 13.3 percent in the first three quarters of 1975 compared to the like period in 1974. Average number of salaried workers declined 81 or 23.3 percent between September 1974 and September 1975.

Sales or production, or both, have decreased absolutely. Production at the Chicago area plants declined 10.2 percent in the first three quarters of 1975 compared to the first three quarters of 1973. Production declined 12.0 percent in the first three quarters of 1975 compared to the first three quarters of 1974.

Increased imports contributed importantly. Imports of men's and boys' tailored suits increased their share of domestic consumption and production each year from 1970 to 1973. After declining slightly from 1973 to 1974, the ratio of imports to domestic production increased nearly three fold in the first seven months of 1975 compared to the first seven months of 1974. Many of Hart Schaffner and Marx customers contacted during the course of the investigation indicated that they purchased imports. One customer in particular imported goods of the same or better quality at different price levels and noted that sales of Hart Schaffner and Marx clothing had been seriously hurt by import competition.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with sportcoats, suits and overcoats produced at the Chicago area plants of Hart Schaffner and Marx Clothes contributed importantly to the total or partial separation of the workers of that plant. In accordance with the provisions of the Act, I make the following certification:

All hourly, piece work, and salaried workers engaged in employment related to the production of sportcoats, suits and overcoats at the Chicago area plants of Hart Schaffner and Marx Clothes who became totally or partially separated from employment on or after January 1, 1975 are eligible to apply for adjustment Assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 23d day of December 1975.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.

[FR Doc.76-648 Filed 1-8-76;8:45 am]

[TA-W-186]

MERIT CLOTHING CO., MARTIN, TENNESSEE

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-186; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on September 26, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of former workers producing men's tailored suits and sport coats at the Martin, Tennessee plant of Merit Clothing Company, Mayfield, Kentucky.

The notice of investigation was published in the FEDERAL REGISTER on October 7, 1975 (40 FR 46373). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Merit Clothing Company, its customers, the National Cotton Council of America, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. In the last quarter of 1974 the average number of production workers fell 5.3 percent from the previous quarter. The average number of production workers fell 37 percent in the first quarter of 1975 compared to the like period in 1974.

Sales or production, or both, have decreased absolutely. Total sales by Merit Clothing Company of men's suits, sport coats and slacks dropped nineteen percent in the first six months of 1975 from the first six months of 1974. Production at the Martin, Tennessee plant declined 13 percent from 1973 to 1974 and 29 percent in the first quarter of 1975 compared to the first quarter of 1974.

Increased imports contributed importantly. Imports of articles like or directly competitive with those produced at the Martin, Tennessee plant increased from 4.2 million units in 1972 to 4.8 million units in 1974.

The ratios of imports to domestic consumption and production increased from 14.6 percent and 17.1 percent, respectively in 1972 to 18.2 percent and 22.3 percent in 1974. In the first seven months of 1975, the ratio of imports to domestic production increased to 36.7 from 24.5 in the first seven months of 1974.

Customers reduced purchases from Merit Clothing in favor of lower priced imports. Reduced sales of men's sport coats led to rapidly declining production at the Martin, Tennessee plant in 1974 and the first quarter of 1975. In face of reduced sales and production, the company closed the manufacturing facility in March 1975 and terminated all production employees.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with sport coats produced at the Martin, Tennessee plant of Merit Clothing Company contributed importantly to the total or partial separation of the workers of that plant. In accordance with the provisions of the Act, I make the following certification:

All hourly, piecework, and salaried workers engaged in employment related to the production of sport coats at the Martin, Tennessee plant of Merit Clothing Company who became totally or partially separated from employment on or after January 1, 1975 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

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Signed at Washington, D.C. this 30th day of December 1975.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.

[FR Doc.76-646 Filed 1-8-76;8:45 am]

[TA-W-221]

MODEL COAT CO., VINELAND, NEW JERSEY

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-221; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on October 3, 1975 in response to a worker petition received on October 3, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suits and sportcoats at the Model Coat Company, Vineland, New Jersey.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 48418) on October 15, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Model Coat Company, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, the National Cotton Council of America, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. The average number of production workers declined 25 percent in 1974 compared to 1973. All production workers were terminated by stage in the sewing operation during October, 1974.

Sales or production, or both, have decreased absolutely. Sales at the Model Coat Company declined 21 percent by quantity in 1973 compared to 1972. Sales declined 39 percent by quantity in the first ten months of 1974 compared to the first ten months of 1973.

Increased imports contributed importantly. Imports of men's and boys' suits have increased relative to domestic consumption and production each year from 1971 to 1973. While imports fell slightly in 1974 compared to 1973, the ratios of imports to domestic production and consumption in 1974 of 9.9 percent and 9.0 percent respectively were above the 1971 through 1973 average of 8.6 percent and 7.8 percent respectively. In the first 7 months of 1975 imports increased sharply and the ratio of imports to domestic production increased from 7.7 percent in the first 7 months of 1974 to 22.1 percent in the first 7 months of 1975.

Imports of men's and boys' sportcoats increased their share of the domestic market each year from 1972 to 1974. The ratio of imports to domestic production and consumption increased from 17.1 and 14.6 percent, respectively, in 1972 to 22.3 percent and 18.2 percent respectively in 1974. In the first 7 months of 1975, the ratio of imports to domestic production increased to 36.7 percent from 24.5 percent in the first 7 months of 1974.

The evidence developed during the Department's investigation indicates that Model Coat Company was the captive contractor sewing the complete garment—men's suit coats or sportcoats—for one apparel manufacturer. Reduced orders for Model Coat's output resulted from decreasing retail sales of men's suits and sportcoats produced by the manufacturer. Imported suits and sportcoats of comparable quality to these produced by the manufacturers were available to retail customers at prices below those of domestically produced apparel. The recessionary problems in recent years in the United States caused retail consumers to become more price conscious. The severe impact of import competition resulted in cessation of operations by the manufacturer and caused the closure of Model Coat Company.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suit coats and sportcoats produced at the Model Coat Company contributed importantly to the total or partial separations of the workers at such plant. In accordance with the provisions of the Act, I make the following certification:

All hourly, piecework, and salaried workers engaged in employment related to the production of men's suit coats and sportcoats at the Model Coat Company, Vineland, New Jersey who became totally or partially separated from employment on or after October 3, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 30th day of December 1975.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.

[FR Doc.76-647 Filed 1-8-76;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 946]

ASSIGNMENT OF HEARINGS

JANUARY 6, 1976.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC-F-12563, Cargo Contract Carrier Corp.—Purchase—(Portion), Bunner Trucking, Inc., now being assigned February 23, 1976, at the offices of the Interstate Commerce Commission, Washington, D.C.

MC-140829 Sub 2, Cargo Contract Carrier Corp., now being assigned February 23, 1976, at the Office of the Interstate Commerce Commission, Washington, D.C.

MC-F-12565 Bleveld Chicago Furniture Service, Inc.—Purchase (Portion)—Clark Transfer, Inc. and MC 87986 Sub 17, Bleveld Chicago Furniture Service, Inc., now being assigned March 29, 1976 (1 week), at Chicago, Ill.; in a hearing room to be later designated.

MC 16883 Sub 18, Mid Seven Transportation Company, MC 41406 Sub 50, Artim Transportation System, Inc., MC 43963 Sub 10, Chief Truck Lines, Inc., MC 44735 Sub 23, Kissick Truck Lines, Inc., MC 60014 Sub 40, Aero Trucking, Inc., MC 61231 Sub 83, Ace Lines, Inc., MC 61231 Sub 86, Ace Lines, Inc., MC 61592 Sub 321, Jenkins Truck Line, Inc., MC 69116 Sub 776, Spector Freight Systems, Inc., MC 76266 Sub 127, Admiral Motor Freight, Inc., MC 89589 Sub 420, C & H Transportation Co., Inc., MC 93840 Sub 20, W W Gless, d/b/a Gless Bros., MC 106603 Sub 142, Direct Transit Lines, Inc., MC 111545 Sub 217, Home Transportation Company, Inc., MC 114211 Sub 260, Warren Transport, Inc., MC 114273 Sub 238, CRST, Inc., MC 117068 Sub 49, Midwest Specialized Transportation, Inc., MC 119493 Sub 110, Monkem Co., Inc., MC 123407 Sub 241, Sawyer Transport, Inc., MC 124692 Sub 153, Sammons Trucking, MC 126813 Sub 129 Umthun Trucking, Co., MC 126264 Sub 34, Morgan Trucking Co., MC 126045 Sub 19, Alter Trucking and Terminal Corporation MC 127811 Sub 6, Bryawood Transfer, Inc., MC 128270 Sub 13, Redlake Interstate, Inc., MC 133189 Sub 8, Vant Transfer, Inc. and MC 135725 Sub 16, Fry Trucking, Inc., now being assigned March 24, 1976 (3 days), at St. Paul, Minn.; in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-675 Filed 1-8-76;8:45 am]

[AB-1 (Sub-No. 48)]

CHICAGO AND NORTH WESTERN TRANSPORTATION CO.

Abandonment Between Sanborn and Wanda in Redwood County, Minnesota

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, that no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Redwood County, Minn., on or before January 13, 1976 and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested persons.

Dated at Washington, D.C., this 19th day of December, 1975.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

[AB 1 (Sub-No. 48)]

CHICAGO AND NORTH WESTERN TRANSPORTATION CO.

ABANDONMENT BETWEEN SANBORN AND WANDA IN REDWOOD COUNTY, MINNESOTA

The Interstate Commerce Commission hereby gives notice that by order dated December 19, 1975, it has been determined that the proposed abandonment by the Chicago and North Western Transportation Company of its branch line between Sanborn and Wanda in Redwood County, Minn., a distance of 8.2 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 43322) (C) of the NEPA.

It was concluded, among other things, that the environmental impacts of the proposed action are insignificant because the additional truck traffic resulting from the abandonment of rail operations will be small in relation to the existing truck traffic. This finding is based in part on the fact that presently 80 percent of the grain moving from Wanda is transported by truck to rail heads on the main rail line running through Sanborn and Springfield. It is estimated that the additional truck traffic will amount to an overage of one truck per day from Wanda to Springfield, where the only shipper on the line has joined a large cooperative elevator. The impact of the additional trucks on air pollution, intrusive noise, fuel consumption, and safety hasard would be negligible, and there will be no historic or major ecological impacts involved in the rail line abandonment.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-7966.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C., 20423, on or before

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-667 Filed 1-8-76;8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 6, 1976.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with rule 40 of the general rules of practice (49 CFR 1100.40) and filed on or before January 26, 1976.

FSA No. 43100—*Joint Water-Rail Container Rates—American President Lines, Ltd.* Filed by American President Lines, Ltd., (No. 22), for itself and interested rail carriers. Rates on general commodities, from rail stations on the U.S. Atlantic and Gulf Seaboard, to ports in Peoples Republic of China. Grounds for relief—Water competition.

FSA No. 43101—*Joint Water-Rail Container Rates—American President Lines, Ltd.* Filed by American President Lines, Ltd., (No. 23), for itself and interested rail carriers. Rates on general commodities, from ports in (1) Thailand, (2) Federation of Malaysia, Republic of Singapore, India, Indonesia, Pakistan, Sri Lanka, (3) France, Israel, Italy and Spain, to rail stations on the U.S. Gulf Coast. Grounds for relief—Water competition.

FSA No. 43102—*Joint Water-Rail Container Rates—Seatrain International, S. A.* Filed by Seatrain International, S. A., (No. WEE-14), for itself and interested rail carriers. Rates on general commodities, between ports in the Caribbean, and rail carriers' terminals located in Alabama, Louisiana and Texas. Grounds for relief—Water competition.

FSA No. 43103—*Iron or Steel Articles from Minnequa, Colorado.* Filed by Trans-Continental Freight Bureau, Agent, (No. 498), for interested rail carriers. Rates on iron or steel articles, in carloads, as described in the application, from Minnequa, Colorado, to specified points in California. Grounds for relief—Motor carrier competition.

AGGREGATE-OF-INTERMEDIATES

FSA No. 43104—*Iron or Steel Articles from Minnequa, Colorado.* Filed by Trans-Continental Freight Bureau, Agent, (No. 499), for interested rail carriers. Rates on iron or steel articles, in carloads, as described in the application, from Minnequa, Colorado, to specified points in California. Grounds for relief—Maintenance of depressed rates published to meet motor carrier competition without use of such rates as factors in constructing combination rates.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-671 Filed 1-8-76;8:45 am]

[Ex Parte No. MC-43]

LEASE AND INTERCHANGE OF VEHICLES BY MOTOR CARRIERS

At a session of the Interstate Commerce Commission, Motor Carrier Leasing Board, held at its office in Washington, D.C., on the 30th day of December 1975.

It appearing, that a petition has been filed by Petroleum Carriers Company (MC-108460 and various subs), Smith's, Inc. (MC-109211 and various subs) and Petroleum Carriers of Watertown, Inc., and Petroleum Carriers of Sioux Falls, Inc., under common control for waiver of paragraph (c) of § 1057.4 of the Lease and Interchange of Vehicles Regulations (49 CFR Part 1057), concerning equipment leased between petitioners;

It further appearing, that petitioners have a jointly administered program applying the same standards of inspection and maintenance to equipment in accordance with the motor carrier safety regulations;

It further appearing, that the U.S. Department of Transportation recommends that the petition be granted based on an examination of petitioners' records;

It is ordered, That waiver of paragraph (c) of § 1057.4, be, and, it is hereby granted provided that the equipment is inspected on the day it is to be leased and found to meet the requirements of the motor carrier safety regulations of the U.S. Department of Transportation and that petitioners remain in satisfactory compliance with those regulations and under common control.

By the Commission, Motor Carrier Leasing Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-666 Filed 1-8-76;8:45 am]

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[Notice 154]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JANUARY 9, 1976.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before January 29, 1976. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-76262. By order entered January 5, 1976 the Motor Carrier Board approved the transfer to L & K, Inc., doing business as Silver Moving & Storage, Alpena, Michigan, of the operating rights set forth in Certificate No. MC-134596, issued December 16, 1970 (as corrected March 9, 1971), to Robert G. Silver, doing business as Silver Moving & Storage, Alpena, Mich., authorizing the transportation of used household goods, and office and laboratory equipment, between points in a described area in Michigan, subject to certain restrictions. L & K, Inc., 2329 US-23 South, Alpena, Mich. 49707, transferee and Robert G. Silver, 124 Water St., Alpena, Mich. 49707, transferor.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-672 Filed 1-8-76;8:45 am]

[Notice 2]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 5, 1976.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 29048 (Sub-No. 17TA), filed December 17, 1975. Applicant: NORTH & SOUTH LINES, INCORPORATED, 2710 South Main St., Harrisonburg, Va. 22801. Applicant's representative: John R. Sims, Jr., 915 Pennsylvania Bldg., 425 13th St., NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, from the plant and warehouse facilities of Martini Packing Co., Inc., Wheeling, W. Va., to Columbus, Ohio, for 180 days. Supporting shipper: Martini Packing Co., Inc., 4409 Eoff St., Wheeling, W. Va. 26003. Send protests to: Danny R. Beeler, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 210, Roanoke, Va. 24011.

No. MC 105566 (Sub-No. 118TA), filed December 9, 1975. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1119, Cape Girardeau, Mo. 63701. Applicant's representative: Thomas F. Kilroy, P.O. Box 624, Springfield, Va. 22150. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials and plastic articles* (except in bulk), from Washington, W. Va., to points in Arizona, California, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming, for 180 days. Supporting shipper: Borg-Warner Corporation, International Center, Parkersburg, W. Va. 26101. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 N. 12th St., St. Louis, Mo. 63101.

No. MC 110635 (Sub-No. 1142TA), filed December 19, 1975. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 E. Lancaster Ave., Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitric acid*, in bulk, in tank vehicles, from Baytown (Chambers Co), Tex., to Geismar, La., for 180 days. Supporting shipper: Moray Chemical Corporation, Pittsburgh, Pa. 15205. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 119789 (Sub-No. 275TA), filed December 15, 1975. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned or preserved foodstuffs*, from the factory of Heinz U.S.A., at Holland, Mich., to the distribution center of Heinz U.S.A., at Grand Prairie, Tex., for 180 days. Supporting shipper: Heinz U.S.A., P.O. Box 57, Pittsburgh, Pa. 15230. Send protests to: Opal M. Jones, Transportation Specialist, Interstate Commerce Commission, 1100 Commerce St., Room 13C12, Dallas, Tex. 75202.

No. MC 119955 (Sub-No. 4TA), filed December 22, 1975. Applicant: RUDOLPH LABRANCHE, P.O. Box 23, West Franklin, N.H. 03235. Applicant's representative: George Manias, 16 Centre St., Concord, N.H. 03301. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Valves, valve components, tools, jigs, and fixtures* used in the manufacture of valves; rough castings, casting sand, and, machine parts; and correspondence, orders, payroll records, and blueprints, in interplant messenger service, between Lawrence, Mass.; Islip, N.Y.; Detroit, Mich.; Livonia, Mich.; Chicago, Ill.; Aurora, Ill.; Kinsman, Ohio and Franklin, N.H.; and between Franklin, N.H.; Kinsman, Ohio and ports of entry on the International Boundary Lines between the United States and Canada, located in New Hampshire, Vermont, New York, and Michigan, restricted to a transportation service to be performed under a continuing contract or contracts with Watts Regulator Co., of Franklin, N.H., and Lawrence, Mass., for 180 days. Supporting shipper: Watts Regulator Company, P.O. Box 628, Lawrence, Mass. 01842. Send protests to: Ross J. Seymour, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 313 Federal Bldg., 55 Pleasant St., Concord, N.H. 03301.

No. MC 124078 (Sub-No. 672TA), filed December 17, 1975. Applicant: SCHWERMAN TRUCKING CO., 611 South 28 St., Milwaukee, Wis. 53215. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Howes Cave, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, Pennsylvania, Rhode Island, and Vermont, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Penn-Dixie Industries, Inc., P.O. Box 152, Nazareth, Pa. 18064. Send protests to: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 124078 (Sub-No. 673TA), filed December 19, 1975. Applicant: SCHWERMAN TRUCKING CO., 611 South 28th St., Milwaukee, Wis. 53215. Applicant's representativ: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, from points in Gwinnett County, Ga., to points in Alabama, Florida, North Carolina, South Carolina, and Tennessee, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. SUPPORTING SHIPPER: Medusa Cement Company, P.O. Box 5668, Cleveland, Ohio 44101. Send protests to: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 125777 (Sub-No. 160TA), filed December 22, 1975. Applicant: JACK CRAY TRANSPORT, INC., 4600 East 15th Ave., Gary, Ind. 46403. Applicant's representative: Carl L. Steiner, 39 South La Salle St., Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pig iron*, in bulk, in dump vehicles, from the Port of Toledo, Ohio to all points in the state of Michigan on and south of U.S. Highway 10, for 150 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: K.K. & S. Company, 3550 St. Lawrence Drive, Toledo, Ohio 43609. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 127539 (Sub-No. 49TA), filed December 12, 1975. Applicant: PARKER REFRIGERATED SERVICE, INC., 1108 54th Ave., East, Tacoma, Wash. 98424. Applicant's representative: Michael D. Duppenthaler, 515 Lyon Bldg., 607 Third Ave., Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles*, distributed by meat packinghouses, from the plantsite of Columbia Foods, Inc., near Wallula, Wash., to San Jose, San Francisco, Oakland, Los Angeles, and Portland, Salem, Milwaukee and Clackmas, Oreg., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Columbia Foods, Inc., P.O. Box 926, Pasco, Wash. 99301. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Ave., Seattle, Wash. 98174.

No. MC 127539 (Sub-No. 50TA), filed December 16, 1975. Applicant: PARKER REFRIGERATED SERVICE, INC., 1108 54th Ave., East, Tacoma, Wash. 98424. Applicant's representative: Michael D. Duppenthaler, 515 Lyon Bldg., 607 Third Ave., Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potatoes*, fresh frozen or cooked frozen, from Metolius and Boardman, Oreg., to points in Arizona, California, and Washington, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Gourmet Food Products, Inc., P.O. Box 37, Boardman, Oreg. 97818. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Ave., Seattle, Wash. 98174.

No. MC 136201 (Sub-No. 5TA), filed December 18, 1975. Applicant: ROCKY MOUNTAIN FEED INGREDIENTS SERVICE, INC., 1524 Lockwood Road, Billings, Mont. 59101. Applicant's representative: Hugh Sweeney, P.O. Box 1321, Billings, Mont. 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry animal feed*, in bulk and in bags, from Billings, Mont., to points in North Dakota, South Dakota and Wyoming, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Standard Chemical Manufacturing Company, 320 Bernard, Billings, Mont. 59102. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Room 222, U.S. Post Office Bldg., Billings, Mont. 59101.

No. MC 136343 (Sub-No. 68TA), filed December 18, 1975. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper*, from Westvaco Corporation plantsite at Tyrone, Pa., to Luke, Md., restricted to shipments originating at the specified origin and destined to the designated destination, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Westvaco Corporation, 299 Park Ave., New York, N.Y. 10017. Send protests to: Robert P. Amerine, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 278 Federal Bldg., P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 135917 (Sub-No. 4TA), filed December 17, 1975. Applicant: PORTSMOUTH TRUCKING COMPANY, 1200 Stambaugh Bldg., Youngstown, Ohio 44501. Applicant's representative: Paul F. Berry, 8 East Broad St., Ninth Floor, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Stone and slag*, in dump vehicles, from the stone quarry, located at or near Oak Hill, Jackson County, Ohio, to the plantsites of the American Electric Power Company, located in New Haven, Mason County, W. Va., and Putnam County, W. Va., under a continuing contract with The Standard Slag Company, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: The Standard Slag Company, 1200 Stambaugh Bldg., Youngstown, Ohio 44501. Send protests to: James Johnson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 181 Federal Office Bldg., 1240 East Ninth St., Cleveland, Ohio 44199.

No. MC 140647 (Sub-No. 2TA) filed December 22, 1975. Applicant: SPOKLIE SALES AND CONSTRUCTION, INC., Antelope, Mont. 59211. Applicant's representative: Charles E. Johnson, 425 Gate City Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Margarine, mayonnaise, salad dressing, syrup, shortening and plastic containers*, from the plantsites and storage facilities of Gregg's Food Products, Inc., located at or near Portland, Oreg., to points in Montana, North Dakota, South Dakota and Minnesota, restricted to a transportation service to be performed under a continuing contract with Gregg's Food Products, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Gregg's Food Products, Inc., Merle Sharp, Executive V.P., 9000 NE. Marx Drive, Portland, Oreg. 97220. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Room 222, U.S. Post Office Bldg., Billings, Mont. 59101.

No. MC 141097 (Sub-No. 3 TA), filed December 16, 1975. Applicant: CAL-TEX, INC., 3051 Capri Lane, Costa Mesa, Calif. 92626. Applicant's representative: Greg Steffire, 700 S. Flower St., Suite 818, Los Angeles, Calif. 90017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic yarn and synthetic fiber*, from the plantsites and warehouse facilities of Pharr Yarns, Inc., located at or near Rome, Ga.; McAdenville, Gastonia, Belmont and Spencer Mountain, N.C.; Clover, S.C.; and Costa Mesa, Calif., to the ports of entry on the International Boundary Line between the United States and Canada located at points in Washington, Idaho and Montana, restricted to services performed under a continuing contract with Pharr Yarns, Inc., of McAdenville, N.C., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Pharr Yarns, Inc., McAdenville, N.C. 28101. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 141475 (Sub-No. 1 TA) filed December 18, 1975. Applicant: H. MABE, BOBBY L. MABE AND ERNIE M. MABE doing business as, MABE TRUCKING

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COMPANY, P.O. Box 121, Saltville, Va. 24370. Applicant's representative: Richard J. Lee, 4070 Falstone Road, Richmond, Va. 23234. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, mining cars and equipment, and raw materials* used in the manufacture of mining cars and equipment, mining cars to be repaired, wood chips, from the plantsite of Greenfield Lumber Co., at or near Meadowview, Va., to Kingsport, Tenn.; *mining cars and equipment*, from the plantsite of Curry Machine Co., Inc., at or near Glade Springs, Va., to points in West Virginia, Pennsylvania, Ohio and Kentucky; raw materials used in the manufacture of mining cars and equipment and mining cars to be repaired, from points in West Virginia, Pennsylvania and Ohio, to Curry Machine Co., at or near Glade Spring, Va., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Curry Manufacturing Corporation, P.O. Box 618, Glade Spring, Va. 24340. Send protests to: Danny R. Beeler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 210, Roanoke, Va. 24011.

No. MC 141575 (Sub-No. 1 TA) filed December 12, 1975. Applicant: TFS, INC., East Highway 136, Oxford, Nebr. 68967. Applicant's representative: A. J. Swanson, Box 81849, 521 South 14th St., Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cheese*, from Oxford, Nebr., to Salt Lake City, Utah and (2) *Cardboard boxes*, from Denver, Colo., to Oxford, Nebr., under a continuing contract with Oxford Cheese Corporation, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Lee Jackson, President, Oxford Cheese Corporation, P.O. Box 68, Oxford, Nebr. 68967. Send protests to: Max H. Johnston, District Supervisor, 285 Federal Bldg., and Court House, 100 Centennial Mall North, Lincoln, Nebr. 68508.

No. MC 141585 (Sub-No. 1TA), filed December 10, 1975. Applicant: EC-MYERS TRUCKING CIN, R.F.D. 108 B, N.J. Route 44, Thorofare, N.J. 08086. Applicant's representative: Thomas F. X. Foley, 744 Broad St., Suite 2005, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Industrial and commercial air pollution control devices and associated metal fabrication, and materials and supplies* used in the installation and operation thereof, for the account of Lovett & Martin Co., Inc., between Pedricktown, N.J., on the one hand, and, on the other, Bangor, Oil City, Palmerton, Palmyra and Philadelphia, Pa.; Havana, Roxana and Seneca, Ill.; Chesapeake, Portsmouth and Riverton, Va.; Mason City and Sioux City, Iowa; Evansville and Petersburg, Ind.; Marion and Urbana, Ohio; Humbolt and La Cygne, Kans.; Ishpeming and Jackson, Mich.; Baltimore, Md.; Craig, Colo.; Hattiesburg, Laurel and Meridian, Miss.; Wallace, Nebr.; Niagara Falls, N.Y.; Alcoa and Old Hickory, Tenn.; and points in New York within the New York, N.Y. commercial zone as defined by the Commission, under a continuing contract with Lovett & Martin Co., Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Lovett & Martin Co., Inc., 1895 Federal St., Camden, N.J. 08105. Send protests to: Dieter H. Harper, District Supervisor, Interstate Commerce Commission, 428 East State St., Room 204, Trenton, N.J. 08608.

No. MC 141591TA filed December 11, 1975. Applicant: FREDERICK J. MINNIS, doing business as RICK MINNIS TRUCKING, 1125 North Main, Milpitas, Calif. 95035. Applicant's representative: Michael J. Stecher, Silver, Rosen, Fischer & Stecher, 140 Montgomery Street, San Francisco, Calif. 94104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pozzolan*, from the plant site of Lassenite Industries, Inc., located 5 miles north of Hallelujah Junction, California and 1 mile west of U.S. Highway 395 to (1) Auburn, Calif. over U.S. Highway 395 to Reno, Nev., thence over Interstate Highway 80 to Auburn; (2) Stockton, Calif., over U.S. Highway 395 to Reno, Nev., thence over Interstate Highway 80 to Sacramento, Calif., thence over Interstate Highway 5 to Stockton; (3) Colma, Calif., over U.S. Highway 395 to Reno, Nev., thence over Interstate Highway 80 to its junction with Interstate Highway 280, thence over Interstate Highway 280 to Colma; (4) Santa Rosa, Calif., over U.S. Highway 395 to Reno, Nev., thence over Interstate Highway 80 to its junction with California Highway 37, thence over California Highway 37 to its junction with U.S. Highway 101, thence over U.S. Highway 101 to Santa Rosa; (5) Napa, Calif., over U.S. Highway 395 to Reno, Nev., thence over Interstate Highway 80 to its junction with California Highway 37, thence over California Highway 37 to its junction with California Highway 29, thence over California Highway 29 to Napa, under a continuing contract or contracts with Lassenite Industries, Inc., for 180 days. Supporting shipper(s): Lassenite Industries, Inc., 833-47th Avenue, Oakland, Calif. 94601. Send protests to: District Supervisor, Claud W. Reeves, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 141592TA filed December 12, 1975. Applicant: ANTHONY E. FALSETTO, an individual doing business as, GOLDEN STATE VAN & STORAGE COMPANY, 1431 W. Collins Street, Orange, Calif. 92667. Applicant's representative: Robert J. Gallagher, 1000 Connecticut Ave., NW., Suite 1200, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, in containers, restricted to the transportation of traffic having a prior or subsequent movement beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating and containerization of such traffic, or vice versa, between points in Orange, San Diego, Riverside, San Bernardino, and Los Angeles Counties, Calif. (i.e. Orange County, and counties within thirty (30) mile radius of Orange County), for 180 days. Supporting shipper(s): Purchasing and Contracting Division, BMatBN., Camp Pendleton, Calif., P.O. Box 1609, Oceanside, Calif. 92054. Send protests to: Transportation Assistant Mildred I. Price, Interstate Commerce Commission, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 141593 TA filed December 9, 1975. Applicant: HIDEBOUND TRANSPORTATION, INC., 2009 Kishwaukee, Rockford, Ill. 61101. Applicant's representative: Axelrod, 39 LaSalle St., Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hides and materials, equipment and supplies* used in the processing of hides (except commodities in bulk), between Macomb, Ill., on the one hand, and, on the other, points in the United States in and east of Minnesota, Iowa, Missouri, Arkansas and Louisiana; Crete, Nebr., and points in California and Texas, under a continuing contract with Hidebound, Inc., for 180 days. Supporting shipper: Hidebound, Inc., S. Shepard Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 141596 TA filed December 4, 1975. Applicant: TRI-UNION EXPRESS, INC., P.O. Box 28, 4530 Railroad Ave., East Chicago, Ind. 46312. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Black plate, tinplate sheets and coils*, from the Mills in Lake County such as: Youngstown S & T, Inland Steel, East Chicago, Ind., U.S. Steel, Gary, Ind., to Basic Metals Processing, 2600 United Lane, Elk Grove Village, Ill. 60007, under a continuing contract with BMP-Basic Metal Processing, for 180 days. Supporting shipper: BMP-Basic Metal Processing, 2600 United Lane, Elk Grove Village, Ill. 60007. Send Protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 141597 TA filed December 4, 1975. Applicant: LOUIS BOBBITT, doing business as RIVERSIDE TRUCK LINE, 919 4th Ave., South, Denison, Iowa 51442. Applicant's representative: James M. Hodge, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Printed religious material*, from points in Illinois, Indiana, Kentucky, Michigan, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, to Iowa Falls, Iowa, under a continuing contract or contracts with Riverside Book and Bible House, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Allen Fritz, Vice-President, Riverside Book and Bible House, 1500 Riverside Drive, Iowa Falls, Iowa 50126. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 North 14th St., Omaha, Nebr. 68102.

No. MC 141598 TA filed December 12, 1975. Applicant: COLORADO FARM LINES, INC., 1000 Denargo Market, Denver, Colo. 80216. Applicant's representative: Stockton & Lewis, The 1650 Grant St. Bldg., Denver, Colo. 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats*, from Denver, Greeley and Sterling, Colo., to Portland, Oreg.; Madison, Wis., and Los Angeles, Calif., under a continuing contract with Valley Feed & Provision Co., for 180 days. Supporting shipper: Valley Feed & Provisions Co., 931 D St., Greeley, Colo. 80631. Send protests to: Herbert C. Ruoff, District Supervisor, Interstate Commerce Commission, 2022 Federal Bldg., Denver, Colo. 80202.

No. MC 141604TA filed December 15, 1975. Applicant: HELEN A. TURNER, doing business as TURNER CATAWBA TRUCKING CO., 3020 Curtis Street, Gastonia, N.C. 28052. Applicant's representative: Lawrence B. Turner, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt, sand, crushed stone, lime, fertilizer* in bulk in dump vehicles between points in the following counties: Gaston, Cleveland, Mecklenburg, Anson and Union Counties, N.C.; Greenville, Spartanburg, Cherokee, York, Union, Chester, Lancaster, Chesterfield Counties, S.C., for 180 days. Supporting shipper(s): Dockery Roofing Company, Inc., 1224 West Franklin Blvd., Gastonia, N.C. 28052. Send protests to: District Supervisor Terrell Price, 800 Briar Creek Rd-Rm CC516, Mart Office Building, Charlotte, N.C. 28205.

No. MC 141606 TA filed December 12, 1975. Applicant: ALERT TRUCKING, INC., 6689 NW. 16th Terrace, Fort Lauderdale, Fla. 33309. Applicant's representative: John P. Bond, 2766 Douglas Road, Miami, Fla. 33133. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum oil NOI BN: Carbon gum or sludge removing compounds; cartridges or elements* exceeding 5 lbs. per cubic foot; *and oil filters*, from Lowell, Mass.; Hillside, N.J.; Baltimore, Md.; Charlotte, N.C.; Tampa, Fla.; Morrow, Ga.; Jackson, Miss.; Nashville, Tenn.; Louisville, Ky.; Lake Bluff, Ill.; New York City commercial zone; and Chicago, Ill.; and Evansville, Ind.; and Richmond, Va., under a continuing contract with STP Corp., for 180 days. Supporting shipper: STP Corp., 1400 West Comercial Blvd., Fort Lauderdale, Fla. Send protests to: Joseph B. Tiechert, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Monterey Bldg., Suite 101, 8410 NW. 53rd Terrace, Miami, Fla. 33166.

No. MC 141607 TA, filed December 15, 1975. Applicant: GEORGE ST. LAURENT, 475 Grand Ave., Pawtucket, R.I. 02861. Applicant's representative: Francis E. Barrett, Jr., 10 Industrial Park Road, Hingham, Mass. 02043. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel and aluminum products*, between Cumberland, R.I.; Norwood, Worcester and Woburn, Mass.; Hartford and New Haven, Conn.; Albany, N.Y.; Harrisburg, Pa., and South Portland, Maine, restricted to traffic moving between plants and/or fabricators of American Steel and Aluminum Corporation, under a continuing contract with American Steel and Aluminum Corporation, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: American Steel and Aluminum Corporation, 5 American Drive, Norwood, Mass. 02062. Send protests to: Gerald H. Curry, District Supervisor, 187 Westminster St., Providence, R.I. 02903.

No. MC 141608 TA filed December 16, 1975. Applicant: W. G. BOYKIN, doing business as B & B TRUCKING COMPANY, P.O. Box 127, Delta City, Miss. 39061. Applicant's representative: Donald B. Morrison, 1500 Deposti Guaranty Plaza, P.O. Box 22628, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soybean meal*, in bulk (except in tank vehicles), from Jackson and Vicksburg, Miss., to points in Louisiana and Texas, for 180 days. Supporting shipper: Anderson, Clayton & Co., P.O. Box 1378, Vicksburg, Miss. 39180. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Room 212, 145 East Amite Bldg., Jackson, Miss. 39201.

No. MC 141609 TA filed December 16, 1975. Applicant: C. T. TRANSPORT, INC., P.O. Box 146, Milton, Ontario, Canada. Applicant's representative: Walter N. Bieneman, 100 West Long Lake Road, Bloomingfield Hills, Mich. 48013. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precast prestressed reinforced concrete wall, roof and floor slabs, structural forms or shapes, girders and beams, and materials and supplies* used in the erection thereof, from the international boundary between the United States and Canada, at Buffalo and Niagara Falls, N.Y., to all points in New York, restricted to shipments originating at the plantsites of Pre-Con Company in Ontario, Canada, for 180 days. Supporting shipper: Pre-Con Company, 35 Rutherford Road South, Brampton, Ontario, Canada L6W 3J4. Send protests to: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell Ave., Detroit, Mich. 48226.

PASSENGER APPLICATION

No. MC 141594 TA filed December 12, 1975. Applicant: TRANSPORTATION SERVICE, INC., 1453 Black Hills Ave., Alliance, Nebr. 69301. Applicant's representative: James G. Wegner (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers (train crews), between Alliance, Nebr., and points within 300 miles of Alliance, Nebr., restricted to a transportation service to be performed under a continuing contract or contracts with the Burlington Northern, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: J. E. Bowman, Assistant Superintendent, P.O. Box 597, Alliance, Nebr. 69301. Send protests to: Max H. Johnston, District Supervisor, 285 Federal Bldg., & Court House, 100 Centennial Mall North, Lincoln, Nebr. 68508.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.76-673 Filed 1-8-76;8:45 am]

[Notice 8]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 6, 1976.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the

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human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 55896 (Sub-No. 48TA), filed December 19, 1975. Applicant: R–W SERVICE SYSTEM, INC., 20225 Goddard Road, Taylor, Mich. 48180. Applicant's representative: Martin J. Leavitt, P.O. Box 400, 22375 Haggerty Road, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, plywood, accessories and materials* used in the installation and sale thereof, from the plant and warehouse sites of Abitibi Corporation, Lucas County, Ohio, to points in the United States in and east of North Dakota, South Dakota, Nebraska, Colorado and Texas, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting Shipper: Abitibi Corporation, Manager Transportation & Distribution, William E. Kidd, 3250 W. Big Beaver Road, Troy, Mich. 48084. Send protests to: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 110 Broderick Tower, 10 Witherell Ave., Detroit, Mich. 48226.

No. MC 99427 (Sub-No. 27TA), filed December 23, 1975. Applicant: ARIZONA TANK LINES, INC., 3200 Ruan Center, Des Moines, Iowa 50309. Applicant's representative: Earl Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oxygen, nitrogen, and hydrogen*, in bulk, from Phoenix, Ariz., to San Juan and Grant Counties, N. Mex., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Liquid Air, Inc., 3332 West McDowell Road, Phoenix, Ariz. 85005. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 106603 (Sub-No. 145TA), filed December 18, 1975. Applicant: DIRECT TRANSIT LINES, INC., 200 Colorain St., S.W., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, plywood, accessories and materials* used in the installation and sale thereof, from the plant and warehouse sites of Abitibi Corporation in Lucas County, Ohio, to points in the United States in and east of North Dakota, South Dakota, Nebraska, Colorado and Texas for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Abitibi Corporation, 3250 W. Big Veaver Road, Troy, Mich. 48084. Send protests to: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 225 Federal Bldg., Lansing, Mich. 48933.

No. MC 106674 (Sub-No. 182 TA), filed December 22, 1975. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: Jerry L. Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bagged insulation*, from Lee, Mass., to points in Pennsylvania and Ohio, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: U.S. Fiber, P.O. Box 312, Lee, Mass. 01238. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 107460 (Sub-No. 58 TA), filed December 24, 1975. Applicant: WILLIAM Z. GETZ, INC., 3055 Yellow Goose Road, Lancaster, Pa. 17601. Applicant's representative: Donald D. Shipley (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (a) *Metal roofing and accessories thereof and fabricated metal products* (except commodities in bulk), from the plantsite of Fabral Corporation, located at or near Jackson, Ga., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia; (b) *Materials and supplies* used in the manufacture of metal roofing (except commodities in bulk), from points in Alabama, Arkansas, Florida, Georgia, Indiana, Kentucky, Louisiana, Mississippi, New York, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas and Virginia to the plantsite of Fabral Corporation, located at or near Jackson, Ga., under a continuing contract with Fabral Corporation, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Fabral Corporation, 308 Alabama Blvd., Jackson, Ga. 30233. Send protests to: Robert P. Amerine, District Supervisor, Interstate Commerce Commission, 278 Federal Bldg., P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 113908 (Sub-No. 361 TA), filed December 19, 1975. Applicant: ERICKSON TRANSPORT CORPORATION, 2105 East Dale St., P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine, wine products, neutral spirits, distilled spirits and alcohol*, in bulk, from Roberta, Ga., to Lawrenceburg, Ind., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Monarch Wine Company of Georgia, P.O. Box 6847, Atlanta, Ga. 30315. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 114789 (Sub-No. 52 TA), filed December 17, 1975. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Allan L. Timmerman (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Hudson, Iowa, to points in Arkansas, Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Oklahoma, Pennsylvania, Rhode Island, Texas, Vermont, Virginia, West Virginia and Shreveport, La., under a continuing contract with Land O'Lakes, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Land O'Lakes, Inc., 614 McKinley Place, Minneapolis, Minn. 55413. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg., and U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 125420 (Sub-No. 22 TA), filed December 24, 1975. Applicant: MERCURY TANKLINES LIMITED, P.O. Box 3500, Calgary, Alberta, Canada T2P 2P9. Applicant's representative: Ray P. Koby, 314 Montana Bldg., Great Falls, Mont. 59401. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors, including alcoholic spirits and wines*, in bulk, in tank vehicles, from Louisville and Lotus, Ky., to ports of entry on the United States-Canada boundary line, at or near Marine City and Port Huron, Mich., and Buffalo and Ogdensburg, N.Y., restricted to traffic moving in foreign commerce destined to the Canadian points of Amherstburg and Waterloo, Ontario and LaSalle, Quebec, under a continuing contract with Joseph E. Seagram & Sons, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: James V. Fazzolari, Operations Manager, Joseph E. Seagram & Sons, Inc., 800 Third Ave., New York, N.Y. 10022. Send protests to: Paul J. Lanhne, District Supervisor, Interstate Commerce Commission, Room 222, U.S. Post Office Bldg., Billings, Mont. 59101.

No. MC 125433 (Sub-No. 64 TA), filed December 24, 1975. Applicant: F–B TRUCK LINE COMPANY, 1945 South Redwood Road, Salt Lake City, Utah 84104. Applicant's representative: Alan R. Wilson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel plate and wide flange beams*, from Houston,

Tex., and its commercial zone to the plantsite and storage areas of Bucyrus-Erie Company, located at or near Pocatello, Idaho. Aestriction: The authority granted herein is restricted to traffic originating at the plansite and shipping facilities of Armco Steel Corporation, at or near Houston, Tex., and destined to the plantsite and storage facilities of Bucyrus-Erie Company, located at or near Pocatello, Idaho, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Bucyrus-Erie Company, P.O. Box 2614, Pocatello, Idaho. Send protests to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Bldg., 125 South State St., Salt Lake City, Utah 84138.

No. MC 128007 (Sub-No. 84 TA), filed December 16, 1975. Applicant: HOFER, INC., P.O. Box 583, Pittsburg, Kans. 66762. Applicant's representative: Clyde Christey, 641 Harrison, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Volcanic ash*, from points in Beaver County, Okla., to points in Kansas, Missouri, Iowa, Illinois, Ohio and Texas, for 180 days. Supporting shipper: Axtell Mining Corporation, Route 1, Laverne, Okla. 73848. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 501 Petroleum Bldg., Wichita, Kans. 67202.

No. MC 128030 (Sub-No. 101 TA), filed December 23, 1975. Applicant: THE STOUT TRUCKING CO., INC., P.O. Box 177, Urbana, Ill. 61801. Applicant's representative: Robert C. Stout, Sr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine*, in containers, from Modesto and San Francisco, Calif., to Terre Haute, Ind., Jasper, Ind., and Evansville, Ind., limited to wineries of Gallo Inc., and Almaden and supporting shippers, for 180 days. Supporting shippers: Dubois County Beverage Co., Inc., Phyllis C. Barglin, Office Manager, 30th and Virginia Streets, Jasper, Ind. 47546. Central Beverage Co., Inc., Carl A. Rueger, Assistant Treasurer, 4226 Vogel Road, Evansville, Ind. 47711. Brentlinger Distributing Co., Inc., Richard Brentlinger, President, 960 Spruce St., Terre Haute, Ind. 47807. Send protests to: Patricia A. Roacoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 128375 (Sub-No. 141TA), filed December 12, 1975. Applicant: CRETE CARRIER CORPORATION, P.O. Box 81228, Lincoln, Nebr. 68501. Applicant's representative: Ken Adams (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicle parts, equipment, and accessories* (except those requiring special equipment), (1) from Atlanta, Ga., and its commercial zone to points in Virginia; (2) from Seattle, Wash., and its commercial zone to points in Oregon; (3) from Loudon and Pulaski, Tenn., and their commercial zones to Nashville, Tenn.; (4) from Galloway, Ohio and its commercial zone to points in New York, New Jersey, Pennsylvania and West Virginia. Restrictions: (A) Restricted to movements moving from facilities of the Maremont Corporation, under continuing contract with the Maremont Corporation. (B) Restricted to traffic having a prior movement inbound to said origins from other Maremont Plants or facilities, for 180 days. Supporting shipper: Arthur L. Comeau, General Traffic Manager, Maremont Corporation, 200 East Randolph Drive, Chicago, Ill. 60601. Send protests to: Max H. Johnston, District Supervisor, 285 Federal Bldg., and U.S. Court House, 100 Centennial Mall North Lincoln, Nebr. 68508.

No. MC 135486 (Sub-No. 13 TA), filed December 22, 1975. Applicant: JACK HODGE TRANSPORT, INC., 2410 West 9th St., Marion, Ind. 46952. Applicant's representative: Terrence D. Jones, 1126 16th St., NW., Suite 300, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream*, from the facilities of the Kroger Co., at or near Ft. Worth, Tex., to the facilities of the Kroger Co., at or near Cincinnati and Columbus, Ohio and Indianapolis, Ind., restricted to traffic transported under a continuing contract with the Kroger Co., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: The Kroger Co., 1014 Vine St., Cincinnati, Ohio 45201. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 136269 (Sub-No. 1 TA), filed December 18, 1975. Applicant: ELECTRONICS TRANSPORT, INC., 3213 8th Ave., North, P.O. Box 31103, Birmingham, Ala. 35222. Applicant's representative: M. Craig Massey, P.O. Drawer J, Lakeland, Fla. 33802. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Copying machines, and parts, materials and supplies* used in the manufacture, installation or sale of such commodities, between Arlington, Tex., on the one hand, and points in Alabama, Arkansas, Louisiana, Mississippi, Oklahoma and Tennessee, on the other, under a continuing contract with the Xerox Corporation, for 180 days. Supporting shipper: Xerox Corporation, 3636 McKinney Ave., Dallas, Tex. 75204. Send protests to: Clifford W. White, District Supervisor, Room 1616, 2121 Bldg., Birmingham, Ala. 35203.

No. MC 136371 (Sub-No. 20 TA), filed December 15, 1975. Applicant: CONCORD TRUCKING CO., INC., 1 Scout Ave., South Kearny, N.J. 07032. Applicant's representative: George Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities*, as are dealt in or used by discount department stores, between the facilities of Charming Shoppes of Delaware, at Cornwell Heights, and Philadelphia, Pa., on the on hand, and, on the other, points in Delaware, Maryland, New Jersey, New York, N.Y. Commercial Zone, as defined by the Commission, Ohio, Pennsylvania, West Virginia, and Virginia, under a continuing contract with Charming Shoppes of Delaware, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Charming Shoppes of Delaware, 4620 Frankford Ave., Philadelphia, Pa. 19124. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC 136914 (Sub-No. 7 TA), filed December 22, 1975. Applicant: WALLACE E. BROWN, Route 2, Box 130, Grand Junction, Tenn. 38039. Applicant's representative: A. Doyle Cloud, Jr., 2008 Clark Tower, Memphis, Tenn. 38137. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, prepared foods, and dairy products or prepared foods* in mixed loads with exempt commodities in trailers equipped with mechanical refrigeration and furnished by the shipper, from the plantsite of Dean Foods Co., Inc., at Memphis, Tenn., to West Memphis, Forest City, Osceola and Blytheville, Ark., and their respective commercial zones, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Dean Foods Co., Inc., Fleet Manager, John B. Pettigrew, 3600 North River Road, Franklin Park, Ill. 60131. Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 435 Federal Office Bldg., 167 North Main St., Memphis, Tenn. 38103.

No. MC 138719 (Sub-No. 6 TA), filed December 18, 1975. Applicant: PATTEN TRUCKING COMPANY, INC., P.O. Box 3, Bristol, Pa. 19007. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Ashland, Costigan, Oakland, Old Town and Passadumkeag, Maine, to points in Maryland, Massachusetts, New Jersey, Pennsylvania, North Carolina and Virginia, under a continuing contract with Northern Mill and Lumber Co., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Northern Mill and Lumber Co., Inc., 1721 Arch St., Philadelphia, Pa. 19103. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 138869 (Sub-No. 5 TA), filed December 22, 1975. Applicant: W. T. MYLES TRANSPORTATION COMPANY, P.O. Box 321, Conley, Ga. 30027. Applicant's representative: Archie B. Culbreth, Suite 246, 1252 West Peachtree St., NW., Atlanta, Ga. 30309. Authority sought to operate as a *contract*

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carrier, by motor vehicle, over irregular routes, transporting: *Acrylic polyester fiberglass wall-ceiling bath tubs, bath tubs and shower stalls and doors for same, also displays* when shipped in the same shipment with the tubs and shower stalls, from Riverdale, Ga., to points in Alabama, Florida, Kentucky, Mississippi, North Carolina, Ohio, South Carolina and Tennessee, under a continuing contract with Tocomc of Atlanta, Division of Tocomc Development Corp., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Tocomc of Atlanta, Division of Tocomc Development Corp., 7228 Georgia Highway 85, Riverdale, Ga. 30274. Send protests to: William L. Scroggs, District Supervisor, 1252 West Peachtree St., NW., Room 546, Atlanta, Ga. 30309.

No. MC 139388 (Sub-No. 2TA), filed December 23, 1975. Applicant: CONTRAN CARRIER CORP., 4537 Forest Lane, Garland, Tex. 75042. Applicant's representative: Robert K. Frisch, 4555 First National Bank Bldg., Dallas, Tex. 75202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Drugs, tobacco products, cosmetics and other merchandise* dealt in by Ward Drug Stores, Inc., retail stores, known as Eckered Stores, between the warehouse site of Ward Drug Stores, Inc., at Garland, Tex., on the one hand, and, on the other, Eckerd Drugs retail stores, located in El Reno, Okla., on the other, under a continuing contract with Ward Drug Stores, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Ward Drug Stores, Inc., 4409 Action St., Garland, Tex. 75042. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commission, 1100 Commerce St., Room 13C12, Dallas, Tex. 75202.

No. MC 140883 (Sub-No. 5 TA), filed December 15, 1975. Applicant: DOWNS TRANSPORTATION CO., INC., 2705 Canna Ridge Circle, NE., Atlanta, Ga. 30345. Applicant's representative: K. Edward Wolcott, 1600 First Federal Bldg., Atlanta, Ga. 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Uncrated store fixtures*, from the facilities of Warren/Sherer Division of Kysor Industrial Corporation, at or near Conyers, Ga., to points in the United States east of U.S. Highway 85, and (2) *Materials and supplies* (except commodities in bulk and lumber), used in the manufacture, sale and distribution of store fixtures, from points in the United States east of U.S. Highway 85 to the plantsite and warehouse facilities of Warren/Sherer Division of Kysor Industrial Corporation, at or near Conyers, Ga., under a continuing contract with Warren/Sherer Division of Kysor Industrial Corporation, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Warren/Sherer Division of Kysor Industrial Corporation, 1600 Industrial Blvd., Conyers, Ga. 30207. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, 1252 W. Peachtree St., NW., Room 546, Atlanta, Ga. 30309.

No. MC 141441 (Sub-No. 7TA), filed December 23, 1975. Applicant: CROCKER TRUCK LINES, INC., Building 107, Industrial Park, Veradale, Wash. 99216. Applicant's representative: Donald A. Ericson, 708 Old National Bank Bldg., Spokane, Wash. 99201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trusses, beams and girders* (metal, concrete or combinations thereof), from points in Spokane County, Wash., on the one hand, to: (1) Points in Idaho north of the southern boundary of Idaho County; (2) to points in Morro, Umatilla, Union, Wallowa and Baker Counties, Oreg.; (3) to points in Montana on and west of a line coincident with Highway No. 233, from the United States-Canadian boundary line to Havre, from Havre over Highway No. 87 to Armington, from Armington over Highway No. 89 to the Montana-Wyoming border, on the other hand, for 180 days. Supporting shippers: Central Pre-Mix Concrete Co., Inc., N. 805 Division, Spokane, Wash.; Sletten Construction Company, P.O. Box 2467, Great Falls, Mont. 59403; Matelich Construction Company, P.O. Box 456, Kalispell, Mont. 59901; Redding Construction Co., Inc., E. 2215 Brooklyn, Spokane, Wash. 99207. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Ave., Seattle, Wash. 98174.

No. MC 141528 (Sub-No. 1 TA), filed December 10, 1975. Applicant: EXPRESS DELIVERIES, INC., 3040 Greenmount Ave., Baltimore, Md. 21218. Applicant's representative: Alan J. Bloom, 401 Washington Ave., Baltimore, Md. 21204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Photographs and photofinishing materials and supplies*, between various pharmacies and chain stores throughout Maryland, Virginia, the District of Columbia, Delaware and Pennsylvania, under a continuing contract with Paramount Photo Service and Supply, Inc., for 180 days. Supporting shipper: Abrian Bloom, Vice President, Paramount Photo Service and Supply, Inc., 2920 Greenmount Ave., Baltimore, Md. 21218. Send protests to: William L. Huges, District Supervisor, Interstate Commerce Commission, 814–B Federal Bldg., Baltimore, Md. 21201.

No. MC 141584 (Sub-No. 1 TA), filed December 23, 1975. Applicant: R. E. LEE, JR., HOWARD HYATT, AND JAMES I. GREENE, doing business as L & H PAVING, Box 402, Pulaski, Tenn. 38478. Applicant's representative: D. C. Lee, First National Bank Bldg., Pulaski, Tenn. 38478. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap iron and steel and iron and steel turnings*, in bulk, in dump vehicles, from Nashville, Tenn., and Birmingham, Ala., to points in Giles County, Tenn., and *ferro chrome*, in bulk, in dump vehicles, from Nashville, Tenn., to points in Giles County, Tenn., under a continuing contract with American Magotteaux Corporation, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: American Magotteaux Corporation, P.O. Box 410, Pulaski, Tenn. 38478. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite A–422 U.S. Court House, 801 Broadway, Nashville, Tenn. 37203.

No. MC 141617 TA, filed December 19, 1975. Applicant: McDONALD TRUCKING, Box 94, Selby, S. Dak. 57472. Applicant's representative: William P. Fuller, 310 South First Ave., Sioux Falls, S. Dak. 57102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal*, from points in South Dakota, to Chicago, Ill.; St. Louis, Mo.; Little Rock, Ark.; Omaha, Nebr.; Dallas, Tex.; New York, N.Y.; Denver, Colo., and Seattle, Wash.; from Valentine, Nebr.; Mandan, N. Dak.; Minot, N. Dak.; Idaho Falls, Idaho; St. Louis, Mo.; Dallas, Tex.; Chicago, Ill.; Omaha, Nebr.; Sioux City, Iowa; Dunn Center, N. Dak.; New York, N.Y.; Little Rock, Ark.; Glasgow, Mont., and Cheyenne, Wyo.; *Furs* from points in South Dakota, to New York, N.Y., under a continuing contract with Mardians, Inc., for 180 days. Supporting shipper: Mardians, Inc., P.O. Box 168, Mobridge, S. Dak. 57601. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Bldg., Pierre, S. Dak. 57501.

No. MC 141618 TA, filed December 22, 1975. Applicant: DAVID C. BURNS, doing business as DAVID C. BURNS TRUCKING, 1146 East Main St., Casa Grande, Ariz. 85222. Applicant's representative: Donald E. Fernaays, Suite 320, 4040 East McDowell Road, Phoenix, Ariz. 85008. Authority sought to operate at a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Insulation* (except in bulk), from Santa Clara, Calif., to Las Vegas, Nev., and points in Arizona, under a continuing contract with Collier Insulation Company, Inc., for 180 days. Supporting shipper: Collier Insulation Company, Inc., 7215 North 62nd Ave., Glendale, Ariz. 85301. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Room 3427 Federal Bldg., 230 N. First Ave., Phoenix, Ariz. 85025.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.76-674 Filed 1-8-76;8:45 am]

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FRIDAY, JANUARY 9, 1976



PART II:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

REAL ESTATE SETTLEMENT PROCEDURES

VOL 41 NO 6 JAN 9 76 XUM

Title 24—Housing and Urban Development

SUBTITLE A—OFFICE OF THE SECRETARY, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R–76–318]

PART 82—REAL ESTATE SETTLEMENT PROCEDURES

The Real Estate Settlement Procedures Act Amendments of 1975 (herein the "RESPA Amendments"), signed into law January 2, 1976, made the following changes to the Real Estate Settlement Procedures Act of 1974 (RESPA):

1. *RESPA Section 3—Definitions.* Coverage of RESPA is limited to exclude temporary construction loans and to exclude junior mortgages. In addition, two other changes are made in the definition of "federally related mortgage loan." First, the provision regarding "eligibility" for purchase by FNMA, GNMA or FHLMC has been changed to a test of whether the loan is "intended to be sold by the originating lender" to FNMA, GNMA or FHLMC. Second, the definition of "creditor" excludes "any agency or instrumentality of any State."

2. *RESPA Section 4—Provision of Uniform Settlement Statement at Settlement; Inspection One Day Prior to Settlement.* The following new subsection (b) is added to section 4 to require provision of the settlement statement at settlement where practicable, and to require that the settlement statement be made available to the borrower one business day prior to settlement:

(b) The form prescribed under this section shall be completed and made available for inspection by the borrower at or before settlement by the person conducting the settlement, except that (1) the Secretary may exempt from the requirements of this section settlements occuring in localities where the final settlement statement is not customarily provided at or before the date of settlement, or settlements where such requirements are impractical and (2) the borrower may, in accordance with regulations of the Secretary, waive his right to have the form made available at such time. Upon the request of the borrower to inspect the form prescribed under this section during the business day immediately preceding the day of settlement, the person who will conduct the settlement shall permit the borrower to inspect those items which are known to such person during such preceding day.

In addition, the RESPA Amendments expand HUD's authority to allow local variations in the Uniform Settlement Statement. The requirement that the Uniform Settlement Statement contain Truth in Lending information is repealed.

3. *RESPA Section 5—Lender to provide estimates of closing costs at time of loan application.* The RESPA Amendments specify that application means written application and add the following new subsection (c) to Section 5:

(c) Each Lender shall include with the booklet a good faith estimate of the amount or range of charges for specific settlement services the borrower is likely to incur in connection with the settlement as prescribed by the Secretary.

4. *RESPA Section 6—Advance disclosure of settlement costs.* This provision is repealed.

5. *RESPA Section 7—Disclosure of previous selling price of existing real property.* This provision is repealed.

6. *RESPA Section 8—Prohibition against kickbacks and unearned fees.* The RESPA Amendments exempt from RESPA section 8 "payments pursuant to cooperative brokerage and referral arrangements or agreements between real estate agents and brokers" and such other payments as specified by HUD after consultation with other Federal Agencies.

7. *RESPA Section 10—Escrow accounts.* Section 10 is completely revised to remove numerous technical deficiencies in the original Section 10. Revised Section 10 provides as follows:

ESCROW ACCOUNTS

Sec. 10. A lender, in connection with a federally related mortgage loan, may not require the borrower or prospective borrower—

(1) to deposit in any escrow account which may be established in connection with such loan for the purpose of assuring payment of taxes, insurance premiums, or other charges with respect to the property, in connection with the settlement, an aggregate sum (for such purpose) in excess of a sum that will be sufficient to pay such taxes, insurance premiums and other charges attributable to the period beginning on the last date on which each such charge would have been paid under the normal lending practice of the lender and local custom: *Provided*, That the selection of each such date constitutes prudent lending practice, and ending on the due date of its first full installment payment under the mortgage, plus one-sixth of the estimated total amount of such taxes, insurance premiums and other charges to be paid on dates, as provided above, during the ensuing twelve-month period; or

(2) to deposit in any such escrow account in any month beginning with the first full installment payment under the mortgage a sum (for the purpose of assuring payment of taxes, insurance premiums and other charges with respect to the property) in excess of the sum of (A) one-twelfth of the total amount of the estimated taxes, insurance premiums and other charges which are reasonably anticipated to be paid on dates during the ensuing twelve months which dates are in accordance with the normal lending practice of the lender and local custom: *Provided*, That the selection of each such date constitutes prudent lending practice, plus (B) such amount as is necessary to maintain an additional balance in such escrow account not to exceed one-sixth of the estimated total amount of such taxes, insurance premiums and other charges to be paid on dates, as provided above, during the ensuing twelve-month period: *Provided, however*, That in the event the lender determines there will be or is a deficiency he shall not be prohibited from requiring additional monthly deposits in such escrow account to avoid or eliminate such deficiency.

8. *RESPA Section 19—Authority of the Secretary.* The RESPA Amendments include a new Section 19 which grants to the Secretary general authority to prescribe rules and regulations under all provisions of RESPA.

In addition to the above, Section 12 of the RESPA Amendments authorizes the Secretary to suspend any provisions of RESPA section 4 and section 5 for up to 180 days.

REGULATIONS CHANGES

Regulation X, 24 CFR Part 82, is revised as set forth below to implement the RESPA Amendments. The following changes are made in Regulation X:

1. Conforming amendments are made to reflect the changes in the definition of "federally related mortgage loan."

2. Conforming amendments are made regarding use of the Uniform Settlement Statement to eliminate reference to advance disclosure and Truth in Lending disclosures.

3. The new requirements to provide an opportunity for inspection of the settlement statement at or before settlement and to provide an opportunity to inspect the settlement statement one business day prior to settlement are suspended to June 30, 1976. These requirements have been suspended in order to prepare appropriate regulations for their implementation, including determinations as to what exemptions, if any, should be provided for "localities where the final settlement statement is not customarily provided at or before the date of settlement, or settlements where such requirements are impractical."

4. The requirements to provide a booklet and to provide a good faith estimate of settlement costs at time of loan application are suspended to June 30, 1976. These requirements have been suspended in order to prepare an appropriate revised booklet and to develop appropriate regulations to govern the making of the required estimates. The suspension will enable the Department to obtain and make use of extensive public comment.

5. Provisions regarding advance disclosure are deleted.

6. The instructions to the Uniform Settlement Statement form, HUD Form 1, are revised to eliminate references to advance disclosure and Truth in Lending disclosures.

7. Appendix B regarding Truth in Lending disclosures is deleted. The Appendix regarding RESPA Legal Opinions under RESPA section 7 is deleted.

These regulations amendments are made effective January 2, 1976, in light of the need to conform the regulations immediately to the RESPA Amendments which became effective January 2, 1976.

The Department intends to publish proposed regulations for comment under suspended RESPA sections 4(b) and 5. To assist the Department in preparing such proposed regulations, comments are hereby requested regarding implementation of RESPA section 5(c) which requires the Lender to provide, at the time of written loan application, a good faith estimate of the amount or range of charges for specific settlement services the borrower is likely to incur in connection with the settlement as prescribed by HUD. The House Report (H.R. Rep. No. 94–667) states as follows with respect to this provision:

The figures provided the prospective borrower are estimates of the settlement charges prevailing in the area and applicable with respect to the particular Lender. These estimates could appear on pre-printed forms geared to various sales prices or mortgage amounts at intervals of, for example, $2,500. Where the Lender will arrange to have a settlement service provided by a particular provider, the prospective borrower should be so informed and the estimates given should reflect the Lender's knowledge of the cost of that service.

The Department invites comment as to problems which may arise in implementing RESPA section 5(c) and possible resolutions of these problems. Comments should be submitted on or before January 31, 1976, to the Rules Docket Clerk, Room 10245, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C., 20410.

Accordingly, 24 CFR Part 82, is revised as follows:

REGULATION X

Sec.

82.1 Authority, scope and purpose.
82.2 Definitions.
82.3 No delegation of authority under RESPA to HUD field offices.
82.4 Reliance upon rule, regulation or interpretation by HUD of RESPA.
82.5 Applicability.
82.6 Information booklet for persons applying for loans to purchase residential real property.
82.7 Good faith estimate of closing costs at time of loan application.
82.8 Use of Uniform Settlement Statement form.
82.9 Printing of Uniform Settlement Statement form.
82.10 Request to inspect Uniform Settlement Statement one day in advance of settlement.
82.11 Mailing.
82.12 No fee.
82.13 Relation to state laws.
Appendix—Instructions for Completing Uniform Disclosure/Settlement Statement (HUD Form 1)

AUTHORITY: Real Estate Settlement Procedures Act of 1974, Pub. L. 93–533 (12 U.S.C. 2601).

REGULATION X

§ 82.1 Authority, scope and purpose.

This part, which may be referred to as Regulation X, comprises the regulations issued by the Secretary of Housing and Urban Development pursuant to the Real Estate Settlement Procedures Act of 1974 (Pub. L. 93–533), 12 U.S.C. 2601, as amended by the Real Estate Settlement Procedures Act Amendments of 1975, herein "RESPA".

§ 82.2 Definitions.

(a) "Date of Settlement." Reserved during suspension of RESPA section 4 (b) from January 2, 1976, to June 30, 1976.

(b) "Federally Related Mortgage Loan" is defined in § 82.5.

(c) "Lender" means the secured creditor or creditors named as such in the debt obligation and document creating the lien or other security interest.

(d) "Loan Application." Reserved during suspension of RESPA section 5 from January 2, 1976, to June 30, 1976.

(e) "Mortgaged Property" means the real property covered by the Federally Related Mortgage Loan, or the cooperative unit with respect to which stock is pledged to secure the Federally Related Mortgage Loan.

(f) "Person" means any individual, corporation, partnership, trust, association or other entity.

(g) "RESPA" means the Real Estate Settlement Procedures Act of 1974 (Pub. L. 93–533), 12 U.S.C. 2601, as amended by the Real Estate Settlement Procedures Act Amendments of 1975.

(h) "Secretary" means the Secretary of Housing and Urban Development or any official delegated the authority of the Secretary with respect to RESPA.

(i) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

§ 82.3 No delegation of authority to HUD Field Offices.

No authority granted to the Secretary under RESPA has been delegated to HUD Regional Offices, HUD Area Offices or HUD Insuring Offices. Any questions or suggestions from the public regarding the Uniform Settlement Statement, HUD Form 1, should be directed to the Office of Policy and Program Analysis and Development, Assistant Secretary for Housing Production and Mortgage Credit, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410. Any questions or suggestions regarding other aspects of Regulation X should be addressed to the Assistant General Counsel for Home Mortgages, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410.

§ 82.4 Reliance upon rule, regulation or interpretation by HUD of RESPA.

(a) Section 19(b) of RESPA provides:

No provision of this Act or of the laws of any State imposing any liability shall apply to any act done or omitted in good faith in conformity with any rule, regulation, or interpretation thereof by the Secretary or the Attorney General, notwithstanding that after such act or omission has occurred, such rule, regulation, or interpretation is amended, rescinded, or determined by judicial or other authority to be invalid for any reason.

(b) For purposes of section 19(b), only the following constitute a "rule, regulation, or interpretation thereof by the Secretary":

(1) The Uniform Settlement Statement, HUD Form 1, and HUD instructions set forth in Appendix A to this part and

(2) All other provisions and Appendices contained in this part, but not including any document referred to in this part except to the extent such document is set forth in this part.

(c) A "rule, regulation, or interpretation thereof by the Secretary" for purposes of RESPA section 19(b) shall not include the Special Information Booklet prescribed by the Secretary or any other statement or issuance, whether oral or written, by an officer or representative of HUD, letter or memorandum by the Secretary, General Counsel, any Assistant Secretary or other officer or employee of HUD, preamble to a regulation or other issuance of HUD, report to Congress, pleading, affidavit or other document in litigation, pamphlet, handbook, guide, telegraphic communication, explanation, instructions to forms, speech or other material of any nature which is not specifically included in paragraph (b) of this section.

§ 82.5 Coverage of RESPA.

(a) *Applicability.* RESPA and this part are applicable to all Federally Related Mortgage Loans.

(b) *Definition of Federally Related Mortgage Loan.* "Federally Related Mortgage Loan" means a loan which is not made to finance an exempt transaction specified in paragraph (d) of this section, and which meets all of the following four requirements:

(1) The proceeds of the loan are used in whole or in part to finance the purchase by the borrower, or other transfer of title, of the Mortgaged Property;

(2) The loan is secured by a first lien or other first security interest covering real estate, including a fee simple, life estate, remainder interest, ground lease or other long-term leasehold estate,

(i) Upon which there is located a structure designed principally for the occupancy of from 1 to 4 families; or

(ii) Upon which there is located a mobile home; or

(iii) Upon which a structure designed principally for the occupancy of from 1 to 4 families is to be constructed using proceeds of the loan; or

(iv) Upon which there will be placed a mobile home to be purchased using proceeds of the loan; or

(v) Which is a 1 to 4 family residential condominium unit (or the first lien covering a cooperative unit);

(3) The Mortgaged Property is located in a State; and

(4) The loan (i) is made by a Lender meeting the requirements of paragraph (c) of this section, or (ii) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by the Secretary or any other officer or agency of the Federal Government, or (iii) is made in connection with a housing or urban development program administered by the Secretary or other agency of the Federal Government, or (iv) is intended to be sold by the originating lender to the Federal National Mortgage Association (FNMA), the Government National Mortgage Association (GNMA), or the Federal Home Loan Mortgage Corporation (FHLMC), or to a financial institution which intends to sell the mortgage to FHLMC.

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(c) A Lender is within paragraph (b)(4)(i) of this section if it is: (1) A lending institution the deposits or accounts of which are insured by the Federal Savings and Loan Insurance Corporation (FSLIC), the Federal Deposit Insurance Corporation (FDIC) or any other agency of the Federal Government, or (2) a lending institution which is regulated by the Federal Home Loan Bank Board or any other agency of the Federal Government, or (3) a "creditor," as defined in section 103(f), who makes or made new investments in residential real estate loans aggregating more than $1,000,000 in either the calendar year in which the Date of Settlement of the Federally Related Mortgage Loan in question occurs or the calendar year prior thereto, except that the term "creditor" does not include any agency or instrumentality of any state. Section 103(f) of the Consumer Credit Protection Act (15 U.S.C. 1602(f)) defines "creditor" as follows:

(f) The term "creditor" refers only to creditors who regularly extend, or arrange for the extension of, credit for which payment of a finance charge is required, whether in connection with loans, sales of property or services, or otherwise. The provisions of this title apply to any such creditor, irrespective of his or its status as a natural person or any type of organization.

(d) *Exempt transactions.* This part shall not apply to:

(1) A loan to finance the purchase or transfer of a property of 25 or more acres;

(2) A home improvement loan, loan to refinance, or other loan where the proceeds are not used to finance the purchase or transfer of the property. Execution of an instrument creating a security interest is not considered to be a transfer of the property for purposes of this part;

(3) A loan to finance the purchase or transfer of a vacant lot, where no proceeds of the loan are to be used for the construction of a 1 to 4 family residential structure or for the purchase of a mobile home to be placed on the lot;

(4) An assumption, novation, or sale or transfer subject to a pre-existing loan, except the use of or conversion of a construction loan to a permanent mortgage loan to finance purchase by the first user;

(5) A construction loan, except where the construction loan is intended to be used as or converted to a permanent loan to finance purchase by the first user;

(6) A permanent loan the proceeds of which will be used to finance the construction of a 1 to 4 family structure, where the lot is already owned by the borrower or borrowers; or

(7) A loan to finance the purchase of a property where the primary purpose of the purchase is for resale.

§ 82.6 Information booklet for persons applying for loans to purchase residential real property.

The requirement under RESPA section 5 to provide an information booklet to persons applying for mortgages at time of loan application is suspended effective from January 2, 1976, through June 30, 1976, pursuant to the authority granted to the Secretary to suspend any provisions of RESPA section 4 or 5 for up to one hundred eighty days under section 12 of the Real Estate Settlement Procedures Act Amendments of 1975.

§ 82.7 Good faith estimate of closing costs at time of loan application.

Commencing January 2, 1976, RESPA section 5(c), as amended, provides that at time of Loan Application, the Lender shall provide a good faith estimate of the amount or range of charges for specific settlement services the borrower is likely to incur in connection with the settlement. The said requirement is suspended from January 2, 1976, through June 30, 1976, pursuant to the authority granted to the Secretary to suspend any provision of RESPA sections 4 and 5 for up to one hundred eighty days under section 12 of the Real Estate Settlement Procedures Act Amendments of 1975. During the suspension period, Lenders are encouraged to provide as much information as possible to borrowers regarding settlement procedures and settlement costs.

§ 82.8 Use of Uniform Settlement Statement Form.

(a) *Use of HUD Form 1.* As required by RESPA section 4, the Uniform Settlement Statement, HUD Form 1, set forth in Appendix A to this part, shall be used by the person conducting settlement, whether or not such person is the Lender, as the settlement statement for every Federally Related Mortgage Loan settlement transaction.

(b) *Charges to be stated.* The Uniform Settlement Statement, HUD Form 1, shall be completed to itemize all charges imposed upon the borrower and the seller in connection with the settlement, including all settlement charges which borrower or seller contract to pay for separately outside of the settlement. Lines and columns which relate to the borrower's transaction may be deleted from the form which will be furnished to the seller and lines and columns which relate to the seller's transactions may be deleted from the form which will be furnished to the borrower.

(c) *Delivery.* The settlement shall be delivered or mailed to the borrower and the seller on the date of settlement, or if not practicable, then as soon thereafter as is practicable. Where there is more than one borrower or more than one seller, delivery or mailing to one borrower and one seller shall satisfy this requirement.

(d) *Recordkeeping.* Lender shall obtain and retain a copy of each settlement statement (both borrower's and seller's copies, where different) required to be prepared pursuant to RESPA section 4 for 2 years, except that in the event Lender disposes of its interest in the mortgage and does not service the mortgage, Lender may permit its copy of the settlement statement to be delivered to the owner or servicer of the mortgage as part of the transfer of the loan file. A copy of the settlement statement may be required to be submitted to the Secretary and/or Federal agencies.

§ 82.9 Printing and duplication of Uniform Settlement Statement Form.

(a) *Permissible changes.* The Uniform Settlement Statement form, HUD Form 1, may be reproduced by Lenders or others. Only the following permissible changes and insertions may be made:

(1) In Block A, the Lender or other person reproducing the form may insert its business name and/or logotype and may rearrange, but not delete, the other information which appears in Block A.

(2) In Block F, the name, address and other information regarding the Lender may be printed, and a space or spaces may be printed for Lender's loan number or similar information.

(3) No changes in the size or type style of print or the layout of the form shall be made, except as follows: (i) The layout of the form may only be reset in type if such type style is approximately the same size and appearance, is easily readable, and the entire form layout is identical to the form as prescribed by HUD; and (ii) where necessary to accommodate computer equipment, the first two pages of the form may be printed in a larger size of print and different type style and the distance between lines may be increased, but not decreased, but there shall be no other change in the layout and placement of information on the form.

(4) In the first two pages, blank lines or items listed in Blocks J, K, and L of the form not used locally or not used in connection with mortgages by the Lender may be deleted, except for the following: Lines 100, 120, 200, 220, 300, 301, 302, 303, 400, 420, 500, 520, 600, 601, 602, 603, 700, 800, 900, 1000, 1100, 1200, 1300, and 1400. The form may be correspondingly shortened. The number of a deleted item shall not be used for a substitute or new item, but the number of a blank space may be used for a substitute or new item. The numbering sequence shall not otherwise be changed.

(5) Charges not listed which are made locally may be inserted in blank spaces in any style or type of print of similar size, but which is different from the style and type of print used in the balance of the form (to indicate items not listed nationwide).

(6) Signature lines may be added at the end of the second page.

(7) Additional blank space may be added above and/or below each page and the form may be printed on rolls, which may have sprocket holes, e.g., for computer purposes. The pages may be printed on separate sheets or placed on the front and back of a single sheet, or one above the other on a single, continuous sheet.

(8) The form may be printed on light shades of tinted paper and may be printed in one or more colors of clearly legible ink.

(9) The form may be printed in multicopy tear-out sets. Lines and columns

which relate to the borrower's transaction may be deleted from the form which will be furnished to the seller and lines and columns which relate to the seller's transactions may be deleted from the form which will be furnished to the borrower.

(10) The form may be translated into any other language with the approval of the Secretary.

(11) The form may be printed deleting references to advance disclosure, Truth in Lending and waiver of advance disclosure.

(12) Any other deviation in the form is only permissible upon receipt of written approval of the Secretary. A request to the Secretary for approval must be submitted in writing to the Assistant Secretary for Housing Production and Mortgage Credit—Federal Housing Commissioner, Room 6100, 451 7th Street, SW., Washington, D.C. 20410, stating the reasons why the applicant believes such deviation is needed. Prior to receiving such approval, the prescribed form must be used.

(b) *HUD-prescribed additions of items to form.* HUD reserves the right to direct the order and the manner in which additional items are added to the form or in which any other changes are made for any locality, jurisdiction or area.

(c) *Additional sheet.* Where there is an unusually large number of insertions for which blank spaces in the form are not sufficient, an additional sheet for such items may be added to the form and referenced at the appropriate place or places in the form. Such additional sheets may be printed. The reverse side of the form may be used instead of an additional sheet.

§ 82.10 Request to Inspect Uniform Settlement Statement One Day in Advance of Settlement.

Commencing January 2, 1976, RESPA section 4(b), as amended, provides that upon the request of the borrower to inspect the Uniform Settlement Statement during the business day immediately preceding the day of settlement, the person who will conduct the settlement shall permit the borrower to inspect those items which are known to such person during such preceding day. RESPA section 4(b) also requires the settlement statement to be provided for inspection at or prior to settlement, except where exempted under HUD regulations or waived by the borrower as provided in HUD regulations. The requirements of section 4(b) are suspended from January 2, 1976, through June 30, 1976, pursuant to the authority granted to the Secretary to suspend any provision of RESPA sections 4 and 5 for up to one hundred eighty days under section 12 of the Real Estate Settlement Procedures Act Amendments of 1975.

§ 82.11 Mailing.

The provisions of this part requiring or permitting mailing of settlement statements or other documents shall be deemed to be satisfied by placing the document in the mail (whether or not received by the addressee) addressed to the address stated in the Loan Application or in other information submitted to or obtained by Lender at the time of Loan Application, or submitted to or obtained by the person conducting the settlement, except that a revised address shall be used where the Lender or such other person has been expressly informed in writing of a change of address.

§ 82.12 No fee.

As provided in RESPA section 12, no fee shall be imposed or charge made upon any other person, as a part of settlement costs or otherwise, by a Lender in connection with or on account of the preparation and distribution required by RESPA of the statement or statements required by RESPA section 4 (Uniform Settlement Statement) or by the Truth in Lending Act.

§ 82.13 Relation to State Laws.

RESPA section 18 provides:

This Act does not annul, alter, or affect, or exempt any person subject to the provisions of this Act from complying with the laws of any State with respect to settlement practices, except to the extent that those laws are inconsistent with any provision of this Act, and then only to the extent of the inconsistency. The Secretary is authorized to determine whether such inconsistencies exist. The Secretary may not determine that any State law is inconsistent with any provision of this Act if the Secretary determines that such law gives greater protection to the consumer. In making these determinations the Secretary shall consult with the appropriate Federal agencies.

A determination by the Secretary that such an inconsistency exists shall be made, after consultation with appropriate Federal agencies, by publication of a notice in the FEDERAL REGISTER.

Effective date. These regulations are effective as of January 2, 1976.

ROBERT R. ELLIOTT,
Acting Secretary of Housing and Urban Development.

APPENDIX—INSTRUCTIONS FOR COMPLETING UNIFORM DISCLOSURE/SETTLEMENT STATEMENT (HUD FORM 1)

The following are instructions for completing the first 2 pages of the Uniform Settlement Statement, HUD Form 1, required under Sections 4 and 6 of the Real Estate Settlement Procedures Act of 1974 (Pub. L. 93-533), as amended, and the Regulations thereto issued by the U.S. Department of Housing and Urban Development called Regulation X (24 CFR Part 32). This form is to be used as a uniform statement of actual costs and adjustments to be given to the parties in connection with the settlement. The Instructions for completion are primarily for the benefit of the persons who prepare the statements and need not be transmitted to the parties as an integral part of the form. To determine if the Uniform Settlement Statement is legally required to be used in a particular mortgage loan transaction, refer to Regulation X of the Department of Housing and Urban Development (24 CFR Part 32). There is no objection to the use of the form in transactions in which its use is not legally required.

GENERAL INSTRUCTIONS

Information and amounts may be filled in by typewriter, hand printing, computer printing, or any other method producing clear and legible results. Copies of the form sent to the borrower and the seller may be carbon copies, electrostatic copier copies, or other clearly legible copies. Refer to Regulation X regarding rules applicable to printing of the form.

Where there is an unusually large number of insertions for which blank spaces in the form are not sufficient, an additional sheet for such items may be added to the form and referenced at the appropriate place or places in the form. Such additional sheets may be printed. The reverse side of the form may be used instead of an additional sheet.

Where charges are paid outside of the settlement (normally by separate check), they shall be stated with the notation "P.O.C." (paid outside closing) and shall not be included in computing totals.

LINE ITEM INSTRUCTIONS

Instructions for completing the individual items on the form follow. Where no instructions are given, the item is thought to be self-explanatory.

Section A. The lender, title company, or other firm preparing the form may insert its name and/or logotype in Section A.

Section B. Check appropriate loan type and complete the remaining items as applicable.

Section C. Check the box indicating that the form is being used as a statement of actual costs and disbursements at or after settlement.

Sections D and E. Fill in the names and current mailing addresses of the borrower and the seller. Where there is more than one buyer or seller, the name and address of one is sufficient.

Section F and H. Fill in the name and address of the lender and the person conducting settlement. If, at the time of advance disclosure, the settlement agent has not yet been selected, the advance disclosure form should have "not known" entered in Section H.

Section G. The street address of the security property, if any, should be given. If there is no street address, a brief legal description or other location of the property should be inserted. In all cases give the zip code of the property.

Section I. Fill in these dates to the extent they are known. If the prorations of taxes, insurance, etc., are to be made as of a date different than the settlement date, indicate the date of prorations on the last line in this section.

Section J. Summary of Borrower's Transaction. The Borrower may be given a copy of the form (in case of both advance disclosure and settlement) which does *not* contain the information filled in under "Summary of Seller's Transaction" (Block K, Series 400, 500, and 600 items).

Lines 104 and 105 are for additional amounts owed by the buyer. For example, the balance in the seller's reserve account held by the lender, if assigned to the buyer in a loan assumption case, would be entered here.

Lines 106 through 112 are for items which the seller had paid in advance, and for which the buyer must therefore reimburse the seller. Examples of items for which adjustments are made may include taxes and assessments paid in advance for an entire year or other period, when settlement occurs prior to the expiration of the year or other period for which they were paid. Additional examples include flood and hazard insurance premiums if the buyer is being substituted as an insured under the same policy; mortgage insurance in loan assumption cases; PUD or condominium association assessments paid in advance; fuel or other supplies on hand, purchased by the seller, which the buyer will use when buyer takes possession of the

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property; and ground rent paid in advance.

Line 203 is used for cases in which the buyer is assuming or taking title subject to an existing loan or other lien.

Lines 204 and 205 may be used in cases in which the seller has taken a trade-in or other property from the buyer in part payment for the property being sold, or when a tenant in the property has not yet paid his rent for a period of time prior to the settlement, and which the buyer will collect. They may also be used in cases in which a seller (typically a builder) is making an "allowance" to the buyer for carpets or drapes which the buyer is to purchase on his own. Such an allowance should also be entered on lines 505–509.

Lines 206 through 212 are for items which have not yet been paid, and which the buyer is expected to pay, but which are attributable in part to a period of time prior to the settlement. In jurisdictions in which taxes are paid late in the tax year, most cases will show the proration of taxes in these lines. See Instruction to Block C above regarding advance disclosure of taxes and assessments on the assumption that no taxes and assessments are delinquent. Other examples include utilities used but not paid for by the seller, rent collected in advance by the seller from a tenant for a period extending beyond the settlement date, and interest on loan assumptions. As with lines 106 to 112, these amounts will normally be only estimates on the advance disclosure statement.

Line 303 may indicate either the cash required from the borrower at settlement (the usual case in a purchase transaction) or cash payable to the borrower at settlement (if, for example, the buyer's earnest money deposit exceeded his cash obligations in the transaction). The appropriate box should be checked.

Section K. Summary of Seller's Transaction. The Seller may be given a copy of the form (in case of both advance disclosure and settlement) which does *not* contain the information filled in under "Summary of Borrower's Transaction" (Block J. Series 100 200, and 300 items).

Instructions for the use of lines 106–112, above, apply also to lines 405 to 411.

Line 504 is used if the purchaser is assuming or taking title subject to existing liens which are to be deducted from sales price.

Lines 505 through 509 may be used to list additional liens which must be paid off through settlement to clear title to the property. They may also be used to indicate funds to be held by the settlement agent for the payment of repairs the seller is obligated to make or payment of water, fuel, or other utility bills which cannot be prorated between the parties at settlement because the amounts used by the seller prior to settlement are not yet known.

If the seller's real estate broker has received and held an earnest money deposit which exceeds the commission owed to him, and if he will tender the excess deposit directly to the seller rather than through the settlement agent, the amount of excess deposit should be entered on one of lines 505–509, thus reducing the amount to be paid to the seller by the settlement agent by that amount.

Instructions for the use of lines 510 through 515 are the same as those for lines 206 to 212, above.

Section L. Settlement Charges. General: For all items except those paid to and retained by the lender, the name of the person or firm receiving the payment should be shown.

Line 700. If the sales commission paid by the seller is based on a percentage of the purchase price, enter the purchase price and the percentage here.

Line 701. The dollar amount of the total commission paid by the seller is entered here. A single entry is made, regardless of whether compensation will be paid to one agent or split among several agents.

Lines 702–703 are to be used to state the split of the commission where the person conducting the settlement disburses portions of the commission to two or more agents. Only the total commission is to be shown in the borrower's or seller's columns.

Line 704 may be used for additional charges made by the sales agent, or for a sales commission charged to the buyer, which will be disbursed by the settlement agent.

Line 801. Enter the fee charged by the lender for processing or originating the loan. If this fee is computed as a percentage of the loan amount, enter the percentage in the blank indicated.

Line 802. Enter the loan discount charged by the lender, and if it is computed as a percentage of the loan amount, enter the percentage in the blank indicated.

Line 803. Enter appraisal fees, if there is a charge separate from the origination fee.

Line 805 is used only for inspections by the Lendor or his personnel. Charges for other pest or structural inspections required by Regulation X to be stated should be entered in lines 1302–1305.

Line 806 should be used for a VA appraisal fee, FHA application fee (which covers the cost of appraisal by the agency as well), or a fee required by a private mortgage insurance company.

Line 807 is provided for convenience in using the form for loan assumption transactions if a fee is charged by the Lender for agreeing to an assumption or transfer subject to an existing indebtedness.

Line 901. If interest is collected at settlement for a part of a month or other period between settlement and the date from which interest will be collected with the first regular monthly payment, enter that amount here. If such interest is not collected until the first regular monthly payment, no entry should be made on line 901.

Line 1000. This section is used for amounts collected by the Lender and held in an account for the future payment of the obligations listed as they fall due. In many jurisdictions this is referred to as an "escrow", "impound" or "trust" account. In addition to the items listed, some Lenders may require reserves for flood insurance, condominium owners association assessments, etc.

Line 1100. In many jurisdictions the same person (e.g., an attorney or a title insurance company) performs several of the services listed in this section, and makes a single undifferentiated charge for so doing. In such cases, enter the overall fee on line 1107, (for attorneys) or line 1108 (for title companies), and enter on the line provided the item numbers of the services listed which are covered in the overall fee. In such cases no amounts should be entered for the individual items which are covered by overall fees.

Line 1101. Enter here the fee of the person or firm conducting the settlement. In some jurisdictions this is termed a closing or escrow fee. If two or more persons or firms make charges in connection with the same transaction, enter total charges in the appropriate columns, and indicate the breakdown of charges on the line after the word "to".

Lines 1102 and 1103. In some jurisdictions the same person (e.g., an attorney) both searches the title (that is, performs the necessary research in the records) and examines title (that is, makes a determination as to what matters affect title, and provides a title report or opinion.) If such a person charges only one fee for both services, it should be entered on line 1103. If separate persons perform these tasks, or if separate charges are made for searching and examination, they should be listed separately.

Line 1105. Enter charges for preparation of deeds, mortgages, notes, etc. If more than one person receives a fee for such work in the same transaction, show the total paid in the appropriate column and the individual charges on the line following the word "to".

Lines 1108–1110. Enter the total charge for title insurance (except the cost of the title binder) on line 1108. Enter on lines 1109 and 1110 the individual charges for the Lender's and owner's policies. Note that these charges are not carried over into the borrower's and seller's columns, since to do so would result in a duplication of the amount in line 1108.

Lines 1111–1113. These lines are for entry of other title charges not already itemized. Examples in some jurisdictions would include a fee to a private tax service, a fee to a county tax collector for a tax certificate, and a fee to a public title registrar for a certificate of title under a Torrens Act. Show the lender's attorney's fee, if any, on line 1107 and other attorneys' fees, if required to be stated under Regulation X, on lines 1111–1113.

Lines 1303–1305. Enter on these lines any other settlement charges not referrable to the categories listed above on the form which are required by Regulation X to be stated. Examples may include structural inspections or pre-sale inspection of heating, plumbing, or electrical equipment. These inspection charges may include a fee for insurance or warranty coverage.

Line 1400. Enter the total settlement charges paid from borrower's funds and seller's funds. These totals are also entered on lines 108 and 503, respectively, in Sections J and K.

Form Approved OMB No. 63-R1501

A. U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT DISCLOSURE/SETTLEMENT STATEMENT	B. TYPE OF LOAN: 1. ☐ FHA 2. ☐ FmHA 3. ☐ CONV. UNINS. 4. ☐ VA 5. ☐ CONV. INS. 6. FILE NUMBER 7. LOAN NUMBER
If the Truth-in-Lending Act applies to this transaction, a Truth-in-Lending statement is attached as page 3 of this form.	8. MORTG. INS. CASE NO.

C. NOTE: This form is furnished to you prior to settlement to give you information about your settlement costs, and again after settlement to show the actual costs you have paid. The present copy of the form is:

☐ ADVANCE DISCLOSURE OF COSTS. Some items are estimated, and are marked "(e)". Some amounts may change if the settlement is held on a date other than the date estimated below. The preparer of this form is not responsible for errors or changes in amounts furnished by others.

☐ STATEMENT OF ACTUAL COSTS. Amounts paid to and by the settlement agent are shown. Items marked *"(p.o.c.)"* were paid outside the closing; they are shown here for informational purposes and are not included in totals.

D. NAME OF BORROWER	E. SELLER	F. LENDER

G. PROPERTY LOCATION	H. SETTLEMENT AGENT	I. DATES	
		LOAN COMMITMENT	ADVANCE DISCLOSURE
	PLACE OF SETTLEMENT	SETTLEMENT	DATE OF PRORATIONS IF DIFFERENT FROM SETTLEMENT

J. SUMMARY OF BORROWER'S TRANSACTION		K. SUMMARY OF SELLER'S TRANSACTION	
100. GROSS AMOUNT DUE FROM BORROWER:		400. GROSS AMOUNT DUE TO SELLER:	
101. Contract sales price		401. Contract sales price	
102. Personal property		402. Personal property	
103. Settlement charges to borrower *(from line 1400, Section L)*		403.	
104.		404.	
105.		Adjustments for items paid by seller in advance:	
Adjustments for items paid by seller in advance:		405. City/town taxes to	
106. City/town taxes to		406. County taxes to	
107. County taxes to		407. Assessments to	
108. Assessments to		408. to	
109. to		409. to	
110. to		410. to	
111. to		411. to	
112. to		420. GROSS AMOUNT DUE TO SELLER	
120. GROSS AMOUNT DUE FROM BORROWER:		*NOTE: The following 500 and 600 series sections are not required to be completed when this form is used for advance disclosure of settlement costs prior to settlement.*	
200. AMOUNTS PAID BY OR IN BEHALF OF BORROWER:		500. REDUCTIONS IN AMOUNT DUE TO SELLER:	
201. Deposit or earnest money		501. Payoff of first mortgage loan	
202. Principal amount of new loan(s)		502. Payoff of second mortgage loan	
203. Existing loan(s) taken subject to		503. Settlement charges to seller *(from line 1400, Section L)*	
204.		504. Existing loan(s) taken subject to	
205.		505.	
Credits to borrower for items unpaid by seller:		506.	
206. City/town taxes to		507.	
207. County taxes to		508.	
208. Assessments to		509.	
209. to		Credits to borrower for items unpaid by seller:	
210. to		510. City/town taxes to	
211. to		511. County taxes to	
212. to		512. Assessments to	
220. TOTAL AMOUNTS PAID BY OR IN BEHALF OF BORROWER		513. to	
300. CASH AT SETTLEMENT REQUIRED FROM OR PAYABLE TO BORROWER:		514. to	
301. Gross amount due from borrower *(from line 120)*		515. to	
302. Less amounts paid by or in behalf of borrower *(from line 220)*	( )	520. TOTAL REDUCTIONS IN AMOUNT DUE TO SELLER:	
303. CASH (☐ REQUIRED FROM/ ☐ PAYABLE TO/ BORROWER:		600. CASH TO SELLER FROM SETTLEMENT:	
		601. Gross amount due to seller *(from line 420)*	
		602. Less total reductions in amount due to seller *(from line 520)*	( )
		603. CASH TO SELLER FROM SETTLEMENT	

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L. SETTLEMENT CHARGES	PAID FROM BORROWER'S FUNDS	PAID FROM SELLER'S FUNDS
700. SALES/BROKER'S COMMISSION based on price $ @ %		
701. Total commission paid by seller		
Division of commission as follows:		
702. $ to		
703. $ to		
704.		
800. ITEMS PAYABLE IN CONNECTION WITH LOAN.		
801. Loan Origination fee %		
802. Loan Discount %		
803. Appraisal Fee to		
804. Credit Report to		
805. Lender's inspection fee		
806. Mortgage Insurance application fee to		
807. Assumption/refinancing fee		
808.		
809.		
810.		
811.		
900. ITEMS REQUIRED BY LENDER TO BE PAID IN ADVANCE.		
901. Interest from to @ $ /day		
902. Mortgage insurance premium for mo. to		
903. Hazard insurance premium for yrs. to		
904. yrs. to		
905.		
1000. RESERVES DEPOSITED WITH LENDER FOR:		
1001. Hazard insurance mo. @ $ /mo.		
1002 Mortgage insurance mo. @ $ /mo.		
1003. City property taxes mo. @ $ /mo.		
1004. County property taxes mo. @ $ /mo.		
1005. Annual assessments mo. @ $ /mo.		
1006. mo. @ $ /mo.		
1007. mo. @ $ /mo.		
1008. mo. @ $ /mo.		
1100. TITLE CHARGES:		
1101. Settlement or closing fee to		
1102. Abstract or title search to		
1103. Title examination to		
1104. Title insurance binder to		
1105. Document preparation to		
1106. Notary fees to		
1107. Attorney's Fees to		
(includes above items No.:		
1108. Title insurance to		
(includes above items No.:		
1109. Lender's coverage $		
1110. Owner's coverage $		
1111.		
1112.		
1113.		
1200. GOVERNMENT RECORDING AND TRANSFER CHARGES		
1201. Recording fees: Deed $; Mortgage $ Releases $		
1202. City/county tax/stamps: Deed $; Mortgage $		
1203. State tax/stamps: Deed $; Mortgage $		
1204.		
1300. ADDITIONAL SETTLEMENT CHARGES		
1301. Survey to		
1302. Pest inspection to		
1303.		
1304.		
1305.		
1400. TOTAL SETTLEMENT CHARGES (entered on lines 103 and 303, Sections J and K)		

NOTE: Under certain circumstances the borrower and seller may be permitted to waive the 12-day period which must normally occur between advance disclosure and settlement. In the event such a waiver is made, copies of the statements of waiver, executed as provided in the regulations of the Department of Housing and Urban Development, shall be attached to and made a part of this form when the form is used as a settlement statement.

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[FR Doc.76-438 Filed 1-2-76;4:43 pm]

federal register

FRIDAY, JANUARY 9, 1976



PART III:

FEDERAL ENERGY ADMINISTRATION

ENERGY POLICY AND CONSERVATION ACT

Refiner, Reseller and Retailer Price Regulations

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FEDERAL ENERGY ADMINISTRATION

[10 CFR Part 212]

REFINER, RESELLER AND RETAILER PRICE REGULATIONS TO REFLECT PRICING POLICIES OF ENERGY POLICY AND CONSERVATION ACT

Proposed Rulemaking and Public Hearing

I. *Introduction*—On December 22, 1975, the Energy Policy and Conservation Act was enacted into law. (Pub. L. 94–163, hereinafter referred to as the "EPCA".) Section 401 of the EPCA amends the Emergency Petroleum Allocation Act of 1973 (the "EPAA") by adding a new section 9, which sets forth a policy regarding "passthroughs of price decreases" to be implemented by regulations made effective "(n)ot later than the first day of the second ful calendar the first day of the second full calendar of (section 9)". Section 402 of the EPCA amends section 4(b) of the EPAA by adding certain limitations with respect to the length of time within which net crude oil cost increases may be passed through in prices charged by refiners and by adding certain requirements with respect to the proportionate distribution to prices for specified products of the increased costs of crude oil incurred by refiners. These amendments to section 4(b) of the EPAA take effect "on the effective date of the amendment to the regulation under section 4(a), required by section 8 of (the EPAA)," which amendment, in turn, must be made effective "not later than the first day of the second full calendar month following the date of enactment of (section 8)".

The Federal Energy Administration ("FEA") accordingly hereby gives notice of a proposal to revise the regulations applicable to prices charged for covered products by refiners, resellers and retailers (10 CFR Part 212) in order to reflect the pricing policies of sections 401 and 402 of the EPCA, with such revisions to become effective not later than February 1, 1976. An opportunity for written comment and oral testimony on this proposal will be afforded to interested parties.

II. *Proposed amendments*—A. *Passthrough of price decreases.* Section 401 (a) of the EPCA amend the EPAA by adding a new section 9 as follows:

> Not later than the first day of the second full calendar month following the date of enactment of this section, the regulation under section 4(a) shall provide for a dollar-for-dollar passthrough in prices at all levels of distribution from the producer through the retail level of decreases in the costs of crude oil, residual fuel oil, and refined petroleum products (including decreases in costs which result from a reduction in the price of crude oil produced in the United States because of the amendment to such regulation required under section 8(a)).

The Conference Report on the EPCA states with respect to this provision:

> Under current regulations, the opportunity is provided for a refiner or marketer to pass through its increased crude oil or product costs. This is done by allowing the maximum lawful selling price of each seller to be increased upward to reflect increases incurred in the cost of crude oil or products purchased. The Conference Substitute requires that decreases in a firm's cost of crude oil, residual fuel oil, or refined petroleum products be fully taken into account in computing that firm's maximum lawful selling prices.
>
> Until now such a provision has been unnecessary because few, if any, firms have enjoyed a reduction in their input costs. The pricing provisions contained in the Conference Substitute and the removal of import fees should, however, result initially in a significant reduction in the actual weighted average first sale price of domestic crude oil. This provision of the Conference Substitute will help to assure that as much of the crude oil price reduction as is possible will be passed through the various levels of refining and distribution to the consumer level. Of course, it cannot realistically result in a full and immediate dollar-for-dollar reduction of any seller's current selling price if that seller is already below its maximum lawful prices and if the Federal Energy Administration does not alter the rules regarding so-called "banked costs". Conf. Rep. No. 516, 94th Cong., 1st Sess. (1975) p. 195.

A notice of proposed rulemaking entitled "Domestic Crude Oil Prices" was issued by FEA on January 6, 1976 to propose the adoption, no later than February 1, 1976, of rules which will implement the crude oil pricing provisions contained in the EPCA. These provisions are set forth by section 401 of that Act and require, in part, that the President:

> establish ceiling prices (or the manner of determining ceiling prices) applicable to any first sale of crude oil produced in the United States, such that the resulting actual weighted average first sale price for all such crude oil during [the second full calendar month following the date of enactment of section 401] * * * shall not exceed a maximum of $7.66 per barrel * * *

As the Conference Report states, implementation of these new domestic crude oil price regulations will result in an overall decrease in the weighted average first sale price of domestic crude oil. However, the result of such decrease in the cost of crude oil to refiners, in terms of the prices which may be charged under FEA price regulations by refiners, resellers and retailers for residual fuel oil and refined petroleum products, depends in part on the extent to which previously incurred higher costs of crude oil, residual fuel oil, or refined petroleum products (i.e., higher product costs) have already been passed through in prices charged for products.

To the extent that refiners, resellers or retailers have charged prices for products which have been less than those which would have resulted from a full passthrough of their increased product costs, they have unrecovered increased product costs which, pursuant to § 212.83 or § 212.93 of the regulations, may be carried forward and, subject to certain limitations, passed through in future prices. Certain amendments to the provisions on the carryforward of unrecovered increased product costs by refiners, to reflect the pricing policy of section 402 of the EPCA, are proposed below, but those proposed rules, if adopted, would still continue to afford a means whereby refiners that do not pass through all of their increased product costs on a current basis will be permitted to carry forward unrecovered increased product costs for recovery in a future period. Accordingly, as the foregoing statement from the Conference Report indicates, the regulations on the carryforward of unrecovered increased product costs (so-called "banked costs"), and the amount of such costs available to each particular firm, necessarily affect the timing with respect to when reductions in the price of crude oil will be required by the regulations to be passed through as reductions in product selling prices by each firm.

It is important to note, however, that current FEA price regulations automatically provide for the dollar-for-dollar passthrough of decreases in costs of crude oil, subject only to the provision for the carryforward of unrecovered increased product costs discussed above. The resellers' and retailers regulations already require that decreases in costs be passed through. See § 212.93(c)(1). As noted in the Conference Report, FEA price regulations provide for a dollar-for-dollar passthrough of increased product costs. Although the refiners' regulations are silent with respect to decreased product costs, increased product costs are generally defined in the regulations as the difference between current costs and May 1973 costs. Thus, any reduction in current cost levels from the cost levels of the preceding month automatically results in a reduction in the amount of increased costs available for passthrough and, hence, in a reduction in a firm's maximum lawful prices. In other words, although the term "reduced product cost" does not appear in the regulations, any reduction in product costs automatically constitutes a lesser amount of "increased products costs" (since such increases are measured from May 1973 levels), except in the unlikely event a firm were to incur costs currently that were below May 1973 levels.

Thus, the effect of the new section 9 of the EPAA, when read together with the EPCA's explicit authorization of the passthrough of banked costs subject to certain limitations, simply makes mandatory the policy with respect to passing on cost reductions in the form of price decreases which was already implicit in the EPAA and in the FEA refiners' price regulations and was explicitly required in the resellers' and retailers' price regulations.

FEA, therefore, proposes to add an express provision to its refiners' price regulations which states that current decreases in the cost of crude oil, residual fuel oil, or refined petroleum products (i.e., reductions in the amount of increased costs—over May, 1973 levels—in a current month from the amount of increased costs—over May, 1973 levels—for the prior month) automatically result in a reduction in the amount of increased costs available for passthrough.

FEA invites comment as to whether any other changes in the regulations should be adopted in order further to

carry out the intent of the Congress, as stated in the new section 9 of the EPAA and as discussed in the Conference Report.

B. *Limitations on the carryforward of unrecouped increased product costs.* Section 402 of the EPCA amends section 4(b)(2) of the EPAA to read, in pertinent part, as follows:

> (2) In specifying prices (or prescribing the manner for determining them), the regulation under subsection (a)—
>
> * * * * *
>
> (B)(i) Shall not permit any net crude oil cost increases—
>
> (I) Which are incurred by a refiner during the calendar month immediately preceding the effective date of this paragraph, or in any month thereafter, and
>
> (II) Which are not passed through in prices charged pursuant to such regulation in the 2 calendar months following the calendar month in which such crude oil cost increases were incurred,
>
> to be passed through by such refiner in any month subsequent to the 2 calendar months following the calendar month in which such crude oil cost increases were incurred, unless the President makes the findings specified in clause (ii)(II)(aa), and such passthrough is consistent with the requirements specified in clause (ii)(II)(bb).
>
> (B)(iii) Shall not permit the passthrough in any month of—
>
> (I) Any net crude oil cost increases incurred by a refiner not later than the last day of the calendar month which begins two months prior to the effective date of this paragraph and not passed through by the end of the last calendar month prior to the effective date of this paragraph unless such passthrough is not in excess of 10 percent of the total amount of such increased crude oil costs not passed through as of the last day of the last calendar month prior to the effective date of the amendment promulgated under section 8(a);
>
> (II) Any net crude oil cost increases incurred by a refiner after the effective date of this paragraph, which net crude oil cost increases were not passed through within the 2 calendar months following the calendar month in which such crude oil cost increases were incurred, unless—
>
> (aa) The President finds, and reports to the Congress with respect to such finding, that a passthrough of such crude oil increases is necessary to alleviate the impact on refiners, marketers, or consumers of significant increases in costs, to provide for equitable cost recovery consistent with the attainment, to the maximum extent practicable, of the objectives specified in paragraph (1), or to avoid competitive disadvantage; and
>
> (bb) Such passthrough in any month of such crude oil cost increases is not in excess of 10 percent of the total amount of such crude oil cost increases as of the end of the calendar month in which the effective date of this paragraph occurs or any month thereafter;

Under current FEA price regulations, refiners determine their increased cost of crude oil (which is their principal "product" cost) on a calendar month basis, by taking the difference between their May 1973 weighted average crude oil cost per barrel and their weighted average crude oil cost per barrel for the month for which increased costs are being measured, and then multiplying that per barrel amount by the number of barrels of crude oil purchased in that month to be refined for sale. The total dollar amount of increased crude oil costs which is thus determined for a calendar month may not be passed through (in the form of prices for products which are above a refiner's May 15, 1973 prices) until the calendar month following the month in which they were incurred and measured. The month for which prices are being determined is referred to in the refiner price regulations as the "current month," and the prior month is referred to as the "month of measurement." To the extent that the total amount of a refiner's increased costs of crude oil incurred in one calendar month (the "month of measurement") is not recovered in prices charged during the following calendar month (the "current month"), such increased costs may be passed through in prices charged in subsequent months, subject to certain limitations. (These regulatory provisions which provide for the carryforward of increased product costs which are not recovered in the "current month" are sometimes referred to as the "banking" provisions of the refiner price rules, with the costs which are carried forward referred to as "banked" costs.)

The new statutory pricing policy set forth in section 4(b)(2)(B) of the EPAA imposes certain requirements with respect to the carryforward of unrecovered increased costs of crude oil by refiners. The new limitations can be summarized as follows:

With respect to increased costs of crude oil incurred through December 31, 1975, and not recovered in prices charged through January 31, 1976 (i.e., "banked" costs as of January 31, 1976), section 4(b)(2)(B)(ii)(I) provides that the passthrough of such increased costs in any month beginning with February 1976 shall not exceed 10 percent of the January 31, 1976 amount.

With respect to increased costs of crude oil incurred during January 1976 or in any month thereafter, section 4(b)(2)(B)(i) provides that no such increased costs which are not passed through in prices charged in the two calendar months following the calendar month in which they were incurred may be passed through in any month following the two calendar months in which they were incurred, unless certain findings are made pursuant to section 4(b)(2)(B)(ii)(II)(aa) and subject to the limitations on the amount of such later passthrough of section 4(b)(2)(B)(ii)(II)(bb).

The findings required to be made under section 4(b)(2)(B)(ii)(II)(aa) in order to permit any such later passthrough are that such passthrough "is necessary to alleviate the impact on refiners, marketers, or consumers, of significant increases in costs, to provide for equitable cost recovery * * *, or to avoid competitive disadvantage * * *." The limitation on the amount of any such later passthrough which is imposed by section 4(b)(2)(B)(ii)(II)(bb) is that it cannot exceed, in any month, "10 percent of the total amount of such crude oil cost increases i.e., net crude oil cost increases incurred in a calendar month begining with January 1976 and not passed through in the two succeeding calendar months) as of the end of (February 1976) or any month thereafter."

Effective February 1, 1976, therefore, the net effect of section 4(b)(2)(B) (assuming certain findings are made), will be to limit the amount of increased cost of crude oil that a refiner may pass through in prices charged for products in any month to:

(1) All increased costs of crude oil incurred in the immediately preceding month, plus

(2) All increased costs of crude oil incurred in the month before the immediately preceding month and not passed through in the immediately preceding month, plus

(3) Increased costs of crude oil incurred three or more months before the current month and not previously passed through: *Provided*, That the amount passed through in the current month does not exceed 10 percent of the highest total such amount as of the end of any month after the effective date of this paragraph (no such costs will, however, exist until March 31, 1976), plus

(4) Increased costs of crude oil incurred through December 31, 1975 and not previously passed through, provided that the amount passed through in the current month does not exceed 10 percent of the total such amount as of January 31, 1976.

The implementation of this requirement and of the proportionate pricing requirement, discussed below, will necessarily add considerable complexity to a set of regulations that already has significant complexities. Accordingly, FEA solicits comments not only on the specific proposed amendments set forth herein, but on any other means whereby the requirements of the EPCA might be carried out—particularly those which would result in some simplification of the regulations. Interested parties are therefore advised that the FEA will adopt whatever amendments to the regulations appear (after written comment have been received and a public hearing has been held) to be best suited to implementing the pricing policy requirements of the EPCA which are the subject of this rulemaking proceeding.

FEA therefore proposes to amend § 212.83 as follows:

First, refiners would be required to compute unrecouped increased product costs ("banks") as of January 31, 1976 and as of the end of every month thereafter.

Second, refiners would be permitted to use "banked" amounts only subject to the following limitations:

(a) Not more than ten percent of unrecouped increased product costs computed as of January 31, 1976 may be passed through in product prices in any future month;

(b) Increased product costs incurred in any month of measurement (referenced by the superscript "t" in the refiners' cost allocation formulae) begin-

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ning as of January 1976 and thereafter may always be passed through in the current month (referenced by the superscript "u" in the refiners' cost allocation formulae), or if not recouped during the current month, may be passed through during the immediately subsequent month; and

(c) Increased product costs incurred during January 1976 or any month thereafter and not recouped within two months after the month in which they were incurred may be recouped in any month after those two months provided that the portion recouped in any such following month is not more than ten percent of the highest amount of all of the unrecouped increased product costs incurred during January 1976 or any month thereafter and not recouped within two months after the month in which they were incurred.

The provision for the deferred passthrough of increased crude oil costs listed in paragraph (c) above, can only, however, be adopted if a finding is made pursuant to section 4(b)(2)(B)(ii)(II)(aa) of the EPAA that such deferred passthrough after the two month period allowed for recoupment of costs is necessary

> to alleviate the impact on refiners, marketers, or consumers of significant increases in costs, to provide for equitable cost recovery * * * or to avoid competitive disadvantage.

FEA's preliminary view, based on information obtained in an earlier rulemaking proceeding with respect to the regulations on the carryforward of unrecovered increased product costs, is that there is a basis for such a finding to be made. In that proceeding, initiated in September 1974 (39 FR 32718, September 6, 1974, FEA proposed substantially to restrict the provisions for the future carryforward of increased costs not recovered on a current basis and to phase out existing amounts of increased product costs which had not been recovered on a current basis. After receipt of comments and a public hearing, however, FEA concluded that the regulations on carryforward of unrecovered increased product costs shokuld be retained in essentially their existing form, but with a limitation imposed on the amount of such increased costs which could be passed through in a single month. (39 FR 39259, November 6, 1974.)

Among the reasons for this conclusion were that to require increased costs to be passed through on a current basis, or not at all, would have given sellers an incentive to recover the maximum amount of increased product costs as soon as possible, thus encouraging higher prices. Such an amendment would also have made product cost recovery impracticable for those refiners that had large fluctuations in the costs incurred from month to month, or that had significant disparities between the volumes of products for which costs were incurred and the volumes of product sold.

Notwithstanding these tentative conclusions, however, in view of the requirement in the EPCA that specific findings must be made, FEA specifically requests current information that would tend either to confirm or rebut these tentative conclusions.

It should be noted that the proposals set forth herein continue to treat increased costs of residual fuel oil and refined petroleum products together with increased costs of crude oil and extend, therefore, the restraints on the passthrough of unrecovered increased costs of crude oil imposed by section 4(b)(2)(B) of the EPAA to unrecovered increased costs of residual fuel oil and refined petroleum products. Although this is a more restrictive treatment than required by statute, it does eliminate further complexities in the regulations. Comments are, however, requested on whether separate treatment of unrecovered increased costs of residual fuel oil and refined petroleum products may be necessary or appropriate, and, if so, how such separate treatment should be accomplished.

There is also another respect in which the proposals contained herein are more stringent than is required by the statute. Currently refiners are in effect required to maintain three "banks"—one for gasoline, one for No. 2 oils and one for general refinery products. For each of the latter two categories, § 212.83(e)(5) currently limits the amount of "banked" costs that can be passed through in any one month to (i) that amount, if any, necessary to maintain the price for any product within that category at a level equal to the price charged for that product in the prior month, plus (ii) ten percent of the highest total amount of costs in that "bank" on October 31, 1974 or at the end of any month thereafter. Under the proposal contained herein, the price maintenance provision is eliminated and, with slight modifications not pertinent here, the ten percent limitation is applied to the gasoline "bank" as well as the other two.

This goes further than the statute requires, however, because, while the EPAA as amended now in effect requires (in section 4(b)(2)(D), which, as discussed below, requires proportional allocation of costs to certain products) the maintenance of separate "banks" for certain products, it does not require that the ten percent limitation be applied to each of those "banks" separately. Rather, it imposes only a ten percent passthrough limitation on all unrecouped crude oil costs generally.

Thus, a possible alternative approach is to maintain the flexibility of the current rules of § 212.83(e)(5), which allows more than ten percent of the "bank" for a particular product or category of products to be passed through in a particular month under certain circumstances, and meet the statutory requirement by adding an additional provision that applies the statutory ten percent limitation to all "banked" costs. Other similar alternatives are also possible, such as imposing by regulation only the statutory ten percent limitation on overall costs and eliminating all limitations on the amount of "banked" costs allocated to particular products that can be passed through in any month.

Thus, in addition to comments on approaches taken in the regulatory language proposed herein, FEA also solicits comments on the several other possible approaches that might differ in the extent to which they allowed the passthrough of "banked" costs to particular products but would all meet the statutory restrictions by applying the ten percent passthrough limitation only to overall unrecouped costs.

C. *Proportionate pricing.* Section 402 of the EPCA also amends section 4(b)(2) of the EPAA to include the following new provision with respect to the distribution of increased costs:

> (2) In specifying prices (or prescribing the manner for determining them), the regulation under subsection (a)—
>
> * * * * *
>
> (D) Shall not permit more than a direct proportionate distribution (by volume) to Number 2 oils (Number 2 heating oil and Number 2-D diesel fuel), aviation fuel of a kerosene or naphtha type, and propane produced from crude oil, of any increased costs of crude oil incurred by a refiner; except that the President may, by amendment to the regulation under subsection (a) or by order, permit deviation from such proportionate distribution of costs, if the President finds that refinery operations justify such deviation and further finds that to permit such deviation is consistent with the attainment of the objectives in paragraph (1) and would not result in inequitable prices for any class of users of such product.

Under current FEA regulations, refiners allocate increased crude oil costs to three categories of products: No. 2 oils, gasoline, and general refinery products (which includes all products other than gasoline and No. 2 oils). No more than a proportionate allocation of costs may be attributed to the categories of No. 2 oils and general refinery products, as well as the product propane which is within the category of general refinery products. Gasoline, however, may receive a disproportionate share of increased crude oil costs which would otherwise be attributed to the categories of No. 2 oils or general refinery products. Similarly, within the general refinery products category, all products except propane may receive a disproportionate share of the costs attributed to that product category.

With respect to the new provision of the EPAA on proportionate pricing, it should be noted first that the conference committee, as stated in the Conference Report, fully intended to preserve the existing flexibility ot assign less than a proportionate amount of increased costs to propane or home heating oil, as for example, in the current regulations which permit more than proportionate amounts of increased costs to be assigned to gasoline. See Conf. Rep. No. 516, 94th Cong., 1st Sess. (1975), p. 198. This new provision of the EPAA instead merely adds "aviation fuel of a kerosene or naphtha type" to the products or product categories to which not more than a proportional amount of increased crude oil costs

may be assigned, and elevates the current regulatory requirement with respect to No. 2 oils and propane produced from crude oil to the level of a statutory requirement.

Under current FEA refiner price regulations, aviation fuels constitute one of the several products or product categories within the category of "general refinery products". Refiners are permitted under § 212.83(c)(1)(ii) to apportion the total amount of increased product costs attributable on a volunmetric basis to the category of general refinery products among particular products (except propane) within that category in whatever amounts they deem appropriate.

In order to implement the proportionate pricing provision of section 4(b)(2)(D) of the EPAA, FEA, therefore, proposes amendments to §§ 212.31 and 212.83 of the regulations applicable to aviation fuels of a kerosene or naphtha type as follows:

First, a new definition of "aviation jet fuel," to mean "aviation fuel (kerosene-type) and aviation fuel, (naphtha-type)" is proposed. (The current regulations have a definition only of "aviation fuels" which means "aviation gasoline" as well as "aviation fuel (kerosene-type)" and "aviation fuel (naphtha-type).")

Second, the same proportionate pricing provisions as are now applicable to No. 2 oils are proposed to be made applicable to "aviation jet fuel," with "aviation gasoline" to remain a general refinery product.

Third, with respect to unrecovered increased costs of crude oil attributable to general refinery products which have been incurred through December 31, 1975 and not recovered in prices charged through January 31, 1976, FEA proposes that not more than a proportionate amount be permitted to be carried forward for application to prices for the new category of aviation jet fuel. The proportion of such costs which could be applied to aviation jet fuel prices is proposed to be not more than the ratio which a refiner's sales of aviation jet fuel bore to its sales of all products in the general refinery products category during calendar year 1975. A separate amount of unrecouped increased product costs, as of January 31, 1976 and thereafter, would be computed for aviation jet fuel, just as is currently required with respect to No. 2 oils.

It should be noted that the new definition of "aviation jet fuel" does not affect the use of the term "aviation fuels," as it appears in § 212.93(b) of the regulations, which pertain to increases in prices by resellers and retailers to reflect nonproduct cost increases.

Under current FEA regulations regarding the pricing of propane, including particularly § 212.83(c)(1)(iii) of Subpart E and § 212.167(c) of Subpart K as those regulations have been proposed to be extended (See 40 FR 49122, October 21, 1975), all propane whether recovered from natural gas or crude oil is already subject to certain "proportionate pricing" requirements. The requirements currently applicable to propane sold by refiners are not, however, the same as those currently applicable to No. 2 oils.

Under § 212.83(c)(iii), as proposed to be extended, a refiner in computing prices for propane, on an annual basis for prices set from August 1 through July 31:

(a) May not apportion to propane prices a greater percentage of the increased costs of crude oil incurred during July 1 through June 30 than the percentage that the volume of propane sold during August 1 through July 31 which is produced from crude oil is to the total volume of all products produced from crude oil and sold by that refiner during August 1 through July 31,

(b) May apportion to propane the increased cost of propane purchased, during July 1 through June 30,

(c) May apportion to propane the increased product costs of propane produced from natural gas, during August 1 through July 31,

(d) May not include in propane prices any increased product costs incurred prior to July 1 and not recovered by July 31.

Otherwise, propane is generally treated as an individual "general refinery product."

In order to implement the proportionate pricing provision of section 4(b)(2)(D) of the EPAA, FEA, proposes amendments to § 212.83 of the regulations applicable to propane pricing as follows:

For purposes of Subpart E of Part 212, propane refined from crude oil will be treated separately from propane recovered from natural gas by the same firm. In general, the same proportionate pricing provisions as are now applicable to No. 2 oils (and proposed to be made applicable to aviation jet fuel) are proposed to be made applicable to propane refined from crude oil, with propane recovered from natural gas to remain a general refinery product.

In order to accomplish this proposed change, that portion of a refiner's unrecovered increased costs of crude oil attributable to general refinery products which were incurred through December 31, 1975 and not recovered in prices charged through January 31, 1976 which could be applied to propane refined from crude oil would be not more than the ratio which a refiner's sales of propane refined from crude oil bore to its sales of all general refinery products during calendar year 1975. Unrecouped increased product costs incurred as of January 31, 1976 and thereafter would be allocated to propane refined from crude oil as increased product costs are proposed herein to be allocated to No. 2 oils and aviation jet fuel.

Since propane is a product subject to seasonal fluctuations in sales, FEA specifically requests comments on whether the proposed method of apportioning of the general refinery products "bank" is the appropriate method.

As noted above, propane recovered from natural gas would continue to be a general refinery product. It would also continue to be subject to the provisions of the current annually-measured "special propane rule."

A "special propane rule for February 1, 1976 and thereafter" is proposed to require that, after all these individual computations are completed, propane be priced as a single item under § 212.82(a).

The requirements of section 4(b)(2)(D) with respect to proportionate distribution of increased crude oil costs may be deviated from upon a finding "that refinery operations justify such deviation and * * * that * * * such deviation is consistent with the attainment of the objectives in [section 4(b)(1) of the EPAA] and would not result in inequitable prices for any class of users of such product." FEA does not propose any specific deviation from the requirements of section 4(b)(2)(D) of the EPAA, but comments are requested on the extent to which any such deviation may be called for, particularly with respect to the complexities introduced by the proposed revisions to the regulations regarding propane pricing. Any such comments should indicate the basis upon which the necessary findings to support such a deviation could be made.

Also with respect to the proportionate pricing issue, FEA proposes to modify the method whereby the proportionate amount of increased costs of crude oil attributable to particular products is derived. Under current regulations, the proportion is derived, in essence, by multiplying a refiner's total amount of increased cost of crude oil for a month by the ratio that the volume of the product in question estimated to be sold in the current month bears to the volume of all products estimated to be sold in the current month. This ratio is set forth in the price formulae of § 212.83(c)(2) as the term "$V_i{}^s/V^s$."

The estimated sales volumes expressed in both the numerator of the fraction ($V_i{}^s$) and the denominator (V^s) include (except with respect to propane) sales attributable to products which are purchased and resold by a refiner, as well as the sales attributable to products refined by that refiner. Although use of total sales for the purpose of allocating the increased cost of crude oil simplifies the regulations—refiners are not required to compute subtotals of their sales according to whether the product was purchased or refined—and does not, in most cases, make any significant difference in the ratio that is used, it nevertheless introduces a certain amount of distortion into the allocation of increased costs of crude oil among products. Increasing both the numerator and the denominator of the fraction, by the amount of product purchased for resale, has the effect of allocating a greater proportion of increased crude oil costs to those products where a refiner supplements its production with product purchased for resale than would be allocable if the refiner made no such purchases.

Accordingly, in order to assure a more representative volumetric allocation of the increased cost of crude oil, FEA proposes to amend the definitions of the "$V_i{}^s/V^s$" factor of the § 212.83(c)(2) price formulae to include only the estimated sales volumes of products refined

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by the refiner concerned, and to exclude sales volumes attributable to products purchased by the refiner. It should be noted that the denominator of the current price formula of § 212.83(c)(2)(i), which is used to determine the per unit price increase which may be applied in all sales of a particular product, whether purchased or refined, should properly be defined as the total estimated sales volume of that product, including sales attributable to purchased product.

It should be noted that in a pending notice of proposed rulemaking and Public Hearing entitled "Proposals for Increased Pricing Flexibility" (40 FR 49372, October 22, 1975), FEA proposed to permit resellers and retailers the same flexibility with respect to reallocating increased product costs among products as is permitted for refiners. To the extent that such a proposal may be adopted, it is hereby proposed that such proposal be modified to include the same proportionate pricing restraint with respect to "aviation jet fuel" as is proposed herein for refiners, and comments are therefore specifically requested on this issue.

Procedures for receiving comments and public hearing. Interested persons are invited to participate in this rulemaking by submitting data, views or arguments with respect to the proposals set forth in this notice to Executive Communications, Room 3309, Federal Energy Administration, Box FG, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on documents submitted to FEA Executive Communications with the designation "Amendments to the Refiner, Reseller and Retailer Price Regulations to Reflect the Pricing Policies of the Energy Policy and Conservation Act." Fifteen copies should be submitted. All comments received by Thursday, January 22, 1976, before 4:30 p.m., e.s.t., will be considered by the Federal Energy Administration before final action is taken on the proposed regulations.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination. The public hearing in this proceeding will be held at 9:30 a.m., e.s.t., on Monday, January 26, 1976, in Room 2105, 2000 M Street, NW., Washington, D.C. 20461, in order to receive comments from interested persons on the matters set forth herein.

Any person who has an interest in the proposed amendments issued today, or who is a representative of a group or class of persons that has an interest in today's proposed amendments, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, and must be received before 4:20 p.m., e.s.t., on Friday, January 16, 1976. Such a request may be hand delivered to Room 3309, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned, if appropriate, to state why he is proper representative of a group or class of persons that has such an interest, and to give a concise summary of the proposed oral presentation and a phone number where he may be contacted through Friday, January 23, 1976. Each person selected to be heard will be so notified by the FEA before 4:30 p.m., Monday, January 19, 1976 and must submit 100 copies of his statement to Allocations Regulations Development Office, FEA, Room 2214, 2000 M Street, N.W., Washington, D.C. 20461, before 4:30 p.m., e.s.t., on Friday, January 23, 1976.

The FEA reserves the right to select the persons to be heard at these hearings, to schedule their respective presentations, and to establish the procedures governing the conduct of the hearings. The length of each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearings. These will not be judicial or evidentiary-type hearings. Questions may be asked only by those conducting the hearings, and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearings will be based on statement. The rebuttal statements will At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any interested person may submit questions to be asked of any person making a statement at the hearings, to Executive Communications, FEA, before 4:30 p.m., e.s.t., Friday, January 23, 1976. Any person who wishes to ask a question at the hearings may submit the question, in writing, to the presiding officer. The FEA or the presiding officer, if the question is submitted at the hearings, will determine whether the question is relevant, and whether the time limitations permit it to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearings will be announced by the presiding officer.

A transcript of the hearings will be made and the entire record of the hearings, including the transcript, will be retained by the FEA and made available for inspection at the Administrator's Reception Area, Room 3400, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. Any person may purchase a copy of the transcript from the reporter.

As required by section 7(c)(2) of the Federal Energy Administration Act of 1974, Pub. L. 93-275, a copy of this notice has been submitted to the Administrator of the Environmental Protection Agency for his comments concerning the impact of this proposal on the quality of the environment. The Administrator had no comments on this proposal.

This proposal has been reviewed in accordance with Executive Order 11821, issued November 24, 1974, and has been determined not to be of a nature that requires an evaluation of its inflationary impact pursuant to Executive Order 11821.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, as amended, Pub. L. 93-511, Pub. L. 94-99, Pub. L. 94-133 and Pub. L. 94-163; Federal Energy Administration Act of 1974, Pub. L. 93-275; Energy Policy and Conservation Act, Pub. L. 94-163; E.O. 11790, 39 FR 23185)

In consideration of the foregoing, it is proposed to amend Part 212 of Chapter II, Title 10 Code of Federal Regulations as set forth below.

Issued in Washington, D.C., January 7, 1976.

MICHAEL F. BUTLER,
General Counsel,
Federal Energy Administration.

1. Section 212.31 is amended to add a definition of "aviation jet fuel" as follows:

§ 212.31 Definitions.

* * * * *

"Aviation jet fuel" means aviation fuel (kerosene-type) and aviation fuel (naphtha-type).

* * * * *

2. Sections 212.82(b)(1) and (3) are amended to read as follows:

§ 212.82 Price rule.

* * * * *

(b) *Base price*—(1) *Definition.* The base price for sales of an item by a refiner is the weighted average price at which the item was lawfully priced in transactions with the class of purchaser concerned on May 15, 1973, plus increased product costs incurred between the month of measurement and the month of May 1973 and measured pursuant to the provisions of § 212.83. (Decreases in product costs in successive months of measurement are reflected in reductions in the amount of increased product costs incurred in such months of measurement.) In computing the base price, a firm may not exclude any temporary special sale, deal or allowance in effect on May 15, 1973.

* * * * *

(3) *Aviation jet fuel.* For purposes of computing the base price pursuant to this paragraph, aviation jet fuel shall be treated as a single item.

* * * * *

3. Section 212.83 (c) and (e) are amended to read as follows:

§ 212.83 Allocation of refiner's increased costs.

* * * * *

(c) *Allocation of increased product cost*—(1) *General rule*—(i) *No. 2 oils, aviation jet fuel, propane refined from crude oil, and gasoline.* In computing base prices for sales of No. 2 oils, aviation jet fuel, propane refined from crude oil, and gasoline, a refiner may increase its May 15, 1973 selling price to each class of purchaser each calendar month beginning with November 1973 by an amount to reflect the increased product costs attributable to sales of that covered product using the differential between the month of measurement and the month of May 1973, provided that the amount of increased costs used in computing a base price is calculated by use of the formula set forth in paragraph (c)(2)(i) of this section, and that the formula of paragraph (c)(2)(i) of this section is computed separately for No. 2 oils, for aviation jet fuel, for propane refined from crude oil, and for gasoline, and that the amount of increased product costs included in computing base prices of No. 2 oils, of aviation jet fuel, of propane refined from crude oil, and of gasoline is equally applied to each class of purchaser.

(ii) *General refinery products.* * * *

(B) For purposes of this section, each of the following products or product categories shall constitute "a particular general refinery product": Aviation gasoline, benzene, butane, gas oil, greases, hexane, kerosene, lubricant base oil stocks, lubricants, naphthas, natural gas liquids, natural gasoline, No. 1 heating oil and No. 1-D diesel fuel, No. 4 fuel oil and No. 4-D diesel fuel, propane recovered from natural gas, residual fuel oil, special naphthas (solvents), toluene, unfinished oils, xylene, and other finished products. A blend of two or more particular covered products is considered to be that particular covered product constituting the major proportion of the blend.

* * * * *

(iii) *Propane*—(A) *Special propane rule for August 1, 1974 and thereafter.* Notwithstanding the provisions of § 212.83(c)(1)(ii) and in addition to the requirements of § 212.83(e), a refiner in computing base prices of propane for each twelve-month period of August 1, through July 31:

(*1*) May not apportion to propane a greater percentage of increased cost of crude oil purchased or landed in the twelve-month period July 1, through June 30, than the percentage that the volume of propane sold during the twelve-month period August 1, through July 31, that was produced by that refiner from crude oil is to the total volume of all products (including other than covered products) sold by it during the same twelve-month period that were produced by that refiner from crude oil; and

(2) May apportion to propane the increased cost of propane purchased or landed in the twelve-month period of July 1, through June 31; and

(3) May apportion to propane the increased product costs attributable to propane produced from natural gas as determined pursuant to the provisions of paragraphs (a), (b) and (c) of § 212.166 of Subpart K of this part; and

(4) May not apportion to propane any increased product costs incurred prior to July 1, and not recovered through July 31.

* * * * *

(C) *Special propane rule for February 1, 1976 and thereafter.* After complying with the provisions of §§ 212.83(c)(1), 212.83(c)(2), and 212.83(e), a refiner shall combine together any individual base prices, increased product costs, and unrecouped increased product costs computed individually pursuant to such sections for "propane refined from crude oil" and "propane recovered from natural gas" and shall treat propane as a single item for purposes of computing prices to be charged pursuant to § 212.82(a).

(iv) *Reallocation of increased product costs among product categories.* Increased product costs allocable to No. 2 oils, aviation jet fuel, propane refined from crude oil, and gasoline pursuant to paragraph (c)(1)(i) of this section and to general refinery products pursuant to paragraph (c)(1)(ii) of this section or carried forward pursuant to paragraph (e) of this section may be reallocated among product categories each month only as follows:

(A) *General refinery products.* To the extent that a refiner does not allocate its increased product costs for general refinery products to base prices for such products, it may instead allocate that part of its increased product costs for general refinery products only to base prices for gasoline. No increased product costs for general refinery products may be reallocated to base prices for No. 2 oils, aviation jet fuel, or propane refined from crude oil.

(B) *No. 2 oils.* To the extent that a refiner does not allocate its increased product costs for No. 2 oils to base prices for No. 2 oils, it may instead allocate that part of its increased product costs for No. 2 oils only to base prices for gasoline. No increased product costs for No. 2 oils may be reallocated to base prices for general refinery products, aviation jet fuel, or propane refined from crude oil.

(C) *Aviation jet fuel.* To the extent that a refiner does not allocate its increased product costs for aviation jet fuel to base prices for aviation jet fuel, it may instead allocate that part of its increased product costs for aviation jet fuel only to base prices for gasoline. No increased product costs for aviation jet fuel may be reallocated to base prices for No. 2 oils, propane refined from crude oil, or general refinery products.

(D) *Propane refined from crude oil.* To the extent that a refiner does not allocate its increased product costs for propane refined from crude oil to base prices for such products, it may instead allocate that part of its increased product costs for propane refined from crude oil only to base prices for gasoline. No increased product costs for propane refined from crude oil may be reallocated to base prices for general refinery products, No. 2 oils, or aviation jet fuel.

(E) *Gasoline.* No increased product costs for gasoline may be reallocated to base prices for general refinery products, aviation jet fuel, propane refined from crude oil, or No. 2 oils.

(2) *Formulae*—(i) *No. 2 oils, aviation jet fuel, propane refined from crude oil, and gasoline.* For No. 2 oils, aviation jet fuel, propane refined from crude oil, and gasoline (*i* equal 1, *i* equals 2, *i* equals 3, and *i* equals 4):

$$d_i^u = \frac{A^t\left(\frac{R_i^u}{R^u}\right) + B_i^t + G_i^t \pm H_i^u}{V_i^u}.$$

(ii) *General refinery products.* For general refinery products (*i*=5):

$$D_i^u = A^t\left(\frac{R_i^u}{R^u}\right) + B_i^t + G_i^t - H_i^u$$

(iii) *Definitions.* For purposes of paragraphs (c)(2)(i) and (c)(2)(ii) of this section:

d_i^u=The dollar increase that may be applied in the period "u" to the May 15, 1973 selling price of the covered product or products of the type "i" to each class of purchaser to compute the base price to each class of purchaser, except that the dollar increase that may be applied in the period "u" to the May 15, 1973 selling price of gasoline to compute the base prices to the classes of purchaser that purchase gasoline at retail from a refiner at any service station operated by employees of the refiner may be "d_i^u" plus a maximum of $0.03 per gallon of gasoline: *Provided*, That, in computing "d_i^u" for gasoline, the numerator of the formula in subdivision (i) of this subparagraph is reduced by an amount equal to the product of the actual amount of cents per gallon increased added to "d_i^u" above multiplied by the estimated number of gallons of gasoline to be sold during the period "u" at retail through service stations operated by employees of the refiner. The formula for "d_i^u" must be computed separately for $i=1$, for $i=2$, for $i=3$, and for $i=4$.

D_i^u=The total dollar amount a refiner may apportion in the period "u" to general refinery products ($i=5$) in whatever amounts it deems appropriate to each particular general refinery product: *Provided*, That the total dollar amount shall be reduced by an amount equal to the total number of gallons of benzene and toluene sold by the refiner during the month of May 1973 multiplied by $0.20 and further multiplied by an amount equal to the total number of barrels of refinery input to crude oil distillation units processed during the month of measurement and measured in accordance with Bureau of Mines form 6-1300-M divided by the total number of such barrels processed during the month of May 1973. The formula for general refinery products shall only be computed for $i=5$ (all general refinery products).

R^u=The total volume of all covered products refined by the refiner from crude oil and all products refined by the refiner from crude oil other than covered products estimated to be sold in the period "u."

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R_{it}=The total volume of a specific covered product or products of the type "i" refined by the refiner from crude oil estimated to be sold in the period "u."

V_{it}=The total volume of a specific covered product or products of the type "i" estimated to be sold in the period "u."

• • • • •

And where:

H_{it}=For i=1, the portion, if any, of the total dollar amount available in the period "u" for inclusion in price adjustments to No. 2 oils that pursuant to paragraphs (c) (1) (iv) or (e) of this section the refiner elects to include in prices of gasoline for the period "u" (in which case "H_{it}" shall be subtracted); for i=2, the portion, if any, of the total dollar amount available in the period "u" for inclusion in price adjustments to aviation jet fuel that pursuant to paragraphs (c) (1) (iv) or (e) of this section the refiner elects to include in prices of gasoline for the period "u" (in which case "H_{it}" shall be subtracted); for i=3, the portion, if any, of the total dollar amount available in the period "u" for inclusion in price adjustments to propane refined from crude oil that pursuant to paragraphs (c) (1) (iv) or (e) of this section the refiner elects to include in prices of gasoline for the period "u" (in which case "H_{it}" shall be subtracted); for i=4, the portion, if any, of the total dollar amount available in oils, aviation jet fuel, propane refined from crude oil and/or general refiner products that pursuant to paragraphs (c) (1) (iv) or (e) of this section the refiner elects to include in the price of gasoline for the period "u" (in case "H_{it}" shall be added); for i=5, the portion, if any, of the dollar amounts available in the period "u" for inclusion in price adjustments to general refinery products that pursuant to paragraphs (c) (1) (iv) or (e) of this section the refiner elects to include in calculating the base prices of gasoline for the period "u" (in which case "H_{it}" shall be subtracted).

The type of covered product or products is referenced by the subscript i:

i=1 represents No. 2 oils.
i=2 represents aviation jet fuel.
i=3 represents propane refined from crude oil.
i=4 represents gasoline.
i=5 represents all general refinery products.

• • • • •

(e) *Carryover of costs*—(1) *Calculation of amounts carried over as of February 28, 1975 and through December 31, 1975.* For purposes of calculating the total amount of unrecouped increased product costs of covered products of the type i=1, i=2, and i=3 that may be added to May 15, 1973 selling prices pursuant to paragraph (e) (3) of this section under the "G_i'" factor of the general formulae of paragraph (c) (2) of this section, as of February 28, 1975 (for t=February 1975), a firm shall calculate the total amount of unrecouped increased product costs of covered products of the type i=1, i=2, and i=3 pursuant to § 212.83(e) as that section existed on February 28, 1975. The total amount of unrecouped increased product costs so calculated shall be attributed to the product or products of the type i=1, i=2, and i=3, respectively, pursuant to § 212.83 as amended on March 1, 1975.

(2) *Calculation of amounts carried over as of and after January 31, 1976*—(i) *For No. 2 oils and gasoline.* For purposes of calculating the total amount of unrecouped increased product costs of covered products of the type i=1 and i=4 that may be added to May 15, 1973 selling prices pursuant to paragraph (e) (4) of this section under the "G_i'" factor of the general formulae of paragraph (c) (2) of this section, as of January 31, 1976 (for t=January 1976), a firm shall calculate the total amount of unrecouped increased product costs of covered products of the type i=1 and i=2 pursuant to § 212.83(e) (as that section existed on December 31, 1975). The total amounts of unrecouped increased product costs so calculated shall be attributed to the product or products of the type i=1 and i=4, respectively, pursuant to § 212.83 as amended on February 1, 1976.

(ii) *For general refinery products.* For purposes of calculating the total amount of unrecouped increased product costs of covered products of the type i=5 that may be added to May 15, 1978 selling prices pursuant to paragraph (e) (4) of this section under the "G_i'" factor of the general formulae of paragraph (c) (2) of this section, as of January 31, 1976 (for t=January 1976), a firm shall calculate the total amount of unrecouped increased product costs of covered products of the type i=3 pursuant to § 212.83 (e) (as that section existed on December 31, 1975.) The firm shall then subtract that amount of unrecouped increased product costs attributed to aviation jet fuel (i=2) pursuant to paragraph (e) (2) (iii) of this section and propane refined from crude oil (i=3) pursuant to paragraph (e) (2) (iv) of this section. The total amounts of unrecouped increased product costs so calculated shall be attributed to the product or products of the type i=5 pursuant to § 212.83 as amended on February 1, 1976.

(iii) *For aviation jet fuel.* For purposes of calculating the total amount of unrecouped increased product costs of covered products of the type i=2 that may be added to May 15, 1973 selling prices pursuant to paragraph (e) (5) of this section under the "G_i'" factor of the general formula of paragraph (c) (2) of this section, as of January 31, 1976 (for t=January 1976), a firm shall (I) calculate the total amount of unrecouped increased product costs of covered products of the type i=3 pursuant to § 212.83 (e) as that section existed on December 31, 1975 and then (II) multiply by a fraction, the numerator of which shall be the volume of aviation jet fuel sold during 1975, and the denominator of which shall be the volume of all general refinery products sold during 1975. The total amounts of unrecouped increased product costs so calculated shall be attributed to the product of the type i=2 pursuant to § 212.83 as amended on February 1, 1976.

(iv) *For propane refined from crude oil.* For purposes of calculating the total amount of unrecouped increased product costs of covered products of the type i=3 that may be added to May 15, 1973 selling prices pursuant to paragraph (e) (5) of this section under the "G_i'" factor of the general formula of paragraph (c) (2) of this section, as of January 31, 1976 (for t=January 1976), a firm shall (I) calculate the total amount of unrecouped increased product costs of covered products of the type i=3 pursuant to § 212.83 (e) as that section existed on December 31, 1975 and then (II) multiply by a fraction, the numerator of which shall be the volume of propane refined from crude oil sold during 1975, and the denominator of which shall be the volume of all general refinery products sold during 1975. The total amounts of unrecouped increased product costs so calculated shall be attributed to the product of the type i=3 pursuant to § 212.83 as amended on February 1, 1976.

(3) *Use through January 31, 1976 of amounts carried over*—(i) *General rule*—(A) *For No. 2 oils and general refinery products.* (1) If any month beginning with October 1973 a firm charges prices for No. 2 oils or for general refinery products that result in the recoupment of less than the total dollar amount of increased product costs calculated for that covered product pursuant to the general formula and allowable under paragraphs (c) (1) and (c) (2) of this section, and if that unrecouped amount of increased product costs is not used to increase May 15, 1973 selling prices of gasoline pursuant to paragraph (c) (1) (iv) of this section, that unrecouped amount of increased product costs (calculated pursuant to paragraph (e) (1) of this section) may be added to the May 15, 1973 selling prices to compute the base prices for that covered product for a subsequent month through January 31, 1976.

(2) If in any month beginning with October 1973 a firm charges prices for No. 2 oils or for general refinery products that result in the recoupment of more than the total dollar amount of increased product costs calculated for that covered product pursuant to the general formula and allowable under paragraphs (c) (1) and (c) (2) of this section, the excess revenues received must be subtracted from the May 15, 1973 selling prices to compute base prices for that covered product in a subsequent month.

(B) *For gasoline.* (1) If in any month beginning with October 1973 a firm charges prices for gasoline that result in the recoupment of less than the total dollar amount of increased product costs calculated for gasoline pursuant to the general formula and allowable under paragraphs (c) (1) (i), (c) (1) (iv), and (c) (2) (i) of this section, that unrecouped amount of increased product costs (calculated pursuant to paragraph (e) (1) of this section) may be added to the May 15, 1973 selling prices to compute the base prices for gasoline for a subsequent month, through January 31, 1976.

(2) If in any month beginning with October 1973 a firm charges prices for gasoline that result in the recoupment of more than the total dollar amount of increased product costs calculated for gasoline pursuant to the general formula and allowable under paragraphs (c) (1) (i), (c) (1) (iv), and (c) (2) (i) of this section, the excess revenues received must be subtracted from the May 15, 1973 selling prices to compute base prices for gasoline in a subsequent month.

(ii) *Limitation on use through January 31, 1976 of amounts carried over.* Notwithstanding the above provisions, the amount of unrecouped increased product costs calculated under the "G_i'" factor of the general formulae of paragraph (c) (2) of this section and carried forward pursuant to this paragraph (e) that may be used to compute base prices for the covered product or products of the type "i", other than gasoline, in the current month shall be limited to not more than:

(A) An amount that when added to the increased product costs for the month of measurement, will provide for the same amount of increased product costs to be included in selling prices for the current month of the covered product or products of the type "i" as was included in the selling prices for the preceding month on a weighted average per unit basis, plus

(B) An amount that is not more than 10 percent of the amount of unrecouped increased product costs calculated under the "G_i'" factor of the general formulae of paragraph (c) (2) of this section and carried forward pursuant to this paragraph (e), as of October 31, 1974, or as of the end any month thereafter.

(4) *Use as of and after February 1, 1976 of amounts carried over*—(i) *For No. 2 oils, aviation jet fuel, propane refined from crude oil and general refinery products.* (A) If in any month beginning with February 1976 a firm charges prices for No. 2 oils, aviation jet fuel, propane refined from crude oil, or for general refinery products that result in the recoupment of less than the total dollar amount of increased product costs calculated for that covered product pursuant to the general formula and allowable under paragraphs (c) (1), (c) (2), and (e) (2) of this section as of February 29, 1976 and thereafter, and if that unrecouped amount of increased product costs is not used to increase May 15, 1973 selling prices of gasoline pursuant to paragraph (c) (1) (iv) of this section, (1) that unrecouped amount of increased product costs (calculated pursuant to paragraph (e) (2) of this section) may be added to the May 15, 1973 selling prices to compute the base prices for that covered product for the immediately subsequent month, and (2) any remaining portion of that unrecouped amount of increased product costs may be added to the May 15, 1973 selling prices to compute the base prices for that covered product for any month after such immediately subsequent month: *Provided*, That such portion added in any month is not more than ten percent of the highest amount of such remaining portion of increased product costs calculated on or after March 31, 1976.

(B) Beginning February 1, 1976 not more than ten percent of the unrecouped amount of increased product costs calculated pursuant to paragraph (e) (2) of this section as of January 31, 1976 may be added to the May 15, 1973 selling prices to compute the base prices for any month.

(C) If in any month beginning with October 1973 a firm charges prices for No. 2 oils, aviation jet fuel, propane refined from crude oil, or for general refinery products that result in the recoupment of more than the total dollar amount of increased product costs calculated for that covered product pursuant to the general formula and allowable under paragraphs (c) (1) and (c) (2) of this section, the excess revenues received must be subtracted from the May 15, 1973 selling prices to compute base prices for that covered product in a subsequent month.

(ii) *For gasoline.* (A) If in any month beginning with February 1976 a firm charges prices for gasoline that result in the recoupment of less than the total dollar amount of increased product costs calculated pursuant to the general formula and allowable under paragraphs (c) (1), (c) (2) and (e) (2) of this section as of February 29, 1976 and thereafter, (1) that unrecouped amount of increased product costs may be added to the May 15, 1973 selling prices to compute the base prices for gasoline for the immediately subsequent month, and (2) any remaining portion of that unrecouped amount of increased product costs may be added to the May 15, 1973 selling prices to compute the base prices for that covered product in any month after such immediately subsequent month: *Provided*, That such portion added in any month is not more than ten percent of the highest amount of such remaining portion of increased product costs calculated on or after March 31, 1976.

(B) Beginning February 1, 1976 not more than ten percent of the unrecouped amount of increased product costs calculated pursuant to paragraph (e) (2) of this section as of January 31, 1976 may be added to the May 15, 1973 selling prices to compute base prices for gasoline for any month.

(C) If in any month beginning with October 1973 a firm charges prices for gasoline that result in the recoupment of more than the total dollar amount of increased product costs calculated for gasoline pursuant to the general formula and allowable under paragraphs (c) (1) and (c) (2) of this section, the excess revenues received must be subtracted from the May 15, 1973 selling prices to compute base prices for gasoline in a subsequent month.

(5) *Reallocation of increased product costs.* The total amount allowable under this paragraph (e) for No. 2 oils, aviation jet fuel, propane refined from crude oil, and general refinery products may not include any amount represented by the symbol "H" in the formulae in paragraph (c) (2) of this section that the refiner has elected to include in a prior month in the calculation of the maximum permissible amount that may be used to adjust base prices of gasoline pursuant to paragraph (c) (1) (iv) of this section.

(6) *Equal application among classes of purchaser.* • • •

(7) *Unrecouped increased non-product costs.* • • •

5. Section 212.92 is amended to read as follows:

§ 212.92 Definitions.

"Increased costs" means the difference between the weighted average unit cost of a product in inventory and the weighted average unit cost of that product in inventory on May 15, 1973. (Decreases in the weighted average unit cost of a product in inventory in successive months of measurement are reflected in reductions in the amount of increased costs incurred in such month of measurement.) If a particular product was not in inventory on May 15, 1973, the date for computing the cost is the most recent day preceding May 15, 1973, when the seller had the product in inventory.

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FRIDAY, JANUARY 9, 1976



PART IV:

DEPARTMENT OF LABOR

Employment Standards Administration

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MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions, Modifications and Supersedeas Decisions

VOL 41 NO 6
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DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138), and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

MODIFICATIONS AND SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the orginal General Wage Determination Decision.

MODIFICATIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State.

Connecticut:	
CT75–2114	Oct. 3, 1975.
South Carolina:	
SC75–1029	Mar. 7, 1975.
SC75–1045	Apr. 11, 1975.

SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State. Supersedeas Decision numbers are in parentheses following the numbers of the decision being superseded.

Alabama:	
AL75–1071 (AL76–1002)	July 18, 1975.
Mississippi:	
AQ–4072 (MS76–1003)	Feb. 15, 1974.
AR–4024 (MS76–1004)	Aug. 30, 1974.
North Carolina:	
AQ–4079 (NC76–1006)	Feb. 22, 1974.
AR–4044 (NC76–1005)	Oct. 11, 1974.
South Carolina:	
AQ–4097 (SC76–1008)	Apr. 5, 1974.
AR–4052 (SC76–1007)	Nov. 8, 1974.
South Dakota:	
SD75–5121 (SD75–5121)	Oct. 3, 1975.

Signed at Washington, D.C., this 2d day of January 1976.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

MODIFICATIONS P. 1

DECISION NO. CT75-2114 - Mod. #3
(40 FR 45970 - October 3, 1975)
Hartford, Middlesex, New Haven, & Tolland Counties, Connecticut

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Plumbers; Steamfitters: Middlesex County: Clinton, Killingworth, & Westbrook; New Haven County: Branford, Derby, East Haven, Guilford, Hamden, Madison, New Haven, North Branford, North Haven, Orange, West Haven, & Woodbridge	$9.98	.75	.70	t	.02

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MODIFICATIONS P. 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. SC75-1045 - Mod. #1 (40 FR 16636 - April 11, 1975) Allendale, Bamberg, Calhoun, & Orangeburg Counties, South Carolina.					
Change:					
Laborers:					
Laborers	$2.30				
Mason tenders	2.30				
Mortar mixers	2.30				
Truck Drivers	2.30				
DECISION NO. SC75-1029 - Mod. #1 (40 FR 10900 - March 7, 1975) Aiken, Barnwell, & Edgefield Counties, South Carolina.					
Change:					
Laborers:					
Laborer	$2.30				
Truck Drivers:					
Single Axle	2.30				
Power Equipment Operators:					
Asphalt rakers and oiler	2.30				

SUPERSEDEAS DECISION

STATE: Alabama COUNTY: Montgomery
DECISION NO: AL76-1002 DATE: Date of Publication
Supersedes Decision No.: AL75-1071 dated July 18, 1975 in 40 FR 30392
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Air conditioning & heating mechanic	3.66				
Bricklayers	6.28				
Carpenters	3.87				
Drywall finisher	4.50				
Drywall hanger	4.50				
Cement masons	5.70				
Electricians	4.62				
Ironworkers	3.91				
Laborers:					
Laborers	2.50				
Asphalt rakers	3.00				
Mason tenders	3.03				
Mortar mixers	2.50				
Painters, brush	5.35		.20		
Plasterers	5.50				
Plumbers & pipefitters	5.48				
Roofers	4.25				
Sheet metal workers	5.04				
Soft floor layers	5.00				
Tile setters	4.75				
POWER EQUIPMENT OPERATORS:					
Backhoe	3.80				
Tractors	2.50				
Forklift	4.50				
Bulldozer	3.25				
Grader	3.25				
Front end loader	3.00				
Roller	3.00				
Crane	4.625				

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SUPERSEDEAS DECISION

STATE: Mississippi
COUNTY: Washington
DECISION NUMBER: MS76-1003
DATE: Date of Publication
Supersedes Decision No. AQ-4072 dated February 15, 1974 in 39 FR 5933.
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

76 - Miss. - 1 - B

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Bricklayers	$6.00				
Carpenters	4.14				
Cement Masons	4.00				
Electricians	4.00				
Glaziers	3.48				
Ironworkers, Structural	7.15	.30	.35		.04
Ironworkers, Reinforcing	7.15	.30	.35		.04
Laborers	2.30				
Lathers	4.50				
Mason Tenders	2.50				
Mortar Mixers	2.30				
Painters, brush	5.00				
Plasterers	4.50				
Plumbers	5.09				
Roofers	3.50				
Sheet Metal Workers	3.72				
Soft Floor Layers	4.75				
Terrazzo Workers	4.50				
Tile Setters	4.50				
Truck Drivers	2.30				
Power Equipment Operators:					
Asphalt Distributor	3.00				
Asphalt Spreader	3.00				
Backhoe	4.78				
Bulldozer	3.00				
Cranes, Derricks, Draglines	6.22				
Motor Grader	3.00				
Roller	3.00				
Tractor	2.30				

SUPERSEDEAS DECISION

STATE: Mississippi
COUNTIES: Washington, Warren, Sunflower & Coahoma
DECISION NUMBER: MS76-1004
DATE: Date of Publication
Supersedes Decision No. AR-4024 dated August 30, 1974 in 39 FR 31771.
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including four stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Air Conditioning Mechanic	$4.00				
Bricklayer	5.00				
Carpenter	4.39				
Cement Mason	4.06				
Drywall Finisher	3.25				
Drywall Hanger	3.00				
Electrician	4.00				
Ironworker, Ornamental	3.80				
Ironworker, reinforcing	2.89				
Laborers:					
Laborer	2.30				
Asphalt Raker	2.46				
Mason Tender	2.30				
Mortar Mixer	2.30				
Painter	3.79				
Plumber	4.46				
Roofer	3.61				
Sheet Metal Worker	3.88				
Soft Floor Layer	3.50				
Tile Setter	5.00				
Truck Driver	3.00				
Welder	3.00				
Power Equipment Operators:					
Asphalt Spreader	2.75				
Backhoe	3.00				
Bulldozer	3.00				
Dragline	3.00				
Forklift	3.00				
Motor grader	3.50				
Scraper	2.88				

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SUPERSEDEAS DECISION

STATE: North Carolina
DECISION NUMBER: NC76-1005
COUNTIES: See below*
DATE: Date of Publication
Supersedes Decision No. AR-4044 dated October 11, 1974 in 39 FR 36822.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

*Counties: Chatham, Cumberland, Harnett, Hoke, Lee, Moore and Sampson

26-R-NC-L-E

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Air conditioning mechanic	$3.25				
Bricklayers	5.00				
Carpenters	3.83				
Cement masons	4.03				
Electricians	3.86				
Ironworkers, Structural & ornamental	2.75				
Laborers:					
Laborers	2.30				
Mason tenders	2.50				
Painters, brush	3.25				
Plumbers & Pipefitters	4.13				
Roofers	4.03				
Sheet Metal Workers	3.25				
Tile setters	4.00				
Truck drivers	2.50				
Welders - rate for craft.					
POWER EQUIPMENT OPERATORS:					
Asphalt paver	3.25				
Asphalt raker	2.30				
Bulldozer	4.14				
Concrete finisher	2.50				
Distributor, asphalt	2.30				
Form setters	2.70				
Front end loader	3.30				
Motor grader	2.68				
Roller (asphalt)	2.85				
Roller (rubber tire)	3.05				
Tractor Operator	3.00				

SUPERSEDEAS DECISION

STATE: North Carolina
DECISION NUMBER: NC76-1006
COUNTIES: See below*
DATE: Date of Publication
Supersedes Decision No. AQ-4079 dated February 22, 1974 in 39 FR 7010.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

*Counties: Bertie, Chowan, Edgecombe, Franklin, Halifax, Hertford, Martin, Northampton, Pitt, Vance, Warren, & Wilson

74-R-NC-1-C

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App Tr.
Air Conditioning & Heating Mechanic	$3.00				
Bricklayers	5.00				
Carpenters	3.45				
Cement Masons	3.36				
Drywall Finisher	4.00				
Drywall Hanger	2.75				
Electricians	3.39				
Laborers:					
Laborers	2.30				
Mason Tenders	2.46				
Mortar Mixers	3.00				
Pipelayers	2.50				
Painters, brush	3.13				
Plasterers	4.26				
Plumbers & Pipefitters	3.70				
Roofers	3.34				
Sheet Metal Workers	3.11				
Soft Floor Layers	2.75				
Tile Setters	3.50				
Truck Drivers	2.30				
Welders-rate for craft.					
Power Equipment Operators:					
Backhoe	2.74				
Bulldozer	3.06				
Cranes, derricks, draglines	3.20				
Front End Loader	3.25				
Mechanic	3.66				
Motor Grader	3.00				
Paver Operator	3.50				
Roller	2.81				
Scraper	3.50				
Tractor	2.40				

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SUPERSEDEAS DECISION

STATE: South Carolina COUNTIES: See below*
DECISION NUMBER: SC76-1007 DATE: Date of Publication
Supersedes Decision No. AR-4052 dated November 8, 1974 in 39 FR 39671.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

*Counties: Clarendon, Darlington, Dillon, Florence, Lee, Marion, Marlboro, Sumter, and Williamsburg

43-SC-4-F (1-1)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air conditioning mechanic	$5.00					
Bricklayers	4.25					
Carpenters	3.60					
Cement masons	4.12					
Dry wall finishers	4.00					
Dry wall hangers	4.00					
Electricians	4.00					
Glaziers	3.50					
Laborers:						
Laborers	2.30					
Mason tenders	3.40					
Mortar mixers	3.40					
Painters, brush	3.25					
Plumbers & pipefitters	3.60					
Roofers	3.65					
Sheet metal workers	3.60					
Tile setters	3.75					
Truck drivers	2.30					
Welders - rate for craft						
Power Equipment Operators:						
Asphalt distributor	2.50					
Asphalt paver	2.70					
Backhoe	2.30					
Curbing machine operator	2.40					
Bulldozer	2.68					
Forklift	2.75					
Grader	2.30					
Loader	2.30					
Pan	2.30					
Trenching machine	2.40					

SUPERSEDEAS DECISION

STATE: South Carolina COUNTY: Sumter
DECISION NUMBER: SC76-1008 DATE: Date of Publication
Supersedes Decision No. AQ-4097 dated April 5, 1974 in 39 FR 12581.
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Air conditioning mechanic	$4.25				
Asbestos workers	6.85				
Bricklayers	5.50				
Carpenters	3.62				
Cement masons	3.29				
Electricians	3.92				
Elevator constructors	5.895	.345	.23	2% +a&b	.015
Elevator constructors' helpers	4.13	.345	.23	2% +a&b	.015
Glaziers	3.26				
Ironworkers, reinforcing	5.70				
Laborers	2.30				
Lathers	5.50				
Painters	3.00				
Plasterers	5.25				
Plumbers & pipefitters	4.03				
Roofers	2.80				
Sheet metal workers	3.81				
Soft floor layers	3.00				
Tile setters	3.50				
Truck drivers	2.64				
Welders - Rate for craft.					
Power Equipment Operators:					
Backhoe	3.00				
Bulldozer	2.40				
Crane	4.00				
Front end loader	2.40				
Motor grader	2.75				
Pump	3.25				
Roller	3.55				
Scraper	3.60				

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

Footnotes:
a. Holidays: A through F.

b. Employer contributes 4% of regular hourly rate for employee who has worked in business more than 5 years; Employer contributes 2% of regular hourly rate for employee who has worked in business less than 5 years to Vacation Pay Credit.

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SUPERSEDEAS DECISION

STATE: South Dakota COUNTY: Minnehaha
DECISION NUMBER: SD75-5153 DATE: Date of Publication
Supersedes Decision No. SD75-5121 dated October 3, 1975, in 40 FR 46000
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 8.53	.35	.40		
BOILERMAKERS	8.35	.60	1.00		.02
BRICKLAYERS; Stonemasons	8.55	.25	.30		
CARPENTERS:					
Carpenters, Piledrivermen	7.51		.20		.05
Millwrights	8.47		.20		.05
CEMENT MASONS	8.40				
ELECTRICIANS:					
0 miles through 30 miles from Sioux Falls Post Office					
Electricians	8.77	.40	1%	6%	1-1/2%
Cable Splicers	9.66	.40	1%	6%	1-1/2%
Over 30 miles from Sioux Falls Post Office					
Electricians	9.77	.40	1%	6%	1-1/2%
Cable Splicers	10.66	.40	1%	6%	1-1/2%
GLAZIERS	5.79				
LABORERS:					
Laborers	4.35				
Mortar Mixers, Paving Breakers, Jack Hammer Operator	4.45				
Nozzleman (gunnite, sandblast and shotcrete)	4.60				
LATHERS	8.50				.01
PAINTERS:					
Brush	6.79				
Spray	7.29				
Tapers	7.04				
PLASTERERS	7.53				.01
PLUMBERS; Steamfitters	8.46	.32	.15	.17	.03
SHEET METAL WORKERS	7.92		.15	.35	
SPRINKLER FITTERS	8.75	.50	.80		.08
WELDER: Receive rate prescribed for craft performing operation to which welding is incidental.					

[FR Doc.76-818 Filed 1-8-76;8:45 am]

federal register

FRIDAY, JANUARY 9, 1976

PART V:

OFFICE OF MANAGEMENT AND BUDGET

SUMMARY OF PROPOSED RESCISSIONS AND DEFERRALS

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OFFICE OF MANAGEMENT AND BUDGET

SUMMARY OF PROPOSED RESCISSIONS AND DEFERRALS

To the Congress of the United States

In accordance with the Impoundment Control Act of 1974, I herewith propose rescission of the uncommitted balances of the Rehabilitation Loan Fund administered by the Department of Housing and Urban Development. In addition, I am reporting nine new deferrals totalling $669.8 million in budget authority and eleven changes to deferrals previously transmitted that increase the amount deferred by $17.3 million.

The activities financed by the Rehabilitation Loan Fund are also eligible for support under the Community Development Block Grant Program. Experience has now shown that block grant recipients are using—as was the intent of the Housing and Community Development Act of 1974—their grants to support rehabilitation activities. Approval of this rescission, therefore, will result in expenditure savings of $18.4 million this year and $34.0 million in the transition quarter and 1977 without adverse effect on the availability of housing rehabilitation assistance.

Seven of the nine new deferrals are routine in nature and affect programs of the Departments of Defense, State, and Transportation and the Interstate Commerce Commission.

The remaining two new deferrals and all eleven revised deferrals are for programs of the Department of Health, Education, and Welfare. The new deferrals establish and the revised deferrals extend through the third quarter funding levels that differ from the general levels allowed by the continuing resolution. In so doing, these deferrals preserve—until enactment of the regular appropriations—the possibility of conducting the reported programs in 1974 at the levels I have recommended and, in four cases, at the level the Congress has recomended.

The details of the proposed rescission and the deferrals are contained in the attached reports.

GERALD R. FORD

The White House

Dated: January 6, 1976.

SUMMARY OF PROPOSED RESCISSIONS AND DEFERRALS

(In thousands of dollars)

Rescission #	Item	Budget Authority
	Housing and Urban Development	
R76-28	Community Planning and Development Rehabilitation loan fund	60,670
	Subtotal, rescissions	60,670

Deferral #	Item	Budget Authority
	Defense, Military	
D76-86	Military Construction	590,074
	Defense, Civil	
D76-87	Canal Zone Government	
	Capital outlays	155
	Health, Education, and Welfare	
	Health Services Administration	
D76-57A	Health services	1,623
	National Institutes of Health	
D76-58A	National Cancer Institute	7,000
D76-59A	National Heart and Lung Institute	12,700
D76-60A	National Institute of Dental Research	518
D76-80	National Institute of Arthritis, Metabolism, and Digestive Diseases	2,752
D76-61A	National Institute of Neurological and Communicative Disorders and Stroke	682
D76-62A	National Institute of General Medical Sciences	5,812
D76-63A	National Institute of Child Health and Human Development	1,234
D76-89	Division of Research Resources	42,896
D76-64A	Office of the Director	884
	Alcohol, Drug Abuse, and Mental Health Administration	
D76-40C	Alcohol, drug abuse, and mental health	4,910
	Office of the Assistant Secretary for Health	
D76-65A	Assistant Secretary for Health	773
D76-45B	Social and Rehabilitation Service Public Assistance	3,000

Deferral #	Item	Budget Authority
	State	
D76-90	Acquisition, operation and maintenance of buildings abroad	2,275
	Transportation	
	U. S. Coast Guard	
D76-91	Acquisition, construction, and improvement	1,061
	Federal Aviation Administration	
D76-92	Construction, National Capitol Airports	8,679
D76-93	Civil supersonic aircraft development and development termination	2,179
	Other Independent Agencies	
	Interstate Commerce Commission	
D76-94	Payments for directed rail services	13,700
	Subtotal, deferrals	708,987
	Total, rescissions and deferrals	769,677

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SUMMARY OF SPECIAL MESSAGES
FOR FY 1976

(Amounts in thousands of dollars)

	Rescissions	Deferrals
Ninth special message:		
New items	60,670	669,770
Changes to amounts previously submitted	---	17,344
Effect of the ninth special message	60,670	687,114
Previous special messages	2,341,570	3,578,426
Total amount proposed in special messages	2,402,240 (in 28 rescission proposals)	4,265,540 (in 94 deferrals)

NOTE: All amounts listed represent budget authority except for $87,689,681 consisting of two general revenue sharing deferrals (of outlays only) reported in the seventh 1976 special message.

Rescission Proposal No: R76-28

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Housing and Urban Development	New budget authority (P.L. 94-116): $50,000,000
Bureau: Community Planning and Development	Other budgetary resources: 70,670,476
Appropriation title & symbol: Rehabilitation Loan Fund 86X4036 86S4036	Total budgetary resources: 120,670,476
	Amount proposed for rescission: $60,670,000*
OMB identification code: 25-0-64036-0-3-451	Legal authority (in addition to sec. 1012): ☐ Antideficiency Act
Grant program: ☐ Yes ☒ No	☐ Other
Type of account or fund: ☐ Annual ☒ Multiple-year August 22, 1976 (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification

The Rehabilitation Loan Fund is authorized by section 312 of the Housing Act of 1964, as amended. It has provided financial assistance for the rehabilitation of residential and business properties. Pursuant to the Emergency Housing Act of 1975, the authority to make loans under this program will expire on August 22, 1976.

It is proposed that all unused balances, including appropriated funds and other income available to the loan fund, be rescinded. No additional loan commitments would be made after December 31, 1975. A small amount -- $5,670,000 -- would be retained for loan servicing costs and other expenses.

The Rehabilitation Loan Fund has been replaced by the Community Development Block Grant program under Title I of the Housing and Community Development Act of 1974. One of the many activities eligible for assistance under this new program is housing rehabilitation. Fund allocation experience for 1975 indicates that block grant recipients are programming a significant portion (approximately 9 percent) of their grant funds for that purpose. A similar level of activity is anticipated during the current fiscal year.

* This estimate is subject to change and may be adjusted once actual accounting data become available.

The block grant approach is a more desirable method of providing Federal community development assistance, affording communities greater flexibility and discretion in the use of such assistance. This contention is based on the widespread acceptance which this new approach has received from State and local officials, particularly in the area of housing rehabilitation. Consequently, there is no need to continue separate categorical funding through another fiscal year.

Rescission of the estimated $60,670,000 is therefore proposed.

Estimated Effects

Given the availability of the Community Development Block Grant program, rescission of the amount shown above will have no adverse effect on the ability of localities to provide housing rehabilitation assistance. Significant Federal assistance will still be available.

Outlay Effect (estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$ 6.7
2. Outlay savings, if any, included in the budget outlay estimate	---
Current Outlay Estimates for 1976:	
3. Without rescission	76.0
4. With rescission	57.6
5. Current outlay savings	18.4
Outlay Savings for the Transitional Quarter	25.0
Outlay Savings for 1977	8.0

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
COMMUNITY PLANNING AND DEVELOPMENT
REHABILITATION LOAN FUND

Uncommitted balances of appropriations and receipts in the Rehabilitation Loan Fund established pursuant to Section 312 of the Housing Act of 1964, as amended (42 U.S.C. 1452b), other than amounts required for loan servicing costs and other expenses of operation, are hereby rescinded.

Deferral No: D76-86

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Defense	New budget authority (P.L. 94-138)	$1,697,631,000
Bureau	Other budgetary resources	2,476,757,041
Appropriation title & symbol: See coverage section below	Total budgetary resources	6,169,388,041
	Amount to be deferred: Part of year	$ 696,073,663
	Entire year	
OMB identification code: See coverage section below	Legal authority (in addition to sec. 1013): [X] Antideficiency Act	
Grant program: [ ] Yes [X] No	[ ] Other	
Type of account or fund: [X] Annual; [ ] Multiple-year (expiration date); [X] No-year	Type of budget authority: [X] Appropriation; [ ] Contract authority; [ ] Other	

Coverage

Military Construction, Army	21X2050	07-25-2050-0-1-051	$181,14[illegible],201
Military Construction, Navy	17X1205	07-25-1205-0-1-051	72,757,000
Military Construction, Air Force	57X3300	07-25-3300-0-1-051	145,[illegible]92,613
Military Construction, Defense Agencies	97X0500	07-25-0500-0-1-051	27,728,000
Military Construction, Army National Guard	21X2085	07-25-2085-0-1-051	36,[illegible]25,000
Military Construction, Air National Guard	57X3830	07-25-3830-0-1-051	1[illegible],904,000
Military Construction, Army Reserve	21X2086	07-25-2086-0-1-051	30,221,000
Military Construction, Naval Reserve	17X1235	07-25-1235-0-1-051	19,537,776
Military Construction, Air Force Reserve	57X3730	07-25-3730-0-1-051	5,088,072
Family Housing, Defense	97X0700	07-30-0701-0-1-051	60,575,000
Family Housing, Defense	9760700	07-30-0701-0-1-051	-0-

Justification

The above amounts in the listed no-year appropriations are currently deferred under provisions of the Antideficiency Act (31 U.S.C. 665) which authorize the establishment of reserves for contingencies.

Due to the long period of time required to construct facilities, the Congress makes appropriations for this purpose available until expended. The above funds are deferred due to administrative delays, such as project designs not being completed and incomplete coordination of projects with either other Federal agencies or local government agencies.

D76-86

These deferrals have no programmatic or budgetary effect because the funds could not be obligated at this time, even if they were made available.

Outlay Effect (estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$3,870.4
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral	3,130.0
4. With deferral	3,130.0
5. Current outlay savings (line 3 - line 4)	-0-
Outlay Savings for the transition quarter	-0-
Outlay Savings for 1977	-0-

Deferral No: D76-87

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Panama Canal	New budget authority (P.L. 94-134 ...): $2,240,000
Bureau: Canal Zone Government	Other budgetary resources: 1,230,657
Appropriation title & symbol: Capital Outlays 36X0118	Total budgetary resources: 5,470,657
	Amount to be deferred: Part of year: $ -0-
	Entire year: 154,657*
OMB identification code: 08-25-0118-0-1-806	Legal authority (in addition to sec. 1013): [X] Antideficiency Act
Grant program: ☐ Yes ☒ No	☐ Other
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

This program is funded by appropriations made in the Department of Transportation and Related Agencies Appropriation Acts of 1976 (P.L. 94-134) and prior years. These appropriations are available until expended. This deferral action has been taken at the request of the Canal Zone Government until project inspection charges and certain other services to be performed by the Panama Canal Company are rendered. The reserve has been established under the provisions of the Antideficiency Act (31 U.S.C. 665) to insure fund availability for project inspection and certain other services provided by the Panama Canal Company which are essential for the completion of projects.

Estimated Effects:

The amount deferred could not be used if made available in the current year because of the scheduling of the planned construction program. Thus, the deferral action has no programmatic or budgetary effect.

* These funds are proposed for deferral through June 30, 1976, or, if appropriate legislation is enacted, through September 30, 1976.

D76-87

Outlay Effect (estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for	$5.0
2. Outlay savings, if any, included in the budget outlay estimate	---
Current Outlay Estimates for 1976:	
3. Without deferral	7.5
4. With deferral	7.5
5. Current outlay savings (line 3 - line 4)	---
Outlay Savings for the Transition Quarter	---
Outlay Savings for 1977	---

D76-57A

SUPPLEMENTARY REPORT

Report Pursuant to Sec. 1014(c) of P.L. 93-344

This report updates Deferral No. D76-57 transmitted to Congress on October 20, 1975, and printed in House Document No. 94-282 and Senate Document No. 94-111.

This report covers activities in Medical care standards (Trust Funds) and Program management of the Health Services Administration. The amount deferred is increased by $541,000 to keep third quarter spending under the continuing resolution within the President's Budget request for Medical care standards (Trust Funds) and within the Congressional allowance for Program management.

Deferral No: D76-57A

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Health, Education, and Welfare	New budget authority (P.L. 94-159 ...): $24,625,000*
Bureau: Health Services Administration	Other budgetary resources: 3,902,000*
Appropriation title & symbol: Health Services 7560350 (Medical care standards, Trust Funds; Program management)	Total budgetary resources: 28,527,000*
	Amount to be deferred: Part of year: $ 1,623,000*
	Entire year
OMB identification code: 09-15-0350-0-1-551	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program: ☐ Yes ☒ No	☐ Other
Type of account or fund: [X] Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

*Justification:

The funding level authorized for Medical care standards (Trust Funds) under the continuing resolution exceeds the President's 1976 Budget request. The funding level authorized for Program management under the continuing resolution exceeds both the President's 1976 Budget request and the Congressional allowance in the 1976 Labor-HEW Appropriations Bill. This deferral of funds is designed to keep third quarter spending under the continuing resolution at the level of the 1976 Budget request for Medical care standards and at the Congressional allowance for Program management.

*Estimated Effects:

The deferral of $498,000 for Medical care standards and $1,125,000 for Program management through the third quarter of 1976 will result in maintaining the program level and activities planned in the President's 1976 Budget request for Medical care standards and in the Congressional allowance for Program management. In the event the 1976 appropriation is at the level permitted by the Congressional allowance, the higher level of funding for Medical care standards would be used to support certain lower priority contracts and training activities. Program management will operate at the Congressional allowance level.

* Revised from previous submission.

Outlay Effect (estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$30.0
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral	30.0
4. With deferral	29.5*
5. Current Outlay savings (line 3 - line 4)	.5*
Outlay Savings for the Transition Quarter	-.5*
Outlay Savings for 1977	-0-

* Revised from previous submission.

SUPPLEMENTARY REPORT

Report Pursuant to Sec. 1014(c) of P.L. 93-344

This report updates Deferral No. 76-58 transmitted to Congress on October 20, 1975, and printed as House Document No. 94-202 and Senate Document No. 94-111.

This report covers activities in the National Cancer Institute of the National Institutes of Health. This action extends the deferral of $7,000,000 through the third quarter to keep spending under the continuing resolution at a level consistent with the President's Budget.

Deferral No: D76-58A

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Health, Education, & Welfare	New budget authority (P.L. 94-159): $397,931,000
Bureau: National Institutes of Health	Other budgetary resources:
Appropriation title & symbol: National Cancer Institute 7560849	Total budgetary resources: 397,931,000
	Amount to be deferred: Part of year: $ 7,000,000
	Entire year:
OMB identification code: 09-25-0849-0-1-550	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

*Justification:

The funding level authorized for this appropriation under the continuing resolution exceeds the FY 1976 President's Budget. This deferral of funds is designed to keep third quarter spending under the continuing resolution at the level of the 1976 Budget request.

*Estimated Effects:

Pending resolution of the appropriation, this action postpones through the third quarter an estimated 107 new research grants that would be permitted under the continuing resolution. Under the deferral, the Institute will be able to fund all competing renewals and continuations at the approved funding levels. The amount postponed is less than 2% of budget authority available under the continuing resolution.

Given the nature of biomedical research, it is difficult to assess any deleterious effects associated with the deferral upon either health status or the development of significant new knowledge.

* Revised from previous submission.

D76-58A

Outlay Effect: (estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$581.8
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral	659.2
4. With deferral	658.5
5. Current outlay savings (line 3 - line 4)	.7
Outlay Savings for the Transition Quarter	--
Outlay Savings for 1977	-.7

D76-59A

SUPPLEMENTARY REPORT

Report Pursuant to Sec. 1014(c) of P.L. 93-344

This report updates Deferral No. 76-59 transmitted to Congress on October 20, 1975, and printed in House Document No. 94-282 and Senate Document No. 94-111.

This report covers activities in the National Heart and Lung Institute (NHLI) of the National Institutes of Health. The amount deferred for NHLI is increased by $10,000,000 to keep third quarter spending under the continuing resolution consistent with the President's Budget request.

Deferral No: D76-59A

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Health, Education, & Welfare	New budget authority (P.L. 94-159): $186,827,000*
Bureau: National Institutes of Health	Other budgetary resources: --
Appropriation title & symbol: National Heart and Lung Institute 7360872	Total budgetary resources: 186,827,000*
	Amount to be deferred: Part of year: $12,700,000*
	Entire year:
OMB identification code: 09-25-0872-0-1-552	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual	Type of budget authority: ☒ Appropriation
☐ Multiple-year (expiration date)	☐ Contract authority
☐ No-year	☐ Other

*Justification:

The funding level authorized for this appropriation under the continuing resolution exceeds the FY 1976 President's Budget. This deferral of funds is designed to keep third quarter spending under the continuing resolution at the level of the 1976 Budget request.

*Estimated Effects:

Pending resolution of the appropriation, this action postpones through the third quarter an estimated 172 new research grants that would be permitted under the continuing resolution. Under the deferral, the Institute will be able to fund all competing renewals and continuations at the approved funding levels. The amount postponed is less than 7% of budget authority available under the continuing resolution.

Given the nature of biomedical research, it is difficult to assess any deleterious effects associated with the deferral upon either health status or the development of significant new knowledge.

* Revised from previous submission.

Outlay Effect: (estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$293.0
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral	336.0
4. With deferral	335.0*
5. Current outlay savings (line 3 - line 4)	1.0*
Outlay Savings for the Transition Quarter	-0-
Outlay Savings for 1977	-1.0*

*Revised from previous submission

SUPPLEMENTARY REPORT

Report Pursuant to Sec. 1014(c) of P.L. 93-344

This report updates Deferral No. D76-60 transmitted to Congress on October 20, 1975, and printed in House Document No. 94-282 and Senate Document No. 94-111.

This report covers activities in the National Institute of Dental Research of the National Institutes of Health. This action extends the deferral of $518,000 through the third quarter to keep spending under the continuing resolution at a level consistent with the President's Budget.

Deferral No: D76-60A

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Health, Education & Welfare Bureau: National Institutes of Health	New budget authority (P.L. 94-159): $28,227,000* Other budgetary resources: --- Total budgetary resources: 28,227,000*
Appropriation title & symbol: National Institute of Dental Research 75X0873	Amount to be deferred: Part of year: $ 518,000 Entire year:
OMB identification code: 09-25-0873-0-1-552	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

*Justification:

The funding level authorized for this appropriation under the continuing resolution exceeds the FY 1976 President's Budget. This deferral of funds is designed to keep third quarter spending under the continuing resolution at the level of the 1976 Budget request.

*Estimated Effects:

Pending resolution of the appropriation, this action postpones through the third quarter an estimated 11 new research grants that would be permitted under the continuing resolution. Under the deferral, the Institute will be able to fund all competing renewals and continuations at the approved funding levels. The amount postponed is less than 2% of budget authority available under the continuing resolution.

Given the nature of biomedical research, it is difficult to assess any deleterious effects associated with the deferral upon either health status or the development of significant new knowledge.

*Revised from previous submission.

D76-60A

Outlay Effect: (estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$40.0
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral	50.5
4. With deferral	50.4
5. Current outlay savings (line 3 - line 4)	.1
Outlay Savings for the Transition Quarter	-0-
Outlay Savings for 1977	-.1

Deferral No: D76-88

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Health, Education, & Welfare	New budget authority (P.L. 94-159): $ 110,937,000
Bureau: National Institutes of Health	Other budgetary resources:
Appropriation title & symbol: National Institute of Arthritis, Metabolism, and Digestive Diseases 7560884	Total budgetary resources: 110,973,000
	Amount to be deferred: Part of year: $ 2,752,000
	Entire year:
OMB identification code: 09-25-0884-0-1-552	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program: ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification:

The funding level authorized for this appropriation under the continuing resolution exceeds the FY 1976 President's Budget. This deferral of funds is designed to keep third quarter spending under the continuing resolution at the level of the 1976 Budget request.

Estimated Effects:

Pending resolution of the appropriation, this action postpones during the third quarter an estimated 57 new research grants that would be permitted under the continuing resolution. Under the deferral, the Institute will be able to fund all competing renewals and continuations at the approved funding levels. The amount postponed is less than 3% of budget authority available under the continuing resolution.

Given the nature of biomedical research, it is difficult to assess any deleterious effects associated with the deferral upon either health status or the development of significant new knowledge.

D76-88

Outlay Effects:

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$147.2
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976	
3. Without deferral	204.0
4. With deferral	203.2
5. Current outlay savings (line 3 - line 4)	.8
Outlay Savings for the Transition Quarter	-0-
Outlay Savings for 1977	-.8

D76-61A

SUPPLEMENTARY REPORT

Report Pursuant to Sec. 1014(c) of P.L. 93-344

This report updates Deferral No. D76-61 transmitted to Congress on October 20, 1975, and printed in House Document No. 94-282 and Senate Document No. 94-111.

This report covers activities in the National Institute of Neurological and Communicative Disorders and Stroke of the National Institutes of Health. This action extends the deferral of $682,000 through the third quarter to keep spending under the continuing resolution at a level consistent with the President's Budget.

Deferral No: D76-61A

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. 94-159) $76,029,000*
Bureau National Institutes of Health	Other budgetary resources
Appropriation title & symbol: National Institute of Neurological and Communicative Disorders and Stroke 7560886	Total budgetary resources 76,029,000*
	Amount to be deferred: Part of year $682,000
	Entire year
OMB identification code: 09-25-0886-0-1-552	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other
Grant program ☒ Yes ☐ No	
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

*Justification:

The funding level authorized for this appropriation under the continuing resolution exceeds the FY 1976 President's Budget. This deferral is designed to keep third quarter spending under the continuing resolution at the level of the 1976 Budget request.

*Estimated Effects:

Pending resolution of the appropriation, this action postpones through the third quarter an estimated 8 new research grants that would be permitted under the continuing resolution. Under the defefral, the Institute will be able to fund all competing renewals and continuations at the approved funding levels. The amount postponed is less than 1% of budget authority available under the continuing resolution.

Given the nature of biomedical research, it is difficult to assess any deletmrious effects associated with the deferral upon either health status or the development of significant new knowledge.

* Revised from previous submission.

D76-61A

Outlay Effect: (estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$121.2
2. Outlay savings, if any, included in the budget outlay estimate	
Current Outlay Estimated for 1976:	
3. Without deferral	143.2
4. With deferral	143.1
5. Current outlay savings (line 3 - line 4)	.1
Outlay Savings for the Transition Quarter	-0-
Outlay Savings for 1977	-.1

D76-62A

SUPPLEMENTARY REPORT

Report Pursuant to Sec. 1014(c) of P.L. 93-344

This report updates Deferral No. D76-62 transmitted to Congress on October 20, 1975, and printed in House Document No. 94-282 and Senate Document No. 94-111.

This report covers activities in the National Institute of General Medical Sciences (NIGMS) of the National Institutes of Health. The amount deferred for NIGMS is increased by $3,494,000 to keep spending under the continuing resolution consistent with the President's Budget request through the third quarter.

Deferral No: D76-62A

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of Health, Education and Welfare	New budget authority (P.L. 94-159) $120,619,000*
Bureau	Other budgetary resources
Appropriation title & symbol: National Institute of General Medical Sciences 7560851	Total budgetary resources 120,619,000*
	Amount to be deferred: Part of year $ 5,812,000*
	Entire year
OMB identification code: 09-25-0851-0-1-552	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

*Justification:

The funding level authorized for this appropriation under the continuing resolution exceeds the FY 1976 President's Budget. This deferral of funds is designed to keep third quarter spending under the continuing resolution at the level of the 1976 Budget request.

*Estimated Effects:

Pending resolution of the appropriation, this action postpones through the third quarter an estimated 75 new research grants that would be permitted under the continuing resolution. Under the deferral, the Institute will be able to fund all competing renewals and continuations at the approved funding levels. The amount postponed is less than 5% of budget authority available under the continuing resolution.

Given the nature of biomedical research, it is difficult to assess my deleterious effects associated with the deferral upon either health status or the development of significant new knowledge.

* Revised from previous submission.

Outlay Effect: (estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$178.2
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral	166.3*
4. With deferral	165.6*
5. Current outlay savings (line 3 - line 4)	.7*
Outlay Savings for the Transition Quarter	-0-
Outlay Savings for 1977	-.7*

*Revised from previous submission

D76-63A

SUPPLEMENTARY REPORT

Report Pursuant to Sec. 1014(c) of P.L. 93-344

This report updates Deferral No. D76-63 transmitted to Congress on October 20, 1975, and printed in House Document No. 94-202 and Senate Document No. 94-111.

This report covers activities in the National Institute of Child Health and Human Development of the National Institutes of Health. This action extends the deferral of $1,234,000 through the third quarter to keep spending under the continuing resolution at a level consistent with the President's Budget.

Deferral No.: D76-63A

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Health, Education & Welfare Bureau: National Institutes of Health Appropriation title & symbol: National Institute of Child Health and Human Development 7560644	New budget authority (P.L. 94-152) $78,358,000* Other budgetary resources --- Total budgetary resources 78,358,000* Amount to be deferred: Part of year $ 1,234,000 Entire year
OMB identification code: 09-25-0844-0-1-552 Grant program: ☒ Yes ☐ No	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

*Justification:

The funding level authorized for this appropriation under the continuing resolution exceeds the FY 1976 President's Budget. This deferral of funds is designed to keep third quarter spending under the continuing resolution at the level of the 1976 Budget request.

*Estimated Effects:

Pending resolution of the appropriation, this action postpones through the third quarter an estimated 48 new research grants that would be permitted under the continuing resolution. Under the deferral, the Institute will be able to fund all competing renewals and continuations at the approved funding levels. The amount postponed is less than 2% of budget authority available under the continuing resolution.

Given the nature of biomedical research, it is difficult to assess any deleterious effects associated with the deferral upon either health status or the development of significant new knowledge.

*Revised from previous submission.

Outlay Effect: (estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$116.4
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral	157.5
4. With deferral	157.4
5. Current outlay savings (line 3 - line 4)	.1
Outlay Savings for the Transition Quarter	-0-
Outlay Savings for 1977	-.1

Deferral No: D76-89

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. 94-159) $ 111,808,000
Bureau National Institutes of Health	Other budgetary resources --
Appropriation title & symbol	Total budgetary resources 111,808,000
Research Resources	Amount to be deferred:
7560848	Part of year $ 42,896,000
	Entire year
OMB identification code: 09-25-0848-0-1-552	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual	Type of budget authority: ☒ Appropriation
☐ Multiple-year (expiration date)	☐ Contract authority
☐ No-year	☐ Other

Justification:

The funding level authorized for this appropriation under the continuing resolution exceeds the FY 1976 President's Budget. This deferral of funds is designed to keep third quarter spending under the continuing resolution at the level of the 1976 Budget request.

Estimated Effects:

Pending resolution of the appropriation, this action postpones during the third quarter all new research grants that would be permitted under the continuing resolution. Under the deferral the Division of Research Resources will be able to fund all competing renewals and continuations at the approved funding levels.

Given the nature of biomedical research, it is difficult to assess any deleterious effects associated with the deferral upon either health status or the development of significant new knowledge.

D76-89

Outlay Effect: (Estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$103.0
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral	127.3
4. With deferral	116.6
5. Current outlay savings (line 3 - line 4)	10.7
Outlay Savings for the Transition Quarter	-0-
Outlay Savings for 1977	-10.7

D76-64A

SUPPLEMENTARY REPORT

Report Pursuant to Sec. 1014(c) of P.L. 93-344

This report updates Deferral No. D76-64 transmitted to Congress on October 20, 1975 and printed in House Document No. 94-282 and Senate Document No. 94-111.

This report covers activities in the Office of the Director (OD) of the National Institutes of Health. The amount deferred for the OD is increased by $132,000 to keep spending under the continuing resolution consistent with the Congressional allowance through the third quarter.

Deferral No: D76-64A

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Dept. Health, Education, and Welfare	New budget authority (P.L. 94-159) $ 14,709,000*
Bureau National Institutes of Health	Other budgetary resources
Appropriation title & symbol	Total budgetary resources 14,709,000*
Office of the Director	Amount to be deferred:
7560846	Part of year $ 884,000*
	Entire year
OMB identification code: 09-25-0846-0-1-552	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other
Type of account or fund: ☒ Annual	Type of budget authority: ☒ Appropriation
☐ Multiple-year (expiration date)	☐ Contract authority
☐ No-year	☐ Other

*Justification:

* The funding level authorized for this appropriation under the continuing resolution exceeds the Congressional allowance in the 1976 Labor-HEW appropriations bill. This deferral of funds is designed to keep third quarter spending under the continuing resolution at the level of the 1976 Congressional allowance.

*Estimated Effects:

Reductions in procurement of equipment and supplies, printing, training, travel, and data processing are necessary to operate within the Congressional allowance level.

* Revised from previous submission.

D76-44A

Outlay Effect: (estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$19.9
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral	20.2
4. With deferral	20.1
5. Current outlay savings (line 3 - line 4)	.1
Outlay Savings for the Transition Quarter	-.1
Outlay Savings for 1977	-0-

D76-40C

SUPPLEMENTARY REPORT

Report Pursuant to Section 1014(c) of P.L. 93-344

This report updates Deferral Number D76-40B, transmitted to Congress on October 20, 1975, and printed in House Document No. 94-282 and Senate Document No. 94-111.

This report covers General mental health research activities and Program direction activities of the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA). The amount deferred for General mental health and Program direction is increased by $2,157,000 to keep spending under the continuing resolution within the President's Budget request through the third quarter.

Deferral No: D76-40C

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of Health, Education and Welfare	New budget authority (P.L. 94-159) $ 72,966,000
Bureau Alcohol, Drug Abuse, and Mental Health	Other budgetary resources
Appropriation title & symbol Alcohol, Drug Abuse, and Mental Health 7561361 * (General Mental Health, Research; Program Direction)	Total budgetary resources 72,966,000
	Amount to be deferred: Part of year $ 4,910,000*
	Entire year
OMB identification code: 09-30-1361-0-1-550	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual	Type of budget authority: ☒ Appropriation
☐ Multiple-year (expiration date)	☐ Contract authority
☐ No-year	☐ Other

* Justification:

Research for general mental health--The funding level authorized for this program in the continuing resolution exceeds the 1976 budget request. Deferral of funds in the amount of $4,540,000 is proposed to keep cumulative third quarter funding at the President's 1976 budget request level.

In addition to maintaining the intramural research program, the President's Budget request would provide sufficient funds for all program commitments to about 778 ongoing general mental health projects. Within this effort, an adequate number of scientifically meritorious projects would be supported that address the wide range of mental health and social problems. Any research proposal that shows exceptional promise to obtain desired break-throughs in understanding the underlying causes of mental illness can be undertaken through the intramural program or by reprogramming of lower priority efforts.

Program Direction--The funding level authorized for this program in the continuing resolution exceeds the Congressional allowance for the 1976 Labor-HEW Appropriations Bill. Deferral of funds in the amount of $370,000 is proposed to keep cumulative third quarter funding at the Congressional allowance level.

*Revised from previous submission

Estimated Effects:

General Mental Health Research--The deferral of $4,540,000 through the third quarter of the year will delay the funding of approximately 47 new research grants. This delay in funding until after the third quarter will have no significant adverse programmatic effect. Given the nature of biomedical and behavioral research, it is difficult to precisely assess any deleterious effects associated with the deferral upon either health status or the development of significant new knowledge.

Program Direction--The reduction in operating level that is associated with the Congressional allowance for the first three quarters of the year for ADAMHA Program Direction would result in delay in filling job vacancies in the areas of monitoring projects, technical assistance, and project management.

*Outlay Effect: (Estimated in millions of dollars)

Comparison with 1976 President's Budget:	
1. Budget outlay estimate for 1976	$96.9
2. Outlay savings included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral	101.8
4. With deferral	101.6
5. Current outlay savings (line 3 - line 4)	.2
Outlay savings for the transition quarter	-0-
Outlay savings for 1977	-0-

*Revised from previous submission

D76-65A

SUPPLEMENTARY REPORT

Report Pursuant to Sec. 1014(c) of P.L. 93-344

This report updates Deferral No. D76-65 transmitted to Congress on November 18, 1975, and printed in House Document No. 94-309 and Senate Document No. 94-130.

This report covers activities in the Assistant Secretary for Health (ASH) of the Office of the Assistant Secretary for Health. The amount deferred for ASH is increased by $20,000 to keep spending under the continuing resolution consistent with the 1976 Congressional allowance through the third quarter.

Deferral No: D76-65A

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of Health, Education, and Welfare	New budget authority (P.L. 94-159) $17,613,000*
Bureau Office of the Assistant Secretary for Health	Other budgetary resources
Appropriation title & symbol: Assistant Secretary for Health, 7561101	Total budgetary resources 17,613,000*
	Amount to be deferred: Part of year $ 773,000*
	Entire year
OMB identification code: 09-37-1101-0-1-554	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other
Type of account or fund: ☒ Annual; ☐ Multiple-year (expiration date); ☐ No-year	Type of budget authority: ☒ Appropriation; ☐ Contract authority; ☐ Other

*Justification

The funding level authorized for this appropriation under the continuing resolution exceeds the Congressional allowance on the 1976 Labor-HEW Appropriations Bill. This deferral of funds is designed to keep third quarter spending under the continuing resolution at the level of the 1976 Congressional allowance.

*Estimated Effect

This deferral of funds will result in postponing recruitment for 25 existing vacancies in permanent positions. Although this additional manpower would assist in the effective management of the Public Health Service, there will be no significant, long-range effect.

*Outlay Effect (In tenths of millions of dollars)

Comparison with President's 1976 Budget	
1. Budget outlay estimate for 1976	$36.8
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimate for 1976:	
3. Without deferral	36.8
4. With deferral	36.1
5. Current outlay savings	.7
Outlay Savings for the Transition Quarter	-0-
Outlay Savings for 1977	-0-

*Revised from previous submission

D76-45B

SUPPLEMENTARY REPORT

Report Pursuant to Sec. 1014(c) of P.L. 93-344

This supplementary message revises Deferral No. D76-45A transmitted in the special message of October 3, 1975, and printed as House Document No. 94-272 and Senate Document No. 94-107.

This revision reflects an increase of $1,000,000 in the amount of 1976 continuing resolution funds deferred for the Child welfare services activity of the Public Assistance account in the Social and Rehabilitation Service. This action results in a total deferral of $3,000,000.

In this formula grant program, awards are made to the States on a quarterly basis. The $2,000,000 deferral from the first and second quarter awards is being augmented by an additional $1,000,000 from the amount available for third quarter awards. The increased third quarter deferral reflects the increased availability in the Continuing Resolution ($50 million) over the amount requested in the 1976 President's Budget ($46 million). No outlay savings will result from this deferral.

Deferral No: D-76-45B

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Health, Education, & Welfare	New budget authority (P.L. 94-159 ...) $ 37,500,000
Bureau: Social and Rehabilitation Service	Other budgetary resources --
Appropriation title & symbol: Public Assistance (Child Welfare Services) 755/60581	Total budgetary resources 37,500,000
	Amount to be deferred: Part of year $ 3,000,000
	Entire year --
OMB identification code: 09-50-0581-0-1-506	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other
Type of account or fund: ☒ Annual ☐ Multiple-year (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

*Justification:

The funding level authorized for this program under the continuing resolution exceeds the 1976 Budget request. This deferral of funds is proposed to hold third quarter spending at the 1976 Budget level pending consideration by the Congress, through the appropriations process, of the President's proposed level of funding for this program for 1976. This proposal represents the cumulative amount of funds to be deferred through the third quarter.

*Estimated Effects:

Federal support under Title IV-B of the Social Security Act is only about ~7% of the total estimated Federal and State expenditures of $640 million for Child Welfare Services. Experience with this program has indicated that there is no appreciable change in the State program level as a result of small Federal funding changes for this activity. Therefore, this deferral of funds through the third quarter will have negligible effect on the provision of services to the 494,000 children served in FY 1976.

Outlay Effect (estimated in millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	46
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral	50
4. With deferral	50
5. Current outlay savings (line 3 - line 4)	-0-
Outlay savings for Transition Quarter	-0-
Outlay savings for 1977	-0-

* Revised from previous submission

Deferral No: D76-90

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of State	New budget authority: P.L. 94-32 $ 7,000,000
Bureau:	P.L. 94-121 9,785,000
Appropriation title & symbol: Acquisition, Operation and Maintenance of Buildings Abroad (Special Foreign Currency Program) 19X0538	Other budgetary resources 1,968,791
	Total budgetary resources 18,753,791
	Amount to be deferred: Part of year $ --
	Entire year 2,275,000
OMB identification code: 14-05--0538-0-1-152	Legal authority (in addition to sec. 1013): ☒ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other
Type of account or fund: ☐ Annual ☐ Multiple-year (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other

Justification

The Second Supplemental Appropriations Act, 1975 (P.L. 94-32, approved June 12, 1975) included $7,000,000, without fiscal year limitation, for this account for the acquisition of real properties in the Arab Republic of Egypt under the Foreign Service Buildings Act. Use of these funds was made contingent upon enactment of authorization for the appropriation, which was accomplished by the Foreign Relations Authorization Act, Fiscal Year 1976 (P.L. 94-141, approved November 29, 1975).

In May, 1975, the Egyptian Government canceled a preliminary property exchange agreement upon which the appropriation request was based. That action has caused the Department to revise its earlier plans so that an Ambassador's residence will be constructed on a site owned by the United States since 1966. Architectural plans and specifications are being prepared, but these will not be completed in time to allow bids to be solicited and a construction contract awarded before the fiscal year 1977.

Accordingly, $2,275,000 planned for the construction of the Embassy residence has been placed in reserve for contingencies to assure prudent financial management. This amount is planned for deferral through June 30, 1976, and, if appropriate legislation is enacted, through September 30, 1976. These funds could not be used effectively during the current year and the subsequent transition quarter even if made available for obligation.

Estimated Effects

None. The amount deferred could not be obligated before the fiscal year 1977.

Outlay Effect (estimated in millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	9
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral	15
4. With deferral	15
5. Current outlay savings	-0-
Outlay savings for the Transition Quarter	-0-
Outlay savings for 1977	-0-

Deferral No: D76-91

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Transportation	New budget authority (P.L. 94-134): $156,100,000
Bureau: U.S. Coast Guard	Other budgetary resources: 63,248,191
Appropriation title & symbol: Acquisition, Construction, and Improvement--0240	Total budgetary resources: 219,348,191
	Amount to be deferred: Part of year: $ ——
	Entire year: 1,061,000
OMB identification code: 21-15-0240-0-1-406	Legal authority (in addition to sec. 1013): [X] Antideficiency Act
Grant program: [ ] Yes [X] No	[ ] Other ——
Type of account or fund: [ ] Annual; [X] Multiple-year: September 30, 1976 / September 30, 1977 / September 30, 1978 (expiration date); [X] No-year	Type of budget authority: [X] Appropriation; [ ] Contract authority; [ ] Other ——

Justification - The construction schedules for a replacement icebreaker and two training facility additions require the deferral of $1,061,000 for outfitting and furnishings at least until fiscal year 1977. This amount is deferred to assure prudent financial management for the entire fiscal year. The funds are proposed for deferral through June 30, 1976, or, if appropriate legislation is enacted, through September 30, 1976.

Estimated Effects - The deferred funds could not be used effectively during the current year even if made available for obligation. The deferral has no programmatic, fiscal, or budgetary impact.

Outlay Effect (estimated in millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$125.1
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976	
3. Without deferral	145.0
4. With deferral	145.0
5. Current outlay savings (line 3 - line 4)	-0-
Outlay Savings for Transition Quarter	-0-
Outlay Savings for 1977	-0-

Deferral No: D76-92

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Transportation	New budget authority (P.L. 94-134): $11,625,000
Bureau: Federal Aviation Administration	Other budgetary resources: 7,079,110
Appropriation title & symbol: Construction, National Capital Airports 69X1333; 694/61333; 695/71333; 696/81333	Total budgetary resources: 18,704,110
	Amount to be deferred: Part of year: $ -0-
	Entire year: 8,678,656*
OMB identification code: 21-20-1333-0-1-405	Legal authority (in addition to sec. 1013): [X] Antideficiency Act
Grant program: [ ] Yes [X] No	[ ] Other ——
Type of account or fund: [ ] Annual; [X] Multiple-year: 69X1333 Sept. 30, 1976 / 694/61333 Sept. 30, 1977 / 695/71333 Sept. 30, 1978 (expiration date); [ ] No-year	Type of budget authority: [X] Appropriation; [ ] Contract authority; [ ] Other ——

Justification

This appropriation finances construction of major improvements and expansion of facilities at Washington National and Dulles International Airports. Projects are undertaken to insure capability of these airports to adequately, safely, and efficiently meet air travel needs of the public and to promote development of aviation. These funds were appropriated in the Department of Transportation and Related Agencies Appropriation Acts of 1974, 1975, and 1976. Because of delays in passage of the 1976 appropriation bill and the time required for selection of engineering consultant firms and negotiation of construction contracts, it is not possible to obligate or expend all contract funds during FY 1976. This deferral action is consistent with the Congressional intent to provide multi-year funding for total costs of these projects and is taken under provisions of the Antideficiency Act (31 U.S.C. 665) that authorize the establishment of reserves for contingencies.

Estimated Effects

The amount deferred could not be economically used, if made available, in fiscal year 1976 because of the planned multi-year procurement, construction and/or installation cycle. The following projects will be deferred in FY 1976 until the transition quarter or FY 1977:

Master Plan for Washington National Airport - $208,656 — This project will be initiated after the policy statement concerning the role of Washington National Airport is completed. Following the issuance of this policy statement, several months will be required to select an engineering consultant firm and negotiate a contract. The earliest this contract can be expected to be awarded is in the transition quarter.

Resurface Runway 18/36 - $870,000 — Design of the contract will be accomplished in FY 1976. The construction contract is now expected to be awarded in the transition quarter.

Reconstruct and Overlay Main Ramp - $600,000 — Design will be accomplished in FY 1976. This contract is now expected to be awarded in the transition quarter.

Terminal Expansion - $7,000,000 — The terminal expansion design contract is being amended to cover working drawings for the $7,000,000 Dulles terminal expansion. Upon completion of the working drawings, the construction contract will be advertised. The construction contract is now expected to be awarded in the first quarter of FY 1977.

Outlay Effect (estimated in millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$4.0
2. Outlay saving, if any, included in budget estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral	9.2
4. With deferral	9.2
Current outlay savings (line 3 - line 4)	-0-
Outlay savings for the Transition Quarter	-0-
Outlay savings for 1977	.8

*Proposed for deferral through June 30, 1976, or -- if appropriate legislation is enacted -- through September 30, 1976.

Deferral No: D76-93

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Transportation	New budget authority (P.L. ____): $ -0
Bureau: Federal Aviation Administration	Other budgetary resources: 2,519
Appropriation title & symbol: Civil Supersonic Aircraft Development Termination 69X0106; Civil Supersonic Aircraft Development 69X1358	Total budgetary resources: 2,519
	Amount to be deferred: Part of year: $ ____ Entire year: 2,179
OMB identification code: 21-20-0106-0-1-405	Legal authority (in addition to sec. 1013): [X] Antideficiency Act [ ] Other
Grant program: [ ] Yes [X] No	
Type of account or fund: [ ] Annual [ ] Multiple-year ____ (expiration date) [X] No-year	Type of budget authority: [ ] Appropriation [ ] Contract authority [ ] Other

Coverage:	Total Budgetary Resources	Amount De
Civil Supersonic Aircraft Development Termination	1,281,155	941,15
Civil Supersonic Aircraft Development	1,237,968	1,237,96
	2,519,123	2,179,11

Justification:

This account finances the termination of the supersonic transport development prog The total cost of settlement of contractor claims and closeouts, airline refunds, completion of specifically designated technology programs, and necessary governmen administrative costs incidental to these activities is included. These funds were priated by the Department of Transportation and Related Agencies Appropriation Act and 1972. Because of the difficulty in ending such a complex and massive undertak termination has taken a number of years. Settlement is being accomplished as quic as possible consistent with the legitimate claims of the contractors and the prote of government interests. Therefore, it is necessary to apportion funds so that th will be available at the time claims are settled. Most of these settlements are e after fiscal year 1976. This deferral action is taken under the provisions of the Antideficiency Act (31 U.S.C. 665) that authorize the establishment of reserves fo contingencies. The funds are proposed for deferral through June 30, 1976, or, if appropriate legislation is enacted, through September 30, 1976. If they can be us sooner, they will be made available.

D76-93

2

Estimated Effects:

This deferral action has no programmatic or budgetary effect. Funds can be made available and obligated only as claims are settled.

Outlay Effect (estimated in millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$ 7.6
2. Outlay savings, if any, included in the budget outlay estimate	-0-
Current Outlay Estimates for 1976:	
3. Without deferral	2.4
4. With deferral	2.4
Current outlay savings (line 3-line 4)	-0-
Outlay Savings for the Transition Quarter	-0-
Outlay Savings for 1977	-0-

Deferral No: D76-94

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Interstate Commerce Commission	New budget authority (P.L. 94-134): $ 15,000,000
Bureau: -	Other budgetary resources: ---
Appropriation title & symbol: Payments for Directed Rail Service 30X0103	Total budgetary resources: 15,000,000
	Amount to be deferred: Part of year: $ ____ Entire year: 13,700,000
OMB identification code: 31-20-0103-0-1-404	Legal authority (in addition to sec. 1013): [X] Antideficiency Act [ ] Other
Grant program: [ ] Yes [X] No	
Type of account or fund: [ ] Annual [ ] Multiple-year ____ (expiration date) [X] No-year	Type of budget authority: [X] Appropriation [ ] Contract authority [ ] Other

Justification

The Regional Rail Reorganization Act of 1973 (Public Law 93-236) requires the Interstate Commerce Commission (ICC) to direct rail carriers to provide necessary service on lines of other carriers who have ceased operations. It also requires the ICC to provide reimbursements for any losses incurred by the carriers providing the directed service. Funds made available for these reimbursements are in excess of the amounts expected to be required during this fiscal year and the transition quarter.

By law, the budget authority may be used only when rail service has been discontinued and the ICC subsequently directs other carriers to resume the service. Currently, no further discontinuations of service are expected. Should such discontinuations occur, however, a further 11 months would elapse before the deferred funds would be spent due to the timing specifications set out in the law. In effect, the budget authority is provided on a contingency basis and will be used when the anticipated events occur.

Estimated Effects

This deferral has no programmatic, fiscal, budgetary or economic impact. The budget authority being deferred will be used for the subsidies required by law when the events specified by law have occurred.

D76-94

Outlay Effect (estimated in tenths of millions of dollars)

Comparison with President's 1976 Budget:	
1. Budget outlay estimate for 1976	$15.0
2. Outlay savings, if any, included in the budget outlay estimate	-
Current outlay estimates for 1976:	
3. Without deferral	1.3
4. With deferral	1.3
5. Current outlay savings	0
Outlay Savings for the Transition Quarter	0
Outlay Savings for 1976	0

*Proposed for deferral through June 30, 1976 or — if appropriate legislation is enacted — through September 30, 1976.

[FR Doc.76-894 Filed 1-8-76;10:50 am]

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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3314 is amended to show that one position of Confidential Assistant and one position of Private Secretary to the Assistant Secretary for Administration are reestablished and that one position of Confidential Assistant to the Deputy Under Secretary for Field Programs is excepted under Schedule C.

Effective on January 12, 1976, §§ 213.3314(a) (8) and (15) are amended and § 213.3314(a) (20) is added as set out below.

§ 213.3314 Department of Commerce.

(a) *Office of the Secretary.* • • •

(8) Two Confidential Assistants to the Assistant Secretary for Administration.

• • • • •

(15) One Private Secretary to the Assistant Secretary for Administration.

• • • • •

(20) One position of Confidential Assistant to the Deputy Under Secretary for Field Programs.

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76–778 Filed 1–9–76;8:45 am]

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 is amended to show that one position of Private Secretary and one position of Personal Assistant to the Secretary of Defense are excepted under Schedule C.

Effective on January 12, 1976, § 213.3306(a) (1) is amended as set out below:

§ 213.3306 Department of Defense.

(a) *Office of the Secretary.*

(1) One Special Assistant, one Personal Assistant, and three Private Secretaries to the Secretary.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76–779 Filed 1–9–76;8:45 am]

PART 213—EXCEPTED SERVICE

Department of the Interior

Section 213.3312 is amended to show that one additional position of Special Assistant to the Assistant Secretary for Fish and Wildlife and Parks is excepted under Schedule C.

Effective on January 12, 1976, § 213.3312(a) (5) is amended as set out below:

§ 213.3312 Department of the Interior.

(a) *Office of the Secretary.* • • •

(5) Four Special Assistants to the Assistant Secretary for Fish and Wildlife and Parks and one Confidential Assistant (Adminstrative Assistant) to each of the four Assistant Secretaries for Energy and Minerals, Land and Water Resources, Fish and Wildlife and Parks, and Congressional and Legislative Affairs.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76–780 Filed 1–9–76;8:45 am]

PART 213—EXCEPTED SERVICE

National Foundation on the Arts and the Humanities

Section 213.3182 is amended to show that one position of Humanist Administrator in the Division of Fellowships, National Endowment for the Humanities is excepted under Schedule A until June 30, 1976.

Effective on January 12, 1976 § 213.3182(b) (26) is added as set out below:

§ 213.3182 National Foundation on the Arts and the Humanities.

• • • • •

(b) *National Endowment for the Humanities.* • • •

(26) Until June 30, 1976, one Humanist Administrator, Division of Fellowships.

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76–781 Filed 1–9–76;8:45 am]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

PART 265—RULES REGARDING DELEGATION OF AUTHORITY

Miscellaneous Amendments Relating to Foreign Applications

In order to expedite and facilitate the performance of certain of its functions under sections 25 and 25(a) of the Federal Reserve Act and section 4(c)(13) of the Bank Holding Company Act, the Board of Governors of the Federal Reserve System has amended its Rules Regarding Delegation of Authority pursuant to the provisions of section 11(k) of the Federal Reserve Act (12 U.S.C. 248(k)) and section 4(c)(13) of the Bank Holding Company Act (12 U.S.C. 1843(c)(13)) to delegate (1) to the Secretary of the Board the authority to grant specific consent (a) to the acquisition by a bank holding company, member bank or corporation organized under section 25(a) of the Federal Reserve Act ("Edge" corporation), or operating under an agreement with the Board pursuant to section 25 of the Federal Reserve Act ("Agreement" corporation), of a controlling stock interest in a foreign company performing any type of services incidental to the activities of a foreign branch or affiliate of such bank or corporation or foreign subsidiary of such bank holding company, and (b) to the acquisition by a member bank, Edge or Agreement corporation of a controlling stock interest in a foreign company the stock of which is being sold to such member bank, Edge or Agreement corporation by its parent bank or bank holding company, or subsidiary Edge or Agreement corporation, as the case may be, and the stock of which such selling parent or subsidiary holds with the consent of the Board pursuant to Regulations K, M, or Y, and (2) to each Federal Reserve Bank the authority pursuant to section 213.4(a) of Regulation M to extend the time in which a member bank must divest itself of stock or other evidences of ownership in a foreign bank acquired in satisfaction of a debt previously contracted.

The provisions of 5 U.S.C. 553, relating to notice and public participation and deferred effective date are not followed in connection with the adoption of these amendments because the rules involved herein are procedural in nature and accordingly do not constitute a substantive rule subject to the requirements of such section.

In order to accomplish this delegation, effective December 31, 1975, 12 CFR Part

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265 is amended by deleting the word "banking" preceding "services" in § 265.2 (a) (12) (iv), and by revising § 265.2(a) (9) (d) and adding a new § 265.2(f) (34) to read as follows:

§ 265.2 Specific Functions Delegated to Board Employees and to Federal Reserve Banks.

(a) The Secretary of the Board (or, in his absence, the Acting Secretary) is authorized:

(9) • • •

(d) such acquisition does not result, either directly or indirectly, in the acquisition by such bank or corporation of effective control of any such company except that this condition need not be met if (1) the company is to perform nominee, fiduciary, or other services incidental to the activities of a foreign branch or affiliate of such bank or corporation, or (2) the stock is being acquired by such bank or corporation from its parent bank or bank holding company, or subsidiary Edge or Agreement corporation, as the case may be, and such selling parent or subsidiary holds such stock with the consent of the Board pursuant to Parts 211, 213, or 225 of this chapter (Regulations K, M, and Y).

• • • • • •

(f) Each Federal Reserve Bank is authorized, as to member banks or other indicated organizations headquartered in its district, or under subparagraph (25) of this paragraph as to its officers:

• • • • • •

(34) Under § 213.4(a) of this chapter (Regulation M) to extend the time in which a member bank must divest itself of stock or other evidences of ownership in a foreign bank acquired in satisfaction of a debt previously contracted.

By order of the Board of Governors, December 31, 1975.

[SEAL] THEODORE E. ALLISON,
Secretay of the Board.

[FR Doc.76-806 Filed 1-9-76;8:45 am]

Title 13—Business Credit and Assistance

CHAPTER III—ECONOMIC DEVELOPMENT ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 309—GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE

Construction Site Signs

Pursuant to the authority vested in it by Section 701 of the Public Works and Economic Development Act of 1965, as amended, the Economic Development Administration hereby amends Part 309 of 13 CFR Chapter III, by deleting § 309.16 in its entirety.

Section 309.16 requires applicants for financial assistance involving construction to post EDA signs at the construction site. Because of the expense involved and the difficulty of ensuring that all applicants comply with the regulation, EDA will no longer impose this requirement upon applicants as a condition for financial assistance. Henceforth the construction signs will become the responsibility of the contractor and a provision detailing this obligation will be included in the Manual "Requirements for Approved Projects", which is provided to all Grantee/Borrowers and their potential bidders.

In that the material contained herein is a matter relating to the EDA grant and loan program and because this amendment is intended to relieve a restriction upon eligible applicants for assistance, the relevant provisions of the Administrative Procedure Act (5 U.S.C. 533) requiring notice of the proposed rulemaking, opportunity for public participation and delay in effective date are inapplicable.

Consideration has been given as to whether this amendment of the regulations constitutes a major proposal with an inflationary impact within the meaning of OMB Circular A-107 and the interpretative guidelines as issued by the Department of Commerce. It has been determined that this amendment does not constitute action requiring an inflationary impact statement.

In consideration of the foregoing, Part 309 is hereby amended.

§ 309.16 [Removed]

1. Section 309.16 is deleted in its entirety.

AUTHORITY: Sec. 701, Pub. L. 89-136, 79 Stat. 570 (42 U.S.C. 3121); Department of Commerce Organization Order 10-4, 40 FR 56702.

Effective date: This amendment becomes effective on January 12, 1976.

It is hereby certified that the economic and inflationary impacts of this regulation have been carefully evaluated in accordance with OMB Circular A-107.

Dated: January 5, 1976.

WILMER D. MIZELL,
Assistant Secretary for Economic Development.

[FR Doc.76-756 Filed 1-9-76;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 75-SW-62; Amdt. 39-2488]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Model 212 Helicopters

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an airworthiness directive was adopted on December 24, 1975, and made effective immediately as to all known United States operators of Bell Model 212 helicopters. The directive requires a daily inspection for cracks in the main rotor blades and a reduction in V_{NE} limits of the helicopter.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of Bell Model 212 helicopters by individual letters dated December 24, 1975. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

BELL: Applies to Bell Model 212 helicopters certificated in all categories. Compliance required as indicated after receipt of this AD.

1. Prior to further flight, install a suitable placard in full view of the pilot and adjacent to the present airspeed placard to read as follows: V_{NE} reduced to 80% of the V_{NE} shown.

2. Before the first flight of each day, inspect for cracks in the leading edge, top and bottom, of each main rotor blade in accordance with the Model 212 maintenance manual, Section 5-20-01, page 2, items 1 and 2, or in accordance with an FAA approved equivalent procedure.

3. Blades with a crack must be removed before further flight.

This amendment is effective February 1, 1976, and was effective upon receipt for all recipients of the letter dated December 24, 1975, which contained this amendment.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Fort Worth, Texas, on December 30, 1975.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc.76-789 Filed 1-9-76;8:45 am]

[Airworthiness Docket No. 67-SW-68; Amdt. 39-2486]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Models 47G-3, 47G-2A, 47G-3B, 47G-2A-1, 47G-3B-1, 47G-3B-2, 47G-4, 47G-4A, 47G-5, 47J-2, and 47J-2A Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring removal of tail rotor blades, P/N 47-642-102, and installation of the tail rotor blades, P/N 47-642-117, on certain Bell Model 47 series helicopters within 300 hours' time in service was published in 40 FR 39896. In order to provide for additional time to allow thorough industry review and response following a request from the Helicopter Association of America (HAA), the closing date for comments on the proposal was changed from September 17, 1975, to October 19, 1975, by notice published in 40 FR 43919.

In response to the proposal, 26 letters or messages were received from operators and HAA objecting to the proposal. Twenty-five letters or messages were received from helicopter operators summarizing their satisfactory service history and individual company policy and their suggestions regarding tail rotor blades, P/N 47-642-102. These company policies and suggestions fell generally into the following categories: (1) do not use military surplus blades; (2) replace blades when a tail rotor strike is even suspected; (3) install strike tabs on blades used on skid gear equipped helicopters in addition to the present requirement for strike tabs on blades of float equipped helicopters; (4) static and dynamic balancing of the blades; and (5) strict adherence to AD 70-10-8 inspections. HAA also included in their letter information from 15 accident reports or records they obtained from the National Transportation Safety Board. That letter noted a blade fails on the average every 250,000 flight hours. They believe the failures are not industry wide but limited to agricultural type operations and to other possible factors. These other factors include (1) using military surplus blades, (2) using blades after encountering strikes, and (3) noncompliance with a part of AD 70-10-8 since some pilots are allegedly not aware of the AD inspection requirements (that are delegated to them). HAA suggests AD 70-10-8 be revised to require strike tabs on all blades, P/N 47-642-102. They suggest a more detailed surveillance of Model 47 operators to ensure compliance with AD 70-10-8 and the manufacturers' recommendations.

The FAA appreciates receiving this information and these suggestions. The records clearly show that blade failures have occurred, even recently, on helicopters that have been used in normal operations as well as agricultural operations and blades have failed that were not even suspected of having experienced a blade strike. The agency will review AD 70-10-8, Amdt. 39-1063, with regard to preventing the use of used military surplus blades on Model 47 helicopters and to require use of strike tabs on all blades P/N 47-642-102. Of course, separate and appropriate rulemaking procedures will be used if AD 70-10-8 is revised.

The National Transportation Safety Board also submitted a letter in response to the proposal. The Board recommends the proposal be adopted without change and advised that a Model 47G-5 tail rotor blade, P/N 47-642-102, failed in fatigue after only 61 hours of operation since new. The HAA noted that the inspections required by AD 68-2-3 and AD 70-10-8 detected two cracked blades prior to their separation or failure. The inspections and frequent checks specified first in AD 68-2-3 and then in AD 70-10-8 have been unsuccessful in preventing the 15 accidents noted by the HAA and several other accidents in which tail rotor blade failures occurred.

One operator noted that the directional control system required changes whenever the blades, P/N 47-642-117, were installed. This was an oversight on the agency's part to clearly show that complete compliance with all applicable parts of Bell Service Instruction No. 428 was intended. However, the agency believes that complete compliance with the service instruction was recognized by the operators. Therefore, to preclude any confusion, the adopted rule will specify that tail rotor blades and associated airframe, drive system, and control system changes must be installed in accordance with Service Instruction No. 428.

The agency notes that AD 70-10-8 will still be applicable and effective for all Bell Model 47 series helicopters and the proposal required the installation of blades, P/N 47-642-117, on certain later vintage Model 47 helicopters. These later models constitute about one-half of the total Model 47 series fleet.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697) § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive.

BELL. Applies to Bell Model 47G-3, 47G-2A, 47G-3B, 47G-2A-1, 47G-3B-1, 47-3B-2, 47G-4, 47G-4A, 47G-5, 47J-2, and 47J-2A helicopters certificated in all categories.

Compliance is required within 300 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent possible failure of tail rotor blades, P/N 47-642-102, install tail rotor blades, P/N 47-642-117 and associated airframe, drive system, and control system changes as specified by and in accordance with Bell Helicopter Company's Service Instruction No. 428, issue date May 1, 1970, or later approved revision.

The manufacturer's specifications and procedures, identified and described in this directive, are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive, who have not already received these documents from the manufacturer, may obtain copies upon request to the Service Manager, Bell Helicopter Company, P.O. Box 482, Fort Worth, Texas 76101. These documents may also be examined at the Office of the Regional Counsel, Southwest Region, FAA, 4400 Blue Mound Road, Fort Worth, Texas, and at FAA Headquarters, 800 Independence Avenue SW., Washington, D.C. A historical file on this AD, which includes the incorporated material in full, is maintained by the FAA at its headquarters in Washington, D.C., and at the Southwest Regional Office in Fort Worth, Texas.

This amendment becomes effective February 15, 1976.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423, and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c))

Issued in Fort Worth, Texas, on December 30, 1975.

HENRY L. NEWMAN,
Director, Southwest Region.

The incorporation by reference provisions in this document was approved by the Director of the Federal Register on June 19, 1967.

[FR Doc.76-790 Filed 1-9-76;8:45 am]

[Airspace Docket No. 75-SW-56]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone Designation

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to provide designation of effective dates and times of the Laredo, Tex., control zone by Notice to Airmen.

On October 14, 1975, a final rule was published in the FEDERAL REGISTER (40 FR 48119) altering the Laredo, Tex., control zone. The provision to designate effective dates and times of the control zone by Notice to Airmen was inadvertently omitted.

Since the provision for designating effective dates and times of the control zone by Notice to Airmen was contained in the previous control zone designation and no further restrictions are imposed by the addition of this provision to Part 71 of the Federal Aviation Regulations, public comment is not considered necessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective on January 12, 1976, as hereinafter set forth.

In § 71.171 (41 FR 355), the Laredo, Tex., control zone is amended to read:

LAREDO, TEX.

Within a 5-mile radius of the Laredo Municipal Airport (latitude 27°32'40" N., longitude 99°27'40" W.); within 1.5 miles each side of the Laredo VORTAC 141° radial extending from the 5-mile-radius area to 1 mile southeast; within a 5-mile radius of the Laredo International Airport (latitude 27° 36'56" N., longitude 99°31'12" W.); within 1.5 miles each side of the Laredo ILS localizer northwest course extending from the ILS localizer site (latitude 27°36'12.6" N., longitude 99°30'50.2" W.) to 7 miles northwest, excluding that portion outside the United States. This control zone will be effective during specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airman's Information Manual.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Fort Worth, Tex., on January 2, 1976.

ALBERT H. THURBURN,
Acting Director, Southwest Region.

[FR Doc.76-788 Filed 1-9-76;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release Nos. 33-5665, 34-11977, 35-19329, 39-435, IC-9114, IA-495]

PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

Delegation of Authority to the Office of Reports and Information Services

The Securities and Exchange Commission hereby announces that the Office of Registrations and Reports and the Office of Records have been merged to form a new Office of Reports and Information Services. The consolidation of the two offices was effected to enhance uniform and full compliance by the Commission with its responsibilities under the Freedom of Information Act, as amended, 5 U.S.C. 552, and the Privacy Act of 1974, 5 U.S.C. 552a (Pub. L. 93-579, 88 Stat.

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1896) The merger is also expected to result in greater efficiency and economies in the management of the Commission's records.

The Office of Registrations and Reports was responsible, among other things, for initially examining, extracting data from, and distributing formal filings and reports made with the headquarters office of the Commission. In addition, that office was responsible for responding to investor complaints, calculating filing fees, determining filing delinquencies, and substantively examining and determining effectiveness of certain reports which were filed by applicants and registrants. The Office of Records was responsible for receiving and docketing all material required to be filed with the Commission pursuant to the statutes it administers, maintaining records of all litigation and enforcement action, disposing of records as appropriate, and processing formal papers relating to administrative proceedings before the Commission.

In light of the aforementioned merger, appropriate changes are being made regarding functions and delegations in Part 200 of Title 17 of the Code of Federal Regulations relating to the statement of organization and program management.

The Commission finds that the foregoing action relates solely to agency organization procedure and practice and that notice and prior publication under U.S.C. 553 are not necessary. Accordingly, the foregoing action which was taken pursuant to Public Law 87–592, 76 Stat. 394 (15 U.S.C. 78d–1, 78d–2) becomes effective immediately.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

JANUARY 5, 1976.

17 CFR Part 200 is amended by revising §§ 200.20c and 200.30–11, to read as follows:

§ 200.20c Office of Reports and Information Services.

The Office of Reports and Information Services is responsible for the receipt and initial handling of all public documents filed at the Commission's headquarters office. The initial handling includes determining acceptability, extracting data for EDP input, calculating fees, conducting cursory and substantive examinations, assigning filings to branches and preparing deficiency correspondence. In addition, the Office is responsible for the custody and control of the Commission's official records; for the development of plans and implementation of the Commission's records management program; for authenticating all documents produced for administrative or judicial proceedings; for maintaining liaison with the National Archives and Records Service and other Government agencies with respect to the Commission's records and its records management program. Additionally, the Office is the definitive source of statistics for a wide variety of reports and prepares various data based publications, such as the Corporation Index and delinquency listings. This Office is also charged with processing general inquiries under the Freedom of Information Act (Pub. L. 90–23, 81 Stat. 54) and the Privacy Act (Pub. L. 93–579, 88 Stat. 1896).

(Sec. 4(b), 48 Stat. 885, sec. 1106(a), 63 Stat. 972, 15 U.S.C. 78d(b); secs. 1, 2, 76 Stat. 394, 395, 15 U.S.C. 78d–1, 78d–2; secs. 19, 48 Stat. 85, 908, 15 U.S.C. 77s; sec. 23(a), 48 Stat. 901, sec. 8, 49 Stat. 1379, 15 U.S.C. 78w(a); sec. 20, 49 Stat. 833, 15 U.S.C. 78t; sec. 319, 53 Stat. 1173, 15 U.S.C. 77sss; sec. 38, 54 Stat. 841, 15 U.S.C. 80a–37; sec. 211, 54 Stat. 855, sec. 14, 74 Stat. 888, 15 U.S.C. 80b–11; sec. 15B, 15 U.S.C. 78o–4(a); sec. 17A, 15 U.S.C. 78q–1(c)(2)).

§ 200.30–11 Delegation of Authority to Director, Office of Reports and Information Services.

Pursuant to the provisions of Pub. L. 87–592, 76 Stat. 394 (15 U.S.C. 78d–1, 78d–2), the Securities and Exchange Commission hereby delegates the following functions to the Director of the Office of Reports and Information Services to be performed by him or under his direction by such person or persons as may be designated from time to time by the Chairman of the Commission:

(a) With respect to the Securities Exchange Act of 1934 (15 U.S.C. 78a, et seq.):

(1) Pursuant to section 15(b) of the Act (15 U.S.C. 78o(b)):

(i) To authorize the issuance of orders granting registration of brokers or dealers within forty-five days of the filing of an application for registration as a broker or dealer (or within such longer period as to which the applicant consents);

(ii) To authorize the issuance of orders cancelling registrations of brokers or dealers or pending applications for registration, if such brokers or dealers or applicants for registration are no longer in existence or have ceased to do business as brokers or dealers;

(iii) To determine whether notices of withdrawal from registration on Form BDW shall become effective sooner than the normal 60-day waiting period.

(2) Pursuant to section 15B(a) of the Act (15 U.S.C. 78o–4(a)), to authorize the issuance of orders granting registration of municipal securities dealers within 45 days of the filing of an application for registration as a municipal securities dealer (or within such longer period as to which the applicant consents).

(3) Pursuant to section 17A(c)(2) of the Act (15 U.S.C. 78q–1(c)(2)), to authorize the issuance of orders accelerating registration of transfer agents for which the Commission is the appropriate regulatory agency before the expiration of 30 days following the date on which applications for registration as a transfer agent are filed.

(b) With respect to the Investment Advisers Act of 1940 (15 U.S.C. 80b–1, et seq.).

(1) Pursuant to section 203(c) of the Acts (15 U.S.C. 80b–3(c)), to authorize the issuance of orders granting registration of investment advisers within 45 days of the filing of an application for registration as an investment adviser (or within such longer period as to which the applicant consents).

(i) To determine registration of investment advisers to be effective within shorter periods of time than 45 days after receipt by the Commission of applications for registration;

(ii) To authorize the issuance of orders declaring amendments filed with the Commission after an application has become effective to be effective within shorter periods of time than 30 days after the filing of such amendments.

(2) Pursuant to section 203(h) of the Act (15 U.S.C. 80b–3(i)):

(i) To authorize the issuance of orders cancelling registrations of investment advisers or applications for registration, if such investment advisers or applicants for registration are no longer in existence or are not engaged in business as investment advisers.

(ii) To determine whether notices of withdrawal from registration on Form ADV–W shall become effective sooner than the normal 60-day waiting period.

(c) With respect to the Securities Investor Protection Act of 1970 (15 U.S.C. 78aaa et seq.):

(1) To cause a written notice to be sent by registered or certified mail, upon receipt of a copy of a notice sent by or on behalf of the Securities Investor Protection Corporation that a broker or dealer has failed to timely file any report or information or to pay when due all or any part of an assessment as required under section 10(a) of this Act, to such delinquent member advising such member that it is unlawful for him or her under the provisions of such section of the Act to engage in business as a broker-dealer while in violation of such requirements of the Act and requesting an explanation in writing within ten days stating what he or she intends to do in order to cure such delinquency;

(2) To authorize formerly delinquent brokers or dealers, upon receipt of written confirmation from or on behalf of the Securities Investor Protection Corporation that the delinquencies referred to in paragraph (c)(1) of this section have been cured, and upon having been advised by the appropriate regional office of this Commission and the Division of Enforcement and Division of Market Regulation that there is no objection to such member being authorized to resume business, and upon there appearing to be no unusual or novel circumstances which would warrant direct consideration of the matter by this Commission, to resume business as registered broker-dealers as provided in section 10(a) of this Act.

(d) Notwithstanding anything in the foregoing, in any case in which the Director of the Office of Reports and Information Services believes it appropriate, he may submit the matter to the Commission.

(Sec. 1, 76 Stat. 394, 15 U.S.C. 78d–1; sec. 10(a), 84 Stat. 1655, 15 U.S.C. 78j(j)(a); sec. 15B, 15 U.S.C. 78o–4(a); sec. 17A, 15 U.S.C. 78q–1(c)(2))

[FR Doc.76–775 Filed 1–9–76;8:45 am]

[Release No. 34–11967]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Adoption of Temporary Rule 23a–2(T)

The Securities and Exchange Commission today announced the adoption, effective immediately, of Securities Exchange Act Temporary Rule 23a–2(T), which exempts, until March 1, 1976, any broker or dealer who was required to register pursuant to Section 15 of the Securities Exchange Act of 1934 (the "Act") solely by reason of changes in that Act effected by the Securities Acts Amendments of 1975, Pub L. No. 94–29, (June 4, 1975) (the "1975 Amendments") from Securities Exchange Act Rules 15b8–1 through 15b10–11.

On December 1, 1975, as a result of amendments enacted by the 1975 Amendments to Section 3(a)(17) of the Act, which defines interstate commerce to include the intrastate use of any facility of a national securities exchange, and to Section 15(a)(1) of the Act, which relates to registration of brokers and dealers, a significant number of heretofore unregistered exchange members became registered with the Commission pursuant to Section 15(a) of the Act, and, as registered broker-dealers, those who do not elect to join the NASD become generally subject to the SECO rules. In order to preserve, for the time being, the present regulatory scheme of the SECO rules, whereby those rules are applicable to nonmember (of a national securities association) broker-dealers who are registered with the Commission pursuant to Section 15 of the Act, as that section was written prior to the 1975 Amendments, Temporary Rule 23a–2(T), which is effective immediately, exempts from all the SECO rules any broker or dealer who was required to register pursuant to Section 15 of the Act solely by reason of amendments to the Act effected by the 1975 Amendments. Temporary Rule 23a–2(T) expires on March 1, 1976. In the intervening period, the Commission will receive and consider comments on proposed amendments to the SECO rules.[1]

Statutory Basis. The Securities and Exchange Commission, acting pursuant to the provisions of the Securities Exchange Act of 1934, 15 U.S.C. 78a et seq., as amended by the Securities Act Amendments of 1975, Pub. L. No. 94–29 (June 4, 1975), and particularly Sections 15(b) and 23(a) thereof, hereby adopts Securities Exchange Act Temporary Rule 23a–2(T) effective immediately.

The Commission, for good cause, finds that notice and public procedure pursuant to 5 U.S.C. 553(b) on Temporary Rule 23a–2(T) are impracticable and contrary to the public interest because, as of December 1, 1975, a significant number of exchange members have become registered with the Commission under Section 15 of the Act and, absent appropriate exemptions, would be subject to the SECO rules. Further, because Temporary Rule 23a–2(T) grants an exemption from existing requirements, publication of the rule prior to its effective date, pursuant to 5 U.S.C. 553(d) is not required. Accordingly, Temporary Rule 23a–2(T) becomes effective immediately. The Commission finds that Temporary Rule 23a–2(T) will not impose any burden on competition.

Text of Temporary Rule 23a–2(T). Securities Exchange Act Temporary Rule 23a–2(T), as adopted, reads as follows:

§ 240.23a–2(T) Temporary exemption for certain registered brokers and dealers.

(a) The following rules of the Commission shall not apply to any broker or dealer who was required to register pursuant to Section 15 of the Act solely by reason of amendments to the Act effected by the Securities Acts Amendments of 1975, Pub. L. No. 94–29 (June 4, 1975):

Rules: 15b8–1, 15b8–2, 15b9–1, 15b9–2, 15b10–1, 15b10–2, 15b10–3, 15b10–4, 15b10–5, 15b10–6, 15b10–7, 15b10–8, 15b10–9, 15b10–10, 15b10–11.

(b) This temporary rule shall expire on March 1, 1976.

(Secs. 2, 3, 15, 23, 48 Stat. 881, 882, 895, 901, as amended by Secs. 2, 3, 11, 18, 89 Stat. 97, 97–104, 121–127, 155–156 (15 U.S.C. 78b, 78c, 78o, 78w, as amended by Pub. L. No. 94–29))

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 31, 1975.

[FR Doc.76–762 Filed 1–9–76;8:45 am]

[1] In a separate document published in the Rules section of the FEDERAL REGISTER, the Commission has published for comment proposed amendments to Section 240.15b8–1, 240.15b8–2, 240.15b9–1, 240.15b9–2 and 240.15b10–7.

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE

[T.D. 76–3]

PART 159—LIQUIDATION OF DUTIES

Countervailing Duties; Leather Handbags From Brazil

Notice of countervailing duties to be imposed under section 303, Tariff Act of 1930, as amended, by reason of the payment or bestowal of a bounty or grant upon the manufacture, production or exportation of leather handbags from Brazil.

On June 30, 1975, a "Notice of Preliminary Countervailing Duty Determination" was published in the FEDERAL REGISTER (40 FR 27499). The notice indicated that it had been determined tentatively that benefits from five programs were conferred by the Brazilian government upon the manufacture, production, or exportation of leather handbags, which constitute a bounty or grant within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303) (referred to in this notice as "the Act"). Two programs were determined tentatively not to be bounties or grants within the meaning of the Act. All other allegations contained in the petition were found not to be applicable to the manufacturers/exporters of leather handbags from Brazil. The notice provided interested parties 30 days from the date of publication to submit relevant data, views, or arguments, in writing, with respect to the preliminary determination. The time period was later extended to September 3, 1975 (40 FR 34423).

After consideration of all information received, it is determined that exports of leather handbags from Brazil are subject to bounties or grants within the meaning of section 303 of the Act. One program concerning exemptions for certain imports from import duties which tentatively was found to be a bounty or grant is determined not to be applicable to Brazilian manufacturers/exporters of leather handbags. All other conclusions reached in the preliminary determination remain unchanged and are adopted in this final determination.

In accordance with section 303, of the Act, the net amount of the bounty or grant has been estimated and declared to be 14 percent of the f.o.b. or ex-works price to the United States of leather handbags from Brazil.

Effective on or after the date of publication of this notice in the FEDERAL REGISTER and until further notice, upon the entry for consumption or withdrawal from warehouse for consumption of such dutiable leather handbags imported directly or indirectly from Brazil, which benefit from these bounties or grants, there shall be collected, in addition to any other duties estimated or determined to be due, countervailing duties in the amount ascertained in accordance with the above declaration. To the extent that it has been or can be established to the satisfaction of the Commissioner of Customs that imports of leather handbags from Brazil manufactured by a particular firm are subject to a bounty or grant smaller than the amount which otherwise would be applicable under the above declaration, the smaller amount so established shall be assessed and collected on imports of such handbags.

To be eligible to establish that a particular firm receives a bounty or grant smaller than that estimated in the above declaration, such firm must request, within thirty days from publication of this notice in the FEDERAL REGISTER, that liquidation of all entries for consumption or withdrawal from warehouse for consumption of such dutiable leather handbags from Brazil be suspended pending declarations of the net amounts of the bounties or grants paid. Only pursuant to such a request will liquidation be suspended.

Any merchandise subject to the terms of this order shall be deemed to have benefitted from a bounty or grant if such bounty or grant has been or will be, credited or bestowed, directly or indirectly, upon the manufacture, production, or exportation of leather handbags manufactured in Brazil.

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§ 159.47 [Amended]

The table in § 159.47(f) of the Customs Regulations (19 C.F.R. 159.47(f)) is amended by inserting in the column headed "Commodity", the words "Leather Handbags" after the last entry for Brazil. The column headed "Treasury Decision" is amended by inserting the number of this Treasury Decision, and the column headed "Action" is amended by inserting the words "Bounty Declared—Rate".

(R. S. 251, secs. 303, as amended, 624; 46 Stat. 687, 759, 88 Stat. 2050; 19 U.S.C. 66, 1303, as amended, 1624).

VERNON D. ACREE,
Commissioner of Customs.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

DECEMBER 29, 1975.

[FR Doc.76-757 Filed 1-9-76;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 4—DEPARTMENT OF AGRICULTURE

PART 4-1—GENERAL

Procurement; Miscellaneous Amendments

This amendment involves matters relating to agency management and contracting and while not subject by law to the notice and public procedure requirements for rule making under 5 U.S.C. 553 is subject to the Secretary's Statement of Policy (36 FR 13804). The amendment corrects or clarifies existing policy. No useful purpose would be served by public participation, and it is found upon good cause, in accordance with the Secretary's Policy Statement, that notice and other public procedures with respect to the amendment are impracticable and unnecessary.

1. The Table of Contents of Part 4-1 is amended by adding the following sections to read as follows:

Sec.
4-1.703 Determination of status as a small business concern.
4-1.703-2 Protest regarding small business status.

2. Subpart 4-1.7, Small Business Concerns, is amended by adding the following Sections.

§ 4-1.703 Determination of status as a small business concern.

§ 4-1.703-2 Protest regarding small business size status.

Where award has been made prior to the receipt of a timely protest regarding the small business size status of the contractor, and where that protest is subsequently upheld, the contracting officer should give immediate and full consideration to the feasibility of terminating the contract for the convenience of the Government.

Effective Date: January 12, 1976

AUTHORITY: (5 U.S.C. 301, 40 U.S.C. 486 (c).)

Done at Washington, D.C., this 6th day of January, 1976.

It is hereby certified that the economic and inflationary effects of this proposal have been carefully evaluated in accordance with Executive Order No. 11821.

GEORGE C. KNAPP,
Acting Director,
Office of Operations.

[FR Doc.76-776 Filed 1-9-76;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19859]

PART 76—CABLE TELEVISION SERVICES

Cable Television and Network News Programs; Correction

In the matter of amendment of Part 76 of the Commission's rules and regulations relative to cable television systems and the carriage of network news programs on cable television systems (41 FR 1063).

The Report and Order in the above-entitled proceeding (FCC 75-1431, Mimeograph No. 38707) adopted on December 22, 1975, and released on January 2, 1976, is corrected to show the FCC Number as "FCC 75-1434".

Released: January 6, 1976.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76-705 Filed 1-9-76;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Ex Parte No. MC-19 (Sub-No. 19a)]

PART 1056—TRANSPORTATION OF HOUSEHOLD GOODS IN INTERSTATE OR FOREIGN COMMERCE

Practices of Motor Common Carriers of Household Goods (Consumer Protection—Kingpak Carriers)

● **Purpose: The Interstate Commerce Commission's goal, in its continuing oversight of the activities and services of interstate moving companies, is to achieve that regulatory balance which protects the inexperienced householder from unfair and improper carrier practices without unduly impairing the household goods movers ability to provide adequate, economical, and efficient service. To that end, the Commission has amended 49 CFR 1056.7(b) in order to exclude the so-called "Kingpak" and "pack and crate" carriers from its consumer reporting filing requirements.** ●

At a General Session of the INTERSTATE COMMERCE COMMISSION, held at its office in Washington, D.C., on the 5th day of January 1976.

It is ordered, That based on the reasons set forth in the attached notice, Chapter X of Title 49 of the Code of Federal Regulations be, and it is hereby, modified as set forth in the attached notice.

It is further ordered, That this order shall become effective on January 12, 1976.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested persons.

Issued in Washington, D.C., January 5th, 1976.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

Under the above-cited section, household goods movers are required to file annual performance reports with the Commission. These reports must list the number of shipments the carrier has delivered and the percentages of these shipments on which there were overestimates, underestimates, late pickups and deliveries, and loss and damage claims. Copies of these reports have to be served on potential shippers in accordances with 49 CFR 1056.7(a).

As set forth in Ex Parte No. MC 19 (Sub-No. 19), *Practices of Motor Common Carriers of Household Goods,* 119 M.C.C. 585 (1974), the goal of the Commission in adopting this regulation was to provide potential household goods shippers with the data necessary to compare the services of competing carriers. It was anticipated that as a result consumers would be able to make a more informed selection of a carrier and carriers would improve the services being rendered to the public.

However, an examination of the reports filed for the 1974 calendar year reveals that the "Kingpak" carriers should be excluded from the coverage of § 1056.7(b) since these carriers do not deal directly with the shipping public. Generally, they pack or unpack, containerize or decontainerize used household goods and move the containerized shipments relatively short distances for tender to or to take delivery from line-haul rail, water, air, or other motor carriers. The local transportation service provided is a very minor part of the total service rendered by these carriers, and that service which is rendered is, at most, only a small portion of the total transportation service involved in the movement of this type of household goods shipments. Additionally much of the traffic in this area moves for the account of the Department of Defense, and most shipments are destined to or received from overseas points.

As a practical matter, then, it is difficult for these carriers to prepare meaningful reports and the goal of the regulation is not furthered by requiring such carriers to file annual performance reports. Therefore in the interest of sound regulation, those carriers engaged in the transportation of household goods solely under authority which reads "used household goods, restricted to the transportation of shipments having a prior or subsequent movement, in containers, beyond the points authorized, and further restricted to the performance of pickup and delivery service in connection with the packing, crating, and containerization or unpacking," will be excluded from the reporting requirements of § 1056.7(b).

Some further amendments have been made to § 1056.7 (b) (3) in order to clarify for the carriers the kind of information to be included in the reports and to make the information more comprehensible for consumers. Subsection (ix) has been reworded to make it consistent with the preceding subsections of § 1056.7(b)(3) and to make clear that the information sought is that percentage of shipments delivered on which claims were filed due to carrier delay, not that percentage of the total number of claims which represents the delay claims filed.

Section 1056.7(b)(3)(x) has been reworded to make clear that carriers must report the average number of consecutive days required to settle loss and damage claims. The phrase "average length of time to settle claims for loss and damage" was misinterpreted in the reports filed for 1974 and brought responses such as "60 to 90 days."

Finally, § 1056.7(b)(3)(xi) and (3)(xii) have been combined into paragraph (b)(3)(xi) and reworded. The figures sought in that paragraph—the percentage of claims (a) settled prior to the institution of judicial process, (b) settled prior to the completion of judicial process, and (c) carried to the completion of judicial process and the entering of a final decree—all relate to a common whole figure, those claims settled during the calendar year, and should total 100 percent. However, because of the way the prior subsections were constructed many carriers failed to realize this. The one subsection should make clear the figures sought relate to one common whole figure. Further, the legalistic phrases in the prior subsections have been reworded to make the reports more understandable to the average consumer.

The rule is issued under the authority of 49 U.S.C. 301, 302, 304, and 308, and 5 U.S.C. 553 and 559.

Accordingly, this action would revise 49 CFR 1056.7(b) so that it would read as follows:

§ 1056.7 Information for shippers.

(b) Each motor common carrier of household goods, *except* carriers engaged in the transportation of household goods solely under authority which reads: "Used household goods, restricted to the transportation of shipments having a prior or subsequent movement, in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with the packing, crating, and containerization or unpacking", shall on or before the 45th day following the termination of each calendar year (beginning with the calendar year in which this regulation becomes effective) cause to be filed with the Commission's Bureau of Operations, Washington, D.C., and each of the Commission's regional offices, a summary of its service record for the previous calendar year providing the following information:

(1) Name of motor carrier and domicile address.

(2) I.C.C. MC number.

(3) By type of account (c.o.d. shipper, Department of Defense, and national accounts and other Government traffic) specify the following:

(i) Number of shipments delivered and number of estimates on such shipments.

(ii) Percentage of shipments on which there occurred a 10 percent or greater overestimation of charges.

(iii) Percentage of shipments on which there occurred a 10 percent or greater underestimation of charges.

(iv) Percentage of shipments picked up more than 5 days later than specified in the order for service.

(v) Percentage of shipments picked up 1 to 5 days later than specified in the order for service.

(vi) Percentage of shipments delivered more than 5 days later than specified in the order for service.

(vii) Percentage of shipments delivered 1 to 5 days later than specified in the order for service.

(viii) Percentage of shipments on which a $50 or greater claim for loss or damages was filed.

(ix) Percentage of shipments delivered on which a claim was filed for damages or expenses resulting from carrier delay.

(x) Average number of consecutive days required to settle claims for loss and damage (for claims settled during the calendar year).

(xi) The percentage of claims settled during the calendar year which were settled:

(a) Prior to institution of a law suit by the shipper to recover damages.

(b) After the institution of a law suit by the shipper and prior to entering of a final judicial decree.

(c) Subsequent to the entering of a final judicial decree.

Copies of this report shall be served upon potential shippers as provided in paragraph (a) of this section. Carriers shall have available supporting documentation required for the compilation of such statistics and shall make such documentation available to this Commission's Bureau of Operations upon request. Subjective evaluations by the carrier of its performance may be appended to the objective statistics required above, but on separate pages so as not to obscure in any way the statistical data required by this section.

[FR Doc.76-835 Filed 1-9-76;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 28—PUBLIC ACCESS, USE AND RECREATION

Parker River National Wildlife Refuge Correction

In FR Doc. 75-33135 appearing on page 57460 in the issue of Wednesday, December 10, 1975, in the first column, the fourth line from the bottom, the word which presently reads "public" should read "pubic".

Title 7—Agriculture

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

PART 246—SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN

Revision, Reorganization and Republication

The Special Supplemental Food Program authorized by section 17 of the Child Nutrition Act of 1966, as amended, was revised and extended through fiscal year 1978 by Pub. L. 94-105, enacted October 7, 1975. Interim regulations are hereby promulgated to implement the requirements of the new legislation.

The regulations are also revised in order to implement Federal Management Circular 74-7 (34 CFR Part 256) which prescribes uniform administrative requirements for Federal grants-in-aid to State and local governments, and to make changes to improve program effectiveness and efficiency.

During this interim period and until such time as final rules are issued, the Department will take under careful consideration issues which are of concern to the Department and to the general public. These issues include but are not limited to: establishing specific nutritional risk criteria for individual eligibility and continuance of eligibility for the Program; reviewing the remedial/preventive aspects of the Program; establishing income eligibility standards; establishing priorities for serving categories of recipients within the target population; reviewing all areas which relate to the special supplemental food packages; reviewing all aspects of reporting (format and frequency) and monitoring requirements imposed on State and local agencies; reviewing the responsibilities for Program operations at the Federal, State and local level; determining the need for evaluation of Program operations and effects of the Program at all levels; and establishing specific standards for local agency eligibility.

Since immediate action is required to implement the requirements of Pub. L. 94-105, notice and public procedures are impracticable and contrary to the public interest. Therefore, these interim regulations will become effective on the date specified. However, complying with the spirit of public rule-making, interested persons are invited to submit, in duplicate, written comments, data, or objections to the Special Supplemental Food Program (WIC), Food and Nutrition Service, U.S. Department of Agriculture, Washington, D.C. 20250, on or before March 1, 1976. Each person submitting comments should include his or her name and address, cite the section of the regulations referred to, and give reasons for any recommendations. Copies of all written submissions received pursuant to this notice will be made available for public inspection in Room 764, Food and Nutrition Service, 500 12th Street SW., Washington, D.C., during the regular business hours (8:30 a.m. to 5:00 p.m.). All comments, data, and objec-

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tions will be considered and proposed rule making issued before final rules are published.

Revisions to Implement Pub. L. 94–105. The Special Supplemental Food Program for Women, Infants and Children (WIC Program) regulations are revised in the following areas to conform to the new legislative requirements.

1. The allowance for administrative expenses is increased from ten percent to twenty percent of the program funds provided to each State in each fiscal year. Thus, administrative expenses may not exceed twenty-five percent of the actual food costs. Clinic costs, nutrition education and startup costs are now allowable administrative expenses.

2. State agencies shall submit each year the State agency application (Form AD 623), or an amendment thereof, describing the manner in which administrative funds will be spent in the following fiscal year. The application or amendment must be approved by FNS as a prerequisite to the State agency's receipt of funds.

3. Eligibility for WIC Program benefits is extended to children until their fifth birthday, to all women for a period of six months postpartum, and to lactating women who are breast-feeding an infant from birth up to one year of age.

4. The WIC Program may not operate in the same geographic area as the Pilot Food Certificate Program (7 CFR Part 265) or Supplemental Food Program (7 CFR Part 250). The local agency shall adopt safeguards, or agree to use a State system of safeguards, to ensure that no recipient can receive benefits from more than one such program.

5. The State agency shall ensure that programs begin in those areas which are most in need of supplemental food.

6. The supplemental foods in the WIC food package are to be made available in such a manner as to provide flexibility, taking into account medical and nutritional objectives and cultural eating patterns. Modifications in the prescribed food packages are as follows:

a. An infant over six months of age may receive whole fluid milk as a substitute for all or part of his or her iron-fortified infant formula allowance. The infant's parent or guardian should be informed that the substitution will result in a reduction of the iron content in the infant food package.

b. Ready-to-feed infant formula may be substituted for the concentrated liquid or powdered formula when the competent professional authority determines and documents that there is an unsanitary or restricted water supply, that there is poor refrigeration, or that the person caring for the infant may have difficulty in correctly diluting concentrated liquid or powdered formula.

c. The milk allowance for women and children is reduced from 31 quarts per month to 28 quarts per month. In addition, fluid forms of cultured buttermilk and flavored milk may be substituted for whole fluid milk in the food package for women and children. As a health precaution, pasteurization is required for all fluid milk.

d. Monterey Jack and Colby cheeses are added to the list of acceptable cheeses.

e. For women and children, the number of acceptable cereals is expanded by lowering the required iron content of cereals from 30 milligrams of iron per 100 grams of dry cereal to 28 milligrams of iron per 100 grams of dry cereal. Additionally, the amount of cereal is increased from 32 ounces to 36 ounces per month, in order to accommodate common cereal package sizes.

7. Eligibility for the WIC Program is extended to the Trust Territory of the Pacific Islands.

Other Revisions. Revisions, deletions and additions which bring program operations into conformity with the requirements of FMC 74–7, or which improve program effectiveness and efficiency are as follows.

1. The requirement for an agreement between the State agency and FNS is deleted, since the application Form AD 623 and these regulations set out the grant provisions and assurances.

2. The State agency shall determine the eligibility of local agencies and shall submit to the appropriate FNS Regional Office a State agency application or amendment on Form AD 623 which contains the required data concerning each local agency.

3. The State agency application for participation in the Program must be approved by the State's Governor in the manner specified by Office of Management and Budget Circular A–95 (38 FR 32874). The State agency is responsible for assuring this requirement is met.

4. The State agency must establish a cut-off date for the redemption of all vouchers, coupons, checks or other instruments of food delivery systems which incur an obligation.

5. The State agency must schedule audits no less than once every two years. In addition, rules are stated in this part concerning the required frequency and procedures that State agencies must observe in monitoring and reporting program performance at the local level.

6. New provisions are added concerning State agency financial management standards, property management standards, procurements standards and grant closeout procedures.

7. A health, welfare or private nonprofit agency may contract with another such agency for medical or administrative services as long as the two agencies, in conjunction, meet the requirements for a local agency; that is, provide ongoing health services such as routine medical care, infant care, and prenatal and postpartum examinations. Nursing and physician services shall be available. A local agency may provide services in a mobile health facility.

8. Local agencies must provide the supplemental foods to all three categories of recipients—women, infants, and children—unless a local agency has not previously served all three categories, or the State agency determines that a local agency is unable to operate successfully if it is required to serve all categories.

9. Certification procedures for potential WIC Program recipients are clarified. Documentation is required for all certification and recertification procedures. To determine if a person is at nutritional risk due to inadequate nutrition, the certification procedure shall include a medical examination performed by a competent professional authority. A minimal amount of data must be collected and recorded on all recipients, including height, weight, and head circumference (for infants only) and a hematocrit or hemoglobin test if equipment is available. Data from a dietary history and a 24-hour recall may be used when determining nutritional risk; however, it is preferable that such data not be the sole determinant of nutritional risk. A recertification is required at scheduled intervals to reevaluate the recipient's nutritional status. These data may be of assistance for ongoing nutritional assessment of WIC recipients.

10. FNS reserves the right to use WIC Program data in statistical or summary form which does not identify any particular individual.

11. A new FNS Regional Office is added. As a result, the Northeast Regional Office is split into the Mid-Atlantic Regional Office and the New England Regional Office.

Part 246 is revised to read as follows:

Sec.

246.1 General purpose and scope.
246.2 Definitions.
246.3 State agency application and operation.
246.4 Participation of local agencies.
246.5 Contracting for health or administrative services.
246.6 Eligibility of persons.
246.7 Supplemental foods.
246.8 Nutrition education.
246.9 Reports and records.
246.10 Audits.
246.11 State agency monitoring and reporting of Program performance.
246.12 Nondiscrimination.
246.13 Fair hearing procedure.
246.14 Food costs.
246.15 Administrative costs.
246.16 Standards for State agency financial management systems.
246.17 Budget revision procedures.
246.18 Property management standards.
246.19 Procurement standards.
246.20 Grant closeout procedures.
246.21 Miscellaneous.

AUTHORITY: Sec. 10, Pub. L. 89–642, 80 Stat. 889 (42 U.S.C. 1779); sec. 14, Pub. L. 94–105, 89 Stat. 581 (42 U.S.C. 1786).

§ 246.1 General purpose and scope.

(a) This part announces the policies and prescribes the regulations for the Special Supplemental Food Program for Women, Infants and Children (WIC Program). The WIC Program is carried out by the U.S. Department of Agriculture (USDA) under section 17 of the Child Nutrition Act of 1966, as amended. The Food and Nutrition Service (FNS) acts on behalf of USDA in administering the WIC Program. Under the WIC Program, FNS provides cash grants to the health departments or comparable agencies of States or to Indian tribes, bands, or groups recognized by the Department of the Interior; or to the Indian Health Service (IHS) of the U.S. Department of Health, Education and Welfare to enable such agencies through eligible local public or private nonprofit health or welfare agencies of such States, or Indian tribes, or the IHS Service Units to make specified nutritious foods available to infants, children and pregnant or lactating women who are individually determined to be at nutritional risk.

(b) Also, FNS may require the State or local agencies carrying out the WIC Program to supply medical data and other information and material collected under the Program which will enable the Secretary of Agriculture or the State agencies to evaluate the effect of food intervention upon individuals determined to be at nutritional risk. The analysis, appraisal and evaluation of any data collected at the request of FNS may be performed by FNS or its designee.

(c) FNS will continually evaluate WIC Program operations for administrative efficiency and effectiveness in accomplishing Program purposes.

§ 246.2 Definitions.

For the purposes of this part and of all contracts, instructions, forms and other documents related hereto, the term:

(a) "Administrative costs" means those direct and indirect costs, except food costs, which are necessary to support WIC Program operations, and which are authorized by FNS. Such expenses include costs for operation, monitoring, nutrition education, general administration, startup, clinic and administration of the State office.

(b) "Certification" means the use of FNS-prescribed criteria and procedures by a competent professional authority of the local agency to assess and document each person's medical, economic and residential eligibility for the WIC Program.

(c) "Children" means persons at least one year of age but less than five years of age.

(d) "Competent professional authority" means physicians, registered nurses, nutritionists, dietitians or State or local medically trained health officials, or persons designated by physicians or State or local medically trained health officials as being competent professionally to evaluate nutritional risk and prescribe the food package.

(e) "FMC 74–4" means Federal Management Circular 74–4, the General Services Administration Circular which establishes cost principles applicable to grants and contracts with State and local governments (34 CFR Part 255).

(f) "FMC 74–7" means Federal Management Circular 74–7, the General Services Administration Circular which establishes uniform standards for administrative requirements in grants-in-aid to State and local governments (34 CFR Part 256).

(g) "FNS" means the Food and Nutrition Service of the USDA.

(h) "Food costs" means the acquisition cost of the supplemental foods provided to recipients.

(i) "Health services" means ongoing medical services provided by the local agency such as routine medical care, infant care, and prenatal and postpartum examinations.

(j) "IHS" means the Indian Health Service of the U.S. Department of Health, Education and Welfare.

(k) "Infants" means persons under one year of age.

(l) "Lactating women" means women who are breast-feeding an infant from birth up to one year of age and also means all women for a period to six months postpartum.

(m) "Local agency" means a health or welfare agency or a private, nonprofit agency, which directly or through an agency with which it has contracted pursuant to § 246.5 of this part, operates a clinic or health service that provides ongoing health care to recipients. It also means an IHS Service Unit or an Indian tribe, band or group which is recognized by the Department of the Interior and operates a health clinic or is provided health services by an IHS Service Unit.

(n) "Nutritional risk" means one or more of the following:

(1) For a pregnant or lactating woman:

(i) Inadequate nutritional pattern;

(ii) Anemia;

(iii) History of premature births, miscarriages, or high risk pregnancies; or

(iv) Inadequate pattern of growth such as underweight, obesity or stunting.

(2) For an infant or child:

(i) Inadequate nutritional pattern;

(ii) Anemia; or

(iii) Inadequate pattern of growth such as underweight, obesity or stunting, including, for infants, a birth weight of 2500 grams or less.

(o) "Pregnant women" means women determined by a competent professional authority to have one or more fetuses in utero.

(p) "Recertification" means the use of FNS-prescribed criteria and procedures by a competent professional authority of the local agency to reassess and document a recipient's medical, economic and residential eligibility for the WIC Program.

(q) "Recipients" means pregnant women, lactating women, infants and children who are receiving WIC Program benefits.

(r) "State" means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa and the Trust Territory of the Pacific Islands.

(s) "State agency" means the State health department or comparable agency of a State; or an Indian tribe, band or group recognized by the Department of the Interior; or the appropriate area office of the IHS of the Department of Health, Education, and Welfare.

(t) "Supplemental foods" means the foods authorized by FNS in this part to be made available under the WIC Program.

(u) "USDA" means the U.S. Department of Agriculture.

§ 246.3 State agency application and operation.

(a) The application process required for State agencies to participate in the WIC Program is as follows.

(1) The State agency shall apply for participation in the WIC Program by submitting Form AD 623 to the FNS Regional Office which serves its area of jurisdiction. The application shall list all local agencies which wish to participate in the WIC Program, and which are determined by the State agency to be capable of complying with FMC 74–4, FMC 74–7, and FNS regulations, instructions and guidelines.

(2) Each fiscal year, the State agency shall submit to FNS an amendment to the State agency application on Form AD 623. This amendment:

(i) Shall describe the manner in which the State agency intends to spend administrative funds. This description shall include, but not be limited to, a breakdown by Object Class Categories as specified in FMC 74–7; and a description of nutrition education services, audit and monitoring procedures, certification and recertification, and the approximate percent of administrative funds allocated to specific administrative functions. Approval of this amendment by FNS is a prerequisite to the receipt of WIC Program funds by the State agency.

(ii) Shall update the State agency application, include a forecast of cash needs for the upcoming fiscal year, and list all additional local agencies within the jurisdiction of the State agency which wish to participate in the WIC Program, and which are determined by the State agency to be capable of complying with FMC 74–4, FMC 74–7, and FNS regulations, instructions and guidelines. This amendment may contain a request for a change in authorized Federal funds for the following purposes: a budget increase, caseload increase, geographical expansion or withdrawal of a local agency.

(3) FNS shall notify each State agency in writing of the status of each State agency application and of each amendment to the State agency application within 30 days of its receipt by FNS.

(4) In accordance with the procedures required by Circular A–95 (38 FR 32874) issued by the Office of Management and Budget, September 13, 1973, the State agency shall give the Governor or his delegated agency the opportunity to comment on the relationship of the State agency WIC Program proposal to other State plans and programs. A period of 45 days from the date the Governor receives the proposed State agency application shall be afforded for such comments prior to submission of the State agency application to the FNS Regional Office. If the Governor makes no comment, a statement to that effect shall be attached to the application.

(5) The State agency shall ensure that programs begin in those areas which are

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most in need of supplemental food. As funds become available, the State agency shall recommend new local agencies to FNS for approval, giving first consideration to areas which wish to terminate Supplemental Food Programs or Pilot Food Certificate Programs. Second consideration shall go to those areas which have the highest incidence of factors such as, but not limited to, infant mortality, low birth weight and low income. Such local agencies shall have been determined by the State agency to be eligible to participate in the WIC Program.

(b) The State agency is responsible for operation of the WIC Program within the area of its jurisdiction. In carrying out its responsibilities the State agency shall meet the following general obligations. Specific State agency obligations are addressed in later sections.

(1) The State agency shall assure that individual certification and recertification are performed and documented according to FNS regulations.

(2) The State agency shall account to FNS for all funds granted under the WIC Program.

(3) The State agency shall design a food delivery system or systems for use by local agencies in making the supplemental foods available to recipients, or may allow a local agency to design its own system, subject to the approval of the State agency. The system or systems shall include adequate safeguards against misuse of Federal funds. All food delivery systems shall be subject to approval by FNS. The State agency shall be responsible for the operation of the approved system or systems. FNS may, for a stated cause and by written notice, require a revision of the food delivery system and shall allow a reasonable time for the State or local agency to effect such a revision.

(4) The State agency shall be responsible for ensuring that a local agency is in fact eligible to participate in the WIC Program prior to the State agency including such local agency in any application submitted to FNS.

(5) A State agency may impose additional requirements for participation in the WIC Program only if they are deemed by FNS to be consistent with this part.

§ 246.4 Participation of local agencies.

(a) To be eligible to participate in the WIC Program, the local agency shall:

(1) Provide ongoing health services and have the competent professional authority, facilities and equipment necessary to perform the measurements and tests for determining the eligibility of persons and to collect the data and retain the records required by FNS. Nursing and physician services shall be available to recipients. The local agency may provide services in a mobile health facility.

(2) Have a system for giving persons health care free or at less than the full charge the local agency customarily makes for such services.

(3) Agree to implement a delivery system approved by FNS and the State agency for making the supplemental foods available to recipients.

(4) Provide health services to residents of areas, or members of populations, in which substantial numbers of infants, children, and pregnant or lactating women are at nutritional risk.

(5) Be exempt from income tax under section 501(c)(3) of the Internal Revenue Code of 1954, if a private agency.

(6) Agree to provide the supplemental foods to all three categories of eligible recipients—infants, children and pregnant or lactating women, unless:

(i) The clinic or health service does not normally provide health services to one or more categories of recipients, or,

(ii) The State agency has determined and documented in its application the reasons that the local agency cannot operate successfully if it serves all three categories.

(7) Agree to serve only those recipients who reside within the geographical areas, as defined in the State agency application, and as approved by FNS.

(8) Agree to incorporate safeguards in its operations under the WIC Program, or agree to use a State system of safeguards, to ensure that no recipient receives foods from more than one such program. The WIC Program may not operate in the same geographic areas as the Pilot Food Certificate Program (7 CFR Part 265) or Supplemental Food Program (7 CFR Part 250).

(b) An eligible local agency that wishes to participate in the WIC Program shall make application to the State agency. The application shall be subject to approval by the State agency and FNS through the application process outlined in § 246.3(a). A local agency shall be approved by FNS for participation in the WIC Program, if funds are available, and if the local agency serves an area which has been determined by the State agency and FNS to be most in need of the supplemental foods.

§ 246.5 Contracting for health or administrative services.

(a) A health or welfare agency or private, nonprofit agency which desires to participate in the WIC Program but which is unable to provide all health or administrative services required under this part, and refers persons to another such agency for any of such services, may contract with such other agency for any of such services. Both agencies, in conjunction, shall meet all requirements set forth in § 246.4.

(b) The contract shall bind both agencies to follow the requirements of this part, shall be subject to approval by the State agency, and shall be available for FNS review.

(c) Both agencies shall be subject to audit and review.

§ 246.6 Eligibility of persons.

(a) To be eligible to receive the supplemental foods under the WIC Program, infants, children and pregnant or lactating women shall meet all of the following criteria:

(1) They are certified by a competent professional authority on the staff of the local agency to be a nutritional risk. All certifications shall be based upon the following procedures:

(i) A medical examination performed by a competent professional authority. Data from a dietary history and a 24-hour recall may be used when determining nutritional risk; however, it is preferable that such data not be used as the sole determinant of nutritional risk.

(ii) A hemoglobin or hematocrit test shall be performed if the necessary equipment is available.

(b) Recertification shall be performed as prescribed below to determine and document that the recipient is still at nutritional risk. After the initial certification visit, the schedule for recertification is as follows:

(1) Infants and children shall be examined for recertification at six-month intervals until they reach five years of age.

(2) Lactating women shall be examined for recertification within six weeks postpartum, and if breast-feeding, at six months postpartum.

(c) Certification and recertification data for each recipient shall be recorded on a form which is provided by, or approved by, the State agency. The form shall be maintained in local agency files and shall be available for an auditor's review. The certification and recertification data may be recorded on the same form or on separate forms, but the form shall contain the following minimum data:

(1) Recipient's name and address.

(2) Criteria for determining individual eligibility for free or reduced cost health care.

(3) Statement as to whether this is an initial, six month or postpartum visit.

(4) The specific nutritional risk factor or factors which qualify the recipient for the supplemental foods.

(5) Height (once only for women).

(6) Weight.

(7) Head circumference (for infants only).

(8) Hemoglobin or hematocrit test results if taken.

(9) Signature and title of the competent professional authority making the individual eligibility determination.

(d) The specific criteria (e.g., standards or conditions) used to determine individual nutritional risk shall also be on file at the local agency and available for an auditor's review.

(e) Infants born to WIC Program recipients shall within six weeks of birth, be individually certified to be at nutritional risk. They shall automatically be eligible to receive the supplemental food from birth until such certification occurs.

(f) After consideration of the preventative aspects of the WIC Program, a competent professional authority may remove from the Program any recipient whom he determines, and documents, to be no longer at nutritional risk.

(g) WIC Program recipients shall be offered all other health services provided by the local agency. However, a recipient need not participate in such other health services.

§ 246.7 Supplemental foods.

(a) The following foods, or any substitutes specified herein, shall be made available by each participating local agency.

(1) For infants:

(i) Iron-fortified formula which contains at least 10 milligrams of iron per liter of formula at standard dilution (which supplies 67 kilocalories per 100 milliliters, i.e., 20 kilocalories per fluid ounce). Concentrated liquid or powdered formula shall be provided, except that ready-to-feed formula may be authorized when the competent professional authority determines and documents that there is an unsanitary or restricted water supply, that there is poor refrigeration or that the person who is caring for an infant may have difficulty in correctly diluting concentrated liquid or powdered formula.

Substitutes. The following types of milk may be substituted for all or part of the iron-fortified formula for any infant over six months of age; however, the recipient's parent or guardian should be informed that the substitution will result in a reduction of the iron content in the infant food package: pasteurized whole fluid milk fortified with 400 International Units of vitamin D per quart; or evaporated milk fortified with 400 International Units of vitamin D per reconstituted quart; or, in Puerto Rico, the Virgin Islands and Alaska only, dry whole milk fortified with 400 International Units of vitamin D per reconstituted quart.

(ii) Infant cereal which contains a minimum of 45 milligrams of iron per 100 grams of dry cereal.

(iii) Single strength fruit juice which contains a minimum of 30 milligrams of vitamin C per 100 milliliters; or concentrated fruit juice which contains a minimum of 30 milligrams of vitamin C per 100 milliliters of reconstituted juice; or infant juice.

(2) For children and pregnant or lactating women:

(i) Pasteurized whole fluid milk (from cow or goat) which is flavored or unflavored and which is fortified with 400 International Units of vitamin D per quart; or evaporated milk fortified with 400 International Units of vitamin D per reconstituted quart; or pasteurized skim or lowfat fluid milk (from cow or goat) which is flavored or unflavored and which is fortified with 400 International Units of vitamin D and at least 1500 International Units of vitamin A per fluid quart or the minimum amount required by the Food and Drug Administration, whichever is greater; or nonfat dry milk fortified with 400 International Units of vitamin D and at least 2000 International Units of vitamin A per reconstituted quart; or pasteurized cultured buttermilk which contains 400 International Units of vitamin D and at least 1500 International Units of vitamin A per fluid quart; or, in Puerto Rico, the Virgin Islands and Alaska only, dry whole milk fortified with 400 International Units of vitamin D per reconstituted quart; or domestic cheese (pasteurized process American, Monterey Jack, Colby, natural cheddar or Swiss).

(ii) Cereal (hot or cold) which contains a minimum of 28 milligrams of iron per 100 grams of dry cereal.

(iii) Single strength fruit juice or vegetable juice, or both, which contains a minimum of 30 milligrams of vitamin C per 100 milliliters; or concentrated fruit or vegetable juice, or both, which contains a minimum of 30 milligrams of vitamin C per 100 milliliters of reconstituted juice.

(iv) Eggs, or dried egg mix.

(b) Supplemental foods shall be authorized by a competent professional authority in amounts up to the following maximum quantities in accordance with the individual needs of each recipient:

Maximum number of units per month

Foods	Infants	Children and pregnant or lactating women
Iron-fortified infant formula:		
Concentrated liquid.	403 fluid oz.	
Powdered formula.	May be substituted at the rate of 1 lb. per 58 fluid oz. of concentrated formula.	
Ready-to-feed formula.	May be substituted at the rate of 26 fluid oz. per 13 fluid oz of concentrated formula.	
Whole fluid milk	May be substituted for formula beginning at age 6 mo at the rate of 1 qt of whole fluid milk per 13 fluid oz of concentrated formula.	28 qts.
Evaporated milk	May be substituted for whole fluid milk at the rate of 13 fluid oz per quart of whole fluid milk.	
Skim or lowfat milk		May be substituted for whole fluid milk on a quart-for-quart basis.
Nonfat dry milk		May be substituted for whole fluid milk at the rate of 1 lb per 5 qts of whole fluid milk.
Cultured buttermilk		May be substituted for whole fluid milk on a quart-for-quart basis.
Whole dry milk	In Puerto Rico, the Virgin Islands, and Alaska only, may be substituted for whole fluid milk at the rate of 1 lb per 3 qt of whole fluid milk.	
Cheese		May be substituted for whole fluid milk at the rate of 1 lb per 3 qt of whole fluid milk.
Eggs		2½ doz.
Dried egg mix		May be substituted at the rate of 2 pounds egg mix per 2½ doz fresh eggs.
Infant cereal	24 oz, dry	
Cereals (hot or cold)		36 oz, dry.
Juices:		
Single strength	92 fluid oz	276 fluid oz.
Frozen, concentrated.	May be substituted as long as the reconstituted volume is no greater than the amount authorized for single strength juices.	
Infant juice	May be substituted at the rate of 63 fluid oz per 92 fluid oz of single strength juice.	

§ 246.8 Nutrition education.

(a) The State agency shall submit a description of the manner in which nutrition education services will be provided when completing Part IV, number 3 of AD 623, the State agency application, initially or as an amendment to the application. The specified format shall be consistent with WIC Program nutrition education guidelines. In developing nutrition education services for the WIC Program, the State agency shall take into consideration and coordinate with other State and Federal agencies providing such services to other programs.

(b) The State agency shall assure that nutrition education is available to all adult receipts, and to parents or guardians of child recipients, in each local agency participating in the WIC Program. Priority for nutrition education shall be given first to pregnant and lactating women, then to parents or guardians of child recipients. Where State agencies feel it is appropriate, nutrition education may be provided to child recipients.

(c) The nutrition education component of the WIC Program shall be based, at a minimum, on the following three broad goals:

(1) To assist the individual at nutritional risk, through maximum use of the supplemental foods and other nutritious foods, to obtain a positive change in dietary status resulting in improved nutritional status.

(2) To emphasize the relationship of proper nutrition to the total concept of good health with special emphasis on the nutritional needs of pregnant and lactating women, infants and children under five years of age.

(3) To maximize the effective use of the supplemental foods within the context of ethnic, cultural and geographical preferences and with consideration given to environmental limitations.

(d) The nutrition education component must include, at a minimum, the following:

(1) Reference to the special nutritional needs of WIC Program recipients and ways to provide them with adequate diets.

(2) An explanation of the WIC Program as a supplemental rather than a total food program.

(3) Information on the use of the supplemental foods and on the nutritional value of these foods.

(e) The State agency shall employ at least one professional person, on a full or part-time basis, who is trained as a nutritionist (Master of Science or Master of Public Health Degrees), or a dietitian (registered, or eligible for registration). This person shall have the responsibility to plan, direct and coordinate the nutri-

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tion education component of the WIC Program. Such person shall also provide instructional and technical assistance to local agencies, and provide inservice training for the local agencies' staffs, in nutrition and nutrition instruction, where necessary.

§ 246.9 Reports and records.

(a) Each State agency and local agency participating in the WIC Program shall maintain full and complete records concerning Program operations.

(1) Records to be maintained shall include, but not be limited to, records of fiscal operations, food delivery systems, certification and recertification, racial and ethnic participation data and fair hearings.

(2) All records shall be retained for three years following the end of the Federal fiscal year to which they pertain (or following the end of the three month transition period July 1, 1976, through September 30, 1976). However, USDA may, by written notice, require longer retention of any records deemed by it to be necessary for resolution of an audit or of any litigation. If USDA deems any of the WIC Program records to be of historical interest, it may require the State or local agency to forward such records to USDA whenever either agency is disposing of them. All records shall be available during normal business hours for representatives of USDA and of the General Accounting Office of the United States to inspect, audit and copy, provided that medical case records of individual recipients shall remain confidential.

(b) The following reports shall be submitted by the State agency to FNS for the purpose of evaluating administrative performance and of determining the effect of food intervention upon recipients:

(1) A Report of Program Operations submitted quarterly on Form FMS 187, 30 days after the end of the quarter.

(2) A Racial/Ethnic Group Participation date report submitted quarterly on Form FNS 191, 20 days after the end of the quarter.

(3) A Financial Status Report submitted quarterly on Form AD 626, 30 days after the end of the quarter.

(4) A Report of Federal Cash Transactions submitted monthly on Form AD 627, 15 days after the close of the month.

(5) Other reports as required by FNS.

§ 246.10 Audits.

(a) Each State agency shall provide for audits of the funds and operations of the State and local agency WIC Programs. The audits shall be made with reasonable frequency, but not less frequently than once every two years. The audits shall determines the fiscal integrity of financial transactions and reports, and compliance with applicable laws and the provisions of this part.

(b) Audits may be made by State agency internal auditors, by State auditors general, by State controllers, by other comparable State audit groups, or by Certified Public Accountants or State licensed public accountants.

(c) Each State agency shall develop a plan for the conduct of audits which shall be specified when completing Part IV, number 3 of AD 623, the State agency application, initially or as an amendment to the application. The plan shall:

(1) State the frequency of audits of the State agency and local agencies and delineate the positive action to be taken to achieve audit frequency of not less than once every two years.

(2) Provide a description of the State agency in sufficient detail to demonstrate the independence of the audit organization, and give the name and address of the persons responsible for the audit of the State agency and all local agencies under its jurisdiction.

(3) Provide a systematic method to assure timely and appropriate resolution of audit findings and recommendations.

(d) While the USDA Office of Audit (OA) shall rely to the fullest extent feasible upon State sponsored audits, it shall, whenever considered necessary, make audits on a statewide basis, perform on-site test audits and review audit reports and related working papers on audits performed by or for State agencies.

(e) Use of audit guides which will be available from OA is encouraged. When these guides are utilized, OA will coordinate its audits with State sponsored audits to form a network of intergovernmental audit systems.

(f) Each State agency shall provide USDA with full opportunity to conduct management evaluations and audits of all operations of the State agency under this part. Each State and local agency shall make available its records, including records of the receipt and expenditure of funds under the WIC Program, upon a reasonable request by USDA.

(g) In making management evaluations or audits for any fiscal year, FNS or OA may disregard any overpayment which does not exceed $35 or, in the case of State agency administered programs, does not exceed the amount established under State law, regulations or procedure as a minimum amount for which claim will be made for State losses. However, no overpayment shall be disregarded where there are unpaid claims of the same fiscal year from which the overpayment can be deducted, or where there is substantial evidence of violation of criminal law or civil fraud statutes.

§ 246.11 State agency monitoring and reporting of Program performance.

(a) This section sets forth the procedures for State agency monitoring and reporting of WIC Program performance.

(b) Each State agency shall constantly monitor and periodicaly conduct a review of the performance of all phases of the WIC Program under its administration, including the civil rights aspect, to determine if the objectives are being achieved, as set forth in Part IV, number 3 of AD 623, the approved State agency application, initially or as an amendment to the application.

(c) The State agency shall inform FNS of any developments, such as problems, delays, or adverse conditions, which would materially affect the attainment of WIC Program objectives when such developments occur between any of the required quarterly WIC Program reporting dates. This disclosure shall be accompanied by a statement of the action taken, or contemplated, and any Federal assistance needed to resolve the situation. Similarly, if favorable developments occur which enable the State or local agencies to meet time schedules and goals sooner than anticipated, these developments shall be reported as soon as they become known.

(d) If any of the WIC Program monitoring reports submitted by the State agency disclose the need for change in the budget estimates as cited in the State agency application (Form AD 623) in accordance with the criteria established in Attachment K to FMC 74–7, the State agency shall submit a budget revision as indicated by FMC 74–7 and FNS guidelines.

(e) As frequently as practicable, State and local agencies shall be visited by FNS in order to:

(1) Review WIC Program accomplishments and management control systems.

(2) Provide such technical assistance as may be required.

§ 246.12 Nondiscrimination.

(a) The State agency shall comply with the requirements of USDA regulation respecting nondiscrimination (7 CFR Part 15) issued pursuant to Title VI of the Civil Rights Act of 1964, including requirements of racial and ethnic participation data collection, public notification of the nondiscrimination policy and periodic reviews to ensure compliance with such policy, to the end that no person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the WIC Program.

(b) The State agency shall further assure that no person shall be subject to any discrimination under the WIC Program because of creed, political beliefs, or sex.

(c) Complaints of discrimination filed by applicants or recipients shall be referred to the Director, Special Supplemental Food Program (WIC), Food and Nutrition Service, U.S. Department of Agriculture, Washington, D.C. 20250.

§ 246.13 Fair hearing procedure.

(a) Each potential WIC recipient shall be orally informed of his or her right to a fair hearing during the initial contact with the local agency.

(b) Each State agency participating in the WIC Program shall establish a hearing procedure under which a person, or his or her parent or guardian, can appeal from a decision made by a local agency respecting the eligibility of such person for the supplemental foods. Such hearing procedure shall provide:

(1) A simple, publicly announced method for a person to make an oral or written request for a hearing;

(2) An opportunity for the person to be assisted or represented by an attorney or other person;

(3) An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal;

(4) That the hearing be held within three weeks from the date of receipt of request, and be convenient to the person and that ten days written notice be given to the person as to the time and place of the hearing;

(5) An opportunity for the person to present oral or documentary evidence and arguments supporting his or her position in accordance with procedures established by the hearing official, and that such procedures shall not be unduly complex or legallistic, and shall take into consideration the recipient's background and education.

(6) An opportunity for the person to question or refute any testimony or other evidence and to confront and cross-examine any adverse witnesses;

(7) That the hearing be conducted and the decision made by a hearing official who did not participate in making the decision under appeal, or in any previously held conferences;

(8) That the decision of the hearing official be based on the oral and documentary evidence presented at the hearing and that such decision be made a part of the hearing record;

(9) That the person and any designated representative be notified in writing of the decision of the hearing official within 45 days from the date of the request for hearing;

(10) That a written record be prepared with respect to each hearing, which shall include the decision under appeal, any documentary evidence admitted and a summary of any oral testimony presented at the hearing, the decision of the hearing official, including the reasons therefor, and a copy of the notification to the family concerned of the decision of the hearing official; and

(11) That such written record of each hearing be preserved for a period of three years and be available for examination by the person or his representative at any reasonable time and place during such period.

§ 246.14 Food costs.

The use of WIC Program funds for food costs shall be subject to the following conditions:

(a) The cost of the supplemental foods, provided either directly or by voucher, shall not exceed the vendor's customary price for such food delivered to the State agency, the local agency or the WIC recipient, whichever is the first to receive the foods.

(b) Supplemental foods shall be provided only for home consumption and shall not be distributed for use by institutions such as child or day care centers.

(c) In all voucher, coupon, check or other food delivery systems that incur an obligation, the State agency shall establish cut-off dates for use and redemption. For use by the recipient, this date shall not be later than 30 days from the date of issuance; for submission by the retailer to the State agency for redemption (payment), this date shall not be later than 30 days from the date of use by the recipient.

(d) All obligations and expenditures must be incurred and documented in accordance with FMC 74–4 and FMC 74–7.

§ 246.15 Administrative costs.

The use of WIC Program funds for administrative costs shall be subject to the following conditions:

(a) For any fiscal year, FNS shall not reimburse the State agency for administrative costs which exceed 25 percent of the actual food costs. Administrative costs in excess of those allowed by FNS may be funded from any source other than FNS.

(b) All obligations and expenditures must be incurred and documented in accordance with FMC 74–4 and FMC 74–7.

(c) Development of the formula, if any, for allocating allowable funds between the State agency and local agencies shall be the responsibility of the State agency.

(d) Nutrition education costs shall be limited to expenditures and obligations, including those for equipment, which are in accordance with the State agency nutrition education plan set forth in Part IV, number 3 of Form AD 623, the approved State agency application, initially or as an amendment to the application. Any deviation from this plan must be requested from the appropriate Regional Office with the State agency's justification for change.

(e) Equipment purchases for nutrition education where the individual item cost is in excess of $300 must be approved in advance of purchase by the appropriate FNS Regional Office.

(f) Medical certification and recertification expenditures (clinic costs) shall be limited to:

(1) The appropriate portion of the wages or salaries and personnel benefits of the competent professional authority certifying persons for the WIC Program.

(2) The appropriate portion of the wages or salaries and personnel benefits of employees who document and prepare data used for determining eligibility of persons for the WIC Program.

(3) The cost of expendable medical supplies such as those supplies which are discarded after a single usage, laboratory chemicals, and medical supplies which can be used only a limited number of times before being replaced. Such expendable medical supplies shall be used only in determining eligibility of persons for the WIC Program.

(g) Medical equipment shall not be an allowable expense for the WIC Program.

(h) Startup costs are includable as a portion of the 20 percent administrative allowance in order to successfully commence a new WIC Program during its first three months of operation, or until the Program reaches its projected caseload, whichever comes first.

(i) Indirect administrative costs claimed by State agencies shall be allowable in accordance with FMC 74–4, Attachments A and B, and must be documented in accordance with FMC 74–7, Attachment G.

(j) All WIC expenditures for which reimbursement is claimed from WIC Program funds must be supported by records which identify source and application of all such funds, including information pertaining to WIC Program grants and authorizations, obligations, unobligated balances, assets, liabilities, outlays and income. In addition, all costs shall be certified by the chief medical officer of the State agency as necessarily incurred in the administration of the WIC Program. The chief medical officer shall also certify that costs charged by the State agency against WIC Program funds are not allocable to or included as a cost of any other federally financed program in the current fiscal year or any other time period.

§ 246.16 Standards for State agency financial management systems.

(a) Each State agency shall receive a Letter of Credit from FNS. The State agency shall obtain needed funds (grants) through presentation, by designated officials, of a Request for Payment on Letter of Credit in accordance with procedures prescribed by FNS and approved by the U.S. Treasury Department.

(b) State agency withdrawals from (or advances against) the Letter of Credit shall be made only in amounts necessary to meet actual current disbusement needs as defined by Department of Treasury Circular 1075, 31 CFR Part 205, Subchapter A. The advanced funds shall be used without delay to pay currently approved costs.

(c) State agency financial management systems shall provide for:

(1) Accurate, current and complete disclosure of the financial results of each program conducted by a local agency in accordance with FMC 74–7 and Treasury Circular 1075. Reporting shall be on an accrual basis; if the State agency's accounting records are not kept on that basis, the State agency shall develop such information through an analysis of the documentation on hand or on the basis of best estimates.

(2) Records which identify adequately the source and application of funds for WIC Program activities. These records shall contain information pertaining to WIC Program grants and authorizations, obligations (encumbrances), unobligated balances, assets, liabilities, outlays and income.

(3) Effective control over, and accountability for, all funds, property and other assets. State agencies shall adequately safeguard all such assets and shall assure that they are used solely for authorized purposes.

(4) Comparison of actual with budgeted amounts for each grant. Also, relation of financial information with performance or productivity data, including per recipient cost information whenever appropriate and required by FNS.

(5) Procedures to minimize the time elapsing between withdrawals from the Letter of Credit and disbursements of funds.

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(6) Procedures for determining the allowability and allocability of costs in accordance with the provisions of FMC 74–4.

(7) Accounting records which are supported by source documentation.

(8) Audits of local agencies to be made by or at the direction of the State agency. Such audits shall determine, at a minimum, fiscal integrity of financial transactions and reports, and the compliance with laws, regulations and administrative requirements. The State agency shall schedule such audits with reasonable frequency, usually annually, but not less frequently than once every two years.

(9) A systematic method to assure timely and appropriate resolution of audit findings and recommendations.

(d) State agencies shall require local agencies to adopt all of the applicable standards in paragraph (c) of this section.

§ 246.17 Budget revision procedures.

(a) State agencies shall promptly request prior approval from FNS for budget revisions as required by FMC 74–7, Attachment K.

(b) When requesting FNS approval for budget revisions, State agencies shall use the budget forms in the State agency application (Form AD 623). However, the State agency may request approval, by letter, of the expenditures for cost items given in FMC 74–4, Attachment B, paragraph c.

(c) Within 30 days from the date of receipt of the request for budget revisions, FNS shall review the request and notify the State agency of the status of the request.

(d) If FNS determines, through review of State agency reports, monitoring or audit, that a State agency's or local agency's performance may be inadequate or that it may have failed to comply with section 17 of the Child Nutrition Act or the provisions of this part, or that funds are not needed where they were originally allocated, the Secretary may reallocate funds and caseload.

§ 246.18 Property management standards.

FMC 74–7 prescribes uniform standards governing the utilization and disposition of property furnished by a Federal agency or acquired in whole or in part with Federal funds by State and local governments. State agencies and local agencies shall observe these standards in the conduct of the WIC Program.

§ 246.19 Procurement standards.

(a) FMC 74–7 and FMC 74–4 provide standards for use by the State and local governments in establishing procedures for the procurement of supplies, equipment, construction and other services with Federal grant funds. These standards are adopted by FNS for the WIC Program to ensure that such materials and services are obtained for the WIC Program in an effective manner and in compliance with the provisions of applicable law and Executive Orders.

(b) The standards contained in FMC 74–7 and FMC 74–4 do not relieve the State agency or local agency of the contractual responsibilities arising under its contracts. The State agency or local agency is the responsible authority, without recourse to FNS, regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurements entered into connection with the WIC Program. This includes but is not limited to: disputes, claims, protests of award, source evaluations, or other matters of a contractual nature. Matters concerning violation of law are to be referred to such local, State or Federal authority as may have proper jurisdiction.

(c) The State agency or local agency may use its own procurement regulations which reflect applicable State and local law and rules and regulations, provided that procurements made with FNS funds adhere to the standards set forth in FMC 74–7 and FMC 74–4.

§ 246.20 Grant closeout procedures.

(a) Grant closeout procedures for this Program shall be in accordance with FMC 74–7.

(b) *Termination for cause.* FNS may terminate a State agency's participation in the WIC Program in whole, or in part, whenever it is determined that the State agency has failed to comply with the conditions of the WIC Program. FNS shall promptly notify the State agency in writing of the termination and the reasons for the termination, together with the effective date. A State agency shall terminate a local agency's participation in the WIC Program by written notice whenever it is determined by FNS or the State agency that the local agency has failed to comply with the conditions of the WIC Program. When a WIC Program has been terminated for cause, any payments made to the State agency or any recoveries by FNS from the State agency shall be in accordance with the legal rights and liabilities of the parties.

(c) *Termination for convenience.* FNS or the State agency may terminate the State agency's participation in the WIC Program in whole, or in part, when both parties agree that the continuation of the Program would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated. The State agency shall not incur new obligations for the terminated portion after the effective date, and shall cancel as many outstanding obligations as possible. FNS shall allow full credit to the State agency for the Federal share of the noncancellable obligations, properly incurred by the State agency prior to termination.

§ 246.21 Miscellaneous.

(a) The value of benefits or assistance available under the WIC Program shall not be considered as income or resources of recipients or their families for any purpose under Federal or State laws including, but not limited to, laws relating to taxation, welfare and public assistance programs.

(b) FNS reserves the right to use information obtained under the WIC Program in a summary, statistical or other form which does not identify particular individuals.

(c) Any person who wishes assistance, records or other public material shall address his request to the FNS Regional Office serving his or her State as listed below:

(1) Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont: U.S. Department of Agriculture, FNS, New England Region, Northwest Park, 34 Third Avenue, Burlington, Massachusetts 01803.

(2) Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, Virginia, Virgin Islands, West Virginia: U.S. Department of Agriculture, FNS, Mid-Atlantic Region, 729 Alexander Road, Princeton, New Jersey 08540.

(3) Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee: U.S. Department of Agriculture, FNS, Southeast Region, 1100 Spring Street NW., Atlanta, Georgia 30309.

(4) Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, Wisconsin: U.S. Department of Agriculture, FNS, Midwest Region, 536 South Clark Street, Chicago, Illinois 60605.

(5) Arkansas, Colorado, Louisiana, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wyoming: U.S. Department of Agriculture, FNS, West-Central Region, 1100 Commerce Street, Room 5–D–22, Dallas, Texas 75202.

(6) Alaska, American Samoa, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, Trust Territory of the Pacific Islands, Washington: U.S. Department of Agriculture, FNS, Western Region, 550 Kearney Street, Room 400, San Francisco, California 94108.

NOTE.—The reporting and/or record keeping requirements contained herein have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

(Catalog of Federal Domestic Assistance, Program No. 10.557, National Archives Reference Service)

Effective date: This part shall become effective on January 8, 1976.

Signed at Washington, D.C. on January 8, 1976.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.76–861 Filed 1–9–76;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI–623]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Correction

The notice published on July 16, 1975, at 40 FR 29819 listing the Township of Brady, PA in Butler County with a Hazard Area Identified as Oct. 25, 1974, should be corrected to read the Township of Brady, PA in Huntingdon County with a Hazard Area Identified as January 24, 1975.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: December 18, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–782 Filed 1–9–76;8:45 am]

[Docket No. FI–593]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Correction

The notice published on June 3, 1975, at 40 FR 23873 listing the Township of Towanda, PA (Bradford Co.) should be corrected to read the Borough of Towanda, PA (Bradford Co.)

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: December 18, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–783 Filed 1–9–76;8:45 am]

[Docket No. FI–311]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Correction

The notice published on July 19, 1974, at 39 FR 26422 listing Fayette County, Alabama, as a participating Community should be corrected to read Fayette, City of, Alabama (Fayette Co.)

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator,

Issued: December 18, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–784 Filed 1–9–76;8:45 am]

[Docket No. FI–835]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

The purpose of this notice is the identification of communities with areas of special flood or mudslide or erosion hazards in accordance with Part 1915 of Title 24 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 U.S.C. 4001–4128). The identification of such areas is to provide guidance so that communities may adopt appropriate flood plain management measures to minimize damage caused by flood losses and to guide future construction, where practicable, away from locations which are threatened by flood hazards.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or Federally related financial assistance for acquisition of construction purposes in an identified flood plain area having special flood hazards that is located within any community participating in the National Flood Insurance Program.

One year after the identification of the community as flood prone, the requirement applies to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition and construction in these areas unless the community has entered the program. The prohibition, however, does not apply to loans by a Federally regulated, insured, supervised or approved bank prior to March 1, 1976, to finance the acquisition of a previously occupied residential dwelling.

The effective date of identification shall be 30 days after the date of publication in the FEDERAL REGISTER, or the date which appears in this notice, whichever is later.

This 30 day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity for a period of six months to establish that it is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. The six months period shall be considered to begin 30 days after the date of publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a community has to enter the program under Section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin 30 days after publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later.

Where several dates appear in the column set forth below marked Effective Date of Identification, the first date is the date of initial identification, and all other dates represent modification by additions or deletions to identified areas with special hazards.

Accordingly, § 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

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§ 1915.3 List of communities with special hazard areas (FHBM's).

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazard
Alabama	Baldwin	Loxley, town of	H 010029A 01 through H 010029A 02	Alabama Development Office, Office of State Planning, State Office Bldg., 501 Dexter Ave., Montgomery, Ala. 36104. Alabama Insurance Department, Room 453, Administrative Bldg., Montgomery, Ala. 36104.	Mayor, P.O. Box 57, Loxley, Ala. 36551.	June 28, 1974. Dec. 19, 1975.
Do	Barbour	Eufaula, city of	H 010011A 01 through H 010011A 04	do	Mayor, P.O. Box 377, Eufaula, Ala. 36027.	Dec. 17, 1973. Dec. 19, 1975.
Do	Calhoun	Anniston, city of	H 010020A 01 through H 010020A 08	do	City Manager, P.O. Box 670, Anniston, Ala. 36201.	Dec. 17, 1973. Dec. 19, 1975.
Do	Chilton	Clanton, city of	H 010031A 01 through H 010031A 05	do	Mayor, P.O. Box 580, Clanton, Ala. 35045.	June 28, 1974. Dec. 19, 1975.
Do	Cullman	Hanceville, city of.	H 010059A 01	do	Mayor, Box 343, Hanceville, Ala. 35077.	Apr. 12, 1974. Dec. 19, 1975.
Do	Escambia	Atmore, city of	H 010071A 01 through H 010071A 04	do	Mayor, P.O. Drawer 6, Atmore, Ala. 36502.	Apr. 5, 1974. Dec. 19, 1975.
Do	do	East Brewton, city of.	H 010073A 01 through H 010073A 02	do	Mayor, P.O. Box 2010, East Brewton, Ala. 36426.	Nov. 23, 1973.
Do	Etowah	Altoona, town of	H 010078A 01 through H 010078A 02	do	Mayor, P.O. Box 275, Altoona, Ala. 35952.	May 17, 1974.
Do	do	Glencoe, city of	H 010081A 01 through H 010081A 06	do	Mayor, Box 119, Lonesome Ben Road, Glencoe, Ala. 35905.	May 17, 1974. Dec. 19, 1975.
Do	Fayette	Fayette, city of	H 010084A 01 through H 010084A 09	do	Mayor, 102 2d Ave., Southeast, Fayette, Ala. 35555.	May 3, 1974. Dec. 19, 1975.
Do	Houston	Cottonwood, town of.	H 010102A 01 through H 010102A 02	do	Mayor, P.O. Box 453, Cottonwood, Ala. 36320.	May 17, 1974.
Do	Jefferson	Brighton, city of	H 010117A 01 through H 010117A 02	do	Mayor, 3700 Main St., Brighton, Ala. 35020.	May 10, 1974. Dec. 19, 1975.
Do	do	Leeds, city of	H 010125A 01 through H 010125A 04	do	Mayor, P.O. Box 126, Leeds, Ala. 35094	June 7, 1974. Dec. 19, 1975.
Do	Marengo	Demopolis, city of.	H 010157A 01 through H 010157A 06	do	Mayor, P.O. Box 580, Demopolis, Ala. 36732.	June 7, 1974. Dec. 19, 1975.
Arizona	Maricopa	Tolleson, city of	H 040355A 01 through H 040355A 02	Arizona State Land Department, 1624 West Van Buren, Phoenix, Ariz. 85007. Arizona Department of Insurance, 1601 West Jefferson, Phoenix, Ariz. 85007.	Mayor, 9555 West Van Buren, City Hall, Tolleson, Ariz. 85353.	Apr. 12, 1974.
Do	Navajo	Winslow, city of	H 040072A 01 through H 040072A 07	do	City Engineer, 1st St. and Williamson Ave., City Hall, Winslow, Ariz. 86047.	July 19, 1974. Dec. 19, 1975.
Arkansas	Lafayette	Lewisville, city of	H 050116A 01 through H 050116A 02	Division of Soil and Water Resources, State Department of Commerce, 1200 Westpark Dr., Room 308, Little Rock, Ark. 72204. Arkansas Insurance Department, 400 University Tower Bldg., Little Rock, Ark. 72204.	Mayor, City Hall, Lewisville, Ark. 71845.	Oct. 12, 1973. Dec. 19, 1975.
Do	Lawrence	Portia, town of	H 050121A 01	do	Mayor, Town Hall, Portia, Ark. 72457.	Aug. 23, 1974. Dec. 19, 1975.
Do	Poinsett	Trumann, city of	H 050176A 01	do	Mayor, City Hall, Trumann, Ark. 72472.	Nov. 16, 1973. Dec. 19, 1975.
California	Fresno	Mendota, city of	H 060051A 01	Department of Water Resources, P.O. Box 388, Mendota, Calif. 93640. California Insurance Department, 600 South Commonwealth Ave., Los Angeles, Calif. 90005.	Mayor, City Hall, 1033 6th St., Mendota, Calif. 93640.	Mar. 29, 1974. Dec. 19, 1975.
Do	Kern	Shafter, City of	H 060082 01	do	Mayor, City Hall, 220 James St., Shafter, Calif. 93263.	Feb. 6, 1976.
Do	Kings	Lemoore, city of	H 060089 01 through H 060089 02	do	Mayor, 119 Fox St., Lemoore, Calif. 93245.	Do.
Do	Los Angeles	Montebello, city of.	H 060141A 01 through H 060141A 04	do	City Engineer, 1600 Beverly Blvd., Montebello, Calif. 90640.	June 28, 1974. Dec. 19, 1975.
Do	Monterey	Seaside, city of	H 060203A 01 through H 060203A 04	do	Mayor, 440 Harcourt Ave., City Hall, Seaside, Calif. 93955.	June 7, 1974. Dec. 19, 1975.
Do	San Benito	San Juan Bautista, city of.	H 060289A 01	do	Mayor, City Hall, 311 2d St., San Juan Bautista, Calif. 95045.	Feb. 8, 1974. Dec. 19, 1975.
Do	Ventura	Fillmore, city of	H 060415A 01	do	Mayor, City Hall, 524 Sespe Ave., Fillmore, Calif. 93015.	Jan. 23, 1974. Dec. 19, 1975.
Do	do	San Buenaventura, city of.	H 060419A 01 through H 060419A 16	do	Mayor, 625 East Santa Clara St., City Hall, San Buenaventura, Calif. 93001.	May 31, 1974. Dec. 19, 1975.
Colorado	Jefferson	Edgewater, city of.	H 080089A 01	Colorado Water Conservation Board, Room 102, 1845 Sherman St., Denver, Colo. 80203. Colorado Division of Insurance, 106 State Office Bldg., Denver, Colo. 80203.	Mayor, 5845 West 25th Ave., City Hall,	June 14, 1974. Dec. 19, 1975.
Do	Montrose	Olathe, town of	H 080128A 01	do	Mayor, Town Hall, P.O. Box 36, Olathe, Colo. 81425.	June 28, 1974.
Do	Routt	Oak Creek, town of.	H 080158A 01	do	Mayor, P.O. Box 128, Town Hall, Oak Creek, Colo. 80467.	May 17, 1974. Dec. 19, 1975.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Delaware	Kent	Cheswold, town of.	H 100004A 01	Delaware State Planning Office, Thomas Collins Bldg., 530 South Dupont Highway, Dover, Del. 19901. Delaware Insurance Department, 21 The Green, Dover, Del. 19901.	Mayor, P.O. Box 6, Cheswold, Del. 19936.	Aug. 9, 1974.
Do	do	Harrington, city of.	H 100010A 01	do	Mayor, 103 Fleming, Harrington, Del. 19952.	May 17, 1974. Dec. 19, 1975.
Do	New Castle	Delaware City, city of.	H 100022A 01	do	Mayor, Public Bldg., 10th and King, Delaware City, Del. 19801.	Apr. 5, 1974 Dec. 19, 1975.
Do	Sussex	Dagsboro, town of.	H 100033A 01	do	Mayor, P.O. Box 430, Dagsboro, Del. 19939.	June 28, 1974 Dec. 19, 1975
Do	do	Millsboro, town of.	H 10043A 01 through H 100043A 02	do	Mayor, P.O. Box 466, Millsboro, Del. 19966.	June 21, 1974.
Do	do	Seaford, city of	H 100048A 01	do	Mayor, Box 671, Seaford, Del. 19973	Do.
Florida	Bay	Lynn Haven, city of.	H 120009A 01 through H 120009A 02	Department of Community Affairs, 2571 Ex. Center Circle East, Howard Bldg., Tallahassee, Fla. 32301 State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	Mayor, 825 Ohio Ave., Lynn Haven, Fla. 32444.	Sept. 26, 1974. Dec. 19, 1975.
Do	Brevard	Malabar, city of	H 120024A 01 through H 120024A 04	do	Mayor, Box 245, Malabar, Fla. 32950	Mar. 1, 1974. Dec. 19, 1975.
Do	Palm Beach	North Palm Beach, village of.	H 120217A 01 through H 120217A 02	do	Village Manager, 501 U.S. No. 1, North Palm Beach, Fla. 33408.	Dec. 6, 1974. Dec. 19, 1975.
Do	Suwannee	Unincorporated areas.	H 120300 01 through H 120300 51	do	Chairman, Suwannee County Courthouse, Live Oak, Fla. 32060.	Feb. 13, 1976.
Georgia	Wayne	Odum, city of	H 130189A 01 through H 130189A 02	Department of Natural Resources, Office of Planning and Research, 270 Washington St. SW., Room 707, Atlanta, Ga. 30334. Georgia Insurance Department, State Capitol, Atlanta, Ga. 30334.	Mayor Pro Tem, Box 808, Odum, Ga. 31555.	Jan. 3, 1975. Dec. 19, 1975.
Do	Carroll	Bowdon, city of	H 130244B 01 through H 130244B 02	do	Mayor, 136 City Hall Ave., Bowdon, Ga. 30108.	Nov. 15, 1974. Aug. 8, 1975.
Idaho	Bannock	Inkom, city of	H 160010A 01	Department of Water Administration, State House, Annex 2, Boise, Idaho 83707. Idaho Department of Insurance, Room 206, Statehouse, Boise, Idaho 83707.	Mayor, City Hall, P.O. Box 166	Sept. 13, 1974. Dec. 19, 1975.
Do	Bonner	Sandpoint, city of	H 160025A 01	do	Mayor, City Hall, Sandpoint, Idaho 83864.	June 21, 1974. Dec. 19, 1975.
Do	Idaho	Kooskia, city of	H 160070A 01	do	Mayor, City Hall, P.O. Box 126, Kooskia, Idaho 83539.	Nov. 30, 1973. Dec. 19, 1975.
Do	Kootenai	Harrison, city of	H 160080A 01	do	Mayor, City Hall, Box 73, Harrison, Idaho 83833.	Mar. 22, 1974. Dec. 19, 1975.
Do	Latah	Juliaetta, city of	H 160088A 01	do	Mayor, City Hall, Main St., Juliaetta, Idaho 83535.	Oct. 18, 1974. Dec. 19, 1975.
Do	Owyhee	Homedale, city of	H 160107A 01	do	Mayor, City Hall, Box 757, Homedale, Idaho 83628.	Feb. 1, 1974. Dec. 19, 1975.
Illinois	Christian	Taylorville, city of.	H 170038A 01 through H 170038A 06	Governor's Task Force on Flood Control, 300 North State St., Room 1010, P.O. Box 475, Chicago, Ill. 60610. Illinois Insurance Department, 525 West Jefferson St., Springfield, Ill. 62702.	Mayor, 115 North Main, Taylorville, Ill. 62568.	Sept. 6, 1974. Dec. 19, 1975.
Indiana	Elkhart	Elkhart, city of	H 180057A 01 through H 180057A 06	Division of Water, Department of Natural Resources, 608 State Office Bldg., Indianapolis, Ind. 46204. Indiana Insurance Department 509 State Office Bldg., Indianapolis, Ind. 46204.	Mayor, City Hall, Elkhart, Ind. 46514.	June 28, 1974. Dec. 19, 1975.
Iowa	Crawford	Dow City, city of	H 190097A 01	Iowa Natural Resources Council, James W. Grimes Bldg., Des Moines, Iowa 50319. Iowa Insurance Department, Lucas State Office Bldg., Des Moines, Iowa 50319.	Mayor, City Hall, Dow City, Iowa 51528.	May 31, 1974. Dec. 19, 1975.
Kansas	Barber	Medicine Lodge, city of.	H 200015A 01	Division of Water Resources, Kansas Department of Agriculture, 1720 South Topeka Ave., Topeka, Kans. 66612. Kansas Insurance Department, 1st Floor, Statehouse, Topeka, Kans. 66612.	Mayor, City Hall, 114 West First, Medicine Lodge, Kans. 67104.	July 26, 1974. Dec. 19, 1975.
Do	Cloud	Clyde, city of	H 200060A 01	do	Mayor, City Hall, Clyde, Kans. 66938	May 31, 1974. Dec. 19, 1975.
Do	Franklin	Ottawa, city of	H 200104A 01 through H 200104A 02	do	Mayor, City Hall, 4th and Walnut, Ottawa, Kans. 66067.	Jan. 9, 1974.
Do	Johnson	Edgerton, city of	H 200162A 01	do	Mayor, City Hall, 404 East Nelson St., Box 63, Edgerton, Kans. 66021.	Mar. 8, 1974. Dec. 19, 1975.
Do	do	Roeland Park, city of.	H 200176A 01	do	Mayor, City Hall, 4600 West 51st St., Roeland Park, Kans. 66205.	May 31, 1974. Dec. 19, 1975.
Do	do	Springhill, city of	H 200178 01	do	City Attorney for the City of Springhill, Court Square Bldg., 110 South Cherry, Olathe, Kans. 66061.	Feb. 6, 1976.
Do	do	Westwood Hills, city of.	H 200180A 01	do	Mayor, City Hall, 5008 State Line, Westwood Hills, Kans. 66205.	Oct. 25, 1974. Dec. 19, 1975.

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State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Kentucky	Christian	Hopkinsville, city of.	H 210055A 01 through H 210055A 06	Division of Water, Kentucky Department of Natural Resources, Capitol Plaza Office Tower, Frankfort, Ky. 40601. Kentucky Insurance Department, Old Capitol Annex, Frankfort, Ky. 40601.	Mayor, P.O. Box 7070, Hopkinsville, Ky. 42240.	Feb. 1, 1974. Dec. 19, 1975.
Do	Union	Morganfield, city of.	H 210216A 01 through H 210216A 02	do	Mayor, 118 East Main, Morganfield, Ky. 42437.	May 17, 1974. Dec. 19, 1975.
Louisiana	Bienville Parish	Ringgold, town of.	H 220030A 01 through H 220030A 02	State Department of Public Works, P.O. Box 44155, Capitol Station, Baton Rouge, La. 70804. Louisiana Insurance Department, Box 44214, Capitol Station, Baton Rouge, La. 70804.	Mayor, Town Hall, Ringgold, La. 71068.	May 3, 1974.
Do	Concordia	Clayton, village of.	H 220054A 01 through H 220054A 04	do	Mayor, Village Hall, Clayton, La. 71326.	Feb. 1, 1974. Dec. 19, 1975.
Do	St. Tammany Parish	Madisonville, town of.	H 220201 01	do	Mayor, Town Hall, Madisonville, La. 70447.	Feb. 6, 1976.
Do	Lafourche Parish	Lockport, town of.	H 220254A 01	do	Mayor, Town Hall, Lockport, La. 70374.	Jan. 16, 1975. Dec. 19, 1975.
Maryland	Allegheny	Barton, town of	H 240002 01	Department of Natural Resources, Water Resources Division, State Office Bldg., Annapolis, Md. 21401. Maryland Insurance Department, 201 West Preston St., Baltimore, Md. 21201.	Mayor, Box 153, Barton, Md. 21521	Feb. 13, 1976.
Do	Anne Arundel	Annapolis, city of.	H 240009A 01 through H 240009A 06	do	Mayor, P.O. Box 1688, Annapolis, Md. 21401.	June 28, 1974. Dec. 19, 1975.
Do	Cecil	Cecilton, town of	H 240020A 01	do	Mayor, Elkton County Courthouse, Town of Cecilton, Elkton, Md. 21921.	June 28, 1974.
Do	do	Charlestown, town of.	H 240021A 01	do	Mayor, P.O. Box 65, Charlestown, Md. 21914.	Sept. 20, 1974. Dec. 19, 1975.
Do	do	Elkton, town of	H 240022A 01 through H 240022A 05	do	Mayor, Box 157, Elkton, Md. 21921	Feb. 15, 1974. Dec. 19, 1975.
Do	Harford	Bel Air, town of	H 240042A 01 through H 240042A 04	do	Mayor, 39 Hickory Ave., Bel Air, Md. 21014.	July 19, 1974. Dec. 19, 1975.
Do	Prince Georges	Laurel, city of	H 240053A 01 through H 240053A 06	do	Mayor, Office of Mayor, Laurel, Md. 20810.	Aug. 9, 1974. Dec. 19, 1975.
Do	Queen Annes	Church Hill, town of.	H 240057A 01	do	Mayor, Box 83, Church Hill, Md. [illegible]	Aug. 16, 1974.
Do	Charles	Indian Head, city of.	H 240091A 01 through H 240091A 02	do	Mayor, 1170 Strauss Ave., Indian Head, Md. 20640.	July 26, 1974. Dec. 19, 1975.
Do	do	LaPlata, town of	H 240092 01 through H 240092 02	do	Mayor, P.O. Box 151, LaPlata, Md. 20646.	Feb. 13, 1976.
Do	Dorchester	Brookview, town of.	H 240097A 01	do	Mayor, Town Hall, Town of Brookview, Rhodesdale, Md. 21695.	Dec. 6, 1974.
Do	Caroline	Denton, town of	H 240104 01	do	Mayor, P.O. Box 245, Denton, Md. 21629.	Feb. 13, 1976.
Do	Washington	Hancock, town of.	H 240109A 01 through H 240109A 02	do	Mayor, 116 West High St., Hancock, Md. 21750.	Aug. 9, 1974. Dec. 19, 1975.
Minnesota	Cass	Hackensack, city of.	H 270061A 01	Division of Waters, Soils and Minerals, Department of Natural Resources, Centennial Office Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R-210 State Office Bldg., St. Paul, Minn. 55101.	Mayor, Hackensack, Minn. 56452	Sept. 20, 1974.
Do	Cass	Lake Shore, city of.	H 270062A 01 through H 270062A 08	do	Mayor, Route No. 6, City of Lake Shore, Brainerd, Minn. 56401.	Sept. 13, 1974. Dec. 19, 1975.
Do	Morrison	Motley, city of	H 270300A 01	do	Mayor, City Hall, Motley, Minn. 56466.	Aug. 2, 1974. Dec. 19, 1975.
Do	Wilkin	Wolverton, city of.	H 270524A 01	do	Mayor, City Hall, Wolverton, Minn. 56594.	Aug. 9, 1974. Dec. 19, 1975.
Mississippi	Clay	West Point, city of.	H 280037A 01 through H 280037A 02	Mississippi Research and Development Center, P.O. Drawer 2470, Jackson, Miss. 39205. Mississippi Insurance Department, 910 Woolfolk Bldg., P.O. Box 79, Jackson, Miss. 39205.	Mayor, P.O. Drawer 322, West Point, Miss. 39773.	June 21, 1974. Dec. 19, 1975.
Missouri	Bollinger	Lutesville, city of.	H 290031A 01 through H 290031A 02	Department of Natural Resources, Division of Program and Policy Development, State of Missouri, 308 East High St., Jefferson, Mo. 65101. Division of Insurance, P.O. Box 690, Jefferson City, Mo. 65101.	Mayor, City Hall, Lutesville, Mo. 63762.	May 10, 1974. Dec. 19, 1975.
Do	Cedar	El Dorado Springs, city of.	H 290072A 01 through H 290072A 04	do	Mayor, City Hall, El Dorado Springs, Mo. 64744.	Dec. 28, 1973. Dec. 19, 1975.
Do	Holt	Corning, village of.	H 290159 01	do	Chairman, Village Hall, Corning, Mo. 64455.	Feb. 6, 1976.
Do	Mississippi	Wyatt, city of	H 290236A 01	do	Mayor, City Hall, Wyatt, Mo. 63882.	Mar. 29, 1974. Dec. 19, 1975.
Do	New Madrid	North Lilbourn, city of.	H 290257 01	do	Mayor, City Hall, North Lilbourn, Mo. 63863.	Feb. 6, 1976.
Do	Nodaway	Maryville, city of	H 290264A 01 through H 290264A 03	do	Mayor, City Hall, 415 North Market St., Maryville, Mo. 64468.	May 3, 1974. Dec. 19, 1975.
Do	St. Genevieve	St. Genevieve, city of.	H 290325 01 through H 290325 02	do	Mayor, City Hall, 145 Jefferson St., St. Genevieve, Mo. 63670.	Feb. 6, 1976.
Do	St. Louis	Cool Valley, village of.	H 290342A 01	do	Village Clerk, Village Hall, 1650 South Florissant, Cool Valley, Mo. 63121.	May 3, 1974. Dec. 19, 1975.
Do	Mercer	Mercer, city of	H 290567A 01	do	Mayor, City Hall, Mercer, Mo. 64661	Apr. 4, 1975.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Montana	Judith Basin	Stanford, town of	H 300037A 01	Montana Department of Natural Resources and Conservation, Water Resources Division, 32 South Ewing St., Helena, Mont. 59601. Montana Insurance Department, Capital Bldg., Helena, Mont. 59601.	Mayor, Town Hall, Stanford, Mont. 59479.	June 28, 1974.
Do	Roosevelt	Culbertson, town of.	H 300067A 01	do	Mayor, Town Hall, Culbertson, Mont. 59218.	Mar. 29, 1974. Dec. 19, 1975.
Do	Sanders	Plains, town of	H 300074A 01 through	do	Mayor, Town of Plains, Town Hall, Plains Mont. 59859.	Mar. 22, 1974. Dec. 19, 1975.
Do	Yellowstone	Laurel, city of	H 300086A 01	do	Mayor, City Hall, Laurel, Mont. 59044.	Mar. 29, 1974. Dec. 19, 1975.
Nebraska	Cass	Weeping Water, city of.	H 310036A 01	Nebraska Natural Resources Commission, 7th Floor, Terminal Bldg., Lincoln, Nebr. 68508. Nebraska Insurance Department, 1335 L St., Lincoln, Nebr. 68509.	Mayor, City Hall, Weeping Water, Nebr. 68463.	Mar. 29, 1974. Dec. 19, 1975.
Do	Chase	Wauneta, village of.	H 310037A 01	do	Chairman, City Hall, Wauneta, Nebr. 59045.	June 28, 1974. Dec. 19, 1975.
Do	Douglas	Waterloo, village of.	H 310079A 01	do	Chairman, Village Hall, Waterloo, Nebr. 68069.	Sept. 6, 1974.
Do	Lincoln	Sutherland, village of.	H 310144A 01	do	Chairman, Village Hall, Sutherland, Nebr. 69165.	May 17, 1974.
Do	Nuckolls	Nelson, city of	H 310158A 01	do	Mayor, City Hall, Nelson, Nebr. 68961.	June 28, 1974. Dec. 19, 1975.
Do	Sarpy	La Vista, city of	H 310192A 01 through H 310192A 02	do	Mayor, City Hall, La Vista, Nebr. 68128.	June 21, 1974. Dec. 19, 1975.
Do	Madison	Madison, city of	H 310240A 01	do	Mayor, City Hall, Madison, Nebr. 68748.	Sept. 6, 1974. Dec. 19, 1975.
New Jersey	Essex	East Orange, city of.	H 340181 01 through H 340181 02	Bureau of Water Control, Department of Environmental Protection, P.O. Box 1390, Trenton, N.J. 08625. New Jersey Department of Insurance, State House Annex, Trenton, N.J. [illegible]	Mayor, 44 City Hall Plaza, East Orange, N.Y. 07019.	Feb. 13, 1976.
Do	Ocean	Island Heights, borough of.	H 340374A 01 through H 340374A 02	do	Mayor, P.O. Box AH, Island Heights, N.J. 08732.	July 19, 1974. Dec. 19, 1975.
New Mexico	Colfax	Raton, city of	H 350008A 01 through H 350008A 03	State Engineer's Office, Bataan Memorial Bldg., Santa Fe, N. Mex. 87501. New Mexico Department of Insurance, P.O. Box 1269, Santa Fe, N. Mex. 87501.	Mayor, City Hall, P.O. Box 910, Raton, N. Mex. 87740.	June 28, 1974. Dec. 19, 1975.
Do	Lincoln	Ruidoso, village of.	H 350033A 01 through H 350033A 04	do	Mayor, Center, Winfield, P.O. Drawer 69, Village Hall, Ruidoso, N. Mex. 88345.	June 7, 1974. Dec. 19, 1975.
Do	San Juan	Farmington, city of.	H 350067A 01 through H 350067A 11	do	City Administrator, City of Farmington, City Hall, Farmington, N. Mex. 87401.	May 24, 1974. Dec. 19, 1975.
New York	Broome	Dickinson, town [illegible]	H 360044B 01 through H 360044B 06	New York State Department of Environmental Conservation, Division of Resources Management Services, Bureau of Water Management, Albany, N.Y. 12201. New York State Insurance Department, 2 World Trade Center, New York, N.Y. 10047.	Town Supervisor, 137 Elaine Dr., Binghamton, N.Y. 13905.	Mar. 8, 1974. Dec. 19, 1975.
Do	Jefferson	Wilna, town of	H 360357A 01 through H 360357A 07	do	Town Supervisor, 301 Church, Wilna, N.Y. 13619.	July 19, 1974. Dec. 19, 1975.
Do	Onondaga	Manlius, town of	H 360584A 01	do	Town Supervisor, 301 Brooklea Dr., Fayetteville, N.Y. 13066.	Feb. 22, 1974. Dec. 19, 1975.
Do	Orange	Washingtonville, village of.	H [illegible] through H [illegible]	do	Mayor, c/o Clerk-Treasurer, 128 East Main St., Washingtonville, N.Y. 10992.	Dec. 28, 1973. Dec. 19, 1975.
Do	Orleans	Carlton, town of	H 360642A 01 through H 360642A 12	do	Town Supervisor, Town of Carlton, Waterport, N.Y. 14571.	Aug. 2, 1974. Dec. 19, 1975.
Do	Nassau	Roslyn Harbor, village of.	H 361035A 01	do	Mayor, 500 Mottscove Rd., Roslyn Harbor, N.Y. 11576.	June 28, 1974. Dec. 19, 1975.
Do	Jefferson	Cape Vincent, town of.	H 361062 01 through H 361062 05	do	Town Supervisor, Town Hall, Cape Vincent, N.Y. 13618.	Feb. 13, 1976.
Do	Chautauqua	Stockton, town of.	H 361081A 01 through H 361081A 04	do	Town Supervisor, 79 Maple Ave., Cassadaga, N.Y. 14718.	Nov. 1, 1974. Dec. 19, 1975.
Do	Dutchess	Pine Plains, town of.	H 361141A 01 through H 361141A 05	do	Town Supervisor, Pine Plains, N.Y. 12567.	Dec. 20, 1974. Dec. 19, 1975.
Do	Hamilton	Speculator, village of.	H 361517A 01 through H 361527A 07	do	Mayor, Village Office, Speculator, N.Y. 12164.	Dec. 6, 1974. Dec. 19, 1975.
North Dakota	Emmons	Linton, city of	H 380032A 01	State Water Commission, State Office Bldg., 900 East Blvd., Bismarck, N. Dak. 58501. North Dakota Insurance Department, State Capitol, Bismarck, N. Dak. 58501.	Mayor, P.O. Box 57, Linton, N. Dak. 58552.	June 28, 1974.
Do	McLean	Turtle Lake, city of.	H 380061A 01	do	President, P.O. Box No. 70, Turtle Lake, N. Dak. 58575.	Mar. 22, 1974.
Do	Oliver	Center, city of	H 380078A 01	do	Mayor, City Hall, Center, N. Dak. 58530.	Apr. 12, 1974. Dec. 19, 1975.
Do	Rolette	Rolla, city of	H 380105A 01	do	Mayor, P.O. Box 896, City Hall, Rolla, N. Dak. 58367.	June 14, 1974. Dec. 19, 1975.
Do	Traill	Portland, city of	H 380194A 01	do	Mayor, City Hall, Portland, N. Dak. [illegible]274.	May 10, 1974. Dec. 19, 1975.
Do	Walsh	Grafton, city of	H 380137A 01 through H 380137A 02	do	Mayor, City Hall, P.O. Box 547, Grafton, N. Dak. 58237.	Jan. 28, 1974. Dec. 19, 1975.
Ohio	Lucas	Oregon, city of	H 390361A 01 through H 390361A 09	Ohio Department of Natural Resources, Fountain Sq., Flood Insurance Coord. Bldg., Columbus, Ohio 43224. Ohio Insurance Department, 447 East Broad St., Columbus, Ohio 43215.	Mayor, 5330 Seaman Rd., Oregon, Ohio 43616.	Aug. 1, 1975. Dec. 19, 1975.

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State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Oklahoma	Caddo	Carnegie, town of	H 400021A 01	Oklahoma Water Resources Board, 5th Floor, Jim Thorpe Bldg., Oklahoma City, Okla. 73105. Oklahoma Insurance Department, Room 408, Will Rogers Memorial Bldg., Oklahoma City, Okla. 73105.	President of the Board, Town Hall, 102 North Broadway, P.O. Box 1, Carnegie, Okla. 73015.	Dec. 7, 1973. Dec. 19, 1975.
Do	Logan	Crescent, city of	H 400098A 01	do	Mayor, City Hall, P.O. Box 561, Crescent, Okla. 73028.	May 10, 1974. Dec. 19, 1975.
Oregon	Clackamas	Sandy, city of	H 410023A 01	Executive Department, State of Oregon, Salem, Oreg. 97310. Oregon Insurance Division, Department of Commerce, 158 12th St. NE., Salem, Oreg. 97310.	Mayor, City Hall, Sandy, Oreg. 97055	Apr. 12, 1974.
Do	Clatsop	Gearhart, city of	H 410030A 01	do	Mayor, Town Hall, Gearhart, Oreg. 97138.	Dec. 7, 1973. Dec. 19, 1975.
Do	Columbia	Scappoose, city of	H 410039A 01	do	Mayor, City Hall, Scappoose, Oreg. 97056.	May 17, 1974. Dec. 19, 1975.
Do	Coos	Eastside, city of	H 410046A 01 through H 410046A 03	do	Mayor, City Hall, Eastside, Oreg. 97420.	June 28, 1974. Dec. 19, 1975.
Do	Linn	Brownsville, city of.	H 410138A 01 through H 410138A 02	do	Mayor, City Hall, Brownsville, Oreg. 97327.	Dec. 7, 1973. Dec. 19, 1975.
Do	Morraw	Heppner, city of	H 410175A 01	do	Mayor, City Hall, Heppner, Oreg. 97836.	Nov. 23, 1973. Dec. 19, 1975.
Do	Union	Elgin, city of	H 410218A 01	do	Mayor, City Hall, Elgin, Oreg. 97827	Nov. 30, 1973. Dec. 19, 1975.
Pennsylvania	Lycoming	Piatt, township of.	H 420553A 01 through H 420553A 04	Department of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pa. 17120.	Chairman Twp. Board of Supervisors, R.D. No. 1, Township of Piatt, Linden, Pa. 17744.	Jan. 23, 1974. Dec. 19, 1975.
Do	Westmoreland	Trafford, borough of.	H 420903A 01 through H 420903A 03	Pennsylvania Insurance Department, 108 Finance Bldg., Harrisburg, Pa. 17120.	Mayor, Box 91, Trafford, Pa. 15085	Aug. 30, 1974. Dec. 19, 1975.
South Dakota	Codington	Watertown, city of.	H 460016A 01 through H 460016A 12	State Planning Bureau, Office of Executive Management, State Capitol Bldg., Pierre, S. Dak. 57501. South Dakota Department of Insurance, Insurance Bldg., Pierre, S. Dak. 57501.	City Engineer, City Hall, 2d St. NE., Watertown, S. Dak. 57201.	June 28, 1974. Dec. 19, 1975.
Do	Roberts	Sisseton, city of	H 460072A 01 through H 460072A 02	do	Mayor, P.O. Box 204, City Hall, Sisseton, S. Dak. 57262.	June 28, 1974. Dec. 19, 1975.
Tennessee	Lauderdale	Henning, town of	H 470259A 01	Tennessee State Planning Office, 660 Capitol Hill Bldg., Nashville, Tenn. 37219. Tennessee Department of Insurance and Banking, 114 State Office Bldg., Nashville, Tenn. 37219.	Mayor, City Hall, Henning, Tenn. 38041.	Jan. 3, 1975.
Texas	Bandera	Bandera, city of	H 480021A 01	Texas Water Development Board, P.O. Box 13087, Capitol Station, Austin, Tex. 78711. Texas Insurance Department, 1110 San Jacinto St., Austin, Tex. 78701.	Mayor, P.O. Box 986, City Hall, Bandera, Tex. 78003.	Apr. 12, 1974. Dec. 19, 1975.
Do	Ellis	Waxahachie, city of.	H 480211A 01 through H 480211A 10	do	Director, Community Development, 104 North Elm, P.O. Box 757, Waxahachie, Tex. 75165.	June 28, 1974. Dec. 19, 1975.
Do	Erath	Dublin, city of	H 480219A 01	do	Mayor, 213 East Black Jack St., City Hall, Dublin, Tex. 76446.	Aug. 30, 1974. Dec. 19, 1975.
Do	Morris	Omaha, city of	H 480495 01	do	Mayor, City Hall, Omaha, Tex. 75571	Feb. 6, 1976.
Do	Reagan	Big Lake, city of	H 480534A 01	do	Mayor, 203 Plaza, P.O. Box 300, Big Lake, Tex. 76932.	May 17, 1974. Dec. 19, 1975.
Do	Tarrant	Westover Hills, city of.	H 480615A 01	do	Mayor, 5824 Mercymount Rd., City of Westover Hills, Fort Worth, Tex. 76107.	Aug. 30, 1974. Dec. 19, 1975.
Utah	Beaver	Milford, city of	H 490003A 01	Department of Natural Resources, Division of Water Resources, State Capitol Bldg., Room 435, Salt Lake City, Utah 84114. Utah Insurance Department, 115 State Capitol, Salt Lake City, Utah 84114.	Mayor, City Hall, Milford, Utah 84751.	Aug. 9, 1974. Dec. 19, 1975.
Do	Cache	Hyde Park, town of.	H 490016A 01	do	Mayor, Town Hall, Hyde Park, Utah 84318.	Aug. 2, 1974. Dec. 19, 1975.
Do	do	Lewiston, city of	H 490018A 01 through H 490018A 07	do	Mayor, City Hall, Lewiston, Utah 84320.	Aug. 16, 1974. Dec. 19, 1975.
Do	Iron	Parowan, city of	H 490076A 01 through H 490076A 02	do	Mayor, City Hall, Parowan, Utah 84761.	Aug. 16, 1974. Dec. 19, 1975.
Do	Salt Lake	Murray, city of	H 490103A 01 through H 490103A 05	do	Mayor, City Hall, Murray, Utah 84107.	Mar. 29, 1974. Dec. 19, 1975.
Do	San Pete	Manti, city of	H 490116A 01	do	Mayor, City Hall, Manti, Utah 84642	Aug. 9, 1974. Dec. 19, 1975.
Washington	Grays Harbor	Oakville, town of	H 530064A 01	Department of Ecology, Olympia, Wash. 98501. Washington Insurance Department, Insurance Bldg., Olympia, Wash. 98501.	Clerk, Office of Town Clerk, Oakville, Wash. 98568.	Dec. 13, 1974. Dec. 19, 1975.
Do	Skagit	Lyman, town of	H 530157A 01	do	Town Clerk, Town of Lyman, Town Hall, P.O. Box 1248, Lyman, Wash. 98263.	Nov. 15, 1974.
Do	Yakima	Zillah, city of	H 530232A 01	do	Mayor, 111 7th St., City Hall, Zillah, Wash. 98953.	Jan. 16, 1974. Dec. 19, 1975.

(National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 26, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969).

Issued: December 18, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76–593 Filed 1–9–76;8:45 am]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

[42 CFR Part 83]

PERSONAL PROTECTIVE DEVICES

Withdrawal of Notice of Proposed Rulemaking; Notice of Proposed Rulemaking

On April 1, 1974, a notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 11923) to amend Title 42, Code of Federal Regulations, by adding a new Part 83 to establish in the National Institute for Occupational Safety and Health (NIOSH) a program for the certification of personal occupational protective devices (hats, eye and face protective devices, shoes, and gloves). Procedures and requirements for certification were also proposed. A substantial number of written comments were received, and in addition, pursuant to a notice published in the FEDERAL REGISTER (39 FR 22276), a public hearing was held on July 18, 1974, at which time several persons made presentations concerning the testing and certification program proposed by the regulations.

The Institute has reviewed the written comments and the record of the public hearing which identified considerable problems in conducting the program as originally proposed, with the result that NIOSH will not proceed with the promulgation of the rules as proposed. Rather, in response to numerous suggestions that specific types of devices should be covered individually, the Institute proposes to establish a testing and certification program applicable to head protective devices separately. A number of other suggested changes, received in response to the original notice, have also been incorporated in this new proposal. Further, it is NIOSH's intention to issue future separate proposals on other personal protective devices as research results dictate the need.

Accordingly, the notice of proposed rulemaking published in the FEDERAL REGISTER on April 1, 1974 (39 FR 11923) relating to the establishment of the testing and certification program for personal occupational protective devices is hereby withdrawn and it is proposed to amend Title 42, Code of Federal Regulations by adding a new Part 83, as set forth below.

Written comments concerning the proposed regulations are invited from interested persons. Inquiries may be addressed and data, views, and arguments relating to the proposed regulations may be submitted in writing, in triplicate, to the Regulations Officer, National Institute for Occupational Safety and Health, Room 3–32, 5600 Fishers Lane, Rockville, MD 20852. All material received on or before February 11, 1976 will be considered before further action is taken on the proposal. All comments received in response to the proposal will be available for public inspection during normal business hours at the foregoing address.

It is therefore proposed to establish a new Part 83 and adopt the following regulations to be effective on January 12, 1976.

Dated: November 14, 1975.

THEODORE COOPER,
Assistant Secretary for Health.

Approved: January 2, 1976.

MARJORIE LYNCH,
Acting Secretary.

PART 83—CERTIFICATION OF HEAD PROTECTIVE DEVICES

Sec.

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83.2 Lists of certified head protective devices.
83.3 Definitions.
83.4 Incorporation by reference.

Subpart B—Application for Certification

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83.13 Withdrawal of applications; refund of fees.

Subpart C—Fees

83.20 Examination, inspection, and testing of complete devices; fees.
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83.30 Issuance of certificates; scope.
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83.32 Notice of denial of certification.
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Subpart F—Classification of Certified Head Protective Devices

83.50 Types of devices to be certified; scope of certification.
83.51 Classification.

Subpart G—General Construction and Performance Requirements

83.60 General.
83.61 General construction requirements.
83.62 Component parts; minimum requirements.
83.63 Pretesting by applicant; approval of test methods by the Institute.
83.64 Conduct of examinations, inspections, and tests by the Institute.

Subpart H—General and Detailed Certification Requirements and Tests for Head Protective Devices

83.70 Test requirements; general.
83.71 Detailed requirements and tests for Classes A, C, and D devices.
83.72 Detailed requirements and tests for Class B devices.

AUTHORITY (Sec. 8(g), 84 Stat. 1600 (29 U.S.C. 657(g)).)

Subpart A—General Provisions

§ 83.1 Purpose.

The regulations in this part set forth the requirements and fees for the certification of head protective devices by the National Institute for Occupational Safety and Health.

§ 83.2 Lists of certified head protective devices.

The Institute will publish and otherwise make available lists of head protective devices that have been tested and certified as meeting the minimum requirements of this Part 83.

§ 83.3 Definitions.

As used in this part—

(a) "Applicant" means an individual, partnership, company, corporation, association, or other organization that seeks to obtain certification for a head protective device and that (1) designs, manufactures, assembles, or controls the assembly of the head protective device, or (2) that submits an application for certification of the head protective device made by another applicant and certified by the Institute, or (3) that submits an application for certification of the complete head protective device consisting of parts made by another individual, partnership, company, corporation, association, or other organization in cooperation with the applicant.

(b) "Approved" means regarded as satisfactory by the Institute.

(c) "Certification" means a certificate or formal document issued by the Institute stating that a sample of head protective devices has met the minimum requirements of this Part 83, and that the applicant is authorized to attach a label or marking to any device manufactured or assembled in conformance with the plans and specifications upon which the certification was based, as evidence of such certification.

(d) "Device" means industrial head protective device.

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(e) "Final Inspection" means that activity carried out on a product by the applicant after all manufacturing and assembly operations are completed to insure completeness and adherence to specifications as contained in the applicant's approved quality assurance plan.

(f) "Head Protective Device" is a device designed to protect the user's head against specific industrial hazards.

(g) "Incoming Inspection" means the applicant's activity of receiving, examining, and accepting only those materials and parts whose quality conforms to specification requirements.

(h) "In Process Inspection" means the control of products at the source of production and at each step of the manufacturing process, so that departures from specifications can be corrected before defective components or materials are assembled into the finished product.

(i) "Institute" means the National Institute for Occupational Safety and Health, Center for Disease Control, Department of Health, Education, and Welfare.

(j) "Model" is the collective term used to identify a group of essentially identical head protective devices that are of the same basic design, produced by identical manufacturing and quality assurance procedures, and that are covered by the same certification.

(k) "Variant" is a group of identical devices that differ only in an insignificant feature from other devices of the same model. A difference is considered insignificant when it does not affect the performance or usability of the device.

(l) "Primary Variant" is the only variant of those comprising the model that is submitted to the Testing and Certification Laboratory for complete inspection and testing.

(m) "Secondary Variants" are all variants other than the primary variant. A secondary variant is only inspected or tested by the Testing and Certification Laboratory to verify that it differs only insignificantly from the primary variant. The nature of the difference from the primary variant will determine the extent of the tests conducted on a secondary variant by the Testing and Certification Laboratory.

(n) "Testing and Certification Laboratory" means the Testing and Certification Laboratory of the National Institute for Occupational Safety and Health, 944 Chestnut Ridge Road, Morgantown, West Virginia 26505.

§ 83.4 Incorporation by reference.

In accordance with 5 U.S.C. 552(a)(1), the technical publications to which reference is made in this Part 83 are hereby incorporated by reference and made a part hereof. The incorporated technical publications as specified in this part are available for examination at the Testing and Certification Laboratory, and the Regulations Office, National Institute for Occupational Safety and Health, Room 3–32, Park Building, 5600 Fishers Lane, Rockville, MD 20852. Incorporation by reference provisions approved by the Director of the Federal Register *(date to be inserted prior to final rulemaking)*.

Subpart B—Application for Certification

§ 83.10 Application procedures.

(a) At appropriate times the Institute will publish notices in the FEDERAL REGISTER stating that, henceforth, applications for the certification of stated classes of devices will be accepted. The notice will identify a priority acceptance period. All applications for the certification of the stated classes of devices which are received during the priority acceptance period will be answered with a certificate or a notice of denial of certification on a single date, as described in Subpart D. Applications for the certification of the stated classes of devices which are received after the closing of the priority acceptance period will be dealt with in the order of receipt. The time between the publication of the notices and the first date of their respective priority acceptance periods will be at least 60 days. The priority acceptance periods will be at least 30 days long.

(b) Inspection, examination, and testing leading to certification of types of head protective devices classified in Subpart F of this part will be undertaken by the Institute only pursuant to a written application filed in accordance with the requirements of this subpart. Such applications shall be in the English language except as provided in § 83.11(b) below.

(c) The application and all related materials and correspondence concerning it shall be sent to the Testing and Certification Laboratory and shall be accompanied by a check, bank draft, or money order, in the amount specified in Subpart C of this part, made payable to the National Institute for Occupational Safety and Health.

(d) Except as provided in § 83.64, the examination, inspection, and testing of all head protective devices will be conducted by the Testing and Certification Laboratory.

(e) Applicants, manufacturers, or their representatives may visit or communicate with the Testing and Certification Laboratory in order to discuss the requirements for certification of any head protective device or proposed designs thereof. No charge shall be made for such consultation; no written report shall be issued to applicants, manufacturers, or their representatives by the Institute as a result of such consultation.

§ 83.11 Contents of application.

(a) Each application for certification shall contain a written description of the head protective device for which certification is requested together with drawings, specifications, and an index of the drawings and specifications showing full details of construction of the device and of the materials used. Drawings and specifications (and indices thereof) shall be submitted in triplicate.

(b) Drawings shall be titled, numbered, and dated; any revision shall be shown on the drawings, and the purpose of each revision shall be shown on the drawing or described on an attachment to the drawing to which it applies. Drawings may be dimensioned either in metric or English scales, however:

(1) Foreign language call-outs on drawings shall be translated either directly on the prints or on overlays.

(2) Drafting symbols not specified by the American National Standards Institute Y14 Drafting Manual shall be interpreted in the English language.

(c) Each application for certification shall contain a list of all secondary variants intended to be included in the model covered by the application along with a statement indicating how each secondary variant differs from the primary variant.

(d) Each application for certification shall contain one head protective device as an example of the primary variant. If secondary variants are to be included in the certification, additional devices shall also be included to indicate each difference, except for color, between the secondary and primary variants.

(e) Each application for certification shall contain a proposed plan for quality assurance which meets the minimum requirements set forth in Subpart E of this part.

(f) Each application shall (1) contain a statement that the device has been previously tested by the applicant as described in § 83.63, (2) describe the test methods employed and (3) include the results of such tests together with a statement that, based on the test results, the device meets the applicable requirements of this part.

(g) Each application shall contain a statement that the head protective device and component parts submitted for certification are either (1) prototypes, or (2) made on regular production tooling, with no operation included which will not be incorporated in regular production processing.

(h) In cases where the applicant is a distributor only, the application shall contain a statement by the party responsible for the final assembly of the device to the effect that the applicant has permission to apply for certification of the device.

§ 83.12 Delivery of devices by applicant; requirements.

(a) Each applicant shall, when an application is filed pursuant to § 83.10, be advised by the Institute of the total number of complete head protective devices and component parts required for testing, and the time allowed for delivery of those devices and component parts to the Testing and Certification Laboratory.

(b) The applicant shall deliver, at its own expense, the number of completely assembled devices and components required for testing, to the Testing and Certification Laboratory.

(c) Head protective devices and component parts submitted for certification shall be made from materials specified in the application.

(d) One specimen of each variant listed on a certification under the provisions of this part may be retained by the Institute as a laboratory exhibit and record; the remaining devices may be returned to the applicant at its own expense, upon written request within 30 days after notice of certification. If no such request is made, the devices will be disposed of by the Institute in such manner as it deems appropriate.

(e) Where a head protective device fails to meet the requirements for certification set forth in this part, the applicant will be notified in writing and all devices and components delivered in accordance with this section may be returned to the applicant at its own expense, upon written request to the Testing and Certification Laboratory within 30 days after such notice. If no such request is made, the devices will be disposed of by the Institute in such manner as it deems appropriate.

§ 83.13 Withdrawal of applications; refund of fees.

(a) Any applicant may, upon a written request submitted to the Institute, withdraw any application for certification of any head protective device.

(b) Upon receipt of a written request for the withdrawal of an application, the Institute will determine the total man-days expended and the amount due for services already performed during the course of any examinations, inspections, or tests conducted pursuant to such application. The total amount due will be determined in accordance with the provisions of Subpart C and assessed against the fees submitted by the applicant. If the total amount assessed is less than the fees submitted, the Institute will refund the balance together with a statement of charges made for services rendered.

Subpart C—Fees

§ 83.20 Examination, inspection, and testing of complete devices; fees.

The following fees will be charged by the Institute for the examination, inspection, and testing of the primary variant of complete head protective devices:

(a) Class A, limited voltage protection	$175
(b) Class B, high voltage protection	200
(c) Class C, no voltage protection	150
(d) Class D, limited voltage protection, fire fighters' service	175

§ 83.21 Fee assessment; payment by applicant prior to certification.

(a) Fees charged for the examination, inspection, and testing of devices or components or variants thereof, after the primary variant, will be at the rate of $50.00 per day for each man-day required to be expended by the Institute. When the Institute advises the applicant of the total number of complete head protective devices and component parts to be supplied, as specified in § 83.12, the Institute will also advise the applicant of the upper limit for the fee to be charged to the applicant. In no case shall the total fee be in excess of four times the fee charged for testing the primary variant.

(b) Upon completion of all examinations, inspections, and tests of devices, components, or variants thereof, the Institute will advise the applicant in writing of the total cost assessed and the additional amount, if any, which shall be paid to the Institute; payment of the assessed fee shall be due before the issuance of any certificate.

Subpart D—Certificates

§ 83.30 Issuance of certificates; scope.

(a) The Institute will only issue certificates pursuant to the provisions of this subpart for individual, completely assembled head protective device models as described in § 83.3, which meet the requirements set forth in this part.

(b) A separate certificate will be issued for each model. Several variants may be included in one certificate.

(c) The Institute will not issue an informal notification of certification. However, if the application for certification, submitted in accordance with § 83.11 states that the submitted device and component parts are prototypes, the Institute will examine, inspect, and test such device and component parts in accordance with the provisions of this Part 83. If, upon completion of such examinations, inspections, and tests it is found that the prototype meets the minimum requirements set forth in this part, the Institute will inform the applicant, in writing, of the results of the examinations, inspections, and tests, and may require him to resubmit devices and component parts made on regular production tooling, with no operations included which will not be incorporated in regular production processing, for further examination, inspection, and testing, prior to issuance of a certificate.

(d) Applicants which have submitted prototypes and are required to resubmit devices and component parts made on regular production tooling shall be charged additional fees in accordance with Subpart C of this part.

(e) All certificates issued in accordance with paragraph (a) of this section which result from applications received during a priority acceptance period, as described in § 83.10(a), shall be issued on a single date. The date of issuance shall be established by the Institute after examining all applications received during the priority acceptance period. All applicants shall be notified of the issuance date at least 60 days in advance of the issuance date.

(f) Any certificates for devices which do not meet all applicable requirements specified in paragraph (e) of this section may be issued at a later date.

§ 83.31 Contents of certificates.

(a) The certificate will contain a classification and a description of the device for which it is issued.

(b) The certificate will specifically set forth any restrictions or limitations on the device's use in work places.

(c) Each certificate will be accompanied by an index of, or a reference to the index of, the drawings and specifications submitted by the applicant in accordance with § 83.11. The listed drawings and specifications shall be incorporated by reference in the certificate, and shall be maintained by the applicant. The drawings and specifications listed in each certificate shall set forth in detail the design and construction requirements which shall be met by the applicant during commercial production of the device.

(d) Each certificate will be accompanied by a reproduction of the certification markings to be employed by the applicant with each certified device, as provided in § 83.33.

(e) Each certificate will also reference the approved quality assurance plan as specified in § 83.42.

§ 83.32 Notice of denial of certification.

(a) If, upon completion of examinations, inspections, and tests required to be conducted in accordance with the provisions of this part, it is found that the head protective device does not meet the minimum requirements set forth in this part, the Institute shall issue a written notice so advising the applicant.

(b) Each such notice will be accompanied by all pertinent data or findings with respect to why the device fails to meet the applicable requirements.

§ 83.33 Certification markings.

(a) Each certified head protective device shall be marked with the manufacturer's name, the classification (as indicated in § 83.51), and a number consisting of the letters TC, the designation numeral 50, and a certificate serial number (for example, TC–50–XXX).

(b) The markings required in paragraph (a) of this section shall be applied in a permanent manner such that they cannot be readily defaced or removed without leaving evidence of their presence. The markings shall not in any way interfere with the protection afforded the user of the device.

(c) The Institute will, where necessary, notify the applicant when additional labels, markings, caution statements, or instructions are required.

(d) Certification markings shall be used only by the applicant to whom they are issued.

(e) Use of the Institute's certification markings obligates the applicant to whom they are issued to maintain or cause to be maintained the approved quality assurance sampling schedule and the acceptable quality level for each characteristic tested, and to assure that all head protective devices bearing the certification number are manufactured according to the drawings and specifications upon which such certification is based.

(f) Each certified head protective device, and, where necessary, components thereof, shall also be labeled to show the name, letters, or numbers or combination thereof, by which the device or component is designated for trade purposes and the lot number, serial number, or approximate date of manufacture of the device or component. Subject to the approval of the Institute, any or all of the markings

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required by this section may be placed on the container of each device, and, where necessary, on containers of components of each device, instead of on the device or component itself.

(g) The certificate holder shall print or otherwise legibly reproduce a statement on each head protection device saying that any difficulty the user or purchaser experiences with the design, performance, or maintenance of the certified device, should be communicated to the National Institute for Occupational Safety and Health, 944 Chestnut Ridge Road, Morgantown, WV 26505, Attention: Testing and Certification Laboratory.

§ 83.34 Withdrawal of certificates.

(a) The Institute may, after giving the certificate holder reasonable notice in writing and an opportunity to present his views or evidence, withdraw, for cause, any certificate which the Institute has issued under the provisions of this part. Such causes for withdrawal include, but are not limited to, misuse of certification markings, misleading advertising, and failure to maintain the quality assurance requirements of the certificate.

(1) The views and evidence of the holder of the certificate shall be presented in writing unless the Director of the Institute determines that an oral presentation is desirable.

(2) Such views and evidence shall be confined to matters relevant to whether cause exists for the withdrawal of the certificate.

(b) Effective upon receipt by the certificate holder of the Institute's written notice of intent to withdraw certification, the certificate holder shall cease to manufacture, market, or distribute for sale head protective devices bearing the certification label for those devices for which notice of intent to withdraw certification has been given.

§ 83.35 Changes after certification.

Prior to changing any feature of a certified head protective device the applicant shall obtain approval of the Institute pursuant to the following procedures:

(a) Application may be made at any time as for an original certificate as specified by Subpart B. The application shall request that the existing certification be extended to encompass the proposed change.

(b) The application and accompanying material will be examined by the Institute to determine whether testing of the modified head protective device will be required. The Institute will inform the applicant whether such testing is required and, if so, when the modified devices may be submitted for testing.

(c) The Institute will inform the applicant of the fee required for any additional testing and the applicant will be charged for the cost of any examination, inspection, or test required, and such fees shall be submitted in accordance with the provisions of Subpart C of this part.

(d) If the proposed modification meets with the requirements of this part, an extended certificate will be issued and accompanied, where necessary, by a list of new and revised drawings and specifications covering the change(s) and any revised certification markings.

§ 83.36 Delivery of certified devices.

One of each device for which a certificate or modified certificate has been issued shall be delivered, if and when specified in the certificate, with proper markings, to the Testing and Certification Laboratory.

Subpart E—Quality Assurance

§ 83.40 Quality assurance plans; filing requirements.

A quality assurance plan shall be filed by the applicant in the English language as a part of each application for certification or modification of certification submitted pursuant to § 83.10. The plan shall be designed to assure the quality of protection provided by the head protective device for which certification is sought.

§ 83.41 Contents of quality assurance plans.

(a) Each quality assurance plan shall contain provisions for the management of quality, including: (1) requirements for the production of quality data and use of quality assurance records; (2) control of engineering drawings, documentations, and changes; (3) control and calibration of measuring and testing equipment; (4) control of purchased material to include incoming inspection; (5) lot identification, control of processes, manufacturing, fabrication, and assembly work conducted in the applicant's plant; (6) audit of final inspection of the completed product; and, (7) the organizational structure necessary to carry out these provisions.

(b) Each provision for incoming and final inspection in the quality assurance plan shall include a procedure for the selection of a sample of head protective devices and the components thereof for inspection, or testing, or both, in accordance with procedures set forth in Military Standard MIL–STD–105D, "Sampling Procedures and Tables for Inspection by Attributes", or Military Standard MIL–STD–414, "Sampling Procedures and Tables for Inspection by Variables for Percent Defective", or an Institute approved equivalent sampling procedures, or an Institute approved combination of sampling procedures. Incoming bulk raw material inspection or verification of specification, and in-process inspection shall be sufficient to ensure control of product quality through the manufacturing cycle. Reduced incoming sampling procedures can be accepted when the applicant has demonstrated by operating characteristic curves or by vendor certification, with test results, that the material has an acceptable quality level.

(c) The sampling procedure shall include a list of the characteristics to be inspected, or tested, or both, by the applicant or its agent.

(d) The characteristics listed in accordance with paragraph (c) of this section shall be classified according to the potential effect of such defect and grouped into the following classes:

(1) *Critical.* A defect that judgment and experience indicate is likely to result in a condition immediately hazardous to life, health, or safety for individuals using or depending upon the device;

(2) *Major A.* A defect, other than Critical, that is likely to result in failure to the degree that the device does not provide any protection or a defect that reduces protection and is not detectable by the user;

(3) *Major B.* A defect, other than Major A or Critical, that is likely to result in reduced protection, and is detectable by the user; and

(4) *Minor.* A defect that is not likely to materially reduce the usability of the device for its intended purpose, or a defect that is a departure from established standards and has little bearing on the effective use of the device.

(e) The quality assurance inspection test method to be used by the applicant or its agent for each characteristic required to be tested shall be described in detail.

(f) Each item manufactured shall be 100 percent inspected for defects in all critical characteristics except those requiring destructive tests, which may be sampled as specified in paragraph (i). When critical characteristics are destructively tested as specified in paragraph (i), the criteria for lot acceptance shall be zero defects and the criteria for lot rejection shall be one defect.

(g) The Acceptable Quality Level (AQL) for each major or minor defect so classified by the applicant shall be:

	Percent
(1) Major A	1.0
(2) Major B	2.5
(3) Minor	4.0

(h) Except as provided in paragraph (i) of this section, inspection level II described in MIL–STD–105D or inspection level IV as described in MIL–STD–414, shall be used for major and minor characteristics and 100 percent inspection shall be used for critical characteristics. Inspection levels higher than those specified will be acceptable.

(i) Subject to the approval of the Institute, the inspection may be conducted at a lower sample level than that specified in paragraphs (f) and (h) of this section. The approval level for destructive testing will be determined by the provision of the quality assurance plan for raw material, incoming, processing, and manufacturing inspection to insure adequate control of the finished product. The approved level for characteristics not requiring destructive testing will be determined by the test data on the characteristic and the applicants' records which must demonstrate acceptable quality levels through operating characteristic curves. However, when rejects are detected at the lower sampling level, the inspection must return to provisions of paragraph (h), or for destructive testing on critical characteristics, the sample level must be tightened.

§ 83.42 Quality assurance plans; approval by the Institute.

(a) Each quality assurance plan submitted in accordance with this subpart will be reviewed by the Institute to determine its effectiveness in insuring that the quality of the device is in conformance with the applicant's design and the applicable governing standard.

(b) If the Institute determines that the quality assurance plan submitted by the applicant is not adequate to insure quality assurance, the Institute will require the applicant to modify the procedures and testing requirements of the plan prior to approval of the plan and issuance of any certificate.

(c) Approved quality assurance plans shall constitute a part of, and be considered incorporated into, any certificate issued by the Institute, and compliance with such plans by the applicant shall be a condition of certification.

§ 83.43 Quality assurance records; review by the Institute.

(a) The applicant shall maintain quality assurance inspection records sufficient to carry out procedures required in MIL–STD–105D or MIL–STD–414, or an approved equivalent sampling procedure, for each batch or lot, for not less than 4 years following acceptance or rejection of the batch or lot.

(b) The Institute reserves the right, at reasonable times, to have its representatives enter the applicant's facilities to inspect the applicant's quality assurance system for compliance with the requirements of this part. The representative may interview any of the applicant's employees or agent(s) in regard to the quality assurance program.

Subpart F—Classification of Certified Head Protective Devices

§ 83.50 Types of devices to be certified; scope of certification.

Certificates shall be issued for the types of devices which have been classified pursuant to this subpart, have been inspected, examined, and tested by the Institute in accordance with the provisions of Subparts G and H and have been found to provide the protection specified in this part.

§ 83.51 Classification.

Head protective devices tested as described in Subpart H of this part shall be classified for use as follows:

(a) Class A: For protection against impact, penetration, and limited voltage.

(b) Class B: For protection against impact, penetration, and high voltage.

(c) Class C: For protection against impact and penetration, but no voltage protection.

(d) Class D: Limited voltage protection, fire fighters' service.

Subpart G—General Construction and Performance Requirements

§ 83.60 General.

In addition to the types of devices specified in § 83.51, the Institute may issue certificates for other head protective devices not specifically described in § 83.51 subject to such requirements as may be imposed in accordance with § 83.70.

§ 83.61 General construction requirements.

(a) Head protective devices will not be accepted for examination, inspection, and testing unless they have been determined by the applicant to be safe in function, design, and construction.

(b) Components which come in contact with the wearer's skin shall be made of nonirritating materials.

(c) Components replaced during or after use shall be constructed of materials which will not be damaged by normal handling.

(d) Components shall not be adversely affected by common cleaning procedures. Any materials with which the components may be expected to have contact and which will adversely affect any components shall be identified on the device or in the instructions for use of the device.

(e) The components of any head protective device which is certified by the Institute for use in mines where "permissibility" is required shall meet the requirements for electric permissibility and intrinsic safety set forth in Part 18 of Title 30 CFR (Mining Enforcement and Safety Administration Schedule 2G), as tested and approved by the Mining Enforcement and Safety Administration.

§ 83.62 Component parts; minimum requirements.

(a) The component parts of each device shall be:

(1) Designed, constructed, and fitted to insure against creation of any hazard to the wearer;

(2) Assembled to permit easy access to functional parts for inspection, repair, and maintenance.

(b) Replacement parts shall be designed and constructed to permit easy installation and to maintain the effectiveness of the device.

§ 83.63 Pretesting by applicant; approval of test methods by Institute.

(a) Prior to the filing of any application for certification, the applicant shall conduct, or cause to be conducted, examinations, inspections, and tests of performance which, in the judgment of the Director, Testing and Certification Laboratory, are equal to or exceed the severity of those prescribed in this part. Requests for approval to substitute test methods for those specified in Subpart H will be considered provided that satisfactory data correlation (including correlation coefficient calculations) can be shown comparing results of a required test method with those of a proposed substitute test method.

(b) Complete examination, inspection, and test data shall be retained on file by the applicant and be submitted upon request to the Institute.

(c) The Institute may, upon written request by the applicant, provide drawings and descriptions of its test equipment and otherwise render technical assistance to the applicant in establishing a test laboratory.

(d) The Institute will not issue a certificate to the applicant until it has validated the applicant's test results.

§ 83.64 Conduct of examinations, inspections, and tests by the Institute.

(a) All examinations, inspections, and tests conducted pursuant to Subpart H of this part will be under the sole direction and control of the Institute.

(b) The Institute may, as a condition of certification, require the assistance, in the form of labor or material or both, of the applicant or agents of the applicant during the assembly, disassembly, or preparation of any device or component prior to testing or in the operation of such device during testing.

(c) Only Institute personnel, persons requested by the Institute to be observers, persons assisting the Institute pursuant to paragraph (b) of this section, and such other persons as are requested by the applicant and approved by the Institute to be observers, shall be present during any examination, inspection, or test conducted prior to the issuance of a certificate by the Institute for the equipment under consideration.

(d) The Institute will not disclose confidential commercial or financial information submitted by the applicant, nor will it disclose trade secret information or patentable features of such equipment.

Subpart H—General and Detailed Certification Requirements and Tests for Head Protective Devices

§ 83.70 Test requirements; general.

Each device and component shall, when tested by the applicant and by the Institute, meet the applicable requirements set forth in this subpart and in Subpart G of this part.

(a) In addition to the minimum requirements set forth in this subpart and in Subpart G of this part, the Institute may require as further condition of certification of any unlisted head protective device, additional requirements deemed necessary to establish the quality, effectiveness, and safety of such device.

(b) Where it is determined after receipt of an application that additional requirements will be required for certification, the Institute will notify the applicant in writing of these additional requirements, and necessary examina-

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tions, inspections, or tests, stating generally the reasons for such requirements, examinations, inspection, or tests.

§ 83.71 Detailed requirements and tests for Classes A, C, and D devices.

The requirements and tests pertinent to Classes A, C, and D industrial head protective devices shall be in accordance with the indicated sections of the American National Standard Safety Requirements for Industrial Head Protection, Z89.1—1969 (available from ANSI, 1430 Broadway, New York, New York 10018), or equivalent requirements and tests, as specified by the Institute.

(a) General requirements shall be as specified in Section 5, General Requirements, of Z89.1—1969.

(b) Detailed requirements shall be as specified in Section 6, Detailed Requirements, of Z89.1—1969.

(c) Test requirements shall be as specified in Section 7, Physical Requirements, of Z89.1—1969.

(d) Test procedures and test equipment shall be as specified in Section 8, Methods of Test, of Z89.1—1969.

(e) Each Class A, C, and D industrial head protective device shall be packaged with instructions describing procedures set forth in A1.1, A1.2, A1.3, A1.4, and A1.6 of the appendix to Z89.1—1969.

(f) The Institute shall not require the applicant to supply more than 60 devices for the primary variant and 30 devices for each additional variant for testing and evaluation. Unused devices will be returned in accordance with § 83.12.

(g) The Institute will evaluate the results of all appropriate tests using statistical techniques which provide an acceptable level of confidence in the device performance as determined by the Institute.

§ 83.72 Detailed requirements and tests for Class B devices.

The requirements and tests pertinent to Class B industrial head protective devices shall be in accordance with the indicated sections of American National Standard Safety Requirements for Industrial Protective Helmets for Electrical Workers, Class B, Z89.2—1971 (available from ANSI, 1430 Broadway, New York, New York, 10018), or equivalent requirements and tests, as specified by the Institute.

(a) General requirements shall be as specified in Section 5, General Requirements, of Z89.2—1971.

(b) Detailed requirements shall be as specified in Section 6, Detailed Requirements, of Z89.2—1971.

(c) Test requirements shall be as specified in Section 7, Physical Requirements, of Z89.2—1971.

(d) Test procedures and test equipment shall be as specified in Section 8, Methods of Test, of Z89.2—1971.

(e) Each Class B industrial head protective device shall be packaged with instructions describing the procedures set forth in the appendix to Z89.2—1971.

(f) The Institute will not require the applicant to supply more than 90 devices for the primary variant and 45 devices for each additional variant for testing and evaluation. Unused devices will be returned in accordance with § 83.12.

(g) The Institute will evaluate the results of all appropriate tests using statistical techniques which provide an acceptable level of confidence in the device performance, as determined by the Institute.

To: The Secretary, through: U—— ——.
From: Assistant Secretary for Health.
Subject: NIOSH Certification of Personal Protective Devices—ACTION.

AUGUST 6, 1975.

BACKGROUND

On April 1, 1974, a notice of proposed rulemaking (NPRM) was published in the FEDERAL REGISTER (39 F.R. 11923) to establish in the National Institute for Occupational Safety and Health (NIOSH) a program for the certification of personal occupational protective devices (hard hats, eye and face protective devices, safety-toe footwear, and rubber lineman's gloves). Public comments were accepted for a period of 60 days and a public hearing was held on July 18, 1974, concerning the establishment of the proposed program. The comments and testimony identified considerable problems in the administration of the certification program as proposed. In view of this, and the fact that industry's lack of cooperation would further hamper the objectives of the program, it was proposed on January 9, 1975, to withdraw the NPRM. You rejected the proposal withdrawal, however, asking that the program be revised if necessary to pursue its intended objectives.

CURRENT STATUS

In response to your request, NIOSH has further evaluated the need for such a program by testing commercially available products. Using existing standards and test methods prescribed by those standards, NIOSH's Testing and Certification Laboratory tested 21 randomly selected Class B industrial helmets. Of those tested, 20 were deficient in one or more respects. The results of these tests have precipitated meetings with trade associations, unions, and manufacturers with the outcome that all parties are encouraging the Institute to develop a certification procedure for hard hats. In addition, a NIOSH report issued in January 1975 shows that about one-third of the safety-toe footwear models tested failed to meet OSHA and advertised standards. NIOSH is continuing work toward development of regulations covering footwear.

In addition, the Institute is currently negotiating a written agreement with the Occupational Safety and Health Administration (OSHA) whereby OSHA will endorse the NIOSH certification program by revising the occupational safety and health standards to require the use of NIOSH certified equipment.

In view of these developments, NIOSH believes that its best course of action lies in simultaneously withdrawing the original proposal and reissuing an NPRM on the certification of industrial helmets alone, with the clarification that future separate proposals on personal protective devices will be issued as research results dictate the need. Such an action would solve the problem of defining models and variants for dissimilar items which was a major controversy in the original proposal, and at the same time, reassert the Department's intent to proceed with a certification program. It is anticipated that this proposed regulation on industrial helmets will be forwarded for signature by September 1, 1975.

THEODORE COOPER, M.D.

Prepared by: NIOSH, Hough, 153–36268, July, 30, 1975.

Dated August 8, 1975.

[FR Doc.76–643 Filed 1–9–76;8:45 am]

Social Security Administration

[20 CFR Part 410]

[Regulations No. 10]

FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969, AS AMENDED

Representation of Parties, Time Limit for Petitioning for Approval of Attorney Fees

Correction

In FR Doc. 75–29749, appearing at page 51475 in the issue for Wednesday, November 5, 1975 make the following corrections:

1. Insert the following text between the seventh and eighth lines of § 410.686b (e): "within 30 days after the date of the notice of the fee determination. The party requesting the review shall send a copy of the request to the other party. An authorized official of the Social Social Security Administration".

2. In the nineteenth line of § 410.686c change the word "pastdue" to read "pastdue".

3. In § 410.68d(b)(1)(iii) change the word, "agree" to read "agreed".

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 75–NE–38]

PRATT AND WHITNEY JT8D AIRCRAFT ENGINES

Notice of Proposed Rule Making

Amendment 39–2099 (39 FR 7626), AD 75–05–06, requires operators of JT8D engines incorporating the "B" nut fuel manifold configuration to inspect daily for fuel leakage on engines with over 1000 hours time in service since the fuel manifold "B" nuts were torqued. The inspection requires looking into the engine tailpipe and fan duct as far forward as the diffuser case for residual fuel wetness or staining and inspecting the diffuser fan duct and combustion chamber fan duct flanges for dripping fuel. After issuing Amendment 39–2099, several undetected fuel leaks occurred which resulted in autoignition. Service experience on engines with quadruple torqued manifold "B" nuts has shown that this procedure will prevent fuel leakage for a minimum of 2000 hours operation. Therefore, the agency is considering amending Amendment 39–2099 to require quadruple torquing of the fuel manifold "B" nuts within 1000 hours time in service and repetitive quadruple torquing at intervals of 2000 hours time in service. The daily inspection will continue to be required until the fuel manifold "B" nuts have been quadruple torqued.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, Massachusetts 01803. All communications received on or before January 27, 1976, will be considered before taking action upon the proposed rule. The proposals contained in this notice may be changed in the will be available, both before and after the closing date for comments, in the Office of the Regional Counsel for examination by interested persons.

This amendment is proposed under the authority of Sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423 and Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39–2099, AD 75–05–06, by changing the compliance paragraph by:

A. Deleting the paragraph beginning with "To detect • • •" and ending with "• • • or later FAA approved revision;" and inserting the following: "To preclude possible fuel manifold leakage accomplish the following:

1. Torque the fuel manifold "B" nuts in accordance with Pratt and Whitney Aircraft Service Bulletin 4389, Revision 6, or later FAA approved revision or Section 72–37 of Pratt and Whitney Aircraft JT8D Engine Manual No. 481672, Revision 78, or later FAA approved revision within the next 1000 hours time in service after the effective date of this AD, unless already accomplished, and retorque thereafter at intervals not to exceed 2000 hours time in service.

2. Until the fuel manifold "B" nuts are torqued in accordance with Paragraph 1, accomplish the following inspection once a day on engines with over 1000 hours total in service since new:"

B. Delete the numbers "1" and "2" from the inspection paragraphs and insert the letters "a" and "b" respectively.

C. Add the words "and 2" to the end of Paragraph 3.

Issued in Burlington, Massachusetts, on December 29, 1975.

QUENTIN S. TAYLOR,
Director,
New England Region.

[FR Doc.76–786 Filed 1–9–76;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75–SW–81]

ALTERATION OF CONTROL ZONE

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter the Enid, Okla., control zone.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before February 11, 1976, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Texas. An informal docket will also be available for examination at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

In § 71.171 (41 F.R. 355), the Enid, Okla., control zone is amended to read:

ENID, OKLA.

That airspace within a 5-statute-mile radius of Vance AFB (latitude 36°20'20" N., longitude 97°55'00" W.) and within 3 statute miles west and 3 statute miles east of the Vance VORTAC (latitude 36°20'43" N., longitude 97°55'04" W.) 178.5° radial extending from the 5-statute-mile-radius zone to the 7 DME fix; and within 4 statute miles west and 5 statute miles east of the Vance VORTAC 358.5° radial extending from the 5-statute-mile-radius zone to the 6 DME fix; and within a 5-statute-mile radius of Enid Woodring Municipal Airport (latitude 36° 22'45" N., longitude 97°47'30" W.) and within 2 statute miles each side of the Woodring VOR (latitude 36°22'26" N., longitude 97°47'17" W.) 354.5° radial, extending from the 5-statute-mile-radius zone to 8 statute miles north of the VOR; and within 2 statute miles east and 4 statute miles west of the Woodring VOR 184.5° radial, extending from the 5-statute-mile zone to 8 statute miles south of the VOR. This control zone is effective during the dates and times published in the Airman's Information Manual.

The revised designation provides additional airspace protection for aircraft making an instrument approach to Vance AFB and more explicitly defines the control zone boundary.

This amendment is proposed under the authority of Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and of Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Fort Worth, Tex., on January 2, 1976.

ALBERT H. THUEBURN,
Acting Director, Southwest Region.

[FR Doc.76–787 Filed 1–9–76;8:45 am]

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 75–5; Notice 04]

AIR BRAKE SYSTEMS

Agricultural Commodity Trailers

This notice proposes an amendment of Standard No. 121, Air Brake Systems, to extend until June 30, 1976, the period in which bulk agricultural commodity trailers designed with a high ground clearance and other special features for use with farm tractors during harvest can meet emergency and parking brake requirements other than those specified in S5.6 and S5.8 of the standard.

The NHTSA recently amended Standard No. 121, 49 CFR 571.121 (40 FR 56898, December 5, 1975) to permit this specialized agricultural trailer category the option, until March 1, 1976, of meeting the parking brake requirements of the standard (actuation by an energy source unaffected by air loss in the service brake system) or the air-actuated "breakaway" system that complies with Bureau of Motor Carrier Safety requirements (49 CFR § 393.43). The NHTSA has also proposed that the present parking brake requirements for all vehicles subject to the standard be broadened in a closely similar fashion to permit the use of a simpler air energy source than at present, as well as other energy sources for actuation of the parking brake (40 FR 56920, December 5, 1975).

Utility Trailer Manufacturing Company has requested that the present expiration date of March 1, 1976, for the "breakaway" option be extended until June 30, 1976, to permit completion of the bulk agricultural commodity trailers necessary for the 1976 harvest season. It is now clear that a decision on the outstanding proposal to broaden the permissible means of satisfying the parking brake requirement will not be reached in time to permit Utility to plan its production after March 1 of this year. The Utility request may therefore be justified.

In consideration of the foregoing, it is proposed that the last sentence of paragraph S5.6 and S5.8 of Standard No. 121 (49 CFR 571.121) be amended by changing the date "March 1, 1976" to "June 30, 1976".

Interested persons are invited to submit comments on the proposal. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street, SW., Washington, D.C. 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too

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late for consideration in regard to the action will be treated as suggestions for future rulemaking. The NHTSA will continue to file relevant material as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Comment closing date: February 11, 1976.

Proposed effective date: Date of publication of final rule in the FEDERAL REGISTER.

(Sec. 103, 119, Pub. L. 89–563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on January 7, 1976.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

[FR Doc.76–977 Filed 1–9–76;8:45 am]

CIVIL AERONAUTICS BOARD

[14 CFR Part 298]

[EDR–292; Docket No. 27911]

CLASSIFICATION AND EXEMPTION OF AIR TAXI OPERATORS

Commuter Air Carrier Reports

JANUARY 6, 1976.

Notice is hereby given that the Civil Aeronautics Board has under consideration an amendment of Part 298 of its Economic Regulations (14 CFR Part 298) which would revise the CAB Form 298–C [1] report by adding two new data items on Schedule A–1.

The principal features of the proposed amendment are described in the Explanatory Statement and the proposed amendment is set forth in the Proposed Rule. The amendment is proposed under the authority of sections 204(a), 407, and 416 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 766, and 771; 49 U.S.C. 1324, 1377, and 1386).

Interested persons may participate in the proposed rulemaking through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material received on or before February 11, 1976, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested parties in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue, N.W. Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

EXPLANATORY STATEMENT

The Commuter Airline Association (CAA), a division of the National Air Transportation Association, Inc., has filed a petition with the Board on behalf of 45 member carries seeking the institution of a rulemaking proceeding to amend Part 298 of the Board's Economic Regulations so as to require the reporting of statistics which would measure each commuter air carrier's reliability in performing its scheduled operations. Underlying the CAA's petition is their desire to persuade the Official Airline Guide (OAG) to publish schedules of commuter air carrier/certificated air carrier connecting flights. It is alleged that a major reason advanced by the OAG for its policy against publishing connecting schedules involving commuter air carriers is uncertainty as to the extent to which this class of carriers meets adequate standards of reliability. For that reason, the CAA has requested the Board to require each commuter air carrier to submit data, so that their reliability could be established by reference to reports filed at regular intervals with the Board.

The Board's Office of the Consumer Advocate has answered in support of the CAA's petition on the ground that the general public, which must rely on the OAG, ought to have the benefit of commuter air carriers' connecting schedules. No opposing answers have been filed.

Since an impressive number of the members of the class to be affected by the reporting requirement have joined in requesting its imposition, and no other members of that class have thus far filed objections thereto, we have determined to consider adoption of a reporting requirement, substantially identical to CAA's proposal,[1] which might be useful. Of course, we do so without in any way passing on the merits of CAA's charge against the OAG.

While CAA's petition seeks reporting of aircraft miles scheduled, the text of its suggested proposed rule would call for reporting of departures scheduled. Since the reporting of departures scheduled would provide a measure of reliability that is unaffected by trip length, we are proposing to require that they be reported for comparison with the number of scheduled departures completed, which we would also require to be reported.[2]

We specifically invite filed comments addressing the subsidiary issue as to whether the proposed requirement, if adopted, should be imposed only on one or more particular subclassifications of commuter carriers, e.g., those whose scheduled operations meet specified minimums of volume or frequency. Comments addressing this issue should suggest appropriate, precise criteria for such subclassifications.

PROPOSED RULE

It is proposed to amend Part 298 of the Economic Regulations (14 CFR Part 298) as follows:

Amend the reporting instructions for schedule A–1 of CAB Form 298–C as set forth in § 298.61 by adding paragraphs (d) (7) and (8) to read as follows:

§ 298.61 Reporting of scheduled operations by commuter air carriers.

* * * * * * *

(d) * * *

(7) Column (12) shall set forth the number of scheduled departures for the reporting quarter, which shall reflect the total number of takeoffs scheduled to be performed during the quarter as set forth in the published flight schedules.

(8) Column (13) shall set forth the number of scheduled departures completed for the reporting quarter, which shall reflect the total number of scheduled departures which were performed during the quarter pursuant to schedules excluding extra sections to scheduled departures. In determining whether a departure is performed as scheduled, only the originating point of the flight stage need be considered.

* * * * * * *

[FR Doc.76–832 Filed 1–9–76;8:45 am]

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

[41 CFR Part 51–5]

PROCUREMENT REQUIREMENTS AND PROCEDURES

Shipping and Packing

Paragraph (a) of § 51–5.4 of the Committee's Regulations provides that the shipment of all commodities on the Procurement List, except military resale commodities, shall be by Government bills of lading (GBL). In the case of small shipments, this requirement has sometimes resulted in unnecessary additional cost to the Government.

It is proposed to amend § 51–5.4(a) to permit ordering offices, for small shipments, to designate a method of transportation other than GBL and to provide for reimbursement to the workshop when the workshop pays the costs of transportation to destination.

Comments and views regarding this proposed change may be filed with the Committee not later than February 11, 1976. Communications should be addressed to the Executive Director, Committee for Purchase from the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

It is proposed to revise paragraph (a) of § 51–5.4 to read as follows:

[1] CAB Form 298–C is filed as part of the original document and can be obtained from the Publications Services Section, Civil Aeronautics Board, Washington, D.C. 20428.

[1] Part 298 was recently reissued, September 10, 1975, and the references herein are to the sections of the Part, as renumbered by the reissuance. ER–929, 40 F.R. 42855, September 17, 1975.

[2] It should be noted that the proposal to require reports of the number of "scheduled departures completed" is not to be confused with the present requirement that the number of "departures performed" must be reported. The present reported data includes departures which are not shown in published schedules—namely, extra sections and departures from the scheduled service pattern—and therefore would not provide a fair basis for measuring performance reliability.

§ 51–5.4 Shipping and packing.

(a) For commodities, except for military resale commodities, delivery is accomplished when a shipment is placed aboard the vehicle of the initial carrier. Time of delivery is the date shipment is released to and accepted by the initial carrier. Method of transportation to destination shall normally be by Government bills of lading. However, for small shipments, the ordering office may designate another method of transportation on its order. When shipments are under Government bills of lading, the bills of lading may accompany orders or be otherwise furnished, but they shall be supplied promptly. Failure by an ordering office to furnish bills of lading promptly, or to designate a method of transportation, may result in an excusable cause for delay in delivery. When the workshop pays for transportation to destination, these costs shall be included as a separate item on the workshop's invoice and the workshop shall be reimbursed by the ordering office for these costs.

* * * * *

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76–794 Filed 1–9–76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 477–5]

[40 CFR Part 104]

EFFLUENT STANDARDS FOR TOXIC POLLUTANTS

Notice of Proposed Rulemaking

Pursuant to the authority of Sections 307(a) and 501(a) of the Federal Water Pollution Control Act, as amended (the "Act") (33 U.S.C. Section 1251 et seq. Pub. L. 92–500, 86 Stat. 816), notice is hereby given that the Environmental Protection Agency proposes to amend the rules of practice applicable to public hearings required to be held in connection with the establishment of effluent standards for toxic pollutants.

On January 4, 1974 (39 FR 1027), the Environmental Protection Agency adopted a new Part 104, Title 40, Code of Federal Regulations setting forth rules of practice for the public hearings contemplated by Section 307(a) of the Act. This part was amended in two minor respects on March 5, 1974 (39 FR 8325). Since then extensive trial-type hearings have been held on proposed toxic pollutant effluent standards for nine substances listed by the Agency. Based on the experience of these hearings, it is believed that the modifications to the rules of practice hereinafter described and set forth will provide the necessary framework for more efficient and effective rulemaking proceedings.

(1) *Description of Principal Changes.* The provisions for the Notice of Hearing and the filing of objections to proposed effluent standards, previously set forth in Section 104.3 and Section 104.6, are now set forth in § 104.3 (a) and (b) respectively. It is provided that any party who has any objection to a proposed standard shall file such objection in triplicate with the hearing clerk within 20 days of publication of the proposed standard. The requirements for the contents of an objection have been somewhat streamlined while retaining the emphasis on maximum specificity in order to narrow the issues for the hearing itself.

A new § 104.3(c) has been added to clarify the status of public comments filed by persons who do not file formal objections to the standards pursuant to § 104.3 (a) and (b), and hence do not participate as parties at the hearing. The previous language of Section 104.5 included such comments as part of the record. Provision for submission of such comments and their consideration by the Agency in the development of its regulations is an important Agency policy, and is part of the "Declaration of Goals and Policy" of the Act as set forth in Section 101(e) thereof.

The Administrative Procedure Act, 5 U.S.C. § 556(e), provides that "The transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, constitutes the exclusive record for decision * * *" Section 307(a)(2) of the Act provides in pertinent part that following the hearing the proposed standards shall be promulgated "unless the Administrator finds, on the record, that a modification of such proposed standard (or prohibition) is justified based upon a preponderance of evidence adduced at such hearings, * * *" Because this language might be read to exclude public comments from the Administrators consideration unless they are actually placed in evidence at the hearing, § 104.5 was amended on March 5, 1974, to provide for their admission into evidence (39 FR 8325).

That amendment did not state when the comments are to be admitted in evidence, nor did it contain any cutoff date for their admission which would afford parties to the hearing a reasonable opportunity to review them and respond if necessary in the course of their own presentation. The proposed revisions in § 104.3(c) would fix a cutoff date for such comments of not later than the date set in the notice for the commencement of the hearing. The comments would then be admitted into evidence at the outset of the hearing. It is believed that this mechanism will provide the proper opportunity for public participation while at the same time allowing the parties a reasonable opportunity to review and respond to the comments, without undue delay or inconvenience to the presiding officer. It is also provided that in any consideration of such comments the Administrator may take into account the unavailability of cross-examination.

Several revisions are made to § 104.4 concerning the Agency's statement of basis and purpose. In addition to formal changes in language, a subsection has been added which requires statement of the purpose of the proposed standard. At the same time, the vague and burdensome requirement that the Agency set forth "any assumptions or calculations necessary" for derivation of a standard is eliminated in the light of the provisions of paragraphs (b), (c) and (d) which require the Agency to explain how the standard was derived, include scientific and technical data studies supporting the proposed standard, and furnish "such other information as may be reasonably required to set forth fully the basis of the standard." It is also made clear that where appropriate, scientific and technical data which is "published or otherwise readily available" may be referenced rather than physically incorporated. To the greatest extent possible the Agency will have copies of all materials which are referenced or cited in its statement of basis and purpose available for inspection and copying at the hearing and at any prehearing conference. However, the Agency should not be required in advance to respond to blanket requests for copies of all such materials which could amount in some instances to many thousands of pages.

Minor revisions have also been made to Section 104.5 describing the docket and record. It is specifically provided that the record includes documents or exhibits marked for identification even though they may not be received in evidence, and any other documents filed by any party in connection with the hearing, in order to preserve any appeal rights.

The provision for designation of a presiding officer in Section 104.6 (formerly Section 104.7) has been revised to provide for designation by the Chief Administrative Law Judge of the Agency or, in the event of unavailability of any administrative law judge within the Agency, by the Administrator.

The role of the prehearing conference, § 104.8, has been expanded in the interest of expediting the hearing proceedings, narrowing the issues, providing for exchange of documents and witness lists and related data, resolving where possible any objections to admission of evidence, scheduling, and the like, much along the lines currently in practice in the United States District Courts. It is further provided that any party may request a prehearing conference as of right within 20 days of the proposal of standards, and it is anticipated that such a prehearing conference would be held in virtually every instance of rule-making for which a hearing is scheduled. A new subsection (a)(7) authorizes designation of a lead counsel for objectors with common interests in order to avoid repetitious questioning of witnesses. This procedure has been recommended by the Administrative Conference of the United States and received judicial approval. *National Foods Ass'n.* v. *FDA*, 504 F. 2d 761, 795 (2nd Cir. 1974) (dictum), and has proven to be of great benefit in other hearing proceedings conducted by this Agency, e.g., *In re: Velsicol Chem-*

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ical Corporation, et al, Suspension of Chlordane and Heptachlor, EPA FIFRA Docket No. 384 (Order of Chief Administrative Law Judge Perlman, August 11, 1975).

Minor revisions have been made in § 104.9 (formerly § 104.10) on admission of evidence. These include the provision that the Agency's statement of basis and purpose and supporting materials shall be received in evidence at the outset, and the provision in subsection (e) steamlining the offer of proof procedure including the marking for identification of any document or object excluded from evidence by the presiding officer.

Several additions have been made to the hearing procedures described in § 104.10 (formerly § 104.11). At the previous hearings some question was raised as to whether the Agency or objectors should proceed first with evidence. Paragraph (a) is amended to provide that the Agency has the right at the commencement of the hearing following the admission into evidence of its statement of basis and purpose and supporting materials to supplement that evidence or to introduce additional relevant evidence at that time. Thereafter each objector is afforded an opportunity to introduce evidence in support of its objection and any proposed modification.

Following the objectors' case, the Agency is entitled to "rebut or respond to the objectors' presentation, including at its option the introduction of evidence which tends to support a standard or standards other than as set forth in the Agency's own initially proposed standards." This latter modification allows the Agency, within the context of rebuttal, to respond to evidence introduced by any objector which might indicate the desirability of a standard other than that initially proposed by the Agency (though not necessarily the standard proposed by the objector), and to put into the record evidence of this nature which might not otherwise be admissible under a strict construction of the scope of rebuttal. The objectors would then have a similar opportunity to rebut or respond to any such new evidence. This provision is regarded as essential to insure that the record contains the necessary evidence upon which the Administrator may ultimately base a standard or standards for the substance in question, thereby providing a proper foundation for reasoned rulemaking. This feature is particularly significant in view of the fact that in setting a standard the Administrator is not limited solely to those standards proposed by the Agency or enumerated by objectors (c.f., § 104.15), and the exercise of his judgment in this rule-making area should not be constrained by a record which is deficient in relevant evidence as a result of an unduly narrow interpretation of the scope of rebuttal.

The provision regarding burden of proof with respect to a modification of a standard, § 104.10(b), in the proposed amendment, has been revised, to track more closely the language in Section 307(a)(2) of the Act. In addition, the provision formerly in § 104.11(d) that the transcript shall not include argument is deleted. Minor revisions are made to the sections dealing with briefs and findings of fact at the conclusion of the hearing, as well as certification of the record.

A new § 104.13 has been added providing for interlocutory and post-hearing review of rulings of the presiding officer. Interlocutory review is allowed under limited circumstances in which there is substantial ground for difference of opinion, and where either a subsequent reversal of the ruling would be likely to result in substantial delay or expense if left to the conclusion of the proceedings, or a ruling on the question by the Administrator would be of material assistance in expediting the hearing. Such interlocutory review is discretionary both with the presiding officer and the Administrator, though the failure to seek or obtain interlocutory review does not prejudice the right to such review at the conclusion of the hearing. It is further provided that unless otherwise ordered by the presiding officer or the Administrator, the hearings shall continue pending consideration by the Administrator of any ruling or request for interlocutory review. The provisions are substantially in accordance with Recommendation No. 71-1 of the Administrative Conference of the United States, 1, CFR § 305.71-1 (1975 Ed.), and are generally similar to the statutory procedure in the federal courts under 28 U.S.C. Section 1292(b).

Subsection (g) of § 104.13 sets forth the requirements for the timing and content of written motions. This is a new provision, and should be read together with § 104.16 dealing with filing and time of documents, and service of copies upon other parties or their representatives.

The provision for a tentative decision, § 104.14, is amended in several respects. While the alternative of designating a responsible employee of the Agency to prepare a recommended decision is deleted, the new provision expressly recognizes the fact that in reviewing the entire record and preparing a tentative decision within the extremely tight time constraints of Section 307(a), the Administrator will have to utilize staff assistance. This is routine practice in most federal administrative agencies, and is essential given the workloads and responsibilities of the officials at the top of such agencies. Publication of the tentative decision in the FEDERAL REGISTER is deleted in favor of the more expeditious service of a copy on each party. The provision for allowing parties to file exceptions to the tentative decision and briefs in support thereof is retained. This may be eliminated if time constraints do not allow for it, in which case the decision is filed as final. Section 104.14(c) expressly authorizes the taking of official notice by the Administrator of facts which could be judicially noticed in the United States District Courts.

Section 104.15 has been revised to provide that at the time of the Administrator's final decision he shall also promulgate final standards. As noted above, the section makes clear what was previously implicit, namely that in promulgating final standards the Administrator is not limited solely to standards proposed initially by the Agency or expressly prescribed in any modification proposed by an objecting party.

Finally, the former provision in § 104.16 with respect to ex parte discussions has been deleted as unnecessary. The statutory language together with the framework provided by these rules set forth the complete mechanism by which interested persons may submit evidence and material to the Agency on the record with respect to the Agency's proposed standards. The promulgated standards in turn are to be based solely on that record. Cf., Administrative Procedure Act, 5 U.S.C. Section 556(e). With respect to discussions between the Administrator and Agency staff involved in the presentation of evidence at the hearing, the rule requiring separation of functions which applies in cases of adjudication, 5 U.S.C. Section 554(b), is inapplicable to rulemaking. *Hoffman-LaRoche, Inc.* v. *Kleindienst*, 478 F. 2d 1 (3rd Cir. 1973); *Willapoint Oysters* v. *Ewing*, 174 F. 2d 676 (9th Cir. 1949), cert. den. 338 U.S. 860, 70 S. Ct. 101, rehearing den. 339 U.S. 945, 70 S. Ct. 793; *Wilson & Co.* vs. *United States*, 335 F. 2d 788 (7th Cir. 1964), remanded by stipulation on other grounds, 382 U.S. 454, 86 S. Ct. 643 (1966); *Davis, Administrative Law Treatise*, 1970 Supp., p. 443.

(2) *Submission of Comments.* Interested persons may submit written comments in triplicate to Ridgway M. Hall, Jr., Special Assistant to the General Counsel (A-131), Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. All comments received not later than 30 days after publication of this notice will be considered.

Dated: December 29, 1975.

JOHN QUARLES,
Acting Administator.

Part 104 of Chapter I, Title 40, Code of Federal Regulations is amended to read as follows:

PART 104—PUBLIC HEARINGS ON EFFLUENT STANDARDS FOR TOXIC POLLUTANTS

Sec.

104.1 Applicability.
104.2 Definitions.
104.3 Notice of Hearing; Objections; Public comment.
104.4 Statement of Basis and Purpose.
104.5 Docket and Record.
104.6 Designation of Presiding Officer.
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104.13 Interlocutory and post-hearing review of rulings of the presiding officer; Motions.
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104.15 Promulgation of standards.
104.16 Filing and Time.

AUTHORITY: Secs. 501 and 307(a) of the Federal Water Pollution Control Act, as amended (33 U.S.C. Sec. 1251 et seq., Pub. L. 92-500, 86 Stat. 816).

§ 104.1 Applicability.

This Part shall be applicable to hearings required by statute to be held in connection with the establishment of toxic pollutant effluent standards under section 307(a) of the Act.

§ 104.2 Definitions.

As used in this part, the term:

(a) "Act" means the Federal Water Pollution Control Act, as amended, 33 U.S.C. section 1251 et seq. Pub. L. 92-500, 86 Stat. 816

(b) "Administrator" means the Administrator of the Environmental Protection Agency, or any employee of the Agency to whom the Administrator may by order delegate his authority to carry out his functions under section 307(a) of the Act, or any person who shall by operation of law be authorized to carry out such functions.

(c) "Agency" means the Environmental Protection Agency.

(d) "Hearing Clerk" means the Hearing Clerk, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

(e) "Party" means the Environmental Protection Agency as the proponent of an effluent standard or standards, and any person who files an objection pursuant to § 104.3 hereof.

(f) "Person" means an individual, corporation, partnership, association, state, municipality or other political subdivision of a state, or any interstate body.

(g) "Effluent standard" means any effluent standard or limitation, which may include a prohibition of any discharge, established or proposed to be established for any toxic pollutant under section 307(a) of the Act.

(h) "Presiding Officer" means the Chief Administrative Law Judge of the Agency or a person designated by the Chief Administrative Law Judge or by the Administrator to preside at a hearing under this part, in accordance with § 104.6 hereof.

§ 104.3 Notice of Hearing.

(a) Whenever the Administrator publishes any proposed effluent standard, he shall simultaneously publish a notice of a public hearing to be held within thirty days following the date of publication of the proposed standard. Any person who has any objection to a proposed standard may file with the hearing clerk a concise statement of any such objection. No person may participate in the hearing on the proposed toxic pollutant effluent standards unless the hearing clerk has received within 20 days of the publication of the notice of the proposed standards a statement of objection as herein described.

(b) *Objections.* Any objection to a proposed standard which is filed pursuant to subsection (a) hereof shall meet the following requirements:

(1) It shall be filed in triplicate with the hearing clerk within the time prescribed in paragraph (a) of this section;

(2) It shall state concisely and with particularity each portion of the proposed standard to which objection is taken, together with the basis for such objection;

(3) It shall (A) state specifically the objector's proposed modification to any such standard proposed by the Agency to which objection is taken, (B) set forth the reasons why such modification is sought, and (C) identify and describe the scientific or other basis for such proposed modification, including reference to any pertinent scientific data or authority in support thereof.

(c) *Public Comment.* The notice required under paragraph (a) of this section hereof shall also provide for the submission to the Agency of written comments on the proposed rulemaking by interested persons not filing objections pursuant to this section as hereinabove described, and hence not participating in the hearing as parties. The notice shall fix a time deadline for the submission of such comments which shall be not later than the date set for commencement of the hearing. Such comments shall be received in evidence at the commencement of the hearing. The Administrator in making any decision based upon the record may take into account the unavailability of cross-examination in determining the weight to be accorded such comments.

§ 104.4 Statement of basis and purpose.

Whenever the Administrator publishes a proposed effluent standard, the notice thereof published in the FEDERAL REGISTER shall include a statement of the basis and purpose of the standard or a summary thereof. This statement shall include:

(a) The purpose of the proposed standard;

(b) An explanation of how the proposed standard was derived;

(c) Scientific and technical data and studies supporting the proposed standard or references thereto if the materials are published or otherwise readily available; and

(d) Such other information as may be reasonably required to set forth fully the basis of the standard.

Where the notice of proposed rulemaking summarizes the full statement of basis and purpose, or incorporates documents by reference, the documents thus summarized or incorporated by reference shall thereupon be made available by the Agency for inspection and copying by any interested person.

§ 104.5 Docket and record.

Whenever the Administrator publishes a notice of hearing under this Part, the hearing clerk shall promptly establish a docket for the hearing. The docket shall include all written objections filed by any party, any public comments received pursuant to § 104.3(c), a verbatim transcript of the hearing, the statement of basis and purpose required by § 104.4, and any supporting documents referred to therein, and other documents or exhibits that may be received in evidence or marked for identification by or at the direction of the presiding officer, or filed by any party in connection with the hearing. Copies of documents in the docket shall be available to any person upon payment to the Agency of such charges as the Agency may prescribe to cover the costs of duplication. The materials contained in the docket shall constitute the record.

§ 104.6 Designation of presiding officer.

The Chief Administrative Law Judge of the Agency may preside personally at any hearing under this Part, or he may designate another Administrative Law Judge from within the Agency as presiding officer for the hearing. In the event of the unavailability of any such Administrative Law Judge, the Administrator may designate a presiding officer. No person who has any personal pecuniary interest in the outcome of a proceeding under this Part shall serve as presiding officer in such proceeding.

§ 104.7 Powers of presiding officer.

The presiding officer shall have the duty to conduct a fair hearing within the time constraints imposed by section 307(a) of the Act. He shall take all necessary action to avoid delay and to maintain order. He shall have all powers necessary to these ends, including but not limited to the power to:

(a) Rule upon motions and requests;

(b) Change the time and place of the hearing, and adjourn the hearing from time to time or from place to place;

(c) Examine and cross-examine witnesses;

(d) Admit or exclude evidence; and

(e) Require any part or all of the evidence to be submitted in writing and by a certain date.

§ 104.8 Prehearing conferences.

Prehearing conferences are encouraged for the purposes of simplification of issues, identification and scheduling of evidence and witnesses, the establishment of an orderly framework for the proceedings, the expediting of the hearing, and such other purposes of a similar nature as may be appropriate.

(a) The presiding officer on his own motion may, and at the request of any party made within 20 days of the proposal of standards hereunder shall, direct all parties to appear at a specified time and place for an initial hearing session in the nature of a prehearing conference. Matters taken up at the conference may include, without limitation:

(1) Consideration and simplification of any issues of law or fact;

(2) Identification, advance submission, marking for identification, consideration of any objections to admission, and admission of documentary evidence;

(3) Possible stipulations of fact;

(4) The identification of each witness expected to be called by each party, and the nature and substance of his expected testimony;

(5) Scheduling of witnesses where practicable, and limitation of the number of witnesses where appropriate in order to avoid delay or repetition;

(6) If desirable, the segregation of the hearing into separate segments for different provisions of the proposed effluent standards and the establishment of separate service lists;

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(7) Appointment of lead counsel for objectors with common interests so as to avoid repetitious questioning of witnesses.

(b) The presiding officer may, following a prehearing conference, issue an order setting forth the agreements reached by the parties or representatives, the schedule of witnesses, and a statement of issues for the hearing. In addition such order may direct the parties to file and serve copies of documents or materials, file and serve lists of witnesses which may include a short summary of the expected testimony of each and, in the case of an expert witness, his curriculum vitae, and may contain such other directions as may be appropriate to facilitate the proceedings.

§ 104.9 Admission of evidence.

(a) Where the presiding officer has directed identification of witnesses and production of documentary evidence by a certain date, the presiding officer may exclude any such evidence, or refuse to allow any witness to testify, when the witness was not identified or the document was not served by the time set by the presiding officer. Any such direction with respect to a party's case in chief shall not preclude the use of such evidence or testimony on rebuttal or response, or upon a showing satisfactory to the presiding officer that good cause existed for failure to serve testimony or a document or identify a witness by the time required. The presiding officer may require direct testimony to be in writing under oath and served by a certain date, and may exclude testimony not so served.

(b) At the first prehearing conference, or at another time before the beginning of the taking of oral testimony to be set by the presiding officer, the statement of basis and purpose and any other materials offered by the Agency staff in support of the proposed toxic pollutant effluent standards shall be received in evidence.

(c) The presiding officer may exclude evidence which is immaterial, irrelevant, unduly repetitious or cumulative, or would involve undue delay, or which, if hearsay, is not of the sort upon which responsible persons are accustomed to rely.

(d) If relevant and material evidence is contained in a report or document containing immaterial or irrelevant matter, such immaterial or irrelevant matter may be excluded.

(e) Whenever written testimony or a document or object is excluded from evidence by the presiding officer, it shall at the request of any party be marked for identification. Where oral testimony is permitted by the presiding officer, but the presiding officer excludes particular oral testimony, the party offering such testimony may make a brief offer of proof.

(f) Any relevant and material documentary evidence, including but not limited to affidavits, published articles, and official documents, regardless of the availability of the affiant or author for cross-examination, may be admitted in evidence, subject to the provisions of paragraph (a) of this section. The availability or nonavailability of cross-examination may be considered as affecting the weight to be accorded such evidence in any decision based upon the record.

§ 104.10 Hearing Procedures.

(a) Following the admission in evidence of the materials described in § 104.9(b), the Agency shall have the right at the commencement of the hearing to supplement that evidence or to introduce additional relevant evidence. Thereafter the evidence of each objector shall be presented in support of its objection and any proposed modification. The Agency staff shall then be given an opportunity to rebut or respond to the objectors' presentation, including at its option the introduction of evidence which tends to support a standard or standards other than as set forth in the Agency's own initially proposed standards. In the event that evidence which tends to support such other standard or standards is offered and received in evidence, then the objectors may thereafter rebut or respond to any such new evidence.

(b) The burden of proof as to any modification of any standard proposed by the Agency shall be upon the party who advocates such modification to show that the proposed modification is justified based upon a preponderance of the evidence.

(c) Where necessary in order to prevent undue prolongation of the hearing, or to comply with time limitations set forth in the Act, the presiding officer may limit the number of witnesses who may testify, and the scope and extent of cross-examination.

(d) A verbatim transcript of the hearing shall be maintained and shall constitute a part of the record.

(e) If a party objects to the admission or rejection of any evidence or to any other ruling of the presiding officer during the hearing, he shall state briefly the grounds of such objection. With respect to any ruling on evidence, it shall not be necessary for any party to claim an exception in order to preserve any right of subsequent review.

(f) Any party may at any time withdraw his objection to a proposed effluent standard.

§ 104.11 Briefs and findings of fact.

At the conclusion of the hearing, the presiding officer may set a schedule for the submission by the parties of briefs and proposed findings of fact and conclusions. In deciding whether to allow the filing of such briefs and proposed findings, the presiding officer shall consider the time constraints placed upon the parties and the Administrator by the statutory deadlines.

§ 104.12 Certification of record.

As soon as possible after the hearing, the presiding officer shall transmit to the hearing clerk the transcript of the testimony and exhibits introduced in the hearing. The presiding officer shall attach to the original transcript of testimony his certificate stating that, to the best of his knowledge and belief, the transcript is a true transcript given at the hearing except in such particulars as he shall specify, and that the exhibits transmitted are all the exhibits as introduced at the hearing with such exceptions as he shall specify.

§ 104.13 Interlocutory and post-hearing review of rulings of the presiding officer; motions.

(a) The presiding officer may certify a ruling for interlocutory review by the Administrator where a party so requests and the presiding officer concludes that (1) the ruling from which review is sought involves an important question as to which there is substantial ground for difference of opinion, and (2) either (A) a subsequent reversal of his ruling would be likely to result in substantial delay or expense if left to the conclusion of the proceedings, or (B) a ruling on the question by the Administrator would be of material assistance in expediting the hearing. The certificate shall be in writing and shall specify the material relevant to the ruling certified. If the Administrator determines that interlocutory review is not warranted, he may decline to consider the ruling which has been certified.

(b) Where the presiding officer declines to certify a ruling the party who had requested certification may apply to the Administrator for interlocutory review, or the Administrator may on his own motion direct that any matter be submitted to him for review. An application for review shall be in writing and shall briefly state the grounds relied on.

(c) Unless otherwise ordered by the presiding officer or the Administrator, the hearing shall continue pending consideration by the Administrator of any ruling or request for interlocutory review.

(d) Unless otherwise ordered by the presiding officer or the Administrator, briefs in response to any application for interlocutory review may be filed by any party within five days of the receipt of the application for review.

(e) Failure to request or obtain interlocutory review does not waive the rights of any party to complain of a ruling following completion of the hearing. Within five days following the close of a hearing under this Part, any party may apply to the Administrator for post-hearing review of any procedural ruling, or any ruling made by the presiding officer concerning the admission or exclusion of evidence to which timely objection was made. Within seven days following receipt of any such application any other party may file a brief in response thereto.

(f) If the Administrator on review under subsection (e) hereof determines that evidence was improperly excluded, he may order its admission without remand for further proceedings, or may remand with such instructions as he deems appropriate concerning cross-examination, or opportunity for any party to submit further evidence, with respect to such evidence as he directs should be admitted. In making his determination

whether to remand, the Administrator shall consider whether the statutory time restraints permit a remand, and whether it would be constructive to allow cross-examination or further evidence with respect to the newly admitted evidence. If evidence is admitted without cross-examination, the Administrator may consider the lack of opportunity for cross-examination in determining the weight to be given such evidence.

(g) Motions shall be brief, in writing and may be filed at any time following the first pre-hearing conference, unless otherwise ordered by the presiding officer or the Administrator. Unless otherwise ordered or provided in these rules, responses to motions may be filed within seven days of the receipt of the motion.

§ 104.14 Tentative and final decision by Administrator.

(a) As soon as practicable following the certification of the record and the filing by the parties of such briefs and proposed findings of fact and conclusions as allowed by the presiding officer under § 104.11, the Administrator, with such staff assistance as he deems necessary and appropriate, shall review the entire record and prepare and file a tentative decision based thereon. The tentative decision shall include findings of fact and conclusions, and shall be filed with the hearing clerk who shall at once transmit a copy thereof to each party who participated at the hearing, or his attorney or other representative.

(b) Upon filing of the tentative decision, the Administrator may allow a reasonable time for the parties to file with him any exceptions to the tentative decision, a brief in support of such exceptions containing appropriate references to the record, and any proposed changes in the tentative decision, if and to the extent that the statutory time for promulgation of a standard under section 307(a) of the Act, or timely compliance by the Administrator with any other provision of law, allows. Such materials shall, upon submission, become part of the record. If due to the aforesaid time constraints the Administrator does not allow the filing of exceptions, briefs, and proposed changes, then the decision described in paragraph (a) of this section shall be filed as a final decision. If the Administrator allows the filing of exceptions, briefs, and proposed changes, then as soon as practicable after the filing thereof the Administrator shall prepare and file a final decision, copies of which shall be transmitted to the parties or their representatives in the manner prescribed in paragraph (a) hereof.

(c) The Administrator may take official notice of facts which could be judicially noticed in the United States District Courts.

§ 104.15 Promulgation of Standards.

Upon consideration of the record, at the time of his final decision the Administrator shall determine whether the proposed effluent standard or standards should be promulgated as proposed, or whether any modification thereof is justified based upon a preponderance of the evidence adduced at the hearing, regardless of whether or not such modification was actually proposed by any objecting party. If he determines that a modification is not justified, he shall promulgate the standard or standards as proposed. If he determines that a modification is justified, he shall promulgate a standard or standards as so modified.

§ 104.16 Filing and time.

(a) All documents or papers required or authorized by the foregoing provisions of this Part including, but not limited to, motions, applications for review, and briefs, shall be filed in duplicate with the hearing clerk, except as otherwise expressly provided in these rules. Any document or paper so required or authorized to be filed with the hearing clerk, if it is filed during the course of the hearing, shall also be filed with the presiding officer. A copy of each document or paper filed by any party with the presiding officer, with the hearing clerk, or with the Administrator shall be served upon all other parties, except to the extent that the list of parties to be so served may be modified by order of the presiding officer, and each such document or paper shall be accompanied by a certificate of such service.

(b) A party may be represented in any proceeding under this Part by an attorney or other authorized representative. When any document or paper is required under these rules to be served upon a party such service may be made upon such attorney or other representative.

(c) Except where these rules or an order of the presiding officer require receipt of a document by a certain date, any document or paper required or authorized to be filed by this Part shall be deemed to be filed when postmarked, or in the case of papers delivered other than by mail, when received by the hearing clerk.

(d) Sundays and legal holidays shall be included in computing the time allowed for the filing of any document or paper, provided, that when such time expires on a Sunday or legal holiday, such period shall be extended to include the next following business day.

[FR Doc.76-845 Filed 1-9-76;8:45 am]

FEDERAL RESERVE SYSTEM

[12 CFR Part 202]

[Reg. B]

EQUAL CREDIT OPPORTUNITY

Miscellaneous Amendments

On April 25, 1975, the Board of Governors of the Federal Reserve System published for comment (40 FR 18183) a proposed regulation to implement the Equal Credit Opportunity Act (Title V of Pub. L. 93-495). Section 703 directs the Board to prescribe regulations to carry out the purposes of the Act, which prohibits discrimination on the basis of sex or marital status with respect to any aspect of a credit transaction. Numerous comments were received and public hearings were held on May 28 and 29, 1975. In response to comments received and views expressed at the public hearings, the Board published a revised proposal on September 10, 1975 (40 FR 42030). On October 22, 1975, the Board published the new regulation as adopted (40 FR 49298). In response to comments made both before and after the final adoption of Regulation B, the Board is proposing the following revisions to the regulation:

1. The word "each" has been deleted and the word "the" substituted in § 202.4 (d) (1), which requires that applicants be furnished with a notice regarding the Act, in order to clarify that a creditor need furnish only one notice in connection with each application, and that where two or more applicants have applied jointly for a single extension of credit, the notice need be furnished to only one of them. In determining which customer shall receive disclosures, however, a creditor may not select a customer who is secondarily liable, such as an endorser, co-maker (when designated as a surety), guarantor, or a similar party (this does not prohibit the creditor from also furnishing disclosures to such persons who are secondarily liable).

2. In section 203.5(d)(2), the words "under § 202.4(c)(3)" have been deleted as superfluous and possibly confusing.

3. Language has been added to § 202.6 (a)(2)(ii) to make it clear that in furnishing information under § 202.6 a creditor need furnish information only as to the spouse about whom the information is requested. A creditor may, however, report the fact that an account held by a spouse about whom information is requested is a joint account or is an account used by more than one spouse.

4. The requirement in § 202.9(a) that records be retained for 15 months after the date a creditor gives the applicant notice of action upon an application has been clarified to include an explicit requirement that such records shall include a copy of the notification of action taken on the application and, if applicable, a copy of the reasons for denial provided the applicant. Such a copy of the reasons for denial would include a copy of any written statement of reasons furnished to the applicant or of a notation or memorandum made by the creditor, if any, in connection with the oral furnishing of reasons.

5. Section 202.9(b) has been clarified to make it plain that an adverse change in the terms or conditions of an account includes a termination of the account; and to provide that records need not be retained under this section in the case of such events as (1) the applicant's (customer's) missing a certain number of payments as a result of which the computer automatically limits the applicant's credit line to zero, or (2) a change in the terms or conditions of all or a substantial portion of the accounts of a creditor resulting, for example, from changes in State law or in the creditor's business circumstances.

6. In paragraph 202.10(c), the requirement in §§ 202.5(m)(2) and 202.5(m)(3) that reasons for denial or termination of

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credit be furnished to the applicant upon request has been eliminated in the case of credit in amounts over $100,000 because the burden and expense imposed by such a requirement is unlikely to be offset by a commensurate benefit. Additionally, the specific requirement that a creditor shall not, on the basis of sex or marital status, fail to act upon or reasonably delay a decision on an application for business credit has been deleted because it is unnecessary in view of the applicability of § 202.5(m)(1) to such credit. A provision has been added that credit extended to a business in the firm's name is not subject to the requirements of § 202.4(e) because that section would be superfluous, or to § 202.5(g) because it may be a relevant consideration in extending credit that the firm has a telephone listed in its own name and such listing would not be related to marital status.

7. A new paragraph (f) has been added to section 10 to provide relief in the case of applicants for credit under student loan programs administered by the Department of Health, Education and Welfare. Under applicable statutes and regulations, such credit may not be granted without determination being made of the applicant's need, based in part upon inquiring into the resources of the parents and spouse (if any) of the applicant. The inquiries and verification necessary for making such determination do not appear to the Board to involve the sort of discrimination in connection with a credit transaction that the Equal Credit Opportunity Act was intended to prevent. The Board solicits comments from interested persons as to whether any other loan programs exist where credit is extended on the basis of need and which might appropriately be entitled to similar relief.

8. The reference to § 202.5(d) has been deleted from § 202.14(b) and added to § 202.14(d) to change its effective date from November 30, 1975 to June 30, 1976 in order to correct an inadvertent inconsistency with the effective date of 202.4(c)(3).

Pursuant to the authority of section 703 of the Equal Credit Opportunity Act (Pub. L. 93-495), 15 U.S.C. § 1691 et seq., the Board hereby proposes that Regulation B, 12 CFR Part 202, be amended as follows:

1. Section 202.4(d) is proposed to read as follows:

§ 202.4 Applications.

* * * * *

(d) *Equal Credit Opportunity Act notice.* (1) Except where application is made by telephone, or orally for an amount of credit to exceed an existing limit on an applicant's open end account, the creditor shall provide the applicant with the following notice in writing:

* * * * *

2. Section 202.5(d)(2) is proposed to read as follows:

§ 202.5 Evaluation of applications.

* * * * *

(d) *Alimony, child support and maintenance income.* * * *

(2) Where an applicant chooses to disclose alimony, child support or maintenance payments, a creditor shall consider such payment as income * * *

* * * * *

3. Section 202.6(a) is proposed to read as follows:

§ 202.6 Furnishing of credit information.

(a) * * *

(2) When furnishing information to consumer reporting agencies or others concerning an account designated under this section, a creditor shall report the designation and furnish any information concerning the account:

* * * * *

(ii) to recipients other than such agencies, in the name of each spouse about whom such information is requested.

* * * * *

4. Section 202.9(a) is proposed to read as follows:

§ 202.9 Preservation of records.

(a) * * *

(1) Any application form and all other written or recorded information used in evaluating an application; and

(2) A copy of the following if furnished to the applicant in written form (or if furnished orally, a notation or memorandum with respect thereto, if any, made by the creditor);

(i) The notification of action taken, and;

(ii) If applicable, the reasons for denial provided to an applicant in accordance with § 202.5(m) and

(3) Any written statement submitted by the applicant alleging discrimination prohibited by the Act or this Part.

(b)(1) For a period ending 15 months after the date a creditor adversely changes the terms or conditions of credit for an account or terminates an account, the creditor shall retain as to each account, in original form or a copy thereof:

(i) Any written or recorded information concerning such change or termination; and

(ii) Any written statement submitted by the applicant alleging discrimination prohibited by the Act or this Part.

(2) For purposes of paragraph (1), an adverse change in the terms or conditions of credit for an account does not include:

(i) A reduction of the credit limit on an account taken after the applicant has failed to make payment as provided in the credit agreement; or

(ii) A change in the terms or conditions of credit affecting all or a substantial portion of the creditor's accounts.

* * * * *

5. Section 202.10(c) is proposed to read as follows:

§ 202.10 Certain specialized credit.

* * * * *

(c) *Business credit.* Business credit shall be subject to the provisions specified in §§ 202.10(a), 202.5, 202.7 and 202.9, except that §§ 202.5(m)(2), 202.5(m)(3) and 202.9 shall only apply in those transactions involving an application for credit in the amount of $100,000 or less where the applicant requests in writing that the creditor provide such reasons or retain such records and §§ 202.4(e) and 202.5(g) shall not apply to business credit extended in the name of a business firm. As used in this Part, business credit is credit granted for business, commercial or agricultural purposes.

* * * * *

(f) *Credit in connection with certain student loan programs.* Credit in connection with student loan programs administered by the Department of Health, Education and Welfare shall be subject to all the provisions of this Part except that to the extent necessary or appropriate to ascertain and/or verify the applicant's marital status and the financial resources of the applicant and the applicant's spouse, if the applicant is married, §§ 202.4(c), 202.5(b), and 202.7(a) shall not apply.

* * * * *

6. Section 202.14(b) and (d) is proposed to read as follows:

§ 202.14 Transition periods.

Except as provided in § 202.6 with respect to that section, the provisions of this Part shall take effect as follows:

* * * * *

(b) Sections 202.4(b), 202.4(e), 202.5(e), 202.5(f), 202.5(g), 202.9(a) and 202.9(b) shall take effect on November 30, 1975.

* * * * *

(d) Sections 202.4(c), 202.4(d), 202.5(b) and 202.5(d) shall take effect on June 30, 1976.

* * * * *

Interested persons are invited to submit relevant written data, views, and arguments concerning these proposals to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received no later than February 2, 1976. Such material will be made available for public inspection and copying upon request, except as provided in § 261.6(a) of the Board's Rules Regarding Availability of Information.

This notice is published pursuant to section 553(b) of Title 5, United States Code, and § 262.2(a) of the Rules of Procedure of the Board of Governors of the Federal Reserve System (12 CFR 262.2(a)).

By order of the Board of Governors, January 2, 1976.

[SEAL] THEODORE E. ALLISON, *Secretary of the Board.*

[FR Doc.76-805 Filed 1-9-76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

[Release No. 11967, File No. S7-606]

AMENDMENT OF SECO RULES

Proposed Rulemaking

As published at 41 FR 1741 (January 12, 1976), the Commission announced the adoption of § 240.23a-2(T), effective immediately upon publication, which suspends until March 1, 1976, the operation of certain Commission rules in order to prevent the application of those rules to certain brokers or dealers who were required to register pursuant to Section 15 of the Securities Exchange Act of 1934 (the "Act") solely by reason of amendments to that Act effected by the Securities Acts Amendments of 1975, Pub. L. No. 94-29 (June 4, 1975) (the "1975 Amendments") pending consideration of certain proposed amendments to existing rules discussed herein. The proposed amendments to rules discussed herein should, therefore, be read in conjunction with § 240.23a-2(T), as adopted.

The Commission hereby gives notice of proposed amendments to §§ 240.15b8-1, 240.15b8-2, 240.15b9-1, 240.15b9-2 and 240.15b10-7, and invites comments thereon.

Background

Currently, Securities Exchange Act Rules 15b8-1 through 15b10-11 (the "SECO rules") prescribe a regulatory scheme for "nonmember" brokers or dealers. A nonmember broker or dealer is defined in the SECO rules as "any broker or dealer, including a sole proprietor, registered under Section 15 of the Act, who is not a member of a national securities association registered with the Commission under Section 15A of the Act." (emphasis added). Those rules were adopted pursuant to provisions of the Securities Acts Amendments of 1964, Pub. L. No. 88-467 (Aug. 20, 1964), which authorized the Commission to adopt rules prescribing qualifications for and otherwise regulating these brokers or dealers and their associated persons. At the time those rules were adopted, the Commission noted that the National Association of Securities Dealers, Inc. ("NASD"), the only registered securities association, and the various national securities exchanges required successful completion of a general securities examination as a prerequisite for entry by salesmen and others into the securities business and that the self-regulatory organizations also required their members to observe regulations concerning selling practices, just and equitable principles of trade and standards of high commercial honor and suitability.[1]

To avoid unnecessary duplication of regulation, the SECO rules were, in general, intended to apply only to those broker-dealers whose principal business activities were not subject to the regulations of the various self-regulatory bodies.[2] As contemplated by the 1964 Amendments, the SECO rules specifically apply to "non-members," thus excluding members of the NASD, who are regulated by that association with respect to their over-the-counter transactions. Exchange members who effect transactions exclusively on national securities exchanges were not heretofore required to be registered with the Commission under Section 15, and thus have been generally excluded from the SECO rules because those rules apply only to registered brokers or dealers. Those exchange members are regulated by the exchanges of which they are members.

Rule 15b8-1, which relates to qualifications, has applied only to non-NASD brokers or dealers effecting transactions "otherwise than on a national securities exchange." Furthermore, exchange members who did register because they did some over-the-counter business were specifically exempted, if they carried no accounts of customers and derived no more than $1,000 annual gross income from over-the-counter purchases and sales, from Rules 15b8-1, 15b9-2, which relates to annual fees, and 15b10-1 through 15b10-6, which relate to general business conduct, suitability, supervision of associated persons, discretionary authority and recordkeeping. Rules 15b10-8 and 15b10-9, which apply to public offerings of the securities of non-member broker-dealers or their affiliates, have not in practice been of concern to broker-dealers who do not effect over-the-counter transactions. Rule 15b10-10, which regulates certain practices of sellers of mutual funds and other investment company securities, is not relevant to broker-dealers who do no over-the-counter business. Rule 15b10-11 sets forth mandatory fidelity bonding requirements for nonmember broker-dealers which are members of the Securities Investor Protection Corporation. Members in good standing and subject to the fidelity bonding requirements of certain national securities exchanges having bonding requirements generally comparable to Rule 15b10-11 are exempt from that rule.[3]

Effects of 1975 Amendments

As a result of amendments enacted by the 1975 Amendments to Section 3(a)(17) of the Act, which defines interstate commerce to include the intrastate use of any facility of a national securities exchange, and to Section 15(a)(1) of the Act, which relates to registration of brokers or dealers who trade exclusively on national securities exchanges were required to register with the Commission as of December 1, 1975, the effective date of Section 15(a)(1), as amended. As a consequence of registering with the Commission, such brokers or dealers could become subject to the SECO rules, unless they satisfy the previously existing exemptions. Further, all newly registered broker-dealers who do not join the NASD would be required to comply with Rule 15b9-1, which does not contain an exemption for those newly registered "nonmember" firms, by filing Form SECO-5 and paying the filing fee within 45 days from registration.

The 1975 Amendments have also modified the sections of the Act pursuant to which the SECO rules were adopted. under new Section 15(b)(7) (formerly Section 15(b)(8)), the Commission is required, irrespective of organizational affiliation or market in which business is done, to establish standards of operational capability for all registered brokers and dealers, and minimum standards of training, experience, competence, and such other qualifications for registered brokers, dealers and all associated persons as the Commission finds necessary or appropriate in the public interest or for the protection of investors. In addition, under new Sections 15(b)(8) and (9), (formerly Sections 15(b)(9) and (10)), the Commission's SECO jurisdiction has been extended to transactions by non-NASD members on exchanges of which they are not members.

Proposed Amendments

The staff of the Commission is presently considering, in light of its broadened authority under new Section 15(b)(7), the question of what uniform minimum qualification standards should be applicable for the entire brokerage industry. Pending further consideration of the qualification standards used by the NASD and by all exchanges, the Commission will continue to accept NASD members (and their associated persons) as qualified to participate in the over-the-counter market and members of registered national securities exchanges (and their associated persons) as qualified to trade on the exchanges of which they are members. A broker-dealer whose business is limited to the particular market for which he has thus qualified should not also be subject to the SECO rules. Accordingly, in order to exempt from the SECO rules those exchange members whose securities business is in practical effect limited to effecting transactions on a national securities exchange of which they are members, the Commission is proposing revised exemptions from those rules for such exchange members.

Rules 15b8-1, 15b9-2 and 15b10-7 (which provides exemptions from Rules 15b10-1 through 15b10-6) have previously contained provisions which exempt broker-dealers who carry no accounts of customers and derive no more than $1000 annual gross income from transactions otherwise than on a national securities exchange. As the Commission explained when it adopted Rule 15b8-1,[4] the purpose of this exemption was to permit certain specialists and other floor members of national securities exchanges who introduce accounts to other members to receive a portion of the commissions paid on occasional over-the-counter transactions on these introduced accounts, without becoming subject to the SECO rules, so long as the income derived from those activities was nominal. The Commission proposes to revise the existing exemptions by substituting the phrase "otherwise than on a national securities exchange of which he is a member" for the phrase "otherwise than on a national securities exchange." The revision, which is being

See footnotes at end of document.

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proposed to conform the scope of the SECO rules to the Commission's authority under new Sections 15(b)(8) and 15(b)(9), would subject broker-dealers who effect transactions on exchanges other than those of which they are members to the SECO rules.[5]

Further, the Commission is proposing to revise the existing SECO exemptions to exclude, from the limitation on gross income derived by a broker-dealer from transactions otherwise than on the exchange of which he is a member, income derived from transactions for the broker-dealer's own account which are effected with or through another broker or dealer who is a member of the exchange on which such transactions are effected or who, in the case of over-the-counter transactions, is a member of a registered securities association or is qualified pursuant to Rule 15b8–1.

The exemptions presently contained in Rules 15b8–1, 15b9–2 and 15b10–7 would each be revised as described above, and a similar exemption would be added to Rule 15b9–1. Rule 15b8–2, which provides that nonmember broker-dealers which have been expelled or suspended from a registered national securities exchange or association, and individuals barred or suspended from association with any member of such association or exchange, for conduct inconsistent with just and equitable principles of trade are unqualified to engage in securities activities pursuant to former Section 15(b)(8) of the Act, and prescribes procedures for obtaining from the Commission, upon an appropriate showing, relief from such disqualification, would not contain an exemption. The effect of this rule, prior to the 1975 Amendments, has been to prevent any person who has been expelled or suspended from, or barred from association with a member of, a securities association or exchange from being able to continue to engage in the over-the-counter securities business as a SECO broker-dealer. As a result of amendments to former Section 15(b)(8) (now Section 15(b)(7)),[6] which directs the Commission to set qualification standards for the entire industry, Rule 15b8–2 now effectively disqualifies a person who has been expelled or suspended from, or barred from association with a member of, a securities association or exchange from engaging in securities activities in any market. To reflect its broadened authority to set qualification standards, the Commission also proposes to amend Rule 15b8–2 to make it applicable to all registered broker-dealers and their associated persons rather than just nonmember (of a national securities association) broker-dealers and their associated persons.

A person who has been expelled or suspended from, or barred from association with a member of, a securities exchange or association may wish to remain or become a member, or become associated with a member, of another exchange or association and engage in securities activities in the market regulated by such organization. The Commission believes that the recommendation of such other exchange or association with respect to such person's qualifications to continue to engage in securities activities would be of assistance to the Commission in its review of an application for relief from disqualification made pursuant to paragraph (b) of Rule 15b8–2. The Commission proposes to amend paragraph (d) of that rule to permit the Commission to defer a determination as to whether to grant or deny an application made pursuant to paragraph (b) pending receipt of such recommendation; any such recommendation would also constitute the notice required to be given by exchanges or associations under Section 6(c)(2) or 15A(g)(2).

The Commission is also proposing to revise paragraph (b) of Rule 15b8–2 to clarify the provisions of that paragraph.

While generally exempting from the SECO rules broker-dealers who trade almost exclusively on an exchange of which they are members, the Commission believes that minimum qualifications should be prescribed for broker-dealers trading on exchanges of which they are not members. Accordingly, the Commission is proposing to delete the parenthetical "(otherwise than on a national securities exchange)" from paragraph (a) of Rule 15b8–1 so that that rule would be applicable to nonmember (of the NASD) broker-dealers trading on exchanges of which they are not members as well as over-the-counter.

In addition, the Commission proposes to substitute the phrase "otherwise than on a national securities exchange of which he is a member" for the phrase "otherwise than on a national securities exchange" in paragraph (d) of Rule 15b9–1 to reflect the language of new Sections 15(b)(8) and 15(b)(9), which now authorize the Commission to prescribe regulation and collect fees to defray the cost thereof with respect to transactions by a nonmember broker-dealer otherwise than on a national securities exchange of which it is a member.

The 1975 Amendments, in amending Section 15(b) of the Act, have changed the numbering of the various paragraphs of that Section. The Commission intends to redesignate the rules promulgated under the principal provisions of Section 15(b) at some time in the future, following the completion of textual revision of those rules.

STATUTORY BASIS

The Securities and Exchange Commission, acting pursuant to the provisions of the Securities Exchange Act of 1934, 15 U.S.C. 78a et seq., as amended by the Securities Acts Amendments of 1975, Pub. L. No. 94–29 (June 4, 1975), and particularly Sections 15(b) and 23(a) thereof, hereby proposes amendments to Securities Exchange Act Rules 15b8–1, 15b8–2, 15b9–1, 15b9–2 and 15b10–7 (17 CFR 240.15b8–1, 15b8–2, 15b9–1, 15b9–2 and 15b10–7), as stated below.

TEXT OF RULES AS PROPOSED TO BE AMENDED

1. Securities Exchange Act Rule 15b8–1, 17 CFR 240.15b8–1, would be amended to read as follows (additions are *underscored;* deletions are [bracketed]):

§ 240.15b8–1 Qualifications and fees relating to brokers or dealers who are not members of a national securities association.

(a) No nonmember broker or dealer shall effect any transaction in, or induce the purchase or sale of, any security [(otherwise than on a national securities exchange)] unless such nonmember broker or dealer meets all of the following conditions:

(1) through (4) (no change).

(b) Any nonmember broker or dealer who is a member of a national securities exchange shall be exempt from this rule if (1) he carries no accounts of customers, and (2) his annual gross income derived from purchases and sales of securities otherwise than on a national securities exchange *of which he is a member* is in an amount no greater than $1,000, *provided however, that gross income derived from transactions otherwise than on such national securities exchange which are effected for his own account with or through a broker or dealer who is a member of the national securities exchange on which such transactions are effected or, in the case of transactions otherwise than on a national securities exchange, is a member of a registered securities association or is qualified under paragraph (a) of this rule shall not be subject to such limitation.*

(c) (no change).

2. Securities Exchange Act Rule 15b8–2, 17 CFR 240.15b8–2, would be amended to read as follows:

§ 240.15b8–2 Disqualification of nonmember brokers and dealers and their associated persons—association or exchange disciplinary actions.

(a) *No registered* [nonmember] broker or dealer or associated person of a *registered* [nonmember] broker or dealer shall be deemed qualified pursuant to section 15(b)(1)[(8)] of the Act, if, by action of a registered national securities association or exchange, such nonmember broker or dealer or associated person has been and is expelled or suspended from such association or exchange or has been and is barred or suspended from being associated with all members of such association or exchange for violation of any such association or exchange rule which prohibits any act or transaction constituting conduct inconsistent with just and equitable principles of trade or requires any act the omission of which constitutes conduct inconsistent with just and equitable principles of trade.

(b) Upon written application with respect to any person deemed unqualified to engage in securities activities pursuant to paragraph (a) of this section, the Commission may, [if it finds it appropriate in the public interest and for the protection of investors and to carry out the purposes of section 15(b)(8), after notice and opportunity for hearing and] subject to such terms and conditions as it may determine to be necessary or desirable, find that *the public interest and protection of investors do not require that such person be deemed unqualified to engage in securities activities* [notwithstanding such association or exchange action such person may engage in securities activities pursuant to such section]. The receipt by the Commission of such application shall operate as a stay of the disqualification provisions of paragraph (a) of this section pending the Commission's determination with respect to the merits of the application. [Such] *The application for a person who proposes to become associated with a registered broker or dealer* should ordinarily be made by the prospective employer of such person.

(c) (no change).

(d) Where it deems it appropriate to do so, the Commission may grant or deny an application or issue any other findings pursuant to paragraph (b) of this section on the basis of the papers filed without oral hearings. *The Commission may defer its determination to grant or deny an application or issue any other findings pursuant to paragraph (b) of this section pending receipt of the recommendation of any securities exchange or association of which such broker or dealer wishes to remain or become a member, or with respect to a member of which such person wishes to become associated, as to the qualifications of such broker, dealer or person to engage in securities activities as a member, or person associated with a member, of such exchange or association.*

(e) (No change).

Paragraph (f)(1) would be deleted and paragraph (f)(2) would be designated as paragraph (f).

3. Securities Exchange Act Rule 15b9–1, 17 CFR 240.15b9–1, would be amended to read as follows:

§ 240.15b9–1 Initial fees for registered brokers and dealers not members of a registered national securites association and their associated persons.

(a) Through (c) (no change).

(d) No nonmember broker or dealer shall effect any transaction in, or induce the purchase or sale of, any security, otherwise than on a national securities exchange *of which he is a member*, unless he has complied with the applicable provisions of this section. Paragraph (e) would be designated as paragraph (f) and a new paragraph (e) would be added as follows:

(e) *Any nonmember broker or dealer who is a member of a national securities exchange shall be exempt from this rule if (1) he carries no accounts of customers, and (2) his annual gross income derived from purchases and sales of securities otherwise than on a national securities exchange of which he is a member is in an amount no greater than $1,000, provided, however, that gross income derived from transactions otherwise than on such national securities exchange which are effected for his own account with or through a broker or dealer who is a member of the national securities exchange on which such transactions are effected or, in the case of transactions otherwise than on a national securities exchange, is a member of a registered securities association or is qualified pursuant to paragraph (a) of Rule 15b8–1 (§ 240.15b8–1 of this chapter) shall not be subject to such limitation.*

4. Securities Exchange Act Rule 15b9–2, 17 CFR 240.15b9–2, would be amended to read as follows:

§ 240.15b9–2 Annual fees for registered brokers and dealers not members of a registered national securities association.

(a) Through (e) (no change).

(f) *Exemptions.* A broker or dealer shall *be exempt from* [not be required to pay the fees prescribed by] this section if:

(f)(1) and (f)(2) (no change).

(3)(i) He is a member of a national securities exchange, (ii) he carries no accounts for customers, and (iii) his annual gross income derived from purchases [,] *and* sales [and exchanges] of securities otherwise than on a national securities exchange *of which he is a member* is in an amount no greater than $1,000, *provided however, that gross income derived from transactions otherwise than on such national securities exchange which are effected for his own account with or through a broker or dealer who is a member of the national securities exchange on which such transactions are effected or, in the case of transactions otherwise than on a national securities exchange, is a member of a registered securities association or is qualified pursuant to paragraph (a) of Rule 15b8–1 (§ 240.15b8–1 of this chapter) shall not be subject to such limitation.*

5. Securities Exchange Act Rule 15b10–7, 17 CFR 240.15b10–7, would be amended to read as follows:

§ 240.15b10–7 Exemption for certain exchange members.

Any nonmember broke or dealer who is a member of a national securities exchange shall be exempt from §§ 240.15b10–1 through 240.15b10–6 if (1) he carries no accounts of customers, and (2) his annual gross income derived from purchases and sales of securities otherwise than on a national securities exchange *of which he is a member* is in an amount no greater than $1,000, *provided however, that gross income derived from transactions otherwise than on such national securities exchange which are effected for his own account with or through a broker or dealer who is a member of the national securities exchange on which such transactions are effected or, in the case of transactions otherwise than on a national securities exchange, is a member of a registered securities association or is qualified pursuant to paragraph (a) of Rule 15b8–1 (§ 240.15b8–1 of this chapter) shall not be subject to such limitation.*

Interested persons are invited to submit written data, views and arguments concerning the proposed amendment of Rules 15b8–1, 15b8–2, 15b9–1, 15b9–2 and 15b10–7 by January 25, 1976. Persons desiring to make written submissions should file six copies thereof with the should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to File No. S7–608. All written coments wil be available at the Commission's Public Reference Room, 1100 L Street, N.W., Washington, D.C.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 31, 1975.

FOOTNOTES

[1] See Securities Exchange Act Release Nos. 7697 (Sept. 7, 1965), 30 FR 11673 (Sept. 11, 1965); 8135 (July 27, 1967), 32 FR 11637 (Aug. 11, 1967); 8308 (May 8, 1968), 33 FR 7075 (May 11, 1968).

[2] See; e.g., Securities Exchange Act Release No. 8035 (July 27, 1967), 32 FR 11637 (Aug. 11, 1967).

[3] Members of the American, Boston, Midwest, New York, Pacific and PBW Stock Exchanges and the Chicago Board Options Exchange are currently exempt. The Commission is not, at this time, proposing to amend the exemption from Rule 15b10–11. The Commission is considering further revisions in Rule 15b10–11 and may amend the exemption from that rule sometime in the future.

[4] Securities Exchange Act Release No. 7697 (Sept. 7, 1965), 30 FR 11673 (Sept. 11, 1965).

[5] Under new Section 6(f) of the Act, the Commission may also require any broker or dealer not a member of a national securities exchange effecting transactions on such exchange on a regular basis to comply with such rules of such exchange as the Commission may specify.

[6] The reference to Section 15(b)(8) in paragraph (a) of Rule 15b8–2 would be changed to 15(b)(7) to reflect a change in numbering effected by the 1975 Amendments.

[FR Doc.76–761 Filed 1–9–76;8:45 am]

AGRICULTURE DEPARTMENT

Animal and Plant Health Inspection Service

[9 CFR Parts 318, 381]

NITRATES, NITRITES, AND SALT

Extension of Time for Comments

● **Purpose: The purpose of this document is to extend the period of time for public comment on proposed amendments to the federal meat and poultry inspection regulations concerning modifications in the use of nitrates, nitrites, and salt in meat and poultry products. On November 11, 1975, there was published in the "Federal Register" (40 FR 52614–52616), a notice proposing to amend the meat and poultry inspection regulations (9 CFR 318 and 381), to provide for modifications in the use of nitrates, nitrites, and salt in meat and poultry products. Interested persons were given until January 12, 1976, to comment.** ●

The Department has determined to extend the period of time within which written data, views, or arguments may be submitted, or oral views may be presented. A number of persons have requested an extension of time so that they

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can consolidate and present their views and information.

Since the Department is interested in receiving meaningful comments, these circumstances are considered sufficient justification for an extension of time originally allotted for filing comments.

Accordingly, any person who wishes to submit written data, views, or arguments concerning the proposed amendments may do so by filing them in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, by January 31, 1976. Also, the period for oral presentation of views is extended to January 31, 1976. Persons desiring opportunity for oral presentation of views should address such requests to the Product Standards Staff, Scientific and Technical Services Division, Meat and Poultry Inspection Program, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250, so that arrangements may be made for presentation of such views by January 31, 1976.

In all other respects, the procedure specified in the proposal published on November 11, 1975, shall continue to apply in the rulemaking proceeding.

Done at Washington, D.C., on January 9, 1976.

FRED J. FULLERTON,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc.76-1080 Filed 1-9-76;11:29 am]

Soil Conservation Service

[7 CFR Part 662]

EQUIPMENT GRANTS TO CONSERVATION DISTRICTS

Proposed Revocation of Equipment Grant Part

For a number of years the Soil Conservation Service (SCS) has been granting equipment and materials to soil, water and other conservation districts under certain conditions as set forth in 7 CFR Part 662. The purpose of the equipment grants has been to enable districts to install soil and water conservation measures where qualified contractors are either not available or are not interested in doing the work.

In view of the fact that there are now a sufficient number of contractors to carry out soil and water conservation work, it is apparent that equipment grant program is no longer necessary. It is therefore proposed that the equipment grant program be terminated by revocation of 7 CFR Part 662.

Interested persons may submit written data, views, or arguments on the proposed termination of the SCS equipment grant program. All communications received on or before May 11, 1976, will be considered before action is taken on the proposal. The proposal may be changed in light of comments received.

Dated: January 6, 1976.

R. M. DAVIS,
Administrator.

[FR Doc.76-799 Filed 1-9-76;8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

STATE DEPARTMENT

Agency for International Development

RESEARCH ADVISORY COMMITTEE Meeting

Pursuant to Executive Order 11769 and the provisions of Section 10(a)(2), P.L. 92-463, Federal Advisory Committee Act, notice is hereby given of the A.I.D. Research Advisory Committee meeting on January 15-16, 1976, at the Pan American Health Organization Building, 23rd Street and Virginia Avenue, N.W., Conference Room "C", to review, appraise and make recommendations to the Administrator, Agency for International Development, concerning projects proposed for A.I.D. central research funding in the field of food and nutrition. The meeting will begin at 9:00 a.m. and adjourn at 5:30 p.m. each day. The meeting will be open to the public. Dr. Erven J. Long, Associate Assistant Administrator, is designated as the A.I.D. representative at the meeting. It is suggested that those desiring more specific information contact Dr. Erven J. Long, 21st Street and Virginia Avenue, N.W., Washington, D.C. 20523, or call area code 202-632-3800.

Dated: December 1, 1975.

CURTIS FARRAR,
Assistant Administrator for Technical Assistance.

[FR Doc.76-777 Filed 1-9-76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 75-1430; Docket No. 19660, RM-690]

INTERNATIONAL RECORD CARRIERS' SCOPE OF OPERATIONS

Report and Order and Notice

I. PRELIMINARY STATEMENT

In the Matter of International Record Carriers' Scope of Operations in the Continental United States, Including Possible Revisions to the Formula Prescribed under Section 222 of the Communications Act.

1. This investigation and rulemaking proceeding was instituted in 1973 to determine whether the Commission should modify the present international formula which was prescribed in 1943. That formula governs distribution by Western Union Telegraph Company (WU) among the international record carriers (IRCs) of outbound, unrouted international message telegraph traffic. Our reasons for instituting this proceeding are fully presented at 43 FCC 1174 (1973), (Designation Order). In a subsequent order, 47 FCC 2d 225 (1974), we modified our procedures because of a controversy among the parties concerning the reliability of information submitted by the International Quota Bureau (IQB).[1]

2. Pursuant to our orders, Statements of Fact and Memorandums of Law were filed on July 10, 1974 by Canadian National Railway (CNR), Canadian Pacific, Ltd. (CPL), ITT, RCA Global Communications, Inc. (RCA), TRT Telecommunications Corporation (TRT), Western Union International, Inc. (WUI), and WU.[2] In addition to these Statements, Comsat General Corp. on July 8, 1974 filed Comments and on August 30, 1974 a Reply, in which it raised the question whether the formula governing distribution of outbound message telegraph traffic destined to ships at sea (maritime formula) should be revised. On August 19, 1974, all respondents except CNR and CPL filed Responses to the initial Statements and, on September 6, 1974, Replies. During April, 1975, WU submitted to the parties and the Commission the results of its study of outbound message traffic. Based on the results of this study, the parties filed on August 1, 1975, Supplementary Comments and on August 28, 1975, Supplemental Replies. In addition to these formal pleadings, statistical data were submitted by the IQB. Not submitted for consideration in this inquiry, but incorporated by reference into the pleadings of RCA and ITT, was a document prepared by the Policy Support Division, Office of Telecommunications, United States Department of Commerce (OT) entitled Policy Research Estimate, Working Draft, The International Formula for the Distribution of Unrouted Telegraph Messages, dated June 2, 1975. To the extent useful in considering the arguments of the parties, we will take notice of this document. The foregoing items, plus the pleadings considered in the Designation Order, constitute the record for decision in this proceeding.

[1] The IQB is the professional staff of the International Formula Committee (IFC), a body composed of representatives of the IRCs entitled to traffic under the formula. Section XI of the formula places administration of its provisions with the IFC. In carrying out its function to instruct WU to which carriers it is to distribute traffic, the IQB maintains data on traffic volumes and distribution. The Designation Order made the IFC and IQB parties for the purpose of providing the respondents with data for their use in responding to the designated issues. 43 FCC 2d at 1182.

[2] The French Telegraph Cable Co. (FTC) and United States-Liberia Radio Corporation (U.S. Liberia) were also named as parties to this inquiry. Both carriers filed statements that they did not wish to participate in the inquiry, but stood ready to implement any decision of the Commission.

SUMMARY

3. After considering the views of the parties and other material before us, we have concluded that the present method of distribution embodied in the international formula is unjust, unreasonable, inequitable and not in the public interest; and that the formula should therefore be replaced as provided below. In reaching this conclusion we find that the present formula, under the circumstances prevailing today, fails to meet the statutory standard in Sections 222(e)(1) and 222(e)(3) either in concept or in operation. As we explain more fully below, the present formula, with its basic unit the quota system, represents a market-sharing device which is by definition antithetical to the free flow of competition which Congress sought to encourage and enhance. Whatever may have been the justification for this arrangement under the unique circumstances facing us in 1943, the present conditions in the industry and the economy generally indicate that such practices now work against the public interest. We have also found that the formula has not worked well in practice. Due to weaknesses in the formula structure and changes in the industry which the formula failed to predict or allow for, serious distortions have developed in the pattern of distribution which appear unlikely ever to correct themselves. These distortions have made the present formula inequitable as among the parties and have worked against the public's interest in a strong, efficient public message service. In these circumstances, we believe the formula has outlived its usefulness and should be repealed. In place of the present formula, we will place distribution of traffic on the choice of the customer. For reasons discussed fully below, however, we cannot move immediately to required customer routing. In the interim, we have prescribed a new formula which distributes unrouted traffic among the IRCs in the same proportions as each carrier handles routed traffic. In this way, the inequities of the present distribution will be eliminated and the carriers encouraged to seek specific routings from customers. In the material which follows we will set out (1) the historical background, (2) a summary of the contentions of the parties, (3) our findings with respect to the designated issues, (4) our conclusions with respect to the present formula, (5) the interim method of distributing outbound traffic, and (6) the measures we intend to take toward implementation of the all-routed method of distribution.

A. Historical Background. 4. The present international formula was prescribed

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in 1943 pursuant to Section 222(e)(1) of the Act[2] in connection with our approval of the plan of merger submitted by WU and the Postal Telegraph Cable Company (Postal). Section 222 had been added to the Act to permit merger of the two remaining domestic telegraph companies with extensive nationwide public message services. Congress imposed on the permission to merge ancillary restrictions to control the power WU would achieve by its consequent *de facto* domestic monopoly. For present purposes, the two relevant restraints are the divestment requirement in Section 222(c)(2) and the requirement of Section 222(e)(1) for a formula to govern distribution of traffic by WU among the IRCs. These requirements were occasioned by the fact that, prior to merger, WU operated an extensive international message telegraph network (WU Cables Division) in addition to its domestic network. As a condition of merger, WU was required to divest itself of its international facilities. However, because WU was subject to certain legal commitments, Congress believed that divestment might be delayed. For this reason, Congress did not make divestment a precondition of merger.[4] In the interim, Congress imposed a requirement for a formula to govern distribution of traffic which would prevent WU from using its domestic monopoly power to the detriment of its international competitors.

5. Prior to the merger, RCA was the only IRC which maintained public offices in the main international terminal cities of New York and San Francisco. The others relied largely on connections with WU and Postal for the intra-United States handling of their overseas traffic. WU exchanged traffic between its domestic operations and its Cables Division. The component companies of ITT had similar arrangements with Postal, which until 1940 had been affiliated with ITT. Various IRCs also had arrangements with WU (domestic) for exchange of traffic to and from hinterland points. In addition, RCA and Mackay Radio & Telegraph Company (a predecessor constituent of ITT) also operated a few domestic radio circuits linking major cities, which they used chiefly for domestic handling of their international traffic. However, with the disappearance of Postal after the merger, and the termination of the Mackay and RCA domestic circuits during World War II, the IRCs after merger were dependent on WU for the domestic handling of their traffic.

6. To accommodate their concerns, the parties developed a formula based on quotas for each carrier which, by freezing the carriers' pre-merger positions, would prevent WU from favoring itself.[5]

The formula divides international destination points into three "Areas"—"A" (Atlantic), "B" (Latin America), and "C" (Pacific)—grouped according to the facilities used to serve points within them and the carriers which then operated there. These Areas are broken down into a number of "Subareas." For the purpose of applying the quota system, the basic unit is the subarea. The formula also divided points of origin in the United States into two classes: (1) New York, San Francisco and Washington, D.C. (called "gateways") and (2) other United States points (called "hinterland"). Essentially, there are two separate formulas provided for—one for gateway-originated traffic and one for hinterland-originated traffic. Based on the above, the formula provides to named IRCs a quota for each category of traffic, for each subarea of destination, and for each recognized origin point.[6] A carrier's quota for each category of traffic is defined as the ratio of outbound traffic in that category handled by that carrier during 1942, to the total traffic handled that year by all carriers serving that point. Essentially, then, a carrier's quota represents its market share during the base period.[7] WU was directed to apply the quotas so that each eligible IRC received a porportion during the current period of "gross international tolls"[8] equal to its quota. There was, however, a problem inherent in the quota system arising from the fact that, irrespective of quotas, an IRC was to receive all traffic specifically routed by the sender via that carrier. Because of this feature, WU would be able to insert routings via WU Cables on any message and thereby divert traffic to its own facilities. To counter this, therefore, the formula provides a mechanism (balancing provision) designed to restore the general market shares. If a carrier exceeded its quota in any category solely from routed traffic, WU was to withhold from it an equivalent amount of unrouted traffic in other categories to balance the excess. If a carrier failed to receive its quota in a given month, the distribution was to be adjusted in later months to compensate it for the deficiency.

7. Beyond its basic features, the formula includes several special provisions aimed at particular problems or concerns of individual carriers. First, under the formula, RCA was entitled to receive specifically-routed traffic destined to Areas A and B; but received no unrouted traffic originating in the gateways (it does have quotas for hinterland traffic). Instead, Schedule B to the formula provided that RCA was to receive approximately 61.5% of WUI's quotas[9] for traffic destined to the subareas, Continental Europe and Beyond the Continent, of Area A. RCA and WU had entered into a contract in 1931 providing for a similar shift of a block of traffic, apparently to compensate RCA for the fact that it turned over to WU more inbound traffic than it recieved outbound traffic from WU. Second, in 1943 United States traffic to certain points in Australasia routed via cable was generally handled by transfer to CNR or CPL, since the only direct cables to those points ran from Canada. To preserve the status quo with respect to this traffic, and to protect the rights of CPL under its contracts with Postal, the formula therefore provided a special arrangement for traffic to points in Australiasia and the British West Indies. In general terms, the provision created a separate quota system applicable to these carriers designed to preserve their premerger position. Third, when we amended the formula in 1963 to reflect the creation of WUI, we added a special provision to designate particular WU public offices in New York, Washington, and San Francisco as WUI public offices, so that traffic filed in such offices would, absent a specific routing via another carrier, automatically be considered as specifically routed via WUI. This was done to spare WUI, in its early years, the expense of establishing its own offices and to put it in a position comparable to its competitors.

B. Contentions of the Parties.

[2] 47 U.S.C. § 222(e)(1) provides in pertinent part that: [i]n the case of any consolidation or merger of telegraph carriers pursuant to this section, the consolidated or merged carrier shall, * * * distribute among the international telegraph carriers, telegraph traffic by wire or radio destined to points without the continental United States, and divide the charges for such traffic, in accordance with such just, reasonable, and equitable formula in the public interest as the interested carriers shall agree upon and the Commission shall approve. * * *

[4] 47 U.S.C. § 222(c)(2) provides in pertinent part that: [a]ny proposed consolidation * * * shall provide for the divestment of the international telegraph operations theretofore carried on by [WU], within a reasonable time * * * as soon as the legal obligations * * * [of WU] will permit.

[5] Section 222(e)(1) provides that the Commission shall prescribe a formula only in the event the interested parties cannot agree upon one. After reaching agreement, the parties submitted their proposal to us for review. In our review, we found objectionable certain features of the carrier agreement and modified them. For this reason, we prescribed rather than approved, the present formula.

[6] Each IRC does not have a quota for every destination point. Generally, a carrier received a quota if that carrier operated to individual points within the appropriate subarea at the time of the merger.

[7] Because World War II had interrupted service in 1942 to certain points, the formula provided that upon reestablishment of service quotas should be calculated with reference to the last 12-month period in which communications were conducted before interruption.

[8] The term "gross international tolls" is defined in the formula as (1) tolls payable to or collectible by an IRC at the U.S. gateways as if all traffic had originated at the gateway, less WU's payment for its landline haul (if the message did originate in the gateway) or (2) rental income for a leased circuit used to transmit traffic. *See* International Formula, Section V. This provision was designed to compensate for the fact that individual messages in a given category might differ in length.

[9] In 1943 the provision applied to WU's Cable Division. In 1961, when WU was formed from WU's divested overseas facilities, WUI succeeded to WU's obligations under this provision.

8. ITT listed certain features of the present formula which it characterized as particular problems requiring correction. *See* 43 FCC 2d at 1176. In commenting on ITT's arguments, TRT supported ITT's request for revision and included some specific matters which it believes need correction. In summary, the following is a list of the items which the proponents advanced as defects in the formula:

(1) The anticompetitive market share quota system;
(2) The "balancing system" which deprives a carrier of unrouted traffic when it increases its proportion of routed traffic;
(3) Basing quotas for unrouted traffic on the amount of self-generated traffic (gateways);
(4) Denying a carrier a share of unrouted traffic to a given point because it did not serve that point in the base year (1942);
(5) The lack of a provision for adjusting quotas to meet changing circumstances;
(6) The cumbersome and complex structure (separate quotas for gateway and hinterland, separate quotas for each class of traffic, etc.);
(7) The accumulated overages and deficiencies;
(8) Schedule B of the formula—special arrangement for RCA;
(9) The special quotas for CNR and CPL (Appendix 1 to the formula); and
(10) The designation of certain WU offices as WUI public offices.

RCA and WUI generally opposed the request for formula revision. They contended that the present formula works well in practice and asserted that neither ITT nor TRT has shown any evidence that the public interest has been disserved. The opponents also challenged the assertion that the present formula stifles competition and noted that all carriers provide the highest quality service to the public.[10]

9. To remedy the alleged inequities of the present formula, ITT, TRT and WU have advanced a number of specific proposals for a new distribution which they assert will better serve the public interest and simplify administration. Briefly, ITT recommended a distribution which ignores an IRC's self-originated traffic, directs WU to honor customer routings, and allocates unrouted traffic equally among all IRCs authorized to serve the destination point directly. TRT recommended a distribution of unrouted traffic based on each carrier's share of routed WU transfer traffic (ignoring self-originated routed traffic) to each destination point. *Id.* at 1179. WU, reflecting its desire to simplify or eliminate its role in administering the formula, advanced three alternative proposals. First, WU suggested replacement of a formula with a distribution based on a requirement for specific customer routings. Second, WU suggests that if a formula must be retained, then it should be permitted to transfer all unrouted traffic to the IQB or some other representative of the IRCs for distribution. Third, as a fallback position, WU requests that it be allowed to transfer all unrouted traffic to a given area to only one selected IRC. *Id.* at 1178.

10. In its Statement, ITT agreed that TRT's proposal might be a more logical and equitable basis for distribution of unrouted traffic; but only with certain modifications:

(1) The distribution should be based on a country-by-country basis according to the destinations a carrier is authorized to serve directly;
(2) Self-generated gateway traffic could be excluded, but WU pickups in the gateway as well as the hinterland should be included in determining traffic percentages; and
(3) calculation of proportionate shares should be based on an historical period, but should be updated every six months (with a six-month lag to allow for preparation of the calculations).

ITT also indicated that, in the interest of simplicity, the WU proposal to distribute all unrouted traffic to a given area to one IRC would be acceptable, so long as each carrier received its proportionate share overall. TRT reiterated its position that unrouted traffic to each destination should be distributed in the same proportions as routed, and suggested that eligibility be based on the points a carrier lists in its tariffs. TRT also indicated that ITT's original proposal to divide unrouted traffic to every destination equally among the carriers serving that point (again, based on its tariff) would also be a fair and simple method. TRT challenges ITT's proposal to base distribution on direct service on the grounds that all carriers compete for traffic to the points they serve irrespectively of whether those points are served directly or indirectly. In its Supplemental Response, ITT further modified its position to indicate that a distribution on a world-wide, rather than individual destinations, would be equitable; and would satisfy WU's desire for an easily-administered formula. Under this proposal, there would be a single world-wide distribution of unrouted traffic, regardless of class, based on each carrier's percentage share of routed WU transfers (both gateway and hinterland origins).

11. In general, RCA and WUI argue that the above proposals are no less arbitrary than the present formula and cannot be shown to serve the public interest any better. Further, since all the proposals are geared to increasing competition among the IRCs, they may actually be detrimental to that interest. In this connection, they note that one of the features of the present formula we specified in our order prescribing it was that, by reducing solicitation efforts, it would hold down carrier costs. In their view, the inevitable consequence of any of these proposals would be an increase in carrier solicitation efforts which would increase costs without improving service; and, since message would service traffic volume is static or declining, the increased costs result in increased usage charges.

12. *WUI Counterproposals.* In its Supplemental Comments, WUI included three proposals of its own for resolution of the formula, controversy. First, it suggested that the proposals for amendment of the formula be submitted to the IFC.[11] A pre-condition to this, however, would be equalization of the voting strength of the various members of the IFC. ITT has four votes (based on four constituent companies) and RCA has two (its own and that of Radiomarine Corp.), while the other carriers have only one vote each. If this situation were rectified, the matter could be submitted to the carriers for resolution, with the active participation of the Commission staff. Second, WUI suggests that, unrouted WU transfer traffic could be distributed in the ratio of unrouted traffic distributed during the period of the WU study. Routed transfers and self-originated traffic would be ignored. Third, WUI suggests that the separate gateway and hinterland quotas be replaced by one nationwide quota. In connection with the proposal, WUI would open its own public offices and abandon the designated WU offices, thereby placing all IRCs on an equal footing. The quotas would be calculated according to the number of messages, relying on random distribution to assure that all carriers get a fair mix of long and short messages. WUI also suggests that all classes of messages be treated as a unit, thus simplying application of quotas. Schedule B would also be eliminated to place all IRCs in the same position. Next, WUI suggests replacing areas A, B and C and all subareas with a distribution based on each destination country (the quota would be the same for each point as that of the subarea of which it presently is a part). Next, WUI would eliminate the quotas for CNR and CPL and remove their obligations for payment of the expenses associated with formula operation. Finally, WUI suggests that all RCA gateway traffic to areas A and B be counted in its quotas (RCA chose not to have gateway quotas to those points) to remove the disproportionate share of

[10] Since the formula is a rule within the meaning of Section 551(4) of the Administrative Procedure Act, 5 U.S.C. § 551 (4) (1971), ITT's request for amendment of the formula constitutes a Petition for Rulemaking. Accordingly, Section 553 requires that interested parties be given opportunity to present their views through written submissions, but does not require trial-type hearings. In the present case, all interested parties have been given opportunity to present their views and to challenge the views of other parties. There are no contested issues of fact; only the legal questions whether the present formula meets the statutory and, if it does not, what method of distribution will meet the standard. Therefore, we conclude that no party has been prejudiced by our procedures in this case and that a trial-type evidentiary hearing, as requested by RCA and WUI, is neither required by the Communications Act and the APA nor necessary to the resolution of the question before us. *Cf.* Bell Telephone Company of Pennsylvania v. F.C.C., 503 F.2d 1250, 1265–6 (3d Cir. 1975). Accordingly, we will deny the request.

[11] Sections XI of the present formula provides that: [i]n the event there is disagreement among the members of the [IFC] with respect to any feature of the distribution of traffic under the formula, the disagreement shall be submitted to the interested carriers, including [WU]. . . .

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hinterland-originated unrouted traffic it now gets.

13. TRT opposes all of the WUI proposals on the grounds that they permit WUI to continue to receive most of the undue benefits it enjoys under the present formula. RCA supports the first and second WUI proposals, but opposes the third. RCA agrees that if voting power were equalized (including loss of one of RCA's two present votes), the IFC could be an effective forum for discussion of formula revision. As to WUI's second proposal, RCA believes it merits serious consideration. RCA states that basing distribution of unrouted traffic on the ratios in the WU study would eliminate ITT's most serious objection—shifting unrouted traffic away from carriers who increase their routed traffic. The advantage RCA sees in this is that solicitation expenses, which undoubtedly would increase, would be held at a lower level than under ITT's proposal and the effect on other IRCs of traffic shifts would be gradual. RCA objects, however, to the provision in WUI's third proposal for abolishing Schedule B. RCA believes that this proposal affects it alone and is in derogation of its contractual and formula rights, and that any change would have to be based on RCA performance data relating to the base period (1942) which no longer exists.

14. Since WUI's proposals were presented outside the designated issues, we will treat them separately. After considering the proposals, we have concluded that none of them represents a suitable basis on which to resolve the formula inquiry. Essentially, they represent little or no change over the present formula, at least in the short run. We are of the opinion that WUI's first proposal, even with equalized voting power, would not lead to an early resolution of the dispute. The various party interests are strongly entrenched, so that if there is any conclusion it is likely to be a compromise which ignores the public interest we have been considering in this proceeding. We note that the present formula was the result of a compromise and that many of the problems we have seen in it have come from the cumbersome structure thus developed. We see no compelling reasons to delay further the resolution of the issues, especially since the result may be an equally arbitrary compromise. Turning to the second WUI proposal, and ignoring that the study results may not be representative of a whole year's performance, we believe that this proposal would perpetuate for the foreseeable future the distortions of the present distribution. We note that while WUI's proposal allows for shifts of traffic, it does so only as the pool of unrouted traffic shrinks. While we agree that WUI's third proposal would result in simplification of quota administration, we must note that basing distribution on current market shares will not change any of the basic infirmities we see in the present formula. Accordingly, we cannot adopt any of WUI's proposals as submitted.

II. FINDINGS: THE PRESENT FORMULA

15. To ascertain what has happened after 30 years of formula operation, we will look at the distribution presently being made under the formula (Issue one). For the purpose of our analysis we will use, as did the parties, the results of the WU 13-week study, supplemented by calendar-year 1974 figures reported by the carriers pursuant to Section 43.61 of the Commission's Rules and Regulations. 47 CFR § 43.61 (1974). In 1974, a total of 8,640,411 telegraph messages (all classes) were sent outbound from the United States; which yielded revenues of $21,486,392. In this connection, we note that traffic volumes in recent years have fluctuated only slightly. Therefore, we will assume that figures for 1975 will not significantly differ from the 1974 figures.

16. Applying the results of the WU study (one quarter's actual results) to the 1974 figures, it appears that approximately 5.6 million messages of the total are routed (WU transfers plus IRC pickups) and 3.0 million unrouted; or roughly two-thirds and one-third, respectively. Further, of the total outbound traffic, 3.9 million messages were handled by WU and the balance directly by the IRCs. Of the traffic handled by WU, 76.5% is unrouted and 23.5% routed. It is to the approximately 3.0 million unrouted messages that the formula applies and for which we must provide an equitable method of distribution in the public interest. As is apparent from these figures, unrouted traffic continues to represent a substantial portion of outbound traffic and the equitable division thereof a matter of consequence to the IRCs.

17. Table 1 shows a summary of the results of the WU study broken down for each carrier plus the figures reported by the IRCs in their Supplemental Comments for traffic directly picked up by them.

TABLE 1.—*Number of Outbound Messages*

[WU study]

Carrier	FTC	ITT	RCA	TRT
WU transfers:				
Unrouted:				
Exclusive		20,552	252,152	3,686
Nonexclusive		58,204	70,[illegible]	5,852
Total		78,576	331,484	9,538
Routed	508	[illegible]	64,179	10,740
Total transfers	508	148,064	[illegible]	20,278
Direct pickups	(11,375)	[illegible]	381,216	60,639
Total traffic	11,878	511,356	756,879	80,917

Carrier	US–L	WUI	Other (CNR & CPL)	All
WU transfers:				
Unrouted:				
Exclusive	1,459	149,977		427,826
Nonexclusive		110,943	5,413	259,744
Total	1,459	[illegible]	5,413	687,570
Routed	29	65,774	0	210,553
Total transfers	1,488	[illegible]	5,413	898,123
Direct pickups	(787)	276,554	0	1,073,793
Total traffic	2,225	603,248	5,413	1,971,916

NOTES

WU reported combined unrouted nonexclusive traffic for all carriers. Allocation has been made on the basis of the relative distribution of traffic at the WU Minneapolis distribution office.

FTC and US–L did not supply information on their direct pickups. The bracketed figures shown for these carriers were calculated by applying the WU study results to the figures shown in their respective sec. 43.61 responses.

From the study, it can be seen that RCA receives more unrouted traffic (48.2%) under the formula than any other carrier, while overall it receives only 38.4% of total traffic and 30.5% of routed WU transfers. ITT, on the other hand, receives slightly more (32.9%) routed WU transfers; but receives only 11.4% of unrouted transfers. Additionally, ITT picks up slightly more traffic directly from the public than does any other IRC (33.8%). WUI receives 30.6% of total traffic and 25.2% of routed transfers; but receives the second largest amount of unrouted transfers (37.9%). The situation with respect to TRT is equally dramatic. TRT's share of routed transfers is 5.1% and its share of direct pickups 5.6%. Yet TRT receives only 1.4% of unrouted traffic. Thus, under the present formula, it is apparent that for all carriers there is no relation (either direct or inverse) between a given carrier's handling of routed traffic and its handling of unrouted traffic.

18. The significance of this, and the importance of unrouted traffic, can be seen by comparing the overall market shares of the IRCs with their shares of routed traffic only:

TABLE 2

	(1) Share of routed WU transfers	(2) Share of direct pickups	(3) Share of total routed (1+2)	(4) Share overall (percent)
Carrier:				
FTC	0.24	1.06	[illegible]	0.60
ITT	[illegible]	[illegible]	[illegible]	25.93
RCA	[illegible]	[illegible]	[illegible]	[illegible]
TRT	5.10	5.66	[illegible]	4.10
US–L	.01	.07	.06	.11
WUI	31.24	25.75	[illegible]	[illegible]
Other				.27

As can be seen by comparing columns 3 and 4, there is a substantial difference between a carrier's handling of routed traffic and its handling of traffic overall. The difference between column 4 (overall share) and column 3 (share of routed) is the inclusion of unrouted traffic. RCA and ITT handle roughly equivalent levels of routed WU transfers and direct pickups but, when unrouted traffic is included, RCA's overall share dramatically increases. A similar phenomenon exists as between WUI and ITT. Overall, WUI handles significantly more (30.6%) traffic than does ITT (25.9%); but if unrouted traffic is eliminated, the situation is reversed. ITT handles 33.7% of routed traffic while WUI handles only 26.6%. Another interesting phenomenon shown by Table 2 is that the carriers' relative shares of routed WU transfers (column 1) correspond closely with their shares of direct pickups (column 2); in both categories, ITT receives more routed traffic than does any other carrier. It is only when unrouted traffic is considered that the carriers' relative market positions change and ITT drops to third.[13]

19. The distortions in the present distribution may also be seen by the number of destinations to which one or another carrier receives all unrouted traffic (referred to as an exclusive point). From the data in Table 1, it appears that 62% of WU transfers and 25% of total outbound traffic falls into this category. Of the 52 destination subareas recognized by the formula, 46 are exclusive points for gateway-originated messages and 24 are exclusive points for hinterland messages. Since to most of these subareas some or all of the other IRCs handle routed traffic, these figures also indicate the lack of relationship between a carrier's handling of routed traffic and its handling of unrouted. Further, Table 1 also shows the extent to which RCA and WUI benefit from the existence of exclusive points. RCA receives 59% of all unrouted exclusive traffic, WUI receives 35%, while ITT receives less than 5%, and the other carriers each receive less than 1%. RCA receives virtually all unrouted traffic from both the gateways and hinterland to all subareas of Area C (Pacific). Additionally, RCA receives most unrouted traffic from the hinterland to subareas of Area A (RCA receives only routed traffic from the gateways to Areas A and B). WUI receives the bulk of gateway traffic to most areas of Area A, as well as some hinterland traffic and all unrouted to most points in South America. ITT receives most gateway traffic for Caribbean points and a few European points (including one high-volume point, France). TRT receives all unrouted only to the Bahamas, British Honduras, and Columbia. Proportioned distribution is in effect for only 15% of total traffic. If one considers that at its inception the present formula called for proportioned distribution of virtually all unrouted traffic, it is readily apparent that the present distribution has departed significantly from the drafters' intent.

20. The serious distortions in distribution patterns noted above evolved over 30 years of formula operation and resulted from a structural weakness in the formula itself. This weakness is the interrelationship of the balancing provisions and the overall direction that a carrier receive all traffic specifically routed via it. Since the formula sought to keep market shares static, it provided that a carrier which increased its proportionate share through routed traffic had to give up an equivalent amount of unrouted traffic so as to restore overall balance. Conversely, if its share declined, it was to receive additional unrouted traffic. In theory, this mechanism would offset any fluctuations in the market. However, because a carrier is always to receive its routed traffic irrespective of its quota, it is apparent that the balancing provisions would work only so long as conditions in the industry did not deviate significantly from those in the base year. Experience under this formula early indicated, however, that conditions were not static and that the balancing provisions were inadequate to deal with the dynamics of the industry. The IRCs expanded their gateway operations, and self-generated traffic (by definition specifically routed) became a more important part of total traffic than it was during the base year. The rapid increase in gateway-originated traffic upset the delicate balance needed for the formula operation and caused a proportionate decline in the relative amount of unrouted traffic available to redress imbalances. This led to the emergence of the "overages" and "deficiencies" which have plagued formula administration since its inception and led to the effective demise of the proportionate distribution system.

21. An overage occurs when a carrier exceeds its quota solely through routed traffic. A deficiency occurs when a carrier receives insufficient routed traffic to satisfy its quota. Since a customer routing is inviolable, it is obvious that giving up unrouted traffic would not bring a carrier with an overage back to its quota. Conversely, unless routed traffic were taken away from such a carrier, the unrouted traffic pool would be insufficient to restore a deficient carrier to its quota. To deal with this dilemma, the IQB adopted two policies which it hoped would restore the overall balance. First, over the objections of ITT, the IQB set an overage (or deficiency) in a carrier's gateway quota for traffic to a particular subarea against a deficiency (or overage) in its hinterland quota for the same destination. Second, if this failed to restore balance, the IQB accumulated the resulting net overage or deficiency from year to year. This was apparently done in the hope that, over time, the imbalances would cancel each other. In practice, however, this resulted only in the accumulation of ever higher imbalances. The pleadings of the parties allege that at present RCA has accumulated deficiencies of $49.8 million while ITT has accumulated overages of $24.6 million and WUI overages of $24.8 million. From the history of formula operations it appears that absent an unforeseen change in market conditions, these imbalances will never correct themselves.

22. We find the accumulation of large overages and deficiencies as evidence that the formula failed to keep market shares static. As such, we do not accord them any independent legal significance. They are merely bookkeeping entries which document the shift in filing traffic from WU to IRC public offices. This is not to say, however, that these imbalances are without importance. They have played a key role in bringing about the distortions in the present distribution we noted above. It is one of the ironies of the formula that a deficiency, which on the surface appears to be a detriment, is in reality a benefit; while an overage is a detriment. RCA has accumulated substantial deficiencies during the operation of the formula; but the result has been not a decline in its relative market share. Rather, its overall share has increased due to the unrouted traffic it receives under the formula. RCA receives this traffic largely because of its accumulated deficiencies. ITT, on the other hand, has accumulated large overages overall and, consequently, receives little unrouted traffic. As deficiencies and overages appeared, the formula provided that the distribution be altered periodically to increase or decrease, respectively, a carrier's share of unrouted traffic. As this process continued, the ultimate effect was that the carrier with the largest

[13] We have focused here only on the three largest carriers, since the figures indicate that the relative positions of the smaller carriers are affected only slightly by the distribution of unrouted traffic. Under the formula, TRT does not receive unrouted traffic to many of its service points, since they were added after the formula was prescribed. FTC does not receive any unrouted traffic at all. U.S.-Liberia receives unrouted traffic to Liberia which is its only service point. Consequently, the unrouted traffic volumes of these carriers are too small to affect significantly the overall industry traffic statistics.

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deficiency eventually came to receive all unrouted traffic to a given destination.

23. In its Supplemental Comments, WUI claimed that ITT's arguments concerning the formula's disincentive to competition were fallacious. ITT had argued that the balancing provisions discourage carriers from seeking to improve service. WUI, however, noted that only 226,674 messages out of a total outbound volume of 1,938,828 messages or 11.7%[13] are presently subject to the balancing provisions. Therefore, WUI argued that, the small volume subject to proportionate distribution, it is unrealistic to assume that service quality could be negatively affected by the possibility of lost unrouted traffic. This argument, while reasonable on its face, ignores the fact that the reason little traffic is subject to proportionate distribution is that for most destinations one carrier receives all unrouted traffic. However, at its inception, the formula was designed to preserve proportionate distribution to most, if not all, destinations. Thus, all WUI's figures really show is that distribution under the formula has become distorted.

24. In this connection, however, we wish to note that we are not concerned here whether or not a party can quantify negative impact of the formula. ITT did not claim that the formula has led to an impairment of service quality. At most, it argued that the distincentive discouraged improvements in quality. This is precisely what concerns us about the present pattern of distribution. We cannot ignore the possibility that quality of service could have been improved absent the inequities of the formula. In any event, by placing distribution of traffic on a rational and competitive basis, we can minimize this danger and maximize the possibility of future benefits. For this reason, we believe the distortions in distribution patterns in the present formula are injurious to the public interest and should be eliminated.

25. Besides the general problems which apply equally to all carriers, there are certain special formula provisions which confer benefits on particular carriers to the detriment of the others. These matters are Schedule B, Appendix 1, and the designation of WU offices as WUI public offices.

26. *Schedule B of the Formula.* This refers to an arbitrary compromise agreement between WU and RCA which while part of the formula, operates outside the quota system. Under this agreement, in addition to its own quotas under the formula, RCA receives a substantial extra block of traffic taken from WUI's quotas destined to certain subareas of Area A (Atlantic). This agreement derives from an earlier (1931) exchange-of-traffic contract between WU and RCA under which RCA transferred to WU all its inbound traffic destined to United States points beyond New York, Washington, San Francisco and Boston (where RCA operated its own offices). WU agreed in return to transfer to RCA all outbound traffic so that, overall, RCA received from WU two outbound messages for every nine inbound messages it transferred to WU. This arrangement was designed to compensate RCA for the fact that it transferred to WU substantially more inbound messages than it received outbound messages.[14]

27. As we noted in our 1943 prescription order, *see* 10 FCC at 190, Schedule B was intended to redress the competitive disadvantage RCA suffered with respect to WU since, before the merger, it was the only international carrier without significant access to the hinterland market. However, whatever validity Schedule B may have had when promulgated, we can see no justification for its continuance under present conditions. While the provision does not directly affect the volume of traffic any other carrier receives, since the traffic in question comes from WUI's quotas, we believe that there is an indirect effect on those carriers which is against the public interest. Traffic exchange agreements with most foreign administrations operate on the basis of proportionate return. Proportionate return refers to the principle under which an entity carrying traffic into a country receives outbound traffic from that country in the same proportion as it handled the inbound traffic. Since there are competing circuits to virtually all the points affected by Schedule B, other carriers are competing with RCA for return traffic from those points. Therefore, RCA receives an undue benefit from Schedule B with respect to return traffic. More importantly, we cannot find any benefit to the public in the provisions of Schedule B. There is nothing in the record which indicates that Schedule B is likely to lead to improved service or lower rates; and, since we believe special treatment inconsistent with the public interest, we find that Schedule B should be eliminated from any new method of distribution.

28. After 30 years, we believe that any equities which justified granting RCA this special treatment have been extinguished. Since divestment, all the IRCs have equal access to WU's domestic landlines and all engage in substantial gateway operations. Conversely, WU has no better relationship with one carrier than another. With respect to any pre-merger benefits WU may have enjoyed, the benefits RCA has received under Schedule B since 1943 and WU's withdrawal from international message operations have adequately compensated RCA. The only other justification offered for the provisions of Schedule B—promotion of use of direct circuits wherever possible—has similarly been extinguished by changed circumstances. Today, since all IRCs operate both cable and satellite facilities, the putative advantage in RCA's being a radio carrier has disappeared. RCA is a strong competitor in the international message service and does not need special protection. It is in a position to compete with the other carriers for traffic on an equal footing. Therefore, we believe that Schedule B is inconsistent with the public interest in efficient communication service and should be eliminated from the new formula we are prescribing herein.

29. We do not agree with RCA that because Schedule B is a contract which is presently effective, we must recognize its rights thereunder in an amended distribution. Section 222(e)(3) provides that a new distribution must "be, so far as is consistent with the public interest, in accordance with the existing contractual rights of the carriers." 47 U.S.C. § 222(e)(3) (1971). The Act by its terms does not require us to recognize existing contracts which we find to be contrary to the public interest. Schedule B is merely another part of the formula and subject to our review in the same way, and under the same standards, as any other part. The fact that RCA denominates it a contract does not alter its status in this proceeding. The present formula as a whole is the result of an agreement of the parties in which each gave up certain rights and gained others and can, therefore, be said to constitute a contract between them. To characterize Schedule B, and by extension the whole formula, as RCA advocates would render Section 222(e)(3) meaningless, since a new formula would necessarily be inconsistent with "existing contractual rights of the carriers" and could never be changed. We do not believe Congress intended such an absurd result. Rather, to give effect to the apparent intent of Congress, Section 222(e)(3) must be regarded both as a protection for individual carriers, by requiring us to consider certain of their contractual rights if any amended formula, and as a delegation of authority to us to review those contracts in the public interest.

30. We also note that Schedule B was was not in existence before the merger and only became effective upon our prescription of the formula. As we have said, it is an arbitrary compromise and amounts to a reformation of, and replacement for, the 1931 WU/RCA traffic exchange contract. Thus, even if the contract language covers WU's prior contracts, it would not apply to Schedule B, since RCA chose to negotiate a new arrangement with WU to govern their relations after the merger rather than to rely on the protections afforded by the statute. Therefore, RCA cannot now rely on that provision to thwart amendment of the formula.

31. We also regard Section 222(e)(3) as conferring upon us specific power to

[13] WUI based its calculations on the results of the WU study and IQB figures. It took the total number of messages reported during the study period for nonexclusive destinations and compared them with the total volume reported for all destinations. These figures are broken down as follows:

Carrier:	World
ITT	94,080
RCA	78,414
TRT	2,200
WUI	52,380
Other	0
Total	226,674

[14] Since WU did not operate in Area C (Pacific), traffic destined to points in that Area were not covered by the 1931 contract, nor by the later Schedule B.

review contracts between the carriers and to determine whether they continue to serve the public interest. Unlike development of the original formula, amendment does not depend, even in the first instance, upon agreement of the carriers. Any party can invoke our jurisdiction to this end, or we can proceed on our own motion. Therefore, even where a provision takes the form of a "contract" between the parties, the express language of the statute requires that it serve the public interest. Where, as here, we find the provision inconsistent with that interest, Congress gave us in Section 222(e)(3) the power to prescribe a new distribution without regard to its provisions.

32. *Appendix One.* The concerns expressed above with respect to Schedule B apply equally to Appendix One to the formula. This provision sets forth a special arrangement respecting CNR and CPL and their handling of certain United States-originated traffic, pursuant to pre-merger contracts with Postal. Under this provision, CNR receives traffic to any point routed by the sender over cable facilities which transit Canada. In addition to such routed traffic, CPL also receives sufficient unrouted traffic destined to points in Areas B and C (i.e., the West Indies and Australasia) so that its proportionate share of such traffic before the merger would be maintained. This arrangement was designed to recognize CPL's rights under exchange-of-traffic contracts it had concluded with Postal and which were still in effect at the time of the merger. CPL stated that it believes it is entitled to receive raffic under this provision by virtue of the pre-merger contract and argues that the new formula should recognize those rights. CNR, however, has indicated it no longer wishes to participate in traffic distributed under this provision since it states that the revenues it receives thereunder are not sufficient to justify its continued participation in the costs of administering the formula. In view of our action herein, we will grant CNR's request to withdraw.

33. We believe that this special arrangement also should be terminated. The original justification for the provision was that the only direct cables serving the affected points landed in Canada. Accordingly, we acquiesced to the arrangement to respect a customer's choice to route his message via cable; even though that required intermediate relays and created a greater potential for delay, which could have been avoided by use of then-available direct radio circuits. The fact that we were then engaged in World War II was an important consideration in our approval of this arrangement. The availability of alternate routing through Canada for messages to Australasia was considered important to the war effort. *See* 10 FCC at 193. After the war ended, however, that consideration ceased to be a major factor. Moreover, today those points are served by cable and satellite facilities directly from the United States. Therefore, any operational justification for this circuitous routing has disappeared. In this situation, we believe that the public interest will be better served by placing all carriers on an equal footing with respect to this traffic. Traffic arbitrarily awarded under Appendix One could otherwise go to other carriers who have no less claim to it than the Canadian carriers. Therefore, we conclude that Appendix One disserves the public interest. Accordingly, we shall eliminate the arrangement from the new formula.

34. As we have noted, Appendix One was designed to recognize rights under CNR's prior contract with WU and CPL's prior contract with Postal. Therefore, under our analysis, this arrangement, at least insofar as it relates to CPL, is the type of contract Section 222(e)(3) was designed to protect. However, Appendix One, like Schedule B, is a reformation of those prior contracts. Appendix One provides by its own terms that, in the case of any conflict between its provisions and the prior contracts, Appendix One shall control. Accordingly, CNR and CPL must also be considered to have foregone the protections of Sections 222(e)(1) and 222(e)(3). In any event, Section 222(e)(3) expressly gives us the power to review Appendix One in this proceeding and, since we find it inconsistent with the public interest, to abrogate it in a new method of distribution.

35. Our action herein does not deprive either CNR or CPL of their rights to exchange traffic with WU to any point. These carriers will continue to receive all traffic specifically routed by the sender via their facilities. Further, to the extent that they handle routed traffic to any point, they will quality under the interim formula for their proportionate share of unrouted traffic. It is only with respect to unrouted traffic which was distributed on an arbitrary basis that our action has any effect. Thus, CNR and CPL are placed on the same basis as all other carriers and can compete with them for all traffic they receive. In this way, we believe that unrouted traffic may be distributed equitably, without undue benefit to any party.

36. As is apparent from our discussion of the interim formula, the right to receive traffic carries with it a consequent responsibility to share in the costs of distribution under it. With respect to CNR, we will grant its request to withdraw from participation in the distribution of traffic under the interim formula, unless and until, it notifies us that it wishes again to participate. Until such time, any traffic specifically routed via CNR will be considered unrouted for purposes of the interim formula. With respect to CPL, we will assume, unless otherwise notified, that it wishes to continue to participate in the distribution under the conditions we have set forth herein.

37. *WU/WUI Public Offices.* Under the 1963 amendments to the formula, we added a provision which permitted certain WU (domestic) public offices in New York, Washington and San Francisco[15] to be designated as WUI public offices, so that messages filed in those offices are automatically considered as specifically-routed via WUI. This was done to spare WUI the expense of establishing its own public offices so that it could compete strongly with the established IRCs. ITT and TRT have challenged this provision as unduly favorable to WUI since it thereby continues to be spared the expense of maintaining public offices which the other IRCs must incur. Further, ITT believes this arrangement, due to the similarity between the respective names of the two companies, also fosters confusion among the using public (and some WU employees) as to the routing of international messages. ITT asserts that WUI is now a viable, aggressive competitor and should be required to open its own public offices. In response, WUI denies that it receives an undue advantage from this arrangement. WUI notes that ITT and RCA have more offices (14 for RCA and 10 for ITT) in New York than the three WU/WUI offices (each carrier has one office in Washington and one in San Francisco) and that WUI is barred from opening its own offices by its agreement with WU. Further, WUI asserts that it must pay WU's landline haul charges for each message it receives through these offices, while the other IRCs do not pay WU for messages filed at their public offices.

38. We are not concerned precisely with the question whether WUI achieves a quantifiable competitive advantage by the arrangement. Whether or not the money WUI saves by not operating its own public offices is offset by the additional landline haul it pays to WU (although we are inclined to believe that it is not), the use of WU public offices as WUI offices is inconsistent with our new policies. The present arrangement was a carefully-drawn compromise which was intended to preserve each carrier's pre-divestment traffic shares in New York while not depriving WUI of former WU Cables traffic or forcing it into early outlays of cash for new offices of its own. *See* 30 FCC at 377–9. However, we specifically left open the question of future developments without opinion.[16] During

[15] Specifically, the formula designates as WUI offices (1) all WU public offices south of 60th Street in the Borough of Manhattan, New York (at present there are three), (2) the main and one branch WU office in Washington (at present there is only one designated office), and (3) the main and one branch WU office in San Francisco (now, only one office). WU Cables did not serve Pacific points, so there was no WU "gateway" in San Francisco as such. However, WU transferred Pacific-destined traffic to RCA in San Francisco. To allow WUI to begin operations on an equal footing with the other IRCs, we granted its request for a San Francisco gateway as part of the divestment proceeding. *See* 30 FCC 323, 371–82 (1961).

[16] Western Union Divestment, 30 FCC 323, 382 (1961): What will happen in the future will, of course, depend on the competitive efforts and the effectiveness of the carriers. That, however, will be the natural and proper result of operating in a competitive society.

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the past 14 years, WUI has become a viable carrier and no longer needs special arrangements to protect its position. We are not persuaded by WUI's argument that it is blocked by its contract with WU from opening its own offices. In connection with its counter proposals, discussed above at paragraph 12, WUI Supplemental Comments at p. 8. We find it peculiar that in the one case WUI argues that it is legally unable to open offices; but under the other, it sees no such impediment. We are of the opinion that WUI is under no legal disability with respect to opening its own offices.

39. In reconsidering our approval of the WU divestment, 30 FCC 951 (1961) we stated that:

> So long as [WUI] desires to use the facilities of Western Union and have unrouted traffic filed at designated offices of that company considered specifically routed via [WUI], it should not be permitted to open additional competing offices of its own in the gateway cities. 30 FCC at 958.

We are not here talking about opening additional offices; but of replacing the designated WU offices entirely with its own offices. Therefore, neither our divestment order, nor the formula prevents WUI from following this course.

40. Further, we believe that there is at least one way in which WUI is presently deriving a competitive benefit from this arrangement. We note that in New York and San Francisco, WUI maintains its own network of customer tielines for international telex; and that it is in the process of reterminating its Washington tielines (as well as the intercity lines between Washington and New York) at its own operating center.[17] Telex tielines are direct connections between a customer terminal and the WUI telex switch and are essentially automated. Consequently, they require less human intervention than the manning of a public message counter such as those of the other IRCs. It appears, therefore, that WUI is operating its own competing telex network while relying on WU offices for the more labor-intensive message service. This we believe to be a substantial benefit—particularly since telex customers may also use their tielines to file overseas messages.[18] While this is not a violation of the formula, we believe the policy reasons discussed above for requiring WUI to choose between using WU offices or its own, but not a mixture of both, should apply here equally.

41. As to WUI's contractual obligation to WU, after 15 years we believe it bad policy for private parties to extend further a contract which is unnecessary and contrary to the public interest. In view of the small volume of message traffic filed through the designated offices, the impact on WU from the loss of its landline haul charges for this traffic will be minimal and will be outweighed by the benefits of increased competition. We note, however, that WU did not address in its pleadings the question of its contract with WUI. Therefore, we will not make any order respecting the disposition of the WUI public offices at this time. We note that under Section 214(d) of the Act, we have the power to require a carrier to open a public office or offices. While we are not now instituting such proceedings, we are prepared to do so if that becomes necessary. In connection with this matter, we have included in Section IV of the interim formula a provision labeled "special interim provision for WUI" continuing the essentials of the present WU/WUI arrangement. Upon the opening of new WUI offices, we shall amend the formula to remove the interim provision.

III. Summary and Conclusions

A. The Present Formula. 42. In determining whether the present distribution meets the statutory standard, Section 222 (c)(3) requires us to look both at private interests and at the public interest. It is clear that the various carriers have a legitimate and protected interest in assuring that their share of traffic under the formula be equitably determined. Since the formula governs relations between competitors, it is more difficult to measure its impact on the public. However, we believe that for purposes of this proceeding an appropriate general statement of the public's interest is the statutory requirement that we guarantee residents of the United States a rapid, efficient communications service with adequate facilities and reasonable charges. 47 U.S.C. § 151. We believe the market-sharing features of the present formula are ill-designed to advance this statutory goal. In the early days of international telegraphy, and particularly when cable carriers and radio carriers were separate entities, there was a vigorous competition which benefitted the public in the form of increased service coverage and substantially reduced rates. Today, in services such as telex and leased channel there is still a vigorous competition. The disappearance of radio/cable competition and the institution of the formula significantly blunted, although did not eliminate, competition in message service. The charges for message service have not increased substantially, but there has been no stimulus under the present formula to improve service or increase efficiency. In this situation, we believe that the public is ill served by a formula which stifles user choice.

43. In the designation order, we directed the parties to provide information concerning the effects on them, as well as the public, of any defects in the present formula (issue 3). From the responses to that issue, it is apparent that, like the effect on the public, the effects on the carriers of the matters we considered above are impossible of concrete quantification. The inequities we outlined above did not occur suddenly; but evolved over time and were the result of interacting forces. While this situation renders quantitative determination of the effects on individual carriers and the public exceedingly difficult, if not impossible, we believe the record before us as well as elementary logic clearly warrants the conclusion that both the individual carriers and the public have been harmed by the formula's denying a carrier unrouted traffic. The carriers so affected have seen their marketing efforts essentially nullified by the balancing provisions—ironically, the more successful those efforts have been, the more the carrier has been penalized. The formula's arbitrary disregard of the public's role has thwarted its expectations and may have resulted in an improper allocation of resources. Accordingly, we have concluded that those who have been injured are entitled to relief.

B. The New Method of Distribution. 44. In view of the foregoing, we have concluded that the present formula should be repealed. Since the special circumstances which prompted creation of the present formula more than thirty years ago no longer exist, we believe that traffic should be distributed on the basis of customer choice. In this way, the public interest will be best served, since the public will make its own decisions. WU and OT suggested that customers be required to specify the routings. While we agree in principle that we should proceed in this direction, we do not believe that the record presently before us is adequate to adopt this method at this time.

45. Although the parties were not notified that we would consider a requirement for specific routings, neither the proponents nor the opponents of this method addressed the legal or economic issues raised thereby. Consequently, we are unable at this point to determine the extent of the economic burden which would result from a requirement for specified routings, or the proper sharing of that burden between WU and the IRCs. The results of the WU study show that in 1974 approximately 3.0 million messages or some 35% of all outbound international traffic was unrouted. The study also indicates that a large number of customers either do not care to route their messages or that they are not familiar with the different IRCs, since three-fourths of WU transfers are unrouted. We believe that this is because the IRCs have not effectively sought to reach these users and that this failure may prevent the efficient operation of a customer-routing system at this time.

46. Because of the apparent unfamiliarity of users with the IRCs or their respective merits, required customer routings will require that such users be informed of their choices at the time of filing. For nearly half of all customers who file overseas messages, the only carrier with which they have contact is WU. Therefore, until IRC advertising can become effective, WU employees will be required to provide users with this information. Because of the number of customers involved, we believe this may place a substantial burden on WU. None of the parties considered the increase in WU's costs which would follow from this expanded role, or the effect of that increase on the users of both domestic and international service. To assure that no prejudice will result, we are of the opinion that suitable instructions and operating arrangements, agreeable to all concerned, are needed to guide WU in presenting the public a mandatory choice among IRCs. The information now before us, however, is insufficient to prescribe those instructions or operating arrangements.

47. To gather the information we need for decision, we will direct the interested parties to address the matters we have discussed above, as well as any matters they choose to raise, concerning the implications of the all-routed approach and the means to implement it in an expeditious and orderly fashion. In the interim, we will prescribe a distribution of outbound traffic on the basis of the formula in the Appendix hereto. While we are considering the carrier responses, the interim formula will provide an equitable means of distribution which will focus on customer selection and give the IRCs a chance to solicit routings. In this way, the eventual role of WU in the informational and operational process will be reduced; as will the potential for unfair advantage to any party from that role. We expect that the IRCs will use this period to expand their solicitation efforts, so that the customer routing system will work smoothly and efficiently. Further, we expect the parties during this period to work out mutually-agreeable procedures for implementation of the all-routed distribution system so that we can avoid later controversy on this point. Should the parties fail to agree on such procedures, however, we stand ready to prescribe them if that becomes necessary.

48. *Interim Formula.* In developing the interim formula, we have sought to eliminate complexities which have made the present formula difficult to administer and a source of controversy. For this reason, the interim formula treats all classes of messages as a whole, rather than individually as at present. For the same reason, we see no need to continue separate gateway and hinterland quotas. Rather, the interim formula recognizes only two categories of traffic—routed and unrouted. WU will continue to distribute specifically-routed traffic to the designated carrier. Unrouted traffic will be distributed pursuant to a simplified quota system for all traffic wherever it originates in the United States. Further, we are discarding the concept of "gross international tolls" as a basis for calculating a carrier's quota. Random distribution of messages as they are filed will, over the long run, insure that each carrier receives a fair share of revenues. We will also delete the balancing provisions, since there is no longer any need for them. This will also eliminate the chief cause of the distortions in the present distribtuion and prevent the future accumulation of overages and deficiencies. Under the new formula, any short-run imbalances which may occur due to traffic variations will correct themselves over time. One important feature of the interim formula is the provision for adjustment of the carriers' quotas. This will permit distribution to remain closely tied to changing conditons and assure that the present distortions do not recur.

49. Under the interim formula, a carrier is entitled to receive unrouted traffic to all points it is authorized to serve. ITT had proposed that unrouted traffic be distributed on a country-by-country basis among those IRCs authorized direct circuits to each such point. TRT, on the other hand, would base distribution on the points a carrier tariffs, whether served by direct circuit or through interconnection. We believe that ITT's proposal in this regard is not suited to our overall goal. Beyond the problem raised by RCA of defining a "direct circuit" (which ITT does not address), basing distribution solely on direct circuits would leave significant gaps in providing for the handling of traffic. This is because there are numerous destination points in the world which no carrier serves directly. Under the ITT proposal, there would be no provision for unrouted traffic to these points.

50. More fundamentally, however, we take exception to the philosophy underlying ITT's proposal. ITT, which has advocated competition throughout this proceeding, here seeks to limit competition. The effect of this proposal would be to deny small carriers, such as TRT or FTC, significant unrouted traffic, since those carriers serve a higher percentage of their service points through intermediate connections. We cannot find a justification in the public interest to so limit competition in this area. Since all carriers compete for traffic irrespective of routing, the only appropriate criteria are whether a carrier tariffs a destination point—since a carrier may tariff only those points it is authorized to serve—and whether a carrier handles routed traffic to a point. Therefore, eligibility for a quota will be based on the points each IRC lists in its tariff as of the release date of this order. If a carrier adds new service points, it will receive unrouted traffic to those points to the extent that it handles routed traffic. In this way, distribution can be updated to keep it in touch with changing circumstances. By limiting adjustments to six-month intervals, WU can be certain of its responsibilities and be spared the need for too-frequent changes in its distribution practices.

51. ITT and TRT also disagree on how to compute the volume of unrouted traffic to each destination an eligible carrier is to receive. ITT proposed that the volume be calculated on the basis of each eligible carrier's share of WU transfer traffic (gateway and hinterland). TRT, on the other hand, argued for distribution based solely on hinterland WU transfers in the belief that inclusion of gateway-originated traffic (including direct pickups) favors the New York carriers. We believe that the volumes should be based on *all* routed traffic, wherever originating in the United States. This includes direct pickups, direct access, and routed WU transfers. This is the most likely way to achieve the goal of distributing unrouted traffic on the same basis as routed. Direct pickups are by definition specifically routed and represent a significant portion of overall traffic. Therefore, to ignore such traffic would be unrealistic and contrary to our overall policy herein.

52. Looking beyond the features of the new formula, we will dispose of some remaining matters starting with WU's request that it be relieved of distributing traffic among the IRCs. While we are sympathetic to WU's desire to simplify its role, we cannot agree that it should be totally relieved of its responsibilities under the new formula. WU receives significant revenues from its participation in through international message service, so it cannot say that it has no interest in such traffic. Therefore, we have declined to accept its proposal to turn over all traffic to the IQB for distribution. Since WU receives the traffic from the public, it is in the position most expeditiously to effect distribution. Turning traffic over to the IQB would merely introduce an extra level of processing which would increase the risk of delays and increase distribution costs. The elimination of multiple categories, origin points, etc., outlined above will allow WU to streamline its operations and decrease its costs. We agree with WU that it should be reimbursed for the reasonable costs it incurs in effecting distribution; but do not believe it should receive a profit for its function. As we have noted, WU receives payment for its landline haul; we see no reason for it to receive a second payment from formula administration for the same traffic—beyond its out-of-pocket expenses. We anticipate that IRC solicitation of international traffic under the new formula will reduce the amount of unrouted traffic that WU must handle. Thus, its function will be further simplified as that process occurs. Finally, we see no reason why WU cannot automate the handling of traffic under the new formula if it believes that will be in its interest. Accordingly, we will continue to require WU to make the distribution of traffic under the new formula.

53. *Accumulated Overages and Deficiencies.* We turn now to a matter of particular contention among the parties—the disposition of the accumulated deficiencies and overages. RCA asserts that legally and as a matter of equity it must be compensated for its deficiencies. As we indicated above, however, we agree with the other parties that these are no more than statistical records which indicate the structural weakness of the present formula. RCA does not state why it believes that deficiencies represent a legal obligation in which it has a vested interest. Neither Section 222, nor the formula itself, directs the accumulation

[17] While WUI's tielines presently terminate at WU's Washington office, the connector to which they are attached is owned by WUI and maintained by WU pursuant to a contract.

[18] We are concerned by the requirement in the WU/WUI contract that WUI pay WU its specified landline haul charge whether or not WU picks up the message. We believe that WU is not entitled to landline haul charges where it has not performed any functions. *See* All America Cables and Radio, 15 FCC 293, 317 (1950).

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of deficiencies or overages. In our order prescribing the formula we did not consider the question. RCA appears to be asserting that its quotas give it a claim to a guaranteed amount of traffic. The present formula does not guarantee any carrier that it will receive traffic. As more customers routed messages and the unrouted pool shrank, traffic available for distribution became inadequate to satisfy quotas. Such changes in the marketplace can hardly be said to have wronged RCA—particularly since its own increase in self-generated traffic and the benefits it received under Schedule B contributed to this process. Similarly without merit is RCA's contention that it has an equitable claim to compensation because it complied with the formula in good faith. The present formula is a legal obligation on the parties and compliance with its provisions is mandatory. Accordingly, we believe that the accumulated overages and deficiencies should be cancelled, without compensation, and that distribution under the new formula should be made without reference thereto.

54. *Administration.* The simplest method for handling the day-to-day administration of the interim formula will be to continue to rely on the IFC and the IQB. However, if the IFC is satisfactorily to perform its functions with respect to the interim formula, all interested carriers must be equally represented by it. Presently, FTC and CPL have no representation on the IFC. Since those carriers must be equally represenetd on it. formula they should be represented. Accordingly, we will expect that upon application FTC and CPL will be admitted to the Committee with the full rights and responsibilities of membership, including participation in the costs of the Committee and its functions.

55. As mentioned above, ITT presently has four votes on the IFC and RCA has two, while all others have one each. This situation resulted from the fact that these companies owned constituents which operated in different areas, employed different media, or provided different services. We must now recognize that those entities either no longer exist (having been merged into one company) or are under common ownership. To make the IFC a viable tool for supervising the interim formula's operations, we believe that we should recast it so that all interested members have one vote each. The parties in their response to WUI's proposal in this regard indicated no opposition to equalization. Under Section 222(e)(3), we have the power to repeal the present formula, which would terminate the IFC, and to prescribe a new formula and create a new committee with equal representation. We believe that we can legally accomplish the same result by restructuring the present committee. As before, all costs incurred by the IFC in administering the interim formula shall be borne by the members in the proportions they receive traffic under it.[28]

[28] A companion proceeding in this docket was instituted to consider a request by WU for increased payments for its domestic handling of overseas message telegrams (landline haul). By Memorandum Opinion and Order in this proceeding, 55 FCC 2d 96, *reconsideration granted in part and denied in part*, 55 FCC 2d 382 (1975) (Docket No. 19660), we approved as a basis for terminating that proceeding a settlement agreement entered into by the parties under which WU's landline haul divisions for full-rate messages were increased from 6.5¢ per word to 9.5¢ per word (with corresponding lesser increases for lower classes of service). Our order amended Schedule C of the present formula by substituting the new divisions. Our action herein does not affect this provision other than to change its designation to Schedule A to reflect the fact that the two preceding schedules have been replaced.

56. The interim formula shall become effective on February 1, 1976. The Initial quotas shall be determined by the IQB on the basis of the WU 13-week study and the information supplied by the IRCs in this proceeding.[29] Inasmuch as no party has raised any objection to this information, and all have agreed to its use, we believe it will represent an equitable basis on which the IQB can make the necessary calculations and issue the appropriate distribution instructions to WU. The IQB shall calculate the initial quotas of unrouted traffic for each country of destination by determining from the above information the number of routed messages (as defined in Section IV of the interim formula) to such destination handled by each IRC. The individual carrier figures will then be totaled for each destination and each carrier's figures compared to that total. The resulting ratios will represent each carrier's share of routed traffic for each destination point and, therefore, its quota of unrouted traffic under the interim formula to that point. For purposes of these calculations, the IQB will employ the applicable destinations as shown in the WU 13-week study. WU will then begin distributing unrouted traffic on the basis of these percentages on February 1, 1976.

C. Canadian, Mexican, Newfoundland Formulas. 57. There is an additional matter which while not directly in issue in this proceeding, we believe appropriate to address. Section 222(e)(2) of the Act, requires a separate formula to govern distribution of outbound message traffic to Canada and Mexico. This was done to reflect the fact that under Section 222 Canada, Mexico, Newfoundland, and St. Pierre-Miquelon are considered domestic points. Pursuant to this requirement, formula for Canada and Mexico were agreed upon and prescribed by us, 10 FCC 184, 193–4 (1943). In addition to these, a separate formula was developed also for Newfoundland traffic. In its original request, ITT did not raise, and the respondents did not address, the question whether any change in these formulas is needed. However, we have decided to review these matters on our own motion.

58. The Canadian, Mexican and Newfoundland formulas do not present the same questions of arbitrary market division or special benefits we have examined above in connection with the international formula. The Canadian formula, for example, was designed primarily to preserve after merger, CPL's rights under its prior exchange-of-traffic contracts with Postal. (WU had exchanged traffic with CNR). The formula contained no cumbersome quota system and provided for periodic adjustment to keep its provisions in touch with developing circumstances. However, it now appears to us that this formula is unnecessary, since it appears that CNR and CPL no longer provide duplicating services. This being the case, there would be no opportunity or desire on the part of WU to discriminate between the two carriers. Therefore, we will repeal the Canadian formula.

59. It appears that a formula for Newfoundland traffic has similarly become unnecessary. The original reason for a separate formula for this point was to preserve to Commercial Cable Company (one of the predecessors and constituents of ITT) the pre-merger traffic which it handled to Newfoundland over its transatlantic cable and to preserve CPL's rights under its Postal contracts. Since then, however, that cable has been taken out of service and CPL no longer serves Newfoundland. Therefore, there appears no longer to be a need for this provision. Accordingly, we will repeal this provision as well.

60. The Mexican formula also appears to be unnecessary. The purpose of the formula was to accommodate two then-existing factors. First, WU turned over Mexico-bound traffic both to the Mexican administration and to the Mexican Telegraph Company. This latter company, a joint venture of WU and an ITT predecessor, operated both within Mexico and between Mexico and the United States. It was felt necessary to provide for dividing traffic between the two entities providing service to Mexico. However, the Mexican government nationalized the Mexican Telegraph Company in 1949 and has unified all telegraph operations in one entity. WU today turns all unrouted traffic over to that entity. Second, prior to the merger, TRT and RCA also operated circuits to Mexico (connecting with the Mexican government lines). The Mexican formula preserved these operations after the merger and directed WU to turn over all traffic specifically routed via these carriers. We believe there is no need to continue a separate arrangement for Mexico. Rather, we will require WU to continue honoring RCA and TRT specific routings. All unrouted traffic will be turned over to the Mexican entity. We wish to emphasize however, that our action does not relieve WU of its obligation to treat all carriers in an equitable and non-discriminatory manner in distribution of outbound traffic.

[29] As noted, FTC and US-Liberia did not provide information concerning their direct gateway pickups during the study period. Therefore, we will direct each of these carriers to file by January 10, 1976, with the other IRCs, the IQB, and the Commission data on all traffic it picked up directly during the period December, 1974 through March, 1975. These responses shall be presented in the same format as that in the WU 13-week study and in the other IRC reports.

D. Maritime Formula. 61. Comsat General has asserted that the present formula under which telegraph traffic between points in the United States and ships at sea is presently distributed will not be suitable upon introduction of maritime satellite facilities; and requests that a separate inquiry be initiated to consider the need for revision of the maritime formula as well as specific proposals for such revision. We note that ITT in its original petition did not address the maritime formula and that the inquiry herein was limited to the formula covering overseas telegraph messages. *See* 43 FCC 2d 1174. Consequently, the parties were not directed to address the merits of the maritime formula. However, we note that, like the formula under consideration, the present maritime formula is based on a quota system tied to market shares in a pre-merger base period (in this case, 1938). Therefore, the objections we have expressed with respect to market-sharing devices in the international formula may apply to the maritime formula as well. In this situation, we agree with the parties who have commented on the subject that it would be appropriate to examine the maritime formula and that this should be done in a separate proceeding. Accordingly, we will by separate order direct all interested persons to file comments on the continued reasonableness of the maritime formula.

62. In summary, we have concluded that the public interest in the provision of international telegraph services will be best served by relying primarily on consumer choice for the distribution of traffic among the several international record carriers. Due to certain unresolved questions concerning possible operational, economic and legal implications, we will not prescribe that all international telegraph traffic must be specifically routed by the customer. As an initial measure, we shall prescribe a formula which distributes unrouted traffic among the carriers in direct proportion to their share of routed traffic. By thus rewarding the successful competitor—rather than penalizing him as does the present formula—we expect a more aggressive marketing effort and a consequential reduction in unrouted traffic. Meanwhile, we are soliciting prompt comments concerning the operational, economic, and legal implications of an all-routed distribution in order that we may reach an early decision concerning whether the public interest would be served even better through this means.

63. Accordingly, it is ordered, Pursuant to Sections 1, 4(i), 4(j), 201, 222(e)(1), 222(e)(3), and 403 of the Communications Act of 1934, as amended, that the formula prescribed by the Commission in 1943 pursuant to 47 U.S.C. § 222(e)(1) (1971) governing distribution by The Western Union Telegraph Company among the international record carriers of outbound, unrouted international message telegraph traffic, and all prior amendments thereof, is (with the exception of Appendix 2) hereby Repealed, effective March 1, 1976;

64. It is further ordered, Pursuant to Sections 4(i), 4(j), 201, 222(e)(3) and 403 of the Communications Act, that the parties to the formula inquiry are directed to file, and any interested person may file, on or before March 26, 1976, comments on the legal, economic and operational implications of distributing outbound, unrouted message telegraph traffic on the basis of required customer routings and the means by which transition to such a method may be efficiently made; replies to the above comments may be filed on or before April 23, 1976;

65. It is further ordered, That the interim formula set forth in the Appendix hereto is hereby Prescribed as the formula for distribution of such outbound traffic and shall be followed from March 1, 1976 until further order of the Commission;

66. It is further ordered, That distribution of traffic under the interim formula prescribed herein shall be based initially on the respective international record carriers' shares of such traffic derived from the information supplied by the carriers in this proceeding and the results of the study of outbound traffic conducted by The Western Union Telegraph Company; in this connection, French Telegraph Cable Company and United States-Liberia Radio Corporation shall file with the Commission and the International Formula Committee/International Quota Bureau on or before January 20, 1976, the number of outbound international telegraph messages picked up by them directly during the period of the Western Union study, broken down by destination according to the format used in that study;

67. It is further ordered, That the formulas prescribed by the Commission in 1943 pursuant to 47 U.S.C. § 222(e)(2) governing distribution of outbound, unrouted message telegraph traffic between the United States and Canada, Newfoundland, and Mexico, respectively, are hereby Repealed: The Western Union Telegraph Company shall distribute such traffic in a fair and non-discriminatory manner which will, to the extent possible, honor the choice of the customer in designating the carrier to which such traffic is to be transferred; and

68. It is further ordered, That the requests of RCA Global Communications, Inc. and Western Union International, Inc. for the convening of oral evidentiary hearings in this proceeding are hereby Denied.

Adopted: December 22, 1975.

Released: January 7, 1976.

FEDERAL COMMUNICATIONS COMMISSION,[30]
[SEAL] VINCENT J. MULLINS,
Secretary.

Formula, Pursuant to Section 222(e)(1) of the Communications Act, for the Distribution of Outbound International Message Telegraph Traffic Handled by the Western Union Telegraph Company, As Amended Through December 22, 1975.

This formula, pursuant to Section 222(e)(1) of the Communications Act of 1934, as amended, provides the method for distribution by The Western Union Telegraph Company (hereinafter referred to as Western Union) among international telegraph carriers of outbound international message telegraph traffic handled by it within the Continental United States, as that term is defined in Section 222(a)(10) of the Communications Act.

The traffic for which distribution is provided herein is all message telegraph traffic by wire or radio, specifically routed or unrouted, handled by Western Union originating in the continental United States, provided, however, that quotas established in Section V hereof shall not apply to the non-message or measured services offered by the carriers, nor to marine (shore to ship) traffic handled by Western Union with respect to the distribution of which a separate formula is annexed hereto as Schedule B.

II. Interested Carriers. The international carriers interested in the distribution of traffic provided for in this formula will be the following (unless and until other international carriers enter business):

Canadian Pacific, Ltd., French Telegraph Cable Company, ITT World Communications Inc., RCA Global Communications, Inc., TRT Telecommunications Corp., U.S.-Liberia Radio Corp., and Western Union International, Inc.

In general, an international carrier is interested in the distribution of traffic provided for herein whenever it handles routed traffic to a destination point under the conditions set forth in Section V, below.

III. Specifically-Routed Traffic. The right to receive a quota under this formula shall not purport in any manner whatsoever to limit or to restrict a carrier's scope of future operations; and a carrier shall always be entitled to receive its specifically-routed traffic to all destination areas, if it accepts such traffic in pursuance of its published tariffs and transmits it to an overseas point.

IV. Categories of Messages. For purposes of calculating the quotas specified in Section V, below, all categories or classes of traffic shall be considered in the aggregate with one quota covering all classes of message telegraph traffic.

Notwithstanding any provision in this formula to the contrary, Western Union and all international carriers shall respect specific routings of any messages handled by it, and shall transfer to another carrier any messages specifically routed via such other carrier. All international messages delivered by Western Union shall carry in the preamble the agreed upon "via" of the international carrier which transferred the message to Western Union. Messages shall not be considered specifically routed by virtue of the use of a particular carrier's telegraph blank. For purposes of, and wherever used in, this formula, a message shall be considered specifically-routed

[30] Concurring statement of Commissioner Hooks, filed as part of the Original document.

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via a particular carrier in any of the following cases:

(a) Where messages are filed at an office established, operated, and maintained by an international carrier, whether filed in person, by messenger, by telephone or received over a tieline or other directly-connected facility terminating in such office, unless the customer specifically routes such messages via a carrier other than the carrier maintaining such office (direct gateway pickup);

(b) Where messages are filed directly with a particular international carrier at its gateway office by means of domestic communications networks such as domestic telex, TWX, telephone, or mail, or by messenger so long as the customer pays all charges incurred in connection with the use of such means for the purpose of filing international messages (direct access);

(c) Where messages are filed with an international carrier by a customer located outside that carrier's gateway city by means of a tieline or other directly-connected facility terminating in that carrier's gateway office, so long as the costs for establishing, operating and maintaining such facility are borne by the customer (hinterland tieline);

(d) Where messages are filed with Western Union at any of its offices (except those specified in (e) below) or by other means of filing provided for in the Western Union tariff, and transferred by Western Union to an international carrier over Western Union's landline system, so long as the following conditions are met:

(i) If, when filed in person, the specific routing is written in by the sender,

(ii) If, when filed by messenger, the message contains a specific routing which has been previously inserted by the sender (Messages shall not be considered specifically routed merely by virtue of the use of a particular carrier's telegraph blank),

(iii) If, when filed by telephone (whether to a Western Union office, an agency office, or to a Western Union Central Telephone Bureau), a specific routing is inserted by the receiving clerk at the unsolicited request of the sender, or

(iv) If, when filed over a tieline or other directly-connected facility, the specific routing has been transmitted by the sender; and

(e) (*Special interim provision for Western Union International, Inc.*). Messages shall be considered specifically-routed via Western Union International, Inc. when they are filed, without specific routing via another carrier having been designated by the sender, at all offices of Western Union located in the area south of 60th Street in the Borough of Manhattan, New York; the main office of Western Union in San Francisco, California; and the main office of Western Union in Washington, D.C. (all the above of which shall be considered as Western Union International public offices for purposes of this Section).

Traffic specifically routed by the sender via a particular carrier and destined to points not tariffed by that carrier shall be considered unrouted and shall be distributed in accordance with the provisions of Sections V and VI below.

But nothing in the foregoing shall be construed as requiring any international carrier to accept, over tieline facilities furnished to its customers by a particular carrier, messages which are routed by the sender via another international carrier.

V. Quotas. For outbound, unrouted international telegraph messages destined to particular international points, originating at points within the continental United States handled by Western Union, there shall be for each international carrier a quota of such traffic calculated without consideration either of the category[1] or length of the message. An international telegraph carrier is entitled to receive from Western Union unrouted traffic under this formula picked up by Western Union for each overseas destination point listed in that carrier's effective outbound message telegraph tariff as of the release date of the order prescribing this formula, whether that carrier serves such points directly or by interconnection; and, thereafter, a carrier shall be entitled to a quota for each additional destination point which that carrier is authorized by the Federal Communications Commission to serve directly. As determined in accordance with the preceding, an international carrier's quota shall be, for each eligible destination point, the ratio of the number of outbound routed messages to such destination point (as calculated pursuant to Section IV above) handled by such international carrier during the base period to the total number of routed messages destined to that point handled by all international carriers serving that point (whether picked up directly by the carrier or transferred to it by Western Union) during the same period. Upon the effective date of this formula, the initial quotas shall be calculated on a basis as the Federal Communications Commission shall by order prescribe. Thereafter, the quotas shall be recalculated at six-month intervals on the basis of traffic figures for the equivalent preceding six-month period, at which time any adjustments to the number of destination points served by international carriers which have occurred since the previous adjustment shall be communicated to the administrative body provided for in Section X below which shall communicate to Western Union the appropriate change to be made in its distribution of traffic. The above adjustment shall take place on dates to be determined by the interested parties.

VI. Distribution of Traffic in Accordance with Quotas. The quotas established by Section V hereof shall be applied by Western Union as follows:

(i) Specifically-routed traffic shall be transferred to the international carrier indicated by such routing; and

(ii) Unrouted message shall be distributed (without regard either to their length or classification of service) in the order of their arrival at the Western Union distribution office so that each international carrier will receive a volume of unrouted messages which will equal its quota. If the messages so distributed fail in any month to give the international carrier its quota, the distribution of messages shall be modified as soon as practicable after the ascertainment of such deficiency in such manner as to compensate for such deficiency and to assure to such carrier thereafter receives its quota. Inasmuch as the quota system set forth herein is designed to change automatically if traffic patterns change, the imbalance referred to above will be essentially self-correcting. However, in no event are deficiencies which may result in the short run to be considered legal obligations in which any carrier has a vested interest; and, accordingly, there shall be no accumulation of such deficiencies from year to year. Each international carrier entitled to share in such distribution shall furnish to the joint distribution office any information necessary to enable such distribution of unrouted messages to be effected in accordance with this formula. For purposes of the semi-annual adjustment to the quotas provided for in Section V above, all interested international carriers shall determine dates each year by which traffic data is to be supplied to the committee provided for in Section X below.

If any international carrier entitled to a quota reserves in any month a larger percentage of unrouted messages than its quota, Western Union shall transfer to the other international carriers interested therein a sufficient number of unrouted messages destined to the same point to balance the excess received by the particular international carrier. These overages shall not be considered legal obligations of the particular international carrier and shall not be accumulated from year to year.

VII. Distribution Offices. The Merged Company shall distribute traffic destined for transfer to an international carrier from a distribution office or offices selected by it and approved by the Commission.

Each international carrier entitled to share in the distribution of messages from distribution offices of the Merged Company shall have access to such distribution offices at any time to protect its interests in the method of making such distribution and transfer of messages to its operating rooms.

VIII. Transit Traffic. It is understood that this formula does not cover any telegraph traffic originating outside the United States and transiting the United States, and that all such traffic handled by Western Union shall be turned over to the international carrier which would have handled the same if the consolidation or merger of Western Union and Postal Telegraph, Inc., had not occurred or as may be specifically routed.

IX. Equality of Treatment of International Carriers and Division of Charges. Except as provided in Section IV of this formula with respect to message traffic originating in certain gateway offices of Western Union, the services furnished by the Merged Company to the international carriers in connection with the handling of international traffic covered by this formula shall be uniform and non-discriminatory; and the division of charges for such outbound international traffic shall be such that Western Union shall retain or receive, for landline haul in connection with international traffic handled by it, or for pickup services, amounts which shall be prescribed from time to time by the Federal Communications Commission.

X. Administration. The supervision of the operations of this formula shall be by a committee of representatives of each of the interested international carriers, in which committee each carrier shall have equal representation, and the costs of which shall be equitably shared by the international carriers.

All costs involved in the maintenance by Western Union of distribution offices and in the distribution by it of traffic under this formula, including the cost of maintaining appropriate records as to the distribution, shall be equitably shared by the international carriers receiving traffic under this formula and reimbursed by them to Western Union; and all costs of distribution of traffic beyond the distribution offices of Western Union shall be borne by the international carriers. In the event there is disagreement among the members of the committee with respect to any feature of the distribution of traffic under this formula, the disagreement shall be submitted to the interested carriers, including Western Union. In the event the carriers are unable to agree among themselves, the matter shall be submitted to the Federal Communications Commission for a ruling.

XI. Effective Date of Formula. The provisions of this formula shall become effective and shall govern the distribution of traffic on February 1, 1976.

SCHEDULE A—DIVISION OF OUTBOUND CHARGES

The landline or pickup charges shown in the table below opposite each service classification under the caption "Divisions Per Word", and the number shown in the table below opposite each service classification under the caption "Minimum Number Chargeable Words Per Message," shall be respectively the charges per word (cable count), and the fewest number of words (cable count) per message which are to be charged by Western Union for handling outbound international message traffic in each classification handled by it regardless of the point or origin in the United States or the point of transfer to an international carrier in the United States, *provided, however*, that the merged company shall continue to pay to the Canadian carriers the same amounts per word which were being paid on July 1, 1958, with respect to that traffic exchanged with Canadian carriers destined to those points which are subject to the Telecommunications Agreement between the United States of America and British Commonwealth Governments (TIAS 2705, 1952).

Landline haul divisions

	Minimum number of chargeable words per message	Division per word (cents)
Full rate	7	9.5
Letter telegram	22	4.75
U.S. Government full rate (no discount)	7	9.5
U.S. Government full rate (at discount)[1]	7	4.75
U.S. Government letter telegram	22	4.75
Other Government full rate (no discount)	7	9.5
Other Government full rate (at discount)[1]	7	4.75
Other Government letter telegram	22	4.75
United Nations full rate (no discount)	7	9.5
United Nations full rate (at discount)[1]	7	4.75
United Nations letter telegram	22	4.75
Meterological	7	4.75
Urgent press	14	9.5
Ordinary press	14	3.1

[1] The "at discount" division shall apply if a discount of 50 pct applies to the through rates. As soon as the discount is eliminated with respect to any point, the charges applicable to "no discount" traffic shall automatically apply.

[FR Doc.76-633 Filed 1-9-76;8:45 am]

[1] The categories of service recognized by the parties to which this formula applies are those shown in Schedule A of this formula.

[Docket Nos. 20643, 20644; File Nos. BPH-7975, BPH-9437]

ANDY VALLEY BROADCASTING SYSTEM, INC. AND THE GREAT DOWN EAST WIRELESS TALKING MACHINE CO., INC.

Construction Permits; Designating Applications for Consolidated Hearing on Stated Issues

1. The Commission, by the Chief of the Broadcast Bureau, acting pursuant to delegated authority, has before it the two above-captioned applications which are mutually exclusive in that they seek the same channel in Auburn, Maine.

2. Andy Valley Broadcasting System, Inc. [Andy Valley], requests a waiver of § 73.240 of the rules, as the predicted 1 mV/m field strength contour of its proposed operation, as computed under the (now superseded) engineering standards at the time of tender, would overlap with that of commonly owned station WTOS (FM), Showhegan, Maine. In support of its request, Andy Valley states that the area of predicted overlap is sparsely settled and rural in nature. Review by the Commission's staff, however, when recomputing the pertinent field strength contours in light of the presently prevailing FM field strength curves, § 73.333 of the rules, indicates that no overlap of the 1 mV/m signals of these stations would obtain. Therefore, the request for waiver by Andy Valley will be dismissed as moot.

3. The Great Down East Wireless Talking Machine Company, Inc. [Down East], requests a waiver of § 73.315(a) of the rules, as its predicted 3.16 mV/m contour does not fully cover the city of Auburn. Down East asserts that the excluded area is rural, and constitutes but six percent of the total area of the city. Further, the most distant portion of Auburn from the proposed Down East transmitter site will receive a signal of 1.6 mV/m from the proposed facility. As Andy Valley's application does not request a similar waiver, and alternative locations are apparently available which would provide the requisite coverage of all of Auburn, an issue will be specified to determine whether the waiver of § 73.315(a) sought by Down East should be granted.

4. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

5. Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine whether the proposal of Down East is in compliance with § 73.315(a) of the Commission's rules with respect to provision of a 3.16 mV/m signal over the entire community of license, and, if not, whether the public interest would be served by waiver of said section.

2. To determine which of the proposals would, on a comparative basis, better serve the public interest.

3. To determine, in light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

6. It is further ordered, That the request for waiver of § 73.240 of the rules, by Andy Valley Broadcasting System, Inc., is dismissed as moot.

7. It is further ordered, That to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney shall, within twenty (20) days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

8. It is further ordered, That the applicants herein, shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by section 1.594(g) of the rules.

Adopted: December 22, 1975.

Released: January 6, 1976.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.76-798 Filed 1-8-76;8:45 am]

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LORAIN ELECTRONICS CORP.

Prototype Automated/Manual VHF Public Correspondence System; Great Lakes; Memorandum Opinion and Order Extending Time

1. We have under consideration a request by Lorain Electronics Corporation (Lorain) and the Lake Carriers Association (LCA) for an extension of rule waivers granted by the Commission to permit the establishment and operation of a prototype VHF maritime radiocommunication system to serve vessels on the Great Lakes. Those waivers expire on December 31, 1975.

2. Additionally, Lorain has requested extension of its authority to use channel 20 (161.6 MHz) in connection with the system. The grant of authority to use that frequency requires international and other coordination. We will, therefore, act on that request separately and later. In the meantime the frequency may still be used pending finalization of our coordination efforts, without prejudice to any action we may thereafter take on that request.

3. In support of its request for extension of the subject rule waivers, Lorain reports that its prototype system is fully operational on that part of the Lakes where it operates coast radio facilities. Also, Lorain states that it will provide us with a complete engineering and evaluation report in early 1976, upon which the Commission can base a decision as to the appropriate action to take on Lorain's pending petition for rule making to provide for the regular operation of the system.

4. In view of the favorable information furnished by Lorain, and other information before us, we find that the public interest, convenience and necessity would be served by the grant of Lorain's request for extension of the rule waivers needed for the continued operation of its prototype system.

5. Accordingly, it is ordered, That the Lorain and LCA request is granted pursuant to authority contained in Sections 4(i) and 303(g) of the Communications Act of 1934, as amended, and § 0.131 and 0.331 of the Commission's rules, and the rule waivers for Lorain operated stations, or for stations associated with the operation of the Lorain prototype Great Lakes maritime radiocommunication system, are extended to December 31, 1976, as follows:

(a) All MF–HF Public Coast and HF ship stations on the Great Lakes may continue use of DSB operations on a non-interference basis to stations operating in conformity with the rules.

(b) The six Public Coast stations (Duluth, Minn., WAS; Copper Harbor, Mich., KVY 602; Grand Marais, Mich., KVY 603; Sturgeon Bay, Wisc., KVY 604; Port Washington, Wisc., WAD; and Lorain, Ohio, WMI) participating in the program are permitted the emission, station identification and operational latitudes set forth in paragraph 7 of The Commission's Memorandum Opinion and Order re-released January 15, 1974 (FCC 74–885).

(c) The moratorium on applications for VHF Public Coast facilities on the Great Lakes established by the Commission in that Memorandum Opinion and Order, and extended until January 1, 1976, in the Commission's Memorandum Opinion and Order released February 14, 1975 (FCC 75–160) is further extended until December 31, 1976.

(d) Section 81.191(c)(2) of the Commission's rules is waived for brief periods under the circumstances described by Lorain, as that section applies to Lorain's prototype stations named herein.

6. It is further ordered, That a copy of this Memorandum Opinion and Order be posted with each authorization for a system station operated by Lorain, or for other stations participating in the Lorain system.

Adopted: December 22, 1975.

Released: December 24, 1975.

[SEAL] CHARLES A. HIGGINBOTHAM,
Chief, Safety and Special Radio Services Bureau.

[FR Doc.76–796 Filed 1–9–76;8:45 am]

PBX TECHNICAL STANDARDS SUBCOMMITTEE TASK GROUPS

Notice of Meeting

JANUARY 7, 1976.

In accordance with Pub. L. 92–463, announcement is made of a public meeting of the PBX Technical Standards Subcommittee Task Groups to be held February 3–4, 1976 in Washington, D.C. The meeting on February 3 will commence at 10 a.m. and will be held in Room 752, 1919 M Street NW., and will be related to the work of the Glossary Task Group. The meeting on February 4 will commence at 10 a.m. and will be held in Room 752, 1919 M Street NW., and will be related to the work of the Interface Criteria Task Group.

1. *Purpose:* The purpose of this Subcommittee is to prepare recommended standards and procedures to permit the interconnection of customer-provided and maintained PBX equipment to the public switched network without the need for carrier-provided connecting arrangements.

2. *Activities:* As at prior meetings, Subcommittee members and observers present their suggestions and recommendations regarding the various technical criteria and standards that should be considered in respect to the interconnection of PBX equipment to the public telephone network.

3. *Agenda:* The agenda for the February 3rd Glossary Task Group will be as follows:

(a) Continue the review of the draft Glossary to eliminate duplicate definitions and those not specifically related to the fields of interconnection and PBX systems.

(b) Plan for completion of the Glossary.

The agenda for the February 4th Interface Criteria Task Group will be as follows:

(a) Review status of Interface Criteria for Message Registration and AIDO homework draft documents. (No further work is planned for Off-Premise Stations and Tie Trunks).

(b) Plan for completion of final draft.

4. *Public Participation:* The public is invited to attend this meeting. Any member of the public wishing to file a written statement with the Subcommittee may do so before or after the meeting.

For more information, contact the Common Carrier Bureau on (202) 632–6917.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76–797 Filed 1–9–76;8:45 am]

FEDERAL POWER COMMISSION

[Docket Nos. RI76–99]

CONTINENTAL OIL CO.

Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject To Refund [1]

DECEMBER 31, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR, Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf [4] Rate in effect	Cents per Mcf [4] Proposed increased rate	Rate in effect subject to refund in dockets No.
RI76–99	Continental Oil Company	257	24	Southern Union Gathering Co. (New Mexico) (Rocky Mountain).	534,785	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–115
	do		25	do	416	11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	287	17	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	540	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		18	do		11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	309	10	do	4,316	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		16	do		11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	408	28	do	2,222	11–20–75		6–1–76	[2] 27.7725	[2] 28.3270	RI75–6[illegible]
	do	198	24	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	2,768	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		24	do		11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	199	16	do	840	11–20–75		6–1–76	27.7725	28.3270	RI75–[illegible]
	do	208	24	do	2,222	11–20–75		6–1–76	[2] 27.7725	[2] 28.3270	RI75–93
	do	221	21	do	344	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		22	do		11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	259	25	do	152	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		26	do		11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	266	17	do	20	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		18	do		11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	267	17	do	1,500	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		18	do		11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	277	25	do	140	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		26	do	23	11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	279	17	do	12	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		18	do		11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	295	16	do	354	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		17	do		11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	296	31	do	4,814	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		32	do	13,362	11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	332	16	do	401	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		17	do		11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	334	16	do	145	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		17	do		11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	336	23	do	5,969	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		24	do		11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	339	21	do	1,439	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do	339	22	do	439	11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	340	16	do	279	11–20–75		6–1–76	[1] 27.7725	[1] 28.3270	RI75–93
	do		17	do	52	11–20–75		6–1–76	[2] 29.3311	[2] 29.8366	RI75–93
	do	389	8	do	270	11–20–75		6–1–76	27.5252	28.3270	RI75–93

[4] Unless otherwise stated, the pressure base is 15.025 lb/in [2]a.

[1] Applicable to wells completed prior to June 1, 1970.
[2] Applicable to wells completed after June 1, 1970.

[3] Applicable to acreage dedicated to basic contract prior to Oct. 1, 1968. (R/S also covers post-Oct. 1, 1968, dedications.)
[4] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.

The proposed rate increases of Continental Oil exceed the applicable area ceiling in Opinion No. 658 and they are suspended for five months.

[FR Doc.76–603 Filed 1–9–76;8:45 am]

[Docket Nos. RI75–76]

EXXON CORP.

Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

DECEMBER 31, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix "A" hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR, Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

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APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf[3] Rate in effect	Cents per Mcf[3] Proposed increased rate	Rate in effect subject to refund in dockets No.
RI75-76...	Exxon Corp.	357	45	Columbia Gas Transmission Corp. (South Louisiana) (onshore).	$210,722	11-28-75		(4)	[1] 50.53	[1] 60.55	
	do			do	38,719	11-28-75		(4)	[1] 53.55	[1] 54.57	

[2] Unless otherwise stated, the pressure base is 15.025 lb/in.²a.
[1] Includes 0.51¢/M ft.³ gathering allowance.
[2] Includes 1.02¢ transportation allowance for delivering offshore gas onshore.
[3] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.
[4] Accepted, subject to refund in docket No. RI75-76 as of Jan. 1, 1976.

The proposed rate increases are accepted subject to refund in Docket No. RI75-76 as of January 1, 1976.

[FR Doc.76-604 Filed 1-9-76;8:45 am]

[Docket Nos. RI76-80 and RI76-81]

HONDO OIL AND GAS CO., ET AL.

Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

DECEMBER 15, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR, Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf[3] Rate in effect	Cents per Mcf[3] Proposed increased rate	Rate in effect subject to refund in docket No.
RI76-80...	Hondo Oil & Gas Co.	4	10	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	$198	11-12-75		6-1-76	[4] 27.3540	27.3540	
RI76-81...	Atlantic Richfield Co.	178	[5]	do	552	11-21-75		6-1-76	[4] 27.3540	27.3540	
	do	179	[5]	do	1,630	11-12-75		6-1-76	[4] 27.3540	27.3540	
	do	180	[5]	Northwest Pipeline Corp. (Colorado) (Rocky Mountain).	3,483	11-12-75		6-1-76	[4] 25.7105	[4] 25.7105	
	do	281	[2] 18	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	16,985	11-12-75		6-1-76	26.5452	27.3540	
	do		[2] 19	do	794	11-12-75		6-1-76	[4] 27.1276	[4] 27.3540	RI75-58
	do		11	do	380	11-12-75		6-1-76	[4] 26.5452	27.3540	
	do	268	[2] 15	do	3,519	11-12-75		6-1-76	[4] 26.5452	27.3540	
	do	301	[2] 16	do	577	11-12-75		6-1-76	[4] 26.2276	[4] 27.3540	RI75-58
	do			do	137	11-12-75		6-1-76	[4] 26.5452	27.3540	
	do	306	9	do	0	11-12-75		6-1-76	[4] 26.5452	27.3540	
	do	512	12	do	1,254	11-12-75		6-1-76	[4] 26.5452	27.3540	
	do	513	13	do	1,503	11-12-75		6-1-76	[4] 26.5452	27.3540	
	do	552	17	do	80	11-12-75		6-1-76	[4] 26.5452	27.3540	
	do	580	10	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).							

[2] Unless otherwise stated, the pressure base is 15.025 lb/in²a.
[3] Subject to upward and downward British thermal unit adjustment from a base of 1,000 Btu.
[4] Applicable to gas from wells completed prior to June 1, 1970.
[5] Applicable to gas from wells completed on or after June 1, 1970, and prior to Jan. 1, 1973.
[1] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.

The proposed rate increases exceed the applicable area ceiling set forth in Opinion No. 658, and they are suspended for five months.

[FR Doc.76-599 Filed 1-9-76;8:45 am]

[Docket No. CS72-559, etc.]

THE HUNTER CO., INC., ET AL.

Notice of Applications for "Small Producer" Certificates [1]

DECEMBER 16, 1975.

Take notice that each of the Applicants listed herein has filed an application pursuant to Section 7(c) of the Natural Gas Act and § 157.40 of the Regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before January 12, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearings.

KENNETH F. PLUMB, *Secretary.*

Docket No.	Date filed	Applicant
CS72-559...	Oct. 20, 1975 [1]	The Hunter Co., Inc., 1100 Mid South Towers, Shreveport, La. 71161.
CS76-188...	Oct. 14, 1975	Seneca Oil Co., 3013 Northwest 50th St., Oklahoma City, Okla. 73112.
CS76-189...	do	David M. Underwood, 1053 Esperson Bldg., Houston, Tex. 77002.
CS76-190...	do	John J. Lyon, 841 Marias, Shelby, Mont. 59474.
CS76-191...	do	O. O. Cummings, Route 1, Box 115, Farmerville, La. 71241.
CS76-192...	do	Michael L. Klein, 304 Midland National Bank Bldg., Midland, Tex. 79701.
CS76-193...	do	Alvin Luskey, 101 North Houston St., Forth Worth, Tex. 76102.
CS76-194...	do	O. G. Murry, P.O. Box 458, Kane, Pa. 16735.
CS76-195...	Oct. 15, 1975	Neuhoff Oil & Gas Corp., 5543 Yale Blvd., Dallas, Tex. 75206.
CS76-196...	do	William B. Macey, 1600 Broadway, Suite 1785, Denver, Colo. 80202.
CS76-197...	do	Hillmac Production Co. 1600 Broadway, Suite 1785, Denver, Colo. 80202.
CS76-198...	do	Howard L. Kennedy, 750 West Hampden Ave., Englewood, Colo. 80110.
CS76-199...	do	Kennedy & Mitchell, Inc., 750 West Hampden Ave., Englewood, Colo. 80110.
CS76-200...	do	John F. Mitchell, 750 West Hampden Ave., Englewood, Colo. 80110.
CS76-201...	do	Geo. R. Shaw, 1001 Union Center Bldg., Wichita, Kans. 67202.
CS76-202...	do	Paul M. Mershon, Jr., 789 Clarkson, Suite 904, Denver, Colo. 80218.
CS76-258...	Oct. 31, 1975	Fletcher Adkins and Virgie Mae Adkins, P.O. Box 74, West Hamlin, W. Va. 25571.
CS76-259...	Nov. 3, 1975	William E. Jeffers, P.O. Box 65, Artesia, N. Mex. 88210.
CS76-260...	do	D. E. Dunne, Jr., 200 North Rock Rd., Suite 140, Wichita, Kans. 67206.
CS76-261...	do	Glenn M. Dunne, 200 West Douglas, Wichita, Kans. 67202.
CS76-262...	do	C. F. Qualia, 112 Mid-America Bldg., Midland, Tex. 79701.
CS76-263...	do	Poland McLean, 2521 Chicago, Kingman, Ariz. 86401.
CS76-264...	do	Earl A. Latimer, Jr., 401 North Penn., Roswell, N. Mex. 88201.
CS76-265...	do	Pico Drilling Co., P.O. Box 512, Breckenridge, Tex. 76024.
CS76-266...	do	WES-TEX Drilling Co., P.O. Box 2205, Abilene, Tex. 79604.
CS76-267...	do	John F. Sullivan, 1201 Bayside Dr., Corona del Mar, Calif. 92625.
CS76-268...	Nov. 6, 1975	Clyde W. Alexander, P.O. Box 1141, Jackson, Miss. 39205.
CS76-269...	do	Mrs. June K. Lagarde, 811 Hibernia Bank Bldg., New Orleans, La. 70112.
CS76-270...	do	Mrs. Louise T. Kepper, 28 Lark St., New Orleans, La. 70124.
CS76-271...	Oct. 6, 1975	Rose L. Prieur, 740 First NBC Bldg., New Orleans, La. 70112.
CS76-272...	Nov. 6, 1975	Paul Bordlee, 1440 Canal St., Suite 1620, New Orleans, La. 70112.
CS76-273...	do	Chamberlain Family Group, Anna B. Chamberlain, Agent, 2800 South University Blvd., No. 67, Denver, Colo. 80210.
CS76-274...	Nov. 7, 1975	W. G. Haun, 507 Union National Bldg., Wichita, Kans. 67202.
CS76-275...	Nov. 10, 1975	Brookville Oil and Gas Co., 271 Main St., Brookville, Pa. 15825.
CS76-276...	do	Vicki Mizel, P.O. Box 2975, Tulsa, Okla. 74101. c/o Sam Mizel.
CS76-277...	do	Gary Dean Mizel, P.O. Box 2975, Tulsa, Okla. 74101.
CS76-278...	do	Thomas W. Ellison, 2502 Cimmaron Ave., Midland, Tex. 79701.
CS76-279...	do	Edna L. Ellison, 1801 N. Midland Dr., #106, Midland, Tex. 79701.
CS76-280...	Nov. 7, 1975	Richard King, Jr., P.O. Box 20143, Houston, Tex. 77025.
CS76-281...	Nov. 10, 1975	Longview Oil Co., Box 1251, Kilgore, Tex. 75662.
CS76-282...	Nov. 12, 1975	Peregrine Resources Corp., 1 Embarcadero Center, Ste. 2202, San Francisco, Calif. 94111.
CS76-283...	do	Robert L. Wolff, P.O. Box 21, Metairie, La. 70004.
CS76-284...	Nov. 13, 1975	Glynn D. Bule, 861 The Main Building Houston, Tex. 77025.
CS76-285...	do	Guernsey Petroleum Corporation 633 Antone Street, N.W. Atlanta, Georgia 30318.
CS76-286...	do	G. Phil Roberts, 861 The Main Bldg., Houston, Tex. 77025.
CS76-287...	Nov. 14, 1975	H. C. Price Co., Baker & Botts, 3000 One Shell Plaza, Houston, Tex. 77002.
CS76-288...	do	Alva J. Dixon, Route 2, Box 7F, Greenwood, La. 71033.
CS76-289...	do	Charles C. Harlan, P.O. Box 5511, Midland, Tex. 79701.
CS76-290...	Nov. 17, 1975	CCCo, 2723 Melbourne St., Salt Lake City, Utah 84106.
CS76-291...	do	Dietrich Exploration Co., Inc., 602 Midland Savings Bldg., Denver, Colo. 80202.
CS76-292...	Nov. 19, 1975	Virgil L. Stoahe, 221 Petroleum Center Bldg., Farmington, N. Mex. 87401.
CS76-293...	do	Lobar Oil Co., Inc., 1310 Midland Center, Oklahoma City, Okla. 73102.
CS76-294...	do	T. Joseph Leger, 1212 Main St., Houston, Tex. 77002.
CS76-295...	Nov. 21, 1975	Vega Petroleum Corp., P.O. Box 2383, Midland, Tex. 79701.
CS76-296...	do	Taiga Energy Inc., 718 17th St., Suite 630, Denver, Colo. 80202.
CS76-297...	do	OKC Corp., P.O. Box 10426, Dallas, Tex. 75207.
CS76-298...	Nov. 24, 1975	Barbara Y. Witten, 2505 East 36th Pl., Tulsa, Okla. 74105.
CS76-299...	do	Robert C. Witten, 2505 East 36th Pl., Tulsa, Okla. 74105.
CS76-300...	do	Robert C. Witten, Trustee, 2505 East 36th Pl., Tulsa, Okla. 74105.
CS76-301...	do	Ann Fister, 2505 East 36th Pl., Tulsa, Okla. 74105.
CS76-302...	do	W. L. Estis, P.O. Drawer 160, New Iberia, La. 70560.
CS76-303...	Sept. 24, 1975	Henderson Gas Co., Patricia Joyce James, Owner, R.D. 1, Straitanville, Pa. 16258.
CS76-304...	Nov. 17, 1975	Zenith Drilling Corp., Inc., Suite 600, 200 West Douglas, Wichita, Kans. 67202.
CS76-305...	Nov. 20, 1975	R. M. Associates, 30 Rockefeller Plaza, Room 3026, New York, N.Y. 10020.
CS76-306...	Nov. 24, 1975	John B. Anderson, P.O. Box 149, Farmington, N. Mex. 87401.
CS76-307...	do	Ford Tool Co., P.O. Drawer B, Perryton, Tex. 79070.
CS76-308...	do	Kenneth A. Ford, 1919 Eton Dr., Perryton, Tex. 79070.
CS76-309...	do	Thomas M. Ford, Jr., 901 South Drake, Perryton, Tex. 79070.
CS76-310...	do	FPF Investment Co., P.O Box P, Perryton, Tex. 79070.
CS76-311...	do	Falcon Petroleum Co., P.O. Box P, Perryton, Tex. 79070.
CS76-312...	do	Leonard S. Fowler, 2629 West Prairie Creek Dr., Richardson, Tex. 75080.
CS76-313...	do	Charles H. Pride, 900 Northwestern, Perryton, Tex. 79070.
CS76-314...	do	KCT Investment Co., P.O. Box B, Perryton, Tex. 79070.
CS76-315...	Nov. 28, 1975	Coyote Oil & Gas Co., 116 South Broadway, Edmond, Okla. 73034.
CS76-316...	do	Penn Drilling Co., 1 Darby Court, Bethesda, Md. 20034.
CS76-317...	do	Purcellville Oil Co., 815 Connecticut Ave. NW., Washington, D.C. 20006. C/o Shearson Hayden Stone, Inc.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

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Docket No.	Date filed	Applicant
CS76-318	do	Bill Forney, Inc., 1200 St. James Pl., Suite 204, Houston, Tex. 77027.
CS76-319	do	Pernie Bailey Drilling Co., P.O. Box 22775, Houston, Tex. 77027.
CS76-320	Dec. 5, 1975	Charles W. Hicks, 1314 North Richardson, Roswell, N. Mex. 88201.
CS76-321	Nov. 25, 1975	Gus Henson, et al., 6060 North Central Expressway, Suite 316, Dallas, Tex. 75206.
CS76-322	Dec. 1, 1975	Coquina 75-B Exploration Program, 200 Building of the Southwest, Midland, Tex. 79701.
CS76-323	do	Nautilus Venture V-B, 200 Building of the Southwest Midland, Tex. 79701.

[1] Applicant requests that the order issuing its small producer certificate be amended to include authorization to continue sales of natural gas heretofore authorized in Docket No. G-3239 to be made pursuant to applicant's FPC gas rate schedule No. 5.

[FR Doc.76-602 Filed 1-9-76;8:45 am]

[Docket No. CS76-142, etc.]

JOHN H. MCCARTER, JR., ET AL.

Notice of Applications for "Small Producer" Certificates [1]

DECEMBER 19, 1975.

Take notice that each of the Applicants listed herein has filed an application pursuant to Section 7(c) of the Natural Gas Act and § 157.40 of the Regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before January 16, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

Docket No.	Date filed	Applicant
CS76-142	Nov. 12, 1975 [1]	John H. McCarter, Jr., 2012 University Ave., Monroe, La. 71201.
CS76-180	Dec. 4, 1975	Ronald H. Perkins, 7605 Denterest, Dallas, Tex. 75240.
CS76-324	Dec. 2, 1975	Robert F. Warren, T/A Penn-Cal Oil & Gas Co., Star Route, Kane, Pa. 16735.
CS76-325	Dec. 5, 1975	Bluebell Oil and Gas Co., 501 City National Bldg., Wichita Falls, Tex. 76301.
CS76-326	do	Bobby J. Darnell, 904 Cravens Bldg., Oklahoma City, Okla. 73102.
CS76-327	do	G. N. Furseth, 406 Oil & Gas Bldg., Oklahoma City, Okla. 73102.
CS76-328	do	GOC Corp., P.O. Box 1341, Corpus Christi, Tex. 78403.
CS76-329	do	Robert J. Sommerville, 905 Fox Ave., Harrisville, W. Va. 26362.
CS76-330	Dec. 8, 1975	Alsabrook & Edwards Oil Co., Energy Square, Suite 650, 4025 Greenville, Dallas, Tex. 75206.
CS76-331	do	Sands-American Corp., 5880 South Syracuse Circle, Suite 208, Englewood, Colo. 80110.
CS76-332	Dec. 4, 1975	Laclede Gas Co., 720 Olive St., St. Louis, Mo. 63101.
CS76-333	Dec. 9, 1975	Stephen B. Payne, 2190 Liberty Tower, Oklahoma City, Okla. 73102.
CS76-334	Dec. 10, 1975	Castle, Inc., 1407 Main St., Dallas, Tex. 75201.
CS76-335	Dec. 11, 1975	Phileo Petroleum Corp., 3924 North University Ave., Peoria, Ill. 61614.
CS76-336	Dec. 8, 1975	William T. Payne, 2190 Liberty Tower, Oklahoma City, Okla. 73102.
CS76-337	Dec. 9, 1975	Redseo, Inc., P.O. Box 52173, Lafayette, La. 70501.
CS76-338	do	W. L. Douglas, P.O. Box 52173, Lafayette, La. 70501.
CS76-339	do	Carroll E. Pooler, Jr., 204 Lippi Blvd., Lafayette, La. 70501.
CS76-340	do	Lee F. Williamson, 109 Ashwood Dr., Lafayette, La. 70501.
CS76-341	do	David G. Casey, Jr., 608 Alonda Dr., Lafayette, La. 70501.
CS76-342	Dec. 11, 1975	Petro-Western Energy Corp., 1616 Park Harvey Center, Oklahoma City, Okla. 73102.
CS76-343	do	James Hutton Nobles Trust, Fulalie M. Nobles, Trustee, 205 Armstrong Bldg., El Dorado, Ark. 71730.
CS76-344	do	Adele K. MacFarlane, 205 Armstrong Bldg., El Dorado, Ark. 71730.
CS76-345	do	Thornton E. Anderson, Oil Producer, Suite 746, 300 West Douglas, Wichita, Kans. 67202.
CS76-346	do	Resource Exploration, Inc., 1600 Fairfield, Suite 400, Shreveport, La. 71101.
CS76-347	do	United Resources, Inc., 1651 Lincoln Ave., Evansville, Ind. 47714.
CS76-348	Dec. 12, 1975	W. H. Helmerich III, 1579 East 21st St., Tulsa, Okla. 74114.

[1] Applicant requests that the order issuing his small producer certificate be amended to include authorization for sales by him, doing business as D. J. Simmons & Co. of Louisiana and as Farrell & Company of Louisiana.

[FR Doc.76-601 Filed 1-9-76;8:45 am]

[Docket No. RI76-84]

MOBIL OIL CORP., ET AL.

Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

DECEMBER 31, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR, Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

[1] Does not consolidate for hearing or dispose of the several matters herein.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf [4]		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
RI76-84	Mobil Oil Corp.	26	26	Northwest Pipeline Corp., (New Mexico) (Rocky Mountain).	$15,997	11-20-75		6-1-76	[1] [2] 27.4486	[1] [2] 27.9843	RI75-91
	do	199	13	El Paso Natural Gas Co., (New Mexico) (Rocky Mountain).	28	11-20-75		6-1-76	[1] [2] 27.4321	[1] [2] 27.9472	RI75-91
	do	209	17	do	82	11-20-75		6-1-76	[1] [2] 27.4321	[1] [2] 27.9472	RI75-91
	do	215	35	Northwest Pipeline Corp., (Wyoming) (Rocky Mountain).	101,202	11-24-75		6-1-76	[3] [5] 54.2115	[3] [5] 55.2745	RI75-108
	do	217	34	do	71,238	11-24 75		6-1-76	[3] [5] 54.2115	[3] [5] 55.2745	RI75-108
	do	313	19	El Paso Natural Gas Co., (Colorado) (Rocky Mountain).	571	11-20-75		6-1-76	[1] [2] 26.6721	[1] [2] 27.1721	RI75-91
	do	314	22	El Paso Natural Gas Co., (New Mexico) (Rocky Mountain).	947	11-20-75		6-1-76	27.4341	27.9693	RI75-91
	do	370	12	do	46	11-20-75		6-1-76	[1] [2] 27.4470	[1] [2] 27.9821	RI75-91
	do	422	11	Northwest Pipeline Corp., (New Mexico) (Rocky Mountain).	182	11-20-75		6-1-76	[1] [2] 27.4470	[1] [2] 27.9821	RI75-91
	do	427	23	do	586	11-20-75		6-1-76	[1] [2] 27.5071	[1] [2] 28.0223	RI75-91
	do	440	12	El Paso Natural Gas Co., (New Mexico) (Rocky Mountain).	66	11-20-75		6-1-76	[1] [2] 27.5173	[1] [2] 28.0325	RI75-91
	do	105	19	Northwest Pipeline Corp., (Colorado) (Rocky Mountain).	147	11-20-75		6-1-76	[1] [2] 26.6721	[1] [2] 27.1721	RI75-91
	do	109	22	Northwest Pipeline Corp., (New Mexico) (Rocky Mountain).	325	11-20-75		6-1-76	[1] [2] 27.4541	[1] [2] 27.9693	RI75-91
	do	504	12	do	746	11-20-75		6-1-76	[1] [2] 27.4470	[1] [2] 27.9821	RI75-91

[1] Unless otherwise stated, the pressure base is 15.025 lb/in²a.
[2] Applies to wells completed prior to June 1, 1970.
[3] Subject to upward and downward British thermal unit adjustment from a base of 1,000 Btu/ft³.
[4] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.
[5] Applies to all gas except from wells commenced on or after Jan. 1, 1973.

The proposed rate increases of Mobil exceed the applicable area ceiling established in Opinion No. 658 and they are suspended for five months.

[FR Doc.76-605 Filed 1-9-76;8:45 am]

[Docket No. CP76-156]

NORTHERN NATURAL GAS CO.

Notice of Application

DECEMBER 30, 1975.

Take notice that on November 7, 1975, Northern Natural Gas Company (Applicant), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP76-156 an application pursuant to Section 7 (c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the adjustment and realignment of volumes of natural gas authorized to be sold to certain utility customers for resale, upon their request, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that certain utility customers, Wisconsin Gas Company, Northern States Power Company, Northern States Power Company of Wisconsin, and Applicant's Peoples Natural Gas Division, have requested realignments of contract demand and winter period services for certain communities and adjustment of firm service for certain industrial customers. The proposed adjustments and realignments would not increase or decrease the presently authorized contract demand or winter period service of the utilities requesting the changes, it is stated. The proposed changes are as follows:

The proposed adjustments are said to include Northern States Power Company's requests for cancellation of 220 Mcf per day of contract demand assigned to Makins Fabricating Company and a decrease of 195 Mcf per day of contract demand assigned to Minnesota Mining & Manufacturing Company, from 420 Mcf to 225 Mcf per day, both located in St. Paul, Minnesota.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 13, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

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[Thousand cubic feet at 14.73 lb/in²a]

Line No.	Utility group, rate zone, community	Adjustment: Contract demand	Seasonal service	Winter period service	Peaking service
1	Northern States Power Co.:				
2	Group E-F:				
3	Rate Zone 3:				
4	Faribalt, Minn	(2,062)	(143)		(1,272)
5	Northfield, Minn	(2,017)	(113)		(623)
6	Red Wing, Minn	(2,611)	(109)		52
7	St. Paul, Minn	5,696	233		1,918
8	American Hoist	[1] 367			
9	Makens Fabricating Co	(220)			
10	Minnesota Mining & Manufacturing Co	(195)			
11	White Bear Lake, Minn	301	(3)		(398)
12	Total group EF-3	(2,741)	(135)		(323)
13	Group EF:				
14	Rate Zone B:				
15	Center City, Minn	521	26		80
16	Foley, Minn	(66)	(2)		15
17	Forest Lake, Minn	1,133	56		172
18	Hugo, Minn	150	7		23
19	Lake City, Minn	(403)	(25)		(178)
20	Lake Elmo, Minn	521	26		66
21	St. Cloud, Minn	(1,490)	(59)		[illegible]
22	St. Joseph, Minn	119	6		22
23	Sartell, Minn	628	11		74
24	Stacy, Minn	8			3
25	Stillwater, Minn	1,055	50		222
26	Wabasha, Minn	(182)	(7)		10
27	Winona, Minn	749	21		[illegible]
28	Total group EF-B	2,741	135		323
29	Northern States Power Co.: of Wisconsin:				
30	Group EF:				
31	Rate zone B:				
32	LaCrosse, Wis	(33) [1]			
33	LaCrosse Rubber Mills	[1] 80			
34	UOP Norplex	[1] 250			
35	Wisconsin:				
36	Group D:				
37	Rate zone 3:				
38	Group D:				
39	Rate zone B:				
40	Belleville, Wis			50	
41	Boscobel, Wis			50	
42	Richland Center, Wis			50	
43	Subtotal group D			150	
44	Group E-F:				
45	Rate zone B:				
46	Almena, Wis			(13)	
47	Amery, Wis			(70)	
48	Balsam Lake, Wis			(25)	
49	Barron, Wis			(25)	
50	Bloomer, Wis			(26)	
51	Bruce, Wis			(23)	
52	Cashton, Wis			(21)	
53	Centuria, Wis			(19)	
54	Chetek, Wis			(62)	
55	Frederic, Wis			(39)	
56	Ladysmith, Wis			(148)	
57	Luck, Wis			(36)	
58	Milltown, Wis			(14)	
59	New Auburn, Wis			(16)	
60	Osceola, Wis			(31)	
61	Osseo, Wis			(59)	
62	Plum City, Wis			(26)	
63	Rice Lake, Wis			570	
64	St. Croix Falls, Wis			(25)	
65	Sparta, Wis			(148)	
66	Spring Valley, Wis			(20)	
67	Star Prairie, Wis			(4)	
68	Taylor, Wis			(10)	
69	Tomah, Wis			(171)	
70	Total group E-F			(150)	
71	Peoples Natural Gas Division:				
72	Group A:				
73	Rate zone 1:				
74	Council Bluffs, Iowa	(2,500)			
75	Group B:				
76	Rate zone 3:				
77	Estherville, Iowa	(600)			
78	Spencer, Iowa	(400)			
79	Group D:				
80	Rate zone 3:				
81	Dubuque, Iowa	3,500			

[1] Pending Commission approval at Docket No. CP76-147.

[FR Doc.76-730 Filed 1-9-76;8:45 am]

[Docket Nos. RI76-90, etc.]

NORTHERN NATURAL GAS PRODUCING CO., ET AL.

Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

DECEMBER 31, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR, Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in docket No.
RI76-90	Northern Natural Gas Producing Co.	25	26	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	$24	11-20-75		6-1-76	27.4769	27.9920	RI75-92
	do	26	27	do	372	11-20-75		6-1-76	27.4769	27.9920	RI75-92
	do	27	28	do	455	11-20-75		6-1-76	27.4769	27.9920	RI75-92
	do	30	14	do	140	11-20-75		6-1-76	27.447	27.9671	RI75-92
	do	32	9	Southern Union Gathering Corp. (New Mexico) (Rocky Mountain).	19	11-20-75		6-1-76	27.8961	28.4114	RI75-125
RI76-91	Koch Development Corp	2	8	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	91	11-21-75		6-1-76	[4] 28.9065	[4] 29.4965	RI75-113
	do	3	8	do	205	11-21-75		6-1-76	27.2032	27.7644	RI75-113
RI76-92	Northwest Production Corp.	1	90	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	91,182	11-18-75		6-1-76	[1] 27.4726	[1] 32.5383	RI75-88
	do			do	547	11-18-75		6-1-76	[2] 29.3173	[2] 34.7853	RI75-88
	do		91	Northwest Pipeline Corp. (Colorado) (Rocky Mountain).	7,601	11-18-75		6-1-76	[1] 26.7795	[1] 31.9206	RI75-88
	do			do		11-18-75		6-1-76	[2] 29.0	[2] 34.3970	RI75-88
	do	3	9	El Paso Natural Gas Co., (New Mexico) (Rocky Mountain).	828	11-18-75		6-1-76	27.2883	[illegible]	RI75-88
	do	4	17	do	50	11-18-75		6-1-76	[1] 27.6799	[1] 32.2225	RI75-88
	do			do		11-18-75		6-1-76	[2] 29.3173	[2] 34.0991	RI75-88
	do	5	17	do	1,201	11-18-75		6-1-76	[1] 27.6799	[1] 32.9003	RI75-88
	do			do		11-18-75		6-1-76	[2] 29.3173	[2] 34.6681	RI75-88
RI76-93	Southern Union Production Co.	3	26	Southern Union Gathering Co. (New Mexico) (Rocky Mountain).	$8,523	11-17-75		6-1-76	30.51	31.16	RI75-102
	do	10	13	do	16,748	11-17-75		6-1-76	[1] 31.01	[1] 31.64	RI75-100
	do			do	61	11-17-75		6-1-76	[2] 34.53	[2] 35.14	RI75-100
	do	15	18	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	1,473	11-19-75		6-1-76	[1] 32.27	[1] 32.93	RI75-105
	do			do		11-19-75		6-1-76	[2] 35.89	[2] 36.5	RI75-105
	do	21	7	Southern Union Gathering Co. (New Mexico) (Rocky Mountain).	11,398	11-17-75		6-1-76	31.39	31.92	RI75-103
	do	33	17	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	2,061	11-19-75		6-1-76	[1] 32.27	[1] 32.93	RI75-100
	do			do		11-19-75		6-1-76	[2] 35.89	[2] 36.5	RI75-100
RI76-94	Northwest Production Corp.	6	17	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	930	11-18-75		6-1-76	[1] 27.6799	[1] 31.9112	RI75-88
	do			do		11-18-75		6-1-76	[2] 29.3173	[2] 34.1290	RI75-88

* Unless otherwise stated, the pressure base is 15.025 lb/in²a.
[1] Applicable to wells commenced prior to June 1, 1970.
[2] Applicable to wells commenced on or after June 1, 1970.
[3] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.
[4] The pressure base is 14.73 lb/in²a.

The proposed rate increases exceed the applicable ceiling rate established in Opinion No. 658, and they are suspended for five months.

[FR Doc.76-606 Filed 1-9-76;8:45 am]

[Docket No. RI76-105]

PWG PARTNERSHIP

Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

DECEMBER 31, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix "A" hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18, CFR, Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

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APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf[1] Rate in effect	Cents per Mcf[1] Proposed increased rate	Rate in effect subject to refund in dockets No.
RI76-105...	PWG partnership	2	15	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	$13	11-20-75		6-1-76	26.7951	27.2951	RI75-94
	do			do	7	11-20-75		6-1-76	29.3234	29.8234	RI75-94
	do			do					(7 1)	(7 1)	RI75-123
	do			do	50	11-20-75	1-1-76	(4)	62.7859	63.9359	
	do	4	12	Northwest Pipeline Corp.[2] (New Mexico) (Rocky Mountain).	8	11-20-75		6-1-76	26.7951	27.2951	RI75-94
	do			do	30	11-20-75		6-1-76	29.3234	29.8234	RI75-94
	do			do					(7)	(7)	RI75-123
	do			do	17	11-20-75	1-1-76	(8)	62.7859	63.9359	
	do	5	18	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	702	11-20-75		(8)	26.7951	27.2951	RI75-94
	do			do	480	11-20-75		(8)	29.3234	29.8234	RI75-94
	do			do					(7)	(7)	RI75-123
	do			do	1,225	11-20-75	1-1-76	(8)	62.7859	63.9359	
	do	6	15	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	660	1-2-75	6-21-74	(3)	[6][7] 28.5	[6][8] 50.0	
	do			do	30	1-2-75	1-1-75	(3)	[6][8] 51.0	[6][8] 51.0	
	do		16	do	77	11-20-75		(5)	[6] 25.0	[1] 27.2951	RI75-94
	do			do	60	11-20-75		(6)	[1] 29.3234	[1] 29.8234	RI75-123
	do			do	35	11-20-75	1-1-76	(5)	[6] 51.0	63.9359	

[1] Unless otherwise stated, the pressure base is 14.73 lb/in²a.
[2] Subject to upward and downward British thermal unit adjustment from a base of 1,000 Btu per cubic foot.
[3] Commission order issued July 29, 1975, in Docket No. RI75-94 incorrectly reflected El Paso Natural Gas Co. as the purchaser.
[4] Originally filed Jan. 2, 1975, and accepted as Supplement No. 14 to PWG Partnership's FPC Gas Rate Schedule No. 5 which covers sales to El Paso Natural Gas Co. This notice through inadvertence was not also accepted as a supplement to Rate Schedule No. 6.
[5] Applicable to all wells commenced subsequent to Jan. 1, 1973.
[6] Plus applicable tax and British thermal unit adjustment.
[7] The proposed rate increase is accepted as of Jan. 1, 1976 insofar as it relates to sales from the Rocky Mountain area under a contract dated on or after Oct. 1, 1968, from a well commenced prior to Jan. 1, 1973, in accordance with Opinion No. 699–H and is suspended until June 1, 1976 insofar as it relates to sales to which the ceiling rate in Opinion No. 658 is applicable.
[8] The pressure base is 15.025 lb/in²a.
[9] Accepted, to become effective as of the date set forth in the "Effective date unless suspended" column.
[10] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.

The proposed increases which do not exceed the applicable national ceiling under Opinion No. 699, as amended, or the applicable Rocky Mountain ceiling under Opinion No. 699–H are accepted as of the date set forth in the "Effective Date Unless Suspended" column.

The proposed rate increases which exceed the applicable area ceiling rate established in Opinion No. 658 are suspended for five months.

[FR Doc.76-607 Filed 1-9-76;8:15 am]

[Docket Nos. RI76-85, etc.]

SHELL OIL CO., ET AL.

Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund[1]

DECEMBER 31, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR, Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf[2] *Rate in effect	Cents per Mcf[2] Proposed increased rate	Rate in effect subject to refund in dockets No.
RI76-83	Shell Oil Co. (operator) et al	249	220	El Paso Natural Gas Co. (Texas) (Permian).	$9,001	10-10-75		6-1-76	26.363	27.352	RI75-60
RI76-86	ExxonCorp.	131	15	do	3,316	11-12-75		6-1-76	25.5756	26.5592	RI75-53
RI76-87	Exxon Corp. (operator) et al	138	14	do	2,273	11-12-75		6-1-76	26.0975	27.1414	
	do	523	20	do	1,291	11-12-75		6-1-76	37.5	[3][5]	
RI76-88	Mobil Oil Corp. (operator) et al.	244	27	do	18,631	11-20-75		6-1-76	30.0	31.0	RI75-85

[1] Unless otherwise stated, the pressure base is 14.65 lb/in²a.
[2] Applicable to production from original contract acreage only (excludes supp. Nos. 1 and 10).
[3] Applicable to gas produced from all wells except Fort Chaboume Odom, lime unit wells, wells commenced on or after Jan. 1, 1973 and, recompletions in different reservoirs on and after Jan. 1, 1973.
[4] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.

The proposed rate increases exceed the applicable area ceiling established in Opinion No. 662 and they are suspended for five months.

[FR Doc.76-608 Filed 1-9-76;8:45 am]

[Docket Nos. RI76-76, etc.]

SKELLY OIL CO., ET AL.

Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund[1]

DECEMBER 15, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR, Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Rsepondent shall comply with the refunding procedures required by the Natural Gas Act and § 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in dockets No.
RI76-76...	Skelly Oil Co.	90	30	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	$37,225	11-24-75	1-1-76	(2)	[1] 54.2000	[1] 57.386	
	do			do	3,593	11-24-75		6-1-76	27.4368	27.9529	RI75-82
	do			do	3,914	11-24-75		6-1-76	29.2172	29.8360	RI75-82
	do	102	7	Mountain Fuel Supply Co. (Colorado) (Rocky Mountain).	345	11-24-75		6-1-76	25.5	26.52	RI75-106
	do	105	8	do	3,545	11-24-75		6-1-76	25.5	26.52	RI75-106
RI76-77...	The Superior Oil Co.	20	20	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	2,078	11-21-75		(2)	54.0	[3] 56.71275	
RI76-78...	American Petrofina Co. of Texas.	16	15	do	2,560	11-21-75		6-1-76	34.34	34.897	RI75-59
RI76-79...	Union Oil Co. of California	80	9	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	490	11-14-75		6-1-76	29.9548	30.5548	RI75-78
	do	129	8	Southern Union Gathering Co. (New Mexico) (Rocky Mountain).	154	11-14-75		6-1-76	29.2900	31.5000	RI74-135
	do	170	8	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	304	11-14-75		6-1-76	29.9444	30.5448	RI75-78

* Unless otherwise stated, the pressure base is 15.025 lb/in²a.
[1] Subject to applicable British thermal unit adjustment.
[2] Accepted for filing as of the date set forth in the "Effective Date Unless Suspended" column.
[3] The proposed rate increase is accepted as of Dec. 22, 1975, insofar as it does not exceed the opinion No. 658 ceiling and is suspended until May 22, 1976, insofar as it exceeds the opinion No. 658 ceiling rate.
[4] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.

That portion of Skelly's proposed increase under its FPC Gas Rate Schedule No. 90 which covers production from wells subject to Opinion No. 699, as amended, is accepted to be effective on January 1, 1976. The other proposed increases under that rate schedule are suspended for five months.

Superior Oil's proposed rate increase is accepted insofar as it does not exceed the applicable ceiling established in Opinion No. 658 as of December 22, 1975 and suspended until May 22, 1976 insofar as it does exceed the Opinion No. 658 ceiling rate.

The remaining proposed rate increases exceed the applicable area ceiling established in Opinion No. 658 and they are suspended for five months.

[FR Doc. 600 Filed 1-9-76;8:45 am]

[Docket No. RP75-30]

UNITED GAS PIPE LINE CO.

Notice of Informal Conference

JANUARY 5, 1976.

Take notice that on February 10, 1976 an informal conference will be convened in this proceeding at 10:00 A.M. in the offices of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. The purpose of the conference is to permit the parties and the Staff to consider the means by which the hearing in this proceeding may be facilitated and to discuss any other procedural matters in this docket.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-877 Filed 1-9-76;8:45 am]

[Rate Schedule Nos. 350, *et al.*]

SUN OIL CO., ET AL.

Rate Change Filings

DECEMBER 29, 1975.

Take notice that the producers listed in the Appendix attached hereto have filed proposed increased rates to the applicable new gas national ceiling based on the interpretation of vintaging concepts set forth by the Commission in its Opinion No. 699–H, issued December 4, 1974. Pursuant to Opinion No. 699–H the rates, if accepted, will become effective as of the date of filing.

The information relevant to each of these sales is listed in the Appendix.

Any person desiring to be heard or to make any protest with reference to said filings should on or before January 12,

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1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). A protest will not serve to make the protestant a party to the proceeding. Any party wishing to become a party to a proceeding must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

Filing date	Producer	Rate schedule No.	Buyer	Area
Dec. 17, 1975	Sun Oil Co., Southland Center, P.O. Box 2880, Dallas, Tex. 75221.	350	El Paso Natural Gas Co.	Permian Basin.
Do.	Union Texas Petroleum, a division of Allied Chemical Corp., P.O. Box 2110, Houston, Tex. 77001.	28	do.	Do.
Dec. 19, 1975	McCulloch Oil Corp., 10880 Wilshire Blvd., Los Angeles, Calif. 90024.	[illegible]	do.	Do.
Do.	Cities Service Co., Box 300, Tulsa, Okla. 74102.	366	Texas Eastern Transmission Corp.	Other Southwest.

[FR Doc.76-760 Filed 1-9-76;8:45 am]

[Dept. Circular Public Debt Series No. 1-76]

DEPARTMENT OF THE TREASURY

Office of the Secretary

TREASURY NOTES OF SERIES D-1981

Dated and Bearing Interest From January 26, 1976; Due May 15, 1981

JANUARY 7, 1976.

I. INVITATION FOR TENDERS

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites tenders on a yield basis for $2,000,000,000, or thereabouts, of notes of the United States, designated Treasury Notes of Series D-1981. The interest rate for the notes will be determined as set forth in Section III, paragraph 3, hereof. Additional amounts of these notes may be issued at the average price of accepted tenders to Government accounts and to Federal Reserve Banks for themselves and as agents of foreign and international monetary authorities. Tenders will be received up to 1:30 p.m., Eastern Standard time, Tuesday, January 13, 1976, under competitive and noncompetitive bidding, as set forth in Section III hereof.

II. DESCRIPTION OF NOTES

1. The notes will be dated January 26, 1976, and will bear interest from that date, payable on a semiannual basis on May 15 and November 15, 1976, and thereafter on May 15 and November 15 in each year until the principal amount becomes payable. They will mature May 15, 1981, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. Book-entry notes will be available to eligible bidders in multiples of those amounts. Interchanges of notes of different denominations and of coupon and registered notes, and the transfer of registered notes will be permitted.

5. The notes will be subject to the general regulations of the Department of the Treasury, now and hereafter prescribed, governing United States notes.

III. TENDERS AND ALLOTMENTS

1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to the closing hour, 1:30 p.m., Eastern Standard time, Tuesday, January 13, 1976. Each tender must state the face amount of notes bid for, which must be $1,000 or a multiple thereof, and the yield desired, except that in the case of noncompetitive tenders the term "noncompetitive" should be used in lieu of a yield. In the case of competitive tenders, the yield must be expressed in terms of an annual yield, with two decimals, e.g., 7.11. Fractions may not be used. Noncompetitive tenders from any one bidder may not exceed $500,000.

2. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, may submit tenders for account of customers provided the names of the customers are set forth in such tenders. Others will not be permitted to submit tenders except for their own account. Tenders will be received without deposit from banking institutions for their own account, Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, and Government accounts. Tenders from others must be accompanied by payment of 5 percent of the face amount of notes applied for.

3. Immediately after the closing hour tenders will be opened, following which public announcement will be made by the Department of the Treasury of the amount and yield range of accepted bids. Those submitting competitive tenders will be advised of the acceptance or rejection thereof. In considering the acceptance of tenders, those with the lowest yields will be accepted to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, an interest rate will be established at the nearest ⅛ of 1 percent necessary to make the average accepted price 100.000 or less. That will be the rate of interest that will be paid on all of the notes. Based on such interest rate, the price on each competitive tender alloted will be determined and each successful competitive bidder will be required to pay the price corresponding to the yield bid. Price calculations will be carried to three decimal places on the bases of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders, in whole or in part, including the right to accept tenders for more or less than the $2,000,000,000 of notes offered, and his action in any such respect shall be final. Subject to these reservations, noncompetitive tenders for $500,000 or less without stated yield from any one bidder will be accepted in full at the average price (in three decimals) of accepted competitive tenders.

IV. PAYMENT

1. Settlement for accepted tenders in accordance with the bids must be made or completed on or before January 26, 1976, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt. Payment must be in cash, in other funds immediately available to the Treasury by January 26, 1976, or by check drawn to the order of the Federal Reserve Bank to which the tender is submitted, or the United States Treasury if the tender is submitted to it, which must be received at such Bank or at the Treasury no later than: (1) Wednesday, January 21, 1976, if the check is drawn on a bank in the Federal Reserve District of the Bank to which the check is submitted, or the Fifth Federal Reserve District in case of the Treasury, or (2) Monday, January 19, 1976, if the check is drawn on a bank in another district. Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at a Federal Reserve Bank. Payment will not be deemed to have been completed where registered

notes are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. In every case where full payment is not completed, the payment with the tender up to 5 percent of the amount of notes allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make such allotments as may be prescribed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of notes on full-paid tenders allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

STEPHEN S. GARDNER,
Acting Secretary of the Treasury.

[FR Doc.76-875 Filed 1-9-76;8:45 am]

[Dept. Circular Public Debt Series No. 2-76]

TREASURY NOTES OF SERIES J-1978

Dated and Bearing Interest From February 2, 1976; Due January 31, 1978

JANUARY 7, 1976.

I. INVITATION FOR TENDERS

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites tenders on a yield basis for $2,500,000,000, or thereabouts, of notes of the United States, designated Treasury Notes of Series J-1978. The interest rate for the notes will be determined as set forth in Section III, paragraph 3, hereof. Additional amounts of these notes may be issued at the average price of accepted tenders to Government accounts and to Federal Reserve Banks for themselves and as agents of foreign and international monetary authorities. Tenders will be received up to 1:30 p.m., Eastern Standard time, Wednesday, January 14, 1976, under competitive and noncompetitive bidding, as set forth in Section III hereof.

II. DESCRIPTIONS OF NOTES

1. The notes will be dated February 2, 1976, and will bear interest from that date, payable on a semiannual basis, on July 31, 1976, January 31, 1977, July 31, 1977, and January 31, 1978. They will mature January 31, 1978, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in denominations of $5,000, $10,000, $100,000 and $1,000,000. Book-entry notes will be available to eligible bidders in multiples of those amounts. Interchanges of notes of different denominations and of coupon and registered notes, and the transfer of registered notes will be permitted.

5. The notes will be subject to the general regulations of the Department of the Treasury, now or hereafter prescribed, governing United States notes.

III. TENDERS AND ALLOTMENTS

1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to the closing hour, 1:30 p.m., Eastern Standard time, Wednesday, January 14, 1976. Each tender must state the face amount of notes bid for, which must be $5,000 or a multiple thereof, and the yield desired, except that in the case of noncompetitive tenders the term "noncompetitive" should be used in lieu of a yield. In the case of competitive tenders, the yield must be expressed in terms of an annual yield, with two decimals, e.g., 7.11. Fractions may not be used. Noncompetitive tenders from any one bidder may not exceed $500,000.

2. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, may submit tenders for account of customers provided the names of the customers are set forth in such tenders. Others will not be permitted to submit tenders except for their own account. Tenders will be received without deposit from banking institutions for their own account, Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, and Government accounts. Tenders from others must be accompanied by payment of 5 percent of the face amount of notes applied for.

3. Immediately after the closing hour tenders will be opened, following which public announcement will be made by the Department of the Treasury of the amount and yield range of accepted bids. Those submitting competitive tenders will be advised of the acceptance or rejection thereof. In considering the acceptance of tenders, those with the lowest yields will be accepted to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, an interest rate will be established at the nearest ⅛ of one percent necessary to make the average accepted price 100.000 or less. That will be the rate of interest that will be paid on all of the notes. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price corresponding to the yield bid. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders, in whole or in part, including the right to accept tenders for more or less than the $2,500,000,000 of notes offered, and his action in any such respect shall be final. Subject to these reservations, noncompetitive tenders for $500,000 or less without stated yield from any one bidder will be accepted in full at the average price (in three decimals) of accepted competitive tenders.

IV. PAYMENT

1. Settlement for accepted tenders in accordance with the bids must be made or completed on or before February 2, 1976, at the Federal Reserve Bank or Branch or at the Bureau of the Public Dept., Washington, D.C. 20226. Payment must be in cash, in other funds immediately available to the Treasury by February 2, 1976, or by check drawn to the order of the Federal Reserve Bank to which the tender is submitted, or the United States Treasury if the tender is submitted to it, which must be received at such Bank or at the Treasury no later than: (1) Wednesday, January 28, 1976, if the check is drawn on a bank in the Federal Reserve District of the Bank to which the check is submitted, or the Fifth Federal Reserve District in the case of the Treasury, or (2) Monday, January 26, 1976, if the check is drawn on a bank in another district. Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at a Federal Reserve Bank. Payment will not be deemed to have been completed where registered notes are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. In every case where full payment is not completed, the payment with the tender up to 5 percent of the amount of notes allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States.

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V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make such allotments as may be prescribed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of notes on full-paid tenders allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

STEPHEN S. GARDNER,
Acting Secretary of the Treasury.

[FR Doc.76-876 Filed 1-9-76;8:45 am]

DEPARTMENT OF JUSTICE

Antitrust Division

UNITED STATES V. CUSTOMS BROKERS AND FORWARDERS ASSOCIATION OF MIAMI, INC.

Proposed Consent Judgment and Competitive Impact Statement

Notice is given pursuant to Antitrust Procedures and Penalties Act, 15 U.S.C. Section 16 (b) through (h), that a proposed consent judgment and a competitive impact statement as set out below have been filed with the United States District Court for the Southern District of Florida in Civil Action No. 75-3087-CIV.-PF, United States v. Customs Brokers and Forwarders Association of Miami, Inc. The complaint in this case was filed on November 21, 1974, and dismissed without prejudice on May 7, 1975. The complaint was re-filed on Dec. 29, 1975, along with the proposed consent judgment.

The complaint in this case alleges that the defendant, a Florida trade association composed of international freight forwarders and customs brokers (forwarder/brokers), engaged in a conspiracy with unnamed co-conspirators, including members of the association, to fix fees to be charged for the preparation of import and export documents. The proposed judgment enjoins the defendant from engaging in a conspiracy to fix the fees charged for any business services offered by forwarder/brokers.

Public comment is invited on or before March 12, 1976. Such comments and responses thereto will be published in the Federal Register and filed with the Court. Comments should be directed to Donald A. Kinkaid, Chief, Atlanta Field Office, Antitrust Division, United States Department of Justice, Suite 420, 1776 Peachtree Street N.W., Atlanta, Georgia 30309.

Dated: December 29, 1975.

THOMAS E. KAUPER,
Assistant Attorney General, Antitrust Division.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

Civil No. 75-3087-CIV.-PF

United States of America, Plaintiff, v. Customs Brokers and Forwarders Association of Miami, Inc., Defendant.

[Filed: December 29, 1975]

Stipulation

It is stipulated, by and between the undersigned parties, Plaintiff, United States of America, and Defendant, Customs Brokers and Forwarders Association of Miami, Inc., by their respective attorneys, that:

(1) The parties consent that the Final Judgment in the form hereto attached may be filed and entered by the Court, upon the motion of either party, or upon the Court's own motion, at any time after compliance with requirements of the Antitrust Procedures and Penalties Act, Pub. L. No. 93-528 (December 21, 1974), and without further notice to either party or other proceedings, provided that Plaintiff has not withdrawn its consent.

(2) The Plaintiff may withdraw its consent hereto at any time before entry of the proposed Final Judgment by serving notice thereof upon the Defendant and by filing a notice with the Court.

(3) In the event Plaintiff withdraws its consent hereto, the Stipulation shall be of no affect whatever in this or any other proceedings and the making of this Stipulation shall not in any manner prejudice any consenting party in any subsequent proceedings.

For the plaintiff: Thomas E. Kauper, *Assistant Attorney General;* Baddid J. Rashid, Charles F. B. McAleer, Donald A. Kinkaid, *Attorneys, United States Department of Justice.* Jack C. Williamson, *Attorney, United States Department of Justice.* Antitrust Division, 1776 Peachtree Street, N.W., Suite 420, Atlanta, Georgia 30309. Telephone (404) 526-3828.

For the defendant: Lucius C. Proby, Jr., *Counsel for Customs Brokers and Forwarders Association of Miami, Inc.*

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

Civil No. 75-3087-CIV.-PF

United States of America, Plaintiff, v. Customs Brokers and Forwarders Association of Miami, Inc., Defendant.

[Filed: December 29, 1975]

Final judgment

Plaintiff, United States of America, having filed its complaint herein on December 29, 1975 and the Plaintiff and the Defendant, by their respective attorneys, having consented to entry of this Final Judgment, without trial or adjudication of any issue of fact or law herein, and without admission by any party with respect to any such issue, and without this Final Judgment constituting evidence or admission by any party with respect to any such issue;

Now therefore, before the taking of any testimony and without any adjudication of any issue of fact or law herein, and upon the consent of the parties hereto, it is hereby ordered, adjudged and decreed as follows:

I

This Court has jurisdiction over the subject matter herein and over the parties hereto. The Complaint states a claim against the Defendant upon which relief may be granted under Section 1 of the Act of Congress of July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," as amended, commonly known as the Sherman Act.

II

As used in this Final Judgment: (A) "Person" means any individual, association, cooperative, partnership, corporation, or other business or legal entity.

(B) "Forwarder/Broker" means a person conducting business in one or more of the following capacities: (1) Independent freight forwarder; (2) international air freight forwarder; or (3) customs broker.

III

The provisions of this Final Judgment applicable to the Defendant shall also apply to each of its officers, directors, members, agents, employees, subsidiaries, successors, and assigns, and to all other persons in active concert or participation with any of them who shall have received actual notice of this Final Judgment by personal service or otherwise.

IV

Defendant is ordered and directed: (A) To forthwith adopt a by-law requiring the expulsion of any member who engages in activities prohibited in any of the paragraphs of Section V of this Final Judgment.

(B) To give to each new member a copy of this Final Judgment, and to specifically instruct each existing and each new member that continuation of membership in Defendant is dependent upon compliance with the terms of this Final Judgment.

V

Defendant is enjoined and restrained from, directly or indirectly: (A) Entering into, adhering to, maintaining, or furthering any contract, agreement, understanding, plan, or program to fix, determine, maintain, or stabilize fees charged for services performed by forwarder/brokers.

(B) Discussing, advocating, suggesting, urging, inducing, threatening, coercing, intimidating, or compelling any forwarder/broker to adopt, use, or adhere to any uniform or specific fee to be charged for the performance of any service.

VI

Defendant is ordered and directed to furnish, within ninety (90) days after date of entry of this Final Judgment, a copy thereof to each of its officers, directors, agents, and members, and to file with this Court and to serve upon the Plaintiff an affidavit as to the fact and manner of its compliance with this Section VI.

VII

For the purpose of determining or securing compliance with this Final Judgment, duly authorized representatives of the Department of Justice shall, upon written request of the Attorney General, or the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice to the Defendant, be permitted, subject to any legally recognized privilege:

(A) Access, during office hours of Defendant, to all books, ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or under the control of the Defendant relating to any matters contained in this Final Judgment.

(B) Subject to the reasonable convenience of the Defendant, and without restraint or interference from it, to interview officers, directors, employees, or agents of the Defendant, who may have counsel present, regarding any such matters.

Upon written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, Defendant shall submit such reports in writing with respect to the matters contained in this Final Judgment as may, from time to time, be requested.

No information obtained by the means permitted in this Section VII shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Executive Branch of the Plaintiff, except in the course of legal proceedings in which the United States of America is a party for the purpose of securing compliance with this Final Judgment or as otherwise required by law.

Jurisdiction is retained for the purpose of enabling any of the parties to this Final Judgment to apply to this Court at any time for such further orders and directions as may be necessary or appropriate for the construction or carrying out of this Final Judgment or for the modification of any of the provisions herein, and for the enforcement or compliance therewith and punishment of any violation of any of the provisions contained herein.

IX

The entry of this Final Judgment is in the public interest.

Dated this 9th day of January, 1976.

Jack C. Williamson, *United States District Judge.*

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

Civil No. 75-3087-CIV.-PF

United States of America, Plaintiff v. Customs Brokers and Forwarders Association of Miami, Inc., Defendant.

[Filed: December 29, 1975]

Proposed consent decree: Competitive impact statement

Pursuant to Section 2(b) of the Antitrust Procdeures and Penalties Act (15 U.S.C. 16 (b)-(h)), the United States of America hereby files this Competitive Impact Statement relating to the proposed consent judgment submitted for entry in this civil antitrust proceeding.

On November 21, 1974, the Department of Justice filed a civil antitrust suit alleging that a trade association conspired with unnamed co-conspirators, including members of the trade association, to fix prices in violation of Section 1 of the Sherman Act. The civil case was dismissed without prejudice on May 7, 1975. On December 29, 1975 the Department of Justice re-filed the civil case. The trade association is the Customs Brokers and Forwarders Association of Miami, Inc., a Florida corporation. The regular membership of the defendant is composed of international freight forwarders and customs brokers (forwarder/brokers). International freight forwarders provide various services for customers wishing to ship goods out of the United States to foreign countries. Customs brokers offer similar services to customers shipping goods into the United States. Important among the services provided by forwarder/brokers is the preparation of import and export documents. A fee is charged for the preparation of these documents.

The civil action instituted against the trade association asked the Court to declare that the defendant, from at least as early as 1970, had engaged in a conspiracy to fix, establish, and maintain a schedule of minimum fees to be charged for the preparation of documents for goods entering and leaving the United States through Miami, Florida. The civil complaint further asked the Court to order the defendant to cease engaging in the conspiracy and grant such other relief as would prevent the recurrence of a similar conspiracy. The Government would have contended at trial that under the auspices of the defendant a suggested minimum fee schedule was formulated. Furthermore, this fee schedule was discussed at a regular meeting of the defendant and, at a subsequent regular meeting, was adopted by a majority vote of the members present. The adopted minimum fee schedule was then distributed to the membership.

The proposed consent judgment provides for all of the relief which would have been demanded by the plaintiff if this case had been tried. The proposed judgment prohibits the Association from entering into any agreements or engaging in any discussions with any forwarder/brokers to affect or manipulate the fees charged for any of their services. The Association is required to adopt a by-law requiring the expulsion of any member who enters into any such agreements or engages in any such discussions.

In order to assure compliance with the consent judgment, the defendant, upon written request of the plaintiff, is to allow attorneys of the plaintiff to inspect its business records and interview any of its officers, directors, employees, or agents. Also upon written request, the defendant is to submit written reports respecting matters contained in the judgment. Each officer, director, agent, and member, as well as any new member who joins the Association, is to be furnished a copy of this final judgment. Furthermore, each existing and each new member is to be specifically instructed that continuation of membership in the Association is dependent upon compliance with the terms of the final judgment.

Any potential private plaintiffs who might have been damaged by the alleged violation will retain the same right to sue for monetary damages and any other legal and equitable remedies which they would have had, were the proposed consent decree not entered. However, this judgment may not be used as prima facie evidence in private litigation pursuant to Section 5(a) of the Clayton Act, as amended, 15 U.S.C. 16(a).

The proposed final judgment is subject to a stipulation by and between the United States and the defendant, which provides that the United States may withdraw its consent to the proposed final judgment prior to entry of the proposed judgment by the Court. By its terms, the proposed judgment provides for retention of jurisdiction of this action in order, among other things, to permit either of the parties thereto to apply to the Court for such orders as may be necessary or appropriate for its modification.

As provided by the Antitrust Procedures and Penalties Act, any person believing that the proposed judgment should be modified may for a sixty (60) day period submit written comments to Donald A. Kinkaid, United States Department of Justice, Antitrust Division, 1776 Peachtree Street N.W., Suite 420, Atlanta, Georgia 30309, who will file with the Court and publish in the Federal Register such comments and responses to such comments. The Department of Justice will thereafter evaluate any and all such comments to determine whether there is any reason for withdrawal of its consent to the proposed final judgment.

There are no materials or documents which were determinative in formulating the proposal for a consent judgment; consequently, none are being filed by the plaintiff pursuant to Section 2(b) of the Antitrust Procedures and Penalties Act (15 U.S.C. 16(b)).

Dated: December 29, 1975.

Jack C. Williamson, Attorney, U.S. Dept. of Justice, Antitrust Division, Suite 420, 1776 Peachtree St., NW., Atlanta, Georgia 30309. Tel. (404) 526-3820.

[FR Doc.76-749 Filed 1-9-76;8:45 am]

Law Enforcement Assistance Administration

NATIONAL ADVISORY COMMITTEE ON CRIMINAL JUSTICE STANDARDS AND GOALS

Meeting

This is to provide notice of meeting of the Disorders and Terrorism Task Force of the National Advisory Committee on Criminal Justice Standards and Goals.

The Disorders and Terrorism Task Force will be meeting at the American University Law Institute, 3rd Floor Conference Room, 4900 Massachusetts Avenue NW., Washington, D.C., on February 1 and 2, 1976. The meeting will be open to the public.

The agenda is as follows:

I. Review Minutes of November Meeting

II. Status Report on Work to Date

III. Review of Revised Chapter Four (Police)

IV. Review of Revised Chapter Six

V. Review Draft of Specific Standards for Chapters Five, Seven, Eight, Nine, and Ten

VI. Presentation of BDM Corp. Proposal

VII. Other Task Force Matters

VIII. Scheduling of Future Meetings

IX. Adjournment

Meeting Times: February 1—11 a.m. to 6 p.m., February 2—9 a.m. to 8 p.m.

For further information, contact William T. Archey, Director, Policy Analysis Division, Office of Planning and Management, 633 Indiana Avenue NW., Washington, D.C.

JAY A. BROSOST,
Attorney-Advisor, Office of General Counsel.

[FR Doc.76-807 Filed 1-9-76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

OUTER CONTINENTAL SHELF OFFICIAL PROTRACTION DIAGRAMS

Notice of Approval

Correction

In FR Doc. 75-33659, appearing at page 58159, in the issue for Monday, December 15, 1975, insert the letters "NO" in front of every description number in the table.

Fish and Wildlife Service

LITTLE ROCK ZOOLOGICAL GARDEN

Endangered Species Permit; Notice of Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: Little Rock Zoological Gardens, Little Rock, Arkansas 72205. Charles G. Wilson, Director.

V 41 7 JAN 12 76 XUM

Oud NO. 42-R1428

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)
☐ IMPORT OR EXPORT LICENSE ☒ PERMIT

2. APPLICANT. (If name, complete address and phone number of individual, businesses, agency, or institutions for which permit is requested)
Little Rock Zoological Gardens
1 Jonesboro Street
Little Rock, Arkansas 72205

3. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
Purchase a pair of U.S. captive born orangutans to establish a breeding group and for public display and education.

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING
☐ MR. ☐ MRS. ☐ MISS ☐ MS.
	HEIGHT	WEIGHT
DATE OF BIRTH	COLOR HAIR	COLOR EYES
PHONE NUMBER WHERE EMPLOYED	SOCIAL SECURITY NUMBER	
OCCUPATION		

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION
Municipal zoo

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL, OFFICER, DIRECTOR, ETC (501) 663-4733
Charles G. Wilson, Director

IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED
N/A

6. ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? ☐ YES ☐ NO
(If yes, list license or permit numbers)
USDA license # 71-C-1

8. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
Little Rock Zoological Gardens
1 Jonesboro Street
Little Rock, Arkansas 72205

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☐ YES ☐ NO
(If yes, list jurisdictions and type of documents)
Not applicable

9. CERTIFIED CHECK OR MONEY ORDER (If applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF
$N/A per 50 CFR 13.11(d)

10. DESIRED EFFECTIVE DATE
10 Nov 75

11. DURATION NEEDED
one year

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12(a)) MUST BE ATTACHED, IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED
Attachment # 1 (per 50 CFR 17.23)

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE Charles G. Wilson DATE 2 Oct 75

3-200 (6/74) Charles G. Wilson

OCTOBER 9, 1975.

DIRECTOR, UNITED STATES FISHERY AND WILDLIFE SERVICES,
Washington, D.C. 20240.
(Attention Permits).

DEAR SIR: Enclosed are two copies of a Permit Application Per 50 CFR 17 for the purchase of a male and female captive born Orangutan presently in the United States. In addition are two copies of Attachment No. 1 Per 50 CFR 17.23.

On the attachment I have indicated the probable source for the Orangutans. There are other Orangutans that have been born in captivity that could become available. I have received tentative confirmation from the Oklahoma City Zoo and Philadelphia Zoo that should we secure a permit we would be able to purchase these animals.

Please feel free to contact me if I may be of further assistance in this matter.

Sincerely,

CHARLES G. WILSON,
Director, Little Rock Zoological Gardens.

APPLICATION ATTACHMENT—PER 50 CFR 17.23

1. Commen name: Orangutan. Scientific name: Pongo pygmaeus. Number: Two. Sex: 1 Male and 1 Female. Age: 1 to 3 years.

2. No importation.

3. These Orangutans are wanted for the establishment of a breeding program of this species and for the public education and recreation as they will be on public display. Both of these animals have been born in captivity and in order to insure the captive propagation of this species, more Zoos must establish breeding facilities and programs for the offspring in order to maintain a continuing, viable, reproducing captive population.

4. These animals will be kept at the Little Rock Zoological Gardens, No. 1 Jonesboro Street, Little Rock, Arkansas 72205.

5. At the time of this application both animals have been born in captivity. (See below for additional information).

6. Not applicable. These animals were born in captivity.

7. Not applicable: Animals born in captivity.

Additional information: (See accompanying letter also.)

The male Orangutan was born 26 May 1975 at Oklahoma City Zoo. Route 1, Box 476, Oklahoma City, Oklahoma 73111. The female Orangutan was born 30 July 1975 at Philadelphia Zoo, 34th Street & Girard Avenue, Philadelphia, Pennsylvania 19104.

DECEMBER 9, 1975.

Mr. LEN SIMS,
Fish and Wildlife Services, Division of Law Enforcement/Permits, P.O. Box 19183, Washington, D.C. 20036.

DEAR MR. SIMS: Reference your phone call 8 December 1975 on my permit application submitted 9 October 1975.

1. The Orangutan from Philadelphia will be transported by commercial air or a private plane and accompanied at all times by myself. The Orangutan from Oklahoma City was transported here *on loan* in my personal vehicle. These animals are of such an age that other than personal transport/accompany is not acceptable.

2. Drawings of the facilities are enclosed. Until these animals are old enough to eat on their own and take care of themselves, they will be kept in my home in the evenings. During the day they will be kept in the Zoo "Orangutan nursery", as befits a primate of this caliber.

3. The primate staff at the Little Rock Zoo presently maintains a chimpanzee colony of 1 male and 4 females, and 20 other species of primates. My personal qualifications include 3 years as Zoological Curator at Oklahoma City Zoo where I supervised the care of five Orangutans, eight Gorillas and several hundred other species of mammals, birds, reptiles, amphibians, fish and invertebrates. The Orangutans will be under the medical care of a local pediatrician (L. K. Austin, M.D.) and the Zoo Veterinarian (D. E. Wood, DVM). Their personal qualifications and corroborating letters may be requested if needed or required.

I certainly hope this information is what is required and will facilitate a rapid decision (hopefully favorable) for our permit request. Please feel free to contact me if I may be of further assistance.

Sincerely,

CHARLES G. WILSON,
Director, Little Rock Zoological Gardens.

Mailing Address: Little Rock Zoo, No. 1 Jonesboro Street, Little Rock, Arkansas 72205

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before February 11, 1976, will be considered.

Dated: January 7, 1976.

C. R. BAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.76-846 Filed 1-9-76;8:45 am]

DEPARTMENT OF COMMERCE

Economic Development Administration

MORTENSEN ENTERPRISES, INC.

Notice of Petition

A petition by Mortensen Enterprises, Inc., and affiliates, Rt. 2, Box 210A, Blythe, California 92225, producers and processors of cattle feed, grains and other crops, was accepted for filing on January 6, 1976, under Section 251 of the Trade Act of 1974 (Pub. L. 93-618). Consequently, the United States Department of Commerce has instituted an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business January 22, 1976.

JACK W. OSBURN, Jr.,
Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc.76-849 Filed 1-9-76;8:45 am]

Office of the Secretary

COASTAL PLAINS ECONOMIC DEVELOPMENT REGION

Modification of Boundaries

Pursuant to the provisions of section 501(a) of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. 3181(a)), and having examined pertinent data, I have determined that the Coastal Plains Economic Development Region, composed of parts of the States of Georgia, Florida, North Carolina, South Carolina, and Virginia, meets requirements for enlargement to include certain additional counties in the States of Georgia and South Carolina. Accordingly, in response to a unanimous request from the State Members of the Coastal Plains Regional Commission I have today, December 31, 1975, modified the boundaries of the Coastal Plains Region so that it now includes the following in the five States.

GEORGIA

Appling	Camden	Crisp	Montgomery
Atkinson	Candler	Decatur	Morgan
Bacon	Charlton	DeKalb	Muscogee
Baker	Chatham	Dodge	Newton
Baldwin	Chattahoochee	Dooly	Oconee
Ben Hill	Clarke	Dougherty	Oglethorpe
Berrien	Clay	Early	Peach
Bibb	Clayton	Echols	Pierce
Bleckley	Clinch	Effingham	Pike
Brantley	Cobb	Elbert	Pulaski
Brooks	Coffee	Emanuel	Putnam
Bryan	Colquitt	Evans	Quitman
Bulloch	Columbia	Fayette	Randolph
Burke	Cook	Fulton	Richmond
Butts	Coweta	Glascock	Rockdale
Calhoun	Crawford	Glynn	Schley
		Grady	Screven
		Greene	Seminole
		Hancock	Spalding
		Harris	Stewart
		Hart	Sumter
		Henry	Talbot
		Houston	Taliaferro
		Irwin	Tattnall
		Jasper	Taylor
		Jeff Davis	Telfair
		Jefferson	Terrell
		Jenkins	Thomas
		Johnson	Tift
		Jones	Toombs
		Lamar	Treutlen
		Lanier	Troup
		Laurens	Turner
		Lee	Twiggs
		Liberty	Upson
		Lincoln	Walton
		Long	Ware
		Lowndes	Warren
		McDuffie	Washington
		McIntosh	Wayne
		Macon	Webster
		Marion	Wheeler
		Meriwether	Wilcox
		Miller	Wilkes
		Mitchell	Wilkinson
		Monroe	Worth

FLORIDA

Alachua	Jefferson
Baker	Lafayette
Bay	Leon
Bradford	Levy
Calhoun	Liberty
Citrus	Madison
Clay	Marion
Columbia	Nassau
Dixie	Okaloosa
Duval	Putnam
Escambia	St. Johns
Flagler	Santa Rosa
Franklin	Sumter
Gadsden	Suwannee
Gilchrist	Taylor
Gulf	Union
Hamilton	Wakulla
Hernando	Walton
Holmes	Washington
Jackson	

NORTH CAROLINA

Beaufort	Hoke
Bertie	Hyde
Bladen	Johnston
Brunswick	Jones
Camden	Lenoir
Carteret	Martin
Chowan	Nash
Columbus	New Hanover
Craven	Northampton
Cumberland	Onslow
Currituck	Pamlico
Dare	Pasquotank
Duplin	Pender
Edgecombe	Perquimans
Franklin	Pitt
Gates	Halifax
Greene	Sampson
Harnett	Scotland
Hertford	Tyrrell

NORTH CAROLINA—Continued

Vance	Washington
Wake	Wayne
Robeson	Wilson
Warren	

SOUTH CAROLINA

Abbeville	Greenwood
Aiken	Hampton
Allendale	Horry
Bamberg	Jasper
Barnwell	Kershaw
Beaufort	Lancaster
Berkeley	Laurens
Calhoun	Lee
Charleston	Lexington
Chester	Marion
Chesterfield	Marlboro
Clarendon	McCormick
Colleton	Newberry
Darlington	Orangeburg
Dillon	Richland
Dorchester	Saluda
Edgefield	Sumter
Fairfield	Union
Florence	Williamsburg
Georgetown	York

VIRGINIA (COUNTIES)

Accomack	King George
Amelia	King William
Brunswick	Lancaster
Buckingham	Mathews
Caroline	Mecklenburg
Charles City	Middlesex
Charlotte	New Kent
Chesterfield	Northampton
Cumberland	Northumberland
Dinwiddie	Nottoway
Essex	Powhatan
Gloucester	Prince Edward
Goochland	Prince George
Greensville	Richmond
Halifax	Southampton
Hanover	Spotsylvania
Henrico	Stafford
Isle of Wight	Surry
Lunenburg	Sussex
James City	Westmoreland
King and Queen	York

VIRGINIA (INDEPENDENT CITIES)

Chesapeake	Norfolk
Colonial Heights	Petersburg
Emporia	Portsmouth
Franklin	Richmond
Fredericksburg	South Boston
Hampton	Suffolk
Hopewell	Virginia Beach
Newport News	Williamsburg

Inquiries relating to this modification should be addressed to the Special Assistant to the Secretary for Regional Economic Coordination, Room 2092, Main Commerce Building, Washington, D.C. 20230.

JAMES A. BAKER, III,
Acting Secretary of Commerce.

[FR Doc.76-844 Filed 1-9-76;8:45 am]

ECONOMIC ADVISORY BOARD

Cancellation of Meeting

The meeting of the Economic Advisory Board, previously scheduled for Thursday, January 22, 1976, at 9:30 a.m. in Room 4832 of the Main Commerce Building, has been postponed temporarily. The date of the next meeting will be announced in a future issue of the FEDERAL REGISTER.

Dated: January 7, 1976.

JAMES L. PATE,
Assistant Secretary for Economic Affairs.

[FR Doc.76-808 Filed 1-9-76;8:45 am]

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. 75F–0303]

MONSANTO CO.

Filing of Petition for Food Additive

Correction

In FR Doc. 75–30109, appearing at page 52427, in the issue for Monday, November 10, 1975, change the seventh line of the second paragraph to read as follows: "sidered in a draft environmental impact".

[Docket No. 76N–0002]

ELANCO PRODUCTS CO. ET AL.

Diethylstilbestrol; Notice of Opportunity for Hearing on Proposal To Withdraw Approval of New Animal Drug Applications

The Food and Drug Administration (FDA) is proposing to withdraw approval of all outstanding new animal drug applications for use of diethylstilbestrol in animals used for food for human consumption on the ground that use of the drug results in residues that have not been shown to be safe within the meaning of the act and that render continued approval of the drug unlawful under the Delaney anticancer clause of the Federal Food, Drug, and Cosmetic Act. Holders of approved applications have until February 11, 1976 to submit requests for hearing in accordance with § 514.200 (21 CFR 514.200). Such requests should be identified with the Hearing Clerk docket number found in brackets in the heading of this notice.

BACKGROUND

Diethylstilbestrol (DES), a synthetic estrogen used by feeders of cattle and sheep as a growth promotant, has been shown to cause a statistically significant increase of cancer in female C3H mice at the lowest levels at which it was tested, i.e., 6.25 parts per billion (ppb). In humans, a statistically significant relationship has been identified between the administration of DES to pregnant women and the appearance in daughters born of these pregnancies of a rare type of cancer—adenocarcinoma of the vagina.

Since 1938, any new drug for use in animals, just as any new drug for human use, has been required to be shown to be safe for its intended uses. Even before the enactment of the Food Additives Amendment of 1958 (sec. 409, Pub. L. 85–929, September 6, 1958, 72 Stat. 1785–1788 (21 U.S.C. 348)), FDA had interpreted this basic safety requirement as demanding proof that drugs intended for use in animals used for human food would not cause harm if ingested by humans.

DES was first approved for use in cattle feed in November 1954. A new drug application (NDA) for the drug was permitted to become effective on the basis of data demonstrating that, using the so-called mouse-uterine assay test, no residues could be detected in edible tissue 48 hours after withdrawal of DES. NDA's for DES implants in cattle became effective in December 1955, again on the basis of mouse-uterine assay data demonstrating "no residue" under the permitted conditions of use. Applications became effective for DES in feed for sheep and as implants for sheep in 1957 and 1959.

The current standards for approval of new animal drugs, set forth in section 512 of the act as added by Pub. L. 90–399, July 13, 1968, 82 Stat. 343–351 (21 U.S.C. 360b), include several criteria. In addition to requiring substantial evidence of efficacy, section 512(d) makes very clear that the sponsor of any animal drug has the burden of demonstrating that the drug is safe for humans if encountered in food produced from the animal, and causes no adverse effect to the animal. Section 512(d)(1)(H) imposes additional restrictions on the approval of animal drugs that have been shown to cause cancer. That provision requires that FDA shall refuse to approve a drug if the Commissioner finds that "such drug induces cancer when ingested by man or animal or, after tests which are appropriate for the evaluation of the safety of such drug, induces cancer in man or animal * * *." This language is the codification in section 512 of the Delaney anticancer clause that was added to the act by the Food Additives Amendment of 1958.

In 1962, Congress enacted an exception to the anticancer clause. The focus of Congress at that time was so clearly on DES that this exception has ever since been known as the "DES clause." This exception, now also part of section 512(d)(1)(H) of the act, permits approval of the use of a carcinogen as a drug in animals only if the Secretary (by delegation under § 2.120 (21 CFR 2.120), the Commissioner of Food and Drugs) finds that:

> * * * under the conditions of use specified in proposed labeling and reasonably certain to be followed in practice (i) such drug will not adversely affect the animals for which it is intended, and (ii) no residue of such drug will be found (by methods of examination prescribed or approved by the Secretary by regulations, which regulations shall not be subject to subsections (c), (d), and (h)) (of this section), in any edible portion of such animals after slaughter or in any food yielded by or derived from the living animals.

In accordance with the foregoing provision, FDA in 1963 approved methods for the measurement and identification of DES residues: the mouse-uterine method, which measures total estrogenic activity at 2 ppb, and the so-called "paper chromatography" method, which is incapable of differentiating DES from other estrogens at levels below 10 ppb. Originally codified under §§ 135g.26 (b) and (c) and 121.241 (e) and (f) (21 CFR 135g.26 (b), (c) and 121.241 (e), (f)), the approved methods published in Part 135 were recodified under Part 556 without substantive change by a regulation published in the FEDERAL REGISTER of March 27, 1975 (40 FR 13802). These methods have remained in effect since 1963, although significant improvements in sensitivity and reliability of other analytical methods have occurred in the intervening years.

Since publication of the detection methods in 1963, numerous new animal drug applications (NADA's) for the use of DES have been approved by FDA. In each instance, the agency concluded that if, when used in accordance with the conditions of use prescribed in the labeling, DES residues could not be detected in edible tissue by the approved methods, the requirements of the law were satisfied. Experience with the use of DES and advances in detection methodology have demonstrated that this conclusion is no longer supportable.

Since their original approval, no data have been submitted by the holders of approved NADA's for DES that cast doubt on the finding that the drug causes cancer in test animals. Furthermore, radioactive tracer research studies using ^{14}C-labeled DES, conducted by the United States Department of Agriculture (USDA), have shown that radioactive residues attributable to the use of DES can result even when the prescribed conditions of use are strictly followed, i.e., withdrawal 7 days prior to slaughter for DES in feed or implantation of DES 120 days prior of slaughter. See T. S. Rumsey et al., "Depletion Patterns of Radioactivity and Tissue Residues in Beef Cattle after the Withdrawal of Oral ^{14}C-Diethylstilbestrol," *Journal of Animal Science*, 40(3): 539–549, 1975, and T. S. Rumsey et al., "Fate of Radiocarbon in Beef Steers Implanted With ^{14}C-Diethylstilbestrol," *Journal of Animal Science*, 40(3): 550–560, 1975 (available for public examination at the office of the Hearing Clerk, Food and Drug Administration). These radioactive residues were at levels that are below the sensitivity of the previously approved methods and that have not been shown to be safe within the meaning of the act.

In 1972 and 1973, the FDA, acting on these reports (then unpublished) of residues discovered by the USDA in radioactive tracer studies, withdrew all approvals of DES for use in animals used for human food. These actions were challenged by sponsors of NADA's for DES and ultimately vacated by the United States Court of Appeals for the District of Columbia Circuit in Hess & Clark v. Food and Drug Administration, 495 F. 2d 975 (1974), and chemetron v. Department of Health, Education, and Welfare, 495 F. 2d 995 (1974) on the ground that the notice of withdrawal of approval issued by FDA had not afforded the sponsors adequate opportunity to demonstrate the need for a hearing, as required by 21 U.S.C. 360b(e)(1).

Since the resumption of the use of DES following the Court of Appeals' reinstatement of the NADA's, residues have been found in samples of edible tissues (livers) taken from cattle presented for slaughter. In a USDA objective sampling program of cattle slaughtered throughout the country, 11 residues were detected in 2,654 samples in 1974 using gas liquid chromatographic (GLC) methods. During the first 3 quarters of 1975, 25 residues were detected in 1,717 samples, indicating an increase in the percentage of samples containing DES residues from 0.41 percent to 1.46 percent. Two additional residues detected by USDA during the fourth quarter of 1975 in edible tissues of beef cattle are not include in the percentage calculation because the fourth quarter sample size is not yet known.

These calculations likewise do not include 17 additional DES residues found during 1974 and the first 3 quarters of 1975 in the USDA selective sampling program. This program samples on a nonrandom basis both animals presented for slaughter by raisers who have previously presented residue-carrying animals as well as animals that are suspected, on some other basis, of containing DES residues. In the selective sampling program, as would be expected, the incidence of residues is considerably higher.

Only 1 of the 36 residues detected in the USDA objective sampling program was at a level (greater than 10 ppb) that could have been both detected and identified as DES if the currently approved mouse-uterine and paper chromatography methods had been used. Furthermore, although FDA investigation of the causes of these residues indicates that several may have resulted from DES contamination of withdrawal feed or failure to follow the prescribed conditions of use of DES, a substantial number of the residues cannot be attributed to misuse.

In the face of these findings, it is clear that the central assumption underlying the previous approvals by FDA of DES for use in animals used for human food, i.e., that no residues would be detected when the drug was used in accordance with the currently approved conditions of use, is no longer valid. The currently approved methods for DES have been shown to be inadequate to detect significant residues. Residues being detected by other methods have not been shown to be safe within the meaning of the act. This showing was not previously required of the applicants since a common premise of all previous DES approvals was that no residues would occur. Moreover, since no level of DES residues has been proven to be safe within the meaning of the act, the Commissioner concludes that no new method for the detection of DES can now be approved pursuant to the 1962 exception to the anticancer clause.

INADEQUACY OF APPROVED METHODS

The Commissioner issued, in the FEDERAL REGISTER of March 27, 1974 (39 FR 11299), a proposal to revoke the approved methods for identification and measurement of residues of DES, and invited interested persons to comment within 30 days (extended 10 days to the close of business of May 6, 1974 by a notice published in the FEDERAL REGISTER of April 25, 1974 (39 FR 14611)).

Sixteen comments were received on the proposal within the extended comment period: Six from manufacturers of DES, four from individuals, two from cattle industry organizations, two from cattle feeders, and one each from a citizens' association, and a scientific society. Eight additional comments were received after the comment period closed. Several comments supported the proposed revocation of the detection methods and urged the Commissioner to act to terminate the use of DES in food-producing animals, while other comments objected to the Commissioner's proposed action. None of the comments received supplied data or studies adequate to support the approval of any new analytical method(s), much less data or studies to demonstrate that the methods previously approved are adequate to detect residues of DES now known to occur.

All the comments may be seen at the office of the Hearing Clerk, Food and Drug Administration.

The comments received and the Commissioner's responses are discussed below.

1. Nine comments suggested that the official methodology might be an issue for a hearing rather than the subject of a revocation before a hearing.

The Commissioner notes that the designation of officially approved methodology does not independently require a hearing under the act. However, opportunity for hearing is required on the proposal to withdraw approval of the NADA's for DES, and any hearing held could include the issue of whether a practicable analytical method exists that is adequate to detect DES residues.

2. Eight comments stated that the use of DES was important to the revenue of cattle raisers and to the reduction of the cost of cattle production. Two comments stated that the revocation of DES approvals could affect consumer prices for beef.

The Commissioner notes that the economic importance of diethylstilbestrol to a particular industry or even its effect on consumer beef prices is not relevant to or determinative of the acceptability of detection methods offered to justify exception of the drug from the anticancer clause, nor is it relevant to the safety of residues resulting from the use of the drug.

3. Two comments stated that the present approved test methods for DES are adequately sensitive. One of these comments limited its claim of adequacy to the use of the drug in implant form. The other stated that the sensitivity of the present methods is sufficient because the radioactive tracer studies that showed residues below the limits of the mouse-uterine test were discredited in court proceedings arising out of the agency's previous efforts to withdraw approval of these NADA's.

The Commissioner concludes that neither the scientific data cited in the proposal nor any information provided by this comment establishes any difference between feed and implant uses of DES with respect to the adequacy of detection methodology. The Commissioner further observes that, whatever the deficiencies of other detection methods, there has been no showing that the approved methods are adequate to justify continued approval of DES. Neither comment submitted or referred to data that show that levels of DES below the sensitivity of the approved methods are safe within the meaning of the act.

4. Two comments stated that final action on the revocation of methods proposal should await resolution of the proposal on sensitivity of the method published in the FEDERAL REGISTER of July 19, 1973 (38 FR 19226).

The Commissioner notes that despite continuing efforts of FDA since that proposal to determine appropriate criteria for levels of sensitivity, the complexity and scope of the scientific and legal issues have combined to prevent completion of a final regulation to resolve the issues of methodology. No final regulation based on the Mantel-Bryan procedure is anticipated within the next 6 months. The Commissioner has concluded that the public and FDA should no longer await final action on that proposal before resolving the status of DES.

5. One comment contended that the GLC method, coupled with mass spectrometry identification, was superior to the present procedures, but the comment did not state that these procedures would be adequate to detect DES residues or provide data to support their adequacy. Another comment, while opposing any action to revoke existing methodologies, urged that if present methods were revoked they should be replaced with the GLC method as the official method and claimed that this method is sensitive to 0.5 ppb. This comment did not provide any information or data to demonstrate that levels of DES below 0.5 ppb are safe within the meaning of the act. Another comment stated that the GLC method reliably detects residues of DES as low as 1 ppb and noted that information describing this method had previously been submitted with an NADA. This comment, too, failed to provide data showing that a sensitivity of 1 ppb is sufficient to meet the requirements of the act or to show that residues of DES below 1 ppb are safe within the meaning of the act.

The Commissioner acknowledges that the results of USDA's GLC sampling program supply part of the basis on which he is proposing to withdraw approval of outstanding NADA's for DES. These results clearly demonstrate that the currently approved methods for DES, i.e., the mouse-uterine method and the paper chromatography method, are inadequate. The Commissioner concludes, however, that no showing has been made that the GLC method, whether used alone or in conjunction with mass spectrometry, may be approved in their place.

6. One comment stated that the burden of proof to demonstrate the safety of

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DES should rest with those who wish to market the drug.

The Commissioner concurs with this comment and notes that Congress has placed the burden on the applicant to demonstrate the safety of any animal drug (21 U.S.C. 360b).

7. Three comments referred specifically to the Gass study cited in the proposal to revoke the methods for DES: Gass, Coats, and Graham, "Carcinogenic Dose-Response Curve to Oral Diethylstilbestrol," *Journal of the National Cancer Institute*, 33:971–977, 1964 (available for public examination at the office of the Hearing Clerk, Food and Drug Administration). The Gass study found that 6.25 ppb DES caused cancer in test animals (C_3H mice). Two of these comments claimed that this finding was a "false positive," one of them suggesting that another test animal should have been used instead of the mice that were used. Neither of these two comments provided data to demonstrate that DES does not cause cancer at levels of 6.25 ppb. The third comment questioned whether the Gass study was statistically sound and quoted two scientists who drew from that study widely divergent conclusions as to the lowest levels of DES capable of causing cancer. This comment concluded that this disparity of scientific opinion means that the present data are inadequate to determine safe levels and supports a request for additional funds to conduct more studies.

The Commissioner is of the opinion that, in the absence of convincing scientific evidence that the Gass study was in error or that there is some level at which DES is not carcinogenic, the determination that DES is carcinogenic in C_3H mice at 6.25 ppb cannot be ignored. The Commissioner agrees that data are not adequate to establish the lowest level at which DES causes cancer in test animals. The Commissioner is aware of no evidence that a level of DES that does not cause cancer in test animals can necessarily be assumed otherwise to be safe within the meaning of the act. On the basis of data currently available, the Commissioner questions whether any of the available analytical methods for the detection of DES residues affords adequate assurance that residues below the level of detection are safe within the meaning of the act.

8. One comment stated that one possible solution to the method suitability issue that should be explored would be to discard the livers of animals treated with DES.

The Commissioner is of the opinion that whether or not specific edible tissues may be discarded is not material to determining the adequacy of a method to detect DES residues in those or other edible tissues. It has not been demonstrated, for example, that DES residues in the liver may not serve as an indicator of resdues present, albeit at lower levels, in other edible tissues.

9. Two comments suggested that the basic question of whether DES represented a public health threat as a carcinogen remained unanswered.

The Commissioner notes that the carcinogenicity of DES has long been recognized by scientists, and concludes that FDA need not await demonstration of a danger to public health before enforcing the act's requirements that animal drugs be shown to be safe and that any cancer-causing drug be demonstrated to leave no detectable residues.

10. Other comments, which opposed the administration of DES to cattle or its presence in any foods, pointed out that the Canadian Government had excluded United States beef failing to bear USDA certification that the animal had never received DES, and expressed hope that FDA would move expeditiously to remove DES from the food supply.

Although these comments are not directly relevant to the adequacy of the previously approved DES detection methods, they do support the agency's issuing of this notice of opportunity for hearing on the withdrawal of approval of NADA's for DES.

11. One comment suggested that in enacting section 512(d)(1)(H), Congress intended that carcinogens could be used in food animals and obliged the Secretary of Health, Education, and Welfare to establish some method of analysis.

The Commissioner disagrees. Section 512(d)(1)(H) of the act prohibits the use of any carcinogenic animal drug unless the Secretary makes certain affirmative findings, including a finding that no residue of the drug will be found in edible tissue by officially designated methods. Congress did not intend the Secretary to designate a method when no adequate method was available. Rather, the act requires that an animal drug not be approved unless an adequate detection method can be designated. To be approvable a detection method must be both practicable, in the sense that it must be adaptable for use as a regulatory tool, and it must be sufficiently sensitive. The Commissioner concludes that any method approved in accordance with section 512(d)(1)(H) must at least be capable of detecting residues at a level that has been shown to be safe within the meaning of the act. Because no such showing has been made with respect to residues of DES well below the combined sensitivity of the currently approved methods, the Commissioner maintains that those methods can no longer serve as the basis for approval of the use of DES in animals used for human food.

The Commissioner intends to revoke these methods at the time of final action based upon this notice of opportunity for hearing. If no hearing on the proposal to withdraw approvals for the use of DES is required, either because FDA recieves no request(s) for hearing or because any request(s) for hearing fails to demonstrate a genuine and substantial issue of fact requiring a hearing, the approved methods will be revoked simultaneously with the announcement of that fact. If a hearing is held, the currently approved method will be revoked, and any replacement method(s) demonstrated to be adequate will be designated at the time the Commissioner issues a final order based upon the hearing record and the decision of the Administrative Law Judge.

Proposed Action

On the basis of the comments received in response to the proposal to revoke the detection methods for DES, the data cited in the March 1974 proposal, and evidence that DES residues continue to be found in edible tissues of animals slaughtered for human food, the Commissioner concludes that:

1. DES has been shown to cause cancer in test animals and has been associated with the occurrence of cancer in humans.

2. Residues of DES have been and are being detected in the edible tissue of animals at levels that have not been shown to be safe within the meaning of the act.

3. The authority conferred by section 512(d)(1)(H) of the act to approve methods of examination allows, but does not require, the Commissioner to designate a method.

4. Any method designated by the Commissioner pursuant to section 512(d)(1)(H) must be practicable and capable of detecting drug residues regardless of the route of administration used for a drug.

5. The approved methods for detection of DES residues in edible tissue are not adequate to demonstrate that, within the meaning of the act, no residues will be found when the drug is used according to the approved conditions of use.

6. Data are lacking to justify the approval of any other analytical method(s) for detection of DES residues because no currently available method is capable of detecting residues at levels that have been shown to be safe within the meaning of the act.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(e)(1), 21 U.S.C. 360b(e)(1)), the Commissioner proposes to withdraw approval of all existing NADA's providing for the use of DES in animals used for human food on the following grounds:

1. Information and data available since these applications were approved, together with earlier data reevaluated in the light of current scientific knowledge, demonstrate that DES is not shown to be safe for use as approved.

2. The anticancer clause in section 512(d)(1)(H) of the act is applicable.

This notice applies to all outstanding NADA's for the use of diethylstilbestrol in animals used for food for human consumption. All such applications now known to FDA are listed below by NADA number and by each applicant's name and last known address in FDA records. Copies of this notice are being forwarded by registered or certified mail to each of these known applicants. Notice to other applicants or holders of such NADA's whose identity is not known to FDA is given by this publication.

NADA No.	Name and address
5625	Elanco Products Co., P.O. Box 1750, Indianapolis, Ind. 46285.
9757	Pfizer, Inc., 235 East 42d St., New York, N.Y. 10017.
9770	See NADA 9757.
9783	See NADA 9757.
10132	Walnut Grove Products, 201 Linn St., Division of W. R. Grace Co., Atlantic, Iowa 50022.
10258	American Cyanamid Co., P.O. Box 400, Princeton, N.J. 08540.
10261	Merck Sharp & Dohme Research Laboratories, Division of Merck & Co., Inc., Rahway, N.J. 07065.
10421	Dawes Laboratories, 450 State St., Chicago Heights, Ill. 60411.
10566	Simonsen Manufacturing Co., Quimby, Iowa 51049.
10964	Vineland Laboratories, Inc., Subsidiary of Damon, 2285 East Landis Ave., Vineland, N.J. 08360.
11090	See NADA 9525.
11295	Hess & Clark, Division of Rhodia, Inc., 7th and Orange St., Ashland, Ohio 44805.
11356	See NADA 9757.
11365	E. R. Squibb & Sons., Inc., P.O. Box 4000, Princeton, N.J. 08540.
11485	See NADA 10421.
12553	See NADA 11295.
14773	Peter Hand Foundation, Inc., 2 E. Madison St., Waukegan, Ill. 60085.
15274	O. M. Franklin Serum Co., P.O. Box 22335, Denver, Colo. 80222.
31446	Fort Dodge Laboratories, Fort Dodge, Iowa 50501.
34735	Standard Chemical Manufacturing Co., 701 S. 42d St., Omaha, Nebr. 68103.
34916	See NADA 10421.
35017	Thompson-Hayward Chemical Co., 5200 Speaker Rd., Kansas City, Kans. 66106.
35019	See NADA 35017.
36313	Feed Additives, Inc., Fremont, Nebr. 68025.
36479	S. B. Penick Co., 100 Church St., New York, N.Y. 10008.
36554	Dale Alley Co., P.O. Box 444, St. Joseph, Mo. 64502.
36571	See NADA 36584.
36976	See NADA 36735.
37148	National Oats Co., 1931 Baugh Ave., East St. Louis, Ill. 62205.
37541	See NADA 37148.
37869	See NADA 36313.
38507	Texas Nutrition & Service Co., P.O. Box 5375, Fort Worth, Tex. 76108.
38509	See NADA 38507.
38510	See NADA 38507.
38682	Ultra Life Laboratories, Inc., No. 1 Ultra Way Drive, Highland, Ill. 62249.
39161	Square Deal Fortification Co., Kouts, Ind. 46347.
39491	Bresley-Koeling, Inc., 'Ord, Nebr. 68862.
39715	Feed Products, Inc., 1000 West 47th Ave., Denver, Colo. 80211.
39716	See NADA 39715.
39717	See NADA 39715.
39718	See NADA 39715.
39772	See NADA 10261.
40014	Western Feed Supplements, Ellensburg, Wash. 98926.
42162	See NADA 9525.
42355	Chemetron Corp., Chicago, Ill. 60611.
42702	Farmland Industries, Kansas City, Mo. 64116.
42840	See NADA 10261.
44344	See NADA 11295.
44526	Western Farmers Association, Seattle, Wash. 98111.
44795	Falstaff Brewing Corp., 5050 Oakland Ave., St. Louis, Mo. 63105.
45981	See NADA 11295.
45982	See NADA 11295.

Any holder of an approved application that elects to avail itself of the opportunity for hearing pursuant to section 512(e)(1) (21 U.S.C. 360b(e)(1)) and § 514.200 (21 CFR 514.200) must file with the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852, a written appearance requesting such hearing by February 11, 1976, giving the reasons why approval of the application should not be withdrawn, and providing a well-organized and full-factual analysis of the scientific and other investigational data such holder is prepared to prove in support of its opposition to the Commissioner's proposal. A request for hearing may not rest upon mere allegations or denials, but must set forth specific facts showing there is a genuine and substantial issue of fact that requires a hearing. Responses to this notice may be seen in the office of the Hearing Clerk during regular business hours, Monday through Friday.

If a hearing is requested and is justified by any holder's response to the notice of opportunity for a hearing, the issues will be defined, an Administrative Law Judge will be assigned, and a written notice of the time and place at which the hearing will commence will be issued as soon as practicable.

Any hearing on the withdrawal of approval of the foregoing NADA's will be open to the public. If, however, the Commissioner finds that portions of the applications that serve as a basis for such a hearing contain information concerning a method or proces that is entitled to protection as a trade secret, the part of the hearing involving such portions will not be public, unless the respondent so specifies.

The Commissioner has carefully considered the inflation impact of this proposed action and a major inflation impact has been found, as defined in Executive Order 11821, OMB Circular A–107, and interim guidelines issued by the Department of Health, Education, and Welfare. Copies of the inflation impact statement are on file with the Hearing Clerk, Food and Drug Administration. The major conclusions found in the inflation impact statement are:

1. There are no satisfactory alternatives to the agency's proposed action that are consistent with the legal constraints imposed by the Federal Food, Drug, and Cosmetic Act, as amended.

2. Operating expenses to feed lot producers of cattle for feed and other items are estimated to increase by $156 million during the first year following a DES ban. These increased costs are expected to fall substantially over the long term as substitutes to DES become available in greater quantitives.

3. Retail prices of beef are estimated to rise by about 2 cents per pound, meaning the per capita cost of beef to consumers at current levels of consumption would increase approximately $2 to $3 annually. The aggregate consumer impact is estimated at $503 million.

4. A ban on DES would not cause major inflation impacts, as defined by the HEW/OMB criteria, in the areas of competition, productivity, supply of materials, or use of energy.

5. The benefits from implementing the proposed action will be the elimination of any risk of cancer associated with the consumption, via the edible tissues of food-producing animals, of residues attributable to DES.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343–351 as amended (21 U.S.C. 360(b)), and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: January 7, 1976.

A. M. Schmidt,
Commissioner of Food and Drugs.

[FR Doc.76-880 Filed 1-9-76;8:45 am]

ADVISORY COMMITTEE

Notice of Meeting

This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration. It also sets out a summary of the procedures governing the committee meeting and the methods by which interested persons may participate in the open public hearing conducted by the committee. The notice is issued under section 10(a)(1) and (2) of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770–776 (5 U.S.C. App. I)). The following advisory committee meeting is announced:

Committee name	Date, time, place	Type of meeting and contact person
Antibiotics in Animal Feeds Subcommittee of the National Advisory Food and Drug Committee.	Jan. 29 and 30, 9 a.m., Conference Room E, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open committee discussion Jan. 29, 9 a.m. to 5 p.m.; open public hearing Jan. 29, 5 p.m. to 6:30 p.m.; open committee discussion Jan. 30, 9 a.m. until discussion of trade secret data; closed committee deliberations Jan. 30, discussion of trade secret data to adjournment; William V. Whitehorn, M.D. (HFC-1), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-1547.

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General function of the committee. Reviews and evaluates agency programs and advises on policy matters of national significance as they relate to the statutory mission in the areas of foods, drugs, cosmetics, medical devices, and biological and electronic products. Reviews and makes recommendations on applications for grants-in-aid for research projects relevant to the mission of the Food and Drug Administration as required by law.

Agenda—Open committee discussion. Efficacy and safety considerations on the use of sulfaquinoxaline, penicillin, and penicillin/streptomycin in animal feeds.

Open public hearing. During this portion any interested person may present data, information, or views, orally or in writing, on issues pending before the committee.

Closed committee deliberations. During this portion of the meeting the subcommittee will consider in depth data submitted by drug sponsors on the drug products listed as agenda items for the open portion of the meeting. These data were received in response to 21 CFR 558.15. Under this section, data submitted by drug sponsors are proprietary in nature. This portion of the meeting will be closed to permit discussion of trade secret (proprietary) data (5 U.S.C. 552 (b)(4)).

Each public advisory committee meeting listed above may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meeting shall have an open public hearing. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. The dates and times reserved for the separate portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairman determines will facilitate the committee's work.

Meetings of advisory committee shall be conducted, insofar as is practical, in accordance with the agenda published in this FEDERAL REGISTER notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairman's discretion.

Persons interested in specific agenda items to be discussed in open session may ascertain from the contact person the approximate time of discussion.

The Commissioner, with the concurrence of the Chief Counsel, has determined for the reasons stated that those portions of the advisory committee meetings so designated in this notice shall be closed. Both the Federal Advisory Committee Act and 5 U.S.C. 552(b) permit such closed advisory committee meetings in certain circumstances. Those portions of a meeting designated as closed shall, however, be closed for the shortest time possible consistent with the intent of the cited statutes.

Generally, FDA advisory committees will be closed because the subject matter is exempt from public disclosure under 5 U.S.C. 552(b) (4), (5), (6), or (7), although on occasion the other exemptions listed in 5 U.S.C. 552(b) may also apply. Thus, a portion of a meeting may be closed where the matter involves a trade secret; commercial or financial information that is privileged or confidential; personnel, medical, and similar files, disclosure of which could be an unwarranted invasion of personal privacy; and investigatory files compiled for law enforcement purposes. A portion of a meeting may also be closed if the Commissioner determines: (1) That it involves inter-agency or intra-agency memoranda or discussion and deliberations of matters that, if in writing would constitute such memoranda, and which would, therefore, be exempt from public disclosure; and (2) that it is essential to close such portion of a meeting to protect the free exchange of internal views and to avoid undue interference with agency or committee operations.

Examples of matters to be considered at closed portions are those related to the review, discussion, evaluation or ranking of grant applications; the review, discussion, and evaluation of specific drugs or devices; the deliberation and voting relative to the formation of specific regulatory recommendations (general discussion, however, will generally be done during the open committee discussion portion of the meeting); review of trade secrets or confidential data; consideration of matters involving FDA investigatory files; and review of medical records of individuals.

Examples of matters that ordinarily will be considered at open meetings are those related to the review, discussion, and evaluation of general preclinical and clinical test protocols and procedures for a class of drugs or devices, consideration of labeling requirements for a class of marketed drugs and devices, review of data and information on specific investigational or marketed drugs and devices that have previously been made public, and presentation of any other data or information that is not exempt from public disclosure.

Dated: January 7, 1976.

A. M. SCHMIDT,
Commissioner of Food and Drugs.

[FR Doc.76-864 Filed 1-9-76;8:45 am]

NATIONAL COMMITTEE ON VITAL AND HEALTH STATISTICS

Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), announcement is made of the following National Advisory body scheduled to assembly during the month of February 1976:

Name: United States National Committee on Vital and Health Statistics.
Date and time: February 25–27, 1976, 9:30 a.m.
Place: Stouffer's National Center Inn, 2399 S. Jefferson Davis Highway, Arlington, Virginia 22202.
Open for entire session.

Purpose: The United States National Committee on Vital and Health Statistics assists and advises on the collection, analysis, and dissemination of national health statistics on vital events and health activities, including the physical, mental, and physiological characteristics of the population, illness, injury, impairment, the supply and utilization of health facilities and manpower, the operation of the health services system, health economic expenditures, and changes in the health status of people.

Agenda: Agenda items include progress reports on statistics needed for determining health effects on environmental conditions, data policies related to fertility, report on ICD–9th Revision Conference and implementation plans, progress in designation of an office for promulgation of uniform data sets, uniform hospital discharge data sets, ambulatory care data sets, and data for sub-national populations. Discussion items include: (1) description and designation of State health statistics and information centers; (2) activities of Health Data Policy Committee and review of report to congress on status of the Nation's Health; (3) coordination of statistical activities for health planning, and (4) international health statistical activities of the PHS and the World Population plan, and report of PHS activities in Drug monitoring and surveillance.

New business brought before the Committee will include: geocoding and geopolitical boundaries; progress on Hauser Committee recommendations; National Death Index; confidentiality, progress on ambulatory care symptom classification; problems of coding housing and living arrangements; and long-term care data set.

The meeting is open to the public for observation and participation. Anyone wishing to obtain a roster of members, minutes of meeting, or other relevant information should contact Mr. James A. Smith, Room 8–21, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852, Telephone (301) 443–1470.

Agenda items are subject to change as priorities dictate.

Dated: January 6, 1976.

JAMES A. WALSH,
Associate Administration for Operations and Management.

[FR Doc.76-754 Filed 1-9-76;8:45 am]

Health Services Administration

INDIAN HEALTH ADVISORY COMMITTEE

Notice of Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), announcement is made of the following National Advisory body scheduled to assemble during the month of February 1976:

Name: Indian Health Advisory Committee.
Date and time: February 10–11, 1976, 9 a.m.
Place: Conference Room K, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852.
Open for entire session.

Purpose: The Committee advises the Secretary; Assistant Secretary for Health; Administrator, Health Services Administration; and Director, Indian Health Service on health and other related matters that have a bearing on the conduct of the Indian health program, as well as current and proposed regulations and policies.

Agenda: The Committee will discuss the current total Indian health administrative program operations, more specifically, the impact of the Indian Self-Determination Act on the delivery of services, pertinent pending legislation having a potential definite impact on the Indian health program, and other specific items of departmental interest and concern regarding Indian health endeavors.

The meeting is open to the public for observation and participation. Anyone wishing to obtain a roster of members, minutes of meeting, or other relevant information should contact Mr. Mose E. Parris, Room 5A–43, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852, Telephone (301) 443–1104.

Agenda items are subject to change as priorities dictate.

Dated: January 5, 1976.

WILLIAM H. ASPDEN, Jr.,
Acting Associate Administrator for Management.

[FR Doc.76-755 Filed 1-9-76;8:45 am]

Office of Education

NATIONAL COUNCIL ON BILINGUAL EDUCATION

Correction of Notice of Public Meeting

Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92-463) that a meeting of the National Advisory Council on Bilingual Education will be held on January 21–24, 1976. The Council will meet in Plaza del Sol, 600 N. 2nd Street, N.W., Albuquerque, New Mexico.

The National Advisory Council on Bilingual Education is established pursuant to Section 732(a) of the Bilingual Education Act (20 U.S.C. 880b) to advise the Secretary of Health, Education, and Welfare and the Commissioner of Education concerning matters arising in the administration of the Bilingual Education Act.

The Council sessions shall be opened to the public. The Council will meet each day from 9:00 a.m. to 4:00 p.m. except on January 24, when the Council will hold subcommittee meetings between 2:00 p.m. and 4:00 p.m. only.

The proposed agenda for the Council meetings is:

A. January 21–22—Public hearings.
B. January 23—Regular business meeting.
C. January 24—Meeting of the budget and hearings sub-committee.

The following procedures shall be observed during the public hearings:

1. Witnesses shall limit their appearances to twenty-five minutes, ten to fifteen minutes of formal presentation followed by ten to fifteen minutes of questioning from Council members;

2. Two or more persons from the same organization shall designate one person to speak for the group;

3. Witnesses should present a written synopsis of their oral presentation. Witnesses who do not provide such a synopsis shall be placed last on the agenda;

4. The written synopsis must be in English, although any witness may address the Council in his native language if he so desires;

5. All testimony will be tape-recorded.

Records shall be kept of all meetings of the Council and shall be available for public inspection in Room 421, Reporter's Building, 300 7th Street, S.W., Washington, D.C. 20202.

Signed at Washington, D.C. on January 5, 1976.

JOHN C. MOLINA,
Acting Director, Office of Bilingual Education.

[FR Doc.76-747 Filed 1-9-76;8:45 am]

Office of the Secretary

HEALTH SERVICES ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

Part 3, Health Services Administration, of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health, Education, and Welfare, is amended to revise the statement for the Office of Property Management (3AA911) (39 FR 10463, March 20, 1974, as amended) to reflect minor revisions of functional responsibility in regard to energy conservation and safety management.

Sec. 3–B Organization and Functions is amended by replacing the current statement for the Office of Property Management (3AA911) with the following:

Office of Property Management (3AA 911). (1) Plans, directs, and coordinates property management programs (including personal and real property) covering Headquarters and Field activities; (2) provides advice on matters relating to the development and execution of property management policies and programs; (3) develops procedures and provides training for property management operations; (4) interprets regulatory issuances and provides guidance and technical assistance in property management areas; (5) evaluates Health Services Administration property management programs, and activities (including on-site review); (6) administers a Health Services Administration program for energy conservation; (7) administers the Perry Point Supply Service Center; and (8) maintains necessary liaison with other organizations concerned with property management activities.

Dated: December 30, 1975.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.76-811 Filed 1-9-76;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 27573, etc.; Order 76-1-17]

INTERNATIONAL AIR TRANSPORT ASSOCIATION AND TRANS WORLD AIRLINES, INC.

Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 5th day of January, 1976.

In the matter of agreements adopted by the Traffic Conferences of the International Air Transport Association relating to North Atlantic and composite cargo rate matters (Docket 27573, Agreement C.A.B. 25202, R–10; Agreement C.A.B. 25280, R–1 through R–8, R–10 through R–19, R–21); and container reloading, repacking and unloading charges proposed by: Trans World Airlines, Inc. (Docket 28469).

By Order 75–7–126, dated July 25, 1975, the Board established procedural dates for receipt of justification, comments, and replies concerning Agreement C.A.B. 25280, adopted at the 1975 Composite Cargo Conference held during May–June at Nice, establishing certain cargo procedures, rates and ancillary charges for worldwide application through September 30, 1977. This order will act upon: (1) Agreement C.A.B. 25280; (2) a complaint by Pan American World Airways, Inc. (Pan American) in Docket 28469 against container reloading, repacking and unloading charges proposed by Trans World Airlines, Inc. (TWA); and (3) that portion of Agreement C.A.B. 25202 on which action was deferred in Order 75–12–147, dated December 30, 1975.

Agreement 25280. The agreement would revalidate without numerous resolutions governing such matters as charges for ancillary services, live animal rates, and general rules for construction of cargo rates.[1] In addition, excess valuation and C.O.D. charges would remain essentially unchanged with respect to traffic to/from the United States. Other changes are mostly of a technical or procedural nature and include revised rates of exchange (Resolution 021b) reflecting

[1] The Board has acted on R–9 of the agreement, which relates to cargo charters, in Order 75–10–5, dated October 1, 1975.

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the decreased value of the U.S. dollar vis-a-vis the Australian dollar and related currencies, revisions to Unit Load Device Board voting procedures, reduction from $50 to $25 per day in demurrage charges for unit load devices held over 48 hours by shippers/consignees, amalgamation of existing area resolutions setting forth procedures and general rules for use of unit load devices into a single worldwide resolution, and provisions for a special meeting before March 30, 1976 to discuss carrier problems relating to unrestricted trucking of international air freight within the United States at air freight rates.[3]

Justification or statements of support have been received from Braniff International (Braniff); The Flying Tiger Line Inc. (Tiger); National Airlines, Inc. (National); Pan American World Airways, Inc. (Pan American); and Trans World Airlines, Inc. (TWA). Objections to the live animal rates and related rules have been filed on behalf of twenty-eight retail and wholesale live animal merchants, hereinafter referred to as the Pet Industry Parties (PIP) and by the Zoological Action Committee, Inc. (ZooAct). Finally, Tiger and TWA have filed consolidated replies, portions of which are in answer to the submissions of PIP and ZooAct.

Excess Valuation Charges—IATA Resolution 503. Only two carriers, Tiger and TWA, have submitted data in support of the excess valuation charge.[4] While acknowledging a $17,151 profit from present excess valuation charges for the year ended June 1975, Tiger attributes this profit to its low claims ratio and contends that the excess valuation charge of 0.40 percent (40 cents per $100) is warranted since its low claims experience is not shared by many other IATA carriers; that the shipper has practical alternatives to paying the IATA charge offered by independent third parties or indirect carriers not bound by the agreement; and that in the absence of demonstrated harm to the shipper from assessment of the charge, the Board should not disapprove the charge simply because Tiger profited from the charges over a period of time. TWA relies on a past justification which claimed a $3,036.80 shortfall further aggravated by the January 1974 change in Warsaw Convention liability from $18.00 to $20.00 per kilogram. The carrier claims that in view of Board acceptance of this justification, initially submitted in early 1974 in a unilateral tariff filing to justify a similar charge, no further action appears necessary on its part.

Live Animal Rates—IATA Resolution 511. Only TWA has submitted any detailed cost data in support of the premium live animal rates, set at 125 and 150 percent of the applicable general rate for cold- and warm-blooded animals, respectively. Braniff and Tiger state they are unable to provide any cost data since most of their international live animal traffic moves under specific commodity rates. Pan American states it is not possible for it to undertake the extensive study needed to cost-justify the rates.

In general, the carriers maintain that the premium rates are justified by the value of service provided in the additional documentation, handling procedures and aircraft space compared with the less demanding requirements for international general cargo and domestic live animal shipments. Tiger and Pan American contend that while the rates have been in effect for over a year, no shipper or consignee has demonstrated irreparable or serious damage from the premium rates or, as Tiger contends, even complained about the premium rates. Pan American maintains that live animal traffic possibly downgrades overall service standards and increases costs since most carriers now use automated systems and unit load devices for freight shipments while live animal traffic, which cannot move in unit load devices, must be handled exceptionally on an individual basis; and that disapproval of the rates may cause carriers to reevaluate their live animal policies with view to minimizing expense with resultant possible risks to the well-being of the animals.

TWA contends there are significant differences which distinguish international live animal service from domestic service such as the longer length of haul[4] and greater in-flight times that engender greater air space requirements and lead to different conclusions from those found by the Board in its domestic *Live Animals Investigation*.[5] The carrier states its regulations for loading and stowing of warm-blooded animal shipments require maintenance of a minimum 6 inches of air space around each live animal box as well as additional varying amounts of extra air space in the cargo compartment itself. TWA asserts that the 6-inch separation alone justifies a 150 percent premium rate on warm-blooded shipments and, in support, submits data computing the capacity costs attributable to the additional space required for a shipment of a dog or cat, claimed to be typical of its warm-blooded live animal traffic. TWA uses the multielement pricing structure developed in the *Domestic Air Freight Rate Investigation*[6] to establish its noncapacity costs, adjusted to reflect the additional man-minutes believed necessary to document international live animal shipments and for 1975 costs. The carrier compares the revenues derived from such shipments with the total capacity and noncapacity costs involved and contends that the premium rates are warranted when costs for the required 6-inch separation are included in the final cost and more than warranted when capacity costs for the extra compartment air space, instead of the 6-inch separation, are considered.

PIP and ZooAct oppose the live animal rates and PIP requests the agreement as it pertains to live animal rates be disapproved.[7] PIP contends that the present premium rates result from a shipper compromise to give carriers a one-year period to generate cost data on live animal carriage; that the Board's Nice policy statement indicated that continuation of the premium rates in question must be supported by adequate cost data; that the responding carriers have provided scant cost justification or have admitted an inability to provide such data; and opposes the narrow definition given "cold-blooded" animals,[8] favoring the more liberal definition used in the domestic *Live Animals Investigation*. PIP also states that the IATA carriers offer a number of specific commodity rates (SCR's) at substantial discounts from the general commodity rates for a variety of live animal types in various world markets and questions why the carriers subject live animal traffic to/from the U.S. to high premium rates and offer lower SCR's elsewhere if, in fact, live animal shipments entail extra carrier costs.

Both PIP and ZooAct contend that the statements made by the carriers in support of the premium rates are unsubstantiated; that the carriers rationale based on value of service and much of TWA's costing methodology is inconsistent with the Board's previous findings in the *Live Animals Investigation* and *DAFRI*; and that, if any additional costs for ground handling or documentation peculiar to international live animal shipments and not already performed by the shipper or his agent can be identified, they should

[3] IATA Resolution 507b, relating to use of surface transportation and incorporated in the instant agreement as R–20, was withdrawn by IATA after it determined there was in fact no unanimous agreement for the TC1 (Western Hemisphere), JT12 (Transatlantic), JT31 (Transpacific) and JT123 areas after September 30, 1975 and that Resolution 507b would be "open" in those areas on October 1, 1975. Because of a tie-in provision in 507b, Resolution 512b (specifying certain services carriers may perform for shippers) also became "open" in these areas on that date. However, there is carrier agreement on Resolution 507b for the remaining world areas embodied in R–21 of the agreement. The Board will expect this matter to be resolved promptly and would note that to the extent any revalidated resolution permits trucking between U.S. points not authorized by the carrier's certificate or permit, such practice is unlawful. We further refer the carriers to the Board's opinion in Docket 19797, *Substitution of Other Services for Air Transportation Rule Proceeding*, Order 75–3–37, decided March 12, 1975.

[4] Braniff states it abstained on Resolution 503 in order to facilitate agreement and National contends its revenues from the charge are minimal and that it has no method to cost-justify the charge.

[4] TWA states its length of haul averages 4,246 miles for its international system vs. 1,433 miles for its domestic system.

[5] *Investigation of Premium Rates for Live Animals and Birds*, Docket 21474 decided June 26, 1973, hereinafter referred to as *Live Animals Investigation*.

[6] Docket 22859, Initial Decision served April 15, 1975, hereinafter referred to as *DAFRI*.

[7] In a letter, filed in Docket 22859, Bronson Tropical Bird Aviaries of New York likewise opposes the premium live animal rates.

[8] Defined in the IATA agreement as "fish, frogs, iguanas, insects, reptiles, turtles, and worms."

be levied as an accessorial charge and should not be incorporated as part of a premium rate.

PIP further maintains that TWA's multielement costing of noncapacity expense for international live animal shipments is deficient, and asserts that in *DAFRI*, with the revisions as set forth in the Initial Decision, rates for live animals were actually below those for regular freight.

Both Tiger and TWA have responded to the comments of PIP and ZooAct and contend that the availability of SCR's for live animals in other world markets is irrelevant to the validity of the premium rates in question. Tiger also states that the various animal shippers do not contend that value of service in and of itself is not sufficient justification of the rates; that, in view of the extensive resources needed to detail the appropriateness of the premium rates, the current economic state of the air industry and the fact that only 0.6 percent of its 1974 freight revenues came from live animal traffic, it could not afford the added expense to fully cost-justify the premium rates; and that the Board should focus upon the obvious facts and value of service performed for live animal shipments. TWA contends the live animal shippers have misunderstood its costing methodology, reiterates the process, and contends it has been as conservative as possible in arriving at final costs since it did not include costs for accessorial services provided or for the extra compartment air space.

Unit Load Devices—IATA Resolutions 520, 520a, 634a.[9] In general, the carriers believe the changes in these resolutions will have limited impact upon the shipping public, will improve the functioning of the Unit Load Devices Board and will standardize and rationalize on a worldwide basis the general rules applicable to unit load devices.

However, by tariff revisions filed November 1, 1975 effective December 1, 1975, TWA has proposed charges, ranging from $6 to $18, for reloading, repacking and unloading of containers, moving over its North Atlantic routes, which represent discounts of up to 82 percent from present IATA-agreed levels as set forth in Attachment C of Resolution 534a. In addition, shipments at Heathrow Airport would be exempted from such charges altogether.[10] However, TWA's unloading charges of containers for purpose of customs inspection remains at IATA levels. In support, TWA contends that the present IATA levels are unrealistic resulting in many carriers failing to assess the charges; that the proposed charges, set at domestic levels, remove the anomaly of providing identical services to domestic and international shippers at different prices, especially since the carrier believes the cost of providing the two services is the same; that the changes will produce $700,000 additional revenue primarily from recovery from other carriers of revenues presently lost; and that exemption for Heathrow is based primarily on a U.K. government reservation on the IATA resolution. The carrier recognizes that the charges are not at levels agreed within IATA; however, it contends the North Atlantic area is presently open pending implementation of a new IATA structure, and believes its action is necessitated by present competitive practices.

In a complaint, filed November 6, 1975, Pan American requests rejection, or failing that, suspension and investigation of the charges on the grounds that it believes the carriers are properly assessing the higher IATA charges; that allegations of carriers' failing to collect, if true, are insufficient justification; that TWA has provided no economic justification for its proposal; that the initial decision of *DAFRI* concluded that TWA's domestic charges are too low, hence TWA should not be permitted to apply uneconomic domestic level charges to higher-cost international shipments. In answer to Pan American, TWA contends it has submitted justification and concedes that while implementation of *DAFRI* would result in higher domestic charges, such charges would be considerably lower than the present IATA charges. The carrier holds that since the time involved reloading and unloading containers is essentially the same for domestic and international shipments, domestic and international charges should be equated. Finally, TWA states Pan American has provided no evidence to support the higher international charge.

Circuitous Routing Control. Several carriers have submitted comments directed towards the Board's expressed concern that the instant agreement contains no provisions for routing control to prevent undue erosion of carrier yields resulting from circuitous routing of freight via higher-rated intermediate points at the direct route level, largely by carriers wishing to be competitive in markets they are not certificated to serve directly. In general, the responding carriers contend that absence of routing controls is clearly justified by cost considerations in that the present situation allows carriers flexibility in choice of the most efficient routing and use of capacity in any given market and that routing controls are unnecessary since shippers generally select the better service that a direct routing offers. Nevertheless, TWA does hold that this flexibility should be restricted solely to those carriers certificated to provide direct service; however, it feels it is not possible nor appropriate for the Board to impose routing controls by condition to the appropriate IATA resolutions nor realistic to expect the carriers to impose controls themselves. Rather, TWA believes the best course is for the Board to use other means, such as direct intergovernmental consultations, to deal with carriers' using circuitous routings to match rates over more direct routings they are not authorized to service.

Findings. Upon consideration of the carrier submissions, the comments and replies, Pan American's complaint and TWA's response, the Board has determined to disapprove the excess valuation charge the live animal rates and the container loading and unloading charges set forth in Attachment C to Resolution 534a; approve the remaining resolutions with conditions; and dismiss Pan American's complaint.

The level of excess value charges has been a continuing issue before the Board. For almost two years the carriers have been instructed to cost-justify an excess valuation charge of 0.40 percent on that portion of the shipper's declared value which exceeds the basic $20.00 per kilogram Warsaw Convention liability. Of the eight major U.S. international carriers, who are members of IATA, only two, TWA and Tiger, have filed any data in support of the proposed charge. No foreign carrier has submitted any justification. TWA's submission is essentially the same as the Board previously found inadequate (Order 74–8–68) while Tiger's submission shows that its operating profits from excess valuation charges amount to some 65 percent of the total excess value revenues collected. In view of the above, we are unable to conclude that the proposed excess valuation charge itself is reasonable and equated with the actual additional risks involved.

However, in response to the Board's request for clarification of the intent of the excess value resolution as it pertains to assessment of the charge, four of the five responding carriers have stated that the charge would be assessed only upon that amount by which a shipment's value exceeds the amount of the carrier's basic liability as specified in the Warsaw Convention.[11] Accordingly, while we will disapprove the 0.40 percent charge itself, we will approve the remaining portion of the resolution relating to the method of assessment. Our approval is based upon the interpretation of the four carriers that the intent is to assess the charge on that portion of the value in excess of the basic Warsaw liability which is consistent with the Board's long-held policy.

Turning to the live animal rates, the Board made it clear in the August 1974 order approving the premium rates and again in its May 1975 Nice Policy Statement that continuation of the rates beyond September 1975 was contingent upon adequate cost justification based upon carrier experience for the one-year

[9] While Resolution 534a comprises part of the overall North Atlantic cargo rates structure disposed of by Order 75–12–147 of December 30, 1975, that order deferred action on Attachment C to that resolution which specifies container loading and unloading charges.

[10] Trans World Airlines, Inc. (C.A.B. No. 214, 8th Revised Page 8–A). In a subsequent filing, not included in Pan American's complaint, TWA also reduced its demurrage charge for containers from $50 to $10. The IATA-agreed levied for such charges, set forth in Resolution 530a, is $25, a reduction from the precious $50 level.

[11] National states that it adheres to its tariff which provides that the charge be assessed on the total amount of the declared value.

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period in which the rates were in effect. However, the carriers have not presented any such convincing data to prove their allegations that the particular circumstances of international carriage justify higher premium rates than those found lawful in U.S. domestic service. Of all the carriers, only TWA has made any attempt to cost-justify the premium rates, and TWA's attempt is deficient and unpersuasive. For example, in pricing its capacity costs applicable to a "typical" warm-blooded live animal shipment, TWA charges for air space not actually occupied by the animal but claimed by the carrier to be allocated to and necessary for the animal's survival. This argument has been thoroughly reviewed in the past in the domestic *Live Animal Investigation*, and more recently in the initial decision in *DAFRI*, and in each case was rejected. In the *Live Animal Investigation*, the Board found that ample access to free air space was provided by stowage next to otherwise unusable space adjacent to compartment doors, placement next to broken stowage space caused by aircraft compartment curvature, and by the shape of the containers creating broken stowage. TWA and the other carriers have made no showing that this is not also the case with international live animal traffic. Further, in its multielement pricing of noncapacity costs for warm-blooded shipments, TWA has adjusted upwards the base 1972 per shipment terminal handling time by 24.651 man-minutes, based upon the results of an in-house study, with a resultant four-fold increase at 1972 cost levels in per shipment terminal handling costs. However, TWA provides no supporting data relating to how this in-house study was conducted. In view of the above, the Board is unable to conclude that the premium rates set at 125 and 150 percent of the applicable general cargo rates for shipments of cold-blooded and warm-blooded animals, respectively, is warranted.

In considering Pan American's complaint against TWA's reloading, repacking and unloading charges, we have given much weight to TWA's argument that the costs of providing such services for international air transportation approximate the costs of such services for domestic air transportation. The IATA carriers have made no showing that the costs of providing the service internationally justify the much higher charges which range from $50 to $450 depending upon the container type and the actual service performed. While a final decision in *DAFRI* might result in charges that are higher than those currently applicable in domestic transportation, we find merit in TWA's argument and, at this time, see no reason not to permit TWA's proposal to stand as filed. Accordingly, we will disapprove the charges specified in Attachment C to Resolution 534a and deny the relief sought by Pan American. Finally, while TWA's demurrage charges are not reached by Pan American's complaint and while TWA's charge is lower than the IATA-proposed $25 demurrage charge, we will approve the proposed $25 charge since it represents a considerable reduction from the present $50 charge. However, we will expect full cost justification for the $25 charge in any agreement seeking extension beyond its present September 30, 1977 expiry date.

Lastly, while the carriers have expressed their opinions regarding the need for routing controls, we continue to be concerned that circuitous routings at the direct routing rate level for competitive reasons erodes carrier yields and generates pressure for added revenues through rate increases. Accordingly, we will condition our approval of the general construction rules for cargo rates contained in IATA Resolution 014b to preclude carriers' filing of rates in tariffs between U.S. and foreign points at the direct level when their operating authority would require actual routing through a higher-rated intermediate point. Rates will not be permitted to be filed at a level lower than the rates for the intermediate point through which the carrier is required to operate.

The Board, acting pursuant to sections 102, 204(a) and 412 of the Act makes the following findings:

1. It is not found that the following resolutions, incorporated in Agreement C.A.B. 25280 as indicated, are adverse to the public interest or in violation of the Act provided that approval is subject to conditions previously imposed, where applicable, or imposed herein by the Board:

Agreement CAB	IATA No.	Title	Application
25280:			
R-1	001j	2 Year Effectiveness Escape—Cargo (Revalidating and Amending)	1; 2; 3; 1/2; 2/3. 3/1; 1/2/3.
R-2	001x	Review of Cargo Rates (Revalidating and Amending)	1; 2; 3; 1/2; 2/3. 3/1; 1/2/3.
R-3	001	Standard Revalidation Resolution (Except insofar as it would revalidate Resolution 511, Rates for Live Animals).	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-4	012b	Definition of Middle East (Amending)	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-5	021b	Rates of Exchange (Amending)	1; 2; 3.
R-6	023b	Rounding Off Cargo Rates (Amending)	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-7	023c	Rounding Unit for Billing in Japan (New)	1; 2; 3; 1/2; 2/3; 3/1 1/2/3.
R-8	024	Kilogram Rate Basis (Amending)	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-10	200c	Transportation of Human Eyes and Dehydrated Corneas (Amending).	1/2.
R-11	503	Charges in Relation to Value (Revalidating and Amending) (Except insofar as it would establish a charge of 0.40 percent of the declared value for carriage subject to a one dollar minimum charge).	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-12	512a	C.O.D. Procedures (Revalidating and Amending)	1; 2; 3; 1/2; 1/3; 3/1; 1/2/3.
R-13	520	Unit Load Devices Board (Revalidating and Amending)	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-14	520a	General Rules for the Use of Unit Load Devices (New)	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-15	521	Charges for the Use of Unit Load Devices (Revalidating and Amending).	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-16	521b	Packaging Service (Revalidating and Amending)	2; 1/2.
R-17	596	Newspapers and Periodicals (Amending)	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-18	598	Baggage Shipped as Cargo (Amending)	2; 3; 2/3.
R-19	680	Diplomatic Bags (Amending)	1; 2; 3; 1/2; 2/3; 3/1; 1/2/3.
R-21	507b	Use of Surface Transportation (Revalidating and Amending)	2; 3; 2/3.

NOTE.—Provided with respect to Resolution 014b revalidated therein: No carrier shall be permitted to file rates between United States points, on the one hand, and foreign points, on the other hand, at the direct level when their operating authority would require routing through a higher-rated intermediate point. Rates will not be permitted to be filed in such instances at a level lower than the rates for the intermediate point through which the carrier is required to operate.

2. It is found that the following resolutions, incorporated in the agreements indicated, are adverse to the public interest and in violation of the Act:

Agreement CAB	IATA No.	Title	Application
25202: R-10	534a	Charges for Bulk Unitization—North Atlantic (Attachment C) (Revalidating and Amending).	1/2.
25280: R-3	002	Standard Revalidation Resolution (Insofar as it would revalidate Resolution 511, Rates for Live Animals).	1; 2; 3; 1/2; 2/3; 3/1. 1/2/3.
R-11	503	Charges in Relation to Value (Revalidating and Amending) (Insofar as it would establish a charge of 0.4 percent of the declared value for carriage subject to a one dollar minimum charge).	1; 2; 3; 1/2; 2/3. 3/1 1/2/3.

Accordingly, *It is ordered* That:

1. Those portions of Agreement C.A.B. 25280 described in finding paragraph one above be and hereby are approved subject to conditions previously imposed, where applicable, or imposed therein by the Board;

2. Those portions of Agreements C.A.B. 25202 and C.A.B. 25280 described in finding paragraph two above be and hereby are disapproved; and

3. The complaint of Pan American World Airways, Inc. in Docket 28469 be and hereby is dismissed.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

[FR Doc.76-655 Filed 1-9-76;8:45 am]

[Docket No. 27573 Agreement C.A.B. 25220 R-1 through R-5; Order No. 76-1-16]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Western Hemisphere Cargo Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 5th day of January, 1976.

By Order 75-7-88, July 17, 1975, the Board established procedural dates for the receipt of carrier justifications, comments and/or objections by interested persons, and reply comments, pertaining to an agreement of the carrier members of the International Air Transport Association (IATA), which would establish TC1 (Western Hemisphere) cargo rates for effect October 1975 through September 1977.

The agreement would increase general commodity rates by approximately 8 percent in the U.S.-Mexico/Central America/Caribbean markets, 5 percent in the U.S.-Venezuela market, and 10 percent on northbound shipments from South America, with southbound rates remaining at their current levels. The 100 kg. weightbreak would be canceled for all of the Western Hemisphere and the 300 kg. weightbreak would be canceled for U.S.-Mexico traffic. Certain specific commodity rates would be canceled in selected markets and those remaining would be increased approximately 10 percent. In addition, minimum charges for any consignment would, in general, be increased $2, except in certain cases in the U.S.-Mexico/Caribbean markets where the increase would be $1, and certain long-haul markets where the minimum charge would remain at present levels. Rates and charges for various types of containers would be introduced in certain markets, particularly in the U.S.-Mexico market, and certain rates would be canceled in those markets where no carrier has firm requirements for a container program. Container rates and charges in the U.S.-Mexico/Caribbean markets, as well as southbound long-haul container charges, would generally remain at present levels. Southbound long-haul over-pivot rates would be increased 10 percent, with specific increases to northbound container rates and charges. Finally, the agreement includes a new resolution specifically directed to meeting non-IATA cargo rates and practices.

Statements of justification and supporting data have been submitted by American Airlines, Inc. (American), Braniff Airways, Inc. (Braniff), Eastern Air Lines, Inc. (Eastern), and Pan American World Airways, Inc. (Pan American). No comments in opposition have been received.

U.S.-Mexico. In U.S.-Mexico scheduled cargo operations for the year ending September 30, 1976, the U.S. carriers anticipate a $1.5 million improvement in operating revenues and an overall return on investment (ROI) of 6 percent under the proposed rates. The following table summarizes the justifications of the individual carriers:

Carrier, type of operation	Revenue gain under proposed rates	Percent	Return on investment (percent)	
			Present rates	Proposed rates
American: Combination	$373,000	7.1	−9.0	−5.4
Braniff: Combination	13,000	8.1	−69.8	−69.4
Eastern: Combination	170,000	8.1	−2.2	1.8
Pan American: [1]				
Combination	921,000	7.9	52.5	60.6
All cargo	125,000	8.2	−65.7	−60.5
Total	1,119,000	7.2	22.4	29.6
Total U.S. carriers	1,474,000	7.3	.7	8.0
Excluding Braniff [2]	1,461,000	7.3	10.8	18.0

[1] Includes central American operations. Pan American claims that some of its central American traffic flows over its U.S.-Mexico sectors and that separation of these 2 markets would therefore cause distortions in the data.

[2] On the basis of $180,000 operating revenues under the existing rates, Braniff forecasts a $1,125,000 negative return on a $1,897,000 investment allocated to this service. Such an allocation appears unreasonable on its face. Moreover, considering its minimal revenues, Braniff cannot be considered a viable competitor in this market. Accordingly, Braniff's operations will not be considered in determining the carriers' revenue need in the U.S.-Mexico market.

U.S.-Caribbean. The following table summarizes the carriers' justifications of the agreement in terms of their U.S.-Caribbean services for the year ending September 30, 1976. Of the total $5.8 million freight revenue American expects during the period, $3.3 million is expected to come from the new Caribbean points it serves starting September 8, 1975 as a result of its route exchange with Pan American. Pan American did not identify the effect of the exchange on its revenues.

Carrier, type of operation	Revenue gain under proposed rates	Percent	Return on investment (percent)	
			Present rates	Proposed rates
American:				
Combination	$105,000	7.5	−25.3	−23.3
All-cargo	33,000	2.8	6.9	8.9
Total	138,000	7.8	−17.4	−56.2
Eastern: Combination	200,000	8.5	−29.6	−21.7
Pan American:				
Combination	202,000	9.2	13.1	18.8
All-cargo	305,000	8.7	−33.1	−28.9
Total	507,000	8.9	−13.5	−7.6
Total U.S. carriers	845,000	8.3	−17.4	−12.4

U.S.-South America. The following table summarizes the economic justification presented by the two U.S. carriers operating in the South America market for the year ending September 30, 1976.

Carrier, type of operation	Revenue gain under proposed rates	Percent	Return on investment (percent)	
			Present rates	Proposed rates
Braniff: Combination	$321,000	8.0	−23.8	−19.0
Pan American:				
Combination	991,000	4.6	25.3	28.9
All cargo	1,787,000	5.4	19.6	24.6
Total	2,778,000	5.2	21.4	26.6
Total U.S. carriers	3,140,000	5.7	9.3	13.9

Findings. Generally the Board has considered both all-cargo and combination operations in its disposition of IATA rate agreements, but places greater emphasis on all-cargo operations.[1] In Western Hemisphere cargo operations, Pan American is the principal U.S. all-cargo carrier; American's all-cargo operations in the Caribbean represent a relatively small percentage of total cargo operations in the area. However, in the U.S.-Mexico/Central America market, Pan American's all-cargo operations account for less than twelve percent of total U.S. carrier cargo revenues in that market and the preponderance of Pan American's cargo revenues are generated in its combination services, which show a large profit according to Pan American's submission. Accordingly, it would be unreasonable to place heavy emphasis on operations which have such a limited share of the market. Disposition of the agreement in this market is therefore based on the revenue need for both combination and all-cargo operations.

Based on the forecast data for the year ending September 30, 1976, which

[1] The differences in profitability between Pan American's combination services and the combination services of the other carriers in these markets is perplexing. It is difficult to understand how Pan American can operate highly profitable combination services in these markets while the other carriers cannot. It is equally difficult to understand why Pan American sustains heavy losses in its all-cargo operations in these markets while American earns a modest profit.

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was broken down into geographical market areas as directed in the procedural order (Order 75–7–88, July 17, 1975), the extra revenue anticipated from the proposed new rates will leave the carriers' return on investment (ROI) well below the 12 percent Board standard in the U.S.-Mexico/Central America market. However, the anticipated 6 percent ROI for total cargo operations in this market resulting from the proposed new rates is heavily influenced by Braniff's huge losses (relative to revenue) in combination services in this market.[2] Excluding Braniff's operations, the forecast overall ROI in the market is 10.8 and 16.8 percent under the existing and proposed rates, respectively. It is therefore found that no significant revenue need has been demonstrated in the U.S.-Mexico/Central America market which would warrant approval of the proposed rate increases, and they will therefore be disapproved as they apply to this market.

Pan American's forecast of U.S.-Caribbean all-cargo operations under the proposed rates for the year ending September 30, 1976, anticipates an operating loss and a negative return on investment. The operating loss is expected to be approximately $1.3 milion, with a return on investment of −25.9 percent. On the other hand, South American all-cargo operations are expected to generate a $7.2 million operating profit and 24.6 percent return on investment for the carrier. However, in both of these market areas, Pan American forecasts a significant decline in all-cargo load factors between the year ended March 31, 1975, and that ending September 30, 1976. The carrier expects historical load factors of 62.1 and 72.0 percent in the Caribbean and South America markets to drop to 48.1 and 54.9 percent, respectively, as a result of sizeable increases in capacity in the face of only moderately increasing or decreasing traffic. Although the capacity offered in a market is a matter of managerial discretion, no justification has been submitted for these capacity increases and, under these circumstances, we find it necessary, consistent with past action (see Order 75–12–147) to adjust the carriers' forecast to historical load factor levels. As noted below, however, this adjustment does not change our disposition of the agreements (See Appendix A). Our adjustment reduces Pan American's operating loss for all-cargo operations in the Caribbean market from $1.3 milion to $0.7 million and improves the return on investment to −15.0 percent. In the South America market, the load-factor adjustment increases the carrier's anticipated operating profit in all-cargo operations from $7.2 million to $13.6 million and improves the return or investment to 44.9 percent.[3] The agreement will be evaluated on the basis of these revisions in Pan American's forecast.

[2] See footnote 2.

[3] Absent the load-factor adjustment Pan American still forecasts a 19.6 percent rate of return at present rates and 24.6 percent at the proposed rates.

Although Braniff's losses in combination service are anticipated by the carrier to continue even under the proposed rates in the South America market, the problems associated with cost allocation of combination services make it more appropriate to evaluate revenue need based on the results of all-cargo operations. Pan American, the only U.S. all-cargo carrier in the market, would experience a sizeable operating profit with or without the proposed rate increase. While, under the proposed new rates, Pan American would have a $13.6 million operating profit and a 44.9 percent return on investment on all-cargo operations in this market, the carrier would also experience a $5.6 million operating profit and a 19.6 return on investment under the present rate structure during the forecast period. In these circumstances, the Board is unable to find any requirement for additional revenues in this market, and will therefore disapprove that portion of the agreement which would increase rates and charges in the U.S.-South America market.

In the Caribbean market, both Pan American and American provide all-cargo services. Under the proposed rates, American anticipates a $53,000 increase in revenues and a 9.9 percent return on investment in its all-cargo operations in the market. As noted above, Pan American will experience an operating loss and a −15.0 percent return on investment in its all-cargo operations. Thus, on the basis of these data for all-cargo operations, there is a need for increased cargo revenues in this market.

In order to improve their cargo revenues in the U.S.-Mexico/Caribbean markets, the carriers are proposing to increase general commodity rates approximately 8 percent and specific commodity rates by approximately 10 percent. Given the difference in level between general and specific commodity rates, these increases, on an average, will widen rather than narrow the dollar spread between the two categories of rates, particularly in view of the cancellation of the 100 kg. general rate for all of the Western Hemisphere. In its May 6, 1975, policy statement[4] to the carriers prior to the Nice traffic conferences, the Board indicated that it expected the carriers to pursue a policy aimed at major revisions to the overall rate structure, and that absent any "meaningful progress" in this regard, the Board would not accept increases in the General commodity rate levels. The Board further stated that if a need for revenue increases could be demonstrated in selected market areas, the increased revenues should be realized from increases in specific commodity rates—not from increases in general commodity rates.[5] However, as noted above, the agreement before us does not comport to any significant extent with the policy statement. On the other hand, the carriers' justification statements clearly indicate a need for increased revenues in the U.S.-Caribbean market. We will therefore approve the portion of the agreement which increases specific commodity rates in this market but will disapprove that portion which increases general commodity rates. We will also approve those resolutions which would increase minimum charges and introduce rates and charges for various types of containers in this market. Although there will be some revenue improvement as a result of implementing the resolutions we are herein approving, the carriers will nevertheless remain in a week profit position in this market. The carriers may wish to review the agreement in light of their financial requirements, the Board's policy statement and the action taken herein.

The resolution governing the meeting of non-IATA rates and practices will be approved inasmuch as it merely amends the previous resolution on this subject which covered both passenger and cargo matters to one which relates to cargo matters only.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. It is not found that the following resolution, incorporated in Agreement C.A.B. 25220 as indicated, is adverse to the public interest or in violation of the Act, provided that approval is subject, where applicable, to conditions previously imposed by the Board:

[4] Statement of the Civil Aeronautics Board on Cargo Rates Matters to be negotiated at the IATA Worldwide Traffic Conference in Nice, May 1975. Issued: May 6, 1975.

[5] The carriers in their justification generally did not address these issues.

Agreement CAB	IATA No.	Title	Application
25220: R–1	115	Meeting Rates and Practices Cargo (new)	1.

2. It is not found that the following resolutions, to the extent they would establish rates and charges between points in the U.S., on the one hand, and points in the Caribbean, on the other hand, and which are incorporated in Agreement C.A.B. 25220 as indicated, are adverse to the public interest or in violation of the Act, provided that approval is subject, where applicable, to conditions previously imposed by the Board:

Agreement CAB	IATA No.	Title	Application
25220: R–2	501	Minimum Charges for Cargo (Revalidating and Amendming)	1.
R–3	531	Charges for Bulk Unitisation TC1 (Revalidating and Amending)	1.
R–5	590	Specific Commodity Rates Board (Revalidating and Amending)	1.

3. It is found that the following resolution, incorporated in the agreement indicated, is adverse to the public interest and in violation of the Act:

Agreement CAB	IATA No.	Title	Application
25220: R–4	551	TC1 General Cargo Rates	1.

4. It is found that the following resolutions, to the extent they would establish rates and charges between points in the U.S., on the one hand and points in Mexico, Central America and "long haul" South America as defined in IATA Resolution 012f, on the other hand, and which are incorporated in the agreement indicated, are adverse to the public interest and in violation of the Act:

Agreement CAB	IATA No.	Title	Application
25220: R–2	501	Minimum Charges for Cargo (Revalidating and Amending)	1.
R–3	531	Charges for Bulk Unitisation—TC1 (Revalidating and Amending)	1.
R–5	590	Specific Commodity Rates Board (Revalidating and Amending)	1.

Accordingly, *It is ordered*, That:

1. Those portions of Agreement C.A.B. 25220 specified in finding paragraphs 1 and 2 above be and hereby are approved, subject, where applicable, to conditions previously imposed by the Board;

2. Those portions of Agreement C.A.B. 25220 specified in finding paragraphs 3 and 4 above be and hereby are disapproved;

3. The carriers are hereby authorized to file tariffs implementing the approved IATA resolutions on not less than one day's notice for effectiveness not earlier than 15 days after service of this order. The authority granted in this paragraph expires 30 days after service of this order; and

4. Tariffs implementing those portions of Agreements C.A.B. 25220 specified in finding paragraphs 1 and 2 above shall be marked to expire not later than September 30, 1977.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

APPENDIX A

U.S. Carrier Western Hemisphere (TC 1) scheduled all-cargo service forecast, year ending Sept. 30, 1976[1]

	U.S.-Caribbean						U.S.-South America, Pan American	
	Present rates			Proposed rates				
	American [2]	Pan American [2]	Composite	American [2]	Pan American [2]	Composite	Present rates [3]	Proposed rates [3]
Operating revenues	$1,914	$4,200	$6,114	$1,967	$5,895	$7,862	$32,175	$44,291
Operating expenses	1,817	5,805	7,622	1,817	6,673	8,490	26,616	30,644
Operating profit (loss)	97	(1,605)	(1,508)	150	(778)	(628)	5,559	13,647
Nonoperating income and expense, net	(14)	[4] (106)	(120)	(14)	[4] (106)	(120)	[4] (741)	[4] (741)
Net income before tax	83	(1,711)	(1,628)	136	(884)	(748)	4,818	12,906
Income tax (Cr.) at 48 percent	40	(821)	(781)	65	(424)	(359)	2,313	6,195
Net income after tax	43	(890)	(847)	71	(460)	(389)	2,505	6,711
Add: interest expense	20	106	126	20	106	126	741	741
Return element	63	(784)	(721)	91	(354)	(263)	3,246	7,452
Investment	916	2,367	3,283	916	2,367	3,283	16,602	16,602
Return on investment (percent)	6.9	(33.1)	(22.0)	9.9	(15.0)	(8.0)	19.6	44.9

[1] All dollar figures in thousands.
[2] As submitted by the carrier.
[3] Traffic and revenue adjusted to reflect Pan American's historical load factor; traffic-related expenses adjusted accordingly.
[4] Interest expense.

[FR Doc.76–654 Filed 1–9–76;8:45 am]

[Docket 27573; Agreement C.A.B. 25387, 25432, R–1; C.A.B. 25433, R–1 through R–4; C.A.B. 25437, R–1 and R–2; C.A.B. 25547, R–1 and R–2; C.A.B. 25552, 25595, R–1 and R–2; Order 76–1–18]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreements Relating to Specific Commodity Rates; Order

Issued under delegated authority January 6, 1976.

Agreements have been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers and other carriers, embodied in the resolutions of the Joint Traffic Conferences of the International Air Transport Association (IATA). The agreements, adopted pursuant to the provisions of the Specific Commodity Rates Board (Resolution 590) or by mail vote, have been assigned the above C.A.B. agreement numbers.

Most of the agreements establish additional specific commodity rates for application between U.S. points and points in Europe, Africa, the Middle East and Asia over the North Atlantic as listed in the attached Appendix.[1] In addition, Agreement C.A.B. 25387, which has indirect application in air transportation, establishes an add-on over New York for traffic moving to/from Toronto in Type 2 containers over the North Atlantic in response to Air Canada's placing its CF 747 aircraft into service out of Toronto. Finally, Agreemnt C.A.B. 25433, R–4 cancels numerous specific commodity rates in various North Atlantic markets where applicatiion of the 5 cents per kilogram increase, effective January 1, 1976, results in levels which are equal to or exceed the general commodity rate level at the same weight-breaks in the markets concerned. We will approve the agreements consistent with our actions in Order 75–12–147 of December 30, 1975 dealing with the overall North Atlantic cargo rates structure.

Pursuant to authority duly delegated by the Board in the Board's Regulations 14 CFR 385.14:

1. It is not found that Agreements C.A.B. 25432, R–1; C.A.B. 25433, R–1 through R–4; C.A.B. 25437, R–1 and R–2; C.A.B. 25547, R–1 and R–2; C.A.B. 25552; and C.A.B. 25595, R–1 and R–2 are adverse to the public interest or in violation of the Act, provided that approval shall not constitute approval of the spec-

[1] Appendix filed as part of the original document.

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ific commodity descriptions contained therein for purposes of tariff publication:

2. It is not found that Resolution JT12(Mail 876)534a, incorporated in Agreement C.A.B. 25387 and which has indirect application in air transportation as defined by the Act, is adverse to the public interest or in violation of the Act:

Accordingly, *it is ordered*, That:

Agreements C.A.B. 25387; C.A.B. 25432, R–1; C.A.B. 25433, R–1 through R–4; C.A.B. 25437, R–1 and R–2; C.A.B. 25547, R–1 and R–2; C.A.B. 25552; and C.A.B. 25595; R–1 and R–2 be and hereby are approved subject, where applicable, to the condition imposed in finding paragraph one above.

Persons entitled to petition the Board for review of this order pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76–833 Filed 1–9–76;8:45 am]

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST 1976

Amendment

Notice of Additions to Procurement List 1976, November 25, 1975 (40 FR 54742) published in the FEDERAL REGISTER on December 30, 1975 (40 FR 59774), pertaining to the following item is amended to read as follows:

CLASS 7530

Tape, Paper, Computing Machine (IB) GSA Regions 2, 3, 4, (Duluth, Georgia only), 5 and 6.

	Price/roll
7530–00–286–9052	$0.121
7530–00–222–3455	.134
7530–00–286–9053	.139
7530–00–286–9054	.152
7530–00–338–8352	.178
7530–00–222–3456	.195
7530–00–286–9055	.215

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76–792 Filed 1–9–76;8:45 am]

PROCUREMENT LIST 1976

Addition to Procurement List

Notice of proposed addition to Procurement List 1976, November 25, 1975 (40 FR 54742) was published in the FEDERAL REGISTER on August 8, 1975 (40 FR 33484).

Pursuant to the above notice the following service is added to the Procurement List:

INDUSTRIAL CLASS 7641

Metal Furniture Rehabilitation: [1]
All Federal Agencies:
- Olympia, Washington, plus 13-mile radius (SH)
- Tacoma, Washington, plus 13-mile radius (Including McChord Air Force Base and Ft. Lewis) (SH)
- Seattle, Washington, plus 13-mile radius (SH)
- Bremerton, Washington, plus 13-mile radius (SH)

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76–793 Filed 1–9–76;8:45 am]

COMMODITY FUTURES TRADING COMMISSION

ADVISORY COMMITTEE ON REGULATION OF COMMODITY FUTURES TRADING PROFESSIONALS

Advisory Committee Meeting

Notice is hereby given, pursuant to Section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I, § 10(a), that the Commodity Futures Trading Commission Advisory Committee on Regulation of Commodity Futures Training Professionals ("Advisory Committee on Commodity Futures Trading Professionals") will conduct a public meeting on January 27, 1976, at the Union League Club, 65 West Jackson Boulevard, Chicago, Illinois, beginning at 10:00 a.m. The objectives and scope of activities of the Advisory Committee on Commodity Futures Trading Professionals will be to consider and submit reports and recommendations to the Commission on the following subjects:

(1) Regulation of non-member futures commission merchants.

(2) Customer/Investor protection.

The summarized agenda for the meeting is as follows:

Discussion: What are the most effective methods available to the Commodity Futures Trading Commission for regulating the activities of futures commission merchants that are not members of any organized exchange?

Discussion: Is the possibility of an FCM subsequent liquidation of sufficient magnitude to justify the establishment of a commodity futures investors insurance program? In connection with this discussion, the following questions will be considered:

1. Should the establishment of a commodity futures investors insurance program be similar to the one administered by the Securities Investor Protection Corporation (SIPC) for security investors be considered?
2. If so, would it be capable of providing similar protection for commodity investors?
3. How should it be funded?
4. Who should be its custodian?

Other questions to be addressed during consideration of customer/investor protection are as follows:

1. Have the contract market grievance procedures proven to be fair and equitable procedures for the settlement of customers' claims and grievances against exchange members?
2. Is there a need for rules dealing with the supervision of persons handling customer accounts?
3. What, if any, additional rules should be established for the handling of discretionary or managed accounts?

The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgement, facilitate the orderly conduct of business. Any member of the public that wishes to file a written statement with the Committee should mail a copy of the statement to Mrs. Harrison, The Advisory Committee on Commodity Futures Trading Professionals, Commodity Futures Trading Commission, 1120 Connecticut Avenue, N.W., Washington, D.C. 20036, at least five days before the meeting. Members of the public that wish to make oral statements should inform Margaret Harrison, telephone (202) 254–8955, at least five days before the meeting, and reasonable provision will be made for their appearance on the agenda.

The Commission is maintaining a list of persons interested in the operations of this advisory committee and will mail notice of the meetings of this committee to those persons. Interested persons may have their names placed on this list by writing DeVan L. Shumway, Director, Office of Public Information, Commodity Futures Trading Commission, 1120 Connecticut Avenue, N.W., Washington, D.C. 20036.

Dated: January 6, 1976.

WILLIAM T. BAGLEY,
Chairman, Commodity Futures Trading Commission.

[FR Doc.76–746 Filed 1–9–76;8:45 am]

DEFENSE MANPOWER COMMISSION

MEETING CANCELLATION

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Public Law 92–463, notice is hereby given that the meeting scheduled for January 15, 1976, in the Conference Center, lower lobby (LL), of the Gelman Building, 2120 L Street NW., Washington, D.C. 20036, has been cancelled.

The next meeting of the Commissioners will be held on January 29, 1976 at the same location stated above. The purpose of the meeting will be to conduct a review of the Optimum Total Force Mix and the AVF Total Force Mobilization Costs. The above issues are subject to change dependent upon staff progress, and other subjects may be substituted.

The meeting will be open to the public. Because of limited space, interested persons wishing to attend should telephone (202) 254–7803 prior to each meeting.

Dated: January 8, 1976.

BRUCE PALMER, Jr.,
General, USA (Ret.),
Executive Director.

[FR Doc.76–963 Filed 1–9–76;8:45 am]

[1] Price list available from GSA, PRD, Region 10.

FEDERAL RESERVE SYSTEM

ALABAMA BANCORPORATION

Order Approving Acquisition of Bank

Alabama Bancorporation, Birmingham, Alabama, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire all of the voting shares (less directors' qualifying shares), of the successor by merger to the Peoples Bank of Tuscaloosa, Tuscaloosa, Alabama ("Bank"). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the largest banking organization in Alabama, controls thirteen banks with aggregate deposits of $1.3 billion, representing approximately 15.4 per cent of total commercial bank deposits in the State.[1] Acquisition of Bank ($5.8 million in deposits) would not significantly increase deposit concentration nor Applicant's share of total commercial bank deposits in Alabama.

Bank is the smallest of four banking organizations competing in the Tuscaloosa County banking market[2] (the relevant banking market), and controls approximately 2.5 per cent of total deposits in commercial banks in the market. Since Applicant is not presently represented in the market, and its closest banking subsidiary is located approximately 45 miles away from Bank in a separate banking market, no meaningful amount of existing competition between Bank and Applicant's subsidiary banks would be eliminated as a result of the proposed acquisition. Furthermore, it does not appear likely that such competition would develop in the future due to the distances separating the banks, the number of intervening banks, and Alabama's restrictive branching law. Although Applicant could enter the market de novo, such entry appears unlikely as a fifth bank is being established in the market by another bank holding company. Moreover, in view of Bank's relative size and its market position, the Board views the proposed acquisition as a foothold entry by Applicant. Regarding Applicant's nonbank subsidiaries, the facts of record indicate no significant existing or potential competition would be eliminated by consummation of this acquisition. Therefore, on the basis of the facts of record, the Board concludes that consummation of the proposal would not have a significantly adverse effect on competition in any relevant area, and that competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant, its subsidiaries, and Bank are regarded as generally satisfactory and consistent with approval of the application. Affiliation with Applicant should enable Bank to expand and improve the banking services it preesntly offers. Accordingly, considerations relating to the convenience and needs of the community to be served lend some weight toward approval of the application. It is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order, or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors,[3]

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76–800 Filed 1–9–76;8:45 am]

ANCORP BANCSHARES, INC.

Order Approving Acquisition of Ancorp Insurance Company

Ancorp Bancshares, Inc., Chattanooga, Tennessee ("Applicant"), a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y, to acquire all of the voting shares of Ancorp Insurance Company, Phoenix, Arizona "(Company"), a company that will engage de novo in the activity of underwriting, as reinsurer, credit life and credit accident and health insurance directly related to extensions of credit to consumers by Applicant's lending subsidiaries.[1]

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (40 FR 51239 (1975)). The time for filing comments and views has expired, and the Board has considered the application in the light of the public interest factors set forth in section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)).

Applicant, the eighth largest banking organization in Tennessee, controls one bank with aggregate deposits of approximately $392 million, representing 3.1 per cent of the total deposits in commercial banks in the State.[2]

Company will be formed under the laws of Arizona. As company will be qualified to underwrite insurance directly only in Arizona, its activities will be limited to acting as reinsurer of credit life and credit accident and health insurance policies directly related to extensions of credit by Applicant's lending subsidiaries. Such insurance will be directly underwritten by an unaffiliated insurance company qualified to do business in Tennessee and will thereafter be assigned or ceded to Company under a reinsurance agreement. Since this proposal involves a de novo acquisition, consummation of the transaction would not have any adverse effects on existing or potential competition in any relevant market.

Credit life and credit accident and health insurance is generally made available by banks and other lenders and is designed to assure repayment of a loan in the event of death or disability of the borrower. In connection with the addition of the underwriting of such insurance to the list of permissible activities for bank holding companies, the Board stated:

To assure that engaging in the underwriting of credit life and credit accident and health insurance can reasonably be expected to be in the public interest, the Board will only approve applications in which an applicant demonstrates that approval will benefit the consumer or result in other public benefits. Normally, such a showing would be made by a projected reduction in rates or increase in policy benefits due to bank holding company performance of this service. (12 CFR § 225.4(a)(10)n.7)

Applicant has stated that, following consummation of the acquisition, Company will offer several types of credit insurance policies at premiums below those currently charged by the independent underwriter used by Applicant's lending subsidiaries. Company will offer reducing term single life credit insurance at a premium rate 6.7 per cent below the Tennessee statutory maximum and reducing term single accident and health credit insurance at a premium rate 5 per cent below the permissible maximum. In connection with single payment loans, Company will provide level term single life credit insurance at a premium rate 6.5 per cent lower than the statutory maximum. Reducing term joint life credit insurance, which Applicant's subsidiaries do not currently provide, will

[1] All banking data are as of June 30, 1975, and reflect bank holding company formations and acquisitions approved by the Board as of November 30, 1975.

[2] The Tuscaloosa County banking market is approximated by Tuscaloosa County.

[3] Voting for this action: Vice Chairman Mitchell and Governors Holland, Wallich, Coldwell and Jackson. Absent and not voting: Chairman Burns.

[4] Board action was taken before Governor Partee became a Board Member.

[1] It is Applicant's intention initially to limit Company's reinsurance to extensions of credit to consumers who may, from time to time, become indebted to Applicant's subsidiary bank, American National Bank and Trust Company of Chattanooga. At some indefinite date in the future, Company would expand its reinsurance to extensions of credit to customers of Ancorp Finance Company, Chattanooga, Tennessee, Applicant's consumer finance subsidiary.

[2] All banking data are as of June 30, 1975.

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be offered by Company at a premium rate 6.7 per cent below the allowable maximum.

Applicant's banking subsidiary offers its customers an overdraft-loan arrangement on checking accounts. In conjunction with such loans, customers may obtain credit life insurance on the outstanding balance of the loan at a premium rate 22 per cent below the statutory maximum. Company will continue to offer this significantly lower rate in the future

Based upon the foregoing and other conditions reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in section 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to ensure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The acquisition shall be made not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Atlanta, pursuant to authority herby delegated.

By order of the Board of Governors,[1]

effective January 2, 1976.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-801 Filed 1-9-76;8:45 am]

CITIZENS BANCSHARES, INC.

Order Approving Acquisition of Bank

Citizens Bancshares, Inc., Crosbyton, Texas, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire all of the voting shares (less directors' qualifying shares) of First State Bank, Petersburg, Texas ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant presently controls one bank, Citizens National Bank, Crosbyton, Texas, with deposits of approximately $6.8 million, representing .02 percent of the total commercial bank deposits in Texas.[1]

Acquistion of Bank ($3.8 million in deposits) would increase Applicant's share of commercial bank deposits only slightly and would not result in any significant increase in the concentration of banking resources in Texas.

Bank is the smallest of the six banks in the relevant banking market (which is approximated by Hale County) and controls 3.4 percent of the total commercial bank deposits in the market. Applicant's subsidiary bank is located 35 miles southeast of Bank in another banking market. No significant competition presently exists between Bank and Applicant's subsidiary bank nor does it appear likely that any significant competition would develop between them in the future in view of the distance involved and Texas' branching laws. Furthermore, it appears unlikely that Applicant would enter the market de novo since the market's ratio of population to banking office and per capita deposits are below Statewide averages. Accordingly, consummation of the proposal would not have a significantly adverse effect on existing or potential competition in any relevant area and competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant, its subsidiary, and Bank are regarded as reasonably satisfactory, and consistent with approval of the application, especially in light of Applicant's commitment to pay no dividends during the period it is amortizing the debt it will incur in acquiring Bank. Applicant proposes to expand existing services and implement new services, such as offering passbook savings accounts and certificates of deposit of all maturities, as well as making residential and commercial real estate loans, and SBA loans. Applicant also intends to offer credit card services and to extend banking hours and provide drive-in service, none of which services were previously offered by Bank. Therefore, convenience and needs considerations lend weight toward approval of the application. It is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order nor (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Dallas pursuant to delegated authority.

By order of the Board of Governor,[2]

effective December 31, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-802 Filed 1-9-76;8:45 am]

GLENCOE CAPITAL CORP.

Order Approving Formation of Bank Holding Company

The Glencoe Capital Corporation, Glencoe, Illinois ("Applicant"), has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through the acquisition of 90.07 percent of the voting shares of Glencoe National Bank, Glencoe, Illinois ("Bank").

Notice of the application, affording opportunity for intersted persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the application and all comments received have been considered in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is a nonoperating corporation formed for the express purpose of becoming a bank holding company through the acquisition of Bank. The proposed transaction involves the transfer of control of Bank from individuals to a corporation owned by the same individuals. Upon acquisition of Bank, Applicant would control 0.03 percent of the total deposits in commercial banks in Illinois.

Bank holds deposits of $20.0 million,[1] representing 0.05 percent of the total deposits in the Chicago banking market,[2] and ranks as the 206th largest of 286 commercial banks operating therein. Certain principal shareholders of Applicant are also principal shareholders of two other one-bank holding companies, one of which is located within the relevant market. However, since the subject proposal is essentially a reorganization of Bank's present ownership with no immediate change in Bank's operations, and in view of the relative size of Bank and the number of banking alternatives available, it appears that consummation of the proposal would not eliminate any significant existing or potential competition, increase the concentration of banking resources, or have any adverse effects on any other banks in any relevant area. Therefore, the competitive considerations are consistent with approval of the application.

The future prospects of Applicant are primarily dependent upon the financial resources of Bank. In this regard, Applicant has committed itself to inject $600,000 of equity capital into Bank within nine months of the date of this Order. Applicant also proposes to reduce its acquisition debt by $400,000 through the sale of common stock and to service the remaining debt it will assume incident to this proposal over a 12-year

[1] Voting for this action: Chairman Burns and Governors Mitchell, Holland, and Wallich. Absent and not voting: Governors Bucher, Coldwell and Jackson.

[1] All banking data are as of June 30, 1975.

[2] Voting for this action: Vice Chairman Mitchell and Governors Bucher, Holland, Wallich and Jackson. Absent and not voting: Chairman Burns and Governor Coldwell.

[1] All banking data are as of December 31, 1974.

[2] The Chicago banking market, the relevant geographic market for purposes of analyzing the competitive effects of the proposed transaction, is approximated by Cook County, DuPage County, and portions of Lake County, Illinois.

period through dividends from Bank. In light of Bank's past earnings and its anticipated growth, the projected earnings of Bank appear to provide Applicant with the necessary financial flexibility to meet its annual debt servicing requirements while strengthening the capital position of Bank. Moreover, the managerial resources of Applicant and Bank are considered satisfactory and the future prospects of each appear favorable. Thus, the considerations relating to the banking factors are consistent with approval of the application.

Although consummation of the proposal would effect no changes in the services offered by Bank, the considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. Therefore, the Board concludes that the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the thirtieth calendar day following the effective date of this Order, or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Chicago pursuant to delegated authority.

By order of the Board of Governors,[1]

effective January 2, 1976.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-803 Filed 1-9-76;8:45 am]

NORTHSTREAM INVESTMENTS, INC.

Order Approving Formation of Bank Holding Company

Northstream Investments, Inc., Geddes, South Dakota ("Applicant"), has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 88.3 per cent of the voting shares of Security State Bank, Geddes, South Dakota ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842).

Applicant, a nonoperating corporation with no subsidiaries, was recently organized for the purpose of becoming a bank holding company through the acquisition of Bank. Upon acquisition of Bank, Applicant would control the 113th largest banking organization in South Dakota with total deposits of approximately $4.4 million, representing 0.16 percent of total deposits held by commercial banks in the State.[1] Bank is the fifth largest of six banks in the relevant market,[2] holding 6.1 per cent of total deposits in commercial banks therein. Since the purpose of the proposed transaction is to effect a transfer of the ownership of Bank from an individual to a corporation owned by the same individual, consummation of the proposal would have no adverse effect on existing or potential competition or the concentration of banking resources in any relevant area. Accordingly, the Board concludes that competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant are dependent upon those of Bank, which are considered to be satisfactory. Applicant proposes to service the debt it will incur as a result of this proposal over a 12-year period through dividends of Bank. Based on Bank's past earnings and projected income, it appears that Applicant will be able to meet its annual debt-servicing requirements and maintain Bank's favorable capital position. Thus, considerations relating to banking factors are consistent with approval of the application. Although there will be no immediate change or increase in the services offered by Bank upon consummation of the proposal, considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. It is the Board's judgment that consummation of the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Minneapolis pursuant to delegated authority.

By order of the Board of Governors,[1]

effective January 2, 1976.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-804 Filed 1-9-76;8:45 am]

[1] Voting for this action: Chairman Burns and Governors Mitchell, Holland, and Wallish. Absent and not voting: Governors Bucher, Coldwell, and Jackson.

[1] All banking data are as of June 30, 1975.

[2] The relevant market is approximated by the western two-thirds of Charles Mix County and small portions of Brule, Aurora and Douglas Counties.

[1] Voting for this action: Chairman Burns and Governors Mitchell, Holland and Wallich. Absent and not voting: Governors Bucher, Coldwell and Jackson.

LEGAL SERVICES CORPORATION

BOARD OF DIRECTORS, COMMITTEE ON REGULATIONS

Meeting

JANUARY 8, 1976.

The next meeting of the Board of Directors of the Legal Services Corporation will be held on Thursday and Friday, January 22–23, 1976 in the Joe C. Thompson Conference Center, Austin, Texas.

The meeting will begin with a brief session at 7:30 p.m. on January 22, to approve the agenda. A meeting of the Committee on Regulations will follow.

The Board meeting will continue at 2:00 p.m. on January 23. Reports will be made by the president of the Corporation and the chairmen of the Committee on Provision of Legal Services, the Committee on Regulations, and the Committee on Appropriations and Audit.

Meetings are open to the public.

ROGER C. CRAMTON,
Chairman.

[FR Doc.76-1015 Filed 1-9-76;8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 76-2]

JAPAN ENGINEERING DEVELOPMENT CO.

Notice of Intent To Grant Foreign Exclusive Patent License

In accordance with the NASA Foreign Licensing Regulations, 14 C.F.R. 1245.405 (e), the National Aeronautics and Space Administration announces its intention to grant to the Japan Engineering Development Company, Tokyo, Japan, exclusive patent licenses in Japan for the four NASA owned inventions covered by the Japanese counterparts of: (1) U.S. Patent No. 3,795,819 for "Optical Radiation Frequency Converter and Method", issued March 5, 1974; (2) U.S. Patent No. 3,891,848 for "Fluorescence Detector for Monitoring Atmospheric Pollutants", issued to NASA on June 24, 1975; (3) U.S. Patent No. 3,632,242 for "Apparatus for Making Diamonds", issued to NASA on January 4, 1972 and (4) U.S. Patent No. 3,894,677 for "Method of Preparing Graphite Reinforced Aluminum Composite", issued to NASA on July 15, 1975. Copies of the above identified U.S. Patents can be purchased from the U.S. Patent Office, Department of Commerce, Washington, D.C., 20231 for $.50 a copy. Interested parties should submit written inquiries or comments within 60 days to the Assistant General Counsel for Patent Matters, Code GP, National Aeronautics and Space Administration, Washington, D.C., 20546.

Dated: January 6, 1976.

S. NEIL HOSENBALL,
General Counsel.

[FR Doc.76-751 Filed 1-9-76;8:45 am]

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NATIONAL SCIENCE FOUNDATION

ADVISORY PANEL FOR SYSTEMATIC BIOLOGY

Meeting

In accordance with the Federal Advisory Committee Act, P.L. 92-463, the National Science Foundation announces the following meeting:

Name: Advisory Panel for Systematic Biology.
Date: January 29 and 30, 1976.
Time: 9 a.m. each day.
Place: Rm. 338, National Science Foundation, 1800 G Street, NW., Washington, D.C.
Type of meeting: Closed.
Contact person: Dr. William B. Heed, Program Director for Systematic Biology, Rm. 336, National Science Foundation, Washington, D.C. 20550, telephone 202/632-5846.
Purpose of advisory panel: To provide advice and recommendations concerning support for research in systematic biology.
Agenda: To review and evaluate research proposals and projects as part of the selection process for awards.
Reason for closing: The proposals and projects being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within the exemptions of 5 U.S.C. 552(b), (4), (5) and (6).
Authority to close meeting: The determination made on February 21, 1975, by the Director of the National Science Foundation pursuant to provisions of Section 10(d) of Public Law 92-463.

GAIL A. MCHENRY,
Acting Committee Management Officer.

JANUARY 7, 1976.

[FR Doc.76-791 Filed 1-9-76;8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

IMPLEMENTATION OF PRIVACY ACT OF 1974

Proposed Amendment of Notice of Systems of Records

The National Transportation Safety Board proposes that the following routine use be added to all of its notices of systems of records:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Accordingly, disclosures may be made as provided under subsection (b)(3) of the Act without the written consent of the individual to whom the record pertains where the individual requests assistance of a congressional office which would entail disclosure of information from a system of records pertaining to that individual.

Consideration will be given to comments which are submitted in writing on or before February 11, 1976.

Comments should be addressed to the General Counsel, National Transportation Safety Board, 800 Independence Avenue, S.W., Washington, D.C. 20594.

FRITZ L. PULS,
General Counsel.

JANUARY 7, 1976.

[FR Doc.76-759 Filed 1-9-76;8:45 am]

NUCLEAR REGULATORY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Notice of Proposed Subcommittee and Full Committee Meetings

Correction

In FR Doc. 75-33889, appearing at page 58185, in the issue of Monday, December 15, 1975, under the list of subcommittee meetings, change the date appearing in the sixth line of the fifth paragraph (General Electric Water Reactors) from "Decmber 20" to "December 30".

[Docket No. STN 50-485]

ROCHESTER GAS AND ELECTRIC CORP.

Order Canceling Second Prehearing Conference

In the matter of Rochester Gas and Electric Corporation (Sterling Power Project Nuclear Unit 1).

Counsel for the U.S. Nuclear Regulatory Commission Staff, Rochester Gas and Electric Corporation (Applicant), and Ecology Action, and Sharon Morey (Joint Intervenors) have entered into a stipulation dated January 5, 1976, regarding the form and scope of contentions to be asserted by the Joint Intervenors in the above-entitled matter.

Pending an evaluation by the Board of these proposed stipulated contentions, the Second Special Prehearing Conference scheduled for January 13, 1976, at Oswego, New York, is hereby canceled.

Dated this 8th day of January 1976 at Bethesda, Maryland.

By order of the Atomic Safety and Licensing Board.

JOHN M. FRYSIAK,
Chairman.

[FR Doc.76-1034 Filed 1-9-76;10:14 am]

PRIVACY PROTECTION STUDY COMMISSION

MEETING

The Privacy Protection Study Commission will hold an open meeting on January 22, 1976, in Room 2358, Rayburn House Office Building, Washington, D.C., from 10:00 a.m. to 12:30 p.m. Presentations will be made to the Commission from press groups concerning their views of the privacy issue.

The Commission will hold a closed meeting for the purpose of internal deliberations and discussion with staff on January 22, 1973, in the afternoon, and on January 23, 1976 in Room 2358, Rayburn House Office Building, Washington, D.C.

It has been determined in writing by the Director of the Office of Management and Budget, James T. Lynn, that this meeting may be closed under Section 10(d) of the Federal Advisory Committee Act and under exemption 5 of the Freedom of Information Act, 5 U.S.C. 552(b)(5).

For further information, contact John Barker, Public Affairs Director, at (202) 634-1477.

CAROLE W. PARSONS.
Executive Director, Privacy Protection Study Commission.

[FR Doc.76-1064 Filed 1-9-76;10:30 am]

[Rel. No. 11978; (SR-Amex-75-6)]

SECURITIES AND EXCHANGE COMMISSION

AMERICAN STOCK EXCHANGE, INC.

Order Approving Proposed Rule Change

JANUARY 6, 1976.

In the matter of American Stock Exchange, Inc. 86 Trinity Place New York. New York 10006.

On October 31, 1975, the American Stock Exchange, Inc. (the "Amex") filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Acts Amendments of 1975, and Rule 19b-4 thereunder, copies of a proposed rule change. The proposed rule change would amend certain guidelines adopted by the Amex pursuant to Rule 915(b) of the Amex Rules which are applicable to the trading of option contracts. Such guidelines provide for standards to be considered by the Amex in evaluating underlying stocks for Amex options transactions.

Currently, the Amex's standards for the selection of underlying securities incorporate the Commission's requirements for the registration of securities on Form S-7 under the Securities Act of 1933 as well as providing additional standards. The Commission has recently proposed modifications relaxing the requirements for the use of Form S-7 and has indicated that, pending a decision by the Commission to adopt the proposed modifications, the Commission and the staff would not object if Form S-7 is used to register securities of an issuer that meets the proposed requirements as to the use of that form (Securities Act of 1933 Release No. 5613 (Sept. 11, 1975); 40 FR 44584 (Sept. 29, 1975)). The amendment of the guidelines adopted pursuant to Amex Rule 915(b) would conform the rules of the Amex to the proposed modifications relaxing the requirements for the use of Form S-7. The effect of the change will be to make eligible certain securities the issuers of which did not meet earlier S-7 standards. Similar rule changes by the Chicago Board Options Exchange (Securities Exchange Act Release No. 11674 (Sept. 24, 1975); 40 FR 44905 (Sept. 30, 1975)) and by the PBW Stock Exchange (Securities Exchange Act Release No. 11710 (Oct. 3, 1975); 40 FR 47548 (Oct. 9, 1975)) have already become effective.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 11794, (Nov. 4, 1975)) and by publication in the FEDERAL REGISTER (40 FR 52673 (Nov. 11, 1975)).

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of Section 6 and Section 9(b).

It is therefore ordered, Pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule change be, and it hereby is, approved, effective January 5, 1976.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-763 Filed 1-9-76;8:45 am]

[Administrative Proceeding File No. 3-4837]

BERKLEY LAND AND INVESTMENT CORP.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor and Notice of Opportunity for Hearing

DECEMBER 30, 1975.

I

Berkley Land and Investment Corporation ("Berkley"), of 7138 Carol Lane, Falls Church, Virginia, 22042 incorporated in the Commonwealth of Virginia on May 1, 1973, filed with the Commission on July 17, 1974, a Notification on Form 1-A and an Offering Circular relating to an offering of: (a) 500 units, each consisting of five 8 percent $100 subordinated debenture notes and 20 shares of common stock at an offering price of $800 per unit; and (b) 5,000 shares of of common stock at an offering price of $18 per share. On March 27, 1975, an amended offering circular was filed reducing the proposed offering to 450 units and deleting the 5,000 shares of common stock for an aggregate offering price of $360,000. The filing was made for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, pursuant to the provisions of Section 3(b) thereof and Regulation A promulgated thereunder. The offering was to be sold by the officers and directors without compensation. The offering has not yet commenced.

II

Based upon information reported by the staff, the Commission has reason to believe that:

A. The offering circular filed by the issuer omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly with respect to:

1. Whether the cost and markups on services performed and to be performed for Berkley by an affiliate would be comparable to those of an unaffiliated entity performing the same services;

2. The actual profit made by the president of Berkley in dealings with Berkley;

3. The locations and description of Berkley's land holdings;

4. Berkley's selling practices including its terms of sale and whether its land is suitable for the purpose for which it is being marketed;

5. The intended use of proceeds; and

6. The substantial dilution to be incurred by purchasers of the offering.

B. The terms and conditions of Regulation A have not been complied with in that, among other things:

1. A Statement of Profit and Loss showing the operations of Berkley's predecessors for the period from May 1, 1972, to April 30, 1973, was not furnished;

2. A Statement of Changes in Financial Position was not furnished either for Berkley's fiscal year ended April 30, 1974, or for Berkley's predecessors' fiscal year ended April 30, 1973.

3. No allowance for doubtful accounts was provided in the financial statements and no explanation for the lack of such an allowance was given;

4. The financial statements were over 10 months old at the time Berkley filed its amended Offering Circular.

C. The issuer has failed to cooperate with the staff in that: Its President, Nathaniel S. Fulford, has continued to refuse to permit a reasonably unencumbered examination of its books and records pursuant to an informal investigation by the staff to determine the accuracy and adequacy of disclosure in its Notification and Offering Circular.

D. The offering, if made, would be in violation of Section 17 of the Securities Act of 1933, as amended.

III

It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the issuer under Regulation A be temporarily suspended.

It is ordered, Pursuant to Rule 261(a) of the General Rules and Regulation under the Securities Act of 1933, that the exemption of Berkley Land and Investment Corporation under Regulation A be and it hereby is, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's Rules of Practice, that the issuer file an answer to the allegations contained in this order within thirty (30) days of the entry thereof.

Notice is hereby given, That any person having any interest in the matter may file with the Secretary of the Commission a written request for a hearing within thirty (30) days after the entry of this order; that within twenty (20) days after the receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless it is modified or vacated by the Commission.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-764 Filed 1-9-76;8:46 am]

[File No. 500-1]

CANADIAN JAVELIN, LTD.

Suspension of Trading

JANUARY 2, 1976.

The common stock of Canadian Javelin, Ltd. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Canadian Javelin, Ltd. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from January 4, 1976 through January 13, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-765 Filed 1-9-76;8:45 am]

[File No. 24SF-3822, Administrative Proceeding File No. 3-4851]

CANDLEWYCKE INNS, LTD.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

DECEMBER 30, 1975.

I

Candlewycke Inns, Ltd., 1131 Tropicana Avenue, Las Vegas, Nevada, ("Candlewycke") was incorporated under the laws of the State of Nevada on January 12, 1971. Its articles of incorporation su-

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thorized the issuance of 7,500,000 shares of common stock, par value $.01, and stated that its principal offices were located at 1688 Twain Avenue, Las Vegas, Nevada. Although never reflected by amendment to its articles of incorporation, this address was later changed to 1131 Tropicana Avenue, Las Vegas, Nevada.

On November 3, 1971, Candlewycke filed a Regulation A Notification and Offering Circular with the San Francisco Branch Office. The company intended to offer 250,000 shares of $.01 par value common stock, at $1.00 per share, for an aggregate offering price of $250,000. On February 18, 1972, subsequent to a request for acceleration, the San Francisco Office authorized the commencement of the offering. To this date, Candlewycke has not reported any shares as having been sold.

The assistance of an underwriter was initially not contemplated, but on July 6, 1972, the company amended its Offering Circular to name the Las Vegas firm of Priestley & Pace Securities, Inc. as underwriter for the offering. On March 1, 1974, the Nevada Secretary of State revoked Candlewycke's articles of incorporation for failure to file a list of its officers and directors.

II

The Commission, on the basis of information provided by its staff, has reason to believe that:

A. The Notification and Offering Circular of Candlewycke contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in light of the circumstance under which they are made, not misleading, particularly with respect to:

1. The failure to disclose that on March 1, 1974, the Nevada Secretary of State revoked the articles of incorporation of Candlewycke;

2. The failure to disclose that the assets of Candlewycke were subject to a Sheriff's sale in December, 1972;

3. The failure to disclose that Candlewycke is no longer doing business;

4. The failure to disclose that Priestley & Pace Securities, Inc. is no longer associated as underwriter for the offering and that the underwriter withdrew its registration as a Broker/Dealer effective July 11, 1975; and

5. The failure to disclose the existence of tax liens in the amount of $14,544.30 levied by the United States Internal Revenue Service on Candlewycke.

B. Candlewycke failed to comply with the terms and conditions of Regulation A in that it failed to file a Form 2–A sales report as required by Rule 260 under Regulation A.

C. Candlewycke failed to cooperate with the Commission in that Candlewycke and its principal officers resisted numerous attempts by the Commission's staff to assist Candlewycke in complying with the requirements of Regulation A in that, inter alia, Candlewycke and its principal officers:

1. Failed to respond to comment letters dated July 19, 1972 and November 24, 1972;

2. Failed to respond to numerous requests by the staff for the voluntary withdrawal or termination of Candlewycke's Regulation A filing.

D. The offering, if permitted to continue, would be in violation of Section 17 of the Securities Act of 1933, as amended.

III

It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of Candlewycke under Regulation A be temporarily suspended.

It is ordered, Pursuant to Rule 261(a) of the General Rules and Regulations under the Securities Act of 1933, as amended, that the exemption of Candlewycke under Regulation A be, and it is hereby, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's Rules of Practice, that Candlewycke file an answer to the allegations contained in the order within thirty (30) days of the entry thereof.

Notice is hereby given, That any person having any interest in the matter may file with the Secretary of the Commission a written request for a hearing within thirty (30) days after entry of this order; that within twenty (20) days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for such hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, the order shall remain in effect unless it is modified or vacated by the Commission.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.76–766 Filed 1–9–76;8:45 am]

[Release No. 34–11972; File No. SR–CBOE–75–7]

CHICAGO BOARD OPTIONS EXCHANGE, INC.

Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78(s)(b)(1), as amended by Pub. L. No. 94–29, § 16 (June 4, 1975), notice is hereby given that on December 16, 1975 the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

The proposed rule change is intended to permit the trading of put option contracts on CBOE on much the same basis as applies to the trading of call option contracts. In this connection, the proposed rule change reflects amendments to CBOE rules covering certain definitions, position limits, certain restrictions, floor procedures, matters relating to customer accounts, exercise of options and margin rules, so that these rules, which today relate only to call options, may apply equally to put options. (For the text of the proposed rule change, see Commission File SR–CBOE–75–7)

CBOE's STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

The general purpose of the proposed rule changes is to provide the self-regulatory framework for the trading of put options on CBOE. In addition, in a few instances, certain clarifying amendments are proposed with respect to existing rules applicable to call options. On a chapter by chapter basis, the proposed rule changes are as follows:

CHAPTER I. DEFINITIONS

Rule 1.1(y). The principal purpose of this amendment is to define the term "covered" with respect to a short position in a put option to mean the situation where the writer of a put option holds on a share-for-share basis in the same account as the short put position a long position in a put option of the same class having an exercise price equal to or greater than the exercise price of the short put position. In addition, in the interest of clarity, it is proposed to add to the definition of a covered short position in a call option the situation where the obligation of the writer of the call is covered on a share-for-share basis with a long position in a call option contract of the same class having an exercise price equal to or less than the exercise price of the short call position. The latter proposed amendment is consistent with the present provisions of Rules 4.11 and 4.17, and appropriate changes are proposed in those rules so that there will be no change in their application.

CHAPTER VI. BUSINESS CONDUCT

Rule 4.11. Position Limits. No change to this rule is needed in order to provide for put options the same position limits presently applicable to call options. The change which is proposed is designed to reflect the clarification of the definition of "covered" referred to above.

Rule 4.17. Restrictions of Out-of-the-Money Options. Rule 4.17 is proposed to be amended to provide limitations on the trading of out-of-the-money put options identical to the present limitations available to the trading of out-of-the-money call options. In addition, the rule is proposed to be amended to reflect the proposed clarification of the definition of "covered" discussed above. The deletion of Interpretation 4.17.01 and the amendment of Interpretation 4.17.03 reflect the proposed changes in the rule itself.

CHAPTER VI. DOING BUSINESS ON THE EXCHANGE FLOOR

Rule 6.2 Trading Rotation. Interpretation 6.2.01 is proposed to be amended by providing in respect of both opening rotations and closing rotations that when series of put and call option contracts covering the same underlying securities are traded, the Board Broker shall determine the order in which such series of options should be opened or closed in light of current market conditions.

Rule 6.45. Priority of Bids and Offers. The proposed amendment to Interpretation 6.45.01 provides for straddle orders (as defined in proposed Rule 6.53(g), (below) the same priority as presently is provided for spread orders. This interpretation means that where a straddle order may be executed on the basis of bids or offers in the trading crowd, but may not be executed within the bids or offers displayed in the Board Broker's book, the order may be filled in the trading crowd notwithstanding that one side, but not both sides, of the order touches a bid or an offer in the Board Broker's book. Thus, if a Floor Broker has an order to buy an XYZ July 50 straddle for a total price of 10, and the Board Broker is offering an XYZ July 50 call at 5¼ and an XYZ July 50 put at 4¾, the order may be filled on the basis of a total offer in the crowd of 10 for the straddle, reflecting an offer of 5¼ for the call and 4¾ for the put.

Rule 6.51. Reporting Duties. Interpretation 6.51.01 is proposed to be amended to provide that the card or ticket on which a transaction on the floor is reported shall include, in addition to the information presently set forth, the "type" of option contract that is the subject of the transaction (i.e., whether it is a put or call).

Rule 6.53. Certain Types of Orders Defined. It is proposed to add to Rule 6.53 the definition of "straddle order." This definition is relevant only for the purpose of Rule 6.45, and it conforms to existing interpretations of the Internal Revenue Service which provide special tax treatment for orders to buy or to sell the same number of options of each type (put or call) with respect to the same underlying security and having the same exercise price and expiration date. In addition, the definition of "spread order" is proposed to be amended to mean an order to buy a stated number of option contracts and sell the same number of option contracts of the same class (i.e., a spread order may pertain to puts or to calls, but not to both puts and calls, with respect to the same underlying security.)

Rule 6.73. Responsibilities of Floor Brokers. The proposed amendment to paragraph (c) of Rule 6.73 would replace the word "spread" with the word "combination." This change reflects the fact that with the advent of put trading there will be multiple option orders in addition to spread orders (e.g., straddle orders) for which a Floor Broker may not be held responsible during a rotation, when options are traded one series at a time.

CHAPTER VIII. MARKET-MAKERS AND BLOCK POSITIONERS

Rule 8.8 Restriction on Acting as Market-Maker and Floor Broker. The proposed change to delete the phrase "same class" in Rule 8.8 and to substitute therefor the phrase "covering the same underlying security" reflects that the restriction of this Rule applied to both puts and calls, which are separate "classes" of options.

Rule 8.10. Financial Arrangements of Market-Makers. The proposed amendment to Rule 8.10 reflects that Market-Makers appointed to both puts and calls in the same underlying security are appointed to separate classes of options. Accordingly, the amendment would require Market-Makers to report all of their financial arrangements as Market-Makers.

CHAPTER IX. DOING BUSINESS WITH THE PUBLIC

Rule 9.9. Suitability of Recommendations. The proposed amendment to Rule 9.9 would apply the same suitability standard presently applied to recommendations of uncovered call option writing transactions to recommendations of all put option writing, whether or not the short put position is "covered." Although analytically only the put writer who is also short the underlying security is subject to risks comparable to those of an uncovered call writer, CBOE has determined to follow the more conservative approach of applying the special suitability standards of the second paragraph of Rule 9.9 to all recommended put writing transactions.

Rule 9.11. Confirmation to Customers. The proposed amendment to Rule 9.11 provides that confirmations to customers must show, in addition to the information presently prescribed by the Rule, whether the option is a put or call.

CHAPTER XI. EXERCISES AND DELIVERIES

Rule 11.2. The proposed amendment makes clear that the provision of Rule 11.2 which authorizes the Clearing Corporation to direct the allocation of an exercise notice to a customer who has made a specific deposit of an underlying security applies only to call option contracts.

Rule 11.3. The proposed amendment to Rule 11.3 reflects that as between a call option and a put option, the respective roles of the holder and writer are reversed with respect to delivery and payment following exercise.

CHAPTER XII. MARGINS

Rule 12.3. Margin Requirements. Rule 12.3 (a)(5). The proposed amendment to paragraph (5) of part (a) of Rule 12.3, dealing with margin when both a put and a call are short in an account, strengthens the existing rule by providing that in addition to maintaining margin on the put or the call, whichever is greater, there shall also be maintained the amount of any unrealized loss on the other option. The existing rule provides that the margin shall not be less than the combined unrealized loss of both the put and the call. The effect of the amendment can be illustrated by the following example. Assume an account is short an XYZ 55 put and an XYZ 40 call at a time when the market price of XYZ stock is 50. The margin on the call is $2,500 (30% of $5,000+$1,000), which is greater than the margin on the put of $2,000 (30% of $5,000+$500). Accordingly, the base margin is $2,500. The combined unrealised loss on the put and the call equals $1,500. Since this combined unrealised loss is less than $2,500, under the present rule no additional margin is required. Under the amended rule, in addition to the base margin of $2,500, additional margin of $500 is required, representing the unrealised loss on the put.

Rule 12.3(b)(1)(C)(ii). It is also proposed to amend subparagraph (C) of Rule 12.3(b)(1) by adding a new Clause (ii), which will provide for puts equivalent treatment to that provided for calls in existing subparagraph (C).

The present Rule 12.3(b)(1)(C) provides that where an account reflects a so-called "spread" position between a short position in a call option and a long position in a call or other security convertible or exchangeable into the underlying security subject to the short call option, the minimum margin required on such positions shall be the amount by which any money payable upon such exchange or conversion exceeds the exercise price of the short call option.

The proposed amendment would add a comparable provision applicable to a spread position in put options, providing that when an account is short a put option and is at the same time long a put option covering the same number of units of the same underlying security, and the long put does not expire prior to the expiration of the short put, the minimum margin shall be the amount by which the exercise price of the short put exceeds the exercise price of the long put.

Rule 12.3(b)(1)(D). The proposed addition of new subparagraph (D) to Rule 12.3(b)(1) would provide reduced margin for long positions in an underlying security when there is in the same account a long put position covering equivalent units of the underlying security. In this situation, the minimum margin need not exceed the greater of (i) the amount by which the market value of the underlying security exceeds the exercise price of the put option, or (ii) $2.50 per share. This reduced margin reflects that the risk of a long securities position is limited by the exercise price of a put option applicable to such a long position.

Rule 12.3(b)(4). Finally, it is proposed to add new paragraph (4) to Rule 12.3(b). This paragraph would permit a member to accept, in lieu of the margin otherwise required in respect of a short position in a put option, a letter of guarantee issued by an approved bank certifying that the bank holds for the account of the writer of the option the full amount of cash necessary to satisfy the writer's obligation on the option, and that the bank will pay this amount to the member against delivery of the underlying security. This provision is intended to facilitate put option writing by those customers who would not be able to maintain cash in a margin account with a broker, but who could deposit cash with a bank under the terms of a letter of guarantee. In this respect, the rule reflects established practice in the over-the-counter put option market.

CBOE'S STATEMENT AS TO WHY IT SHOULD BE PERMITTED TO TRADE PUTS

CBOE believes it is consistent with the protection of investors and the public interest to provide a central, regulated market for the trading of put options comparable to the market presently provided by CBOE for the trading of call options. CBOE's exchange market in call options has provided investors with new investment opportunities and greater flexibility in managing investments in common stocks. The basic economic function of a put option, as with a call option, is to permit the separation of the risks and opportunities of investing in securities, and their redistribution between the holder and the writer of the option. Therefore, just as a liquid trading market and other improvements developed by CBOE have enabled calls to realize their full risk limiting potential, put options will be similarly enhanced by being traded in CBOE's exchange market.

There are many economic functions of put options, alone or in combination with calls or underlying securities, which will benefit investors. For example, the addition of put option trading will permit increased possibilities for the hedging of positions in common stocks by investors. The only manner in which listed options may be used to hedge long stock positions at the present time is by writing call options against such positions. This strategy serves the need of investors who are willing to sell stock at the exercise price but it only protects against a downside movement in the stock price which is no greater than the amount of the premium and further requires the investor to forego the opportunity for gain if the stock price should move above the exercise price by more than the amount of the premium. On the other hand, for the cost of the option, a put provides complete protection against loss no matter how far the price of the stock may decline below the exercise price and the investor does not give up the opportunity to participate in increases in the stock price.

In addition, the commencement of put trading on CBOE will give investors the opportunity to purchase puts as a risk limiting alternative to a short sale of common stock. Put options will also permit leveraged participation in stock price declines by purchasing puts covering a greater number of

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shares than might have been sold short directly by the investor. In addition, as with call options, puts may be written on a covered or uncovered basis to generate income for the writer.

Put options may also be used by investors who would not be adverse to acquiring a particular stock at a price less than the current market price. By writing a put option, such investors will be in a position to accomplish their objective and purchase the stock at a predetermined price, if the stock declines in price. Should the stock not decline, the writer will still benefit by the amount of premium income generated in the writing transaction.

While the uses of put options discussed above may be theoretically available in the over-the-counter options market, it is the secondary market that enables the risk limiting uses of options to achieve their full potential, since only in an exchange market may the investor establish and liquidate options positions in coordination with the establishment and liquidation of stock positions.

With respect to safeguards, CBOE believes that the risks of put trading, both from an economic point of view and from the point of view of market regulation, are no different in kind or degree from the risks of call trading and are susceptible to the same types of controls. Since its existing regulatory rules and procedures have worked well for call options, CBOE sees no reasons why put options will require a different kind of safeguards. Accordingly, CBOE proposes to extend the safeguards presently applicable to calls to puts as well.

CBOE's position and exercise limit rules will apply to put options, just as they presently apply to call options. CBOE's suitability rule will be applied to recommended transactions in put options, and special suitability standards will apply to all recommended writing transactions in puts in the same manner that they presently apply to recommendations for the writing of uncovered call options. CBOE's prospectus delivery requirement will apply equally to put and call options and CBOE understands that The Options Clearing Corporation is preparing a single prospectus for both types of options.

CBOE has furnished to all of its members and Registered Options Principals a memorandum describing its proposal to introduce trading in put options. Although comments were not formally solicited from these persons, many of them have expressed their views to CBOE, and all comments received were in strong support of the introduction of put trading.

CBOE believes the proposed rule changes will impose no burden on competition.

Within 90 days of the date of publication of this notice in the FEDERAL REGISTER (April 12, 1976), or within such longer period as to which the above-mentioned self-regulatory organization consents, the Commission will: (A) by order approve such proposed rule change, or (B) institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Washington, D.C. the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before February 26, 1976.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

JANUARY 2, 1976.

[FR Doc.76-772 Filed 1-9-76;8:45 am]

[File No. 500-1]

CONTINENTAL VENDING MACHINE CORP.

Suspension of Trading

JANUARY 2, 1976.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Vending Machine Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from January 5, 1976 through January 14, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.76-767 Filed 1-9-76;8:45 am]

[File No. 500-1]

EQUITY FUNDING CORPORATION OF AMERICA

Suspension of Trading

DECEMBER 31, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, warrants to purchase the stock, 9½% debentures due 1990, 5½% convertible subordinated debentures due 1991, and all other securities of Equity Funding Corporation of America being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from January 2, 1976 through January 11, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.76-768 Filed 1-9-76;8:45 am]

[File No. 500-1]

GENERICS CORPORATION OF AMERICA

Suspension of Trading

JANUARY 6, 1976.

The common stock of Generics Corporation of America being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934, the 6% convertible subordinated debentures due July 1983 and all other securities of Generics Corporation of America being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from January 7, 1976 through January 16, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.76-769 Filed 1-9-76;8:45 am]

[Rel. No. 11979; (SR-MSE-75-5)]

MIDWEST STOCK EXCHANGE, INC.

Order Approving Proposed Rule Change

JANUARY 6, 1976.

On November 24, 1975, the Midwest Stock Exchange, Inc., 120 S. LaSalle Street, Chicago, Illinois 60603, ("MSE") filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Acts Amendments of 1975, and Rule 19b-4 thereunder, copies of a proposed rule change.

The proposed rule change reduces to six months from one year the time period within which a member must pay any debt, fine, due or charge, after which the President of the Exchange may sell the membership of the member.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 11868, November 26, 1975) and by publication in the FEDERAL REGISTER (56507 FR, December 3, 1975).

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of Section 6 and the rules and regulations thereunder.

It is therefore ordered, Pursuant to Section 19(b)(2) of the Act, that the proposed rule change filed with the Commission on November 24, 1975, be, and it hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.76-770 Filed 1-9-76;8:45 am]

[Release No. 34-11978; File No. SR NYSE-75-23]

NEW YORK STOCK EXCHANGE, INC.

Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on November 26, 1975 the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change. The proposed rule change, including revisions to the filing received at the Commission on December 23, 1975, reads as follows: New York Stock Exchange's Statement of the Terms of Substance of the Proposed Rule Changes.

We are submitting herewith a proposed revision to the original listing standards and continued listing criteria relative to aggregate market value of publicly held shares.

The recommended change is the utilization of the New York Stock Exchange Composite Index to add flexibility to the original listing standard and the continued listing criterion applicable to the aggregate market value of publicly held shares. The impact of this change is significant in that it will allow companies to be listed on the Exchange which would otherwise be deprived of the benefits of an Exchange listing due to market conditions, a factor over which there is no direct control. Also affected by the aforementioned changes is the continued listing status of certain companies which, while otherwise acceptable for continued listing, are adversely affected by the market value of their publicly held shares.

The present minimum criteria for aggregate market value of publicly held shares for original and continued listing are as follows:

Original Listing—aggregate market value of publicly held shares—$16 million

Continued Listing—aggregate market value of publicly held shares—$8 million

These values would now be subject to adjustment using New York Stock Exchange Composite Index. Starting with the base year July 15, 1971, the date on which the present aggregate market value for the original listing standard and the continued listing criterion became effective, will be revalued effective January 15 and July 15 of each year. The adjustment will be made only when the Exchange Index has a value below 55.06, thereby reflecting lower market prices than the base year. In addition, the amount of the adjustment will be limited so as not to exceed 50 percent of the aggregate market value criterion regardless of the extent of decline in the Index. If the Index was implemented, the aggregate market value on July 15, 1975, and the minimum allowable level due to adjustment would be as follows:

Aggregate market value

[Millions of dollars]

	Base value	Value as of July 15, 1975	Maximum adjusted value
Original listing	16	14.9	8.0
Continued listing	8	4.7	4.0

PURPOSE OF PROPOSED RULE CHANGE

The New York Stock Exchange states that the purpose and basis of the foregoing proposed rule changes is as follows:

The purpose of these modifications would be to reduce the impact of changing market conditions over which the management of a company has no direct control which may have the effect of (1) disqualifying the type of companies that would otherwise be eligible for listing on the Exchange, and (2) raising unnecessary questions and concerns as to the continued listing status of already listed companies.

BASIS UNDER THE ACT FOR PROPOSED RULE CHANGES

4(a)v(E) The adoption of the proposed changes regarding the periodic adjustment to both the original listing standard and continued listing criterion applicable to the aggregate market value of publicly held shares will protect present and future investors and positivey affect the public interest.

It is generally recognized that factors such as economic developments, national policy, etc., affect market prices or securities—either within industry category or across the broad spectrum of "the market." These movements in market prices—gauged by such indicators as, among others, the New York Stock Exchange Composite Index—are not directly within the control of corporate management.

The adoption of these changes would reduce the impact of changing market conditions for unlisted companies desiring to be listed on the Exchange by permitting listing on a reduced aggregate market value of publicly held shares standard—decision-making factor over which management—as representative of shareholders—has no control. The listing decision may be made in a more timely and orderly fashion, thus benefiting both present and future shareholders, and, thereby working in the public interest.

The adoption of these changes would cushion the impact of enforcing Exchange policy regarding the continued listing of listed companies with respect to the aggregate market value of publicly held shares criterion by permitting reasonable flexibility in this decision-making process. Companies otherwise delistable may remain listed under this adjustment feature, a desirable effect from the standpoint of both present and future investors.

We propose, therefore, that removal of an arbitrary factor in the decision-making process of companies desiring Exchange listing and the Exchange enforcing its continued listing criteria, over which neither party has direct control, will both protect present and future investors who have an interest in these decisions and also be in the public interest.

COMMENTS RECEIVED FROM MEMBERS, PARTICIPANTS OR OTHERS ON PROPOSED RULE CHANGE

Comments were not solicited from members, participants or others. An unsolicited letter dated November 10, 1975, was received from Mr. Sam Skurnick. That letter, including Mr. Skurnick's letters of June 16, 1971, and January 31, 1974, which were attached, are included as Exhibit II in this Form 19b-4A filing.

BURDEN ON COMPETITION

The New York Stock Exchange states that the proposed rule changes do not constitute a burden on competition.

Within 35 days of the date of publication of this notice in the FEDERAL REGISTER, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before February 11, 1976.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

JANUARY 5, 1976.

[FR Doc.76-773 Filed 1-9-76;8:45 am]

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[Release No. 34-11793; File No. SR-PSE-75-11]

PACIFIC STOCK EXCHANGE INC.

Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on December 22, 1975, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

A. TEXT OF PROPOSED RULE CHANGE

The Pacific Stock Exchange, Inc. ("PSE") proposes to add a new section 7(h) to Rule II, and a new Section 3(c) to Rule III of the PSE Rules. The text of the proposed rule change is as follows:

RULE II

SPECIALISTS

* * * * *

Sec. 7(h). No specialist shall make a transaction for his own account in a stock in which he is registered that would result in putting into effect any stop order he may have on his book; provided, however, a specialist may be party to the election of a stop order when (a) his bid or offer, made with the approval of a Floor Official, has the effect of bettering the market, and (b) he guarantees that the stop order will be executed at the same price as the electing sale.

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RULE III

MEMBERS TRADING

* * * * *

Miscellaneous Prohibitions

Sec. 3(c). No member, member firm or any participant therein shall:

(1) Directly or indirectly participate in or have any interest in the profits of a manipulative operation, or knowingly manage or finance a manipulative operation.

For the purpose of this paragraph, (A) any pool, syndicate or joint account, whether in corporate form or otherwise, organized or used intentionally for the purpose of unfairly influencing the market price of any security, by means of options or otherwise, and for the purpose of making a profit thereby, shall be deemed to be a manipulative operation; (B) the soliciting of subscriptions to any such pool, syndicate or joint account, or the accepting of discretionary orders from any such pool, syndicate or joint account, shall be deemed to be managing a manipulative operation; and (C) the carrying on margin of either a "long" or a "short" position in securities for, or the advancing of credit through loans of money or securities to, any such pool, syndicate or joint account, shall be deemed to be financing a manipulative operation.

(2) Offer publicly on the Floor:

(A) To buy or sell securities "at the close";

(B) To buy or sell dividends; or

(C) To bet upon the course of the market.

(3) Participate in a prearranged trade. An offer to sell coupled with an offer to buy back at the same or at an advanced price, or the reverse, is a prearranged trade and is prohibited. This provision applies both to transactions in the unit of trading and in lesser or greater amounts."

B. PSE's STATEMENT OF BASIS AND PURPOSE

1. PURPOSE OF PROPOSED RULE CHANGE

The basis and purpose of the foregoing proposed rule change is as follows:

The proposed rule change adopts the anti-manipulative rules recommended by the Securities and Exchange Commission and the participants in the consolidated transaction reporting system. The proposed rules are designed to provide prophylactic provisions to minimize the extent to which the consolidated transaction reporting system might be misleading or conducive to market manipulation. In addition, the proposed rules are intended to satisfy, in principle, the recommendations of the Commission's Advisory Committee on a Central Market System in its Interim Report to the Commission dated October 11, 1972.

2. BASIS UNDER THE ACT FOR PROPOSED RULE CHANGE

The proposed rule change, by prohibiting certain anti-manipulative acts and practices, relates to (a) the prevention of fraudulent and manipulative acts and practices, and (b) the protection of investors and the public interest.

3. COMMENTS RECEIVED ON THE PROPOSED RULE CHANGE

Comments on the proposed rule change have not been solicited from Exchange members.

4. BURDEN ON COMPETITION

The proposed rule change would not impose any burden on competition.

Within 35 days of the date of publication of this notice in the FEDERAL REGISTER, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before February 11, 1976.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

JANUARY 2, 1976.

[FR Doc.76-774 Filed 1-9-76;8:45 am]

[Rel. No. 9113; (812-3886)]

PURITAN FUND, INC. AND UV INDUSTRIES, INC.

Notice of Filing of Application

JANUARY 5, 1976.

In the matter of Puritan Fund, Inc., 35 Congress Street, Boston, Massachusetts 02109, and UV Industries, Inc., 437 Madison Avenue, New York, New York 10022.

Notice is hereby given that Puritan Fund, Inc. ("Fund"), an open-end diversified management investment company registered under the Investment Company Act of 1940 ("Act"), and UV Industries, Inc. ("UV"), (collectively referred to as "Applicants"), filed an application on December 15, 1975, and an amendment thereto on December 30, 1975, pursuant to Section 17(b) of the Act for an order exempting from Section 17(a) of the Act the purchase by UV of $2,200,000 face amount of its 5¾% convertible subordinated debentures due February 1, 1993 (the "Debentures") from the Fund. The purchase will be at a net price of $73.00 per $100 face amount, with interest adjusted. All interested persons are referred to the application on file with the Commission for a statement of the Applicants' representations which are summarized below.

UV is a Maine corporation and it and its subsidiaries are principally engaged in the business of: (a) the design, manufacture and sale of electrical distribution and control equipment and electronic components through its wholly-owned subsidiary Federal Pacific Electric Company; (b) the fabrication of metal products consisting primarily of copper and brass, through its wholly-owned subsidiary Mueller Brass Co.; and (c) the mining and milling of ores that contain principally copper, the mining of placer gold and the acquisition, exploration, and development of leasehold mineral and royalty properties for the production of oil and gas. Both the Debentures and UV's Common Stock are listed on the New York Stock Exchange. The Fund presently owns 300,000 shares or approximately 6.3% of UV's outstanding voting securities. In addition, the Fund beneficially owns $4,000,000 face amount of Debentures convertible into 89,106 shares of UV common stock. In addition, three other investment companies which receive their advice from Fidelity Management & Research Company, the Fund's investment adviser, own approximately 1.4% of UV common. There is no affiliation between UV and the Fund other than the described stock ownership.

On November 24, 1975, in response to an inquiry from UV, the Fund agreed, conditioned upon obtaining the requisite exemptive order under the Act, to sell to UV $2,200,000 face amount of UV's Debentures at a price of $73.00 per $100 of face amount plus interest. UV will use the Debentures to be purchased from the Fund, together with $1,133,000 of Debentures already acquired at an average price of $67.95 per $100 face amount, to satisfy sinking fund payments which it would otherwise be required to satisfy, under the terms of the Indenture dated as of February 1, 1968, between UV and the Chase Manhattan Bank, N.A., as Trustee, by the redemption of 3,333,000 of the Debentures at face.

Section 2(a)(3) of the Act includes within the definition of an affiliated person of another person any person owning 5% or more of the outstanding voting securities of such other person and any person 5% or more of whose outstanding voting securities are owned by such other person. Under this definition, the Fund and UV are affiliated persons of each other.

Section 17(a) of the Act provides, in pertinent part, that it shall be unlawful for any affiliated person of a registered investment company acting as principal, knowingly to purchase from such registered company any security or other property. Section 17(b) of the Act provides that the Commission, upon application, may exempt a proposed transaction from the provisions of Section 17(a) of the Act if evidence establishes that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned and the proposed transaction is consistent with the policy of each investment company concerned and with the general purposes of the Act.

Applicants assert that the terms of the proposed transaction are reasonable and fair and do not involve overreaching on the part of any person concerned and that the proposed transaction is consistent with the policy of the Fund and with the general purposes of the Act. In support of this assertion, Applicants state that the purchase price of $73.00 per $100 of face amount with interest at which the Fund will be able to dispose of a large block of Debentures is a price in excess of the current market price. On November 24, 1975, the closing sales price of the Debentures on the New York Stock Exchange was 68½. In addition, there will be no charges or fees associated with the proposed transaction other than applicable transfer fees and legal fees to be borne by each party. Applicants state that in view of the limited market for the UV Debentures, the proposed purchase offers both parties an opportunity to effect a transaction at a price which is advantageous to each of them because a transaction involving such a large block of UV Debentures might not have been accomplished in the market at $73.00 per $100 face amount. Finally, Applicants state that the transaction was negotiated at arm's length between two persons who are "affiliated persons" of each other solely because the Fund owns approximately 6.3% of UV's outstanding voting securities.

The proceeds of the sale will be added to the Fund's cash account and, together with cash from other sources, will be used to purchase securities for the Fund's portfolio. The Fund represents that the proposed purchase will be consistent with its policy as recited in its registration statement and reports filed under the Act and both Applicants believe that the transaction is consistent with the general purposes of the Act.

Notice is further given that any interested person may, not later than January 27, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on this matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the addresses stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.76-771 Filed 1-9-76;8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

[TA-W-524]

A. M. F. INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 19, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of York, Pennsylvania division of A. M. F. Incorporated, White Plains, New York (TA-W-524). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with motorcycles produced by A. M. F. Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 22, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 19th day of December 1975.

MARVIN M. FOOKS, *Acting Director, Office of Trade Adjustment Assistance.*

[FR Doc.76-221 Filed 1-9-76;8:45 am]

[TA-W-240]

CALIPER CLOTHES, INC.

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-240: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 14, 1975 in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America on behalf of workers formerly producing men's suit coats at Caliper Clothes, Inc., Philadelphia, Pennsylvania.

The notice of investigation was published in the Federal Register (40 FR 50162) on October 28, 1975. No public hearing was requested and none was held.

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The information upon which the determination was made was obtained principally from officials of Caliper Clothes Inc., its customers, industry analysts, the U.S. Department of Commerce, the U.S. International Trade Commission, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated.
(2) That sales or production, or both, of such firm or subdivision have decreased absolutely.
(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Separations. The average number of production workers at Caliper declined 21 percent in the first two months of 1975 compared to the like period in 1974. All production-related employment at Caliper was terminated by the end of February 1975.

Sales or Production, or Both, Have Decreased Absolutely. Caliper Clothes produced men's suit coats on a contractual basis exclusively for a men's suit manufacturer in Philadelphia. Production at Caliper declined 24 percent in January 1975 compared to the same period in 1974. Production at Caliper was terminated entirely by the end of February 1975.

Increased Imports Contributed Importantly. Imports of men's and boys' suits have increased relative to domestic consumption and production in each year from 1971 to 1973. While imports of men's and boys' suits fell slightly in 1974 compared to 1973, the ratios of imports to domestic production and consumption in 1974 of 9.9 percent and 9 percent respectively were well above the 1971–1973 average of 8.6 percent and 7.8 percent respectively. In the first seven months of 1975 imports of men's and boys' suits increased 131 percent compared to the first seven months of 1974. The ratio of imports to domestic production increased from 7.7 percent in the first seven months of 1974 to 22.1 percent in the first seven months of 1975.

Customers of the manufacturer for which Caliper performed all of its contract operations indicated that they reduced purchases from that manufacturer while increasing purchases of suits produced offshore. The resultant decline in orders by that manufacturer for Caliper caused Caliper to reduce production to such a degree that the firm could not produce at a profitable level. The cutback in orders from its manufacturer/customer caused Caliper to cease all production operations in February 1975.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suit coats produced by Caliper Clothes, Inc. contributed importantly to the total or partial separation of the workers of that firm. Separations of workers at Caliper began in January 1975. In accordance with the provisions of the Trade Act of 1974, I make the following certification:

All hourly, piecework, and salaried employees of Caliper Clothes, Inc., Philadelphia, Pennsylvania who became totally or partially separated from employment on or after December 28, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 31 day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76–812 Filed 1–9–76;8:45 am]

[TA–W–520]

CLIFTON CLOTHING CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 19, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America on behalf of the workers and former workers of Clifton Clothing Company, Wallington, New Jersey (TA–W–520). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's jackets and sportcoats produced by Clifton Clothing Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 22, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave. NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 19th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76–823 Filed 1–9–76;8:45 am]

[TA–W–528]

DYNAMIC INTERNATIONAL CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 31, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Dynamic International Corporation, Lajas, Puerto Rico (TA–W–528). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with electric current reducer (AC adapter) produced by Dynamic International Corporation, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 22, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 31st day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76–824 Filed 1–9–76;8:45 am]

[TA–W–230]

FASHIONBILT CLOTHES DIVISION OF CHIPS N TWIGS, INC.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA–W–230; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 14, 1975 in response to a worker petition received on October 14, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers formerly producing men's suits and sport coats at the Philadelphia, Pennsylvania plant of the Fashionbilt Clothes Division of Chips N Twigs, Inc.

The notice of investigation was published in the FEDERAL REGISTER on October 28, 1975 (40 FR 50163). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Fashionbilt Clothes, its customers, the U.S. Department of Commerce, the National Cotton Council of America, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated.
(2) That sales or production, or both, of such firm or subdivision have decreased absolutely.
(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Separations. The average number of production workers employed at Fashionbilt declined 3.2 percent from 1973 to 1974 and decline 7.8 percent in the first nine months of 1975 compared to the like period in 1974. Average weekly hours worked by production workers fell 5.9 percent from 1973 to 1974 and fell 3.7 percent in the first nine months of 1975 compared to the like period in 1974.

Sales or Production, or Both, Have Decreased Absolutely. Fashionbilt sales of suits, sportcoats and pants declined 1.4 percent in value from 1973 to 1974 and fell 15.8 percent in value in the first nine months of 1975, compared to the like period in 1974.

Production at Fashionbilt declined 5.4 percent in quantity from 1973 to 1974 and fell 31.5 percent in quantity in the first nine months of 1975 compared to the like period of 1974.

Increased Imports Contributed Importantly. Imports of men's and boys' tailored suits have increased relative to domestic consumption and production in each year from 1971 to 1973. While imports of men's and boys' suits fell slightly in 1974 compared to 1973 the ratios of imports to domestic production and consumption in 1974 of 9.9 percent and 9.0 percent, respectively, were well above the 1971–1973 average of 8.6 percent and 7.8 percent, respectively. In the first seven months of 1975 imports of men's and boys' tailored suits increased 131 percent compared to the first seven months of 1974. The ratio of imports to domestic production increased from 7.7 percent in the first seven months of 1974 to 22.1 percent in the first seven months of 1975.

Imports of mens' and boys' tailored sport coats increased their share of the domestic market each year from 1972 to 1974. The ratios of imports to domestic production and consumption increased from 17.1 percent and 14.6 percent, respectively, in 1972 to 22.3 percent and 18.2, respectively, in 1974. The ratio of imports to domestic production increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1975.

Imports of men's and boys' tailored trousers decreased their relative share of domestic production and consumption from 25.7 percent and 20.5 percent, respectively, in 1972 to 19.7 percent and 16.4 percent, respectively in 1974. In the first seven months of 1975 imports of men's and boys' tailored trousers increased 29 percent compared to the first seven months of 1974.

Declines in sales, production and employment at Fashionbilt Clothes in the first nine months of 1975 were the result of decreased domestic demand for men's tailored suits and sport coats. In the first nine months of 1975, Fashionbilt's sales declined 15.8 percent in value from the level of the comparable period in 1974. In the first seven months of 1975, U.S. consumption of men's tailored suits and sport coats, articles which comprise 95 percent of Fashionbilt's production, declined 23.1 percent in quantity compared to the like period in 1974. Major customers of Fashionbilt Clothes who reduced orders from the firm in 1975 did so primarily because of decreased demand for men's tailored suits and sport coats associated with the recession. None of Fashionbilt's largest customers purchased imports in significant quantities.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's tailored suits, sport coats, and pants produced by Fashionbilt Clothes did not contribute importantly to the total or partial separation of the workers of such firm or subdivision.

Signed at Washington, D.C. this 31st day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76–815 Filed 1–9–76;8:45 am]

[TA–W–220]

GUY LEWIS, INC.

Certification Regarding Eligibility To Apply for Workers Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA–W–220; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 3, 1975 in response to a worker petition received on October 3, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing sportcoats, leisure suit jackets, and suit coats at Guy Lewis, Inc., Boston, Massachusetts.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 48415) on October 15, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Guy Lewis, Inc., its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated.
(2) That sales or production, or both, of such firm or subdivision have decreased absolutely.
(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

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For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Separations. The average number of production workers declined 18.9 percent in 1974 compared to 1973. The average number of workers increased 1.3 percent in the first half of 1975 compared to the like period in 1974, and the plant closed down as of June 30, 1975. Average weekly hours decreased 13.9 percent in 1974 compared to 1973 and prior to the shutdown the number increased 3 percent in the first half of 1975 compared to the like period in 1974.

Sales or Production, or Both, Have Decreased Absolutely. Production and sales at Guy Lewis, Inc. declined 34.6 percent in 1974 compared with 1973. They increased 25.9 percent in the first half of 1975 compared to the first half of 1974. The increase represents the rush processing of the final orders prior to the closing of the plant on June 30, 1975.

Increased Imports Contributed Importantly. Imports of men's and boys' sportcoats increased their share of the domestic market each year from 1972 to 1974. The ratio of imports to domestic production and consumption increased from 17.1 percent and 14.6 percent respectively in 1972 to 22.3 percent and 18.2 percent respectively in 1974. The ratio of imports to domestic production increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1975.

The evidence developed in the Department's investigation of Guy Lewis Inc., reveals that the separation of workers was due to the curtailment of orders from their only customer, and that customers no longer contracted business with Guy Lewis, Inc., due to loss of business to imports. Guy Lewis' sales of jackets dropped 34.6 percent from 1973 to 1974. They increased 25.9 percent in the first half of 1975 compared with the same period in 1974 as the final set of orders was rushed through prior to the firm's closing on June 30, 1975 due to cessation of orders. Guy Lewis' former customer indicated that they could no longer contract orders to Guy Lewis because price competition from imports rendered them unable to compete for the market.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with sportcoats, leisure suit jackets, and suit coats produced at Guy Lewis, Inc., Boston, Massachusetts contributed importantly to the total or partial separation of the workers of that plant.

In accordance with the provisions of the Act, I make the following certification:

All hourly, piecework, and salaried workers engaged in employment related to the production of sportcoats, leisure suit jackets, and suit coats at the Boston, Massachusetts plant of Guy Lewis, Inc. who became totally or partially separated from employment on or after October 3, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 23rd day of December 1975.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.

[FR Doc.76-813 Filed 1-9-76;8:45 am]

[TA-W-527]

HUGHES AIRCRAFT CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 19, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of El Segundo, California plant of Hughes Aircraft Company, Culver City, California (TA-W-527). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with space and communications equipment (satellites) produced by Hughes Aircraft Company, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 22, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 19th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-827 Filed 1-9-76;8:45 am]

[TA-W-526]

INTERNATIONAL HAT CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 19, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Oran, Missouri division of International Hat Company, St. Louis, Missouri (TA-W-526). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with hat caps, tennis hats, mode hats, & roll hats produced by International Hat Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 22, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 19th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-826 Filed 1-9-76;8:45 am]

[TA-W-242]

J. MAIMON & SONS, INCORPORATED

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-242; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 14, 1975 in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suits and sportcoats at J. Maimon & Sons, Inc., Philadelphia, Pennsylvania.

The notice of investigation was published in the FEDERAL REGISTER on October 30, 1975 (40 FR 50586). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of J. Maimon & Sons, Inc., its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely.

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Separations. Employment of production workers at J. Maimon declined 11 percent in 1974 from 1973 and declined 35 percent in the first three quarters of 1975 compared to the same period in 1974. Average weekly hours for production workers at Maimon declined 20 percent in the first three quarters of 1975 compared to the first three quarters of 1974.

Sales or Production, or Both, Have Decreased Absolutely. Sales of suits, sportscoats, and trousers by J. Maimon & Sons declined 26 percent in quantity and 23 percent in value in 1974 from 1973. Sales declined 51 percent in quantity and 44 percent in value the first three quarters of 1975 compared to the same quarter of the prior year.

Increased Imports Contributed Importantly. Imports of men's and boys' suits have increased relative to domestic consumption and production in each year from 1971 to 1973. While imports of men's and boys' suits fell slightly in 1974 compared to 1973, the ratios of imports to domestic production and consumption in 1974 of 9.9 percent and 9.0 percent respectively were well above the 1971–1973 average of 8.6 percent and 7.8 percent, respectively. In the first seven months of 1975 imports of men's and boys' suits increased 131 percent compared to the first seven months of 1974. The ratio of imports to domestic production increased from 7.7 percent in the first seven months of 1974 to 22.1 percent in the first seven months of 1975.

Imports of men's and boys' sportcoats increased their share of the domestic market each year from 1972 to 1974. The ratio of imports to domestic production and consumption increased from 17.1 percent and 14.6 respectively in 1972 to 22.3 percent and 18.2 percent respectively in 1974. The ratio of imports to domestic production increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1975.

Imports of men's and boys' tailored trousers decreased their relative share of domestic production and consumption from 25.7 percent and 20.5 percent in 1972 to 19.7 percent and 16.4 percent in 1974. In the first seven months of 1975 imports of men's and boys' tailored trousers increased 29 percent compared to the first seven months of 1974.

The evidence developed in the Department's investigation of J. Maimon & Sons, Inc. indicates that customers of Maimon increased their purchases of imported suits while reducing purchases of suits and sportcoats produced by Maimon.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suits and sportcoats produced by J. Maimon and Sons, Inc. contributed importantly to the total or partial separation of the workers of that firm. Workers at Maimon began experiencing reduced hours as a result of sales declines in November 1974. After due consideration I make the following certification:

All hourly, piecework, and salaried employees of J. Maimon & Sons, Inc., Philadelphia, Pennsylvania, who became totally or partially separated from employment on or after October 26, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 31st day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-814 Filed 1-9-76;8:45 am]

[TA-W-265]

KEYSTONE UNIFORM MANUFACTURING COMPANY, INCORPORATED

Notice of Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-265: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 24, 1975 in response to a worker petition received on that date which was filed by The Amalgamated Clothing Workers of America on behalf of workers and former workers producing uniforms at Keystone Uniform Manufacturing Company, Inc., Philadelphia, Pennsylvania.

The notice of investigation was published in the FEDERAL REGISTER on November 5, 1975 (40 FR 51522). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Keystone Uniform Manufacturing Company, its customers, industry analysts, the U.S. Department of Commerce, the U.S. International Trade Commission, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely.

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Separations. Employment at Keystone increased five percent in the first ten months of 1975 compared to the same period in 1974.

Sales or Production, or Both, Have Decreased Absolutely. Sales of uniforms by Keystone increased six percent in value in the first nine months of 1975 compared to the same period in 1974. Production of uniforms equalled sales.

Increased Imports Contributed Importantly. The investigation of Keystone Uniform Manufacturing Company reveals that the firm produces uniforms used primarily by police departments and school bands. Uniform imports enter the United States under the same TSUSA numbers as men's and boys' tailored suits. Consequently, the quantity of uniforms entering the United States is indeterminate. Industry experts indicate that such imports are negligible. Customers of Keystone indicate that they have not purchased uniforms from foreign sources and that imports do not influence their decisions whether to buy uniforms from Keystone.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with uniforms pro-

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duced by Keystone Uniform Manufacturing Company, Inc. did not contribute importantly to the total or partial separations of workers of that firm.

Signed at Washington, D.C. this 31st day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary, for Trade and Adjustment Police.

[FR Doc.76-816 Filed 1-9-76;8:45 am]

[TA-W-522]

M. EHRENBERG SONS, INC. AND VICTOR ROBERTS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 19, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America on behalf of the workers and former workers of M. Ehrenberg Sons, Incorporated and Victor Roberts, Incorporated, Passaic, New Jersey (TA-W-522). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's suit jackets and sport jackets produced by M. Ehrenberg Sons, Incroporated and Victor Roberts, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number/or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 22, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 19th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-825 Filed 1-9-76;8:45 am]

[TA-W-521]

FRANK SALTZ AND SONS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 19, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America on behalf of the workers and former workers of Frank Saltz and Sons, Incorporated, Passaic, New Jersey (TA-W-521). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's sport jackets and suit jackets produced by Frank Saltz and Sons, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showinng a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 22, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 19th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-826 Filed 1-9-76;8:45 am]

[TA-W-523]

MAKRESS INC. AND MAKRESS LINGERIE, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 19, 1975 the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Ladies Garment Workers Union, on behalf of the workers and former workers of Makress Inc. and Makress Lingerie, Inc., Arecibo, Puerto Rico, divisions of Character Foundations, Inc., New York, New York (TA-W-523). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with foundation and under garments produced by Makress Inc. and Makress Lingerie, Inc. or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 22, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 19th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-829 Filed 1-9-76;8:45 am]

[TA-W-264]

MICHAEL, INCORPORATED

Notice of Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-264: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 24, 1975 in response to a worker petition received on that date which was filed by The Amalgamated Clothing Workers of America on behalf of workers and former workers producing suit coats for military uniforms at Michael, Inc., Philadelphia, Pennsylvania.

The notice of investigation was published in the FEDERAL REGISTER on November 5, 1975 (40 FR 51522). No public hearing was requested and none was held.

The information upon which the determination was made, was obtained principally from officials of Michael, Inc., its customer, industry analysts, the U.S. Department of Commerce, the U.S. International Trade Commission, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely.

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Without regard as to whether any of the other criteria are satisfied, the investigation reveals that the third criterion has not been met.

The investigation of Michael, Inc. reveals that the firm produces suit coats for military uniforms. Michael bids competitively on contracts awarded by the U.S. Department of Defense, its sole customer.

There are no U.S. imports of suit coats for military uniforms. Officials of the Department of Defense indicate that the Department purchases uniforms and uniform parts only from manufacturers within the United States and has never purchased such products from foreign sources.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with coats for military uniforms produced by Michael, Inc. did not contribute importantly to the total or partial separation of workers of that firm.

Signed at Washington, D.C. this 31st day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-817 Filed 1-9-76;8:45 am]

[TA-W-238]

MODERN COAT CO.

Notice of Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-238; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 14, 1975 in response to a worker petition received on October 14, 1975 which was filed by Amalgamated Clothing Workers Union on behalf of workers and former workers producing men's suit coats and sportcoats at the Philadelphia, Pa. plant of Modern Coat Company.

The notice of investigation was published in the FEDERAL REGISTER on October 24, 1975 (40 FR 49629). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Modern Coat Company, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated.

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely.

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Separations. The average number of production workers declined 25 percent in the first ten months of 1975 compared to the like period in 1974. Average weekly hours declined 2.7 percent in the first ten months of 1975 compared to the like period in 1974.

Sales or Production, or Both, Have Decreased Absolutely. Sales at Modern Coat Company declined 14 percent in the first ten months of 1975 compared to the first ten months of 1974.

Increased Imports Contributed Importantly. Imports of men's and boys' tailored suits increased their share of domestic consumption and production from 5.7 percent and 6 percent, respectively in 1971 and 9.5 percent and 10.5 percent, respectively in 1973. Imports declined both absolutely and relatively in 1974. Imports of men's and boys' sportcoats increased their share of the domestic market each year from 1972 to 1974. The ratio of imports to domestic production and consumption increased from 17.1 percent and 14.6 percent, respectively in 1972 to 22.3 percent and 18.2 percent, respectively in 1974.

Modern Coat's sale customer in 1973 and 1974, terminated Modern Coat's contract in late 1974. This decision was based on the customer's decision to open its own manufacturing facility in the U.S.

Information developed during the investigation of Modern Coat indicates that the firm's difficulties in late 1974 and 1975 were attributable to the loss of its sole customer when that customer decided to open its own production facility in the U.S. That customer does not import finished goods for sale to its customers.

Therefore, it is concluded that imports of men's suit coats and sportcoats did not contribute importantly to the total or partial separations of workers of Modern Coat Company, Philadelphia, Pennsylvania.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suit coats and sportcoats produced at the Philadelphia, Pa. plant or Modern Coat Company did not contribute importantly to the total or partial separation of the workers of that plant.

Signed at Washington, D.C. this 31st day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-818 Filed 1-9-76;8:45 am]

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[TA-W-247]

NICK IPPOLITI, INC.

Notice of Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-247: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 14, 1975 in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suits and sportcoats at Nick Ippoliti, Inc., Philadelphia, Pennsylvania.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 50587) on October 30, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Nick Ippoliti, Inc., its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely.

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Separations. Employment of production workers at Nick Ippoliti, Inc. declined 30 percent in 1974 from 1973; average weekly hours for production workers declined 14 percent during the same period. All production related employment at Ippoliti was terminated by early January 1975.

Sales or Production, or Both, Have Decreased Absolutely. Ippoliti produced men's suit coats and sportcoats on a contractual basis. One manufacturer/customer of Ippoliti accounted for approximately two-thirds of Ippoliti's output in recent years. Total production by Ippoliti declined in six consecutive quarters from the second quarter of 1973 until production was terminated in the fourth quarter of 1974.

Increased Imports Contributed Importantly. Imports of men's and boys' suits have increased relative to domestic consumption and production in each year from 1971 to 1973. While imports of men's and boys' suits fell slightly in 1974 compared to 1973, the ratios of imports to domestic production and consumption in 1974 of 9.9 percent and 9 percent respectively were well above the 1971–1973 average of 8.6 percent and 7.8 percent respectively. In the first seven months of 1975 imports of men's and boys' suits increased 131 percent compared to the first seven months of 1974. The ratio of imports to domestic production increased from 7.7 percent in the first seven months of 1974 to 22.1 percent in the first seven months of 1975.

Imports of men's and boys' sportcoats increased their share of the domestic market each year from 1972 to 1974. The ratio of imports to domestic production and consumption increased from 17.1 percent and 14.6 respectively in 1972 to 22.3 percent and 18.2 percent respectively in 1974. The ratio of imports to domestic production increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1975.

The evidence developed by the Department's investigation indicates that the decision to close Nick Ippoliti, Inc. was based upon the closure of the firm for which Ippoliti performed most of its contract operations. Officials of that firm and its own customers at the retail level indicated that unsatisfactory product quality and service led to the closing of the firm. With the loss of sales to its major customer, the determination was made to terminate the operations of Nick Ippoliti, Inc.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suit coats and sportcoats produced by Nick Ippoliti, Inc., Philadelphia, Pennsylvania did not contribute importantly to the total or partial separations of the workers of that firm.

Signed at Washington, DC. this 31st day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-819 Filed 1-9-76;8:45 am]

[TA-W-245]

OTTO B. MAY CO.

Notice of Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-245; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 20, 1975 in response to a worker petition received on October 20, 1975 which was filed by the United Steelworkers of America on behalf of workers formerly producing vat and disperse dyes at the Newark, New Jersey plant of the Otto B. May Company.

The notice of investigation was published in the FEDERAL REGISTER on October 29, 1975, (40 FR 50333). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Otto B. May, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely.

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Without regard as to whether the other criteria are satisfied, the investigation reveals that the third criterion has not been met.

Otto B. May produced vat dyes and disperse dyes. Vat dyes were used on cotton and cotton-polyester blends while disperse dyes were used on synthetic materials. Imports of vat dyes like or directly competitive with those produced at Otto B. May declined from 10.2 million pounds in 1972 to an estimated 4.5 million pounds in 1974. The ratios of imports to domestic shipments and consumption decreased from 18.1 and 15.3 percent respectively in 1972 to 8.1 and 7.5 percent in 1974.

Imports of disperse dyes like or directly competitive with those produced at Otto B. May declined from 10 million pounds in 1972 to an estimated 6.8 million pounds in 1974. The ratios of imports to domestic shipments and consumption decreased from 26.1 percent and 20.7 percent respectively in 1972 to 14.7 percent and 12.8 percent in 1974.

Customers of Otto B. May had decreased purchases of vat dyes from the firm but competition from imported vat dyes was not a factor in these reductions. Reductions were primarily due to either the loss of government contracts or the general decline in demand for clothing in the U.S. recently. In some cases price considerations were also a factor in a customer's decision to reduce vat dye purchases from Otto B. May, but the price competition came from other domestic firms.

These customers had not reduced purchases of disperse dyes from Otto B. May to any significant degree. All layoffs occurring in December 1974 were the result of the firm's decreased sales of vat dyes. The decreased sales were the result of factors other than competition from imported vat dyes.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with vat and disperse dyes produced at the Newark, New Jersey plant of Otto B. May Company did not contribute importantly to the total or partial separations of the workers at such plant.

Signed at Washington, D.C., this 31st day of December 1975.

HERBERT N. BLACKMAN,
Associated Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-820 Filed 1-9-76;8:45 am]

[TA-W-525]

OXFORD TILE CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 19, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Brotherhood of Pottery and Allied Workers on behalf of the workers and former workers of Oxford Tile Company, Cambridge, Ohio, a division of Marmon Group, Incorporated, Chicago, Illinois (TA-W-525). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with ceramic wall tile produced by Oxford Tile Company or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 22, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 19th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-830 Filed 1-9-76;8:45 am]

[TA-W-241]

PENN STATE CLOTHING CORP.

Notice of Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-241: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 14, 1975 in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suits and sportcoats at Penn State Clothing Corporation, Philadelphia, Pennsylvania.

The notice of investigation was published in the FEDERAL REGISTER on October 30, 1975 (40 FR 50587). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Penn State Clothing Corporation, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely.

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Separations. Employment of production workers at Penn State Clothing Corporation declined 18 percent in 1974 from 1973 and declined 12 percent in the first nine months of 1975 compared to the same period in 1974. Average weekly hours for production workers declined seven percent in 1974 from 1973 and increased four percent in the first nine months of 1975 compared to the first nine months of 1974.

Sales or Production, or Both, Have Decreased Absolutely. Sales of men's suits, sportcoats, and trousers by Penn State declined 24 percent in quantity and one percent in value in 1974 from 1973. Sales declined 14 percent in quantity and two percent in value in the first ten months of 1975 compared to the first ten months of 1974.

Increased Imports Contributed Importantly. Imports of men's and boys' suits have increased relative to domestic consumption and production in each year from 1971 to 1973. While imports of men's and boys' suits fell slightly in 1974 compared to 1973, the ratios of imports to domestic production and consumption in 1974 of 9.9 percent and 9.0 percent respectively were well above the 1971–1973 average of 8.6 percent and 7.8 percent respectively. In the first seven months of 1975 imports of men's and boys' suits increased 131 percent compared to the first seven months of 1974. The ratio of imports to domestic production increased from 7.7 percent in the first seven months of 1974 to 22.1 percent in the first seven months of 1975.

Imports of men's and boys' sportcoats increased their share of the domestic market each year from 1972 to 1974. The ratio of imports to domestic production and consumption increased from 17.1 percent and 14.6 respectively in 1972 to 22.3 percent and 18.2 percent respectively in 1974. The ratio of imports to domestic production increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1975.

Imports of men's and boys' tailored trousers decreased their relative share of domestic production and consumption from 25.7 percent, and 20.5 percent in 1972 to 18.7 percent and 16.4 percent in 1974. In the first seven months of 1975, imports of men's and boys' tailored trousers increased 29 percent compared to the first seven months of 1974.

Evidence developed in the investigation of Penn State Clothing Corporation indicates that customers of Penn State reduced purchases from the firm for reasons other than increased import competition. The customers indicated that they reduced purchases from Penn State due to price increases by Penn State at a

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time when consumer preferences were shifting to leisure suits offering a more casual appearance.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suits, sportcoats and trousers produced by Penn State Clothing Corporation did not contribute importantly to the total or partial separations of the workers at that firm.

Signed at Washington, D.C. this 31st day of December 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-821 Filed 1-9-76;8:45 am]

[TA-W-519]

PRODUCTION MOLDED PLASTICS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On December 19, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Chemical Workers Union, on behalf of the workers and former workers of Production Molded Plastics, Inc., Alliance, Ohio, a wholly-owned subsidiary of Detroit Molding Co., Inc., East Detroit, Michigan (TA-W-519). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with automotive custom molded, plastic parts produced by Production Molded Plastics, Inc., or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 22, 1976.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 19th day of December 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-831 Filed 1-9-76;8:45 am]

[TA-W-409-518]

GENERAL MOTORS CORP., ET AL.

Notice of Hearing

The Department of Labor has ordered a public hearing in connection with the investigations instituted on December 18, 1975, under Section 221(a) of the Trade Act of 1974 on the basis of petitions filed on behalf of the workers and former workers of General Motors Corporation (TA-W-409-482), Ford Motor Company (TA-W-483-516), and Chrysler Corporation (TA-W-517-518). Notice of receipt of the petitions and the institution of these investigations was published in the FEDEAL REGISTER on January 7, 1976 (41 FR 1342).

This public hearing is being held on request of the petitioners and will take place beginning at 10:00 a.m., e.s.t. on January 26, 1976, in Room South 4215 A, B, and C, U.S. Department of Labor Building, 3d Street and Constitution Avenue NW., Washington, D.C. Less than fifteen days notice has been provided because of the necessity for prompt action. Interested parties desiring to appear and be heard should send written notification, at least three days in advance of the hearing if possible, to the Acting Director, Office of Trade Adjustment Assistance, Room South 5315, U.S. Department of Labor, 3d Street and Constitution Avenue NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 7th day of January 1976.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.76-1032 Filed 1-9-76;10:14 am]

[AB 18 (Sub.-No. 16)]

INTERSTATE COMMERCE COMMISSION

CHESAPEAKE AND OHIO RAILWAY CO.

Abandonment Portion Ionia Branch Between Portland and Ionia, in Ionia County, Michigan

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Ionia County, Mich., on or before January 16, 1976, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested persons.

Dated at Washington, D.C., this 22nd day of December, 1975.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

CHESAPEAKE AND OHIO RAILWAY COMPANY ABANDONMENT PORTION IONIA BRANCH BETWEEN PORTLAND AND IONIA, IN IONIA COUNTY, MICHIGAN

The Interstate Commerce Commission hereby gives notice that by order dated December 22, 1975, it has been determined that the Chesapeake and Ohio Railway Company between Portland and Ionia, Mich., a distance of 13.81 miles in Ionia County, Mich., if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental impacts of the proposed action are considered insignificant because (1) there has been a decreasing demand for rail service over this line, (2) no regional or local economic developmental plans are dependent upon the continued existence of the instant line, (3) the Grand Trunk Western Railroad may be in a position to maintain service to the largest shipper on the line and, (4) the historic, safety, pollution, and ecological aspects of the proposed action are absent or minimal.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-7966.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before February 2, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[FR Doc.76-838 Filed 1-9-76;8:45 am]

[AB 31 (Sub-No. 2)]

GRAND TRUCK WESTERN RAILROAD CO.

Abandonment Between Maine and Grand Haven, Ottawa County, Michigan

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Ottawa County, Mich., on or before January 16, 1976, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the Federal Register as notice to interested persons.

Dated at Washington, D.C., this 22nd day of December, 1975.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

GRAND TRUNK WESTERN RAILROAD COMPANY ABANDONMENT BETWEEN MAINE AND GRAND HAVEN, OTTAWA COUNTY, MICHIGAN

The Interstate Commerce Commission hereby gives notice that by order dated December 22, 1975, it has been determined that the proposed abandonment of the Grand Trunk Western Railroad Company rail line extending 21.47 miles between Maine and Grand Haven, Ottawa County, Mich., if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, *et seq.*, and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that diversion of the current traffic to other transportation modes should not create any substantial alterations in the existing environmental conditions along the corridor. There exist no definitive economic development plans which would necessitate continued operation of this line. Public interest has been expressed for purchase of the right-of-way upon abandonment for a public recreational trail program.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-7966.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before February 2, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[FR Doc.76-839 Filed 1-9-76;8:45 am]

[AB 102 (Sub-No. 2]

MISSOURI-KANSAS-TEXAS RAILROAD CO.

Abandonment Between Georgetown and Austin, in Williamson and Travis Counties, Texas

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Envrionmental Policy Act of 1969, 42 U.S.C. 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Williamson and Travis Counties, Tex., on or before January 16, 1976, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the Federal Register as notice to interested persons.

Dated at Washington, D.C., this 22nd day of December, 1975.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

MISSOURI-KANSAS-TEXAS RAILROAD COMPANY ABANDONMENT BETWEEN GEORGETOWN AND AUSTIN, IN WILLIAMSON AND TRAVIS COUNTIES, TEXAS

The Interstate Commerce Commission hereby gives notice that by order dated December 22, 1975, it has been determined that the proposed abandonment by the Missouri-Kansas-Texas Railroad Company of its line of railroad between Georgetown and Austin, Tex., a distance of 27.8 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that as substantially all traffic on the line is bridge traffic which will be rerouted over other lines, virtually no diversion of rail traffic to motor carrier is anticipated, and no increase would occur in highway traffic, energy consumption, air pollution, and noise intrusions associated with such a diversion. There are no indications of developmental activities which would be affected by loss of service on the line. Sale of the right-of-way to a public agency would insure availability of the land in the right-of-way for future use as a transportation or other public use corridor and would be consistent with current interest in acquisition of the right-of-way for public use.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-7966.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before February 2, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[FR Doc.76-840 Filed 1-9-76;8:45 am]

[Notice No. 155]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JANUARY 12, 1976.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to Sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before February 2, 1976. Pursuant to Section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-75802. By order entered January 5, 1976, Division 3, acting as an Appellate Division, approved the transfer to Overead West, Ltd., Littleton, Colo., of the operating rights set forth in Certificate No. MC 52709 (Sub-No. 315), issued February 1, 1974, to Ringsby Truck Lines, Inc., Littleton, Colo., authorizing the transportation of general commodities, with exceptions, in containers, and empty containers, between ports of entry located in California, Oregon, and Washington, on the one hand, and, on the other, points in the United States (including Alaska, but excluding

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Hawaii), restricted to traffic having a prior or subsequent movement by water.

Richard S. Mandelson, Suite 1600 Lincoln Center, 1660 Lincoln St., Denver, CO 80203, attorney for applicants.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-841 Filed 1-9-76;8:45 am]

[Notice No. 156]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 12, 1976.

Application filed for temporary authority under Section 210a(b) in connection with transfer application under Section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-76277. By application filed December 17, 1975, AURELIA TRUCKING CO., 2136 Pine Grove Ave., Port Huron, MI 48060, seeks temporary authority to lease the operating rights of NORTHLAND TRANSPORT, INC., P.O. Box 626, Superior, WI 54880, under section 210a(b). The transfer to AURELIA TRUCKING CO., of the operating rights of NORTHLAND TRANSPORT, INC., is presently pending.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-842 Filed 1-9-76;8:45 am]

[Notice No. 947]

ASSIGNMENT OF HEARINGS

JANUARY 7, 1976.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 56640 (Sub-No. 35), Delta Lines, Inc., now being assigned March 22, 1976 (1 week), at San Francisco, Calif., at the Clift Hotel, Geary and Taylor Streets and continued to March 29, 1976, (1 week), at Los Angeles, Calif. at the Biltmore Hotel, 550 South Olive Street; April 20, 1976 (4 days), at Eugene, Oregon, at the Thunderbird Motel, 205 Coburg Road; and April 26, 1976 (1 week), at Medford, Oregon at the Red Lion Motel, 200 N. Riverside Avenue. AB 12 Sub-7, Southern Pacific Transportation Company Abandonment Between Claribel And Montpellier, in Stanislaus County, California, now being assigned February 19, 1976 (2 days) at Modesto, California, in a hearing room to be later designated. MC 107998 Sub-40, J. J. Willis Trucking Company, now being assigned February 23, 1976, (2 days) at San Francisco, Calif., in a hearing room to be later designated.

MC-F 12560 and MC 20 Sub-6, Continental Van Lines, Inc.—Purchase—Moving Corporation of America, Inc., now being assigned February 25, 1976 (3 days) at San Francisco, Calif., in a hearing room to be later designated.

MC 97710 Sub-7), Peters Truck Lines, now being assigned March 1, 1976 (1 Week) at San Francisco, California, in a hearing room to be later designated

MC 61592 Sub-354, Jenkins Truck Lines, Inc., now assigned January 12, 1976, at Seattle, Wash., is canceled and application is dismissed.

AB 26 Sub-No. 4, Southern Railway Company Abandonment between Williamson And Robert, In Pile Lamar, Upson, Monroe and Crawford Counties, Georgia, now assigned January 15, 1976, at Griffin, Georgia, will be held in the Civil Defense Bldg., Fire Station No. 2, 401 North Expressway.

MC 504 Sub-104, Harper Motor Lines, Inc., application dismissed.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-837 Filed 1-9-76;8:45 am]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Federal Highway Administration

HIGHWAY SAFETY PROGRAM

Program Approval Policy Revision

In accordance with the determination of the Secretary of Transportation concerning highway safety sanctions, published today in the FEDERAL REGISTER (See FR Doc. 76-1095, *infra*) the Federal Highway Administration and the National Highway Traffic Safety Administration hereby announce a revision of their Highway Safety Program Approval Policy, published June 12, 1975 (40 FR 25246) and revised August 27, 1975 (40 FR 38185).

The Program Approval Policy dealt with approval of highway safety programs of certain States for fiscal year 1976. Category I concerned the three States—California, Illinois, and Utah—without complete motorcycle helmet use laws. The August 27, 1975 revision of the Program Approval Policy provided that these States' Annual Work Programs could be approved in an amount which represents not more than 50 percent of the total obligational limitation of base program funding which was made available to them under 23 U.S.C. 402 during fiscal year 1975.

After the publication of the August revision to the Program Approval Policy, sanctions hearings were held for California, Illinois and Utah. The Secretary's sanctions determination requires that the Annual Work Programs of the three States should be funded for the entire fiscal year 1976 period, ending September 30, 1976. The Program Approval Policy is therefore revised to enable the States to receive full funding for fiscal year 1976.

The NHTSA Regional Administrators and the FHWA Regional Administrators and/or Division Administrators are authorized to act in accordance with the revision to the Program Approval Policy.

(Pub. L. 89-564, 80 Stat. 731, 23 U.S.C. 401 *et seq.* delegations at 49 CFR 1.48 and 49 CFR 1.50)

Issued on January 9, 1976.

NORBERT T. TIEMANN,
Federal Highway Administrator.

JAMES B. GREGORY,
National Highway Traffic Safety Administrator.

[FR Doc.76-1094 Filed 1-9-76;12:47 pm]

Office of the Secretary

[Dockets No. 75-18, 75-19, and 75-20; Notice 4]

UTAH, ILLINOIS, AND CALIFORNIA

Notice of Sanctions Determinations

By notices of July 31, 1975, the Administrators of the Federal Highway Administration and the National Highway Traffic Safety Administration began proceedings pursuant to 23 CFR Part 1206 to consider withholding Federal highway safety funds and highway construction funds from California, Illinois, and Utah (40 FR 32153). At issue was the failure of each of these States to adopt a law requiring all motorcycle riders to wear helmets, as specified in Highway Safety Program Standard No. 3, Motorcycle Safety, 23 CFR 1204.4. After public hearings in which the States presented their objections to the proposed sanctions, the Administrators submitted their recommendations. Upon review of their recommendations and the record before me, I have made the following determinations in accordance with 23 CFR 1206.12:

UTAH

Utah has a helmet use law limited to roads posted for speeds above 35 miles per hour. Although concern for the safety of motorcycles on lower-speed roads prompted the Administrators to begin proceedings against Utah, the motorcycle safety program submitted by Utah seems calculated to carry out the basic goals of the motorcycle safety standard. The State offered evidence of a high rate of helmet use and presented a plan calculated to raise the rate on high-speed roads to the neighborhood of 90 percent. This plan includes a motorcycle safety education program, a licensing system, and a public information campaign.

Upon review of the information submitted by Utah, I concur in the recommendations of the Administrators that Utah should be granted approval of its highway safety program, as reflected in its annual highway safety work program and comprehensive plan and as supplemented by its detailed plan for motorcycle safety.

ILLINOIS

I have concluded that the other elements of Illinois' motorcycle safety program are not sufficient at this time to offset the State's lack of a helmet law. Although the State's overall motorcycle death rate is not the highest, the percentage of motorcyclist wearing helmets is sufficiently low (40 percent according to Illinois; 25 percent according to NHTSA) that a helmet law would produce a significant savings in life. The case is not altogether clear, however, as there are two mitigating circumstances. First, Illinois has shown a renewed willingness to upgrade its motorcycle safety program. Although I am advised that the funding levels provided by the State may not be adequate, it should prove possible for the State to secure adequate funding during the next legislative session and to upgrade its program in other respects. Second, Illinois is the only State whose supreme court has ruled a helmet law unconstitutional. The law, enacted in 1967, was held unconstitutional in People v. Fries, 42 Ill. 2d 446, 250 N.E. 2d 149 (1969).

Of course, States are properly required under some circumstances to amend their constitutions to conform to Federal law and could certainly be expected to do so if they wished to render themselves eligible for Federal grants. Moreover, there is some indication in the Fries opinion that the defect on which the Illinois Supreme Court focused could be cured statutorily without a constitutional amendment. It is true that it has been more than six years since the Fries decision was rendered, but perhaps the State should have a "last clear chance" to reenact a helmet law that is capable of withstanding a constitutional test. Thus, Illinois is at least arguably a close case.

CALIFORNIA

California's case, on the other hand, seems clear. Alone among the States, California has never adopted a helmet use law in any form. Despite having the largest number of motorcycles of any State and a correspondingly greater number of motorcycling deaths and injuries, the State has relied on a voluntary program of helmet use. Although the California use rate (approximately 55 percent) suggests that it has been more successful in this regard than Illinois, the State falls far short of the use rates observed in States with helmet laws. In view of the lives to be saved by increasing helmet use and the repeated opposition of the State to complying with the requirements of the standard on motocycle safety, I would certainly, but for special legislative circumstances at the Federal level which I shall discuss in a momment, determine that the sanctions specified in 23 U.S.C. 402 should be invoked against California.

CURRENT LEGISLATIVE DEVELOPMENTS

The entire matter is complicated by the fact that both Houses of Congress have passed bills during this session providing that, for the purpose of the Secretary's authority to withhold apportionments under 23 U.S.C. § 402(c):

A highway safety program approved by the Secretary shall not include any requirement that a State implement such a program by adopting or enforcing any law, rule, or regulation based on a standard promulgated by the Secretary under this section requiring any motocycle operator eighteen years of age or older or passenger eighteen years of age or older to wear a safety helmet when operating or riding a motorcycle on the streets and highways of that State. (H.R. 8235, § 208(a); Cranston et al. amendment to S. 2711, 121 Cong. Rec. 21935-21941, December 12, 1975.)

Both bills would also invest the Secretary with a greater degree of discretion in considering whether the imposition of sanctions for failure to comply with a given standard is appropriate.

Given the fact that both bills contain sections dealing directly with this issue, it is almost certain that any final highway bill (if it is signed into law) will change substantially the current provisions of 23 U.S.C. 402(c). Normally, I would neither guess about Congressional sentiment nor attempt to draw inferences about likely future law—even in cases where the inference seems as clear as this one—and would instead proceed under those laws on the books at the time the decision in question is before me. But, again, this case is not that simple. For the bills containing the provisions to which I have just averted are the very same bills that contain the highway safety and construction authorizations whose apportionment I am being asked to withhold or reduce. It would be an overstatement to assert that there is no legal step I can take to sanction California and possibly Illinois; there is agreement that I could devise a sanction were I intent upon doing so.[1] But I would find it slightly bizarre to withhold funds that are to be provided under a given pending statute when that pending statute at the same time indicates that I am no to withhold funds under circumstances like this. I have therefore decided to exercise the discretion that courts have held I possess in this area (see Public Citizen v. Brinegar, Civil Action No. 74-1621, D.C.D.C., decided March 20, 1975) not to invoke the available sanctions at this time. In the unlikely event the authorizations are enacted and signed into law without the language that prevents me from requiring mandatory helmet laws to be adopted and enforced pursuant to a DOT safety standard, I shall then invoke sanctions against California and confront the more difficult question whether they should be invoked against Illinois.[2]

Issued on January 9, 1976.

WILLIAM T. COLEMAN, JR.,
Secretary.

[FR Doc.76-1095 Filed 1-9-76;8:45 am]

ADVISORY COMMITTEE ON AIRPORT SECURITY

Notice of Establishment

Notice is hereby given that the Advisory Committee on Airport Security is being established. The Secretary of Transportation is sponsor of the Committee, which consists of experts in the fields of aviation, security, and law enforcement drawn from Government agencies and the aviation industry. The Committee will make recommendations for the development and implementation of short- and long-term measures to protect airports, air navigation facilities, and aircraft against acts of terrorism, destruction, and violence.

The Secretary of Transportation has determined that formation and operation of the Advisory Committee on Airport Security are necessary in the public interest in connection with the performance of duties imposed on the Department of Transportation by law.

Issued in Washington, D.C., January 6, 1976.

WILLIAM T. COLEMAN, JR.,
Secretary of Transportation.

[FR Doc.76-750 Filed 1-9-76;8:45 am]

[1] Fiscal year 1977 federal-aid highway funds were in fact authorized by section 102 of the Federal-Aid Highway Act of 1973, Pub. L. 93-87, 87 Stat. 250, which amended section 108(b) of the Federal-Aid Highway Act of 1956 72 Stat. 374, as amended. That authorization will be reenacted (and perhaps increased) by the pending legislation because of the readjustment of the Federal fiscal year in section 501 the Congressional Budget Control and Impoundment Act of 1974, Pub. L. 93-344, 88 Stat. 297 at 321, amending section 237 of the Revised Statutes, 31 U.S.C. 120. By concurrent resolution of the Congress, the Department was recently authorized to apportion Interstate construction funds for fiscal year 1977. (S. Con. Res. 62, passed by Senate, 121 Cong. Rec. 15484-5, Sept. 8, 1975; concurred in by House, 121 Cong. Rec. 12655, Dec. 16, 1975) Rather than immediately reducing these apportionments to California and possibly to Illinois, I have directed that the necessary conditions be attached to the apportionments to allow me to defer that decision until the formal authorizing legislation is enacted. In addition, I will not now exercise my discretion to disapprove these States' Comprehensive Plans and Annual Work Programs, or specifically to condition my later approval on their enactment of appropriate legislation.

[2] Rather than prolong any funding uncertainty during the time required for Congress to reconvene and to consider the authorizing legislation, I have authorized the Administrators to approve the California and Illinois programs for the remainder of fiscal year 1976 and to release the necessary funds. (23 etao shrd cmfw vbgk vbgkq shrd cmf vbgkq U.S.C. 402(c); 23 CFR 1206)

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federal register

MONDAY, JANUARY 12, 1976



PART II:

FEDERAL ELECTION COMMISSION

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ADVISORY OPINIONS

Requests for Advisory Opinions

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FEDERAL ELECTION COMMISSION

[Notice 1976-1]

ADVISORY OPINIONS

The Federal Election Commission announces the publication today of Advisory Opinions 1975-33, 1975-61, and 1975-89. The Commission's opinions are in response to questions raised by individuals holding Federal office, candidates for Federal office and political committees, with respect to whether any specific transaction or activity by such individual, candidate, or political committee would constitute a violation of the Federal Election Campaign Act of 1971, as amended, or Chapters 95 or 96 of Title 26 United States Code, or of Sections 608, 610, 611, 613, 614, 615, 616, or 617 of Title 18 United States Code.

The Commission points out that these advisory opinions should be regarded as interim rulings which are subject to modification by future Commission regulations of general applicability. In the event that a holding in either opinion is altered by the Commission's regulations, the persons to whom the opinions were issued will be notified.

ADVISORY OPINION 1975-33

INTERPRETATION OF SPENDING LIMIT EXEMPTION FOR FUND-RAISING COSTS

The Federal Election Commission renders this advisory opinion under 2 U.S.C. § 437f in response to a request submitted by the Bentsen in '76 Committee, a political committee supporting the candidacy of Senator Lloyd Bentsen for nomination for election to the office of President of the United States. The request was made public by the Commission and published in the FEDERAL REGISTER on August 20, 1975 (40 FR 36533). Interested parties were given an opportunity to submit comments relating to the request. No comments were received.

The Bentsen in '76 Committee seeks an advisory opinion concerning the proper interpretation of the fund-raising exception to the definition of the term "expenditure," found in 18 U.S.C. § 591(f)(4)(H). The question posed is whether the prohibition in 18 U.S.C. § 608(c)(1)(A), which forbids a candidate for nomination to the office of President of the United States from spending more than twice the amount which a candidate for nomination to the office of Senator from that state may spend, requires that the twenty percent fundraising exception [18 U.S.C. § 591(f)(4)(H)] be prorated, state by state, with the effect that no candidate seeking the presidential nomination could spend, in any one state, an amount in excess of twice the Senatorial limit including the fund-raising exception.

Under 18 U.S.C. § 591(f)(4)(H) costs incurred by a candidate in soliciting contributions are excluded from the definition of "expenditures" until they exceed twenty percent of the candidate's § 608(c) limitations, at which point they count against that limit. 18 U.S.C. § 608(c)(1)(A) imposes a ten million dollar spending limit (plus a cost of living adjustment to be determined in 1976) on a candidate seeking presidential nomination. That section further stipulates that the aggregate of expenditures in any one state may not exceed twice the spending limit applicable in that state to a candidate seeking senatorial nomination.

It is the Commission's opinion that the latter limit on spending in a particular state is not an alternative overall limit, since if computed for all fifty states the total would far exceed the ten million dollar national limit. Rather, the statute prescribes one limit for candidates seeking presidential nomination and further requires that within that limit such candidates may not spend in any state more than twice the limit for a Senate candidate seeking nomination in such state.

Since the language of 18 U.S.C. § 591(f)(4)(H) refers specifically to "the expenditure limitation applicable to such candidate under (18 U.S.C. § 608(c)]," it is the Commission's opinion that such exemption is applicable only to the nationwide ten million dollar limit on candidates for the presidential nomination and need not be prorated state by state under the formula of "twice the expenditure limitation applicable in such State to a candidate for nomination" to the Senate. 18 U.S.C. § 608(c)(1)(A) and (C). Thus, a candidate for the presidential nomination may spend up to two million dollars for fundraising in any state or combination of states subject, of course, to the qualification that these expenses are attributable to fundraising and not to other campaign related expenses.

More specifically, it is the Commission's opinion that fundraising efforts which are not targeted for particular states and/or which do not occur within close proximity of the primary elections in the states where the solicitations are made are not required to be prorated and attributed on a state by state basis. As long as the funds are being raised for the candidate's overall, national campaign and are not made for the purpose of directly influencing particular state primaries, presidential candidates and committees need not allocate such efforts, even though they might incidentally affect the outcome of primaries in particular states.

However, in those instances where the fundraising efforts are aimed at particular states and are undertaken in those states within close proximity of upcoming primary elections the presumption is made that those efforts must be prorated and attributed to the candidate's primary efforts in those particular states. Allocation of such costs is necessary in order to maintain the integrity of the state by state expenditure limitations.

The above discussion notwithstanding, the Commission is of the opinion that the absence of a parallel exemption for fundraising expenses under the definition of contribution in 18 U.S.C. § 591(e) precludes an individual or political committee from absorbing any candidate's fundraising expenses under the guise of the fundraising exemption. Any such payment will be subject to the limitations set out in 18 U.S.C. § 608 (a) and (b) and to the prohibitions on national banks, corporations, labor organizations, and government contractors set out in 18 U.S.C. §§ 610 and 611. The Commission notes further that since there is also no parallel exemption for disclosure purposes [2 U.S.C. § 431 (e) and (f)], all amounts expended by a candidate or his/her authorized committee(s) for fundraising must be reported under 2 U.S.C. § 434 even though they may not necessarily be counted against the candidate's limit in 18 U.S.C. § 608(c).

This advisory opinion is issued on an interim basis pending promulgation by the Commission of rules and regulations or policy statements of general applicability.

NOTE: The foregoing opinion was adopted by the Commission by a 5 to 1 vote with Commissioner Tiernan voting against adoption. The dissenting opinion of Commissioner Tiernan is published as follows:

DISSENTING OPINION OF COMMISSIONER ROBERT O. TIERNAN TO ADVISORY OPINION 1975-33

"Rose is a rose is a rose is a rose." Advisory Opinions of the Federal Election Commission, on the other hand, have neither the beauty nor the self-definition of Ms. Stein's flower. Advisory opinions are meant to inform and give unambiguous guidance; the aesthetic qualities of AO 1975-33 notwithstanding, I am most concerned that this advisory opinion fails to make a clear statement upon which appropriate acts of voluntary compliance may be predicated. In order to offer some words of amplification, I dissent.

In Advisory Opinion 1975-33, the Commission has stated that the twenty percent fundraising exemption of 18 U.S.C. § 591(f)(4)(H) need not be prorated on a state by state basis as long as the funds are being raised for the candidate's overall, national campaign. I agree wholeheartedly with this position. However, the Commission has also stated that "in those instances where the fundraising efforts are aimed at particular states and are undertaken in those states within close proximity of upcoming primary elections, the presumption is made that those efforts must be prorated and attributed to the candidate's primary efforts in those particular states."

I also agree with this latter statement, but feel that the exception rests on the distinction between "fundraising" and "campaigning". This distinction must be more accurately described and the meaning of the term "within close proximity" more precisely drawn.

First, it is my view that where a candidate's effort is focused on one or more primary states—such as New Hampshire, Massachusetts, or the New England region—within 28 days of the presidential primary election, such efforts are not fundamentally "fundraising". Instead, such direct mailings, rallies, television and radio appeals, and the like, are primarily campaign efforts made for the purpose of influencing the results of a primary held for the selection of delegates to a national nominating convention or a political party or for the expression of a preference for the nomination of persons for election to the office of President of the United States. These expenditures should therefore be attributed to the candidate's primary effort.

Second, in the Commission's discussion of Advisory Opinion 1975-33 at their public meeting of December 23, 1975, reference was made to 39 U.S.C. § 3210(a)(5)(D) as a good rule of thumb for the meaning of "within close proximity" of upcoming primary elections. This section prohibits Members of Congress from sending out any mass mailings of newsletters or the like under the frank less than 28 days before a primary or general election. The presumption in this prohibition is that any mass mailings in this period would be for the purpose of influencing the election. In further discussion, the Commission indicated that any presidential candidate, who phoned or wrote the Commission requesting guidance as to the meaning of "within close proximity" in Advisory Opinion 1975-33, would be referred to 39 U.S.C. § 3210(a)(5)(D).

A letter or a phone inquiry should not be required to obtain such a reference and clarification of the meaning of "within close proximity." This advisory opinion should state that a good rule of thumb is that any mass mailings or the like aimed at particular primary states less than 28 days before the election are "within close proximity" of upcoming primary elections and therefore are attributable campaign expenditures.

ROBERT TIERNAN,
Commissioner for the Federal Election Commission.

ADVISORY OPINION 1975-61

SALARY EXPENDITURE ALLOCATIONS IN SIMULTANEOUS CANDIDACIES

This advisory opinion is rendered under 2 U.S.C. § 437f, in response to a request for an advisory opinion submitted by Robert N. Thomson, Counsel, Bentsen in '76, and published in the September 18, 1975, FEDERAL REGISTER (40 FR 43167). Interested parties were given an opportunity to submit written comments pertaining to the request, but none were received.

The requesting party seeks an advisory opinion indicating whether there are specific accounting methods which must be used to make a fair salary allocation where one individual may be performing tasks for a candidate who is simultaneously seeking nomination for the offices of U.S. Senator and President.

The Commission is of the opinion that the two separate campaign committees may adopt any accounting method which will yield an allocation which reflects the actual billable time spent by the individual on each of the campaigns.

This advisory opinion is issued on an interim basis pending final promulgation by the Commission of rules and regulations or policy statements of general applicability.

ADVISORY OPINION 1975-89

TREATMENT OF HONORARIUMS EARNED THOUGH NOT YET RECEIVED

This advisory opinion is rendered under 2 U.S.C. § 437f in response to a request for an advisory opinion which was submitted by Congressman Mike McCormack, which was published as AOR 1975-89 in the November 4, 1975, FEDERAL REGISTER (40 FR 51356). Interested parties were given an opportunity to submit written comments relating to the request. No comments were received.

The request generally asks whether under 18 U.S.C. § 616, an hororarium is accepted by a Federal officer or employee on the date the honorarium is earned or on the date the honorarium is received. This request for clarification was made in particular with reference to the portion of 18 U.S.C. § 616 which provides:

"Whoever, while an elected or appointed officer or employee of any branch of the Federal Government—* * *

(2) accepts honorariums * * * aggregating more than $15,000 in any calendar year;

shall be fined not less than $1,000 nor more than $5,000."

This provision clearly limits the aggregate of honoraria which may be accepted in any calendar year for an appearance, speech, or article. The question then arises as to when an honorarium is considered accepted for purposes of the calendar year limitations provided in 18 U.S.C. § 616. It is the opinion of the Commission that, regardless of when the honorarium is acutally received by the Federal officer or employee, it shall be treated as accepted for purposes of the $15,000 aggregate limitations, in the calendar year when the officer or employee has completed the appearance, speech, or article for which the obligation or promise (whether or not legally enforceable) to pay an honorarium arose.

This conclusion is based upon use of the statutory term "accepts," rather than receives, which former term contemplates an accrual approach to honorariums. Under the accrual concept, as it has developed under the Federal tax laws, the year when an honorarium is regarded as accepted is the year when it is realized, even if it is not then actually received. Thus it is the right to receive and not the actual receipt that determines when the honorarium is accepted. When the right to receive an honorarium becomes fixed, the honorarium is accepted. Accordingly, an honorarium is to be considered as accepted in one calendar year when there is justification for a reasonable expectation that the honorarium will be paid in due course, even if in a subsequent year.

This rule for determining when an honorarium is accepted clearly accords with the Commission's conclusion in AO 1975-93.[1] In AO 1975-93, the Commission held that an honorarium of $2,000 which was promised for a speech made in 1974, could be received in 1975 without violating the limitations of 18 U.S.C. § 616 since "had she [the Federal officer] been paid in 1974, it would not have come within the restrictions of § 616."[2]

This advisory opinion is issued only on an interim basis, pending the promulgation by the Commission of rules and regulations, or policy statements, of general applicability.

Dated: January 5, 1976.

NEIL STAEBLER,
Vice Chairman for the Federal Election Commission.

[FR Doc.76-571 Filed 1-9-76;8:45 am]

[1] 40 FR 58394, December 18, 1975.

[2] Supra. Consideration should also be given to AO 1975-8, 40 FR 27646 (August 21, 1975) in which the Commission discussed "what action by a Member of Congress constitutes acceptance of an honorarium."

[Notice 1976-2, AOR 1975-125 and 1975-127-130 and 1975-132-133]

ADVISORY OPINION REQUESTS

In accordance with the procedures set forth in the Commission's Notice 1975-4, published on June 24, 1975 (40 FR 26660), Advisory Opinion Request 1975-125 and 1975-127-130 and 1975-132-133 are published today.

Interested persons wishing to comment on the subject matter of any Advisory Opinion Request may submit written views with respect to such requests on or before January 27, 1976. Such submission should be sent to the Federal Election Commission, Office of General Counsel, Advisory Opinion Section, 1325 K Street, NW., Washington, D.C., 20463. Persons requiring additional time in which to respond to any Advisory Opinion Request will normally be granted such time upon written request to the Commission. All timely comments received by the Commission will be considered by the Commission before it issues an advisory opinion. The Commission recommends that comments on pending Advisory Opinion Requests refer to specific AOR number of the Request commented upon, and that statutory references be to the United States Code citations, rather than to the Public Law Citations.

The Commission will continue to publish Advisory Opinion Requests carrying the designation 1975 in cases where the Commission received the request in 1975. Requests received by the Commission in 1976 will be prefaced with a reference to that year. Advisory Opinions issued in response to a particular request will continue to bear the number assigned to the original request.

AOR 1975-126: Establishment and Operation of a Political Action Committee (Request Edited by the Commission)

DEAR COMMISSIONERS: This is a request for an advisory opinion made on behalf of a political action committee, Union Camp PAC (the "PAC"), pursuant to Section 437f of Title 2 of the United States Code [as to the legality of the PAC's proposed activities.]

The PAC was established by Union Camp Corporation ("Union Camp") pursuant to Sections 610 and 611 of Title 18 of the United States Code as a separate segregated fund and Union Camp intends to maintain it as such. Union Camp will defray the costs and expenses incurred in the establishment and administration of, and the solicitation of contributions to the PAC. In this regard, Union Camp has contributed and intends to continue to contribute services to the PAC including, but not limited to, accounting, clerical and legal. Furthermore, Union Camp does not believe it necessary to report such services as contributions by Union Camp to the PAC.

* * * [A copy of the proposed Union Camp PAC By-Laws is on file with the Federal Election Commission.]

The PAC is an unincorporated association. The contributors to it, other than its officers and members of the Contributions Committee, will not be members of the PAC. No person will have any property rights in regard to the PAC or its assets.

The offices of the PAC are those of Chairman, Treasurer and Secretary. The PAC also has a Contributions Committee composed of

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the Chairman, Treasurer and such other members as may be appointed to such Committee by the Chairman from time to time. The Contributions Committee is empowered to set basic policies with respect to expenditures to be made by the PAC, and to direct disbursements to any specific candidates or political committees. The Chairman, subject to such basic policies and to any specific directions of the Contributions Committee shall determine the candidates and political committees that the PAC shall support and the amount of all expenditures and disbursements by the PAC.

In selecting candidates and political committees to receive distributions, the Contributions Committee and the Chairman will be guided by the purposes set forth in Article IV of the By-Laws * * *

Present plans are for the PAC initially to solicit contributions from salaried employees of Union Camp and certain of its domestic subsidiaries who are not foreign nationals within the definition of 18 U.S.C. § 613. Unsolicited contributions may be accepted from stockholders of Union Camp.

It is anticipated that initially solicitation of contributions to the PAC will be made at group meetings of employees who are being solicited, several of which have already been held.

Contributions will be solicited on a voluntary basis only, and monies shall not be solicited or secured by physical force, job discrimination, or financial reprisal, or threat thereof, or as a condition of employment, or obtained in any commercial transaction.

Contributions will be permitted by means of check or payroll deduction only. Contributions to the PAC will be maintained in one or more bank accounts separate from the accounts of Union Camp. The account may bear interest. Only the Chairman and Treasurer of the PAC and their duly designated agents will be able to draw on the account.

The PAC will be used to support, primarily, candidates for Federal offices and committees supporting such candidates, but will also support candidates for state and local offices, if permitted by applicable state and local laws.

The PAC has been registered with the Commission as a political committee and will maintain the records and file the reports required under Federal law and applicable regulations.

* * * * *

ROBERT F. MCANALY
Associate Counsel.

Source: Robert F. McAnaly, Associate Counsel, Union Camp Inc., 1900 Valley Road, Wayne, New Jersey 07470 (December 1, 1975).

AOR 1975–127: Placement of Non-Campaign Related Advertising in Organization Publications (Request Edited by the Commission)

DEAR CHAIRMAN CURTIS:

* * * * *

The basic situation involved in this question is the placing of personal (non-campaign) ads in one-time organization publications. For example: "Congratulations from Ed Patten" and "Best wishes from Congressman and Mrs. Edward Patten." Publications would primarily include annual association award programs or dinner programs.

If such ads were placed in a publication during a non-election period while I am not a candidate and no funds are being collected nor spent by me or in my behalf for campaign purposes, are there any restrictions placed on such ads or should they be reported as political in nature? The ads would be paid for solely with personal funds.

If the above ads were published in a publication during an election period while I am a candidate, would there be any restrictions placed on the ads and would they have to be reported according to the act? The ads would be paid for with personal funds.

Thirdly, I would assume that if I placed such ads during campaign periods and paid for them with campaign funds, I would therefore have to report it as a political advertisement. Am I correct?

* * * * *

EDWARD J. PATTEN.

Source: Congressman Edward J. Patten, 2332 Rayburn House Office Building, Washington, D.C. 20515 (December 11, 1975).

AOR 1975–128: Funds That May Be Used for Solicitation by a Political Action Committee (Request Edited by the Commission)

DEAR CHAIRMAN CURTIS: Last year our Association established the American Book Publishers Political Action Committee.

I would like to inquire if it would be permissible to use our Association funds or solicit corporate funds from our membership to pay for an advertisement. Specifically what I have in mind is to buy an ad in *Publishers Weekly*, the trade journal for book publishers, explaining our PAC and soliciting individual contributions from the readership.

* * * * *

DIANE RENNERT.

Source: Diane Rennert, American Book Publishers Political Action Committee, Suite 750, 1920 L Street, N.W., Washington, D.C. 20036 (December 11, 1975).

AOR 1975–129: Acceptance of Maximum Individual Contributions by A Non-Major Political Party (Request Edited by the Commission)

DEAR COMMISSIONERS: On behalf of the National Committee of the Libertarian Party (hereinafter, the "LNC"), we request an Advisory Opinion pursuant to 2 U.S.C. § 437f (a) concerning the applicability of 18 U.S.C. § 608(b) to certain contributions by individuals, described below, to the Party.

The LNC believes that it is entitled to receive contributions from individuals in amounts up to and including $25,000 per individual per calendar year, so long as the LNC in soliciting and accepting such contributions and the potential donor in making them have no agreement of any sort that the funds contributed are to be directed toward supporting the candidacy or candidacies for Federal office of a specific individual or individuals. The LNC requests an Advisory Opinion confirming this interpretation of 18 U.S.C. § 608(b).

[There follows an analysis of the Commission's previously issued advisory opinions which the attorneys for the Libertarian Party advocate as being applicable to this activity by the political committee.] * * *

* * * * *

The LNC believes that, if Advisory Opinions 1975–4 and 1975–74 are correct, then it too is entitled as a matter of law to receive unearmarked contributions from individuals in amounts not exceeding $25,000 per year. There are several readily apparent reasons why this conclusion is required.

First, there is nothing in the statute or in the legislative history so far as we know that would permit the Commission on a principled basis to distinguish between major and non-major parties for purposes of the $25,000 aggregate contribution limitation.

Second, the Court of Appeals for the District of Columbia Circuit, in upholding the constitutionality of the expenditure and contribution limits, noted that "* * * we are not concerned with a ban on political activity, but with a limitation on amount, *without any discrimination based on party or orientation of speech or activity.*" *Buckley v. Valeo*, 519 F. 2d 821, 834 (1976), *prob. juris. noted*, 44 U.S.L.W. 3178 (Oct. 7, 1975) (emphasis added).

Third, although the LNC's activities are not yet on the scale of those of the RNC [Republican National Committee] or DNC [Democratic National Committee], they are such as to entitle the party to accept and utilize unearmarked contributions up to the statutory limits. The Libertarian Party has nominated Presidential and Vice Presidential candidates, and in 1976 will run at least one hundred candidates for the Senate and House of Representatives in over thirty States.

Fourth, like the RNC and the DNC, the LNC engages in numerous activities not directly designed to influence the outcomes of specific elections. It supports voter-registration and "get-out-the-vote" drives; it provides speakers, organizes volunteer workers, and publicizes issues of importance to the Party and its adherents. See S. Rep. 93–689, 93d Cong., 2d Sess., 9 (1974). The LNC assists its local affiliates by providing information on the conduct of practical politics and by doing research, the results of which are made available to all Party members.

Moreover, the Libertarian Party had a distinctive philosophy for which its adherents attempt to proselytize as widely as possible. * * * The Libertarian Party cannot compete effectively with the two major parties until its philosophy becomes more widely known; its philosophy cannot become more widely known unless it engages in significant dissemination of its ideas and positions; it cannot engage in such dissemination unless it can raise and spend money on the basis of legal equality with the two major parties.

* * * * *

Assuming that the Commission does advise the LNC that it may accept unearmarked $25,000 contributions from individuals, a subsidiary question arises. The LNC expects to receive at least one and possibly several such contributions in December 1975. These contributions will be placed in escrow accounts pending a Commission decision on the foregoing Advisory Opinion Request. The money in these escrow accounts is irrevocably committed to the LNC, and it will be paid automatically when the Commission adopts a favorable Advisory Opinion. The LNC believes, and asks the Commission to confirm in accordance with AO 1975–74, supra, that such contributions are in fact received by the LNC in 1975, and do not therefore count toward the respective contributors' 1976 aggregate contribution ceiling.

* * * * *

BRICE M. CLAGETT.
JOHN R. BOLTON.

Source: Brice M. Clagett and John R. Bolton, Attorneys for the Libertarian Party, 888 Sixteenth Street, NW., Washington, D.C. 20006 (December 15, 1975).

AOR 1975–130: Treatment of a Political Dinner Which Is Paid for Separately from Any Contributions That Are Made (Request Edited by the Commission)

DEAR MR. CURTIS:

* * * * *

The committee organized to support my campaign gives a dinner at a hotel. Those attending the dinner are asked to make a contribution of $50 to my committee, and are asked to include a check for $30, made out to the hotel to cover the cost of the dinner. My committee forwards all checks to the hotel, none of that money goes through the books of the committee. The committee pays for all mailings, postage, telephone and related expenses such as a band.

Under this set of circumstances, would the money which goes to the hotel be counted against my fund raising limits of 20%?

JAMES H. SCHEUER.

Source: Congressman James H. Scheuer, 2438 Rayburn House Office Building, Washington, D.C. 20515 (December 2, 1975).

AOR 1975–132: Requested Review of Previous Advisory Opinion or Payment of Computer Tabulation Costs (Request Edited by the Commission)

DEAR [COMMISSIONERS]: On behalf of the National Republican Congressional Committee (NRCC), I hereby request a supplementary advisory opinion to Advisory Opinion 1975–3. In that opinion, the Federal Election Commission ruled that a certain NRCC activity would be subject to limitation under 18 U.S.C. § 608; to wit, the payment of computer tabulation costs to a Member of Congress who has sent a questionnaire under the frank. The Commission stated that this decision was based in large part on "proposed regulations providing that the cited definitions apply to these activities and that they are therefore subject to limitation under 18 U.S.C. § 608."

This reference is apparently to FEC Notice 1975–18, a proposed regulation dealing with office accounts. Since the issuance of AO 1975–3, this proposed regulation has been substantially amended. Therefore, the NRCC respectfully requests that the Commission re-examine AO 1975–3 in light of these revisions to the office account regulation. Furthermore, the NRCC requests that the Commission withdraw AO 1975–3 until such time as the proposed regulation has either passed the 30 legislative days period necessary for prescription of an FEC regulation (2 U.S.C. § 438(c)) or until Congress has passed a resolution of approval in each House, whichever comes first.

JAN W. BARAN.

Source: Jan W. Barran, Legal Counsel, National Republication Congressional Committee, 512 House Office Building Annex Washington, D.C. 20515 (October 6, 1975).

AOR 1975–133: Expenditure of Excess Campaign Funds From A Trust Account (Request Edited by the Commission)

DEAR MR. CHAIRMAN: After the 1970 Senatorial Campaign, I found that I had a surplus of funds left in my major campaign committee * * * [on the advice of the appropriate Senate officers] my principal campaign committee did transfer the funds to a Certified Public Accountant as Trustee for me as beneficial owner. Since that time, a strict accounting has been maintained by him and fiduciary income returns have been made and taxes paid.

The question that now arises is: are the funds subject to the $35,000.00 limit that an individual can spend? I, of course, have not taken personal possession of the funds. Under trust law, I am an equitable owner as beneficiary. Since I have never taken full legal title to the funds it would seem that the Trustee should not be limited to the expenditure of $35,000.00 on my behalf. Since the fund has more than $35,000.00, I would like to know with certainty that the Trustee could release more than $35,000.00 for use in my 1976 campaign.

* * * * *

QUENTIN N. BURDICK.

Source: Honorable Quentin N. Burdick, United States Senate, Washington, D.C. 20510 (December 18, 1975).

Dated: January 5, 1976.

NEIL STAEBLER,
Vice Chairman for the Federal Election Commission.

[FR Doc.76–572 Filed 1–9–76;8:45 am]

[Notice 1976–3, AOR 1976–1]

ADVISORY OPINION REQUEST

In accordance with the procedures set forth in the Commission's Notice 1975–4, published on June 24, 1975 (40 FR 26660), Advisory Opinion Request 1976–1 is published today.

Interested persons wishing to comment on the subject matter of any Advisory Opinion Request may submit written views with respect to such requests on or before January 27, 1976. Such submission should be sent to the Federal Election Commission, Office of General Counsel, Advisory Opinion Section, 1325 K Street, NW., Washington, D.C. 20463. Persons requiring additional time in which to respond to any Advisory Opinion Request will normally be granted such time upon written request to the Commission. All timely comments received by the Commission will be considered by the Commission before it issues an advisory opinion. The Commission recommends that comments on pending Advisory Opinion Requests refer to specific AOR number of the Request commented upon, and that statutory references be to the United States Code citations, rather than to the Public Law Citations.

AOR 1976–1: Application of 18 U.S.C. § 610 and the Federal Election Campaign Act of 1971, as amended, to Host Committee for 1976 Democratic National Convention (Request Edited by the Commission)

GENTLEMEN: I am writing to you on behalf of the Citizens Committee For The Democratic National Convention, Inc., a not-for-profit corporation formed pursuant to the New York Not-For-Profit Corporation Law (hereinafter referred to as the "Citizens Committee").

The Citizens Committee has been formed to act as a host committee for the 1976 Democratic National Convention pursuant to designation by the Mayor of The City of New York.

The Citizens Committee's Certificate of Incorporation, a copy of which is attached hereto (Enclosure A),** provides for the following corporate purposes:

"(a) To act as a non-partisan host committee to delegates, alternates, members of the press and others attending the 1976 Democratic National Convention in The City of New York so as to enhance the image and reputation of The City of New York as a center for the holding of conventions and meetings of all kinds and as a destination for tourists, thereby benefiting the people and economy of The City of New York;

"(b) To conduct receptions, welcoming parties and informational meetings to carry out the purposes of Paragraph "a" above;

"(c) To publish informational booklets, guides and other materials to carry out the purposes of Paragraph "a" above;

"(d) To coordinate the policies and practices of hotels, restaurants and other retail business firms with regard to the 1976 Democratic National Convention so as to further encourage individuals and groups to hold future conventions and meetings in The City of New York."

The Certificate also provides that:

"(4) (a) No part of assets, income or profit the Corporation shall be distributable to or enure to the benefit of its members, directors, officers or any private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation affecting one or more of its purposes).

"(b) No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in any political campaign on behalf of any candidate for public office, any candidate for nomination for public office or any political party.

"(c) No part of the assets, income or profit of the Corporation shall be used or expended to meet or satisfy any of the contractual obligations of The City of New York to the Democratic National Committee with regard to the 1976 Democratic National Convention.

"(d) Upon the dissolution of the Corporation or the winding up of its affairs, the assets of the Corporation shall be distributed exclusively to not-for-profit corporations whose purpose is the development of the economy of The City of New York."

The Citizens Committee will act as the representative of the people and business community of New York City to the delegates, alternates, members of the press and others attending the 1976 Democratic National Convention. It plans to organize receptions, informational meetings about New York City, special events in retail stores and restaurants and similar activities for the press and others, thereby welcoming those attending the Convention. The Citizens Committee is contemplating the publication of guides, informational booklets and similar materials with a view to introducing the City to its visitors during the Convention period. It may also act as a coordinating office with regard to the various business services that will be used by visitors to the City during the Convention, e.g. the taxi industry, public garages, tour buses and restaurants.

The Citizens Committee will not assume any of the contractual obligations of the City of New York to the Democratic National Committee with regard to the Convention. As stated above, it is barred from so doing by the provisions of its Certificate of Incorporation.

The Citizens Committee plans to seek donations for its activities from corporations which are engaged, at the local retail level, in the business of supplying consumer goods and services to the public, such as, hotels, resturants and retail stores. Such donations, it is expected, would not be disproportionate to such corporations' expectation of a reasonable economic return during the life of the Convention. For example, the Citizens Committee plans to seek donations from each

**The certificate is available at the Commission for inspection and copying.

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hotel in New York City which has committed rooms to the Convention, based upon the number of rooms committed. Enclosed for your information is a copy of a resolution in this regard adopted by the Board of Directors of the Hotel Association of New York City, Inc. (Enclosure B).

In addition, and in view of the Citizens Committee's stated purpose of encouraging future tourism and conventions in New York City so as to benefit the economy of the City, the Citizens Committee proposes to seek donations from corporations engaged in activities in New York City other than at the local retail level. The Citizens Committee believes that such business concerns would share in the economic benefits which would accrue to New York City as a result of its enhanced reputation as a tourist and convention center. Such donations might consist of funds or donations in kind, e.g. office space for the Citizens Committee and/or space for non-official receptions and other activities for those visiting New York City during the 1976 Convention.

The Citizens Committee has reviewed the Advisory Opinions of the Commission, specifically AO 1975–1 and AO 1975–47, as well as the Proposed Disclosure Regulations in connection with Federal Campaign Funds, as they appeared in the Federal Register of September 29, 1975 (Vol. 40, No. 189).

It appears to the Citizens Committee that the activities contemplated by it do not fall within the activities listed as items (1) through (6) in AO 1975–1. The Citizens Committee's activities, at most, might be considered to fall within the general language of item (7) of AO 1975–1, and if so, under AO 1975–47, corporate donations to the Citizens Committee would not constitute a violation of 18 U.S.C. 610. However, since it appears that the planned activities of the Citizens Committee may be outside the scope of item (7), various prospective donors have requested that the Citizens Committee seek the opinion of the Commission as to whether corporate donations to the Citizens Committee would constitute a violation of 18 U.S.C. 610.

A question has also arisen with regard to the obligation of the Citizens Committee, under Part 109 of the Proposed Disclosure Regulations, to file reports with the Commission.

While the Citizens Committee might be considered to represent the people and business community of New York City to those attending the Convention, it will not be the official representative of either the State of New York or any of is political subdivisions (§ 109.1(a)). It is contemplated that representatives of the Citizens Committee will meet with officials of the 1976 Democratic National Convention to explain and coordinate the Citizens Committee's activities during the Convention (§ 109.1(a)(2)). However, this alone would not invoke the reporting requirement in the absence of the expenditure of funds in connection with a convention (§ 109.1(b)).

It does not appear that the Citizens Committee will expend "any funds in connection with a convention" as that phrase is defined in § 109.5 of the Proposed Disclosure Regulations. The Citizens Committee does not contemplate undertaking any of the activities listed in subsections (a) through (e) and (g) of § 109.5. Also, it is not expected that the Citizens Committee will undertake any entertainment activities which will be part of the "official convention activity", referred to in subsection (f) of § 109.5. However, the activities and events of the Citizens Committee may be listed in the programs, schedules and/or brochures published by the Democratic National Convention or by The City of New York for the information of delegates, alternates, members of the press and others attending the Convention.

In view of the foregoing, the Citizens Committee requests the opinion of the Commission that:

(1) Donations to the Citizens Committee, for its activities as described hereinabove, by corporations engaged at the retail level in the business of supplying consumer goods or services to the public in New York City would not constitute a violation of 18 U.S.C. 610.

(2) Donations of funds, services, or office or other space to the Citizens Committee, for its activities as described hereinabove, by corporations located in New York City, but not engaged at the retail level in the business of supplying consumer goods or services to the public, would not constitute a violation of 18 U.S.C. 610.

(3) The Citizens Committee is not required to file statements with the Federal Election Commission, pursuant to Part 109 of the Proposed Disclosure Regulations, in connection with its activities as described hereinabove.

Since it will be necessary for the Citizens Committee to commence its organizing and fund-raising activities during the month of January, 1976, we respectfully request the earliest possible advice from the Commission.

SANFORD FREEDMAN.

Source: Sanford Freedman, Esquire, Citizens Committee for the Democratic National Convention, Inc., 666 Fifth Avenue, New York, New York 10019 (December 26, 1975).

Dated: January 6, 1976.

NEIL STAEBLER,
Vice Chairman for the Federal Election Commission.

[FR Doc.76–745 Filed 1–9–76;8:45 am]

federal register

MONDAY, JANUARY 12, 1976

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PART III:

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

RECOMMENDATIONS OF THE ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Miscellaneous Amendments

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Title 1—General Provisions

CHAPTER III—ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

PART 305—RECOMMENDATIONS OF THE ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Miscellaneous Amendments

The Administrative Conference of the United States was established by the Administrative Conference Act, 5 U.S.C. 571–576, to study the efficiency, adequacy and fairness of the administrative procedure used by administrative agencies in carrying out administrative programs, and to make recommendations for improvement to administrative agencies, collectively or individually, to the President, Congress, and the Judicial Conference of the United States (5 U.S.C. 574(1)).

The Administrative Conference of the United States at its Thirteenth Plenary Session, held December 11–12, 1975, adopted six recommendations regarding the procedures of the Internal Revenue Service in administering the tax laws. Each recommendation contains a series of proposals for improved procedures with respect to a discrete area of tax administration.

1. The table of contents of Part 305 of Title 1, Chapter III, CFR is amended to add the following sections:

Sec.
305.75–5 Internal Revenue Service Procedures: The Audit and Settlement Processes (Recommendation No. 75–5).
305.75–6 Internal Revenue Service Procedures: Collection of Delinquent Taxes (Recommendation No. 75–6).
305.75–7 Internal Revenue Service Procedures: Civil Penalties (Recommendation No. 75–7).
305.75–8 Internal Revenue Service Procedures: Tax Return Confidentiality (Recommendation No. 75–8).
305.75–9 Internal Revenue Service Procedures: Taxpayer Services and Complaints (Recommendation No. 75–9).
305.75–10 Internal Revenue Service Procedures: The IRS Summons Power (Recommendation No. 75–10).

2. Section 305.75–5 is added to Part 305 to read as follows:

§ 305.75–5 Internal Revenue Service Procedures: The Audit and Settlement Processes (Recommendation No. 75–5).

(a) *Individual Agent's Requisition of Returns for Audit.* (1) The Internal Revenue Service should amend its procedures whereby an examining officer requisitions a tax return for the purpose of audit. The procedures should assure that the examining officer will make an adequate written explanation of his need to have the file, and that such explanation accompany the requisition and be reviewed by the requesting officer's Group Manager. For returns that are requisitioned for reasons so routine as to make detailed written explanation unnecessary, however, a code number designating the reason for selection in each case should suffice. The categories of routine reasons for requisition should be specifically and narrowly defined in the Internal Revenue Manual.

(b) *Notification of Reasons for Selection for Audit.* (1) Each individual taxpayer should be given, at the time he is notified of the selection of his return for audit, a brief written statement of the selection program or other criterion on the basis of which his return was selected for audit. To the extent feasible, the selection of returns for audit should be made pursuant to programs and criteria established in advance.

(2) The Internal Revenue Service should annually publish statistics, by income level, showing the number of returns examined, the results of the examinations, and other pertinent information, for each of its selection programs and criteria.

(c) *Repetitive Audits.* The Internal Revenue Service should establish the following procedures to be observed with respect to an individual who has undergone one or more audits with respect to the three preceding taxable years resulting in no change or only small change in his tax liability.

(1) The district office's Returns Program Manager should not assign that individual's return to an audit group unless it is accompanied by an adequate file reflecting such recent audit experience.

(2) Before contacting the taxpayer, the Group Manager and the examining officer should carefully review the current return in light of the taxpayer's past audit history to determine whether the issues presented by the current return are similar to those of prior audits. If they are, the current year's return should not be further examined unless there is compelling reason to believe that a substantial tax change will result.

(3) When it is decided that the return should be further examined, then, before the examining officer commences his review of the taxpayer's books and records, the taxpayer should be informed in writing that he may inquire about the necessity for this repetitive audit. Taxpayer Compliance Measurement Program (TCMP) audits should not be subject to the foregoing procedures.

(d) *Review of Audit Selection.* The Internal Revenue Service should carry out a systematic ongoing evaluation of its selection of taxpayers' returns for audit. It should at a minimum maintain procedures whereby the reasons for audit selection, as indicated by Service personnel on Forms 1247 (Examination Record) or 4298 (Audit Requisition and Information Report), can be verified for appropriateness and accuracy. The procedures established should be sufficient to enable the Joint Committee on Internal Revenue Taxation or other Congressional oversight body to obtain listings of all or a specified portion of the returns selected for audit, identified by any of the following characteristics: taxpayer name and identification number; return document locator number; specific (coded) reason for selection; year for which return was filed; date of audit selection; and date of audit completion.

(e) *Staffing for TCMP Audits.* To minimize the time of taxpayers and of Service personnel devoted to the income tax aspects of the Taxpayer Compliance Measurement Program (TCMP), the Internal Revenue Service should select from among its most capable and experienced Revenue Agents and Tax Auditors the personnel to conduct TCMP income tax audits and related research projects.

(f) *Advice to Taxpayers Regarding Retention of Records.* The Internal Revenue Service should annually endeavor to inform each taxpayer (a) that an audit of his return, should there be one, will not likely commence for some period of time after the return has been filed; (b) that the taxpayer should retain, for use in case of audit, a copy of his return and all records which support the return for at least three years following the time fixed by law for its filing; and (c) that his receipt of a refund, based on the calculations in the tax return, does not preclude audit of that return at a later time. This recommendation could be fulfilled, for example, by presenting such information prominently in the Commissioner's annual message or elsewhere in the instruction materials accompanying the forms mailed to taxpayers.

(g) *Measurement and Promotion of Voluntary Compliance.* The Internal Revenue Service should seek funds from the Congress to undertake studies to evaluate the effectiveness of methods to measure and promote voluntary compliance with the tax laws of the United States. Such inquiries should include consideration of return selection methods, audit procedures, collection procedures, programs for the education of taxpayers, and taxpayer assistance services.

(h) *Analysis of Recovery Experience.* The Internal Revenue Service should periodically publish a comparative study, for each taxpayer class, of a representative sample of District and Appellate Conference settlements involving the most commonly controverted issues. The study should include comparison and analysis of the recovery ratio (i.e., the ratio of the amount of deficiency agreed upon by the parties to the amount of deficiency originally recommended by the examining officer), with reference to the factors of (a) amounts of tax involved, (b) whether or not the taxpayers were represented, and (c) patterns of geographic variation.

3. Section 305.75–6 is added to Part 305 to read as follows:

§ 305.75–6 Internal Revenue Service Procedures: Collection of Delinquent Taxes (Recommendation No. 75–6).

(a) *Notices Mailed to Delinquent Taxpayers.* The Internal Revenue Service should revise its methods of notifying taxpayers of the application of forcible collection powers to collect delinquent accounts.

(1) The Service should experiment with sending its Final Notice Before Seizure by certified mail, return receipt requested, before forcible collection action is initiated.

(2) The Final Notice Before Seizure should be revised to indicate that forcible action may be taken at any time after the expiration of ten days from date of the Notice and to emphasize that such action may thereafter be taken without further notice to the taxpayer.

(3) If no levy or seizure action is initiated after an unusually long interval, such as 120 days, after the date of a Final Notice Before Seizure, the District Office should undertake additional actual notification to the taxpayer that levy or seizure will follow promptly, but not sooner than ten days thereafter. Such additional notification should be attempted by telephone or personal contact, and if no contact is established, by certified mail, return receipt requested.

(b) *Income Tax Liens.* (1) In connection with the recording or filing of income tax liens, the Internal Revenue Service should establish and promulgate in the Internal Revenue Manual:

(i) Factors to be considered in determining whether such liens are to be recorded or filed;

(ii) Procedures to ensure, to the extent feasible, that the taxpayer is notified of the recording or filing of such lien against his property; and

(iii) Procedures to ensure, without the necessity of application by the taxpayer, that upon payment or satisfaction of a delinquent account, a release of such lien is properly recorded or filed in all places where notice of such lien was recorded or filed.

(c) *Levies on Liquid Assets.* (1) The Internal Revenue Service should establish and promulgate in the Internal Revenue Manual affirmative and specific guidelines for resort to levies on liquid assets (in addition to specifying, as it now does, when these powers should not be used) in order to achieve fair and even-handed application thereof. In formulating such guidelines, the Service should by illustration seek to specify the circumstances in which the debtor is provided a "reasonable" opportunity to pay the tax and which constitute "judicious" use of the levy powers.

(2) In order to reduce the possibility of undue or unanticipated hardship to delinquent taxpayers against whom salary or wage levies are imposed, legislation should be enacted to exempt from levy a minimum amount of the taxpayer's salary or wages, such amount to be based in part upon the number of dependents of the taxpayer. Such legislation should also provide that a levy on salary or wages of a taxpayer be continuous from the date the levy is first made until the tax liability with respect to which it is made is satisfied or becomes unenforceable because of the lapse of time.

(d) *Seizures and Sales of Non-Liquid Assets.* (1) The Internal Revenue Service should establish the following procedures to ensure that the taxpayer is injured as little as possible by the seizure and sale of non-liquid assets, consistent with collection of the delinquent taxes:

(i) Withdrawal from Revenue Officers and delegation only to Group Managers of the authority to determine that seizure will be imposed;

(ii) Determination by the Group Manager, prior to imposition of the seizure, that the proceeds of sale of the seized assets will exceed the anticipated expenses of sale;

(iii) Return to the taxpayer of any item of property as to which a determination can reasonably be made that the minimum sale price is unlikely to exceed the Service's expenses of seizure and sale.

(2) To provide qualitative information concerning seizures and sales of non-liquid assets, the Internal Revenue Service should from time to time collect, tabulate, and analyze data on:

(i) The number of seizures, as it now does;

(ii) The number of sales;

(iii) The gross proceeds from sales;

(iv) The funds applied in reduction of tax liabilities;

(v) Personnel and other overhead costs incurred by the Service in the seizure and sale proceedings;

(vi) The number of releases back to the taxpayer of seized property; and

(vii) The reasons for such releases.

(e) *Undue Hardship.* The Internal Revenue Service should continue to exempt from levy or seizure those taxpayers to whom undue hardship would result from such activity. However, the Service should establish and promulgate more specific criteria and procedures to make the application of the undue hardship principle more uniform. These should include:

(1) A listing of criteria for exempting funds sufficient for the purchase of common necessaries of life for the taxpayer and his dependents, including food, housing, transportation, and clothing;

(2) Clear advise as to what information and documentation is needed for the Service to make the determination of hardship; and

(3) Sufficient time and opportunity for the taxpayer to obtain the information and documentation necessary to complete and support the financial statement on which the determination will be based.

(f) *Installment Payments of Delinquent Taxes.* The Internal Revenue Service should establish and promulgate in the Internal Revenue Manual procedures to enable taxpayers to pay their delinquent accounts in installments in appropriate circumstances. The Service should endeavor to ensure that the monthly sum of installment payments required of the taxpayer towards liquidation of his delinquent account does not exceed the amount of the taxpayer's monthly take-home income less his monthly expenses for common necessaries of life. The Service should keep line personnel advised of the minimum acceptable installment in order that the costs to the Service from processing any such payments do not exceed the sum of any such payment. No payment agreement should be rejected solely because of the length of time it would require to satisfy the debt; however, waiver or extension of the statute of limitations for collection should be obtained if the time needed for payment will extend beyond the limitations period, and the agreement should be subject to at least annual review and adjustment to reflect changes, if any, in the taxpayer's ability to liquidate the unpaid delinquency. Finally, the Service should discontinue any reference to agreements for payment of delinquent taxes in periodic installments as "part payment" agreements because such terminology fosters the mistaken impression that a portion of the tax debt has been forgiven. The idiom of "part payment agreement" should be supplanted with such terms as "installment agreement," "periodic payments," or others which do not connote that less than the total delinquency is to be paid.

(g) *Jeopardy and Termination Assessments.* (1) In order to prevent abuse of the authority to make jeopardy and termination assessments, the Internal Revenue Service should establish and promulgate procedures that will enable the taxpayer to contest the necessity and amount of such assessments at the earliest possible time. The taxpayer should be furnished as soon as practicable after the assessment is made a full written explanation of the facts upon which (i) the District Director found that collection of a tax deficiency is or has been jeopardized, and (ii) the computation of tax was based (including the method of such computation). An informal conference should be granted at the taxpayer's request to resolve any dispute over the finding of jeopardy and computation. The investigating agents who developed the facts upon which the finding of jeopardy and the computation of tax was based, and their supervisors, should ordinarily be in attendance at such a conference.

(2) In order to restrict the imposition of jeopardy and termination assessments to situations in which the eventual collection of tax is jeopardized, the Internal Revenue Service should remove the implication, now present in the Internal Revenue Manual, that jeopardy or termination assessments are justified merely by the existence of a "prima facie case" and make clear in the Manual that no such assessment may be imposed unless a determination has been made by the District Director, based on substantial evidence, that a tax is due and the eventual collection of the tax is jeopardized.

(3) The Internal Revenue Service should establish and promulgate in the Internal Revenue Manual procedures which will ensure immediate release to the taxpayer of any or all property distrained in jeopardy and termination proceedings in return for an adequate surety in the amount of the net proceeds expected to be realized on a forced sale of any or all such property the release of which is sought.

(h) *Employer Tax Payments.* To permit more prompt contact with defaulting business taxpayers, the Internal Revenue Service should speed its credit-

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ing of employer payments of withheld employee income and Social Security taxes by requiring commercial banks to forward records of such payments directly to an Internal Revenue Service Center, rather than to a Federal Reserve Bank.

(i) *Education of New Employers.* The Internal Revenue Service should endeavor to give officers of new businesses written advice of their possible personal liability for payment of withheld employee taxes. This advice could be communicated individually to all such officers, whose names and addresses the Service could require to be submitted as part of the application for an employer identification number. Alternatively, the Service could send multiple copies of the advice letter to the new business entity, with the request that the copies be distributed to all officers. In either case the letter should invite the officer to discuss any questions with a Taxpayer Service Representative. When officers do respond and it is determined that there is a responsibility to pay and file returns of certain taxes, a follow-up contact should be made to ascertain that the responsibilities are understood and followed. Moreover, the Service should work with other Federal agencies to assure that the officers of new employer organizations being established with Federal financial assistance will become familiar with their responsibilities before they commence operations. Similar efforts, with the cooperation of parent organizations, should be made to contact and instruct franchisees and licensees of chain stores, food outlets, oil companies, and the like.

4. Section 305.75–7 is added to Part 305 to read as follows:

§ 305.75–7 Internal Revenue Service Procedures: Civil Penalties (Recommendation No. 75–7).

(a) *Analysis of Effectiveness of Civil Penalties.* The Internal Revenue Service should annually compile and publish, for each taxpayer class and by year of tax returns, statistical data, together with analytic discussions, pertaining to the assessment and collection of civil penalties for underpayment of tax due to each of the different types of conduct now or hereafter provided as the basis for such penalties. Such data should be compiled for the purpose of evaluating the significance, effectiveness, and fairness of these civil penalties and should include: (1) the number and dollar amounts of penalties assessed, (2) the number and dollar amounts of penalties voluntarily paid by taxpayers, (3) the number and dollar amounts of penalties contested by taxpayers, (4) the number and dollar amounts of penalties sustained by court action and collected. In addition to making such data and analyses available to the public and to the Congress, the Service should consider and determine whether additional data and analyses should be compiled and prepared pertaining to the significance, effectiveness, and fairness of these and other civil penalties from the standpoint of the administration of the tax laws by the Service, enforcement of the laws by the courts, and compliance with the laws by taxpayers.

(b) *Structure and Application of Civil Penalties for Underpayment of Tax.* Legislation should be enacted which would restructure and alter application of the civil penalties for underpayment of tax, established in Section 6653 of the Internal Revenue Code, as follows:

(1) The penalty for "negligence" should be retained. Negligence should be defined as failure to exercise reasonable care in keeping records or in preparing the tax return.

(2) A taxpayer against whom this penalty is assessed should have the burden of proof to establish by a preponderance of the evidence that his conduct was not negligent. The present five percent penalty for "intentional disregard of rules and regulations (but without intention to defraud)" should be repealed.

(3) A new penalty should be established for "reckless or intentional conduct (but without willful attempt to evade payment of tax)." The rate of this penalty should be fixed at a level near the midpoint (say 25%) between the rates of the penalties for negligence (now 5%) and for willful atempts to evade payment of tax (now 50%). Reckless conduct should be defined as meaning that in keeping records or preparing the tax return, the taxpayer has consciously disregarded a substantial risk that an underpayment would occur; provided, that it is not intended that the penalty to be established pursuant to this paragraph would apply to an underpayment resulting from a bona fide disagreement with the Internal Revenue Service as to the interpretation of the tax law or its application to facts disclosed on a tax return. Intentional conduct should be defined as meaning that in keeping records or preparing the tax return, the taxpayer knew that an underpayment would occur or was substantially certain to occur.

(4) A taxpayer against whom this penalty is assessed should have the burden of proof to establish by a preponderance of the evidence that his conduct was not reckless or intentional. In any case where the taxpayer succeeds in persuading the court that his conduct was not reckless or intentional, the court should be empowered to impose the lesser penalty for negligence, even though it had not theretofore been assessed by the Internal Revenue Service.

(5) The present 50 percent penalty for "fraud" should be restated to apply only to "willful attempt to evade payment of tax," which should be understood to have the same meaning as under Section 7201 of the Internal Revenue Code.

(6) The Internal Revenue Service should have the burden of proof to establish by clear and convincing evidence that an underpayment is attributable to the taxpayer's willful attempt to evade payment of tax. If the Service succeeds in persuading the court that a part of the underpayment is so attributable, the burden of proof should shift to the taxpayer to establish by a preponderance of the evidence that the remainder of the underpayment is not so attributable. In any case where the court is not persuaded that the taxpayer engaged in a willful attempt to evade payment of tax, the court should be empowered to impose the penalty for reckless or intentional conduct (proposed in c. above) or the penalty for negligence, provided that, before the court may impose either of such lesser penalties, the Service shall have so proposed and the taxpayer shall have had the opportunity to present evidence to establish that he is not liable therefor.

(7) In imposing the penalties for underpayment of taxes described above, each penalty rate should be applied only to the portion of the total underpayment that is attributable to conduct liable for penalty at such rate.

(c) *Publicity of Civil Penalty for Underpayment of Tax Because of Fraud.* The Internal Revenue Service should seek statutory instruction with respect to publicizing the imposition of the 50 percent civil penalty for underpayment of tax because of fraud (or, as recommended in paragraph 2 above, restated as "willful attempt to evade payment of tax").[1]

(d) *Structure and Application of Civil Penalties for Failure to File Tax Return or to Pay Tax.* (1) Legislation should be enacted which would restructure and alter application of the civil penalties for failure to file a tax return or to pay a tax, established in Section 6651 of the Internal Revenue Code, as follows:

(i) The phrase "and not due to willful neglect" should be deleted from paragraphs (1), (2), and (3) of subsection 6651(a).

(ii) The monthly rate of the penalty for failure to file a return, established in subsection 6651 (a)(1), should be modified so as to extend the time period of lateness in filing a return which must elapse before the rate of penalty to be applied reaches the present aggregate maximum rate of 25 percent. The table below sets forth three options for so modifying the monthly penalty rate, compared with present law.

	Penalty for first month (percent)	Penalty for each succeeding month (percent)	Period of lateness to reach maximum penalty (months)
Present law	5	5	5
Option 1	5	2	11
Option 2	5	1¼	18
Option 3	5	1	21

The penalty for failure to pay tax established by subsection 6651(a)(2) should be imposed in addition to, and not offset against, the foregoing penalty.

(2) The monthly rate of the penalty for each month after the first month of failure to file a return should be prorated on a semi-monthly basis.

[1] Issuance of such publicity should be carried out in a manner consistent with Conference Recommendation 73–1, Adverse Agency Publicity.

(e) The Internal Revenue Service should set forth, in the regulations under Section 6651 of the Internal Revenue Code, or in other form readily available to the public, the listing of acceptable reasons for late filing of a tax return that are set forth in the Internal Revenue Manual.

(f) *Procedures for Appealing Civil Penalties for Failure to File Tax Return or to Pay Tax.* With regard to civil penalties for failure to file a tax return or to pay tax established in Section 6651 of the Internal Revenue Code, taxpayers should be accorded administrative settlement procedures and the right to Tax Court review similar to those accorded with regard to civil penalties for underpayment of tax established in Section 6653 of the Code.

5. Section 305.75–8 is added to Part 305 to read as follows:

§ 305.75–8 Internal Revenue Service Procedures: Tax Return Confidentiality (Recommendation No. 75–8).

(a) *Purpose and Scope of Application of Recommendations.* (1) Under existing law, tax returns are disclosed by the Internal Revenue Service for many purposes to many governmental agencies outside the Internal Revenue Service. The purpose of these recommendations is substantially to narrow the authority of the Service to disclose to other governmental agencies tax returns pertaining to the tax liability of individuals and decedents, including principally individual income tax returns (Forms 1040 and 1040A), estate tax returns (Form 706), gift tax returns (Form 709), and income tax returns filed on behalf of estates or trusts (Form 1041). Tax returns of business entities such as partnerships and corporations, even though they may have bearing on the tax liability of individuals, are outside the scope of these recommendations. The omission of such other tax returns from the scope of application of these recommendations is intended to reflect neither approval nor disapproval of existing law or of the disclosure practices of the Internal Revenue Service thereunder, with respect to such other tax returns. But Congress, in addressing the subject of tax return confidentiality should make provision to govern the confidentiality and conditions of disclosure of all categories of tax returns, including categories that are outside the scope of these recommendations.

(2) As used in these recommendations, the term "tax return" means (i) the return itself together with any schedule, list, and other written statement filed by or on behalf of the taxpayer with the Internal Revenue Service which is designed to be supplemental to or become a part of the return, and (ii) other records, reports, information received orally or in writing, factual data, documents, papers, abstracts, memoranda, or evidence taken, or any portion thereof, relating to the items included in (1).[1]

(b) *General.* Legislation should be enacted which would permit the disclosure of tax returns by the Internal Revenue Service only as authorized by express statute designating the persons to whom and the purposes for which disclosure may be made, the procedures governing such disclosure, and limitations on use or redisclosure that shall govern such disclosure.

(c) *Availability of Tax Returns to Executive Departments and Agencies.* (1) Legislation should be enacted which would permit the disclosure by the Internal Revenue Service of tax returns to any Executive department or agency of the Federal government in the following circumstances:

(i) To any office of the Treasury Department for use that is necessary to its exercise of responsibility for the administration of the tax laws, the formulation of tax policy, or the preparation of economic analyses.

(ii) To a United States Attorney, or to an attorney of the Department of Justice, for use in preparing for and conducting civil or criminal litigation that is related to administration of the tax laws, provided, that any such disclosure shall be limited to (i) the tax return of the taxpayer who is a party to the litigation, (ii) the tax return of an alleged co-conspirator of such party, and (iii) the tax return of any other taxpayer which contains information that is pertinent to an issue in the litigation, and provided further, that when any such disclosure is to be made in response to a request initiated by any such attorney, the request shall be in writing and state with specificity the reasons for seeking the tax return.

(iii) To the Bureau of the Census and to the Bureau of Economic Analysis of the Department of Commerce for use that is necessary to their respective statistical collection and publication responsibilities.

(iv) To the Social Security Administration for use that is necessary to its responsibility for administering the Social Security Act.

(v) To the Department of Labor and to the Pension Benefit Guaranty Corporation for use that is necessary to their respective responsibilities for administering the Employee Retirement Income Security Act.

Particularly, the Internal Revenue Service should not be permitted to disclose tax return information to any Executive department or agency of the Federal government for use in any way relating to an individual's service as a juror. [The Conference defers consideration of whether, and under what circumstances, tax returns should be disclosed to Executive departments or agencies of the Federal government for use in litigation or investigations not related to the administration of the tax laws.]

(2) Any disclosure in a form that allows identification of the taxpayer should be made only if the agency or department to which disclosure is made follows procedures based on legally enforceable regulations no less restrictive than those of the Internal Revenue Service which are designed to assure that the tax return will not be used or redisclosed for any purpose other than that for which such disclosure is made.

(d) *Availability of Tax Returns to the Executive Office of the President.* (1) Legislation should be enacted which would permit the disclosure of tax returns by the Internal Revenue Service to the Executive Office of the President, only in accordance with the following limitations:

(i) The President shall personally sign a written request for such disclosure which (a) specifies the taxpayer's tax return to be disclosed; (b) designates by name a responsible individual to whom disclosure is to be made; (c) states with specificity the reasons for seeking the tax return and the uses to which it will be put; and (d) states that the tax return requested will not be reproduced and will not be used or redisclosed for any use other than that for which disclosure is requested.

(ii) The requested tax return shall be furnished by the Internal Revenue Service only in written form and only to the President or to an individual designated in the request.

(iii) The written material furnished by the Internal Revenue Service shall be returned to the Service after the use for which it was requested has been completed.

(2) The Internal Revenue Service should maintain permanent records of all disclosures of tax returns to the Executive Office of the President, including copies of Presidential requests, the dates and reasons therefor, the individuals to whom disclosure is made, and the dates when materials furnished are returned to the Service. Based on such records, the Internal Revenue Service should prepare and submit an annual report to the committees of the Congress which are charged with responsibility for oversight of the administrative procedures of the Service, of the names of all taxpayers about whom information was disclosed, the reasons for which each disclosure was requested, and the names of all individuals to whom such disclosures was made.

(e) *Availability of Tax Returns to Committees of Congress.* The existing statutory authority (Section 6103(d) of the Internal Revenue Code) for disclosure of tax returns to the House Committee on Ways and Means, the Senate Committee on Finance, and the Joint Committee on Internal Revenue Taxation should be continued. Disclosure of tax returns by the Internal Revenue Service to any other committee of the House or Senate, or joint committee of the Congress, should only be in accordance with specific authorization for such disclosure by a resolution of the House or Senate or, in the case of a joint committee, by a concurrent resolution.

[1] This definition is taken from Treasury Regulation § 301.6103(a)–1(3)(1). In considering any legislation in this area, Congress should consider the adequacy of this definition, since some technical problems may exist under the present regulation.

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(f) *Availability of Tax Returns to States.* (1) Legislation should be enacted which would amend Section 6103(b) of the Internal Revenue Code by providing the following additional limitations on the right of any State official, body, or commission to inspect tax returns:

(i) The State shall have enacted a statute, which the Commissioner of Internal Revenue has determined to be substantially similar to paragraph (2) of Section 7213 of the Internal Revenue Code, making it a crime for any officer, employee, or agent of the State, or of any political subdivision thereof, to disclose any information acquired by him as a consequence of a disclosure made by the Internal Revenue Service pursuant to Section 6103(b) of the Internal Revenue Code.

(ii) The State shall have entered into, and shall fully comply with, an agreement with the Internal Revenue Service by which the State is obligated to adopt legally enforceable regulations and procedures to safeguard the confidentiality of tax returns which are determined by the Internal Revenue Service to provide satisfactory assurance that (a) information disclosed by the Service to the State, pursuant to Section 6103(b) of the Internal Revenue Code, and (b) information, submitted by a taxpayer to the State or local tax authorities, which is the same as or substantially similar to that compiled for submission with the taxpayer's federal income tax return, will be used or disclosed only within the limitations therein provided.

(2) The Internal Revenue Service should adopt regulations which shall contain provisions to accomplish the following:

(i) Establish procedures whereby (a) the Service will make the determination that a State has enacted a Statute that is substantially similar to paragraph (2) of Section 7213 of the Internal Revenue Code, and (b) the Service will monitor the State's enforcement of such statute;

(ii) Establish criteria that will be applied by the Service in making determinations regarding the sufficiency of State regulations and procedures designed to limit use and redisclosure of information to be disclosed pursuant to Section 6103(b) of the Internal Revenue Code;

(iii) Establish criteria that will be applied by the Service in acting upon requests for disclosure of information pursuant to Section 6103(b) of the Internal Revenue Code; and

(iv) Establish procedures whereby the Service will audit and enforce the performance by the States of their obligations provided in agreements entered into as a condition of obtaining disclosure of information pursuant to Section 6103(b) of the Internal Revenue Code, including a procedure for suspending disclosure of information to a State under Section 6103(b) whenever the Service determines that the State has failed to perform any of its obligations provided in such agreement.

(g) *Requisition of Tax Returns by Service Personnel.* The Internal Revenue Service should strengthen its procedures designed to eliminate unnecessary inspection of tax returns by Service employees. Such procedures should provide for (1) periodic monitoring by Service management of the requisitioning of tax returns by Service employees, (2) preparation and maintenance of statistical records designed to reveal patterns of frequency in, and of reasons for, the requisitioning of tax returns by Service employees, and (3) preservation of the documents employed by Service employees to requisition tax returns by incorporating each such document in the permanent file of the return requisitioned thereby.

(h) *Notice to the Public About Tax Return Disclosures.* The Internal Revenue Service should inform each taxpayer, by means of a concise statement in the tax return or other appropriate place, of the disclosure, for uses unrelated to the administration of Federal tax laws, that may be made of information supplied by the taxpayer in the return. Such statement should include reference to a public document, which should be prepared and disseminated by the Service, which identifies the governmental agencies and other persons to which disclosures of tax returns are made and the purposes for such disclosures, and which fully describes the procedures followed by the Service with respect to the disclosure of tax returns.[2]

6. Section 305.75–9 is added to Part 305 to read as follows:

§ 305.75–9 Internal Revenue Service Procedures: Taxpayer Services and Complaints (Recommendation No. 75–9).

(a) *Separate Accounting for Taxpayer Service Functions.* (1) The Internal Revenue Service should, on a basis consistent from year to year, compile data on all personnel and funds allocated to and utilized in the performance of functions by its Taxpayer Service Division. Such data should be broken down, perhaps on the basis of statistical sampling, for each of the major types of taxpayer service provided, with attention to at least the following functions:

(i) Responding to individual inquiries and requests for assistance regarding administrative and operating procedures of the Service which have an impact on particular taxpayers;

(ii) Answering individual inquiries for tax law advice and providing assistance in tax return preparation; and

(iii) General education of members of the public about the tax laws, their tax-return-filing and tax-payment responsibilities, and the administrative and operating procedures of the Service.

(b) *Taxpayer Services.* (1) The Internal Revenue Service should consider establishing a procedure whereby taxpayer inquiries and requests for assistance can be promptly screened and referred for response to Service personnel selected on the basis of their competence and authority to respond to particular categories of inquiry or assistance. Such a screening and referral system might be facilitated by:

(i) Developing statistical profiles of the categories of inquiry and requests for assistance that are most frequently made;

(ii) Specifically training and assigning some personnel to review taxpayer inquiries and requests for assistance and to make referral of them to those Service personnel whose competence and authority will assure prompt and effective responses;

(iii) Specifically training some personnel as specialists in the administrative and operating procedures of the Internal Revenue Service, with emphasis on the operation of Service Centers, to whom referral of inquiries and requests for assistance will be made;

(iv) Continuing to make available experienced and knowledgeable Audit Division personnel to whom referrals of inquiries and requests for assistance may be made, especially during tax-return-filing season; and

(v) Continuing to maintain high quality staffing of taxpayer contact units in the Service Centers until some workable alternative thereto is developed.

(c) *Tax Law Advice to Taxpayers.* The Internal Revenue Service should adopt procedures designed to assure that any taxpayer who inquires for tax law advice from any employee of the IRS Taxpayer Service Division will be informed that: (a) the answer to his inquiry is based on the facts understood by the employee and that such understanding may not be identical to, nor as comprehensive as, the taxpayer's; (b) the Service is not bound by the advice given by the employee and may assert a different position at some later date, for example, if the taxpayer's return is audited; (c) the advice given by the employee is based on the Service's interpretation of the tax laws and, if such be the case with respect to a particular inquiry, that there is authority for a different interpretation as to which the taxpayer should seek his own tax law advice; and (d) the taxpayer should preserve any records pertaining to the subject matter of the inquiry for at least three years following the time fixed by law for filing the tax return to which the inquiry pertains. The substance of the foregoing information should be incorporated into all written materials issued by the Service describing the availability of taxpayer services or responding to inquiries for tax law advice. The substance of such information also should be mentioned in oral responses to inquiries for tax law advice, to the degree appropriate to the nature and circumstances of the contact.

(d) *Taxpayer Complaint Response Procedures.* The Internal Revenue Service should establish regular procedures whereby any taxpayer can obtain a prompt and impartial response to any legitimate complaint about the conduct of any individual IRS employee. These complaint response procedures should be

[2] This recommendation might be implemented by amplification of the Privacy Act notification provided with the 1975 income tax returns.

organized and operated so as to provide for the receipt and processing of such complaints by Service personnel who have thorough familiarity with the authority, organization, and administrative and operating procedures of the Service.

(e) The recommended complaint response procedures should be well publicized and easily accessible to taxpayers through all IRS personnel, however organized and wherever situated, whose responsibilities include the provision of assistance, advice, or other services to taxpayers (for example, Taxpayer Service Representatives and personnel of Service Center Taxpayer Contact Units).

(f) The recommended complaint response procedures should be designed and operated so as to provide information that will enable the line management of the Service systematically to:

(1) Identify the causes of all legitimate complaints about the conduct of individual IRS employees;

(2) Assess the effectiveness of the complaint response procedures from the standpoint of taxpayers; and

(3) Determine what changes, consistent with the Service's duty to administer the internal revenue laws, may be necessary in the training, supervision, or assignment of Service personnel to eliminate causes of legitimate complaints about the conduct of individual IRS employees.

7. Section 305.75–10 is added to Part 305 to read as follows:

§ 305.75–10 Internal Revenue Service Procedures: The IRS Summons Power (Recommendation No. 75–10).

(a) *Information on the Summons.* (1) The Internal Revenue Service should revise its Summons form (Form 2039) to delete extraneous language and references to particular statutes, regulations, or fact situations, and to include, preferably on its face, and in a prominent position and type style:

(i) A brief and specific description of administrative procedures available to the summoned party for raising objections to the summons or to questions propounded at the appearance; and

(ii) A statement that if the summoned party fails to comply with the summons or fails to answer questions propounded, the Service may seek a court order to compel compliance, and that where the summoned party fails to appear or otherwise to comply with the summons willfully and without legal excuse, he may be subject to contempt proceedings or criminal prosecution.

(b) *Notification to Taxpayer of Summons to Third Parties.* At the time a summons is served on a third party requesting testimony or production of documents, or as soon as feasible thereafter, the Internal Revenue Service should transmit a copy of such summons to the person to whom such testimony or documents relate.

(c) *Management Monitoring of Use of Summons.* To assure better oversight by its management of the use of the summons by its officers and employees, the Internal Revenue Service should prepare and maintain statistics and analyses for each taxpayer class, to the extent possible, comprising the following data:

(1) Number of summonses issued;

(2) Classifications of employees issuing summonses;

(3) Number of summonses with which there is voluntary compliance;

(4) Number of summonses with which there is not voluntary compliance and for which it is decided not to seek judicial enforcement, together with the reasons for such decisions; and

(5) Number of summonses with which there is not voluntary compliance and for which it is decided to seek enforcement, together with the reasons for such decisions, whether judicial enforcement is granted or denied, and the reasons for denial of enforcement.

RICHARD K. BERG,
Executive Secretary.

JANUARY 6, 1976.

[FR Doc.76–641 Filed 1–9–76;8:45 am]

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federal register

MONDAY, JANUARY 12, 1976



PART IV:

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Education Office

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DESEGREGATION OF PUBLIC EDUCATION

Public Elementary and Secondary Schools

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Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 180—DESEGREGATION OF PUBLIC EDUCATION

Notice of proposed rulemaking was published in the FEDERAL REGISTER on March 17, 1975 (40 FR 12243), setting forth proposed amended regulations for the program of desegregation of public education authorized in Title IV of the Civil Rights Act of 1964, 78 Stat. 246, as amended (42 U.S.C. 2000c–2000c–9). Pursuant to section 503 of the Education Amendments of 1972, a public hearing was held April 21, 1975 in Washington, D.C., on the proposed regulations. In addition, written comments were received and considered.

In view of the legal necessity of obligating funds appropriated for the program for the fiscal year 1975 prior to June 30, 1975, adoption of substantive amendments to the proposed regulations as to those funds would not have been feasible. Accordingly, the proposed regulations were adopted on June 13, 1975 (40 FR 25207) as final regulations intended only to govern awards made under the program from funds appropriated for the fiscal year 1975. Pursuant to section 503(d) of the Education Amendments of 1972, the material set forth below indicates action taken with respect to the proposed regulations, in light of the comments received, which will govern awards from funds appropriated for the program for fiscal years succeeding the fiscal year 1975.

Program purpose. Title IV of the Civil Rights Act authorizes three types of assistance in connection with the desegregation of public elementary and secondary schools. Technical assistance to school districts, authorized by section 403, is provided pursuant to the regulations (Subparts B and C) through State educational agencies and public or private agencies (including institutions of higher education) which receive awards for this purpose. Training institutes conducted by institutions of higher education, authorized by section 404, are provided for (Subpart D) to assist elementary and secondary school personnel to deal with desegregation problems. Grants to school boards, authorized by section 405, are provided for (Subpart E) to enable school boards to hire desegregation specialists and give inservice training to school personnel respecting desegregation. "Desegregation" includes not only desegregation on the basis of race, color, religion, or national origin but desegregation on the basis of sex. The term also includes, for the purpose of Subparts B and C, desegregation on the basis of English language deficiencies resulting from students' non-English dominant environments.

Following is a discussion of comments received, with each comment followed by the response of the Office of Education:

1. *Comment.* Several comments were to the effect that the competitive advantage provided in Subparts B, C, and E to applications focusing on desegregation on the basis of race, color, religion, or national origin over applications focusing on desegregation on the basis of sex should be eliminated.

Response. This competitive advantage has been eliminated by deleting the criteria (formerly designated §§ 180.14(a), 180.24(a), 180.44(b)) relating to numbers of affected students. Applications will be ranked on the basis of the remaining criteria provided for in §§ 180.14, 180.24, and 180.44 (relating to such factors as needs assessment, statement of objectives, activities, resource management, evaluation, and budget), although the number of students to be affected by a proposed project may affect the size of the award. In order to encourage school boards applying for grants under Subpart E to focus on both desegregation on the basis of race, color, religion, or national origin and desegregation on the basis of sex (where needs exist in these areas), § 180.44(b) (formerly (c)) is amended by providing, in the context of the Commissioner's reviewing applications, for an application to receive up to five points for needs assessment relating to each one of these two types of desegregation. To further increase the importance of need as a criterion for such grants, § 180.44(b) is also amended by providing for an application to receive up to five points for each of the other two elements of this criterion.

2. *Comment.* One commenter objected to the aforementioned criteria relating to numbers of affected students on the grounds that they provided a competitive advantage to school districts with large numbers of affected students and to State educational agencies and general assistance centers proposing to serve such districts.

Response. As is indicated in the response to the preceding comment, this competitive advantage has been eliminated.

3. *Comment.* It was suggested that Title IV funds should be divided equally between assistance related to sex-based desegregation and assistance related to desegregation on the basis of race, color, religion, or national origin.

Response. It is anticipated that many applications will focus on both of these types of desegregation and that adequate assistance will be provided for both areas without such a division of funds.

4. *Comment.* One commenter suggested that the definition of "desegregation" should be better defined as regards sex desegregation and provided examples of problems and activities in this area which should be specifically set forth in the regulations.

Response. The definition of "desegregation" in § 185.02(a)(1) derives from the corresponding provision in the statute, section 401(b) of the Civil Rights Act. The problem areas and authorized activities set forth in § 180.12, which is incorporated by reference in §§ 180.22(a), 180.32(a), and 180.42, cover many possible facets of sex desegregation.

5. *Comment.* One commenter suggested that the regulations provide that input and participation should be sought by school districts from women's groups in the formulation of applications for grants and the implementation of approved activities.

Response. Section 180.44(c)(2) provides that a criterion for such grants is the extent to which a school district's application reflects such input and participation by representatives of the communities affected by desegregation (including, as applicable, minority and non-minority group communities). In light of the widely varying presence, leadership, and representativeness of different types of groups in different localities, further specificity in the regulations as to community involvement is not deemed desirable.

6. *Comment.* It was suggested that provision in § 180.16(b)(2)(ii), which is incorporated by reference in § 180.26(b)(2), for development of bilingual education programs, materials, and methods should be broadened to refer to "bilingual-bicultural" education programs, materials, and methods.

Response. Sections 180.16 and 180.26 derive from *Lau v. Nichols*, 414 U.S. 563(1974), which focused exclusively on a school system's failure to provide special instruction to non-English speaking students which took account of such a language background. The purpose of these sections is to facilitate special assistance to students who, because they are from environments in which the dominant language is other than English, are not capable of effective participation in the educational process.

7. *Comment.* One commenter suggested that the provision in § 180.16(b)(2)(i), which is incorporated by reference in § 180.26(b)(2), for training of teachers should be amplified so as to specify the training of "native" and "non-native" teachers.

Response. No requirement is intended that the teachers to be trained must be members of the same ethnic group as the students with whom they intend to work.

8. *Comment.* It was urged that one of the general assistance centers provided for in § 180.26 serve school districts having significant numbers of students of Asian ancestry who are of limited English-speaking ability, without regard to service areas.

Response. Program experience indicates that the general assistance centers will be more useful if they serve limited geographical areas. Moreover, it is hoped that they will have expertise relevant to the needs of students of non-English dominant minority groups generally rather than the needs of only students of particular groups.

9. *Comment.* It was suggested that the regulations should provide that educational materials developed as a result of Title IV assistance should be free of racial or sex bias, stereotype, or tracking and be culturally pluralistic.

Response. The use of program funds for the development of materials which did not fit this description would appear inconsistent with the program statute and the existing regulations.

10. *Comment.* One commenter suggested that a separate service area should be established for Puerto Rico and the Virgin Islands rather than having these jurisdictions served by a general assistance center also serving New Jersey and New York.

Response. Program experience indicates that a single general assistance center can adequately serve these four jurisdictions.

11. *Comment.* One commenter suggested that an allowable cost under a grant to a school district should be stipends to participating students and parents.

Response. The statute (section 405(a)) does not authorize such stipends.

12. *Comment.* It was suggested that training institutes should be authorized to pay participants stipends of less than the $30 per day provided for in § 180.32(c).

Response. No reasons accompanied this suggestion. It is believed that a uniform stipend is desirable.

13. *Comment.* One commenter suggested that training institutes be authorized which take place during both a summer session and the regular academic year, rather than during only one of these periods.

Response. The statute (section 404) provides only for short-term or regular session institutes.

14. *Comment.* One commenter suggested that technical assistance be made available to nonprofit organizations conducting activities under the Emergency School Aid Act.

Response. The law (section 403) provides for technical assistance only to school districts and other governmental units which operate public schools.

Several changes are being made in the regulations on the basis of further review thereof within the Department:

(a) Section 180.22(b)(3) is amended to provide that the Commissioner may make more than one award in a single service area for a general assistance center pursuant to §§ 180.21–25 if he determines that several awards are necessary to ensure that technical assistance will be provided in that area for both desegregation on the basis of race, color, religion, or national origin and desegregation on the basis of sex.

(b) Sections 180.16 and 180.26 are amended by adding paragraph (d) thereto to provide that, where the dominant language in a geographical area is other than English, students shall be deemed to be non-English dominant minority group members if they have been specifically determined by the Commissioner to be from environments in which the dominant language is other than the dominant language in the geographical area and, as a result of such circumstances, they are not capable of effective participation in the educational process.

(c) Section 180.36 is amended to provide that, in determining the amount of an award for a training institute, the Commissioner may consider the desirability of using funds for other applications which warrant his approval. That section is further amended to provide that an application for an award for a training institute need not be approved if it does not score at least 28 points on the basis of the applicable criteria.

Adoption of amended regulations. In light of the foregoing, Part 180 of Title 45 of the Code of Federal Regulations is amended to read as set forth below.

Effective date. Pursuant to section 421(d) of the General Education Provisions Act (20 U.S.C. 1232(d)), these regulations have been transmitted to the Congress concurrently with the publication of this document in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions therein concerning Congressional action and adjournment.

(Catalog of Federal Domestic Assistance Program No. 13.405, Civil Rights Technical Assistance and Training)

Dated: November 3, 1975.

T. H. BELL,
U.S. Commissioner of Education.

Approved: January 5, 1976.

DAVID MATHEWS,
Secretary of Health, Education, and Welfare.

PART 180—DESEGREGATION OF PUBLIC EDUCATION

Subpart A—General Provisions

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AUTHORITY: Title IV of the Civil Rights Act of 1964, 78 Stat. 246, as amended (42 U.S.C. 2000c–2000c–9), unless otherwise noted.

Subpart A—General Provisions

§ 180.01 Purpose.

The purpose of this part is to provide for awards as authorized by sections 403, 404, and 405 of title IV of the Civil Rights Act of 1964, as amended, for technical assistance, training institutes, and grants to school boards in connection with desegregation of public elementary and secondary schools.

(42 U.S.C. 2000c)

§ 180.02 Definitions.

Except as otherwise specified, the following definitions shall apply to the terms used in this part:

(a)(1) "Desegregation" means (except for purposes of §§ 180.16 and 180.26) the assignment of students to public schools and within such schools without regard to their race, color, religion, sex, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance. For purposes of this paragraph, overcoming racial imbalance means the assignment of students to correct conditions of segregation or separation (on the basis of race, color, religion, or national origin) not resulting from State or local law or official action.

(2) For purposes of §§ 180.16 and 180.26, "desegregation" means the assignment of students to public schools and within such schools in such manner as to provide such students with an equal opportunity for effective participation in educational programs despite English language deficiencies of such students which result because they are from environments in which the dominant language is other than English.

(42 U.S.C. 2000c(b); *United States v. Jefferson County Board of Education*, 372 F. 2d 836, 878–879 (5th Cir. 1966), cert. den. 389 U.S. 840 (1967); *Lau v. Nichols*, 414 U.S. 563 (1974))

(b) "Public school" means any elementary or secondary educational institution, provided that such public school is operated by a State, subdivision of a State, or government agency within a State, or operated wholly or predominantly from or through the use of governmental funds or property, or funds or property derived from a governmental sources.

(42 U.S.C. 2000c(c))

(c) "School board" means any agency or agencies which administer a system of one or more public schools, and any

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other agency which is responsible for the assignment of students to or within such system.

(42 U.S.C. 2000c(d))

(d) "Institution of higher education" means an educational institution in any State which: (1) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate; (2) is legally authorized within such State to provide a program of education beyond high school; (3) provides an educational program for which it awards a bachelor's degree; or provides not less than a 2-year program which is acceptable for full credit toward such a degree; or offers a 2-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge; (4) is a public or other nonprofit institution; and (5) is accredited by a nationally recognized accrediting agency or association listed by the Commissioner.

(42 U.S.C. 2000c–2000c–9)

(e)(1) "Minority group" refers (except for purposes of §§ 180.16 and 180.26) to persons (i) who are Negro, American Indian, Spanish-surnamed American, Portuguese, Oriental, Alaskan natives, or Hawaiian natives, or (ii) who have been specifically determined by the Commissioner to have been segregated or separated on the basis of race, color, religion, or national origin as a result of State or local law or official action.

(2) For purposes of §§ 180.16 and 180.26, "minority group" refers to persons who have been specifically determined by the Commissioner to be from environments in which the dominant language is other than English and who, as a result of such circumstances, are not capable of effective participation in the educational process.

(42 U.S.C. 2000c–2000c–9; *Lau* v. *Nichols*, 414 U.S. 563 (1974))

(f) "Non-English dominant minority group" refers to persons described in § 180.02(e)(2).

(42 U.S.C. 2000c–2000c–9)

(g) "State" means one of the 50 States or the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(42 U.S.C. 2000c)

(h) "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or if there is no such officer or agency, an officer or agency designated by the Governor or by State law for such purpose.

(42 U.S.C. 2000c–2000c–9)

§ 180.03 Applicability of Subchapter A.

Assistance under this part is subject to applicable provisions contained in Parts 100 and (except with respect to Subpart C) 100a of this title (relating to fiscal, administrative, property management, and other matters), except that such assistance shall not be subject to the provisions of § 100a.26(b) of Part 100a, relating to criteria for awards.

(42 U.S.C. 2000c–2000c–9)

Subpart B—Technical Assistance Arrangements With State Educational Agencies

§ 180.11 Eligibility for awards.

(a) Any State educational agency may submit a proposal for a contract or other appropriate agreement pursuant to this subpart for the purpose of rendering technical assistance, upon request, to any school board, municipally, school district, or other governmental unit legally responsible for operating a public school or schools in the preparation, adoption, and implementation of plans, assurances, or programs for the desegregation of public schools. A proposal may focus only on desegregation on the basis of race, color, religion, or national origin, only on desegregation on the basis of sex, or on both of these types of desegregation.

(42 U.S.C. 2000c–2; 20 U.S.C. 1231(b))

(b) Technical assistance proposed to be rendered pursuant to this subpart shall consist of or include the provision of information regarding effective methods of coping with special educational problems occasioned by desegregation.

(42 U.S.C. 2000c–2)

§ 180.12 Authorized activities.

Funds made available pursuant to this subpart shall be used for the activities described in paragraph (a) of this section and for one or more of the activities described in paragraphs (b) through (i) of this section, when such activities are requested in accordance with § 180.11(a).

(a) Planning and other activities designed to insure that administrators, teachers, and other educational personnel are not demoted or dismissed on the basis of race, color, religion, sex or national origin in the process of, or as a result of, desegregation;

(b) Assessment of desegregation-related educational needs in one or more public schools;

(c) Development of administrative methods and techniques to cope with special educational problems occasioned by desegregation;

(d) Development of educational programs, materials, and methods for use in desegregated classroom situations;

(e) Training of administrators, teachers, or other public school personnel in the implementation or use of methods, techniques, programs, and materials designed to cope with special educational problems occasioned by desegregation;

(f) Development of techniques for communications or interaction between public schools or school systems and the groups affected by the desegregation of such schools or school systems;

(g) Technical assistance to public school administrative staffs in determining the availability and appropriate utilization of funds under other Federal and State programs which would assist in coping with special educational problems occasioned by desegregation;

(h) Training of administrative staffs (in school districts which are required to desegregate their schools pursuant to a final order of a court of the United States, a State court, or a State agency or official or pursuant to a plan or assurance required by the Secretary) in efficient and educationally sound methods of assigning students to and within public schools;

(i) Any other activity which the Commissioner determines will make substantial progress toward achieving the purposes of this subpart.

(42 U.S.C. 2000c–2)

§ 180.13 Proposals.

(a) An applicant desiring to enter into an arrangement pursuant to this subpart for any fiscal year shall submit to the Commissioner a proposal for such fiscal year, which proposal shall set forth a program, project, or activity under which, and such policies and procedures as will assure that, the applicant will use the funds awarded on the basis of such proposal only for the activities described in § 180.12. Such proposals, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and by the Commissioner, unless such availability prior to the funding of proposals submitted under this subpart could result in another applicant's obtaining a competitive advantage.

(42 U.S.C. 2000c–2)

(b) Proposals submitted pursuant to this subpart shall contain a listing of the school boards, municipalities, school districts, or other governmental units to which the applicant proposes to render technical assistance, the nature of such assistance expected to be rendered, and a statement as to whether the proposed recipients of such assistance are desegregating their schools pursuant to an order of a court of the United States, a State court, or a State agency or official, or pursuant to a plan or assurance required by the Secretary. Such proposals shall also include copies of all requests for such assistance from such school boards, municipalities, school districts, or other governmental units, and a copy of the form to be prescribed or employed for additional requests for such assistance. Such requests, at a minimum, shall indicate the status of the requesting school board, municipality, school district, or other governmental unit with respect to desegregation and the nature of the special educational problems with respect to which technical assistance is requested, and shall be signed by the chief executive officer or other authorized representative of the requesting agency.

(42 U.S.C. 2000c–2)

(c) Proposals shall be submitted pursuant to this subpart in such form and at such times as the Commissioner may require.

(42 U.S.C. 2000c–2)

§ 180.14 Criteria for awards.

In reviewing proposals under this subpart, the Commissioner shall apply the following criteria:

(a) *Needs assessment (6 points).* (1) The magnitude of desegregation-related educational needs assessed by the applicant with respect to school boards, municipalities, school districts, or other governmental units within the applicant's State, and (2) the degree to which the applicant has demonstrated by objective evidence the existence of such needs.

(42 U.S.C. 2000c–2)

(b) *Statement of objectives (8 points).* The degree (1) to which the applicant sets forth specific, measurable objectives for its program, project, or activity, in relation to specifically identified educational needs, and (2) to which such objectives are realistically attainable within the limits of the project period and the available resources.

(42 U.S.C. 2000c–2)

(c) *Activities (23 points).*—(1) *Project design (13 points).* The extent to which (i) the proposal provides for a continuing exchange of information between the applicant and the school boards, municipalities, school districts, or other governmental units proposed to be served; (ii) the proposed program, project, or activity promises to involve a substantial proportion of the school boards, municipalities, school districts, or other governmental units within the applicant's State which could benefit from technical assistance; (iii) the proposed program, project, or activity is part of a comprehensive, long-range approach to desegregation planning and implementation; and (iv) the proposed services are concentrated upon classes or categories of beneficiaries which are sufficiently limited and specific to give promise of significant results;

(2) *Staffing (6 points).* The extent to which (i) the proposal contains evidence of background, training, and experience on the part of the professional staff employed or to be employed by the applicant in coping with special educational problems occasioned by desegregation; and (ii) the professional and other staff employed or to be employed by the applicant reflects in composition the race, sex, and ethnicity of the population to be served; and

(3) *Coordination (4 points).* The extent to which the applicant proposes to make use of other State resources and capabilities in meeting the desegregation-related needs of school boards, municipalities, school districts, and other governmental units.

(42 U.S.C. 2000c–2)

(d) *Resource management (4 points).* The extent to which the applicant demonstrates that project costs are reasonable in relation to the expected benefits.

(42 U.S.C. 2000c–2)

(e) *Evaluation (5 points).* The extent to which the applicant sets out a format for objectives, quantifiable measurement of the success of the proposed program, project, or activity in achieving the stated objectives, including (1) a timetable for compilation of data for evaluation, and (2) a method of reviewing the proposed program, project, or activity in the light of such data.

(42 U.S.C. 2000c–2)

§ 180.15 Award procedures.

Assistance under this subpart shall be awarded to applicants according to their ranking on the basis of the criteria set forth in § 180.14, except that assistance shall be awarded separately for purposes of § 180.16. However, the Commissioner shall not be required to approve any application which does not meet the requirements of this part, or which is otherwise of such insufficient promise for achieving the purposes of this part that its approval is not warranted. No more than 25 percent of the funds made available for assistance pursuant to this part (other than funds available under §§ 180.16 and 180.26) for any fiscal year shall be awarded for programs, projects, or activities to be conducted pursuant to this subpart, unless the Commissioner determines that the proposals pending before him for funds in excess of such amount for such programs, projects, or activities are of exceptional merit or promise.

(42 U.S.C. 2000c–2)

§ 180.16 Awards for activities to benefit non-English dominant minority group students.

(a) Any State educational agency may submit a proposal for a contract or other appropriate agreement pursuant to this subpart for the purpose of rendering technical assistance, upon request, to any school board, municipality, school district, or other governmental unit legally responsible for operating a public school or schools in the preparation, adoption and implementation of plans or programs for the desegregation of public schools (as the term "desegregation" is defined in § 180.02(a)(2) for purposes of this section), with respect to non-English dominant minority group students (as the term "non-English dominant minority group" is defined in § 180.02(f)). Such a proposal may be submitted whether or not the applicant has submitted a proposal pursuant to §§ 180.11–15.

(42 U.S.C. 2000c–2; 20 U.S.C. 1231(b); *Lau* v. *Nichols*, 414 U.S. 563 (1974))

(b) The provisions set forth for assistance under §§ 180.11–15 (except for the second sentence of § 180.11(a) and the third sentence of § 180.15) shall apply to assistance under this section, except that:

(1) "Desegregation" and "minority group" are defined for purposes of this section as indicated in §§ 180.02 (a)(2) and 180.02(e)(2); and

(2) Funds made available under this section shall be available for the following activities in addition to those described in § 180.12:

(i) Training of teachers and other ancillary educational personnel in skills related to desegregation problems associated with providing an equal educational opportunity for non-English dominant minority group students, including cultural awareness, oral and written language skills in the dominant languages of such students, and diagnostic evaluation, teaching of English as a second language, and prescriptive teaching techniques; and

(ii) Development of bilingual education programs, materials, and methods for their use in desegregated classroom situations involving non-English dominant minority group students.

(42 U.S.C. 2000c–2; *Lau* v. *Nichols*, 414 U.S. 563 (1974))

(c) No more than 25 percent of the funds made available for awards pursuant to this section and § 180.26 for any fiscal year shall be awarded for programs, projects or activities to be conducted pursuant to this section, unless the Commissioner determines that the proposals pending before him for funds in excess of such amount for such programs, projects, or activities are of exceptional merit or promise.

(42 U.S.C. 2000c–2; *Lau* v. *Nichols*, 414 U.S. 563 (1974))

(d) Where the dominant language in a geographical area is other than English, for purposes of this section students in that area shall be deemed to be non-English dominant minority group students if they have been specifically determined by the Commissioner to be from environments in which the dominant language is other than the dominant language in the geographical area and, as a result of such circumstances, to be not capable of effective participation in the educational process.

(42 U.S.C. 2000c–2; *Lau* v. *Nichols*, 414 U.S.

Subpart C—General Assistance Centers

§ 180.21 Eligibility for awards.

Any public or private agency (other than a State educational agency), including any institution of higher education, may submit a proposal for a contract or other appropriate agreement pursuant to this subpart for the purpose of rendering technical assistance (as described in § 180.11(b)), upon request, to any school board, State, municipality, school district, or other governmental unit legally responsible for operating a public school or schools in the preparation, adoption, and implementation of plans, assurances, or programs for the desegregation of public schools. Such technical assistance shall be rendered through general assistance centers serving designated service areas as described in § 180.22(b). A proposal may focus only on desegregation on the basis of race, color, religion, or national origin,

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only on desegregation on the basis of sex, or on both of these types of desegregation.

(42 U.S.C. 2000c–2; 20 U.S.C. 1231(b))

§ 180.22 Authorized activities.

(a) Funds made available pursuant to this subpart shall be used for one or more of the activities described in § 180.12 (a) through (i), when such activities are requested in accordance with § 180.21.

(42 U.S.C. 2000c–2)

(b) *Service areas.* (1) Activities authorized under paragraph (a) of this section shall be carried out in one of the following designated service areas, to be specified by the applicant in its proposal:

1. Maine, New Hampshire, Vermont Massachusetts, Connecticut, Rhode Island.
2. New York, New Jersey, Puerto Rico, Virgin Islands.
3. Pennsylvania, Delaware, Maryland.
4. Virginia, West Virginia, District of Columbia.
5. North Carolina.
6. South Carolina.
7. Georgia.
8. Florida.
9. Alabama.
10. Mississippi.
11. Kentucky, Tennessee.
12. Ohio.
13. Indiana.
14. Illinois.
15. Michigan.
16. Wisconsin, Minnesota.
17. Texas.
18. Louisiana.
19. Oklahoma.
20. Arkansas.
21. New Mexico.
22. Iowa, Nebraska, Kansas, Missouri.
23. North Dakota, South Dakota, Montana, Colorado, Wyoming, Utah.
24. California, Nevada, Arizona.
25. Hawaii, Guam, American Samoa, Trust Territory of the Pacific Islands.
26. Oregon, Washington, Idaho.
27. Alaska.

(2) A public or private agency entering into an arrangement pursuant to this subpart shall provide technical assistance, to the extent that financial and other resources permit, upon the request of any school board, State, municipality, school district or other governmental unit located within such agency's designated service area.

(3) No more than one award shall be made pursuant to §§ 180.21–25 for technical assistance activities in a single designated service area, unless the Commissioner determines that the proposals pending before him for additional awards for such activities in such an area are of exceptional merit or promise, or that more than one award is necessary in order to provide for technical assistance in the area for both desegregation on the basis of race, color, religion, or national origin and desegregation on the basis of sex. Where the Commissioner determines that insufficient need exists in one or more designated service areas for a general assistance center, he may require applicants to expand their proposed activities to include more than one such area. Where the Commissioner determines that needs existing in one or more designated service areas will not be met by a general assistance center or a State educational agency, he may require applicants under this subpart to expand their proposed activities to include such areas.

(42 U.S.C. 2000c–2)

§ 180.23 Proposals.

(a) An applicant desiring to enter into an arrangement pursuant to this subpart for any fiscal year shall submit to the Commissioner a proposal for such fiscal year, which proposal shall set forth a program, project, or activity under which, and such policies and procedures as will assure that, the applicant will use the funds awarded on the basis of such proposal only for the activities described in § 180.22. Such proposals shall contain the information and materials described in § 180.13(b). Such proposals, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and by the Commissioner, unless such availability prior to the funding of proposals submitted under this subpart could result in another applicant's obtaining a competitive advantage.

(42 U.S.C. 2000c–2)

(b) Proposals shall be submitted pursuant to this subpart in such form and at such times as the Commissioner may require.

(42 U.S.C. 2000c–2)

(c) Awards under this subpart shall be subject to the Federal Procurement Regulations (41 CFR Chapters 1 and 3), to the extent that such regulations are not inconsistent with the provisions of this part.

(42 U.S.C. 2000c–2)

§ 180.24 Criteria for awards.

In reviewing proposals under this subpart, the Commissioner shall apply the following criteria:

(a) *Needs assessment (9 points).* (1) The magnitude of desegregation-related educational needs assessed by the applicant with respect to school boards, municipalities, school districts, or other governmental units within the applicant's service area, and (2) the degree to which the applicant has demonstrated by objective evidence the existence of such needs.

(b) *Statement of objectives (12 points).* The degree (1) to which the applicant sets forth specific, measurable objectives for its program, project, or activity, in relation to specifically identified educational needs, and (2) to which such objectives are realistically attainable within the limits of the project period and the available resources.

(c) *Activities (35 points)*—(1) *Project design (23 points).* The extent to which (i) the proposal provides for a continuing exchange of information between the applicant and the school boards, municipalities, school districts, or other governmental units proposed to be served; (ii) the proposed program, project, or activity promises to involve a substantial proportion of the school boards, municipalities, school districts, or other governmental units within the applicant's service area which could benefit from technical assistance; (iii) the proposed program, project, or activity is part of a comprehensive, long-range approach to desegregation planning and implementation; and (iv) the proposed services are concentrated upon classes or categories of beneficiaries which are sufficiently limited and specific to give promise of significant results.

(2) *Staffing (12 points).* The extent to which (i) the proposal contains evidence of background, training, and experience on the part of the professional staff employed or to be employed by the applicant in coping with special educational problems occasioned by desegregation; (ii) the professional and other staff employed or to be employed by the applicant reflects in composition the race, sex, and ethnicity of the population to be served.

(d) *Evaluation (7 points).* The extent to which the applicant sets out a format for objective, quantifiable measurement of the success of the proposed program, project, or activity in achieving the stated objectives, including (1) a timetable for compilation of data for evalution, and (2) a method of reviewing the proposed program, project, or activity in light of such data.

(e) *Budget (10 points).* The degree to which (1) the proposal sets forth the lowest cost in relation to the numbers of minority group or (in the case of activities with regard to desegregation on the basis of sex) other students to be served and (2) the proposal reflects prudent and balanced use of equipment, subcontracts, travel, and other support costs.

(42 U.S.C. 2000c–2)

§ 180.25 Award procedures.

In awarding funds under this subpart (which shall be done separately for awards provided for in § 180.26), the Commissioner shall apply the provisions of the Federal Procurement Regulations (41 CFR Chapters 1 and 3). However, he shall not be required to approve any proposal which does not meet the requirements of this part, or which is otherwise of such insufficient promise for achieving the purposes of this part that its approval is not warranted. No more than 50 percent of the funds made available for assistance pursuant to this part (other than funds available under §§ 180.16 and 180.26) for any fiscal year shall be awarded for programs, projects, or activities to be conducted pursuant to this subpart, unless the Commissioner determines that the proposals pending before him for funds in excess of such amount for such programs, projects, or activities are of exceptional merit or promise.

(42 U.S.C. 2000c–2)

§ 180.26 Awards for activities to benefit non-English dominant minority group students.

(a) Any public or private agency (other than a State educational agency), including any institution of higher education, may submit a proposal for a contract or other appropriate agreement pursuant to this subpart for the purpose of rendering technical assistance (as described in § 180.11(b)), upon request, to any school board, State, municipality, school district, or other governmental unit legally responsible for operating a public school or schools in the preparation, adoption, and implementation of plans or programs for the desegregation of public schools (as the term "desegregation" is defined in § 180.02(a)(2) for purposes of this section), with respect to non-English dominant minority group students (as the term "non-English dominant minority group" is defined in § 180.02(f)). Such technical assistance shall be rendered through general assistance centers serving designated service areas as described in paragraph (b)(3) of this section. Such a proposal may be submitted whether or not the applicant has submitted a proposal pursuant to §§ 180.21–25.

(42 U.S.C. 2000c–2; 20 U.S.C. 1231(b); *Lau v. Nichols*, 414 U.S. 563 (1974))

(b) The provisions set forth for assistance under §§ 180.21–25 (except for the third sentence of § 180.21 and the third sentence of § 180.25) shall apply to assistance under this section, except that:

(1) "Desegregation" and "minority group" are defined for purposes of this section as indicated in § 180.02(a)(2) and 180.02(e)(2);

(2) Funds made available under this section shall be available for the activities described in § 180.16(b)(2) in addition to those described in § 180.12;

(3) The following designated service areas, one of which is to be specified by each applicant in its proposal, will prevail:

A. Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Puerto Rico, Virgin Islands.
B. Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, West Virginia, North Carolina, South Carolina, Kentucky, Tennessee, Georgia, Alabama, Mississippi, Florida.
C. Ohio, Indiana, Illinois, Michigan, Minnesota, Wisconsin, Missouri, Kansas, Iowa, Nebraska.
D. Texas, Louisiana, Arkansas.
E. Montana, North Dakota, South Dakota, Wyoming, Colorado, Utah, Oklahoma.
F. New Mexico, Arizona, Nevada.
G. Southern California (that part of California south of the northern boundaries of San Luis Obispo, Kern, and San Bernardino Counties).
H. Northern California (that part of California not included in Area G).
I. Washington, Oregon, Idaho, Alaska, Hawaii, Guam, Trust Territory of the Pacific Islands, American Samoa.

(42 U.S.C. 2000c–2; *Lau v. Nichols*, 414 U.S. 563 (1974))

(c) No more than 75 percent of the funds made available for awards pursuant to this section and § 180.16 for any fiscal year shall be awarded for programs, projects, or activities to be conducted pursuant to this section, unless the Commissioner determines that the proposals pending before him for funds in excess of such amount for such programs, projects or activities are of exceptional merit or promise.

(42 U.S.C. 2000c–2; *Lau v. Nichols*, 414 U.S. 563 (1974))

(d) Where the dominant language in a geographical area is other than English, for purposes of this section students in that area shall be deemed to be non-English dominant minority group members if they have been specifically determined by the Commissioner to be from environments in which the dominant language is other than the dominant language in the geographical area and, as a result of such circumstances, to be not capable of effective participation in the educational process.

(42 U.S.C. 2000c–2; *Lau v. Nichols*, 414 U.S. 563 (1974))

Subpart D—Training Institutes

§ 180.31 Eligibility for assistance.

Any institution of higher education may apply for a grant pursuant to this subpart for the operation of short term or regular session institutes for special training designed to improve the ability of teachers, supervisors, counselors, and other elementary or secondary school personnel (including school board members or trustees) to deal effectively with special educational problems occasioned by desegregation. An institute may focus only on desegregation on the basis of race, color, religion, or national origin, only on desegregation on the basis of sex, or on both of these types of desegregation.

(42 U.S.C. 2000c–3)

§ 180.32 Authorized activities.

(a) Funds made available pursuant to this subpart shall be used for institutes for special training in one or more of the problem areas described in § 180.12 (except § 180.12 (b) and (g)). Such institutes may be held on the campus of the applicant institutions or at other locations, and shall consist of (1) summer sessions not to exceed 6 weeks in duration or (2) sessions conducted during the regular academic year.

(42 U.S.C. 2000c–3)

(b) Training shall be provided pursuant to this subpart only upon the request of a school board, State, municipality, school district, or other governmental unit legally responsible for operating a public school or schools.

(42 U.S.C. 2000c–3)

(c) *Stipends.* An individual who attends an institute on a full-time basis shall be paid a stipend of $30 for each institute day of attendance up to $150 per week. If, in the case of an institute described in paragraph (a)(2), less than five hours of training is scheduled to be provided on an institute day, the payment for such day shall be $6 per hour, within the $150 weekly limit. In the event that participation in an institute is interrupted or is terminated prior to completion of the institute program, stipend payment shall be made to the individual for such period as he was in attendance on a full-time basis. For purposes of this paragraph, "attendance on a full-time basis" means attendance during a period for which the individual is receiving no other compensation for such attendance or for work performed during such period, and an "institute day" means each day of a program of an institute on which at least 2 (or, in the case of an institute described in paragraph (a)(1) of this section, 5) hours of training is scheduled to be provided.

(42 U.S.C. 2000c–3)

(d) *Travel allowances.* (1) An individual who attends an institute on a full-time basis (as defined in paragraph (c) of this section) may be provided travel or an allowance for his actual cost of travel, from place of residence or employment to place of the institute, and from place of the institute to his place of residence or employment, as set forth in the institution's arrangement with the Commissioner. The allowance for travel in the case of travel by private automobile shall be at the rate of 12 cents per mile. In the case of joint travel by private automobile by a group of participants, travel allowances shall be payable only to one of such participants, but without reduction on account of contribution to him by the other participants.

(2) In addition to the limitations of paragraph (d)(1) of this section, when air, rail, or steamship transportation is used, first-class accommodations or an allowance therefor may be provided only where first-class accommodations are the only class of service for the most direct travel route, or where less than first-class accommodations result or would result in greater cost than first-class accommodations.

(3) In the event that an individual's participation in an institute is terminated prior to his completion of the institute program, travel, or an allowance therefor, from place of the institute to his place of residence or employment may be provided only if such termination is occasioned by extraordinary circumstances not reasonably within the control of the individual.

(42 U.S.C. 2000c–3)

§ 180.33 Applications.

(a) An applicant desiring to receive assistance pursuant to this subpart for any fiscal year shall submit to the Commissioner an application for such fiscal year, which application shall set forth a program, project, or activity under which, and such policies and procedures as will assure that, the applicant will use funds awarded on the basis of such application only for the activities described in § 180.32. Such applications, together with all correspondence and other written materials relating thereto, shall be

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made readily available to the public by the applicant and by the Commissioner, unless such availability prior to the funding of applications submitted under this subpart could result in another applicant's obtaining a competitive advantage.

(42 U.S.C. 2000c–3)

(b) Applications for assistance submitted pursuant to this subpart shall contain a listing of the school boards, States, municipalities, school districts, or other governmental units to whose teachers, supervisors, counselors, and other elementary or secondary school personnel the applicant proposes to provide special training, the nature of such training expected to be provided, and a statement as to whether such school boards, States, municipalities, school districts, or other governmental units are desegregating their schools pursuant to an order of a court of the United States, a State court, or a State agency or official or pursuant to a plan or assurance required by the Secretary. Such applications shall also include copies of all requests for such training from such school boards, States, municipalities, school districts, or other governmental units, and a copy of the form to be prescribed or employed for additional requests for such training. Such requests, at a mimimum, shall indicate the status of the requesting school board, State, municipality, school district, or other governmental unit with respect to desegregation, the number and percentage of minority group students enrolled, the nature of the special educational problems with respect to which training is requested, and the approximate number and type of personnel to be trained, and shall be signed by the chief executive officer or other authorized representative of the requesting agency.

(42 U.S.C 2000c–3)

(c) Applications for assistance pursuant to this subpart shall be submitted in such form and at such time as the Commissioner may require.

(42 U.S.C. 2000c–3)

§ 180.34 Criteria for assistance.

(a) In reviewing applications under this subpart, the Commissioner shall apply the criteria set forth at § 180.14(a), (b), (c)(2), (d), and (e), except that (1) needs shall be assessed pursuant to § 180.14(a) with respect to all school boards, States, municipalities, school districts, or other governmental units which have requested training assistance, and (2) 8 points shall be awarded for the criteria set forth in § 180.14(c)(2).

(42 U.S.C. 2000c–3)

(b) *Project design (15 points).* The Commissioner shall also apply the following criteria: the extent to which (1) The participants in the proposed institute or institutes will include persons with authority to effect substantive changes in public school policies and procedures, including school board members or trustees, superintendents, assistant superintendents, and school principals; (2) the applicant proposes to work with institute participants on a regular basis in classroom and other field situations after completion of formal training sessions; (3) the applicant sets forth specific methods or techniques for preparing institute participants to train other teachers, supervisors, counselors, and other elementary and secondary school personnel in dealing effectively with desegregation-related problems; and (4) the proposed program, project, or activity is designed to develop specific educational strategies for dealing effectively with such problems.

(42 U.S.C. 2000c–3)

§ 180.35 Award procedures.

Assistance under this subpart shall be awarded to applicants according to their ranking on the basis of the criteria set forth in § 180.34, except that at least ten awards shall be made for each fiscal year for institutes of which the primary focus would be training with regard to desegregation on the basis of sex. However, the Commissioner shall not be required to approve any application which does not meet the requirements of this part, does not score at least 28 points on the basis of the criteria set forth in § 180.34, or which is otherwise of such insufficient promise for achieving the purposes of this part that its approval is not warranted. No more than 15 percent of the funds made available for assistance pursuant to this part (other than funds available under §§ 180.16 and 180.26) for any fiscal year shall be awarded for programs, projects, or activities to be conducted pursuant to this subpart, unless the Commissioner determines that the applications pending before him for funds in excess of such amount for such programs, projects, or activities are of exceptional merit or promise. In determining the amount of an award under this subpart, the Commissioner may consider the desirability of using funds for other applications which warrant his approval.

(42 U.S.C. 2000c–3)

Subpart E—Grants to School Boards

§ 180.41 Eligibility for assistance.

Any school board may make application pursuant to this subpart for a grant to pay, in whole or in part, the cost of employing a specialist to advise in problems incident to desegregation, and of giving to teachers and other public school personnel inservice training in dealing with problems incident to desegregation. An application may focus only on desegregation on the basis of race, color, religion, or national origin, only on desegregation on the basis of sex, or on both of these types of desegregation.

(42 U.S.C. 2000c–4)

§ 180.42 Authorized activities.

Funds made available pursuant to this subpart shall be used to employ specialists as described in § 180.41 and to provide inservice training as described in § 180.41, for the purpose of advice or training in one or more of the problem areas described in § 180.12, when such advice or training is not available from other sources.

(42 U.S.C. 2000c–4)

§ 180.43 Applications.

(a) An applicant desiring to receive assistance under this subpart for any fiscal year shall submit to the Commissioner an application for such fiscal year, which application shall set forth a program, project, or activity under which, and such policies and procedures as will assure that, the applicant will use funds awarded on the basis of such application only for the activities described in § 180.42. Such applications, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the applicant and by the Commissioner, unless such availability prior to the funding of applications submitted under this subpart could result in another applicant's obtaining a competitive advantage.

(42 U.S.C. 2000c–4)

(b) Applications for assistance pursuant to this subpart shall indicate whether the applicant is desegregating its schools pursuant to an order of a court of the United States, a State court, or a State agency or official, or pursuant to a plan or assurance required by the Secretary, and shall describe the problems incident to desegregation to be addressed by the proposed program, project, or activity. If an application for assistance pursuant to this subpart includes a request for funds for inservice training as described in § 180.41, such application shall indicate the reasons that such training is not available from other sources.

(42 U.S.C. 2000c–4)

(c) Applications for assistance pursuant to this subpart shall be submitted in such form and at such times as the Commissioner may require.

(42 U.S.C. 2000c–4)

§ 180.44 Criteria for assistance.

(a) In reviewing applications for assistance under this subpart, the Commissioner shall apply the criteria set forth in §180.14 (b), (d), and (e). The Commissioner shall also apply the criteria set forth in paragraphs (b) and (c) of this section.

(42 U.S.C. 2000c–4)

(b) *Needs assessment (20 points)*—(1) The magnitude of desegregation-related educational needs assessed by the applicant with regard to (i) (*5 points*) desegregation on the basis of race, color, religion, or national origin (if assistance therefor is sought) and (ii) (*5 points*) desegregation on the basis of sex (if assistance therefor is sought); (2) (*5 points*) the degree to which the applicant has demonstrated by objective evidence the existence of such needs; and (3) (*5 points*) the extent to which the applicant lacks the financial and other resources necessary to meet such needs.

(42 U.S.C. 2000c–4)

(c) *Activities (23 points)*—(1) *Qualifications of specialist (8 points).* The extent to which the application (i) contains evidence of desegregation-related background, training, and experience on the part of the person to be employed as an advisory specialist, and (ii) sets forth procedures for direct, formal consultation, on a regular basis, by such specialist with school board members and trustees and the superintendent of the affected school district concerning problems incident to desegregation;

(2) *Community involvement (7 points).* The extent to which the application (i) reflects the participation of representatives of the communities affected by desegregation (including, as applicable, minority and non-minority group communities) in the development of the proposed program, project, or activity, and (ii) contains evidence that such representatives will participate in the implementation of the proposed program, project, or activity; and

(3) *Comprehensiveness (8 points).* The extent to which (i) the application contains evidence that the proposed program, project, or activity is part of a comprehensive, long-range approach to desegregation planning and implementation, and (ii) the applicant proposes to conduct activities addressing a broad range of problem areas.

(42 U.S.C. 2000c–4)

§ 180.45 Award procedures.

Assistance under this subpart shall be awarded to applicants according to their ranking on the basis of the criteria set forth in § 180.44. However, the Commissioner shall not be required to approve any application which does not meet the requirements of this part, or which is otherwise of such insufficient promise for achieving the purposes of this part that its approval is not warranted. No more than 10 percent of the funds made available pursuant to this part (other than funds available under §§ 180.16 and 180.26) for any fiscal year shall be awarded for programs, projects, or activities to be conducted pursuant to this subpart, unless the Commissioner determines that the applications pending before him for funds in excess of such amount for such programs, projects, or activities are of exceptional merit or promise.

(42 U.S.C. 2000c–4)

[FR Doc.76–810 Filed 1–9–76;8:45 am]

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

DESEGREGATION OF PUBLIC EDUCATION

Notice of Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in Title IV of the Civil Rights Act of 1964, 78 Stat. 246, as amended (42 U.S.C. 2000c–2000c–9), applications for awards are being accepted from State educational agencies, institutions of higher education, and school boards under sections 403 (technical assistance), 404 (training institutes), and 405 (grants to school boards), respectively, of the Act.

Applications must be received by the Regional Office, Application Control Center of the U.S. Office of Education serving the area in which the applicant is located and must be received by that office on or before March 5, 1976.

A. APPLICATIONS SENT BY MAIL

All applications sent by mail will be considered to have been received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than March 1, 1976, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by the appropriate regional office mail room. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education appropriate regional office.

OFFICE OF EDUCATION REGIONAL OFFICES

Region I (Boston)—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont. U.S. Office of Education, Equal Educational Opportunity, John Fitzgerald Kennedy Federal Bldg., Government Center, Boston, Massachusetts 02203.

Region II (New York City)—New York, New Jersey, Puerto Rico and Virgin Islands. U.S. Office of Education, Equal Educational Opportunity, Federal Bldg., 26 Federal Plaza, New York, New York 10007.

Region III (Philadelphia)—Delaware, District of Columbia, Maryland, Pennsylvania, Virginia and West Virginia. U.S. Office of Education, Equal Educational Opportunity, P.O. Box 13716, 3535 Market Street, Philadelphia, Pennsylvania 19101.

Region IV (Atlanta)—Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina and Tennessee. U.S. Office of Education, Equal Educational Opportunity, 50–7th Street, N.E., Atlanta, Georgia 30323.

Region V (Chicago)—Illinois, Indiana, Minnesota, Michigan, Ohio and Wisconsin. U.S. Office of Education, Equal Educational Opportunity, 300 South Wacker Drive, Chicago, Illinois 60606.

Region VI (Dallas)—Arkansas, Louisiana, New Mexico, Oklahoma and Texas. U.S. Office of Education, Equal Educational Opportunity, 1200 Main Tower Building, Dallas, Texas 75202.

Region VII (Kansas City)—Iowa, Kansas, Missouri and Nebraska. U.S. Office of Education, Equal Educational Opportunity, New Federal Office Bldg., 601 East 12th Street, Kansas City, Missouri 64106.

Region VIII (Denver)—Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming. U.S. Office of Education, Equal Educational Opportunity, 1961 Stout Street, Denver, Colorado 80202.

Region IX (San Francisco)—Arizona, California, Hawaii, Nevada, American Samoa, Guam and the Trust Territory of the Pacific Islands. U.S. Office of Education, Equal Educational Opportunity, 50 Fulton Street, Room 359, San Francisco, California 94102.

Region X (Seattle)—Alaska, Idaho, Oregon and Washington. U.S. Office of Education, Equal Educational Opportunity, Arcade Plaza Bldg., M/S 628, 1321 Second Avenue, Seattle, Washington 98101.

B. HAND DELIVERED APPLICATIONS

All applications to be hand delivered must be taken to the appropriate U.S. Office of Education Regional Office, Application Control Center at the address listed in Part A of this notice. Hand delivered applications will be accepted daily between the hours of 8:30 a.m. and 4 p.m. local time except Saturdays, Sundays and Federal holidays. Applications will not be accepted after 4 p.m. local time by a U.S. Office of Education Regional Office on the closing date.

C. PROGRAM INFORMATION AND FORMS

Information and program forms may be obtained from the appropriate Regional Office (see listing above).

D. APPLICABLE REGULATIONS

The regulations applicable to this program include the Office of Education general provisions regulations (45 CFR Part 100 and 100a) and Subparts A, B, D, and E of the final regulations for the Civil Rights Technical Assistance and Training Program published in this issue of the FEDERAL REGISTER.

Dated: December 10, 1975.

T. H. BELL,
U.S. Commissioner of Education.

(Catalog of Federal Domestic Assistance number 13.405 Civil Rights Technical Assistance and Training Program)

[FR Doc.76–809 Filed 1–9–76;8:45 am]

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Title 7—Agriculture

CHAPTER VII—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (AGRICULTURAL ADJUSTMENT), DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 6]

PART 729—PEANUTS

Regulations for Determination of Acreage Allotments and Marketing Quotas for 1972 and Subsequent Crops of Peanuts; Miscellaneous Changes

This amendment of the allotment and marketing quota regulations for peanuts of the 1972 and subsequent crops is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.)

The purposes of this amendment are (1) to provide for issuance of a marketing card allowing the obtaining of price support on peanuts produced on an excess peanut farm when it is determined by the Deputy Administrator that the producer has not knowingly exceded his allotment and (2) to establish the basic penalty rate for the 1975 crop of peanuts.

The marketing of peanuts of the 1975 crop is underway and it is essential that producers and buyers know the penalty rate as soon as possible. Accordingly, it is hereby determined that compliance with the notice of proposed rulemaking, public procedure, and 30-day effective date provisions of 5 U.S.C. 553 is impracticable and contrary to the public interest.

The regulations for determination of acreage allotments and marketing quotas for 1972 and subsequent crops of peanuts (37 FR 2645, 3629, 23413, 28124, 39 F.R. 10883, 36564, 40578) are amended as follows:

1. Paragraph (b) of § 729.32 is revised to read as follows:

§ 729.32 Marketing cards and their uses.

* * * * *

(b) *Excess penalty card.* Form MQ–77 Peanuts, Peanut Excess Penalty Marketing Card, referred to as an "excess penalty card," authorizes the marketing of peanuts produced on the farm for which the card is issued with payment of marketing penalty at the rate entered on the card. Peanuts marketed with an excess penalty card are not eligible for price support unless the card is marked "Eligible for Price Support."

* * * * *

2. A new subparagraph (4) is added to paragraph (d) of § 729.33 to read as follows:

§ 729.33 Issuance of marketing cards.

* * * * *

(d) *Excess penalty card.* * * *

(4) The excess penalty card issued for a farm shall be marked "Eligible for Price Support" in those cases in which it is determined by the Deputy Administrator that the producer has not knowingly exceeded his allotment.

3. A new subparagraph (4) is added to paragraph (b) of § 729.43 to read as follows:

§ 729.43 Penalty Rate.

* * * * *

(b) *Future years.* * * *

(4) *1975 crop.* The basic support price for peanuts for the marketing year beginning August 1, 1975 and ending July 31, 1976, is $394.50 per ton or 19.72 cents per pound. Therefore, the basic penalty rate for the 1975 crop of peanuts is 14.8 cents per pound.

(Secs. 358, 359, 375, 55 Stat. 88, as amended, 81 Stat. 658, as amended, 55 Stat. 90, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1358, 1358a, 1359, 1375.)

Effective date: January 13, 1976.

Signed at Washington, D.C., on January 2, 1976.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.76–1007 Filed 1–12–76;8:45 am]

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Lemon Regulation 20, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation increases the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period January 4–10, 1976. The quantity that may be shipped is increased due to improved market conditions for California-Arizona lemons. The regulation and this amendment are issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910.

§ 910.320 Lemon Regulation 20.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for an increase in the quantity of lemons available for handling during the current week results from changes that have taken place in the marketing situation since the issuance of Lemon Regulation 20 (41 FR 1). The marketing picture now indicates that there is a greater demand for lemons than existed when the regulation was made effective. Therefore, in order to provide an opportunity for handlers to handle a sufficient volume of lemons to fill the current market demand thereby making a greater quantity of lemons available to meet such increased demand, the regulation should be amended, as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

(b) *Order, as amended.* Paragraph (b) (1) of § 910.320 (Lemon Regulation 20 (41 FR 1) is hereby amended to read as follows:)

"The quantity of lemons grown in California and Arizona which may be handled during the period January 4, 1976 through January 10, 1976, is hereby fixed at 210,000 cartons."

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: January 8, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.76–1013 Filed 1–12–76;8:45 am]

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CHAPTER XXVI—OFFICE OF INVESTIGATION, DEPARTMENT OF AGRICULTURE

PART 2610—ORGANIZATION, FUNCTIONS, AND DELEGATIONS OF AUTHORITY

Chapter XXVI, Title 7 CFR is hereby amended by adding a new Part 2610 dealing with the organization, functions, and delegations of authority of the Office of Investigation, to read as follows:

Sec.
2610.1 General statement.
2610.2 Headquarters organization.
2610.3 Regional offices.
2610.4 Agency requests for service.
2610.5 Other requests for service.
2610.6 Delegations of authority.

AUTHORITY: 5 U.S.C. 301, 5 U.S.C. 552, 5 U.S.C. 559

§ 2610.1 General statement.

(a) The Office of Investigation, hereinafter referred to as OI, was created by Secretary's Memorandum No. 1836 dated January 9, 1974, which transferred the investigative functions of the Department to that Office. Delegations of authority to the Director, OI, appear in 7 CFR 2.33. OI has a Headquarters Office at Washington, D.C., and seven Regional Offices, as shown below.

(b) OI is a staff office providing investigative service pertaining to the Department, all of its constituent organizations, and all parties performing under contracts, grants, or other agreements with the Department. The Director, OI, has authority to inquire into all programs and administrative activities of the Department. These inquiries may be investigations, analyses, or reviews in such forms as are appropriate.

(c) The Director, OI, issues factual reports. He does not direct changes in policies, procedures, or operations of Departmental agencies, but is authorized and directed to determine that reports he has furnished have been reviewed and properly acted upon.

(d) The Director, OI, is authorized liaison officer for the Department on all investigative matters except those matters relating to the Departments' personnel security program. His authority includes liaison and coordination for these functions (1) with agencies within the Department and (2) between the Department and other Executive and Legislative organizations, including Congressional Committees. The Director, OI, is operationally independent of other offices and agencies of the Department and reports directly to the Secretary.

§ 2610.2 Headquarters organization.

The Headquarters organization consists of the Director, OI, and the following staff units:

(a) *Assistant Director for General Investigations (GI).* (1) Provides direction and coordination to Regional Offices concerning investigations, (2) carries out liaison with other law enforcement agencies and the Washington level of USDA agencies on OI investigations of programs, functions, and personnel for which those agencies are responsible, and (3) prepares and sends to the Director reports to inform key Department officials of significant investigative disclosures.

(b) *Assistant Director for Information, Research and Development (IRD).* (1) Formulates, writes, and issues policies, standards, and concepts of performance for investigative activities, (2) develops training policies and operates the OI training program, (3) handles complaints and requests for information (including the Freedom of Information and Privacy Acts) received from the Congress, the press, and the public, (4) researches and evaluates statutes, legal opinions, court decisions, and other professional and governmental reports and publications for application to Office of Investigation operations.

(c) *Assistant Director for Security and Special Investigations (SSI).* (1) Conducts certain investigations of sensitive, complex, serious, or urgent matters, including those nationwide in scope and those involving high-level Department officials, (2) conducts all investigations of international programs, (3) conducts special operations to detect fraud in major Departmental programs, and develops and coordinates intelligence operations in various program areas, (4) formulates Departmental policies, standards, techniques, and procedures for maintaining the security of physical facilities, self-protection, and warden systems, and (5) provides for the personal protection of the Secretary.

(d) *Special Assistant to the Director for Internal Inspections and Investigations.* Conducts internal OI personnel investigations and inspections of all OI activities.

§ 2610.3 Regional offices.

The following OI Regional Offices perform the investigative services in the territorial areas indicated. Each Regional Office is headed by a Regional Director. Communications may be addressed to the Regional Director, Office of Investigation, U.S. Department of Agriculture, at the appropriate location listed below.

Region:	Address and territory
I	Room 1707, 26 Federal Plaza, New York, N.Y. 10007. (Territory: Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont.)
II	Room 432A, Federal Center Building, Hyattsville, Md. 20782. (Territory: Delaware, District of Columbia, Maryland, Pennsylvania, Puerto Rico, Virginia,[2] Virgin Islands, and West Virginia.)
III	Room 901, 1447 Peachtree Street, NE., Atlanta, Ga. 30309. (Territory: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.)
IV	Room 800, 1 North Wacker Drive, Chicago, Ill. 60606. (Territory: Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin.)
V	3912 South General Bruce Drive, Temple, Tex. 76501. (Territory: Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.)
VI	Office Address: 8930 Ward Parkway. Mailing Address: P.O. Box 205, Kansas City, Mo. 64141. (Territory: Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah and Wyoming.)
VII	Room 526, 555 Battery Street, San Francisco, Calif. 94111. (Territory: Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Washington, Trust Territories of the Pacific, and Territory of Guam.)

§ 2610.4 Agency requests for service.

Heads of USDA agencies and offices, and their field offices, as applicable, will direct requests for investigations to the appropriate office of OI, as indicated below:

(a) *Regional Directors.* Except as indicated in paragraphs (b), (c), and (d), of this section, address all matters to the Regional Director listed in § 2610.3 serving the locations or areas in which investigation should be conducted.

(b) *Assistant Director, SSI.* Address to the Assistant Director, SSI, all bribery information and all requests for investigations at foreign sites.

(c) *Assistant Director, GI.* Direct requests for investigations, other than those in paragraph (b) of this section, to the Assistant Director, GI, for those matters which (1) warrant request to the Washington Headquarters of OI because of urgency, sensitivity, or security, (2) involve agency activities that are national in scope, or (3) require action by more than one OI Region to perform the services requested.

(d) *Director.* Notwithstanding the provisions of paragraphs (a), (b), and (c) of this section, agency officials may at any time direct to the personal attention of the Director requests for investigation of alleged misconduct by agency officials GS–14 and above and any other investigative matters that they consider warrant such attention.

§ 2610.5 Other requests for service.

Any person desiring to bring to the attention of OI any investigative matter which he considers warrants such attention may address his communication to:

(a) The Director, Office of Investigation, U.S. Department of Agriculture, Washington, D.C. 20250, or

(b) The appropriate Regional Director, Office of Investigation, listed in § 2610.3.

§ 2610.6 Delegations of authority.

(a) There is hereby delegated to the Assistant Directors listed in § 2610.2 the authority to take any action in connection with the functions assigned to them. This authority may be redelegated. This delegation does not preclude the Director from exercising any of the powers or functions, or from performing any of the duties listed herein.

(b) There is hereby delegated to Regional Directors listed in § 2610.3 the authority to take any action in connection with the functions assigned to them. This authority may be redelegated. This delegation does not preclude the Director from exercising any of the powers or functions, or from performing any of the duties listed herein.

(c) There is hereby reserved to the Director the authority to formulate and develop investigative policies, programs, procedures, and standards; allocate appropriated funds; and determine Investigative Jurisdiction.

Issued at Washington, D.C., this 6th day of January 1976.

JOHN V. GRAZIANO,
Director.

[FR Doc.76–1025 Filed 1–12–76;8:45 am]

Title 8—Aliens and Nationality

CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

Fees

Reference is made to the notice of proposed rulemaking which was published in the FEDERAL REGISTER of April 10, 1975 (40 FR 16215) pursuant to section 553 of Title 5 of the United States Code (80 Stat. 383) and in which there were set forth the proposed amendments of 8 CFR 103.7, pertaining to changes in the amount of certain fees pursuant to the provisions of section 483a of Title 31 of the United States Code (65 Stat. 290).

The proposed rules would impose a charge of $5.00 if a check in payment of a fee is not honored by the bank on which it is drawn; would add a new fee for filing an application for an Arrival-Departure Record (Form I–94) or Crewman's Landing Permit (Form I–95) in lieu of one lost, mutilated, or destroyed; and would change the existing amount of fees for filing certain applications, petitions, appeals and motions under the immigration and nationality laws.

The representations which were received in response to the proposed rules of April 10, 1975 have been considered. The proposed rules have been modified in the following respects: (1) The proposed fee for filing an appeal from or motion to reopen or reconsider any decision under the immigration laws in any type of proceeding over which the Board of Immigration Appeals does not have appellate jurisdiction has been reduced to $50.00; (2) The proposed fee for filing an appeal from or motion to reopen or reconsider any decision under the immigration laws in any type of proceeding over which the Board of Immigration Appeals has appellate jurisdiction in accordance with 8 CFR 3.1(b) has been reduced to $50.00; and (3) The proposed fee for filing an application for temporary withholding of deportation under section 243(h) of the Act will not be adopted.

The proposed rules, as modified and as set forth below, are hereby adopted:

In § 103.7, paragraph (a) is amended by adding a new sentence between the existing third and fourth sentences thereof and paragraph (b)(1) is amended by adding a new fee and by revising 28 existing fees. As amended, §§ 103.7 (a) and (b)(1) read in pertinent part as follows:

§ 103.7 Fees.

(a) *Remittances.* * * * A charge of $5.00 will be imposed if a check in payment of a fee is not honored by the bank on which it is drawn. * * *

(b) *Amounts of fees.*—(1) The following fees and charges are prescribed:

For filing application for alien registration receipt card (form I–151), in lieu of one lost, mutilated, or destroyed, or in a changed name	$10
For filing application on form I–550 for verification of lawful permanent residence of an alien	5
For filing application for verification of information contained in service records	5
For filing application (form I–102) for arrival-departure record (form I–94) or crewman's landing permit (form I–95), in lieu of one lost, mutilated, or destroyed	5
For filing application for a U.S. citizen identification card	5
For filing application for permission to reapply for an excluded or deported alien, an alien who has fallen into distress and has been removed as an alien enemy, or an alien who has been removed at Government expense in lieu of deportation	20
For filing application for passport or visa waiver prior to or at the time application is made for temporary admission to the United States	[1] 5
For filing application for visa waiver when application is made for admission as a returning resident	[1] 5
For filing application for passport waiver prior to or at the time application is made for permanent admission	[1] 5
For filing appeal from or motion to reopen or reconsider any decision under the immigration laws in any type of proceeding over which the Board of Immigration Appeals does not have appellate jurisdiction. (The fee of $50 shall be charged whenever an appeal or motion is filed by or on behalf of two or more aliens and all such aliens are covered by one decision.)	50
For filing petition to classify nonimmigrant as temporary worker or trainee under section 214(c) of the act	10
For filing petition to classify nonimmigrant as fiancee or fiance under section 214(d) of the act	10
For filing petition to classify status of alien relative for issuance of immigrant visa under section 204(a) of the act	10
For filing application for issuance or extension of reentry permit	5
For filing application for issuance or extension of refugee travel document	5
For filing application for extension of stay of a nonimmigrant, other than one described in section 101(a)(15)(F) or 101(a)(15)(J) of the Act, and, upon a basis of reciprocity, a nonimmigrant described in section 101(a)(15)(A)(iii) or 101(a)(15)(G)(v) of the act	5
For filing petition to classify preference status of an alien on basis of profession or occupation under section 204(a) of the act	20
For filing petition to classify orphan as an immediate relative for issuance of immigrant visa under section 204(a) of the act. (When more than one petition is submitted by the same petitioner in behalf of orphans who are brothers or sisters, only one fee will be required.)	35
For filing application for school approval, except in the case of a school or school system owned or operated as a public educational institution or system by the United States or a State or political subdivision thereof	30
For filing application for discretionary relief under section 212(c) of the act	50
For filing application for discretionary relief under section 212(d)(3) of the act, except in an emergency case, or where the approval of the application is in the interest of the U.S. Government	10
For filing application for waiver of the foreign-residence requirement under section 212(e) of the act	65
For filing application for waiver of ground of excludability under section 212 (h) or (i) of the act. (Only a single application and fee shall be required when the alien is applying simultaneously for a waiver under both those sections.)	40
For filing application for adjustment of status to that of a permanent resident under section 245 of the act	25
For filing application for adjustment of status to that of a permanent resident under section 13 of the act of Sept. 11, 1957	25
For filing application for creation of record of admission for permanent residence under section 249 of the act	25
For filing application to record lawful admission for permanent residence under section 214(d) of the act	25
For filing application for change of nonimmigrant classification under section 248 of the act	10
For filing appeal from or motion to reopen or reconsider any decision under the immigration laws in any type of proceeding over which the Board of Immigration Appeals has appellate jurisdiction in accordance with § 3.1(b) of this chapter. When the motion to reopen or reconsider is made concurrently with any application under the immigration laws, such application will be considered an integral part of the motion and only the fee for filing the motion or the fee for filing the application, whichever is greater, is payable. (The fee of $50 shall be charged whenever an appeal or motion is filed by or on behalf of two or more aliens and all such aliens are covered by one decision.)	50
For filing application for stay of deportation under part 243 of this chapter	40

[1] Plus communication costs.

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For filing application for temporary withholding of deportation under section 343(h) of the act..... 25
For filing application for suspension of deportation under section 244 of the act..... 65
For filing application for transfer of petition for naturalization under section 355(1) of the act, except when transfer is of a petition for naturalization filed under the act of Oct. 24, 1968, Pub. L. 90-633..... 10
For filing application for a certificate of naturalization or declaration of intention in lieu of a certificate or declaration alleged to have been lost, mutilated, or destroyed; or for a certificate of citizenship in a changed name under section 343 (b) or (d) of the act..... 5
For filing application for certificate of citizenship on form N-600 under section 309(c) or section 341 of the act 10
For filing application for certificate of citizenship on form N-400 by a parent, and the issuance thereof, under section 341 of the act..... 10
For filing application for a special certificate of naturalization to obtain recognition as a citizen of the United States by a foreign state under section 343(c) of the act..... 5
For filing application for a certificate of naturalization or repatriation under section 343(a) of the Immigration and Nationality Act or the 12th subdivision of section 4 of the act of June 29, 1906..... 10
For filing application for section 316 (b) or 317 of the act benefits..... 7
For special statistical tabulations a charge will be made to cover the cost of the work involved..... 105
For set of monthly, semiannual, or annual tables entitled "Passenger Travel Reports via Sea and Air"..... 1
For annual subscription for "Passenger Travel Reports via Sea and Air"..... 3
For certification of true copies, each...
For attestation under seal.....

* * * * *

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

Effective date: In accordance with the provisions of section 553 of title 5 of the United States Code (80 Stat. 383), this order shall become effective on or before February 12, 1976.

Dated: January 7, 1976.

L. F. CHAPMAN, JR.,
Commissioner of Immigration and Naturalization.

[FR Doc.76-956 Filed 1-12-76;8:45 am]

Title 12—Banks and Banking

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

SUBCHAPTER D—RULES AND REGULATIONS FOR INSURANCE OF ACCOUNTS

[No. 76-9]

PART 561—DEFINITIONS

Amendment Relating to Slow Loans

JANUARY 7, 1976.

The Federal Home Loan Bank Board, as operating head of the Federal Savings and Loan Insurance Corporation, considers it desirable to remove an obsolete restriction in § 561.16(e), which provides that modified or refinanced loans must not have been previously modified or refinanced "subsequent to January 1, 1964" in order to qualify for exclusion from the "slow loan" category, and substitute therefor a requirement that such loans not have been previously modified or refinanced during the past five years or the life of the loan, whichever is shorter.

The Board finds that notice and public procedure of said amendment as specified in 12 CFR 508.12 and 508.13 and 5 U.S.C. 553 (b) and (c) are unnecessary since the amendment relieves restriction, and publication of said amendment for the 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553(d) prior to effective date is unnecessary for the same reason.

Accordingly, the Board hereby amends Part 561 of the Rules and Regulations for Insurance of Accounts by revising § 561.16(e) thereof, to read as set forth below, effective January 13, 1976.

§ 561.16 Slow loans.

The term "slow loans" means:

* * * * *

(e) Any loan or land contract that has been modified or refinanced within the preceding 12 months while contractually delinquent, except a mortgage loan or land contract (1) more than 2 years old and less than 30 days (1 month) contractually delinquent at the time of the modification or refinancing and not previously modified or refinanced during the past 60 months or the life of the loan, whichever period is shorter, or (2) modified or refinanced to provide for payment of real estate taxes, other governmental assessments, hazard insurance premiums, or water or sewer rent or charges, if provision is made for repayment within the succeeding 12 months of the funds so advanced.

* * * * *

(Secs. 402, 403, 407, 48 Stat. 1256, 1257, 1260, as amended (12 U.S.C. 1725, 1726, 1730); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] RONALD A. SNIDER,
Assistant Secretary.

[FR Doc.76-979 Filed 1-12-76;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 75-NE-31; Amdt. 39-2492]

PART 39—AIRWORTHINESS DIRECTIVES

Pratt & Whitney JT4A Model Engines

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring a repetitive shotpeening and application of antigalling compound to Pratt & Whitney Aircraft JT4A turbojet engines containing tenth stage compressor blades, P/N 499710 and P/N 310010, was published in the FEDERAL REGISTER, dated July 17, 1975 (40 FR 30126).

Interested persons have been afforded an opportunity to participate in the making of the amendment. Only one dissenting comment was received. The commentator stated that two JT4A operators are performing the shotpeening at a different interval than would be required by the AD. The commentator suggested that since these operators have not experienced a blade failure since adopting this schedule, they should not be required to shorten the shotpeen interval; we agree. Since the proposed rule allows adjustment of the repetitive shotpeen intervals to permit compliance at an established inspection period of the operator, no change in the rule is required.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89) Section 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

PRATT & WHITNEY AIRCRAFT. Applies to all Pratt & Whitney Model JT4A turbojet engines containing tenth stage compressor blades, P/N 499710 and P/N 310010.

To prevent possible tenth stage compressor blade failure resulting in case penetration, shotpeen the blades in accordance with JT4A Overhaul Manual, P/N 334887, Section 72-36-1, and apply antigalling compound in accordance with TR 72-617, of JT4A Overhaul Manual P/N 384387, in accordance with the following schedule:

1. Within 4000 hours time in service since new or the last shotpeening to 6A intensity.
2. Within 6000 hours time in service since the last shotpeening to 11-A intensity.
3. Blades that have exceeded the shotpeening intervals of Paragraphs 1 and 2 must be removed within the next 2000 hours time in service.

Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA, New England Region, may adjust the repetitive shotpeen intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Pratt & Whitney Aircraft, Division of United Aircraft Corporation, 400 Main Street, East Hartford, Connecticut 06108. These documents may also be examined at Federal Aviation Administration, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803, and at FAA headquarters, 800 Independence Avenue SW., Washington, D.C. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at New England Region.

This amendment becomes effective on January 28, 1976.

This amendment is made under the authority of Sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Burlington, Massachusetts, on January 5, 1976.

(The incorporation by reference provisions in this document was approved by the Director of the Federal Register on June 19, 1967.)

QUENTIN S. TAYLOR,
Director, New England Region.

[FR Doc.76-874 Filed 1-12-76;8:45 am]

[Airworthiness Docket No. 75-WE-52-AD; Amdt. 39-2491]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed-California Company Model L-1011-385 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring inspection, replacement and/or rework as necessary of each slide, slide/raft evacuation system hard container release cable assemblies and latching parts on Lockheed-California Company Model L-1011-385 Series Airplanes, was published in 40 FR 52744.

Interested persons have been afforded an opportunity to participate in the making of the amendment.

No objections to accomplishing the intent of the A.D. were received. One commentator requested acceptance of an alternate identification means, as an interim measure, whereby an identification placard would be installed on the flipper door rather than on the actual modified slide/raft assemblies. This alternative identification means is not considered to be acceptable, because the reidentification placard would not be on the AD modified article itself.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

LOCKHEED-CALIFORNIA COMPANY. Applies to Lockheed-California Company Model L-1011-385 series airplanes certificated in all categories.

Compliance required within the next 300 hours' time in service after effective date of this AD, unless already accomplished:

To prevent possible emergency evacuation system hard container release cable assembly failures, accomplish the following:

(a) Inspect each slide, slide/raft evacuation system to determine if a modified cable assembly has been installed in accordance with Lockheed Alert Service Bulletin No. 093-25-A239, dated October 23, 1975, and Air Cruisers Company Service Bulletin 25-29, dated October 23, 1975, or later FAA-approved revisions or an FAA-approved equivalent modification approved by the Chief, Aircraft Engineering Division, FAA Western Region. Modified cable assemblies are identified by either blue or green paint on the parachute pin in the swaged area.

(b) Replace all unmodified cable assemblies located during the inspections required by paragraph (a) with a modified cable assembly in accordance with Air Cruisers Company Service Bulletin 25-29, dated October 23, 1975, and Lockheed Alert Service Bulletin No. 003-25-A239, dated October 23, 1975, or later FAA-approved revisions, or equivalent modifications approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(c) Inspect each slide, slide/raft evacuation system hard container latching parts which interrelate with the hard container release cable parachute pins for burrs and/or sharp edges and replace or rework as necessary in accordance with Lockheed Alert Service Bulletin No. 093-25-A239, dated October 23, 1975, and Air Cruisers Company Service Bulletin No. 25-29, dated October 23, 1975, or later FAA-approved revisions or equivalent modifications approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(d) Reidentify slide, slide/raft evacuation assemblies having modified cable assemblies which have been installed as required by paragraph (b), in accordance with Lockheed Alert Service Bulletin No. 093-25-A239 dated October 23, 1975, or later FAA-approved revisions, or equivalent means of reidentification approved by the Chief, Aircraft Engineering Division, FAA Western Region. This paragraph supersedes the reidentification requirement of paragraph (e), AD 75-03-07.

This amendment becomes effective February 20, 1976.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423), sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, California on January 2, 1976.

FRANK HAPPY,
Acting Director, FAA Western Region.

[FR Doc.76-873 Filed 1-12-76;8:45 am]

[Airworthiness Docket No. 75-WE-56-AD; Amdt. 39-2489]

PART 39—AIRWORTHINESS DIRECTIVES

McDonnell Douglas Model DC-9-30, -50 Series Airplanes

There have been three reported incidents involving manually induced longitudinal porpoising during approach in the landing configuration which is aggravated by the hydraulic boost system. One incident resulted in a hard landing.

Since this condition is likely to exist or develop in certain airplanes of the same design, an airworthiness directive is being issued to require the removal of the hydraulic bleed stop assembly, P/N 4934616-1 per Douglas Alert Service Bulletin A27-176 on the affected McDonnell Douglas Model DC-9-30 and -50 Series Airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

MCDONNELL DOUGLAS. Applies to Model DC-9-30 and -50 Series Airplanes Fuselage Numbers 757, 763, 780 through 795, 797 and 798, certificated in all categories.

Compliance required within the next 50 hours' time in service or 5 days whichever comes first after the effective date of this AD, unless already accomplished.

To prevent manually induced longitudinal porpoising aggravated by the elevator boost system accomplish the following:

Remove the hydraulic bleed stop assembly, P/N 4934616-1, per Douglas Alert Service Bulletin A27-176, dated December 13, 1975, or later FAA-approved revisions, or an equivalent procedure approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment becomes effective on January 15, 1976.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c))).

Issued in Los Angeles, California on December 31, 1975.

ROBERT H. STANTON,
Director, FAA Western Region.

[FR Doc.76-868 Filed 1-12-76;8:45 am]

[Airspace Docket No. 75-NE-29]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On October 31, 1975, a notice of proposed rulemaking (NPRM) was published in the FEDERAL REGISTER (40 FR 50726) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Portland, Maine, Transition Area to include additional airspace east of Pease Air Force Base, N.H.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. One comment was received and it was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 25, 1976, as hereinafter set forth.

In § 71.181 (41 FR 440) the Portland, Maine, Transition Area is amended to read as follows:

PORTLAND, MAINE, TRANSITION AREA

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center (latitude 43°38'50'' N., longitude 70°18'30'' W.) of Portland International Jetport; within 4.5 miles south and 9.5 miles north of the Portland ILS localizer west course, extending from the OM to 18.5 miles west of the OM; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 43°59'00'' N., longitude 69°16'00'' W., thence to latitude 43°50'00'' N., longitude 69°18'00'' W., to latitude 43°44'00'' N., longitude

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69°19'42" W., to latitude 43°41'00" N., longitude 69°30'00" W.; to latitude 43°30'00" N., longitude 70°06'00" W., to latitude 43°18'15" N., longitude 70°25'00" W., to latitude 42°43'15" N., longitude 70°25'00" W., to latitude 42°41'20" N., longitude 70°30'15" W., thence along a line 3 nautical miles from and parallel to the shoreline to latitude 42°44'25" N., longitude 70°37'15" W., to latitude 42°53'00" N., longitude 71°05'00" W., to latitude 43°45'00" N., longitude 71°09'00" W., to latitude 44°06'00" N., longitude 70°43'00" W., to latitude 44°02'05" N., longitude 70°37'30" W., to latitude 44°13'30" N., longitude 70°11'30" W., to latitude 44°12'00" N., longitude 70°10'00" W., to latitude 44°05'00" N., longitude 70°23'00" W., to latitude 43°55'00" N., longitude 70°28'00" W., to latitude 43°50'00" N., longitude 70°12'00" W., to latitude 44°03'00" N., longitude 70°06'00" W., to latitude 44°09'00" N., longitude 69°57'00" W., thence counterclockwise via the arc of a 14-mile radius circle centered on the Augusta, Main, VOR to latitude 44°09'00" N., longitude 69°39'00" W., thence to the point of beginning.

(Sec. 307(a) and 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1510); Executive Order 10854 (24 FR 9565); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on January 7, 1976.

EDWARD J. MALO,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.76-871 Filed 1-7-76;8:45 am]

[Airspace Docket No. 75-WA-19]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Renumbering of Airway Segments; Correction

In FR Doc. 75-34080 appearing at page 58624 in the FEDERAL REGISTER of December 18, 1975, paragraph h. of § 71.123 appearing on page 58625 is corrected in the second and third lines of that paragraph by deleting "Toronto 141° and Buffalo, N.Y., 312°" and substituting "Toronto 172° and Buffalo, N.Y., 294°" therefor. Paragraph k. of § 71.123 appearing on page 58625 is corrected in the fourth line of that paragraph by deleting "to Geneseo, N.Y." and substituting "to Geneseo, N.Y. The airspace within Canada is excluded." therefor.

Issued in Washington, D.C., on January 6, 1976.

WILLIAM E. BROADWATER,
Chief, Airspace and Air Traffic Rules Division.

[FR Doc.76-872 Filed 1-12-76;8:45 am]

[Airspace Docket No. 75-EA-68]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Revocation of Federal Airway Segments

On November 14, 1975, a notice of proposed rulemaking (NPRM) was published in the FEDERAL REGISTER (40 FR 53045) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would: (1) Revoke the west alternate of V-29 between Salisbury, Md., and Kenton, Del.; and (2) Revoke a segment of V-147 from the intersection with V-157 to the Pottstown, Pa. VORTAC.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. We received one response to the NPRM in which the commentator posed no objection to the proposal.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 25, 1976, as hereinafter set forth.

Section 71.123 (41 FR 307) is amended as follows:

1. In V-29 "Kenton, Del., including a west alternate via INT Salisbury 340° and Kenton 217° radials;" is deleted and "Kenton, Del.;" is substituted therefor. The exclusion note regarding R-4006 which accompanies the description of V-29 is deleted.

2. In V-147 "From INT New Castle, Del., 058° and Pottstown, Pa., 143° radials; Pottstown;" is deleted and "From Pottstown, Pa., via" is substituted therefor.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on Jan. 7, 1976.

EDWARD J. MALO,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.76-870 Filed 1-12-76;8:45 am]

[Airspace Docket No. 75-WA-20]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Alteration of Area High Routes

On November 10 and 18, 1975, a notice of proposed rulemaking (NPRM) was published in the FEDERAL REGISTER (40 FR 52409, 53406) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 75 of the Federal Aviation Regulations that would realign J920R and relocate waypoint KRUMS.

Interested persons were afforded an opportunity to participate in the proposed rulemaking through the submission of comments. The only comment received was favorable.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 25, 1976, as hereinafter set forth.

Section 75.400 (41 FR 721) is amended as follows:

In J920R "KRUMS 49°00'00" N., 109°14'25" W., Lewistown, Mont." is deleted and "KRUMS 49°00'00" N., 109°27'26" W., Lewiston, Mont." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on January 7, 1976.

EDWARD J. MALO,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.76-869 Filed 1-12-76;8:45 am]

[Docket No. 14128; Amdt. No. 91-130]

PART 91—GENERAL OPERATING AND FLIGHT RULES

Special Flight Authorizations

The purpose of this amendment to Part 91 of the Federal Aviation Regulations is to provide for the issuance of special flight authorizations to operators of Canadian registered amateur-built experimental aircraft who desire to operate the aircraft in the United States for the purpose of demonstrating it at airshows in the United States.

This amendment is based on a notice of proposed rulemaking (Notice No. 74-35) issued on November 12, 1974, and published in the FEDERAL REGISTER on November 20, 1974 (39 FR 40785).

Interested persons were afforded an opportunity to participate in the making of this amendment and due consideration was given to all matters presented. Fourteen comments were received in response to the notice. While all the comments received were favorable, some of the commentators recommended changes to the proposed amendment which are discussed below.

One commentator stated that the proposal should be broadened to include amateur-built aircraft of other nations that meet the same level of airworthiness as U.S. amateur-built aircraft. As stated in the notice, the majority of the petitions for exemptions to attend airshows are received from Canada and petitions for exemptions from other nations are very few. Therefore, the FAA does not believe that a change to the notice to accommodate the few petitions from other nations is warranted at this time.

Another commentator suggested that the rule should also permit the issuance of special flight authorizations to all Canadian aircraft issued Canadian Flight Permits in order to include ex-military aircraft, such as Canadian "Warbird aircraft" that attend many airshows in the United States.

The FAA notes that such aircraft were not included in the proposal and are not included in this amendment. Canadian "Warbird aircraft" are high-performance aircraft, often turbine-powered, operating primarily in accordance with operating limitations established by the Canadian military services. Because of the operating characteristics of these aircraft, the FAA believes that it is in the interest of safety to process requests concerning such aircraft on an individual basis in accordance with Part 11 of the Federal Aviation Regulations.

Finally, one commentator suggested that the proposal be changed by substituting the term "fly-in" for the term "air-show". However, the commentator presented no reasons for the suggested change other than that it might be more appropriate. Since it has not been established that the terms are synonymous, substituting the terms suggested could result in a substantive change to the regulation not proposed in the notice. Therefore, the effect of the change recommended must be fully evaluated. If it is determined that the suggested change has merit, it will be the subject of a future rule-making action.

(Secs. 313(a), 601, 603, and 610(b), Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423 and 1430(b)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

In consideration of the foregoing, § 91.28 of the Federal Aviation Regulations is amended, effective February 12, 1976, by revising paragraph (a) of that section and by adding a new paragraph (b)(6) to read as follows:

§ 91.28 Special flight authorizations for foreign civil aircraft.

(a) Foreign civil aircraft may be operated without the airworthiness certificate required under § 91.27 if a special flight authorization for that operation is issued under this section. Application for a special flight authorization must be made to the Regional Director of the FAA Region in which the applicant is located. However, application for a special flight authorization for the purpose specified in paragraph (b)(6) of this section must be made to the Regional Director of the FAA Region in which the airshow is located.

(b) • • •

(6) The flight of a Canadian registered amateur-built experimental aircraft brought to the United States for the purpose of demonstration at an airshow within the United States.

• • • • • •

Issued in Washington, D.C., on January 5, 1976.

JOHN L. MCLUCAS,
Administrator.

[FR Doc.76-867 Filed 1-12-76;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER A—GENERAL

PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

Subpart H—Delegations of Authority

Approval of New-Drug Applications

The Commissioner of Food and Drugs is amending § 2.121 *Delegations of authority from the Commissioner to other officers of the Administration* (21 CFR 2.121) to provide for revised delegations relating to approval of new-drug applications. Functions relating to abbreviated new-drug applications have been reassigned to the Associate Director for Drug Monographs, thus requiring revision of the current delegations. The amendment is effective January 13, 1976.

Further redelegation of the authority redelegated by this amendment is not authorized. Authority redelegated by this amendment to a specific position may be exercised by a person officially designated to serve in such position in an acting capacity or on a temporary basis, unless prohibited by a restriction written into the document designating him as "acting", or unless it is not legally permissible.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a))) and under authority delegated to the Commissioner (21 CFR 2.120), Part 2 is amended in § 2.121 by revising paragraphs (k) and (l) to read as follows:

§ 2.121 Redelegations of authority from the Commissioner to other officers of the Administration.

• • • • • •

(k) *Delegations regarding approval of new-drug applications and supplemental applications thereto for drugs for human use.* (1) The Director, Deputy Director, and Associate Director for New Drug Evaluation of the Bureau of Drugs are authorized to perform all the functions of the Commissioner of Food and Drugs with regard to approval of new-drug applications and supplements thereto which are for drugs for human use and have been submitted pursuant to section 505 of the Federal Food, Drug, and Cosmetic Act.

(2) The Directors of the Divisions of: Anti-Infective Drug Products; Cardio-Renal Drug Products; Surgical-Dental Drug Products; Metabolism and Endocrine Drug Products; Neuropharmacological Drug Products; Oncology and Radiopharmaceutical Drug Products; and Drug Advertising of the Bureau of Drugs are authorized to perform all of the functions of the Commissioner of Food and Drugs with regard to approval of supplemental applications to approved new-drug applications which are for drugs for human use and have been submitted pursuant to §§ 314.1(c) and 314.8 of this chapter.

(3) The Associate and Deputy Associate Director for Drug Monographs and the Director of the Division of Generic Drug Monographs of the Bureau of Drugs are authorized to perform all of the functions of the Commissioner of Food and Drugs regarding the approval of abbreviated new-drug applications and supplemental applications thereto which are for drugs for human use and have been submitted pursuant to §§ 314.1(f) and 314.8 of this chapter.

(l) *Delegations regarding issuance of notices relating to proposals to refuse approval or to withdraw approval of new-drug applications and supplemental applications thereto for drugs for human use.* The Director and Deputy Director of the Bureau of Drugs are authorized to issue notices of an opportunity for a hearing on proposals to refuse approval or to withdraw approval of new-drug applications and abbreviated new-drug applications and supplemental applications thereto which are for drugs for human use and have been submitted pursuant to section 505 of the Federal Food, Drug, and Cosmetic Act and §§ 314.1 and 314.8 of this chapter, and to issue notices of withdrawal of approval when opportunity for hearing has been waived.

• • • • • •

Effective date. This amendment shall be effective January 13, 1976.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)))

Dated: January 6, 1976.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.76-865 Filed 1-12-76;8:45 am]

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

Lincomycin and Spectinomycin Soluble Powder

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (46-109V) filed by The Upjohn Co., Kalamazoo, MI 49001, proposing safe and effective use of a lincomycin and spectinomycin soluble powder in the drinking water of chickens for the treatment of airsacculitis. The supplemental application is approved, effective January 13, 1976.

The Commissioner is amending § 520.1263b (21 CFR 520.1263b) to reflect this approval.

In accordance with § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)) of the animal drug regulations, a summary of the safety and effectiveness data and information submitted to support the approval of this application is released publicly. The summary is available for public examination at the office of the Hearing Clerk, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, Monday through Friday from 9 a.m. to 4 p.m., except on Federal legal holidays.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner (21 CFR 2.120), § 520.1263b is amended by revising paragraph (d)(1) to read as follows:

§ 520.1263b Lincomycin hydrochloride monohydrate and spectinomycin sulfate tetrahydrate soluble powder.

• • • • • •

(d) *Conditions of use.* (1) It is administered in the drinking water of chickens up to 7 days of age as an aid in the control of airsacculitis caused by either *Mycoplasma synoviae* or *Mycoplasma gallisepticum* susceptible to lincomycin-spectinomycin and complicated chronic respiratory disease (air sac infection) caused by *Escherichia coli* and *M. gallisepticum* susceptible to lincomycin-spectinomycin.

• • • • • •

Effective date. This amendment shall be effective January 13, 1976.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: January 6, 1976.

C. D. VAN HOUWELING,
Director, Bureau of Veterinary Medicine.

[FR Doc.76-863 Filed 1-12-76;8:45 am]

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PART 540—PENICILLIN ANTIBIOTIC DRUGS FOR ANIMAL USE

Procaine Penicillin G in Oil

The Commissioner of Food and Drugs has evaluated a new animal drug application (65–465V) filed by G. C. Hanford Manufacturing Co., P.O. Box 1055, Syracuse, N.Y. 13201, proposing safe and effective use of an additional formulation of procaine penicillin G in oil for the treatment of mastitis in lactating cattle. The application is approved, effective January 13, 1976.

The Commissioner is amending Part 540 (21 CFR Part 540) to reflect this approval.

In accordance with § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)) of the animal drug regulations, a summary of the safety and effectiveness data and information submitted to support the approval of this application is released publicly. The summary is available for public examination at the office of the Hearing Clerk, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852, Monday through Friday from 9 a.m. to 4 p.m., except on Federal legal holidays.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner (21 CFR 2.120), Part 540 is amended as follows:

1. In § 540.274c by revising paragraph (a)(1) to read as follows:

§ 540.274c Procaine penicillin G in oil.

(a) • • •

(1) *Standards of identity, strength, quality, and purity.* If it is conspicuously labeled for veterinary use, it may contain furaltadone in accordance with § 121.249(a)(5) of this chapter and is exempt from the potency requirement of § 440.274a(a)(1) of this chapter. It is sterile if it is packaged and labeled solely for udder instillations of cattle and it contains furaltadone. The drug is a suspension in a refined vegetable oil, with or without the addition of one or more suitable and harmless dispersing agents, preservatives, hardening agents, and buffering substances. If the procaine penicillin G in oil is packaged and labeled solely for udder instillations of cattle and is not required to be sterile, the penicillin used is exempt from the requirements of § 440.74a(a)(1) (ii), (iii), and (iv) of this chapter.

• • • • •

2. In § 540.874a by revising paragraph (c)(1) and (3) (ii), (iii), and (iv) to read as follows:

§ 540.874a Procaine penicillin G in oil.

• • • • •

(c) *Conditions of marketing*—(1) *Specifications.* Each dose of the drug contains 100,000 units of procaine penicillin G in 6 or 10 milliliters of a refined vegetable oil. The drug complies with the requirements of § 540.274c(a).

• • • • •

(3) • • •

(ii) The drug is administered by intramammary infusion in each infected quarter. Treatment may be repeated at 12-hour intervals up to a total of three doses, as indicated by the clinical response.

(iii) Milk that has been taken from animals during treatment and for 84 hours (7 milkings) after the latest treatment must not be used for food. If the drug contains a sesame oil vehicle, a 60-hour (5 milkings) milk discard time is used.

(iv) Animals must not be slaughtered for food during treatment or within 4 days after the latest treatment. If the drug contains a sesame oil vehicle, a 3-day slaughter withdrawal time is used.

Effective date. This amendment shall be effective January 13, 1976.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: January 6, 1976.

C. D. VAN HOUWELING,
Director, Bureau of Veterinary Medicine.

[FR Doc.76–862 Filed 1–12–76;8:45 am]

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Monensin and Oxytetracycline

The Commissioner of Food and Drugs has evaluated a new animal drug application (99–006V) filed by Pfizer, Inc., 235 East 42d St., New York, N.Y. 10017, proposing safe and effective use of a combination drug containing monensin and oxytetracycline for administration in the feed of broiler chickens. The application is approved, effective January 13, 1976.

The Commissioner is amending Part 558 (21 CFR Part 558) to reflect this approval.

The approval of this application is in consideration of the uniform criteria set forth in 1971 Bureau of Veterinary Medicine memoranda for administrative waiver of the ministerial requirements of section 512(m) of the Federal Food Drug, and Cosmetic Act. The pertinent provisions of the memoranda indicate that waiver is appropriate if:

(1) The feeding of 1.5X to 2X level of the product in the complete feed does not have an impact on the tissue residue picture, i.e., an impact on an existing withdrawal period or a tolerance.

(2) The product is not a known carcinogen or is not classed with a family of known carcinogens.

(3) Appropriate documentation covering animal safety is on file. This will not require additional generation of data in that this documentation is by definition a part of the NADA.

(4) The margin of safety to the animal and safety to the consumer is such that the product label does not have to contain a statement such as "use as the sole source of • • •."

(5) Data are on file to demonstrate that the product is efficacious over the approved range. This data should generally satisfy current standards for the demonstration of efficacy.

(6) Except under special circumstances, the product has been used at least 3 years in the target species without significant complaints related to or associated with it. Applications of this criterion require a review of the available Drug Experience Reports.

The 1971 memoranda make explicit that because waiver of the ministerial requirements of section 512(m) of the act is permitted only for specific efficacy claims or at specific levels of the drugs, distinct products with corresponding labeling for those claims or levels should exist. This is necessary to cover those premixes that can be made into complete feeds with various concentrations of drugs.

The foregoing criteria established in the 1971 memoranda constitute an interim agency policy, which is under review. The Bureau of Veterinary Medicine is preparing a proposed regulation, based on the criteria listed in the memoranda, governing waiver of the 512(m) requirements for the complete feed. This proposed regulation will be published for comment in the near future. In waiving the ministerial requirements of section 512(m) of the act, the agency has not waived the current good manufacturing practice (21 CFR Part 225) for feed mills mixing such feeds.

The Commissioner has carefully considered the environmental effects of the proposed regulation and, because the proposed action would not significantly affect the quality of the human environment, has concluded that an environmental impact statement is not required. Copies of the Food and Drug Administration environmental impact assessment are on file with the Hearing Clerk, Food and Drug Administration.

In accordance with § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)) of the animal drug regulations, a summary of the safety and effectiveness data and information submitted to support the approval of this application is released publicly. The summary is available for public examination at the office of the Hearing Clerk, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852, Monday through Friday from 9 a.m. to 4 p.m., except on Federal legal holidays.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner (21 CFR 2.120), Part 558 is amended as follows:

1. In § 558.355, by adding new paragraph (f)(1)(viii) to read as follows:

§ 558.355 Monensin.

• • • • •

(f) • • •

(1) • • •

(viii) *Amount per ton.* Monensin, 90 to 110 grams plus oxytetracycline, 200 grams.

(*a*) *Indications for use.* As an aid in the prevention of coccidiosis caused by *Eimeria necatrix, E. tenella, E. acervulina, E. brunetti, E. mivati,* and *E. maxima*; and for the control of complicated chronic respiratory disease (CRD or air sac infection) caused by *Mycoplasma gallisepticum* and *Escherichia coli.*

(*b*) *Limitations.* Withdraw 72 hours before slaughter; do not feed to laying chickens; feed continuously as sole ration; as monensin sodium.

• • • • •

2. By adding new § 558.450 to read as follows:

§ 558.450 Oxytetracycline.

(a) *Specifications.* Oxytetracycline is the antibiotic substance produced by growth of *Streptomyces rimosus* or the same antibiotic substance produced by any other means, and for the purposes of this section refers to oxytetracycline as a specified salt. The quantity of oxytetracycline is expressed in terms of an equivalent amount of oxytetracycline hydrochloride.

(b) *Approvals.* Premix level of 10 and 50 grams per pound of oxytetracycline granted to No. 000069 in § 510.600(c) of this chapter.

(c) *Assay limits.* Complete feed must not contain less than 80 percent nor more than 120 percent of a labeled amount of the drug.

(d) *Special considerations.* Complete feeds conforming to the requirements of this section are not required to comply with the provisions of section 512(m) of the Federal Food, Drug, and Cosmetic Act.

(e) *Related tolerances.* See § 556.500 of this chapter.

(f) *Conditions of use.* It is used in broiler chicken feed as follows:

(1) *Amount per ton.* Oxytetracycline, 200 grams plus monensin, 90 to 110 grams.

(2) *Indications for use.* For the control of complicated chronic respiratory disease (CRD or air sac infection) caused by *Mycoplasma gallisepticum* and *Escherichia coli;* and as an aid in the prevention of coccidiosis caused by *Eimeria necatrix, E. tenella, E. acervulina, E. brunetti, E. mivati,* and *E. maxima.*

(3) *Limitations.* Withdraw 72 hours before slaughter; do not feed to laying chickens; feed continuously as sole ration; as monensin sodium.

Effective date. This regulation shall be effective January 13, 1976.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: January 6, 1976.

C. D. VAN HOUWELING,
Director, Bureau of Veterinary Medicine.

[FR Doc.76–866 Filed 1–12–76;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI–833]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

The purpose of this notice is to list those communities wherein the sale of flood insurance is authorized under the National Flood Insurance Program (42 U.S.C. 4001–4128).

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 40 FR 57210–212). A list of servicing companies is also available from the Federal Insurance Administration (FIA), HUD, 451 Seventh Street, SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in a flood plain area having special hazards within any community identified by the Secretary of Housing and Urban Development.

The requirement applies to all identified special flood hazard areas within the United States, and no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program. Accordingly, for communities listed under this Part no such restriction exists, although insurance, if required, must be purchased.

The Federal Insurance Administrator finds that delayed effective dates would be contrary to the public interest. The Administrator also finds that notice and public procedure under 5 U.S.C. § 553 (b) are impracticable and unnecessary.

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The date that appears in the fourth column of the table is provided in order to designate the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. These dates serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. § 551. The entry reads as follows:

§ 1914.4 List of Eligible Communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	Community number
•	•	•	•	•	•
Alabama	Henry	Unincorporated areas	Dec. 29, 1975, emergency	Jan. 17, 1975	
Connecticut	Windham	Hampton, town of	do	Jan. 10, 1975	
Georgia	Meriwether	Manchester, city of	do	Dec. 6, 1974	
Indiana	Whitley	Unincorporated areas	do	Dec. 13, 1974	
Iowa	Hamilton	Ellsworth, city of	do	Do.	
Do.	Lucas	Lucas, city of	do	Nov. 15, 1974	
Kansas	Rawlins	Herndon, city of	do	Nov. 22, 1974	
Massachusetts	Hampden	Southwick, town of	do	Nov. 8, 1974	
Michigan	Manistee	Greenville, city of	do	Jan. 17, 1975	
Ohio	Summit	Fairlawn, city of	do	Mar. 29, 1974	
Do.	Cuyahoga	Walton Hills, village of	do	Jan. 10, 1975	
Pennsylvania	Sullivan	Elkland, township of	do	Jan. 24, 1975	
Rhode Island	Providence	Glocester, town of	do	Oct. 18, 1974	
South Carolina	McCormick	Unincorporated areas	do	Jan. 10, 1975	
Vermont	Franklin	Fairfield, town of	do	Jan. 24, 1975	
West Virginia	Braxton	Unincorporated areas	do	Jan. 17, 1975	
Wisconsin	Price	do	do		
•	•	•	•	•	•
Alabama	Houston	Avon, town of	Dec. 30, 1975, emergency	Sept. 20, 1974	
Do.	Barbour	Clio, town of	do	July 11, 1975	
Illinois	Fulton	Banner, village of	do	Dec. 28, 1973	
Maine	Oxford	Newry, town of	do	Apr. 4, 1975	
Pennsylvania	Greene	Morris, township of	do	Jan. 17, 1975	
Do.	Wyoming	Windham, township of	do	Dec. 6, 1974	
West Virginia	Mineral	Unincorporated areas	do	Jan. 31, 1975	
Do.	Wayne	Wayne, town of	do	Jan. 10, 1975	
Georgia	do	Unincorporated areas	Dec. 31, 1975, emergency		
North Dakota	Ward	Carpio, city of	do	Jan. 31, 1975	
Oregon	Linn	Halsey, city of	do	Nov. 22, 1974	
Pennsylvania	Lancaster	Arkon, borough of	do	Jan. 31, 1975	
Do.	Allegheny	Castle Shannon, borough of	do	June 28, 1974	
Do.	Potter	Harrison, township of	do	Feb. 28, 1975	
Do.	Wyoming	Nicholson, township of	do		
Do.	Beaver	Fulaski, township of	do	Dec. 20, 1974	
Do.	Chester	Salisbury, township of	do	Sept. 13, 1974	
Washington	Franklin	Kahlotus, town of	do	Dec. 13, 1974	

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State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	Community number
Illinois	Iroquois	Thawville, village of	Jan. 2, 1976, emergency	Nov. 5, 1974	
Iowa	Mills	Silver City, city of	do	do	
Kansas	Jackson	Mayetta, city of	do	do	
Massachusetts	Middlesex	Burlington, town of	do	Dec. 20, 1974	
New York	Wayne	Marion, town of	do		
Do	Lewis	New Bremer, town of	do	Nov. 1, 1974	
Do	Otsego	Unadilla, town of	do	Oct. 18, 1974	
North Dakota	Emmons	Hazelton, city of	do	Jan. 17, 1975	
Wyoming	Uinta	Unincorporated areas	do	Dec. 27, 1974	

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.)

Issued: December 30, 1975.

HOWARD B. CLARK,
Acting Federal Insurance Administrator.

[FR Doc.76-676 Filed 1-12-76;8:45 am]

[Docket No. FI-834]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Proposed Flood Elevation Determinations for the City of Monroe, Michigan

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (Section 1917.4(a)), hereby gives notice of his proposed determinations of flood elevations for the City of Monroe, Michigan.

Under these Acts, the Administrator, to whom the Secretary has delegated the statutory authority, must develop criteria for flood plain management in identified flood hazard areas. In order to participate in the National Flood Insurance Program, the City of Monroe must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at City Hall, 120 South Macomb Street, Monroe, Michigan 48161.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mayor Milton P. Munson, City Hall, 120 South Macomb Street, Monroe, Michigan 48161. The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community or ninety days from the publication of this notice in the FEDERAL REGISTER, whichever is the later.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Raisin River	Telegraph Rd	598	250	550
	Chesapeake & Ohio R.R	596	50	2,400
	Roessler St	595	50	1,300
	Monroe St	590	10	1,200
	Macomb St	588	50	1,100
	Penn Central R.R	583	50	100
	do	581	800	50
	I-75	578	1,600	(1)
Plum Creek	La Plaisance Rd	585	15	15
	Kentucky Ave	583	(1)	775
	I-75	578	(1)	25

[1] Outside corporate limits.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 F.R. 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 F.R. 2680, February 27, 1969, as amended by 39 F.R. 2787, January 24, 1974.)

Issued: December 19, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76-677 Filed 1-12-76;8:45 am]

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-513]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation for the City of Sheridan, Colorado

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of the final determinations of flood elevations for the City of Sheridan under § 1917.9 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.9(a), the Administrator has resolved the appeals presented by the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at City Hall, 4400 South Federal Boulevard, Englewood, Colorado.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent change of annual occurrence) flood elevations as set forth below:

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
South Platte River	Oxford Ave	5,278	250	500
	Hampden Ave	5,270	250	250
	North city limits	5,266	250	100
Bear Creek	City limits	5,316	1,050	(1)
	South Lowell Blvd	5,313	750	(1)
	Federal Blvd	5,300	1,350	(1)

[1] To corporate limits.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001–4128) Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: December 24, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76-969 Filed 1-12-76;8:45 am]

[Docket No. FI-517]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation for the City of Davie, Florida

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of the final determinations of flood elevations for the City of Davie, Florida under § 1917.9 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to Section 1917.9(a), the Administrator has resolved the appeals presented by the community. Therefore, publication of this notice is in compliance with Section 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at Town Hall, 6591 SW. 45th Street, Davie, Florida.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)
Canals	Western and northern corporate limits	7	Entire city is inundated by 100-yr flood.
	Eastern corporate limits	5	Do.
	Southern corporate limits	5 to 7	Do.

AUTHORITY: National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001–4128) Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.

Issued: December 24, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76-970 Filed 1-12-76;8:45 am]

[Docket No. FI-520]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation for the City of Columbus, Mississippi

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 92–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of the final determinations of flood elevations for the City of Columbus under § 1917.9 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.9(a), the Administrator has resolved the appeals presented by the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at City Hall, Columbus, Mississippi 39701.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent change of annual occurrence) flood elevations as set forth below:

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Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Tombigbee River	I.C.G. RR	172	250	
	Highway 45-82	172	250	100
Luxapallila Creek	I.C.G. RR	171	2,800	2,450
	Bell Avenue Rd	171	2,450	4,250
	Highway 82	172	4,500	2,050

AUTHORITY: National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001–4128); Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.

Issued: December 24, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76-971 Filed 1-12-76;8:45 am]

[Docket No. FI-538]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation for the City of Satellite Beach, Florida

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of the final determinations of flood elevations for the City of Satellite Beach, Florida under § 1017.9 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.9(a), the Administrator has resolved the appeals presented by the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at City Hall, 510 Cinemon Drive, Satellite Beach, Florida 32937.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

Source of flooding	Location	Elevation (feet above mean sea level)
Atlantic Ocean.	Up to approximately 50 ft west from the coast line, extending from the northern to the southern boundaries of the corporate limits.	8
Indian River.	From the western corporate limits to a line between the northern and southern corporate limits, described by the following points:	6
	550 ft east of intersection of Jackson Ave. and Pineapple St.	
	400 ft east of intersection of Roosevelt Ave. and Pineapple St.	
	350 ft east of intersection of Glenwood Ave. and Kale St.	
	500 ft east of intersection of Cassia Blvd. and Kale St.	
	900 ft east of intersection of DeSoto Parkway and Kale St.	

AUTHORITY: National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128; Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.

Issued: December 24, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76-972 Filed 1-12-76;8:45 am]

[Docket No. FI-544]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation for the City of Pendleton, Oregon

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of the final determinations of flood elevations for the City

of Pendleton under § 1917.9 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.9(a), the Administrator has resolved the appeals presented by the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at City Hall, 34 S. E. Dorian Avenue, Pendleton, Oregon 97801.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Umatilla River	Northern Pacific R.R. and Union Pacific R.R.	1,096	(1)	150
	Southeast 8th Street Bridge	1,079	(1)	50
	Main Street Bridge	1,068	100	50
	Southwest 10th Street Bridge	1,060	100	50
	U.S. Highway 30 bridge	1,041	100	150
	Union Pacific R.R. bridge	1,039	0	(1)
Tutuilla Creek	Southwest Halsey Ave. Bridge	1,053	50	50
	Highway 395 box culvert	1,049	50	50
McKay Creek	Southwest Quinny Ave. Bridge	1,054	50	50
	Mouth of McKay Creek	1,000	100	(1)

[1] To corporate limits.

AUTHORITY: National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.

Issued: December 24, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76-973 Filed 1-12-76;8:45 am]

[Docket No. FI-547]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation for the City of South Daytona, Florida

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of the final determinations of flood elevations for the City of South Daytona under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at City Hall, South Daytona, Florida 32021.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

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Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Halifax River	Murray Way	7	[1] 1,250	
	Sandusky	7	950	
	Sandy Circle	7	950	
	Erie Ave	7	900	
	McDonald St	7	1,050	
	Kost St	7	850	
	Bellewood Ave	7	850	
	Beville Rd	7	1,350	

[1] To corporate limits.

AUTHORITY: National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.

Issued: December 24, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76-974 Filed 1-12-76;8:45 am]

[Docket No. FI-647]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation for the City of La Grange, Missouri

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of the final determinations of flood elevations for the City of La Grange, under § 1917.8 of Title 24 of the Code of Federal Regulations.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas. In order to continue participation in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with these criteria and reflect the base flood elevations determined by the Secretary in accordance with 24 CFR Part 1910.

In accordance with Part 1917, an opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. Pursuant to § 1917.8, no appeals were received from the community or from individuals within the community. Therefore, publication of this notice is in compliance with § 1917.10.

Final flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations are available for review at City Hall, La Grange, Missouri 63435.

Accordingly, the Administrator has determined the 100-year (i.e., flood with one-percent chance of annual occurrence) flood elevations as set forth below:

Source of flooding	Location	Elevation (feet above mean sea level)	Width from shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Mississippi River	Buchanan St	490		120
	Pierce St	490		920
	Polk St	490		440
	Knox St	490		240
	Lewis St	490		440
	South St	490		320
	Marion St	490		400
	Washington St	490		400
	Jefferson St	490		400
	Monroe St	490		280
	Jackson St	491		220
	Wyaconda St	491		240
	Skinner St	491		280
	Filmore St	491		120
	Clay St	491		160
	Main St	490	(1)	(1)
	Chicago, Burlington, & Quincey R.R	490–491	(2)	(2)

[1] From southern corporate limits to intersection with Jackson St.
[2] Entire railroad within corporate limits.

AUTHORITY: National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.

Issued: December 24, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76-975 Filed 1-12-76;8:45 am]

Title 25—Indians

CHAPTER I—BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

SUBCHAPTER U—ELECTRIC POWER SYSTEM

PART 232—FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

Revision and Rates

This notice is published in the exercise of rulemaking authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2. The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C. 301, and sections 463 and 465 of the Revised Statutes (25 U.S.C. 2 and 9).

Beginning on page 39871 of the August 29, 1975, Federal Register (40 FR 39871), there was published a notice of proposed rulemaking to revise part 232 of Subchapter U, Chapter I, Title 25, of the Code of Federal Regulations. The purposes of the proposed revision are to provide additional power revenue to meet the increased cost of power purchased, operation expenses, and maintenance expenses of the power system and to make the other sections of the regulations compatible with prevailing utility practices. The revision was proposed pursuant to the Authority contained in section 3 of the Act of May 25, 1948 (62 Stat. 269, 273).

The public was given until September 29, 1975, to submit written comments, suggestions, or objections with respect to the proposed revision.

After consideration of all such relevant matter presented by interested persons, we have concluded that there is a general acceptance of our proposal. Therefore, the revision as so proposed is hereby adopted with the following major change:

1. A new paragraph (5) was added to § 232.55(c) in order to pass on to the responsible customer, the penalty charge imposed by the power wholesaler for lagging power factors.

Effective date. These regulations shall become effective March 1, 1976.

(Catalog of Federal Domestic Assistance Program No. 15.100, Indian Lands—Irrigation Construction, Maintenance, Operation, and Related Power Systems).

MORRIS THOMPSON,
Commissioner of Indian Affairs.

Sec.
232.1 Effective date; changes.
232.2 Authority of project engineer.
232.3 Disputes.
232.4 Applications; contracts.
232.5 Deposits.
232.6 Extensions and construction.
232.7 Rights of way.
232.8 Type of service.
232.9 Service connections.
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232.12 Apparatus detrimental to service.
232.13 Interruptions to service.
232.14 Discontinuance by consumer and reconnection fee schedule.
232.15 Discontinuance and refusal of service by the Project.
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STANDARD RATE SCHEDULES

232.51 Rate schedule No. 1: Residential, urban and rural.
232.52 Rate schedule No. 2: General.
232.54 Rate Schedule No. 4: General.
232.55 Rate schedule No. 5: Irrigation pumping and sprinkling.
232.56 Rate schedule No. 6: Street and area lighting.

AUTHORITY: Sec. 7, 62 Stat. 273; 5 U.S.C. 301.

§ 232.1 Effective date; changes.

(a) The regulations in this part are for the conduct of the electric power system of the Flathead Project, Montana, herinafter referred to as the Project.

(b) These service policies are a part of all oral or written contracts for furnishing or receiving electric service. A copy of the written contract forms can be inspected at the Project's offices.

(c) These regulations shall become effective with the first billing made after the second calendar month following the date of final publication in the FEDERAL REGISTER.

(d) The regulations in this part may be revised, amended, supplemented, or otherwise changed by duly delegated authority from the Secretary of the Interior. These rules and regulations cancel the previous rules and regulations of Part 232, Title 25, Code of Federal Regulations.

§ 232.2 Authority of project engineer.

The project engineer is responsible for the operation of the Electric Power System and the enforcement of the regulations in this part. He is authorized to carry out and enforce the regulations either directly or through the power superintendent or other project employees designated by him.

§ 232.3 Disputes.

Any aggrieved party may file with the project engineer a written complaint regarding the application of the regulations. Within fifteen days after its receipt, the project engineer shall render a written decision thereon and serve a copy thereof on the aggrieved party. Within fifteen days from receipt of such decision, the aggrieved party may take an appeal to the Commissioner of Indian Affairs who shall render his decision within sixty days and his decision shall be final. Pending the determination of an appeal, electric service shall be continued, except in cases in which the question of the existence of dangerous conditions on the premises of the consumer is involved, provided the consumer pays the amount of each bill for electric service prior to the time when it becomes delinquent. If the question of the amount of a bill is involved in an appeal the consumer shall be deemed to have paid the bill under protest and the payment shall be held in a special deposit account until the final decision has been made.

§ 232.4 Applications; contracts.

(a) Each applicant for electric service will be required to sign the Project's application and contract form or a special contract. Where special terms and conditions are involved, a contract may be executed and shall contain such provisions and stipulations as may be desirable to protect the interests of both the Project and the customer.

(b) Acceptance of service, with or without a signed application or contract, shall be subject to compliance with the terms of the applicable rate schedule and of these regulations.

(c) All service involving new construction shall be for a minimum of five years for permanent, domestic or commercial service. For area lighting service the minimum shall be for three years. For irrigation pumping the minimum shall be for five seasons. If the consumer vacates the premises, he shall be liable for the unpaid minimum contract revenue only to the extent that it is not liquidated by the succeeding occupants.

(d) The project engineer is authorized to reject applications which he deems to be adverse to the best interests of the Project.

§ 232.5 Deposits.

A cash deposit in the amount of approximately twice the monthly bill or a deposit of not less than $30.00 may be required from customers to guarantee the payment of electric service bills. In general, an applicant who is the owner of record of the permanent installation to be served will not be required to make a deposit until a delinquency in the payment of a bill has occurred. All services constructed under § 232.6c will be required to make a deposit to guarantee payment of bills. Deposits will be refunded upon termination of service and full payment of accounts, and also may be refunded at any time at the discretion of the project engineer.

§ 232.6 Extensions and construction.

(a) *Permanent installations.* In general, the Project will extend its overhead distribution facilities to serve permanent installations within its service area, provided the extension is physically and economically feasible. Normally, lines will be built in the most direct route from the nearest source of supply. The route shall be selected by the Project but will generally follow established roadways and utility easement areas when available. The prospective customer or customers will provide all necessary right-of-ways and perform such clearing of the right-of-way as directed by the project engineer without cost to the Project.

(b) *Funding.* If funds are available, the Project may absorb the cost of such extensions to the extent that the cost does not exceed six (6) times the annual guaranteed revenue to be derived from the extension. For purposes of this rule, extension cost shall include all normal costs except the cost of transformers, meters and other such fixed equipment. Estimated revenues shall be based upon the following limits:

(1) *Residential Service.* $60 to $180 per year exclusive of electric heat plus 20¢ per square foot per year of space to be heated electrically.

(2) *Seasonal use Residences.* $60 per year.

(3) *Commercial and Industrial.* Power charges for estimated typical demands and anticipated load factor energy uses.

(4) *Irrigation.* Guaranteed annual horsepower charge. (i) For extensions which cost more than can be funded by the Project, the customer shall make a cash payment of the balance of the total cost of the extension. Contracts may provide for a refund of part or all of the customer's contribution for construction of a facility if additional customers are later served from the facility or the contracting customer meets other specified contract conditions. The Project may, by contract, require the customer to advance the entire cost of installing facilities used in rendering service and shall credit the customer's, his successor's or assignee's account with an amount of up to 20% of his monthly kilowatt hour bill at the location during the life of the contract or until the specified amount of the advance has been refunded, but no claim for credit shall extend beyond five years. All extensions and equipment purchased under this provision shall be and remain the property of the Project. Any of these special contracts may require the payment of higher than rate schedule stipulated monthly minimums.

(ii) The project engineer may decline to construct any extension which in his opinion, will be excessive in cost or detrimental to the best interest of the Project. All extensions when initially energized, shall be and remain the property of the Project.

(c) *Construction service, short term service, temporary service and service to individual mobile homes and trailers.* The Project will require the customer to pay in advance the estimated cost of connecting, disconnecting, furnishing, installing and removing the facilities required to render such service. After termination of service, there shall be refunded any amount remaining on deposit in excess of the actual cost of installing and removing facilities, plus the unpaid amount of bills for electric power and

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energy. A deposit may also be required of the estimated bill for electric service, as well as any other deposits specified under § 232.5.

(d) *Trailer and mobile home courts.* Trailer and mobile home courts which are constructed to meet recognized standards may be provided electric service under the permanent customer extension policy. However, the Project will not construct or participate in the cost of the internal secondary wiring required to serve individual trailers or mobile homes. The Project will be the sole judge as to the number of primary delivery points required by the court to provide satisfactory service to individual users. Metering of the court may be one of two ways:

(1) A master meter can be provided at each delivery point to meter the delivery to the court. The energy from this type of metering shall be billed at the applicable general rate.

(2) Trailers or mobile homes may be supplied and billed through individual meters under the residential rate providing that the court owner provides each site with an adequate secondary service supply, individual metering service entrance panels that meet Project, State and National Electrical Code requirements, and the court owner guarantees payment of minimum bills on vacant stalls.

(e) *Underground extensions.* Underground line extensions in lieu of overhead extensions will be made only where mutually agreed upon by the Project and the customer. Such agreements shall provide that the customer will reimburse the Project the estimated cost of the underground facilities over the estimated cost of an equivalent overhead extension. The customer shall also advance any contribution to construction required under the general extension policies for permanent customers (Paragraph a of this section).

(f) *Other deposits.* Deposits to guarantee the payment of electric service bills will be in addition to any required above, and in accordance with § 232.5.

§ 232.7 Rights-of-way.

The Project will give every assistance in obtaining rights-of-way. The cost of such rights-of-way may be assessed the customer if extension or relocation is for his benefit, however, the end responsibility of obtaining needed rights-of-way will rest with the applicant.

§ 232.8 Type of service.

Service for lights and the usual domestic and other appliances, including motors of less than five horsepower shall be single-phase, nominally 120 or 240 volts, and two- or three-wire, except when special written approval for another type of service has been obtained from the project engineer. Three-phase service at suitable voltage may be furnished for motor installations of five horsepower and over, provided a three-phase circuit of the required voltage and capacity is available where the service is desired. All service will be 60 cycle.

§ 232.9 Service connections.

(a) The consumer shall provide and maintain a service entrance with a meter socket and mainline breaker or distribution center complete with all necessary wires. This shall be located convenient to the lines of the Project and unless otherwise specified, on the outside of the building or on a service pole so that the meter socket is not more than 5'9", plus or minus 6", from the ground or floor. When prior approval by the project engineer has been obtained, meters may be mounted on approved service pedestals. The meter will be furnished by the Project and must be accessible to the meter reader at all times. The entire service installation must be satisfactory to the project engineer and must conform to the provisions then in force of the National Electrical Code of the National Board of Fire Underwriters for Electric Wiring and Apparatus. When an inspection is required by law or ordinance, the project engineer shall require a certificate of inspection and approval by the inspector before connecting a new service.

(b) The customer shall install, own and maintain all wiring and equipment beyond the point of delivery except meters and special facilities installed or furnished by the Project. If instrument transformers are required the customer shall furnish and install mounting brackets; install the instrument transformers, provide a suitable enclosure and all necessary conduit and wiring for metering as specified by the Project. It shall be the customer's responsibility to provide suitable protective equipment to adequately protect his installation.

§ 232.10 Metering.

(a) Project shall furnish the meter, and customer shall provide and maintain free of expense to the Project an unobstructed location satisfactory to Project in accordance with § 232.9 above. In the case of new installations in multiple-occupancy buildings such as apartment houses in connection with which more than one meter in a building is required, the meters shall be assembled at one central location, or in such other areas and with such other arrangements as may be approved by the project engineer. Each meter shall be clearly marked so as to make it possible to identify the consumer.

(b) Customer's responsibility. Customer shall exercise reasonable care in protecting Project's meter and other Project owned equipment located on his premises. Only Project employees or agents, or persons authorized by law are permitted to inspect or handle same.

(c) Final connection. Final connection of the meter shall in all cases be made by the Project.

(d) Meters sealed. All meters shall be sealed by the Project. The breaking of seal by unauthorized persons or tampering with meter or meter wiring is prohibited by law and is subject to summarily discontinuance of service.

(e) Schedule of meter tests. Project shall test its meters in accordance with the following procedure:

(1) Self contained single phase watt-hour meters.

(i) New meters: All meters received from a manufacturer will be tested for accuracy and inspection for mechanical defects.

(ii) Meters in service: A sample of up to 10% of meters in service will be selected each year for testing.

(2) Polyphase watt-hour meters, meters used with instrument transformers and demand meters.

(i) New meters: All meters received from a manufacturer will be tested for accuracy and inspected for mechanical defects.

(ii) Meters in service: A sample of up to 20% of all such meters will be tested each year.

(f) Special meter tests. On request of customer, Project shall, within 10 days after receipt of such request, make special meter tests. Customer shall bear the cost of such tests, including meter removal and replacement when the meter is found to be within the limits of acceptable accuracy as defined in section h. In all other cases Project will bear the cost of the test.

(g) Replacement of meter. Whenever a customer requests the replacement of the service meter because of accuracy, such request shall be treated as a request for a test of such meter and, as such, shall fall under the provisions of special meter tests.

(h) Standard of meter accuracy. The Project shall not place in service or knowingly allow to remain in service without adjustment any meter that has known error in registration of more than plus or minus two percent at light or at full load, and unity power factor, or more than plus or minus three percent at full load and fifty percent power factor.

(i) Adjustment for inaccurate meter registration. Whenever a tested meter in service is found to be fast or slow beyond the limit of accepted accuracy as defined, Project shall make an adjustment, based on the corrected registration for the period in which the meter was registering incorrectly, if such period is known, and if not known for a period of not exceeding six months, but in no event for a period longer than present customer's occupancy. Whenever any bill or bills have been adjusted or corrected as provided above and whenever such adjustment amounts to $1.00 or more. Project shall credit to customer any amount found to have been collected in excess of the proper amount, or Project may require customer to pay any additional amount due, as the case may be.

(j) Incorrect meter installation. Whenever any customer shall have been over-charged or under-charged as a result of incorrect installation of a meter or the use of an incorrect meter multiplier in billing the account, the amount of the over-charge shall be adjusted and credited to the customer if in excess of $1.00, or the amount of the under-charge may be adjusted and billed to the customer if in excess of $5.00, provided that in no event shall such period of adjustment exceed the length of time the service has been supplied to the customer through the incorrect metering installation at the present location.

(k) Non-registering meter. When a meter fails to register for any period, for reasons beyond the reasonable control of the Project, the Project may estimate the charge for service during such period, such estimate to be based on the best available data.

§ 232.11 Change of equipment or additional load.

If a customer desires to change his load materially, he shall notify the Project sufficiently in advance so that the facilities necessary to serve can be arranged and suitable contracts worked out. If the customer fails to notify the Project and as a result the Project's equipment is damaged, the customer may be held liable for the cost of such damage.

§ 232.12 Apparatus detrimental to service.

(a) *Fluctuating and intermittent loads.* For highly fluctuating loads and intermittent loads which seriously affect voltage regulation the Project may require the installation of suitable corrective devices, or assess a penalty charge or may refuse service.

(b) *Reactive power measurements and power factor penalties.* Reactive power measurements to determine the power factor of an installation may be made either by permanently installed instruments or by test and, when determined by test, the resulting power factor will remain in effect until a new determination is made. For low power factor devices the Project may require the correction to not less than 95% lead or lag, or may require a penalty charge or may refuse service. Reactive power charges (power factor penalties) will be assessed in accordance with the provision of the rate schedule.

§ 232.13 Interruptions to service.

(a) The Project will furnish energy continuously so far as reasonable diligence will permit. Continuous electric service is not guaranteed and the Project, its officers, agents or employees shall not be liable for injury, loss or damage resulting from any failure or curtailment of electric service, nor shall such failure or curtailment constitute a breach of contract. The Project shall have the right to temporarily suspend service for the purpose of making repairs or improvements to facilities, but in such cases, when practicable, advance public notice shall be given and every effort made to make such interruptions as short as possible and at such times as will cause the least inconvenience to the customers.

(b) If the customer's service fails, he shall endeavor to determine if he has blown fuses, tripped breaker, or his equipment is at fault before calling the Project. The customer may be charged the cost of the service call if the trouble is found to be caused by his equipment or actions.

§ 232.14 Discontinuance by consumer and reconnection fee schedule.

(a) Disconnection for customer convenience or to avoid payment of minimum monthly bills will not be allowed. After a customer request for disconnect, the reconnection fee to the same account is as follows:

(b) No charge for reconnection prior to one month from date of disconnect. If the disconnect extends for longer than one month, the non-refundable fee will be $10.00 plus the monthly minimum of the account times the number of whole months elapsing since the date of disconnect.

(c) If the account is not connected for twelve months or over, the installation will be considered as abandoned and the Project may remove its facilities. Reestablishment of the removed service will be governed by § 232.6

(d) Discontinuance of service will be allowed on stock water heaters, irrigation pumps, temporary services, construction services and those under a short term contract.

(e) Area lights will be disconnected with the mother account.

(f) A consumer shall give at least seven working days notice of his desire to discontinue or to reconnect the service. Special trips to the disconnect or reconnect for customer convenience will be billed to the customer.

§ 232.15 Discontinuance and refusal of service by the Project.

(a) *Discontinuance of service.* The Project may discontinue service to any customer including any or all accounts as follows:

(1) Without notice:

(i) In the event of any condition determined by the Project to be hazardous.

(ii) In the event of customer use of equipment in such a manner as to adversely affect the Project's equipment or service to others.

(iii) In the event of any unauthorized use or diversion of service or when any evidence of tampering with meters, transformers, poles or conductors, or interference with the proper functioning thereof is found.

(iv) Upon receipt of orders from proper government authority to discontinue service.

(2) Upon not less than 24 hours' notice:

(i) For violation of and/or noncompliance with any applicable Federal, State, Municipal or other local laws, regulations, and codes.

(ii) For failure of the customer to fulfill his contractual obligations for service.

(iii) For failure of the customer to permit Project reasonable access to equipment or installation.

(3) Upon 72 hours' written notice (excluding holidays, Saturdays and Sundays):

(i) For non-payment of utility service bill following reasonable attempts by Project to effect collection or settlement. Whenever service is discontinued under this rule, Project shall not be required to restore service until a settlement has been made. Project shall also require customer to pay a $10.00 reconnect fee.

(b) *Refusal of service.* The Project may refuse service to any delinquent customer owing for service at a present or previous account, until such past balance has been paid or satisfactory arrangements have been made by delinquent customer for paying. These same provisions shall apply to any other member of the same household or firm when application by this member, in the opinion of the Project, may be a means for evading payment of the delinquent bill. The Project may refuse service if applicant refuses to make deposits as required.

§ 232.16 Billing procedure.

(a) *Bills for service.* Meters will normally be read and bills for electric service presented at regular intervals. Payment by consumer may be made in person or remitted by check or money order through the mails. The Project may refuse to accept personal checks for payment of bills.

(b) *Special bills.* Special bills, removal bills, bills for temporary service, bills rendered when premises are vacated or bills rendered to persons discontinuing service are due on presentation.

(c) *Bills due prior to service.* Bills for connection or reconnecton of service and required cash deposits shall be paid before service is connected, or reconnected.

(d) *Delinquent bills.* If payment of a bill is not made on or before the fifteenth day following the date of its issue, the project engineer shall discontinue service after notice, and shall not restore the same until the consumer has paid all bills then due as well as a $10.00 reconnection charge, and satisfied any deposit requirement which may exist under § 232.5. The discontinuance of service shall not relieve the consumer of liability for minimum monthly payments guaranteed by him under his contract. A customer shall be notified in writing of the intent to disconnect. Such notice shall be mailed via the United States Post Office to the last known address of the customer. Should there be a dispute as to the amount of the bill paragraph § 232.3 shall apply.

(e) *Bills for new services.* The billing period of new service or new construction shall be started within thirty days after the construction is completed.

§ 232.17 Business located in residences.

Where a small business is conducted as part of a residence the Project shall determine the applicable rate schedule by considering the following factors:

(a) Advertising by display of signs or telephone listing.

(b) Additional construction to accommodate the business portion.

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(c) The amount of space devoted to the business in comparison with the residential use.

(d) The facilities for handling customer access and encouragement for customers to enter the premises.

(e) By comparing the business to similar ones in separate buildings or those under the General Rate Schedule.

(f) If the business is licensed.

§ 232.18 Rooming and boarding houses.

Rooming and boarding houses shall be served under one of the general Rate Schedules if more than 50% of the total numbers or areas of sleeping rooms in a house are available to roomers on a rental basis or if the house is licensed as a place of business, it shall be recognized as a rooming house. If not more than 3 single rooms are available for rent, it shall not be recognized as a rooming house and the residential rate will prevail. A boarding house is defined as one which serves more than three guests and one which advertises as a boarding house, or is a licensed place of business.

§ 232.19 Compensation of employees.

All employees are strictly forbidden to demand or accept any personal compensation for services rendered to a consumer, or any gratuity by reason of the rendition of services.

§ 232.20 Hardship cases.

The project engineer may relax temporarily strict enforcement of regulation when in his judgment such enforcement would work undue hardship upon a consumer.

§ 232.21 Contingent upon appropriations.

All contracts are subject to appropriations made by Congress from year to year of monies sufficient to perform the work or render the service provided therein. No liability shall accrue against the United States by reason of the lack of appropriations.

STANDARD RATE SCHEDULES

§ 232.51 Rate Schedule No. 1: Residential, urban and rural.

(a) *Application of schedule.* This schedule is available for single-phase electric service delivered through one meter of a single family residence either urban or rural, for domestic and farm use, including operation of motors as part of the appliances within the residence, no one of which exceeds 5 horsepower in capacity. The electric service is to be used only on the consumer's own premises and must not be resold.

(b) *Monthly rate.* (1) 5.0 cents per kilowatt-hour for first 50 kilowatt-hours; (2) 2.5 cents per kilowatt-hour for next 50 kilowatt-hours; (3) 1.3 cents per kilowatt-hour for next 900 kilowatt-hours; and (4) 1.9 cents per kilowatt-hour for all over 1,000 kilowatt-hours.

(c) *Minimum bill.* $5.00 per month rural, $3.00 per month within incorporated municipalities.

§ 232.52 Rate Schedule No. 2: General.

(a) *Application of Schedule.* This schedule is available for single-phase or three-phase electric service not exceeding a maximum demand of 20 kilowatts delivered through one meter for use in lighting, heating, operating appliances, and as power for motors which do not exceed 5 horsepower in capacity. The electric service is to be used only on the consumer's own premises and must not be resold. The use of this schedule is required for a second delivery to a customer's installation that is already being served by Rate Schedule No. 1.

(b) *Monthly rate.* (1) 6.0 cents per kilowatt-hour for first 50 kilowatt-hours; (2) 3.0 cents per kilowatt-hour for the next 50 kilowatt-hours; and (3) 2.5 cents per kilowatt-hour for all over 100 kilowatt-hours.

(c) *Minimum bill.* $5.00 per month rural, $3.00 per month within incorporated municipalities.

§ 232.54 Rate Schedule No. 4: General.

(a) *Application of schedule.* This schedule is available for single-phase and three-phase electric services for all purposes. Unless specifically permitted by the contract, use must be limited to the consumer's premises and the power supplied must not be resold. If more than one meter is required by the consumer's installations, or for the consumer's convenience, a separate computation shall be made for each meter.

(b) *Monthly rate.* (1) 5.0 cents per kilowatt-hour for the first 50 kilowatt-hours per kilowatt of billing demand.

(2) 2.5 cents per kilowatt-hour for the next 50 kilowatt-hours per kilowatt of billing demand.

(3) 1.3 cents per kilowatt-hour for all additional kilowatt-hours.

(c) *Discounts.* The following discounts will be applied in accordance with the contract demand as defined below. Discounts do not apply to the minimum charge.

	Percent
Less than 11 kw. of contract demand	0
11 kw. and more but less than 15 kw. of contract demand	4
15 kw. and more but less than 20 kw. of contract demand	6
20 kw. and more but less than 25 kw. of contract demand	8
25 kw. and more but less than 32 kw. of contract demand	10
32 kw. and more but less than 40 kw. of contract demand	12
40 kw. and more but less than 48 kw. of contract demand	14
48 kw. and more but less than 58 kw. of contract demand	16
58 kw. and more but less than 70 kw. of contract demand	18
70 kw. and more but less than 85 kw. of contract demand	20
85 kw. and more but less than 100 kw. of contract demand	22
100 kw. and more but less than 125 kw. of contract demand	24
125 kw. and more but less than 150 kw. of contract demand	26
150 kw. and more but less than 175 kw. of contract demand	28
175 kw. and more but less than 210 kw. of contract demand	30
210 kw. and more but less than 245 kw. of contract demand	32
245 kw. and more but less than 295 kw. of contract demand	34
295 kw. and more but less than 360 kw. of contract demand	36
360 kw. and more but less than 600 kw. of contract demand	38
600 kw. and more but less than 1,000 kw. of contract demand	40
1,000 kw. and more but less than 1,600 kw. of contract demand	41
1,600 kw. and more but less than 2,400 kw. of contract demand	42
2,400 kw. and more but less than 3,500 kw. of contract demand	43
3,500 kw. and more but less than 5,000 kw. of contract demand	44
5,000 kw. and over of contract demand	45

(d) *Additional discount.* If a customer takes delivery at the primary voltage of the distribution or transmission system of the Project and at a location where the Project has adequate and suitable facilities available for such delivery, and if the customer furnishes, installs, operates and maintains the substation or substations with step-down transformers, protective equipment and all other facilities (except metering equipment) needed by the customer in distributing and utilizing the delivery power and energy, all subject to conditions and specifications satisfactory to the project engineer, then in that case an additional discount will be allowed, to be applied after the monthly bill has been computed in accordance with the preceding schedule as follows:

(1) For three phase delivery at the Project distribution voltage, a discount of 5 percent.

(2) For three-phase delivery from the Project transmission system where not more than one transformation intervenes between the highest voltage of the Project power system and the delivery to the customer—a discount of 8 percent.

(e) *Minimum bill.* (1) $1.25 per month per kilowatt of billing demand, but not less than $12.50 per month.

(f) *Contract demand.* Each contract shall state the number of kilowatts which the customer expects to require and desires to have reserved for his service. This quantity is called the contract demand. The contract demand shall not be less than 10 kilowatts.

(g) *Actual demand.* The actual demand for any month shall be the average amount of power used during that period of 15 consecutive minutes when such average is the greatest for the month as determined by suitable meters, or if meters are unavailable, the actual demand shall be the connected load or such portion of the connected load as the project engineer may determine to be appropriate, based on available information as to the customer's use of connected lights and appliances or from check metering.

(h) *Billing demand.* The billing demand for a month shall be the contract demand or the actual demand for that month, whichever is the greater.

(i) *Power factor adjustment.* An adjustment for power factor will be made by increasing the billing demand for each month by one (1) percent for each one (1) percent or major fraction thereof by which the lagging power factor is less than 95%.

§ 232.55 Rate Schedule No. 5: Irrigation pumping and sprinkling.

(a) *Application of schedule.* This schedule is available for single-phase and three-phase service used exclusively for irrigation pumping and sprinkling during the irrigation season, normally April 15 through October 15, where service may be discontinued during the balance of the year and the transformers removed at the discretion of the Project. Unless specifically permitted by the contract, use must be limited to the consumer's premises and must not be resold. If more than one meter is required by the customer's installations, or for the consumer's convenience, a separate computation will be made for each meter.

(b) *Rate per season or fraction thereof.* $7 per horsepower connected; 0.9 cent per kilowatt-hour for all kilowatt-hours used.

(c) *Special terms and conditions.* (1) The minimum annual (seasonal) horsepower charge of $7 per connected horsepower shall be paid each year during the life of the contract. Payment shall be required each year before the service is connected. If the service has not been connected by the close of the irrigation season, but in no case later than October 15, the minimum annual (seasonal) charge will be assessed.

(2) At the close of the irrigation season, but in no case later than October 15 of each year, the meter will be read and the total seasonal energy use (kilowatt-hours) will be computed and billed. The bills shall be due and payable within 30 calendar days after date of issue.

(3) If an account becomes delinquent, the project engineer shall have the option to cancel the contract, remove the Project's facilities, and demand payment of all delinquent bills, plus any penalties provided in the contract for premature termination of the contract.

(4) For a delinquent account to be reconnected payment will be required for all delinquent bills, plus the estimated energy charge for the coming season, plus the annual seasonal charge of $7 per horsepower.

(5) An adjustment for power factor will be made by increasing the seasonal charge for the kilowatt-hours by one (1) percent for each one (1) percent or major fraction thereof by which the lagging power factor is less than 95%.

§ 232.56 Rate Schedule No. 6: Street and area lighting.

(a) *Application of schedule.* This schedule is available in the Project's service area where adequate capacity, phase and voltage are available for individual users of area lighting and for communities who desire a lighting system. Service is from dusk to dawn and the Project will own, operate and maintain the lights, including lamp and globe replacement and furnishing the necessary power and energy. Individual users of area lighting will be required to have another account under the residential or general rate schedules.

(b) *Rate per unit.* (1) Area light installed on existing pole or structure:

7,000 lumen unit—$4.00 per month.

20,000 lumen unit—$5.50 per month.

(2) Area light installed with new wood pole:

7,000 lumen unit—$5.00 per month.

20,000 lumen unit—$6.50 per month.

(c) *Special conditions.* (1) Where more than 150 feet of extension and/or one pole per unit are required the customer will make a nonrefundable contribution for the overage at actual cost to the Project Ownership of all facilities remains with the Project.

(2) The original term of contract shall be not less than 3 years. Should termination be requested by the customer within the contract minimum period, he shall be liable for the in and out costs, or the balance of the contract charges, whichever is the lesser.

(3) In case of municipalities or other entities desiring a lighting system involving 10 or more lighting units with fixtures, supports, or poles or an entity desiring units differing from those supplied as standard, the project engineer shall negotiate a contract for supplying this service.

[FR Doc.76-948 Filed 1-12-76;8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

SUBCHAPTER C—EMPLOYMENT TAXES

[T.D. 7396]

PART 31—EMPLOYMENT TAXES; APPLICABLE ON AND AFTER JANUARY 1, 1955

Railroad Retirement Taxes; Annual Filing of Returns

This document contains amendments to the Employment Tax Regulations (26 CFR Part 31) to provide for annual filing of returns with respect to taxes imposed by the Railroad Retirement Tax Act for calendar years after 1975. Prior to this amendment, the regulations provided that such returns should be filed quarterly. This modification of the filing requirement will reduce the number of Forms CT-1 filed and thus reduce the processing costs for both employers and the Internal Revenue Service.

Several references to "district director" in these regulations are also being amended through this document in order to conform to current procedures.

Amendments to the regulations. In order to provide for the annual filing of returns with respect to railroad retirement taxes for calendar years after 1975 and to conform the Employment Tax Regulations (26 CFR Part 31) under section 6011(a) of the Internal Revenue Code of 1954 to current procedures, such regulations are amended as follows:

PARAGRAPH 1. Paragraph (c) of § 31.6011(a)-1 is amended by revising the first and last sentences thereof to read as follows:

§ 31.6011(a)-1 Returns under Federal Insurance Contributions Act.

* * * * *

(c) *Correction of returns or schedules.* If in a return required under this section or § 31.6011(a)-5, or in any other manner, the employer fails to report, or incorrectly reports, the name, account number, or wages of an employee, the employer shall furnish to the internal revenue office with which he is required to file his returns a written statement fully explaining the omission or error; except that such statement is not required by this paragraph if correction of the omission or error is made in connection with a supplemental return, adjustment, credit, refund, or abatement. * * * No particular form is prescribed for making such statement, but if printed forms are desired, any internal revenue office will supply copies of Form 941c or Form 941c PR, whichever is appropriate, upon request.

* * * * *

§ 31.6011 [Amended]

PAR. 2. Section 31.6011(a)-2 is amended as follows:

1. Paragraph (a)(1) is amended to read as set forth below.

2. Paragraph (a)(2) is amended by deleting "district director" and inserting in lieu thereof "director of the service center".

3. Paragraph (b)(2) is amended by deleting "district director" and inserting in lieu thereof "director of the service center" in the third and fifth sentences of subdivision (i) and in subdivision (ii), and by revising the heading of paragraph (b)(2) and the first sentence of paragraph (b)(2)(i) to read as set forth below.

§ 31.6011(a)-2 Returns under Railroad Retirement Tax Act.

(a) *Requirement*—(1) *Employers.* Every employer shall make a return for the first return period after 1964 within which compensation taxable under the Railroad Retirement Tax Act is paid to his employee or employees for services rendered after 1954, and for each subsequent return period (whether or not taxable compensation is paid therein) until he has filed a final return in accordance with § 31.6011(a)-6. For calendar years after 1975, the return period shall be the calendar year; for calendar years prior to 1976, the return period shall be the calendar quarter. Form CT-1 is the form prescribed for making the return required under this paragraph. One original and a duplicate of each return on Form CT-1 shall be filed with the director of the service center.

* * * * *

(b) *When to report compensation.* * * *

(2) *Pre-1976 returns of employers required by State law to pay compensation on weekly basis*—(i) *In general.* If any

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employer is required by the laws of any State to pay compensation weekly in any calendar year prior to 1976, the return of tax with respect to such compensation may, at the election of such employer, cover all payroll weeks which, or the major part of which, fall within the period for which a return of tax is required by paragraph (a)(1) of this section. * * *

* * * * *

PAR. 3. Paragraph (a)(2)(i) of § 31.6011(a)–6 is amended by revising the first sentence thereof to read as follows:

§ 31.6011(a)–6 Final returns.

(a) *In general.* * * *

(2) *Railroad Retirement Tax Act*—(i) *Form CT–1.* An employer required to make returns on Form CT–1 who in any return period ceases to pay taxable compensation shall make the return on Form CT–1 for such period as a final return. * * *

* * * * *

PAR. 4. Section 31.6011(a)–7 is amended as follows:

1. Paragraph (a) is amended by deleting "district director" and inserting in lieu thereof "internal revenue office with which such person is required to file his returns" in the fourth sentence.

2. Paragraph (b)(1) is amended by revising the first and third sentences thereof to read as follows:

§ 31.6011(a)–7 Execution of returns.

* * * * *

(b) *Use of prescribed forms*—(1) *In general.* Copies of the prescribed return forms will so far as possible be regularly furnished taxpayers by the Internal Revenue Service. * * * Taxpayers not supplied with the proper forms should make application therefor to an internal revenue office in ample time to have their returns prepared, verified, and filed on or before the due date with the internal revenue office with which they are required to file their returns. * * *

* * * * *

Because this Treasury decision will not be detrimental to any taxpayer or employer, it is hereby found unnecessary to issue this Treasury decision with notice and public procedure thereon under 5 U.S.C. 553(b), or subject to the effective date limitation of 5 U.S.C. 553(d).

(Sec. 7805, Internal Revenue Code of 1954 68A Stat. 917 (26 U.S.C. 7805))

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

Approved: January 5, 1976.

CHARLES M. WALKER,
Assistant Secretary of the Treasury.

[FR Doc.76–1027 Filed 1–12–76;8:45 am]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

Utah Plan—Approval of State Poster and Management Information System

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, provides procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) for review of changes and progress in the development and implementation of State Plans which have been approved in accordance with section 18(c) of the Act and Part 1902 of this chapter. On January 10, 1973, a notice was published in the FEDERAL REGISTER (38 FR 1178) of the approval of the Utah Plan and of the adoption of Subpart E of the Part 1952 containing the decision of approval.

The supplements include:

(a) The Utah State poster which is to be posted at all covered workplaces in the State. The poster, among other things, contains provisions notifying employees of their obligations and protections under the Utah Occupational Safety and Health Act, their right to request inspections and their right to remain anonymous as a result, their right to participate in inspections, their protection against discharge or discrimination under the Federal and State laws and their right to file complaints about the administration of the State program with the Occupational Safety and Health Administration. In cases where a State has a poster informing employees of their protections and obligations as defined in § 1952.10, such poster may be substituted for the Federal poster.

(b) Utah's Management Information System, which will operate as a manual system. The system will provide, among other things, data on inspection type, employee participation, employee discrimination complaints, special State programs, number and type of violations, proposed penalties, and collection of penalties, employee complaints, safety and health complaints, serious and nonserious penalties and violations, training, time utilization, and contested cases.

2. *Location of the plan and its supplements for inspection and copying.* A copy of the supplements, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Associate Assistant Secretary for Regional Programs, Room N–3112, New Department of Labor Building, 200 Constitution Avenue NW., Washington, D.C. 20210; Office of the Regional Administrator, Occupational Safety and Health Administration, Room 15010, Federal Building, 1961 Stout Street, Denver, Colorado 80202; Utah Industrial Commission, Occupational Safety and Health Division, 488 South 400 East, Salt Lake City, Utah 84111.

3. *Public participation.* Under § 1953.2(c) of this chapter, the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) may prescribe alternative procedures to expedite the review process or for any other good cause which may be consistent with applicable law. The Assistant Secretary finds that the State poster incorporates all of the provisions required under 29 CFR 1952.10(a)(5) and 29 CFR 1903.2(a)(3) (39 FR 39036 November 5, 1974). Further, the Utah Management Information System substantially meets the assurances given by the State when the plan was approved and was reviewed in three semi-annual evaluations by the Assistant Secretary and found to be acceptable.

4. *Decision.* After careful consideration, the Utah plan supplements are hereby approved under Part 1953. This decision incorporates the requirements of the Act and implementing regulations applicable to State plans generally. In accordance with the above, Subpart E of Part 1952 is amended by adding a new § 1952.114 which reads as follows:

§ 1952.114 Completed developmental steps.

(a) In accordance with the requirements of 29 CFR 1952.110, the Utah State poster was approved by the Assistant Secretary on January 7, 1976.

(b) In accordance with § 1952.113(g), the State has developed and implemented a Management Information System.

(Secs. 8(g)(2), 18 Pub. L. 91–596, 84 Stat. 1600, 1608 (29 U.S.C. 657(g)(2), 667))

Signed at Washington, D.C., this 7th day of January, 1976.

MORTON CORN,
Assistant Secretary of Labor.

[FR Doc.76–993 Filed 1–12–76;8:45 am]

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

California Plan; Level of Federal Enforcement

1. *Background.* Part 1954 of Title 29, Code of Federal Regulations, sets out procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) for the evaluation and monitoring of State plans which have been approved under section 18(c) of the Act and 29 CFR Part 1902. Section 1954.3 of this chapter provides guidelines and procedures for the exercise of discretionary Federal enforcement authority under section 18(e) of the Act with regard to Federal standards in issues covered under an approved State plan. In accordance with § 1954.3(b) of this chapter, Federal enforcement authority will not be exercised as to occupational safety and health issues covered under a State plan where a State is operational under § 1954.3(b) of this chapter when it has provided for the following requirements: enacted enabling legislation, approved State standards, has a sufficient number of qualified enforcement personnel and provisions for review of enforcement actions. In determining whether and to what extent a State plan meets the operational guidelines, the results of evaluations conducted under 29 CFR Part 1954 are taken into consideration. Once this determination has been made, under § 1954.3(f) of this chapter, a notice of the determination of the operational status of a State plan as described in an agreement setting forth the Federal-State responsibilities is to be published in the FEDERAL REGISTER.

2. *Notice of California Operational Agreement.* (a) In accordance with the provisions of § 1954.3(f) of this chapter, notice is hereby given that it has been determined that California has met the following conditions for operational status:

(1) Enactment of Assembly Bill No. 150 (California Occupational Safety and Health Act of 1973) effective October 2, 1973, and amendments which became effective January 1, 1975.

(2) Promulgation of State standards covering all issues as defined by Subparts B through S of 29 CFR Part 1910 and by 29 CFR Part 1926, which have been found in the professional judgment of the Assistant Regional Director for Occupational Safety and Health (hereinafter referred to as the Assistant Regional Director) to provide overall protection equal to the comparable Federal standards in such issues.

(3) A sufficient number of qualified safety and health personnel employed under an approved merit system: namely, one hundred sixty-six (166) Compliance Safety Engineers and twenty-four (24) Industrial Health Engineers as of March 31, 1975.

(4) Operation since early 1974, of a review and appeals system before the Occupational Safety and Health Appeals Board, providing the mechanism for employers and employees to contest enforcement actions and/or abatement dates. Emergency rules and regulations concerning the Appeals Board became effective January 10, 1974, and were replaced by permanent rules, effective May 3, 1974.

(5) State enforcement of State standards since May 1, 1973, under the State occupational safety and health plan and since January 1, 1974, under the California Occupational Safety and Health Act, including three semi-annual evaluations covering the period from January 1, 1974, through June 30, 1975.

(b) In addition the State has provided under its plan for:

(1) Notification to employers and employees since May 1, 1974, of rights and responsibilities under the California Occupational Safety and Health Act by requiring display in all work places covered by the plan of a State poster which was approved by the Assistant Secretary on August 27, 1975 (40 FR 40156).

(2) Occupational accident and illness recordkeeping and reporting by employers covered under the plan, effective July 1, 1975.

(3) Responding to complaints filed with or referred to the California Agriculture and Services Agency for violation of the prohibition against discrimination by employers against employees for exercising their rights under the California Occupational Safety and Health Act.

(4) Assurances of the rights of employers and employees and their representatives consistent with the provisions of the Federal Act and its implementing regulations.

Pursuant to this finding, an agreement effective September 30, 1975, and incorporated as part of the California plan has been entered into between Rose E. Bird, Secretary, California Agriculture and Services Agency, and Gabriel J. Gillotti, Assistant Regional Director for Occupational Safety and Health of the U.S. Department of Labor, providing that Federal enforcement activity under section 18(e) of the Act will not be initiated with regard to Federal occupational safety and health standards in the issues covered under 29 CFR Part 1910, including 29 CFR Parts 1915 through 1918, and Part 1926, where State standards are in effect and operational, except those areas listed below retained and/or exercised by the Federal Government under the Act.

Under the agreement, Federal responsibility under the Act will continue to be exercised, among other things, with regard to: complaints about violations of the discrimination provisions of section 11(c) of the Act (29 U.S.C. 660(c)); enforcement of standards promulgated under the Act subsequent to the agreement where necessary to protect employees as in the case of temporary emergency standards promulgated under section 6(c) of the Act (29 U.S.C. 655(c)), until such time as the State shall have adopted equivalent standards in accordance with Subpart C of 29 CFR Part 1953; enforcement of Federal standards contained in the issues covered by Subpart B—Ship repairing, Shipbuilding, Shipbreaking, and Longshoring, 29 CFR 1910.13 through 1910.16, as they relate to employment under the exclusive jurisdiction of the Federal Government on the navigable waters of the United States; enforcement activity regarding private employers on Federal installations where the Federal agency has claimed exclusive Federal jurisdiction, challenged State jurisdiction and refused entry, such Federal enforcement to continue at least until the jurisdictional question is resolved at the National level between the Occupational Safety and Health Administration and the cognizant Federal agency; and investigations and inspections for the purpose of evaluating the State plan under sections 18 (e) and (f) of the Act (29 U.S.C. 667 (e) and (f)).

The agreement is subject to revision or termination by the Assistant Secretary of Labor for Occupational Safety and Health upon substantial failure by the State to comply with any of its provisions, or when the results of evaluation under 29 CFR Part 1954 reveal that State operations covered by the agreement fail in a substantial manner to be at least as effective as the Federal program.

In accordance with this agreement and effective as of September 30, 1975, Subpart K of 29 CFR Part 1952 is hereby amended as set forth below.

§ 1952.172 Level of Federal enforcement.

Pursuant to §§ 1902.20(b)(1)(iii) and 1954.3 of this chapter under which an agreement has been entered into with California, effective September 30, 1975, and based on a determination that California is operational in the issues covered by the California occupational safety and health plan, discretionary Federal enforcement activity under section 18(e) of the Act (29 U.S.C. 667(e)) will not be initiated with regard to Federal occupational safety and health standards in issues covered under 29 CFR Part 1910 and 29 CFR Part 1926. The U.S. Department of Labor will continue to exercise authority, among other things, with regard to: complaints filed with the U.S. Department of Labor about violations of the discrimination provisions of section 11(c) of the Act (29 U.S.C. 660(c)); Federal standards promulgated subsequent to the agreement where necessary to protect employees, as in the case of temporary emergency standards promulgated under section 6(c) of the Act (29 U.S.C. 655(c)), in the issues covered under the plan and the agreement until such time as California shall have adopted equivalent standards in accordance with Subpart C of 29 CFR Part 1953; Federal standards contained in the issues covered by Subpart B, 29 CFR Part 1910, Ship repairing, Shipbuilding, Shipbreaking, and Longshoring, insofar as they relate to employment under the exclusive jurisdiction of the Federal Government on the navigable waters of the United States; enforcement activity regarding private employers on Federal installations where the Federal agency has claimed exclusive Federal jurisdiction, challenged State jurisdiction and refused entry, such Federal enforcement to continue at least until the jurisdictional question is resolved at the National level between the Occupational Safety and Health Administration and the cognizant Federal agency; and investigations and inspections for the purpose of the evaluation of the California plan under sections 18 (e) and (f) of the Act (29 U.S.C. 667 (e) and (f)). The Assistant Regional Director for Occupational Safety and Health will make a prompt recommendation for resumption of the

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exercise of Federal enforcement authority under section 18(e) of the Act (29 U.S.C. 667(e)) whenever, and to the degree necessary to assure occupational safety and health protection to employees in the State of California.

(Secs. 8(g)(2), 18, Pub. L. 91-596, 84 Stat. 1600, 1608 (29 U.S.C. 657(g)(2), 667).)

Signed at Washington, D.C. this 6th day of January, 1976.

MORTON CORN,
Assistant Secretary of Labor.

[FR Doc.76-972 Filed 1-12-76;8:45 am]

CHAPTER XXV—OFFICE OF EMPLOYEE BENEFITS SECURITY, DEPARTMENT OF LABOR

PART 2509—INTERPRETIVE BULLETINS RELATING TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

Redesignation

In order to provide a concise and ready reference to its interpretations of provisions of Title I of the Employee Retirement Income Security Act of 1974, the Department of Labor will hereafter publish all of its interpretive bulletins in Part 2509—Interpretive Bulletins Relating to the Employee Retirement Income Security Act of 1974, of Subchapter A—General. Interpretive Bulletins IB 75-1 through IB 75-8 relating to fiduciary responsibility, and IB RD 75-1 relating to reporting and disclosure, which were previously published in the Federal Register in Parts 2555 and 2556, respectively, have been redesignated and are now included in Part 2509.

Accordingly, 29 CFR Chapter XXV is amended by adding a new Subchapter A—General, and thereunder a new Part 2509—Interpretive Bulletins Relating to the Employee Retirement Income Security Act of 1974. Interpretive Bulletins formerly found in 29 CFR Parts 2555 and 2556 are redesignated as follows:

Old section	*New section*
2555.75-1 (40 FR 31598)	2509.75-1
2555.75-2 (40 FR 31598)	2509.75-2
2555.75-3 (40 FR 31598)	2509.75-3
2555.75-4 (40 FR 31598)	2509.75-4
2555.75-5 (40 FR 31598)	2509.75-5
2555.75-6 (40 FR 31755)	2509.75-6
2555.75-7 (40 FR 34587)	2509.75-7
2555.75-8 (40 FR 47491)	2509.75-8
2556.75-1 (40 FR 53998)	2509.75-9

Signed at Washington, D.C. this 7th day of January, 1976.

JAMES D. HUTCHINSON,
Administrator of Pension and Welfare Benefit Programs.

[FR Doc.76-966 Filed 1-12-76;8:45 am]

PART 2555—INTERPRETIVE BULLETINS RELATING TO FIDUCIARY RESPONSIBILITY

PART 2556—INTERPRETIVE BULLETINS RELATING TO REPORTING AND DISCLOSURE

Redesignation and Vacation of Parts

Interpretive bulletins formerly appearing in 29 CFR Parts 2555 and 2556 are transferred to 29 CFR Part 2509 and redesignated.[1] Accordingly, Parts 2555 and 2556 of Chapter XXV of Title 29 are hereby vacated and reserved.

Signed at Washington, D.C. this 7th day of January, 1976.

JAMES D. HUTCHINSON,
Administrator of Pension and Welfare Benefit Programs.

[FR Doc.76-965 Filed 1-12-76;8:45 am]

Title 32—National Defense

CHAPTER VII—DEPARTMENT OF THE AIR FORCE

SUBCHAPTER C—PUBLIC RELATIONS

PART 820—AIR FORCE BANDS

Revision of Part

This revision of Part 820 updates and incorporates the complete testing and upgrading program for Air Force Instrumentalists; establishes new training requirements for the Air Force band career field; standardizes requests for music support; updates criteria for Air Force band performances; revises information required on the Band Personnel and Performance Report; establishes the area concept of operations; establishes mandatory musical capabilities for Air Force bands; reassigns the responsibility for assignment recommendations from major commander to departmental level; establishes the organizational level and responsibilities of the office having operational control; and establishes command supervisory responsibility for all band commanders.

Part 820, Subchapter C of Chapter VII of Title 32 of the Code of Federal Regulations is revised to read as follows:

Subpart A—General Information

Sec.
820.1 Purpose.
820.3 Air Force band explained.
820.5 Band mission.
820.7 How bands are classified.
820.9 Band capabilities.
820.11 How bands are programmed.
820.13 How bands are supervised.
820.15 Training and use of assigned airmen.
820.17 How bands procure, maintain, and dispose of musical equipment and supplies.
820.19 The Band Bulletin.
820.21 Direct communication authorized.
820.23 How commanders request band performances.
820.25 How civilian sponsors request a band performance.

Subpart B—Responsibilities; Uniforms and Accessories

820.27 Responsibility of the major commander.
820.29 Responsibility of the command band staff officer.
820.31 Responsibility of the commander having operational control.
820.33 Authorized accessories.
820.35 Special clothing allowance.

[1] See FR Doc. 76-966, Title 29, Supra.

Subpart C—Use of Bands On and Off Air Force Installations

Sec.
820.37 Legal and other restrictions on use of bands.
820.39 Participation authorized for public events.
820.41 Criteria for participation in public events.
820.43 Air Force band participation on a military installation.
820.45 Area concept of operations.
820.47 Area concept of operations areas of responsibility.

Subpart D—Cost of Participation and Funding

820.49 Funding policy.
820.51 Cost of participation in open messes.

Subpart E—Volunteer Drum and Bugle Corps

820.53 How Corps are organized, staffed, and maintained.
820.55 Use of volunteer units.

Subpart F—Monthly Reporting Requirement

820.57 Band personnel and performance report.
820.59 Supply of forms.

AUTHORITY: Sec. 8012, 8634, 8635, 70A Stat. 488, 532; 10 U.S.C. 8012, 8634, 8635.

Subpart A—General Information.

§ 820.1 Purpose.

This part states the mission of Air Force bands and explains how bands are established, classified, programmed, and administered.

§ 820.3 Air Force band explained.

An Air Force band is a numbered or unnumbered musical unit established by an Air Force directive.

§ 820.5 Band mission.

It is the mission of each Air Force band to provide the support in paragraphs (a) through (d) of this section to all Air Force bases located within the assigned geographic area of the band without regard to command affiliation.

(a) Participate in, and provide music for, military formations and ceremonies.

(b) Provide musical support for recreation and entertainment programs at Air Force installations.

(c) Provide musical support for Air Force personnel procurement programs.

(d) Provide musical support for the Air Force community relations program.

§ 820.7 How bands are classified.

Air Force bands are classified as special bands or as numbered Air Force bands as indicated in paragraphs (a) and (b) of this section.

(a) Special bands include: (1) The USAF Band, Bolling Air Force Base, Washington, D.C. 20332, assigned to Headquarters Command United States Air Force. The Director of Information (SAF/OI) is responsible for its operational control.

(2) The USAF Academy Band, assigned to the USAF Academy, Colorado 80840. The Commandant of Cadets exercises operational control for Cadet activities. The Chief of Staff, USAF Academy, exercises administrative and logistical control for other than Cadet activities.

(b) Numbered Air Force bands are strategically located throughout the Air Force to support Air Force musical requirements. Air Force bands are listed in AFM 190-9, Information Policies and Procedures. These bands may use titles for publicity purposes. However, these titles are unofficial and should not be used in official correspondence or as justification for committing a band outside its geographic area of responsibility.

§ 820.9 Band capabilities.

Each numbered Air Force band maintains the operational units in paragraph (a) of this section. Although manning has a definite effect on any band's operational capabilities, SAF/OI approval is required to eliminate any of these mission essential units. Every effort must be made to utilize these units to the maximum extent possible.

(a) The units in paragraphs (a) (1) through (6) of this section are mandatory units for all numbered Air Force bands.

(1) *Marching/ceremonial band.* Designed to fulfill all military ceremonial requirements. Additionally, it is capable of performing at official civil functions (defined in Part 824 of this chapter) and public parades.

(2) *Concert band.* Designed to perform high school, college, and civic concerts and patriotic programs in addition to support of base recreation activities.

(3) *Show/dance band.* Composed of 16 to 20 Instrumentalists, performs the variety of music necessary to satisfy Air Force requirements for musical support at the recreation and social events in § 820.43. Additionally, this unit performs high school, college, and civic concerts.

(4) *Protocol combo.* Composed of three to six Instrumentalists, provides background, dinner, and dance music, as required, at the recreation and social events in § 820.43.

(5) *Popular music combo.* Composed of four to eight Instrumentalists, performs the latest in popular music. It may be scheduled at school concerts in conjunction with recruiting programs in addition to support of recreation and social events in § 820.43. Due to the unique mission requirements and the instrumentation necessary, the protocol and popular music combos should be separate entities. Although available manpower resources may require occasional duplication of some Instrumentalists in these groups, it is discouraged.

(6) *Individual musicians.* Individual Instrumentalists support specialized requirements for buglers, pianists, and other musicians.

(b) Air Force bands are encouraged to exercise initiative in the formation and utilization of additional units, such as woodwind and brass ensembles, Dixieland, German, and country/western bands; and glee clubs.

(c) With the exception of 35 piece bands, each numbered Air Force band is established to provide the simultaneous operation of two or more units. This is not intended to prevent bands from utilizing their fully authorized strength in a major parade or concert; however, normal operations should be conducted in the multiunit manner explained in (1) through (3) of this paragraph.

(1) Concert/marching band and popular music combo: 45 piece bands.

(2) Concert/marching band and show/dance band: 60 piece bands.

(3) Concert/marching band, show/dance band, and protocol or popular music combo: 70 piece bands.

§ 820.11 How bands are programmed.

Due to the limited number of Air Force bands and the necessity to achieve maximum utilization through the geographic area concept of operations which transcends command lines, programming the number, size, and location of Air Force bands is accomplished within the Air Staff in accordance with current manpower programming directives. Forward requests for changes in the Air Force band program through channels, to SAF/OI for appropriate action.

§ 820.13 How bands are supervised.

(a) *At departmental level.* The Bands Branch, Community Relations Division, Office of Information, Secretary of the Air Force (SAF/OICE), is the functional manager of the Air Force band programs and monitors all aspects of the program (including bands assigned to the Air National Guard) through technical inspections, reports, written and telephonic communications, and:

(1) Recommends the assignment of Instrumentalists to achieve the best possible balance of instrumentation and effectiveness of each band through close coordination with assignment agencies located at HQ USAF/MPC.

(2) Coordinates the reassignment of band officers, band superintendents, and Master Sergeant Instrumentalists with PALACE INFO and Senior Airman Assignments Branch located at HQ USAF/MPC.

(b) *At major command level.* Each major commander appoints a band officer to perform the additional duty of command band staff officer. His duties and responsibilities include, but are not limited to:

(1) Assisting the commander in the supervision of band activities through technical inspections, reports, and written and telephonic communications.

(2) Functioning as a member of the command inspection team to evaluate Air National Guard bands. Air National Guard bands are under the technical supervision and the responsibility of the command band staff officer.

(c) *At all levels.* Operational control of Air Force bands is the responsibility of the highest command level Information Office located on bases where bands are assigned. Bands are separate squadrons and band officers serve primarily as squadron commander; therefore, band commanders should be supervised by the pertinent commander in the chain of command.

§ 820.15 Training and use of assigned airmen.

(a) Air Force band commanders will establish and maintain training programs as described in (1) through (3) of this paragraph and in AFM 50-23, On-the-job Training.

(1) Use Instrumentalist Proficiency Requirements (IPR) as identified in the forms listed in (i) through (xv) of this subparagraph for all levels of on-the-job training (OJT). When the IPR is incorporated into the AF Form 623, Consolidated Training Record, it will be redesignated as the Job Proficiency Guide (JPG) described in AFM 50-23.

(i) AF Form 3032, IPR—Saxophone—87130/40/70B.

(ii) AF Form 3033, IPR—Bassoon—87130/50/70C.

(iii) AF Form 3034, IPR—Oboe—87130/50/70D.

(iv) AF Form 3036, IPR—Flute—87130/50/70E.

(v) AF Form 3038, IPR—French Horn—87130/50/70F.

(vi) AF Form 3042, IPR—Trumpet—87130/50/70G.

(vii) AF Form 3044, IPR—Baritone Horn—87130/50/70H.

(viii) AF Form 3045, IPR—Trombone—87130/50/70J.

(ix) AF Form 3046, IPR—Tuba—87130/50/70K.

(x) AF Form 3049, IPR—Percussion—87130/50/70L.

(xi) AF Form 3050, IPR—Piano—87130/50/70M.

(xii) AF Form 3051, IPR—Guitar—87130/50/70P.

(xiii) AF Form 3053, IPR—Arranger—87130/50/70P.

(xiv) AF Form 3057, IPR—Vocalist—87130/50/70R.

(xv) AF Form 3058, IPR—Electric String Bass—87130/50/70S.

(2) Individual lessons are administered all personnel in OJT at least once each week. Leave and illness will be the only acceptable justification for noncompliance with this requirement. Unit TDYs will not release the trainer and trainee from this responsibility. Continually record these lessons on AF Form 3029, Lesson Assignment and Evaluation, and do not remove them from the training record prior to entry into the next level of training.

(3) In the band career field, the Specialty Knowledge Test (SKT) is a performance test. The SKT administered at each level must be consistent with the requirements in paragraphs (a)(3) (i) through (xv) of this section. Test results are entered into the individual's training record as either "qualified" or "unqualified."

(i) *Three-level woodwind and brass tests.* Scales—All major scales (two octaves) eighth notes, moderate tempo. Chromatic scale (two octaves), eighth notes, moderate tempo; Solo—Performs one or more grade four solo(s), (medium to medium-difficult) demonstrating range, style, and articulation; Sight reading—Sight reads material selected from standard methods (see IPR) and representative band literature to include dance band music if appropriate; Performance—Performs in an acceptable manner in ensemble.

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(ii) *Five-level woodwind and brass tests. Scales*—Major and minor (melodic and harmonic) scales (two octaves), eighth notes at moderate tempo; chromatic scale (two octaves) and arpeggios (two octaves), eighth notes at moderate tempo; Solo—Perform one or more grade five (medium-difficult to difficult) solo(s) demonstrating tone, range, technique, articulation and style. Includes jazz solos; Sight reading—Sight reads, accurately, material selected from standard methods (see IPR) and representative band literature rated medium difficult to difficult to include dance band music if appropriate. Particular attention is given to phrasing, articulation and style; Music theory (see IPR) — Demonstrates thorough understanding of basic music theory to include scales, chord structure, and transposition; Secondary instrument (as outlined in IPR)—Performs on secondary woodwind or brass instrument in accordance with criteria for the three-level requirements (see (i) of this subparagraph) (secondary instrument is required for clarinet, bassoon, oboe, flute, baritone horn, and tuba); Improvisation (see IPR)—Improvises, utilizing given chord or melodic line, maintaining integrity of key, style, and feeling. Improvises on eight or 12 bar "Blues" progressions in various keys and tempos (improvisation required of saxophone, trumpet, and trombone); Performance—Performs satisfactorily in all ensembles and as a soloist.

(iii) *Seven-level woodwind and brass tests.* Scales—Major and minor scales, eighth notes at moderate tempo; performs scales in thirds and arpeggios, eighth notes, at moderate tempo; Solos—Performs a difficult solo illustrating style, phrasing and technique. Improvised solos are acceptable for saxophone, trumpet and trombone; Sight reading—Sight reads medium difficult to difficult music with accuracy. Sight reading for saxophone, trumpet and trombone includes dance band, popular, and rock music; Secondary instrument (as outlined in IPR)—Maintains proficiency on secondary instrument (required for clarinet, bassoon, oboe, flute, baritone horn, and tuba); Theory and improvisation (see IPR)—Improvises from melodic lines and chord changes. Reads chord symbols and performs solos utilizing same (required for saxophone, trumpet, and trombone; conducting—Demonstrates basic knowledge and skills required in conducting ceremonies. Conducts the National Anthem, Ruffles & Flourishes, General's March, To the Colors, and marches; Additional duties—Demonstrates abilities in band-related administrative duties; Performance—Performs in a superior manner in all ensembles as assigned.

(iv) *Three-level percussion test.* Rudiments—Performs first seven basic standard rudiments at various tempi and in differing combinations; Solos—Performs on several different percussion instruments numerous solo or ensemble sections from selected medium difficult literature to include methods and music from the band's repertoire. Constructs solos using all instruments of the drum set; Sight reading—Sight reads several percussion parts of medium difficulty. Sight reads dance band or combo lead sheets; Performance—Performs in an acceptable manner in ensembles.

(v) *Five-level percussion test.* Rudiments—Performs first 13 standard rudiments at various tempi and in differing combinations; Scales—Performs C, F, G, Bb, D, Eb, and Ab major scales on keyboard percussion instruments in eighth notes at moderate tempo; Solos—Performs on several different percussion instruments, solo or ensemble sections from medium-difficult to difficult (grade five) literature to include methods and music from the band's repertoire. Constructs solos on the drum set using polyrhythms and permutations; Sight reading—Sight reads medium-difficult to difficult percussion parts. Reads with accuracy dance, rock and combo lead sheets; Performance—Performs satisfactorily in all ensembles as assigned.

(vi) *Seven-level percussion tests.* Rudiments—Performs all 26 standard rudiments at various tempi and in differing combinations; Scales—All Major and Minor Scales and arpeggios on keyboard instruments (two Octaves); Solos—Performs very difficult (grade six) solo or ensemble literature on snare drum, tympani, keyboard instruments, and the drum set; Sight reading—Sight reads difficult (grade five or six) literature selected from methods or the bands repertoire. Reads with accuracy rock, dance band, and combo lead sheets; Conducting—Demonstrates basic knowledge and skills required in conducting ceremonies. Conducts the National Anthem, Ruffles & Flourishes, General's March, To the Colors, and marches; Additional duties—Demonstrates abilities in band-related administrative duties; Performance—Performs in a superior manner in all ensembles as assigned.

(vii) *Three-level piano test.* Scales—Performs all major and minor scales, arpeggios (two Octaves), eighth notes at a moderate tempo; Solo—Performs solo literature which demonstrates technical facility, interpretation, and style. A jazz, rock, or swing solo is acceptable; Sight reading—Sight reads standard medium-difficult piano literature selected from methods, ensemble music, or dance band piano music. Sight reads accompaniments for vocal or chloral selections; Performance—Performs satisfactorily in all areas assigned.

(viii) *Five-level piano test.* Scales—Performs all major and minor scales in four octaves, parallel and contrary motion, at a moderate tempo; Solos—Performs a solo from the classical repertoire for piano. Performs several selections from a minimum repertoire of 20 compositions of popular music demonstrating style, phrasing, rhythmic competency, and voicings unique to popular music; Sight reading—Sight reads medium-difficult piano scores, vocal arrangements, and dance band lead sheets with accuracy; Theory/improvisation—Improvises, from chord symbols, varying types of dance, popular, or rock music. In different keys and varying tempi, improvises on 8 or 12 bar "blues" patterns; Performance—Performs satisfactorily in all ensembles or as a soloist as may be assigned.

(ix) *Seven-level piano test.* Scales—All major and minor scales, major and minor arpeggios in root position and inversions at moderate tempi; Solos—Performs a solo from the classical literature for piano. Jazz, pop, and rock solos, based on chord lines, improvised and expanded to demonstrate abilities as a dance band/combo performer; Sight reading—Sight reads with accuracy difficult accompaniments, scores, lead sheets, dance band parts, and other material from methods or classical literature; Conducting—Demonstrates basic knowledge and skills required in conducting ceremonies. Conducts the National Anthem, Ruffles and Flourishes, General's March, To the Colors, and marches; Additional duties—Demonstrates abilities in band-related administrative duties; Performance—Performs in a superior manner in all ensembles as assigned.

(x) *Three-level guitar test.* Scales—Major and minor scales (two Octaves) eighth notes, moderate tempo. Major, minor, and seventh chords; Solos—Performs solo sections and accompaniment sections from various types and styles of music (primarily popular and rock); Sight reading—Sight reads lead sheets, melodic lines, and chord symbols with accuracy; Performance—Performs satisfactorily in ensembles or as a soloist as assigned.

(xi) *Five-level guitar test.* Scales—All major and minor scales (two Octaves) at various tempi. All major, minor, and seventh chords in various combinations; Solos—Performs jazz, rock, dance, and popular solos or sections of music performed by the band. Solo includes an improvised section based on chord symbols only; Sight reading—Sight reads chord changes, melodic lines, and guitar voicings from medium difficult literature selected from methods or music for the guitar; Theory/improvisation—Improvises several styles of music using only chord symbols as a guide. Performs several tunes from memory; Secondary instrument—As outlined in IPR; Performance—Performs in a satisfactory manner in all ensembles as assigned.

(xii) *Seven-level guitar test.* Scales—Major and minor scales 7th, 9th, 13th, augmented and diminished chords; Solos—Performs several styles of solos to include light classical, popular, rock, and jazz idioms; Sight reading—Sight reads difficult guitar music with accuracy. Reads lead lines, chords, and written guitar music; Secondary instrument—Maintains proficiency and performs in an acceptable manner; Conducting—Demonstrates basic knowledge and skills required in conducting ceremonies. Conducts the National Anthem, Ruffles & Flourishes, General's March, To the Colors, and marches; Additional duties—Demonstrates abilities in band related

administrative duties; Performance—Performs in a superior manner in all ensembles as assigned.

(xiii) *Three-level arranger test.* Arranging—Arrangements for the dance/show band and combos are evaluated. Arrangements must be written during the training period and used by the various ensembles. Particular attention is given to style, nuances, proper chord changes, and uniqueness; Performance—Performs satisfactorily in all areas assigned.

(xiv) *Five-level arranger test.* Arranging—Arrangements of popular music and vocal arrangements for various ensembles are evaluated. Arrangements must be completed during the training period, and be of the highest professional caliber; Performance—Performs satisfactorily in all areas as assigned.

(xv) *Seven-level arranger test.* Arranging—Arrangements for all instrumental and vocal combinations in all styles are evaluated. Arrangements should include marching band, concert band, dance/show band, popular music ensemble, combo, vocal groups, and vocalist compositions. Arrangements must be of the highest professional quality with inventive writing displayed demonstrating the arranger's grasp of the capabilities of each group; Conducting—Demonstrates basic knowledge and skills required in conducting ceremonies. Conducts the National Anthem, Ruffles & Flourishes, General's March, To the Colors, and marches; Additional duties—Demonstrates abilities in band-related administrative duties; Performance—Performs in a superior manner in all assigned duties.

(xvi) *Three-level vocalist test.* Range and tone—Sings a series of vocal exercises that effectively demonstrate minimum ranges as explained in IPR. Tone quality throughout should be very good; Style—Performs at least one selection in each of the following musical styles—popular, rock, country and western, and ballad. Particular attention must be paid to intonation, phrasing, and stylistic nuances unique to each category; Sight reading—Sight reads medium-difficult vocal parts to popular, country and western, or ballads with accuracy; Music theory—As outlined in IPR; Performance—Performs satisfactorily in ensembles as a soloist as assigned.

(xvii) *Five-level vocalist test.* Range and tone—Sings a series of vocal exercises that effectively demonstrate minimum ranges as explained in IPR. Tone quality should be consistent throughout the entire range; Style—Performs at least one selection in each of the following styles—rock, swing, country and western, ballads, and show music. Particular attention to intonation, phrasing, and stylistic nuance is required; Sight reading—Sight reads medium-difficult vocal parts or lead lines without accompaniment with accuracy. Also reads vocal parts with accompaniment with particular attention to phrasing, dynamics, style, and musical qualities; Secondary instrument—As outlined in IPR; Music theory—As outlined in IPR; Performance—Performs from memory, with instrumental ensembles, standard selections in the aforementioned styles. Performs in a satisfactory manner as assigned.

(xviii) *Seven-level vocalist test.* Range and tone—Performs exercises to demonstrate phrasing, tone and range outlined in IPR; Style—Performs selections demonstrating the following styles—rock, country and western, ballads, jazz, swing, show music, and semiclassical. Vocalist must be able to adapt to varying styles; Sight reading—Sight reads vocal music from different styles with accuracy; Secondary instrument—Maintains proficiency and performs as required; Conducting—Demonstrates basic knowledge and skills required in conducting ceremonies, conducts the National Anthem, Ruffles & Flourishes, General's March, To the Colors, and marches; Additional duties—Demonstrates abilities in band-related administrative duties; Performance—Performs in a superior manner in all ensembles as assigned.

(xix) *Three-level electric/string bass test.* Scales—Major scales and arpeggios in eight notes at moderate tempo; Solos—Performs solo demonstrating technical facility and ability as a performer. Solo can be a jazz or rock solo based on a melodic or chord line; Sight reading—Sight reads medium-difficult bass music with accuracy. Reading of dance band melodic sheets or parts is required; Performance—Performs satisfactorily as assigned.

(xx) *Five-level electric/string bass test.* Scales—Major and minor scales, arpeggios in eighth notes (two Octaves) moderate tempo; Solos—Performs solos demonstrating technique, tone, phrasing, and control. Solo based on dance band, popular, or rock music melodic line and chord symbols is required; Sight reading—Sight reads medium-difficult to difficult bass music selected from methods or literature for bass. Reads dance band and popular music ensemble music with accuracy; Theory/improvisation—Improvises bass lines having only chord symbols as a guide; Secondary instrument—As outlined in IPR; Performance—Performs satisfactorily in ensembles as assigned.

(xxi) *Seven-level electric/string bass test.* Scales—All major and minor scales, arpeggios (two Octaves); Solos—Perform solo literature to include improvised jazz, rock and popular bass lines; Sight reading—Sight reads with accuracy, difficult music for bass. Reading of dance band, popular music, and rock music is required with accuracy; Theory/improvisation—Performs bass lines based on chord symbols only; Secondary instrument—Performs satisfactorily as required; Conducting—Demonstrates basic knowledge and skills required in conducting ceremonies. Conducts the National Anthem, Ruffles & Flourishes, General's March, To the Colors, and marches; Additional duties—Demonstrates abilities in band-related administrative duties; Performance—Performs in a superior manner in all ensembles as assigned.

(b) **Who Will Administer Tests.** Three-level and five-level tests are administered by an Air Force Band Officer (or Band Superintendent when no Band Officer is assigned). This responsibility is not delegated. Seven-level tests are administered by two Band Officers, one of which must be in the grade of Captain or higher. A Band Superintendent may be substituted for the lower ranking Band Officer if a second Band Officer is not available. When these requirements cannot be met within command resources, request assistance from the Secretary of the Air Force (SAF/OICE), Washington, D.C. 20330.

(c) When and where tests will be given. Tests at all levels are administered at any installation that has an assigned Air Force band.

(d) Band commanders are authorized to program funds in their annual budget to cover costs of private instrumental lessons for airmen. The Band commander is responsible for determining those personnel who require this type training with benefits to be derived by the Air Force being of paramount importance. Funds should be requested under EEIC 551.XX, Education Services. Requests for procurement of lessons shall be submitted on AF Form 9, Request for Purchase, to the installation procurement office. Only highly qualified civilian instrumental instructors are utilized under provisions of this paragraph and the desired instructor shall be designated on the AF Form 9.

(e) An airman assigned to an Air Force band must qualify by performing on instruments listed in applicable Unit Detail Listings (UDLs) and AFM 39–1, Airman Classification Manual. His performance must conform to Instrumentalist performance requirements and specialty descriptions.

(f) Every airman assigned or attached to an Air Force band must perform regularly with the band in all performances as designated by the band commander.

§ 820.17 How bands procure, maintain, and dispose of musical equipment and supplies.

(a) *Procurement.* The band. (1) Obtains equipment prescribed in applicable Table of Allowance (TA) and authorized in the Equipment Authorization Inventory in the Equipment Authorization Inventory Document (EAID) in compliance with AFM 67–1, USAF Supply Manual, procedures.

(2) Requests special equipment or instruments not prescribed in applicable TA, in compliance with AFM 67–1, Volume IV, procedures.

(3) Purchases supplies, expendable equipment, and music locally in compliance with AFR 70–18, Local Purchase Program. Exception: The United States Air Force Band stocks the U.S. National Anthem, "Hail to the Chief," and the national anthems of foreign countries. The band requests copies of parts as needed from the USAF Band, Bolling AFB, Washington, D.C. 20332.

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(b) *Maintenance.* The using activity performs organizational maintenance to the maximum extent possible. Maintenance and repairs beyond the technical capability of the using activity, are accomplished commercially under AFM 70-4, Management of Base Contract Maintenance.

(c) *Disposition.* The band reports excess musical equipment procured from appropriated funds for disposition instructions as stated in AFM 67-1. Excess musical equipment procured from nonappropriated funds is disposed of as stated in AFR 34-3, Morale, Welfare and Recreation Basic Responsibilities, Policies and Practices. When the band is inactivated, the command band staff officer recommends disposition of its musical library to Secretary of the Air Force (SAF/OICE), Washington, D.C. 20330.

§ 820.19 The Band Bulletin.

The Bands Branch publishes the quarterly USAF Band Bulletin and distributes it to each Air Force band and band staff officer. The bulletin contains information on technical internal operation of Air Force bands, suggestions on improved music techniques, recommendations for making Air Force bands more effective, and news of interest.

§ 820.21 Direct communication authorized.

To insure that band matters are properly coordinated.

(a) Command band staff officers are authorized direct communication on technical matters with Bands Branch (SAF/OICE).

(b) Major commanders may authorize direct communication between the command band staff officer and other band officers within the command for technical band matters.

§ 820.23 How commanders request band performances.

(a) *The U.S. Air Force Band.* The primary mission of the USAF Band and its component units is to provide music for military and other government ceremonies and functions in the Washington, D.C. area, and to prepare transcriptions in support of the Air Force's sustaining radio programs. Availability for performances outside the Washington, D.C. area is extremely limited. However, units of the band are made available to Air Force bases in support of authorized social events (explained in § 820.43) to the maximum extent possible. Commanders having a requirement for a unit of the USAF Band should complete an AF Form 3030, Air Force Band Request and forward it to HQ USAF (SAF/OICE), Washington, D.C. 20330, to arrive no later than 90 days before the event. Transportation for the USAF Band is provided or arranged by the requesting agency unless otherwise directed by SAF/OI. Headquarters Command USAF provides per diem funds when available.

(b) *Numbered Air Force bands.* Numbered Air Force Bands are available for use at all Air Force installations in their assigned geographical area. To insure maximum utilization and minimum cost, requests for numbered Air Force bands are forwarded on the AF Form 3030 to the Information Office with the operational control of the nearest Air Force band. Requests for an exception to this policy are forwarded to HQ USAF (SAF/OICE), Washington, D.C. Such requests for an exception should clearly justify why the nearest band is not being utilized.

§ 820.25 How civilian sponsors request a band performance.

To aid civilian sponsors and to guide Air Force officials receiving such requests, AF Form 3030 is used. A copy of this form is forwarded with all requests requiring Headquarters USAF or Department of Defense approval. With the exception of those events in § 820.49(a), all performances in the public domain which result in additional cost (defined in AFR 190-5, Air Force Participation in Public Events) to the government must be approved by the Department of Defense through the Secretary of the Air Force (SAF/OICE), Washington, D.C. 20330. Requests for approval to participate in events prohibited by this regulation are not forwarded without sufficient justification to warrant consideration of an exception to policy. If it is necessary to decline a request for participation, units clearly explain the reason and quote Air Force policy as outlined by this part. Requests for band participation which originate from a civilian sponsor are forwarded in the following manner:

(a) *The U.S. Air Force Band.* Information officers forward civilian sponsor requests for the USAF Band or its component units, through channels, to HQ USAF (SAF/OICE), Washington, D.C. 20330. Organization, intermediate command, and major command recommendations must be included.

(b) *Numbered Air Force bands.* Information officers forward civilian requests for band participation for other than the Air Force Band, Washington, D.C. to the Information Office which has operational control of the Air Force band located nearest the site of the event. Recommendations concerning participation must be included.

Subpart B—Responsibilities; Uniforms and Accessories

§ 820.27 Responsibility of the major commanders.

(a) Provides adequate facilities (see AFM 86-2, Standard Facility Requirements) for the welfare, training, and efficient functioning of band personnel. Such facilities include:

(1) Acoustically treated rehearsal studio and individual practice rooms.

(2) Music library, administrative office, secure storage area for musical instruments and supplies, and lockers for dress or formation uniforms.

(3) Day room.

(b) Insures that a band member is not detailed to activities that interfere with his duties as a musician. Each band member must be available for all rehearsals and performances in order for the unit to properly accomplish its mission.

§ 820.29 Responsibility of the command band staff officer.

(a) Serves as band commander.

(b) Assists the major commander in accomplishing § 820.13(b) and § 820.27.

§ 820.31 Responsibility of the commander having operational control.

The commander exercising operational control over a band determines whether any use of the band in the public domain conflicts with this part, and enforces its provisions. He is authorized to approve participation of bands in such events or activities as those stated §§ 820.39 and 820.43.

§ 820.33 Authorized accessories.

In addition to articles of uniform authorized by TA-016 and AFM 35-10, Dress and Personal Appearance of Air Force Personnel, the major commander may authorize band members under his jurisdiction to wear distinctive uniform accessories. Accessories are those decorative items which can be attached and detached and worn only in connection with official musical duties. Sewed-on items that permanently alter the basic uniform are not authorized. (Expenditure of Military Welfare Funds is limited by Para 7-3, Vol III, AFR 34-3.)

§ 820.35 Special clothing allowance.

Supplemental uniform clothing allowances for airmen assigned to Air Force bands are prescribed in AFR 67-57, Uniform Clothing Allowances for Airmen.

Subpart C—Use of Bands On and Off Air Force Installations

NOTE: "Bands" as used in this subpart include Air Force bands, component musical groups, and individual members of Air Force bands.

§ 820.37 Legal and other restrictions on use of bands.

The use, employment, or assignment of bands off military installations is governed:

(a) By U.S.C., Title 10, Section 8634. "No Air Force band or member thereof may receive remuneration for furnishing music outside the limits of an air base in competition with local civilian musicians."

(b) By U.S.C., Title 10, Section 974. "Except as provided in Section 6223 of this title no enlisted member of an armed force on active duty may be ordered or permitted to leave his post to engage in a civilian pursuit or business, or a performance in civil life, for emolument, hire, or otherwise, if the pursuit, business, or performance interferes with the customary or regular employment of local civilians in their art, trade, or profession."

(c) By the Secretary of Defense. The Secretary of Defense establishes policies for the effective and economical use of Service bands in public events, demonstrations, ceremonies, and other activities in the civilian domain. Except as stated herein, he retains the authority to approve participation by Air Force bands:

(1) In any event in the public domain which results in additional cost to the government, except those events in § 820.49(a).

(2) In public events in the Washington, D.C. area.

(3) In events of national or international significance including national conventions and meetings. See exceptions for Unified and Specified Commands in § 820.37(d).

(4) In pre-season, post-season, or known programmed national sports and professional athletic events within the United States.

(5) In nationally televised events.

(6) In recordings by Air Force bands. Approval must be obtained prior to production of the recording.

(d) By Unified and Specified Commands:

(1) Within the 50 States, coordination is effected with the Unified and Specified Command on community relations programs and public events significantly affecting that command. In the same manner, Unified and Specified Commands are required by the Department of Defense to coordinate with HQ USAF and the Air Force major commands on programs requiring Air Force support.

(2) Overseas, the Secretary of Defense has delegated authority for the approval of public event participation to the Unified or Specified Commanders. This authority may be delegated. While Air Force major commands overseas will operate their programs in conformance with this regulation to the maximum extent possible, the policy direction and guidance provided by their Unified or Specified Command headquarters will take precedence. Oversea Air Force major commands also advise the Secretary of the Air Force (SAF/OIC) when participation in any public event significantly affects their operations or requires major administrative, financial, or logistical support. Air Force oversea major commands budget, in annual financial plans, for costs of public event participation in support of their own command community relations programs and for their share of Unified and Specified Command programs as requested by that command.

§ 820.39 Participation authorized for public events.

Air Force bands are authorized to provide the participation listed below for public events which meet the criteria established in § 820.41. Authorization to participate does not waive the funding requirements of § 820.49.

(a) Patriotic Programs. Air Force bands may perform patriotic programs at civilian-sponsored social, civic, cultural and athletic events provided such participation does not place military musicians in competition with civilian musicians. A patriotic program is a 10 to 15 minute musical presentation which assists civilian sponsors in providing proper honors to the flag and country. It consists of a medley of patriotic or military songs, a selection which demonstrates the military musicians' professionalism, appropriate honors, and music to accompany the presentation of the colors. Although many different musical presentations can be patriotic in nature, the only participation authorized for civilian-sponsored events, other than Official Civic Ceremonies (see AFR 190-5, Air Force Participation in Public Events), is the program described above. Bands are not authorized to provide entertainment music such as background, dinner, dance or other social music, for civilian-sponsored events. When scheduling a patriotic program, the key question that must be answered is whether or not the purpose of the band's participation is to assist in rendering honors or merely to provide entertainment music, gathering music, or fill-the-dead-space music.

(b) Parades. Air Force bands may participate in public parades sponsored by the community as a whole, rather than by a single commercial venture, and held on a Sunday, holiday or at a time when shops are closed for business. Representation by individual commercial ventures in such parades need not be a bar to participation, as long as the emphasis is planned for, and placed on, the civic rather than commercial aspects.

(c) Concerts. Air Force bands may perform public concerts in the traditional setting. Such concerts, particularly those in high schools and colleges, provide excellent support for Air Force Recruiting. Band concerts must be free of charge and open to the public. Bands may perform concerts at fairs, exhibitions, or similar events which are open to the public and charge a general admission. However, specific or additional charges will not be made to observe the concert or defray the cost of Air Force participation.

§ 820.41 Criteria for participation in public events.

The following guidelines are applicable to all public performances by Air Force bands:

(a) Public performances by Air Force bands should be scheduled to provide maximum support of Air Force Recruiting. Band Commanders are authorized, and should maintain, liaison with Air Force Recruiting Advertising and Publicity Officers located within their band's assigned area of operations. Coordination should be made between the band's Operations Section and the Advertising and Publicity Section of the local Recruiting Detachment before scheduling any public performance.

(b) Admission, seating, and all other accommodations and facilities connected with an Air Force band performance must be available to everyone without regard to race, creed, color, or national origin.

(c) Organizations or groups sponsoring an Air Force band performance must not exclude any person from its membership, or practice any form of discrimination in its functions based on race, creed, color, or national origin.

(d) An Air Force band performance must not directly or indirectly indorse, benefit or favor, or appear to indorse, benefit or favor, any private individual, sect, fraternal organization, commercial venture, or political group, or be associated with the solicitation of votes in a political election. Fraternal organizations are explained in AFR 190-5.

(e) Air Force band performances in support of fund raising activities are limited to:

(1) Officially recognized federated and joint campaigns, such as United Funds, Community Chests, Federal Service Campaigns for the National Health Agencies, and so forth.

(2) Fund appeals authorized by the President or the Chairman of the Civil Service Commission.

(3) Collections for authorized military aid societies.

(4) Public or sports events held for the sole purpose of raising funds for United States teams competing in the Pan-American and Olympic Games. As an exception, Unified or Specified Commands may authorize band participation in athletic competitions within their Commands in support of local or indigenous fund raising efforts.

§ 820.43 Air Force band participation on a military installation.

Air Force bands are authorized and encouraged to provide the on-base participation listed below for any military organization.

(a) Ceremonies. Air Force bands are authorized to participate in all military ceremonies.

(b) Social Events. Air Force bands may provide background, dinner, entertainment or dance music for events officially sponsored and attended by senior military officials in the performance of their official duties. Nonfederalized National Guard and nonextended active duty Reserve social events are not activities for which band participation may be authorized. Social events for which participation may be authorized for active duty units are:

(1) Formal Receptions. Background music is authorized for receptions hosted by the Commander. Such receptions traditionally feature a receiving line. Dinner and dancing are not considered part of a Formal Reception.

(2) Esprit-de-Corps Dinners/Dances. Air Force bands are authorized to participate in organization parties designed for troop welfare and morale and the development of esprit-de-corps provided attendance at such parties is not restricted by rank and open to all members of the organization, including officers, noncommissioned officers, and airmen. Participation is authorized for these events if held off-base provided a suitable on-base facility is not available. A charge levied to defray the expenses of food, beverage, and other incidental expenses does not prevent participation. Officer, Non-Commissioned Officer, or Airmen Dinings-Out are not events for

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which participation may be authorized.

(3) Community Relations Dinner/Dances. Air Force bands may participate in Command-sponsored community relations dinner/dances provided a high percentage of those attending are civic leaders.

(4) Dinings-In. Air Force bands may participate in Dinings-In with ceremonial and background music.

(c) Recreation Activities. Air Force bands are authorized to provide musical support for Air Force Recreation Programs. Participation at social events sponsored by clubs with a dues paying membership is not authorized even though these clubs may be sanctioned by Air Force Recreation Services.

(d) Air Force ROTC and Junior Air Force ROTC Events. Air Force bands may participate in Air Force ROTC and Junior Air Force ROTC ceremonial events. Additionally, participation is authorized in Military Balls provided that the event is held on school premises or on an active duty military installation and attendance is limited to ROTC Cadets, faculty members, and guests. Appropriated funds are authorized for this participation; however, if funds are not available, the Air Force ROTC unit must provide transportation and per diem funding. These costs, incurred due to the band's participation, may be absorbed by an admission charge provided any profits are donated to the Air Force Assistance fund.

§ 820.45 Area concept of operations.

The geographic area concept of operations was established in an effort to provide maximum utilization of Air Force bands within funding constraints. § 820.47 establishes the Primary and Secondary Areas of Operational Responsibility for each Air Force band in the United States. Each band should concentrate its efforts in the designated primary area of responsibility. Prior to a band being scheduled to perform in its Secondary Area of operations, assurance must be obtained in writing that the band which has the Primary Responsibility for this area is not available because of prior commitments, leave, and so forth. Before a band is scheduled outside its Primary or Secondary Areas of Responsibility, approval must be obtained in writing from SAF/OICE. Requests for an exception to this policy must be fully justified and submitted to arrive no later than 90 days prior to the event. Such requests should be held to a minimum.

§ 820.47 Area concept of operations areas of responsibility.

Band	Primary area(s)	Secondary area(s)
502d Air Force Band, Keesler AFB, Miss.	Mississippi	Louisiana, Arkansas, Alabama, Florida.
506th Air Force Band, Chanute AFB, Ill.	Illinois, Indiana, Wisconsin	Michigan, Ohio, Minnesota, Iowa, Missouri, Kentucky.
523d Air Force Band, March AFB, Calif.	California, Nevada	Arizona, Utah.
528th Air Force Band, Scott AFB, Ill.	Illinois, Missouri	Kansas, Nebraska, Iowa, Wisconsin, Indiana, Kentucky, Tennessee, Arkansas, Minnesota.
539th Air Force Band, Lackland AFB, Tex.	Texas	New Mexico, Oklahoma, Louisiana.
541st Air Force Band, Luke AFB, Ariz.	Arizona, New Mexico, Utah	California, Nevada.
564th Air Force Band, Langley AFB, Va.	Virginia, Maryland, North Carolina	Pennsylvania, Delaware, West Virginia, South Carolina, New Jersey; North Carolina, Tennessee, Alabama, Florida.
581st Air Force Band, Robins AFB, Ga.	Georgia, South Carolina	Mississippi, Alabama, Georgia, South Carolina.
589th Air Force Band, MacDill AFB, Fla.	Florida	Maryland.
590th Air Force Band, McGuire AFB, N.J.	Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Pennsylvania.	
604th Air Force Band, Maxwell AFB, Ala.	Alabama, Tennessee	Mississippi, Georgia, Florida.
661st Air Force Band, Wright-Patterson AFB, Ohio.	Ohio, West Virginia, Kentucky, Michigan.	Indiana, Pennsylvania, New York, Virginia.
702d Air Force Band, Offutt AFB, Nebr.	Nebraska, South Dakota, North Dakota, Wyoming, Iowa, Kansas, Minnesota.	Montana, Missouri, Wisconsin.
724th Air Force Band, McChord AFB, Wash.	Washington, Oregon, Idaho, Montana.	California.
745th Air Force Band, Barksdale AFB, La.	Louisiana, Arkansas	Texas, Oklahoma, Mississippi.
761st Air Force Band, Sheppard AFB, Tex.	Texas, Oklahoma	New Mexico, Colorado, Kansas, Missouri, Arkansas.
501st Air Force Band, Hickam AFB, Hawaii.	Hawaii	
752d Air Force Band, Elmendorf AFB, Alaska.	Alaska	
USAF Academy Band, USAF Academy, Colo.	Colorado	

Subpart D—Cost of Participation and Funding

§ 820.49 Funding policy.

The basic Air Force policy for funding public events is to keep costs of Government participation to the minimum consistent with Defense and Air Force Recruiting and Community Relations objectives. This can best be done by utilizing the geographic area concept of operations. In determining payment for costs of participation, there are two categories of events; those of primary interest to the Department of Defense or the Air Force, with all costs borne by the Air Force, and those of mutual interest to the Air Force and the sponsor, with costs shared. The following guidelines apply:

(a) Events of primary interest for which a Commander is authorized to bear all costs of participation are:

(1) DOD, HQ USAF, or civic-sponsored public observances of United States or host-country national holidays. (See AFR 190–5)

(2) Official civic ceremonies and functions. (See AFR 190–5)

(3) Support of Air Force ROTC or Air Force Junior ROTC ceremonies or military balls.

(b) Events of primary interest for which a Commander may bear all costs of participation after obtaining SAF/OI approval are:

(1) Tours by Air Force bands when appropriated funds are specifically provided for such participation.

(2) Events considered to be in the national interest because of some unique or unusual benefit to the United States.

(c) Events of mutual interest are those for which the sponsor pays all expenses except those continuing type costs which would exist if the Air Force did not participate. These continuing costs include regular pay and allowances of the personnel, small incidental base expenses such as local transportation and telephone calls, and other minor expenses as may be determined by the Air Force Commander responsible for participating in the event. The use of opportune airlift or routine training flights of military aircraft for the transportation of military personnel is authorized. Normally, sponsors must pay the standard per diem rate as prescribed in the Joint Travel Regulations (JTR) for each Air Force participant rather than provide meals and quarters. Major commands may waive this requirement for cash payment and accept sponsor-furnished meals and quarters only when the quality is consistent with Air Force messing and billeting standards. This waiver authority will not be delegated. When meals and quarters are accepted, the sponsor's cash payment is reduced in accordance with JTR.

(d) The participating band is responsible for Air Force costs of participation unless advised otherwise by higher authority. Bands budget for these costs in their Operations Operating Budget.

§ 820.51 Cost of participation in open messes.

The Judge Advocate General, USAF, on 15 June 1951, ruled that to require a band to perform in Open Messes as part of assigned military duties is subsidizing nonappropriated funds. (Open Messes referred to are those with a restricted membership supported by dues charged the individual members.) Therefore, band members furnishing music or other entertainment for Open Mess social events, other than those events specifically authorized in para 21, receive additional remuneration in accordance with AFR 34–3.

Subpart E—Volunteer Drum and Bugle Corps

§ 820.53 How Corps are organized, staffed, and maintained.

(a) Organization. The commander of a group, base, or similar unit may form a volunteer drum and bugle corps to provide music for military formations and ceremonies.

(b) Personnel. All military personnel connected with, or playing in, such units do so voluntarily in addition to, and without interference with, their normal assigned military duties.

(c) Equipment and Maintenance. § 820.17 applies to volunteer drum and bugle corps.

§ 820.55 Use of volunteer units.

Subpart C applies to volunteer units formed under this section.

Subpart F—Monthly Reporting Requirement

§ 820.57 Band personnel and performance report.

(AF Form 1036) RCS:SAF–OIC(M) 7103. To assist HQ USAF and the major commander in evaluating the status of manning and the use of Air Force bands:

(a) Each band commander submits a report on AF Form 1036, Band Personnel and Performance Report, as of the end of the month and forwards it in duplicate to the Command Band Staff Officer.

(b) The Command Band Staff Officer forwards one signed copy of AF Form 1036, to arrive no later than the 15th of each month, to the Secretary of the Air Force, (SAF/OICE), Washington D.C. 20330.

§ 820.59 Supply of forms.

Forms prescribed in this part (§ 820.13) with the exception of AF Form 3030, will initially be issued to the users by SAF/OICE for local reproduction.

By order of the Secretary of the Air Force.

JAMES L. ELMER,
Major, USAF Executive,
Directorate of Administration.

[FR Doc.76–944 Filed 1–12–76;8:45 am]

Title 38—Pensions, Bonuses and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 36—LOAN GUARANTY

Interest Rate Change

The Veterans' Administration is amending §§ 36.4212(a) (2) and (3), 36.4311(a) and 36.4503(a), Title 38 of the Code of Federal Regulations to reduce the maximum allowable interest rate on new loans.

Sections 36.4311(a) and 36.4503(a), Title 38, Code of Federal Regulations are being amended to reduce the maximum interest rate on new guaranteed, insured and direct loans from 9 to 8¾ percent. Section 36.4212(a) (2) and (3), Title 38, Code of Federal Regulations relating to that portion of a mobile home loan which finances the purchase of a lot and the cost of necessary site preparation is amended to reduce the maximum interest rate from 9 to 8¾ percent. Thus, the interest rate on such loans will be consistent with that in effect on other guaranteed and insured loans for real estate purposes.

Compliance with the provisions of § 1.12 of this chapter is waived in this instance because failure to do so would delay the effective date of the amendments for a period in excess of 40 days and deprive veteran-purchasers of the benefit of the interest rate reductions during that time.

1. In § 36.4212, paragraph (a) (2) and (3) is revised to read as follows:

§ 36.4212 Interest rates and late charges.

(a) The interest rate charged the borrower on a loan guaranteed pursuant to 38 U.S.C. 1819 may not exceed the following maxima except on loans guaranteed or insured pursuant to guaranty or insurance commitments issued by the Veterans Administration prior to January 5, 1976.

* * * * *

(2) 8¾ percent simple interest per annum for that portion of the loan which finances the purchase of a lot and the cost of necessary site preparation, if any.

(3) 8¾ percent simple interest per annum on that portion of a loan which will finance the cost of the site preparation necessary to make a lot owned by the veteran acceptable as the site for the mobile home purchased with the proceeds of the loan except that a rate of not to exceed 12 percent may be charged if the portion of the loan to pay for the cost of such necessary site preparation does not exceed $2,500.

* * * * *

2. In § 36.4311, paragraph (a) is revised to read as follows:

§ 36.4311 Interest rates.

(a) Excepting loans guaranteed or insured pursuant to guaranty or insurance commitments issued by the Veterans Administration which specify an interest rate in excess of 8¾ per centum per annum, effective January 5, 1976, the interest rate on any loan guaranteed or insured wholly or in part on or after such date may not exceed 8¾ per centum per annum on the unpaid principal balance.

* * * * *

In § 36.4503, paragraph (a) is revised to read as follows:

§ 36.4503 Amount and amortization.

(a) The original principal amount of any loan made on or after December 31, 1974, shall not exceed an amount which bears the same ratio to $25,000 as the amount of the guaranty to which the veteran is entitled under 38 U.S.C. 1810 at the time the loan is made bears to $17,500. This limitation shall not preclude the making of advances, otherwise proper, subsequent to the making of the loan pursuant to the provisions of § 36.4511. Loans made by the Veterans Administration shall bear interest at the rate of 8¾ percent per annum.

* * * * *

These VA Regulations are effective January 5, 1976.

Approved: December 31, 1975.

[SEAL] R. L. ROUDEBUSH,
Administrator.

[FR Doc.76–976 Filed 1–12–76;8:45 am]

Title 40—Protection of Environment

[FRL 478–2]

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

Subpart C—Air Programs

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Tennessee: Disapproval of Legal Authority; Correction

In FR Doc. 75–15276, appearing at page 25011 of the issue of Thursday, June 12, 1975, the disapproval action set forth at 40 CFR 52.2224(c)(1) is incorrect in its reference to the Tennessee Code Annotated; the mention "section 52–3409(f)" should be corrected to read "section 53–3409(f)".

Dated: January 6, 1975.

JOHN A. LITTLE,
Acting Regional Administrator,
Region IV.

[FR Doc.76–1029 Filed 1–12–76;8:45 am]

[FRL 477–7]

SUBCHAPTER C—AIR PROGRAMS

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Delegation of Authority to the State of Michigan

Pursuant to the delegation of authority to implement and enforce the standards of performance for new stationary sources (NSPS) to the State of Michigan on November 5, 1975, EPA is today amending 40 CFR 60.4 *Address,* to reflect this delegation.[1] The amended § 60.4, which adds the address of the Air Pollution Control Division, Michigan Department of Natural Resources to that list of addresses to which all reports, requests, applications, submittals, and communications to the Administrator pursuant to this part must be sent, is set forth below.

The Administrator finds good cause for foregoing prior public notice and for making this rulemaking effective immediately in that it is an administrative change and not one of substantive content. No additional substantive burdens are imposed on the parties affected. The delegation which is reflected by this administrative amendment was effective on November 5, 1975, and it serves no purpose to delay the technical change of this addition of the State address to the Code of Federal Regulations.

[1] A Notice announcing this delegation is published in the Notices section of this issue.

VA 418 JAN 13 76 XUM

This rulemaking is effective immediately, and is issued under the authority of section 111 of the Clean Air Act, as amended. 42 U.S.C. 1857c–6.

Dated: December 31, 1975.

STANLEY W. LEGRO,
Assistant Administrator for Enforcement.

Part 60 of Chapter I, Title 40 of the Code of Federal Regulation is amended as follows:

1. In § 60.4, paragraph (b) is amended by revising paragraph (b) X, to read as follows:

60.4 Address.

* * * * *

[FRL 447–8]

(b) * * *
(A)–(W) * * *
(X)—State of Michigan, Air Pollution Control Division, Michigan Department of Natural Resources, Stevens T. Mason Building, 8th Floor, Lansing, Michigan 48926

* * * * *

[FR Doc.76–847 Filed 1–12–76;8:45 am]

PART 61—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Delegation of Authority to the State of Michigan

Pursuant to the delegation of authority for national emission standards for hazardous air pollutant (NESHAPS) to the State of Michigan on November 5, 1975, EPA is today amending 40 CFR 61.04, Address, to reflect this delegation.[1] The amended Section 61.04, which adds the address of the Air Pollution Control Division, Michigan Department of Natural Resources to that list of addresses to which all reports, requests, applications, submittals, and communications to the Administrator pursuant to this part must be sent, is set forth below.

The Administrator finds good cause for foregoing prior public notice and for making this rulemaking effective immediately in that it is an administrative change and not one of substantive content. No additional substantive burdens are imposed on the parties affected. The delegation which is reflected by this administrative amendment was effective on November 5, 1975, and it serves no purpose to delay the technical change of this addition of the State address to the Code of Federal Regulations.

This rulemaking is effective immediately, and is issued under the authortiy of section 112 of the Clean Air Act, as amended. 42 U.S.C. 1857c–7.

Dated: December 31, 1975.

STANLEY W. LEGRO,
Assistant Administrator for Enforcement.

Part 61 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

1. In § 61.04, paragraph (b) is amended by revising subparagraph X, to read as follows:

[1] A Notice announcing this delegation is published in the Notices section of this issue.

61.04 Address.

* * * * *

(b) * * *
(A)–(W) * * *
(X) State of Michigan, Air Pollution Control Division, Michigan Department of Natural Resources, Stevens T. Mason Building, 8th Floor, Lansing, Michigan 48926.

* * * * *

[FR Doc.76–848 Filed 1–12–76;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 7—AGENCY FOR INTERNATIONAL DEVELOPMENT, DEPARTMENT OF STATE

[AIDPR Notice 76–2]

PART 7–7—CONTRACT CLAUSES

PART 7–15—CONTRACT COST PRINCIPLES AND PROCEDURES

Overseas Recruitment Incentive

This Notice clarifies that contractor employees serving overseas may receive either an overseas recruitment incentive or an overseas income exemption in accordance with Section 911 of the U.S. Internal Revenue Code (26 U.S.C. 911), but not both.

Subpart 7–7.55—Clauses for Cost Reimbursement Contracts With Educational Institutions

1. § 7–7.5502–4 is amended by revising the subhead and paragraph (a) as follows:

§ 7–7.5502–4 Personnel compensation.

PERSONNEL COMPENSATION (JANUARY 1976)

(a) Overseas recruitment incentive.

(1) Contractor employees serving overseas under this contract who do not qualify, request, and receive an exemption for overseas income provided under Section 911 of the U.S. Internal Revenue Code (26 U.S.C. 911) are eligible to receive an overseas recruitment incentive, provided that the average incentive for all such employees does not exceed 10 percent of the initial base annual salary of all employees eligible for the incentive under this contract.

(2) The overseas recruitment incentive is payable under one of the following alternative methods:

(i) As a lump-sum amount after the eligible employee has completed his tour of duty in the Cooperating Country under this contract, and has furnished to the Contractor a Certification that he does not qualify, and will not apply for an exemption from overseas income as provided by 26 U.S.C. 911 (Contractor shall retain such Certifications for post-audit); or

(ii) At the option of the Contractor, the overseas recruitment incentive may be paid in increments during an employee's tour of duty; provided however, that payments made by the Contractor to employees who become eligible for an exemption from overseas income as provided by 26 U.S.C. 911, which payments were reimbursed by AID under this contract, shall be refunded to AID; and provided further, that neither the Contractor's (nor the Subcontractor's) inability to collect refunds from ineligible employees shall be used as a basis to excuse subsequent refunds by the Contractor to AID.

(3) If the overseas recruitment incentive causes the employee's salary to exceed the FSR–1 level, Contracting Officer approval must be obtained.

Subpart 7–15.2—Contracts With Commercial Organizations

2. § 7–15.205–6(a)(3) is amended to read as follows:

§ 7–15.205–6 Compensation for personal services.

(a) * * *

(3) Overseas recruitment incentive.

(i) Contract employees serving overseas under a contract who do not qualify, request, and receive an exemption for overseas income provided under section 911 of the U.S. Internal Revenue Code (26 U.S.C. 911) are eligible to receive an overseas recruitment incentive, provided that the average incentive for all such employees does not exceed 10 percent of the initial base annual salary of all employees eligible for the incentive under the contract.

(ii) The overseas recruitment incentive is payable under one of the following alternative methods:

(A) As a lump-sum amount after the eligible employee has completed his tour of duty in the Cooperating Country under a contract, and has furnished to the contractor a Certification that he does not qualify, and will not apply for an exemption from overseas income as provided by 26 U.S.C. 911 (the contractor shall retain such Certifications for post-audit); or

(B) At the option of the contractor, the overseas recruitment incentive may be paid in increments during an employee's tour of duty; provided however, that payments made by the contractor to employees who become eligible for an exemption from overseas income as provided by 26 U.S.C. 911, which payments were reimbursed by AID under the contract, shall be refunded to AID; and provided further, that neither the contractor's (nor the subcontractor's) inability to collect refunds from ineligible employees shall be used as a basis to excuse subsequent refunds by the contractor to AID.

(iii) If the overseas recruitment incentive causes the employee's salary to exceed the FSR–1 level, contracting officer approval must be obtained.

This AIDPR Notice 76–2 is issued pursuant to AIDPR 7–1.104–4.

Effective Date. This AIDPR Notice 76–2 is effective on the date of signature.

Dated: December 18, 1975.

JOHN F. OWENS,
Deputy Assistant Administrator for Program and Management Services.

[FR Doc.76–901 Filed 1–12–76;8:45 am]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

CERTAIN RETROACTIVE AMENDMENTS OF EMPLOYEE PLANS

REGULATIONS RELATING TO MINIMUM PARTICIPATION STANDARDS

QUALIFIED JOINT AND SURVIVOR ANNUITIES

REQUIREMENT THAT BENEFITS UNDER A QUALIFIED PLAN ARE NOT DECREASED ON ACCOUNT OF CERTAIN SOCIAL SECURITY INCREASES

COMMENCEMENT OF BENEFITS UNDER QUALIFIED TRUSTS

Notice of Hearings on Proposed Regulations

This notice is to supplement the notice of hearing published in the Federal Register for January 7, 1976, (4 FR 1289), concerning public hearings to be held on February 26 and if necessary, February 27, 1976, regarding certain proposed regulations.

Internal Revenue Code sections 401 (a) (11), (14), and (15) and section 410 under which 4 of the above 5 regulations were proposed, were enacted by the Employee Retirement Income Security Act of 1974 (Pub. L. 93–406). Title 1 of that Act also enacted into law substantially identical provisions to be administrated by the Department of Labor. For this reason, the Internal Revenue Service has invited representatives of the Department of Labor to be present at the scheduled hearings, and these representatives may address questions to persons making oral presentations at the hearing.

JAMES F. DRING,
Director, Legislation and Regulations Division.

[FR Doc.76–1026 Filed 1–9–76;4:30 pm]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 131]

LEASING AND PERMITTING

Leasing of Lands of the Agua Caliente (Palm Springs) Indian Reservation

DECEMBER 24, 1975.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

Notice is hereby given that it is proposed to add § 131.21 to Part 131, Subchapter L, Chapter I, of Title 25 of the Code of Federal Regulations. This addition is proposed pursuant to the authority contained in Section 1 of the Act of August 9, 1955 (69 Stat. 539–540, 25 U.S.C. 415), as amended by the Act of June 2, 1970 (84 Stat. 303).

Pursuant to 25 CFR 1.4, on page 8172 of the June 25, 1965, FEDERAL REGISTER (30 FR 8172) the Secretary of the Interior did adopt, with seven exceptions, all the laws, ordinances, codes, resolutions, rules, or other regulations of the State of California and the city of Palm Springs, California, now existing or as they may be amended or enacted in the future, limiting, zoning, or otherwise governing, regulating, or controlling the use or development of any real property leased from or held or used under agreement with and belonging to any Indian or Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States and located on those portions of the Agua Caliente Indian Reservation situated within the exterior boundaries of the city of Palm Springs, California.

The purpose of this addition is to provide authority for the approval of lease contracts between owners of trust lands and lessees for the purpose of developing lands of the Agua Caliente (Palm Springs) Reservation to their highest and best use and, by such approval, to except the affected lands from application of the laws, ordinances, codes, resolutions, rules, or regulations of the city of Palm Springs regulating or controlling the use or development of the lands as heretofore adopted pursuant to 25 CFR 1.4, when in the opinion of the approving official, the best interests of the Indians will be served.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed addition to the Area Director, Sacramento Area Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825, within 30 days after date of publication of this notice in the FEDERAL REGISTER.

It is proposed to add § 131.21 to Part 131, Subchapter L, Chapter I, of Title 25 of the Code of Federal Regulations to read as follows:

§ 131.21 Agua Caliente (Palm Springs) Reservation.

(a) Notwithstanding the regulations in other sections of this Part, the Commissioner may approve leases of individually and tribally owned lands of the Agua Caliente Band of Mission Indians for development to the highest and best use of their lands. When, in the Commissioner's opinion, the best interests of the Indians will be served, he may, by such approval, exclude the affected Indian lands from the application of zoning laws and other regulations of the city of Palm Springs, California, which otherwise might have prevented use of the lands for the purposes specified in the lease.

(b) Prior to approval of any lease pursuant to paragraph (a) of this section, the Commissioner shall first satisfy himself that adequate consideration has been given to the relationhip between the use of the leased lands and the use of neighboring lands; the height, quality, and safety of any structures or other facilities to be constructed on such lands; the availability of police and fire protection and other services; and the effect on the environment of the uses to which the leased lands will be subject and such other factors as he shall deem appropriate.

JOSE A. ZUNI,
Acting Deputy Commissioner of Indian Affairs.

[FR Doc.76–947 Filed 1–12–76;8:45 am]

Fish and Wildlife Service

[50 CFR Part 17]

ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RED HILLS SALAMANDER

Determination of Endangered; Extension of Comment Period

This notice extends the period for comments to the proposal, published October 1, 1975 (40 FR 45175), determining the Red Hills salamader to be an endangered species.

The Fish and Wildlife Service has decided that this extension will allow persons affected by the proposed regulations additional comment time, as requested, and enable the Service to receive as broad a range of responses as possible. The comment period is hereby extended to February 1, 1976.

Dated: January 6, 1976.

GEORGE W. MILIAS,
Acting Director, Fish and Wildlife Service.

[FR Doc.76–963 Filed 1–12–76;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 984]

[Docket No. AO–193–A6]

WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

Notice of Hearing on Proposed Amendment of the Marketing Agreement and Order

Notice is hereby given of a public hearing to be held January 27, 1976, in Room 503, 555 Battery Street, San Francisco, California beginning at 9:30 a.m., local time, with respect to proposed amendment of the marketing agreement, as amended, and Order No. 984, as amended, regulating the handling of walnuts grown in California, Oregon, and Washington.

The hearing is called pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

The purpose of the hearing is to receive evidence with respect to the economic and marketing conditions which relate to the proposed amendment, hereinafter set forth, and any appropriate modifications thereof, of the marketing agreement and the order.

The proposed amendment, set forth below, has not received the approval of the Secretary of Agriculture.

Proposed by the Walnut Marketing Board.

1. Revise § 984.13 to read as follows:

§ 984.13 To handle.

"To handle" means to sell, consign, transport, or ship (except as a common or contract carrier of walnuts owned by another person), or in any other way to put walnuts, inshell or shelled, in the current of commerce either within the area of production or from such area to any point outside thereof, or for a manufacturer or retailer within the area of production to purchase directly from a grower: Except, that the term "to handle" shall not include sales and deliveries within the area of production by growers to handlers.

2. Revise § 984.26 to read as follows:

§ 984.26 Reserve walnuts.

"Reserve walnuts" means those walnuts which are held to meet a reserve obligation.

§ 984.32 [Deleted]

3. Delete § 984.32.

4. Add new section 984.32 to read:

§ 984.32 Certified.

"Certified" means the issuance of a certification of inspection of walnuts by the inspection service.

5. Revise § 984.33 to read as follows:

§ 984.33 Hold.

"Hold" means to maintain possession or keep control of, in proper storage, at all times, the quantity of walnuts necessary to meet a reserve obligation.

6. Revise § 984.35(a)(4) to read as follows:

§ 984.35 Walnut Marketing Board.

(a) • • •

(4) One member to represent growers who market their walnuts through cooperative handlers or independent handlers in California, whichever category of such handlers had certified as merchantable more than 50 percent of the kernelweight of the walnuts certified as merchantable by all handlers during the two marketing years preceding the year in which nominations were made—the member representing growers who market their walnuts through independent handlers shall be nominated at large in the State of California.

7. Revise § 984.37(a) and (c) to read as follows:

§ 984.37 Nominations.

(a) Nominations on behalf of growers who market their walnuts through cooperative handlers in California shall be submitted on a ballot cast by each such handler for its growers. The vote of each such cooperative handler shall be weighted by the kernelweight of the walnuts certified as merchantable during the preceding marketing year by each such handler. The person receiving the highest number of votes for the cooperative grower position shall be the nominee.

• • • • •

(c) Nominations for all handler members and the non-voting delegate shall be submitted on ballots mailed by the Board to all handlers in their respective groups. All handlers' votes shall be weighted by the kernelweight of the walnuts certified as merchantable for each handler during the preceding marketing year. Each independent handler in California may vote for the independent handler member nominees and their alternates. However, no independent handler shall have more than one person on the Board either as member or alternate member. The person receiving the highest number of votes for an independent and cooperative handler-member position shall be the nominee for that position.

§ 984.37 [Amended]

8. Delete § 984.37(g).

9. Revise § 984.48(a)(6) to read as follows:

§ 984.48 Marketing estimates and recommendations.

(a) • • •

(6) Its recommendations as to the free and reserve percentages to be fixed for walnuts produced in California and Oregon and Washington, but the reserve percentage recommended for walnuts produced in Oregon and Washington shall be one-half of the reserve percentage in California.

10. Redesignate § 984.48(a) (7) and (8) as § 984.48(a) (8) and (9) respectively and add new paragraph (a)(7) to read as follows:

(a)(7) If the Board determines that the quantity of reserve walnuts that may be exported should be limited, its recommendation of the percentage of reserve walnuts that may be exported pursuant to § 984.56.

11. Revise § 984.49(a) to read as follows:

§ 984.49 Volume regulation.

(a) *Free, reserve, and export percentages.* Whenever the Secretary finds on the basis of the Board's recommendations or other information that limiting the quantity of walnuts which may be handled during a marketing year would tend to effectuate the declared policy of the Act, he shall establish for California a free percentage to prescribe the portion of such walnuts which may be handled in normal markets and a reserve percentage to prescribe the portion that must be withheld from such handling, and similarly for Oregon and Washington except that the reserve percentage shall be one-half that of California. Whenever the Board recommends an export percentage pursuant to § 984.48(a)(7) the Secretary shall establish this percentage if he finds it would tend to effectuate the declared policy of the Act.

• • • • •

§ 984.49 [Deleted]

12. Delete § 984.49(b).

13. Redesignate § 984.49(c) as (b) and revise to read as follows:

(b) *Revision of percentages.* (1) On or before February 15 of the marketing year the Board may recommend that the free percentages be increased and the reserve percentages decreased. On the basis of the Board's recommendation or other information the Secretary may establish such revisions. Upon revision, all reserve obligations theretofore accrued on merchantable walnuts certified during such year on the basis of previously effective percentages shall be adjusted accordingly. (2) At any time during the marketing year, the Board may recommend an increase in the export percentage, if it finds that the volume of reserve walnuts released for export has been sold or committed for sale, to such an extent that additional walnuts could be disposed of in export, without adversely affecting the disposition of the oncoming crop.

14. Revise § 984.50(e) to read as follows:

§ 984.50 Grade and size regulations.

• • • • •

(e) The Board, with the approval of the Secretary, may specify the minimum kernel content and related requirements for any lot of walnuts acceptable in satisfaction of a reserve obligation. *Provided*, That reserve walnuts exported must meet the requirements of paragraph (a) of this section if inshell, or paragraph (b) of this section if shelled.

15. Revise § 984.51 (a), (b), and (c) to read as follows:

§ 984.51 Inspection and certification of inshell and shelled walnuts.

(a) Before or upon handling any walnuts or disposing of any reserve walnuts each handler at his own expense shall cause such walnuts to be inspected to determine whether they meet the then applicable grade and size regulations. Such inspection shall be performed by the inspection service designated by the Board with the approval of the Secretary. Handlers shall obtain a certificate for each inspection and cause a copy of each certificate issued by the inspection service to be furnished to the Board. Each certificate shall show the identity of the handler, quantity of walnuts, the date of inspection, and for inshell walnuts the grade and size of such walnuts as set forth in the United States Standards for Walnuts (Juglans regia) in the Shell. Certificates covering reserve shelled walnuts for export shall also show the grade, size and color of such walnuts as set forth in the United States Standards for Shelled Walnuts (Juglans regia). The Board may prescribe such additional information to be shown on the inspection certificates as it deems necesary for the proper administration of this part.

(b) Inshell merchantable walnuts certified shall be converted to the kernelweight equivalent at 45 percent of their inshell weight. This conversion percentage may be changed by the Board with the approval of the Secretary.

(c) Upon inspection, all walnuts shall be identified by tags, stamps, or other means of identification prescribed by the Board and affixed to the container by the handler under the supervision of the Board or of a designated inspector and such identification shall not be altered or removed except as directed by the Board.

16. Change the center heading preceding § 984.54 to read "Reserve Walnuts" and revise § 984.54 to read as follows:

§ 984.54 Establishment of obligation.

(a) *Reserve obligation.* Whenever free and reserve percentages are in effect for a marketing year, each handler shall withhold from handling a kernelweight of walnuts equal to the application of the reserve percentage to the kernelweight of merchantable walnuts certified. The kernelweight of walnuts handlers are required to withhold from handling shall be the "reserve obligation." The walnuts handled as free walnuts by any handler in accordance with the provisions of this part shall be deemed to be that handler's quota fixed by the Secretary within the meaning of § 8(a)(5) of the Act.

(b) *Holding requirements.* Each handler shall at all times hold in his possession or under his control in proper storage the kernelweight of walnuts necessary to meet his reserve obligation less; (1) any quantity which was disposed of by him pursuant to § 984.56; and (2) any quantity for which he is otherwise relieved by the Board of responsibility to so hold walnuts.

17. Revise § 984.56 to read as follows:

§ 984.56 Disposition of reserve walnuts.

(a) *General.* The Board shall have power and authority to sell or dispose of any and all reserve walnuts withheld upon the best terms and at the highest return obtainable consistent with the ultimate complete disposition of reserve, subject to all conditions of this section.

(b) *Export.* The Board may export or authorize the disposition in export to destinations outside the United States, Puerto Rico, and the Canal Zone, of the quantity of reserve walnuts permitted to be exported by the export percentage. Reserve walnuts may be exported by any handler as an agent of the Board under the terms and conditions specified by the Board.

(c) *Pooling.* At any time during the marketing year a handler may deliver reserve walnuts to the Board for pooling. Any reserve walnuts that the handler has not disposed of during the marketing year shall be delivered to the Board for pooling on demand. The Board shall dispose of these walnuts in the following outlets: Government agencies, charitable institutions, poultry or animal feed, walnut oil or such other outlets as it finds to be noncompetitive with normal markets.

(d) *Crediting.* The kernelweight of any walnuts disposed of in accordance with this section shall be credited to the handler's reserve obligation. At any time up to September 15 of the following marketing year, upon a handler's written request, the Board shall transfer part or all of the handler's credit in excess of his reserve obligation to any handler he designates.

(e) *Pool proceeds.* The proceeds remaining after the payment of all expenses incurred by the Board in receiving, holding and disposing of pooled walnuts shall be distributed pro rata by the Board to each handler in proportion to his contribution thereto, measured in kernelweight or such other basis as the Board may adopt with the approval of the Secretary.

(f) *Rules and regulations.* The Board, with the approval of the Secretary, may prescribe such rules and regulations as are necessary to carry out the provisions of this section.

§ 984.57 [Deleted]

18. Delete § 984.57.

19. Revise § 984.59(b) to read as follows:

§ 984.59 Interhandler transfers.

• • • • •

(b) A handler may, for the purpose of meeting his reserve obligation, acquire walnuts from another handler, and any assessments, reserve obligation, and inspection requirements with respect to walnuts so transferred, shall be waived insofar as the seller is concerned.

• • • • •

20. Revise § 984.64 to read as follows:

§ 984.64 Disposition of substandard walnuts.

Substandard walnuts may be disposed of only for manufacture into oil, livestock feed, or for such other uses as the Board determines to be noncompetitive with existing normal markets for walnuts and with proper safeguards to prevent such walnuts from thereafter entering the channels of trade in such normal markets. Whenever free and reserve percentages are in effect, the kernelweight of any walnuts disposed of pursuant to this section shall be pooled and pursuant to § 984.56 be credited to the handler's reserve obligation.

21. Revise § 984.66 to read as follows:

§ 984.66 Assistance of Board in meeting reserve obligation.

The Board may assist any handler in accounting for his reserve obligation and may aid any handler in acquiring walnuts to meet any deficiency in a handler's reserve obligation, or in accounting for and disposing of reserve walnuts.

22. Revise § 984.67(a) to read as follows:

§ 984.67 Exemptions.

(a) *Exemption from volume regulation.* Reserve percentages shall not apply to lots of merchantable inshell walnuts which are of Mammoth size or larger as defined in the then effective United States Standards for Walnuts in the Shell, or to such quantities as the Board may, with the approval of the Secretary, prescribe.

• • • • •

23. Revise § 984.68 to read as follows:

§ 984.68 Expenses.

The Board is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred by it during each marketing year for the maintenance and functioning of the Board, and for such other purposes as the Secretary may, pursuant to this part, determine to be appropriate. The Board shall file a proposed budget of expenses and a rate of assessment with the Secretary as soon as practicable after the beginning of each marketing year.

24. Revise § 984.69 (a) and (b) to read as follows:

§ 984.69 Assessments.

(a) *Requirement for payment.* Each handler shall pay to the Board, on demand, his pro rata share of the expenses authorized by the Secretary for each marketing year. Each handler's pro rata share shall be the rate of assessment per kernelweight pound of walnuts fixed by the Secretary times the kernelweight of merchantable walnuts he has certified. At any time during or after the marketing year the Secretary may increase the assessment rate as necessary to cover authorized expenses and each handler's pro rata share shall be adjusted accordingly.

(b) *Reserve walnut pool expenses.* The Board is authorized temporary use of funds derived from assessments collected

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pursuant to paragraph (a) of this section to defray expenses incurred in disposing of reserve walnuts pooled. All such expenses shall be deducted from the proceeds obtained by the Board from the sale or other disposal of pooled reserve walnuts.

§ 984.75 [Deleted]

25. Delete § 984.75.

26. Revise § 984.77 to read as follows:

§ 984.77 **Verification of reports.**

For the purpose of checking and verifying reports filed by handlers or the operations of handlers under the provisions of this part, the Board, through its duly authorized agents shall have access to any handler's premises wherein walnuts may be held by such handler and, at any time during reasonable business hours, shall be permitted to inspect any walnuts so held by such handler and any and all records of the handler with respect to the holding or disposition of all walnuts which may have been disposed of by such handler, including records with respect to acquirements, packing, shelling, and shipment of both inshell and shelled walnuts, as applicable.

Proposed by Mr. Milburn Ziegler for walnut growers and handlers in the States of Oregon and Washington.

27. Revise § 984.4 to read:

§ 984.4 **Area of production.**

"Area of production" means the State of California. (In connection with the proposed revision of § 984.4 evidence will be received relative to changes needed in § 984.4 defining the term "walnuts"; § 984.31 defining the terms "part" and "sub part"; §§ 984.35, 984.37 and 984.39 regarding the division of the States of California, Oregon, and Washington into two grower districts for representation on the Walnut Marketing Board, and representation on the Board of handlers in the States of Oregon and Washington by a nonvoting delegate; §§ 984.48 and 984.49 regarding surplus percentages for the States of Oregon and Washington; § 984.74 regarding reports of shipments between the States of California, Oregon, and Washington; and § 984.89(b)(3) regarding termination of the marketing agreement and order program by growers in the State of Oregon and Washington.

Proposed by Valley Walnut Growers Cooperative.

28. Revise § 984.37(c) to read:

§ 984.37 **Nominations.**

* * * * *

(c) Nominations for all handler members and the nonvoting delegate shall be submitted on ballots mailed by the Board to all handlers in their respective groups. All handlers' votes shall be weighted by the quantity of the kernelweight of merchantable walnuts handled by each handler during the preceding marketing year. Each independent handler in California may vote for the independent handler member nominees and their alternates. However, no independent handler shall have more than one person on the Board either as member or alternate member. When there are two or more cooperatives (each of which handled at least 5 percent of the preceding year's crop), at least one of the Board cooperative handler members shall be associated with the second largest cooperative. The person receiving the highest number of votes for an independent and cooperative handler member position shall be the nominee for that position.

* * * * *

Proposed by Fruit and Vegetable Division, Agricultural Marketing Service.

29. Make such changes as may be necessary as to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be obtained from the San Francisco Marketing Field Office, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, 630 Sansome Street, Room 837, San Francisco, California 94111, or from the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, or may be there inspected.

Signed at Washington, D.C., on January 8, 1976.

DONALD E. WILKINSON,
Administrator.

[FR Doc.76–1016 Filed 1–12–76;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[29 CFR Part 1952]

TENNESSEE

Proposed Supplements to Approved Plan

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) for review of changes and progress in the development and implementation of State plans which have been approved in accordance with section 18 (c) of the Act and 29 CFR Part 1902. On July 5, 1973, a notice was published in the Federal Register of the approval of the Tennessee plan and the adoption of Subpart P of Part 1952 containing the decision and describing the plan (38 FR 17838).

On April 15, May 19, July 15, and September 10, 1975, the State of Tennessee submitted supplements to its plan involving developmental and State-initiated changes (see Subparts B and E of 29 CFR Part 1953). These supplements are described below.

2. *Description of the Supplements.* (a) *Regulations.* (1) Tennessee regulations on "inspections, citations and proposed penalties" which were approved on August 15, 1975 (40 FR 36566) have been recodified as Tennessee Department of Labor Chapter 0800–1–4 and Tennessee Department of Public Health Part I, Regulations 1 through 20.

(2) Tennessee regulations on variances have been revised and recodified as Tennessee Department of Labor Chapter 0800–1–2 and Tennessee Department of Public Health, Part II, Regulations 21 through 38. The regulations contain procedures for the granting of temporary variances (previously approved on August 15, 1975, 40 FR 36566) and have added procedures for permanent variances.

(b) *Staffing.* The State has amended its plan to show up-to-date organization charts, staffing patterns and budget statements for both designated agencies (Tennessee Department of Labor and Tennessee Department of Public Health). Further, job specifications for occupational health specialist and air pollution specialist have been added.

(c) *Compliance Manual.* A completely revised Compliance Manual to replace the one contained in the approved State Plan has been submitted.

(d) *Public Employee Program.* The Tennessee public employee program description which was published for public comment on September 5, 1975 (40 FR 41148) has been further revised to include the participation of State Development Districts. Three districts (Upper Coumberland, South Central, and Southwest) will provide staff assistance to the political subdivisions within the district in the development and implementation of self-compliance programs for the protection of local government employees.

(e) *Narrative.* Several sections of the plan narrative have been amended to reflect the current status of plan operation: standards promulgation dates, July, 1974 deadline for local government election of self-compliance program, staff training actions, change in publication title, table of contents.

3. *Location of the supplement for inspection and copying.* A copy of the plan and its supplements may be inspected and copied during normal business hours at the following locations: Office of the Associate Assistant Secretary for Regional Programs, Room N–3112, 200 Constitution Avenue, N.W., Washington, D.C. 20210; Office of the Regional Administrator, Occupational Safety and Health Administration, 1375 Peachtree Street, N.E., Suite 537, Atlanta, Georgia 30309; and the Office of the Tennessee Commissioner of Labor, Room C–1–100, Cordell Hull Building, 5th Avenue North, Nashville, Tennessee 37219; Office of the Commissioner of Public Health, Cordell Hull Building, 5th Avenue North, Nashville, Tennessee 37219.

4. *Public participation.* Interested persons are hereby given until February 12, 1976 in which to submit written data, views and arguments concerning whether the supplements should be approved. Such submissions are to be addressed to the Associate Assistant Secretary for Regional Programs at his address as set forth above where they will be available for inspection and copying.

Any interested person may request an informal hearing concerning the proposed supplements by filing particularized written objections with respect thereto within the time allowed for comments with the Associate Assistant Secretary for Regional Programs. If, in the opinion of the Assistant Secretary for Occupational Safety and Health, substantial objections are filed which warrant further public discussions a formal or informal hearing on the subjects and issues involved may be held.

The Assistant Secretary shall consider all relevant comments, arguments, and requests submitted in accordance with this notice and shall thereafter issue his decision as to approval or disapproval of the supplements, make appropriate amendments to Subpart P of Part 1952, and initiate further proceedings, if necessary.

Signed at Washington, D.C. this 6th day of January, 1976.

MORTON CORN,
Assistant Secretary of Labor.

[FR Doc.76–994 Filed 1–12–76;8:45 am]

DEPARTMENT OF TRANSPORTATION

Office of Hazardous Materials Operations

[49 CFR Parts 173, 178]

[Docket No. HM–74; Notice 76–1]

CYLINDERS MANUFACTURED OUTSIDE UNITED STATES

Revised Notice of Proposed Rulemaking

This docket was established in January 1971, when the Hazardous Materials Regulations Board published a notice of public hearing (36 FR 838) on the subject of DOT Specifications 3A, 3AA, and 39 cylinders manufactured outside the United States. The hearing convened on February 23, 1971, and because of the amount of public interest shown, a second session was scheduled and the public comment period was extended (36 FR 3836). On June 10, 1971, the Board proposed a series of amendments to authorize chemical analyses and tests for DOT specification compressed gas cylinders to be performed outside the United States under conditions to be approved on a case-by-case basis by the Department of Transportation, and to require Departmental approval of all disinterested inspectors of DOT specification cylinders, whether manufactured within or outside the United States (36 FR 11224). The close of the public comment period on that proposal, which was first set for September 14, 1971, was extended to November 1, 1971 (36 FR 13793). The Board later reopened the Docket for the purpose of receiving additional comments on possible changes to the existing cylinder specifications and recommendation as to the qualification standards for cylinder inspectors (37 FR 2588). In connection with seeking this additional information, the Board announced that it would continue its study and examination of the specifications and inspection requirements. The Docket subsequently received comments in response to that request, as well as supplemental staff materials bearing on the subject. At the time the Hazardous Materials Regulations Board was abolished on July 7, 1975, and authority to issue regulations transferred to the newly created Materials Transportation Bureau (40 FR 30821), the Board had not taken any further action on the proposal.

The Bureau believes to be sound the premises underlying the Board's proposal of June 10, 1971 (36 FR 3836), to make all "disinterested" (*i.e.*, independent) inspectors of cylinders directly subject to a DOT-administered approval system and to then recognize their performance of cylinder inspections and verifications as required by DOT regulations without regard to geographic limitations. However, as indicated by its February 1972, decision to continue its study of the matter, the Board was of the view that the specifics of its proposal could afford a degree of refinement. It was also conscious of questions raised during the course of the proceeding as to the quality of the existing domestic system of inspections, particularly with regard to so-called low pressure cylinders as carried out through "interested" inspectors.

As the Board's successor in this effort, the Bureau is now prepared to receive public comments on a modified version of a series of amendments which would implement the basic changes earlier proposed by the Board and provide for the independent inspection of low pressure cylinders. Specifically, the modified procedures provide for the following:

1. The term "independent inspection agency" is used to describe what is now covered by the term "competent and disinterested inspector". Except for persons currently holding Bureau of Explosives' approval as "competent and distinterested inspectors", applicants (foreign or domestic) would be evaluated and, if qualified, approved by DOT. Provision is made for converting Bureau of Explosives approved holders. (Proposed § 173.300a.)

2. Foreign cylinder manufacturers and U.S. manufacturers who may manufacture cylinders outside the United States could apply to DOT for authorization to have their cylinders inspected and tests verified outside the United States by an approved independent inspection agency. (Proposed § 173.300b.)

3. To ensure continuing DOT jurisdiction over approvals issued to non-U.S. domiciled inspection agencies and manufacturers, it would be necessary for them to establish a U.S. domiciled agent. (Proposed § 173.300c.)

4. Commencing on the effective date of the proposed amendments, cylinders manufactured, inspected and tested outside the United States by approved inall the appropriate requirements of the cylinder regulations (49 CFR, Part 178) would be acceptable for use in transportation within the United States. (Proposed § 173.301(i).) Foreign manufactured cylinders which do not meet all of the requirements would only be acceptable for export. (Proposed amendment to § 173.300(j).)

5. The inspection provisions of each DOT cylinder specification would be revised to reflect the change from "disinterested inspector" to "independent inspection agency" and to recognize the method whereby approval could be obtained for inspections to be performed and chemical analyses to be verified outside the United States by approved independent inspection agencies. In addition, those specifications which now authorize inspection by "interested" inspectors would be changed to require all inspection and test verifications (both within and outside the United States) to be performed by approved independent inspection agencies. (Proposed amendments to §§ 178.36–3(a) through 178.68–3(a).)

6. In the case of those cylinders domestically manufactured in accordance with DOT specifications in which authorization for interested inspectors is to be dropped, the manufacturers could continue to use interested inspectors until January 1, 1978.

7. The Bureau's out-of-pocket costs for any inspections or tests it must perform in approving an inspection or manufacturing facility located outside the United States would be borne by the applicant.

The proposed effective date is May 1, 1976.

Interested persons are invited to submit views and comments on this revised proposal. Comments should refer to the docket number and be submitted to: Docket Section, Materials Transportation Bureau, U.S. Department of Transportation, Trans Point Building, Washington, D.C. 20590. All comments received before the close of business on March 15, 1976, will be considered, and will be available in the docket for examination both before and after the closing date. Comments received after the closing date and too late for consideration will be treated as suggestions for future rulemaking.

In consideration of the foregoing, it is proposed to amend 49 CFR, Parts 173 and 178 as follows:

PART 173—SHIPPERS

1. Add new §§ 173.300a, 173.300b, and 173.300c to read as follows:

§ 173.300a **Approval of independent inspection agency.**

(a) Any person who does not manufacture cylinders for use in the transportation of hazardous materials may apply to the Department of Transportation for approval as an independent inspection agency for the purpose of performing cylinder inspections and verifications required by Part 178 of this subchapter.

(b) Each application filed under this section for approval as an independent inspection agency must:

(1) Be submitted in writing to: Office of Hazardous Materials Operations, U.S. Department of Transportation, Washington, D.C. 20590;

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(2) State the name, address and telephone number of the applicant and the name and address of each facility where tests and inspections are to be performed;

(3) If the applicant is not a permanent resident of the United States, include a designation of a permanent resident of the United States as his agent for service of process in accordance with § 173.300c;

(4) Set forth a detailed description of the applicant's inspection and testing facilities and capability to perform the inspections and verify the tests required by Part 178 of this subchapter;

(5) Identify by name each individual who the applicant proposes to employ as an inspector responsible for certifying test results and a statement of that person's qualifications; and

(6) Specify the identification or qualification number assigned to each individual inspector.

(c) Upon the request of the Director, OHMO, the applicant shall allow the Director to inspect the applicant's inspection and testing facilities. In the case of inspection and testing facilities located outside the United States, the applicant shall bear the cost of the inspection.

(d) The Director, OHMO, issues an approval if, on the basis of information submitted in the application and his own investigation, he finds that the applicant is qualified to perform the inspections and verifications required by Part 178 of this subchapter for cylinders to be used in the transportation of hazardous materials.

(e) The Director, OHMO, will issue an approval as an independent inspection agency for the purpose of performing inspections and vertifications for cylinders manufactured within the United States to any competent and disinterested inspector of cylinders so designated by the Bureau of Explosives before May 1, 1976, who submits a copy of that designation together with the name, the assigned identification or qualification number, and a statement of the qualifications of each person employed as an inspector under that designation to: Office of Hazardous Materials Operations, U.S. Department of Transportation, Washington, D.C. 20590.

(f) An approval issued under this section is not transferable and is effective until surrendered or withdrawn or otherwise terminated by the Director, OHMO.

(g) The holder of an approval issued under this section shall notify the Director, OHMO, within 20 days after the date there is any change in the information submitted in the application for the approval.

§ 173.300b Approval of non-domestic chemical analyses and tests.

(a) Any person who manufactures cylinders outside the United States may apply to the Department for approval to have the chemical analyses and tests of those cylinders required by Part 178 performed outside the United States for the purpose of qualifying them for use in the transportation of hazardous materials to, from, or within the United States.

(b) Each application filed under this section for approval to perform chemical analyses and tests of cylinders outside the United States must:

(1) Be submitted in writing to: Office of Hazardous Materials Operations, U.S. Department of Transportation, Washington, D.C. 20590;

(2) State the name, address and telephone number of the applicant and the name and address of each facility at which cylinders are to be manufactured and chemical analyses and tests are to be performed;

(3) If the applicant is not a resident of the United States, include a designation of a permanent resident of the United States as his agent for service of process in accordance with § 173.300c;

(4) Set forth complete details concerning the dimension, materials of construction, wall thickness, water capacity, shape, type of joints, location and size of openings and other pertinent physical characteristics of each specification cylinder for which approval is being requested, including calculations for cylinder wall stress and wall thickness which may be shown on a drawing or on separate sheets attached to a descriptive drawing. If units of weights and measures are expressed in the metric system they must also be stated in the English system equivalents; and

(5) Identify the independent inspection agency to be used.

(c) Upon the request of the Director, OHMO, the applicant shall allow the Director to inspect the applicant's cylinder manufacturing and testing facilities and shall provide such materials and cylinders for analyses and tests as the Director may specify. The applicant shall bear the cost of the inspection, analyses, and tests.

(d) The Director, OHMO, issues an approval if, on the basis of the information submitted in the application and his own investigation, he finds that the applicant has the proper equipment and facilities and is otherwise capable of performing the chemical analyses and tests required by Part 178 of this subchapter for cylinders to be used in the transportation of hazardous materials.

(e) An approval issued under this section is not transferable and is effective until surrendered or withdrawn or otherwise terminated by the Director, OHMO.

(f) The holder of an approval issued under this section shall notify the Director, OHMO, within 20 days after the date there is any change in the information submitted in the application for the approval.

§ 173.300c Service of process on foreign inspectors and manufacturers.

(a) *Designation of agents for service.* Each independent inspection agency or manufacturer of cylinders for use in the transportation of hazardous materials to, from, or within the United States who is not a resident of the United States shall designate a permanent resident of the United States as his agent upon whom service of process, notices, orders, decisions, and requirements may be made for him and on his behalf. The agent may be an individual, a firm, or a domestic corporation. Any number of inspection agencies and manufacturers may designate the same person as agent. A designation is binding on the inspection agency or manufacturer even if it is not in compliance with all the requirements of this section, until rejected by the Department. A designated agent may not assign performance of his functions under the designation to another person.

(b) *Form and contents of designation.* The designation shall—

(1) Be in writing and dated;

(2) Be made in the legal form required to make it valid and binding on the inspection agency or manufacturer under the laws, corporate by laws, or other requirements governing the making of the designation by the inspection agency or manufacturer at the place and time where it is made and the person or persons signing the designation shall certify that it is so made;

(3) State the full legal name, principal name of business and mailing address of the inspection agency or manufacturer;

(4) Provide that it remains in effect until withdrawn or replaced by the inspector or manufacturer;

(5) State the legal name and mailing address of the agent; and

(6) Bear a declaration of acceptance duly signed by the designated agent.

(c) *Method of service.* Service of any process, notice, order, decision, and requirement of the Department may be made by registered or certified mail addressed to the agent with return receipt requested or in any other manner authorized by law. If service cannot be effected because the agent has died (or, if a firm or a corporation ceases to exist) or moved, or otherwise does not receive correctly addressed mail, service may be made by publication in the FEDERAL REGISTER.

2. Revise § 173.301(h), (i), and the introductory text of (j) to read as follows:

§ 173.301 General requirements for shipment of compressed gases in cylinders.

* * * * *

(h) *Domestic containers manufactured before 1978.* Notwithstanding any other requirement of this subchapter, in the case of any of the following specification cylinders manufactured within the United States before January 1, 1978, the inspections required by Part 178 of this subchapter may be performed by a competent interested inspector:

DOT 3B (§ 178.38)	DOT 4AA480 (§ 178.56)
DOT 3BN (§ 178.39)	DOT 4L (§ 178.57)
DOT 3C (§ 178.40)	DOT 8 (§ 178.59)
DOT 3E (§ 178.42)	DOT 8AL (§ 178.60)
DOT 4B (§ 178.50)	DOT 4BW (§ 178.61)
DOT 4BA (§ 178.51)	DOT 39 (§ 178.65)
DOT 4C (§ 178.52)	(Service pressure 900 psig or lower)
DOT 4D (§ 178.53)	DOT 4E (§ 178.68)
DOT 4B240ET (§ 178.55)	

(i) *Foreign cylinders in domestic use.* A charged cylinder manufactured outside the United States may not be offered for transportation to, from, or within the United States unless it has been manufactured, inspected, and tested in accordance with the applicable DOT specification set forth in Part 178 of this subchapter.

(j) *Charging of foreign cylinders for export.* Unless it has been manufactured, inspected, and tested in accordance with the applicable DOT specification set forth in Part 178 of this subchapter, a cylinder manufactured outside the United States and received in the United States for charging with compressed gas may be charged and shipped for export only.

* * * * *

PART 178—SHIPPING CONTAINER SPECIFICATIONS

3. Revise §§ 178.36–3(a), 178.37–3(a), 178.38–3(a), 178.39–3(a), 178.40–3(a), 178.41–3(a), 178.42–3(a), 178.43–3(a), 178.44–3(a), 178.45–3(a), 178.47–3(a), 178.48–3(a), 178.49–3(a), 178.50–3(a), 178.51–3(a), 178.52–3(a), 178.53–3(a), 178.54–3(a), 178.55–3(a), 178.56–3(a), 178.57–3(a), 178.58–3(a), 178.59–3(a), 178.60–3(a), 178.61–3(a), 178.65–3(a), and 178.68–3(a) to read as follows:

(a) Inspections and verifications must be performed by an independent inspection agency approved in writing by the Director, OHMO, in accordance with § 173.300a. Chemical analyses and tests as specified must be made within the United States unless otherwise approved in writing by the Director, OHMO, in accordance with § 173.300b.

These amendments are proposed under 18 U.S.C. 834, 46 U.S.C. 170(7), 49 U.S.C. 1472(h)(1), 49 CFR 1.53(f)–(h)

Issued in Washington, D.C., on January 8, 1976.

ALAN I. ROBERTS,
Director, Office of Hazardous Materials Operations.

[FR Doc.76–978 Filed 1–12–76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 478–3]

[40 CFR Part 52]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Alabama: SO_2 Emissions From Fuel Combustion

On August 8, 1974 (39 FR 28528), the Administrator approved, with one exception, changes in the Alamaba plan's limitations on sulfur dioxide emissions from fuel burning sources. The plan's original limits of 1.2 and 1.5 pounds of SO_2 per million Btu of heat input, applicable in Class 1 and Class 2 Counties respectively, were relaxed to 1.8# SO_2/10^6 Btu for Jefferson County and Air Quality Control Regions classified Priority I for this pollutant, and 4# SO_2/10^6 Btu for all other Air Quality Control Regions in the State. The revised limit for the Tennessee Valley Authority's Widows Creek Steam Plant in Jackson County was specifically disapproved, leaving in force for this facility the plan's original limit of 1.2# SO_2/10^6 Btu. The State now proposes to revise its approved plan by changing the bases on which its SO_2 emission limits for fuel combustion sources are applied. The purpose of this notice is to describe these changes and to solicit public comment on them.

On March 25, 1975, following notice and public hearing, the Alabama Air Pollution Control Commission adopted changes in Part 5.1, Fuel Combustion, of its regulations. The language of Section 5.1.1 was changed to make the 1.8# SO_2/10^6 Btu limit apply to fuel combustion sources in Jefferson County or in a Category I County, and the 4# SO_2/10^6 Btu limit to sources in Category II Counties. A new Section 5.1.6 was added to provide for the classification of Counties into Category I or Category II; such classifications are to be adopted only after public hearing and are subject to annual review and subsequent change by the Commission. Also, a sentence was added to Section 5.1.3 to make it clear that units subject to Federal New Source Performance Standards shall be treated separately when calculating maximum allowable emissions. These changes were submitted to the Agency's Region IV office as a proposed plan revision on May 1, 1975. The Agency took no action on the proposed revision at that time, however, since an initial classification of the State's Counties into Category I or Category II had not yet been made.

This was done by a resolution of the Commission on September 30, 1975, following notice and public hearing. The classifications are set forth as Appendix B to the State's air pollution control regulations; Jackson, Jefferson, and Mobile Counties are placed in Category I, and all other Counties in the State in Category II. This action by the Commission was submitted to EPA on October 9, 1975, and was accompanied by supporting control strategy analysis intended to show that making fourteen Counties subject to the less stringent emission limit of 4# SO_2/10^6 Btu rather than the 1.8# limit would not interfere with the attainment and maintenance of the national ambient air quality standards. Ten of the Counties affected by the Commission's action—Baldwin, Cullman, DeKalb, Franklin, Lauderdale, Limestone, Madison, Marion, Marshall, and Winston—have no significant SO_2 sources. According to the information supplied by the State, dispersion modeling performed in connection with the present revision shows that Escambia, Lawrence, and Morgan Counties can go to the 4# SO_2/10^6 Btu limit without jeopardizing national ambient standards. Dispersion modeling conducted with regard to the earlier revision showed that a 4# SO_2/10^6 Btu limit was adequate, albeit barely, to assure the attainment and maintenance of national standards for sulfur dioxide in Colbert County, where the only significant source is a steam electric generating facility of the Tennessee Valley Authority. (The question of whether TVA as a Federal facility must comply with the provisions of the State implementation plans has been referred to the U.S. Supreme Court following conflicting judgments rendered by the Fifth and Sixth Circuit Courts of Appeals.)

Copies of the materials submitted by Alabama in support of the present plan revisions may be examined by the public during normal business hours at the following locations:

Air Programs Branch, Air & Hazardous Materials Division, Environmental Protection Agency, Region IV, 1421 Peachtree Street, NE., Atlanta, Ga. 30309.

Public Information Reference Unit, Library Systems Branch, Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460.

Alabama Air Pollution Control Commission, 645 South McDonough Street, Montgomery, Ala. 36104.

Interested persons are encouraged to submit written comments on the Alabama plan revisions. To be considered, such comments must be received on or before [30 days from date of publication], and should be addressed to Walton W. Jones of the Agency's Region IV Air Programs Branch at the Atlanta address given above. After carefully weighing relevant comments received and all other information available to him, the Administrator will take approval/disapproval action on these changes in the Alabama plan.

(Section 110 of the Clean Air Act (42 U.S.C. 1857c-5(a)))

Dated: January 6, 1976.

JOHN A. LITTLE,
Acting Regional Administrator, Region IV.

[FR Doc.75–1030 Filed 1–12–76;8:45 am]

WATER RESOURCES COUNCIL

[18 CFR Part 701]

PROTECTION OF PRIVACY

Proposed Rulemaking To Amend Previously Adopted Material

Notice is hereby given that the Water Resources Council is considering amending Subpart E of Part 701 of Chapter VI of Title 18 of the Code of Federal Regulations. The amendments to Subpart E, as set forth below, are occasioned by the comments and suggestions offered by the Presidential Ad Hoc Interagency Task Force on Privacy Act Implementation review of the Council rules (published as final notice of rulemaking at 40 FR 45675). These amendments are intended to further implement provisions of the Privacy Act of 1974 (Pub. L. 93–579; 89 Stat. 1896).

This proposed rulemaking is done by authority of section 402 of the Water Resources Planning Act of 1965 (Sec. 402, Pub. L. 89–80; 79 Stat. 254, as amended (42 U.S.C. 1962d–1)) and the Privacy

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Act of 1974 (Pub. L. 93–579; 88 Stat. 1896 (5 U.S.C. 552a)).

An explanation of the proposed substantive amendments by section are:

(1) In § 701.302—more specific information regarding where and when notification of existence of records may be sought by individuals (§ 701.302(a)); specific provisions for Council response to and acknowledgment of a request for notification (§ 701.302(c)).

(2) In § 701.304—for purposes of easy reference, sets forth procedures for identification of individuals making requests in a separate section.

(3) In § 701.305—more specific information regarding guidance to an individual on what should be included in a request for access to or disclosure of a record (§ 701.305 (a) and (b)); specific provisions for Council response to and acknowledgment of a request for access to or disclosure of a record (§ 701.305 (c)).

(4) In § 701.308—a provision for assuring that when a requested correction or amendment to a record is agreed to by the Council a copy of the individual's record, as corrected, will be sent to all previous recipients of the record (including the individual) within 30 working days (§ 701.308(e)).

(5) In § 701.309—a provision requiring the Council (when an individual's appeal to a refusal to amend or correct a record has been denied by the Council) to inform the individual of the right to file a concise statement setting forth the individual's reasons for disagreement with the denial (§ 701.309(d)(3)).

(6) In § 701.311—Council requirements for accounting for disclosures, including: maintenance of an accounting (§ 701.311(a)); access to accountings (§ 701.311(b)); and notification of disclosure (§ 701.311(c)).

In addition, the table of sections for Subpart E—Protection of Privacy, is proposed to be amended (as set forth below) to reflect the changes occasioned by the proposed amendments.

Interested persons are invited to submit written comments, suggestions or objections regarding this proposal to the Director, U.S. Water Resources Council, 2120 L Street, NW., Washington, D.C. 20037, on or before February 12, 1976.

In consideration of the foregoing it is proposed to amend Subpart E of Part 701 of chapter VI of Title 18 of the Code of Federal Regulations as follows:

1. By revising the table of sections for Subpart E to read as follows:

Subpart E—Protection of Privacy

Sec.
701.300 Purpose and scope.
701.301 Definitions.
701.302 Procedures for notification of existence of records pertaining to individuals.
701.303 Conditions of disclosure.
701.304 Procedures for identification of individuals making requests.
701.305 Procedures for requests for access to or disclosure of records pertaining to individuals.
701.306 Special procedure: Medical records.
701.307 Requests for correction or amendment to record.
701.308 Council review of request for correction or amendment of record.
701.309 Appeal of initial adverse determination.
701.310 Disclosure of record to person other than the individual to whom it pertains.
701.311 Accounting for disclosures.
701.312 Fees.
701.313 Penalties.
701.314 Exemptions.

2. By revising paragraph (a) of, and by adding a new paragraph (c) to, § 701.302 to read as follows:

§ 701.302 Procedures for notification of existence of records pertaining to individuals.

(a) The systems of records, as defined in the Privacy Act of 1974, maintained by the Council are listed annually in the FEDERAL REGISTER as required by that Act. Any individual may request the Council to inform him or her whether a particular record system named by the individual contains a record pertaining to him or her. The request may be made in person during business hours or in writing at the location and to the person specified in the notice describing that record system.

* * * * *

(c) The Council will attempt to respond to a request as to whether a record exists within 10 working days from the time it receives the request or to inform the requestor of the need for additional time or additional information within 10 working days. If a request is complied with within 10 working days, no separate acknowledgment will be made.

3. By revising § 701.304 to read as follows:

§ 701.304 Procedures for identification of individuals making requests.

(a) Each individual requesting the disclosure of a record or copy of a record will furnish the following information with his or her request: (1) The name of the record system containing the record; (2) proof as described in paragraph (b) of this section that he or she is the individual to whom the requested record relates; and (3) any other information required by the notice describing the record system.

(b) Proof of identity as required by paragraph (a)(2) of this section will be provided as described in paragraph (b)(1) and (2) of this section. Requests made by an agent, parent, or guardian will include the authorization described in § 701.310 (a) and (b).

(1) Requests made in writing will include a statement, signed by the individual and properly notarized, that he or she appeared before a notary public and submitted proof of identification in the form of a drivers license, birth certificate, passport or other identification acceptable to the notary public. In any case in which, because of the extreme sensitivity of the record sought to be seen or copied, the agency determines that the identification is not adequate, it may request the individual to submit additional proof of identification.

(2) If the request is made in person, the requester will submit proof of identification similar to that described in paragraph (b)(1) of this section, acceptable to the Council.

4. By revising § 701.305 to read as follows:

§ 701.305 Procedures for requests for access to or disclosure of records pertaining to individuals.

(a) After being informed by the Council that a system of records contains a record pertaining to him or her, an individual may request the Council for access to or disclosure of that record to him or her in the manner described in this section. Each such request of a record or a copy of it will be made at the place specified in the notice describing that system of records, either in writing or in person. Requests may be made by agents, parents, or guardians of individuals as described in § 701.310 (a) and (b).

(b) The request for access to or disclosure of a record should specifically identify the systems of records involved.

(c) The Council will attempt to affirm or deny a request within 10 working days from the time it receives the request or to inform the requester of the need for additional time, additional information, identification, or the tendering of fees (as specified in § 701.311), within 10 working days; except that if the request for access was not preceded by a notification request as provided in § 701.302, then the 10-day period will not begin until after such time as it has been determined that the record exists. If a request is complied with within 10 working days, no separate acknowledgement will be made.

§ 701.306 [Amended]

5. By deleting in paragraph (a) of § 701.306 the figure "§ 701.309(a)" and inserting in lieu thereof the figure "§ 701.310(a)".

6. By deleting in paragraph (a) of § 701.308 the figure "§ 701.304" and inserting in lieu thereof the figure "§ 701.307"; and by adding a paragraph (e) to read as follows:

§ 701.308 Council review of request for correction or amendment of record.

* * * * *

(e) If the requested correction or amendment to a record is agreed to by the Council, the Council will, within 30 working days: (1) Advise the individual; (2) correct the record accordingly; and (3) where an accounting of disclosures had been made (as provided in § 701.311), advise all previous recipients (including the individual) of the record of the fact that that the correction was made and the substance of the correction.

7. By adding a new paragraph (3) to paragraph (d) of § 701.309 to read as follows:

§ 701.309 Appeal of initial adverse determination.

* * * * *

(d) * * *

(3) The right to file with the Council a concise statement setting forth the requester's reasons for disagreement with the Council's refusal to correct or amend the record.

8. By redesignating §§ 701.311, 701.312, and 701.313 as §§ 701.312, 701.313, and 701.314 respectively and by adding a new § 701.311 as follows:

§ 701.311 Accounting for disclosures.

(a) *Maintenance of an accounting.* (1) Where a record is disclosed to any person, or to another agency, under any of the provisions of § 701.303 except §§ 701.303(c) (1) and (2), an accounting will be made. (2) The accounting will record (i) the date, nature, and purpose of each disclosure of a record to any person or to another agency and (ii) the name and address of the person or agency to whom the disclosure was made. (3) Accountings prepared under this section will be maintained for at least five years or the life of the record, whichever is longer, after the disclosure for which the accounting is made.

(b) *Access to accounting.* (1) Except for accountings of disclosures made under §§ 701.303(c) (1) and (2), accountings of all disclosures of a record will be made available to the individual to whom the record relates at his or her request. (2) An individual desiring access to accountings of disclosures of a record pertaining to him or her will submit his request by following the procedures of § 701.305.

(c) *Notification of disclosure.* When a record is disclosed pursuant to § 701.303 (c)(11) as the result of the order of a court of competent jurisdiction, reasonable efforts will be made to notify the individual to whom the record pertains as soon as the order becomes a matter of public record.

Dated: January 7, 1976.

WARREN D. FAIRCHILD,
Director,
Water Resources Council.

[FR Doc.76–1031 Filed 1–12–76;8:45 am]

INTERSTATE COMMERCE COMMISSION

[49 CFR Parts 1003, 1100]

[EX Parte No. 55 (Sub-No. 14)]

OPERATING AUTHORITY AND RULES OF PRACTICE

Extension of Period for Filing Written Expressions

In the matter of revision of application forms OP–OR–9, OP–OR–11, OP–WC–10, OP–WC–20, and OP–FF–10 for operating authority and amendments to rules 22, 49, 51, 57, 74, and 247 of the General Rules of Practice (see 40 FR 52058).

Upon consideration of the record in the above-entitled proceeding and of many requests for an extension of time for the filing of written expressions, and good cause appearing therefor:

It is ordered, That the time for the filing of written views, comments, suggestions and pertinent evidence be, and it is hereby, extended to February 20, 1976.

Dated at Washington, D.C., this 15th day of December, 1975.

By the Commission, Chairman Stafford.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76–1022 Filed 1–12–76;8:45 am]

[49 CFR Part 1104]

[Ex Parte No. MC–98]

NEW PROCEDURES IN MOTOR CARRIER RESTRUCTURING PROCEEDINGS

Proposed Rulemaking

JANUARY 7, 1976.

At a General Session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 30th day of December, 1975.

It is ordered, That based upon the reasons set forth in the attached notice, a proceeding be, and it is hereby instituted pursuant to the authority vested in the Interstate Commerce Commission by 49 U.S.C. 316 and 5 U.S.C. 552, 553, and 559 for the purpose of amending 49 FR 1104.3 and for reviewing representations or suggested procedures to be followed by motor carriers filing tariffs incorporating restructuring proposals.

It is further ordered, That notice of the institution of this proceeding shall be given to the motor carrier members of the rate bureaus listed in 49 CFR 1104.1(b) by serving a copy of this order and attached notice on those rate bureaus[1]; by serving a copy on all other parties to Ex Parte No. MC–82; and notice shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested persons.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

DECEMBER 30, 1975.

Introduction. The question of restructuring less-than-truckload (LTL) rates is one that is vital to the economic health of the regular route common carrier system. The present motor carrier LTL rate structure is essentially a copy of the classification-based system developed, and still used, by rail carriers. When regulation was expanded to include motor carriers, it became necessary for the motor carrier industry to publish a rate system of its own. That was done by adopting the rail classification and superimposing the principles underlying that system upon the motor carrier industry. The various individual rate bureaus developed a number of systems which for the most part bore a striking resemblance to each other, using the classification as the basis for differentiating between the relative transportability of different commodities.[2] At the time, this worked to the advantage of the motor carriers because value of service factors, inherently part of the classification of high value goods, allowed them to attract the most profitable portion of the LTL traffic from the rails by a skillful matching of rates and service.

At the present time, however, the common carrier trucking industry finds itself threatened with the same kind of competitive problems which had previously befallen the railroads in that competition from many sources has diverted much of the traffic which formerly subsidized the least desirable traffic. In the case of LTL service especially, there is a continuing need therefor at rates which will, on the one hand, enable shippers to continue to utilize existing service, and, on the other hand, insure that the trucking industry will be able to offer the service at a reasonable profit. It would appear that the trucking industry as a whole is as anxious to continue to provide LTL service as the public is to have it continued.

I. In this proceeding, as part of our continuing concern for strengthening the ability of motor common carriers to meet the needs of the public for LTL service, the Commission is seeking public comment and suggestions with respect to (1) the need for, or (2) the desirability of, or (3) ways and means of restructuring the less-than-truckload and small shipment rate structure presently applicable on traffic moving by motor carriers. Comments should not necessarily be confined to modifications of the present traditional rate structure. The underlying objective is to contemplate and/or develop a pricing structure which most effectively deals with present or prospective service needs of shippers and the capability of the carrier industry to furnish such service on a cost effective basis. Accordingly, it would be helpful to the Commission if shippers, motor common carriers, and other interested parties participating herein would comment on some, or all, of the general matters set forth below.

(1) What problems, if any, have you experienced in connection with LTL or small shipment traffic? If you have experienced any problems, e.g. in costs, service, handling, or other, would you please describe them in detail? Can, or should anything be done to change, improve, or replace the present LTL and small shipment rate structure?

[1] Central and Southern Motor Freight Tariff Association, Inc.; Central State Motor Freight Bureau, Inc.; The Eastern Central Motor Carriers Association, Inc.; Middle Atlantic Conference; Middlewest Motor Freight Bureau; Motor Carrier Traffic Association Inc.; the New England Motor Rate Bureau, Niagara Frontier Tariff Bureau, Inc.; Pacific Inland Tariff Bureau, Inc.; Rocky Mountain Motor Tariff Bureau, Inc.; Southern Motor Carriers Rate Conference.

[2] A notable exception is the volume-density related system developed by the New England area carriers, published as the Coordinated Classification.

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(2) Can action be taken to increase the volume of small shipment traffic, other than subsidization by other traffic?

(3) Are there any alternatives to the present physical methods of handling LTL and small shipments by carriers which could, or should, replace current methods?

(4) In light of the criticism of shippers that motor common carriers do not provide adequate small shipment service, and the complaints of carriers that the existing rate structure does not compensate them adequately for the cost of handling small shipment traffic, what can be done to reconcile the need for an adequate rate structure for motor carriers and the need for LTL rates which shippers can afford to pay?

(5) Where certain shippers, industries, or localities have no alternative means of transportation and require LTL service, is there a point at which the carrier burden should be deemed to outweigh the need for the service?

(6) Could, or should, alternative rates based on differing service needs, e.g. expedited, standard, and standby, be offered for LTL service? How could, or should, such alternative rates be constructed?

(7) If you feel certain commodities or classes of traffic are unfairly priced under the existing rate structure, please give specific examples, and suggest how this unfairness can, or should, be eliminated.

Following analysis and evaluation of the comments elicited hereby, the Commission will be in a position to determine what further action is necessary.

II. Relevant to the question of restructuring the less-than-truckload and small shipment rate structure are the regulations that have been prescribed in Ex Parte No. MC–82, New Procedures in Motor Carrier Rev. Proc., 339 I.C.C. 324, 340 I.C.C. 1, and 351 I.C.C. 1, as codified in 49 CFR 1104.1 et seq. Those regulations, in addition to governing the submission of evidence in motor carrier general revenue proceedings proposed by designated rate bureaus on behalf of their motor common carrier members, also govern the submission of evidence in support of "a proposed general adjustment with the objective of restructuring the rates on a wide range of traffic involving both increases and reductions in rates and charges". Restructuring can take the form of a proposal to increase different weight categories of freight by various percentages or it can take the form of a proposal to reduce rates applicable on certain weight brackets while increasing rates on other weight brackets. In both instances, such proposals would result in restructuring the less-than-truckload and small shipments rate structure. However, at this time, the ability of the Commission and other interested parties to evaluate proposals which would cause rate restructuring is seriously hampered by the fact that under the MC–82 procedures there is no requirement for furnishing a breakdown of operating ratios applicable to all categories of traffic, including less-than-truckload, in a uniform manner. Accordingly, the Commission at this time proposes to adopt certain amendments to the regulations in Ex Parte No. MC–82, supra, that would, if adopted, provide the Commission with additional data showing the breakdown of operating ratios applicable to all categories of traffic including less-than-truckload traffic. Under the proposed amendments, the present procedures would be modified to require in all instances a showing of operating ratios for the following weight brackets.

1. Minimum charges—less-than-truckload (pounds).
2. 1 to 199 pounds.
3. 200 to 499 pounds.
4. 500 to 999 pounds.
5. 1,000 to 1,999 pounds.
6. 2,000 to 4,999 pounds.
7. 5,000 to 9,999 pounds.
8. 10,000 pounds and over.
9. Total LTL (lines 2 through 8).
10. Total minimum charges and LTL (lines 1 and 9).
11. Truckload.
12. Total all shipments (lines 10 and 11).

Separately appended hereto are the revisions proposed to be made in § 1104.3 Cost Study, paragraph (a) in the MC–82 procedures presently prescribed, including a new Appendix E to that section, describing the handling of situations where (1) different rate increases would occur on issue traffic within a standard weight bracket; (2) a rate increase would overlap two or more weight brackets; or (3) a rate increase would apply on only a portion of a standard weight bracket. The proposed revisions would provide the Commission and interested parties with information presently not available as to whether proposed general increase proposals are just and reasonable for particular weight brackets.

Public comment, suggestions, and other relevant representations with regard to the foregoing proposed amendments are invited and will be welcomed. Oral hearing does not appear necessary at this time and none is contemplated. Anyone wishing to present views and evidence may do so by the submission of written data, views, or arguments. An original (and 15 copies whenever possible) of such data, views, or arguments shall be filed with the Interstate Commerce Commission, Office of Proceedings, Room 5354, Washington, D.C. 20423, on or before February 10, 1976.

All written submissions will be available for public inspection during regular business hours at the offices of the Interstate Commerce Commission, 12th and Constitution Avenue, Washington, D.C.

This notice of proposed rulemaking is issued under the authority of Part II of the Interstate Commerce Act and sections 552, 553, and 559 of the Administrative Procedure Act (5 U.S.C. 552, 553, and 559).

Issued in Washington, D.C., this 30th day of December, 1975.

[SEAL] ROBERT L. OSWALD,
Secretary.

It is proposed to revise § 1104.3 to read as follows:

§ 1104.3 Cost study.

(a) The respondents shall submit a cost study. Highway Form B may be used for this purpose. Service unit costs shall be developed for each individual study carrier, adjusted by size of shipment and length of haul, and shall be applied to respective individual carrier's traffic service units as developed from its traffic study. Operating ratios for both the issue and non-issue traffics, by standard weight brackets, on the "carried" traffic basis for the time periods specified shall be submitted as required in Appendix E, Part I. Expense and revenue data supporting these operating ratios shall be submitted as required in Appendix E, Part II. The time periods specified in Appendix E are: (1) the traffic study year, that is, the "base calendar year-actual", as hereinbefore defined; (2) a "present proforma year" based on present wage, price and productivity levels prevailing on a date no later than 45-days prior to the date of the tariff filing; and (3) a "restated proforma year" based on provable wage, price and productivity levels prevailing on the effective date of the proposed rates, with a separation indicating projected operating ratios on two bases, namely, "based on current revenues," and "based on proposed revenues." Respondent carriers are not precluded from submitting additional data on a "through" basis but they should be prepared to demonstrate that use of this basis does not result in a substantial sampling bias. If operating ratios on the "through" traffic basis are submitted in addition to those required for the "carried traffic" basis, either the weighted composite unit cost of the study carriers or the applicable regional average unit cost should be used for that portion of the interline movements handled by the non-study carriers.

APPENDIX E

Part I.– Operating Ratios By Standard Weight Brackets on Issue and Non-Issue Traffics (Carried Traffic Basis)

Line No.	Standard Weight Brackets 1/	Base Calendar Year – Actual			Present Proforma Year	Restated Proforma Year	
		Issue Traffic	Non-Issue Traffic: Territorial Traffic Related to Issue Traffic but Not Affected by Rate Proposal 3/	Non-Issue Traffic: All Other Non-Issue Traffic 4/		Based on Current Revenues	Based on Proposed Revenues
						Issue Traffic Only 5/	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Minimum Charges						
	Less Than Truckload (pounds)						
2	1-199						
3	200-499						
4	500-999						
5	1,000-1,999						
6	2,000-4,999						
7	5,000-9,999						
8	10,000 and over						
9	Total LTL (Lines 2 thru 8)						
10	Total Minimum Charges and LTL (Lines 1 and 9)						
11	Truckload						
12	Total, All Shipments (Lines 10 and 11)						

1/ See Explanatory for all footnotes.

APPENDIX E

Part II.– Expenses and Revenues Supporting Operating Ratios in Part I (Dollars in Thousands)

Line No.	Standard Weight Brackets	Base Calendar Year – Actual						Present Proforma Year		Restated Proforma Year					
		Issue Traffic		Non-Issue Traffic: Territorial Traffic Related to Issue Traffic But Not Affected by Rate Proposal		Non-Issue Traffic: All Other Non-Issue Traffic				Based on Current Revenues		Based on Proposed Revenues			
										Issue Traffic Only					
		Expenses	Revenues	Expenses	Revenues	Expenses	Revenues	Expenses	Revenues	Expenses	Revenues	Expenses	Revenues	Expenses	Revenues
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
1	Minimum Charges														
	Less Than Truckload (pounds)														
2	1-199														
3	200-499														
4	500-999														
5	1,000-1,999														
6	2,000-4,999														
7	5,000-9,999														
8	10,000 and over														
9	Total LTL (Lines 2 thru 8)														
10	Total Minimum Charges and LTL (Lines 1 and 9)														
11	Truckload														
12	Total, All Shipments (Lines 10 and 11)														

EXPLANATORY, APPENDIX E

The purpose of Appendix E, Part I, is to obtain so-called "operating ratios" on the issue and non-issue traffics by standard weight brackets for the time periods specified. These ratios will (1) provide a data base for an evaluation of the profitable nature of the issue traffic, and (2) reveal the cost/revenue interrelationship among the standardized weight brackets for both the issue and non-issue traffics.

The time frames specified in Appendix E, namely, base calendar year-actual, present proforma year, and the restated proforma year based on current revenues and proposed revenues are those defined in § 1104.3 Cost study, paragraph (a).

"Operating ratios" for the purpose of this appendix means the percent that operating expenses, rents and taxes (other than Federal income taxes) is to the operating revenues associated with the issue and non-issue traffics. The expenses in the numerator—sometimes referred to as the "total operating expense level"—exclude any return on investment or cost of capital considerations. The operating ratio (percent to 1 decimal) is, of course, obtained through the cost and traffic studies required in the prescribed procedures.

Operating ratios are required on the "carried" traffic basis for both the issue and non-issue traffics, that is, the traffics handled solely by the study carriers, either single-line or interline. Respondent carriers, however, are not precluded from submitting operating ratios and supporting data on the "through" traffic basis (the expenses and revenues on the "carried" traffic basis plus the expenses and revenues applicable to the "non-study" carriers' portion of the sampled traffic) but they should be prepared to demonstrate that use of this basis does not result in substantial sampling basis.

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[1] *Column (1).*—The standard weight brackets shown in column (1) represent the minimum weight groupings required. However, because the varying rate increases proposed on the "issue traffic" may not conveniently fall into each of the standard weight brackets, some amplification of the standard weight brackets may be required. Additionally, there may be a situation where the proposed general rate increases do not affect all of the standard weight brackets. Three situations are set forth and discussed below.

(1) *Different rate increases on issue traffic within a standard weight bracket.* Assume the proposed general rate increase reflects different rate increases on "issue traffic" shipments within the 5,000–9,999 pound standard weight bracket, line 7. For example, a 4% increase on LTL shipments weighing 5,000–7,999 pounds and a 2% increase on LTL shipments weighing 8,000–9,999 pounds. Line 7 would then be broken out and completed in the following manner:

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Column numbers in app. E, pt. I

Line No.	Standard weight brackets (1)	(2)	(3)	(4)	(5)	(6)	(7)
7	5,000 to 9,999		XXX				
7a	5,000 to 7,999		XXX	XXX			
7b	8,000 to 9,999		XXX	XXX			

(2) *Rate increase in one standard weight bracket carries over to a portion of the next weight bracket.* Assume the following situation under a proposed general rate increase affecting, but not limited to, the standard weight brackets shown on lines 6 and 7.

Standard weight brackets (pounds)	Proposed rate increase (percent)
2,000 to 4,999 (line 6):	
2,000 to 3,999	5
4,000 to 4,999	4
5,000 to 9,999 (line 7):	
5,000 to 7,999	4
8,000 to 9,999	2

Lines 6 and 7 would then be broken out and completed in the following manner:

Column numbers in app. E, pt. I

Line No.	Standard weight brackets (1)	(2)	(3)	(4)	(5)	(6)	(7)
6	2,000 to 4,999		XXX				
6a	2,000 to 3,999		XXX	XXX			
6b	4,000 to 4,999		XXX	XXX			
7	5,000 to 9,999		XXX				
7a	5,000 to 7,999		XXX	XXX			
7b	8,000 to 9,999		XXX	XXX			

(3) *Rate increase applies only to a portion of a standard weight bracket.* Assume, under the proposed general rate increase, that only a portion of the standard weight bracket of 5,000–9,999 pounds (line 7) is affected, that is, the requested increase is 4% on "issue traffic" LTL shipments weighing 5,000–7,999 pounds and no increase is requested on LTL shipments weighing 8,000–9,000 pounds. Line 7 would then be broken out and completed in the following manner:

Column numbers in app. E, pt. I

Line No.	Standard weight brackets (1)	(2)	(3)	(4)	(5)	(6)	(7)
7	5,000 to 9,999	XXX	XXX		XXX	XXX	XXX
7a	5,000 to 7,999	XXX	XXX	XXX	XXX	XXX	XXX
7b	8,000 to 9,999			XXX			

NOTE.—The 3 situations cited in footnote 1 above make no distinction between class and commodity-rated traffics falling within the standard weight brackets. However, there may be a situation where a proposed general rate increase applies only on class rates; and, the commodity rates are not affected. In this case the class-rated traffic should, of course, be reported in column (2) as the "issue traffic," while the commodity-rated traffic (related to the issue traffic) should be appropriately reported in column (3). The weight brackets to be used for the operating ratios in column (3) should be the same as those used for the operating ratios in column (2). As a general rule, in considering the 3 situations cited or the class and commodity rate distinction indicated above, the operating ratios for column (4), "All Other Non-Issue Traffic," in Appendix E, Part I, need be provided only for the standard weight brackets required.

[2] *Column* (2).—As defined in § 1104.2 Traffic Study, sub-paragraph (b)(1): "Issue traffic consists of those shipments on which the freight rates or charges would be affected by the rate proposal." This appendix maintains that definition and merely requires a breakdown of this issue traffic by standardized weight brackets.

[3] *Column* (3).—"Territorial traffic related to issue traffic but not affected by the rate proposal" means that traffic handled within the same territory, or between the same territories, as the issue traffic but, for whatever reason, is not subject to the proposed general rate increase. For example, if rate increases are proposed only on minimum charges and LTL shipments under 10,000 pounds in territory "X"—then the "territorial traffic related to the issue traffic . . ." involves LTL shipments of 10,000 pounds and over and TL shipments handled in territory "X".

[4] *Column* (4).—All other non-issue traffic means all traffic other than that in columns (2) and (3).

[5] *Columns* (5), (6) *and* (7).—The operating ratios in these columns shall be for those weight brackets the operating ratios for which are shown in column (2).

[FR Doc.76-836 Filed 1-12-76;8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

[CM-6/3]

DEPARTMENT OF STATE

Office of the Secretary

U.S. ADVISORY COMMISSION ON INTERNATIONAL EDUCATIONAL AND CULTURAL AFFAIRS

Meeting

The United States Advisory Commission on International Educational and Cultural Affairs will meet in open session on Monday, February 2, 1976, in Room 1529 of the United States Court House, 213 N. Spring Street, Los Angeles, California 90012. It is expected that the meeting will run from 9:30 a.m. to 12:30 p.m. and from 2:00 p.m. to 5:00 p.m.

The principal item on the agenda will be a discussion among Commission members and invited representatives of the film, television and theatre industry on the ways in which the private sector can help to implement the provisions of the Final Act of the Conference on Security and Cooperation in Europe which relate to international educational and cultural exchange: i.e., the so-called "Basket III" recommendations.

The only other item on the agenda will be consideration of any old or new business which any member of the Commission wishes to bring up.

Members of the general public may attend and participate in the discussion subject to instructions of the Chairman, if they have advised the Staff Director by c.o.b. January 30, 1976 of their intention to attend. He may be reached by telephone on (202) 632-2764; by mail at CU/ACS, Room 420, SA-2, Department of State, Washington, D.C. 20520. Members of the public, however, will only be accommodated up to the seating capacity of the meeting room.

W. E. WELD, Jr.,
Staff Director,
Commission Secretariat.

JANUARY 5, 1976.

[FR Doc.76-985 Filed 1-12-76;8:45 am]

Agency for International Development

[Redelegation of Authority No. 99.1.1; Amendment No. 6]

CHIEF, REGIONAL OPERATIONS DIVISION, ET AL.

Redelegation of Authority Regarding the Contracting Function

Pursuant to the authority delegated to me by Redelegation of Authority No. 99.1, dated May 1, 1973 from the Assistant Administrator for Program and Management Services (38 FR 12836) as amended; I hereby further amend Redelegation of Authority No. 99.1.1, dated May 2, 1973 (38 FR 12836) as amended, to add "Chief, Special Operations Division" to the list of officers in paragraph A.

This amendment is effective October 27, 1975.

Dated: November 3, 1975.

HUGH L. DWELLEY,
Acting Director,
Office of Contract Management.

[FR Doc.76-990 Filed 1-12-76;8:45 am]

[Redelegation of Authority No. 99.1.2, Amendment No. 1]

CHIEF, SPECIAL OPERATIONS DIVISION, ET AL.

Redelegation of Authority

Pursuant to the authority redelegated to me by Redelegation of Authority No. 99.1, dated May 1, 1973, from the Assistant Administrator for Program and Management Services (38 FR 12836), as amended, I hereby amend Redelegation of Authority No. 99.1.2 dated May 2, 1973 (38 FR 12837) to substitute "Chief, Special Operations Division and Chief, Participating Agency Branch" for "Chief, Participating Agency Staff" at the end of the first paragraph.

This amendment is effective October 27, 1975.

Dated: November 3, 1975.

HUGH L. DWELLEY,
Acting Director,
Office of Contract Management.

[FR Doc.76-989 Filed 1-12-76;8:45 am]

MISSION DIRECTOR, USAID, CHILE

Redelegation of Authority

Redelegation of Authority Regarding Contract Functions No. 99.1.31, effective October 1, 1973, and published in the FEDERAL REGISTER on October 14, 1973 (38 FR 29095), is amended to revise subparagraph 1, as follows:

1. U.S. Government contracts and amendments thereto, and AID grant-financed host country contracts for technical assistance, provided that the aggregate amount of each individual contract does not exceed $100,000 or local currency equivalent.

This amendment is effective immediately.

Dated: November 11, 1975.

RUSSELL DILTS,
Acting Director,
Office of Contract Management.

[FR Doc.76-987 Filed 1-12-76;8:45 am]

MISSION DIRECTOR, USAID/PHILIPPINES

Redelegation of Contracting Authority

Pursuant to the authority delegated to me as Director, Office of Contract Management, under Redelegation of Authority No. 99.1 (38 F.R. 12836) from the Assistant Administrator for Program and Management Services, I hereby redelegate to the Mission Director, USAID/Philippines, the authority to sign or approve the following instruments, up to an amount of $500,000 (or local currency equivalent) *per transaction:*

(1) U.S. Government contracts (including contracts with individuals for services of the individual alone);

(2) U.S. Government grants, other than grants to foreign governments or agencies thereof;

(3) Inter-agency service agreements (IASAs) between AID and other U.S. Government agencies;

(4) AID grant-financed host country contracts for technical assistance; and

(5) Amendments to the instruments specified above.

The authorities herein delegated may be redelegated in writing, in whole or in part, by said Mission Director as follows:

(1) Authority up to $25,000 may be redelegated at the Mission Director's discretion;

(2) Authority over $25,000 may be redelegated with the prior concurrence of the Director, Office of Contract Management (except that such prior concurrence is not required in the case of a redelegation to the Mission Director's principal deputy).

Such redelegations shall remain in effect until revoked by the Mission Director, or upon advice from the Director, Office of Contract Management that his concurrence in a redelegation is withdrawn, whichever shall first occur. The authority so delegated by the Mission Director may not be further redelegated.

The authority delegated herein is to be exercised in accordance with regulations, procedures and policies now or hereafter established or modified and promulgated within A.I.D. and is not in derogation of the authority of the Director, Office of Contract Management, to exercise any of the functions herein redelegated.

The authority herein delegated to the Mission Director may be exercised by duly authorized persons who are performing the functions of the Mission Director in an acting capacity.

Redelegation of Authority 99.1.6 (38 FR 29500) dated September 26, 1973, is hereby revoked.

Any official actions taken prior to the effective date hereof by officers duly authorized pursuant to delegations re-

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voked hereunder are hereby continued in effect, according to their terms until modified, revoked, or superseded by action of the officer to whom I have delegated relevant authority in this delegation.

Actions within the scope of this delegation and any redelegations hereunder heretofore taken by the officials designated in such delegation or redelegations are hereby ratified and confirmed.

This redelegation of authority shall be effective November 6, 1975.

Dated: November 6, 1975.

HUGH L. DWELLEY,
Director,
Office of Contract Management.

[FR Doc.76-988 Filed 1-12-76;8:45 am]

[CM-6/4]

U.S. NATIONAL COMMITTEE FOR THE INTERNATIONAL RADIO CONSULTATIVE COMMITTEE

Meeting

The Department of State announces that Study Group 7 of the U.S. National Committee for the International Radio Consultative Committee (CCIR) will meet February 3–4, 1976 at the U.S. Naval Observatory, 34th Street and Massachusetts Avenue NW., Washington, D.C. The sessions will be convened at 9:30 a.m. in Room 300 of Building No. 52.

Study Group 7 deals with time-signal services by means of radiocommunications. The purpose of the meeting will be a review of the foreign documents to be treated during the international meeting of Study Group 7 in February 1976.

Members of the general public may attend the sessions and join in the discussions subject to instructions of the Chairman. Admittance of public members will be limited to the seating available.

Dated: January 5, 1976.

GORDON L. HUFFCUTT,
Chraiman,
U.S. National Committee.

[FR Doc.76-986 Filed 1-12-76;8:45 am]

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Amdt. to Dept. Circ.; Public Debt Series—No. 2-76]

TREASURY NOTES OF SERIES J-1978

Dated and Bearing Interest From February 2, 1976; Due January 1, 1978

Section III, paragraph 3 of Department of the Treasury Circular, Public Debt Series—No. 2-76, dated January 7, 1976, is hereby amended by deleting the fifth sentence and in lieu thereof inserting the following:

"After the determination is made as to which tenders are accepted, an interest rate will be established at the nearest ⅛ of one percent necessary to make the average accepted price 100.000 or less; except that if that rate would result in a price less than 99.751 on otherwise acceptable tenders, the interest rate will be set at the next higher ⅛ of one percent that would result in all acceptable tenders being priced at 99.751 or higher. In such a case the average accepted price would be more than 100.000."

STEPHEN S. GARDNER,
Acting Secretary
of the Treasury.

[FR Doc.76-1093 Filed 1-12-76;8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense

NATIONAL COMMITTEE FOR EMPLOYER SUPPORT OF THE GUARD AND RESERVE

Privacy Act of 1974

The National Committee for Employer Support of the Guard and Reserve, in order to implement the Privacy Act of 1974, hereby publishes notice that it maintains record of all committee members in locked filing cabinets located in its offices at 1117 North 19th Street, 9th Floor, Arlington, VA 22209. Those individuals on whom records are maintained are members of the Executive Committee and Field Operations Council. The records are limited to biographies, submitted voluntarily by each individual upon his/her acceptance to membership on the committee, and computerized mailing lists. Although referred to infrequently, the biographies are occasionally used to provide background information when committee members are asked to address local business organizations on behalf of the program—employer support of the Reserve Forces.

All records maintained by the committee are returned to individuals upon their resignation. All members have been advised that they have ready access to their records, are permitted to review them at any time, and make copies and corrections, as required.

Committee members were requested to give their written consent—or dissent—to the maintenance of their records in accordance with established procedures. No comments have been forthcoming and the system of record keeping has therefore not been changed.

Responsible agency official: Captain Gordon K. Meriwhether, Jr., USNR, Staff Director, National Committee for Employer Support of the Guard and Reserve.

MAURICE W. ROCHE,
Director, Correspondence
and Directives, OASD(C).

JANUARY 9, 1976.

[FR Doc.76-1116 Filed 1-12-76;8:45 am]

JUSTICE DEPARTMENT

Law Enforcement Assistance Administration

Notice is hereby given that the National Advisory Committee for Juvenile Justice and Delinquency Prevention will meet Wednesday, Thursday, and Friday, January 28, 29, and 30, 1976 in San Francisco, California.

The meeting of the Full Committee is scheduled to convene at 1:00 p.m., Thursday, January 29th in the Marine Room, Travel Lodge, 250 Beach Street, San Francisco, California. The Full Committee meeting is scheduled to adjourn at 5:00 p.m. on Thursday, resume at 9:00 a.m. the following day and adjourn at 5:00 p.m. on Friday, January 30.

The Advisory Committee for the National Institute for Juvenile Justice and Delinquency Prevention (The National Institute Advisory Committee) will meet on Wednesday, January 28th beginning at 1:00 p.m. to review and discuss issues related to juvenile delinquency prevention.

The National Institute Advisory Committee, the Advisory Committee on the Concentration of Federal Effort (The Concentration of Federal Effort Committee) and the Advisory Committee to the Administrator on Standards for the Administration of Juvenile Justice (The Standards Committee) will meet from 9:00 a.m. to 12:00 noon on Thursday, January 29.

The focus of the Full Committee will be:

The review of overall policy for Federal juvenile delinquency programs.

The development of the First Annual Comprehensive Plan for juvenile justice and delinquency prevention, which is due March 1, 1976.

All meetings will be open to the public. For further information, contact Frederick P. Nader, Acting Deputy Assistant Administrator, Office of Juvenile Justice and Delinquency Prevention, Law Enforcement Assistance Administration, 633 Indiana Avenue NW., Washington, D.C. 20531.

JAY A. BROZOST,
Attorney-Advisor.

[FR Doc.76-852 Filed 1-12-76;8:45 am]

NATIONAL ADVISORY COMMITTEE ON CRIMINAL JUSTICE STANDARDS AND GOALS

Meeting

This is to provide notice of meeting of the Organized Crime Task Force of the National Advisory Committee on Criminal Justice Standards and Goals.

The Organized Crime Task Force will be meeting at the Ramada Inn Airport, 7250 N.W. 11th Street, Room 227, Miami, Florida on February 4, 5, and 6, 1976. The meeting will be open to the public.

Discussion will focus on the review and comments on the organized crime standards and policy issues which will be voted on.

Meeting Times: February 4, 2 p.m.–6 p.m.; February 5, 9 a.m.–6 p.m.; February 6, 9 a.m.–6 p.m.

For further information, contact William T. Archey, Director, Policy Analysis Division, Office of Planning and Management, 633 Indiana Avenue NW., Washington, D.C.

JAY A. BROZOST,
Attorney-Advisor,
Office of General Counsel.

[FR Doc.76-984 Filed 1-12-76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

CABAZON BAND OF MISSION INDIANS

Plan for the Use and Distribution of Cabazon Band of Mission Indians Judgment Funds Awarded in Docket 148 Before the Indian Claims Commission

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

The Act of October 19, 1973 (P.L. 93-134, 87 Stat. 466), requires that a plan be prepared and submitted to Congress for the use or distribution of funds appropriated to pay a judgment of the Indian Claims Commission or Court of Claims to any Indian tribe. Funds were appropriated by the Act of December 15, 1971, 85 Stat. 627, in satisfaction of the award granted to the Cabazon Band of Mission Indians in Indian Claims Commission Docket 148. The plan for the use and distribution of the funds was submitted to the Congress with a letter dated July 8, 1975, and was received (as recorded in the Congressional Record) by the House of Representatives on July 14, 1975, and by the Senate on July 16, 1975. Neither House of Congress having adopted a resolution disapproving it, the plan became effective on October 30, 1975, as provided by Section 5 of the 1973 Act, supra.

The plan reads as follows:

"The funds appropriated by the Act of December 15, 1971, 85 Stat. 627, in satisfaction of the award granted to the Cabazon Band of Mission Indians in Docket 148 before the Indian Claims Commission, including all interest accrued, less attorney fees and litigation expenses, shall be used and distributed as herein provided.

"The Secretary of the Interior (hereinafter 'Secretary') shall make a per capita distribution of $2,000 to each member of the Cabazon Band of Mission Indians who was born on or prior to and is living on the effective date of this plan. Procedures for updating the tribal membership roll shall be implemented through the publication of rules and regulations in the FEDERAL REGISTER.

"The per capita shares of living competent adults shall be paid directly to them. The per capita shares of legal incompetents shall be placed in individual Indian money (IIM) accounts and handled under 25 CFR 104.5. The per capita shares of deceased individual beneficiaries shall be determined and distributed in accordance with 43 CFR, Part 4, Subpart D.

"Minors' per capita shares, until the minors attain the age of 18 years, shall be retained in individually segregated IIM accounts and handled as set out in the next paragraph, unless a private trust for the minors' per capita shares is established, subject to the approval of the tribal governing body and the Secretary. Should it be determined that the funds are to be invested pursuant to a private trust, minors who will have reached the age of 18 years within six months after the establishment of the trust shall have their funds retained in IIM accounts and handled as provided in the next paragraph.

"The per capita shares of minors, including the investment income accruing thereto, individually segregated in IIM accounts shall not be disbursed until the minors reach 18 years of age. At that time, unless the minors are under legal disability, they shall be entitled to withdraw their judgment funds and accrued investment income as provided in 25 CFR 104.3. If the minors are under legal disability upon reaching their majority, their judgment funds and accrued investment income thereon shall be handled pursuant to 25 CFR 104.5. While a minor is under 18 years of age, the only time a portion of a minor's per capita share and the income accruing thereto may be disbursed from an IIM account is when the minor has health or education needs which cannot be met from any other source. Determination that such a need is present and authorization of payment to meet it shall be made by the Superintendent or Officer in Charge of the Agency office or other local office of the Bureau of Indian Affairs where the minor's IIM account is located. Where payment for a minor's health or education need is so authorized, the Superintendent or Officer in Charge is responsible for approving payment of no more than is required to meet the specific health or education need and seeing that the payment is only used for that purpose.

"Eight (8) percent of the net judgment fund principal, and its accrued interest, shall be used for the operation of the Cabazon tribal government at the rate of $2,100 per year for three years and the remainder to be used in the fourth year for the same purpose.

"From the remainder of the net judgment fund principal and its accrued interest, $2,000 shall be paid to Mrs. Remijio Callaway as an expression of tribal gratitude for the services rendered to the Cabazon Band of Mission Indians by her late husband in pursuing Docket 148 before the Indian Claims Commission. The balance of the funds, with accrued interest, shall be invested at the highest rate of interest by the Secretary for staggered periods of time which are to be designated by the Cabazon Business Committee. These funds are to be held in reserve for the following purposes but shall only be used in the event that the Cabazon Band cannot generate the necessary funds from other sources: legal fees in impending suits on tribal water rights and roads rights-of-way infringement on the reservation, and seed monies to generate Federal, State, or local grant funds for the construction of a tribal community building and cemetery and for community development purposes.

"In the event all or part of the funds scheduled to be used for seed money or legal fees are unused or unobligated by July 1, 1976, the Secretary shall make a per capita distribution of that portion which remains unused or unobligated, and its accrued interest, in a sum as equal as possible to each member of the Cabazon Band of Mission Indians who was born on or prior to and who is living on the effective date of the plan. Individual shares shall be administered pursuant to paragraphs three (3), four (4), and five (5) of this plan."

Dated: December 5, 1975.

MORRIS THOMPSON,
Commissioner of Indian Affairs.

[FR Doc.76-949 Filed 1-12-76;8:45 am]

CHEROKEE NATION

Plan for the Use and Distribution of the Cherokee Nation Judgment Funds Awarded in Docket 173-A Before the Indian Claims Commission

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

The Act of October 19, 1973 (P.L. 93-134, 87 Stat. 466), requires that a plan be prepared and submitted to Congress for the use or distribution of funds appropriated to pay a judgment of the Indian Claims Commission or Court of Claims to any Indian tribe. Funds were appropriated by the Act of January 3, 1974, 87 Stat. 1071, in satisfaction of the award granted to the Cherokee Nation in Indian Claims Commission Docket 173-A. The plan for the use and distribution of the funds was submitted to the Congress with a letter dated July 11, 1975, and was received (as recorded in the Congressional Record) by the House of Representatives on July 16, 1975, and by the Senate on July 22, 1975. Neither House of Congress having adopted a resolution disapproving it, the plan became effective on November 5, 1975, as provided by Section 5 of the 1973 Act, supra.

The plan reads as follows:

"The funds appropriated by the Act of January 3, 1974, 87 Stat. 1071, in satisfaction of the award granted to the Cherokee Nation in Docket 173-A before the Indian Claims Commission, less attorney fees and litigation expenses, shall be used and distributed as herein provided.

"The Secretary of the Interior (hereinafter 'Secretary') shall make a per capita distribution of one million dollars of the judgment fund principal, in a sum as equal as possible, to each living Cherokee enrollee who is enrolled by the Secretary for purposes of this plan.

"Living enrollees are defined as persons whose names appear on any one of the final rolls, cited below, approved under the provisions of the Act of April 26, 1906, 34 Stat. 137, or the Act of August 1, 1914, 38 Stat. 780, and are living on the

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effective date of this plan. The final rolls are as follows:

1. Cherokees by Blood, approved March 4, 1907.
2. Cherokees by Blood, approved August 1, 1914.
3. Cherokees by Blood—Minor children (1907).
4. Delaware Cherokees (1907).
5. Cherokees by Intermarriage (1907).
6. Cherokee Freedmen, approved March 4, 1907.
7. Cherokee Freedmen, approved August 1, 1914.
8. Cherokee Freedmen—Minor children (1907).

"All applications for a per capita share of the funds must be filed with the Area Director of the Muskogee Area Office of the Bureau of Indian Affairs by an enrollee or in his behalf within one year of the effective date of this plan. The Secretary shall issue appropriate enrollment regulations to implement this distribution.

"The per capita shares of living competent enrollees shall be paid directly to them. Per capita shares of legal incompetents shall be paid pursuant to such safeguards as the Secretary may prescribe. Per capita shares of deceased individual beneficiaries shall be paid pursuant to 25 CFR, Part 16.

"The programing aspect of this plan is as follows:

"All programing funds shall be utilized as recommended by the Principal Chief (or any Cherokee Nation governing body recognized by the Secretary) and approved by the Secretary.

"Twenty (20) percent of the remainder of the judgment fund principal, plus all interest and investment income accrued on this portion, shall be invested and the interest and investment income accrued therefrom shall be utilized, on an annual budgetary basis, for Cherokee tribal operations. Such operations shall include, but are not limited to, annual administration expenses, including salaries, expenses of developing a Cherokee Nation constitution and expenses incurred in the election of the Principal Chief of the Nation.

"The balance of the judgment fund principal, plus all interest and investment income accrued on this portion, shall be invested and the interest and investment income accrued therefrom, beginning one year after the initial investment, shall be utilized on an annual budgetary basis for social and economic development purposes. Such social and economic purposes shall include financing payments on the Tsa-La-Gi Inn complex (not more than 25 percent of the available interest and investment income); financing payments on Tribal Industrial Building No. 2—Cherokee Complex (not more than five percent); the development of tribal land (not more than five percent); land acquisition (not more than 25 percent); and matching funds to promote general social and economic development (not more than 40 percent). Should funds in various categories not be needed, such as those budgeted for purposes of financinig payments, the Principal Chief or the tribal governing body shall make appropriate adjustments in the annual budget, subject to the approval of the Secretary, and apply funds to general social and economic development programs."

Dated: December 5, 1975.

MORRIS THOMPSON,
Commissioner of Indian Affairs.

[FR Doc.76-950 Filed 1-12-76;8:45 am]

WESTERN APACHE INDIANS

Plan for the Use and Distribution of Western Apache Judgment Funds Awarded in Docket 22-D Before the Indian Claims Commission

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

The Act of October 19, 1973 (P.L. 93-134, 87 Stat. 466), requires that a plan be prepared and submitted to Congress for the use or distribution of funds appropriated to pay a judgment of the Indian Claims Commission or Court of Claims to any Indian tribe. Funds were appropriated by the Act of October 31, 1972, 86 Stat. 1498, in satisfaction of the award granted to the Western Apache Indians in Indian Claims Commission Docket 22-D. The plan for the use and distribution of the funds was submitted to the Congress with a letter dated September 3, 1975, and was received (as recorded in the Congressional Record) by the House of Representatives on September 8, 1975, and by the Senate on September 10, 1975. Neither House of Congress having adopted a resolution disapproving it, the plan became effective on December 3, 1975, as provided by Section 5 of the 1973 Act, supra.

The plan reads as follows:

"The funds appropriated by the Act of October 31, 1972, 86 Stat. 1498, in satisfaction of the award granted to the Western Apache Indians in Docket 22-D before the Indian Claims Commission, including all interest accrued, less attorney fees and litigation expenses, shall be equally divided between the San Carlos Apache Tribe and the White Mountain Apache Tribe. The funds so divided, including the interest thereon, shall be used and distributed as herein provided:

"From the White Mountain Apache share of the award, eighty (80) percent of the judgment fund principal, and its accrued interest, less funds expended by the tribe for program planning and roll preparation for which the White Mountain Apache Tribe shall be reimbursed to the tribe's U.S. Treasury Trust Account, 14X7226 Proceeds of Labor, Fort Apache Indians, Arizona, subject to the approval of the Secretary of the Interior (hereinafter 'Secretary'), shall be paid per capita in a sum as equal as possible to all tribal members born on, or prior to, and living on the effective date of this plan. The membership roll shall be brought current under existing tribal procedures. For the purposes of this plan, the effective date of enrollment of children with the White Mountain Apache Tribe, whose membership would otherwise become effective on the date of tribal council action under adoption Ordinance No. 59, approved September 17, 1964, is the effective date of the plan, provided they were born on or prior to and living on that date.

"From the San Carlos Apache share of the award, eighty (80) percent of the judgment fund principal, and its accrued interest, shall be paid per capita in a sum as equal as possible to all tribal members born on or prior to, and living on the effective date of this plan. The membership roll shall be brought current under existing tribal procedures.

"Within nine (9) months of the effective date of this plan, the White Mountian Apache Tribe and the San Carlos Apache Tribe shall post or cause to be posted copies of proposed tribal membership rolls for a period of 30 days, during which time any person may appeal the inclusion or omission of any name on or from the rolls. The deadline for filing appeals shall be midnight of the last day of said 30-day period. Appeals shall be handled in accordance with procedures established under 25 CFR 42—Enrollment Appeals.

"The Secretary, in arranging for the per capita payments to be made, shall withhold sufficient shares for individuals whose entitlement may be in question. Those shares shall be held at interest in separate individual Indian money accounts, pending determination of enrollment appeals. The amount of any shares not used to pay successful appellants shall be available for use in any part of the program portion of the plan as approved by the Secretary of the Interior.

"The per capita shares of living competent adults shall be paid directly to them. The per capita shares of legal incompetents shall be placed in individual Indian money (IIM) accounts and handled under 25 CFR 104.5. The per capita shares of deceased individual beneficiaries shall be determined and distributed in accordance with 43 CFR, Part 4, Subpart D.

"Minors' per capita shares, including all investment income accruing thereto, shall be retained in individually segregated IIM accounts and shall not be disbursed until the minor attains the age of eighteen years, or the minors' shares, including all investment income, will be placed in a private trust as approved by the Secretary. Should it be determined that the funds are to be invested pursuant to a private trust, minors who will have reached the age of eighteen within six months after the establishment of such trust shall have their funds retained in IIM accounts. If the minors' shares are retained in IIM accounts, upon a minor's reaching the age of eighteen, unless the beneficiary is under a legal disability, the beneficiary shall be entitled to withdraw the per capita share and accrued investment income thereon as provided in 25 CFR 104.3. If a beneficiary is under a legal disability upon attaining the age of eighteen, the per capita share and accrued investment income thereon shall be handled pursuant to 25 CFR 104.5.

"Should any unclaimed or undeliverable per capita shares be restored to either tribe pursuant to the Act of September 22, 1961, 75 Stat. 584, funds representing such shares shall be made available for general tribal purposes.

PROGRAMING ASPECTS—SAN CARLOS APACHE

"The balance of the San Carlos Apache share of the judgment fund principal and its accrued interest shall be used in the following manner:

"a. Ten and one-half (10.5) percent and its accrued interest shall be invested in a permanent irrevocable trust at the highest possible rate of interest and the interest shall be used annually to provide scholarships.

"b. Five (5) percent and its accrued interest shall be used to assist in combating elementary school and high school dropout problems.

"c. Ten (10) percent and its accrued interest shall be used for scholarships to supplement Bureau of Indian Affairs assistance for higher education.

"d. Ten (10) percent and its accrued interest shall be used in a tribal welfare and funeral program designed to supplement State and Bureau of Indian Affairs or other Federal programs.

"e. Forty (40) percent and its accrued interest shall be used in the economic development of the reservation for such purposes at matching funds for Federal programs, assistance to individuals establishing on-reservation businesses, and assistance to individuals seeking Small Business Administration loans.

"f. Ten and one-half (10.5) percent and its accrued interest shall be used to replace horses and heifers of the I.D.T. (tribal) herd.

"g. Eight (8) percent and its accrued interest shall be used to supplement other funds to start a tribally owned utility company.

"h. Six (6) percent and its accrued interest shall be used to supplement other funds to start a tribal construction company and to assist tribal members in making bids for electrical, plumbing or other types of construction work.

"Appropriate guidelines shall be developed by the tribal council to govern the orderly administration and management of each of the foregoing aspects of the 20-percent portion of this plan, which are subject to the approval of the Secretary.

PROGRAMING ASPECTS—WHITE MOUNTAIN APACHE

"Ten (10) percent of the White Mountain Apache share of the judgment fund principal and its accrued interest, as calculated up to and including the effective date of this plan, shall be utilized for recreation facilities and shall be apportioned to the communities of the reservation on the following basis: Cibecue—18 percent, Canyon Day—11 percent, Cedar Creek—6 percent, East Fort—13 percent, Seven Mile—7 percent, N.F., Rainbow Diamond Creek—19 percent, Whiteriver—9 percent, McNary—5 percent, Carrizo—12 percent.

"Each community shall submit to the tribal council a proposal for the expenditure of its share of the funds, including specific information regarding facilities to be constructed or purchased, cost estimates, construction schedules, and the outline of a program for the subsequent use of these facilities. Upon tribal council approval of each community's proposal, and subject to the approval of the Secretary of the Interior, funds will be held on deposit in an IIM account and released as needed to the communities under the monitorship of the tribal business office.

"The remaining ten (10) percent of the White Mountain Apache share of the judgment fund principal and its accrued interest as calculated through the effective date of this plan, plus all interest accruing on the programed twenty (20) percent of the White Mountain Apache share of the award, beginning the day after the effective date of this plan and continuing so long as any part of that 20 percent remains unused shall be expended on the cost of operating a recreation program, including the employment of a recreation director, and for the purchase of buses to be used for the transportation of recreation program participants.

"The recreation director, who shall be employed by the tribal council within three (3) months after the effective date of this plan, shall prepare a detailed budget for the expenditure of this portion of the funds. The recreation budget shall be adopted by the tribal council, made part of the annual tribal budget, and approved by the Secretary of the Interior, prior to implementation of any aspect of the recreation program."

Dated: January 5, 1976.

MORRIS THOMPSON,
Commissioner of Indian Affairs.

[FR Doc.76-951 Filed 1-12-76;8:45 am]

WINNEBAGO INDIANS

Plan for the Use and Distribution of Winnebago Tribe of Nebraska and Winnebago Tribe of Wisconsin Judgment Funds Awarded in Dockets 243, 244, and 245 Before the Indian Claims Commission

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

The Act of October 19, 1973 (P.L. 93-134, 87 Stat. 466), requires that a plan be prepared and submitted to Congress for the use or distribution of funds appropriated to pay a judgment of the Indian Claims Commission or Court of Claims to any Indian tribe. Funds were appropriated by the Act of January 8, 1971, 84 Stat. 1981, in satisfaction of the award granted to the Winnebago Tribe of Nebraska and Winnebago Tribe of Wisconsin in Indian Claims Commission Dockets 243, 244 and 245. The plan for the use and distribution of the funds was submitted to the Congress with a letter dated July 8, 1975, and was received (as recorded in the Congressional Record) by the House of Representatives on July 14, 1975, and by the Senate on July 16, 1975. Neither House of Congress having adopted a resolution disapproving it, the plan became effective on October 30, 1975, as provided by Section 5 of the 1973 Act, supra.

The plan reads as follows:

"The funds appropriated by the Act of January 8, 1971, 84 Stat. 1981, in satisfaction of an award granted to the Winnebago Indians in Dockets 243, 244 and 245 before the Indian Claims Commission, less attorney fees and litigation expenses, shall be used and distributed as herein provided.

"The Winnebago Tribe of Wisconsin and the Winnebago Tribe of Nebraska shall prepare membership rolls current as of the effective date of this plan for the purpose of dividing the judgment funds. The rolls shall be prepared in accordance with procedures established by the respective tribes and approved by the Secretary of the Interior (hereinafter 'Secretary'). Appeals from rejected applicants shall be handled in accordance with 25 CFR 42. The rolls shall contain only the names of persons who were born on or prior to and are living on the effective date of this plan and who meet the requirements for enrollment specified in the respective tribal constitutions. Any person who meets the enrollment criteria of both tribes shall be entitled to be enrolled with only one of the tribes for the purposes of sharing in the judgment funds and must elect the tribe with which he desires to be enrolled. The Secretary, after approval of the rolls so prepared, shall divide the judgment funds, together with all interest and investment income accrued, between the Winnebago Tribe of Wisconsin and the Winnebago Tribe of Nebraska on the basis of respective numbers on the membership rolls brought current to the effective date of this plan.

"The Secretary shall make a per capita distribution of the total share of the Winnebago Tribe of Wisconsin, in a sum as equal as possible, to each eligible member. The Secretary shall make a per capita distribution of sixty-five (65) percent of the share of the Winnebago Tribe of Nebraska, in a sum as equal as possible, to each eligible member, except that the Secretary is authorized to deduct a sum in full or partial payment of any indebtedness on the part of a tribal member to the Winnebago Tribe of Nebraska. The funds so collected shall be deposited in the tribe's trust fund account 14X7334, Proceeds of Labor, Winnebago Indians, Nebraska.

"The remaining thirty-five (35) percent of the tribe's share, shall be invested to implement the following pro-

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grams for the benefits of the members of the Winnebago Tribe of Nebraska:

"Tribal Burial Trust Fund. A Tribal Burial Trust Fund shall be established with the total amount equaling $100 for each tribal member on the tribal roll prepared for this judgment distribution, to a maximum of $300,000, and invested and utilized in accordance with a trust program to be developed by the Tribal Council and approved by the Secretary. The principal shall remain intact and the death benefits shall be made from interest earnings only. A death benefit shall be applied towards the burial needs of a deceased tribal member enrolled as of the effective date of this plan and shall extend to future members. The Tribal Council shall establish, on an annual budgetary basis, the maximum amount of a death benefit.

"Tribal Credit Program. One-third of the remainder of the programing funds, plus all interest accrued on this portion, after deducting the amount to be used for a Tribal Burial Trust Fund, shall be invested for use in a Tribal Credit Program. The Nebraska Winnebago Tribal Council shall develop a plan for a Tribal Credit Program in order to consolidate its credit and financing under one system, and to make loans to tribal members under the procedures developed therein. The Tribal Credit Program plan shall be approved by the Secretary and may be modified at the request of the Tribal Council and approval of the Secretary.

"Tribal Land Acquisition Program. Two-thirds of the remainder of the programing funds, plus all interest accruing on this portion, after deducting the amount to be used for the burial fund, shall be invested for use in a Tribal Land Acquisition Program. The Tribal Council, under the provisions of a Tribal Administrative Operating Procedure for Land Acquisition, shall acquire land for farming and livestock opportunities for tribal members, and to help resolve the problems resulting from fractionated ownership of allotted lands. The Tribal Land Acquisition Program shall be approved by the Secretary and may be modified at the request of the Tribal Council and approval of the Secretary. The lands purchased shall be held in trust by the United States for the Winnebago Tribe of Nebraska.

"Handling Per Capita Shares. The per capita shares of living competent adults shall be paid directly to them. The per capita shares of legal incompetents shall be placed in individual Indian money (IIM) accounts and handled under 25 CFR 104.5. The per capita shares of deceased individual beneficiaries shall be determined and distributed in accordance with 43 CFR, Part 4, Subpart D.

"Minors' per capita shares, until the minors attain the age of 18 years, shall be retained in individually segregated IIM accounts and handled as set out in the next paragraph, unless a private trust for the minors' per capita shares is established, subject to the approval of the tribal governing body and the Secretary. Should it be determined that the funds are to be invested pursuant to a private trust, minors who will have reached the age of 18 years within six months after the establishment of the trust shall have their funds retained in IIM accounts and handled as provided in the next paragraph.

"The per capita share of a minor, including the investment income accruing thereto, in an IIM account shall not be disbursed until the minor reaches 18 years of age. At that time, unless the minors are under legal disability, they shall be entitled to withdraw their judgment funds and accrued investment income as provided in 25 CFR 104.3. If the minors are under legal disability upon reaching their majority, their judgment funds and accrued investment income thereon shall be handled pursuant to 25 CFR 104.5. While a minor is under 18 years of age, the only time a portion of a minor's per capita share and the income accruing thereto may be disbursed from an IIM account is when the minor has health or education needs which cannot be met from any other source. Determination that such a need is present and authorization of payment to meet it shall be made by the Superintendent or Officer in Charge of the Agency office or other local office of the Bureau of Indian Affairs where the minor's IIM account is located. Where payment for a minor's health or education need is so authorized, the Superintendent or Officer in Charge is responsible for approving payment of no more than is required to meet the specific health or education need and seeing that the payment is only used for that purpose."

Dated: December 5, 1975.

MORRIS THOMPSON,
Commissioner of Indian Affairs.

[FR Doc.76-952 Filed 1-12-76;8:45 am]

Bureau of Land Management

[INT DES 76-2]

COLORADO

Availability of Draft Environmental Statement

The draft environmental statement for the proposed construction and operation of water treatment facilities by the Denver Water Board in Douglas and Jefferson Counties, Colorado, will be available to the public early in January 1976.

The Bureau of Land Management invites your written comments on or before February 27, 1976.

A limited number of copies are available upon request to Dale Andrus, State Director, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202.

Public reading copies will be available for review at the following locations:

BUREAU OF LAND MANAGEMENT OFFICES

Public Affairs Office, Bureau of Land Management, 18th and E Streets NW., Washington, D.C. 20240.

Colorado State Office, Bureau of Land Management, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202.

Canon City District Office, Bureau of Land Management, 3080 East Maint Street, Canon City, Colorado 81212.

Northeast Resource Area Headquarters, Bureau of Land Management, 1010 Tenth Street, Golden, Colorado 80401.

COUNTY COURTHOUSES

Arapahoe County Courthouse, 2069 W. Littleton Blvd., Littleton, Colorado 80120.

Douglas County Courthouse, Court House, Castle Rock, Colorado 80104.

Jefferson County Courthouse, 1700 Arapahoe Street, Golden, Colorado 80401.

PUBLIC LIBRARIES

Denver Public Library, 1357 Broadway, Denver, Colorado 80203.

Written comments or statements should be submitted to the State Director, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202.

Notice is also given that a public hearing on the draft environmental statement will be held at:

Plymouth Congregational Church, 3501 South Colorado Boulevard, Denver, Colorado. 9 AM on February 19, 1976.

Oral testimony of ten minutes maximum duration will be accepted from each witness at the hearing in lieu of written comments or in addition to any written comments submitted by such witness. The ten minute time limitation will be strictly enforced. Complete text of prepared speeches may be filed with the presiding officer at the hearing whether or not the speaker has been able to finish with oral delivery in the allotted ten minutes.

Written requests to testify orally should be received by the Colorado State Director, Bureau of Land Management, at the above address prior to close of business on February 16, 1976. Request should be signed by the prospective witness, and should state the approximate time preference for giving oral testimony. The cut-off date is necessary so that a witness list can be made available on the day before the public hearing.

Speakers will be heard, if present, in their established order of precedence. After the last listed witness present has been heard, the presiding officer will consider the request of any other person present and wishing to testify. The presiding officer may continue the hearing into a subsequent session the following day if necessary to hear all prospective witnesses. Only one witness will be allowed to represent the viewpoints of a single organization. However, any witness will be permitted to give germane testimony if offered as the views or opinion of a private citizen.

Dated: January 9, 1976.

STANLEY D. DOREMUS,
Deputy Assistant Secretary of the Interior.

[FR Doc.76-1065 Filed 1-12-76;8:45 am]

[NM 27218, 27219 and 27220]

NEW MEXICO

Applications

JANUARY 6, 1976.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for three 4½ inch natural gas pipeline rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN,
NEW MEXICO

T. 24 N., R. 6 W.,
Sec. 24, NE¼SE¼.
T. 31 N., R. 10 W.,
Sec. 10, lot 12;
Sec. 18, lots 5, 6 and 7.

These pipelines will convey natural gas across .654 of a mile of national resource lands in Rio Arriba and San Juan Counties, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the applications should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, NE, Albuquerque, NM 87107.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.76-982 Filed 1-12-76;8:45 am]

[Utah-31810]

UTAH

Application

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the CC Company has applied for a gas pipeline right-of-way across the following lands:

SALT LAKE MERIDIAN

T. 21 S., R. 23 E.,
Sec. 11.

The 2⅜" gas pipeline will convey gas from the CCCo-Adak 11-1A oil well to the Vukosovich #22 well.

The purpose of this notice is to inform the public that the Bureau will be proceeding with the preparation of environmental and other analyses necessary for determining whether the application should be approved, and if so, under what terms and conditions.

Interested persons should express their interest and views to the Moab District Manager, Bureau of Land Management, P.O. Box 970, Moab, Utah 84532.

WILLIAM G. LEAVELL,
Associate State Director.

DECEMBER 31, 1975.

[FR Doc.76-983 Filed 1-12-76;8:45 am]

Geological Survey

GEOTHERMAL RESOURCES AREA

Fly Ranch Northeast, Nevada

Pursuant to the authority vested in the Secretary of the Interior by Sec. 21(a) of the Geothermal Steam Act of 1970 (84 Stat. 1566, 1572; 30 U.S.C. 1020), and delegations of authority in 220 Departmental Manual 4.1H, Geological Survey Manual 220.2.3, and Conservation Division Supplement (Geological Survey Manual) 220.2.1 G, the following described lands are hereby defined as a known geothermal resources area effective August 1, 1974.

(28) NEVADA

FLY RANCH NORTHEAST KNOWN GEOTHERMAL RESOURCES AREA, MT. DIABLO MERIDIAN, NEVADA

T. 35 N., R. 24 E.
Secs. 21 through 28;
Secs. 33 through 36.

The area described aggregates 7,680 acres, more or less.

Dated: December 5, 1975.

HILLARY A. ODEN,
Acting Conservation Manager, Western Region.

[FR Doc.76-953 Filed 1-12-76;8:45 am]

National Park Service

ROCKY MOUNTAIN NATIONAL PARK, SHADOW MOUNTAIN NATIONAL RECREATION AREA, COLORADO

Designation of Snowmobile Areas and Routes

On February 14, 1975, a notice was published in the FEDERAL REGISTER (40 FR 6797) proposing to designate areas and routes for snowmobile use within the Rocky Mountain National Park and the Shadow Mountain National Recreation Area.

Interested persons were invited to submit views and comments on the proposal and a public meeting coordinated by the Grand Lake Area Chamber of Commerce was held on April 21, 1975. A total of twenty (20) letters were received concerning the proposal. Twelve (12) letters were opposed to any snowmobiling in the national park, six (6) were opposed to any expansion of existing routes in the park, one (1) asked for a rerouting of the trail near the Columbine Subdivision, and the Grand Lake County Commissioner suggested two (2) additions to existing trails. The public meeting included representatives from the National Park Service, U.S. Forest Service, Grand County governmental officials, the Grand Lake Area Chamber of Commerce, the press, and members of the general public.

As a result of comments received, the proposed designation is adopted with the following change. An additional off-road snowmobile route called "Bowen Gulch Access Trail" is also designated, to provide snowmobile operators access into the Arapaho National Forest. The criteria contained in sections 3 and 4 of Executive Order 11644 (37 FR 2877) have been carefully considered, as have factors such as other visitor uses, safety, wildlife management, noise, erosion, geography, weather, vegetation, resource protection, and other management considerations. A map detailing the areas and routes designated is available at the Office of the Superintendent. An environmental assessment has also been prepared and is available at the same location.

The following areas and routes are designated for snowmobile use within the Rocky Mountain National Park and the Shadow Mountain National Recreation Area, effective February 12, 1976.

A. Green Ridge Snowmobile Trail.

This route departs from the plowed road at a point 500 feet north of the pumping plant maintained by the Bureau of Reclamation on the north shore of Lake Granby. Route proceeds east 200 feet to the shoreline, and continues in an easterly direction over the frozen lake surface for approximately ¾ mile, passing around the north end of Rainbow Island, where the route turns south toward Shelter Island, paralleling the shoreline of Green Ridge. Approximately ½ mile from the north end of Rainbow Island, the route turns east across a point of land, crosses the ice across Hidden Cove and up onto the peninsula of Green Ridge.

The trail splits into a two-loop system. The northern loop, proceeding clockwise, runs generally north for a mile, east for ½ mile toward the summit of Green Ridge—reaching its highest elevation at approximately 8,900 feet, before turning south and following an intermittent drainage back to the frozen lake surface of 8,280 feet elevation, normal pool level.

The southern trail loop, proceeds clockwise (easterly) up the same intermittent drainage for approximately ½ mile, continues east to the 8,700 foot elevation of Green Ridge, turns south to follow a meadow and the Granby shoreline for approximately one mile to Hidden Cove.

Approximately two miles of this route is in lodgepole pine forest on Green Ridge, following former logging roads. Another two miles of trail crosses meadows and clearings. The initial 1½ miles is over the frozen lake surface. The National Park Service regulates the opening and closing dates for public use of this trail by snowmobiles, as dictated by a sufficent thickness of ice for safe use. Elsewhere on the Federal lands of Shadow Mountain National Recreation Area, snowmobile operation is permitted in the draw-down zone of the reservoirs, below the high water mark. Operation of snowmobiles on the adjacent frozen lake surface is permitted after the ice is of sufficient thickness to assure safe operation, which date shall be established by the National Park Service and may be obtained by telephoning 627-3471.

B. Summerland Park Snowmobile Trail.

This route lies in Sections 32 and 33, Township 4 North, Range 75 West. This route is a continuation of the public road maintained by the town of Grand Lake.

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as a service road to the town's water system. Snowmobiles proceeding up that road reach the boundary of Rocky Mountain National Park approximately 1,000 feet off route 278 and ½ mile from the center of the town of Grand Lake.

The route enters the National Park, turns east across Tonahutu Creek, generally following the boundary between Park and private land for approximately ¾ mile, before turning northeasterly into the Park for another ½ mile. The snowmobile route terminates near the end of the motor vehicle road serving a summer residence on a privately owned inholding.

C. Supply Creek Access Snowmobile Trail.

This route provides snowmobile users the opportunity to proceed from the town of Grand Lake (and other points on private land adjacent to Rocky Mountain National Park), and by crossing the corner of the Park for 1.5 miles in Section 31, Township 4 North, Range 76 West, to gain access to a system of logging roads in Arapaho National Forest—particularly the "Supply Creek Trail".

The snowmobile trail enters the Park northwest of the town of Grand Lake, follows an abandoned road for approximately .3 mile through lodgepole pine forest and crosses Trail Ridge Road (Route 34) at the Park boundary. The trail turns northwest across a meadow on the west side of Route 34, enters a forest of lodgepole pine and crosses the county maintained road to Winding River Ranch, at a point approximately 300 feet inside the Park boundary. From that point, the trail runs north, following an abandoned powerline right-of-way, for .6 mile to a point of intersection with another county road along the Park boundary.

D. Trail Ridge Road.

The 7.7 mile portion of Trail Ridge Road, between Timber Creek Campground and the Lake Irene picnic area, is designated as a snowmobile trail. This road above Timber Creek Campground is not plowed during the winter months. The snowmobile route terminates short of Poudre Lakes and Milner Pass, to prevent disturbance to the bighorn sheep wintering in that area.

E. Bowen Gulch Access Trail.

The trail begins at the gate barring public vehicular travel into Youth Conservation Corps Camp Kawuneeche, and proceeds for .4 mile in a southwesterly direction, along a former roadway, to the boundary between Rocky Mountain National Park and Arapaho National Forest. This route provides snowmobile operators the opportunity to depart from Trail Ridge Road, at a junction 6.5 miles north of the Park's Grand Lake Entrance Station, and proceed west into the National Forest, where a network of former logging roads, including the Bowen Gulch trail (jeep), is open to snowmobile travel. The access route within the Park is located in the northwest corner of Section 36, Township 5 North, Range 76 West.

ROGER J. CONTOR,
Superintendent, Rocky Mountain National Park and Shadow Mountain National Rec. Area.

[FR Doc.76-964 Filed 1-12-76;8:45 am]

Office of the Secretary

[INT FES 76-1]

AVAILABILITY OF FINAL ENVIRONMENTAL STATEMENT

Use of Steel Shot for Hunting Waterfowl in the United States

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, Public Law 91-190, the Department of the Interior has prepared a final environmental statement for the proposed Use of Steel Shot for Hunting Waterfowl in the United States.

Proposal recommends that in hunting ducks, geese, and swans (Anatidae), and coots (Fulica americana), shot shells loaded with steel or other approved pellets be required in the United States beginning in the years 1976 through 1978 in different flyways.

Copies of the final statement are available for inspection at the following locations:

U.S. Fish and Wildlife Service Regional Office at—

1500 N.E. Irving Street, Portland, Oregon 97208.
517 Gold Avenue, S.W., Albuquerque, New Mexico 87103.
Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.
17 Executive Park Drive, N.E., Atlanta, Georgia 30329.
U.S. Post Office and Courthouse, Boston, Massachusetts 02109.
Denver Federal Center, Denver, Colorado 80225.
U.S. Fish and Wildlife Service, Division of Ecological Services, Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

Single copies may be obtained by writing the Chief, Division of Ecological Services, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Comments concerning the proposed action should also be addressed to the Chief, Division of Ecological Services. Please refer to the statement number above.

Dated: January 7, 1976.

STANLEY D. DOREMUS,
Deputy Assistant Secretary, Program Development and Budget.

[FR Doc.76-953 Filed 1-12-76;8:45 am]

DEPARTMENT OF AGRICULTURE

EXTENSION SERVICE

Organization, Functions, and Availability of Information

Pursuant to 5 U.S.C. 552 and the authority of the Administrator, Extension Service, appearing at 7 CFR 2.59, notice is hereby given for the guidance of the general public as to the organization, functions and availability of information of Extension Service. This notice is issued in accordance with the regulations of the Secretary of Agriculture at 7 CFR 1.1-1.16 (including Appendix A), implementing the Freedom of Information Act (5 U.S.C. 552). The Secretary's regulations, as supplemented by this notice, govern the availability of records of Extension Service to the public. This notice supersedes the previous notice at 38 FR 14950 (1973).

ORGANIZATION AND FUNCTIONS

Section 1. *General.* The Smith-Lever Act of 1914 provided for Cooperative Extension Work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto, and the United States Department of Agriculture. Following are the authorities delegated to the Administrator of the Extension Service:

1. Administer the Smith-Lever Act, as amended (7 U.S.C. 341-349).

2. Conduct educational and demonstration work under the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621-1627).

3. Conduct educational and demonstration work in the cooperative farm forestry program conducted under Section 5 of the Act of June 7, 1924, as amended (16 U.S.C. 563).

4. Provide educational and technical assistance to persons not receiving financial assistance under title 5 of the Housing Act of 1949 (42 U.S.C. 1476).

5. Administer sections 109-111 of the District of Columbia Public Education Act, as amended, relating to cooperative extension programs in the District of Columbia (D.C. Code. Sec. 31-1609-1611).

6. Authorize the use of the 4-H Club name and emblem (18 U.S.C. 707).

7. Act as the liaison between the Department and officials of the land-grant colleges and universities on all matters relating to cooperative extension work and educational activities relating thereto.

8. Provide educational leadership for the Department's farm safety educational program.

9. Serve as a focal point for the Department in contacts and working relationships with national town-country church leaders and denominational and interdenominational church organizations.

10. Provide leadership and direct assistance to the Cooperative Extension Service in planning, conducting, and evaluating extension programs with Indians under the memorandum of agreement with the Bureau of Indian Affairs dated May 1956.

11. Administer Information and educational services, essential to carrying out preemergency and emergency USDA defense operations through the Cooperative Extension Service.

12. Exercise responsibilities of the Secretary under regulations dealing with Equal Employment Opportunity in the Cooperative Extension Service.

13. Provide educational support of resource development programs in rural areas and cooperate with other Federal and State agencies, private organizations and groups in providing information concerning assistance available for resource development programs.

14. Represent the Department in dealings with international organizations and foreign countries on matters related to Extension education methods, programs and organizations.

15. Administer extension programs under Title V of the Rural Development Act of 1972 (P. L. 92-419) (7 U.S.C. 2661-2668).

Section 2. *Organization.* The Extension Service is the educational agency of the U.S. Department of Agriculture and serves as the national office for the U.S. Cooperative Extension Service System. Extension Service is located in the South Building of the Department of Agriculture, 14th Street and Independence Avenue, Washington, D.C. The organization consists of the following:

Administrator
Associate Administrator
Information Services Staff
Deputy Administrator—Operations
Civil Rights Staff
Management Operations Staff
Personnel Staff
Relations
Deputy Administrator, Program and Staff Development
Program Analysis & Evaluation Staff
Program Development Technology & Review Staff
Staff Development Staff
Assistant Administrator, International Extension
Assistant Administrator, Agriculture & Natural Resources
Assistant Administrator 4-H Youth
Assistant Administrator, Home Economics
Assistant Administrator, Rural Development

AVAILABILITY OF INFORMATION

Section 3. *General.* These regulations are established in Extension Service, USDA, in accordance with the regulations of the Secretary of Agriculture at 7 CFR 1.1-1.16, and Appendix A, Implementing the Freedom of Information Act (5 U.S.C. 552). The Secretary's regulations as implemented by the regulations in this notice govern the availability of records of Extension Service to the public.

Section 4. *Public Inspection and Copying.* 5 U.S.C. 552(a)(2) requires that certain materials be made available for public inspection and copying, and that a current index of these materials be published quarterly or otherwise made available. Members of the public may request access to such materials maintained by Extension Service at the office of the Director of Information Services Staff, Room 5048-S, 14th Street and Independence Avenue, Washington, D.C., between the hours of 8:15 a.m. and 4:45 p.m., Monday through Friday of each week.

Section 4(a). The Extension Service in cooperation with the USDA Office of Communications publishes annually an "Annual Inventory of Available USDA Popular Publications." The primary purpose of this publication, including the monthly supplements is for the use of the State and County Extension Offices in ordering USDA publications. Any of the publications listed in this Annual Inventory may be obtained free of charge by writing: Distribution Section, Management Operations Staff, Extension Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Section 4(b). At the beginning of each fiscal year, Extension Service prepares an Inventory of all ES Reports. This Inventory includes ES Internal Reports, ES Public Reports, USDA Internal Reports, and Interagency Reports. Any of these reports may be obtained by writing: Reports and Analysis Branch, Management Operations Staff, Extension Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Section 5. *Requests for Records.* Requests for records under 5 U.S.C. 552(a)(3) shall be made in accordance with 7 CFR 1.3(a) and addressed to Director of Information Service Staff, Extension Service, USDA, Washington, D.C. 20250. The Director of Information Service Staff is hereby delegated authority to make determinations regarding such requests in accordance with 7 CFR 1.4(c).

Section 6. *Appeals.* Any person whose request under Section 5 above is denied shall have the right to appeal such denial. This appeal shall be addressed to: Administrator, Extension Service, USDA, Room 5039-S, Washington, D.C. 20250.

Issued at Washington, D.C., this 7th day of January, 1976.

EDWIN L. KIRBY,
Administrator, Extension Service.

[FR Doc.76-960 Filed 1-12-76;8:45 am]

Forest Service

BOISE NATIONAL FOREST GRAZING ADVISORY BOARD

Notice of Meeting

The Boise National Forest Grazing Advisory Board will meet at 1:30 P.M., February 17, 1976, at the Boise National Forest Supervisor's Office, 1075 Park Boulevard, Boise, Idaho.

The purpose of the meeting is to explain the purpose and function of the Advisory Board, review of and suggestions for revising the constitution and by-laws, to comment on the revision of the 2200 Range Management section of the Forest Service Manual, and to explain briefly Forest Service appeal procedures.

The meeting will be open to the public. Persons who wish to attend should notify Mr. Tom Nicholson, President, Boise National Forest Grazing Advisory Board, 10322 Estate Drive, Boise, Idaho 83705. Telephone: Area Code 208-375-5255. Written statements may be filed with the committee before or after the meeting.

Dated: January 6, 1976.

WILLIAM P. GEE,
Acting Forest Supervisor.

[FR Doc.76-980 Filed 1-12-76;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

[Order No. 41-1]

ORGANIZATION AND FUNCTION ORDER

Office of the Assistant Secretary for Domestic and International Business

This order effective December 15, 1975 supersedes the material appearing at 40 FR 12696 of March 20, 1975 and 40 FR 48539 of October 16, 1975.

SECTION 1. PURPOSE

.01 This order prescribes the scope of authority and functions of the organizations making up the Office of the Assistant Secretary for Domestic and International Business.

.02 This revision incorporates the provisions of a prior amendment and reflects the transfer of the Office of Field Operations from the immediate Office of the Assistant Secretary for DIB. (See DIBA Organization and Function Order 48-1.)

SECTION 2. ORGANIZATION

The Office of the Assistant Secretary for Domestic and International Business will consist of the following:

The Deputy Assistant Secretary for Domestic and International Business.
Congressional Relations Staff
Office of Public Affairs
Directorate of Administrative Management

SECTION 3. THE DEPUTY ASSISTANT SECRETARY FOR DOMESTIC AND INTERNATIONAL BUSINESS

The *Deputy Assistant Secretary for Domestic and International Business* shall perform such duties as the Assistant Secretary shall assign; shall carry out the Assistant Secretary's responsibilities in connection with the Defense Production Act of 1950 as amended and extended; shall be the principal assistant and advisor to the Assistant Secretary on public affairs, and administrative matters; shall direct the activities of the Office of Public Affairs and the Directorate of Administrative Management; and shall assume the duties of the Assistant Secretary during the latter's absence.

.01 In addition the following specific authorities delegated to the Assistant Secretary for Domestic and International Business by the Secretary of Commerce are hereby delegated to the Deputy Assistant Secretary for Domestic and International Business:

a. The Defense Production Act of 1950, as amended, (50 U.S.C. App. 2061, et

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seq.) conferred on the Secretary under Executive Order 10480, dated August 14, 1953, as amended, except authority with respect to transportation facilities and the creation of new agencies within the Department of Commerce;

b. Executive Order 11490 of October 28, 1969, as it relates to the development of national emergency preparedness plans and programs concerning production functions;

c. The National Security Act of 1947 (50 U.S.C. 401 et seq.) as amended, as it relates to mobilization preparedness responsibilities assigned thereunder;

d. The Strategic and Critical Materials Stockpiling Act, (50 U.S.C. 98–98h), as amended, with respect to the acquisition of stocks of materials for defense purposes;

e. Executive Order 11179 of September 22, 1964, with respect to the establishment and training of the National Defense Executive Reserve; and

f. Executive Order 10421 of December 31, 1952, providing for the physical security of facilities important to the national defense.

.02 For the purpose of the authorities delegated in Section .01 a.–f. above, the Deputy Assistant Secretary for Domestic Commerce shall report to the Deputy Assistant Secretary for Domestic and International Business, and shall serve as his deputy and act in his absence.

.03 The Deputy Assistant Secretary for Domestic and International Business may exercise other authorities of the Assistant Secretary in the direction of the Office of Public Affairs, and the Directorate of Administrative Management. (The organization and functions of DAM are contained in DIBA Organization and Function Order 42–1.)

.04 The Director, Congressional Relations Staff, will report to the Deputy Assistant Secretary for Domestic and International Business and will be responsible for coordinating congressional matters within DIBA and serving as DIBA liaison with the Department's Office of Congressional Affairs and for performing functions as prescribed by DIBA Administrative Instruction 1–2, "Congressional Relations".

.05 The Deputy Assistant Secretary for Domestic and International Business may redelegate his authority subject to such conditions in the exercise of such authority as he may prescribe.

SECTION 4. THE OFFICE OF PUBLIC AFFAIRS

.01 The *Office of Public Affairs* shall be headed by a *Director* who shall report and be responsible to the Deputy Assistant Secretary for Domestic and International Business. The Director will be responsible for furnishing public affairs and information services to the Domestic and International Business Administration organization units and will head the following organizational components:

.02 The *Public Information Division* shall develop long-range plans, programs and goals; develop, prepare, clear and release press releases; develop graphic presentations, scripts and record material for distribution; draft speeches and public statements; develop speaking forums for DIBA officials designed to support Departmental and Administration objectives; perform editorial services including research and editorial assistance in the preparation and publication of technical articles; and maintain mailing lists, biographical data, business information and other reference material.

.03 The *Communication Services Division* shall assist in the development of Domestic and International Business Administration publications including gathering of material, writing, and preparation for printing; promote DIBA publications; prepare and arrange for placement of display and advertising for DIBA promotional events in the U.S. and abroad; maintain liaison with the Department's Office of Publications and the Government Printing Office and with other Government agencies concerned with DIBA reports and publications.

SECTION 5. ADMINISTRATIVE SUPPORT SERVICES

Pursuant to DIBA Organization and Function Order 42–1 the Directorate of Administrative Management, Domestic and International Business Administration shall provide management, budget, personnel, travel, and administrative services to all elements of the Office of the Assistant Secretary for Domestic and International Business.

SECTION 6. EFFECT ON OTHER ISSUANCES

This order supersedes DIBA Organization and Function Order 41–1 of March 6, 1975, as amended.

Effective: December 15, 1975.

TRAVIS E. REED,
Assistant Secretary for Domestic and International Business.

[FR Doc.76–981 Filed 1–12–76;8:45 am]

National Oceanic and Atmospheric Administration

MARINE MAMMAL PROTECTION ACT

Receipt of Recommended Decision on Fouke Application To Waive the Moratorium, MMPAH #1, 1975

A notice published on December 31, 1975 in the FEDERAL REGISTER (40 FR 60105) announced that public comments would be received by the Director, National Marine Fisheries Service regarding a recommended decision to import fur sealskins from South Africa, until January 19, 1976.

The notice is hereby amended. Public comments will be received by the Director through January 20, 1976.

Dated: January 8, 1976.

JACK W. GEHRINGER,
Deputy Director, National Marine Fisheries Service.

[FR Doc.76–961 Filed 1–12–76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health Administration

ADVISORY COMMITTEE

Meeting; Correction

In FR Doc. 75–33771 appearing at page 58332 in the issue of Tuesday, December 16, 1975, the open portion of the Experimental and Special Training Review Committee Meeting should be changed from 9:00–9:30 a.m., January 14 to 1:30–2:00 p.m., January 14.

Dated: January 9, 1976.

DAVID F. KEFAUVER,
Assistant Administrator for Extramural Programs, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc.76–1078 Filed 1–12–76;8:45 am]

Center for Disease Control

OCCUPATIONAL SAFETY AND HEALTH

Request for Information on Certain Chemical Agents

Correction

In FR Doc. 76–16 appearing on page 802 in the issue for Monday, January 5, 1976, make the following corrections:

1. In the 14th line of the first paragraph, the word "th" should read "the".
2. In the list of chemical agents, "cloroprene" should read "chloroprene".

PRIVACY ACT OF 1974

Systems of Records and Notice of Proposed Routine Uses Therefor

Correction

In FR Doc. 75–34956 appearing at page 1182 of the issue for Tuesday, January 6, 1976, the text of the preamble contained a number of typographical errors. For the convenience of readers, the preamble is reprinted in full below:

Pursuant to the Privacy Act of 1974 (Pub. L. 93–579) as prescribed in 5 U.S.C. 552a(e)(4), the following notice of systems of records that are maintained by the Department of Health, Education, and Welfare is published as set forth below. Any omissions due to oversight will be published at a later date.

Prior to the final adoption of the proposed routine uses for new or corrected notices, consideration in accordance with the requirements of 5 U.S.C. 552a (e)(11) will be given to comments which are submitted in writing on or before February 4, 1976.

Comments should be addressed to the Director, Fair Information Practice Staff, Department of Health, Education, and Welfare, 330 Independence Ave. SW., Washington, D.C. 20201. Comments received will be available for inspection in Room 4513, at the above address.

The following listing includes notices of systems of records which were inadvertently omitted from the groups of notices published on August 27, 1975, Part II, Section I, pp. 38391–38683; September 22, 1975, Part IV, pp. 43700–43711 and October 1, 1975, Part III, pp. 45348–45415. In addition, it includes a number of corrections to notices previously published. In the corrected notices additional routine uses can be ascertained by comparing the routine uses of the corrected notices with those previously published in the FEDERAL REGISTER issues cited above.

Pursuant to the Privacy Act of 1974, Pub. L. 93–579, the Department of Health, Education, and Welfare published for public comment notices of systems of records including routine uses as described above. Interested persons were given 30 days to submit written comments or suggestions concerning the system notices and their routine uses. No public comment was received with respect to these system notices and routine uses, therefore except where modified by this submission, these notices of systems of records, including their routine uses, are adopted.

The Department, at the recommendation of the Office of Management and Budget, published on October 24, 1975, Part III, page 49886, a routine use which may be used for disclosure in response to congressional inquiries for all of the Department's systems of records. Five public comments were received on this proposed routine use—one was not relevant and the other four requested that additional organizations other than Congress should be given the same routine use treatment. The Privacy Act, however, does not allow this additional latitude, therefore, the special congressional routine use is adopted as published in the FEDERAL REGISTER.

Dated: December 19, 1975.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

PRIVACY ACT OF 1974

Systems of Records and Notice of Proposed Routine Uses Therefor

Correction

In FR Doc.75–35752, appearing at page 1405 of the issue for Wednesday, January 7, 1976, the preamble contained a number of typographical errors. For the convenience of readers, the full text of the preamble is reprinted below. In addition, the file line of the document was inadvertently omitted: It should read as follows: [FR Doc. 75–35752 Filed 12–31–75; 2:45 p.m.].

Pursuant to the Privacy Act of 1974 (Pub. L. 93–579) as prescribed in 5 U.S.C. 552a(e)(4), the following notice of systems of records that are maintained by the Department of Health, Education, and Welfare is published as set forth below. Any omissions due to oversight will be published at a later date.

Prior to the final adoption of the proposed routine uses for new or corrected notices, consideration in accordance with the requirements of 5 U.S.C. 552a(e)(11) will be given to comments which are submitted in writing on or before February 5, 1976.

Comments should be addressed to the Director, Fair Information Practice Staff, Department of Health, Education, and Welfare, 330 Independence Ave. SW., Washington, D.C. 20201. Comments received will be available for inspection in Room 4513, at the above address.

The following listing includes notices of systems of records which were inadvertently omitted from the groups of notice published on August 27, 1975, Part II, Section I, pp. 38391–38683; September 22, 1975, Part IV, pp. 43700–43711 and October 1, 1975, Part III, pp. 45348–45415. In addition, it includes a number of corrections to notices previously published. In the corrected notices additional routine uses can be ascertained by comparing the routine uses of the corrected notices with those previously published in the FEDERAL REGISTER.

Dated: December 22, 1975.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

Office of the Secretary

REVIEW PANEL ON NEW DRUG REGULATION

Meeting

Notice is hereby given, pursuant to Pub. L. 92–463, that the Review Panel on New Drug Regulation, established pursuant to 42 USC 217 a. by the Secretary of Health, Educaiton, and Welfare, on February 21, 1975, will meet on Monday, February 2, 1976, at 9:15 a.m. and Tuesday, February 3, 1976, at 8:30 a.m. in Room 5051 of the Department of Health, Education and Welfare's North Building, 330 Independence Avenue, SW., Washington, D.C. The Review Panel will consider matters pertaining to its study of existing policies and procedures for the regulation of new drugs by the Food and Drug Administration. The meeting is open to the public.

Further information on the Review Panel may be obtained from Dr. Lionel M. Bernstein, Executive Secretary, Review Panel on New Drug Regulation, Room 4617, HEW North Building, 330 Independence Avenue, SW., Washington, D.C. 20201, telephone (202) 245–7510.

LIONEL M. BERNSTEIN, M.D.,
Executive Secretary, Review Panel on New Drug Regulation.

JANUARY 6, 1976.

[FR Doc.76–1000 Filed 1–12–76;8:45 am]

Social and Rehabilitation Service

PUBLIC SERVICES ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

Part 5 of the Statement of Organization, Functions, and Delegations of Authority for the Department of Heatlh, Education, and Welfare, Social and Rehabilitation Service (34 FR 1279, January 25, 1969, as amended) is hereby further amended to reflect the change in name of the Community Services Administration to the Public Services Administration. For such purposes, section 5.20 is amended as follows:

By striking out the name "Community Services Administration" from the heading of the bureau's functional statements and wherever it appears within the statements and inserting in lieu thereof the name "Public Services Administration".

Dated: November 3, 1975.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.76–1001 Filed 1–12–76;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 27506; Order 76–1–25]

BALTIMORE-NORFOLK SERVICE CASE

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 8th day of January, 1976.

By a motion filed November 3, 1975, Allegheny Airlines, requests that the Board issue an order directing all interested persons to show cause why Allegheny's application for a certificate amendment at issue in the *Baltimore-Norfolk Service Case*, Docket 27506[1] should not be granted without a hearing. Allegheny's motion was precipitated by Piedmont Aviation's filing of a motion to withdraw its application in said case, thus leaving Allegheny as the sole applicant.[2]

In support of its motion for a show cause order, Allegheny states that the Baltimore-Norfolk market is a relatively short-haul, 193-mile market in which there are two carriers (National and United) certificated to provide nonstop service. In 1969, this market generated 63,000 on-line and 41,000 O&D passengers, or 173 and 112 passengers per day, respectively.[3] Allegheny alleges that since

[1] The *Baltimore-Norfolk Service Case* was instituted by the Board in Order 75–7–22, July 3, 1975. Therein, the Board specifically placed in issue whether the grant of any authority should be mandatory or permissive and whether the certificates of the incumbent carriers, United and National, should be restricted to preclude nonstop service.

[2] The prehearing conference has been held and the information responses and direct exhibits have been submitted. In its motion to withdraw, Piedmont stated that it had no objection to the grant of Allegheny's application so long as the Board imposes a condition prohibiting Allegheny from providing single-plane service between Norfolk and New York via Baltimore. Since the instant motion was filed before the due date for rebuttal exhibits, the Judge suspended all further hearing steps pending final action on Allegheny's motion.

[3] Allegheny states that as recently as 1971 there were as many as six (6) daily nonstop flights between Baltimore and Norfolk with three (3) additional one-stop services.

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1970–1971, the history of certificated air service in the Baltimore-Norfolk market has been a dismal one with United totally abandoning its service in 1973 and National (1971–1973) basically operating only one nonstop round trip in the market. Finally, in May of 1975, National ceased to provide any single-plane service, thus relegating the Baltimore-Norfolk passengers to connecting service.

In addition, Allegheny states that if its application is granted, it proposes to operate two daily round trips between Baltimore and Norfolk with one flight continuing on to Pittsburgh and the other flight to Indianapolis and beyond St. Louis. In terms of passenger benefits, Allegheny estimates that its services will convenience nearly 63,000 passengers in the first full year of service; that diversion from any other carrier will be minimal; and that the new nonstop service will produce an operating profit in the first year of $238,000. Finally, Allegheny states that it takes no position on the issue of decertification regarding National and United, *i.e.*, imposing a nonstop prohibition. However, Allegheny requests that because two carriers already hold nonstop authority which is permissive, any authority awarded to it should also be permissive to prevent a situation where it was compelled to operate unneeded and uneconomic services in the event that either National or United were to resume service.

Subsequently, National, United, the Norfolk, Indianapolis, and Maryland Parties filed answers suporting Allegheny's motion for show cause. Both National and United support Allegheny's motion so long as their authority is not modified or restricted.[4] National also states that the Board should impose a single-plane restriction on any authority granted to Allegheny in the Norfolk-New York market via Baltimore and that Allegheny has stated that it is willing to accept such a restriction.

Upon consideration of Allegheny's motion and all the relevant facts, we tentatively conclude that the public convenience and necessity require grant of Allegheny's application for certificate amendment in Docket 27506 so as to authorize Allegheny to operate nonstop Baltimore-Norfolk service.[5] The authority proposed to be granted herein will be ineligible for subsidy. In support of our tentative conclusions, we tentatively find that amendment of Allegheny's certificate, as requested, will afford that carrier an oportunity to provide needed nonstop service in a market which has had its nonstop services discontinued by the incumbent carriers, National and United. As stated in its motion, Allegheny's proposed services will convenience some 63,000 passengers while earning an operating profit of $283,000 in its first year of operation.

In addition, we have tentatively concluded not to impose any conditions on the authority of National and United between Baltimore and Norfolk. No party to this proceeding is requesting such a restriction and it is our view that restrictions should not be imposed absent an affirmative showing requiring their imposition.[6] Conversely, we have tentatively decided to impose a restriction against single-plane service on Allegheny's authority in the Norfolk-New York market via Baltimore. Both National and Piedmont have waived their objections to Allegheny's motion on the basis that this restriction would be imposed and Allegheny has agreed thereto. Finally, we have tentatively decided that Allegheny's authority to serve the Baltimore-Norfolk market should be permissive. In light of the fact that United's and National's authority have not been restricted herein and the fact that their authority is permissive, we do not believe it would be appropriate that Allegheny should be the only carrier in the market with a mandatory service obligation. This conclusion is especially true when considering the possibility that either National or United, or both, could resume service some time in the future creating a situation where Allegheny would be required to provide service in the market irrespective of need or profitability.

Interested persons will be given thirty days following the date of adoption of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to support their objections, if any, with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis. If an evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he would expect to establish through such a hearing that cannot be established in written pleadings. General, vague, or unsupported objections will not be entertained.

Accordingly, *it is ordered*, That: 1. All interested parties are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein, amending Condition 4 of Allegheny's certificate for route 97 to (1) delete the one-stop restriction between Baltimore and Norfolk and (2) impose the following restriction in the New York-Norfolk market:

City pair	Stop restriction	Other restriction
New York-Norfolk..	1-stop.....	No single-plane service via Baltimore.

2. Any interested person having objection to the issuance of an order making final the proposed findings or conclusions set forth herein shall, within 30 days after the date of adoption of this order, file with the Board and serve upon all persons listed in paragraph 5, a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections; [7]

3. If timely and properly supported objections are filed, full consideration will be accorded the matters and issues raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein, including termination of the hearing set in Order 75–7–22; and

5. A copy of this order shall be served upon Allegheny Airlines, Inc.; Piedmont Aviation, Inc.; National Airlines, Inc.; United Air Lines, Inc.; the Norfolk Port and Industrial Authority; the Indianapolis Airport Authority; the State of Maryland; and the Cities of St. Louis and Boston.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76–1010 Filed 1–12–76;8:45 am]

[Dockets 25953, 22322]

FEDERAL EXPRESS CORP., ET AL.

Postponement of Prehearing Conference

In the matter of Federal Express Corporation and General Dynamics Corporation, control relationship, Docket 25953, and Lester Crown and Trans World Airlines, Inc., interlocking relationships, Docket 22322.

Notice is hereby given that the prehearing conference in the above-entitled matter, now assigned to be held on January 22, 1976 (40 FR 57711, December 11, 1975), is postponed indefinitely.

[4] National alleges that the issue of amending the extant nonstop authority of National and United in the Baltimore-Norfolk market was originally raised by Piedmont, which has subsequently withdrawn its application. Therefore, National states that no need remains for imposing such a restriction, particularly in light of the fact that Allegheny does not seek its imposition.

[5] The Board has previously determined in its instituting order that the proposed action herein is not one which could lead to a "major Federal action significantly affecting the quality of the human environment" within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969.

[6] North Central Airlines, Inc., Change in Service Pattern, 36 C.A.B. 866, 868. Also see 31 C.A.B. 20 (1960).

[7] All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further such motions, requests, or petitions for reconsideration of this order will be entertained.

Dated at Washington, D.C., January 6, 1976.

[SEAL] FRANK M. WHITING,
Administrative Law Judge.

[FR Doc.76–1009 Filed 1–12–76;8:45 am]

[Order 75–12–147; Docket 27573; Agreements C.A.B. 25171, 25185, 25202, R–1 through R–13, 25256, R–1 through R–9]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

North Atlantic Cargo Rates

Correction

In FR Doc. 76–152 appearing on page 807 in the issue of Monday, January 5, 1976, make the following correction:

On page 809, in the first column of the table, the number below "R–13" should have read "25256".

PICK-UP AND DELIVERY ZONE

Application for Tariff Filing Authority

JANUARY 8, 1976.

In accordance with Part 222 (14 CFR Part 222) of the Board's Economic Regulations (effective June 12, 1964), notice is hereby given that the Civil Aeronautics Board has received an application, Docket 28734, from Emery Air Freight Corporation, P.O. Box 322, Wilton, Connecticut 06897, for authority to provide pick-up and delivery service between Orlando Jetport and Bellwood, Canova Beach, City Point, Frontenac, Indialantic, Indian Harbor Beach, La Grange, Palm Bay, Palm Shores, Pineda, Rockledge, Satellite Beach, Sharpes, Williams Point and West Melbourne, Florida.

Under the provisions of section 222.3 (c) of Part 222, interested persons may file an answer in opposition to or in support of this application within fifteen (15) days after publication of this notice in the FEDERAL REGISTER. An executed original and nineteen copies of such answer shall be addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. It shall set forth in detail the reasons for the position taken and include such economic data and facts as are relied upon, and shall be served upon the applicant and state the date of such service.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76–1008 Filed 1–12–76;8:45 am]

COMMISSION ON CIVIL RIGHTS

GEORGIA ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Georgia Advisory Committee (SAC) to this Commission will convene at 1:30 p.m. and end at 5:00 p.m. on February 6, 1976, at the Hyatt Regency Atlanta, Stuart Room, 265 Peachtree, N.E., Atlanta, Georgia.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Southern Regional Office of the Commission, Room 362, Citizens Trust Bank Building, 75 Piedmont Avenue, N.E., Atlanta, Georgia 30303.

The purpose of this meeting is to release Georgia Prison Report; discussion and planning for national School Desegregation Project.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1976.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.76–927 Filed 1–12–76;8:45 am]

KANSAS ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is herbey given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Kansas Advisory Committee (SAC) to this Commission will convene at 8:00 on January 23, 1976 and end at 3:00 on January 24, 1976, at the Holiday Inn (Gardens) 425 Minnesota, Kansas City, Kansas.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Central States Regional Office of the Commission, Room 3103, Old Federal Office Building, 911 Walnut Street, Kansas City, Missouri 64106.

This meeting is an introduction of rechartered SAC and to plan a program for 1976.

The meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1976.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.76–935 Filed 1–12–76;8:45 am]

KENTUCKY ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Kentucky Advisory Committee (SAC) to this Commission will convene at 10:00 a.m. and end at 3:00 p.m. on February 2, 1976, at the Galt House Fourth Street at River, Lord Crews and Oak Room, Louisville, Kentucky 40202.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Southern Regional Office of the Commission, Room 362, Citizens Trust Bank Building, 75 Piedmont Avenue, N.E., Atlanta, Georgia 30303.

The purpose of this meeting is to make plans for the Louisville school desegregation hearing.

The meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1976.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.76–928 Filed 1–12–76;8:45 am]

KENTUCKY ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Kentucky Advisory Committee (SAC) to this Commission will convene at 10:00 a.m. and end at 3:00 p.m. on January 19, 1976, at the Galt House, Fourth Street at River, Louisville, Kentucky 40202.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Southern Regional Office of the Commission, Room 362, Citizens Trust Bank Building, 75 Piedmont Avenue, N.E., Atlanta, Georgia 30303.

The purpose of this meeting will be a regular SAC meeting. Major emphasis is orientation to the Commission's school desegregation project. Staff experts are expected to attend and brief the SAC.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1976.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.76–929 Filed 1–12–76;8:45 am]

KENTUCKY ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Kentucky Advisory Committee (SAC) to this Commission will convene at 10:00 a.m. and end at 3:00 p.m. on February 17, 1976, Fourth Street at River, The Galt House, Queen Room, Louisville, Kentucky 40202.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Southern Regional Office of the Commission, Room 362, Citizens Trust Bank Building, 75 Piedmont Avenue, N.E., Atlanta, Georgia 30303.

The purpose of this meeting is to prepare for the Kentucky school desegregation hearing.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

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Dated at Washington, D.C., January 6, 1976.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.76-930 Filed 1-12-76;8:45 am]

MARYLAND ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Maryland Advisory Committee (SAC) to this Commission will convene at 8:00 on January 22, 1976, at the Social Security Building Room G20 Security Blvd., Baltimore, Maryland.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Mid-Atlantic Regional Office of the Commission, Room 510, 2120 L Street, NW., Washington, D.C. 20037.

The purpose of this meeting is that the Committee will hear reports from the Employment, Housing and Education subcommittees. Members will discuss the SAC participation in the School Desegregation project. New SAC appointees will be introduced.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1976.

ISAIAH T. CRESWELL, Jr.
Advisory Committee Management Officer.

[FR Doc.76-939 Filed 1-12-76;8:45 am]

MICHIGAN ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Michigan Advisory Committee (SAC) to this Commission will convene at 2:00 p.m. and end at 5:30 p.m. on January 30, 1976, at 163 Madison Street, Detroit, Michigan 48226.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Midwestern Regional Office of the Commission, 32nd Floor, 230 South Dearborn Street, Chicago, Illinois 60604.

The purpose of this meeting is to: 1. Progress report on Model Cities report, 2. Update on Sault Ste. Marie community development issues, 3. Discussion of future activities, etc.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1976.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.76-936 Filed 1-12-76;8:45 am]

MISSISSIPPI ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby give, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Mississippi Advisory Committee (SAC) to this Commission will convene at 10:00 a.m. and will end at 3:00 p.m. on January 28, 1976, at the Holiday Inn (Downtown) 200 East Amite Street, Box 22677, Jackson, Mississippi 39201.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Southern Regional Office of the Commission, Room 362, Citizens Trust Bank Building, 75 Piedmont Avenue, N.E., Atlanta, Georgia 30303.

The purpose of this meeting is an introduction of New Members and Staff; Orientation, Preliminary Report on Mississippi State Employment; Discussion of National School Desegregation Project; Election of Officers.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1976.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.76-931 Filed 1-12-76;8:45 am]

NEW JERSEY ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the New Jersey Advisory Committee (SAC) to this Commission will convene at 7:30 p.m., on January 29, 1976, at the Ramada Inn off N.J. Turnpipe.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Northeastern Regional Office of the Commission, Room 1639, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting is to discuss SAC's abortion and migrant projects.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1976.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.76-940 Filed 1-12-76;8:45 am]

NORTH CAROLINA ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the North Carolina Advisory Committee (SAC) to this Commission will convene at 10:30 a.m. and end at 4:00 p.m. on January 30, 1976, at 320 Hillsboro Street, Holiday Inn Downtown, Caucus Room, Raleigh, North Carolina 27602.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Southern Regional Office of the Commission, Room 362, Citizens Trust Bank Building, 75 Piedmont Avenue, N.E., Atlanta, Georgia 30303.

The purpose of this meeting will be a press conference to release North Carolina Prison Report, Schedule of meetings for remainder of year. Planning for SAC retreat. Programmatic plans for remainder of year. Discussion of prison project followup.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1976.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.76-934 Filed 1-12-76;8:45 am]

OHIO ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Ohio Advisory Committee (SAC) to this Commission will convene at 10:00 a.m. and end at 4:00 p.m. on February 6, 1976, at the Cleveland Plaza Hotel, East 12th Street and Euclid Avenue, Cleveland, Ohio 44115.

Persons wishing to attend this meeting should contact the Committee Chairperson or the Midwestern Regional Office of the Commission, Room 1428, 230 South Dearborn Street, 32nd Floor, Chicago, Illinois 60604.

The purpose of this meeting is to discuss desegregation study and status of Ohio Report and future SAC activities.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1976.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.76-937 Filed 1-12-76;8:45 am]

PENNSYLVANIA ADVISORY COMMITTEE

Amendment

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a hearing of the Pennsylvania, Delaware Advisory Committees (SAC) originally scheduled has been changed. The hearing will be held on January 21, 1976 at 6:00 p.m. at the Treadway Motor Lodge, West Chester, Pennsylvania.

Dated at Washington, D.C., January 6, 1976.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.76-932 Filed 1-12-76;8:45 am]

TENNESSEE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Tennessee Advisory Committee (SAC) to this Commission will convene at 1:30 p.m. and end at 5:30 p.m. on January 23, 1976, at the Hyatt Regency, 623 Union Street, Nashville, Tennessee 37219.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Southern Regional Office of the Commission, Room 362, Citizens Trust Bank Building, 75 Piedmont Avenue, NE., Atlanta, Georgia 30303.

The purpose of this meeting is a National School Desegregation Project; Programmatic plans for 1976.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1976.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.76-933 Filed 1-12-76;8:45 am]

WEST VIRGINIA ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the West Virginia Advisory Committee (SAC) to this Commission will convene at 12:00 noon and end at 3:00 p.m. on January 29, 1976, at 1033 3rd Avenue Huntington, West Virginia.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Mid-Atlantic Regional Office of the Commission Room 510, 2120 L Street, N.W., Washington, D.C. 20037.

The purpose of this meeting is to discuss Committee's next project.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1976.

ISAIAH T. CRESWELL, Jr.
Advisory Committee Management Officer.

[FR Doc.76-938 Filed 1-12-76;8:45 am]

COMMODITY FUTURES TRADING COMMISSION

THE ECONOMIC ROLE OF CONTRACT MARKETS

Advisory Committee Meeting

Notice is hereby given, pursuant to Section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I, § 10(a), that the Commodity Futures Trading Commission Advisory Committee on the Economic Role of Contract Markets ("Advisory Committee on Economic Role of Contract Markets") will conduct a public meeting on January 29, 1976 at the Americana of New York, Seventh Avenue at 52nd Street, New York, New York, in the Royal Ballroom B, beginning at 10:00 a.m. The objectives and scope of activities of the Advisory Committee on Economic Role of Contract Markets will be to consider and submit reports and recommendations to the Commission on the following subjects:

(1) Economic functions of futures trading. This will include consideration of such matters as:

(i) Benefits of commodity futures trading;

(ii) Appropriate standards to be utilized by the Commission under the Commodity Exchange Act, as amended, in developing a definition of bona fide hedging transactions or positions;

(iii) Appropriate standards to be utilized by the Commission under the Commodity Exchange Act, as amended, in developing a definition of international arbitrage; and

(iv) Appropriate policy criteria to be utilized by the Commission in establishing trading and position limits under the Commodity Exchange Act, as amended.

(2) Criteria for economic evaluation of existing contracts and new contract applications, including such matters as:

(i) Proliferation of contracts;

(ii) Commercial viability of contracts (including delivery points); and

(iii) Trading potential (new and inactive contracts).

The summarized agenda for the meeting is as follows:

1. Discussion of Definition of Hedging.
2. Discussion of Definition of International Arbitrage.

The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public that wishes to file a written statement with the Committee should mail a copy of the statement to Margaret Harrison, Commodity Futures Trading Commission, 1120 Connecticut Avenue, N.W., Washington, D.C. 20036, at least five days before the meeting. Members of the public that wish to make oral statements should inform Mrs. Harrison, telephone (202) 254-8955, at least five days before the meeting, and reasonable provision will be made for their appearance on the agenda.

The Commission is maintaining a list of persons interested in the operations of this advisory committee and will mail notice of the meetings of the committee to those persons. Interested persons may have their names placed on this list by writing DeVan L. Shumway, Director, Office of Public Information, Commodity Futures Trading Commission, 1120 Connecticut Avenue, N.W., Washington, D.C. 20036.

Dated: January 7, 1976.

WILLIAM T. BAGLEY,
Chairman, Commodity Futures Trading Commission.

[FR Doc.76-850 Filed 1-12-76;8:45 am]

COMMISSION ON FEDERAL PAPERWORK

PUBLIC HEARING

Notice is hereby given of a public hearing of the Commission on Federal Paperwork in Washington, D.C. The hearing will be held on January 29, 1976, in Room 2154, Rayburn House Office Building.

The hearing will commence at 9:00 a.m. and end at 1:00 p.m. The first part of the hearing will examine the paperwork problems associated with the Employee Retirement Income Security Act. The second part of the hearing will examine the paperwork problems of State and local government in administering Federal grant programs. The Commission will place special emphasis on education grant programs.

Testimony presented at this hearing will be used by the Commission on Federal Paperwork in making recommendations to the Congress and the President on changes which would ease the burden of Federal paperwork.

Persons wishing further information about the hearing should contact the Commission on Federal Paperwork, located at 1111 20th Street, NW., Suite 200, Washington, D.C. 20582, telephone (202) 254-6786.

FRANK HORTON,
Chairman.

[FR Doc.76-1023 Filed 1-12-76;8:45 am]

COMMISSION ON FEDERAL PAPERWORK

Public Meeting

Notice is hereby given of the third regular meeting of the Commission on Federal Paperwork to be held in Room S-407, the U.S. Capitol, on January 30, 1976, at 9:00 a.m.

The public meeting will commence at 9:00 a.m. and continue until approximately 12:00 Noon. If necessary to complete its business, the Commission will reconvene at 2:00 p.m. At its meeting the Commission will review progress on approved projects, review staff proposals for future projects, and review proposed Commission positions on specific paperwork problems. If the Commission should decide to consider matters relating solely to its internal personnel and budget practices as authorized by 5 U.S.C. 552(b)(2) or to examine personnel and similar files, disclosure of which would constitute an unwarranted invasion of privacy within the meaning of 5 U.S.C. 552(b)(6), the meeting will be closed to the public.

Anyone wishing to attend the open portion of the meeting is invited. For further details contact the Commission on Federal Paperwork, Room 200, 1111

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20th Street, NW., Washington, D.C. 20582, telephone (202) 254–6920.

FRANK HORTON,
Chairman.

[FR Doc.76–1024 Filed 1–12–76;8:45 am]

DEFENSE COMMUNICATIONS AGENCY

DCA SCIENTIFIC ADVISORY GROUP

Closed Meeting

The DCA Scientific Advisory Group will hold a closed meeting on 1 and 2 March 1976 in the Defense Communications Agency, Director's Conference Room at Headquarters, Defense Communications Agency, 8th Street and South Courthouse Road, Arlington, Virginia.

The agenda items will be How the Defense Communications System (DCS) is Managed, The Functions of the DCA Command and Control Technical Center, and group discussion.

Any person desiring information about the advisory group may telephone (area code 202—692–1765) or write Chief Scientist-Associate Director, Technology, Headquarters, Defense Communications Agency, 8th Street and South Courthouse Road, Arlington, Virginia 22204.

This meeting is closed because the material to be discussed is classified requiring protection in the interest of National Defense.

MARGARET E. ANDERSON,
Committee Management Officer.

[FR Doc.76–941 Filed 1–12–76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 478–1]

MICHIGAN; STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES AND NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Delegation of Authority

On December 23, 1971 (36 FR 24876) and March 8, 1974 (39 FR 9308), pursuant to Section 111 of the Clean Air Act, as amended, the Administrator of the Environmental Protection Agency (EPA) promulgated regulations establishing standards of performance for five categories and seven categories of new stationary sources (NSPS), respectively, on April 6, 1973 (38 FR 8820), pursuant to Section 112 of the Clean Air Act, as amended, the Administrator promulgated national emission standards for three hazardous air pollutants (NESHAPS). Sections 111(c) and 112(d) direct the Administrator to delegate his authority to implement and enforce NSPS and NESHAPS to any State which has submitted adequate procedures. Nevertheless, the Administrator retains concurrent authority to implement and enforce the standards following delegation of authority to the State.

On July 23, 1973, the Regional Administrator, Region V, EPA forwarded to the State of Michigan information setting forth the requirements for an adequate procedure for implementing and enforcing the standards for NSPS and NESHAPS. On February 3, 1975, the Executive Secretary of the Michigan Air Pollution Control Commission submitted to the EPA Regional Office a request for delegation of authority. Included were copies of State statutes which provide the State with the requisite authority to implement and enforce the NSPS and NESHAPS. After a thorough review of that request, the Regional Administrator has determined that for the source categories set forth in paragraph (A) and (B) of the following official letter to the executive Secretary of the Air Pollution Control Commission, delegation is appropriate subject to the conditions set forth in paragraphs 1 through 11 of that letter:

NOVEMBER 5, 1975.

MR. RALPH W. PURDY,
Executive Secretary, Michigan Air Pollution Control Commission, Michigan Department of Natural Resources, Stevens T. Mason Building, Lansing, Michigan 48926.

DEAR MR. PURDY: This is in response to your letter of February 3, 1975 requesting delegation of authority for implementation and enforcement of the Standards of Performance for New Stationary Sources (NSPS) and the National Emission Standards for Hazardous Air Pollutants (NESHAPS) to the State of Michigan.

We have reviewed the pertinent laws of the State of Michigan and have determined that they provide an adequate and effective procedure for implementation and enforcement of the NSPS and NESHAPS. Therefore, subject to the specific conditions and exceptions set forth below, we hereby grant delegation of authority to implement and enforce the NSPS and NESHAPS to the State of Michigan as follows:

A. Authority for all sources located in the State of Michigan subject to the standards of performance for the new stationary sources promulgation in 40 CFR Part 60 as February 3, 1975. The 12 categories of new sources covered by this delegation are fossil fuel-fired steam generator units greater than 250 million BTU's per hour; incinerator units greater than 50 tons per day; portland cement plants; nitric acid plants; sulfuric acid plants; asphalt concrete plants; petroleum refineries; storage vessels for petroleum liquids; secondary lead smelters; secondary brass and bronze ingot production plants; iron and steel plants; and sewage treatment plants.

B. Authority for all sources located in the State of Michigan subject to the national emission standards for hazardous air pollutants promulgated in 40 CFR Part 61 as of February 3, 1975. The 3 hazardous air pollutants covered by the delegation are asbestos, beryllium and mercury.

The following conditions and exceptions apply to these delegations:

1. Semiannual reports will be submitted to EPA by February 15 and August 15 of each year. These reports which will include as a minimum a description of the source and source inventory data for the pollutants controlled.

2. Acceptance of this delegation of presently promulgated NSPS and NESHAPS does not commit the State of Michigan to request or accept delegation of future standards and requirements. A new request for delegation will be required for any standards or requirements not included in the State's Request of February 3, 1975.

3. Upon approval of the Regional Administrator of Region V, the Executive Secretary of the Michigan Air Pollution Control Commission may subdelegate his authority to implement and enforce the NSPS and NESHAPS to other air pollution control authorities in the State when such authorities have demonstrated that they have equivalent or more stringent programs in force.

4. The State of Michigan will at no time grant a waiver of compliance with NESHAPS.

5. The delegation to the State of Michigan does not include the authority to implement and enforce NSPS and NESHAPS for sources owned or operated by the United States which are located in the State. This condition in no way relieves any Federal facility from meeting the requirements of 40 CFR Parts 60 and 61.

6. The State of Michigan may not grant a variance from compliance with NSPS and NESHAPS regulations unless such variance does not prevent compliance with the Federal standards (40 CFR Parts 60 and 61) by the times specified in the Federal standards. Should the State of Michigan grant a prohibited variance, EPA will consider the source receiving the variance to be in violation of the applicable Federal regulation and may initiate enforcement action against the source pursuant to Section 113 of the Clean Air Act. The granting of such variance by the State of Michigan will constitute grounds for revocation of delegation by EPA.

7. The Michigan Air Pollution Control Division and EPA will develop a system of communication sufficient to guarantee that each office is always fully informed about (a) the current compliance status of subject sources in the State of Michigan and (b) the interpretation of applicable regulations.

8. At no time shall Michigan enforce a State regulation less stringent than the Federal requirements (40 CFR Parts 60 and 61).

9. Enforcement of the NSPS and NESHAPS in the State of Michigan will be the primary responsibility of the State of Michigan. If the State determines that a violation of a delegated NSPS or NESHAPS exists, the Michigan Air Pollution Control Division shall immediately notify EPA, Region V of the nature of the violation together with a brief description of State efforts or strategy to secure compliance. EPA may exercise its concurrent enforcement authority pursuant to Section 113 of the Clean Air Act, as amended, with regard to such violations.

10. The State of Michigan will utilize the methods specified in 40 CFR Parts 60 and 61 in performing source tests pursuant to the regulations.

11. If the Regional Administrator determines that a State or local agency procedure for implementing and enforcing the NSPS or NESHAPS is inadequate, or is not being effectively carried out, this delegation may be revoked in whole or in part. Any such revocation shall be effective as of the date specified in a Notice of Revocation to the Michigan Air Pollution Control Commission.

A Notice announcing this delegation will be published in the FEDERAL REGISTER in the near future. This Notice will state, among other things, that, effective immediately, all reports required pursuant to the Federal NSPS and NESHAPS from sources located in the State of Michigan should be submitted to the Michigan Air Pollution Control Division, Michigan Department of Natural Resources Office at Stevens T. Mason Building, 8th Floor, Lansing, Michigan 48926. Any such reports which have been or may be received by EPA, Region V, will be promptly transmitted to the Michigan Air Pollution Control Division.

Since this delegation is effective immediately, there is no requirement that the State notify EPA of its acceptance. Unless EPA receives from the State, written notice of objections within 10 days of the date of receipt of this letter, the State of Michigan will be deemed to have accepted all of the terms of the delegation.

Sincerely yours,

FRANCIS T. MAYO,
Regional Administrator.

Therefore, pursuant to the authority delegated to him by the Administrator, the Regional Administrator notified the Executive Secretary of the Michigan Air Pollution Control Commission on November 5, 1975, that authority to implement and enforce the standards of performance for new stationary sources and the national emission standards for hazardous air pollutants was delegated to the State of Michigan.

Copies of the request for delegation of authority are available for public inspection at the Environmental Protection Agency, Region V Office, 230 South Dearborn Street, Chicago, Illinois 60604.

Effective immediately, all reports required pursuant to the standards of performance for new stationary sources listed in the above letter and the national emission standards for hazardous air pollutants should be submitted to the EPA Region V Office and should also be submitted to the Air Pollution Control Division, Michigan Department of Natural Resources at the following address: Stevens T. Mason Building, Lansing, Michigan 48926.

However, reports required pursuant to 40 CFR S60.7(c) (excess emissions and malfunctions) should be sent to the State Agency only.

This Notice is issued under the authority of Sections 111 and 112 of the Clean Air Act, as amended. (42 U.S.C. 1857 c–6 and 7.)

Dated: December 9, 1975.

FRANCIS T. MAYO,
Regional Administrator.

[FR Doc.76–840 Filed 1–12–76;8:45 am]

FEDERAL ENERGY ADMINISTRATION

ENVIRONMENTAL ADVISORY COMMITTEE

Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770), notice is hereby given that the Environmental Advisory Committee (EAC) will meet Monday, February 2, 1976, at 9 a.m., Room 5041–B, Federal Energy Administration, 12th & Pennsylvania Ave., NW., Washington, D.C.

The Committee was established to provide advice and information to FEA concerning the environmental aspects of FEA policies and programs.

The agenda for the meeting is as follows:

1. Report on the status of energy scenario being developed by EAC, which incorporates fuel cost pricing for energy and will be compared with scenarios from FEA's updated Project Independence Report.

2. Review of National Science Foundation sponsored study on industrial energy centers.

3. Reports and recommendations from Subcommittees on: Coal Leasing and Mining, OCS Development/Energy Facility Siting, Energy Conservation, Transportation, and Air Quality/Coal Utilization.

Subcommittees may meet informally in Washington, the preceding evening, at the discretion of the Subcommittee Chairmen; the meetings will be open to the public. For further information on subcommittee activities, call Lois Weeks, Director, Advisory Committee Management, at 202–961–7022.

The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Committee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform the Director, Advisory Committee Management at least 5 days prior to the meeting and reasonable provision will be made for their appearance on the agenda.

Further information concerning this meeting may be obtained from the Advisory Committee Management Office.

Minutes of the meeting will be made available for public inspection at the Federal Energy Administration.

Issued at Washington, D.C. on January 8, 1976.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.76–962 Filed 1–8–76;1:26 pm]

FEDERAL MARITIME COMMISSION

KARLANDER (AUSTRALIA) PTY. LTD. AND SOUTH PACIFIC UNITED LINE

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before February 2, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Walter M. Schey, Esq., Frolik, Filley & Schey, 22 Battery Street, Suite 1100, San Francisco, California 94111.

Agreement No. 10212 has been filed with the Commission for approval under Section 15 of the Shipping Act, 1916, by Karlander (Australia) Pty. Limited and South Pacific United Line. The parties will establish and maintain a joint cargo service under the agreement to be known as Karlander Kangaroo Line, covering the trade:

A. Between West Coast ports of the United States including Hawaii and ports of Australia, New Zealand, Tahiti, Noumea, Nukalufa, Fiji, Pago Pago, New Hebrides, and New Guinea.

B. (In both directions) between West Coast ports of the United States including Hawaii and West Coast Canadian ports.

C. (In both directions) between West Coast ports of the United States including Hawaii and West Coast Mexican ports.

The joint service is in accordance with the terms and conditions set forth in said agreement.

By Order of the Federal Maritime Commission.

Dated: January 6, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–1011 Filed 1–12–76;8:45 am]

PACIFIC COAST-AUSTRALASIAN TARIFF BUREAU

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before February 2, 1976. Any person desiring a hearing on the proposed agreement shall provide a

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clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

F. Conger Fawcett, Esq., Graham & James, One Maritime Plaza, San Francisco, California 94111.

Agreement No. 50–33 has been entered into by the member lines of the Pacific Coast-Australasian Tariff Bureau for the purpose of adding a new paragraph, IX (C), to the conference agreement which reads as follows:

IX(C). Any common carrier by water meeting the qualifications of subparagraph (a), above, but offering or intending to offer only an infrequent service, of no greater frequency than one sailing in the trade every 60 days, may become an associate member of the conference and party to this agreement, in accordance with the procedures outlined in subparagraph (a), and without necessity of payment of the admission fee prescribed in subparagraph (b). Associate members shall have no vote on changes to this agreement or in conference proceedings and shall not participate in any distribution of conference funds upon dissolution of the conference. Associate members may be required to share in the costs of administering the conference, in such manner as the regular members shall from time to time determine and in an amount reasonably commensurate with their level of service in the trade and their non-voting status. In the event an associate member's service becomes more frequent than one sailing every 60 days, such associate member may be required, by vote of the regular members, to assume regular voting membership (together with payment of the admission fee than established) or else resign from the conference.

By Order of the Federal Maritime Commission.

Dated: January 7, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–1012 Filed 1–12–76;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RP73–77]

ALABAMA-TENNESSEE NATURAL GAS CO.

Proposed PGA Rate Adjustment

JANUARY 2, 1976.

Take notice that on December 15, 1975, Alabama-Tennessee Natural Gas Company (Alabama-Tennessee) tendered for filing as part of its FPC Gas Tariff, Third Revised Volume No. 1, Fourteenth Revised Sheet No. 3–A. Alabama-Tennessee requests that this revised tariff sheet become effective as of January 15, 1976.

Alabama-Tennessee states that the sole purpose of such revised tariff sheet is to adjust Alabama-Tennessee's rates pursuant to the PGA provisions of Section 20 of the General Terms and Conditions of its tariff to reflect increased rates to become effective on January 15, 1976, to be charged by is sole supplier, Tennessee Gas Pipeline Company.

Alabama-Tennessee states that the revised tariff sheet provides for the following rates:

Rate schedule	*Substitute fourteenth revised sheet No. 3–A*
G–I:	
Demand	$2.32
Commodity	0.072.89
SG–1: Commodity	.089.84
I–1: Commodity	.074.89

Alabama-Tennessee states that copies of the filing have been mailed to all of its jurisdictional customers and affected State regulatory Commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 12, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–889 Filed 1–12–76;8:45 am]

[Docket No. RP76–49]

ALASKAN ADVANCES

Order To Show Cause

DECEMBER 31, 1975.

By order issued December 31, 1975, in Docket Nos. R–411 and RM74–4, we issued an order which, inter alia, terminated rate base treatment for all advance payments made under contracts executed on or after December 28, 1973, the date of issuance of Order 499. In that order, we noted that producer responses associated with 64 percent of the proven reserves in Alaska indicate that those reserves would have been dedicated to the Commission's interstate market absent advance payment program in Alaska. Moreover, we found that it was not in the national interest for this Commission to permit certain interstate pipelines to encumber natural gas reserves in Alaska to the exclusion of others. Furthermore, we noted that intrastate market competition for Alaskan reserves was negligible.

Based upon these factors, among others, we found it appropriate in our December 31, 1975, order to terminate rate base treatment as of December 31, 1975, for all Alaskan advances made under contracts executed on or after December 28, 1973, the date of issuance of Order 499 and to order refunds of all amounts collected. These same factors, as well as the evidence filed in Docket Nos. R–411 and RM74–4, dictate that we institute a proceeding to require the pipelines, i.e. Columbia Gas Transmission Corporation, Northern Natural Gas Company, Michigan Wisconsin Pipe Line Company, and El Paso Natural Gas Company; which have made Alaskan advances under contracts executed prior to Order 499, and have included such advances in their respective rate bases, to show cause why rate base treatment for such advances should not be terminated as of December 31, 1975, why refunds of all carrying charges collected should not be ordered, and why such other relief as may be appropriate should not be ordered.

The Commission orders. Pursuant to the Natural Gas Act, particularly Sections 4 and 5 thereof, and the Commission's Rules and Regulations; Columbia Gas Transmission Corporation, Northern Natural Gas Company, Michigan Wisconsin Pipe Line Company and El Paso Natural Gas Company; shall show cause, within 30 days of the date of issuance of this order, why rate base treatment for Alaskan advances included in the respective rate bases of such pipelines and which advances were made pursuant to contracts executed prior to December 28, 1973, the date of issuance of Order 499 should not be terminated as of December 31, 1975, why refunds of all carrying charges collected by the pipelines should not be ordered and why such other relief as may be appropriate should not be ordered.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76–923 Filed 1–12–76;8:45 am]

[Docket No. CP76–173]

ALGONQUIN GAS TRANSMISSION COMPANY ET AL.

Application

DECEMBER 31, 1975.

Take notice that on November 26, 1975, Algonquin Gas Transmission Company (Algonquin), 1284 Soldiers Field Road, Boston, Massachusetts 02135, Transcontinental Gas Pipe Line Corporation (Transco), P.O. Box 1396, Houston, Texas 77001, and Texas Eastern Transmission Corporation (Texas Eastern), P.O. Box 2521, Houston, Texas 77001, jointly Applicants, filed in Docket No. CP76–173 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation and exchange of natural gas for the benefit of South Jersey Gas Company (South Jersey), all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicants request authorization for the transportation and exchange of natural gas from November 16, 1975, to April 15, 1976. It is stated that Boston Gas Company (Boston Gas) would release volumes of gas to Algonquin at Boston, Massachusetts; Algonquin would by displacement transport and deliver equivalent volumes of gas to Texas Eastern at the Hanover, New Jersey delivery point of Texas Eastern; Texas Eastern would transport and deliver equivalent volumes of gas to Transco at Linden, New Jersey, or other mutually agreeable existing interconnections in the New Jersey-Pennsylvania area; and Transco would transport and deliver equivalent volumes of gas to South Jersey at existing delivery points in New Jersey.

The service proposed is said to be in connection with a joint application for a temporary certificate filed with the Commission by Distrigas of Massachusetts Corporation (DOMAC) and Distrigas Corporation (Distrigas) in Docket Nos. CP73–135 and CP74–227 on August 13, 1975, the sale of certain quantities of liquefied natural gas (LNG) to certain distributing companies including South Jersey.[1] Applicants state that for the period November 16, 1975 through April 15, 1976, South Jersey has arranged with the Applicants, DOMAC and Boston Gas for the vaporization of the LNG at the DOMAC facilities in Everett, Massachusetts, and for the delivery of equivalent quantities of gas to it by pipeline.

The application states that the imported LNG would be delivered to Boston Gas by DOMAC in a vaporized form and Boston Gas would use such vaporized gas in its own system which is located entirely within Massachusetts. Equivalent volumes would thereupon be released to Algonquin which would then by displacement transport and deliver equivalent quantities based on heat content to Texas Eastern. Texas Eastern, in turn would transport and deliver equivalent quantities based on heat content to Transco. Transco, in turn, would transport and deliver equivalent quantities to South Jersey. Algonquin would charge South Jersey 15 cents per million Btu delivered. Transco would charge South Jersey 9.75 cents per Mcf at 14.7 psia, or such rate as may be amended or superseded from time to time at the initiation of either party by appropriate filing with the Commmission.

Applicants state that they do not propose to construct any facilities to provide this exchange and transportation service as all deliveries will be made through the existing pipeline systems and delivery points and within existing delivery obligations. Such best-efforts deliveries will be made by Applicants, they state, to the extent they can do so provided there is no adverse effect upon the operations and services they are rendering under their other effective service agreements and rate schedules.

[1] Authorization was granted by the Commission order of September 2, 1975.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 21, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–915 Filed 1–12–76;8:45 am]

[Docket No. ER76–394]

ARIZONA PUBLIC SERVICE CO.

Change of Fuel Adjustment Clause

JANUARY 6, 1976.

Take notice that Arizona Public Service Company on December 24, 1975, tendered for filing proposed changes in its fuel adjustment clause included in its Rate Schedules FPC Nos. 12, 13, 14, 15, 16, 17, 34, 35, 50, 51, 52, 53, 54, 57, 58, 59 and Electric Tariff Original Volume 1.

The proposed change is submitted in compliance with FPC Order No. 517 and is proposed to become effective on January 1, 1976. This change adds a provision for inclusion of nuclear generation (of which the Company presently has none) and a minor technical correction in regard to losses to the Company's fuel adjustment clause which is presently effective, subject to refund, by order of the Commission in Docket No. E–8624.

Copies of this filing were served upon the Company's jurisdictional customers receiving service pursuant to the above-listed rate schedules.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 15, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–884 Filed 1–12–76;8:45 am]

[Docket No. ER76–369]

ARKANSAS POWER & LIGHT CO.

Filing of Amendment to Agreement

JANUARY 6, 1976.

Take notice that on December 16, 1975, Arkansas Power and Light Company (AP&L), tendered for filing the First Amendment to the Agreement for Electric Service to the City of Osceola, Arkansas by Arkansas Power & Light Company, which has been designated AP&L Rate Schedule FPC No. 63. This amendment provides for the relocation of an existing point of delivery to the Company's Osceola industrial substation.

The Company states that the relocation of the point of delivery will not have a material effect on the billing to the customer. The Company further states that due to the difficulty in determining the effect on billing, no billing information was filed.

The effective date of the proposed amendment is the date on which the facilities of both parties, which are necessary to relocate the point of delivery, are in place, or the date this amendment is permitted to become effective by regulatory authorities having jurisdiction, whichever is later.

The Company states that the proposed amendment has been served on the customer.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 15, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–886 Filed 1–12–76;8:45 am]

VOL 41 NO 8 JAN 13 76 XUM

[Docket No. ER76-393]

CENTRAL LOUISIANA ELECTRIC CO.

Request for Waiver

JANUARY 6, 1976.

Take notice that on December 12, 1975 Central Louisiana Electric Company, Inc. (CLECO) tendered for filing with the Commission a request that the Commission waive the requirements of Order No. 517 to permit deferral of the filing of a fuel adjustment clause conforming to Section 35.14 of the Commission's Regulations, 18 CFR 35.14, until February 29, 1976. CLECO states that the requested waiver is necessary to permit it to complete an updated cost of service study based on the twelve months ending September 30, 1975. CLECO states further that the information being developed through this cost of service study is required, inter alia, for preparation and justification of a fuel clause conforming to Order No. 517.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 15, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-883 Filed 1-12-76;8:45 am]

[Docket No. RP73-65 (PGA76-2a)]

COLUMBIA GAS TRANSMISSION CORP.

Proposed Changes in FPC Gas Tariff

JANUARY 2, 1976.

Take notice that Columbia Gas Transmission Corporation (Columbia) on December 19, 1975, tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1. Columbia states that this filing amends its filing of December 1, 1975, while preserving the effective date of January 15, 1976, proposed therein. Columbia states that the proposed changes are the result of the following:

(1) Tennessee Gas Pipeline Company's Revised Filing at Docket No. RP73-113 to be effective January 15, 1976.

(2) Transcontinental Gas Pipe Line Corporation's Filing at Docket No. RP72-99 to be effective January 1, 1976, and,

(3) Panhandle Eastern Pipe Line Company's Revised Filing at Docket No. RP75-102, effective December 1, 1975.

As a result of the above revisions, Columbia's revised rates herein proposed to become effective January 15, 1976, reflect a current Purchased Gas Cost Adjustment to provide for the recovery of $41,758,063 annually and are approximately $1,441,489 lower than the rates originally proposed to become effective January 15, 1976.

Copies of the filing were served upon the Company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 13, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-888 Filed 1-12-76;8:45 am]

[Docket No. ER76-320]

THE CONNECTICUT LIGHT & POWER CO.

Order Accepting for Filing and Suspending Proposed Tariff Sheets and Establishing Procedure

DECEMBER 31, 1975.

On December 2, 1975, The Connecticut Light and Power Company (CL&P) tendered for filing an amended tariff, R-3 Rate, to its FPC Rate Schedule No. 32.7.[1] The R-3 Rate revises the present rates under which CL&P provides firm wholesale electric service to six municipal customers and to one privately owned system.[2] CL&P states that the reasons for this proposal include the adjustment of demand charges for the anticipated commercial operation in December 1975, of a new nuclear generating unit, Millstone No. 2, and revision of demand and energy charges to show higher depreciation rates and accounting changes relating to the interperiod allocation of income taxes. The proposal also revises certain provisions of the present tariff. In addition to these changes, CL&P has filed a revised fuel adjustment clause to conform to the provisions of 18 CFR 35.14 (1975), as promulgated in Order No. 517.

CL&P's proposal would result in an increase of 20.4% in revenue, or approximately $5,164,593 in additional revenues, for the twelve month period ending December 31, 1976. CL&P requests an effective date of January 1, 1976, for its proposed changes.

Public notice of CL&P's proposal was issued on December 10, 1975, with comments, protests or petitions to intervene due on or before December 22, 1975. A protest was filed on December 22, 1975, by Congressman Christopher J. Dodd. Congressman Dodd requested a full five month suspension for CL&P's proposed rates and protested the proposed rates on the basis that the increase sought is tentative because it assumes Millstone No. 2 will lead to lower production costs; that the rate design restricts CL&P's customers rights to purchase power from other sources; and, that CL&P has experienced a tremendous increase in average profits since 1970. We have considered the points raised by Congressman Dodd's protest in making our decision to suspend CL&P's rates for two months.

Our review of CL&P's tendered filings and the issues raised thein indicates that the proposed changes have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful. We accept the tendered filings, but shall suspend their use for two months, or until March 2, 1976, when they shall become effective, subject to refund.

Without limiting the rights of the parties, including Staff, in presenting such further evidence as they deem relevant and material, the parties and Staff should present evidence addressed to reduction of rate base by the amount of accumulated provision for deferred Federal income taxes (Account 281), functionalization of general plant, common plant, and administrative and general expenses on functional plant ratios and allocated operation and maintenance expenses; separation of transmission functions into various subfunctions reflecting voltage in service levels for allocation purposes; and, those issues raised by Congressman Dodd's protest.

The Commission finds: Good cause exists to accept CL&P's proposal for filing and suspend its operations until March 2, 1976, when it will be permitted to become effective, subject to refund.

The Commission orders: (A) Pending hearing and decision on the lawfulness of the increased charges proposed, CL&P's amendments are hereby accepted for filing and suspended until March 2, 1976, when they will be permitted to become effective, subject to refund.

(B) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at an initial conference in this proceeding on January 28, 1976, at 10:00 a.m. in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates for this proceeding and to rule upon all motions, except petitions to intervene.

[1] CL&P's tender included First Revised Sheets Nos. 1, 3, 4, 6, 8, 10, 11, 12, 13, 17, 22, 23, 27, 32, and 33 plus Original Sheet No. 11A.

[2] City of Norwich; Borough of Jewett City; Second Taxing District, City of Norwalk; Third Taxing District, City of Norwalk; Town of Wallingford, City of Groton; and, Bozrah Light and Power Company.

(C) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to Section 1.18 of the Commission's Rules of Practice and Procedure.

(D) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-925 Filed 1-12-76;8:45 am]

[Docket No. ER76-334]

CONNECTICUT LIGHT & POWER CO.

Order Accepting for Filing and Suspending Proposed Rate Increase

DECEMBER 31, 1975.

On December 5, 1975, Connecticut Light and Power Company (CL&P) filed, on behalf of itself, the Hartford Electric Light Company (HELCO), and Western Massachusetts Electric Company (WMECO) (jointly, "Companies") a proposed amendment[1] to the Companies' April 1, 1975, Transmission Agreement with the City of Holyoke Gas and Electric Department (Holyoke). The amendment, dated October 1, 1975, provides for an extension of the term of the Agreement from October 31, 1975, to April 30, 1978, and revises transmission charges under the agreement. The proposed change in the transmission rates would result in a 18.8 percent, $4,104 increase in annual transmission charges.

Notice of CL&P's filing was issued on December 15, 1975, with comments, protests or petitions to intervene due on or before December 23, 1975. No petitions were received. CL&P requests waiver of our thirty day notice requirements to permit the amendment to become effective on November 1, 1975, the day after the present Agreement terminates. However, CL&P has not shown good cause to grant waiver. Accordingly, the request will be denied.

Under the present Agreement, CL&P, HELCO and WMECO transmit 5,000 kW of power which Holyoke purchases from Vermont Electric Power Company under a separate agreement. The present monthly charge for the transmission service is equal to one-twelfth of the estimated annual average unit cost of $4.68 per kW per year for transmission service on the system of the Northeast Utilities companies multiplied by Holyoke's entitlement and reduced by an amount which Holyoke pays to Public Service of New Hampshire (PSNH) for transmission service on the PSNH system. The present monthly charge to Holyoke is $1,815.

Under the proposed amendment, the monthly charges for transmission service would be one-twelfth of the annual average cost of transmission service on the Northeast Utilities system multiplied by Holyoke's entitlement and reduced by an amount which Holyoke pays PSNH for transmission service on its system. The cost of transmission service on the Northeast Utilities system would be determined in accordance with Section 13.9 (Determination of Amount of PTF Costs) of the New England Power Pool (NEPOOL) Agreement and the uniform rules adopted by the NEPOOL Executive Committee.

The proposed monthly charge to Holyoke under the proposed amendment would be approximately $2,157 for the period from November, 1975, through April, 1976. CL&P states that the transmission charge for the period from May, 1976, to April 30, 1978 cannot be determined at this time. Annual charges under the agreement would increase from $4.68/kW to $5.50/kW.

Proposed NEPOOL EHV Proposed Transmission Facilities (PTF) Cost Rules are presently under investigation in Docket No. E-7890. Proposed NEPOOL LV PTF Cost Rules have been tendered for filing in Docket No. ER76-291. In light of the fact that the charges proposed in the instant docket are based on NEPOOL PTF Costs and those costs have not yet been found to be just and reasonable, we conclude that the rate increase proposed in this docket has not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. Accordingly, we shall suspend the use thereof for one day until January 6, 1976, when the rates shall be permitted to become effective, subject to refund upon determination of just and reasonable NEPOOL PTF costs in Docket Nos. E-7690 and ER76-291.

The Commission finds: (1) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that the increased rates and charges as proposed by CL&P in Docket No. ER76-334 be accepted for filing and suspended as hereinafter provided.

(2) Good cause exists to deny CL&P's request for waiver of the Commission's notice requirement.

(3) The proposed transmission charges associated with NEPOOL PTS costs should be subject to the outcome of the proceedings in Docket Nos. E-7690 and ER76-291.

The Commission orders: (A) CL&P's proposed changes in rates, charges and conditions of service as filed on December 5, 1975, are accepted for filing and suspended for one (1) day and the use thereof deferred until January 6, 1976, when the proposed rates shall become effective, subject to refund.

(B) CL&P's request for waiver of the Commission's notice requirements is hereby denied.

(C) The proposed transmission charges associated with NEPOOL transmission charges shall be made subject to the outcome of the proceedings in Docket Nos. E-7690 and ER76-291.

(D) Nothing contained herein shall be construed as limiting the rights of the parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to Section 1.18 of the Commission's Rules of Practice and Procedure.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX A

THE CONNECTICUT LIGHT AND POWER COMPANY

[Docket No. ER 76-334]

Dated: October 1, 1975.
Filed: December 5, 1975.
Other Party: City of Holyoke Gas and Electric Department.

Designation	*Description*
Supplement No. 1 to (1) Rate Schedule FPC No. 113.	Amendment to Transmission Agreement.

THE HARTFORD ELECTRIC LIGHT COMPANY

Designation	*Description*
Supplement No. 1 to (2) Rate Schedule FPC No. 91 (concurs in (1) above).	Certificate of Concurrence.

WESTERN MASSACHUSETTS ELECTRIC COMPANY

Designation	*Description*
Supplement No. 1 to (3) Rate Schedule FPC No. 105 (concurs in (1) above).	Certificate of concurrence.

[FR Doc.76-916 Filed 1-12-76; 8:45 am]

[Docket No. ER76-45]

CONSUMERS POWER CO.

Further Extension of Procedural Dates

JANUARY 2, 1976.

On December 24, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued August 29, 1975, as most recently modified by notice issued October 23, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

PHASE I

Service of Staff's Testimony, February 13, 1976
Service of Intervenor Testimony, February 27, 1976
Service of Company Rebuttal, March 12, 1976
Hearing, March 30, 1976 (10 a.m., EST)

PHASE II

Service of Staff's Testimony, February 24, 1976
Service of Company Testimony, March 23, 1976
Service of Intervenor Rebuttal Testimony, April 13, 1976
Hearing, April 27, 1976 (10 a.m., EST)

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-905 Filed 1-13-76;8:45 am]

[1] See Appendix A for rate schedule designations of the proposed amendment.

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[Docket Nos. RP71-15 and RP75-28 (PGA 76-1) (DCA 76-1)]

EAST TENNESSEE NATURAL GAS CO.

Order Accepting for Filing and Suspending Proposed Rate Increase, Initiating Hearing, and Rejecting Alternate Tariff Sheet

DECEMBER 31, 1975.

On November 14, 1975, as amended on December 18, 1975, East Tennessee Natural Gas Company (East Tennessee) filed in the above-referenced dockets a revised tariff sheet[1] incorporating proposed rate adjustments consisting of (1) a PGA increase of 3.68 cents per Mcf ($2.1 million) and (2) an increase of 2.26 cents per Mcf to recover $1.6 million of accumulated and deferred curtailment credits. East Tennessee requests the proposed rate adjustments be permitted to become effective on January 1, 1976.

Notice of East Tennessee's filing was issued on December 2, 1975, providing for petitions to intervene or protest to be filed on or before December 15, 1975.

On December 8, 1975, the Public Service Commission of the State of Tennessee filed a notice of intervention and request for suspension and hearing to determine the justness and reasonableness of the PGA portion of East Tennessee's proposed rate adjustment. The Tennessee Commission alleges, in substance, that it has been East Tennessee's practice to retain for itself demand charge credits which it receives from its supplier, Tennessee Gas Pipeline Company, but to pass through to its customers the resulting increase in East Tennessee's purchased gas commodity rate.

On December 22, 1975, East Tennessee filed an answer and objections to the Tennessee Commission's intervention and request for hearing. East Tennessee does not deny that it has retained the disputed demand charge credits, but argues that such retention served to offset other cost increases, and thereby enabled East Tennessee to delay the filing of its general rate increase application currently pending in Docket No. RP 75-114.

Based on the above circumstances it is clear that East Tennessee's proposed rate adjustment may be unjust, unreasonable or otherwise unlawful. Accordingly, the proposed increase will be suspended and set for hearing.

In its filing of November 14, 1975, East Tennessee included an alternate tariff sheet which contained minor downward adjustments reflecting the exclusion of certain small producer costs. However, since the question here at issue concerning East Tennessee's treatment of demand charge credits is equally applicable to the alternate tariff sheet, such sheet is also subject to suspension. The alternate sheet is therefore superfluous in this instance and will be rejected.

[1] Second Substitute Thirteenth Revised Sheet No. 4 to East Tennessee's FPC Gas Tariff, Sixth Revised Volume No. 1.

The Commission orders: (A) East Tennessee's proposed Second Substitute Thirteenth Revised Tariff Sheet No. 4, as filed on November 14, 1975, and as amended on December 18, 1975, is accepted for filing, suspended for one day, and permitted to become effective thereafter on January 2, 1976, subject to refund.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 5 thereof, and the Commission's Rules and Regulations, a public hearing shall be held to determine the justness and reasonableness of the rate adjustments proposed herein by East Tennessee.

(C) East Tennessee's proposed alternate tariff sheet, Substitute Thirteenth Revised Sheet No. 4, is rejected.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (see delegation of authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding, with authority to establish and change all procedural dates, and to rule on all matters except petitions to intervene, motions to consolidate and sever, and motions to dismiss, as provided for in the Rules of Practice and Procedure.

(E) An initial conference shall be held on January 28, 1976, for the purpose of establishing procedures for the conduct of the hearing in this proceeding.

(F) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-917 Filed 1-12-76;8:45 am]

[Docket No. RP72-6]

EL PASO NATURAL GAS COMPANY (CITY OF SAFFORD, ARIZONA)

Request for Waiver of Effective Interim Curtailment Procedures

JANUARY 2, 1976.

Take notice that on December 23, 1975, El Paso Natural Gas Company (El Paso) filed a request for temporary waiver of its interim curtailment plan to permit it to render emergency service to the City of Safford, Arizona (Safford) for a ten to fifteen day period commencing on or about February 9, 1976. El Paso states that Safford requests such emergency service during its installation of new equipment upgrading an electric substation. For that purpose, Safford requires 405 Mcf per day to operate four gas engine driven generators up to a total maximum quantity of 6075 Mcf (15 days x 405 Mcf).

It is proposed that Safford would reduce its Priority 3 entitlements under El Paso's currently effective interim curtailment plan and would thus accumulate or bank sufficient quantities of gas for subsequent needs during the emergency period of its shutdown.

El Paso requests immediate temporary waiver, to the extent necessary, of El Paso's effective interim curtailment plan and in particular Section 11.2 Curtailment Procedures, of its FPC Gas Tariff, Original Volume No. 1, in order that it may commence additional curtailment of Safford and the subsequent redelivery of those volumes to Safford during the modification of its substation.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All such petitions or protests should be filed on or before January 12, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-900 Filed 1-12-76;8:45 am]

[Docket No. ER76-211]

FLORIDA POWER & LIGHT CO.

Order Accepting for Filing and Suspending Proposed Rate Increase, Denying Motions To Reject, Granting Intervention, Providing for Hearing and Establishing Procedures

DECEMBER 31, 1975.

On October 31, 1975, Florida Power and Light Company (FP&L) tendered for filing a proposed increase in rates[1] for electric service to nine wholesale customers[2] under its FPC Electric Tariff. The proposed rates would increase revenues by $7,180,559 (19.48%), based on the 12 month period ending December 31, 1976. FP&L requests that the proposed rate change be permitted to become effective as of January 1, 1976.

FP&L states that the proposed rates are designed to permit it the opportunity of earning a rate of return more nearly appropriate to that required for it to attract necessary capital for its construction program if it is to continue to provide adequate service to its customers. The proposed rates include a fuel adjustment clause designed to conform with Order No. 517 in Docket No. R-479.

Public notice of the subject filing was issued on November 13, 1975, with protests or petitions to intervene due on or before November 21, 1975.

On November 21, 1975, New Smyrna Beach and Homestead (Municipals) jointly filed a protest, petition to intervene and motion to reject. As grounds for rejection Municipals argue that (1) as partial requirements customers they have been improperly included in the same class of service as FP&L's full requirements customers and (2) FP&L seeks to impose a 100 percent billing demand ratchet that is allegedly oppressive, discriminatory and illegal. We find that good cause has not been shown such as to warrant rejection. Although not properly grounds for rejection, questions such as these should be addressed in the context of an evidentiary hearing, as hereinafter ordered. Accordingly, Municipals' motion to reject shall be denied.

On November 21, 1975, six[3] of the rural electric cooperative customers together with Seminole Electric Cooperative, Inc.[4] (Cooperatives) jointly filed a protest, petition to intervene and motion to reject. In support of its motion to Cooperatives contend that FP&L has not complied with the filing requirements of the Commission's Regulations inasmuch as the coincidental demand data submitted by FP&L is not broken down by individual customer delivery point. We find that FP&L's filing substantially complies with our filing requirements. Accordingly, Cooperatives' motion to reject shall be denied.

Both Municipals and Cooperatives request that in the event the Commission does not reject FP&L's filing, the Commission should suspend the proposed rates for the full statutory five months.

On December 8, 1975, FP&L filed answers to the pleading of Municipals and Cooperatives.

Our review indicates that the proposed rates filed by FP&L herein have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful. Therefore, we shall accept for filing the proposed rate change, suspend it for three months and establish hearing procedures.

Municipals and Cooperatives have raised in their pleadings various issues which require further development in an evidentiary proceeding such as that established herein. Furthermore, our independent review reveals certain issues that should be addressed in this proceeding. Accordingly, without limiting the rights of the parties, including Staff, in presenting such further evidence as they deem relevant and material, we hereby direct that the parties and Staff present evidence addressed to the following areas of potential dispute: (1) FP&L's claimed rate of return, (2) inclusion of nuclear fuel in the rate base, (3) use of an end-of-year rate base, (4) functionalization and allocation of transmission plant, (5) use of a single peak method for allocation of demand related power supply costs, (6) inclusion in O&M expense of estimated bank service charges, (7) inclusion in cost of service of an alleged income tax contingency, (8) the method of calculating the allowance for funds used during construction, (9) income tax normalization, (10) the proposed billing demand ratchets, (11) the appropriate wholesale rate class or classes, (12) reduction of rate base by the amount of accumulated provision for deferred Federal income taxes, (13) a transmission discount for service at or above 69 Kilovolts, (14) the reactive demand charge, and (15) the "Limitation of Service" clause.

While noting that the Commission contests its authority to consider "price squeeze" allegations, Municipals seek to raise that issue here so as to preserve their rights. With respect to the "price squeeze" issue, we note that the U.S. Court of Appeals has stayed its mandate in Conway Corp. v. FPC, 510 F. 2d 1264 (1975), pending appeal by the Commission.[5] Accordingly, we shall limit this proceeding so as to exclude consideration of the "price squeeze" issue. Municipals may however renew its request for consideration of this issue when and if the Conway decision becomes final.

We note that by Commission order issued March 29, 1973, in FP&L's prior rate increase proceeding in Docket No. E-8008, FP&L was ordered to timely file executed or unexecuted service agreements under its FPC Electric Tariff upon the expiration of the contract terms for certain of the wholesale customers with fixed rate contracts. Our review indicates that FP&L has not filed the appropriate service agreements with Florida Keys, Peace River and Suwannee Valley even though FP&L has apparently been collecting the tariff rate from these customers. Accordingly, we shall require FP&L to file such service agreements within 15 days of the issuance of this order. Under The Federal Power Act, no utility may without waiver, change its rates without notice of a change in rates filed with this Commission 30 days prior to such change. We shall take such action as may be appropriate upon the filing of the new service agreements.

The Commission finds. (1) Good cause exists to accept for filing the prpoosed rate change tendered by FP&L on October 31, 1975, and to suspend the proposed rates for three months until April 1, 1976, when they shall become effective, subject to refund.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Federal Power Act, that the Commission enter upon a hearing concerning the lawfulness of FP&L's FPC Electric Tariff as proposed to be revised herein.

(3) Good cause does not exist to grant Municipals' and Cooperatives' motions to reject FP&L's filing.

(4) Good cause exists to allow Municipals and Cooperatives to intervene in this proceeding.

The Commission orders. (A) Pursuant to the authority of the Federal Power Act, particularly Sections 205 and 206 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Federal Power Act (18 CFR Chapter I), a public hearing shall be held concerning the justness and reasonableness of the rates, charges, terms, and conditions of service included in FP&L's FPC Electric Tariff, Original Volume No. 1 as proposed to be revised by the subject filing.

(B) Pending a hearing and a decision thereon, FP&L's proposed rate change contained in the revised tariff sheets tendered on October 31, 1975, are hereby accepted for filing and suspended for three months, to become effective on April 1, 1976, subject to refund.

(C) FP&L shall file within fifteen (15) days of the issuance of this order its service agreements with Florida Keys, Peace River and Suwannee Valley.

(D) Municipals' and Cooperatives' motions to reject are hereby denied.

(E) Municipals and Cooperatives are hereby permitted to intervene in this proceeding, subject to the Rules and Regulations of the Commission; *Provided, however,* that the participation of such intervenors shall be limited to matters affecting the rights and interests specifically set forth in their petitions to intervene; and *Provided, further,* that the admission of such intervenors shall not be construed as recognition that they might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(F) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose, (See Delegation of Authority, 13 CFR 3.5(d)), shall preside at the hearing in this proceeding in accordance with the policies expressed in the Commission's Rules of Practice and Procedure.

(G) The Presiding Administrative Law Judge shall preside at a prehearing conference in this proceeding to be held on February 4, 1976, at 9:30 a.m., at the offices of Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish procedural dates for this proceeding and to rule upon all pending motions (except petitions to intervene).

(H) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to Section 1.18 of the Commission's Rules of Practice and Procedure.

[1] Designated: Second Revised Sheet No. 5, Third Revised Sheet No. 6, First Revised Sheet No. 7, and Second Revised Sheet No. 8 to FPC Electric Tariff, Original Volume No. 1.

[2] City of Homestead, City of New Smyrna Beach, Florida Keys Electric Cooperative, Inc., Suwannee Valley Electric Cooperative, Inc., Lee County Electric Cooperative, Inc., Okefenoke Rural Electric Membership Corporation, Glades Electric Cooperative, Inc., Peace River Electric Cooperative, Inc. and Clay Electric Cooperative, Inc.

[3] All of the cooperatives listed in footnote 2 with the exception of Florida Keys Electric Cooperative, Inc.

[4] Seminole, a cooperative membership corporation which is owned and controlled by the six cooperative petitioners and other Florida cooperatives, was organized to obtain power supply for its member distribution cooperatives.

[5] Certiorari granted ——U.S. ——(1975); 44 U.S.L.W. 3270.

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(I) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-918 Filed 1-12-76;8:45 am]

[Docket No. CI76-291]

FRANK W. CASS & WALTER H. STEPHENS

Application

DECEMBER 30, 1975.

Take notice that on December 4, 1975, Frank W. Cass and Walter H. Stephens (Applicants), 2001 Bryan Tower, Suite 2929, Dallas, Texas 75201, filed in Docket No. CI76-291 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon the sales of natural gas to Allied Chemical Corporation (Allied) for resale from the Bird "E" Lease, L&SVRR Co. Survey, Reagan County, Texas, all as more fully set forth in the application on file with the Commission and open to public inspection.

It is stated that the proposed abandonment would be applicable only to that portion of the residue gas sold by Allied from its Benedum Plant that is allocable to casinghead gas purchased by Allied from Applicants' Bird "E" Lease. Applicants state that pursuant to a gas contract agreement dated July 6, 1951, Applicants sell casinghead gas to Allied; and Allied pays to Applicant 70 percent of the net proceeds from the resale of high pressure gas and 50 percent of the net proceeds of low pressure gas, less certain costs (boosting, dehydration, and others). Applicants further state that in the last 16 months the net revenue after taxes and royalty has been $48.59 for 431 Mcf of residue gas sold. It is alleged that at the price received by Applicants, it would be an economic hardship for Applicants to furnish abstracts of title showing good and merchantable title to Allied; and without such abstracts, Allied can and has refused to pay Applicants for the sale of residue gas.

Applicants further note that the gas sales contract provides for a primary term of ten years and that either party may terminate after that time. Applicants further note that the contract provides that in the event the subject lease is farmed out, the farmee or lease purchaser has the option within 90 days to cancel the gas sales contract. Applicants allege that they have conformed with the latter provision and that Allied has refused to acknowledge their notice of cancellation.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 15, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-910 Filed 1-12-76;8:45 am]

[Docket No. CS72-680]

F. E. GOULD

Redesignation

JANUARY 2, 1976.

On November 2, 1974, F. E. Gould died. The ownership of gas interests passed by survivorship to Norma S. Gould, who is setting up a self-trusteed trust to hold her gas interests.

Notice is hereby given that the small producer certificate issued to the deceased in Docket No. CS72-680 is cancelled, effective as of November 2, 1974. The small producer certificate issued in Docket No. CS72-679 is amended from Norma S. Gould to Norma S. Gould, trustee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-906 Filed 1-12-76;8:45 am]

[Docket No. ER76-380]

GULF STATES UTILITIES CO.

Filing of Fuel Adjustment Clause

JANUARY 6, 1976.

Take notice that Gulf States Utilities Company (Gulf States) tendered for filing on December 22, 1975 a proposed fuel adjustment clause to conform to the provisions of Order No. 517. Gulf States requests the Commission to permit the fuel clause to become effective at the earliest date that would conform to the Commission's rules.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Section 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 16, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-885 Filed 1-12-76;8:45 am]

[Docket No. RP75-107]

GRANITE STATE GAS TRANSMISSION, INC.

Proposed Substitute Changes in Rates

DECEMBER 30, 1975.

Take notice that on December 22, 1975, Granite State Gas Transmission, Inc. (Granite State) tendered for filing ten (10) copies of Alternate Sustitute Ninth Revision Sheet No. 3A in its FPC Gas Tariff, Original Volume No. 1, pursuant to Part 154 of the Commission's Regulations and pursuant to the Commission's order issued herein on December 15, 1975. Granite State proposes that the revised rates contained on Alternate Substitute Ninth Revised Sheet No. 3A become effective on December 1, 1975. The annual effect of the proposed rate increase is approximately $216,500 in Granite State's jurisdictional revenues based on sales and costs for the 12 months ended January 31, 1975, as adjusted, according to Granite State.

This Alternate Substitute Ninth Revised Sheet No. 3A is filed in substitution for the rates contained in Granite State's November 18, 1975, filing herein by which Granite State tendered Substitute Ninth Revised Sheet No. 3A to the Commission. By Order Rejecting Substitute Tariff Sheets Without Prejudice issued herein on December 15, 1975, the Commission rejected Granite State's November 18, 1975, filing without prejudice to Granite State's right to refile, within ten days of the date of issuance of that order, a revised tariff sheet based on Granite State's claimed cost of service in its filing of May 30, 1975, and the revised method of cost classification and rate design reflected in Granite State's November 18, 1975, filing. According to Granite State, the instant filing is made in light of the Commission's instructions in its December 15, 1975 order and is intended to cure the defect specified therein.

The Company states that the instant filing adjusts the proposed rates contained in the November 18, 1975, filing so as to correspond with the jurisdictional cost of service contained in Granite State's May 30, 1975, filing. Specifically, Granite State declares that the jurisdictional cost of service was reduced by $1,537 from the figure included in the November 18, 1975, filing of $4,764,883 to $4,763,346. The $1,537 was deducted from the demand portion exclusively in order to fully comport with the allocation method promulgated in Opinion Nos. 671 and 671-A. Rates were then designed in precisely the same fashion as they were in the November 18, 1975, filing based on the cost of service indicated as proper in the Commission's December 15, 1975, order, according to Granite State.

Granite State specifically requests waiver of the Commission's notice requirements, Section 154.22 of the Regulations and further waiver of Commission Regulations necessary to place Alternate Substitute Ninth Revised Sheet No. 3A into effect as of December 1, 1975, in accordance with the conditions of the Commission's December 15, 1975, order herein.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure. All such petitions or protests should be filed on or before January 14, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-911 Filed 1-12-76;8:45 am]

[Docket No. ER76-376]

IDAHO POWER CO.

Cancellation

JANUARY 2, 1976.

Take notice that on December 19, 1975, Idaho Power Company tendered for filing a notice of cancellation of the Agreement between Idaho Power and Wells Rural Electric Company, dated March 17, 1960 (Rate Schedule FPC No. 31), as amended September 11, 1971 (Supplement No. 2 to Rate Schedule FPC No. 31).

The Company states that by letter dated March 3, 1971, Wells Rural Electric Company notified Idaho Power Company that the agreement between the parties would be terminated as of December 31, 1975. Wells Rural stated the reason for the termination was because of the opportunity to obtain power at wholesale from Bonneville Power Administration at a rate lower than such power was available from Idaho Power Company.

The Company states that notice of the proposed cancellation has been served on Wells Rural Electric Company.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, Union Center Plaza Building, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 12, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-890 Filed 1-12-76;8:45 am]

[Docket No. ER76-206]

IOWA ELECTRIC LIGHT & POWER CO.

Order Accepting in Part and Suspending in Part Proposed Rate Increase, Denying in Part and Granting in Part Motion To Reject, Granting Interventions, and Establishing Procedures

DECEMBER 31, 1975.

On October 31, 1975, Iowa Electric Light and Power Company (Iowa) tendered for filing proposed changes to its Rate Schedules RES-1, for twelve municipal customers receiving partial requirements service,[1] and RES-2, for fourteen municipal customers,[2] Farmers Electric Cooperative of Kalona, and the Amana Society Service Company, for full requirements service, contained within its FPC Electric Service Tariff, Original Volume No. 1. Iowa states that the proposed changes would increase revenues from expected jurisdictional sales by $1,428,672 for the 12-month period ending June 30, 1976. Iowa requests that the proposed rates be allowed to become effective January 1, 1976.

Iowa states that the reasons for the requested jurisdictional rate increase are higher costs of capital, wages, property and payroll taxes, fixed costs associated with the placing in service of generating facilities necessary to meet its customers' requirements, and the need to provide a reasonabl return to Iowa and its investors.

Notice of this proposed rate increase was issued November 7, 1975, with comments, protests, petitions to intervene due on or before November 24, 1975. By notice issued November 24, 1975, the Secretary extended this date to December 5, 1975.

On November 28, 1975, and December 8, 1975, the Iowa Defense Group (IDG), consisting of all the customers proposed to be served under RES-1 and RES-2, filed a motion to reject, protest and petition to intervene which, inter alia, asserted that Iowa's rate application to the customers should be rejected under the Mobile-Sierra[3] doctrine because they have fixed rate contracts, for failure to comply with Order No. 537[4] in not submitting required rate design information, for failure to conform to Section 35.13 (b)(4)(iii) of the Commission's Regulations in that Period II was not a valid estimated test year. IDG requests that Iowa's wholesale rate increase be rejected, or in the alternative summarily dismissed, as being discriminatory in contravention of Section 205(b) in that if the rate increase was granted, Iowa's return from its jurisdictional customers would be higher than the return from total company operations for Period II as shown in Iowa's tender. In the alternative, IDG requested a five month suspension, intervention, and the holding of a hearing.

The U.S. Court of Appeals has stated that: "the rule of Sierra, Mobile and Memphis[5] is refreshingly simple: The contract between the parties governs the legality of the filing. Rate filings consistent with contractual obligations are valid; rate filings inconsistent with contractual obligations are invalid."[6]

Iowa's service agreements with the Cities of Sibley (dated March 4, 1965) and Marathon, Iowa (dated May 16, 1961) on file with the Commission are fixed rate within the meaning of the Mobile-Sierra doctrine and we will therefore reject Iowa's proposed rate increase to those Cities. The service agreement with Sibley, Iowa FPC Rate Schedule No. 28, provides for a rate to be charged for energy of 1.1¢ per KWh, and the service agreement continues in effect from year to year unless terminated by either party giving 36 months' written notice. The service agreement with Marathon, Iowa FPC Rate Schedule No. 21, provides for a monthly demand charge of $2.60 per KW and an energy charge of .85¢ per KWh, contains a fuel clause; and the service agreement continues in force from month to month until either party gives 90 days written notice to the other.

Iowa's service agreements with the Cities of Tipton (dated June 7, 1965), and Ellsworth, Iowa (dated November 20, 1964) on file with the Commission contain the following language with respect to the Mobile-Sierra issue:

"It is further understood and agreed that if a different rate applicable to the class of service furnished under this agreement, is legally established by any regulatory body having jurisdiction, such

[1] Cities of Grand Junction, Hopkinton, Maquoketa, Preston, Sibley, State Center, Story City, Tipton, Traer, Vinton, West Liberty, Whittemore, all situated in Iowa.

[2] Cities of Burt, Corwith, Dike, Dysart, Earlville, Eldridge, Ellsworth, Kelley, Long Grove, Marathon, Panora, Paton, Roland, Stanhope, all situated in Iowa.

[3] United Gas Pipe Line Company v. Mobile Gas Service Corporation, 350 U.S. 322 (1956); Federal Power Commission v. Sierra Pacific Power Company 350 U.S. 348 (1956).

[4] Issued October 9, 1975, in RM74-20

[5] United Gas Pipe Line Co. v. Memphis Light, Gas and Water Division, 358 U.S. 103 (1958).

[6] Richmond Power and Light Company v. F.P.C., 481 F. 2d 490, 495 (USCA-D.C. Cir. 1973).

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rate shall be substituted for that provided herein."

We believe that the parties did not intend in their service agreements as reflected in the quoted language that Iowa could increase its rates by a Section 205 unilateral filing, nor did the parties intend that the service would be under a fixed rate. Rather, they allowed for an increase in rates by order issued by the regulatory body having jurisdiction, which is this Commission. This Commission effects rate increases by order only pursuant to Section 206(a) of the Federal Power Act.

However, the service agreements with the remainder of the IDG customers with the exception of the Cities of State Center and Vinton, Iowa, on file with the Commission contain the following language:

"*Article IV—Prices.*—Company agrees to sell and customer agrees to purchase electric service hereunder at the rates contained in Company's Rate Schedule RES–1 [or RES–2], as filed with the Federal Power Commission.

"This Agreement in all respects shall be and remain subject to the applicable provision of said Rate Schedule RES–1 [or RES–2] and any lawful amendments or supplements of said Rate Schedule.

"*Article VIII—Miscellaneous.* — This Agreement shall at all times be subject to such changes or modifications by the Federal Power Commission, as said Commission may, from time to time, direct in the exercise of its jurisdiction."

We believe that this language is comparable to that contained in United Gas Pipe Line's service agreements which the Supreme Court decided contemplated a unilateral change in rates pursuant to a filing under Section 4 of the Natural Gas Act by United in United Gas Pipe Line Company v. Memphis Light, Gas and Waters Division, 358 U.S. 103 (1958). That language is as follows:

"All gas delivered hereunder shall be paid for by Buyer under Seller's Rate Schedule the appropriate rate schedule designation is inserted here, or any effective superseding rate schedules, on file with the Federal Power Commission. This agreement in all respects shall be subject to the applicable provisions of such rate schedules and to the General Terms and Conditions attached thereto and filed with the Federal Power Commission which are by reference made a part hereof Emphasis the Court's. 358 U.S. at 105."

In distinguishing this Memphis language from the fixed rate fixed term language of Mobile-Sierra the Court, noting that United in Mobile had bound itself to sell gas to Mobile for a fixed price for the term of the contract, stated:

"The United contract now before us, as construed by the Federal Power Commission and as viewed by the Court of Appeals for the purposes of decision, is vitally different from that in Mobile. On this view of the contract United bound itself to furnish gas to these customers during the life of the agreements not at a single fixed rate, as in Mobile, but at what in effect amounted to its current 'going' rate. Contractually, this left United free to change its rates from time to time, subject, of course, to the procedures and limitations of the Natural Gas Act. In such circumstances there is nothing in Mobile which suggests that United was not entitled to file its new schedules under Section 4(d), or that the Commission has no jurisdiction to consider them under Section 4(e): 358 U.S. at 110."

This is exactly the effect of the language in Article IV of the service agreements relating to prices recited above.

Our review of the proposed rates and accompanying cost support indicates that the rates have not been shown to be just and reasonable, and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful. Accordingly, except as to the Cities of Shibley and Marathon, *supra*, and State Center and Vinton, infra, we shall accept the proposed rate increase for filing and suspend its use for two months, when it will be permitted to become effective, subject to refund.

Iowa's service agreements with the Cities of State Center and Vinton, Iowa are not on file with this Commission and therefore the Commission is unable to rule at this time on the Mobile-Sierra issue with respect to these customers. We will not assign a filing date to Iowa's tender with respect to these customers pending Iowa's furnishing the current service agreements and rates applicable to these customers. Illinois Power Company, Docket No. E–9520, order issued October 29, 1975, and letter order issued September 2, 1975.

Iowa's rate application was tendered before the effective date of the changes in the Commission's Regulations made by Order No. 537 (mimeo p. 9), which, inter alia, added Statement P to Section 35.13 (b)(4)(iii) requiring the submittal of rate design information with rate increase applications, and therefore rejection of Iowa's submittal for failure to comply with those changes is not warranted. We do not believe summary disposition of a rate increase application is warranted on the basis of the allegation that the return requested for jurisdictional service is estimated to exceed the return for total company operations during Period II. The question of Period II as a valid estimated test year is properly a matter to be raised in the evidentiary hearing infra.

On December 5, 1975, the Amana Refrigerator Company, Inc. timely filed a protest, petition to intervene, and request for a hearing and suspension. The City of Burt, Iowa timely filed a petition to intervene and the Iowa State Commerce Commission timely filed a Notice of Intervention. We will grant intervention to the above parties.

Protests were received from the Cities of Eldridge, West Liberty, Story City, Kelley, Whittemore, Traer, Panora, Ellsworth, Dysart, Roland, Corwith, Stanhope, Marathon; Eldridge Cooperative Company; Farmers Electric Cooperative; and North Scott Community School District.

Evidence relevant to the issues raised by the instant filing should be submitted by all parties, including our Staff. Without limiting the rights of the parties, including Staff, to present such further evidence as they deem relevant and material, the parties and our Staff should address themselves to the following issues:

(1) The validity of Iowa's Period II estimates.

(2) Iowa's inclusion of $4,453,932 of average cash bank balances in working capital.

(3) Iowa's normalization of the tax effect of capitalized items such as interest during construction.

(4) Iowa's functionalization of certain general plant, common plant, and administrative and general expenses on functional plant ratios.

(5) Iowa's reduction of rate base by amounts included in Account 281.

(6) Iowa's allocation of demand related costs on the basis of weighted monthly coincidental peak demands.

(7) Iowa's reduction of current year income tax liability by a portion of 1974 operation losses.

(8) The appropriate base cost of fuel in Iowa's proposed fuel adjustment clauses.

(9) The appropriate investment associated with the Duane Arnold Energy Center nuclear plant to be included in Iowa's rate base.

(10) The appropriate depreciation rate for the investment in the Duane Arnold Energy Center.

(11) Iowa's proposed rate design.

(12) Iowa's proposed rate of return on common equity of 11.88 percent and overall rate of return of 8.96 percent.

The Commission finds. (1) Good cause exists to reject Iowa's proposed rate increase to the Cities of Sibley and Marathon, Iowa being barred by the Mobile-Sierra doctrine.

(2) Good cause exists to not assign a filing date to Iowa's proposed rate increase to the Cities of State Center and Vinton, Iowa until receipt of Iowa's current service agreements and applicable rates and to defer ruling of IDG's motion to reject under Mobile-Sierra pending receipt thereof.

(3) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of Iowa's proposed rate increase as filed herein, except as provided in (1) and (2) above, and that such increases be accepted for filing and suspended for two months as hereinafter ordered.

(4) Good cause exists to deny the remainder of IDG's motion to reject.

(5) The participation of the abovenamed petitioners for intervention may be in the public interest.

The Commission orders. (A) Iowa's proposed rate increase to the Cities of Sibley and Marathon, Iowa is rejected.

(B) Iowa's proposed rate increase to the Cities of State Center and Vinton, Iowa is not assigned a filing date until

receipt of Iowa's current service agreements and applicable rates, which Iowa shall file forthwith.

(C) Pursuant to the authority of the Federal Power Act, particularly Section 205 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Federal Power Act a public hearing shall be held in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, concerning the lawfulness of the rates, charges, classifications and services contained in Iowa's proposed rate increase, except as ordered in (A) and (B) above.

(D) Pending hearing and decision as to the lawfulness of the increased rates proposed herein and except as ordered in (A) and (B) above, Iowa's proposed rate increase is accepted for filing and suspended for two months, when it will be permitted to become effective, subject to refund.

(E) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 C.F.R. 3.5(d)), shall preside at an initial conference in this proceeding at 9:30 a.m. on January 20, 1976. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates for this proceeding and to rule upon all motions (except petitions to intervene).

(F) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening conferences or offers of settlement pursuant to Section 1.18 of the Commission's Rules of Practice and Procedure.

(G) Intervention is hereby granted to the above named petitioners, subject to the Rules and Regulations of the Commission; *Provided, however,* that the participation of such intervenors shall be limited to matters affecting rights and interests specifically set forth in their petitions to intervene and *Provided, further,* that the admission of such intervenors shall not be construed as recognition that the petition might be aggrieved because of any order or orders issued by the Commission in these proceedings.

(H) IDG's motion to reject is denied to the extent not granted supra.

(I) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–919 Filed 1–12–76;8:45 am]

[Docket No. ER76–367]

KANSAS GAS & ELECTRIC CO.

Filing of Rate Schedule Supplement

JANUARY 2, 1976.

Take notice that on December 15, 1975, Kansas Gas and Electric Company (KG&E) tendered for filing with the Commission Service Schedule J, Interim Power Service, dated November 25, 1975, as a supplement to the Agreement for Interchange of Power and Interconnected Operation between The Empire District Electric Company (EDE) and KG&E dated November 6, 1958, and designated FPC Rate Schedule No. 83. KG&E states that Service Schedule J provides for the supply of electric power and accompanying energy to KG&E by EDE as made available to EDE by the Public Service Company of Oklahoma's Riverside Unit No. 1. KG&E states further that Service Schedule J is to become effective as of November 25, 1975 and is to continue in full force and effect through May 31, 1977. Included in the filing was a Certificate of Concurrence executed on behalf of EDE.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 13, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–891 Filed 1–12–76;8:45 am]

[Docket No. ER76–366]

KANSAS GAS & ELECTRIC CO.

Filing of Rate Schedule Supplement

JANUARY 2, 1976.

Take notice that on December 15, 1975, Kansas Gas and Electric Company (KG&E) tendered for filing with the Commission Service Schedule I, Interim Power Service, dated September 5, 1975, as a supplement to the Electric Interconnection Contract between KG&E and The Kansas Power and Light Company (KP&L) dated July 19, 1962, and designated FPC Rate Schedule No. 93. KG&E states that Service Schedule I provides for the supply of electric power and accompanying energy to KP&L by KG&E as made available to KG&E by the Empire District Electric Company which is in turn to be supplied by the Public Service Company of Oklahoma's Riverside Unit No. 1. KG&E states further that Service Schedule I is to become effective as of September 5, 1975 and is to continue in full force and effect through May 31, 1977. Included in the filing was a Certificate of Concurrence on behalf of KP&L.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 13, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–902 Filed 1–12–76;8:45 am]

[Docket No. CP76–195]

LONE STAR GAS COMPANY, A DIVISION OF ENSERCH CORP.

Application

DECEMBER 30, 1975.

Take notice that on December 11, 1975, Lone Star Gas Company, a Division of Enserch Corporation (Applicant), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP76–195 an application pursuant to Section 7(c) of the Natural Gas Act, as implemented by Section 157.7(c) of the Regulations thereunder (18 CFR 157.7(c)), for a certificate of public convenience and necessity authorizing the miscellaneous rearrangements of various gas sales and transportation facilities during the calendar year 1976, and operation of said facilities all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that the purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in making miscellaneous rearrangements which will not result in any material change in service.

The total cost of the proposed facilities would not exceed $300,000. Applicant proposes to finance the proposed facilities from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 23, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceding or to paticipate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and

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Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-912 Filed 1-12-76;8:45 am]

[Docket Nos. RP71-16 and RP74-29 (PGA76-2; DCA76-1)]

MIDWESTERN GAS TRANSMISSION CO.

Filing Pursuant to Tariff Rate Adjustment Provisions

JANUARY 2, 1976.

Take notice that on December 15, 1975, Midwestern Gas Transmission Company (Midwestern) tendered for filing Twelfth Revised Sheet No. 5 to its FPC Gas Tariff, Third Revised Volume No. 1, proposed to be effective February 1, 1976. Midwestern states that the sole purpose of the revised tariff sheet is to reflect adjustments to its rates pursuant to rate adjustment provisions in Article XVII, XVIII, and XIX of the General Terms and Conditions of its tariff.

Midwestern states that as to the Southern System, Twelfth Revised Sheet No. 5 reflects (1) a Current Purchased Gas Cost Rate Adjustment pursuant to Section 2 of Article XVII which is based on rate changes filed by Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee) on December 15, 1975, in Docket No. RP75-113 and (2) a revised Surcharge for Amortizing the Unrecovered Purchased Gas Cost Account for the Southern System of a negative 0.97 cents per Mcf pursuant to Section 3 of Article XVII. Midwestern states that the calculation of the Surcharge is based on the balance in the account as of October 31, 1975, three months prior to the effective date of adjustment as specified by Section 3.4 of Article XVII. According to Midwestern, the revised tariff sheet also reflects a Current Rate Adjustment of 1.79 cents per Mcf to reflect curtailment demand charge credits applicable to the Southern System pursuant to Section 9 of Article XIX.

Midwestern states that as to the Northern System, Twelfth Revised Sheet No. 5 reflects a revised Surcharge for Amortizing the Unrecovered Purchased Gas Cost Account for the Northern System of a negative 3.32 cents per Mcf as specified in Section 3 of Article XVIII.

Midwestern states that copies of the filing have been mailed to all of its jurisdictional customers and affected state regulatory commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 13, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene; provided, however, that any person who has previously filed a petition to intervene in this proceeding is not required to file a further petition. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-892 Filed 1-12-76;8:45 am]

[Docket No. E-9473]

MISSOURI UTILITIES CO.

Settlement Conference

JANUARY 2, 1976.

Take notice that on Tuesday, January 20, 1976, Staff is convening a settlement conference for the purpose of discussing the issues in the above captioned docket with a view toward settling this proceeding at 10:00 A.M., in Room 6200 at the offices of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426. Pursuant to Section 1.18 of the Commission's Rules of Practice and Procedure, all parties will be expected to come fully prepared to discuss the merits of all issues arising in these proceedings and to make commitments with respect to such issues and any offers of settlement or stipulations discussed at the conference. Customers and other interested persons will be permitted to attend, but such attendance at the conference will not be deemed to authorize intervention as a party in the proceedings. A petition to intervene tendered pursuant to Section 1.8 of the Commission's Rules of Practice and Procedure is required for that purpose.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-901 Filed 1-12-76;8:45 am]

[Docket No. RP74-100 (PGA76-2)]

NATIONAL FUEL GAS SUPPLY CORP.

Order on Rehearing and Granting Extension of Time

DECEMBER 31, 1975.

On November 13, 1975, National Fuel Gas Supply Corporation (National Fuel) filed herein a petition for rehearing and stay of the Commission's order issued in this docket on October 17, 1975. The October 17 order suspended and set for hearing National Fuel's proposed PGA rate adjustment because such adjustment was predicated, in part, upon purchases from small producers at rates in excess of those prescribed in Commission Opinion No. 742. The said order also made respondents to the proceeding those small producers with rate in excess of the level prescribed in Opinion 742, and required those small producers to submit on or before November 17, 1975, detailed cost data showing the cost of finding and producing gas from each project subject to the order. On November 17, 1975, one small producer, Carrol A. Weaver, did submit cost data in response to the order. Additional cost evidence was submitted on November 28, 1975, on behalf of Amarex, Inc.

In its petition for rehearing National Fuel states as follows:

"National has made efforts to contact the fourteen small producer respondents to determine their reaction to the order and the availability of cost data. Twelve of the fourteen small producers made respondents under the order have annual sales volumes ranging from 2,500 to 40,000 Mcf per year, with only two of the fourteen producers having sales in excess of 40,000 Mcf per year. National is informed and believes that only 50% of these enterprises are carried on in corporate form, and a number are operated as a source of a second income by individuals employed full time in other occupations. National is further informed and believes that few of the respondent small producers regularly maintain financial records in sufficient detail to produce the type of cost data specified by the order. National is further informed and believes that it is the position of certain of the respondent small producers that the expense of securing necessary legal and accounting services to comply with the provision of the order would be out of proportion to the volume of sales made by them.

* * * * *

"National is informed and believes that meaningful cost data for most of the small producers of the approximate size of the respondent producers in the instant docket is impossible to obtain on either an individual or a combined basis. Most of the individuals and small corporations involved just do not maintain this sort of data. Further, attempts to quantify these costs are not in the public interest, although it is very much in the public interest to maintain the flow of gas from these producers in the interstate market. In any event, no cost data of any kind can be assembled by the date set forth in the Commission order."

National Fuel further argues that the requirement for reporting of costs by small producers is inconsistent with the Commission's stated policy of reducing the small producer's expense and burdens relating to FPC regulatory matters.

In Opinion No. 742, issued on August 28, 1975, the Commission adopted a new section 157.40(l) of its regulations

under the Natural Gas Act. This section states as follows:

"(l) *Pipeline purchases.* If a pipeline company purchases gas from a producer who is selling such gas pursuant to a small producer certificate at a rate in excess of the just and reasonable rate established in subparagraph (c) above, then the pipeline purchaser must show that the rate paid to the small producer is just and reasonable before it may include any amount in excess of the just and reasonable rate in subparagraph (c) above in its cost of service. In determining whether the small producer's rate is just and reasonable in such a situation, the Commission will consider all relevant factors including (1) producer's costs, (2) the pipeline's need for gas, (3) the availability of other gas supplies, (4) the amount of gas dedicated under the contract, (5) the rates of other recent small producer sales previously approved for flow through and (6) comparison with appropriate market prices."

Based on a review of the facts and circumstances of this case, and the Commission's applicable regulations as noted above, we continue to believe that small producer cost evidence is relevant to a determination of the just and reasonable rate for the small producer sales at issue in this proceeding. Such evidence may be submitted either directly by the small producers or through National. National Fuel should use its best efforts to present complete evidence on producer costs. To the extent that evidence is not available for all producers National Fuel should offer proof as to the reasonableness of applying such cost evidence as it is able to adduce to all purchases here in question. We will render our final decision on the basis of all evidence and apply the costs to the extent shown to be reasonable. For other purchases, if any, we will apply the standard set forth in Opinion No. 742, i.e., a small producer rate not in excess of 130 percent of the applicable national or area rate will be presumed to be just and reasonable. Conversely any portion of such rate above the 130 percent stanadrd shall be deemed not to be just and reasonable and prospective reductions of such rates ordered.

In light of the above findings and for good cause shown in the petition for rehearing, National Fuel's request for an extension of procedural dates will be granted as set forth below.

The Commission orders: (A) The date for submission of small producer cost data is extended from November 17, 1975, to January 16, 1976. The date for serving of initial evidence by National Fuel and the respondent small producers is extended from December 1, 1975, to January 30, 1976. The date for serving of evidence of the Commission staff and any intervenors is extended to March 15, 1976. Any rebuttal evidence shall be served on or before April 16, 1976. Hearings shall commence on April 26, 1976.

(B) Except to the extent granted, National Fuel's petition for rehearing, stay and other ancillary relief is denied.

(C) The Secretary shall cause prompt publication of this order in the Federal Register.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-920 Filed 1-12-76;8:45 am]

[Docket No. CP74-204]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Tariff Filing

JANUARY 5, 1976.

Take notice that on December 12, 1975, Natural Gas Pipeline Company of America (Natural) submitted for filing Rate Schedule X-61, Original Sheet Nos. 633 through 649, to be included in Natural's FPC Gas Tariff Second Revised Volume No. 2.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 13, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-878 Filed 1-12-76;8:45 am]

[Docket Nos. CP75-224, CP76-61]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Tariff Filing

JANUARY 5, 1976.

Take notice that on December 12, 1975, Natural Gas Pipeline Company of America (Natural) tendered for filing Rate Schedule X-57, Original Sheet Nos. 578 through 604; Second Revised Sheet No. 327 canceling Rate Schedule X-41; and Rate Schedule X-60, Original Sheet Nos. 625 through 632. Natural states that these tariff sheets are to be included in its FPC Gas Tariff Second Revised Volume No. 2.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.18, 1.10). All such petitions or protests should be filed on or before January 13, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-879 Filed 1-12-76;8:45 am]

[Docket Nos. ER76-304 and ER76-317]

NEW ENGLAND POWER CO.

Order Denying Motions To Reject, Accepting Proposed Tariff Sheets for Filing, Suspending Use Thereof, Consolidating Proceedings, Providing for Hearing, Granting Interventions and Establishing Procedures

DECEMBER 31, 1975.

On November 28, 1975, New England Power Company (NEPCO) tendered for filing proposed changes in its FPC Electrict Tariff, Original Volume No. 1, in Docket No. ER76-304.[1] The proposed tariff sheets constitute a new Rate R-10 which NEPCO requests be made effective January 1, 1976. NEPCO states that the change in its present Rate R-9 to be effected by these tariff sheets will, inter alia, increase the demand charge from $5.72 per kilowatt of demand to $6.43 per kilowatt and will increase the energy charge from 1.75 cents per kilowatt-hour to 1.78 cents per kilowatt-hour. The charge for sub-transmission service would also be increased from 5 cents per kilowatt of demand to 46 cents per kilowatt. The proposed rates would produce approximately $28,600,000 in additional revenues from 33-full requirement customers on the basis of the 12 month test period ending December 31, 1976 (Period II). These additional revenues represent an increase of approximately 6% over the presently effective rate. In its cost-of-service study supporting the proposed increases, NEPCO claims that it is entitled to a rate of return of 9.94% which includes a return of 14.60% on common equity.

NEPCO states that the rate increase proposed in Docket No. ER76-304 is necessary to provide the increased revenues needed to meet continually increasing operating expenses and to enable the company to raise capital on reasonable terms to provide future service to the consumer. NEPCO states further that it has been unable to earn a fair return for the past two years and that as result its financial integrity has been called into question to the detriment of both shareholders and consumers.

[1] NEPCO's proposed tariff sheets were designated Schedule II-A, Seventh Revised Page No. 1; Schedule II-A, Seventh Revised Page No. 2; Schedule II-B, First Revised Page No. 1; Schedule II-B, Original Page No. 2; and Schedule III-C, Second Revised Page No. 9.

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On December 1, 1975, NEPCO tendered for filing in Docket No. ER76–317 further proposed changes in the company's FPC Electric Tariff, Original Volume No. 1.[1] The proposed tariff sheets constitute a new Rate R–10/CD for certain of NEPCO's Primary Service for Resale Customers that have opted for Contract Demand Service. NEPCO requests an effective date of January 1, 1976. The effect of the R–10/CD rate change would be to increase the annual revenues from the six customers presently receiving Contract Demand Service by approximately $764,300 based upon the calendar year 1976 as a test period. The changes in NEPCO's present R–9/CD rate to be effected by these tariff sheets will, inter alia, increase the demand charge for these customers from $6.22 per kilowatt of demand to $7.01 per kilowatt. The rate for deliveries at the sub-transmission level would be increased to 46 cents per kilowatt of demand. The energy charge would remain 1.4 cents per kilowatt-hour.

NEPCO states that the costs to be recovered by the R–10/CD rate in Docket No. ER76–317 are the costs contained in NEPCO's R–10 Period II cost of service filed in Docket No. ER76–304 which are allocable to the company's six Contract Demand customers on the basis of their R–10/CD demands. NEPCO therefore requests waiver of the requirements of Section 35.13(b)(4)(iii) of the Commission's Regulations Under The Federal Power Act, 18 CFR Section 35.13(b)(4)(iii). NEPCO also seeks a waiver of Section 35.13(b)(1) of our Regulations, 18 C.F.R. Section 35.13(b)(1), which requires that rate change filings include revenue comparison data for the twelve months preceding and following the proposed effective date of the changes. In support of its request NEPCO states that it has submitted revenue comparison data for the twelve months following the proposed effective date and that data for the twelve months preceding the proposed effective date would be exactly the same except for changes in the quantities of outside entitlements available to these customers under the NEPOOL Agreement. NEPCO claims that revenue changes which occur for this reason alone are not meaningful and that the requirement that revenue comparison data for the twelve months preceding the proposed effective date should therefore be waived.

On December 15, 1975, public notice of NEPCO's proposed tariff rate R–10 was issued with protests or interventions due on or before December 22, 1975. Notice of proposed tariff rate R–10/CD was issued on December 12, 1975, with comments, protests or petitions to intervene due on or before December 23, 1975.

A petition to intervene in Docket No. ER76–304 was filed by the Green Mountain Power Corporation (Green Mountain) on December 22, 1975. On that same day Congressman Michael J. Harrington filed his protest and petition to intervene in Docket No. ER76–304 in which he requested us to reject NEPCO's filing, or, in the alternative, suspend the filing for five months and order hearings on the proposed increases. Also filed in Docket No. ER76–304 on December 22 was a joint protest, petition to intervene and motion to reject by various customers of NEPCO (Customers).[2] On December 23, 1975 NEPCO filed a response to these filings. Our review of each of the petitions to intervene leads us to the conclusion that it would be in the public interest to allow each of these petitioners to intervene in this proceeding.

In support of his motion to reject, Congressman Harrington alleges that NEPCO and its parent, the New England Electric System (NEES), are having the best year in their history while the region NEPCO serves is experiencing an economic recession induced in part by NEPCO's rates. While it may be true that the financial position of NEPCO and NEES has improved, and while we are not unmindful of the economic difficulties being experienced by the Northeastern States, as well as by other regions of our country, we cannot at this time conclude on the basis of these allegations alone that NEPCO's proposed rate increase is completely unwarranted and must be rejected. Nor can we agree with Congressman Harrington that rejection of NEPCOs' filing is required by the fact that Commission proceeding on NEPCO's previous rate increase have not yet been concluded.

Congressman Harrington has also requested us to eliminate from NEPCO's cost-of-service all "excessive" regulatory expenses and legal fees. He states that by "excessive" he means "anything above the industry average as a percentage of total operating expenses." While regulatory expenses and legal fees are, like other elements of a company's cost of service, subject to review in a rate proceeding, we are not prepared at this time to adopt, or to reject, the test proposed by Congressman Harrington to determine whether any of NEPCO's regulatory expenses or legal fees are "excessive." Resolution of this issue is more properly dealt with on an evidentiary record at the hearing herein ordered.

In this connection Congressman Harrington also requests us "to formulate an administrative rule which would permit intervenors representing retail customers to recover their reasonable expenses from the company-fees which would be awarded at the discretion of the Commission and passed on to customers as an operating expense." We decline to formulate such a rule of general application in this proceeding. Not only is our authority to order such reimbursement questionable, but the wisdom of such a course is also a matter which requires further consideration.[4] Even if we assume that we have the power to award such fees we do not believe that Congressman Harrington has adequately alleged circumstances which would require us to award reimbursement to him for legal expenses incurred on behalf of himself and other NEPCO customers he purports to represent.[5] In this regard we note that a number of NEPCO's customers have already organized their opposition to NEPCO's proposed increase and have retained counsel to represent them. (Note 3, supra).

Customers have also moved us to reject NEPCO's filing in Docket No. ER76–304 for a number of reasons. Before discussing these objections we note that rejection of a filing is appropriate only in "the clear case of a filing that is either patently deficient in form or a substantive nullity." *Municipal Light Boards* v. *F.P.C.*, 450 F. 2d 1341, 1346 (1971). Customers allege first that NEPCO has failed "to comply with the spirit of the [Commission's] regulations" by indicating in Statement L its actual realized return during Period I rather than the overall return which would have been realized during Period I under Rate R–9, the rate which it proposes to supersede. In its response NEPCO argues that the Period I regulation calls for an "actual unadjusted" cost of service and that hence it was proper to use the actual return figure included in its Statement L. The narrow question before us is whether NEPCO's filing should be rejected. We are not convinced that NEPCO's filing is patently deficient in form or a substantive nullity thus requiring rejection.

Similarly, in Docket No. ER76–304 Customers seek rejection of NEPCO's filing for failure to comply with Sections 35.13(b)(4)(iii) and 35.13(b)(1) of our Regulations, 18 CFR 35.13(b)(4)(iii) and 35.13(b)(1), which require a full explanation of each estimate included in Period II and the inclusion in the filing of testimony and exhibits that would serve as NEPCO's case-in-chief. In particular customers alleged that NEPCO has failed to explain or support (1) its decision to cancel its Salem Harbor No. 5 generating station, to include the unamortized portion of that unit in rate base, to amortize the cost of that unit through cost of service; and tax treatment of amounts associated with the unit; (2) the effect of its decision to join with NEES and its affiliates in filing a consolidated tax return; and (3) its inclusion as a cost item in its Period II cost of service of increased book depreciation rates. To buttress their allegations, Customers refer us to a filing by NEES in Securities and Exchange Commission Docket No. 57–561 wherein NEES purportedly states that projections such as the Period II projections at issue here were not necessarily prepared with reasonable care by qualified personnel under the supervision of management. NEPCO responds by arguing that the prepared testimony, exhibits and work papers of its witnesses adequately explain the company's Period II estimates and are in complicance with the cited Regulations. NEPCO further challenges Customers' interpretation of the NEES comments filed with the SEC. Again, we must reiterate that the question before us is a narrow one: is NEPCO's filing patently deficient in form or a substantive nullity thereby requiring rejection. We cannot conclude that rejection is required. That is not to say that NEPCO's filing is adequate to support the proposed increased rates. We take no position at this time on the adequacy of the testimony, exhibits and work papers to support the proposed rates. We find only that the filing should not be rejected. In reaching this decision we have carefully considered Customers arguments that NEPCO's alleged failure to comply with the Commission's regulations has in the past imposed considerable burdens upon intervenors and the Commission's Staff. We have concluded that NEPCO has in this case filed adequate Period II testimony, exhibits and work papers to avoid rejection.

Several other grounds are given by Customers for rejecting NEPCO's filing. We are told that the proposed increase in the sub-transmission charge is discriminatory and not cost supported. Similarly, we are told that the demand and energy metering loss adjustment is also discriminatory and not dost justified. Customers view these changes as nothing more than an attempt to revive the discriminatory practices condemned by the Commission in *Shrewsbury Municipal Light Dept.* v. *New England Power Company*, 32 FPC 370 (1964), *aff'd sub nom. New England Power Co.* v. *F.P.C.*, 349 F. 2d 258 (1st Cir. 1965). NEPCO responds by pointing to the fact that the increase in the sub-transmission charge is applicable to all customers receiving subtransmission service. NEPCO also cites testimony of one of its witnesses and the data contained in one of its exhibits. We conclude that there are issues of fact here which require resolution in an evidentiary hearing. Rejection of NEPCO's filing would be premature and unwarranted.

Nor can we reject NEPCO's filing simply because Customers have alleged that the proposed rate of return is "grossly excessive." The appropriateness, or inappropriateness of NEPCO's rate of return is a factual question which requires development in an evidentiary hearing. Rejection of NEPCO's filing would preclude such opportunity to consider the propriety of the proposed return.

Similarly, we will deny Customers motion to reject as unjustified on its face NEPCO's reduction of the credit applicable to those customers who by their own investment have provided the facilities necessary to receive high tension (69 or 115 Kv) service from NEPCO. In attacking NEPCO's filing, Customers have again challenged the testimony of NEPCO's witnesses and the exhibits prepared by them. By doing so, Customers have only emphasized the need for an evidentiary hearing to determine whether NEPCO's position has been adequately supported.

Finally, Customers have requested summary judgment on three issues. First, Customers allege that NEPCO cannot be permitted to include its Salem Unit No. 5 in rate base or to amortize the costs associated with Salem No. 5 through charges to cost of service. In a related argument, Customers challenge NEPCO's tax treatment of amounts connected with Salem No. 5. We conclude that summary judgment would be wholly inappropriate with respect to these issues. Summary judgment is reserved for those situations in which there are no issues as to material facts. In the instant case there remain numerous disputed issues of fact which must be resolved before it can be determined whether the rate base, cost of service and tax treatment accorded by NEPCO to amounts associated with Salem No. 5 are proper.

The second issue which Customers seek to have decided in their favor by means of summary judgment is whether NEPCO should be allowed to justify its rates through the use of normalized income taxes. To support their motion Customers point to their presentation in NEPCO proceedings in Docket Nos. E–8641, et al., involving Rate R–8 which was in effect during an earlier period. Again, we must deny summary judgment. The question of whether a company may use normalized income taxes in computing its cost of service must perforce be answered on a case by case basis on an evidentiary record.

Finally, Customers move for summary judgment on the issue of whether NEPCO should be allowed to include construction work in progress (CWIP) in rate base as an alternative justification for the proposed rates. Specifically, Customers request that testimony and exhibits which support the inclusion of CWIP be stricken. As support for their request Customers refer to our orders of August 5, 1975 and October 3, 1975 in *New England Power Company*, Docket Nos. E–9136, et al., appealed sub nom. *New England Power Company* v. *F.P.C.*, (1st Cir. No. 75–1379). In those orders we summarily dismissed portions of a proposed rate increase which reflected the inclusion of CWIP in rate base. Customers also argue that evaluation of the CWIP issue is more properly the subject of our rulemaking proceeding in Docket No. RM75–13. NEPCO responds by asserting that the proposed rate is not based upon CWIP and that the evidence offered by NEPCO's witnesses is an alternative justification for inclusion of CWIP which is offered in the event that the Commission in Docket RM75–13 permits the inclusion of CWIP prior to decision in the instant case. While we are sympathetic with the position taken by Customers, we have concluded that it is not necessary to rule on this question at this time. The inclusion of CWIP is an alternative basis for the proposed rates. In the instant case, unlike Docket Nos. E–9136, et al., the alternative basis for the rates was submitted with the original filing. Thus, were we to grant Customers motion for summary judgment there would be no effect on NEPCO's proposed rates. We therefore decline to rule on the question at this time and will deny the Customers motion. Our denial of the motion is, however, without prejudice to Customers' reviewing their motion to strike before the Administrative Law Judge at a later date.

Our review of NEPCO's proposed tariff changes in Docket Nos. ER76–304 and ER76–317 leads us to conclude that they should be accepted for filing. NEPCO states that the material required for its filing in Docket No. ER76–317 is contained in the filing in ER76–304. We shall therefore grant the requested waiver of Section 35.13(b)(4)(iii) and of Section 35.13(b)(1) of our Regulations. Such waiver is granted solely for the purpose of allowing the proposed tariff changes to be filed with the Commission to become effective after the two month suspension hereinafter ordered. The grant of such waiver should not be construed as a finding by the Commission that the data filed in either docket is sufficient to justify the changes proposed in Docket No. ER76–317.

In view of close relationship that appears to exist between the two dockets, we will also consolidate these dockets for purposes of the hearing hereinafter ordered and for all other purposes.

While we will accept NEPCO's proposed tariff changes for filing, we note that several issues may require development in an evidentiary hearing. Moreover, the proposed increases in rates have not been shown to be just and reasonable and may be unjust, unreasonable or otherwise unlawful. We shall therefore suspend the proposed increases in both dockets for two months and shall direct that a hearing be held on the justness and reasonableness of the rates proposed therein.

Our decision to suspend the proposed increases for a period of two months is, as in all cases in which we must fix the period of suspension, an attempt to balance sharply conflicting interests. On the one hand stand the consumers who have vigorously asserted a variety of challenges to the proposed rates and who argue that the filing should be rejected in its entirety. Barring that, the consumers argue that nothing short of a five month suspension period would be appropriate. On the other hand stands the company which asserts that a suspension period for longer than one day will cause extreme financial hardship and will ef-

[1] These tariff sheets were designated Schedule II–CD, First Revised Page No. 1; Schedule II–CD, First Revised Page No. 2; and Schedule III–T–CD, First Revised Page No. 2.

[2] The members of this group include the NEPCO Customer Rate Committee; the Electrical Departments and Plants of the Massachusetts Towns and Cities of Ashburnham, Boylston, Danvers, Georgetown, Groton, Groveland, Hingham, Holden, Hudson, Hull, Ipswich, Littleton, Mansfield, Marblehead, Merrimac, Middleton, North Attleboro, Paxton, Peabody, Princeton, Shrewsbury, Sterling, Templeton, Wakefield and West Boylston; Littleton, New Hampshire; the Manchester Electric Company; and the New Hampshire Electric Cooperative, Inc.

[4] See e.g., *Green County Planning Board* v. *F.P.C.* 455 F.2d 412, 427 (D.C. Cir. 1972).

[5] *Grace* v. *Ludwig*, 484 F. 2d 1262, 1267–1271 (2nd Cir. (1973)).

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fectively preclude the company from earning a fair return. We conclude that under the circumstances the interests of the parties will best be balanced by a two month suspension period.

Evidence relevant to the issues raised by the instant filing should be submitted by all parties including the Commission Staff. Without limiting their right to present such further evidence as they deem relevant and material, the parties and our Staff should present evidence which considers, in addition to the issues raised by the intervenors, supra, the following: (1) reduction of rate base by the amount of accumulated provision for deferred federal income taxes (Account 283); and (2) the use of a rate of return on common equity of 14.60%.

The Commission further finds: (1) Good cause has not been shown for rejecting NEPCO's filing in Docket No. ER76–304.

(2) Good cause has been shown in Docket No. ER76–317 for waiving Sections 35.13(b)(1) and 35.13(b)(4)(iii) of the Commission's Regulations Under the Federal Power Act, 18 CFR Section 35.13(b)(1) and 18 CFR Section 35.13(b)(4)(iii), respectively.

(3) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of NEPCO's rate increase filed in Docket Nos. ER76–304 and ER76–317, and that such increase be accepted for filing, suspended and the use thereof deferred as hereinafter ordered.

(4) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that the Commission consolidate Docket Nos. ER76–304 and ER76–317 for hearing and for all other purposes.

(5) Good cause has not been shown for awarding reimbursement to Congressman Harrington for legal fees.

(6) Good cause exists to permit the intervention in Docket No. ER76–304 of Green Mountain, Congressman Harrington and Customers.

The Commission orders: (A) The motion to reject filed by Congressman Harrington and Customers are hereby denied.

(B) The requirements of Section 35.13(b)(1) and 35.13(b)(4)(iii) of the Commission's Regulations Under the Federal Power Act, 18 CFR Section 35.13(b)(1) and 18 CFR Section 35.13(b)(4)(iii), are hereby waived, in Docket No. ER76–317 for the reasons and to the extent set forth above.

(C) Pending a hearing and decision thereon, NEPCO's November 28, 1975 filing in Docket No. ER76–304 and its December 1, 1975 filing in Docket No. ER76–317 are accepted for filing and suspended for two months until March 1, 1976, when they will be permitted to become effective, subject to refund.

(D) Docket Nos. ER76–304 and ER76–317 are hereby consolidated for hearing and for all other purposes.

(E) A presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at an initial conference in this proceeding on January 23, 1976 at 9:30 A.M., EST, in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates for this proceeding and to rule upon all motions (except petitions to intervene, motion for consolidation and severence, and motions to dismiss, as provided for in the Rules of Practice and Procedure).

(F) The request by Congressman Harrington for an award of attorney's fees is hereby denied.

(G) Green Mountain, Congressman Harrington and Customers are hereby permitted to intervene in Docket No. ER76–304, subject to the Rules and Regulations of the Commission: *Provided, however,* that the participation of these parties shall be limited to matters affecting the rights and interests specifically set forth in their petitions to intervene, and *Provided, further* that the admission of these parties as intervenors shall not be construed as recognition that they might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(H) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to Section 1.18 of the Commission's Rules of Practice and Procedure.

(I) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–921 Filed 1–12–76;8:45 am]

[Docket No. ER76–305]

NORTHERN STATES POWER CO. (WISCONSIN)

Order Accepting for Filing and Suspending Proposed Increased Rates and Establishing Hearing Procedures

DECEMBER 31, 1975.

On November 28, 1975, Northern States Power Company (Wisconsin) tendered for filing proposed supplements [1] to existing rate schedules which would revise the rates and charges for firm power service to eleven municipal customers in the State of Wisconsin.[2] The proposed revisions would result in an increase in revenue of $1,128,439 (26.6%) based on estimated sales for the test year ending December 31, 1976. The proposed rate schedules also contain a revised fuel adjustment clause to conform with Commission Order No. 517. Northern States Power Company (Northern States) has requested that the proposed rates be made effective as of January 1, 1976.

Public notice of Northern States' filing was issued on December 4, 1975, with comments, protests, or petitions to intervene due on or before December 17, 1975. We shall act on any petitions to intervene by separate order.

Northern States' present rates for firm service to its eleven wholesale customers are being collected subject to refund pursuant to Commission order issued February 5, 1975, in Docket No. E–9155.[3]

Northern States claims that the proposed rate increase is needed to improve its earnings and the equity ratio of its capitalization (approximately 32% on July 31, 1975) so as to enable it to raise, on satisfactory terms, the large amount of capital necessary to finance the facilities required to meet its anticipated load growth. Construction expenditures for which additional capital will be needed are estimated to be $201,000,000 in 1976 and $1,491,000,000 for the years 1976 through 1980. The Company estimates that approximately 60% of the construction funds for the five year period will be internally generated. The Company notes, however, that this percentage decreases to 45% by the year 1980, when the construction budget is estimated at $455,000,000. Northern States therefore concludes that it is extremely important for it to have adequate earnings to maintain interest coverage ratios at a level sufficient to retain its AA bond rating.

In its filing Northern States indicates that its existing rate to the eleven municipal customers results in a rate of return from wholesale business of 1.83% for Period I test year ended July 31, 1975, and 3.91% for Period II test year ending December 31, 1976. The Company's proposed rate increase would yield a rate of return from the affected business of 9.62%, utilizing a return on equity of 15%.

The proposed rate levels have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. Accordingly, we shall accept the rates for filing and suspend the use thereof until March 1, 1976, when the rates will be permitted to become effective, subject to refund, and we shall establish hearing procedures to determine the justness and reasonableness of Northern States' filing.

Based on our review of Northern States' filing we direct parties filing testimony in this case to address, inter alia, the propriety of the following cost of service treatments: (1) Direct assignment of transmission facilities and related costs; (2) Reclassification of per books transmission facilities and costs to distribution function; (3) Reclassification of per books distribution facilities and costs to transmission function; (4) Functionalization of general plant, common plant, and administrative and general expenses on functional plant ratios and allocated operation and maintenance expenses; and (5) Separation of Transmission function into various subfunctions reflecting voltage or service levels for allocation purposes. Witnesses submitting testimony on rate of return should address, inter alia: (1) Northern States' proposal for a return on equity of 15% and overall rate of return of 9.82%; (2) Northern States' present and future needs for capital; (3) the adequacy and significance of Northern States' present pre-tax debt interest coverage ratio; (4) the adequacy and significance of the past and present ratios of market value to book value of Northern States' common stock; and (5) the standing of Northern States in particular and the standing of comparable utilities in the market for capital.

The fuel adjustment clause included in the proposed rate satisfies the requirements set forth in Order No. 517.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the increased rates and charges, as proposed by Northern States in Docket No. ER76–305 and that such increase be accepted for filing and suspended as hreeinafter provided.

The Commission orders: (A) Pending a hearing and final decision thereon, Northern States' proposed changes in its rates and charges, as filed on November 28, 1975, are accepted for filing and suspended until March 1, 1976, when the proposed rate schedule supplements shall become effective, subject to refund.

(B) Pursuant to the authority of the Federal Power Act, particularly Sections 205 and 206 thereof, and the Commission's Rules and Regulations (18 CFR, Chapter I), a public hearing shall be held to determine the lawfuless and reasonableness of the proposed rates and charges contained in Northern States' rate increase filed on November 28, 1975.

(C) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d), shall preside at an initial conference on January 21, 1976. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates for this proceeding and to rule upon all motions (Except petitions to intervene).

(D) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conference or offers of settlement pursuant to Section 1.18 of the Commission's Rules of Practice and Procedure.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

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[1] See Appendix A for rate schedule designations and customer identification.

[2] Of the eleven municipal customers (listed in Appendix A), only The City of Black River Falls provides any of its own generation.

[3] A settlement agreement in Docket No. E-9155 is currently pending before the Commission. Northern States indicates that the present rate filing is based on the premise that the settlement agreement will be approved.

APPENDIX A—RATE SCHEDULE DESIGNATIONS AND DESCRIPTIONS

NORTHERN STATES POWER COMPANY (WISCONSIN), DOCKET NO. ER76–305; FILED NOVEMBER 28, 1975; EFFECTIVE MARCH 1, 1976

Designation	*Description*
Supplement No. 4 to Rate Schedule FPC No. 42 (Supersedes Supplement No. 3 to Rate Schedule FPC No. 42).	Third Revised Schedule A. Other party: Village of Cadott, Wis.
Supplement No. 4 to Rate Schedule FPC No. 45 (Supersedes Supplement No. 3 to Rate Schedule FPC No. 45).	Third Revised Schedule A. Other party: City of Bloomer, Wis.
Supplement No. 4 to Rate Schedule FPC No. 49 (Supersedes Supplement No. 3 to Rate Schedule FPC No. 49).	Third Revised Schedule A. Other party: City of Spooner, Wis.
Supplement No. 4 to Rate Schedule FPC No. 51 (Supersedes Supplement No. 3 to Rate Schedule FPC No. 51).	Third Revised Schedule A. Other party: City of Whitehall, Wis.
Supplement No. 4 to Rate Schedule FPC No. 52 (Supersedes Supplement No. 3 to Rate Schedule FPC No. 52).	Third Revised Schedule A. Other party: Village of Trempealeau, Wis.
Supplement No. 4 to Rate Schedule FPC No. 54 (Supersedes Supplement No. 3 to Rate Schedule FPC No. 54).	Third Revised Schedule A. Other party: City of Black River Falls, Wis.
Supplement No. 6 to Rate Schedule FPC No. 55 (Supersedes Supplement No. 5 to Rate Schedule FPC No. 55).	Third Revised Schedule A. Other party: City of Westby, Wis.
Supplement No. 3 to Rate Schedule FPC No. 56 (Supersedes Supplement No. 2 to Rate Schedule FPC No. 56).	Third Revised Schedule A. Other party: City of Rice Lake, Wis.
Supplement No. 2 to Rate Schedule FPC No. 58 (Supersedes Supplement No. 1 to Rate Schedule FPC No. 58).	Third Revised Schedule A. Other party: City of Bangor, Wis.
Supplement No. 2 to Rate Schedule FPC No. 59 (Supersedes Supplement No. 1 to Rate Schedule FPC No. 59).	Third Revised Schedule A. Other party: City of Cornell, Wis.
Supplement No. 4 to Rate Schedule FPC No. 60 (Supersedes Supplement No. 3 to Rate Schedule FPC No. 60).	Third Revised Schedule A. Other party: City of New Richmond, Wis.

[FR Doc.76–923 Filed 1–12–76;8:45 am]

[Docket No. RP76–26]

ORANGE AND ROCKLAND UTILITIES, INC. V. ALGONQUIN GAS TRANSMISSION CO.

Conference

JANUARY 2, 1976.

Take notice that on January 29, 1976, the Staff will preside at an informal conference with interested parties to discuss any opposition to the requested adjustment to the base period end-use data sought in Orange and Rockland's complaint in this docket and to determine if other customers of Algonquin are similarly situated.

The Staff requests that Algonquin supply, on a best efforts basis by January 20, 1975, the end-use data of its customers pro-rated to Algonquin's sales to those customers which Algonquin uses to calculate curtailment.

The conference will be held in Room 3402 at the offices of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 at 10:00 a.m. on January 29, 1976. All interested parties are invited to attend.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–907 Filed 1–12–76;8:45 am]

[Docket No. ER76–189]

OTTER TAIL POWER CO.

Tender of Fuel Clause

JANUARY 5, 1976.

Take notice that on December 15, 1975, Otter Tail Power Company (Otter Tail) tendered for filing a fuel clause in purported compliance with Order No. 517 for its Special Municipal Electric Service Agreements.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 12, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–880 Filed 1–12–76;8:45 am]

[Docket No. ER76–375]

OTTER TAIL POWER CO.

Filing

JANUARY 2, 1976.

Take notice that on December 19, 1975, Otter Tail Power Company filed Supplement No. 16, dated September 23, 1975, to the Upper Mississippi Valley Power Pool (UMVPP) Agreement. Otter Tail

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has been designated as the filing agent and requests Commission authorization for Otter Tail to file on behalf of the following jurisdictional parties to the Agreement all of whom have signed Supplement No. 16:

Interstate Power Company
Lake Superior District Power Company
Minnesota Power & Light Company
Montana-Dakota Utilities Co.
Northern States Power Company (Minnesota)
Northern States Power Company (Wisconsin)
Northwestern Public Service Company

Otter Tail Power Company requests an effective date of November 1, 1975, for Supplement No. 16.

Otter Tail states that copies of Supplement No. 16 have been served on the other members of the Upper Mississippi Valley Power Pool.

Otter Tail states that the purpose of Supplement No. 16 is to revise the service schedules and certain other provisions of the UMVPP Agreement to recognize present day generation costs and conditions of service.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 12, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene; provided, however, that any person who has previously filed a petition to intervene in this proceeding is not required to file a further petition. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-893 Filed 1-12-76;8:45 am]

[Docket No. CI76-293]

PERRY R. BASS

Application

DECEMBER 30, 1975.

Take notice that on December 5, 1975, Perry R. Bass Applicant, Fort Worth National Bank Building, Fort Worth, Texas 76102, filed in Docket No. CI76-243 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale of natural gas in interstate commerce from Applicant's interest in Parkway West Unit, Well Nos. 1 and 2, Eddy County, New Mexico, to El Paso Natural Gas Company (El Paso), all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that the proposed sales would be made pursuant to a gas sales contract between Applicant and El Paso dated November 7, 1975, would extend for a period of two pears from the date of initial deliveries. Initial deliveries would be made at the price of 76.5 cents per Mcf of natural gas at 14.73 psia plus tax reimbursement, subject to a Btu adjustment upward and downward from a base of 1,000 But per cubic foot. Applicant states that it is willing to accept a certificate conditioned to the rate set forth in Section 2.56a of the Commission's General Policy and Interpretations (18 CFR 2.56a). Estimated sales are said to be approximately 21.60 Mcf per month.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 19, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-913 Filed 1-12-76;8:45 am]

[Docket No. ER76-386]

PUBLIC SERVICE COMPANY OF NEW MEXICO

Filing of Letter Agreement

JANUARY 2, 1976.

Take notice that on December 23, 1975, the Public Service Company of New Mexico (PSNM) tendered for filing a letter agreement, dated December 5, 1975, between PSNM and the Energy Research and Development Administration (ERDA) intended to supersede PSNM's current Rate Schedule FPC Supplement No. 6 to Schedule No. 10 which provides service to Los Alamos, New Mexico for ERDA. PSNM states that the rate design is based upon a Time of Day Rate which it believes will enable it to more fully utilize its coal resources and also result in a substantial reduction in ERDA's dependence upon ERDA's petrogeneration resources.

PSNM requests an effective date of December 1, 1975 and therefore also requests a waiver of Section 35.11 of the Commission's Regulations.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 13, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene; provided, however, that any person who has previously filed a petition to intervene in this proceding is not requierd to file a further petition. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB.
Secreary.

[FR Doc.76-895 Filed 1-12-76;8:45 am]

[Docket No. ER76-371]

PUBLIC SERVICE COMPANY OF OKLAHOMA

Filing of Proposed Fuel Cost Adjustment Clause

JANUARY 6, 1976.

Take notice that on December 18, 1975, Public Service Company of Oklahoma (PSCO) tendered for filing a proposed fuel cost adjustment clause to replace the clause filed for its resale electric service in Docket No. E-8242. PSCO states that the clause is intended to conform to the requirements of Order No. 517.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 16, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commis-

sion and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-887 Filed 1-12-76;8:45 am]

[Docket Nos. RI76-96 and RI76-97]

SKELLY OIL CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

DECEMBER 31, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix "A" hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR Chapter I], and the Commission's Rules of Practice and Procedure, public hearings, shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and Section 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf [4]		Rate in effect subject to refund in dockets No.
									Rate in effect	Proposed increased rate	
RI76-96	Skelly Oil Co.	107	26	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	$979	11-26-75		6-1-76	27.4368	[2] 27.9520	R175-82
	do			do	1,086	11-26-75		6-1-76	29.3172	[2] 29.8324	R175-82
	do	156	10	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).		11-26-75		6-1-76	27.4368	27.9520	R175-95
	do	157	10	do	411	11-26-75		6-1-76	[3] 26.9814	[2] 27.9520	R174-132
	do			do		11-26-75		6-1-76	[3] 28.8117	[3] 29.8330	R174-132
	do	141	27	do	3,380	11-26-75		6-1-76	27.4368	[2] 27.9520	R175-82
	do			do		11-26-75		6-1-76	29.3172	[3] 29.8330	R175-82
	do	129	18	do	1,456	11-26-75		6-1-76	27.4368	28.0886	R175-82
	do	211	18	Northwest Pipeline Corp. (Colorado) (Rocky Mountain).	175	11-26-75		6-1-76	[1] 25.5	[1] 26.0	R175-87
	do			do		11-26-75		6-1-76	[3] 29.0	[3] 29.5	R175-87
	do	131	25	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	1,059	11-26-75		6-1-76	[4] 27.4368	[4] 27.9520	R175-82
	do		26	do	257	11-26-75		6-1-76	[4] 27.4368	[4] 27.9520	R175-82
	do	215	9	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	54	11-26-75		6-1-76	[1] 27.4368	[1] 27.9520	R175-87
	do			do		11-26-75		6-1-76	[3] 29.3172	[3] 29.8324	R175-87
	do			do	180	11-26-75		6-1-76	[1] 25.5	[1] 26.0	R175-87
	do	116	12	El Paso Natural Gas Co. (Colorado) (Rocky Mountain).	276	11-26-75		6-1-76	[1] 25.5	[1] 26.0	R175-82
	do			do		11-26-75		6-1-76	[3] 29.0	[3] 29.5	R175-82
	do	136	15	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	227	11-26-75		6-1-76	27.4368	28.0886	R175-82
	do	140	17	El Paso Natural Gas Co. (Colorado) (Rocky Mountain).	919	11-26-75		6-1-76	[1] 25.5	[1] 26.0	R175-82
	do			do		11-26-75		6-1-76	[3] 29.0	[3] 29.5	R175-82
RI76-97	Austral Oil Co., Inc.	21	11	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	476	11-26-75		6-1-76	27.5289	27.9981	R175-103
	do	22	9	do	3,190	11-26-75		6-1-76	27.6389	27.9090	R175-103
	do	24	10	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	116	11-26-75		6-1-76	27.6389	27.9090	R175-103
	do	36	10	Northwest Pipeline Corp. (New Mexico) Rocky Mountain).	835	11-26-75		6-1-76	27.6389	27.9090	R175-103
	do	37	13	do	287	11-26-75		6-1-76	27.6389	27.9090	R175-103

[2] Unless otherwise stated, the pressure base is 15.025 lb/in²a.
[3] Applicable to wells completed prior to June 1, 1970.
[4] Applicable to wells completed on or after June 1, 1970.
[5] Last filed rate (Supp. No. 15). Filing erroneously reflects current effective rate of 27.4368 cents for wells completed prior to June 1, 1970, and 29.3172 cents for wells completed on or after June 1, 1970.
[6] Applicable to all production except from certain wells.
[7] Applicable only to production from certain wells.
[8] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.

The proposed rate increases exceed the applicable area ceiling established in Opinion No. 658, and they are suspended for five months.

[FR Doc.76-609 Filed 1-12-76;8:45 am]

[Docket No. RI76-98]

SKELLY OIL CO.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

DECEMBER 31, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix "A" hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and Section 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

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Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject of refund in dockets No.
									Rate in effect	Proposed increased rate	
RI76-98...	Skelly Oil Co.	144	20	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	$1,160	11-28-75		6- 1-76	[1] 27.4368	[1] 27.9520	RI75-87
	do			do				11-28-75	[2] 29.3172	[2] 29.8330	RI75-87
	do			do	1,910	11-28-75		6- 1-76 (4)	[3] 26.0000	[3] 26.7289	RI75-87

* Unless otherwise stated, the pressure base is 15.025 lb/in².
[1] Applicable to gas produced from wells completed prior to June 1, 1970.
[2] Applicable to gas produced from wells completed on or after June 1, 1970.
[3] Applicable only to acreage dedicated after Oct. 1, 1968.
[4] Rejected.
[5] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.

One of the proposed increases is rejected because it exceeds the applicable ceiling in the Rocky Mountain Area established in Opinion No. 699-H for gas sold under contracts dated on or after October 1, 1968, from wells commenced prior to January 1, 1973, and thus is in conflict with the moratorium contained in that opinion.

The other increases exceed the applicable ceiling established in Opinion No. 658, and they are suspended for five months.

[FR Doc.76-610 Filed 1-12-76;8:45 am]

[Docket Nos. RI76-100, et al.]

SKELLY OIL CO., ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

DECEMBER 31, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix "A" hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the Expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and Section 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* [4]		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI76-100...	Skelly Oil Co.	159	[1] 14	West Texas Gathering Co. (Texas) (Permian).	$11,622	11-28-75		6-1-76	26.1125	31.1163	RI75-84
RI76-101...	Skelly Oil Co. (Operator), et al.	187	[2] 20	El Paso Natural Gas Co. (New Mexico) (Permian).		11-28-75		6-1-76	27.4047	33.4289	RI75-84
RI76-102...	Gulf Oil Corp.	138	16	West Texas Gathering Co. (Texas) (Permian).	3,310	12- 1-75		6-1-76	23.0856	34.1968	RI75-79
RI76-103...	Phillips Petroleum Co.	509	10	El Paso Natural Gas Co. (New Mexico) (Permian).	790	12- 1-75		6-1-76	26.4251	30.4528	RI75-97
RI76-104...	Skelly Oil Co.	265	10	do	7,980	11-28-75		6-1-76	26.4152	30.4402	RI75-84
	do			do	6,539	11-28-75	1-1-76	(5)	[3] 54.9015	[3] 55.8786	

* Unless otherwise stated, the pressure base is 14.65 lb/in².
[1] Applicable to acreage added by supp. No. 1.
[2] Applicable to production below the base of the Strawn formation.
[3] Applicable to well No. 3 in section 15 commenced after Jan. 1, 1973.
[4] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.
[5] Accepted, as of the date set forth in the "Effective date unless suspended" column.

Skelly's proposed rate increase to the national ceiling established in Opinion No. 699, as amended, for sales under its FPC Gas Rate Schedule No. 265 from Well No. 3 in Section 15 is accepted inasmuch as the sale is from a well commenced on or after January 1, 1973.

The other proposed rate increases exceed the applicable area ceiling established in Opinion No. 662 and they are suspended for five months.

[FR Doc.76-611 Filed 1-12-76;8:45 am]

[Docket Nos. RI76-106, et al]

SOHIO PETROLEUM CO., ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

DECEMBER 31, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix "A" hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR, Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and Section 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* [7]		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI76-106...	Sohio Petroleum Co.	100	15	El Paso Natural Gas Co. (Colorado) (Rocky Mountain).	$1,315	11-26-75		6-1-76	25.5	26.1	RI75-62
RI76-107...	Belco Petroleum Corp.	4	[1] 14	Mountain Fuel Supply Co. (Wyoming) (Rocky Mountain).		[2] 11-28-75		6-1-76	26.0	27.55	RI74-119
RI75-56	do	12	10	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	12,940	12- 8-75		12-9-75	25.76	27.90	RI75-56
	do	12	11	do	15,900	[2] 11-28-75		6-1-76	[3] 26.60	28.41	RI75-56
RI76-108...	Marathon Oil Co.	25	26	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	257	11-25-75		6-1-76	29.3172	29.8330	RI75-68
	do		27	do	3,627	11-25-75		6-1-76	27.0732	[4] 28.1095	RI75-110
	do			do	610	11-25-75		6-1-76	27.1408	[4] 28.1566	RI75-110
	do	55	18	do	12,189	11-25-75		6-1-76	27.1408	28.1566	RI75-110
	do	90	9	Southern Union Gathering Co. (New Mexico) (Rocky Mountain).	449	11-25-75		6-1-76	27.1492	29.1919	RI75-110
	do	92	8	do	198	11-25-75		6-1-76	27.1492	29.1919	RI75-110
	do	96	14	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	142	11-25-75		6-1-76	27.1408	28.1566	RI75-110
	do	126	23	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	74	11-25-75		6-1-76	27.0732	28.1095	RI75-110
RI76-109...	Amerada Hess Corp.	49	17	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	9,600	11-28-75	[5]	6-1-76	26.5306	27.0716	
	do	50	22	do	1,500	11-28-75		6-1-76	26.5306	27.0716	
	do	95	18	Montana-Dakota Utilities Co. (North Dakota) (Rocky Mountain).	281,544	11-28-75		6-1-76	34.3737	37.6742	RI75-124
	do	99	7	El Paso Natural Gas Co. (Colorado) (Rocky Mountain).	269	11-28-75		6-1-76	25.75	26.28	
RI76-110...	Marathon Oil Co.	127	13	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	8,290	11-25-75		6-1-76	27.0732	[4] 28.1095	RI75-110
	do	127	18	do	11	11-25-75		6-1-76	27.1408	[4] 28.1566	RI75-110
RI76-111...	Gulf Oil Corp.	174	13	Northwest Pipeline Corp. (Wyoming) (Rocky Mountain).	1,850	12- 8-75		6-8-76	29.3172	[6] 37.7750	[6] 37.0085 RI75-77

* Unless otherwise stated, the pressure base is 15.025 lb/in².
[1] Applies only to wells completed after June 7, 1972, not qualifying for the nationwide rate under Opinion No. 699-H.
[2] As amended by filing dated Dec. 5, 1975, received Dec. 8, 1975.
[3] Applicable to gas produced in New Mexico School District No. 53.
[4] Applicable to gas produced in New Mexico School District No. 6.
[5] Includes previously authorized double tax, in order to recoup past taxes.
[6] As amended by filing dated Dec. 5, 1975, received Dec. 8, 1975.
[7] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.

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Belco's proposed rate increase under Supplement No. 10, to its FPC Gas Rate Schedule No. 12 corrects the method of tax computation on an underlying rate which is in effect subject to refund in Docket No. RI75–56. This filing results in a tax increase and is suspended for one day in the existing Docket No. RI75–56.

The remaining proposed rate increases exceed the applicable area ceiling in Opinion NO. 658 and are suspended for five months.

[FR Doc.76–612 Filed 1–12–76;8:45 am]

[Docket No. ER76–205]

SOUTHERN CALIFORNIA EDISON CO.

Order Accepting for Filing and Suspending Proposed Rate Increase, Granting Intervention, Denying Motion To Reject, Motions for Summary Disposition, and Motion To Require Supplemental Testimony and Exhibits, and Establishing Hearing and Procedures

DECEMBER 31, 1975.

On October 31, 1975, Southern California Edison Company (Edison) tendered for filing certain proposed changes in its FPC Electric Service Tariffs for service to its R–1 [1] and R–2 [2] customers. By this filing, Edison seeks to increase its rates to these jurisdictional customers by an estimated $16,891,000, based on the twelve months December 31, 1976.

Notice of Edison's filing was issued November 7, 1975, with protests and petitions to intervene due on or before November 24, 1975. On November 24, 1975, Anza Electric Cooperative, Inc. (Anza) filed a Petition to Intervene, Protest and Motion to Suspend Rate filing and to Require Southern California Edison Company to Submit Supplemental Testimony and Exhibits. Also on November 24, 1975, the Cities of Anaheim, Riverside, Banning, Colton, and Azusa, California (Cities) filed their petition to intervene.[3] In addition to these petitions to intervene, numerous customers of Edison's wholesale customers have filed protests, stating that the increased rates sought were excessive and requesting relief from the increased rates. In accordance with our Regulations, these protestants will not be made intervenors herein. We have, however, considered these protests in determining our action herein. Furthermore, we shall place these protests in a public file associated with, but not part of, the record upon which our decision as to the just and reasonable rates for Edison will be made. These protests will be available to the parties and our Staff for such further exploration of the substantive matters raised therein, as may be appropriate. On December 9, 1975, Edison filed an answer to the pleadings of Cities and Anza. Anza responded to Edison's answer on December 12, 1975.

Anza in its pleading seeks a five month suspension of Edison's proposed rate increase, stating the following: the increase to it (an R–1 customer) is greater than the increase to the R–2 customers; Anza was unable to determine the validity of the allocation of costs to the R–1 customers within the time period fixed for the filing of petitions to intervene; that the dual rates for small and large customers is no longer useful; and there should be no difference between the demand and energy charges among Edison's wholesale customers. Anza requests, therefore, that we direct Edison to file within 30 days testimony and exhibits incorporating and supporting a single rate schedule for all of Edison's wholesale customers. Anza also requests that the proposed rate increase be suspended for five months.

Cities also raise certain issues and seek various forms of relief in its petition. Initially, Cities state that Edison's books of account do not present adequate support for a rate increase and that an independent audit should be conducted of Edison's books. Specifically, Cities rely on certain allegations of irregularities in Edison's books developed in Edison's two prior rate increase filings with this Commission in Docket No. E–8176 and E–8570. Cities also rely on an audit by the Staff of the California Public Utilities Commission and an audit by our Staff of Edison's fuel expense. Secondly, Cities allege that Edison has not substantiated the estimates it uses to support its proposed rate increase, particularly Edison's estimated increase in operating costs. Cities therefore request rejection of this rate filing and that Edison be ordered to provide projections which it furnishes to the investment community. Cities states further that Edison's Statement J is defective and therefore the filing should be rejected. Cities further urge that summary judgment must be granted as to that part of Edison's proposed rate increase based on tax normalization. In this regard, Cities allege that Edison would receive tax savings and not tax deferrals from its use of normalization of liberalized depreciation for rate purposes. Cities also state that normalization of tax deductions associated with Edison's construction program also creates tax savings. Thus Cities assert, we should immediately deny Edison's treatment of this item and grant summary judgment on these items. Cities also argue that certain items, including construction work in progress and other items are improperly included in Edison's rate base and that certain costs associated with Edison's retail service are included in its proposed wholesale rates. Finally, Cities urge that the proposed wholesale rates are unduly discriminatory between the R–2 customers and Edison's large industrial retail customers.

We believe that these petitioners should be permitted to intervene herein and that their motions for the relief hereinabove recited raise issues of both fact and law which should be the subject of the hearing hereinafter ordered. However, we shall deny the motions for relief or refer them to the Presiding Administrative Law Judge for him to rule on within the context of his conduct of the hearing herein ordered. Specifically we deny Anza's motion that we require Edison to file a single rate schedule with supporting testimony and exhibits. We note initially that under Section 205(e) of the Federal Power Act that the utility has the burden of proof to show that its increased rates are just and reasonable. Furthermore, under Section 35.13(b)(5)(1) Edison is required to go forward at hearing and sustain its statutory burden of proof on the data which are submitted in support of its proposed rate increase. This denial is without prejudice to Anza's right to renew its motion at the prehearing conference hereinafter ordered, which motion should be considered by and ruled upon by the Presiding Judge when establishing further procedural dates.

We also refer Cities' request that we order an audit of Edison's books and authorize it to participate in such audit to the Presiding Judge. Insofar as Order No. 487, relating to the Period II test year was recently affirmed,[4] Cities' arguments in this regard go to the weight of the evidence and the question of whether Edison meets its burden of proof to sustain its proposed rates, both matters for the Presiding Judge to rule upon in the first instance.

We shall also deny Cities' Motions for Summary Disposition as to normalized treatment of tax deductions. These matters do not present questions which lend themselves to summary disposition in the same way that the orders relied on by Cities do. Instead, these complex questions, both of fact and law, must be decided as the basis of a full evidentiary hearing and not on the basis of Cities' pleading. Our review of the materials included in Edison's filing indicates that CWIP has not been included in rate base. We shall, therefore, deny Cities' Motion for Summary Disposition in this regard.

Our review of the rates proposed herein indicates that the rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, or otherwise unlawful. Accordingly, we shall accept the proposed rates for filing and suspend their use for one month, when they will be permitted to become effective, subject to refund, pending hearing and decision as to their justness and reasonableness. Without limiting the issues to be developed we believe that the parties should address their testimony and exhibits to the matters discussed above and all other matters relating to the justness and reasonableness of Edison's proposed rate. We also exclude from the hearing herein ordered the price-squeeze issue raised by Cities, pending decision by the United States Supreme Court of the *Conway* case.[5]

The Commission finds: (1) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that the increased rates and charges proposed herein be accepted for filing and suspended for one month, when they will be permitted to become effective, subject to refund, pending hearing and decision as to their lawfulness.

(2) The above-named petitioners should be permitted to intervene.

The Commission orders: (A) Pursuant to the authority of the Federal Power Act, particularly Sections 205 and 206 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Federal Power Act (18 CFR Chapter I), a public hearing shall be held concerning the justness and reasonableness of Edison's proposed rate increase filed herein.

(B) Pending a hearing and a decision thereon, Edison's proposed rate changes as designated in the attached Appendix A are hereby accepted for filing and suspended for one month, to become effective on February 1, 1976, subject to refund.

(C) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding in accordance with the policies expressed in the Commission's Rules of Practice and Procedure.

(D) The Presiding Administrative Law Judge shall preside at a prehearing conference in this proceeding to be held on January 28, 1976, at 9:30 A.M., at the offices of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish procedural dates for this proceeding and to rule upon all pending motions (except petitions to intervene).

(E) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to Section 1.18 of the Commission's Rules of Practice and Procedure.

(F) The motions of Cities and Anza hereinabove discussed are denied.

(G) The above-named petitioners are hereby permitted to intervene in these proceedings subject to the rules and regulations of the Commission; *Provided, however,* that participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in their petitions to intervene; and *Provided, further,* that the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(H) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

APPENDIX A.—*Rate Schedule Designations (ER76–205) Southern California Edison Co.*

[Filing date, Oct. 31, 1975; Effective date, Feb. 1, 1976 (subject to refund)]

Designations	Instrument	Other party
Supp. No. 9 to rate schedule FPC No. 6 (supersedes supp. No. 8 to rate schedule FPC No. 6).	Resale service schedule R–1.	Arizona Public Service Co., (Hilbca).
Supp. No. 10 to rate schedule FPC No. 13 (supersedes supp. No. 9 to rate schedule FPC No. 13).	Resale service large schedule R–2.	City of Vernon, Calif.
Supp. No. 14 to rate schedule FPC No. 15 (supersedes supp. Nos. 12 and 13 to rate schedule FPC No.15).	Resale service large schedule R–2 (220,000 V).	City of Anaheim, Calif.
Supp. No. 9 to rate schedule FPC No. 16 (supersedes supp. No. 8 to rate schedule FPC No. 16).	Resale service large schedule R–2.	City of Azusa, Calif.
Supp. No. 14 to rate schedule FPC No. 17 (supersedes supp. No. 12 to rate schedule FPC No. 17).	Resale service large schedule R–2 (66,000 V).	City of Riverside, Calif.
Supp. No. 15 to rate schedule FPC No. 17 (supersedes supp. No. 13 to rate schedule FPC No. 17).	Resale service large schedule R–2 (220,000 V).	Do.
Supp. No. 8 to rate schedule FPC No. 19 (supersedes supp. No. 7 to rate schedule FPC No. 19).	Resale service schedule R–1.	Anza Electric Co-op., Inc.
Supp. No. 8 to rate schedule FPC No. 21 (supersedes supp. No. 7 to rate schedule FPC No. 21).	Resale service large schedule R–2.	City of Banning, Calif.
Supp. No. 8 to rate schedule FPC No. 29 (supersedes supp. No. 7 to rate schedule FPC No. 29).	Resale service schedule R–1.	Arizona Public Service Co. (Ehrenberg).
Supp. No. 10 to rate schedule FPC No. 31 (supersedes supp. No. 9 to rate schedule FPC No. 31).	Resale service large schedule R–2.	City of Colton, Calif.
Supp. No. 8 to rate schedule FPC No. 33 (supersedes supp. No. 7 to rate schedule FPC No. 33).	....do.....	South California Water Co. (Gold Hill).
Supp. No. 6 to supp. No. 2 to rate schedule FPC No. 33 (supersedes supp. No. 5 to supp. No. 2 to rate schedule FPC No. 33).	Resale service schedule R–1.	South California Water Co. (Harnish).

[FR Doc.76–924 Filed 1–12–76;8:45 am]

[Docket No. ER76–385]

SOUTHERN INDIANA GAS & ELECTRIC CO.

Request for Waiver

JANUARY 2, 1976.

Take notice that on December 22, 1975, Southern Indiana Gas and Electric Company (Southern Indiana) filed a request for waiver of the January 1, 1976, deadline for filing a revised fuel adjustment clause in compliance with Order No. 517 in Docket No. R–479. Southern Indiana requests an extension of one year to accommodate prospective filing of new rate schedules for its wholesale municipal customers and to facilitate related activities before the Public Service Commission of Indiana.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 15, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76–806 Filed 1–12–76;8:45 am]

[Docket Nos. CI61–469 and CI61–186]

SUMMIT ENERGY, INC.

Application

DECEMBER 30, 1975.

Take notice that on December 8, 1975, Summit Energy, Inc. (Applicant), 1925 Mercantile Dallas Building, Dallas, Texas 75201, filed in Docket Nos. CI61–469 and CI61–186 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon the sale of natural gas for resale in interstate commerce to Skelly Oil Company (Skelly), from the Blinebry Field, Lea County, New Mexico, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that the New Mexico Oil Conservation Commission has reclassified Applicant's Gulf Hill No. 1–R and No. 3–0 Wells from oil wells to gas wells so that there is no longer casinghead gas production which would be subject to Applicant's casinghead gas contract with Skelly dated June 8, 1973. Applicant

[1] Small resale customers consisting of Anza Electric Cooperative, Inc., Arizona Public Service Company at Cibola, Arizona Public Service Company at Ehrenberg, and Southern California Water Company at Harnish.

[2] City of Anaheim, City of Azusa, City of Banning, City of Colton, City of Riverside, and City of Vernon, all in California, and Southern California Water Company at Gold Hill. Rate Schedule designations are shown in Appendix A.

[3] That pleading is styled: Motion to Reject for Failure to Comply With This Commission's Regulations, Protest Petition to Intervene and Motions for Summary Judgment; and Petition for Authorization to Conduct an Immediate Audit of Books of Account.

[4] *American Public Power Association* v. *Federal Power Commission*, D.C. Cir. Nos. 73–1992, *et al.*, issued November 3, 1975.

[5] Cities argument states that these rates are unduly discriminatory between the R–2 customers and large industrial retail customers and allege that this is unlawful, relying on *Conway Corporation* v. *Federal Power Commission*. Our petition for certiorari was granted in that case. — U.S. — (1975); 44 U.S.L.W. 3270.

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states that as gas-well gas, the gas produced from said wells is subject to a gas sales contract dated February 18, 1952, to which Northern Natural Gas Company has succeeded to the interest of the buyer and the sales from said wells would be made pursuant to the small producer certificate in Docket No. CS71-414.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 16, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-914 Filed 1-12-76;8:45 am]

[Docket Nos. RP73-114, RP74-24 and RP74-73]

TENNESSEE GAS PIPELINE COMPANY, A DIVISION OF TENNECO INC.

Corrected Tariff Sheets

JANUARY 2, 1976.

Take notice that on December 18, 1975, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), tendered for filing corrections to its tariff filing of November 14, 1975, consisting of the following corrected revised tariff sheets:

Substitute Ninth Revised Sheet Nos. 12A and 12B

Tennessee states that the sole purpose of the corrected tariff sheets is to revise its PGA rate adjustment exclusive of small producer purchases at rates in excess of the level prescribed by Opinion No. 742 to reflect the exclusion of certain additional small producer purchases which were inadvertently omitted in the November 14, 1975 filing. Tennessee states that in all other respects these tariff sheets are identical to those filed on Novemeber 14, 1975.

Tennessee states that copies of the filing have been mailed to all its jurisdictional customers and affected state regulatory commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 12, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene; provided, however, that any person who has previously filed a petition to intervene in this proceeding is not required to file a further petition. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-898 Filed 1-12-76;8:45 am]

[Docket No. RP71-11 PGA76-2]

TENNESSEE NATURAL GAS LINES, INC.

Proposed Rate Change Under Tariff Rate Adjustment Provisions

JANUARY 2, 1976.

Take notice that on December 12, 1975, Tennessee Natural Gas Lines, Inc. (Tennessee Natural), tendered for filing proposed changes to First Revised Volume No. 1 of its FPC Gas Tariff to be effective on January 15, 1976, consisting of the following revised tariff sheets:

Fourteenth Revised Sheet No. PGA-1; and, Ninth Revised Sheet No. PGA-2

Tennessee Natural states that the purpose of its filing is to reflect, in accordance with the Purchased Gas Cost Adjustment (PGA) provisions of its FPC Gas Tariff, the rates of its sole supplier, Tennessee Gas Pipeline Company, a Division of Tenneco, Inc. (Tennessee Gas), which will become effective subject to refund on January 15, 1976 in Docket Nos. RP75-113, *et al.*

Tennessee Natural States that copies of the filing have been mailed to its jurisdictional customer and the affected state regulatory commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D. C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 12, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene; provided, however, that any person who has previously filed a petition to intervene in this proceeding is not required to file a further petition. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-897 Filed 1-12-76;8:45 am]

[Docket No. RI76-89]

TENNECO OIL CO.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

DECEMBER 31, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR, Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and Section 154.-102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf [2] Rate in effect	Cents per Mcf [2] Proposed increased rate	Rate in effect subject to refund in dockets No.
RI76-80	Tennco Oil Co.	1	12	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	$138	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	17	13	do		11-24-75		6-1-76	[1] 27.5711	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	21	13	do		11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	26	12	do	195	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	37	13	do	73	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	38	14	do	281	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	39	13	do	331	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	45	16	do	3,849	11-24-75		6-1-76	[1] 27.5821	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3311	[3] 29.8368	RI75-90
	do	47	13	do	152	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	50	20	do	74	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	
	do	51	13	do	6	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	121	13	do	1,247	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	124	15	do	1,781	11-24-75		6-1-76	[1] 27.5821	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3311	[3] 29.8368	RI75-90
	do	126	12	do	95	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75.90
	do	144	16	do	210	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	151	13	do	18	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	152	13	do	386	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	161	20	do	44	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	163	14	do		11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	164	11	El Paso Natural Gas Co. (Colorado) (Rocky Mountain).	40	11-24-75		6-1-76	[1] 25.5062	[1] 26.0066	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.0290	[3] 29.5295	RI75-90
	do	172	12	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	177	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75/90
	do	176	34	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	1,766	11-24-75		6-1-76	[1] 27.5821	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-75	[3] 29.3311	[3] 29.8368	RI75-90
	do	180	11	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	866	11-24-75		6-1-76	[1] 28.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	198	11	do	2,730	11-24-75		6-1-76	[1] 27.5821	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3311	[3] 29.8368	RI75-90
	do	203	9	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	182	11-24-75		6-1-76	27.5717	28.1233	RI75-90
	do	223	21	do	6,078	11-24-75		6-1-76	[1] 27.5821	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3311	[3] 29.8368	RI75-90
	do	225	10	do	228	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	238	10	do	678	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	257	13	do	66	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	291	11	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	192	11-24-75		6-1-76	[1] 27.5717	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3207	[3] 29.8368	RI75-90
	do	292	34	do	4,865	11-24-75		6-1-76	[1] 27.5821	[1] 28.1233	RI75-90
	do			do		11-24-75		6-1-76	[3] 29.3311	[3] 29.8368	RI75-90

[2] Unless otherwise stated, the pressure base is 15.025 lb/in²a.
[1] Applicable to wells completed prior to June 1, 1970.
[3] Applicable to wells completed on or after June 1, 1970.

[2] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.

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The proposed rate increases exceed the applicable area ceiling established in Opinion No. 658 and they are suspended for five months.

[FR Doc.76-613 Filed 1-12-76;8:45 am]

[Docket No. RI76-95]

TEXACO, INC.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

DECEMBER 31, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix "A" hereof.

[1] Does not consolidate for hearing or dispose of the several matters herein.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR, Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and Section 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf [2] [12] Rate in effect	Cents per Mcf [2] [12] Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI76-95	Texaco Inc.	197	11	El Paso Natural Gas Co. (Colorado) (Rocky Mountain).	$1,000	11-12-75		6- 1-76	30.4002	[3] [7] 30.9804	RI75-86
	do			do		11-12-75		6- 1-76	34.4810	[3] 35.1106	RI75-86
	do	211	25	Northwest Pipeline Corp. (Wyoming) (Rocky Mountain).	18,000	11-12-75		[9] 6- 1-76	28.1053	[1] [3] [5] 29.3447	RI75-86
	do			do	(200)	11-12-75	[8] 1- 1-76	(13)	[2] 26.7530	[1] [3] [6] 26.2033	
	do	290	19	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	500	11-12-75		6- 1-76	29.5093	[3] [7] 30.0845	RI75-86
	do			do		11-12-75		6- 1-76	33.3675	[3] 33.9410	RI75-86
	do	324	16	Southern Union Gathering Co. (New Mexico) (Rocky Mountain).	4,000	11-12-75		6- 1-76	31.3764	[3] [7] 31.9880	RI75-86
	do			do		11-12-75		6- 1-76	35.4786	[3] 36.0884	RI75-86
	do	346	16	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	(400)	11-12-75		6- 1-76	34.2288	[3] [5] 32.4111	RI75-86
	do			do	10,000	11-12-75	1- 1-76	(13)	69.1882	[3] [4] 70.5248	
	do	505	19	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	2,000	11-12-75		6- 1-76	29.5093	[3] [7] 30.0845	RI75-86
	do			do		11-12-75		6- 1-76	33.3675	[3] 33.9410	RI75-86
	do	506	13	do	1,000	11-12-75		6- 1-76	29.5093	[3] [7] 30.0845	RI75-86
	do			do		11-12-75		6- 1-76	33.3675	[3] 33.9410	RI75-86
	do	507	20	do	—7,000	11-12-75		6- 1-76	33.3675	[3] 33.9410	RI75-86
	do			do		11-12-75		(14)	27.2553	[14] 28.3050	
	do	45	1-12	Mountain Fuel Supply Co. (New Mexico) (Rocky Mountain).	19,420	[10] 12-11-75		(13)	60.8135	[3] 62.0060	
	do		13	do	16,357	[11] 11-12-75	1- 1-76	6- 1-76	28.3050	29.4372	RI75-139
	do			do	22,983	[11] 11-12-75					

[2] Unless otherwise stated, the pressure base is 15.025 lb/in²a.
[3] Includes double tax in order to recoup past taxes.
[4] Includes local ad valorem taxes.
[5] Rate shown is subject to further adjustment for local ad valorem taxes.
[6] Includes gathering allowance.
[7] Total proposed rate is lower than total present rate due to lower present average British thermal unit content (base rate has increased from 25.4807 to 25.9807 cents per thousand cubic feet.
[8] Gas production from acreage added by supp. No. 7.
[9] Sales from wells completed prior to June 1, 1970.
[10] Sales from wells completed after June 1, 1970.
[11] Gas production from all acreage except that added by supps. Nos. 7 and 13.
[12] The proposed rate represents a decrease in the original proposed increased rate of 29.8098 cents per thousand cubic feet which was suspended until Oct. 15, 1975 in docket No. RI75-139.
[13] As amended by filing dated Dec. 5, 1975, and received Dec. 11, 1975.
[14] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.
[15] Accepted, to become effective as of the date set forth in the "Effective date unless suspended" column.
[16] Accepted, as a rate decrease to be effective on Oct. 15, 1975, subject to refund in docket No. RI75-139.

Texaco's proposed rate increase to 28.3050¢ per Mcf is a decrease from the 29.8098¢ per Mcf rate suspended until October 15, 1975 in an order issued May 14, 1975 in Docket No. RI75-139. The proposed decreased rate of 28.3050¢ per Mcf will be accepted as of October 15, 1975, subject to refund in Docket No. RI75-139.

With the exceptions of the three proposed rate increases which are accepted as of January 1, 1976, the remaining proposed rate increases are in excess of the applicable area ceiling establishing in Opinion No. 658, and they are suspended for five months.

[FR Doc.76-614 Filed 1-12-76;8:45 am]

[Docket Nos. CP75-275; CP75-276; CP75-337; CS73-296]

TEXAS GAS TRANSMISSION CORPORATION ET AL.

Proposed Agreement of Settlement

JANUARY 5, 1976.

Take notice that on December 31, 1975, the Administrative Law Judge in the above entitled proceeding certified a proposed agreement of settlement to the Commission for review pursuant to Section 1.30 of the Commission's Rules of Practice and Procedure.

The proposed agreement of settlement entails issuance of certificates of public convenience and necessity in the consolidated dockets, subject to the following conditions: The transportation rates were modified from the original proposal to a 1 cent per Mcf rate for Texas Gas Transmission Corporation in Docket No. CP75-275; to require the proposed initial rate by Tennessee Gas Pipeline Company in Docket No. CP75-276 to be collected subject to refund pending determination of the justness and reasonableness of that rate in certain pending rate proceedings; and to a 2.6 cents per Mcf rate for Transcontinental Gas Pipe Line Corporation in Docket No. CP75-337. A small producer certificate will be issued to Energy Development Corporation (EDC) upon, *inter alia*, the following conditions:

(a) Energy Development Corporation will not sell natural gas to Public Service Electric and Gas Company (PSE&G) at a rate in excess of the National Area Rates.

(b) EDC will file copies of contracts for all gas sold to PSE&G.

(c) EDC will notify the FPC of any change in the price of gas sold to PSE&G.

(d) EDC shall offer to sell to one of the three transporting pipeline companies any gas owned by EDC which is not already committed to the interstate market.

(e) The certificated gas shall not be used by PSE&G as boiler fuel.

Any person, including the parties to this proceeding, desiring to file comments either in support of or in opposition to the proposed settlement should file such comments on or before January 15, 1976. Copies of such comments will be available in the Office of Public Information of the Federal Power Commission. Replies to the initial comments may be filed on or before February 15, 1976.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-881 Filed 1-12-76;8:45 am]

[Docket No. RP72-99]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Amendment of Petition for Declaratory Order

JANUARY 5, 1976.

Take notice that on December 24, 1975, Transcontinental Gas Pipe Line Corporation (Transco) filed in Docket No. RP72-99 an amendment to its petition for a declaratory order. On December 16, 1975, Transco filed a petition under Section 1.7(c) of the Commission's Rules of Practice and Procedure for a declaratory order interpreting the "1975-1976 Interim Settlement Agreement", which was approved by Commission order of November 28, 1975, in the above-entitled proceeding. Transco sought a determination of the following question:

"Whether it would be a violation of the purpose and intent of the '1975-1976 Interim Settlement Agreement' herein for Transco to transport emergency natural gas to be purchased by a specific distributor-customer under Section 2.68 of the Commission's general Policy and Interpretations under circumstances where Transco would be physically and legally eligible to purchase or transport such gas under Section 2.68 for the benefit of all of its CD and firm direct customers in accordance with the aforesaid Settlement Agreement."

In its December 16, 1975, filing Transco stated that one of its customers, South Jersey Gas Company (South Jersey), had tentatively arranged for the emergency purchase of natural gas for 60 days under Section 2.68 of the Commission's General Policy and Interpretations. Under the tentative agreement, the gas would be delivered into Transco's system in Texas for redelivery into the customer's system. The arrangement was specifically subject to the execution of a transportation agreement, which had not been executed pending determination by the Commission of the petition.

In its amended petition, Transco states it has arranged the purchase of natural gas for 60 days pursuant to Section 2.68 of the Commission's General Policy and Interpretations subject to the seller intrastate purchaser obtaining the necessary approvals. Transco has agreed to purchase the gas for $2.20 per Mcf which represents the highest cost of gas purchased by LoVaca for equivalent volumes ($2.15 per Mcf) plus the 5¢ per Mcf transportation charge mandated by the Texas Railroad Commission. This price contrasts with the $2.27 per Mcf which South Jersey had tentatively agreed to pay for such gas.

Transco is advised by South Jersey that the latter wishes to pursue the purchase of the subject gas for the sixty day period commencing after Transco's sixty day purchase expires. Assuming that South Jersey obtains an agreement for the purchase of the gas at such time, Transco states it is still willing to transport such gas for South Jersey if such arrangement is not violative of the Settlement Agreement in this proceeding. However, since the gas would still be available at that time for Transco's system either through a sixty day extension of its purchase, as contemplated by Section 2.68, or by arranging for the customers to purchase directly under the provisions of Article V of the Settlement Agreement, the question earlier presented to the Commission as contained in the original petition for declaratory order, is posited in this new context.

Transco in its amendment also states that the South Jersey answer to the original petition has raised further issues of interpretation of the Settlement Agreement requiring determination by the Commission. South Jersey has alleged that its action in attempting to obtain its own supply is consistent with Article VI of the Settlement Agreement. Transco contends that any applicant for extraordinary relief under Article VI must show as a prerequisite, "changes in presently foreseen circumstances . . . which require greater protection of high priority markets by Transco than contemplated at the time this Agreement [was] submitted". Transco contends that since it has increased its supply to customers, either from its own sources or through arrangements for direct purchases of emergency gas, substantially in excess of levels contemplated at the time of the settlement, South Jersey could not invoke the provisions of Article VI. Further, Transco believes the "self-help" measures contemplated by Article VI prior to extraordinary relief do not relate to measures to obtain supplies in competition with Transco.

It appears reasonable and consistent with hte public interest in this case to prescribe a period shorter than 15 days for the filing of answers to the petition. Therefore, any person desiring to be heard with reference to this petition should file an answer thereto on or before January 12, 1976, with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.9). All answers filed with the Commission will be considered by it in determining the appropriate action to be taken on the petition.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.76-882 Filed 1-12-76;8:45 am]

[Docket No. CP76-202]

UNITED GAS PIPE LINE CO.

Application

DECEMBER 31, 1975.

Take notice that on December 16, 1975, United Gas Pipe Line Company (United) filed in Docket No. CP76-202 an application pursuant to Section 7 of the Natural Gas Act, as amended, the Rules and Regulations of the Federal Power Commission (Commission) issued thereunder and Section 2.79 of the Commission's General Policy and Interpretations for a certificate of public convenience and necessity authorizing United to transport up to 500 Mcf of natural gas per day for Corning Glass Works (Corning), an existing industrial customer of City of Danville, Virginia (Danville) all as more fully set forth in the application which is on file with the Commission and open to public inspection.

United states that the gas will be purchased by Corning from production in the Monroe Field, Morehouse, Ouachita and United Parishes, Louisiana and delivered by United to Transcontinental Gas Pipe Line Corporation (Transco) for the account of Corning at existing authorized points of interconnection. Transco will deliver the gas so transported to Danville for the account of Corning for ultimate high priority end use at its Danville, Virginia Manufacturing Plant. Applicant states that the proposed transportation service is consistent with the policy of the Commission promulgated by Order 533 in Docket No. RM75-25 issued August 28, 1975.

Any person desiring to be heard or to make any protest with reference to said application should, on or before January 12, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to

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the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-899 Filed 1-12-75;8:45 am]

[Docket No. RP73-94 (PGA76-1)]

VALLEY GAS TRANSMISSION, INC.

Order Accepting for Filing and Suspending Proposed PGA Rate Increase, Instituting Investigation Under Section 5 of the Natural Gas Act and Establishing Hearing Procedures

DECEMBER 31, 1975.

On November 14, 1975, Valley Gas Transmission, Inc. (Valley) filed a PGA rate increase[1] for sales to two pipeline customers, Tennessee Gas Pipeline Company (Tennessee) and National Fuel Supply Corporation (National) and a PGA reduction to one, United Gas Pipe Line Company (United).[2] Valley's PGA rate changes are on the basis of a segregated gas supply to each customer instead of a systemwide average basis. The subject rate adjustments are proposed to become effective January 1, 1976.

Valley's filing was noticed on November 19, 1975, with responses due on or before December 8, 1975. No responses have been received.

The cost of purchased gas component of Valley's rate proposed to become effective as of January 1, 1976, is consistent with the Commission's order issued December 2, 1975, in Docket Nos. G-19618, *et al.* which approved a settlement agreement which resolved a dispute between two of Valley's customers, Tennessee and National, as to which party is entitled to the low priced natural gas reserves in the Petronilla and Luby Fields in Texas. The period *prior* to January 1, 1976, is covered by Valley's proposed surcharge rate adjustment. The proposed surcharge, which is to clear the balance in Valley's deferred purchased gas cost account, has not been shown to have reflected the settlement allocation of costs related to the Petronilla and Luby Fields reserves. We note further that Valley's three previous PGA filings have been suspended for one day and made subject to refund pending the outcome of the reserves allocation issue in Docket Nos. G-19618, *et al.*[3]

In light of this fact, as well as the fact that Valley's filing reflects small producer purchases in excess of the rate levels prescribed in Opinion No. 742[5], the proposed rates and charges have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. Accordingly, we shall accept Valley's proposed tariff sheets for filing and suspend them for one day until January 2, 1976, when they shall become effective, subject to refund.

With regard to the issue of the proper allocation of the Petronilla and Luby Fields reserves we shall require Valley, in its next semi-annual PGA filing, to adjust its Deferred Purchased Gas Cost Account to give rate effect to the settlement allocation of the Petronilla and Luby Fields reserves in Docket Nos. G-19618, *et al.* for all periods prior to January 1, 1976[4] which are covered by past PGA filings made by Valley in Docket No. RP73-94 (PGA74-4) (PGA 75-1) and (PGA75-2). Valley shall also submit detailed workpapers and other necessary data and information to explain and support the adjustments to the deferred account. Upon Valley's compliance with this requirement, we shall take whatever action as appropriate to terminate the proceedings in Docket Nos. RP73-94 (PGA74-2), (PGA75-1), and (PGA75-2), as well as that portion of the instant docket, Docket No. RP73-94 (PGA76-1) related to the reserves allocation issue.

With regard to the issue of small producer purchases, we shall establish hearing procedures to determine the just and reasonable rate levels of those small producer purchases to be included in Valley's filing in excess of the rate levels resulting from use of the "130% formula" prescribed in Opinion No. 742.[6] In this connection, we believe it appropriate to make the small producers involved respondents so that they may present evidence to show that the rates charged by them to Valley are just and reasonable. Although the small producers are not required to make refunds, we believe it appropriate to institute a Section 5 investigation against the small producers involved so that the just and reasonable small producer rate determination in this proceeding can be applied prospectively.

Within 15 days of the date of this order, Valley shall file a list of these small producers, making sales reflected in the instant filing in excess of the "130% formula" rates in order that they may be made respondents to this proceeding.

Cost evidence relating to the small producer sales which are the subject of the hearing ordered herein can clearly provide the basis for "just and reasonable" rate findings. *F.P.C.* v. *Texaco, Inc.* 417 U.S. 380 (1974). Accordingly, we shall require the small producer respondents to submit cost evidence in order that we may determine the justness and reasonableness of Valley's rates and make appropriate prospective adjustments, if found necessary, to the small producer rate pursuant to our authority under Section 5 of the Natural Gas Act.

Valley should show that the rate paid by it to the small producer is just and reasonable by presenting evidence considering all relevant factors including *inter alia*, (1) the pipeline's need for gas, (2) the availability of other gas supplies, (3) the amount of gas dedicated under the contract, (4) the rates of other recent small producer sales previously approved for flow through and (5) comparison with appropriate market prices.[6]

Finally, the parties may submit any other evidence relevant to the Commission's determination of whether the rates paid by the pipeline with respect to the subject small producer sales are just and reasonable.

Our review of Valley's claimed increased purchased gas costs, other than those claimed increased costs associated with that portion of small producer purchases in excess of the rate levels prescribed in the "130% formula" in Opinion No. 742 and the amounts in the proposed surcharge, indicates that they comply with the standards set forth in Docket No. R-406. Accordingly, we shall permit Valley to file a revised tariff sheet to become effective January 1, 1976 to reflect the elimination of the costs associated with that portion of small producer purchases in excess of the rate levels prescribed by the "130% formula" in Opinion No. 742 and the proposed surcharge to clear the Deferred Account.

The Commission finds: (1) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that hearing procedures be established, as hereinafter ordered and conditioned, and that Valley's tariff sheet tendered in this docket on November 14, 1975, be accepted for filing and permitted to become effective January 2, 1976 subject to refund.

(2) It is necessary and appropriate to aid in the enforcement of the Natural Gas Act that Valley be permitted to file, to become effective January 1, 1976, a revised tariff sheet reflecting the elimination of: (1) purchased gas costs associated with the portion of small producer purchases in excess of the rate levels established in Opinion No. 742 and (2) costs associated with the surcharge to clear the Referred Account.

(3) The claimed increased costs, other than those associated with that portion of small producer purchases in excess of the rate levels established in Opinion No. 742 and costs associated with the proposed surcharge to clear the Deferred Account have been reviewed and found to be in compliance with the standards set forth in Docket No. R-406.

The Commission orders: (A) In Valley's next semi-annual PGA filing, Valley shall adjust its Deferred Purchase Gas Cost Account, and shall reflect such adjustment in its revised PGA rate surcharge, to reflect the rate effect of the settlement allocation of the Petronilla and Luby Fields issued in Docket Nos. G-19618, et al. for all periods prior to January 1, 1976, which are covered by the surcharge rate in Docket No. RP73-94 (PGA76-1) as well as the past periods covered by Docket Nos. RP73-94 (PGA 74-2) (PGA75-1) and (PGA75-2). Valley's calculations shall be shown in detail along with detailed workpapers and other information necessary to explain and support the adjustments.

(B) Pursuant to the authority of the Natural Gas Act, particularly Sections 4, 5, 7, 14 and 16 thereof, a public hearing shall be held in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, to determine the lawfulness of Valley's proposed PGA rates filed on November 14, 1975, insofar as those proposed rates reflect small producer purchases in excess of the "130% formula" prescribed in Opinion No. 742.

(C) Within 15 days of the date of this order, Valley shall file with the Commission a list, including addresses, of the small producers from whom it purchased at rates in excess of the rate level provided by Opinion No. 742. Following receipt of this list, we shall make the small producers parties respondents to this investigation for the purposes discussed in the body of this order.

(D) Pursuant to Section 5 of the Natural Gas Act, we hereby institute an investigation into the just and reasonable rates to be charged by the small producers making sales to Valley in excess of the rates resulting from the "130% formula" prescribed in Opinion No. 742 and consolidate this investigation with the hearing ordered in Ordering Paragraph (A) above for purposes of hearing and decision. These consolidated hearings will be docketed as RP73-94 (PGA76-1).

(E) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)) shall preside at the hearing in this proceeding pursuant to the Commission Rules of Practice and Procedure. He shall also preside at a pre-hearing conference to be held on February 17 1976 at 10:00 A.M., in a hearing room at the address noted in ordering paragraph (A) for the purpose of setting dates for the presentation of Valley's direct testimony, the small producer respondent's direct testimony, the Staff's and any intervenor's direct testimony, Valley's rebuttal evidence, and the hearing.

(F) Valley's proposed tariff sheet tendered on November 14, 1975, is hereby accepted for filing and suspended for one day, until January 2, 1976, when it shall become effective, subject to refund.

(G) Within 15 days of the date of issuance of this order, Valley may file a revised tariff sheet to become effective January 1, 1976, which reflects those claimed increased purchased gas costs contained in Valley's PGA adjustment other than (1) those claimed increased costs associated with that portion of small producer purchases in excess of the rate levels resulting from the "130% formula" prescribed by Opinion No. 742 and (2) costs associated with amounts in the proposed surcharge to clear the Deferred Account.

(H) The Secretary shall cause prompt publication of this order to be issued in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-904 Filed 1-12-76;8:45 am]

[Docket No. E-9147 (Phase II)]

VIRGINIA ELECTRIC & POWER CO.

Further Extension of Procedural Dates

JANUARY 2, 1976.

On December 23, 1975, ElectriCities of North Carolina filed a motion to extend the procedural dates fixed by order issued January 22, 1975, as most recently modified by notice issued November 7, 1975, in the above-designated proceeding.

Upon consideration, notice is hereby given that the procedural dates in the above proceeding are modified as follows:

Service of Intervenor Testimony, March 8, 1976.

Service of Staff Testimony, March 29, 1976.

Service of Company Rebuttal, April 19, 1976.

Service of Intervenor Rebuttal May 6, 1976.

Hearing, May 18, 1976 (10:00 a.m., EST).

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-908 Filed 1-12-76;8:45 am]

[Project No. 2463]

VIRGINIA ELECTRIC & POWER CO.

Issuance of Annual License

JANUARY 2, 1976.

On June 5, 1975, Virginia Electric and Power Company, Licensee for Park Hydroelectric Project No. 2463, filed an application for surrender of its license. The project is located on the Chesapeake and Ohio Canal paralleling the James River, within the City of Richmond, Virginia.

The license for Project No. 2463, as amended, was issued effective May 1, 1939, for a period ending September 1, 1975. Since the original date of expiration, the project has been under annual license. In order to authorize the continued operation and maintenance of the project pursuant to the Federal Power Act, pending completion of Commission action on Licensee's application, it is appropriate and in the public interest to give notice of issuance of an annual license to Virginia Electric and Power Company for continued operation and maintenance of Project No. 2463.

Take notice that an annual license is issued to Virginia Electric and Power Company (Licensee) under the Federal Power Act for the period September 2, 1975, to September 1, 1976, or until Federal takeover, or until Licensee's application for surrender of the project license is accepted, whichever comes first, for the continued operation and maintenance of Park Hydroelectric Project No. 2463, subject to the terms and conditions of its original license, as amended.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-909 Filed 1-12-76;8:45 am]

COMMISSION OF FINE ARTS

MEETING

JANUARY 5, 1976.

The Commission of Fine Arts announces a public meeting to be held at 10:30 a.m., Tuesday, January 27, 1976, at 708 Jackson Place, NW., Washington, D.C., to discuss the matters set forth in the attached tentative agenda.

Immediately before such meeting, the Commission will meet in executive session to discuss appointments to the Joint Committee on Landmarks and to be briefed on and to discuss design studies for the west end of Pennsylvania Avenue in Washington, D.C. Such session, starting at 9:30 a.m., will be closed to the public by authority of Section 10(d) of Title 5, Appendix I, United States Code.

The selection of appointees to the Joint Committee on Landmarks requires a frank and uninhibited exchange of ideas as exempted from disclosure by Subsection 552(b)(2) of Title 5, United States Code. Such exchange and the frank discussion of individual qualifications would be unduly inhibited and restrained by the presence of members of the public. In addition, the discussion in public of personnel under consideration for such appointments would constitute a clearly unwarranted invasion of personal privacy as exempted from disclosure by Subsection 552(b)(6) of Title 5.

Preliminary discussions of design studies for the west end of Pennsylvania Avenue similarly require a frank and uninhibited exchange of tentative views as exempted from disclosure by Subsection 552(b)(2) of Title 5. These design studies involve a visual and traffic upgrading of that area of Pennsylvania

[1] Fifth Revised Sheet No. 2A to FPC Gas Tariff, Original Volume No. 1.

[2] The orders suspending Valley's three previous PGA filings are: *Valley Gas Transmission, Inc.*, — FPC — issued July 26, 1974, in Docket No. RP73-94 (PGA74-2); — FPC — issued February 6, 1975, in Docket Nos. RP73-94 (PGA75-1) *et al.*; and — FPC — issued June 30, 1975, in Docket Nos. RP73-94 (PGA75-2) *et al.*

[3] — FPC — issued August 28, 1975, in Docket No. R-393.

[4] As already noted, Valley's current rates proposed to become effective January 1, 1976, absent the surcharge for past periods, reflects the settlement allocation of the disputed reserves.

[5] — FPC — issued August 28, 1975, in Docket No. R-393.

[6] Opinion No. 742 (mimeo, p. 13, paragraph (1)).

Avenue between 13th and 15th Streets, N.W. This shall include the preservation and restoration of certain historic structures, some of which are in private ownership; rerouting of automobile and pedestrian traffic; maintaining the visual axis between the White House and the United States Capitol; development of a memorial to General Pershing in Square 226; and the new paving, landscaping, and structures required to accomplish this. Review and evaluation of previous Commission of Fine Arts actions on this area which affect positions of various District of Columbia, Federal, and quasi-public agencies and the development potential of private real estate are anticipated. The Commission's closed discussion, if made public, could have an effect on private real estate values and speculation, as well as the reputations of various designers and individuals involved with this series of inter-agency projects. Along with this will be a review of other efforts at achieving the best possible urban design for this area, which has concerned the Commission of Fine Arts since 1910. While any action with respect to such design and the materials used by the Commission of Fine Arts in making its decision will be presented in open discussion or in written reports available for public inspection, the exchange of initial views and tentative and subjective positions and the presentation of assumptions and conclusions arguendo must be frank and candid if the Commission's advice with respect thereto is to reflect the best possible judgment and opinions of its members. Tentative inidvidual opinions, preliminary judgments, and policy positions will be so integrated throughout the deliberations with factual matters that separation would not be feasible.

The Freedom of Information Act authorizes the exemption from disclosure of inter- and intra-agency memoranda and letters where the documents are not final determinations and such exemptions are necessary to prevent the inhibition of predecisional processes (5 U.S.C. 552(b)(2)). The deliberative process by which the Commission of Fine Arts arrives at independent judgments is a predecisional process which must remain uninhibited and thus undisclosed in order that the Commission may effectively perform its statutory functions. This process is therefore, within the above exemptions of the Freedom of Information Act extended to advisory committees through the Federal Advisory Committees Act.

By authority of Section 10(d) of Public Law 92-463, the Federal Advisory Committees Act, the Director of the Office of Management and Budget has determined that the session of the Commission of Fine Arts starting at 9:30 a.m. on January 27, 1976, will concern matters within Section 552(b) (5) and (6) of Title 5, United States Code, and therefore shall not be open to the public.

Inquiries regarding the following tentative agenda or requests to submit written or verbal statements should be addressed to Charles H. Atherton, Secretary, Commission of Fine Arts, at the above address. Phone inquiries regarding the meeting should be made to Mr. Atherton at Area Code 202/343-5324.

MEETING OF THE COMMISSION OF FINE ARTS JANUARY 27, 1976

I. Administration.

A. Proposed Appointment of Members to the Joint Committee on Landmarks.

B. Capitol Hill Historic District, Joint Committee on Landmarks Hearing—Report.

II. Submissions-reviews.

A. *Pennsylvania Avenue Development Corporation.*—Design Studies for Pennsylvania Avenue between 13th and 15th Streets, N.W. and Pershing Memorial Site—Resubmission.

B. *Smithsonian Institution.*—Mall Graphics.

C. *General Services Administration.*—1. Winder Building Restoration—Resubmission.

2. Landscaping of Heating Plant east of Pentagon.

D. *D.C. Government, Department of Economic Development Old Georgetown Act.*—1. OG 76-?, 300 M Street, N.W., Office/Hotel/Commercial Development.

2. Appendix 1.

Shipstead-Luce Act.—Appendix 2.

E. *D.C. Government, Department of Housing and Community Development.*—"Streets for People" Pay Telephone Booths.

F. *Department of the Treasury, Bureau of the Mint.*

1. 1975 Medal: Obverse, Paul Revere; reverse, Minute Man.

2. 1976 Medal: Obverse, Thomas Jefferson; reverse, Declaration of Independence.

3. 1976 National Medal: Obverse, Statute of Liberty; reverse, Great Seal.

III. Legislation.

H.R. 10485, 94th Congress, "To amend Title 5, United States Code, to prohibit maintenance of local offices by executive agencies, and for other purposes."

IV. Inspections.

Freer Gallery.—Inspection of Objects for Acquisition.

CHARES H. ATHERTON,
Secretary.

[FR Doc.76-1097 Filed 1-12-76;8:45 am]

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt of Report Proposal

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO on January 6, 1976. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this notice in the FEDERAL REGISTER is to inform the public of such receipt.

The notice includes the title of the request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed CAB record retention requirements are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed form, comments (in triplicate) must be received on or before February 2, 1976, and should be addressed to Mr. Carl F. Bogar, Assistant Director, Office of Special Programs, United States General Accounting Office, Room 5216, 425 I Street, NW., Washington, D.C. 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-376-5425.

CIVIL AERONAUTICS BOARD

Request has been submitted for an extension no change clearance of the record-retention requirements of Parts 207—Charter Trips and Special Services; 208—Terms, Conditions and Limitations of Certificates to Engage in Supplemental Air Transportation; 212—Charter Trips by Foreign Air Carrier Permits Authorizing Charter Transportation Only. The objective of the regulations is to require that supplemental air carriers, certificated route air carriers and foreign route air carriers and foreign charter air carriers, which operate charter trips originating in the United States, provide security protection for customers' deposits made with such carriers for charter flights.

NORMAN F. HEYL,
Regulatory Reports, Review Officer.

[FR Doc.76-1028 Filed 1-12-76;8:45 am]

GENERAL SERVICES ADMINISTRATION

[Temporary Regulation D-52]

FEDERAL PROPERTY MANAGEMENT REGULATIONS

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Attorney General of the United States to perform all functions in connection with the leasing of facilities for use as Community Treatment Centers authorized by 18 U.S.C. 4082.

2. *Effective date.* This regulation is effective immediately.

3. *Expiration date.* This delegation shall remain in effect until revoked.

4. *Delegation.*

a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, authority is hereby delegated to the Attorney General of the United States to preform all functions in connection with the leasing of space for use as Community Treatment Centers for terms not in excess of 1 year.

b. The Attorney General may redelegate this authority to any official or employee of the Department of Justice.

c. This authority shall be exercised in accordance with the applicable limitations and requirements of the above-cited Act, section 322 of the Act of June 30, 1932 (40 U.S.C. 278a), as amended, and other applicable statutes and regulations.

Dated: December 24, 1975.

JACK ECKERD,
Administrator of General Services.

[FR Doc.76-045 Filed 1-12-76;8:45 am]

[Temporary Regulation F-367]

FEDERAL PROPERTY MANAGEMENT REGULATIONS

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in intrastate telephone rate proceedings.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.*

a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the Consumer interests of the executive agencies of the Federal Government before the Arizona Corporation Commission, involving the application of the Mountain Bell Telephone and Telegraph Company for increases in its intrastate rates and charges (Docket No. 9981-E-1051).

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

Dated: December 30, 1975.

DWIGHT A. INK,
Acting Administrator of General Services.

[FR Doc.76-946 Filed 1-12-76;8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 76-3]

FOREIGN EXCLUSIVE PATENT LICENSE

Notice of Intent To Grant

In accordance with the NASA Foreign Licensing Regulations, 14 CFR 1245.405 (e), the National Aeronautics and Space Administration announces its intention to grant to the Japan Engineering Development Company, Tokyo, Japan, exclusive patent licenses in Japan for the two NASA owned inventions covered by the Japanese counterparts of: (1) U.S. Patent No. 3,782,177 for "Method and Apparatus for Nondestructive Testing", issued to NASA on January 1, 1974; and (2) U.S. Patent No. 3,891,452 for "Refractary Porcelain Enamel Passive Control Coating for High Temperature Alloys", issued to NASA on June 24, 1975. Copies of the above identified U.S. Patents can be purchased from the U.S. Patent Office, Department of Commerce, Washington, D.C., 20231 for $.50 a copy. Interested parties should submit written inquiries or comments within 60 days to the Assistant General Counsel for Patent Matters, Code GP, National Aeronautics and Space Administration, Washington, D.C., 20546.

Dated: January 7, 1976.

S. NEIL HOSENBALL,
General Counsel.

[FR Doc.76-752 Filed 1-12-76;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-245]

NORTHEAST NUCLEAR ENERGY CO., ET AL.

Proposed Issuance of Amendment to Provisional Operating License

The Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Provisional Operating License No. DPR-21 issued to Northeast Nuclear Energy Company, The Hartford Electric Light Company, Western Massachusetts Electric Company, and Connecticut Light and Power Company (the licensees), for operation of the Millstone Nuclear Power Station, Unit 1, located in Waterford, Connecticut.

The amendment would permit installation of modifications to the reactor building crane. In addition, Limiting Conditions for Operation and Surveillance Requirements will be included in the Technical Specifications, Appendix A to the Provisional Operating License, which will assure safe operation and continued surveillance of the modified reactor building crane.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations.

By February 12, 1976, the licensees may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject Provisional Operating License. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to William H. Cuddy Esq., Day, Berry & Howard, Counselors at Law, One Constitution Plaza, Hartford, Connecticut 06103, the attorney for the licensees.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the letter from D. L. Ziemann to D. C. Switzer dated June 22, 1973, the letter from D. C. Switzer to Director, Directorate of Licensing, U.S. Atomic Energy Commission dated June 29, 1973, the letter from D. C. Switzer to D. L. Ziemann dated September 28, 1973 and the letter from G. Lear to D. C. Switzer dated December 30, 1975, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut 06385. The proposed License amendment and the Safety Evaluation, may be inspected at the above locations and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing, when they become available.

Dated at Bethesda, Maryland, this 30th day of December 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Reactor Licensing.

[FR Doc.76-1035 Filed 1-12-76;8:45 am]

PRIVACY ACT OF 1974

Notice of Systems of Records; Corrections and Minor Amendments

On October 1, 1975, the Nuclear Regulatory Commission published in the

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FEDERAL REGISTER (40 FR 45332) notices of those systems of records maintained by the NRC which contain personal information about individuals and from which such information can be retrieved by an individual identifier. The notices were published as a document subject to publication in the annual compilation of Privacy Act documents.

The amendments of the NRC Systems of Records set forth below change the System Manager for NRC–3 Byproduct Material License Records, and NRC–32 Source and Special Nuclear Material Administrative Management Records, from the Director, Division of Administrative Operations to the Director, Division of Fuel Cycle and Material Safety. The amendments also make a number of minor corrections and editorial changes.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and sections 552 and 552a of title 5 of the United States Code, the following amendments to the Notices of Systems of Records are published as a document subject to publication in the annual compilation of Privacy Act documents.

1. Item 10 of the table of contents of the NRC Systems of Records is corrected by deleting "(FOIS)" and substituting "(FOIA)".

2. In NRC–3 and NRC–32 the item entitled "System manager(s) and address:" is revised to read as follows:

System manager(s) and address:

Director, Division of Fuel Cycle and Material Safety, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

3. In NRC–4, the item entitled "Contesting record procedures:" appearing immediately following the item entitled "System manager(s) and address:" is corrected to read "Notification procedures:".

4. In NRC–5 the item entitled "Record source categories:" is transferred to appear immediately following the item entitled "Contesting record procedures:".

5. In NRC–7 and NRC–12 the item entitled "System manager(s) and addresses:" is amended by adding "Office of Administration" immediately following "Division of Administrative Operations".

6. In NRC–14 and NRC–23 the item entitled "System manager(s) and address:" is amended by adding "Office of Administration" immediately following "Division of Organization and Personnel".

7. In NRC–16 the item entitled "Categories of records in the system:" is revised to read as follows:

Categories of records in the system: These records contain information relating to the application for a license, certification of competency, certification of medical history and results of medical examination and related correspondence, operator examination and examination results, and license or denial letter.

8. In NRC–18 the word "Information" in the item entitled "Record access procedures:" is corrected to read "Information".

9. In NRC–19 the word "in?ormation" in the item entitled "Categories of records in the system:" is corrected to read "information".

10. In NRC–20 the item entitled "Categories of records in the system:" is amended by adding "and Vouchers" immediately following "Travel Vouchers".

11. In NRC–20 and NRC–21 the item entitled "System manager(s) and address:" is revised to read as follows:

System manager(s) and address:

Controller, Office of the Controller, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

12. In NRC–25 the item entitled "Storage:" is amended by deleting "5 x 8' ?orm" and substituting therefor "5 x 8 form"; the item entitled "Retention and disposal:" is amended by deleting the "N" at the end thereof; and the title "System manager(s) and address:" is added immediately following the item entitled "Retention and disposal:".

13. In NRC–31 the item entitled "Routine uses . . ." is amended by correcting the word "?or" to read "for" and the item entitled "Safeguards:" is amended by correcting the word "staf?s" to read "staffs".

14. In NRC–32 the item entitled "Routine uses . . ." is amended by correcting the word "?or" to read "for".

Effective date. These amendments become effective on January 14, 1976.

(5 U.S.C. 552a(e)(4).)

Dated at Bethesda, Maryland this 8th day of December 1975.

For the Nuclear Regulatory Commission.

LEE V. GOSSICK,
Executive Director for Operations.

[FR Doc.76–1117 Filed 1–12–76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Release No. 11981; SR–CSE–1975–4]

CINCINNATI STOCK EXCHANGE

Order Approving Proposed Rule Change

JANUARY 6, 1976.

In the Matter of the Cincinnati Stock Exchange, 205 Dixie Terminal Bldg., Cincinnati, Ohio 45202.

On November 7, 1975, the Cincinnati Stock Exchange (the "CSE") filed with the Commission, purusant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), (the "Act"), as amended by the Securities Acts Amendments of 1975, Pub. L. No. 94–29, § 16 (June 4, 1975), and Rule 19b–4 thereunder, copies of a proposed rule change. Additional information concerning the proposed rule change was supplied in a letter from the CSE dated December 24, 1975, at which time the CSE also consented to an extension of the time period for consideration of the proposed rule change.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 11837, (November 17, 1975)) and by publication in the FEDERAL REGISTER (40 Fed. Reg. 54312 (November 21, 1975)).

The proposed rule change would open the CSE's Access Program to any member of another national securities exchange, with a minimum net capital in compliance with Securities Exchange Act Rule 15c3–1, the primary purpose of whose business is the transaction of business as a broker or dealer in securities. The Access Program permits certain approved non-members to execute commission orders on the CSE for a period of one year. In addition, the proposed rule change would reduce the fee for extending participation in the Access Program on a yearly basis from $250 to $100.

Participants in the CSE Access Program are permitted to use the trading facilities of the CSE; however, they are not entitled to vote on matters pertaining to the CSE or to share in the assets of the CSE. Transactions for Access Participants are executed on the CSE by assigned CSE floor brokers, though an access participant may request that his transactions be executed by a specific floor broker. When the transaction is executed, the Access Participant's name appears on the CSE confirmation tickets. Access Participants may have their trades cleared through the Midwest Clearing Corporation, if they are members of that organization, or may clear their trades directly. All commissions for business performed by floor brokers for Access Participants are negotiated.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges. In particular, the proposed rule change is consistent with the requirements of Section 6(b)(5), which provides that the rules of a national securities exchange should be designed to, among other things, remove impediments to and perfect the mechanism of a free and open market.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule change be, and it hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–855 Filed 1–12–76;8:45 am]

DONALD S. CHILDS

Temporary Suspension Order and Notice of Opportunity for Hearing

DECEMBER 30, 1975.

In the matter of an offering sheet filed by DONALD S. CHILDS (File No. 20–1998A1).

On March 4, 1974, covering non-producing working interests in the Donald S. Childs—Southwest Muskrat Prospect.

Donald S. Childs ("Offeror") having filed an offering sheet on March 4, 1974, with the Securities and Exchange Commission pursuant to Regulation B of the General Rules and Regulations under the Securities Act of 1933, as amended, for the purpose of obtaining an exemption from registration with respect to a proposed public offering of securities as specified in said offering sheet; and

The Commission having reason to believe, after filing of the offering sheet, that:

1. No exemption is available for this offering under Regulation B because the offeror failed to comply with Rule 316(a) [17 CFR 230.316(a)] in that the required Form 1–G was not and has not been filed with the Commission.

2. No exemption is available for this offering under Regulation B because the offeror failed to comply with Rule 316(b) [17 CFR 230.316(b)] in that the required Form 3–G was not and has not been filed with the Commission.

3. No exemption is available for this offering under Regulation B because the offeror failed to comply with Rule 330(a) and (b) [17 CFR 230..330(a) and (b)] in that the offeror filed an offering sheet relating to the Southwest Muskrat Project with the Commission and delivered copies thereof to prospective investors when such offering sheets made untrue statements of material facts and omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, including but not limited to the following:

(a) the offeror reported that all monies raised from investors in the Southwest Muskrat Prospect would be promptly refunded by him to such investors in the event that the offeror was not able to raise sufficient monies to drill the proposed well;

(b) the offeror represented that all monies raised from such investors would be promptly refunded by him to such investors in the event that the proposed well was not drilled; and

(c) the offeror failed to disclose that monies raised from such investors would not be segregated and maintained for their benefit but would be and were converted by the offeror.

4. The offering was made in violation of the anti-fraud provisions of Section 17(a) of the Securities Act of 1933 and Section 10(b) of the Securities Exchange Act of 1934, and Rule 10b–5 thereunder, in that the offeror, while engaged in the offer and sale of fractional undivided interests in the Southwest Muskrat Prospect, directly and indirectly made use of the mails and means and instruments of transportation and communication in interstate commerce and of the means and instrumentalities of interstate commerce, and in such connection with such offer and sale made to prospective investors and purchasers untrue statements of material facts and omitted to state material facts necessary to make the statements made, in light of the circumstances under which they were made, not misleading, including but not limited to:

(a) the offeror represented that all monies raised from investors in the Southwest Muskrat Prospect would be promptly refunded by him to such investors in the event that the offeror was not able to raise sufficient monies to drill the proposed well;

(b) the offeror represented that all monies raised from such investors would be promptly refunded by him to such investors in the event that the proposed well was not drilled; and

(c) the offeror failed to disclose that monies raised from such investors would not be segregated and maintained for their benefit but would be and were converted by the offeror.

5. No exemption is available for this offering under Regulation B because the offeror failed to comply with Rule 324 [17 CFR 230.327] in that one interest in the offering was sold on the basis of an offering sheet which was no longer effective.

It is ordered, pursuant to Rule 334(a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the exemption available pursuant to Regulation B under Section 3(b) of said Act with respect to said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon with respect to the objections hereinbefore enumerated.

It is further ordered that each person, on whose behalf said offering sheet was filed, be, and hereby is, given notice that each such person is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from such a person within thirty days after the date of this order the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within thirty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

Notice is directed to Rule 336(b) which provides that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission.

It is further ordered, pursuant to Rule 7 of the Commission's Rules of Practice, that if such a person does request a hearing pursuant to Rule 336 of Regulation B that such person shall file an answer to the allegations contained in this order within 15 days of requesting such a hearing.

Notice is directed to Rule 7(c) of the Commission's Rules of Practice which provides that any allegation not denied shall be deemed to be admitted.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–854 Filed 1–12–76;8:45 am]

[Release No. 19831]

GULF POWER CO.

Notice of Proposed Agreement

JANUARY 6, 1976.

Notice is hereby given that Gulf Power Company ("Gulf") Pensacola, Florida, (70–5783), an electric utility subsidiary company of The Southern Company, a registered holding company, has filed an application-declaration with the Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6(b), 9(a), and 12(d) of the Act and Rules 44(b)(3) and 50(a)(5) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to said application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Gulf owns an electric generating plant located in Escambia County, Florida, ("County"). In order to comply with environmental control standards with respect to air and water quality, Gulf has and will undertake to construct certain facilities ("Project") at this plant solely for this purpose. The total cost of the Project is presently estimated not to exceed $18 million.

To finance the Project, Gulf proposes to enter into an Installment Sales Agreement ("Agreement") with the County which will provide for the acquisition, construction and equipping of the Project by the County, and the issuance by the County, pursuant to an indenture ("Indenture") to be entered into between the County and an indenture trustee ("Trustee"), of its pollution control revenue bonds ("Pollution Bonds"), in an amount not to exceed $18 million. The proceeds of the sale of Pollution Bonds will be deposited by the County with the Trustee and will be applied to the payment of the cost of construction (as defined in the Agreement) of the Project.

It is further proposed, and the Agreement provides, that the Project will be sold to Gulf, the purchase price to be paid in semi-annual installments over a term of years. The purchase price shall be in an amount sufficient to pay the principal and interest on the Pollution Bonds as such amounts become due and payable. Gulf may prepay the purchase price (a) in whole or in part, at Gulf's option, at any time on or after ten years from the date of issuance of the Pollution Bonds, subject to payment of a premium equal initially to 3% of the principal amount and declining thereafter by ½ of 1% per year, and (b) in whole, at Gulf's option in certain other specified instances, without premium.

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In order to obtain the benefit of a rating for the Pollution Bonds equivalent to the rating enjoyed by the first mortgage bonds outstanding under Gulf's bond indenture ("Mortgage"), Gulf proposes to issue a series of such first mortgage bonds ("Collateral Bonds") under the Mortgage, pursuant to a supplemental indenture ("Supplemental Mortgage"). The Collateral Bonds, to be issued in a principal amount equal to the principal amount of the Pollution Bonds, will be deposited with the Trustee as security for Gulf's obligations under the Agreement. The Collateral Bonds will have a stated interest rate equal to the interest rate per annum to be borne by the Pollution Bonds, will mature on the maturity date of such Pollution Bonds, and will be non-transferable. The Supplemental Mortgage will provide, however, that until the Trustee shall have demanded mandatory redemption of the Collateral Bonds, no interest in respect of the Collateral Bonds shall be payable; and that upon acceleration of Pollution Bonds then outstanding by the Trustee, he may demand the mandatory redemption of the Collateral Bonds at a price equal to the principal amount thereof plus accrued interest, if any, to the date fixed for redemption.

The Indenture will provide that, upon deposit of funds with or direction to the Trustee by Gulf to apply available funds, or upon delivery of outstanding Pollution Bonds sufficient to pay or redeem all or any part of the Pollution Bonds, the Trustee will be obligated to deliver to Gulf Collateral Bonds in an aggregate principal amount equal to that amount of Pollution Bonds for the payment or redemption of which such funds have been deposited or applied or which shall have been so delivered.

It is stated that the Pollution Bonds are expected to be marketed pursuant to an arrangement between the County and a group of underwriters represented by an underwriter whose name will be supplied by amendment. In accordance with the laws of the State of Florida, the interest rate thereon will be fixed by the County, and the terms and sale of the Pollution Bonds must be satisfactory to Gulf, although Gulf will not be a party to the underwriting arrangement. The terms of the Pollution Bonds contain sinking fund provisions, which, in the aggregate, will retire at least twenty-five percent of the original issue by its final maturity date. Gulf further states that it is expected that the interest payable on the Pollution Bonds will be exempt, by ruling of the Internal Revenue Service, from federal income taxation. It is not possible to ascertain in advance precisely the interest rate which may be obtained in connection with the issuance of the Pollution Bonds, but Gulf is advised that tax-exempt bonds of like quality and tenor have historically carried an annual interest rate approximately one and one-half to two and one-half percent lower than comparable taxable long-term corporate bonds.

In order to comply with provisions of Florida law authorizing the County to issue its revenue bonds for the purposes heretofore described, Gulf will be obligated to convey to the County such existing pollution control facilities as are now owned by Gulf, subject to the Mortgage. The Agreements provide that Gulf will receive, out of the proceeds of the Pollution Bonds, an amount equal to Gulf's original cost for such existing facilities, which, upon conveyance to the County, will become a part of the Project which Gulf proposes to purchase as provided in the Agreement.

For financial and accounting reporting purposes, the indebtedness of Gulf under the Collateral Bonds will be capitalized. A statement of the fees, commissions and expenses paid or incurred, or to be paid or incurred, in connection with the proposed transaction will be supplied by amendment. It is stated that the Florida Public Service Commission has jurisdiction over, and will have expressly authorized, the issuance of Gulf's Collateral Bonds and the assumption by Gulf of its obligations under the Agreement. Gulf submits that the issuance and delivery of its Collateral Bonds to the County should be exempted from the competitive bidding requirements of Rule 50 by reason of clause (a)(5) thereof inasmuch as they are to be issued and delivered solely to secure Gulf's obligations to the County and no public offering by Gulf is to be made. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than January 30, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issue of fact or law raised by said application-declaration which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.7-856 Filed 1-12-76;8:45 am]

[Release No. 11982; SR-MSE-75-4]

MIDWEST STOCK EXCHANGE, INC.

Order Approving Proposed Rule Change

JANUARY 6, 1976.

In the Matter of MIDWEST STOCK EXCHANGE, INC., 120 S. LaSalle Street, Chicago, Illinois 60603.

On November 24, 1975, the Midwest Stock Exchange, Inc. ("MSE") filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Acts Amendments of 1975, and Rule 19b-4 thereunder, copies of a proposed rule change.

The proposed rule change reduces to six months from one year the time period within which, under certain circumstances, the President of the Exchange may sell the membership of a member.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 11867, November 26, 1975) and by publication in the FEDERAL REGISTER (40 FR 56507 (December 3, 1975)).

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of Section 6 and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change filed with the Commission on November 24, 1975, be, and it hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-858 Filed 1-12-76;8:45 am]

[File No. 1-7311]

PUBCO CORPORATION

Notice of Application To Withdraw From Listing and Registration

JANUARY 7, 1976.

In the matter of Pubco Corporation, Common stock, $.40 par value.

The above named issuer has filed an application with the Securities and Exchange Commission pursuant to Section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-2(d) promulgated thereunder, to withdraw the specified security from listing and registration on the Boston Stock Exchange.

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

The Boston Stock Exchange has not objected to this application to withdraw, and the Company states that it will be registered under Section 12(g) of the Securities Exchange Act of 1934 and that it will continue to file periodic reports as required.

Any interested person may, on or before February 5, 1976 submit by letter to the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549, facts bearing upon whether the application has been made in accordance with the rules of the Exchange and what terms, if any, should be imposed by the Commission for the protection of investors. An order granting the application will be issued after the date mentioned above, on the basis of the application and any other information furnished to the Commission, unless it orders a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-857 Filed 1-12-76;8:45 am]

[Release No. 34-11984; File No. SR-PSD-75-2]

PACIFIC SECURITIES DEPOSITORY TRUST CO.

Self-Regulatory Organization; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. 94-29, 16 (June 4, 1975), notice is hereby given that on December 29, 1975, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

TEXT OF PROPOSED RULE CHANGE

The Pacific Securities Depository Trust Company ("PSD") proposes to amend its fee schedule, setting forth those changes imposed against its participants for services rendered by PSD. The proposed fee schedule is set forth below:

Dues:
- $200/month for first account, $35/month for each additional account.
- $100/month per specialist post (flat charge).
- Pledge Banks—$100/month for the first account, $50/month for each additional account.

Receipt and delivery:
- Physical deposit—$0.30/item.
- Automatic Allocation from Clearing—$0.40/entry.
- Release to PCC net-by-net system—$0.40/entry.
- Movements between participants—$0.40/entry.
- Physical withdrawal—$0.75/item plus $0.10/100 shares (stocks) or $0.10/$1,000 value (bonds); $2.50 maximum.
- Special instruction or release to correspondent: Same as physical withdrawal plus courier charges.

Custody fees:
- Stocks—$0.02/line/business day plus $0.005 per 100 shares (average daily position).
- Bonds—$0.02/line/business day plus $0.005 per $1,000 par value (average daily position).

Collateral loan: Release to and from collateral loan $0.50/entry.

Stock loan:
- Release to and from stock loan—$0.50/entry.
- $0.05 per $1,000 of stock loan value/day.

Dividend: $0.25/item.

STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed change is as follows:[5]

The proposed increases in PSD fees are intended to generate additional revenues to meet rising expenses. The increases in fees are consistent with increased expenses in those functional areas in which the fees are being raised.

The proposed rule change, by changing the fees chargeable against participants, reflects the increased expenses of the clearing agency and relates to the equitable allocation of dues, fees and other charges among its participants.

Comments on the proposed amendment have not been solicited, and none have been received.

The proposed amendment would not impose any burden on competition.

The foregoing rule change has become effective, pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934. At any time within sixty days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or within three weeks, after the date of this publication.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

JANUARY 6, 1976.

[FR Doc.76-1006 Filed 1-12-76;8:45 am]

[Admin. Proc. File Nos. 3-4817; 81-184]

DARIN & ARMSTRONG, INC.

Application and Opportunity for Hearing

JANUARY 6, 1976.

Notice is hereby given that Darin & Armstrong, Inc. ("Applicant"), a Michigan corporation, has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended (the "1934 Act") for exemption from filing the quarterly reports on Form 10-Q required by the provisions of sections 13 and 15(d) of the 1934 Act.

Section 13 provides that each issuer of a security which is registered pursuant to section 12 of the 1934 Act shall file with the Commission, in accordance with such rules and regulations as the Commission may prescribe as necessary or appropriate for the proper protection of investors and to insure fair dealing in the security, certain annual, current, and quarterly reports.

Section 15(d) provides that each issuer that has filed a registration statement which has become effective pursuant to the Securities Act of 1933, as amended, shall file with the Commission, in accordance with such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors, such supplementary and periodic information, documents, and reports as may be required pursuant to Section 13 of the 1934 Act in respect of a security registered pursuant to Section 12 of the 1934 Act.

Section 12(h) empowers the Commission to exempt, in whole or in part, any issuer or class of issuers from the registration, periodic reporting, and proxy soliciation provisions under sections 12, 13 and 14 of the 1934 Act and to grant exemptions from the insider reporting and trading provisions of section 16 of the 1934 Act, if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, or otherwise, that such exemption is not inconsistent with the public interest or the protection of investors.

The Application states, in part:

1. In August 1975, Applicant filed a registration statement covering shares of common stock to be issued in connection with an employee stock option plan and an employee stock purchase plan.

2. As of November 7, 1975, Applicant had 132 shareholders of record, all of whom were employees of Applicant, with the exception of an employee profit sharing trust.

3. It is Applicant's policy to sell its stock only to employees, at a price based on book value as of the end of the last fiscal year. Applicant has the option to repurchase shares of each employee-stockholder upon termination of employment, or upon attempted resale to a third party. There is no public market for the common stock.

4. Applicant's quarterly financial statements may not be representative of the total fiscal year or comparable to the equivalent period of the preceding fiscal

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year, because of the seasonality of Applicant's business and because Applicant's method of accounting records revenue and income on a completed contract basis.

Applicant argues that no useful purpose would be served by filing quarterly reports, since the reports would not contain meaningful information and there are no employee purchase decisions made on the basis of quarterly financial statements.

For a more detailed statement of the information presented, all persons are referred to the application which is on file in the offices of the Commission at 500 North Capitol Street, Washington, D.C. 20549.

Notice is further given that any interested person not later than January 30, 1976 may submit to the Commission in writing his views or any substantial facts bearing on this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 500 North Capitol Street, NW., Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting the hearing, the reason for such request, and the issues of fact and law raised by the application which he desires to controvert.

Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof. At any time after said date, an order granting the application may be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-1002 Filed 1-12-76;8:45 am]

[Rel. No. 33-5666; File No. 20-1998A1]

DONALD S. CHILDS

Temporary Suspension Order and Notice of Opportunity for Hearing

In the Matter of the following offering sheet(s) filed by Donald S. Childs:

(File No. 20-1998A1) on March 4, 1974, covering non-producing working interests in the Donald S. Childs—Southwest Muskrat Prospect.

Donald S. Childs having filed the above offering sheet with the Securities and Exchange Commission pursuant to Regulation B of the General Rules and Regulations under the Securities Act of 1933 as amended, for the purpose of obtaining an exemption from registration with respect to a proposed public offering of securities as specified in said offering sheet; and

The Commission having reason to believe, after filing of the offering sheet that:

1. No exemption is available for this offering under Regulation B because the offeror failed to comply with Rule 316(a) [17 CFR 230.316(a)] in that the required Form 1-G was not and has not been filed with the Commission.

2. No exemption is available for this offering under Regulation B because the offeror failed to comply with Rule 316(b) [17 CFR 230.316(b)] in that the required Form 3-G was not and has not been filed with the Commission.

3. No exemption is available for this offering under Regulation B because the offeror failed to comply with Rule 330 (a) and (b) [17 CFR 230.330 (a) and (b)] in that the offeror filed an offering sheet relating to the Southwest Muskrat Project with the Commission and delivered copies thereof to prospective investors when such offering sheets made untrue statements of material facts and omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, including but not limited to the following:

(a) the offeror reported that all monies raised from investors in the Southwest Muskart Prospect would be promptly refunded by him to such investors in the event that the offeror was not able to raise sufficient monies to drill the proposed well;

(b) the offeror represented that all monies raised from such investors would be promptly refunded by him to such investors in the event that the proposed well was not drilled; and

(c) the offeror failed to disclose that monies raised from such investors would not be segregated and maintained for their benefit but would be and were converted by the offeror.

4. The offering was made in violation of the anti-fraud provisions of Section 17(a) of the Securities Act of 1933 and Section 10(b) of the Securities Exchange Act of 1934, and Rule 10b-5 thereunder, in that the offeror, while engaged in the offer and sale of fractional undivided interests in the Southwest Muskrat Prospect, directly and indirectly made use of the mails and means and instruments of transportation and communication in interstate commerce and of the means and instrumentalities of interstate commerce, and in such connection with such offer and sale made to prospective investors and purchasers untrue statements of material facts and omitted to state material facts necessary to make the statements made, in light of the circumstances under which they were made, not misleading, including but not limited to:

(a) the offeror represented that all monies raised from investors in the Southwest Muskrat Prospect would be promptly refunded by him to such investors in the event that the offeror was not able to raise sufficient monies to drill the proposed well;

(b) the offeror represented that all monies raised from such investors would be promptly refunded by him to such investors in the event that the proposed well was not drilled; and

(c) the offeror failed to disclose that monies raised from such investors would not be segregated and maintained for their benefit but would be and were converted by the offeror.

5. No exemption is available for this offering under Regulation B because the offeror failed to comply with Rule 324 [17 CFR 230.324] in that one interest in the offering was sold on the basis of an offering sheet which was no longer effective.

It is ordered, pursuant to Rule 334(a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the exemption available pursuant to Regulation B under Section 3(b) of said Act with respect to said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon with respect to the objections hereinbefore enumerated.

It is further ordered that each person, on whose behalf said offering sheet was filed, be, and hereby is, given notice that each such person is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from such a person within thirty days after the date of this order the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within thirty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

Notice is directed to Rule 336(b) which provides that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission.

It is further ordered, pursuant to Rule 7 of the Commission's Rules of Practice, that if such a person does request a hearing pursuant to rule 336 of Regulation B that such person shall file an answer to the allegations contained in this order within 15 days of requesting such a hearing.

Notice is directed to Rule 7(c) of the Commission's Rules of Practice which provides that any allegation not denied shall be deemed to be admitted.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

JANUARY 6, 1976.

[FR Doc.76-1006 Filed 1-12-76;8:45 am]

[File No. 500-1]

GAC CORP. AND GAC PROPERTIES CREDIT INC.

Suspension of Trading

JANUARY 7, 1976.

The common stock of GAC Corporation being traded on the New York Stock Exchange, Midwest Stock Exchange, Pacific Coast Stock Exchange, PBW Stock Exchange and Boston Stock Exchange, the voting preference $1.00 series stock of GAC Corporation being traded on the PBW Stock Exchange, the convertible preferred $1.06 cumulative stock of GAC Corporation being traded on the New York Stock Exchange and PBW Stock Exchange, the preferred $6.50 series cumulative stock of GAC Corporation being traded on the PBW Stock Exchange, the 5¾% convertible subordinated debentures due 1994 of GAC Corporation being traded on the New York Stock Exchange; the 11% senior debentures due 1977 of GAC Properties Credit Incorporated being traded on the New York Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of GAC Corporation and GAC Properties Credit Incorporated being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from January 8, 1976 through January 17, 1976.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-1003 Filed 1-12-76;8:45 am]

[Rel. No. 19332; 70-5786]

SOUTHWESTERN ELECTRIC POWER CO. AND CENTRAL & SOUTH WEST CORP.

Proposed Capital Contribution by Holding Company to Subsidiary

JANUARY 7, 1976.

In the matter of Southwestern Electric Power Company, P.O. Box 1106, Shreveport, Louisiana 71156. Central and South West Corporation, P.O. Box 1631, Wilmington, Delaware 19899.

Notice is hereby given that Central and South West Corporation ("CSW"), a registered holding company, and Southwestern Electric Power Company ("SWEPCO"), one of CSW's electric utility subsidiary companies, have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating Sections 6, 7, 9, 10 and 12(f) of the Act and Rule 43 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transaction.

CSW proposes to make a $20,000,000 capital contribution to SWEPCO. The capital contribution will be added to SWEPCO's common stock capital account and will be used together with other funds for SWEPCO's 1976 construction and fuel exploration and development expenditures. SWEPCO states that it expects to spend approximately the following amounts for construction of plant and for fuel exploration and development in 1976:

Generation	$63,799,000
Transmission	19,409,000
Distribution and other plant	12,760,000
Fuel exploration and development	6,277,000
Total	102,245,000

Notice is further given that any interested person may, not later than February 2, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-1004 Filed 1-12-76;8:45 am]

SMALL BUSINESS ADMINISTRATION

BANKERS' CAPITAL CORP.

[PROPOSED LICENSE NO. 07/07-0075]

Notice of Application for a License To Operate as a Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to § 107.102 of the Regulations governing small business investment companies (13 C.F.R. Section 107.102 (1975)) under the name of Bankers Capital Corporation, 4049 Pennsylvania, Kansas City, Missouri 64111, for a license to operate as a small business investment company under the provisions of the Small Business Investment Act of 1958, as amended (the Act), and the Rules and Regulations promulgated thereunder.

The proposed officers, directors and shareholders are as follows:

Name	Title
Raymond Edward Glasnapp 5306 Sunset Drive Kansas City, Missouri 64112	President, Treasurer Director, 50% Shareholder
Erma Lee Glasnapp 5306 Sunset Drive Kansas City, Missouri 64112	Vice President, Secretary Director, 50% Shareholder

There is to be only one class of stock (authorized 100,000 shares of common stock with a par value of $10 per share). The company proposes to commence operations with a capitalization of $302,000. It plans to increase this to $500,000 within the first year of operation. Applicant proposes to conduct its operations principally in the State of Missouri and in other areas of the United States of America and its territories and possessions as may from time to time be approved by SBA as its operating territory. A diversified investment policy will be maintained.

Matters involved in SBA's consideration of the application include the general business reputation and character of shareholders and management, and the probability of successful operations of the new company in accordance with the Act and Regulations.

Notice is further given that any interested person may, not later than fifteen days from the date of publication of this notice, submit to SBA, in writing, relevant comments on the proposed licensing of this company. Any such communications should be addressed to: Associate Administrator for Finance and Investment, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416.

A copy of this notice shall be published by the proposed Licensee in a newspaper of general circulation in Kansas City, Missouri.

(Catalog of Federal Domestic Assistance Program No. 59.011 Small Business Investment Companies)

Dated: December 29, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.76-959 Filed 1-12-76;8:45 am]

[Declaration of Disaster Loan Area No. 1204]

OREGON

Declaration of Disaster Loan Area

Tillamook County and adjacent counties within the State of Oregon constitute a disaster area because of damage resulting from flooding which occurred December 5 through 8, 1975. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on

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March 1, 1976, and for economic injury until the close of business on September 30, 1976, at:

Small Business Administration, District Office, 700 Pittock Block, 921 Southwest Washington Street, Portland, Oregon 97205.

or other locally announced locations.

Dated: December 30, 1975.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.76-957 Filed 1-12-76;8:45 am]

[Declaration of Disaster Loan Area #1202; Amdt. 1]

WASHINGTON

Declaration of Disaster Loan Area

The above numbered Declaration (See 40 FR 59798) is amended by adding Benton, Cowlitz, Kittitas, Mason, Thurston and Yakima Counties and adjacent counties within the State of Washington, and the time for filing applications is extended to February 20, 1976, for physical damage and September 20, 1976, for economic injury.

Dated: December 24, 1975.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.76-958 Filed 1-12-76;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

KENTUCKY STANDARDS

Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On July 31, 1973, notice was published in the FEDERAL REGISTER (38 FR 20322) of the approval of the Kentucky plan and the adoption of Subpart Q to Part 1952 containing the decision.

The Kentucky plan provides for the adoption of Federal standards as State standards after public hearing. By letters dated October 10, 1975, and October 27, 1975, from George R. Wagoner, Acting Commissioner, Kentucky Department of Labor to Donald E. MacKenzie, Regional Administrator, and incorporated as a part of the plan, the State submitted amended State standards comparable to OSHA standards 29 CFR Part 1910, excluding § 1910.13 through § 1910.16 (Maritime), as published in the FEDERAL REGISTER (39 FR 23502) dated June 27, 1974 and 29 CFR Part 1926 as published in the FEDERAL REGISTER (39 FR 22801) dated June 24, 1974 as follows: amendments to § 1910.267a dated August 12, 1974; § 1910.93q dated October 4, 1974; amendments to § 1910.211 dated December 3, 1974; amendments to § 1910.217 dated December 3, 1974; amendments to § 1910.67, § 1910.70, § 1910.183, § 1910.189, § 1910.190, § 1910.268, § 1910.274, § 1910.-275 dated March 26, 1975; correction to § 1910.106 dated January 27, 1975; amendments to § 1926.750(b)(2) dated July 2, 1974.

These standards were promulgated by a Standards Board meeting on June 12, 1975, filing with the Legislative Research Commission on June 25, 1975, publication in the Kentucky Administrative Register on August 1, 1975, and review by the Administrative Regulation Review Subcommittee on September 10, 1975; and by a Standards Board meeting on September 17, 1975, and Executive Order signed by the Governor and filed with the Legislative Research Commission on October 2, 1975, pursuant to the Kentucky Occupational Safety and Health Act and Chapter 13, Kentucky Revised Statutes.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards it has been determined that the State standards are identical to the Federal standards with the following exceptions:

a. Hard hats are required on all construction sites.

b. Material hoists manufactured prior to January 1, 1970, may use a drum pitch diameter of 18 times nominal rope diameter if rope flexibility is at least equivalent to 6 x 37 in flexibility.

c. Toeboards are not required on the loading side of platforms which are loaded by high lift tractor or fork truck provided employees are not permitted beneath the scaffolding.

d. Ground fault circuit protectors are not required for single phase 15- and 20-ampere receptable outlets on construction sites.

e. Doors are not required for water closet compartments. The State standards are hereby approved.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Commissioner of Labor, Kentucky Department of Labor, Capital Plaza Towers, 12th Floor, Frankfort, Kentucky 40601; Office of the Regional Administrator, Suite 587, 1375 Peachtree Street, N.E., Atlanta, Georgia 30309; and Office of the Associate Assistant Secretary for Regional Programs, Room N3603, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c) the Assistant Secretary may prescribe alternative procedures to expedite the review purocess or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds good cause exists for not publishing the supplement to the Kentucky State Plan as a proposed change in making the Regional Administrator's approval effective upon publication for the following reasons:

1. The standards are essentially identical to the Federal standards and are deemed to be at least as effective.

2. The standards were adopted in accordance with procedural requirements of State law and further participation would be unnecessary.

This decision is effective January 13, 1976.

(Sec. 18, Pub. L. 91-596; 84 Stat. 1608 (29 U.S.C. 667))

Signed at Atlanta, Georgia this 17th day of November, 1975.

DONALD E. MACKENZIE,
Regional Administrator.

[FR Doc.76-995 Filed 1-12-76;8:45 am]

UTAH

Supplement to Approved Plan

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) for review of changes and progress in the development and implementation of State plans which have been approved under section 18(c) of the Act and 29 CFR Part 1902. On January 10, 1973, a notice was published in the FEDERAL REGISTER of the approval of the Utah plan and of the adoption of Subpart E of Part 1952 containing the decision (38 FR 1178). On June 19, 1975, the State of Utah submitted a supplement to the plan involving a State initiated change to the plan (see Subpart E of 29 CFR Part 1953).

The supplement consists of changes in Part I, Administrative Provisions; Part II, Standards; and Part III, Enforcement of the State plan. The supplement is generally an update of the plan which expands on the roles, duties, and responsibilities of officials within the Occupational Safety and Health Division and those heads of State agencies with functions relating to occupational safety and health. Changes incorporated into the standards and enforcement sections of the plan are changes which were approved previously.

2. *Location of the Supplement for Inspection and Copying.* A copy of the plan and its supplement may be inspected and copied during normal business hours at the following locations: Office of the Associate Assistant Secretary for Regional Programs, Occupational Safety and Health Administration, Room N-3603, 200 Constitution Avenue, N.W., Washington, D.C. 20210; Occupational Safety and Health Administration, Room 15010, Federal Building, 1916 Stout Street, Denver, Colorado 80202; Utah Industrial Commission, 350 East Fifth South, Salt Lake City, Utah 54111.

3. *Public Participation.* Under 29 CFR 1953.2(c), the Assistant Secretary of Labor for Occupational Safety and Health may prescribe alternative procedures to expedite the review process or for any other good cause which may be consistent with applicable law. The Assistant Secretary finds that good cause exists for not publishing Utah's revisions to the plan for public comment because the changes either have no impact on program effectiveness or they were approved previously.

Signed at Washington, D.C. this 7th day of January, 1976.

MORTON CORN,
Assistant Secretary of Labor.

[FR Doc.76-996 Filed 1-12-76;8:45 am]

Office of the Secretary

[TA-W-320]

CLAREMONT WOVEN LABEL COMPANY, INC.

Notice of Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-320: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on November 7, 1975 in response to a worker petition received on November 7, 1975 which was filed by workers of the Claremont Woven Label Co. on behalf of workers and former workers producing woven labels at the Claremont Woven Label Company of Claremont, New Hampshire.

The notice of investigation was published in the FEDERAL REGISTER on November 21, 1975 (40 FR 54318 and 54319). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Claremont Woven Label Co., its customers, the Department of Commerce, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Without regard to whether any of the other criteria have been met, criterion (3) has not been met.

Imports of woven labels decreased 28 percent from 639,000 pounds in 1970 to 457,000 pounds in 1974. During the first eight months of 1975 imports decreased by 40 percent compared to the same eight month period in 1974.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that imports of articles like or directly competitive with those produced at Claremont Woven Label Company have not increased as required by section 222 of the Trade Act of 1974.

Signed at Washington, D.C., this 2nd day of January 1976.

JAMES F. TAYLOR,
Director,
Planning and Evaluation Staff.

[FR Doc.76-997 Filed 1-12-76;8:45 am]

[TA-W-319]

LEON CLOTHING MFG., INC.

Certification Regarding Eligibility To Apply for Workers Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-319: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 3, 1975 in response to a worker petition received on October 3, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers formerly producing sportcoats at Leon Clothing Mfg., Inc., Boston, Massachusetts.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 48416) on October 15, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Leon Clothing Mfg., Inc., its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of production workers declined 34.5 percent in the first nine months of 1975 compared to the like period in 1974. Average weekly hours declined 15.1 percent in the first nine months of 1975 compared to the like period in 1974.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales and production of sportcoats at Leon Clothing Mfg., Inc., declined 59.5 percent in the first nine months of 1975 compared to the first nine months of 1974.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

Imports of men's and boys' sportcoats increased their share of the domestic market each year from 1972 to 1974. The ratio of imports to domestic production and consumption increased from 17.1 percent and 14.6 percent respectively in 1972 to 22.3 percent and 18.2 respectively in 1974. The ratio of imports to domestic production increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1975.

The evidence developed in the Department's investigation of Leon Clothing, Inc., reveals that the separation of workers was due to the curtailment of orders from jobbers and wholesalers who were losing business to importers. Leon Clothing's two major customers both indicated that their orders from Leon Clothing were curtailed because their own sales were severely dampened by strong price competition from imports.

CONCLUSION

After careful review of the facts obtained in the investigation, I concluded that increases of imports like or directly competitive with sportcoats produced at Leon Clothing Mfg., Inc., Boston, Massachusetts contributed importantly to the total or partial separation of the workers of that plant. In accordance with the provisions of the Act, I make the following certification:

"All hourly, piecework, and salaried workers engaged in employment related to the production of sportcoats at Leon Clothing Mfg., Inc., Boston, Massachusetts, who became totally or partially separated from employment on or after

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October 3, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974."

Signed at Washington, D.C., this 6th day of January 1976.

JAMES F. TAYLOR,
Director,
Planning and Evaluation Staff.

[FR Doc.76-999 Filed 1-12-76;8:45 am]

[TA-W-249]

SPERRY VICKERS, INC.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-249; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on October 15, 1975 in response to a worker petition received on October 14, 1975 which was filed by workers formerly producing hydraulic pumps at the Joplin, Missouri plant of Sperry Vickers Incorporated, Troy, Michigan, a division of Sperry Rand Corporation, New York, New York.

The notice of investigation was published in the FEDERAL REGISTER on October 28, 1975, (40 FR 50164). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Sperry Vickers, its customers, the Department of Commerce, U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of production workers at Joplin declined 47.4 percent in the first eleven months of 1975 compared to the like period in 1974. Average weekly hours declined 10.4 percent in the first eleven months of 1975 compared to the like period of 1974.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales at the Joplin plant declined 26.7 percent in the first ten months of 1975 compared to the like period of 1974. Production declined 40.5 percent in the first ten months of 1975 compared to the like period of 1974.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

Imports of hydraulic pumps like or directly competitive with those produced at the Joplin plant are not separately reported on U.S. Tariff Schedules, and thus accurate data on imports of hydraulic pumps was not available.

Major customers of Sperry Vickers have not purchased any imported hydraulic pumps like or directly competitive with those produced at Joplin. Major customers, concentrated in capital goods industries, reduced purchases of hydraulic pumps because of domestic economic conditions.

During 1975, Sperry Vickers opened a new production facility and reorganized operations at existing plants, and this resulted in declines in production and employment at Joplin.

Sperry Vickers has not imported any hydraulic pumps like or directly competitive with those produced at Joplin.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with hydraulic pumps produced at the Joplin, Missouri plant of Sperry Vickers, Inc., Troy Michigan, a division of Sperry Rand Corporation, New York, New York, did not contribute importantly to the total or partial separations of the workers at such plant.

Signed at Washington, D.C. this 7th day of January 1976.

HEBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-998 Filed 1-12-76;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 948]

ASSIGNMENT OF HEARINGS

JANUARY 8, 1976.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 87511 Sub 17, Sala Motor Freight Lines, Inc., continued to March 9, 1976 (2 weeks), at Dallas, Tex., at the Downtown Holiday Inn, 1015 Elm Street.

MC 141112, Burwell Ray Gallop, d/b/a Gallop Bus Lines, now assigned January 26, 1976, at Norfolk, Va., is postponed to March 8, 1976 (5 days), at Norfolk, Va.; in Room 8A, Post Office & Court House Bldg., 600 Cranby Street.

MC 136897 (Sub-No. 13), Swift Transportation Company, Inc., now assigned January 27, 1976, at Phoenix, Ariz., will be held at the Arizona Corporation Counsel, Hearing Rm. 2, 2222 West Encanto Blvd.

MC 140756, Fann R. McKelvey d/b/a McKelvey Trucking, now assigned January 28, 1976, at Phoenix, Ariz., will be held at the Arizona Corporation Counsel, Hearing Rm. 2, 2222 West Encanto Blvd.

MC 111422 Sub 7, O. D. Anderson, Inc., now assigned February 3, 1976, at Washington, D.C., is postponed to March 2, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C. I & S 9089, General Increase, December 1975, Williams Pipe Line Company, now being assigned February 23, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 61592 Sub-3/7, Jenkins Truck Line, Inc., now assigned Jan. 23, 1976, at Chicago, Illinois, will be held in Room 1614, Everett McKinley Dirksen Bldg., 219 S. Dearborn Street.

MC 128273 Sub-183, Midwestern Distribution, Inc., now assigned January 26, 1976, at Chicago, Illinois, will be held in Room 1611, Everett McKinley Dirksen Bldg., 219 S. Dearborn Street.

MC-C 8598, Big Bear Cartage, Inc., Petition For Declaratory Order, and MC-C 8714, Quick Cartage, Inc., Wesley Albert Dickman Jr., DBA D Air Freight: Am Air Freight, Inc., Big Bear Cartage, Inc., Saurmann Cartage Company, Inc., And Union Freight-Ways, Inc.—Investigation of Operations and Practices, now assigned January 27, 1976, at Chicago, Illinois, will be held in Room 1614, Everett McKinley Dirksen Bldg., 219 S. Dearborn St.

MC 106644 Sub-202, Superior Trucking Company, Inc., now assigned January 29, 1976 at Chicago, Illinois, will be held in Room 1614, Everett McKinley Dirksen Bldg., 219 S. Dearborn, St.

MC 113528 Sub-24, Mercury Freight Lines, Inc., now assigned February 2, 1976, at Baton Rouge, La., will be held in the Quality Inn/Prince Murat, 1480 Nicholson Drive.

MC 1380 (Sub-No. 19), Colonial Motor Freight Line, Inc., now assigned February 2, 1976, at Columbia, S.C., is postponed indefinitely.

MC-C-8636, Greyhound Lines, Inc. v. Tennessee Trailways, Inc., now assigned February 18, 1976, at Atlanta, Ga.; will be held in Room 305, 1252 W. Peachtree Street NW.

MC 111729 Sub 535, Purolator Courier Corp., now assigned February 23, 1976, at Atlanta, Ga., will be held in Room 305, 1252 West Peachtree Street NW., and continued to March 1, 1976, at Nashville, Tenn., in Room A440, U.S. Courthouse, 8th and Broadway and March 22, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-1018 Filed 1-12-76;8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 8, 1976.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed on or before January 28, 1976.

FSA No. 43105—*Chemicals Between Points in Louisiana and Texas and Points in Michigan and Sarnia, Ontario, Canada.* Filed by Southwestern Freight Bureau, Agent (No. B-581), for interested rail carriers. Rates on chemicals and related articles, in tank-car loads, as described in the application, between points in Louisiana and Texas, on the one hand, and Bay City, Midland, Michigan and Sarnia, Ontario, Canada, on the other.

Grounds for relief—Rate relationship and kindred articles.

Tariff—Supplement 42 to Southwestern Freight Bureau, Agent, tariff 12-L, I.C.C. No. 5132. Rates are published to become effective on February 1, 1976.

FSA No. 43106—*Iron or Steel Pipe to Hebco, Texas.* Filed by Southwestern Freight Bureau, Agent (No. B-576), for interested rail carriers. Rates on iron or steel pipe and related articles, in carloads, as described in the application, from points in official (including Illinois), southern and western trunk-line territories, to Hebco, Texas.

Grounds for relief—Rate relationship and kindred articles.

Tariff—Supplement 89 to Southwestern Freight Bureau, Agent, tariff 259-F, I.C.C. No. 5080. Rates are published to become effective on February 4, 1976.

FSA No. 43107—*Newsprint Paper, Also Returned Shipments of Newsprint Paper Winding Cores from and to Points in Southwestern and WTL Territories.* Filed by Southwestern Freight Bureau, Agent (No. B-580), for interested rail carriers. Rates on newsprint paper, also returned shipments of newsprint paper winding cores, in carloads, as described in the application, from Sheldon, Texas, to points in southwestern and western trunk-line territories.

Grounds for relief—Carrier and market competition.

Tariff—Supplement 57 to Southwestern Freight Bureau, Agent, tariff 306-F, I.C.C. No. 5104. Rates are published to become effective on February 4, 1976.

FSA No. 43108—*Beet or Cane Sugar to Springdale, Arkansas.* Filed by Southwestern Freight Bureau, Agent (No. B-573), for interested rail carriers. Rates on sugar, beet or cane, in carloads, as described in the application, from Renville, Minnesota, Redco and Wahpeton, N.D., to Springdale, Arkansas.

Grounds for relief—Market competition.

Tariff—Supplement 149 to Southwestern Freight Bureau, Agent, tariff 58-E, I.C.C. No. 4994. Rates are published to become effective on February 12, 1976.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-1019 Filed 1-12-76;8:45 am]

[No. 36276][1]

LOUISVILLE & NASHVILLE RAILROAD

Investigation Into Abandonment of TOFC Services

ORDER

At a Session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 2nd day of January 1976.

It appearing, That the Louisville & Nashville Railroad Company (L&N) has proposed to discontinue TOFC service at Clarksville, Cookeville, Lebanon, Morrison, Murfreesborfo, Pulaski, and Sparta, Tennessee, and at Hopkinsville, Kentucky; and,

It further appearing, That the discontinuance of TOFC service at the above-named points may be contrary to the National Transportation Policy; that such discontinuance may be contrary to the L&N's obligations under section 1(4) of the Interstate Commerce Act (Act) to provide transportation upon reasonable request therefor and to provide reasonable facilities for operating through routes, that such discontinuance may be contrary to the L&N's obligation under section 1(6) of the Act to establish and observe just and reasonable practices with respect to the receiving, transporting, and delivery of freight, that such discontinuance may involve the abandonment of a portion of a line of railroad in violation of section 1(18) of the Act; and that such discontinuance may constitute undue or unreasonable preference or prejudice in violation of section 3(1) of the Act;

And it further appearing, That the Commission is entrusted with the duty of promoting and implementing the provisions of the National Transportation Policy and of the Act; that the Commission is uniquely qualified to balance the respective interests of the affected parties, to assess the impact of the considered discontinuance upon the shipping public, and to otherwise measure the reasonableness of the discontinuance in terms of the L&N's common carrier obligations under the Act; that prior instances wherein the Commission has declined to assert jurisdiction to enforce section 1(4) are not necessarily controlling here; and that a reexamination the the Commission's authority in regard to section 1(4) is warranted in light of the decisions in *American Trucking* v. *A. T. & S. F. R. Co.*, 387 U.S. 397 and *Galveston Truck Line Corp.* v. *Ada Motor Lines, Inc.*, 73 M.C.C. 617 [a decision involving section 216(b), the counterpart of section 1(4)], and in light of the order in No. 36095, Investigation Into Lawfulness of Off-Line Limitations Placed on Non-Assigned Hopper Cars, issued November 18, 1974;

Wherefore, and good cause appearing therefor:

It is ordered, That an investigation upon the Commission's own motion be, and it is hereby, instituted pursuant to section 13(2) of the Act in order to resolve the issues raised by the considered discontinuance, including, but not limited to:

(1) The presence or absence of direct shipper competition between points affected by the discontinuance and those for which TOFC service will continue to be offered;

(2) The economic impact of discontinuance upon the affected communities;

(3) the financial burden created by continuance of TOFC service; and (4) the adequacy of substitute rail service to the affected points; and that the L & N be made a respondent herein; and,

It is further ordered, That, inasmuch as the issues presented by the instant proceeding and those presented in No. 36086, *Tennessee Public Service Commission* v. *Louisville and Nashville Railroad Co., et al.*, are similar and are susceptible to joint resolution, the proceeding instituted herein and the pending No. 36086 be, and they are hereby, consolidated; and,

It is further ordered, That the Commission's Bureau of Enforcement be directed to participate in the consolidated proceeding; and,

It is further ordered, That all other parties desiring to participate in this proceeding and to file and receive copies of pleadings shall make known that fact by notifying the Office of Proceedings, Room 5342, Interstate Commerce Commission, Washington, D.C. 20423, on or before 15 days from the Federal Register publication date, and that, although individual participation is not precluded, parties having common interests should endeavor to consolidate their presentations to the greatest extent possible in order to conserve time and to avoid expense; and,

It is further ordered, That, as soon as practicable, the Commission will serve a list of the names and addresses of all persons upon whom service of all pleadings must be made, and that thereafter this proceeding will be assigned for oral hearing or handling under the modified procedure;

And it is further ordered, That a copy of this order be served upon respondent L&N and upon the following interested parties: Tennessee Public Service Commission, Samsonite Corporation, Fleetguard, Inc., Putnam County Chamber of Commerce, Maremont Corporation, Thomas Industries, City of Sparta and White County Chamber of Commerce, Pargas, Inc., and White County Farm Bureau; and that further notice of this

[1] Pursuant to this order, No. 36086, *Tennessee Public Service Commission* v. *Louisville and Nashville Railroad Co. et al.*, is being consolidated with the instant proceeding.

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proceeding be given to the public by depositing a copy of this order in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

This is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

By the Commission, Division 2.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-1017 Filed 1-12-76;8:45 am]

[Notice No. 4]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 7, 1976.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 C.F.R. 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 85255 (Sub-No. 57TA), filed December 22, 1975. Applicant: PUGET SOUND TRUCK LINES, INC., P.O. Box 24526, 3720 Airport Way S., Seattle, Wash. 98124. Applicant's representative: Clyde H. MacIver, 1900 Peoples National Bank Bldg., 1415 Fifth Ave., Seattle, Wash. 98171. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, metal cans, can ends, paper packaging materials, beer and related advertising materials, and soft drink beverages*, between Portland, Oreg., on the one hand, and, on the other, Tumwater, Lacey, Olympia, Tacoma, Seattle, Bellevue, Kent, Edmonds, Everett and Bellingham, Wash., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: Owens Illinois, 1700 South El Camino Real, San Mateo, Calif. 94402. Blitz-Weinhard Company, 1133 West Burnside St., Portland, Oreg. Olympia Brewing Company, P.O. Box 947, Olympia, Wash. 98507. Safeway Stores, Inc., 5725 E. 14th St., Oakland, Calif. 94660, National Can Corporation, 1657 Rollins Road, Burlingame, Calif. 94010. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Ave., Seattle, Wash. 98174.

No. MC 79373 (Sub-No. 15TA), filed December 22, 1975. Applicant: BERTA BROS. TRANSPORTATION, INC., P.O. Box 429, U.S. Highway 50 East, Canon City, Colo. 81212. Applicant's representative: John P. Thompson, 450 Capitol Life Center, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent acid* (Sulphuric), in bulk, in tank vehicles, from the gas refinery plantsite of the Amoco Oil Company, at Casper, Wyo., to the Cotter Corporation plantsite at or near Canon City, Colo., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Cotter Corporation, P.O. Box 751, Canon City, Colo. 81212. Send protests to: Herbert C. Ruoff, District Supervisor, 2022 Federal Bldg., Denver, Colo. 80202.

No. MC 113740 (Sub-No. 6TA), filed December 29, 1975. Applicant: FLEMING-BABCOCK, INC., P.O. Box 107, Platte City, Mo. 64079. Applicant's representative: Lucy Kennard Bell, 101 West Eleventh St., Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Nowata County, Okla., to the Kansas City, Mo., commercial zone, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Associated Producers Company, 5009 North Pennsylvania No. 105, Oklahoma City, Okla. 73112. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 117604 (Sub-No. 10TA), filed December 18, 1975. Applicant: MEADORS FREIGHT LINE, INC., 1080 South River Industrial Blvd. S.E., Atlanta, Ga. 30315. Applicant's representative: Virgil H. Smith, Suite 12, 1587 Phoenix Blvd., Atlanta, Ga. 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Cartersville, Ga., and Scottsboro, Ala., serving the intermediate points of Gaylesville, Blanche, Fort Payne, Rainsville, Section, Ala., and their commercial zones, also serving the off-route points of Fyffe, Geraldine, Henagar, Ider, Pisgah, Alabama, and their commercial zones, from Cartersville, Ga., over Georgia Highway 20 to the Georgia-Alabama State Line over Alabama Highway 9 to the junction of Alabama Highway 9 and Alabama Highway 35; from the junction of Alabama Highway 9 and Alabama Highway 35 over Alabama Highway 35 to Scottsboro, Ala., and return over the same route serving the off-route points over all available highways from Alabama Highway 35, for 180 days. Applicant has filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: There are approximately 52 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof, which may be examined at the field office named below. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, 1252 W. Peachtree St., Room 546, Atlanta, Ga. 30309.

No. MC 119315 (Sub-No. 19TA), filed December 29, 1975. Applicant: FREIGHTWAY CORPORATION, 131 Matzinger Road, Toledo, Ohio 43612. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberglass bathtub wall units and fiberglass shower stall units*, from the plantsite of Kohler Co., at Richmond, Mich., to points in Illinois, Indiana, Pennsylvania, Wisconsin, Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Rhode Island, Virginia, West Virginia, Ohio, Minnesota, Iowa, Missouri, Kentucky, Vermont, New Hampshire, Maine, Tennessee, Arkansas, and the District of Columbia, for 180 days. Applicant has also an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Kohler Co., Kohler, Wis. 53044. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Bldg., 234 Summit St., Toledo, Ohio 43604.

No. MC 120364 (Sub-No. 9TA), filed December 16, 1975. Applicant: A & B FREIGHT LINE, INC., 2800 Falund St., Rockford, Ill. 61109. Applicant's representative: Robert M. Kaske (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lawn mowers and parts, materials and supplies* on return movements, from the plantsite of The Sycamore Manufacturing Co., Genoa, Ill., to points in the

states of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, North Dakota, Nebraska, South Dakota and Wisconsin and Ohio, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: The Sycamore Manufacturing Co., Genoa, Ill. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 120364 (Sub-No. 10TA), filed December 24, 1975. Applicant: A & B FREIGHT LINE, INC., 2800 Falund St., Rockford, Ill. 61109. Applicant's representative: Robert M. Kaske (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gym apparatus, electric welders, lawn equipment*, from the plantsite of Central Quality Industries, Inc., at Polo, Ill., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin, over irregular routes with materials and supplies on return, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Central Quality Industries, Inc., Patricia Colliflower, T/B, Polo, Ill. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 128007 (Sub-No. 85TA), filed December 22, 1975. Applicant: HOFER, INC., P.O. Box 583, Pittsburg, Kans. 66762. Applicant's representative: Clyde N. Christey, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat meal, meat scraps, tankage, blood meal, bone meal, and poultry meal*, from Vernon, Moniteau, Jasper, McDonald, Saline, Carroll and Bates Counties, Mo., to points in Arkansas, Oklahoma, Kansas, Texas, and Illinois, for 90 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: 3-A Enterprises, Inc., P.O. Box 1023, Council Bluffs, Iowa 51501. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 501 Petroleum Bldg., Wichita, Kans. 67202.

No. MC 128532 (Sub-No. 4TA), filed December 19, 1975. Applicant: LAMBE'S TRUCKING LTD., P.O. Box 414, Claresholm, Alberta, Canada. Applicant's representative: J. F. Meglen, P.O. Box 1581, Billings, Mont. 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and wood products*, from points in Idaho, Montana, Oregon and Washington, to ports of entry on the International Boundary line between the United States and Canada, located in the states of Idaho, Montana, and Washington, restricted to traffic moving in foreign commerce. Loads will be transported to points in the Provinces of Alberta and British Columbia, Canada, for which applicant has authority. Also to points in the Province of Saskatchewan by virtue of authority of Brooks Transport Ltd. which applicant has purchased and of which it has control, for 180 days. Supporting shippers: Trus Joist (Western) Ltd., P.O. Box 1060, Claresholm, Alberta, Canada, Canada Forest Products Ltd., 515 53rd Ave., Calgary, Alberta, Canada. Widman Industries, Ltd., 1055 W. Hastings, Vancouver, B.C., Canada. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Room 222, U.S. Post Office Bldg., Billings, Mont. 59101.

No. MC 129759 (Sub-No. 13TA), filed December 24, 1975. Applicant: TRIANGLE TRUCKING CO., P.O. Box 490, McKees Rocks, Pa. 15136. Applicant's representative: A. Charles Tell, 100 E. Broad St., Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Post tension strand*, from Springfield, Va., to points in Tennessee, restricted to traffic moving under a continuing contract with Atlas Prestressing Corp., Springfield, Va., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Atlas Prestressing Corp., 7954 Cameron Brown Ct., Springfield, Va. 22153. Send protests to: John J. England, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2111 Federal Bldg., 1000 Liberty Ave., Pittsburgh, Pa. 15222.

No. MC 134838 (Sub-No. 14TA), filed December 29, 1975. Applicant: SOUTHEASTERN TRANSFER & STORAGE CO., INC., P.O. Box 39236 (Bolton Station), Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, Suite 246, 1252 W. Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Concrete cooling towers and sections thereof, and accessories and supplies* handled incidental to the erection and completion of concrete cooling towers when moving on the same vehicle with concrete cooling towers and sections thereof, from the plantsite facilities of Ecodyne Cooling Products Division at or near Stockbridge, Ga., to the jobsite at or near Daisy, Tenn.; (2) *Jigs, tools, equipment, materials and supplies* used in the jobsite erection, installation or construction of items in (1) above (except commodities in bulk, and cement in bags), from the plantsite facilities of Ecodyne Cooling Products Division at or near Stockbridge, Ga., to jobsite at or near Daisy, Tenn., and (3) *Jigs, tools and equipment* defined in (2) above, from the jobsite at or near Daisy, Tenn., to the plantsite facilities of Ecodyne Cooling Products Division at or near Stockbridge, Ga., for 180 days. Supporting shipper: Ecodyne Cooling Products Division, P.O. Box 1267, Santa Rosa, Calif. 95403. Send protests to: William L. Scroggs, District Supervisor, 1252 W. Peachtree St. NW., Room 546, Atlanta, Ga. 30309.

No. MC 135871 (Sub-No. 19TA), filed December 29, 1975. Applicant: H. G. M. TRANSPORT COMPANY, 123 Dunfield Ave., Jersey City, N.J. 07306. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by department stores and *supplies and equipment* used in the conduct of such business, for the account of S. E. Nichols, Inc., between points in the New York, N.Y. Commercial Zone as defined by the Commission, on the one hand, and, on the other, Annville, Bloomsburg, Chambersburg, Ephrata, Hanover, Lancaster, Reading, Shillington, Williamsport, Pa., under a continuing contract with S. E. Nichols, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: S. E. Nichols, Inc., 500 Eighth Ave., New York, N.Y. 10018. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC 136343 (Sub-No. 69TA), filed December 23, 1975. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, plywood, accessories and materials* used in the installation and sale thereof, from the plant and warehouse sites of Abitibi Corporation in Lucas County, Ohio, to points in the United States in and east of North Dakota, South Dakota, Nebraska, Colorado, and Texas, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Abitibi Corporation, 3250 W. Big Beaver Road, Troy, Mich. 98084. Send protests to: Robert P. Ameine, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 728 Federal Bldg., P.O. Box 869, Harrisburg, Pa. 17108.

No. 139432 (Sub-No. 4TA), filed December 22, 1975. Applicant: SUNRISE TRANSPORTATION, INC., 9850 East Highway 120, Manteca, Calif. 95336. Applicant's representative: Thomas M. Loughran, 100 Bush St., 21st Floor, San Francisco, Calif. 94104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Molasses and liquid feed supplement*, in bulk in tank vehicles, from the plantsites of Cargill, Inc., at San Diego and Wilmington, Calif., to points in Yuma, Pima, Maricopa and Pinal Counties, Ariz., under a continuing contract

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with Cargill, Inc., for 180 days. Supporting shipper: Cargill, Inc., 1412 Cargill Bldg., Minneapolis, Minn. 55402. Send protests to: A. J. Rodrigues, District Supervisor, Interstate Commerce Commission, 450 Golden Gate Ave., Box 36004, San Francisco, Calif. 94102.

No. MC 141595TA, filed December 11, 1975. Applicant: NORCO DELIVERY SERVICE, INC., 1500 Babbitt St., Anaheim, Calif. 92803. Applicant's representative: John Hoskins (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, Classes A and B explosives, commodities in bulk, and those requiring the use of special equipment), having a prior or subsequent movement by air, between Los Angeles International Airport and/or Ontario International Airport, on the one hand, and, on the other points in the Los Angeles, Calif., Basin territory; Los Angeles Basin Territory includes that area embraced by the following boundary: Beginning at the point the Ventura County-Los Angeles County boundary line intersects the Pacific Ocean; thence northeasterly along said county line to the point it intersects California Highway 118, approximately 2 miles west of Chatsworth; easterly along California Highway 118 to Sepulveda Boulevard; northerly along Sepulveda Boulevard to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando; westerly and northerly along said corporate boundary to McClay Avenue; northeasterly along McClay Ave., and its prolongation to the Angeles National Forest boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest boundary to the County road known as Mill Creek Road.

Westerly along Mill Creek Road to the County road 3.8 miles north of Yucaipa; southerly along the said County road to and including the unincorporated community of Yucaipa; westerly along Redlands Boulevard to U.S. Highway 99, northwesterly along U.S. Highway 99 to the corporate boundary of the City of Redlands; westerly and northerly along said corporate boundary to Brookside Ave.; westerly along Brookside Ave., to Barton Ave.; westerly along Barton Ave., and its prolongation to Palm Ave.; westerly along Palm Ave., to La Cadena Drive; southeasterly along La Cadena Drive to Iowa Ave.; southerly along Iowa Ave., to U.S. Highway 60; southwesterly along U.S. Highway 60 and 395 to the County road approximately 1 mile north of Perris; easterly along said County road Via Nuevo and Lakeview to the corporate boundary of the city of San Jacinto; easterly, southerly, and westerly along said corporate boundary to San Jacinto Ave.; southerly along San Jacinto Ave., to California Highway 74, westerly along California Highway 74 to the corporate boundary of the city of Hemet; southerly, westerly and northerly along said corporate boundary to the right-of-way of the Atchison, Topeka and Santa Fe Railway Company; southwesterly along said right-of-way to Washington Ave.; southerly along Washington Ave., through and including the unincorporated community of Winchester to Benton Road; westerly along Benton Road to the County road intersecting U.S. Highway 395, 2.1 miles north of the unincorporated community of Temecula; southerly along said County road to U.S. Highway 395; southeasterly along U.S. Highway 395 to the Riverside County-San Diego County boundary line; westerly along said boundary line to the Orange County-San Diego County boundary line; southerly along said boundary line to the Pacific Ocean; northwesterly along the shoreline of the Pacific Ocean to the point of beginning, for 180 days. Supporting shippers: There are approximately 7 statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 141621 TA, filed December 29, 1975. Applicant: CHARLES ORTIZ, 311 Soundview Ave., Bronx, N.Y. 10473. Applicant's representative: George A. Olsen, 69 Tonnelle Ave., Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Breads*, from Brooklyn, N.Y., to Hartford, Waterbury, and Bridgeport, Conn.; (2) *Empty containers*, from the above destination points, to Brooklyn, N.Y., under a continuing contract with Denk Baking Corporation, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Denk Baking Corporation, 495 Flatbush Ave., Brooklyn, N.Y. 11225. Send protests to: Marvin Kampel, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 141622TA, filed December 29, 1975. Applicant: H & W CARRIERS, INC., Box 73, Camargo, Ill. 61919. Applicant's representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, Ill. 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Steel pipe, fabricated steel pipe, valves, elbows, joints, machinery, reducers, flanges, steel pipe configurations, re-enforcing rods and* (2) *Tools, machines, parts, supplies and equipment* used to install or erect the commodities above described at natural gas pumping stations, chemical plants, petroleum pumping stations, natural gas compressor stations, for the account of J. L. Allen Co., Ficklin, Ill., between Ficklin, Ill., on the one hand, and, on the other points in Indiana, Iowa, Kansas, Kentucky, Missouri, Minnesota, Michigan, North Carolina, Ohio, Pennsylavnia and Wisconsin, under a continuing contract with J. L. Allen Co., for 180 days. Supporting shipper: J. L. Allen, President, J. L. Allen Co., P.O. Box 341, Tuscola, Ill. 61953. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commisison, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 141623TA, filed December 22, 1975. Applicant: ZELLNER TRUCKING, INC., 1540 N. Pacific Highway, Woodburn, Oreg. 97071. Applicant's representative: Robert H. Griswold, 598 S. Settlemier St., Woodburn, Oreg. 97071. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and plywood materials*, from points in Oregon and Washington, to points in Colorado, Illinois, Wisconsin, Minnesota, North Dakota, South Dakota, Missouri, Indiana, Michigan, and Nebraska, for 180 days. Supporting shippers: Marsh & Truman Lumber Co., P.O. Box 328, Canby, Oreg. 97013. The Jewett Cameron Lumber Corporation, 4001 N.E. Halsey St., Portland, Oreg. 97232. Brazier Lumber Co., P.O. Box 99945, Tacoma, Wash. 98499. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, 555 S.W. Yamhill St., Portland, Oreg. 97204.

No. MC 141625TA, filed December 23, 1975. Applicant: WILLIAM A. GREENE, JR., 18 Meadow Road, Medway, Mass. 02053. Applicant's representative: Eugene X. Giroux, 15 Congress St., Boston, Mass. 02109. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Groceries and grocery supplies, frozen foods, cleaning supplies, cleaners and paper products*, between Norwood, Mass., and points in Maine, Massachusetts, Maryland, Pennsylvania, New Jersey, New York, and Virginia, under a continuing contract with John Sexton & Co., for 180 days. Supporting shipper: John Sexton & Co., Div. Beatrice Foods, 881 University Ave., Norwood, Mass. 02062. Send protests to: John B. Thomas, District Supervisor, Interstate Commerce Commission, 150 Causeway St., Boston, Mass. 02114.

No. MC 141626TA, filed December 29, 1975. Applicant: PIPE TRANSPORT CO., INC., 81 County Line Road, Somerville, N.J. 08876. Applicant's representative: Stanley J. Perzanowski, 5 Colt St., Paterson, N.J. 07505. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Concrete pipe and related items*, from Somerville, N.J., to points in Pennsylvania, Maryland, New York, Washington, D.C., and New Jersey, under a continuing contract with Mancrete Sales, Inc., for 180 days. Supporting shipper: Mancrete Sales, Inc., 81 County Line Road, Somerville, N.J. 08876. Send protests to: Robert S. H. Vance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 9 Clinton St., Newark, N.J. 07102.

No. MC 141627TA, filed December 29, 1975. Applicant: ROBERT L. STIMSON, doing business as, G AND R TRUCKING, 2102 South 14th St., Missoula, Mont. 59801. Applicant's representative: Milton Datsopoulos, S.W. Higgins Ave. and Stephens Ave., Missoula, Mont. 59801. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting *Lumber, particleboard and treated fence posts*, from points in Oregon, Washington, Idaho, Montana, and points in Butte, Mead, Pennington and Custer Counties, S. Dak., to points in Montana, North Dakota, South Dakota, and Wyoming; and points in Jefferson, Arapahoe, Adams, Boulder, Weld, El Paso, and Pueblo Counties, Colo.; and between points in Oregon, Washington, Idaho, Montana, North Dakota, South Dakota, and the ports of entry on the United States-Canadian International Boundary line located in North Dakota on traffic destined to and from Manitoba, under a continuing contract with Mel Jones Lumber Sales, for 180 days. Supporting shipper: Mel Jones Lumber Sales, 708 West Main St., Bozeman, Mont. 59715. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Room 222, U.S. Post Office Bldg., Billings, Mont. 59101.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-1020 Filed 1-12-76;8:45 am]

[Notice No. 5]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 8, 1976.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 C.F.R. 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 50069 (Sub-No. 505TA), filed December 17, 1975. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Ave., Oregon, Ohio 43616. Applicant's representative: Jack A. Gollan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Wire drawing compound*, in bulk, in tank vehicles, and (b) *Materials* used in the manufacturing of rolling oils and wire drawing compounds, in bulk, in tank vehicles, from (a) Columbus, Ohio to Phoenix, Ariz., and (b) from Coldwater, Mich., and Muncie, Ind., to Columbus, Ohio, for 180 days. Supporting shipper: The Ironsides Company, 270 W. Mound St., Columbus, Ohio 43215. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Bldg., 234 Summit St., Toledo, Ohio 43604.

No. MC 85255 (Sub-No. 58TA), filed December 22, 1975. Applicant: PUGET SOUND TRUCK LINES, INC., P.O. Box 24526, 3720 Airport Way South, Seattle, Wash. 98124. Applicant's representative: Clyde H. MacIver, 1900 Peoples National Bank Bldg., 1415 Fifth Ave., Seattle, Wash. 98171. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, between Portland, Oreg., on the one hand, and, on the other, Lacey, Olympia, Tacoma, Seattle, Everett, and Mount Vernon, Wash. Applicant intends to interline with other carriers at Portland, Oreg., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: Crown Zellerbach Corporation, 1500 S.W. First Ave., Portland, Oreg. 97223. Powell River-Alberni Sales Corp., 1415 Fifth Ave., Seattle, Wash. 98171. British Columbia Forest Products, 1050 West Pender St., Vancouver, B.C., Canada. Georgia-Pacific Corporation, P.O. Box 203, Olympia, Wash. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Ave., Seattle, Wash. 98174.

No. MC 98327 (Sub-No. 1TA), filed December 22, 1975. Applicant: SYSTEM 99, 8201 Edgewater Drive, Oakland, Calif. 94621. Applicant's representative: Bertram S. Silver, 140 Montgomery, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities which because of size or weight require the use of special equipment), between Winterhaven, Calif., and Phoenix, Ariz., over U.S. Highway 80, serving all intermediate points, the off-route points of Roll and Hyder, Ariz., and points within a 30 mile radius of Yuma, Roll and Hyder, Ariz., and points within a 25 mile radius of Phoenix, Ariz. Applicant intends to tack its existing authority with MC 98327 at Winterhaven, Calif., applicant also intends to interline at Phoenix, Ariz., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: There are approximately 21 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: A. J. Rodrigues, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Ave., Box 36004, San Francisco, Calif. 94102.

No. MC 107496 (Sub-No. 1015TA), filed December 23, 1975. Applicant: RUAN TRANSPORT CORPORATION, 3200 Ruan Center, Des Moines, Iowa 50309. Applicant's representative: Earl Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packaged cement*, from Independence, Kans., to Wichita Falls, Tex., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: United States Steel Corporation, 106 W. 14th St., Kansas City, Mo. 64105. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 108676 (Sub-No. 87TA), filed December 29, 1975. Applicant: A. J. METLER HAULING AND RIGGING, INC., 117 Chicamauga Ave., Knoxville, Tenn. 37917. Applicant's representative: A. A. Metler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Refuse containers and cargo containers;* (2) *Refuse container systems and cargo container systems and* (3) *Parts, attachments and accessories* for the commodities described in (1) and (2) above, from Lexington, Tenn., to points in the United States (except Alaska and Hawaii), for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Dempster Dumpster Systems, Division of Carrier Corp., Springdale & North Central, Knoxville, Tenn. Send protests to, Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite A-422, U.S. Court House, 801 Broadway, Nashville, Tenn. 37203.

No. MC 110541 (Sub-No. 16TA), filed December 23, 1975. Applicant: MARK E. YODER, INC., P.O. Box 346, Schuylkill

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Haven, Pa. 17972. Applicant's representative: Christian V. Graf, 407 North Front St., Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mixed hard coal fines*, in bulk, from Solvay, N.Y., to Minersville, Pa., for 90 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Allied Chemical Corporation, P.O. Box 1139R, Morristown, N.J. 07960. Send protests to: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 314 U.S. Post Office Bldg., Scranton, Pa. 18503.

No. MC 112750 (Sub-No. 323TA), filed December 30, 1975. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Elizabeth L. Henoch (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Business, records, audit and accounting media;* (1) between Rocky Mount, N.C., and Greenville, S.C.; (2) between Greensboro, N.C., on the one hand, and, on the other, Anderson, Charleston, Greenville and Myrtle Beach, S.C.; and (3) between Raleigh, N.C., and Columbia, S.C., under a continuing contract with (1) Phillips Fibers Corporation, Greenville, S.C. (2) Sears, Roebuck & Company, Greensboro, N.C. and (3) General Parts, Inc., Raleigh, N.C., for 90 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: (1) Phillips Fibers Corporation, Greenville, S.C. (2) Sears, Roebuck & Company, Greensboro, N.C. and (3) General Parts, Inc., Raleigh, N.C. Send protests to: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 113678 (Sub-No. 620TA), filed December 22, 1975. Applicant: CURTIS, INC., 4810 Pontiac St., Denver, Colo. 80022. Applicant's representative: David L. Metzler, P.O. Box 16004, Stockyards Station, Denver, Colo. 80216. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Suspended meat*, from the facilities of Flavorland Industries, Inc., at Toppenish, Wash., to points in California, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Flavorland Industries, Inc., P.O. Box 552, Toppenish, Wash. 98948. Send protests to: Herbert C. Ruoff, District Supervisor, 2022 Federal Bldg., Denver, Colo. 80202.

No. MC 123255 (Sub-No. 59TA), filed December 23, 1975. Applicant: B & L MOTOR FREIGHT, INC., 140 Everett Ave., Newark, Ohio 43055. Applicant's representative: C. F. Schnee, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned or preserved foodstuffs*, from the factory of Heinz U.S.A., at Holland, Mich., to the distribution center of Heinz U.S.A., at Grand Prairie, Tex. for 180 days. Supporting shipper: Heinz U.S.A., P.O. Box 57, Pittsburgh, Pa. 15230. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, 220 Federal Bldg. and U.S. Courthouse, 85 Marconi Blvd., Columbus, Ohio 43215.

No. MC 123407 (Sub-No. 281TA), filed December 31, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, from Fredonia, Ariz., and Panguitch, Utah, to points in Nebraska and Wisconsin, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Southwestern Sales, Inc., P.O. Box 14703, Albuquerque, N. Mex. 87111. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 124078 (Sub-No. 675TA), filed December 29, 1975. Applicant: SCHWERMAN TRUCKING CO., 611 South 28 St., Milwaukee, Wis. 53215. Applicant's representative: W. H. Quirmbach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement and rice hull ashes, blended*, in bulk, in tank vehicles, from Stuttgart, Ark., to Los Angeles and San Francisco, Calif.; Baltimore, Md.; Yazoo City, Miss., and Houston, Tex., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Micro Chemical Industries, Inc., P.O. Box 333, Stuttgart, Ark. 72160. Send protests to: John E. Ryden, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 126118 (Sub-No. 118TA), filed December 22, 1975. Applicant: CRETE CARRIER CORPORATION, P.O. Box 81228, Lincoln, Nebr. 68501. Applicant's representative: Ken Adams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, and related advertising material*, from San Antonio, Tex., to points in Tennessee, Virginia, and the District of Columbia, for 180 days. Supporting shipper: Lois Offer, Director of Purchasing and Traffic, Lone Star Brewing Company, 600 Lone Star Blvd., San Antonio, Tex. 73206. Send protests to: Max H. Johnston, District Supervisor, 285 Federal Bldg. and Court House, 100 Centennnial Mall North, Lincoln, Nebr. 68508.

No. MC 126899 (Sub-No. 90TA), filed December 29, 1975. Applicant: USHER TRANSPORT, INC., 3925 Old Benton Road, Paducah, KY. 42001. Applicant's representative: George M. Catlett, 703–706 McClure Bldg., Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising material* when shipped with malt beverages, *and empty malt beverage containers* on return, from Dubuque, Iowa, to Cincinnati, Columbus, and Dayton, Ohio, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Joseph S. Pickett & Sons, Inc., East 4th St., Extension, Dubuque, Iowa 52001. Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 435 Federal Office Bldg., 167 North Main St., Memphis, Tenn. 38103.

No. MC 128356 (Sub-No. 10TA) (Correction), filed November 25, 1975, published in the FEDERAL REGISTER issue of December 10, 1975, and republished as corrected this issue. Applicant: DOWNINGTOWN TRAILER CARRIERS, INC., 640 West Boot Road, West Chester, Pa. 19380. Applicant's representative: Byron R. LaVan, Suite 400, 117 S. 17th St., Philadelphia, Pa. 19103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New and/or used trailers, semi-trailers and trailer chassis, and parts* thereof (other than house trailers and trailers and those to be drawn by passenger automobile), in truckaway service in initial and secondary movements and parts thereof, in initial and secondary movements, from the plant of Gindy Manufacturing Corporation at Ridgeway, Va., to all points in the United States (except Alaska and Hawaii), and from all points in the United States (except Alaska and Hawaii), to the plant of Gindy Manufacturing Corporation at Ridgeway, Va., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Gindy Manufacturing Corporation, Route No. 100, Downingtown, Pa. 19335. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106. The purpose of this republication is to correct the territorial description which was previously published incorrect.

No. MC 133270 (Sub-No. 5TA), filed December 29, 1975. Applicant: ROBERTSON FOODS CO., INC., P.O. Box 17402, Portland, Oreg. 97217. Applicant's representative: Earle V. White, 2400 S.W. Fourth Ave., Portland, Oreg. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat*, fresh, in vehicles equipped with mechanical refrigeration, from Toppenish, Wash., to points in California, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Flavorland

Industries, P.O. Box 552, Toppenish, Wash. 98948. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, 555 S.W. Yamhill St., Portland, Oreg. 97204.

No. MC 134922 (Sub-No. 156TA), filed December 29, 1975. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Bob McAdams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Polyurethane, polyurethane foam and compounds* (except in bulk), from Washington and Parkersburg, W. Va., and Ottawa, Ill., to Klamath Falls, Medford and Portland, Oreg.; Walla Walla, Tacoma and Seattle, Wash., and points in California, for 180 days. Supporting shipper: Organic Compounds, Inc., 1265 West 16th St., Long Beach, Calif. 90813. Send protests to: William H. Land, Jr., District Supervisor, 3108 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 135231 (Sub-No. 13TA), filed December 22, 1975. Applicant: NORTH STAR TRANSPORT, INC., Route 1, Highway 1 and 59 West, Thief River Falls, Minn. 56701. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by mail order houses (except commodities in bulk), from St. Cloud, Minn., to Charlotte, N.C., restricted to transportation of shipments originating at the facilities of Fingerhut Manufacturing Co., located at or near St. Cloud, Minn., and destined to U.S. Post Offices or United Parcel Service, Inc., for immediate and subsequent movement by U.S. Mail or United Parcel Service, Inc., for 180 days. Supporting shipper: Fingerhut Corporation, 11 McLeland Road, St. Cloud, Minn. 56395. Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 141565 (Sub-No. 1TA), filed December 22, 1975. Applicant: CENTRAL TRANSPORT, INC., 2904 W. 2nd St., Sioux Falls, S. Dak. 57101. Applicant's representative: S. D. Transport Services, Inc., 307 W. 14th St., P.O. Box 480, Sioux Falls, S. Dak. 57101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial refuse containers, gravity flow boxes, and hay feeders*, from Sioux Falls, S. Dak., to points in Colorado, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Pennsylvania, South Dakota, and Wisconsin, under a continuing contract with Teem Enterprises, Inc., for 180 days. Supporting shipper: Teem Enterprises, Inc., 3509 Teem Drive, P.O. Box 1381, Sioux Falls, S. Dak. 57101. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Bldg., Pierre, S. Dak. 57501.

No. MC 141587 (Sub-No. 1TA), filed December 24, 1975. Applicant: WATCH SECURITY ALARM & ARMOURED CAR SERVICE, INC., doing business as WATCH SECURITY, 1809 First St., Brunswick, Ga. 31520. Applicant's representative: Stanley J. Kubiak, 2203 Tara Lane, Brunswick, Ga. 31520. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Monies, currencies, coins, negotiable instruments, non-negotiable instruments, and jewelry*, between Valdosta, Ga., and points in Hamilton County, Fla., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Holiday Inn, Jennings, P.O. Box 88, Jennings, Fla. 32053. Send protests to: G. H. Fauss, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box 35008, 400 West Bay St., Jacksonville, Fla. 32202.

WATER CARRIER APPLICATIONS

No. W–1299TA, filed December 23, 1975. Applicant: ARCTIC LIGHTERAGE COMPANY, P.O. Box 3783, Seattle, Wash. 98124. Applicant's representative: John Cunningham, 1776 F St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier* by water, transporting: *General commodities* (except household goods as defined by the Commission); (1) between points in Nome, Alaska, and points within five (5) miles thereof, and (2) between Kotzebue, Alaska, and points accessible thereto by public highway on the Kotzebue Peninsula, on traffic originating at or destined to points beyond Alaska, for 180 days. Supporting shippers: There are approximately 8 statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Ave., Seattle, Wash. 98174.

W–1299 (Sub-No. 1TA), filed December 23, 1975. Applicant: ARCTIC LIGHTERAGE COMPANY, P.O. Box 3783, Seattle, Wash. 98124. Applicant's representative: John Cunningham, 1776 F St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier* by water, transporting: *General commodities* by self-propelled vessels and by non-self-propelled vessels with the use of separate towing vessels, and by towing vessels in the performance of general towage during the season extending April 1 to November 1 of each year, both dates inclusive. Applicant requests to temporary authority to operate: Between points (1) including Kotzebue, on and along the Noatak, Kobuk, and Selawick Rivers (to their respective heads of navigation), and Selawick Lake, traversing Hotham Inlet; (2) along the Buckland and Kiwalik Rivers to their respective heads of navigation; (3) along the Yukon River below and including Nulato; (4) including Naknek, along the Naknek River below and including King Salmon; and (5) along the Kuskokwim River below and including Bethel, for 180 days. Supporting shippers: There are approximately 8 statements of support attached to the application which may examine at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Ave., Seattle, Wash. 98174.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76–1021 Filed 1–12–76;8:45 am]

federal register

TUESDAY, JANUARY 13, 1976

VOLUME 41 NUMBER 10

PART II:

ENVIRONMENTAL PROTECTION AGENCY

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NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES: CERTIFICATION AND TEST PROCEDURES

Proposed Evaporative Emission Regulations

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ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 86]

[FRL-472-3]

NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES: CERTIFICATION AND TEST PROCEDURES

Proposed Evaporative Emission Regulations for Light Duty Vehicles and Trucks

The Environmental Protection Agency (EPA) is proposing amendments to Subparts A and B of Part 86 of the Code of Federal Regulations (CFR) to become effective beginning with the 1978 model year, applicable to light duty vehicles and light duty trucks. These amendments would: (1) revise the evaporative emission portions of the test procedure and establish revised evaporative emission standards; (2) establish evaporative emission families; and (3) make nonsubstantive changes to Subpart B, including the overall organization and certain aspects of the exhaust emission portions of the text procedure.

Evaporative Emission Test Procedure and Standards. Fuel evaporative hydrocarbon emissions have been studied and measured since 1958. Federal control of evaporative emission levels was first proposed in the Federal Register (32 FR 2448) in 1967 where a novel and relatively untried measurement procedure, use of a vehicle enclosure, was proposed. These rules would have become effective for the 1969 model year. Final rule making was published in 1968 (33 FR 8304) where the novel measurement procedure was abandoned in favor of a better known procedure which utilizes the adsorption of hydrocarbon on activated charcoal (carbon trap method) which is weighed before and after the test to determine the mass of hydrocarbon adsorbed. Because of manufacturing lead time requirements, the implementation of the standards was delayed until the 1971 model year, and the emission level was set at 6 g/test. The evaporative emission standard was then reduced to a 2 g/test for 1972 and subsequent model years.

The current carbon trap method for measuring evaporative emissions has been found through testing with a more accurate measurement method to greatly underestimate actual evaporative emissions. The more accurate testing method is the Society of Automotive Engineers (SAE) recommended procedure for measuring evaparative emissions (SAE J171a) and involves collecting the evaporative emissions in a large sealed enclosure containing the test vehicle. The results of the most recent EPA in-use vehicle testing program (1973) by the enclosure method showed evaporative emissions to be at a 31 g/test level which is about 15 times the 2 g/test standard which must currently be met when testing is done by the "carbon trap" method. When this emission level is converted to a grams per mile equivalent, the resultant level is about 2.5 g/mile as compared to the current Federal exhaust emission standard of 1.5 g/mile and the statutory goal of 0.4 g/mile.

In April, 1975, the State of California requested a waiver of Federal preemption under section 209(b) of the Clean Air Act to enable California to enforce a light duty vehicle and light duty truck evaporative emission standard for the 1977 and subsequent model years of 6 g/test, as measured by the vehicle enclosure technique. The resultant waiver decision, published in the Federal Register on July 18, 1975, denied the waiver for 1977, but granted it for 1978 and subsequent model years subject to review for continuing satisfaction of the statutory requirements at such time as a new EPA standard is promulgated. At that time EPA announced that it would make all reasonable efforts to accelerate the previously announced schedule and establish a Federal vehicle enclosure regulation for 1978 instead of 1979.

The May 28, 1975 California evaporative emission waiver hearing established that a 6 g/test standard can be met for 1978 production. The technological feasibility of a 2 g/test standard for 1979 model year is supported by the waiver hearing record and by data developed by EPA. This information includes test results which show that the 1975 production Vega, a fuel injected Volkswagen, and a 1974 Plymouth Duster currently generate evaporative emissions below 2 g/test when tested by the proposed test method and that purged canisters can control diurnal emissions to below 0.5 g/test, including any vehicle background emissions. From an assessment of the information currently available regarding evaporative emission control technology, it is the judgment of EPA's technical staff that, given the lead time for technology application to other vehicles that is available with a 1979 standard, a 2 g/test standard can be met for that model year.

The proposed action would establish the enclosure method as the Federal evaporative emission test procedure and would require 1978 model year vehicles to meet a 6 g/test standard and 1979 and later model year vehicles to meet a 2 g/test standard. The levels of these standards are not lower than the present evaporative emission standard but, when required to be met as measured by the enclosure method, would reduce evaporative hydrocarbon emissions by 70 and 90 percentum, respectively. This action is currently needed since it is projected that many Air Quality Control Regions (AQCR's) will still exceed the ambient air quality standards for oxidants even as late as 1990 with the present control strategies for reducing emissions from mobile and stationary sources.

Major differences between the proposed evaporative emission regulations and either the SAE J171a or, where applicable, the existing procedure are discussed below:

1. The proposed evaporative emission measurement procedure measures all evaporative emissions from a vehicle regardless of source and, thus, measures any non-fuel hydrocarbon evaporative emissions such as hydrocarbons from the vaporization of plasticisers, solvents, and lubricants. The current measurement procedure measures only recognized fuel evaporative emission sources, while neglecting undetected fuel evaporative emission sources and ignoring non-fuel sources. These non-fuel emissions are referred to as vehicle background emissions.

These vehicle background emissions vary with vehicle age and can be as large as 5 to 10 g/test for vehicles less than 10 days old but decrease at an exponential rate until, afted 60 to 90 days or after accelerated ageing, they are quite small (i.e. less than 1 g/test). The only means of excluding non-fuel evaporative emissions from the test results is either to separately measure and subtract the non-fuel evaporative emissions, or to give the manufacturers an allowance (correction factor) for non-fuel emissions. A separate measurement of only non-fuel evaporative emissions involves either removing or drying out the fuel system and is complicated and costly to perform. Also, for very new vehicles, the resultant measured non-fuel background level could only be used for a short period since the background level is changing rapidly during this period. A reasonably valid correction factor is difficult to specify because of the variability and rapid change in the non-fuel evaporative emissions of new vehicles during the first 60 days. Also, if vehicles with low non-fuel evaporative emissions were used, as is generally the case, the correction factor would serve as a bonus towards meeting the evaporative emission standard. Another consideration in reaching a decision regarding the treatment of, in particular, stabilized non-fuel evaporative emissions is that these emissions are real, continuing hydrocarbon emissions and from an air quality standpoint should be included in the evaporative emissions determination.

Including the small amount of non-fuel evaporative emissions as part of the evaporative emissions to be measured during the certification process is the most straightforward method of handling the non-fuel emissions. No complicated and costly measurements or dubious correction factors are required by this approach. For most test vehicles, non-fuel evaporative emissions are small since manufacturers generally install new drivetrains in currents chassis to construct certification test vehicles. Such chassis can usually be selected to be sufficiently aged to avoid problems of non-fuel evaporative emissions. In addition, the EPA technology assessment gives due consideration to non-fuel emissions in establishing the feasible levels of control. The disadvantage of this approach is that in a few cases the use of a brand new vehicle may be more convenient for the manufacturer; however, this is likely to be a sufficiently rare occurrence so that it will not constitute an unreasonable hardship for the manufacturer. Therefore, these proposed procedures make no special provisions for accounting for vehicle background emissions and include them as part of the measurement.

2. The current evaporative emission test procedure requires that the vehicle be preconditioned by one hour of operation at an average speed of about 35 mph, prior to the preconditioning fuel drain. The driving schedule which is used for this preconditioning is one which was designed for and which is used for rapid mileage accumulation. While the use of this driving schedule provides for convenient extended preconditioning, the schedule does not represent normal urban driving. Tests conducted at the EPA Motor Vehicle Emission Laboratory indicate that this one hour of preconditioning is unnecessary and wasteful. Therefore the proposed test procedure starts with the fuel drain and fill with test fuel which precedes the preconditioning Urban Dynamometer Driving Schedule (UDDS) run. For those unusual circumstances where additional preconditioning is desired, such additional preconditioning may be allowed with the advance approval of the Administrator. For this additional preconditioning the vehicle will be cycled through a cycle consisting of one UDDS followed by a one hour minimum soak for a maximum of three such cycles or until the vehicle's evaporative emission control system reaches a stabilized condition. In addition, gasoline fueled test vehicles may no longer be used to set dynamometer horsepower.

3. Certain phases of the current test procedure require an ambient temperature of 76–86° F while other phases require ambient temperatures of 68–86° or 60–86° F. While good control of ambient conditions is essential to maintain test accuracy, the 76–86° F tolerance is unnecessarily restrictive. The proposed procedures sets a uniform temperature tolerance of 68–86° F for all phases of the test procedure including the enclosure ambient temperature during the diurnal and hot soak test phases. The hot soak specification is reduced from the 90° F allowed by the SAE J171a procedure and corresponds to the specification currently allowed for hot soak testing.

4. The current proucedure and the J171a both allow the diurnal soak to occur during a period of 60±10 minutes. Available data indicate that a time tolerance as wide as ±10 minutes may contribute significantly to test variability. The proposed procedure sets the tolerance of ±2 minutes for the diurnal soak and ±0.5 minute for the hot soak.

5. The SAE J171a procedure specifies that, at the completion of the fuel fill for the diurnal soak, the temperature of the fuel in the tank will be 60±1° F. This may not be possible at some facilities because of the location of the refueling facilities in relation to the location of the enclosures. The proposed procedure allows for fueling of the vehicle with fuel which is between 50 and 60° F and moving the vehicle into the enclosure while the fuel warms up naturally. When all attachments to the vehicle are complete, the enclosure is sealed and the hydrocarbon measurement corresponding to the starting temperature of 60±1° F is used as the enclosure background level for the calculations. This is the simplest possible method for starting the diurnal test and will minimize the number of void tests.

6. The current test procedure specifies the use of iron-constantan (Type J) thermocouples and specifies a temperature recording accuracy of ±1° F. Current industry practice is to use standard grade Type J thermocouples which have an accuracy of ±4° F. Even premium grade Type J thermocouples are only accurate to ±2° F. Recorder error may contribute another ±0.5° F inaccuracy. Current measuring equipment cannot meet the requirements of existing regulations. An absolute accuracy of ±1° is not needed. The proposal specifies an accuracy of ±2° F, which, to be met, requires a change in thermocouple material. The proposed regulations specify the use of copper-constantan (Type T) thermocouples which in a standard grade have an accuracy of ±1.5° F and in premium grade have an accuracy of ±0.75° F.

7. The enclosure method of determining evaporative emissions utilizes the net enclosure volume (enclosure volume minus vehicle volume) in the calculation of evaporative mass emissions. Both the SAE J171a and this proposed procedure use a nominal vehicle volume of 50 ft.³ With a basic enclosure volume of 1,500 ft.³, the nominal vehicle volume represents 3.3% of the enclosure volume. Actual vehicle volumes for very small or very large vehicles might vary from the nominal value by as much as ±25 ft.³ which would change the calculated results by about ±1.7%. Of course, most vehicle volumes would be close to the nominal value so that the added complexity of determining actual vehicle volume is not warranted by the slight improvement in accuracy which would result.

8. The vehicle soak duration between the end of the preconditioning UDDS and the exhaust emission test is specified in this proposal as not less than 12 hours (including the diurnal evaporative emission test) nor more than 36 hours. The time interval between the end of the diurnal test and the start of the exhaust emission test is specified as not to exceed one hour. The time interval between the end of the exhaust test and the beginning of the hot soak is specified as not to exceed five minutes and the time between engine-off and the hot soak is specified as not to exceed one minute.

This means that the diurnal test can be started as soon as the tenth hour of soak (with a one hour delay before the exhaust test) or as late as the thirty-fifth hour of soak (with no delay before the exhaust test). The exhaust test can be started immediately after the completion of the diurnal or can be delayed up to one hour. At the end of the exhaust test, the vehicle is driven to the enclosure and allowed to idle until preparations for pushing it into the enclosure are complete, which can take up to four minutes.

9. The fuel for the FID used to measure evaporative emissions is specified to have a composition of 60% helium and 40% hydrogen containing less than 1 ppm carbon response. The fuel for the FID's used in exhaust emission tests continues unspecified and is not changed from current practice.

10. The concept of evaporative emission certification carryover is continued. However, since this test procedure more accurately assesses evaporative emissions and since, for the same evaporative emission standard, the probability of evaporative-exhaust interactions is thereby increased; the exhaust-only test will also include the one hour diurnal fuel tank heating (need not be done in enclosure) prior to the cold start exhaust emission test. This will allow for proper preconditioning of the evaporative emission control system and correct assessment of evaporative-exhaust interactions during the exhaust emission testing.

11. The proposed regulations allow, with advance approval of the Administrator, additional vehicle cooling during the dynamometer operation if the manufacturer can show that during field operation the vehicle receives additional cooling and that such additional cooling is necessary to provide a representative exhaust or hot soak evaporative test.

Evaporative Emission Families. Motor vehicle manufacturers normally produce many engine, drive-train, emission-system, body-type combinations. The exhaust emission engine family concept was developed to minimize the number of vehicles to be tested to establish the exhaust emission characteristics of a manufacturer's product line. Currently every vehicle which is tested for exhaust emissions is also tested for evaporative emissions. Typically, in all of the various engine families that a manufacturer produces, only a few types of evaporative emission systems are used (perhaps only one for the whole product line). For this reason, the concept of evaporative emission families has been developed as a part of the proposal. The evaporative emission family criteria and vehicle selection criteria are contained in Subpart A. To aid manufacturers in assessing the impact of this new method of designating vehicles to be tested for evaporative compliance, the basic evaporative control system parameters being considered are included.

Evaporative Control System will be defined as a combination of the following:

(A) Method of vapor transmission to the storage device from the vapor source—e.g., continuous or controlled

(B) Adsorbtion material—e.g., carbon, synthetic

(C) Purge Strategy:

1. Continuous, controlled.

2. Point of induction, e.g., carburetor, air cleaner, PCV.

3. Conditioning of purge air, e.g., heated, dried.

(D) Evaporative System Environment Control—e.g., underhood cooling fan, thermostatic vents.

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Selecting vehicles for evaporative emission testing according to evaporative emission families will minimize the number of vehicles tested to establish the evaporative emission characteristics of a manufacturer's product line. This change represents a potential time and cost savings for both EPA and the manufacturers.

Non-substantive changes to Subpart B. Introducing into the regulations a new and substantially different evaporative emission test procedure results in a major revision of the regulations. This proposal includes a reorganized emission test procedure (Subpart B) which is structured so that all equipment descriptions are located together, all calibration requirements are located together, and the test procedure follows a logical sequence from beginning to end. In addition, several non-substantive improvements have been made to certain aspects of the exhaust emission portions of the test procedure.

1. The test procedures in subpart B have been reorganized to promote clarity. No substantive changes have been made. Basically, subpart B has been arranged in a logical, essentially time oriented order. Required equipment is listed first with calibration procedures following. The test methods and sample calculations appear at the end.

Along with the general reorganization, many wording changes have also been made. These revisions are intended to clarify, but not change, the test procedure. For example, only differences in the Diesel sampling system are described. Previously two separate, but substantially identical descriptions were included. Another example is the combination of the 3 previous sections dealing with transmissions into one section. In addition, equipment descriptions and schematic drawings have been modified to more closely reflect general performance requirements rather than specific design parameters.

2. Coinciding with the subpart reorganization, a new numbering system for Subpart B is proposed. The model year designation appears as a suffix following the section number and is separated by a hyphen. A section will remain effective until it is superseded. This change will make republishing for each model year unnecessary. Also, when a section is amended for an upcoming model year it will appear following the current section. This will enable the reader to quickly find the changes that have been made.

3. The regulations have been updated to allow use of the critical flow venturi constant volume sampler. A separate calibration procedure is also specified, and the section entitled "chart reading" has been deleted. Manufacturers will not have to request special permission to use this equipment.

4. Specifications for placement of the cooling fan have been relaxed. The cooling fan is now required to be within 12 inches of the vehicle rather than " . . . between 8 and 12 inches in front of the cooling air inlets (grill)".

5. To reflect current commercially available instrument specifications, the operating response time of the heated flame ionization detector (HFID) has been changed from 1 to 1.5 seconds for 90 percent full scale response.

6. To promote better test correlation and minimize test to test variability, tolerance specifications have now been specified for both calibration and span gases including traceability requirements to NBS, EPA or other approved gas standards.

7. The number of calibration gases required for each instrument range of the carbon monoxide and carbon dioxide analyzers have been reduced from 8 to 6, and recommendations for selecting the calibration curves have been described, rather than using "best judgment".

8. The proposed regulations present specifications and equations in customary (English) units, with System International (SI) units in parenthesis to provide additional information and to aid in the orderly transition to the metric system.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. In order that EPA may evaluate the relationship between air quality improvement and socioeconomic impact, the manufacturers are requested to supply data to indicate the lead time required and the cost per vehicle of compliance with a standard of 6 g/test for 1978 and a 2 g/test standard for 1979 when testing by the proposed procedure. A detailed breakdown of component costs is requested. Comments are also requested on the new evaporative emission family and vehicle selection criteria both in terms of the potential savings to be realized and in terms of problems that may arise due to the integration of the proposal into the existing certification scheme. In addition, comments are solicited regarding the arrangement, duration specifications and parameter tolerances of the various parts of the evaporative emission test procedure. Comments are also solicited regarding the utility of the rearranged Subpart B.

Communications should be submitted (in quadruplicate) to the Administrator, Environmental Protection Agency, Attention: Office of Mobile Source Air Pollution control, 401 M Street SW., Washington, D.C. 20460. All relevant material received on or before February 23, 1976 will be considered. Comments submitted shall be available for public inspection during normal business hours at the Office of Public Affairs, Environmental Protection Agency, 4th and M Streets SW., Washington, D.C.

A copy of all public comments and draft environmental impact statement will be available for inspection and copying at the U.S. Environmental Protection Agency, Public Information Reference Unit, Room 2922 (EPA Library) 401 M Street SW., Washington, D.C. 20460. As provided in 40 CFR Part 2, a reasonable fee may be charged for copying services.

This Notice of proposed rulemaking is issued under authority of sections 202, 206, 207, 208, and 301(a) of the Clean Air Act, as amended (42 U.S.C. 1857f–1, 1857f–5, 1857f–5a, 1857f–6, and 1857g (a)).

It is hereby certified that the economic and inflationary impacts of this proposed regulation have been carefully evaluated in accordance with Executive Order 11821.

Dated: December 31, 1975.

JOHN QUARLES,
Acting Administrator.

It is proposed to amend Part 86 of Chapter I, Title 40 of the Code of Federal Regulations by revising Subparts A and B as follows:

Subpart A—General Provisions for Emission Regulations for 1977 and Later Model Year New Light Duty Vehicles, 1977 and Later Model Year New Light Duty Trucks and for 1977 and Later Model New Heavy Duty Engines

1. A new § 86.078–2 is added and reads as follows:

§ 86.078–2 Definitions.

The following definitions apply beginning with the 1978 model year. Section 86.077–2 remains effective excepting those definitions which are hereby superseded.

"Diurnal breathing losses" means evaporative emissions as a result of the daily range in temperature.

"Engine—system combination" means an engine family-exhaust emission control system combination.

"Evaporative emissions" means hydrocarbons emitted into the atmosphere from a motor vehicle, other than exhaust and crankcase emissions.

"Hot soak losses" means evaporative emissions after termination of engine operation.

"Tank fuel volume" means the volume of fuel in the fuel tank(s), which is determined by taking the manufacturer's nominal tank(s) capacity and multiplying by 40%, the result being rounded to the nearest tenth of a U.S. gallon.

"Fuel system" means the combination of fuel tank(s), fuel pump, fuel lines, and carburetor or fuel injection components, and includes all fuel system vents and fuel evaporative emission control systems.

2. A new § 86.078–3 is added and reads as follows:

§ 86.078–3 Abbreviations.

(a) The abbreviations in this section apply to this subpart and also to subparts B, H, I, and J.

(b) The abbreviations used in this subpart have the following meanings in both capital and lower case:

Accel.—Acceleration.
AECD—Auxiliary Emission Control Device.
API—American Petroleum Institute.
ASTM—American Society for Testing and Materials.
BHP—Brake horsepower.

BSCO—Brake specific carbon monoxide
BSHC—Brake specific hydrocarbons.
BSNOx—Brake specific oxides of nitrogen.
C—Celsius.
cfh—Cubic feet per hour.
CFV—Critical flow venturi.
CL—Chemiluminescence.
CO_2—Carbon dioxide.
CO—Carbon monoxide.
Conc.—Concentration.
cfm—Cubic feet per minute.
CT—Closed Throttle.
cu. in.—Cubic inch(es).
CVS—Constant volume sampler.
Decel.—Deceleration.
EP—End point.
Evap.—Evaporated.
F—Fahrenheit.
FID—Flame ionization detector.
FL—Full load.
gal.—U.S. gallon(s).
g—Grams.
GVW—Gross Vehicle Weight.
H_2O—Water.
HC—Hydrocarbon(s).
HFID—Heated flame ionization detector.
Hg—Mercury.
Hi.—High.
Hp—Horsepower.
Hr—Hour.
IBP—Initial boiling point.
ID—Internal diameter.
kPa—Kilopascal(s).
Lb.—Pound(s).
LFE—Laminar flow element.
Lb ft—Pound-feet.
m—Metre.
Max.—Maximum.
Min.—Minimum.
Min.—Minute(s).
ml—Milliliter(s).
mph—Miles per hour.
mm—Millimeter(s).
mv—Millivolt(s).
N_2—Nitrogen.
NDIR—Nondispersive infrared.
NO—Nitric oxide.
NO_2—Nitrogen dioxide.
NOx—Oxides of nitrogen.
No.—Number.
Pb—Lead.
PDP—Positive displacement pump.
ppm—Parts per million by volume.
ppm C—Parts per million, carbon.
psi—Pounds per square inch.
psig—Pounds per square inch gauge.
PTA—Part throttle acceleration.
PTD—Part throttle deceleration.
R—Degrees Rankin.
rpm—Revolutions per minute.
RVP—Reid vapor pressure.
S.A.E.—Society of Automotive Engineers.
s—Second(s).
SI—System international.
Sp.—Speed.
SS—Stainless steel.
t—time.
TEL—Tetraethyl lead.
TML—Tetramethyl lead.
v—Volts.
Vs—Versus.
w—watt.
WF—Weighting factor.
WOT—Wide open throttle.
Wt—Weight.
'—Feet.
"—Inches.
°—Degrees.
%—Percent.
Σ—Summation.

3. Paragraph (b) of § 86.078–8 is revised to read as follows:

§ 86.078–8 Emission standards for 1978 light duty vehicles.

• • • • •

(b)(1) Evaporative emissions from gasoline fueled light duty vehicles shall not exceed:

(i) *Hydrocarbons.* 6.0 grams per test.

(2) The standard set forth in paragraph (b)(1) of this section refers to a composite sample of the evaporative emissions collected under the conditions set forth in subpart B and measured in accordance with those procedures.

• • • • •

4. A new § 86.078–9 is added and reads as follows:

§ 86.078–9 Emission standards for 1978 light duty trucks.

(a) [See Paragraph (a) of § 86.077–9]

(b)(1) Evaporative emissions from 1978 model year gasoline fueled light duty trucks shall not exceed:

(i) *Hydrocarbons.* 6.0 grams per test.

(2) The standard set forth in paragraph (b)(1) of this section refers to a composite sample of the evaporative emissions collected under the conditions set forth in subpart B and measured in accordance with those procedures.

(c) [See Paragraph (c) of § 86.077–9]

5. A new section § 86.079–8 is added and reads as follows:

§ 86.079–8 Emission standards for 1979 light duty vehicles.

(a) [See paragraph (a) of § 86.077–9]

(b)(1) Evaporative emissions from 1979 model year gasoline fueled light duty vehicles shall not exceed:

(i) *Hydrocarbons.* 2 grams per test.

(2) The standard set forth in paragraph (b)(1) of this section refers to a composite sample of the evaporative emissions collected under the conditions set forth in subpart B and measured in accordance with those procedures.

(c) [See Paragraph (c) of § 86.077–8]

6. A new § 86.079–9 is added and reads as follows:

§ 86.079–9 Emission standards for 1979 light duty trucks.

(a) [See Paragraph (a) of § 86.077–9]

(b)(1) Evaporative emissions from 1979 model year gasoline fueled light duty trucks shall not exceed:

(i) *Hydrocarbons.* 2 grams per test.

(2) The standard set forth in paragraph (b)(1) of this section refers to a composite sample of the evaporative emissions collected under the conditions set forth in subpart B and measured in accordance with those procedures.

(c) [See Paragraph (c) of § 86.077–9]

7. A new § 86.078–24 is added and reads as follows:

§ 86.078–24 Test vehicles and engines.

(a)(1) through (a)(4) [See paragraphs (a)(1) through (a)(4) of § 86.077–24]

(5) The gasoline fueled vehicles covered by an application for certification will be divided into groupings which are expected to have similar evaporative emission characteristics throughout their useful life. Each group of vehicles with similar evaporative emission characteristics shall be defined as separate evaporative family.

(6) To be classed in the same evaporative family, vehicles must be identical in all of the following respects:

(i) Vapor storage device (e.g., canister, air cleaner, crankcase, induction system).

(ii) Basic canister design, including:

(A) Design working capacity (e.g., vapor adsorption capacity)

(B) Housing Material

(C) Configuration (e.g., open bottom, closed bottom, purge control valves)

(iii) Carburetor model or fuel injection type (including features such as external carburetor bowl vents and purge control valves).

(iv) Basic fuel tank type (e.g., hollow steel, vapor control baffles, plastic lined).

(v) Basic fuel filler cap type (e.g., seal mechanism, retention mechanism).

(7) Where vehicles are of a type which cannot be divided into evaporative families based on the criteria listed above, the Administrator will establish families for those vehicles based upon the features most related to their evaporative emission characteristics.

(b)(1)(i) [See paragraph (b)(1)(i) of § 86.077–24]

(ii) Vehicles of each engine family will be divided into engine displacement-exhaust emission control system combinations as applicable. A projected sales volume will be established for each combination for the model year for which certification is sought. One vehicle of each combination will be selected in order of decreasing projected sales volume until 70 percent of the projected sales of a manufacturer's total production of vehicles of that engine family is represented, or until a maximum of four vehicles is selected. If any single combination represents over 70 percent, then two vehicles of that combination may be selected. The vehicle selected for each combination will be specified by the Administrator as to transmission type, fuel system, and inertia weight class.

(iii) through (vi) [See paragraphs (b)(1)(iii) through (b)(1)(vi) of § 86.077–24]

(vii)(A) Vehicles of each evaporative family will be divided into evaporative control systems. One vehicle of each evaporative control system within the evaporative family will be selected.

(B) The Administrator may select a maximum of four (4) additional vehicles within each evaporative family based upon features indicating that they may have the highest evaporative emission levels of vehicles in that family.

(C) Vehicles selected under (b)(1)(i) through (vi) may be used to satisfy the requirements of (b)(1)(vii) (A) and (B).

(D) The Administrator will also select one vehicle for each evaporative control system within each evaporative family for which vehicles are to be sold at high altitude.

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(E) Vehicles selected under (b)(1)(v) may be used to satisfy the requirements of (b)(1)(vii)(D).

(b)(2) through (c)(1)(ii) [See paragraphs (b)(2) through (c)(1)(ii) of § 86.077-24]

(iii) A durability vehicle will be selected by the Administrator to represent each evaporative control system within each evaporative family. Vehicles selected under (c)(1)(i) will be used to satisfy the requirements of this section. If it is impossible for any vehicle selected under the constraints of (c)(1)(i) to satisfy the requirements of this section, then an additional durability vehicle may be selected to satisfy the evaporative durability requirements.

(iv) Exhaust durability data (§ 86.-178-5(b)) from any vehicle selected under this paragraph to satisfy evaporative durability requirements will be used according to § 86.078-28(a)(4)(i)(A)(1) with the exhaust durability data from the vehicle selected under (c)(1)(i) for the same engine-system combination.

(c)(2) through (e) [See paragraphs (c)(2) through paragraph (e) of § 86.007-24].

(f) In lieu of testing an emission data or durability data vehicle (or engine) selected under paragraph (b) or (c) of this section, and submitting data therefor, a manufacturer may, with the prior written approval of the Administrator, submit exhaust emission data and/or evaporative emission data, as applicable on a similar vehicle (or engine) for which certification has previously been sought.

(g) [See paragraph (g) of § 86.077-24].

8. A new § 86.078-26 is added and reads as follows:

§ 86.078-26 Mileage and service accumulation; emission measurements.

(a)(1) and (a)(2) [See paragraphs (a)(1) and (a)(2) of § 86.077-26].

(3) Emission data vehicles.

(i) *Gasoline-fueled.* (A) Each gasoline-fueled emission data vehicle shall be driven 4000 miles with all emission control systems installed and operating. Complete exhaust emission tests shall be conducted at zero miles and 4000 miles on those vehicles selected under 86.078-24(b). Complete exhaust emission and evaporative emission tests shall be conducted at 4000 miles on those vehicles selected under 86.078-24(c) unless the Administrator determines under 86.078-24(f) that only the exhaust emission test shall be conducted at zero miles and 4000 miles.

(a)(3)(i)(B) through (c) [See paragraphs (a)(3)(i)(B) through (c) of § 86.077-26].

9. A new § 86.078-28 is added and reads as follows:

§ 86.078-28 Compliance with emission standards.

(a)(1) through (a)(3) [See paragraphs (a)(1) through (a)(3) of § 86.077-28].

(4) The procedure for determining compliance of a new motor vehicle with exhaust and evaporative emission standards, as applicable, is as follows:

(i) Separate emission deterioration factors shall be determined from the emission results of the durability data vehicle(s) for each engine-system combination. A separate factor shall be established for exhaust HC, exhaust CO, exhaust NOx for each engine-system combination. Separate evaporative deterioration factors shall be determined from the evaporative emission results of the durability vehicle(s) for each evaporative control system within each evaporative family.

(a)(4)(i)(A) through (a)(4)(i)(C) [See paragraphs (a)(4)(i)(A) through (a)(4)(i)(C) of § 86.077-28].

(D) For gasoline-fueled vehicles, an evaporative emission deterioration factor shall be calculated for each evaporative control system within each evaporative family, by subtracting the evaporative emissions interpolated to 4,000 miles from the evaporative emissions interpolated to 50,000 miles. These interpolated values shall be carried out, in accordance with ASTM E 29-67, to a minimum of three decimal places to the right of the decimal point before subtracting one from the other to determine the deterioration factor.

(a)(4)(ii)(A) through (c) [See paragraphs (a)(4)(ii)(A) through (c) of § 86.077-28].

10. A new § 86.078-30 is added and reads as follows:

§ 86.078-30 Certification.

(a)(1) and (a)(2) [See paragraphs (a)(1) and (a)(2) of § 86-077-30].

(3) One such certificate will be issued for each engine family-evaporative family combination and will certify compliance with no more than one set of applicable standards.

(a)(4) through (a)(6) [See paragraphs (a)(4) through (a)(6) of § 86.-077-30]

(b)(1) The Administrator will determine whether a vehicle (or engine) covered by the application complies with applicable standards by observing the following relationships:

(i) Light duty vehicles and light duty trucks.

(A) A test vehicle selected under § 86.078-24(b)(1)(ii) or (iv) shall represent all vehicles in the same engine family of the same engine displacement-exhaust emission control system combination as applicable to be sold below 4,000 ft. in elevation. A test vehicle selected under § 86.078-24(b)(1)(vii)(A) or § 86.078-24(b)(1)(vii)(B) shall represent all vehicles in the same evaporative control system within the evaporative family as applicable, to be sold below 4,000 ft. in elevation.

(b)(1)(i)(B) [See paragraph (b)(1)(i)(B) of § 86.077-30]

(C) A test vehicle selected under § 86.078-24(c)(1)(iii) shall represent all vehicles in the same evaporative control system within the evaporative family.

(D) A test vehicle selected under § 86.078-24(b)(1)(vii)(D) shall represent all the vehicles of the same evaporative control system within the evaporative family to be sold at high altitude.

(b)(1)(iii) through (c) [See paragraphs (b)(1)(iii) through (c) of § 86.077-30]

11. A new § 86.078-35 is added and reads as follows:

§ 86.078-35 Labeling.

(a)(1)(iii)(D) through (b) [See paragraphs (a) through (a)(1)(iii)(B) of § 86.077-35]

(C) Engine displacement (in cubic inches), engine family identification and evaporative family identification.

(a)(1)(iii)(D) through (b) [See paragraph (a)(1)(iii)(D) through paragraph (b) of § 86.077-35]

12. Subpart B is enlarged by adding §§ 86.101-78 through 86.139-78 (effective for the 1978 model year) which reads as follows:

Subpart B—Emission Regulations for 1977 and Later Model Year New Light Duty Vehicles and New Light Duty Trucks; Test Procedures

Sec.

86.101-78 Applicability.
86.102-78 Definitions.
86.103-78 Abbreviations.
86.104-78 Section numbering, construction.
86.105-78 Introduction; structure of subpart.
86.106-78 Equipment required; overview.
86.107-78 Sampling and analytical system, evaporative emissions.
86.108-78 Dynamometer.
86.109-78 Exhaust Gas sampling system.
86.110-78 Exhaust Gas analytical system.
86.111-78 Fuel specifications.
86.112-78 Analytical gases.
86.113-78 EPA Urban Dynamometer Driving Schedule.
86.114-78 Calibrations, frequency and overview.
86.115-78 Evaporative emission enclosure calibrations.
86.116-78 Dynamometer calibraton.
86.117-78 Constant volume samper calibration.
86.118-78 Hydrocarbon analyzer calibration.
86.119-78 Carbon monoxide analyzer calibration.
86.120-78 Oxides of nitrogen analyzer calibration.
86.121-78 Carbon dioxide analyzer calibration.
86.122-78 Calibration of other equipment.
86.123-78 Test procedures, overview.
86.124-78 Transmissions.
86.125-78 Road load power and inertia weight determination.
86.126-78 Test sequence, general requirements.
86.127-78 Vehicle preparation.
86.128-78 Vehicle preconditioning.
86.129-78 Diurnal breathing loss test.
86.130-78 Running loss test.
86.131-78 Dynamometer procedure.
86.132-78 Engine starting and restarting.
86.133-78 Dynamometer test runs.
86.134-78 Hot soak test.
86.135-78 Exhaust sample analysis.
86.136-78 Records required.
86.137-78 Calculations; evaporative emissions.
86.138-78 Calculations; exhaust emissions.

AUTHORITY: Sec. 202, 206, 207, 208, and 301 (a) of the Clean Air Act, as amended (42 U.S.C. 1857F-1, 1857F-5, 1857F-5a, 1857F-6, 1857g(a)).

Subpart B—Emission Regulations for 1977 and Later Model Year New Light Duty Vehicles and New Light Duty Trucks; Test Procedures

§ 86.101-78 General applicability.

(a) The provisions of this subpart are applicable to 1977 and later model year new light duty vehicles and light duty trucks.

(1) Sections 86.101-78 through 86.139-78 apply for 1978 and later model years.

(2) Sections 86.177-1 through 86.177-23 apply for the 1977 model year only.

(b) Provisions of this subpart apply to tests performed by both the Administrator and motor vehicle manufacturers.

§ 86.102-78 Definitions.

The definitions in §§ 86.077-2 and 86.078-2 apply to this subpart.

§ 86.103-78 Abbreviations.

The abbreviations in § 86.078-3 apply to this subpart.

§ 86.104-78 Section numbering, construction.

(a) The model year of initial applicability is indicated by the section number. The two digits following the hyphen designate the first model year for which a section is effective. A section remains effective until superseded.

EXAMPLE: Section 86.111-78 applies to the 1978 and subsequent model years until superseded. If a section 86.111-81 is promulgated it would take effect beginning with the 1981 model year; § 86.111-78 would apply to model years 1978 through 1980.

(b) Unless indicated, all provisions in this subpart apply to both gasoline and diesel fueled vehicles.

§ 86.105-78 Introduction, structure of subpart.

(a) This subpart describes the equipment required and the procedures to follow in order to perform exhaust and evaporative emission tests on light duty vehicles and light duty trucks. Subpart A sets forth the testing requirements and test intervals necessary to comply with EPA certification procedures.

(b) Three topics are addressed in this subpart. Sections 86.106 through 86.113 set forth specifications and equipment requirements; §§ 86.114 through 86.122 discuss calibration methods and frequency; test procedures and data requirements are listed (in approximately chronological order) in §§ 86.123 through 86.139.

§ 86.106-78 Equipment required; overview.

(a) This subpart contains procedures for both exhaust and evaporative emissions tests on gasoline or diesel fueled light duty vehicles and light duty trucks. Certain items of equipment are not necessary for a particular test, e.g., evaporative enclosure when testing diesel vehicles. Equipment required and specifications are as follows:

(1) *Evaporative emission tests, gasoline fueled vehicles.* The evaporative emission test is closely related to and connected with the exhaust emission test. All vehicles tested for evaporative emissions must be tested for exhaust emissions. Further, unless the evaporative emission test is waived by the Administrator under § 86.077-26, all gasoline fueled vehicles must undergo both tests. (Diesel vehicles are excluded from the evaporative emission standard.) Section 86.107 specifies the necessary equipment.

(2) *Exhaust emission tests.* All vehicles subject to this subpart are tested for exhaust emissions. Diesel and gasoline fueled vehicles are tested identically with the exception of hydrocarbon measurements; diesel vehicles require a heated hydrocarbon detector, §86.109. All gasoline fueled vehicles are either tested for evaporative emissions or undergo a diurnal heat build, diesel vehicles are excluded from this requirement. Equipment necessary and specifications appear in sections 86.108 through 86.112.

(3) *Fuel, analytical gas, and driving schedule specifications.* Fuel specifications for exhaust and evaporative emission testing and for mileage accumulation for gasoline and diesel fueled vehicles are specified in § 86.111-78. Analytical gases are specified in § 86.112. The EPA Urban Dynamometer Driving Schedule for use in exhaust testing is specified in § 86.113 and Appendix I.

§ 86.107-78 Sampling and analytical system, evaporative emissions.

(a) Component description (evaporative emissions sampling system). The following components will be used in evaporative emissions sampling systems for testing under this subpart.

(1) *Evaporative emission measurement enclosure.* The enclosure shall be large enough to accommodate the largest vehicle to be tested, with space for personnel access to all sides of the vehicle. The enclosure door must allow entry of the maximum size vehicle. When sealed, the enclosure shall be gas tight. Interior surfaces must be impermeable to hydrocarbons. One surface should be of flexible, impermeable material to allow for minor volume changes, resulting from temperature changes. To maximize dissipation of heat, wall materials should be of minimum thermal resistance.

(2) *Evaporative emission hydrocarbon analyzers.* A hydrocarbon analyzer utilizing the hydrogen flame ionization principle (FID) shall be used to monitor the atmosphere within the enclosure. The FID shall have a minimum full scale measuring sensitivity of 5 ppm propane with a stability of ±1% of range, a reproducibility of ±1% of range and a response to 90% of final reading within 1.5 s. Sufficient ranges will be available, such that any reading will fall within the upper 80% of the range in use.

(3) *Evaporative emission hydrocarbon data recording system.* The electrical output of the FID shall be recorded at the initiation and termination of each diurnal or hot soak. The recording may be by means of a strip chart potentiometric recorder, by use of an on-line computer system or other suitable means. In any case, the recording system must have operational characteristics (signal to noise ratio, speed of response, etc.) equivalent to or better than those of the signal source being recorded, and must provide a permanent record of results. The recording system must provide a positive indication of the initiation and completion of each diurnal or hot soak along with the time elapsed between initiation and completion of each soak.

(4) *Tank fuel heating system.* The tank fuel heating system shall consist of a heat source and a temperature controller. A typical heat source is a 2,000 w heating pad. Other sources may be used as required by circumstances. The temperature controller may be manual, such as a variable voltage transformer, or may be automated. The heating system must not cause hot spots on the tank wetted surface which could cause local overheating of the fuel. Heat must not be applied to the vapor in the tank above the liquid fuel. The temperature controller must be capable of controlling the fuel tank temperature during the diurnal soak to within ±2° F (1.1° C) of the following equation:

$$F = 60 + 0.4\,t$$

or for SI units:

$$C = 15.556 + (2/9)\,t$$

Where:

F = Temperature in °F
C = Temperature in °C
t = Time since start of test in minutes

(5) *Temperature recording system.* Strip chart recorder(s) or automatic data processor shall be used to record enclosure ambient and vehicle fuel tank temperature during the evaporative emissions test. The temperature recorder or data processor shall record each temperature at least once every minute. The recording system shall be capable of resolving time to ±15 s and capable of resolving temperature to ±0.75° F (0.42° C). The temperature recording system (recorder and sensor) shall have an accuracy of ±2° F (1.1° C). The recorder (data processor) shall have a time accuracy of ±15 s and a precision of ±15 s. The ambient temperature sensor shall be located in the enclosure, within 6 inches (15 cm) of the geometric center of the ceiling and between 6 and 12 in. (15 and 30 cm) below the ceiling surface. The vehicle fuel tank temperature sensor shall be located in the fuel tank so as to measure the temperature of the prescribed test fuel at its approximate mid-volume of the fuel. Manufacturers shall arrange that vehicles furnished for testing at Federal certification facilities be equipped with copper-constantan Type T thermocouples for measurement of fuel tank temperature.

(6) *Purge blower.* One or more portable or fixed blowers shall be used to purge the enclosure. The blowers shall have sufficient flow capacity to reduce the enclosure hydrocarbon concentration from the test level to the ambient level between tests. Actual flow capacity will depend upon the time available between tests.

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(7) *Mixing blower.* One or more small blowers or fans shall be used to mix the contents of the enclosure during evaporative emission testing. Maintenance of uniform concentrations throughout the enclosure is important to the accuracy of the test.

§ 86.108–78 Dynamometer.

The dynamometer shall have a power absorbtion unit for simulation of road load power and flywheels or other means of simulating the inertia weight as specified in § 86.125.

§ 86.109–78 Exhaust gas sampling system.

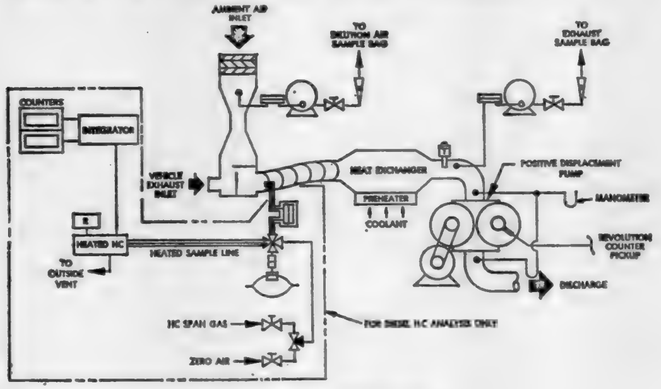
(a)(1) *Schematic drawings.* Figure B78–1 is a schematic drawing of the Positive Displacement Pump-Constant Volume Sampler (PDP–CVS) and Figure B78–2 is a schematic drawing of the Critical Flow Venturi-Constant Volume Sampler (CFV–CVS). These are two suggested exhaust gas sampling systems.

(2) Since various configurations can produce equivalent results, exact conformance with either drawing is not required. Additional components such as instruments, valves, solenoids, pumps, and switches may be used to provide additional information and coordinate the functions of the component systems.

(3) *Other Systems.* Other sampling systems may be used if shown to yield equivalent results and if approved in advance by the Administrator.

(b) *Component description, PDP–CVS.* The PDP–CVS, Figure B78–1, consists of a dilution air filter and mixing assembly, heat exchanger, positive displacement pump, sampling system, and associated valves, pressure and temperature sensors.

The PDP–CVS shall conform to the following requirements:



(SEE FIG. B78-3 FOR SYMBOL LEGEND)
FIGURE B78-1 —EXHAUST GAS SAMPLING SYSTEM (PDP-CVS)

(1) Static pressure variations at the tailpipe(s) of the vehicle shall remain within ±5 inches of water (1.2 kPa) of the static pressure variations measured during a dynamometer driving cycle with no connection to the tailpipe(s). (Sampling systems capable of maintaining the static pressure to within ±1 inch of water (0.25 kPa) will be used by the Administrator if a written request substantiates the need for this closer tolerance.)

(2) The gas mixture temperature, measured at a point immediately ahead of the positive displacement pump, shall be within ±10° F (5.6° C) of the designed operating temperature at the start of the test. The gas mixture temperature variation from its value at the start of the test shall be limited to ±10° F (5.6° C) during the entire test. The temperature measuring system shall have an accuracy and precision of ±2° F (1.1°C).

(3) The pressure gauges shall have an accuracy and precision of ±3 mm Hg (0.4 kPa).

(4) The flow capacity of the CVS shall be large enough to eliminate water condensation in the system (300 to 350 cfm, 0.142 to 0.165 m³/s, is sufficient for most vehicles).

(5) Sample collection bags for dilution air and exhaust samples shall be of sufficient size so as not to impede sample flow.

(c) *Component description, CFV–CVS.* The CFV–CVS, Figure B78–2 consists of a dilution air filter and mixing assmbly, cyclone particulate separator, sampling venturi, critical flow venturi, sampling system, and assorted valves, pressure and temperature sensors. The CFV–CVS shall conform to the following requirements:

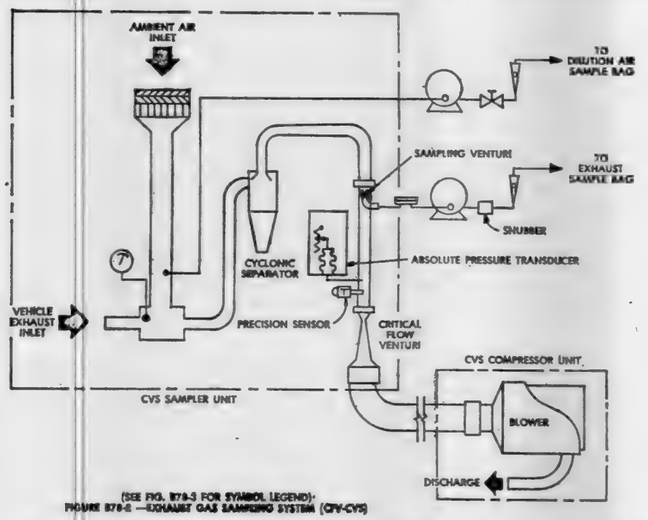
(1) Static pressure variations at the tailpipe(s) of the vehicle shall remain within ±5 inches of water (1.2 kPa) of the static pressure variations measured during a dynamometer driving cycle with no connection to the tailpipe(s). (Sampling systems capable of maintaining the static pressure to within ±1 inch of water (0.25 kPa) will be used by the

Administrator if a written request substantiates the need for this closer tolerance.)

(2) The temperature measuring system shall have an accuracy and precision of ±2° F (1.1° C) and a response time of 0.100 s to 62.5% of a temperature change.

(3) The pressure measuring system shall have an accuracy and precision of ±3 mm Hg (0.4 kPa).

(4) The flow capacity of the CVS shall be large enough to eliminate water condensation in the system (300 to 350 cfm, 0.142 to 0.165 m³/s, is sufficient for most vehicles).



(SEE FIG. B78-3 FOR SYMBOL LEGEND)
FIGURE B78-2 —EXHAUST GAS SAMPLING SYSTEM (CFV-CVS)

(5) Sample collection bags for dilution air and exhaust samples shall be of sufficient size so as not to impede sample flow.

§ 86.110–78 Exhaust gas analytical system.

(a) *Schematic drawings.* Figure B78–3 is a schematic drawing of the exhaust gas analytical system. The schematic of the hydrocarbon analysis train for diesel fueled vehicles is shown as part of Figure B78–1. Since various configurations can produce accurate results, exact conformance with either drawing is not required. Additional components such as instruments, valves, solenoids, pumps and switches may be used to provide additional information and coordinate the functions of the component systems.

(b) *Major component description.* The analytical system, Figure B78–3, consists of a flame ionization detector (FID) for the determination of hydrocarbons, nondispersive infrared analyzers (NDIR) for the determination of carbon monoxide and carbon dioxide and a chemiluminescence analyzer (CL) for the determination of oxides of nitrogen. A heated flame ionization detector (HFID) is used for the continuous determination of hydrocarbons from diesel fueled vehicles, Figure B78–1. The exhaust gas analytical system shall conform to the following requirements:

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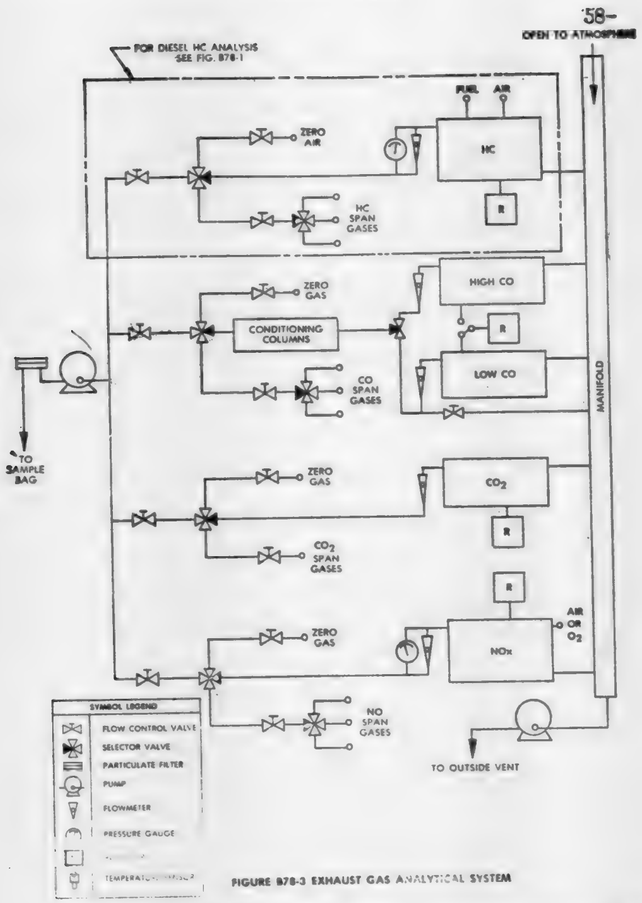


FIGURE B78-3 EXHAUST GAS ANALYTICAL SYSTEM

(1) The chemiluminescence analyzer requires that the nitrogen dioxide present in the sample be converted to nitric oxide before analysis. Other types of analyzers may be used if shown to yield equivalent results and if approved in advance by the Administrator.

(2) The carbon monoxide (NDIR) analyzer may require a sample conditioning column containing $CaSO_4$, or indicating silica gel to remove water vapor and containing ascarite to remove carbon dioxide from the CO analysis stream.

(i) If CO instruments which are essentially free of CO_2 and water vapor interference are used, the use of the conditioning column may be deleted, see § 86.119 and § 86.138.

(ii) A CO instrument will be considered to be essentially free of CO_2 and water vapor interference if its response to a mixture of 3 percent CO_2 in N_2 which has been bubbled through water at room temperature produces an equivalent CO response, as measured on the most sensitive CO range, which is less than 1 percent of full scale CO concentration on ranges above 300 ppm full scale or less than 3 ppm on ranges below 300 ppm full scale, see § 86.119.

(3) For diesel fueled vehicles a continuous sample shall be measured using a heated analyzer train as shown in Figure B78–1. The train shall include a heated continuous sampling line, a heated particulate filter and a heated hydrocarbon instrument (HFID) complete with heated pump, filter and flow control system.

(i) The response time of this instrument shall be less than 1.5 second for 90 percent of full-scale response.

(ii) Sample transport time from sampling point to inlet of instrument shall be less than 4 seconds.

(iii) The sample line and filter shall be heated to a set point ±10° F (±5.6° C) between 300 and 390° F (149 and 199° C).

(c) *Other analyzers and equipment.* Other types of analyzers and equipment may be used if shown to yield equivalent results and if approved in advance by the Administrator.

§ 86.111–78 Fuel specifications.

(a) *Gasoline.*

(1) Gasoline having the following specifications will be used by the Administrator in exhaust and evaporative emission testing. Gasoline having the following specifications or substantially equivalent specifications approved by the Administrator, shall be used by the manufacturer in exhaust and evaporative testing, except that the lead and octane specifications do not apply.

Item designation	ASTM	Leaded	Unleaded
Octane, research, minimum	D2699	100	96
Pb. (organic), grams/U.S. gallon		[1] 1.4	0.00–0.05
Distillation range:			
IBP [2] (degrees Fahrenheit)	D86	75–95	75–95
10-pct point, (degrees Fahrenheit)	D86	120–135	120–135
50-pct point, (degrees Fahrenheit)	D86	200–230	200–230
90-pct point, (degrees Fahrenheit)	D86	300–325	300–325
EP, (degrees Fahrenheit) (maximum)	D86	415	415
Sulphur, weight percent, maximum	D1266	0.10	.10
Phosphorus, grams/U.S. gallon, maximum		.01	.005
RVP,[3] [4] pounds	D323	8.7–9.2	8.7–9.2
Hydrocarbon composition:			
Olefins, percent, maximum	D1319	10	10
Aromatics, percent, maximum	D1319	35	35
Saturates	D1319	(5)	(5)

[1] Minimum.
[2] For testing at altitudes above 1,219 m (4,000 ft) the specified range is 75–105.
[3] For testing which is unrelated to evaporative emission control, the specified range is 8.0–9.2.
[4] For testing at altitudes above 1,219 m (4,000 ft) the specified range is 7.9–9.2.
[5] Remainder.

(2) Gasoline representative of commercial gasoline which will be generally available through retail outlets shall be used in service accumulation. For leaded gasoline the minimum lead content shall be 1.4 grams per U.S. gallon, except that where the Administrator determines that vehicles represented by a test vehicle will be operated using gasoline of different lead content than that prescribed in this paragraph, he may consent in writing to use of a gasoline with a different lead content. The octane rating of the gasoline used shall be no higher than 4.0 research octane numbers above the minimum recommended by the manufacturer. The Reid Vapor Pressure of the gasoline used shall be characteristic of the motor fuel used during the season in which the service accumulation takes place.

(3) The specification range of the gasoline to be used under paragraph (a)(2) of this section shall be reported in accordance with § 86.077–21(b)(3).

(b) *Diesel fuel.*

(1) The diesel fuels employed for testing shall be clean and bright, with pour and cloud points adequate for operability. The diesel fuel may contain nonmetallic additives as follows: Cetane improver, metal deactivator, antioxidant, dehazer, antirust, pour depressant, dye, and dispersant.

(2) Diesel fuel meeting the following specifications, or substantially equivalent specifications approved by the Administrator, shall be used in exhaust emissions testing. The grade of diesel fuel recommended by the engine manufacturer commercially designated as "Type 1–D" or "Type 2–D," shall be used.

Item	ASTM test method No:	Type 1–D	Type 2–D
Cetane	D613	45–54	42–50
Distillation range	D86		
IBP (degrees Fahrenheit)		330–370	340–400
10-pct point (degrees Fahrenheit)		370–430	400–460
50-pct point (degrees Fahrenheit)		410–480	470–540
90-pct point (degrees Fahrenheit)		460–520	550–610
EP (degrees Fahrenheit)		500–560	580–650
Gravity, degrees API	D287	40–44	33–37
Total sulfur, percent	D129 or D2622	0.05–0.30	0.2–0.5
Hydrocarbon composition	D1319		
Aromatics, percent		5–15	[1] 27
Paraffins, naphthenes, olefins		(2)	(2)
Flashpoint (degrees Fahrenheit) (minimum)	D93	120	130
Viscosity, centistokes	D445	1.6–2.0	2.0–2.2

[1] Remainder.
[2] Minimum.

(3) Diesel fuel meetng the following specfications, or substantially equvalent specificatons approved by the Administrator, shall be used in service accumulaton. The grade of diesel fuel recommended by the engine manufacturer, commercially designated as "Type I–D" or "Type 2–D," shall be used.

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Item	ASTM test method No.	Type 1-D	Type 2-D
Cetane	D613	40-54	40-48
Distillation range			
IBP (degrees Fahrenheit)		350-400	340-420
10-pct point, (degrees Fahrenheit)		370-430	400-470
50-pct point, (degrees Fahrenheit)		410-480	470-540
90-pct point, (degrees Fahrenheit)		460-520	550-610
FP (degrees Fahrenheit)		500-560	590-660
Gravity, degrees API	D287	40-44	32-40
Total sulfur, percent	D129 or D2622	0.05-0.20	0.2-0.5
Flashpoint, (degrees Fahrenheit) (minimum)	D93	120	130
Viscosity, centistokes	D445	1.6-2.0	2.0-3.2

(4) Other petroleum distillation fuel specifications:

(i) Other petroleum distillate fuels may be used for testing and service accumulation provided they are commercially available, and

(ii) Information, acceptable to the Administrator, is provided to show that only the designated fuel would be used in customer service, and

(iii) Use of a fuel listed under paragraphs (b)(2) and (b)(3) of this section would have a detrimental effect on emissions or durability, and

(iv) Written approval from the Administrator of the fuel specifications was provided prior to the start of testing.

(5) The specification range of the fuels to be used under paragraphs (b)(2), (b)(3), and (b)(4) of this section shall be reported in accordance with § 86.077-21(b)(3).

§ 86.112-78 Analytical gases.

(a) Analyzer gases.

(1) Gases for the CO and CO_2 analyzers shall be single blends of CO and CO_2 respectively using nitrogen as the diluent.

(2) Gases for the hydrocarbon analyzer shall be single blends of propane using air as the diluent.

(3) Gases for NOx analyzer shall be single blends of NO named as NOx with a maximum NO_2 concentration of 5 percent of the nominal value using nitrogen as the diluent.

(4) Fuel for the evaporative emission enclosure FID shall be a blend of 60 percent helium and 40 percent hydrogen containing less than 1 ppm equivalent carbon response.

(5) The allowable zero gas (air or nitrogen) impurity concentrations shall not exceed 1 ppm equivalent carbon response, 1 ppm carbon monoxide, 0.04 percent (400 ppm) carbon dioxide and 0.1 ppm nitric oxide.

(6) "Zero grade air" includes artificial "air" consisting of a blend of nitrogen and oxygen with oxygen concentrations between 18 and 21 mole percent.

(b) Calibration gases shall be traceable to within 1 percent of NBS gas standards, or EPA gas standards or other gas standards which have been approved by the Administrator.

(c) Span gases shall be accurate to within 2 percent of true concentration, where true concentration refers to NBS gas standards, EPA gas standards or other gas standards which have been approved by the Administrator.

§ 86.113-78 EPA Urban Dynamometer Driving Schedule.

(a) The dynamometer driving schedule is listed in Appendix I. The driving schedule is defined by a smooth trace drawn through the specified speed vs. time relationships. It consists of a nonrepetitive series of idle, acceleration, cruise, and deceleration modes of various time sequences and rates.

(b) The speed tolerance at any given time on the dynamometer driving schedule prescribed in Appendix I or as printed on a driver's aid chart approved by the Administrator, when conducted to meet the requirements of § 86.133 is defined by upper and lower limits. The upper limit is 2 mph (3.2 kph) higher than the highest point on the trace within 1 second of the given time. The lower limit is 2 mph (3.2 kph) lower than the lowest point on the trace within 1 second of the given time. Speed variations greater than the tolerances (such as may occur during gear changes) are acceptable provided they occur for less than 2 seconds on any occasion. Speeds lower than those prescribed are acceptable provided the vehicle is operated at maximum available power during such occurrences. When conducted to meet the requirements of § 86.128 the speed tolerance shall be as specified above, except that the upper and lower limits shall be 4 mph (6.4 kph).

(c) Figure B78-4 shows the range of acceptable speed tolerances for typical points. Figures B78-4(a) is typical of portions of the speed curve which are increasing or decreasing throughout the two second time interval. Figure B78-4(b) is typical of portions of the speed curve which include a maximum or minimum value.

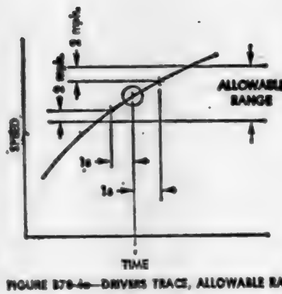


FIGURE B78-4a—DRIVERS TRACE, ALLOWABLE RANGE

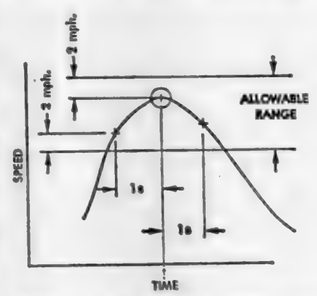


FIGURE B78-4b—DRIVERS TRACE, ALLOWABLE RANGE

§ 86.114-78 Calibrations, frequency and overview.

(a) Calibrations shall be performed as specified in §§ 86.115 through 86.122.

(b) At least yearly or after any maintenance, enclosure background emission measurements shall be performed.

(c) At least monthly or after any maintenance which could alter calibration, the following calibrations and checks shall be performed:

(1) Calibrate the hydrocarbon analyzers (both evaporative and exhaust instruments), carbon dioxide analyzer, carbon monoxide analyzer, oxides of nitrogen analyzer.

(2) Calibrate the dynamometer. If the dynamometer receives a weekly performance check (and remains within calibration) the monthly calibration need not be performed.

(3) Perform a hydrocarbon retention check and calibration on the evaporative emission enclosure.

(d) At least weekly or after any maintenance which could alter calibration, the following calibrations and checks shall be performed:

(1) Check the oxides of nitrogen converter efficiency, and

(2) Perform a CVS system verification, and

(3) Run a performance check on the dynamometer. The check may be omitted if the dynamometer has been calibrated within the preceding month.

(e) The CVS positive displacement pump or Critical Flow Venturi shall be calibrated following initial installation, major maintenance or as necessary when indicated by the CVS system verification (described in § 86.117).

(f) Sample conditioning columns, if used in the CO analyzer train, should be checked at a frequency consistent with observed column life or when the indicator of the column packing begins to show deterioration.

§ 86.115-78 Evaporative emission enclosure calibrations.

The calibration of the evaporative emission enclosure consists of three parts: Initial and periodic determination of enclosure background emissions; initial determination of enclosure internal volume; and periodic hydrocarbon retention check and calibration.

(a) *Initial and periodic determination of enclosure background emissions.* Prior to its introduction into service, annually thereafter, and after repair, the enclosure shall be checked to determine that it does not contain materials which will themselves emit hydrocarbons.

Proceed as follows:

(1) Zero and span (calibrate if required) the hydrocarbon analyzer.

(2) Purge the enclosure until a stable background hydrocarbon reading is obtained.

(3) Turn on the mixing blower (if not already on).

(4) Seal enclosure and measure background hydrocarbon concentration, temperature and barometric pressure. These are the initial readings C_{HCi}, T_i, and P_{Bi} for the enclosure background determination.

(5) Allow the enclosure to stand undisturbed without sampling for four hours.

(6) Measure the hydrocarbon concentration on the same FID. This is the final concentration, C_{HCf}. Also measure final temperature and barometric pressure.

(7) Calculate the mass change of hydrocarbons in the enclosure according to the equations in paragraph (d). The enclosure background emissions shall not be greater than 0.4g for the 4 hours.

(b) *Initial determination of enclosure internal volume.* Prior to its introduction into service the enclosure internal volume shall be determined by the following procedure.

(1) Carefully measure the internal length, width and height of the enclosure, accounting for irregularities (such as braces) and calculate the internal volume.

(2) Perform an enclosure calibration check according to paragraph (c) steps (1) through (7).

(3) If the calculated mass does not agree within 2% of the injected propane mass, then corrective action is required.

(c) *Hydrocarbon retention check and calibration.* The hydrocarbon retention check provides a check upon the calculated volume and also measures the leak rate. Prior to its introduction into service and at least monthly thereafter the enclosure leak rate shall be determined as follows:

(1) Zero and span (calibrate if required) the hydrocarbon analyzer.

(2) Purge the enclosure until a stable background hydrocarbon reading is obtained.

(3) Turn on the mixing blower (if not already on).

(4) Seal enclosure and measure background hydrocarbon concentration, temperature and barometric pressure. These are the initial readings C_{HCi}, T_i and P_{Bi} for the enclosure calibration.

(5) Inject into the enclosure a measured of pure propane. The propane may be measured by volume flow or by mass measurement. The method used to measure the propane shall have an accuracy and precision of ±0.5% of the measured value.

(6) After a minimum of five minutes of mixing, analyze the enclosure atmosphere for hydrocarbon content, also record temperature and pressure. These measurements are the final readings for the enclosure calibration as well as the initial readings for the retention check.

(7) To verify the enclosure calibration calculate the mass of propane using the measurements taken in steps (4) and (6). See paragraph (d). This quantity must be within ±2% of that measured in step 5 above.

(8) Allow the enclosure to remain sealed for a minimum of four hours without sampling and with the mixing blower operating. After four hours analyze the enclosure atmosphere for hydrocarbon content; record temperature and barometric pressure. These are the final readings for the hydrocarbon retention check.

(9) Calculate, using the equations in paragraph (d) and the readings taken in (6) and (8), the hydrocarbon mass change. It must be less than ±0.4 g or the enclosure cannot be used.

(d) *Calculations.* The calculation of net hydrocarbon mass change is used to determine enclosure background and leak rate. It is also used to check the enclosure volume measurements. The mass change is calculated from the initial and final readings of hydrocarbon concentration, temperature and pressure according to the following equation:

$$M_{HC} = k\,V \times 10^{-4}\left[\frac{C_{HCf}P_{Bf}}{T_f} - \frac{C_{HCi}P_{Bi}}{T_i}\right]$$

Where:

M_{HC} = hydrocarbon mass change, g

C_{HC} = hydrocarbon concentration as ppm carbon

V = net enclosure volume, ft^3 (m^3), as measured in (b)(1) above

P_B = barometric pressure, in. Hg(kPa)

T = enclosure ambient temperature, R(K)

k = 3.05

for SI units, k = 17.60

i = indicates initial reading

f = indicates final reading

NOTE.—Hydrocarbon concentration is stated in ppm carbon, that is, ppm propane x3. Expressions in parenthesis are for SI units.

§ 86.116-78 Dynamometer calibration.

(a) The dynamometer shall be calibrated at least once each month or performance verified at least once each week and then calibrated as required. The calibration shall consist of the manufacturer's recommended calibration procedure plus a determination of the dynamometer frictional power absorption at 50.0 mph (80.5 kph). One method for determining dynamometer frictional power absorption at 50.0 mph (80.5 kph) is described below, other methods may be used if shown to yield equivalent results. The measured absorbed road power includes the dynamometer friction as well as the power absorbed by the power absorption unit. The dynamometer is driven above the test speed range. The device used to drive the dynamometer is then disengaged from the dynamometer and the roll(s) is (are) allowed to coast down. The kinetic energy of the system is dissipated by the dynamometer. This method neglects the variations in roll bearing friction due to the drive axle weight of the vehicle. The difference in coastdown time of the free (rear) roll relative to the drive (front) roll may be neglected in the case of dynamometers with paired rolls. These procedures shall be followed:

(1) Devise a method to determine the speed of the drive roll if it is not already measured. A fifth wheel, revolution pickup, or other suitable means may be used.

(2) Place a vehicle on the dynamometer or devise another method of driving the dynamometer.

(3) Engage the inertial flywheel or other inertial simulation system for the most common vehicle mass category for which the dynamometer is used.

(4) Drive the dynamometer up to 50.0 mph (80.5 kph).

(5) Record indicated road power.

(6) Drive the dynamometer up to 60.0 mph (96.9 kph).

(7) Disengage the device used to drive the dynamometer.

(8) Record the time for the dynamometer drive roll to coastdown from 55.0 mph (88.5 kph) to 45 mph (72.4 kph).

(9) Adjust the power absorption unit to a different level.

(10) Repeat steps 4 to 9 above sufficient times to cover the range of road power used.

(11) Calculate absorbed road power (HP_a). See paragraph (c).

(12) Plot indicated road load power at 50 mph (80.5 kph) versus road load power at 50 mph (80.5 kph) as shown in Figure B78-5.

(b) The performance check consists of conducting a dynamometer coast-down at one inertia-horsepower setting and comparing the coast-down time to that recorded during the last calibration. If

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the coast-down times differ by more than 1 s, a new calibration is required.

(c) *Calculations.* The road load power actually absorbed by the dynamometer is calculated from the following equation:

$$HP_4=(\tfrac{1}{2})\ (W/32.2)\ (V_1^2-V_2^2)/550t$$

Where:

HP_4=Power, horsepower, (kilowatts)
W=Equivalent inertia, lb (Kg)
V_1=Initial Velocity, ft/s (m/s)
(55 mph=88.5 kph=80.67 ft/s=24.58 m/s)
V_2=Final Velocity, ft/s (m/s)
(45 mph=72.4 kph=66 ft/s=20.11 m/s)

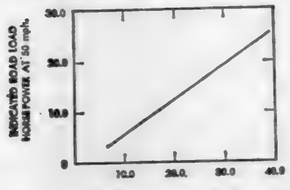


FIGURE B78-5.—ROAD LOAD HORSEPOWER, ACTUAL VS. INDICATED

t=elapsed time for rolls to coast from 55 mph to 45 mph (88.5 kph to 72.4 kph)

(Expressions in parenthesis are for SI units.) When the coast down is from 55 to 45 mph (88.5 to 72.4 kph) the above quotation reduces to:

$HP_4=0.06073\ (W/t)$ for SI units,
$HP_4=0.09984\ (W/t)$

§ 86.117–78 CVS calibration.

The CVS (Constant Volume Sampler) is calibrated using an accurate flowmeter and restrictor valve. Measurements of various parameters are made and related to flow through the unit. Procedures used by EPA for both PDP (Positive Displacement Pump) and CFV (Critical Flow Venturi) are outlined below. Other procedures yielding equivalent results may be used if approved in advance by the Administrator. After the calibration curve has been obtained, verification of the entire system can be performed by injecting a known mass of gas into the system and comparing the mass indicated by the system to the true mass injected. An indicated error does not necessarily mean that the calibration is wrong, since other factors can influence the accuracy of the system, e.g. analyzer calibration. A verification procedure is found in paragraph (c).

(a) PDP calibration.

(1) The following calibration procedure outlines the equipment, the test configuration, and the various parameters which must be measured to establish the flow rate of the constant volume sampler pump. All the parameters related to the pump are simultaneously measured with the parameters related to a flowmeter which is connected in series with the pump. The calculated flow rate ft^3/min. (at pump inlet absolute pressure and temperature) can then be plotted versus a correlation function which is the value of a specific combination of pump parameters. The linear equation which relates the pump flow and the correlation function is then determined. In the event that a CVS has a multiple speed drive, a calibration for each range used must be performed.

(2) This calibration procedure is based on the measurement of the absolute values of the pump and flowmeter parameters that relate the flow rate at each point. Three conditions must be maintained to assure the accuracy and integrity of the calibration curve. First, the pump pressures should be measured at taps on the pump rather than at the external piping on the pump inlet and outlet. Pressure taps that are mounted at the top center and bottom center of the pump drive headplate are exposed to the actual pump cavity pressures, and therefore reflect the absolute pressure differentials. Secondly, temperature stability must be maintained during the calibration. The laminar flowmeter is sensitive to inlet temperature oscillations which cause the data points to be scattered. Gradual changes (±2° F (1.1° C)) in temperature are acceptable as long as they occur over a period of several minutes. Finally, all connections between the flowmeter and the CVS pump must be absolutely void of any leakage.

(3) During an exhaust emission test the measurement of these same pump parameters enables the user to calculate the flow rate from the calibration equation.

(4) Connect a system as shown in Figure B78–6. Although particular types of equipment are shown, other configurations that yield equivalent results may be used if approved in advance by the Administrator. For the system indicated, the following data with given accuracy are required:

Calibration data measurements

Parameter	Symbol	Units	Tolerances
Barometric pressure (corrected)	P_B	in. Hg (kPa)	±.01 in. Hg (±.034 kPa).
Ambient temperature	T_A	°F (°C)	±.5°F (±.28°C).
Air temperature into LFE	ETI	°F (°C)	±.1°F (±.046°C).
Pressure depression upstream of LFE	EPI	in. H_2O (kPa)	±.05 in. H_2O (±.012 kPa).
Pressure drop across the LFE matrix	EDP	in. H_2O (kPa)	±.005 in. H_2O (±.001 kPa).
Air temperature at CVS pump inlet	PTI	°F (°C)	±.5°F (±.28°C).
Pressure depression at CVS pump inlet	PPI	in. fluid (kPa)	±.05 in Fluid (±.022 kPa).
Specific gravity of manometer fluid (1.75 oil)	Sp. Gr.		
Pressure head at CVS pump outlet	PPO	in. fluid (kPa)	±.05 in. Fluid (±.022 kPa).
Air temperature at CVS pump outlet (optional).	PTO	°F (°C)	±.5°F (±.28°C).
Pump revolutions during test period	N	Revs	
Elapsed time for test period	t	s	±.05 s.

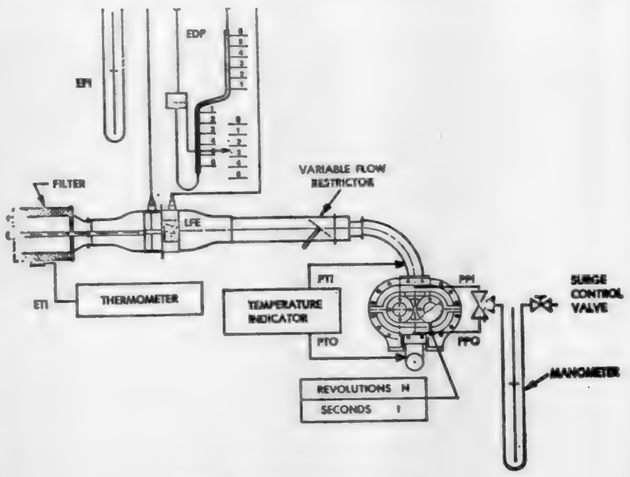
(5) After the system has been connected as shown in Figure B78–6, set the variable restrictor in the wide open position and run the CVS pump for twenty minutes. Record the calibration data.

(6) Reset the restrictor valve to a more restricted condition in an increment of pump inlet depression (about 4" H_2O (1.0 kPa) that will yield a minimum of six data points for the total calibration. Allow the system to stabilize for 3 minutes and repeat the data acquisition.

(7) *Data analysis:*

(i) The air flow rate, Q_s, at each test point is calculated in standard cubic feet per minute from the flowmeter data using the manufacturer's prescribed method.

(ii) The air flow rate is then converted to pump flow, V_o, in cubic feet per revolution at absolute pump inlet temperature and pressure.



B78-6 —PDP-CVS CALIBRATION CONFIGURATION

$$V_o=\frac{Q_s}{n}\times\frac{T_p}{528}\times\frac{29.92}{P_p}$$

Where:

V_o=Pump flow, ft^3/revolution (m^3/revolution) at T_p, P_p.
Q_s=Meter air flow rate in standard cubic feet per minute, standard conditions are 68° F, 29.29 in. Hg (20°C, 101.3 kPa).
n=Pump speed revolutions per minute.
T_p=Pump inlet temperature, °R(K)
=PTI+460
for SI units, T_p=PTI+273
P_p=Absolute pump inlet pressure, in Hg (kPa)=P_B−PPI (SP.GR./13.57)
for SI units, P_p=P_B−PPI
Where:
P_B=barometric pressure, in. Hg (kPa)
PPI=Pump inlet depression, in. fluid (kPa)
SP. GR.=Specific gravity of manometer fluid relative to water.

(iii) The correlation function at each test point is then calculated from the calibration data:

$$X_o=\frac{1}{n}\sqrt{\frac{\Delta P_p}{P_e}}$$

Where:
X_o=Correlation function.
ΔP_p=The pressure differential from pump inlet to pump outlet, in. Hg (kPa).
$=P_e-P_p$
P_e=Absolute pump outlet pressure, in. Hg (kPa)
$=P_B+PPO$ (Sp. Gr./13.57)
for SI units, $P_e=P_B+PPO$
Where:
PPO=Pressure head at pump outlet, in. fluid (kPa)

(iv) A linear least squares fit is performed to generate the calibration equations which have the forms:

$$V_o=D-M(X_o)$$
$$n=A-B(\Delta P_p)$$

D_s, M, A, and B are the slope-intercept constants describing the lines.

(8) A CVS system that has multiple speeds should be calibrated on each speed used. The calibration curves generated for the ranges will be approximately parallel and the intercept values, D_s, will increase as the pump flow range decreases.

(9) If the calibration has been performed carefully, the calculated values from the equation will be within ±0.50% of the measured value of V_o. Values of M will vary from one pump to another, but values of D_s for pumps of the same make, model, and range should agree within ±3% of each other. Particulate influx from use will cause the pump slip to decrease as reflected by lower values for M. Calibrations should be performed at pump start-up and after major maintenance to assure the stability of the pump slip rate. Analysis of mass injection data will also reflect pump slip stability.

(b) *CFV calibration.*

(1) Calibration of the Critical Flow Venturi (CFV) is based upon the flow equation for a critical venturi. Gas flow is a function of inlet pressure and temperature:

$$Q_s=\frac{K_vP}{\sqrt{T}}$$

Where:
Q_s=Flow
K_v=Calibration coefficient
P=Absolute pressure
T=Absolute temperature

The calibration procedure described below establishes the value of the calibration coefficient at measured values of pressure, temperature and air flow.

(2) The manufacturer's recommended procedure shall be followed for calibrating electronic portions of the CFV.

(3) Measurements necessary for flow calibration are as follows:

Calibration data measurements

Parameter	Symbol	Units	Tolerances
Barometric Pressure (corrected)	P_B	in. Hg (kPa)	±.01 in. Hg (±.084 kPa).
Air temperature, flowmeter	ETI	°F (°C)	±.1° F (±.056°C).
Pressure depression upstream of LFE	EPI	in. H_2O (kPa)	±.05. in H_2O (±.012 kPa).
Pressure drop across LFE matrix	EDP	in. H_2O (kPa)	±.005 in. H_2O (±.001 kPa).
Air flow	Q_s	ft/min. (m/min.)	±.5%.
CFV inlet depression	PPI	in. fluid (kPa)	±.05 in. fluid (±.022 kPa).
Temperature at venturi inlet	T_v	°F (°C)	±.5°F (±.28°C).
Specific gravity of manometer fluid (1.75 oil)	Sp. Gr.		

(4) Set up equipment as shown in Figure B78–7 and check for leaks. Any leaks between the flow measuring device and the critical flow venturi will seriously affect the accuracy of the calibration.

(5) Set the variable flow restrictor to the open position, start the blower and allow the system to stabilize. Record data from all instruments.

(6) Vary the flow restrictor and make at least 8 readings across the critical flow range of the venturi.

(7) *Data analysis:* The data recorded during the calibration are to be used in the following calculations:

(i) The air flow rate, Q_s, at each test point is calculated in standard cubic feet per minute from the flow meter data using the manufacturer's prescribed method.

(ii) Calculate values of the calibration coefficient for each test point:

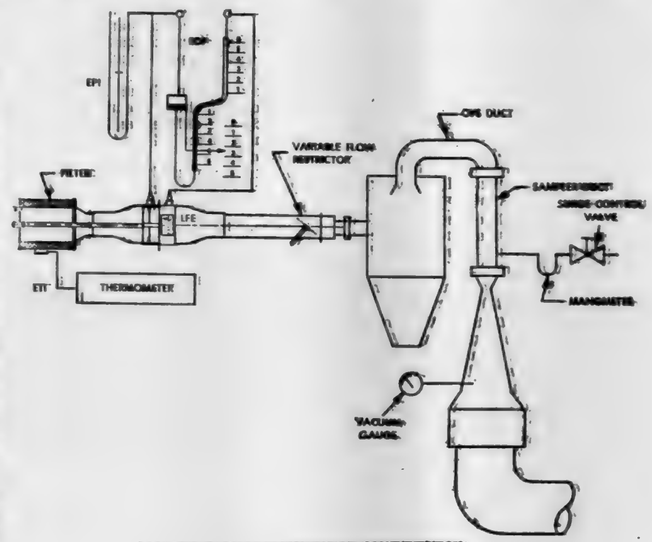


FIGURE B78-7 CFV-CVS CALIBRATION CONFIGURATION

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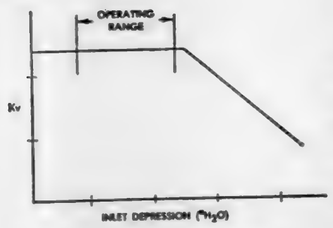


FIGURE B78-8—SONIC FLOW CHOKING

$$K_v = \frac{Q_s\sqrt{T_v}}{P_v}$$

Where:
Q_s = Flow rate in standard cubic feet per minute, standard conditions are 68° F, 29.92 in. Hg (20° C, 101.3 kPa).
T_v = Temperature at venturi inlet, R(K).
P_v = Pressure at venturi inlet, mm Hg (kPa) = $P_B - PPI$ (Sp. Gr./13.57).
for SI units $P_v = P_B - PPI$

Where:
PPI = Venturi inlet pressure depression, in. fluid (kPa).
Sp. Gr. = Specific gravity of manometer fluid, relative to water.

(iii) Plot K_v as a function of venturi inlet pressure. For sonic flow K_v will have a relatively constant value. As pressure decreases (vacuum increases) the venturi becomes unchocked and K_v decreases. See Figure B78–8.

(iv) For a minimum of 8 points in the critical region calculate an average K_v and the standard deviation.

(v) If the standard deviation exceeds 0.3% of the average K_v take corrective action.

(c) *CVS System Verification.* The following "gravimetric" technique can be used to verify that the CVS and analytical instruments can accurately measure a mass of gas that has been injected into the system. (Verification can also be accomplished by constant flow metering using critical flow orifice devices.)

(1) Obtain a small cylinder that has been charged with pure propane or carbon monoxide gas (caution—carbon monoxide is poisonous).

(2) Determine a reference cylinder weight to the nearest 0.01 grams.

(3) Operate the CVS in the normal manner and release a quantity of pure propane or carbon monoxide into the system during the sampling period (approximately 5 minutes).

(4) The calculations of § 86.138 are performed in the normal way except, in the case of propane. The density of propane (17.30 g/ft³/carbon atom (0.6109 kg/m³/carbon (atom)) is used in place of the density of exhaust hydrocarbons. In the case of carbon monoxide, the density of 32.97 g/ft³ (1.164 kg/m³) is used.

(5) The gravimetric mass is subtracted from the CVS measured mass and then divided by the gravimetric mass to determine the percent accuracy of the system.

(6) The cause for any discrepancy greater than ±2% must be found and corrected.

§ 86.118–78 Hydrocarbon analyzer calibration.

The FID hydrocarbon analyzer shall receive the following initial and periodic calibration (The HFID shall be operated to a set point ±10° F (± 5.5° C) between 300 and 390° F (149 and 199° C).

(a) Initial and periodic optimization of detector response. Prior to its introduction into service and annually thereafter the FID hydrocarbon analyzer shall be adjusted for optimum hydrocarbon response:

(1) Follow the manufacturer's instructions for instrument startup and basic operating adjustment using the appropriate fuel and zero grade air.

(2) Optimize on the most common operating range. Introduce into the analyzer, a propane in air mixture with a propane concentration equal to approximately 90% of the most common operating range.

(3) Select an operating fuel flow rate that will give near maximum response and least variation in response with minor fuel flow variations.

(4) To determine the optimum air flow, use the fuel flow setting determined above and vary air flow.

(5) After the optimum flow rates have been determined, they are recorded for future reference.

(b) Initial and periodic determination of oxygen effect. Prior to its introduction into service and at least annually thereafter the FID hydrocarbon analyzer shall be checked to determine the effect of oxygen in the sample upon instrument response:

(1) Zero the analyzer on nitrogen (N_2) zero gas; check the zero by using zero grade air; differences in zero reading of more than 2% will require corrective action.

(2) The following blends of propane shall be used to determine the effect of oxygen (O_2) in the sample.

Propane in N_2
Propane in 9.5 to 10.5% O_2, balance N_2
Propane in zero grade air

The volume concentration of propane in the mixtures should be equal to approximately 90% of the most common operating range. The zero shall be checked after each mixture is measured. If the zero has changed, the measurement shall be repeated.

(3) If the response to propane in air differs by more than 3% from the response to propane in the 10% O_2/90% N_2 mixture, or differs by more than 5% from the response to propane in N_2 corrective action will be required.

(4) If the response to propane in N_2 differs by more than 2% from the response to propane in 10% O_2/90% N_2 corrective action will be required.

(c) Initial and periodic calibration. Prior to its introduction into service and monthly thereafter the FID hydrocarbon analyzer shall be calibrated on all normally used instrument ranges. Use the same flow rate as when analyzing samples.

(1) Adjust analyzer to optimize performance.

(2) Zero the hydrocarbon analyzer with zero grade air.

(3) Calibrate on each normally used operating range with propane in air calibration gases having nominal concentrations of 50 and 100% of that range.

§ 86119–78 Carbon monoxide analyzer calibration.

The NDIR carbon monoxide analyzer shall receive the following initial and periodic calibrations:

(a) Initial and periodic interference check. Prior to its introduction into service and annually thereafter the NDIR carbon monoxide analyzer shall be checked for response to water vapor and CO_2:

(1) Follow the manufacturer's instructions for instrument startup and operation. Adjust the analyzer to optimize performance on the most sensitive range.

(2) Zero the carbon monoxide analyzer with either zero grade air or zero grade nitrogen.

(3) Bubble a mixture of 3% CO_2 in N_2 through water at room temperature and record analyzer response.

(4) An analyzer response of more than 1% of ful scale for ranges above 300 ppm full scale or of more thna 3 ppm on ranges below 300 ppm full scale will require correction action. (Use of conditioning columns is one form of corrective action which may be taken.)

(b) Initial and periodic calibration. Prior to its introduction into service and monthly thereafter the NDIR carbon monoxide analyzer shall be calibrated.

(1) Adjust the analyzer to optimize performance.

(2) Zero the carbon monoxide analyzer with either zero grade air or zero grade nitrogen.

(3) Calibrate on each normally used operating range with carbon monoxide in N_2 calibration gases having nominal concentrations of 15, 30, 45, 60, 75, and 90% of that range. For each range calibrated, if the deviation from a least-squares best-fit straight line is 2% or less of the value at each data point, concentration values may be calculated by use of a single calibration factor for that range. If the deviation exceeds 2% at any point, the best-fit non-linear equation which represents the data to within 2% of each test point shall be used to determine concentration.

§ 86.120–78 Oxides of nitrogen analyzer calibration.

The chemiluminescent oxides of nitrogen analyzer shall receive the following initial and periodic calibration.

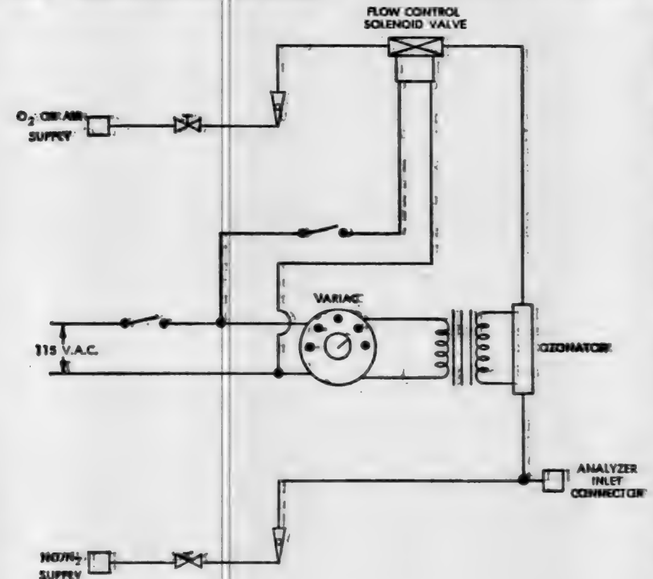
(a) Prior to its introduction into service and weekly thereafter the chemiluminescent oxides of nitrogen analyzer shall be checked for NO, to NO converter efficiency. Figure B78–9 is a reference for the following steps:

(1) Follow the manufacturer's instructions for instrument startup and operation. Adjust the analyzer to optimize performance.

(2) Zero the oxides of nitrogen analyzer with zero grade air or zero grade nitrogen.

(3) Connect the outlet of the NOx generator to the sample inlet of the oxides of nitrogen analyzer which has been set to the most common operating range.

(4) Introduce into the NOx generator analyzer-system an NO in nitrogen (N_2) mixture with a NO concentration equal to approximately 80% of the most common operating range. The NO_2 content of the gas mixture shall be less than 5% of the NO concentration.



(SEE FIG. B78-8 FOR SYMBOL LEGEND)
FIGURE B78-9—NOx CONVERTER EFFICIENCY DETECTOR

(5) With the oxides of nitrogen analyzer in the NO mode, record the concentration of NO indicated by the analyzer.

(6) Turn on the NOx generator O_2 (or air) supply and adjust the O_2 (or air) flow rates so that the NO indicated by the analyzer is about 10% less than indicated in step 5. Record the concentration of NO in this NO + O_2 mixture.

(7) Switch the NOx generator to the generation mode and adjust the generation rate so that the NO measured on the analyzer is 20% of that measured in step 5. There must be at least 10% unreacted NO at this point. Record the concentration of residual NO.

(8) Switch the oxides of nitrogen analyzer to the NOx mode and measure total NOx. Record this value.

(9) Switch off the NOx generation but maintain gas flow through the system. The oxides of nitrogen analyzer will indicate the NOx in the NO + O_2 mixture. Record this value.

(10) Turn off the NOx generator O_2 (or air) supply. The analyzer will now indicate the NOx in the original NO in N_2 mixture. This value should be no more than 5% above the value indicated in step 4.

(11) Calculate the efficiency of the NOx converter by substituting the concentrations obtained into the following equation:

$$\% \text{ Eff.} = \left(1 + \frac{a-b}{c-d}\right) \times 100$$

where
a = concentration obtained in step 6
b = concentration obtained in step 9
c = concentration obtained in step 5
d = concentration obtained in step 7

If converter efficiency is not greater than 90% corrective action will be required.

(b) Initial and periodic calibration. Prior to its introduction into service and monthly thereafter the chemiluminescent oxides of nitrogen analyzer shall be calibrated on all normally used instrument ranges. Use the same flow rate as when analyzing samples. Proceed as follows:

(1) Adjust analyzer to optimize performance.

(2) Zero the oxides of nitrogen analyzer with zero grade air or zero grade nitrogen.

(3) Calibrate on each normally used operating range with NO in N_2 calibration gases with nominal concentrations of 50 and 100% of that range.

§ 86.121–78 Carbon dioxide analyzer calibration.

Prior to its introduction into service and monthly thereafter the NDIR carbon dioxide analyzer shall be calibrated:

(a) Follow the manufacturer's instructions for instrument startup and operation. Adjust the analyzer to optimize performance.

(b) Zero the carbon dioxide analyzer with either zero grade air or zero grade nitrogen.

(c) Calibrate on each normally used operating range with carbon dioxide in N_2 calibration gases with nominal concentrations of 15, 30, 45, 60, 75, and 90% of that range. For each range calibrated, if the deviation from a least-squares best-fit straight line is 2% or less of the value at each data point, concentration values may be calculated by use of a single calibration factor for that range. If the deviation exceeds 2% at any point, the best-fit non-linear equation which represents the data to within 2% of each test point shall be used to determine concentration.

§ 86.122–78 Calibration of other equipment.

Other test equipment used for testing shall be calibrated as often as required by the manufacturer or as necessary according to good practice.

§ 86.123–78 Test procedures; overview.

The procedures described in this and subsequent sections are used to determine the conformity of vehicles with the standards set forth in Subpart A for light duty vehicles and light duty trucks.

(a) The overall test consists of prescribed sequences of fueling, parking and operating conditions. Vehicles are either tested for only exhaust emissions or are tested for exhaust and evaporative emissions. The evaporative portion of the test procedure occurs before and after the exhaust emission test, and, in some cases, during the exhaust emission test.

(b) The exhaust emission test is designed to determine hydrocarbon, carbon monoxide, and oxides of nitrogen mass emissions while simulating an average trip in an urban area of 7.5 miles (12.1 km). The test consists of engine startups and vehicle operation on a chassis dynamometer, through a specified driving schedule. A proportional part of the diluted exhaust emissions is collected continuously for subsequent analysis, using a constant volume (variable dilution) sampler. (Diesel dilute exhaust is continuously analyzed for hydrocarbons using a heated sample line and analyzer).

(c) The evaporative emission test (gasoline fueled vehicles only) is designed to determine hydrocarbon evaporative

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emissions as a consequence of diurnal temperature fluctuation, urban driving, and hot soaks during parking. It is associated with a series of events representative of a motor vehicle's operation, which result in hydrocarbon vapor losses. The test procedure is designed to measure:

(1) Diurnal breathing losses resulting from daily temperature changes, measured by the enclosure technique;

(2) Running losses from suspected sources (if indicated by engineering analysis or vehicle inspection) resulting from a simulated trip on a chassis dynamometer, measured by carbon traps; and

(3) Hot soak losses which result when the vehicle is parked and the hot engine is turned off, measured by the enclosure technique.

(d) Except in cases of component malfunction or failure, all emission control systems installed on or incorporated in a new motor vehicle shall be functioning during all procedures in this subpart. Maintenance to correct component malfunction or failure shall be authorized in accordance with § 86.077.

§ 86.124–78 Transmissions.

(a) All test conditions shall be run with automatic and automatic stick shift transmissions in "Drive" (highest gear); manual transmissions shall be run in highest gear, except as noted. Automatic stick-shift transmissions may be shifted as manual transmissions if requested by the manufacturer.

(b) Cars equipped with free-wheeling or overdrive units shall be tested with these units locked out of operation.

(c) Idle modes shall be run with automatic transmissions in "Drive" and the wheels braked, manual transmissions shall be in gear with the clutch disengaged; except first idle, see §§ 86.132 and 86.133.

(d) The vehicle shall be driven with minimum accelerator pedal movement to maintain the desired speed.

(e) Acceleration modes shall be driven smoothly. Automatic transmissions shall shift automatically through the normal sequence of gears; manual transmissions shall be shifted as recommended by the manufacturer with the operator releasing the accelerator pedal during each shift and accomplishing the shift with minimum time. If the vehicle cannot accelerate at the specified rate, the vehicle shall be operated with the accelerator pedal fully depressed until the vehicle speed reaches the value prescribed for that time in the driving schedule.

(f) The deceleration modes shall be run in gear using brakes or accelerator pedal as necessary to maintain the desired speed. Manual transmission vehicles shall have the clutch engaged and shall not change gears from the previous mode. For those modes which decelerate to zero, manual transmission clutches shall be depressed when the speed drops below 15 mph (24.14 kph), when engine roughness is evident, or when engine stalling is imminent.

(g) Manual transmissions will be down shifted at the beginning of or during a power mode if recommended by the manufacturer or if the engine obviously is lugging.

(h) If shift speeds are not recommended by the manufacturer, manual transmission vehicles shall be shifted from first to second gear at 15 mph (24.14 kph), from second to third gear at 25 mph (40.23 kph), and, if so equipped, from third to fourth gear at 40 mph (64.37 kph). Fifth gear, if so equipped, may be used at the manufacturer's option.

(i) If a four- or five-speed manual transmission has a first gear ratio in excess of 5:1, follow the procedure for three- or four-speed vehicles as if the first gear did not exist.

§ 86.125–78 Road load power and inertia weight determination.

(a) Flywheels, electrical or other means of simulating intertia as shown in the following table shall be used. If the equivalent inertia specified is not available on the dynamometer being used, the next higher equivalent inertia (not to exceed 250 lbs) available shall be used.

Loaded vehicle weight (pounds)	Equivalent inertia weight (pounds)	Road load power at 50 mph (horsepower)
Up to 1,125	1,000	5.9
1,126 to 1,375	1,250	6.5
1,376 to 1,625	1,500	7.1
1,626 to 1,875	1,750	7.7
1,876 to 2,125	2,000	8.3
2,126 to 2,375	2,250	8.8
2,376 to 2,625	2,500	9.4
2,626 to 2,875	2,750	9.9
2,876 to 3,250	3,000	10.3
3,251 to 3,750	3,500	11.2
3,751 to 4,250	4,000	12.0
4,251 to 4,750	4,500	12.7
4,751 to 5,250	5,000	13.4
5,251 to 5,750	5,500	13.9
5,751 to above	5,500	14.4

(b) Power absorption unit adjustment.

(1) The power absorption unit shall be adjusted to reproduce road load power at 50 mph true speed. The indicated road load power setting shall take into account the dynamometer friction. The relationship between road load (absorbed) power and indicated road load power for a particular dynamometer shall be determined by the procedure outlined in § 86.116 or other suitable means.

(2) The road load power listed in the table above shall be used or the vehicle manufacturer may determine the road load power by an alternative procedure requested by the manufacturer and approved in advance by the Administrator, or the vehicle manufacturer may determine the road load power by the following procedure and request its use:

(i) Gasoline fueled vehicles.

(A) Measuring the absolute manifold pressure of a representative vehicle, of the same equivalent inertia weight class, when operated on a level road under balanced wind conditions at a true speed of 50 mph (80 kph), and

(B) Noting the dynamometer indicated road load horsepower setting required to reproduce that manifold pressure when the same vehicle is operated on the dynamometer at a true speed of 50 mph. The tests on the road and on the dynamometer shall be performed with the same vehicle ambient absolute pressure (usually barometric), i.e., within ±5 mm Hg (±0.7 kPa).

(C) The road load power shall be determined according to the procedure outlined in § 86.116 and adjusted according to the following if applicable.

(ii) Diesel vehicles.

(A) Measuring the fuel flow rate of a representative vehicle of the same equivalent inertia weight class, when operated on a level road under balanced wind conditions at a true speed of 50 mph, and

(B) Noting the dynamometer indicated road load horsepower setting required to reproduce that fuel flow rate when the same vehicle is operated on the dynamometer at a true speed of 50 mph (80 kph). The tests on the road and on the dynamometer shall be performed with the same vehicle ambient absolute pressure (usually barometric), i.e. within ±5 mm Hg (±0.7 kPa).

(C) The road load power shall be determined according to the procedure outlined in § 86.116 and adjusted according to the following if applicable.

(3) Where it is expected that more than 33 percent of the vehicles in an engine family will be equipped with air conditioning, the road load power listed above or as determined in paragraph (b)(2) of this section shall be increased by 10 percent for testing all test vehicles representing such engine family if those vehicles are intended to be offered with air conditioning in production.

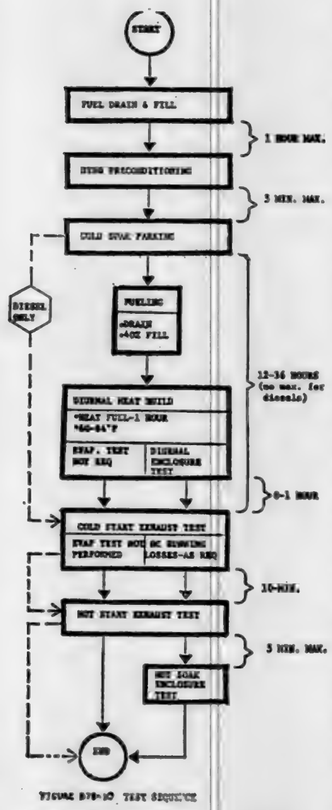


FIGURE B78-10 TEST SEQUENCE

§ 86.126–78 Test sequence, general requirements.

The test sequence shown in Figure B78–10 shows the steps encountered as the test vehicle undergoes the procedures subsequently described to determine conformity with the standards set forth. Ambient temperature levels encountered by the test vehicle throughout the test sequence shall not be less than 68° F (20° C) nor more than 86° F (30° C.) The vehicle shall be approximately level during all phases of the test sequence to prevent abnormal fuel distribution.

§ 86.127–78 Vehicle preparation.

(a) For gasoline fueled vehicles prepare the fuel tank(s) for recording the temperature of the prescribed test fuel at the approximate mid volume of the fuel.

(b) Provide additional fittings and adapters, as required, to accommodate a fuel drain at the lowest point possible in the tank(s) as installed on the vehicle.

§ 86.128–78 Vehicle preconditioning.

(a) The vehicle shall be moved to the test area and the following operations performed:

(1) The fuel tank(s) shall be drained through the provided fueled tank(s) drain(s) and filled in the normal fashion to contain approximately 2 gallons (7.57 liters) of the specified test fuel, § 86.111 (for diesel powered vehicles the tank shall be filled to the prescribed "tank fuel volume", defined in § 86.078–2). When additional preconditioning, as described in (a)(3) is to be performed, additional fuel may be added up to the prescribed "tank fuel volume". For the above operations the evaporative emission control system shall neither be abnormally purged nor abnormally loaded.

(2) Within one hour of being fueled the vehicle shall be place, either by being driven or pushed, on a dynamometer and operated through one Urban Dynomometer Driving Schedule test procedure, see § 86.113 and Appendix I. A gasoline fueled test vehicle may not be used to set dynamometer horsepower.

(3) For those unusual circumstances where additional preconditioning is desired by the manufacturer, such preconditioning may be allowed with the advance approval of the Administrator. The Administrator may also choose to conduct or require the conduct of additional preconditioning to insure that the evaporative emission control system is stabilized. The additional preconditioning shall consist of an initial one hour minimum soak and, one, two or three driving cycles of the UDDS, as described in (a)(2), each followed by a soak of at least one hour with engine off, engine compartment cover closed and cooling fan off. The vehicle may be driven off the dynamometer following each UDDS for the soak period.

(b) Within five minutes of completion of preconditioning the vehicle shall be driven off the dynamometer and parked. The vehicle shall be stored for not less than 12 hours nor for more than 36 hours (except diesel fueled vehicles which have no maximum time limitation) prior to the cold start exhaust test. (Gasoline fueled vehicles undergo a one hour diurnal heat build prior to the cold start exhaust test. A wait of up to one hour is permitted between the end of the diurnal heat build and the beginning of the cold start exhaust test. See § 86.126 and Figure B78–10.)

(c) Vehicles to be tested for evaporative emissions shall be processed in accordance with procedures in §§ 86.129 through 86.134. Vehicles to be tested for exhaust emissions only shall be processed according to §§ 86.129 through 86.133.

§ 86.129–78 Diurnal breathing loss test.

(a)(1) Following vehicle preparation and vehicle preconditioning procedures described in § 86.127 and § 86.128 the test vehicle shall be allowed to soak for a period of not less than 12 hours or more than 36 hours prior to the exhaust emission test. The diurnal test shall take place not less than 10 or more than 35 hours after the end of the preconditioning procedure. The start of the exhaust test shall follow the end of the diurnal test within one hour.

(2) Gasoline fueled vehicles to be tested for exhaust emissions only, shall undergo the diurnal heat build. Since no evaporative measurements are necessary, an evaporative enclosure is not required.

(b) The evaporative emission enclosure shall be purged for several minutes immediately prior to the test.

NOTE.—If at any time the hydrocarbon concentration exceed 15,000 ppm C the enclosure should be immediately purged. This concentration provides a 4:1 safety factor against the lean flammability limit.

(c) The FID hydrocarbon analyzer shall be zeroed and spanned immediately prior to the test.

(d) If not already on, the evaporative enclosure mixing fan shall be turned on at this time.

(e) Immediately prior to the diurnal breathing loss test, the fuel tank(s) of the prepared vehicle shall be drained and recharged with the specified test fuel, § 86.111, to the prescribed "tank fuel volume," definied in § 86.078–2. The temperature of the fuel prior to its delivery to the fuel tank shall be between 50 and 60° F (10 and 16° C).

(f) The test vehicle, with the engine shut off, shall be moved into the evaporative emission enclosure, the test vehicle windows and luggage compartments shall be opened, the fuel tank temperature sensor shall be connected to the temperature recording system, and, if required, the heat source shall be properly positioned with respect to the fuel tank(s) and/or connected to the temperature controller.

(g) The enclosure doors shall be closed and sealed.

(h) The temperature recording system shall be started.

(i) When the fuel temperature recording system reaches 60±1° F (16±0.5° C), immediately:

(1) Analyze enclosure atmosphere for hydrocarbons and record. This is the initial (time=0 minutes) hydrocarbon concentration, C_{HC1}, § 86.137.

(2) Start diurnal heat build and record time. This commences the 60±2 minute test period.

(j) The fuel shall be heated in such a way that its temperature change conforms to the following function to within ±2° F (±1.1° C):

$F = 60 + 0.4t$

for SI units, $C = 15.556 + (2/9)t$

Where:

F=fuel temperature, °F

C=fuel temperature, °C

t=time since beginning of test, minutes.

After 60±2 minutes of heating, the fuel temperature shall be 84±1° F (29±0.5° C).

(k) The FID hydrocarbon analyzer shall be zeroed and spanned immediately prior to the end of the diurnal test.

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(l) The end of the diurnal breathing loss test occurs 60±2 minutes after the heat build begins, subparagraph (l)(2). Analyze the enclosure atmosphere for hydrocarbons and record. This is the final (time=60 minutes) hydrocarbon concentration, C_{HFi}, § 86.137. The time (or elapsed time) of this analysis shall be recorded.

(m) The heat source shall be turned off and and the enclosure doors unsealed and opened.

(n) The heat source shall be moved away from the vehicle, if required, and/or disconnected from the temperature controller, the fuel tank temperature sensor shall be disconnected from the temperatude recording system, the test vehicle windows and luggage compartments may be closed and the test vehicle, with the engine shut off, shall be removed from the evaporative emission enclosure.

§ 86.130–78 Running loss test.

(a) If an engineering analysis or vehicle inspection indicates the possibility of evaporative emissions during vehicle operation, evaporative emission running loss measurements shall be made during the cold transient and stabilized portion of the exhaust emission test. Since running loss measurements cannot be made in the enclosure, the equipment described in § 86.177–17 shall be used to collect these emissions.

(1) The procedure in § 86.131 shall be followed.

(2) Prior to the initiation of the cold start exhaust emission test, the vapor loss measurement system shall be connected to all suspected sources of running loss evaporative emissions.

(3) The cold start transient and stabilized exhaust emission test portions shall be conducted according to the procedures of § 86.131 through § 86.133.

(4) Within one minute after the end of the stabilized exhaust emission test, the vapor loss measurement system shall be disconnected from the vehicle and the inlets and outlets sealed.

(5) Within one hour from the end of the running loss measurement, weigh the vapor collection traps.

§ 86.131–78 Dynamometer procedure.

(a) The dynamometer run consists of two tests, a "cold" start test after a minimum 12-hour and a maximum 36 hour soak according to the provisions of § 86.128 and § 86.129 and a "hot" start test following the "cold" start by 10 minutes. Engine startup (with all accessories turned off), operation over the driving schedule, and engine shutdown make a complete cold start test. Engine startup and operation over the first 505 seconds of the driving schedule complete the hot start test. The exhaust emissions are diluted with ambient air and a continuously proportional sample is collected for analysis during each phase. The composite samples collected in bags are analyzed for hydrocarbons (except diesel hydrocarbons which are analyzed continuously), carbon monoxide, carbon dioxide, and oxides of nitrogen. A parallel sample of the dilution air is similarly analyzed for hydrocarbon, carbon monoxide, and oxides of nitrogen.

(b) During dynamometer operation, a fixed speed cooling fan shall be positioned so as to direct cooling air to the vehicle in an appropriate manner with the engine compartment cover open. In the case of vehicles with front engine compartments, the fan shall be squarely positioned within 12 inches of the vehicle. In the case of vehicles with rear engine compartments (or if special designs make the above impractical), the cooling fan shall be placed in a position to provide sufficient air to maintain vehicle cooling. The fan capacity shall normally not exceed 5,300 cfm (2.50 m^3/s). If, however, the manufacturer can show that during field operation the vehicle receives additional cooling, and that such additional cooling is needed to provide a representative test, the fan capacity may be increased or additional fans used if approved in advance by the Administrator.

(c) The vehicle speed as measured from the dynamometer rolls shall be used. A speed vs. time recording, as evidence of dynamometer test validity, shall be supplied on request of the Administrator.

(d) Practice runs over the prescribed driving schedule may be performed at test points, provided an emission sample is not taken, for the purpose of finding the minimum throttle action to maintain the proper speed-time relationship, or to permit sampling system adjustments.

NOTE.—When using two-roll dynamometers a truer speed-time trace may be obtained by minimizing the rocking of the vehicle in the rolls. The rocking of the vehicle changes the tire rolling radius on each roll. This rocking may be minimized by restraining the vehicle horizontally (or nearly so) by using a cable and winch.

(e) The drive wheel tires may be inflated up to 45 psig (310 kPag) in order to prevent tire damage. The drive wheel tire pressure shall be reported with the test results.

(f) If the dynamometer has not been operated during the 2 hour period immediately preceding the test it shall be warmed up for 15 minutes by operating at 30 mph (48 kph) using a non-test vehicle or as recommended by the dynamometer manufacturer.

(g) If the dynamometer horsepower must be adjusted manually, it shall be set within 1 hour prior to the exhaust emissions test phase. The test vehicle shall not be used to make this adjustment. Dynamometers using automatic control of preselectable power settings may be set anytime prior to the beginning of the emissions test.

§ 86.132–78 Engine starting and restarting.

(a) *Gasoline fueled vehicles.* Paragraph (a) applies to gasoline fueled vehicles.

(1) The engine shall be started according to the manufacturer's recommended starting procedures. The initial 20 second idle period shall begin when the engine starts.

(2) Choke operation:

(i) Vehicles equipped with automatic chokes shall be operated according to the instructions in the manufacturer's operating instructions or owner's manual including choke setting and "kickdown" from cold fast idle. The transmission shall be placed in gear 15 seconds after the engine is started. If necessary, braking may be employed to keep the drive wheels from turning.

(ii) Vehicles equipped with manual chokes shall be operated according to the manufacturer's operating instructions or owners manual.

(3) The operator may use the choke, accelerator pedal, etc. where necessary to keep the engine running.

(4) If the manufacturer's operating instructions or owner's manual does not specify a warm engine starting procedure, the engine (automatic and manual choke engines) shall be started by depressing the accelerator pedal about half way and cranking the engine until it starts.

(b) *Diesel fueled vehicles.* The engine shall be started according to the manufacturer's recommended starting procedures. The initial 20-second-idle period shall begin when the engine starts. The transmission shall be placed in gear 15 seconds after the engine is started. If necessary, braking may be employed to keep the drive wheels from turning.

(c) If the vehicle does not start after 10 seconds of cranking, cranking shall cease and the reason for failure to start shall be determined. The gas flow measuring device (or revolution counter) on the constant volume sampler (and the hydrocarbon integrator when testing diesel vehicles, see § 86.133, Dynamometer test runs) shall be turned off and the sample selector valves placed in the "standby" position during this diagnostic period. In addition, either the CVS should be turned off or the exhaust tube disconnected from the tailpipe during the diagnostic period.

(1) If failure to start is an operational error, the vehicle shall be rescheduled for testing from a cold start. If failure to start is caused by vehicle malfunction, corrective action of less than 30 minutes duration may be taken and the test continued. The sampling system shall be reactivated at the same time cranking is started. When the engine starts, the driving schedule timing sequence shall begin. If failure to start is caused by vehicle malfunction and the vehicle cannot be started, the test shall be voided, the vehicle removed from the dynamometer, corrective action taken, and the vehicle rescheduled for test. The reason for the malfunction (if determined) and the corrective action taken shall be reported.

(d) If the engine "false starts", the operator shall repeat the recommended starting procedure (such as resetting the choke, etc.)

(e) Stalling:

(1) If the engine stalls during an idle period, the engine shall be restarted immediately and the test continued. If the engine cannot be started soon enough to allow the vehicle to follow the next acceleration as prescribed, the driving schedule indicator shall be stopped. When the vehicle restarts, the driving schedule indicator shall be reactivated.

(2) If the engine stalls during some operating mode other than idle, the driving schedule indicator shall be stopped, the vehicle shall then be restarted and accelerated to the speed required at that point in the driving schedule and the test continued. During acceleration to this point, shifting shall be performed in accordance with § 86.124.

(3) If the vehicle will not restart within 1 minute, the test shall be voided, the vehicle removed from the dynamometer, corrective action taken, and the vehicle rescheduled for test. The reason for the malfunction (if determined) and the corrective action taken shall be reported.

§ 86.133–78 Dynamometer test runs.

(a) The vehicle shall be allowed to stand with the engine turned off for a period of not less than 12 hours or more than 36 hours before the cold start exhaust emission test. The cold start exhaust test shall follow the diurnal breathing loss test by not more than 1 hour. The vehicle shall be stored prior to the emission test in such a manner that precipitation (e.g. rain or dew) does not occur on the vehicle. The complete dynamometer test consists of a cold start drive of 7.5 miles (12.1 km) and simulates a hot start drive of 7.5 miles (12.1 km). The vehicle is allowed to stand on the dynamometer during the 10 minutes time period between the cold and hot start tests. The cold start test is divided into two periods. The first period, representing the cold start "transient" phase, terminates at the end of the deceleration which is scheduled to occur at 505 seconds of the driving schedule. The second period, representing the "stabilized" phase, consists of the remainder of the driving schedule including engine shutdown. The hot start test similarly consists of two periods. The period, representing the hot start "transient" phase, terminates at the same point in the driving schedule as the first period of the cold start test. The second period of the hot start test, "stabilized" phase, is assumed to be identical to the second period of the cold start test. Therefore, the hot start test terminates after the first period (505 seconds) is run.

(b) The following steps shall be taken for each test:

(1) Place drive wheels of vehicle on dynamometer without starting engine.

(2) Open the vehicle engine compartment cover and position the cooling fan.

(3) With the sample selector valves in the "standby" position connect evacuated sample collection bags to the two dilute exhaust and two dilution air sample collection systems.

(4) Start the Constant Volume Sampler (if not already on), the sample pumps, the temperature recorder, the vehicle cooling fan and the heated hydrocarbon analysis recorder (diesel only). (The heat exchanger of the constant volume sampler, if used, diesel hydrocarbon analyzer continuous sample line and filter (if applicable) should be preheated to their respective operating temperatures before the test begins.)

(5) Adjust the sample flow rate to the desired flow rate (minimum of 10 cfh, 0.28 m^3/hr) and set the gas flow measuring devices to zero.

NOTE.—CFV–CVS sample flowrate is fixed by the venturi design.

(6) Attach the flexible exhaust tube to the vehicle tailpipe(s).

(7) Start the gas flow measuring device, position the sample selector valves to direct the sample flow into the "transient" exhaust sample bag and the "transient" dilution air sample bag, (turn on the diesel hydrocarbon analyzer system integrator and mark the recorder chart, if applicable) and start cranking the engine.

(8) Fifteen seconds after the engine starts, place the transmission in gear.

(9) Twenty seconds after the engine starts, begin the initial vehicle acceleration of the driving schedule.

(10) Operate the vehicle according to the dynamometer driving schedule (§ 86.113).

(11) At the end of the deceleration which is scheduled to occur at 505 seconds, simultaneously switch the sample flows from the "transient" bags to the "stabilized" bags, switch off gas flow measuring device No. 1 (and the diesel hydrocarbon integrator No. 1, mark the diesel hydrocarbon recorder chart) and start gas flow measuring device No. 2 (and diesel hydrocarbon integrator No. 2). As soon as possible, and in no case longer than 20 minutes after the end of this portion of the test, transfer the "transient" exhaust and dilution air sample bags, to the analytical system and process the samples according to § 86.135.

(12) Turn the engine off 2 seconds after the end of the last deceleration (at 1,369 seconds).

(13) Five seconds after the engine stops running, simultaneously turn off gas flow measuring device No. 2 (and the diesel hydrocarbon integrator No. 2, mark the hydrocarbon recorder chart, if applicable) and position the sample selector valves to the "standby" position. As soon as possible, and in no case longer than 20 minutes after the end of this portion of the test, transfer the "stabilized" exhaust and dilution air sample bags, to the analytical system and process the samples according to § 86.135.

(14) Immediately after the end of the sample period turn off the cooling fan and close the engine compartment cover.

(15) Turn off the CVS or disconnect the exhaust tube from the tailpipe of the vehicle.

(16) Repeat the steps in paragraph (b)(2) through (10) of this section for the hot start test, except only one evacuated sample bag is required for sampling exhaust gas and one for dilution air. The step in paragraph (b)(7) of this section shall begin between 9 and 11 minutes after the end of the sample period for the cold start test.

(17) At the end of the deceleration which is scheduled to occur at 505 seconds, simultaneously turn off gas flow measuring device No. 1 (and diesel hydrocarbon integrator No. 1, mark the diesel hydrocarbon recorder chart, if applicable) and position the sample selector valve to the "standby" position. (Engine shutdown is not part of the hot start test sample period.)

(18) As soon as possible, and in no case longer than 20 minutes after the end of this portion of the test transfer the hot start "transient" exhaust and dilution air sample bags, to the analytical system and process the samples according to § 86.135.

(19) Disconnect the exhaust tube from the vehicle tailpipe(s) and drive vehicle from dynamometer.

(20) The constant volume sampler may be turned off, if desired.

(21) Vehicles to be tested for evaporative emissions will proceed according to § 86.134. For all others this completes the test sequence.

§ 86.134–78 Hot soak test.

The hot soak evaporative emission test shall be conducted immediately following the hot transient exhaust emission test.

(a) Prior to the completion of the hot start transient exhaust emission sampling period, the evaporative emission enclosure shall be purged for several minutes.

(b) The FID hydrocarbon analyzer shall be zeroed and spanned immediately prior to the test.

(c) If not already on, the evaporative enclosure mixing fan shall be turned on at this time.

(d) Upon completion of the hot transient exhaust emission sampling period, the vehicle engine compartment cover shall be closed, the cooling fan shall be moved, the vehicle shall be disconnected from the dynamometer and exhaust sampling system and then driven at minimum throttle to within 10 feet (3.3 m) of the vehicle entrance to the enclosure.

(e) The test vehicle windows and luggage compartments shall be opened.

(f) The temperature recording system shall be started.

(g) The vehicle's engine shall be shut off and the vehicle shall be pushed into the enclosure. The time of engine shutoff shall be noted on the evaporative emission hydrocarbon data recording system.

(h) The enclosure doors shall be closed and sealed within one minute of engine shutdown and within five minutes after the end of the exhaust test.

(i) The 60±0.5 minutes hot soak begins when the enclosure doors are sealed. The enclosure atmosphere shall be analyzed and recorded. This is the initial (time=0 minutes) hydrocarbon concentration, C_{HCi}, for use in calculating evaporative losses, see § 86.137.

(j) The test vehicle shall be permitted to soak for a period of at least one hour in the enclosure.

(k) The FID hydrocarbon analyzer shall be zeroed and spanned immediately prior to the end of the test.

(l) At the end of the 60±0.5 minute test period, again analyze the enclosure atmosphere and record time. This is the

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final (time=60 minutes) hydrocarbon concentration, C_{HCf}, for use in calculating evaporative losses, see § 86.137. This operation completes the evaporative emission measurement procedure.

§ 86.135–78 Exhaust sample analysis.

The following sequence of operations shall be performed in conjunction with each series of measurements:

(a) Zero the analyzers and obtain a stable zero reading. Recheck after tests.

(b) Introduce span gases and set instrument gains. In order to avoid corrections, span and calibrate at the same flow rates used to analyze the test sample. Span gases should have concentrations equal to approximately 80 percent of full scale. If gain has shifted significantly on the analyzers, check the calibrations. Show actual concentrations on chart.

(c) Check zeros; repeat the procedure in paragraphs (a) and (b) of this section if required.

(d) Check flowrates and pressures.

(e) Measure HC, CO, CO_2 and NOx concentrations of samples.

(f) For diesel vehicles, continuously record (integrate electronically if desired) dilute hydrocarbon emission levels during test. Background samples are collected in sample bags and analyzed as above.

(g) Check zero and span points. If difference is greater than 2% of full scale, repeat the procedure in paragraphs (a) through (f).

§ 86.136–78 Records required.

The following information shall be recorded with respect to each test:

(a) Test number.

(b) System or device tested (brief description).

(c) Date and time of day for each part of the test schedule.

(d) Instrument operator.

(e) Driver or operator.

(f) Vehicle: Make, Vehicle identification number, Model year, Transmission type, Odometer reading, Engine displacement, Engine family, Evap. family, Idle rpm, Fuel system (fuel injection, nominal fuel tank(s) capacity, fuel tank(s) location, number of carburetors, number of carburetor barrels), Inertia loading, Actual curb weight recorded at 0 miles, Actual road load at 50 mph (80 kph) and drive wheel tire pressure, as applicable.

(g) Indicated road load power absorption at 50 mph (80 kph) and dynamometer serial number. As an alternative to recording the dynamometer serial number, a reference to a vehicle test cell number may be used, with the advance approval of the Administrator, provided the test cell records show the pertinent information.

(h) All pertinent instrument information such as tuning, gain, serial number, detector number, range. As an alternative, a reference to a vehicle test cell number may be used, with the advance approval of the Administrator, provided test cell calibration records show the pertinent instrument information.

(i) Recorder charts: Identify zero, span, exhaust gas, and dilution air sample traces.

(j) Test cell barometer pressure, ambient temperature and humidity.

NOTE.—A central laboratory barometer may be used; provided that individual test cell barometric pressures are shown to be within ±0.1 percent of the barometric pressure at the central barometer location.

(k) Fuel temperatures, as prescribed.

(l) Pressure of the mixture of exhaust and dilution air entering the CVS metering device, the pressure increase across the device, and the temperature at the inlet. The temperature may be recorded continuously or digitally to determine temperature variations.

(m) The number of revolutions of the positive displacement pump accumulated during each test phase while exhaust samples are being collected. The number of standard cubic feet metered by a critical flow venturi during each test phase would be the equivalent record for a CFV–CVS.

(n) The humidity of the dilution air.

NOTE.—If conditioning columns are not used (see § 86.119 and § 86.139) this measurement can be deleted. If the conditioning columns are used and the dilution air is taken from the test cell, the ambient humidity can be used for this measurement.

(o) Temperature set point of the heated sample line and heated hydrocarbon detector temperature control system (for diesel vehicles only).

§ 86.137–78 Calculations; evaporative emissions.

The calculation of the net hydrocarbon mass change in the enclosure is used to determine the diurnal and hot soak mass emissoins. The mass is calculated from initial and final hydrocarbon concentrations in ppm carbon, initial and final enclosure ambient temperatures, initial and final barometric pressures, and net enclosure volume using the following equation:

$$M_{HC} = k V_n \times 10^{-4} \left[\frac{C_{HCf} P_{Bf}}{T_f} - \frac{C_{HCi} P_{Bi}}{T_i} \right]$$

Where:
M_{HC} = Hydrocarbon mass, g.
C_{HC} = Hydrocarbon concentration as ppm carbon.
V_n = Net enclosure volume, ft³ (m^3) as determined by subtracting 50 ft³ (1.42 m^3) (volume of vehicle with trunk and windows open) from the enclosure volume.
P_B = Barometric pressure, in. Hg (kPa).
T = Enclosure ambient temperature, R (K).
k = .208 (12+H/C)
for SI units, k = 1.2 (12+H/C).

Where:
H/C = Hydrogen-carbon ratio.
H/C = 2.33 for diurnal emissions.
H/C = 2.2 for hot soak emissions.
i = Indicates initial reading.
f = Indicates final reading.

§ 86.138–78 Calculations; exhaust emissions.

The final reported test results shall be computed by use of the following formula:

(a) For light duty vehicles and light duty trucks:

$$Y_{wm} = (0.43\ Y_{ct} + 0.57\ Y_{ht} + Y_s)/7.5$$

Where:
Y_{wm} = Weighted mass emissions of each pollutant, i.e., HC, CO, or NOx, in grams per vehicle mile.
Y_{ct} = Mass emissions as calculated from the "transient" phase of the cold start test, in grams per test phase.
Y_{ht} = Mass emissions as calculated from the "transient" phase of the hot start test, in grams per test phase.
Y_s = Mass emissions as calculated from the "stabilized" phase of the cold start test, in grams per test phase.

(b) The mass of each pollutant for each phase of both the cold start test and the hot start test is determined from the following:

(1) Hydrocarbon mass:
$HC_{mass} = V_{mix} \times Density_{HC} \times (HC_{conc}/1{,}000{,}000)$

(2) Oxides of nitrogen mass:
$NOX_{mass} = V_{mix} \times Density_{NO_2} \times K_H \times (NOx_{conc}/1{,}000{,}000)$

(3) Carbon monoxide mass:
$CO_{mass} = V_{mix} \times Density_{CO} \times (CO_{conc}/1{,}000{,}000)$

(4) Carbon dioxide mass:
$CO_{2mass} = V_{mix} \times Density_{CO_2} \times CO_{2conc}/100)$

(c) Meaning of symbols:

(1) HC_{mass} = Hydrocarbon emissions, in grams per test phase.
$Density_{HC}$ = Density of hydrocarbons is 16.33 g/ft³ (.5767 kg/m^3), assuming an average carbon to hydrogen ratio of 1:1.85, at 68°F (20°C) and 760 mm Hg (101.3 kPa) pressure.
HC_{conc} = Hydrocarbon concentration of the dilute exhaust sample corrected for background, in ppm carbon equivalent, i.e., equivalent propane × 3.
$HC_{conc} = HC_e - HC_d(1-1/DF)$
Where:
HC_e = Hydrocarbon concentration of the dilute exhaust sample or, for diesel, average hydrocarbon concentration of the dilute exhaust sample as calculated from the integrated HC traces, in ppm carbon equivalent.
HC_d = Hydrocarbon concentration of the dilution air as measured, in ppm carbon equivalent.

(2) NOx_{mass} = Oxides of notrogen emissions, in grams per test phase.
$Density_{NO_2}$ = Density of oxides of nitrogen is 54.16 g/ft³ (1.913 kg/m^3), assuming they are in the form of nitrogen dioxide, at 68° F (20° C) and 760 mm Hg (101.3 kPa) pressure.
NOx_{conc} = Oxides of nitrogen concentration of the dilute exhaust sample corrected for background, in ppm.
$NOx_{conc} = NOx_e - NOx_d\ (1-1/DF)$
Where:
NOx_e = Oxides of nitrogen concentration of the dilute exhaust sample as measured, in ppm.
NOx_d = Oxides of nitrogen concentration of the dilute air as measured, in ppm.

(3) CO_{mass} = Carbon monoxide emissions, in grams per test phase.
$Density_{CO}$ = Density of carbon monoxide is 32.97 g/ft³ (1.164 kg/m^3), at 68° F (20° C) and 760 mm Hg (101.3 kPa) pressure.
CO_{conc} = Carbon monoxide concentration of the dilute exhaust sample corrected for background, water vapor, and CO_2 extraction, in ppm.
$CO_{conc} = CO_e - CO_d\ (1-1/DF)$
Where:
CO_e = Carbon monoxide concentration of the dilute exhaust sample volume corrected for water vapor and carbon dioxide extraction, in ppm. The calculation asumes the carbon to hydrogen ratio of the fuel is 1:1.85.
$CO_e = (1-0.01925\ CO_{2e} - 0.000323\ R)\ CO_{1e}$

Where:
CO_{1e} = Carbon monoxide concentration of the dilute exhaust sample as measured, in ppm.
CO_{2e} = Carbon dioxide concentration of the dilute exhaust sample, in percent.
R = Relative humidity of the dilution air, in percent (see § 86.136–78(n)).
CO_d = Carbon monoxide concentration of the dilution air corrected for water vapor extraction, in ppm.
$CO_d = (1-0.000323\ R)\ CO_{1d}$
Where:
CO_{1d} = Carbon monoxide concentration of the dilution air sample as measured, in ppm.

NOTE.—If a CO instrument which meets the criteria specified in § 86.110 is used and the conditioning column has been deleted, CO_{1e} can be substituted directly for CO_e and CO_{1d} can be substituted directly for CO_d.

(4) CO_{2mass} = Carbon dioxide emissions, in grams per test phase.
$Density_{CO_2}$ = Density of carbon dioxide is 51.85 g/ft³ (1.843 kg/m^3), at 68° F (20° C) and 760 mm Hg (101.3 kPa) pressure.
CO_{2conc} = Carbon dioxide concentration of the dilute exhaust sample corrected for background, in percent.
$CO_{2conc} = CO_{2e} - CO_{2d}\ (1-1/DF)$
Where:
CO_{2d} = Carbon dioxide concentration of the dilution air as measured, in percent.

(5) $DF = 13.4/[CO_{2e} + (HC_e + CO_e) 10^{-4}]$
K_H = Humidity correction factor.
$K_H = 1/[1-0.0047\ (H-75)]$
for SI units = $1/[1-0.033\ (H-10.7)]$
Where:
H = Absolute humidity in grains (grams) of water per pound (kilogram) of dry air.
$H = [(43.478)\ R_a \times P_d]/[P_B - (P_d \times R_a/100)]$
for SI units, $H = [(6.0266) R_a \times P_d]/P_B - (P_d \times R_a/100)]$
R_a = Relative humidity of the ambient air, in percent.
P_d = Saturated vapor pressure, in mm Hg (kPa) at the ambient dry bulb temperature.
P_B = Barometric pressure, in mm Hg (kPa).
V_{mix} = Total dilute exhaust volume in cubic feet per test phase corrected to standard conditions (528 R (293 K) and 760 mm Hg (101.3 kPa)).

For PDP–CVS, V_{mix} is:

$$V_{mix} = V_o \times \frac{N(P_B - P_d)\ (528\ R)}{(760\ mm\ Hg)\ (T_p)}$$

for SI units, $V_{mix} = V_o \times \frac{N(CP_B - P_d)\ (293.15\ K)}{(101.325\ kPa)\ (T_p)}$

Where:
V_o = Volume of gas pumped by the positive displacement pump, in cubic feet (m^3) per revolution. This volume is dependent on the pressure differential across the positive displacement pump.
N = Number of revolutions of the positive displacement pump during the test phase while samples are being collected.
P_B = Barometric pressure, in mm Hg (kPa).
P_d = Pressure depression below atmospheric measured at the inlet to the positive displacement pump, in mm Hg (kPa).
T_p = Average temperature of dilute exhaust entering positive displacement pump during test, R(K).

(d) Example caculation of mass values of exhaust emissions using positive displacement pump:

(1) For the "transient" phase of the cold start test assume the following:

V_o = 0.29344 ft³/revolution; N = 10,485; R = 48.0%; R_a = 48.2%; P_B = 762 mm Hg; P_d = 22.225 mm Hg; P_s = 70 mm Hg; T_p = 570 R; HC_e = 105.8 ppm, carbon equivalent; NOx_e = 11.2 ppm; CO_{1e} = 306.6 ppm; CO_{2e} = 1.43%; HC_d = 12.1 ppm; NOx_d = 0.8 ppm; CO_{1d} = 15.3 ppm.

Then:
$V_{mix} = (0.29344)\ (10{,}485)\ (762-70)\ (528)/(760)\ (570) = 2595.0$ ft³ per test phase.
$H = (43.478)\ (48.2)\ (22.225)/[762 - (22.225 \times 48.2/100)]$
$K_H = 1/[1-0.0047(62-75)] = 0.9424$
$CO_e = [1-0.01925\ (1.43) - 0.000323\ (48)]\ 306.0 = 293.4$ ppm
$CO_d = [1-0.000323\ (48)]\ 15.3 = 15.1$ ppm
$DR = 13.4/[1.43 + (105.8 + 283.4) \times 10^{-4}] = 9.11$
$HC_{conc} = 105.8 - 12.1(1-1/9.116) = 95.03$ppm
$HC_{mass} = (2595)\ (16.33)\ (95.03/1{,}000{,}000) = 4.027$ grams per test phase.
$NOx_{conc} = 11.2 - 0.8\ (1-1/9.116) = 10.49$ ppm
$NOx_{mass} = (2595)\ (54.16)\ (10.49/1{,}000{,}000)\ (0.9424) = 1.389$ grams per test phase.
$CO_{conc} = 293.4 - 15.1\ (1-1/9.116) = 280.0$ ppm
$CO_{mass} = (2595)\ (32.97)\ (280/1{,}000{,}000) = 23.96$ grams per test phase.

(2) For the stabilized portion of the cold start test assume that similar calculations resulted in the following:

$HC_{mass} = 0.62$ grams per test phase
$NOx_{mass} = 1.27$ grams per test phase
$CO_{mass} = 5.98$ grams per test phase

(3) For the "transient" portion of the hot start test assume that similar calculations resulted in the following:

$HC_{mass} = 0.51$ grams per test phase
$NOx_{mass} = 1.38$ grams per test phase
$CO_{mass} = 5.01$ grams per test phase

(4) Weighted mass emission results:

$HC_{wm} = [(0.43)\ (4.027) + (0.57)\ (0.51) + 0.62]/7.5 = 0.352$ grams per vehicle mile.
$NOx_{wm} = [(0.43)\ (1.389) + (0.57)\ (1.38) + 1.27]/7.5 = 0.354$ grams per vehicle mile.
$CO_{wm} = [(0.43\ (23.96) + (0.57)\ (5.01) + 5.98]/7.5 = 2.55$ grams per vehicle mile.

[FR Doc.76–579 Filed 1–12–76;8:45 am]

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federal register

TUESDAY, JANUARY 13, 1976



PART III:

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Office of the Secretary

■

NATIVE AMERICAN PROGRAMS

Notice of Proposed Rulemaking

VOL. 41, NO. 8
JAN 13 76
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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

[45 CFR Part 1336]

NATIVE AMERICAN PROGRAM AND ACTIVITIES

Notice of Proposed Rule Making

Notice is hereby given that the Assistant Secretary for Human Development, with the approval of the Secretary of Health, Education, and Welfare, proposes to issue regulations for the purpose of implementing the Native American Programs Act, Title VIII of the Economic Opportunity Act of 1964, as amended by the Headstart, Economic Opportunity, and Community Partnership Act of 1974, Pub. L. 93–644, approved January 4, 1975. Title VIII authorizes financial assistance to promote economic and social self-sufficiency for Native Americans (American Indians, Native Hawaiians and Alaskan Natives). For this purpose, it is proposed to add Part 1336 to 45 CFR Chapter XIII.

Part 1336 provides for financial assistance to public and private nonprofit agencies, including but not limited to, governing bodies of Indian tribes on Federal and State reservations, Alaskan Native villages and regional corporations established by the Alaska Native Claims Settlement Act, and such public and private nonprofit agencies serving Native Hawaiians, and Indian organizations in urban or rural non-reservation areas, for projects which promote the economic and social self-sufficiency of Native Americans. Part 1336 also provides for training and technical assistance in developing, conducting, and administering projects under Title VIII and for research, demonstration, and pilot projects to test and develop innovative methods to overcome the special problems of Native Americans. Part 1336, in addition, provides for the evaluation of all projects assisted under Title VIII.

Part 1336 contains grants administrative provisions (Subpart G) which are applicable to all grants under this part. These include application requirements and criteria for obtaining an increase in Federal financial assistance above 80 percent of the approved costs of the assisted project. Part 1336 also incorporates by reference, with certain exceptions, the provisions of Part 74, Administration of Grants; Subparts A, C, and D of Part 1303, Appeals Procedures for Headstart Grantees; other parts of Title 45 of the Code of Federal Regulations; and certain enumerated chapters of the Department of Health, Education, and Welfare Grants Administration Manual.

The basis for the proposed rules is to strengthen the capacities of Native Americans to plan, establish, manage, and evaluate programs of social and economic development that further the statutory goals.

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed Part 1336 on or before February 27, 1976 to the Office of Native American Programs, Office of Human Development, Department of Health, Education, and Welfare, 400 Sixth Street, SW., Room 4805, Washington, D.C. 20201. All written submissions made pursuant to the Notice will be made available for public inspection at the above address on Monday through Friday of each week from 9 a.m. to 5:30 p.m. (Area Code 202–426–3960).

(Catalog of Federal Domestic Assistance Programs number is 13.612)

Dated: October 29, 1975.

STANLEY B. THOMAS, Jr.,
Assistant Secretary for Human Development.

Approved: January 2, 1976.

MARJORIE LYNCH,
Acting Secretary.

Chapter XIII of Title 45 of the Code of Federal Regulations is amended by adding Part 1336 as follows:

PART 1336—NATIVE AMERICAN PROGRAM

Subpart A—Definitions

Sec.
1336.1 Definitions.

Subpart B—Purpose of the Native American Program

1336.5 Program purpose.

Subpart C—Financial Assistance for Native American Projects

1336.10 Eligibility.
1336.11 Type of projects supported.
1336.12 Approval of grants.

Subpart D—Training and Technical Assistance

1336.20 Eligibility.
1336.21 Types of training and technical assistance.

Subpart E—Research, Demonstration, and Pilot Projects

1336.30 Eligibility.
1336.31 Scope of research, demonstration, and pilot projects.

Subpart F—Project Evaluations

1336.40 Evaluation.

Subpart G—Grants Administrative Provisions

1336.50 General.
1336.51 Application, review, award, and amendment of grants.
1336.52 Cost sharing, matching, and payments.
1336.53 Public policy requirements.
1336.54 Financial and administrative requirements.
1336.55 Reporting requirements.
1336.56 Grantee procurements.
1336.57 Property requirements.
1336.58 Allowability of costs.
1336.59 Grant closeout, suspension, and termination.

AUTHORITY: 88 Stat. 2324 (42 U.S.C. 2991).

Subpart A—Definitions

§ 1336.1 Definitions.

For the purposes of this part, unless the context otherwise requires:

(a) "Act" means the Native American Programs Act of 1974, Title VIII of the Economic Opportunity Act of 1964, as amended by the Headstart, Economic Opportunity and Community Partnership Act of 1974 (Pub. L. 93–644).

(b) "Alaskan Native" means a citizen of the United States who is a person of one-fourth degree or more Alaskan Indian (including Tsimshian Indians not enrolled in the Metlakatla Indian Community), Eskimo, or Aleut blood, or combination thereof. The term includes any Alaskan Native as so defined, either or booth of whose adoptive parents are not Alaskan Natives. It also includes, in the absence of proof of a minimum blood quantum, any citizen of the United States who is regarded as an Alaskan Native by the Alaskan Native group of which he claims to be a member and whose father or mother is (or, if deceased, was) regarded as an Alaskan Native by a village or group.

(c) "Alaskan Native Regional Corporation" means an Alaskan Native Regional Corporation established under the laws of the State of Alaska in accordance with the provisions of the Alaska Native Claims Settlement Act (Pub. L. 92–203, December 17, 1971).

(d) "Alaskan Native Village" means any tribe, band, clan, group, village, community, or association in Alaska listed in sections 11 and 16 of the Alaska Native Claims Settlement Act (Pub. L. 92–203, December 17, 1971), or which meets the requirements of that Act, and which the Secretary of the Interior determines was, on the 1970 census enumeration date (as shown by the census or other evidence satisfactory to the Secretary of the Interior, who shall make findings of fact in each instance), composed of twenty-five or more Natives.

(e) "American Indian or Indian" means any person who is a member or a descendant of a member of a tribe, band, or other organized group of aboriginal peoples of the United States. It includes any citizen of the United States who is regarded as an Indian by the Indian group of which he or she claims to be a member.

(f) "Budget period" means the interval of time, usually 12 months, for which funds are awarded.

(g) "Community" or "Service area" means an Indian reservation, neighborhood or other area (irrespective of boundaries or political subdivisions) which provides a suitable organizational base and possesses the commonality of interest needed to provide services to a designated constituency pursuant to this part.

(h) "Economic and social self-sufficiency" means the capacity of Native Americans to define and achieve their own economic and social goals.

(i) "Economic development projects" mean those projects which result in long term improvements in Native American economic self-sufficiency.

(j) "Federal reservation" means land which has been set aside for Indian tribes, as identified by the Bureau of Indian Affairs, and for which the United States is trustee, as well as non-trust land under tribal jurisdiction of Federally recognized Indian tribes.

(k) "Financial assistance" means assistance advanced by the Office of Native American Programs by grant, agreement, or contract, but does not include the procurement of plant or equipment, or goods or services.

(l) "Governing body of an Indian tribe" means those duly elected or appointed representatives who have the authority to provide services to, and enter into contracts, agreements and grants on behalf of, their constituency.

(m) "Grants Administration Manual" (hereinafter referred to as "the GAM") means the Department of Health, Education, and Welfare staff manual which sets forth policies for the administration of grants by agencies of the Department. The manual is available to the public by purchase on a subscription basis from the Superintendent of Documents, U.S. Government Printing Office. In addition, it is available for public inspection and copying in the Department's central and regional office information centers pursuant to the Department's public information regulation (45 CFR Part 5).

(n) "Hawaiian homestead" means that land which was set aside for the particular and exclusive use of Native Hawaiians by the Hawaiian Homes Commission Act (42 Stat. 108, July 9, 1921).

(o) "Human development services" means the full range of services necessary for human development including social services, training and education.

(p) "Indian organization" means a public or private nonprofit agency whose principal purpose is promoting the economic or social self-sufficiency of Indians in urban or rural non-reservation areas, the majority of whose governing board and membership is Indian.

(q) "Indian tribe" means a distinct political community of Indians which exercises powers of self-government.

(r) "Infrastructure" means the basic economic and social facilities, institutions and installations in a community.

(s) "Major disaster" means any hurricane, tornado, storm, flood, highwater, wind-driven water, tidal wave, earthquake, drought, fire, accident or other catastrophe which is of such severity and magnitude as to directly affect the capability of the grantee, providing services to the damaged community, to continue the program unless the Federal share of the approved costs is increased above 80 percent.

(t) "Native American" means American Indians, Native Hawaiians, and Alaskan Natives, as defined in this subpart.

(u) "Native Hawaiian" means any individual, any of whose ancestors were natives of the area which consists of the Hawaiian Islands prior to 1778.

(v) "OHD" means the Office of Human Development within the Department of Health, Education, and Welfare.

(w) "ONAP" means the Office of Native American Programs within the Office of Human Development.

(x) "Responsible HEW official" means the official of the Department of Health, Education, and Welfare authorized to grant the financial assistance in question, or his designee.

(y) "Secretary" means the Secretary of Health, Education, and Welfare or his designee.

(z) "State reservation" means an Indian reservation recognized by the State in which it is located.

Subpart B—Purpose of the Native American Program

§ 1336.5 Program purpose.

The purpose of this part is to promote the goal of economic and social self-sufficiency for Native Americans.

Subpart C—Financial Assistance for Native American Projects

§ 1336.10 Eligibility.

Financial assistance under this subpart may be made to public and private nonprofit agencies, including but not limited to, governing bodies of Indian tribes on Federal and States reservations, Alaskan Native Villages and regional corporations established by the Alaska Native Claims Settlement Act, and such public and nonprofit agencies serving Native Hawaiians, and Indian organizations in urban or rural non-reservation areas.

§ 1336.11 Type of projects supported.

Financial assistance will be provided to those applicants whose proposed program goals and objectives are to promote the economic and social self-sufficiency of Native Americans. Financial assistance under this subpart will include, but is not limited to, projects which:

(1) Support community economic development;

(2) Support locally determined human service priorities which would not otherwise be provided;

(3) Support the operation of urban centers for Native Americans living off reservations; and

(4) Strengthen the planning and management capacities of tribal governments, urban centers, and organizations receiving financial assistance under this part.

§ 1336.12 Approval of grants.

In approving proposals for financial assistance under this subpart consideration will be given to the extent to which proposals focus on priorities consistent with the following ONAP long range goals:

1. To develop the capacity of Native American governing bodies and organizations to use and focus on planning as the basic method to improve resource allocations and effectiveness of services in Native American communities;

2. To achieve the development of the necessary social and economic infrastructure in Native American communities to increase self-sufficiency; and

3. To eliminate, through Native American governing institutions, the most critical gaps in the range of human development services necessary for self-sufficiency.

Subpart D—Training and Technical Assistance

§ 1336.20 Eligibility.

(a) Contracts for technical assistance to aid in developing, conducting, and administering projects under this part may be made to public and private agencies.

(b) Short-term in-service training for specialized or other personnel may be provided by contract to agencies receiving financial assistance under this part.

§ 1336.21 Types of training and technical assistance.

(a) Contracts for training and technical assistance will be awarded for the purposes of providing management assistance and program assistance.

(1) Contracts to provide management assistance will have as their overall objective strengthening the capabilities of Native Americans to exercise self-government. Such capacity-building efforts will include assistance in planning, management, and organizational development.

(2) Contracts to provide program assistance will be of a general support nature and will include, but are not limited to, assistance in program evaluation, fiscal and administrative management, and resource mobilization.

(b) Management assistance and program assistance may include short-term in-service training for employees of grantees and members of Indian governing bodies, such as tribal council members and off-reservation Indian organization board members.

Subpart E—Research, Demonstration, and Pilot Projects

§ 1336.30 Eligibility.

Financial assistance under this subpart may be made to public or private nonprofit agencies.

§ 1336.31 Scope of research, demonstration, and pilot projects.

(a) Financial assistance will be provided for research, demonstration, or pilot projects which are designed to test or assist in the development of new approaches or methods that will aid in overcoming special problems or otherwise furthering the purposes of this part. This may include: (1) research activities designed to identify and resolve problems which hinder the attainment of social and economic self-sufficiency by Native Americans; and (2) pilot or demonstration efforts designed to test innovative methods to meet and solve problems related to the purposes of this part and to encourage the delivery of human development services to Native Americans.

Subpart F—Project Evaluations

§ 1336.40 Evaluation.

(a) The Secretary shall provide, directly or through grants or contracts, for the evaluation of projects assisted under this part. Such evaluations shall describe and measure the impact of such projects and their effectiveness in achieving stated goals, their impact on related programs, and their structure and mechanisms for delivery of services, including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such projects.

(b) In carrying out evaluations of projects supported under this part, the specific views of persons participating in and served by such projects will be so-

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licited, where feasible. All studies, evaluations, proposals, and data produced or developed with assistance under this part shall become the property of the United States.

(c) Interim standards for the evaluation of program and project effectiveness in achieving the objectives of this part were published on July 2, 1975, in the FEDERAL REGISTER (40 FR 27961). According to Section 810(b) of the Act, the extent to which these standards have been met shall be considered by the Secretary in deciding whether to renew or supplement financial assistance under this part. All grantees shall provide the Secretary with information deemed necessary to determine the extent to which they are complying with these standards.

Subpart G—Grants Administrative Provisions

§ 1336.50 General.

The provisions of Part 74 of this title establishing uniform administrative requirements and costs principles, shall apply to all grants awarded under this part, with the exception of § 74.61(h). The following provisions shall apply in lieu of § 74.61(h):

(a) *Audit requirements.* (1) *General.* An annual project audit shall be made by an independent auditor to determine whether the financial statements fairly present the financial position of the OHD grant; whether the grantee is complying with the terms and conditions of the grant, including applicable laws, regulations, and directives; and whether appropriate financial and administrative procedures and controls have been installed and are operating effectively.

(2) *Audit coverage.* The audit shall cover the grantee's prior budget period, unless the responsible HEW official has approved in writing a different audit period.

(3) *Submission of report.* The auditor shall submit its audit to the grantee within four months after the end of the budget period. The grantee shall transmit seven (7) copies of the report to the appropriate Regional Audit Director and two (2) copies to the responsible HEW official. OHD grant funds may not be used to pay for more than one audit annually, except in instances when the responsible HEW official requests in writing additional audits.

(4) *Delegate agencies.* The grantee shall include delegate agency audits as part of its annual audit or shall provide for separate independent audits for its delegate agencies.

(b) *Independent auditor.* The annual project audit shall be conducted by individuals who are sufficiently independent of those persons who authorize the expenditure of grant funds in order that unbiased opinions, conclusions or judgments may be obtained. Generally, an independent certified public accountant, certified or licensed by a regulatory authority of a State or other political subdivision of the United States, will be retained. If the grantee is a State or local government agency, or if its accounting records are maintained by a local government or public agency, the auditing official or official governmental auditing agency which customarily conducts the agency's audits may be substituted for an independent auditor.

§ 1336.51 Application, review, award, and amendment of grants.

(a) *Eligibility.* In addition to the eligibility criteria set forth in §§ 1336.10, 1336.20, and 1336.30 of this part, the provisions of Chapter 1–00, Eligibility for Grants, of the GAM shall apply to all grants awarded under this part.

(b) *Application.* Any applicant eligible for financial assistance under this part shall submit an application in accordance with the forms and instructions prescribed herein or otherwise provided. The application shall contain at least the following information:

(1) A detailed budget;

(2) A budget justification which justifies the proposed program as well as clearly relates the proposed program to the acomplishment of long range goals for increasing economic and social self-sufficiency;

(3) The qualifications of the principal staff members to be responsible for the project or program;

(4) A description of the long-range goals of the proposed project or program, as well as the specific annual goals and the methods to be used in implementing these goals;

(5) A description of the actual results obtained from previously funded projects or programs and a brief comparison with the results originally expected;

(6) A statement of compliance with the maintenance of effort provisions of § 1336.54(b);

(7) A description of the innovative features of the project or program;

(8) A description of the total Federal and nonfederal resources anticipated to be available for the proposed project or program. This description shall identify the relationship, if any, between the proposed project or program and other Federal, State, or local programs;

(9) A description of the arrangements for participation of the population to be served in the planning of the program; and

(10) A description of the provisions that have been made for an evaluation of the project or program in accordance with § 1336.40 and the Evaluation Standards published in 40 FR 27961 (July 2, 1975).

(c) *Fiscal capability of applicants.* In determining whether to provide financial assistance under this part, the responsible HEW official will consider the extent to which the applicant is fiscally capable of administering an ONAP project in accordance with the standards set forth in Subpart H of 45 CFR Part 74 with the exception of § 74.61(h). In making this determination, the responsible HEW official may require the applicant to submit, with its application, an accounting certification prepared by an independent auditor (as defined in § 1336.50(b)). The certification shall state that the prospective grantee and its delegate agencies have established an adequate accounting system with appropriate internal controls to safeguard assets, check the accuracy and reliability of their accounting data, promote operating efficiency and encourage compliance with prescribed management policies and any additional fiscal responsibilities and accounting requirements established by OHD.

(d) *Disposition of applications.* (1) *General.* On the basis of a review of an application for financial assistance under this part, the responsible HEW official will approve the application in whole or in part for such amount of funds and subject to such conditions as may be deemed necessary or desirable for the completioin of the approved project; disapprove the application; or defer action on the application for such reasons as incompleteness of application or unavailability of funds.

(2) *Reconsideration.* Any deferral or disapproval of an application shall not preclude its resubmission by the applicant or reconsideration by the responsible HEW official.

(3) *Notification of disposition.* The responsible HEW official will notify the applicant in writing of the disposition of its application. A signed "Notice of Grant Awarded" will be issued to notify the applicant of an approved project application.

(e) *Amendments.* Requests for an amendment to the work plan or budget of a funded project shall be submitted in the same manner and on the same forms as the original application. Only those pages of the required forms relating to the requested changes shall be submitted. A revised "Notice of Grant Awarded" will be issued to notify the applicant of any approved amendments.

(f) *Grant awards.* The responsible HEW official will award a grant for financial assistance to those applicants whose approved projects will best promote the purpose of the Act and this part. All grant awards shall be in writing, and shall set forth the amount of funds awarded, the purposes for which funds are awarded and the budget period for which support is given. The initial award shall also specify the project period for which support is contemplated, provided the activity is satisfactorily carried out and Federal funds are available. Grantees applying for continuation support shall make separate applications in accordance with instructions which will be provided.

(g) *Effective date of approved project.* Federal financial assistance is available only for those obligations which are incurred subsequent to the effective date of an approved project. The effective date of the project will be set forth in the "Notice of Grant Awarded."

(h) *Submission of plans to State and local officials.* (1) Financial assistance will not be provided under Subparts C and E of this part for programs to be carried out on an Indian reservation or Alaskan Native village, until a plan (grant application and "Notice of Grant Awarded") setting forth the project has been submitted by the responsible HEW official to the governing body of that reservation or village, and the plan has not been disapproved by the governing body of that reservation or village within thirty days of its submission.

(2) Financial assistance will not be provided under Subparts C and E of this part for programs to be carried out in a State, other than on an Indian reservation or Alaskan Native village or Hawaiian Homestead, until the responsible HEW official has notified the chief executive officer of the State of his decision to provide that assistance.

(3) Financial assistance will not be provided under Subparts C and E of this part for programs to be carried out in a city, county, or other major political subdivision of a State, other than on an Indian reservation, Alaskan Native village, or Hawaiian Homestead, until the responsible HEW official has notified the local governing officials of his decision to provide that assistance.

(4) The provisions of Chapter 1–140, Project Notification and Review System, of the GAM shall apply to all grants awarded under this part.

§ 1336.52 Cost sharing, matching and payments.

(a) *Matching requirements.* (1) Federal financial assistance shall not exceed 80 percent of the approved cost of the assisted project except as provided in § 1336.52(a)(2). The nonfederal share may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment and services.

(2) Increase in Federal financial participation.

(i) Eligibility and application. (A) A grantee carrying on a program in a community having a per capita income of less than $1,500 per year based on data from the 1970 U.S. Census of Population or any more recent reliable source of annual per capita income data, or in a community which has been involved in a major disaster, is eligible to apply in writing to the responsible HEW official to have the Federal share increased above 80 percent.

(B) The application to have the Federal share increased above 80 percent shall state: (*1*) the annual per capita income of the community and the basis on which it was determined, or the belief that the community has been involved in a major disaster, and an explanation of the nature and extent of the major disaster; (2) that because of the level of the annual per capital income of the community, or the major disaster, the grantee is unable to meet the 20 percent nonfederal share; (3) the amount of the nonfederal share the grantee is able to provide; and (*4*) that a reasonable effort to provide more nonfederal share has been unsuccessful.

(C) An application based upon the annual per capita income of the community shall be submitted at the same time as the application for funding or refunding and shall be with respect to the same budget period as the application. Approval shall be only for such budget period.

(D) An application based upon the involvement of the community in a major disaster shall be submitted within a reasonable time after the major disaster and may be for the remainder of the current budget period and all or part of any subsequent budget period.

(ii) Decision. (A) The responsible HEW official, on the basis of the written application and any evidence in support of the application that he may require, shall approve financial assistance in excess of 80 percent if it is determined that the annual per capita income of the community is less than $1,500 or that the community has been involved in a major disaster, and that such increase is required to enable the grantee to carry on the program.

(B) If the annual per capita income of the community is determined to be less than $1,500, the Federal share may be increased to an amount which the responsible HEW official finds is required to enable the grantee to carry on the program up to 100 percent of the approved costs.

(C) If a determination is made that the community has been involved in a major disaster, the Federal share may be increased to an amount which the responsible HEW official finds is required to enable the grantee to carry on the program up to 100 percent of the approved costs. The increase shall be applicable to the remainder of the current budget period and to as much of any subsequent budget period as the responsible HEW official determines to be appropriate.

(D) The decision of the responsible HEW official shall be in writing and shall include a statement of the facts and reasons upon which it is based. Copies of the decision shall be furnished to the applicant and the Director, Office of Native American Programs.

(iii) The per capita income limitation enumerated in paragraph (2)(i)(A) above shall be adjusted annually by multiplying the dollar limitation by the percentage change in the Consumer Price Index.

(b) *Payments.* Grant funds awarded under this part will be made in installments, either by check or by letter of credit.

(c) *Limitation of costs.* The amount of the award shall be set forth in the grant award document ("Notice of Grant Awarded"). The total cost to the Government will not exceed the amount set forth in the grant award document or any modification thereof approved by the responsible HEW official which meets the requirements of applicable statutes and regulations. The Government will not be obligated to reimburse the grantee for costs incurred in excess of such amount unless and until the responsible HEW official has notified the grantee in writing that such amount has been increased and specified such increased amount in a revised grant award document. Such revised amount shall thereupon constitute the maximum cost to the Government for the performance of the program or project.

§ 1336.53 Public policy requirements.

(a) *Protection of human subjects.* The provisions of Part 46, Protection of Human Subjects, of this title are applicable to all grants awarded under this part.

(b) *Nondiscrimination.* The provisions of Part 80, Nondiscrimination Under Programs Receiving Federal Assistance, and Part 81, Practice and Procedures for Hearings under Part 80, of this title are applicable to all grants awarded under this part.

§ 1336.54 Financial and administrative requirements.

(a) *Use of consultants.* The provisions of Chapter 1–45, Use of Consultants, of the GAM shall apply to all grants awarded under this part.

(b) *Maintenance of effort.* Applications for grants awarded under this part shall include a written assurance that the activities provided under the program will be in addition to, and not in substitution for, comparable activities provided without Federal assistance.

(c) *Personnel administration.* (1) *Personnel policies and procedures.* Grantees shall adopt personnel policies and procedures which shall include at least the following: Staff qualifications; recruitment and selection; classification of positions and basis for determination of pay; employee benefits, including leave, holidays, overtime, and fringe benefits; expenses, including travel and per diem; training, career development, and performance evaluation; employee-measurement relations, including grievance, termination and employment and other adverse actions; and employee conduct including outside employment, acceptance of gifts and gratuities.

(2) *Documentation of personnel policies.* The personnel policies and procedures required by paragraph (1) above shall be documented in writing and shall be issued to, or made available to, all grantee employees.

(3) *Political activities.* The provisions of § 70.6 of this title shall apply to all grants awarded under this part.

(4) *Conflict of interest.* Grantees shall establish or adopt rules to assure that employees or individuals participating in a program or project funded under this part shall not use their positions for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for themselves, or others, particularly those with whom they have family, buisness or other ties.

(5) *Nepotism.* (i) No grantee or delegate agency shall hire, or permit the hiring of, any individual in a position funded in whole or in part under this part if a member of that individual's immediate family is employed by the grantee in an administrative capacity or is a member of the governing board. For the purpose of this part, the term "immediate family" means wife, husband, son, daughter, mother, father, brother, sister, or other legal dependent; the term

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"administrative capacity" means a position having responsibilities relating to the selection, hiring, or supervising of employees.

(ii) The responsible HEW official may waive the requirement of paragraph (i) above when a grantee or delegate agency cannot adequately staff the positions without hiring more than one person from the same immediate family. Such grantees or delegate agencies shall demonstrate that no other individuals within its community or service area are qualified and/or available for employment.

(6) *Labor standards.* All laborers and mechanics employed by contractors or subcontractors in the construction, alteration or repair, including painting or decorating, of buildings or other facilities in connection with projects assisted under this part shall be paid wages at rates no less than those prevailing on similiar construction in the locality, as determined by the Secrtary of Labor in accordance with the Davis-Bacon Act, as amended.

(d) *Direction of research effort.* The provisions of Chapter 2-400, Review and Direction of Research Effort Under Research Grants, of the GAM shall apply to all research grants awarded under Subpart E of this part.

(e) *Delegation of program operations.* A delegation of program operations to a delegate agency shall require specific prior approval by the responsible HEW official. Such delegation shall be formalized by written agreement and shall be on file in the office of the grantee. The agreement shall specify the activities to be performed by the delegate agency, the time schedule, the policies and procedures to be followed, the dollar limitations and the costs allowed. A budget for each delegate agency shall be submitted as part of the grantee's application.

§ 1336.55 Report requirements.

The grantee shall submit reports in such form and containing such information as prescribed by the Secretary and shall keep such records and afford such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

§ 1336.56 Grantee procurements.

The provisions of Chapter 1-46, Use of Small Businesses and Minority-Owned Businesses, of the GAM shall apply to all grants awarded under this part.

§ 1336.57 Property requirements.

(a) The provisions of Part 6, Inventions and Patents (General), of this title shall apply to all grants awarded under this part.

(b) The provisions of Part 8, Inventions Resulting from Research Grants, Fellowship Awards and Contracts for Research, of this title shall apply to all grants and contracts awarded under Subpart E of this part.

§ 1336.58 Allowability of costs.

(a) The following chapters of the GAM shall apply to all grants awarded under this part.

(1) Chapter 1-44, Alteration and Renovation of Facilities with DHEW Grant Funds Appropriated for Other Than Construction;

(2) Chapter 6-10, Charges for Leased Facilities and Equipment;

(3) Chapter 6-60, Charges for Facilities Purchased or Constructed by State and Local Governments;

(4) Chapter 6-100, Establishment of Indirect Cost Rates;

(5) Chapter 6-110, Use of Special Indirect Cost Rates;

(6) Chapter 6-120, Treatment of Costs of Services Provided by Affiliated Organizations;

(7) Chapter 6-150, Reimbursement of Indirect Costs; and

(8) Chapter 6-160, Reimbursement of Indirect Costs on Training Grants.

(b) The provisions of Part 75, Informal Grant Appeals Procedures (indirect costs), of this title shall apply to all grants awarded under this part.

(c) Grantees may appeal the following adverse decisions by the responsible HEW official in accordance with Part 16, Department Grants Appeals Process, of this title:

(1) A determination that an expenditure not allowable under the grant has been charged to the grant, or that the grantee has otherwise failed to discharge its obligation for grant funds;

(2) A disapproval of a grantee's written request for permission to incur an expenditure during the term of the grant; and

(3) A determination that a grant is void.

§ 1336.59 Grant closeout, suspension, and termination.

Appeals, notice and hearing. Grantees that have been suspended or terminated, or whose applications for refunding have been denied, may appeal such decisions in accordance with the provisions of Part 1303, Subparts A, C, and D, of this title except that for purposes of this part:

(a) The authority "88 Stat. 2304, (42 U.S.C. 2928h)" is eliminated and "88 Stat. 2324, (45 U.S.C. 2991h)" is substituted therefor;

(b) The citation "Section 519 of the Headstart-Follow Through Act" is eliminated and "Section 809 of the Native American Programs Act" is substituted therefor;

(c) The reference to ". . . appeals by current and prospective delegate agencies from specified adverse action by grantees . . ." in § 1303.1-1 is inapplicable;

(d) The term "OCD" is eliminated and the term "ONAP" is substituted therefor;

(e) The term "Director" means the Director of the Office of Native American Programs;

(f) The term "Headstart Program" is eliminated and the term "Native American Program" is substituted therefor;

(g) The terms "current delegate agency", "prospective delegate agency", "program account", and "substantial rejection" are eliminated;

(h) The term "Headstart-Follow Through Act" is eliminated and the term "'Native American Programs Act" shall be substituted therefor;

(i) The phrase "in accordance with Part 1302 of this Chapter" in § 1303.3-1 and § 1303.4-1 is eliminated; and

(j) The term "grantee" means the recipient of financial assistance from ONAP under the Act and this part.

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federal register

TUESDAY, JANUARY 13, 1976



PART IV:

OFFICE OF MANAGEMENT AND BUDGET

EVALUATION, REVIEW AND COORDINATION OF FEDERAL AND FEDERALLY ASSISTED PROGRAMS AND PROJECTS

OFFICE OF MANAGEMENT AND BUDGET

[Circular No. A-95 Revised]

EVALUATION, REVIEW, AND COORDINATION OF FEDERAL AND FEDERALLY ASSISTED PROGRAMS AND PROJECTS

JANUARY 2, 1976.

1. *Purpose.* This Circular furnishes guidance to Federal agencies for cooperation with State and local governments in the evaluation, review, and coordination of Federal and federally assisted programs and projects. The Circular promulgates regulations (Attachment A) which provide, in part, for:

a. Encouraging the establishment of a project notification and review system to facilitate coordinated planning on an intergovernmental basis for certain Federal assistance programs in furtherance of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperation Act of 1968 (Attachment B).

b. Coordination of direct Federal development programs and projects with State, areawide, and local planning and programs pursuant to Title IV of the Intergovernmental Cooperation Act of 1968.

c. Securing the comments and views of State and local agencies which are authorized to develop and enforce environmental standards on certain Federal or federally assisted projects affecting the environment pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (Attachment (C)) and regulations of the Council on Environmental Quality.

d. Furthering the objectives of Title VI of the Civil Rights Act of 1964.

This Circular supersedes Circular No. A-95 (Revised), dated November 13, 1973 (Part II, FEDERAL REGISTER, Vol. 38, No. 228, pp. 32874-32881, November 28, 1973). It will become effective February 27, 1976.

2. *Basis.* This Circular has been prepared pursuant to:

a. Section 401(a) of the Intergovernmental Cooperation Act of 1968 which provides, in part, that;

"The President shall * * * establish rules and regulations governing the formulation, evaluation, and review of Federal programs and projects having a significant impact on area and community development * * *"

and the President's Memorandum of November 8, 1968, to the Director of the Bureau of the Budget ("FEDERAL REGISTER, Vol. 33, No. 221, November 13, 1968) which provides:

"By virtue of the authority vested in me by section 301 of title 3 of the United States Code and section 401(a) of the Intergovernmental Cooperation Act of 1968 (Public Law 90-577), I hereby delegate to you the authority vested in the President to establish the rules and regulations provided for in that section governing the formulation, evaluation, and review of Federal programs and projects having a significant impact on area and community development, including programs providing Federal assistance to the States and localities, to the end that they shall most effectively serve these basic objectives.

"In addition, I expect the Bureau of the Budget to generally coordinate the actions of the departments and agencies in exercising the new authorizations provided by the Intergovernmental Cooperation Act, with the objective of consistent and uniform action by the Federal Government."

b. Title IV, section 403, of the Intergovernmental Cooperation Act of 1968 which provides that:

"The Bureau of the Budget or such other agency as may be designated by the President, is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this Title."

c. Section 204(c) of the Demonstration Cities and Metropolitan Development Act of 1966 which provides that:

"The Bureau of the Budget, or such other agency as may be designated by the President, shall prescribe such rules and regulations as are deemed appropriate for the effective administration of this section," and

d. Reorganization Plan No. 2 of 1970 and Executive Order No. 11541 of July 1, 1970, which vest all functions of the Bureau of the Budget or the Director of the Bureau of the Budget in the Director of the Office of Management and Budget.

3. *Coverage.* The regulations promulgated by this Circular (Attachment A) will have applicability:

a. Under Part I, to all projects and activities (or significant substantive changes thereto) for which Federal assistance is being sought under the programs listed in Attachment D or Appendix I of the *Catalog of Federal Domestic Assistance* whichever bears the later date. Limitations and provisions for exceptions are noted therein or under paragraph 8 of Part I.

b. Under Part II, to all direct Federal development activities, including the acquisition, use, and disposal of Federal real property; in addition, agencies responsible for granting licenses and permits for developments or activities significantly affecting area and community development or the physical environment are strongly urged to consult with clearinghouses on applications for such licenses or permits.

c. Under Part III, to all Federal programs as listed in Appendix II of the *Catalog of Federal Domestic Assistance*, requiring, by statute or administrative regulation, a State plan as a condition of assistance.

d. Under Part IV, to all Federal programs providing assistance to State, areawide, or local agencies or organizations for multijurisdictional or areawide planning.

4. *"A-95: What It Is—How It Works."* A fuller discussion of the background, purposes, and objectives of the Circular and of the requirements promulgated thereunder may be found in the brochure, "A-95: What It Is—How It Works," obtainable from the Office of Management and Budget or from Federal Regional Councils.

5. *"A-95 Administrative Notes."* From time to time OMB will issue "A-95 Administrative Notes" providing interim determinations or interpretations on matters of national scope relating to administration of the Circular.

6. *Federal Regional Councils.* Federal Regional Councils are responsible for coordinating the implementation of the requirements of this Circular at the Federal regional level. The Office of Management and Budget is responsible for policy oversight of the Circular and liaison with departmental and agency liaison officers on matters of national scale related to the requirements of the Circular.

7. *Federal agency implementing procedures and regulations.* Agencies will develop interim procedures and regulations implementing the requirements of this Circular revision which will become effective on February 27, 1976. The interim procedures and regulations will be published in the FEDERAL REGISTER no later than February 27, 1976. Agencies will promulgate final implementing procedures and regulations no later than April 29, 1976. OMB will assist and cooperate with agencies in developing such procedures and regulations.

8. *Inquiries.* Inquiries concerning this Circular may be addressed to the Regional A-95 Coordinator for the appropriate Federal Regional Council or to the Office of Management and Budget, Washington, D.C. 20503, telephone (202)-395-3031.

JAMES T. LYNN,
Director.

ATTACHMENT A—CIRCULAR NO. A-95 REVISED

Regulations Under Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, Title IV of the Intergovernmental Cooperation Act of 1968, and Section 102(2)(C) of the National Environmental Policy Act of 1969

PART I: PROJECT NOTIFICATION AND REVIEW SYSTEM

1. *Purpose.* The purpose of this Part is to:

a. Further the policies and directives of Title IV of the Intergovernmental Cooperation Act of 1968 by encouraging the establishment of a network of State and areawide planning and development clearinghouses which will aid in the coordination of Federal or federally assisted projects and programs with State, areawide, and local planning for orderly growth and development.

b. Implement the requirements or section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 for metropolitan areas within that network.

c. Implement, in part, requirements of section 102(2)(C) of the National Environmental Policy Act of 1969, which require that State, areawide, and local agencies which are authorized to develop and enforce environmental standards be given an opportunity to comment on the environmental impact of Federal or federally assisted projects.

d. Provide public agencies charged with enforcing or furthering the objectives of State and local civil rights laws with opportunity to participate in the review process established under this Part.

e. Encourage, by means of early contact between applicants for Federal assistance and State and local governments and agencies, an expeditious process of intergovernmental coordination and review of proposed projects.

2. *Notification of intent.*

a. Any agency of State or local government or any organization or individual undertaking to apply for assistance to a project or major substantive modification thereto under a Federal program covered by this Part will be required to notify both the State and areawide planning and development clearinghouse in the jurisdiction of which the project is to be located of its intent to apply for assistance at such time as it determines it will develop an application.

In the case of applications for projects involving land or water use and development or construction in the National Capital Region (as defined in section 1(b) of the National Capital Planning Act of 1952, as amended) a copy of the notification will be sent to the National Capital Planning Commission (NCPC) in addition to the areawide clearinghouse and the appropriate State clearinghouse. NCPC is the official planning agency for the Federal Government in the National Capital Region.

In the case of an application in any State for an activity that is Statewide or broader in nature (such as for various types of research) and does not affect nor have specific applicability to areawide or local planning and programs, the notification need be sent only to the State clearinghouse. Involvement of areawide clearinghouses in the review in such cases will be at the initiative of the State clearinghouse.

Notifications will include a summary description of the project for which assistance will be sought. The summary description will contain the following information, as appropriate and to the extent available:

(1) Identity of the applicant agency, organization, or individual.

(2) The geographic location of the project to be assisted. A map should be provided, if appropriate.

(3) A brief description of the proposed project to be assisted. A map should be scale, estimated cost, beneficiaries, or other characteristics which will enable the clearinghouses to identify agencies of State or local government having plans, programs, or projects that might be affected by the proposed project.

(4) A statement as to whether or not the applicant has been advised by the funding agency from which assistance is being sought that he will be required to submit environmental impact information in connection with the proposed project.

(5) The Federal program title and number and agency under which assistance will be sought as indicated in Attachment D or the latest *Catalog of Federal Domestic Assistance*. (The *Catalog* is issued annually in the spring and is updated during the year.) In the case of programs not listed therein, programs will be identified by Public Law number or U.S. Code citation.

(6) The estimated date the applicant expects to formally file an application.

Many clearinghouses have developed notification forms and instructions. Applicants are urged to contact their clearinghouses for such information in order to expedite clearinghouse review.

b. In order to assure maximum time for effective coordination and so as not to delay the timely submission of the completed application to the funding agency, notifications containing the preliminary information indicated above should be sent at the earliest feasible time.

c. Applications from federally recognized Indian tribes are not subject to the requirements of this Part. However, Indian tribes may voluntarily participate in the Project Notification and Review System and are encouraged to do so. Federal agencies will notify the appropriate State and areawide clearinghouses of any applications from federally recognized Indian tribes upon their receipt. Where a federally recognized Tribal Government has established a mechanism for coordinating the activities of Tribal departments, divisions, enterprises, and entities, Federal agencies will, upon request of such Tribal Government transmitted through the Office of Management and Budget, require that applications for assistance under programs covered by this Part from such Tribal departments, divisions, enterprises, and entities be subject to review by such Tribal coordinating mechanism as though it were a State or areawide clearinghouse.

3. *Clearinghouse functions.* Clearinghouse functions include:

a. Evaluating the significance of proposed Federal or federally assisted projects to State, areawide, or local plans and programs.

b. Receiving and disseminating project noifications to appropriate State and multistate agencies in the case of the State clearinghouse and to appropriate local governments and agencies and regional organizations in the case of areawide clearinghouses; and providing liaison, as may be necessary, between such agencies or bodies and the applicant. In the case of units of general local government, notifications of all projects affecting his jurisdiction will, if requested, be sent to the chief executive of such unit by the areawide clearinghouse or to such central agency as he may designate for review and reference to appropriate agencies of such unit.

c. In the case of projects under programs covered by this Part located in the coastal zone, as defined in the Coastal Zone Management Act of 1972, assuring that the State agency, if other than the State clearinghouse, responsible for administration of the approved program for the management of the coastal zone, is given opportunity to review the project for its relationship to such program and its consistency therewith.

d. Assuring, pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, that appropriate State, multistate, areawide, or local agencies which are authorized to develop and enforce environmental standards are informed of and are given opportunity to review and comment on the environmental significance of proposed projects for which Federal assistance is sought.

e. Providing public agencies charged with enforcing or furthering the objectives of State and local civil rights laws with opportunity to review and comment on the civil rights aspects of the project for which assistance is sought.

f. Providing, pursuant to Part II of these regulations, liaison between Federal agencies contemplating direct Federal development projects and the State or areawide agencies or local governments having plans or programs that might be affected by the proposed project.

g. In the case of a project for which Federal assistance is sought by a special purpose unit of local government, clearinghouses will assure that any unit of general local government having jurisdiction over the area in which the project is to be located has opportunity to confer, consult, and comment upon the project and the application.

h. Where areawide clearinghouse jurisdictions are contiguous, coordinative arrangements should be established between the clearinghouses in such areas to assure that projects in one area which may have an impact on the development of a contiguous area are jointly studied. Any comments and recommendations made by or through a clearinghouse in one area on a project in a contiguous area will accompany the application for assistance to that project.

4. *Consultation and review.* a. State and areawide clearinghouses may have a period of 30 days after receipt of a project notification in which to inform State and multistate agencies and local or regional governments or agencies (including agencies referred to in subparagraphs c, d, and e, above) that may be affected by the proposed project and arrange, as may be necessary, to consult with the applicant thereon. The review may be completed in this period and comments may be submitted to the applicant.

b. If the review is not completed during this period, the clearinghouse may work with the applicant in the resolution of any problems raised by the proposed project during the period in which the application is being completed.

c. In cases where no project notification has been submitted and the clearinghouse receives only a completed application, it may have 60 days to review the completed application. If a completed

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application is submitted during the first 30 days after a notification has been submitted, the clearinghouse may have 30 days plus the number of days remaining in the initial 30 day notification period to complete its review. In all other cases, the clearinghouse may have 30 days to review a completed application. Where clearinghouses have not completed their reviews during the 30 day notification period, they are strongly urged to give the applicant formal notice to that effect. Where reviews have been completed prior to completion of an application, an information copy will be supplied to the clearinghouse, upon request, when the application is submitted to the funding agency.

d. Written comments submitted to the areawide clearinghouse by other jurisdictions, agencies, or parties will be included as attachments to the comments of areawide clearinghouses, when they are at variance wtih the clearinghouse comments; and others from whom comments were solicited and received should be listed.

e. Under some programs, applicants—primarily nongovernmental — are required to submit confidential information to the funding agency. Such information may relate to the applicant's financial status or structure (e.g., overall investment program or holdings); to personnel (e.g., personal histories of project officers) or may involve proprietary information (e.g., industrial processes, research ideas). Such confidential information need not be included with applications submitted to clearinghouses for review.

f. Applicants will include with the completed application as submitted to the Federal agency (or to the State agency in the case of projects for which the State, under certain programs, has final project approval):

(1) All comments and recommendations made by or through clearinghouses, along with a statement that such comments have been considered prior to submission of the application; or

(2) Where no comments have been received from a clearinghouse, a statement that the procedures outlined in this section have been followed and that no comments or recommendations have been received.

g. Applications for renewal or continuation grants or applications not submitted to or acted on by the funding agency within one year after completion of clearinghouse review will be subject to re-review upon request of the clearinghouse.

5. *Subject matter of comments and recommendations.* Comments and recommendations made by or through clearinghouses with respect to any project are for the purpose of assuring maximum consistency of such project with State, areawide, and local comprehensive plans. They are also intended to assist the Federal agency (or State agency, in the case of projects for which the State under certain Federal grants has final project approval) administering such a program in determining whether the project is in accord with applicable Federal law, particularly those requiring consistency with State, areawide, or local plans. Comments or recommendations may include, but need not be limited to, information about:

a. The extent to which the project is consistent with or contributes to the fulfillment of comprehensive planning for the State, area, or locality.

b. The extent to which the proposed project:

(1) Duplicates, runs counter to, or needs to be coordinated with other projects or activities being carried out in or affecting the area; or

(2) Might be revised to increase its effectiveness or efficiency in relationship to other State, area, or local programs and projects.

c. The extent to which the project contributes to the achievement of State, areawide, and local objectives and priorities relating to natural and human resources and economic and community development as specified in section 401 of the Intergovernmental Cooperation Act of 1968, including:

(1) Appropriate land uses for housing, commercial, industrial, governmental, institutional, and other purposes;

(2) Wise development and conservation of natural resources, including land, water, mineral, wildlife, and others;

(3) Balanced transportation systems, including highway, air, water, pedestrian, mass transit, and other modes for the movement of people and goods;

(4) Adequate outdoor recreation and open space;

(5) Protection of areas of unique natural beauty, historical and scientific interest;

(6) Properly planned community facilities, including utilities for the supply of power, water, and communications, for the safe disposal of wastes, and for other purposes; and

(7) Concern for high standards of design.

d. As provided under section 102(2)(C) of the National Environmental Policy Act of 1969, the extent to which the project significantly affects the environment including consideration of:

(1) The environmental impact of the proposed project;

(2) Any adverse environmental effects which cannot be avoided should the proposed project be implemented;

(3) Alternatives to the proposed project;

(4) The relationship between local short term uses of man's environment and the maintenance and enhancement of long term productivity; and

(5) Any irreversible and irretrievable commitments of resources which would be involved in the proposed project or action, should it be implemented.

e. Effects on energy resource supply and demand.

f. The extent to which people or businesses will be displaced and the availability of relocation resources.

g. As provided under section 307(d) of the Coastal Zone Management Act of 1972, in the case of a project located in the coastal zone, the relationship of the project to the approved State program for the management of the coastal zone and its consistency therewith.

h. The extent to which the project contributes to more balanced patterns of settlement and delivery of services to all sectors of the area population, including minority groups.

i. In the case of a project for which assistance is being sought by a special purpose unit of local government, whether the unit of general local government having jurisdiction over the area in which the project is to be located has applied, or plans to apply, for assistance for the same or a similar type project. This information is necessary to enable the Federal (or State) agency to make the judgments required under section 402 of the Intergovernmental Cooperation Act of 1968.

6. *Federal agency procedures.* Federal agencies having programs covered under this Part will develop appropriate procedures for:

a. Informing potential applicants for assistance under such programs of the requirements of this Part (1) in program information materials, (2) in response to inquiries respecting application procedures, (3) in pre-application conferences, or (4) by other means which will assure earliest contact between applicant and clearinghouses.

b. Assuring that all applications for assistance under programs covered by this part have been submitted to appropriate clearinghouses for review prior to their submission to the funding agency. Applications that do not carry evidence that both areawide and State clearinghouses have been given an opportunity to review the application will be returned to the applicant with instructions to fulfill the requirements of this Part. Agencies will insure that all applications contain a State Application Identifier (SAI) number. (This is mandatory for use in notifying clearinghouses of action taken on the application.)

c. Notifying such clearinghouses within seven working days of any major action taken on such applications that have been reviewed by said clearinghouses. Major actions will include awards, rejections, returns for amendment, deferrals, or withdrawals. The standard multipurpose form, SF 424, promulgated by Federal Management Circular 74–7, will be used for this purpose. unless a waiver has been granted by OMB. (See Attachment E.)

d. Where a clearinghouse has recommended against approval of an application or approval only with specific and major substantive changes, and the funding agency approves the application substantially as submitted, the funding agency will provide the clearinghouse, along with the action notice, an explanation therefor.

e. Where a clearinghouse has recommended against approval of a project because it conflicts with or duplicates another Federal or federally assisted project, the funding agency will consult

with the agency assisting the referenced projects prior to acting, if it plans to approve the application.

f. Assuring, in the case of an application submitted by a special purpose unit of local government, where accompanying comments indicate that the unit of general local government having jurisdiction over the area in which the project is to be located has submitted or plans to submit an application for assistance for the same or a similar type project, that appropriate considerations and preferences as specified in section 402 of the Intergovernmental Cooperation Act of 1968, are accorded the unit of general local government. Where such preference canot be so accorded, the agency shall supply, in writing, to the unit of general local government and the Office of Management and Budget its reasons therefor.

7. *Housing programs.* For housing programs of the Department of Housing and Urban Development, the Veterans Administration, and the Farmers Home Administration of the Department of Agriculture the following procedures will be followed, except as provided in subparagraph d below:

a. The appropriate HUD, VA, or USDA/FHA office will transmit to the appropriate State and areawide clearinghouses a copy of the initial application for project approval.

b. Clearinghouses will have 30 days from receipt to review the applications and to forward to the HUD, VA, or USDA/FHA office any comments which they may have, including observations concerning the consistency of the proposed project with State and areawide development plans, the extent to which the proposed project will provide housing opportunities for all segments of the community, and identification of major environmental concerns including impact on energy resource supply and demand. Processing of applications in the HUD, VA, or USDA/FHA office will proceed concurrently with the clearinghouse review.

c. This procedure will include only applications involving new construction or substantial rehabilitation and will apply to applications for loans, loan guarantees, mortgage insurance, or other housing assistance:

(1) In Urbanized Areas, as defined by the U.S. Bureau of the Census (see Appendix A, 1970 Census of Population, Characteristics of the Population or Characteristics of Housing), to:

(a) Subdivisions having 25 or more lots.

(b) Multifamily projects having 50 or more dwelling units.

(c) Mobile home courts with 50 or more spaces.

(d) College housing provided under the debt service or direct loan programs for 200 or more students.

(2) In all other areas, to:

(a) Subdivisions having 10 or more lots.

(b) Multifamily projects having 25 or more dwelling units.

(c) Mobile home courts with 25 or more spaces.

(d) College housing provided under the debt service or direct loan programs for 100 or more students.

d. As an alternative to the above procedure, the developer may submit his application directly to the appropriate clearinghouses prior to submitting it to the Federal agency. In such cases, the application, when submitted to the Federal agency, will be accompanied by the comments of the clearinghouses.

e. Exemption: Applications for additional units in a subdivision substantially completed (i.e., with streets, water and sewer facilities, culverts, etc.) are exempted from this requirement when:

(1) The subdivision was approved and/or recorded by the appropriate unit of local government within three years of the application submittal; and

(2) In cases of subdivisions approved more than three years prior, the clearinghouses waive the requirement.

This exemption does not apply to applications for housing in an undeveloped subdivision or in proposed extensions of existing subdivisions.

8. *Coverage, exceptions, and variations.*

a. Generally, this Part of this Circular and the laws on which it is based are concerned with programs providing financial assistance to projects and activities which have an impact on State, areawide, and local development, including development of natural, economic, and human resources. This Part is concerned with achieving the most effective and efficient utilization of Federal assistance programs through coordination among and between Federal, multistate, State, areawide, and local plans and programs and the elimination of conflict, overlap, and duplication of projects and activities under such programs. Coverage under this Part includes, or will be extended from time to time as deemed necessary and practicable to include programs bearing upon these concerns and objectives.

b. Programs not considered appropriate to this Part are programs of the following types:

(1) Direct financial assistance to individuals or families for housing, welfare, health care services, education, training, economic improvement, and other direct assistance for individual and family enhancement.

(2) Incentive payments or insurance for private sector activities not involving real property development or land use and development.

(3) Agricultural crop supports or payments.

(4) Assistance to organizations and institutions for the provision of education or training not designed to meet the needs of specific individual States or localities.

(5) Research, not involving capital construction, which is national in scope or is not resigned to meet the needs or to address problems of a particular State, area, or locality (except in the case of demonstration or pilot research programs where projects may have an impact on the community or area in which they are being conducted).

(6) Assistance to educational, medical, or similar service institutions or agencies for internal staff development or management improvement purposes.

(7) Assistance to educational, institutions for activities that are part of a school's regular academic program and are not related to local programs of health, welfare, employment, or other social services.

(8) Assistance for construction involving only routine maintenance, repair, or minor construction which does not change the use or the scale or intensity of use of the structure or facility.

c. OMB will consider Federal agency requests for exemption of certain classes of projects or activities under programs otherwise covered which:

(1) Meet any of the above characteristics of programs inappropriate for coverage under this Part;

(2) Are of small scale or size or are highly localized as to impact; or

(3) Display other characteristics which might make review impractical.

d. OMB will consider Federal agency requests for procedural variations from normal review processes:

(1) On a temporary basis for programs with time constraints brought about because of start up requirements or other unusual circumstances beyond the control of the funding agency. (Note: Delay in fund availability is not normally an acceptable reason for a variation. When a delay is anticipated, applicants should be instructed to have their applications reviewed by clearinghouses in readiness for submission when funds become available.)

(2) For programs where statutory or related procedural limitations make the normal review processes impracticable.

e. All requests from Federal agencies for exemptions or procedural variations should be addressed to the Associate Director for Management and Operations, Office of Management and Budget.

f. Individual clearinghouses may exempt certain types of projects from review for reasons indicated above or for other reasons appropriate to the State or area.

g. Applicants should be made aware that, in various States, State law requires review of applications for Federal assistance under various programs not covered by this Part. Implementation of such laws is enforced through State rules and regulations, and applicants are urged to ascertain the existence of such laws and to acquaint themselves with applicable State procedures.

9. *Joint Funding.* Applications for assistance to activities under the Joint Funding Simplification Act (P.L. 93–510) or any other joint funding authority, which involve activities funded under one or more of the programs covered under this Part, will be subject to the requirements of this Part.

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10. *Agency procedures and regulations.* a. Proposed agency procedures and regulations for implementing the requirements of this Part will be published in the FEDERAL REGISTER as specified ir paragraph 7 of this Circular. Programs to which the procedures and regulations will apply will be cited by their numbers in the *Catalog of Federal Domestic Assistance.* Where such numbers have not yet been assigned, programs will be referenced by Public Law and section or by U.S. Code citation. Subsequent amendments to such procedures and regulations will also be published pursuant to paragraph 7 of the Circular.

b. As a part of such proposed procdures and regulations published in the FEDERAL REGISTER, agencies may identify specific types of projects which they believe should be exempt from coverage under programs for which proposed procedures and regulations are being published. Such publication will constitute a formal request for exemption to the Office of Management and Budget, to which it will respond in its review of the proposed procedures and regulations.

c. OMB will assist and cooperate with agencies in developing such procedures and regulations.

d. A copy of agency internal procedures for implementation of this Part, if not contained in the above procedures and regulations, will be sent to the Associate Director of the Office of Management and Budget for Management and Operations.

11. *Reports and directories.* a. The Director of the Office of Management and Budget may require reports, from time to time, on the implementation of this Part.

b. The Office of Management and Budget will maintain and distribute to appropriate Federal agencies a directory of State and areawide clearinghouses.

c. The Office of Management and Budget will notify Federal Regional Councils, clearinghouses, and Federal agencies of any excepted categories of projects under covered programs.

PART II: DIRECT FEDERAL DEVELOPMENT

1. *Purpose.* The purpose of this Part is to:

a. Provide State and local government with information on projected Federal development so as to facilitate coordination with State, areawide, and local plans and programs.

b. Provide Federal agencies with information on the relationship of proposed direct Federal development projects and activities to State, areawide, and local plans and programs; and to assure maximum feasible consistency of Federal developments with State, areawide, and local plans and programs.

c. Provide Federal agencies with information on the possible impact on the environment of proposed Federal development.

2. *Coordination of direct Federal development projects with State, areawide, and local development.* a. Federal agencies having responsibility for the planning and construction of Federal buildings and installations or other Federal public works or development or for the acquisition, use, and disposal of Federal land and real property will establish procedures for:

(1) Consulting with Governors, State and areawide clearinghouses, and local elected officials at the earliest practicable stage in project or development planning on the relationship of any plan or project to the development plans and programs of the State, area, or locality in which the project is to be located. In the case of projects in the National Capital Region, such consultation should be undertaken in cooperation with the the National Capital Planning Commission.

(2) Assuring that any such Federal plan or project is consistent or compatible with State, areawide, and local development plans and programs identified in the course of such consultations. Exceptions will be made only where there is clear justification. Explanation of any necessary inconsistency or incompatibility will be provided, in writing, to the appropriate clearinghouses.

(3) Providing State, areawide, and local agencies which are authorized to develop and enforce environmental standards with adequate opportunity to review such Federal plans and projects pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969. Any comments of such agencies will accompany the environmental impact statement submitted by the Federal agency.

(4) Providing, in the case of projects located in the coastal zone, the State agency responsible for administration of the approved program for the management of the coastal zone with opportunity to review the relationship of the proposed project to such program and its consistency therewith.

(5) Providing, through the appropriate clearinghouses, Health Systems Agencies and State Health Planning and Development Agencies designated pursuant to the National Health Planning and Resources Development Act of 1974 with adequate opportunity to review Federal projects for construction and/or equipment involving capital expenditures exceeding $200,000 for modernization, conversion, and expansion of Federal inpatient care facilities, which alter the bed capacity or modify the primary function of the facility, as well as plans for provision of major new medical care services. (Excluded are projects to renovate or install mechanical systems, air conditioning systems, or other similar internal system modifications.) The agencies are expected to evaluate proposed Federal projects for consistency with areawide and local health delivery plans and health supply-demand situations, as well as considering clearinghouse comments on such specific points as those listed in paragraph 5 of Part I. The comments of such agencies and any clearinghouse comments will accompany the plan and budget requests submitted by the Federal agency to the Office of Management and Budget or a certification that the agencies and clearinghouses had been provided a reasonable time to comment and had failed to do so.

3. *Use of clearinghouses.* The State and areawide planning and development clearinghouses established pursuant to Part I will be utilized to the greatest extent practicable to effectuate the requirements of this Part. Agencies are urged to establish early contact with clearinghouses to work out arrangements for carrying out the consultation and review required under this Part, including identification of types of projects considered appropriate for consultation and review. Clearinghouses may utilize criteria set forth in paragraph 5 of Part I in evaluating direct Federal development projects.

4. *Federal licenses and permits.* Agencies responsible for granting Federal licenses and permits for development projects and activities which would have a significant impact on State, interstate, areawide, or local development plans or programs or on the environment are strongly urged to consult with State and areawide clearinghouses and to seek their evaluations of such impacts prior to granting such licenses or permits.

5. *Agency procedures and regulations.* a. To the greatest extent possible, agencies engaged in direct Federal development activities will follow the general procedures outlined under Part I of Attachment A in affording State and areawide clearinghouses opportunities to review and comment on plans and developments.

b. Where legislative or executive constraints or related circumstances do not permit following such procedures, agency procedures and regulations will set forth for each program, at a minimum:

(1) The point in project planning at which clearinghouses will be contacted;

(2) The minimum time clearinghouses will be afforded to review the proposed project;

(3) The minimum information to be provided to the clearinghouses; and

(4) Procedures for notifying clearinghouses on actions taken on such project (implementation, timing, postponement, abandonment) and explaining actions taken contrary to clearinghouse recommendations.

c. The Office of Management and Budget will consider other procedures such as memoranda of agreement between Federal installations and clearinghouses for coordinating Federal and civilian planning, that are designed to achieve the objectives of this Part.

d. All proposed agency procedures and regulations to implement this Part will be published in the Federal Register pursuant to paragraph 7 of the Circular. OMB will assist and cooperate with agencies in developing such procedures and regulations.

PART III: STATE PLANS

1. *Purpose.* The purpose of this Part is to provide Federal agencies with information about the relationship to State or areawide comprehensive planning of State plans which are required or form

the basis for funding under various Federal programs.

2. *State plans.* To the extent not presently required by statute or administrative regulation, Federal agencies administering programs requiring by statute or regulation a State plan as a condition of assistance under such programs will require that the Governor, or his delegated agency, be given the opportunity to comment on the relationship of such State plan to comprehensive and other State plans and programs and to those of affected areawide or local jurisdictions. The Governor is urged to involve areawide clearinghouses in the review of State plans, particularly where such plans have specific applicability to or affect areawide or local plans and programs.

a. The Governor will be afforded a period of 45 days in which to make such comments, and any such comments will be transmitted with the plan.

b. A "State plan" under this Part is defined to include any required supporting planning reports or documentation that indicate the programs, projects, and activities for which Federal funds will be utilized. Such reports or documentation will also be submitted for review at the request of the Governor or the agency he has designated to perform review under this Part.

c. Programs requiring State plans are listed in Appendix II of the *Catalog of Federal Domestic Assistance.*

PART IV: COORDINATION OF PLANNING IN MULTIJURISDICTIONAL AREAS

1. *Policies and objectives.* The purposes of this Part are:

a. To encourage and facilitate State and local initiative and responsibility in developing organizational and procedural arrangements for coordinating comprehensive and functional planning activities.

b. To eliminate overlap, duplication, and competition in areawide planning activities assisted or required under Federal programs and to encourage the most effective use of State and local resources available for planning.

c. To minimize inconsistency among Federal administrative and approval requirements placed on areawide planning activities.

d. To encourage the States to exercise leadership in delineating and establishing a system of planning and development districts or regions in each State, which can provide a consistent geographic base for the planning and coordination of Federal, State, and local development programs.

e. To encourage Federal agencies administering programs assisting or requiring areawide planning to utilize agencies that have been designated to perform areawide comprehensive planning in planning and development districts or regions established pursuant to subparagraph d above (generally, areawide clearinghouses designated pursuant to Part I of Attachment A of this Circular) to carry out or coordinate planning under such programs. In the case of interstate metropolitan areas, agencies designated as metropolitan areawide clearinghouses should be utilized to the extent possible to carry out or coordinate Federally assisted or required areawide planning.

2. *Common or consistent planning and development districts or regions.* a. Prior to the designation or redesignation (or approval thereof) of any planning and development district or region under any Federal program, Federal agency procedures will provide a period of 30 days for the Governor(s) of the State(s) in which the district or region will be located to review the boundaries thereof and comment upon its relationship to planning and development districts or regions established by the State. Where the State has established such planning and development districts, the boundaries of areas designated under Federal programs will conform to them unless there is clear justification for not doing so.

b. Where the State has not established planning and development districts or regions which provide a basis for evaluation of the boundaries of the area proposed for designation, major units of general local government and the appropriate Federal Regional Council in such areas will also be consulted prior to designation of the area to assure consistency with districts established under inter-local agreement and under related Federal programs.

c. The Office of Management and Budget will be notified through the appropriate Federal Regional Council by Federal agencies of any proposed designation and will be informed of such designation when it is made, including such justifications as may be required under subparagraph a above.

3. *Common and consistent planning bases and coordination of related activities in multijurisdictional areas.* Each agency will develop procedures and requirements for applications for multijurisdictional planning and development assistance under appropriate programs to assure the fullest consistency and coordination with related planning and development being carried on by the areawide comprehensive planning agency or clearinghouse designated under Part I of this Circular in the multijurisdictional area.

Such procedures shall include provision for submission to the funding agency by any applicant for multijurisdictional planning assistance, if the applicant is other than an areawide comprehensive planning agency referred to in paragraph 1e of this Part, of a memorandum of agreement between the applicant and such areawide comprehensive planning agency covering the means by which their planning activities will be coordinated. The agreement will cover but need not be limited to the following matters:

a. Identification of relationships between the planning proposed by the applicant and that of the areawide agency and of similar or related activities that will require coordination;

b. The organizational and procedural arrangements for coordinating such activities, such as: Overlapping board membership, procedures for joint reviews of projected activities and policies, information exchange, etc.;

c. Cooperative arrangements for sharing planning resources (funds, personnel, facilities, and services);

d. Agreed upon base data, statistics, and projections (social, economic, demographic) on the basis of which planning in the area will proceed.

Where an applicant has been unable to effectuate such an agreement, he will submit a statement indicating the efforts he has made to secure agreement and the issues that have prevented it. In such case, the funding agency, in consultation with the Federal Regional Council and the State clearinghouse designated under Part I, will undertake, within a 30 days period after receipt of the application, resolution of the issues before approving the application, if it is otherwise in good order.

4. *Joint funding.* Where it will enhance the quality, comprehensive scope, and coordination of planning in multijurisdictional areas, Federal agencies will, to the extent practicable, provide for joint funding of planning activities being carried on therein.

5. *Coordination of agency procedures* and regulations. With respect to the steps called for in paragraphs 2 and 3 of this Part, departments and agencies will develop for relevant programs appropriate draft procedures and regulations which will be published in the FEDERAL REGISTER pursuant to paragraph 7 of this Circular. Copies of such drafts will be furnished to the Director of the Office of Management and Budget and to the heads of departments and agencies administering related programs. The Office, in consultation with the agencies, will review the draft procedures and regulations to assure the maximum obtainable consistency among them.

PART V: DEFINITIONS

Term used in this Circular will have following meanings:

1. *Federal agency*—any department, agency, or instrumentality in the executivt branch of the Government and any wholly owned Government corporation.

2. *State*—any of the several States of the United States, the District of Columbia, Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State, but does not include the governments of the political subdivisions of the State.

3. *Unit of general local government*—any city, county, town, parish, village, or other general purpose political subdivision of a State.

4. *Special purpose unit of local government*—any special district, public purpose corporation, or other strictly limited purpose political subdivision of a

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State, but shall not include a school district.

5. *Federal assistance, Federal financial assistance, Federal assistance program, or federally assisted programs*—programs that provide assistance through grant or contractual arrangements. They include technical assistance programs, or programs providing assistance in the form of loans, loan guarantees, or insurance. The term does not include any annual payment by the United States to the District of Columbia authorized by article VI of the District of Columbia Revenue Act of 1947 (D.C. Code sec. 47–2501a and 47–2501b).

6. *Funding agency.* The Federal agency or, in the case of certain formula grant programs, the State agency which is responsible for final approval of applications for assistance.

7. *Comprehensive planning,* to the extent directly related to area needs or needs of a unit of general local government, including the following:

a. Preparation, as a guide for governmental policies and action, of general plans with respect to:

(1) Pattern and intensity of land use,

(2) Provision of public facilities (including transportation facilities) and other government services.

(3) Effective development and utilization of human and natural resources.

b. Preparation of long range physical and fiscal plans for such action.

c. Programming of capital improvements and other major expenditures, based on a determination of related urgency, together with definitive financing plans for such expenditures in the earlier years of the program.

d. Coordination of all related plans and activities of the State and local governments and agencies concerned.

e. Preparation of regulatory and administrative measures in support of the foregoing.

8. *Metropolitan area*—a standard metropolitan statistical area as established by the Office of Management and Budget, subject, however, to such modifications and extensions as the Office of Management and Budget may determine to be appropriate for the purposes of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, and these Regulations.

9. *Areawide*—Comprising, in metropolitan areas, the whole of contiguous urban and urbanizing areas; and in nonmetropolitan areas, contiguous counties or other multijurisdictional areas having common or related social, economic, or physical characteristics indicating a community of developmental interests; or, in either, the area included in a substate district designated pursuant to paragraph 1d, Part IV, Attachment A of this Circular.

10. *Planning and development clearinghouse or clearinghouse* includes:

a. *"State clearinghouse"*—an agency of the State Government designated by the Governor or by State law to carry out the requirements of Part I of Attachment A of this Circular.

b. *"Areawide clearinghouse"*—(1) In nonmetropolitan areas a comprehensive planning agency designated by the Governor (or Governors in the case of regions extending into more than one State) or by State law to carry out requirements of this Circular; or

(2) In metropolitan areas an areawide agency that has been recognized by the Office of Management and Budget as an appropriate agency to perform review functions under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, Title IV of the Intergovernmental Cooperation Act of 1968, and this Circular.

11. *Multijurisdictional area*—any geographical area comprising, encompassing, or extending into more than one unit of general local government.

12. *Planning and development district or region*—a multijurisdictional area that has been formally designated or recognized as an appropriate area for planning under State law or Federal program requirements.

13. *Direct Federal development*—planning and construction of public works, physical facilities, and installations or land and real property development (including the acquisition, use, and disposal of real property) undertaken by or for the use of the Federal Government or any of its agencies; or the leasing of real property for Federal use where the use or intensity of use of such property will be substantially altered.

ATTACHMENT B—CIRCULAR NO. A–95 REVISED

Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 as amended (80 Stat. 1263, 82 Stat. 208)

"Sec. 204. (a) All applications made after June 30, 1967, for Federal loans or grants to assist in carrying out open-space land projects or for planning or construction of hospitals, airports, libraries, water supply and distribution facilities, sewage facilities and waste treatment works, highways, transportation facilities, low enforcement facilities, and water development and land conservation projects within any metropolitan area shall be submitted for review—

"(1) to any areawide agency which is designated to perform metropolitan or regional planning for the area within which the assistance is to be used, and which is, to the greatest practicable extent, composed of or responsible to the elected officials of a unit of areawide government or of the units of general local government within whose jurisdiction such agency is authorized to engage in such planning, and

"(2) if made by a special purpose unit of local government, to the unit or units of general local government with authority to operate in the area within which the project is to be located.

"(b) (1) Except as provided in paragraph (2) of this subsection, each application shall be accompanied (A) by the comments and recommendations with respect to the project involved by the areawide agency and governing bodies of the units of general local government to which the application has been submitted for review, and (B) by a statement by the applicant that such comments and recommendations have been considered prior to formal submission of the application. Such comments shall include information concerning the extent to which the project is consistent with comprehensive planning developed or in the process of development for the metropolitan area or the unit of general local government, as the case may be, and the extent to which such project contributes to the fulfillment of such planning. The comments and recommendations and the statement referred to in this paragraph shall, except in the case referred to in paragraph (2) of this subsection, be reviewed by the agency of the Federal Government to which such application is submitted for the sole purpose of assisting it in determining whether the application is in accordance with the provisions of Federal law which govern the making of the loans or grants.

"(2) An application for a Federal loan or grant need not be accompanied by the comments and recommendations and the statements referred to in paragraph b(1) of this subsection, if the applicant certifies that a plan or description of the project, meeting the requirements of such rules and regulations as may be prescribed under subsection (c), or such application, has lain before an appropriate areawide agency or instrumentality or unit of general local government for a period of sixty days without comments or recommendations thereon being made by such agency or instrumentality.

"(3) The requirements of paragraphs (1) and (2) shall also apply to any amendment of the application which, in light of the purposes of this title, involves a major change in the project covered by the application prior to such amendment.

"(c) The Bureau of the Budget, or such other agency as may be designated by the President, is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this section."

TITLE IV OF THE INTERGOVERNMENTAL COOPERATION ACT OF 1968 (82 STAT. 1103)

"Title IV—Coordinated Intergovernmental Policy and Administration of Development Assistance Programs"

"Declaration of development assistance policy"

"Sec. 401. (a) The economic and social development of the Nation and the achievement of satisfactory levels of living depend upon the sound and orderly development of all areas, both urban and rural. Moreover, in a time of rapid urbanization, the sound and orderly development of urban communities depends to a large degree upon the social and economic health and the sound development of small communities and rural areas. The President shall, therefore, establish rules and regulations governing the formulation, evaluation, and review of Federal programs and projects having a significant impact on area and community development, including programs providing Federal assistance to the States and localities, to the end that they shall most effectively serve these basic objectives. Such rules and regulations shall provide for full consideration of the concurrent achievement of the following specific objectives and, to the extent authorized by law, reasoned choices shall be made between such objectives when they conflict:

"(1) Appropriate land uses for housing, commercial, industrial, governmental, institutional, and other purposes;

"(2) Wise development and conservation of natural resources, including land, water, minerals, wildlife, and others;

"(3) Balanced transportation systems, including highway, air, water, pedestrian, mass transit, and other modes for the movement of people and goods;

"(4) Adequate outdoor recreation and open space;

"(5) Protection of areas of unique natural beauty, historical and scientific interest;

"(6) Properly planned community facilities, including utilities for the supply of power, water, and communications, for the safe disposal of wastes, and for other purposes; and

"(7) Concern for high standards of design.

"(b) All viewpoints—national, regional, State and local—shall, to the extent possible, be fully considered and taken into account in planning Federal or federally assisted development programs and projects. State and local government objectives, together with the objectives of regional organizations shall be considered and evaluated within a framework of national public objectives, as expressed in Federal law, and available projections of future national conditions and needs of regions, States, and localities shall be considered in plan formulation, evaluation, and review.

"(c) To the maximum extent possible, consistent with national objectives, all Federal aid for development purposes shall be consistent with and further the objectives of State, regional, and local comprehensive planning. Consideration shall be given to all developmental aspects of our total national community, including but not limited to housing, transportation, economic development, natural and human resources development, community facilities, and the general improvement of living environments.

"(d) Each Federal department and agency administering a development assistance program shall, to the maximum extent practicable, consult with and seek advice from all other significantly affected Federal departments and agencies in an effort to assure fully coordinated programs.

"(e) Insofar as possible, systematic planning required by individual Federal programs (such as highway construction, urban renewal, and open space) shall be coordinated with and, to the extent authorized by law, made part of comprehensive local and areawide development planning."

"Favoring units of general local government"

"Sec. 402. Where Federal law provides that both special-purpose units of local government and units of general local government are eligible to receive loans or grants-in-aid, heads of Federal departments and agencies shall, in the absence of substantial reasons to the contrary, make such loans or grants-in-aid to units of general local government rather than to special-purpose units of local government."

"Rules and regulations"

"Sec. 403. The Bureau of the Budget, or such other agency as may be designated by the President, is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this title."

ATTACHMENT C—CIRCULAR NO. A–95 REVISED

SECTION 102(2)(C) OF THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 (83 STAT. 853)

"Sec. 102. The Congress authorizes and directs that, to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in this Act, and (2) all agencies of the Federal Government shall— • • •

"(C) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on—

"(i) the environmental impact of the proposed action,

"(ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,

"(iii) alternatives to the proposed action,

"(iv) the relationship between local short-term use of man's environment and the maintenance and enhancement of long-term productivity, and

"(v) any irreversible or irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

"Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, which are authorized to develop and enforce environmental standards, shall be made available to the President, the Council on Environmental Quality and to the public as provided by section 552 of Title 5, United States Code, and shall accompany the proposal through the existing agency review processes; • • •."

ATTACHMENT D—CIRCULAR NO. A—95 REVISED

Coverage of Programs Under Attachment A, Part I

1. Programs listed below are referenced several ways, due to transitional phases in program development, funding status, etc. Generally, citations are to programs as they are listed in the June, 1975 *Catalog of Federal Domestic Assistance*. For certain new legislation, *Catalog* citations have not yet been developed. In such cases, references are to Public Law number and section. When no funding is available for a program, it is not generally listed in the *Catalog* or this Attachment; but if funding becomes available for a program previously covered, it continues to be covered unless specifically exempted by OMB. The *Catalog* is issued annually and revised periodically during the year. Every effort will be made to keep Appendix I and Attachment D current. Reference should always be made to the one bearing the latest issue date. (However, the update to the 1975 *Catalog* will not reflect all the changes herein. Therefore, this list should be referenced until issuance of the 1976 *Catalog*.)

Asterisks indicate certain State formula grant programs requiring State plans which are also covered under Part III. When listed under Part I, reference is to applications for subgrants under the State allocation, not to the State's application for its allocation under the formula grant which is reviewable under Part III.

2. Heads of Federal departments and agencies may, with the concurrence of the Office of Management and Budget, exclude certain categories of projects or activities under listed programs from the requirements of Attachment A, Part I. (Also see Part I, paragraph 8.)

3. *Covered programs:*

Department of Agriculture

10.405 Farm Labor Housing Loans and Grants.
10.409 Irrigation, Drainage, and Other Soil and Water Conservation Loans. (Exception: Loans to grazing associations to develop additional pasturage and loans for purchase of equipment.)
10.410 Low to Moderate Income Housing Loans.
10.411 Rural Housing Site Loans.
10.414 Resource Conservation and Development Loans.
10.415 Rural Rental Housing Loans.
10.418 Water and Waste Disposal Systems for Rural Communities.
10.419 Watershed Protection and Flood Prevention Loans.
10.420 Rural Self-Help Housing Technical Assistance.
10.422 Business and Industrial Development Loans. (Exception: Loans to rural small businesses having no significant impact outside community in which located.)
10.423 Community Facilities Loans.
10.424 Industrial Development Grants.
10.656 Cooperative Forest Insect and Disease Control.

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10.901 Resources Conservation and Development. (Exception: Small projects costing under $7500 for erosion and sediment control and land stabilization and for rehabilitation and consolidation of existing irrigation systems.)
10.904 Watershed Protection and Flood Prevention.

Department of Commerce

11.300 Economic Development — Grants and Loans for Public Works and Development Facilities.
11.302 Economic Development — Support for Planning Organizations.
11.303 Economic Development—Technical Assistance.
11.304 Economic Development—Public Works Impact Projects (Procedural variation).
11.305 Economic Development—State and Local Economic Development Planning.
11.306 Economic Development—District Operational Assistance.
11.307 Economic Development—Special Economic Development and Adjustment Assistance Program.
11.308 Grants to States for Supplemental and Basic Funding of Title I, II, and IV Activities. (Basic grants only.)
11.405 Anadromous and Great Lakes Fisheries Development.
11.407 Commercial Fisheries Research and Development.
11.418 Coastal Zone Management Program Development.
11.419 Coastal Zone Management Program Administration.
11.420 Coastal Zone Management—Estuarine Sanctuaries.

Department of Defense

12.101 Beach Erosion Control Projects.
12.106 Flood Control Projects.
12.107 Navigation Projects.
12.108 Snagging and Clearing for Flood Control.

Department of Health, Education, and Welfare

13.210* Comprehensive Public Health Services—Formula Grants.
13.211* Crippled Children's Services.
13.217* Family Planning Projects.
13.224 Health Services Development—Project Grants.
13.232* Maternal and Child Health Services.
13.235 Drug Abuse Community Service Programs.
13.237 Mental Health—Hospital Improvement Grants.
13.240 Mental Health—Community Mental Health Centers.
13.246 Migrant Health Grants.
13.251 Alcohol—Community Service Programs.
13.252 Alcohol Demonstration Programs.
13.254 Drug Abuse Demonstration Programs.
13.256 Office for Health Maintenance Organization (HMOS).
13.258* National Health Service Corps.
13.259 Mental Health—Children's Services.
13.260 Family Planning Services—Training Grants.
13.261 Family Health Centers.
13.266 Childhood Lead-Based Paint Poisoning Control.
13.267 Urban Rat Control.
13.268 Disease Control—Project Grants.
13.275 Drug Abuse Education Programs.
13.284 Emergency Medical Services.
13.286 Limitation on Federal Participation for Capital Expenditures.
13.340 Health Professions Teaching Facilities—Construction Grants.
13.359 Nursing School Construction—Loan Guarantees and Interest Subsidies.
13.378 Health Professions Teaching Facilities—Loan Guarantees and Interest Subsidies.
13.392 Cancer—Construction.
13.400* Adult Education—Grants to States.
13.401 Adult Education—Special Projects.
13.408* Construction of Public Libraries.
13.421 Educational Personnel Training Grants—Career Opportunities.
13.427 Educationally Deprived Children—Handicapped.
13.428* Educationally Deprived Children—Local Educational Agencies.
13.429* Educationally Deprived Children—Migrants.
13.433 Follow Through.
13.464* Library Services—Grants for Public Libraries.
13.477 School Assistance in Federally Affected Areas—Construction.
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23.013 Appalachian Child Development.
23.014 Appalachian Housing Site Development and Office State Improvement Grants.
23.016 Appalachian Vocational Education and Technical Education Demonstration Grants.

(NOTE.—Except for 23.011, administration of these grants is not in the Commission but in the appropriate program agency—e.g., 23.003 is handled by DOT. For 23.002, Appalachian Supplements to Federal Grants-in-aid, which can provide all or any portion of the Federal contribution under certain defined grant-in-aid programs, coverage under Part I is determined by the provisions applicable to the basic grant-in-aid program. For 23.001, 23.003, 23.003, 52.003, and 63.003—Regional Commission Supplements to Federal Grants-in-aid—the same rule would apply.)

Coastal Plains Regional Commission

28.002 Coastal Plains Technical and Planning Assistance.

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47.038 Intergovernmental Science.

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49.010 Older Persons Opportunities and Services.
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72.003 The Senior Companion Program.

Old Western Regional Commission

75.002 Old West Technical and Planning Assistance.

Pacific Northwest Regional Commission

76.002 Pacific Northwest Technical and Planning Assistance Regulations.

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Attachment E

OMB Approval No. 29-R0218

FEDERAL ASSISTANCE

1. TYPE OF ACTION (Mark appropriate box)	☐ PREAPPLICATION ☐ APPLICATION ☐ NOTIFICATION OF INTENT (Opt.) ☐ REPORT OF FEDERAL ACTION	2. APPLICANT'S APPLICATION	a. NUMBER b. DATE Year month day 19
	Leave Blank	3. STATE APPLICATION IDENTIFIER	a. NUMBER b. DATE ASSIGNED Year month day 19

SECTION I—APPLICANT/RECIPIENT DATA

4. LEGAL APPLICANT/RECIPIENT
a. Applicant Name :
b. Organization Unit :
c. Street/P.O. Box :
d. City : e. County :
f. State : g. ZIP Code:
h. Contact Person (Name & telephone No.) :

5. FEDERAL EMPLOYER IDENTIFICATION NO.

6. PROGRAM (From Federal Catalog)
a. NUMBER | | | • | | | |
b. TITLE

7. TITLE AND DESCRIPTION OF APPLICANT'S PROJECT

8. TYPE OF APPLICANT/RECIPIENT
A–State H–Community Action Agency
B–Interstate I–Higher Educational Institution
C–Substate District J–Indian Tribe
D–County K–Other (Specify):
E–City
F–School District
G–Special Purpose District
Enter appropriate letter ☐

9. TYPE OF ASSISTANCE
A–Basic Grant D–Insurance
B–Supplemental Grant E–Other
C–Loan
Enter appropriate letter(s) ☐☐

10. AREA OF PROJECT IMPACT (Names of cities, counties, States, etc.)

11. ESTIMATED NUMBER OF PERSONS BENEFITING

12. TYPE OF APPLICATION
A–New C–Revision E–Augmentation
B–Renewal D–Continuation
Enter appropriate letter ☐

13. PROPOSED FUNDING

a. FEDERAL	$	.00
b. APPLICANT		.00
c. STATE		.00
d. LOCAL		.00
e. OTHER		.00
f. TOTAL	$	.00

14. CONGRESSIONAL DISTRICTS OF:
a. APPLICANT b. PROJECT

16. PROJECT START DATE Year month day 19

17. PROJECT DURATION Months

18. ESTIMATED DATE TO BE SUBMITTED TO FEDERAL AGENCY ▶ Year month day 19

15. TYPE OF CHANGE (For 12c or 12e)
A–Increase Dollars F–Other (Specify):
B–Decrease Dollars
C–Increase Duration
D–Decrease Duration
E–Cancellation
Enter appropriate letter(s) ☐☐☐

19. EXISTING FEDERAL IDENTIFICATION NUMBER

20. FEDERAL AGENCY TO RECEIVE REQUEST (Name, City, State, ZIP code)

21. REMARKS ADDED ☐ Yes ☐ No

SECTION II—CERTIFICATION

22. THE APPLICANT CERTIFIES THAT ▶
a. To the best of my knowledge and belief, data in this preapplication/application are true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is approved.
b. If required by OMB Circular A-95 this application was submitted, pursuant to instructions therein, to appropriate clearinghouses and all responses are attached:

	No response	Response attached
(1)	☐	☐
(2)	☐	☐
(3)	☐	☐

23. CERTIFYING REPRESENTATIVE
a. TYPED NAME AND TITLE
b. SIGNATURE
c. DATE SIGNED Year month day 19

SECTION III—FEDERAL AGENCY ACTION

24. AGENCY NAME

25. APPLICATION RECEIVED Year month day 19

26. ORGANIZATIONAL UNIT

27. ADMINISTRATIVE OFFICE

28. FEDERAL APPLICATION IDENTIFICATION

29. ADDRESS

30. FEDERAL GRANT IDENTIFICATION

31. ACTION TAKEN
☐ a. AWARDED
☐ b. REJECTED
☐ c. RETURNED FOR AMENDMENT
☐ d. DEFERRED
☐ e. WITHDRAWN

32. FUNDING

a. FEDERAL	$	.00
b. APPLICANT		.00
c. STATE		.00
d. LOCAL		.00
e. OTHER		.00
f. TOTAL	$	.00

33. ACTION DATE ▶ Year month day 19

34. STARTING DATE Year month day 19

35. CONTACT FOR ADDITIONAL INFORMATION (Name and telephone number)

36. ENDING DATE Year month day 19

37. REMARKS ADDED ☐ Yes ☐ No

38. FEDERAL AGENCY A-95 ACTION
a. In taking above action, any comments received from clearinghouses were considered. If agency response is due under provisions of Part I, OMB Circular A-95, it has been or is being made.
b. FEDERAL AGENCY A-95 OFFICIAL (Name and telephone no.)

STANDARD FORM 424 PAGE 1 (10-75)
Prescribed by GSA, Federal Management Circular 74-7

SECTION IV—REMARKS (Please reference the proper item number from Sections I, II or III, if applicable)

STANDARD FORM 424 PAGE 2 (10-75)

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GENERAL INSTRUCTIONS

This is a multi-purpose standard form. First, it will be used by applicants as a required facesheet for pre-applications and applications submitted in accordance with Federal Management Circular 74–7. Second, it will be used by Federal agencies to report to Clearinghouses on major actions taken on applications reviewed by clearinghouses in accordance with OMB Circular A–95. Third, it will be used by Federal agencies to notify States of grants-in-aid awarded in accordance with Treasury Circular 1082. Fourth, it may be used, on an optional basis, as a notification of intent from applicants to clearinghouses, as an early initial notice that Federal assistance is to be applied for (clearinghouse procedures will govern).

APPLICANT PROCEDURES FOR SECTION I

Applicant will complete all items in Section I. If an item is not applicable, write "NA". If additional space is needed, insert an asterisk "*", and use the remarks section on the back of the form. An explanation follows for each item:

Item

1. Mark appropriate box. Pre-application and application guidance is in FMC 74–7 and Federal agency program instructions. Notification of intent guidance is in Circular A–95 and procedures from clearinghouse. Applicant will not use "Report of Federal Action" box.

2a. Applicant's own control number, if desired.

2b. Date Section I is prepared.

3a. Number assigned by State clearinghouse, or if delegated by State, by areawide clearinghouse. All requests to Federal agencies must contain this identifier if the program is covered by Circular A–95 and required by applicable State/areawide clearinghouse procedures. If in doubt, consult your clearinghouse.

3b. Date applicant notified of clearinghouse identifier.

4a–4h. Legal name of applicant/recipient, name of primary organizational unit which will undertake the assistance activity, complete address of applicant, and name and telephone number of person who can provide further information about this request.

5. Employer identification number of applicant as assigned by Internal Revenue Service.

6a. Use Catalog of Federal Domestic Assistance number assigned to program under which assistance is requested. If more than one program (e.g., joint-funding) write "multiple" and explain in remarks. If unknown, cite Public Law or U.S. Code.

6b. Program title from Federal Catalog. Abbreviate if necessary.

7. Brief title and appropriate description of project. For notification of intent, continue in remarks section if necessary to convey proper description.

8. Mostly self-explanatory. "City" includes town, township or other municipality.

9. Check the type(s) of assistance requested. The definitions of the terms are:

A. Basic Grant. An original request for Federal funds. This would not include any contribution provided under a supplemental grant.

B. Supplemental Grant. A request to increase a basic grant in certain cases where the eligible applicant cannot supply the required matching share of the basic Federal program (e.g., grants awarded by the Appalachian Regional Commission to provide the applicant a matching share).

C. Loan. Self explanatory.

Item

D. Insurance. Self explanatory.

E. Other. Explain on remarks page.

10. Governmental unit where significant and meaningful impact could be observed. List only largest unit or units affected, such as State, county, or city. If entire unit affected, list it rather than subunits.

11. Estimated number of persons directly benefiting from project.

12. Use appropriate code letter. Definitions are:

A. New. A submittal for the first time for a new project.

B. Renewal. An extension for an additional funding/budget period for a project having no projected completion date, but for which Federal support must be renewed each year.

C. Revision. A modification to project nature or scope which may result in funding change (increase or decrease).

D. Continuation. An extension for an additional funding/budget period for a project the agency initially agreed to fund for a definite number of years.

E. Augmentation. A requirement for additional funds for a project previously awarded funds in the same funding/budget period. Project nature and scope unchanged.

13. Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions will be included. If the action is a change in dollar amount of an existing grant (a revision or augmentation), indicate only the amount of the change. For decreases enclose the amount in parentheses. If both basic and supplemental amounts are included, breakout in remarks. For multiple program funding, use totals and show program breakouts in remarks. Item definitions: 13a, amount requested from Federal Government; 13b, amount applicant will contribute; 13c, amount from State, if applicant is not a State; 13d, amount from local government, if applicant is not a local government; 13e, amount from any other sources, explain in remarks.

14a. Self explanatory.

14b. The district(s) where most of actual work will be accomplished. If city-wide or State-wide, covering several districts, write "city-wide" or "State-wide."

15. Complete only for revisions (item 12c), or augmentations (item 12e).

Item

16. Approximate date project expected to begin (usually associated with estimated date of availability of funding).

17. Estimated number of months to complete project after Federal funds are available.

18. Estimated date preapplication/application will be submitted to Federal agency if this project requires clearinghouse review. If review not required, this date would usually be same as date in item 2b.

Item

19. Existing Federal identification number if this is not a new request and directly relates to a previous Federal action. Otherwise write "NA".

20. Indicate Federal agency to which this request is addressed. Street address not required, but do use ZIP.

21. Check appropriate box as to whether Section IV of form contains remarks and/or additional remarks are attached.

APPLICANT PROCEDURES FOR SECTION II

Applicants will always complete items 23a, 23b, and 23c. If clearinghouse review is required, item 22b must be fully completed. An explanation follows for each item:

Item

22b. List clearinghouses to which submitted and show in appropriate blocks the status of their responses. For more than three clearinghouses, continue in remarks section. All written comments submitted by or through clearinghouses must be attached.

23a. Name and title of authorized representative of legal applicant.

Item

23b. Self explanatory.

23c. Self explanatory.

Note: Applicant completes only Sections I and II. Section III is completed by Federal agencies.

FEDERAL AGENCY PROCEDURES FOR SECTION III

If applicant supplied information in Sections I and II needs no updating or adjustment to fit the final Federal action, the Federal agency will complete Section III only. An explanation for each item follows:

Item

24. Executive department or independent agency having program administration responsibility.

25. Self explanatory.

26. Primary organizational unit below department level having direct program management responsibility.

27. Office directly monitoring the program.

28. Use to identify non-award actions where Federal grant identifier in item 30 is not applicable or will not suffice.

29. Complete address of administering office shown in item 26.

30. Use to identify award actions where different from Federal application identifier in item 28.

31. Self explanatory. Use remarks section to amplify where appropriate.

32. Amount to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions will be included. If the action is a change in dollar amount of an existing grant (a revision or augmentation), indicate only the amount of change. For decreases, enclose the amount in parentheses. If both basic and supplemental amounts are included, breakout in remarks. For multiple program funding, use totals and show program breakouts in remarks. Item definitions: 32a, amount awarded by Federal Government; 32b, amount applicant will contribute; 32c, amount from State, if applicant is not a State; 32d, amount from local government if applicant is not a local government; 32e, amount from any other sources, explain in remarks.

33. Date action was taken on this request.

34. Date funds will become available.

Item

35. Name and telephone no. of agency person who can provide more information regarding this assistance.

36. Date after which funds will no longer be available.

37. Check appropriate box as to whether Section IV of form contains Federal remarks and/or attachment of additional remarks.

38. For use with A–95 action notices only. Name and telephone of person who can assure that appropriate A–95 action has been taken—If same as person shown in item 35, write "same". If not applicable, write "NA".

Federal Agency Procedures—special considerations

A. *Treasury Circular 1082 compliance.* Federal agency will assure proper completion of Sections I and III. If Section I is being completed by Federal agency, all applicable items must be filled in. Addresses of State Information Reception Agencies (SCIRA's) are provided by Treasury Department to each agency. This form replaces SF 240, which will no longer be used.

B. *OMB Circular A–95 compliance.* Federal agency will assure proper completion of Sections I, II, and III. This form is required for notifying all reviewing clearinghouses of major actions on all programs reviewed under A–95. Addresses of State and areawide clearinghouses are provided by OMB to each agency. Substantive differences between applicant's request and/or clearinghouse recommendations, and the project as finally awarded will be explained in A–95 notifications to clearinghouses.

C. *Special note.* In most, but not all States, the A–95 State clearinghouse and the (TC 1082) SCIRA are the same office. In such cases, the A–95 *award* notice to the State clearinghouse will fulfill the TC 1082 award notice requirement to the State SCIRA. Duplicate notification should be avoided.

[FR Doc.76–926 Filed 1–12–76;8:45 am]

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Title 3—The President

Executive Order 11896 • **January 13, 1976**

Establishing the United States Sinai Support Mission

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, including the Joint Resolution of October 13, 1975 (Public Law 94–110, 89 Stat. 572, 22 U.S.C. 2441 note), the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2151 *et seq.*), including but not limited to Sections 531, 621, 633, 901, and 903 thereof (22 U.S.C. 2346, 2381, 2393, 2441, 2443), and section 301 of title 3 of the United States Code, and as President of the United States of America, it is hereby ordered as follows:

SECTION 1. (a) In accordance with the Foreign Assistance Act of 1961, as amended, and notwithstanding the provisions of Part I of Executive Order No. 10973, as amended, there is hereby established the United States Sinai Support Mission, hereinafter referred to as the Mission.

(b) The Mission shall, in accordance with the Foreign Assistance Act of 1961, as amended, the Joint Resolution of October 13, 1975, and the provisions of this order, carry out the duties and responsibilities of the United States Government to implement the "United States Proposal for the Early Warning System in Sinai" in connection with the Basic Agreement between Egypt and Israel, signed on September 4, 1975, and the Annex to the Basic Agreement, subject to broad policy guidance received through the Assistant to the President for national security affairs, and the continuous supervision and general direction of the Secretary of State pursuant to Section 622(c) of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2382(c)).

(c) It shall be the duty and responsibility of the Mission to ensure that the United States role in the Early Warning System enhances the prospect of compliance in good faith with the terms of the Egyptian-Israeli agreement and thereby promotes the cause of peace.

(d) At the head of the Mission there shall be a Director, who shall be appointed by the President. The Director shall be a Special Representative of the President. There shall also be a Deputy Director, who shall be appointed by the President. The Deputy Director shall perform such duties as the Director may direct, and shall serve as the Director in the case of a vacancy in the office of the Director, or during the absence or disability of the Director.

(e) The Director and Deputy Director shall receive such compensation, as permitted by law, as the President may specify.

SEC. 2. (a) The Director shall exercise immediate supervision and direction over the Mission.

(b) The Director may, to the extent permitted by law, employ such staff as may be necessary.

(c) The Director may, to the extent permitted by law and the provisions of this order, enter into such contracts as may be necessary to carry out the purposes of this order.

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(d) The Director may procure the temporary or intermittent services of experts or consultants, in accordance with the provisions of Section 626 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2386), and section 3109 of title 5 of the United States Code.

(e) As requested by the Director, the agencies of the Executive branch shall, to the extent permitted by law and to the extent practicable, provide the Mission with such administrative services, information, advice, and facilities as may be necessary for the fulfillment of the Mission's functions under this order.

SEC. 3. (a) In accordance with the provisions of Section 633 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2393), it is hereby determined to be in furtherance of the purposes of the Foreign Assistance Act of 1961, as amended, that the functions authorized by that act and required by this order, may be performed, subject to the provisions of subsection (b) of this Section, by the Director without regard to the following specified provisions of law and limitations of authority:

(1) Section 3648 of the Revised Statutes, as amended (31 U.S.C. 529).

(2) Section 3710 of the Revised Statutes (41 U.S.C. 8).

(3) Section 2 of Title III of the Act of March 3, 1933 (47 Stat. 1520, 41 U.S.C. 10a).

(4) Section 3735 of the Revised Statutes (41 U.S.C. 13).

(5) Section 3679 of the Revised Statutes, as amended (31 U.S.C. 665, Section 3732 of the Revised Statutes, as amended (41 U.S.C. 11), and Section 9 of the Act of June 30, 1906 (34 Stat. 764, 31 U.S.C. 627), so as to permit the indemnification of contractors against unusually hazardous risks, as defined in Mission contracts, consistent, to the extent practicable, with regulations prescribed by the Department of Defense pursuant to the provisions of the Act of August 28, 1958, as amended (50 U.S.C. 1431 *et seq.*) and Executive Order No. 10789 of November 14, 1958, as amended.

(6) Section 302(a) of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 252(a)), so as to permit the Sinai Support Mission to utilize the procurement regulations promulgated by the Department of Defense pursuant to Section 2202 of Title 10 of the United States Code.

(7) Section 304(b) of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 254(b)), so as to permit the payment of fees in excess of the prescribed fee limitations but nothing herein contained shall be construed to constitute authorization hereunder for the use of the cost-plus-a-percentage-of-cost system of contracting.

(8) Section 305 of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 255).

(9) Section 901(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1241(a)).

(b) It is directed that each specific use of the waivers of statutes and limitations of authority authorized by this Section shall be made only when determined in writing by the Director that such use is specifically necessary and in furtherance of the purposes of this Order and in the interests of the United States.

SEC. 4. (a) There is hereby established the Sinai Interagency Board, hereinafter referred to as the Board, which shall be composed of the following:

(1) The Secretary of State or his representative.

(2) The Secretary of Defense or his representative.

(3) The Administrator, Agency for International Development, or his representative.

(4) The Director of the United States Arms Control and Disarmament Agency or his representative.

(5) The Director of Central Intelligence or his representative.

(6) The Director of the United States Sinai Support Mission or his representative.

(b) The Director of the United States Sinai Support Mission or his representative shall be Chairman of the Board.

(c) The President may from time to time designate others to serve on, or participate in the activities of, the Board. The Board may invite representatives of other departments and agencies to participate in its activities.

(d) The Board shall meet at the call of the Chairman to assist, coordinate, and advise concerning the activities of the United States Sinai Support Mission.

SEC. 5. The Secretary of State shall, pursuant to the provisions of Executive Order No. 10973, as amended, including Part V thereof, and this order, provide from funds made available to the President the funds necessary for the activities of the United States Sinai Support Mission.

SEC. 6. All activities now being undertaken by the Secretary of State to implement the "United States Proposal for the Early Warning System in Sinai" shall be continued until such time as the Mission has become operational and the Director requests the transfer of those activities to the Mission. The Secretary of State may exercise any of the authority or responsibility vested in the Director, by this order, in order to continue the performance of activities related to the Early Warning System until transferred to the Director. All such activities undertaken by the Secretary of State shall be deemed to have been taken by the Director.

Gerald R. Ford

THE WHITE HOUSE,
January 13, 1976.

[FR Doc.76-1302 Filed 1-13-76;11:40 am]

Executive Order 11897 • January 13, 1976

Amending Executive Order No. 11157 [1] as It Relates to Special Pay While on Sea Duty or Duty at Certain Places

By virtue of the authority vested in me by section 305(a) of title 37 of the United States Code, and as President of the United States and Commander in Chief of the Armed Forces of the United States, part II of Executive Order No. 11157 of June 22, 1964, as amended, is hereby amended as follows:

SECTION 1. At the end of section 204, add the following:

"Enlisted members shall be entitled to special pay under this section when attached to ships undergoing repair and overhaul in designated foreign duty areas for extended periods when entitlement to sea-duty pay has been terminated. Such enlisted members shall be entitled to special pay under the same conditions as an enlisted member on temporary additional duty or temporary duty in that designated foreign duty area.".

SEC. 2. In section 205, delete "Unless otherwise entitled to special pay in accordance with the last sentence of section 204" and substitute therefor "Unless otherwise entitled to special pay in accordance with the second sentence of section 204".

Gerald R. Ford

THE WHITE HOUSE,
January 13, 1976.

[1] 30 FR 7973; 3 CFR, 1964–1965 Comp., p. 200

[FR Doc.76–1303 Filed 1–13–76;11:41 am]

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rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 4—Accounts

CHAPTER I—GENERAL ACCOUNTING OFFICE

PART 20—INTERIM BID PROTEST PROCEDURES AND STANDARDS

Miscellaneous Amendments

Correction

In FR Doc. 75-35178 appearing in the Wednesday, December 31, 1975 issue of the FEDERAL REGISTER on page 60035, in § 20.2(b)(3), the second line should read, "• • • section means receipt in the contracting • • •".

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICES

Entire Executive Civil Service

Section 213.3102 is amended to show that employment of inmates of State penal and correctional institutions participating in work-release programs is excepted under Schedule A.

Effective on January 14, 1976, § 213.3102(x) is amended as set out below:

§ 213.3102 Entire Executive Civil Service.

• • • • • •

(x) Subject to prior approval of the Commission, positions for which a local recruiting shortage exists when filled by inmates of Federal, District of Columbia, and State (including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands) penal and correctional institutions under work-release programs authorized by the Prisoner Rehabilitation Act of 1965, the District of Columbia Work Release Act, or under work-release programs authorized by the States. Initial appointments under this authority may not exceed 1 year. An initial appointment may be extended for one or more periods not to exceed 1 additional year each with the prior approval of the Commission upon a finding that the inmate is still in a work-release status and that a local recruiting shortage still exists. No person may serve under this authority longer than 1 year beyond the date he is released from custody.

• • • • • •

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76-1085 Filed 1-13-76;8:45 am]

PART 213—EXCEPTED SERVICE

Department of the Treasury

Section 213.3305 is amended to show that one position of Staff Assistant to the Secretary (Director, Executive Secretariat) is reestablished under Schedule C.

Effective on January 14, 1976, § 213.3305(a)(1) is amended as set out below:

§ 213.3305 Department of the Treasury.

(a) *Office of the Secretary.* (1) One Staff Assistant to the Secretary (Director, Executive Secretariat).

• • • • • •

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76-1090 Filed 1-13-76;8:45 am]

PART 213—EXCEPTED SERVICE

Department of Justice

Section 213.3310 is amended to show that one position of Special Assistant (Women and Minority Rights) to the Administrator, Law Enforcement Assistance Administration, and one position of Program Planning Officer (Assistance Administrator, Office of National Priority Programs) are excepted under Schedule C.

Effective on January 14, 1976, §§ 213.3310(s) (11) and (12) are added as set out below:

§ 213.3310 Department of Justice.

• • • • • •

(s) *Law Enforcement Assistance Administration.* • • •

(11) One Special Assistant (Women and Minority Rights) to the Administrator.

(12) One Program Planning Officer (Assistant Administrator, Office of National Priority Programs).

• • • • • •

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76-1089 Filed 1-13-76;8:45 am]

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to show that one position of Confidential Assistant to the Under Secretary is reestablished under Schedule C.

Effective on January 14, 1976, § 213.3316(a)(6) is added as set out below:

§ 213.3316 Department of Health, Education, and Welfare.

(a) *Office of the Secretary.* • • •

(6) Five Confidential Assistants to the Under Secretary.

• • • • • •

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76-1088 Filed 1-13-76;8:45 am]

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to reflect the following title change from: Director for Communications to Director for External Liaison.

Effective on January 14, 1976, § 213.3316(m)(2) is revised as set out below.

§ 213.3316 Department of Health, Education, and Welfare.

• • • • • •

(m) *Office of Consumer Affairs.* • • •

(2) Director for External Liaison.

• • • • • •

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76-1087 Filed 1-13-76;8:45 am]

PART 213—EXCEPTED SERVICES

General Services Administration

Section 213.3337 is amended to show that one additional position of Confidential Assistant to the Commissioner, Federal Supply Service is excepted under Schedule C.

Effective on January 14, 1976, § 213.3337(c)(2) is amended as set out below:

§ 213.3337 General Services Administration.

• • • • • •

(c) *Federal Supply Service.* • • •

(2) Three Confidential Assistants to the Commissioner.

• • • • • •

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76–1086 Filed 1–13–76;8:45 am]

PART 930—PROGRAMS FOR SPECIFIC POSITIONS

Appointment, Pay, and Removal of Administrative Law Judges

On November 18, 1975, a notice of a proposed change in the regulations dealing with the inter-agency transfers of Administrative Law Judges was published in the FEDERAL REGISTER, Volume 40, No. 230. The proposal was made because these transfers, immediately after the minimum 90 days of service following competitive appointment required by 5 CFR 330.501, were not in the interests of the losing agency in terms of the cost of training, orientation, replacement, etc., and because selections by the gaining activity of persons not otherwise within reach for selection from a certificate, were not deemed to be consistent with merit principles. In the absence of any significant comment during the notice period, 5 CFR 930.206 is hereby amended by the addition of the following new paragraph (c).

§ 930.206 Transfer.

* * * * *

(c) An agency may not transfer a person from one administrative law judge position to another administrative law judge position under paragraph (a) or (b) of this section sooner than one year after the person's last nontemporary competitive appointment.

(Section 1305, 3105, title 5, U.S.C.)

Effective Date: January 14, 1976.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76–1119 Filed 1–13–76;8:45 am]

Title 7—Agriculture

CHAPTER I—AGRICULTURAL MARKETING SERVICE (STANDARDS, INSPECTIONS, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE

PART 53—LIVESTOCK, MEATS, PREPARED MEATS, AND MEAT PRODUCTS (GRADING, CERTIFICATION, AND STANDARDS)

Charges for Service

This document amends the regulations under which voluntary meat grading and related services are provided by permitting administrative determination of the mileage fees charged to users of this self-supporting service.

The Agricultural Marketing Act of 1946 provides for collection of fees equal as may be to the cost of Federal meat grading services rendered under its provisions. Therefore, in order for the Federal meat grading service to readily adjust to changes in public law affecting travel reimbursement to Federal employees, it is necessary to allow administrative determination of travel charges.

The provisions of 7 CFR 53.29(c) are hereby amended to read as follows:

§ 53.29 Fees and charges for other services.

* * * * *

(c) *Travel Charges.* When service is requested at a place so distant from an official grader's headquarters, or place of prior assignment on a circuitous routing that a total of one-half hour or more is required for the grader to travel to such place and back to the headquarters, or to the next place of assignment on a circuitous routing, the charge for such service shall include a mileage charge administratively determined by the Chief, and travel tolls, if applicable, for such travel prorated against all the applicants furnished the service involved on an equitable basis, or where the travel is made by public transportation (including hired vehicles), a fee equal to the actual cost thereof. However, the applicant will not be charged a new mileage rate without notification before the service is rendered.

This amendment shall become effective February 1, 1976, for all Federal meat grading services rendered on and after that date, including service under commitment agreement, whether heretofore or hereafter made.

(Sections 203, 205, 60 Stat. 1087, 1090, (7 U.S.C. 1622, 1624))

Done at Washington, D.C. this 9th day of January 1976.

DONALD E. WILKINSON,
Administrator.

[FR Doc.76–1136 Filed 1–13–76;8:45 am]

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

PART 226—CHILD CARE FOOD PROGRAM

Interim Implementation Provisions

Correction

In FR Doc. 75–35232, appearing at page 60057 in the issue of Wednesday, December 31, 1975 the following changes should be made:

1. On page 60065, the third line of § 226.24(d) should be deleted where it appears and reinserted as the second line of § 226.25(g).

2. On page 60063, paragraph (b) of § 226.30 should be deleted and paragraphs (c) and (d) should be redesignated as paragraphs (b) and (c) respectively.

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

PART 999—SPECIALTY CROPS; IMPORT REGULATIONS

Imports of Walnuts; Certain Requirements

Notice was published in the December 9, 1975, issue of the FEDERAL REGISTER (40 FR 57368) regarding a proposal by the Department to amend the regulation governing imports of walnuts (7 CFR 999.100) to revise the quality requirements for imported inshell walnuts, and to make a minor editorial change. The walnut import regulation is effective pursuant to section 8e (7 U.S.C. 608e–1) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to collectively as the "act".

The notice afforded interested persons an opportunity to submit written data, views, or arguments on the proposal. None were received.

Section 8e of the act requires the Secretary of Agriculture to issue, after reasonable notice, quality restrictions on imported walnuts, which are the same as, or comparable to, those imposed upon domestic walnuts under a Federal marketing order (7 CFR Part 984). The quality requirements for imported inshell walnuts under the import regulation are U.S. No. 2. These were the requirements imposed upon the domestic walnuts under the Federal marketing order until they were modified effective November 30, 1975.

U.S. No. 2, as prescribed in the United States Standards for Walnuts (Juglans regia) in the Shell (29 FR 12865; 35 FR 10840), allows a total tolerance of 20 percent, by count, for internal grade defects, but not more than 10 percent of the walnuts may be damaged by mold or insects or seriously damaged by other means, of which not more than 5 percent may be damaged by insects. No part of any tolerance is allowed for walnuts containing live insects. Examples of internal grade defects are mold, shriveling, rancidity, decay, dark discoloration, presence or evidence of insects inside the shell, and uncured kernels which are wet and rubbery, not firm and crisp.

The November 30, 1975, modification in the domestic requirements reduced the total tolerance for internal grade defects to a maximum of 15 percent, and the tolerance included within the total tolerance for damage by mold or insects or serious damage by other means to a maximum of 8 percent. The tolerance of 5 percent for damage by insects and the prohibition on live insects were not changed. Therefore, it is necessary to revise the present quality requirements on imported inshell walnuts so that they are the same as the modified requirements imposed upon domestic walnuts under the Federal marketing order.

The minor editorial change involves the addition of the paragraph heading "Reconditioning prior to importation" at the beginning of paragraph (d). It was omitted in the August 15, 1975, amendment of the regulation (40 FR 29263).

After consideration of all relevant matter presented, including that in the notice, and other available information, it is hereby found that the amendment of the regulation governing imports of walnuts (7 CFR 999.100), as hereinafter set forth, is pursuant to, in accordance with, and will tend to effectuate, the declared policy of the act.

Therefore, the regulation governing imports of walnuts (7 CFR 999.100) is amended by revising § 999.100(b) (1) and by inserting a heading at the beginning of paragraph (d) of that section. As so revised, paragraphs (b) (1) and (d) read as follows:

§ 999.100 Regulation governing imports of walnuts.

* * * * *

(b) * * *

(1) All inshell walnuts shall be of a quality equal to or better than the requirements for U.S. No. 2 and "baby" size as prescribed in the United States Standards for Walnuts (Juglans regia) in the Shell (§§ 51.2945–51.2966 of this title), except that not more than a total of 15 percent, by count, of the walnuts may be damaged by internal grade defects including not more than 8 percent which are damaged by mold or insects or seriously damaged by other means, of which not more than 5 percent may be damaged by insects, but no part of any tolerance shall be allowed for walnuts containing live insects; or

* * * * *

(d) *Reconditioning prior to importation.* Nothing contained in this section shall be deemed to preclude reconditioning walnuts prior to importation, in order that such walnuts may be made eligible to meet the grade and size regulations prescribed in paragraph (b) of this section.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; (7 U.S.C. 601–674))

Dated: January 8, 1976, to become effective February 29, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.76–1082 Filed 1–13–76;8:45 am]

Title 9—Animal and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

PART 78—BRUCELLOSIS

Quarantined Areas; Postponement of Effective Date

The purpose of this amendment is to further postpone the effective date of amendments to Part 78, Title 9, Code of Federal Regulations, as published in the FEDERAL REGISTER December 24, 1975 (40 FR 59421–59422) from January 9, 1976 until a further notice is issued regarding the effective date of the amendments. As published in the FEDERAL REGISTER January 5, 1976 (41 FR 766–767) the effective date of the amendments had been postponed from January 5, 1976 until January 9, 1976.

Statement of considerations. On December 24, 1975, there were published in the FEDERAL REGISTER (40 FR 59421–59422) amendments to Part 78, Title 9, Code of Federal Regulations, to take effect January 5, 1976, the purposes of which were: (1) To add a new section for quarantined areas, and (2) to add a new section and amend certain definitions in order to provide for the movement of cattle from quarantined areas.

Because of the failure on the part of the State of Texas to comply with the Uniform Methods and Rules for the eradication of brucellosis and because of the high incidence of brucellosis infection that exists in that State, and because measures in effect in that State to eradicate brucellosis were not deemed adequate to prevent the interstate spread of that disease, it was determined that the interstate movement of cattle from Texas without further restriction constituted a threat to the livestock of the United States. Therefore, the entire State of Texas was quarantined effective January 5, 1976, to prevent the interstate spread of brucellosis from that State.

On December 30, 1975, the District Court of Castro County, Texas, 64th Judicial District, in "Louis Hinders, et al. v. Texas Animal Health Commission, et al." (Number 4170), issued a Temporary Restraining Order, enjoining and commanding the Texas Animal Health Commission and its commissioners to enforce certain of the Commission's rules and regulations as well as enumerated provisions of the Texas-Bovine Brucellosis Regulations (including proposed changes) dated July, 1975. By its own terms, this Temporary Restraining Order expires January 8, 1976. The rules and regulations which the Court's order requires the defendants to enforce, contain provisions which are the equivalent of the Uniform Methods and Rules for the eradication of brucellosis. The defendants' adherence to the Temporary Restraining Order places Texas in compliance with the Department's brucellosis eradication program until said order expires on January 8, 1976. Therefore, on January 5, 1976, there was published in the FEDERAL REGISTER (41 FR 766–767) an amendment which postponed the effective date of the amendments published on December 24, 1975 (40 FR 59421–59422), from January 5, 1976 until January 9, 1976.

On January 8, 1976, the District Court of Castro County, Texas, 64th Judicial District, in "Louis Hinders, et al v. Texas Animal Health Commission, et al" (Number 4170), issued a Temporary Injunction, enjoining and commanding the Texas Animal Health Commission and its commissioners to enforce certain of the Commission's rules and regulations as well as enumerated provisions of the Texas-Bovine Brucellosis Regulations.

The rules and regulations which the Temporary Injunction requires the defendants to enforce, contain provisions which are the equivalent of the Uniform Methods and Rules for the eradication of brucellosis. The defendants' adherence to the Temporary Injunction places Texas in compliance with the Department's brucellosis eradication program until such Temporary Injunction is dissolved.

The Temporary Injunction is in effect until a hearing on the merits is held or until dissolution of the Temporary Injunction upon motion of either party and a finding by the Court that the Texas Animal Health Commission has issued and is enforcing rules and regulations which are the equivalent of the Uniform Methods and Rules for the eradication of brucellosis and which place Texas in compliance with the Department's brucellosis eradication program.

Therefore, in view of this court action, the effective date of the amendments to Part 78, 9 CFR, as published in the FEDERAL REGISTER December 24, 1975 (40 FR 59421–59422), is further postponed until a further notice is issued regarding the effective date of the amendments to said Part 78.

(Secs. 4–7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791–792, as amended; secs. 1–4, 33 Stat. 1265, as amended; sec. 2, 65 Stat. 693; and secs. 3 and 11, 76 Stat. 130, 132 (21 U.S.C. 111–114a–1, 115, 117, 120, 121, 123–125, 134b, 134f); 37 FR 28464, 28477; 38 FR 19141)

Effective date. This amendment shall become effective January 8, 1976.

It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this amendment are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 8th day of January, 1976.

J. M. HEJL,
Deputy Administrator, Veterinary Services.

[FR Doc.76–1128 Filed 1–13–76;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 75–SW–67]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area; Correction

On December 8, 1975, FR Doc. No. 75–32911 was published in the FEDERAL REGISTER (40 FR 57204). This document designated the Alpine, Tex., 700-foot transition area.

A review of the document revealed that the geographical coordinates describing the location of the Alpine Mu-

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nicipal Airport were in error. The latitude should read 30°23'00" N. in lieu of 33°23'00" N. as shown in the document. Action is taken herein to effect this correction.

As this correction is editorial in nature and imposes no additional burden on any person or persons, notice and public procedures are not considered necessary.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Fort Worth, Tex., on January 5, 1976.

ALBERT H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.76-1063 Filed 1-13-76;8:45 am]

Title 15—Commerce and Foreign Trade

CHAPTER I—BUREAU OF THE CENSUS, DEPARTMENT OF COMMERCE

PART 30—FOREIGN TRADE STATISTICS

Foreign Port of Lading for Shipments Other Than by Vessel or Air

Correction

In FR Doc. 75-35115 appearing on page 60041 in the issue of Wednesday, December 31, 1975, the last three lines of § 30.70(c) reading "(Mexico where the merchandise was first loaded) for exportation to the United States." should read "(Mexico) where the merchandise was first loaded for exportation to the United States.".

CHAPTER III—DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 377—SHORT SUPPLY CONTROLS

Continuation of Short Supply Controls on Petroleum and Petroleum Products During the First Quarter 1976

The licensing system used during the fourth quarter of 1975 for the export of petroleum and petroleum products is generally continued on the same basis during the first quarter of 1976, except that separate quota entitlements will be established for the export of propane, butane, and natural gas liquids (see discussion below), and the base period for determining exporters' shares of quota entitlements for these products (previously classified as Petroleum Commodity Group I) is changed to January 1, 1973 through March 31, 1973. The change in base period conforms with the practice that has been in effect since the second quarter of 1974, and that recognizes seasonal fluctuations in the use of these products. All other product quotas are to be calculated (as in the past) on a base period average spanning 1971, 1972, and the first six months of 1973.

ESTABLISHMENT OF SEPARATE QUOTAS FOR THE EXPORT OF PROPANE, BUTANE AND NATURAL GAS LIQUIDS

Propane, butane, and natural gas liquids (including liquefied petroleum gas and butane/propane mixtures) have heretofore been treated as a single product for export control purposes, being grouped together under Petroleum Commodity Group I, with a single quota applicable to the export of all three commodities. However, these three commodities are not fully interchangeable: Each has its separate uses, and seasonal fluctuations in demand are significantly different for each. Moreover, the Federal Energy Administration (FEA) separately allocates propane and butane.

In order to maintain better control over the export of these commodities, and to make possible closer coordination between the petroleum short supply programs administered by this Department and related programs of other agencies, the Department has decided to announce separate quotas for each of these three commodities, commencing with the first quarter of 1976, and to issue separate quota entitlements to exporters of these commodities based upon the completed audits of their Past Participation Statements and supporting documentation.

The use of Petroleum Commodity Group I is being discontinued, and three new groups, Petroleum Commodity Groups K, L and M are established, respectively, for butane (Schedule B No. 341.1025), propane (Schedule B No. 341.1030), and natural gas liquids including LPG and butane/propane mixtures (Schedule B. No. 341.1040). Supplement No. 2 to Part 377 of the Export Administration Regulations is being revised to reflect these changes.

ADJUSTMENT OF QUOTA ENTITLEMENTS FOLLOWING AN AUDIT OF STATEMENTS OF PAST PARTICIPATION IN EXPORTS

The FEDERAL REGISTER dated July 15, 1975 and October 1, 1975, required exporters seeking quota entitlements for commodities under short supply control on the basis of their past participation in exports to submit for audit documentation subtantiating the exports they had claimed on their Past Participation Statements (Forms DIB-669P). The FEDERAL REGISTER for July 15, 1975 stated that individual company export quota entitlements would be realigned appropriately following the completion of audits of the documentation submitted. The FEDERAL REGISTER for October 1, 1975, noted that the audit of Past Participation Statements and realignment of quota entitlements based thereon, had been completed for all petroleum commodity groups being audited with the exception of Group I. It further stated that the audit of the documentation relating to this commodity group would be completed prior to the end of the fourth quarter of 1975 and the quota entitlements for Group I would then be realigned.

As a result of this audit, the quota entitlements for butane, propane and natural gas liquids (formerly classified as Petroleum Commodity Group I) are being appropriately realigned. Individual exporters will be notified of their revised quota entitlements for exports beginning with the first quarter of 1976.

AMENDMENT OF EXPORT ADMINISTRATION REGULATIONS TO PROVIDE FOR THE REDUCTION OR CANCELLATION OF FUTURE EXPORT QUOTA ENTITLEMENTS WHERE EXPORTERS HAVE EXPORTED COMMODITIES UNDER SHORT SUPPLY CONTROLS WITHOUT AUTHORIZATION

In the course of administering export controls under the short supply provisions of the Export Administration Act, it has come to our attention that companies sometimes have explored commodities under short supply control either without a validated license, or in quantities exceeding license authorizations, or after the expiration of a license. The effect of such unauthorized exports is to deny to the domestic economy commodities that have been found to be in short domestic supply. Such exports thus tend to frustrate the purposes of the short supply provisions of the Export Administration Act of 1969, as amended, which are intended to "protect the domestic economy from the excessive drain of scarce materials and to reduce the serious inflationary impact of foreign demand."

In order to minimize these adverse effects, the Department will henceforth offset such unauthorized exports against future quota entitlements of such companies by reducing or cancelling their entitlements as appropriate. Whenever such action is taken, the exporter will be notified in writing of the changes in his export quota entitlement(s) and of the approximate time periods during which unauthorized shipments were made. Such actions will be independent of any compliance actions undertaken by the Department.

AMENDMENT OF EXPORT ADMINISTRATION REGULATIONS TO PROVIDE FOR THE REDUCTION OR CANCELLATION OF FUTURE EXPORT QUOTA ENTITLEMENTS WHERE STATEMENTS OF PAST PARTICIPATION OVERSTATE THE PROVABLE EXPORT HISTORY OF AN EXPORTER

From the results of the audits of Past Participation Statements of exporters of commodities under short supply control, it appears that some companies have claimed exports during the historical base period that were in excess of the exports for which adequate supporting documentation or other proof was provided by the exporter. The effect of such overstatements has been that some exporters have received quota entitlements, and subsequently made export shipments against licenses issued thereunder, in excess of those to which they should have been entitled based upon their documented export histories. The Department intends, henceforth, to minimise the adverse effects on the domestic economy of such excess exports.

With respect to Past Participation Statements submitted hereafter, if it is determined—through an audit or otherwise—that (a) such Past Participation Statements overstate an exporter's history of exports during the base period, and (b) actual exports have occurred that were greater than would have been authorized if his Past Participation Statement had accurately reflected the provable export history of such exporter, the Department will make appropriate offsetting adjustments in the exporter's future quota entitlements. Whenever such action is taken, the exporter will be notified in writing of (a) the amount by which his export quota entitlement is being reduced, (b) the approximate times within the base period when shipments were reported that have not been documented or otherwise proven and the approximate quantities involved, and (c) approximate dates and time periods of shipments that would not have been authorized had the exporter's Past Participation Statement accurately reflected his documentable exports during the base period.

Such actions reducing individual companies' quota entitlements will be independent of any compliance actions undertaken by the Department.

CLARIFICATION OF SUBMISSION DATES FOR APPLICATIONS TO EXPORT COMMODITIES SUBJECT TO SHORT SUPPLY CONTROLS

In announcing periodic quotas for commodities under quantitative export restrictions for reasons of short domestic supply, it has been the Department's practice to specify submission dates within which various categories of license applications must be filed if they are to be considered for licensing against those quotas. The purpose of specifying submission dates is to discourage the filing of license applications prior to the beginning of the quota period to which they relate, and to permit the orderly processing of applications at the end of a quota period and prior to the expiration of that quota.

It has been the Department's intention that the dates specified in the supplements to Part 377 for the filing of export license applications refer to dates within which the applications must be physically received in the Office of Export Administration. It appears, however, that this requirement for physical receipt has not always been understood by exporters of commodities under short supply control. To eliminate any misunderstanding on this point, and to otherwise clarify the requirements for the filing of license applications, the regulations are being revised to provide that the published submission dates refer to the dates within which license applications must be physically received in the Office of Export Administration. Physical receipt in the Office of Export Administration means actual receipt in P.O. Box 7138, Ben Franklin Station, Washington, D.C. 20044, or alternately, in the Office of Export Administration, Room 1613 of the Main Department of Commerce Building, 14th and E Streets, NW., Washington, D.C.

CLARIFICATION OF RIGHT TO APPEAL

To assure that exporters do not draw a more limited interpretation of their appeal rights than is intended, the reference to appeals of short supply actions in § 377.1 is revised to make clear that the right to appeal extends to any administrative action, not just to the rejection of applications.

Effective date of action: January 7, 1976.

Accordingly, the Export Administration Regulations (15 CFR Part 377) are amended as follows:

1. Section 377.1 is revised by deleting the parenthetical reference at the end of paragraph (c)(3) and adding a new § 377.1(d) as follows:

§ 377.1 General provisions.

* * * * *

(d) *Appeals.* Any administrative action taken under this Part 377 may be appealed in accordance with Part 389 of this chapter.

2. By revising § 377.2(d) to read as follows:

§ 377.2 Past participation in exports licensing method.

* * * * *

(d) *Allocation of Quotas*—(1) *General—allocation on basis of past exports.* After evaluating the statements of past participation, the Office of Export Administration will inform each exporter of his share of the export quota based on his shipments during the base period.

(2) *Reduction or cancellation of future quota allocations where exporters do not adequately substantiate exports claimed on statements of past participation.* If it is determined—through an audit or otherwise—that (i) Past Participation Statements overstate an exporter's history of exports during the base period, and (ii) actual exports have occurred that were greater than would have been authorized if the exporter's Past Participation Statement had accurately reflected the provable export history of such exporter, the Department will make appropriate offsetting adjustments in the exporter's future quota entitlements. Whenever such action is taken, the exporter will be notified in writing of (a) the amount by which his export quota entitlement is being reduced, (b) the approximate times within the base period when shipments were reported that have not been documented or otherwise proven and the approximate quantities involved, and (c) approximate dates and time periods of shipments that would not have been authorized had the exporter's Past Participation Statement accurately reflected his documentable exports during the base period. Such actions reducing individual companies' quota entitlements will be independent of any compliance actions undertaken by the Department.

(3) *Reduction or cancellation of future quota allocations where exporters have exported commodities in excess of amounts authorized by validated export licenses.* Where an exporter has exported commodities under short supply control without a validated license, or in quantities exceeding license authorizations, or after the expiration of a license, the Department will offset such unauthorized exports against future quota entitlements of such exporters by reducing or cancelling their entitlements as appropriate. Whenever such action is taken, the exporter will be notified in writing of the changes in his export quota entitlement(s) and of the approximate time periods during which unauthorized shipments were made. Such actions will be independent of any compliance actions undertaken by the Department.

3. By adding to the end of § 377.2(e) the following new sentence:

§ 377.2 Past participation in exports licensing method.

* * * * *

(e) *Submission of applications.* * * * Dates included in the published time schedules mentioned above refer to the dates within which license applications must be physically received in P.O. Box 7138, Ben Franklin Station, Washington, D.C. 20044, or in Room 1613 of the Main Department of Commerce Building, 14th & E Streets, NW., Washington, D.C.

§ 377.6 [Amended]

4. Wherever "Group I" is referred to in § 377.6, delete "I" and any preceding "and" or "or" and substitute therefore "K, L, and M" or "K, L, or M" as appropriate.

5. Supplement No. 2 to Part 377 of the Export Administration Regulations (15 CFR Part 377) is revised to read as follows:

PETROLEUM AND PETROLEUM PRODUCTS SUBJECT TO SHORT SUPPLY LICENSING CONTROLS (COMMODITY DESCRIPTION)

PETROLEUM LICENSED ONLY IN ACCORDANCE WITH § 377.6(D)(1)

Group A

331.0100 Crude petroleum.
331.0200 Petroleum partly refined for further refining.

PETROLEUM PRODUCTS SUBJECT TO HISTORICAL QUOTAS

Group B

332.1015 Aviation gasoline.

Group C

332.1030 Gasoline, n.e.c.
332.1050 Gasoline blending agents, hydrocarbon compounds only, n.e.c.

Group D

Schedule B No.
332.2010 Kerosene, except kerosene-type jet fuel.

Group E

332.2020 Jet fuel.

Group F

332.3000 Distillate fuel oils.

Group G

332.4000 Residual fuel oils.

Group K

341.1025 Butane.

Group L

341.1030 Propane.

Group M

341.1040 Natural gas liquids, including L.P.G., n.e.c.

PETROLEUM PRODUCTS NOT SUBJECT TO QUOTAS

Group H

332.9160 Carbon black feedstock oil.

JAN 14 1976

Group J	
341.1010	Synthetic natural gas.[1]
341.2000	Gas, manufactured.

Quantities: Report the above commodities, except Group J, in barrels of 42 gallons. Report Group J in MCF.

Shipping tolerance: 10%.

Submission dates: Not prior to the beginning of the applicable quarter, and not later than:

Applications against historical quotas.	*1st quarter, 1976*
Applications for hardships, crude oil, carbon black feedstock oil, synthetic natural gas, and manufactured gas.	Mar. 22, 1976. At any time.

COUNTRY QUOTAS: FIRST QUARTER 1976

COUNTRY QUOTAS FOR GROUP B

(Schedule B No. 332.1015, Aviation Gasoline)

Country:	Quota (barrels)
Bahamas	1,676
Belgium	78
Bolivia	2,761
Cameroon	66
Canada	3,313
Dahomey	58
French Pacific Islands	3,853
Gabon	115
Holland	18,940
Honduras	307
India	12,743
Ivory Coast	98
Mexico	13,607
Singapore	14,783
All other countries	165

COUNTRY QUOTAS FOR GROUP C

(Schedule B No. 332.1030, Gasoline, n.e.c.) (Schedule B No. 332.1050, Gasoline blending agents, hydrocarbon compounds only, n.e.c.)

Country:	Quotas (barrels)
Australia	554
Austria	139
Bahamas	872
Belgium	3,929
Brazil	29,061
Canada	76,078
Denmark	76
Finland	162
France	635
French Pacific Islands	20,141
Holland	48,039
India	143
Iran	106
Italy	314
Japan	299
Leeward and Windward Islands	1,109
Mexico	149,791
Mozambique	66
Nigeria	143
Philippines	137
South Africa	556
Sweden	56
United Kingdom	3,111
Venezuela	165
West Germany	3,966
All other countries	513

COUNTRY QUOTAS FOR GROUP D

(Schedule B No. 332.2010, Kerosene, except kerosene-type jet fuel)

Country:	Quota (barrels)
Australia	1,118
Brazil	150
Canada	1,667
Chile	122
Congo	56
Egypt	88
France	59
French Pacific Islands	3,348
Gabon	266
Holland	349
Israel	586
Italy	467
Japan	2,354
Mexico	72
Nigeria	740
Peru	71
Philippines	89
Singapore	442
South Africa	371
United Kingdom	9,391
Venezuela	454
West Germany	7,047
All other countries	252

COUNTRY QUOTAS FOR GROUP E

(Schedule B No. 332.2020, Jet Fuel)

Country:	Quota (barrels)
Bahamas	31
Canada	42,797
Mexico	58,193

COUNTRY QUOTAS FOR GROUP F

(Schedule B No. 332.3000, Distillate fuel oils)

Country:	Quota (barrels)
Bahamas	3,125
Canada	113,393
Colombia	36,385
Denmark	22,413
French Pacific Islands	11,616
Holland	58,895
Japan	49,195
Mexico	260,283
Netherlands Antilles	34,072
Peru	13,577
Surinam	327
United Kingdom	49,195
All other countries	1,359

COUNTRY QUOTAS FOR GROUP G

(Schedule B No. 332.4000, Residual fuel oils)

Country:	Quota (barrels)
Bahamas	110,780
Barbados	11,275
Belgium	12,865
Brazil	63,662
Canada	833,224
Canary Islands	14,182
Denmark	32,003
France	2,493
French Pacific Islands	16,967
Greece	19,798
Holland	50,108
Ireland	11,626
Italy	181,979
Jamaica	152,086
Japan	266,105
Leeward and Windward Islands	12,745
Mexico	643,500
Netherlands Antilles	99,078
Panama	74,793
Peru	30,821
Poland	2,070
Portugal	19,240
Singapore	15,455
South Africa	21,432
Spain	36,283
Sweden	75,413
United Kingdom	227,631
All other countries	814

COUNTRY QUOTAS FOR GROUP K

(Schedule B No. 341.1025, Butane)

Country:	Quota (barrels)
Canada	1,769
Mexico	197,183
All other countries	703

COUNTRY QUOTAS FOR GROUP L

(Schedule B No. 341.1030, Propane)

Country:	Quota (barrels)
Canada	4,931
Mexico	841,862
Japan	380,809
All other countries	3,514

COUNTRY QUOTAS FOR GROUP M

(Schedule B No. 341.1040, Natural gas liquids, including liquefied petroleum gas (L.P.G.), n.e.c.)

Country:	Quota (barrels)
Canada	22,414
Mexico	1,687,569
Guatemala	150,514
Japan	2,355
All other countries	3,946

BASE PERIOD: COMMODITY GROUPS K, L, AND M

The base period for determining historical quota shares for Petroleum Commodity Groups K, L, and M in the first quarter 1976 is January 1, 1973 to March 31, 1973.

RAUER H. MEYER,
Director,
Office of Export Administration.

[FR Doc.76-1084 Filed 1-13-76;8:45 am]

[1] Natural gas and liquified natural gas (L.N.G.), and synthetic natural gas commingled with natural gas (Schedule B No. 341.1010), requires export authorization from the U.S. Federal Power Commission. See § 370.10(g).

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE PRACTICES

[Docket No. C-2765]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Leesin International, Inc. and Leon Sinder

Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements; 13.533–20 Disclosures. Subpart—Invoicing products falsely: § 13.1108 Invoicing products falsely; 13.1108–90 Wool Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1200 Content; § 13.1212 Formal regulatory and statutory requirements; 13.1212–90 Wool Products Labeling Act. Subpart—Misrepresenting oneself and goods — Goods: §13.1605 Content: § 13.1623 Formal regulatory and statutory requirements; 13.1623–90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 Formal regulatory statutory requirements; 13.1852–80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; secs. 2–5, 54 Stat. 1128–1130; 15 U.S.C. 45, 68)

In the Matter of Leesin International, Inc., a corporation, and Leon Sinder, individually and as an officer of said corporation

Consent order requiring a Croton-On-Hudson, N.Y., importer and distributor of fabrics, among other things to cease misrepresenting the wool content of their wool blend fabrics and further, that respondents notify their customers that the fabrics they have purchased were misbranded.

The order to cease and desist, including further order requiring reports of compliance therewith, is as follows:[1]

ORDER

It is ordered, That respondents Leesin International, Inc., a corporation, its successors and assigns, and its officers, and Leon Sinder, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporation, subsidiary, division, or any other device, in connection with the introduction, or importing for introduction, into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely and deceptively stamping, tagging, labeling, or otherwise identifying such products.

2. Failing to securely affix to or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

It is further ordered, That respondents Leesin International, Inc., a corporation, its successors and assigns, and its officers, and Leon Sinder, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the importing, advertising, offering for sale, sale or distribution of fabrics in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, as amended, do forthwith cease and desist from misrepresenting the amount or character of constituent fibers contained in such products on invoices or shipping memoranda applicable thereto, or in any other manner.

It is further ordered, That respondents notify, by registered mail, each of their customers that purchased the wool products which gave rise to this complaint of the fact that such products were misbranded.

It is further ordered, That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and his affiliation with a new business or employment. Such notice shall include respondent's current business address and a statement as to the nature of the business or employment in which he is engaged as well as a description of his duties and responsibilities.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist contained herein.

The decision and order was issued by the Commission Dec. 8, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.76-1048 Filed 1-13-76;8:45 am]

[1] Copies of the Complaint, Decision and Order, filed with the original document.

[Docket No. C-2766]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Mr. Martinez of Miami, Inc. and Leonel Martinez

Subpart—Failing to maintain records: § 13.1051 Failing to maintain records; 13.1051–30 Formal regulatory and/or statutory requirements. Subpart—Furnishing false guaranties: § 13.1053 Furnishing false guaranties; 13.1053–80 Textile Fiber Products Identification Act. Subpart—Invoicing products falsely: § 13.1108 Invoicing products falsely; 13.1108–80 Textile Fiber Products Identification Act. Subpart—Misbranding or mislabeling: § 13.1200 Content; § 13.1212 Formal regulatory and statutory requirements; 13.1212–80 Textile Fiber Products Identification Act: Subpart—Misrepresenting oneself and goods—Goods: § 13.1605 Content; § 13.1623 Formal regulatory and statutory requirements: 13.1623–80 Textile Fiber Products Identification Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure § 13.1850 Content; § 13.1852 Formal regulatory and statutory requirements; 13.1852–70 Textile Fiber Products Identification Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 72 Stat. 1717; 15 U.S.C. 45, 70)

In the matter of Mr. Martinez of Miami, Inc., a corporation, and Leonel Martinez, individually and as an officer of said corporation

Consent order requiring a Miami, Fla., manufacturer of women's wearing apparel, among other things to cease furnishing customers with false guaranties that certain textile fiber products were not misbranded, mislabeling products as to their constituent fibers, failing to maintain and preserve proper records, and failing to disclose on labels all information required by the Textile Fiber Products Identification Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:[1]

ORDER

It is ordered, That respondents Mr. Martinez of Miami, Inc., a corporation, its successors and assigns, and its officers and Leonel Martinez, individually and as an officer of said corporation and respondents' representatives, agents and employees, directly or through any corporation, subsidiary, division or other device in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising, or offering for sale in commerce, or the importation into the United States, of any textile fiber product, or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber products" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising or otherwise identifying such products as to the name or amount of the constituent fibers contained therein.

2. Failing to affix a stamp, tag, label or other means of identification to each such product showing in a clear, legible and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

3. Failing to separately set forth the required information as to fiber content in such a manner as to show the fiber content of the separate units of textile fiber products containing two or more units which are of different fiber composition where such form of marking is necessary to avoid deception as required by Rule 29 of the Rules and Regulations promulgated under authority of the Textile Fiber Products Identification Act.

B. Failing to maintain and preserve proper records of fiber content of textile fiber products manufactured by respondents as required by section 6(a)

[1] Copies of the Complaint, Decision and Order, filed with the original document.

of the Textile Fiber Products Identification Act and Rule 39 of the rules and regulations promulgated thereunder.

It is further ordered, That respondents Mr. Martinez of Miami, Inc., a corporation, and its officers, and Leonel Martinez, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from furnishing a false guaranty that any textile fiber product is not misbranded or falsely invoiced under the provisions of the Textile Fiber Products Identification Act.

It is further ordered, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent, such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment. Such notice shall include respondent's current business address and a statement as to the nature of the business or employment in which he is engaged as well as a description of his duties and responsibilities.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

The decision and order was issued by the Commission Dec. 8, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.76-1049 Filed 1-13-76;8:45 am]

Title 20—Employees' Benefits

CHAPTER VIII—JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

PART 901—REGULATIONS GOVERNING THE PERFORMANCE OF ACTUARIAL SERVICES UNDER THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

PART 902—RULES REGARDING AVAILABILITY OF INFORMATION

Preamble. By a notice of proposed rulemaking appearing in the FEDERAL REGISTER for Friday, May 9, 1975 (40 FR 20326) regulations were proposed relating to the enrollment of actuaries and access to the records of the Joint Board for the Enrollment of Actuaries. By a notice of proposed rulemaking appearing in the FEDERAL REGISTER for Wednesday, August 27, 1975 (40 FR 38171) the notice of proposed rulemaking published on May 9, 1975, was withdrawn and new proposed regulations substituted therefor. Further, there appeared in the FEDERAL REGISTER for Wednesday, August 27, 1975 (40 FR 38147), temporary regulations identical to the proposed regulations appearing with the notice of proposed rulemaking published in such document. After consideration of all such relevant matter as was presented by interested persons regarding the rules as proposed in the document appearing on May 9, 1975, and the documents appearing on August 27, 1975, certain changes were made, and the proposed regulations which appeared in the FEDERAL REGISTER for August 27, 1975, subject to the changes indicated below, are adopted by this document and the temporary regulations which appeared in the FEDERAL REGISTER for August 27, 1975, are superseded.

In the proposed regulations appearing with the notice of proposed rulemaking published in the FEDERAL REGISTER for May 9, 1975, (hereinafter referred to as the "May 9 document") Subpart C was entitled "Rules of Conduct for Enrolled Actuaries." This was changed by the proposed regulations appearing with the notice of proposed rulemaking published in the FEDERAL REGISTER for August 27, 1975 (hereinafter referred to as the "August 27 document") to "Standards of Performance for Enrolled Actuaries." Section 901.0 was revised by the August 27 document to reflect this change.

Section 901.1(b) as proposed by the May 9 document was changed by the August 27 document for clarification. Paragraphs (c), (d), (e), and (f) of § 901.1 as proposed in the May 9 document were redesignated as paragraphs (d), (f), (g), and (h) in the August 27 document, and new paragraphs (c) and (e) were inserted. New paragraph (c) provides a definition of the term "month of responsible actuarial experience" and new paragraph (e) provides a definition of the term "month of responsible pension actuarial experience." In redesignated paragraph (f) the regulations adopted by this document change the word "person" to the word "individual." Redesignated paragraph (g) was changed by the August 27 document to make clear that enrolled actuaries are approved to perform actuarial services required under ERISA or the regulations thereunder. The reference to ERISA or the regulations thereunder was deleted from redesignated paragraph (h) by the August 27 document as unnecessary. Minor changes were made to § 901.1 (a) and (b) by the final regulations adopted by this document.

Three changes were made by the August 27 document to § 901.2(a) for clarification purposes. Section 901.2(a) was also amended by the August 27 document to provide that only an enrolled actuary may perform actuarial services on behalf of an entity which is engaged to perform such services. Paragraphs (b) and (c) have been amended by this document in order to limit their applicability to the performance of actuarial services required under ERISA or the regulations thereunder.

Section 901.10(a) as proposed in the May 9 document was amended by the August 27 document to clarify the fact that it is a requirement for enrollment that an applicant file an application for enrollment and that an applicant be required to agree to comply with the regulations of the Joint Board. Paragraph (b) was amended by the August 27 document by deleting the sentence authorizing the Executive Director to afford, upon written request by an applicant the opportunity to be heard with respect to his application for enrollment. Several changes in terminology were made in § 901.10(c) by the August 27 document. Such paragraph was also amended to provide that an applicant for enrollment who has been notified of a proposed denial also be notified of his rights to request reconsideration and of the procedures for making such request.

Section 901.11(a) was amended by the August 27 document to provide for notification of enrolled applicants. Such section was also amended to provide that an application for renewal of an enrollment must be made within six months of the expiration of any prior renewal of such enrollment.

Section 901.12(a) as proposed in the May 9 document was revised by the August 27 document by clarifying the fact that it applies only to individuals applying before January 1, 1976. Also, certain clarifying changes were made to account for the redesignation and elimination of certain other paragraphs relating to the experience and education requirements.

Section 901.12(b)(2) relating to the minimum number of months of responsible actuarial experience was amended by the August 27 document to decrease the number of months of required responsible pension actuarial experience from 24 to 18.

Section 901.12(c), as proposed in the May 9 document, was redesignated as § 901.12(d) by the August 27 document. Section 901.12(e) as proposed in the May 9 document was redesignated as § 901.12(c)(1) in the August 27 document, and § 901.12(d) by the August 27 document. (c)(2). The August 27 document deleted, as a separate requirement, that an applicant be a member of certain actuarial organizations and merged such separate requirement into one examination requirement. Thus, under the regulations as proposed in the May 9 document an actuary had the choice of either satisfying the examination requirement or the organizational qualification requirement. Under the regulations as proposed in the August 27 document (and adopted by this document) he must satisfy the examination requirement but has a choice of satisfying it either by taking the Joint Board examination or by attaining by proctored examination qualification or affiliation in one of the listed actuarial organizations. Paragraph (d) as it appeared in the May 9 document was redesignated as paragraph (e)(2) and revised by redesignating old paragraph (d)(1) as new paragraph (c)(2)(i), and old paragraph (d)(2) as new paragraph (c)(2)(ii). Further, old subdivisions (i), (ii), (iii), (iv), and (v) of old paragraph (d)(1) were redesignated as subdivisions (A), (B), (D), (E), and (F), respectively, of new paragraph (c)(2), and a new associational category (C) was inserted to provide for membership or fellowship in the Casualty Actuarial Society. Furthermore, new paragraph (c)(2) was amended to make clear the fact that all organizational examinations relied upon for enrollment must be proctored. Paragraph (c)(2)(ii) as redesignated in the August 27 document was revised by stating that if an applicant relies on the organization examination and takes such proctored examination after March 1, 1975, the requirements for successful completion of such examination must be determined by the Joint Board to be of not lower standards than the requirements for qualification during the 12 months immediately preceding March 1, 1975. In the regulations as proposed in the May 9 document, the standards must not have been lower than the requirements in effect at any time before March 1, 1975.

Paragraph (d)(1) as redesignated was amended to clarify the fact that the applicant must have satisfactorily completed an actuarial science course of study. The same revision was made in new paragraph (d)(2). New paragraph (d)(2) was also revised to indicate that the 6 semester hours or 9 quarter hours of courses must be successfully completed in order to satisfy the requirement and that they must be completed at an accredited college or university.

Paragraph (f) relating to disreputable conduct, as proposed in the May 9 document, was redesignated by the August 27 document as paragraph (e) and was substantially revised. The introductory material was changed to clarify the fact that an applicant must not have engaged in any of the listed acts of disreputable conduct after such applicants eighteenth birthday. Old subparagraph (3) was redesignated as subparagraph (1) and changed by the addition of fraud to the list of types of disreputable conduct. Old subparagraph (1) was redesignated as subparagraph (2) and revised by requiring a conviction of any offense referred to in § 411 of ERISA and by omitting the references therein to the applicant's eighteenth birthday and the other offenses involving violation of a fiduciary or trust relationship. Old subparagraph (2) was redesignated in the August 27 document as new subparagraph (3) and a minor change was made to the reference to an application for enrollment. The new subparagraph (3) coverage was also expanded to include the knowing submission of false statements in any report presenting actuarial information to any person.

The headings of Subpart C and § 901.20 were amended by the August 27 document to refer to "standards of performance" of enrolled actuaries in lieu of "rules of conduct" therefor. The introductory material to § 901.20 was revised by the August 27 document to provide that such Subpart applies to the discharge of all duties under ERISA.

In § 901.20(a), the May 9 document proposed a rule which would have proscribed the undertaking of an assignment for which the enrolled actuary did not have appropriate training or experience. The August 27 document required an enrolled actuary to undertake an assignment only if he or she is qualified to do so. A change for clarification was made to paragraph (c) of § 901.20 by the August 27 document and paragraph (d) was amended to delete the reference therein to Part 4, Title I of ERISA and section 4975 of the Internal Revenue Code of 1954. Such paragraph was also amended to provide a knowledge requirement with respect to conflicts of interest and to substitute for the general term "interested" parties a list of the specific parties whom the actuary should notify with respect to any conflict of interest. The final regulations adopted by this document make clarification changes to the paragraph as proposed on August 27 and also amend such paragraph to clarify the fact that disclosure should be made to the plan trustees, to the fiduciary of the plan, and the collective bargaining representative, if appropriate.

Minor changes to the heading of § 901.20(e), as proposed in the May 9 document, and subparagraphs (2) and (3) of such paragraph were made by the August 27 document. Further, in subparagraph (1), the reference to "data used in any actuarial calculations" was deleted and a requirement of the appropriateness of the actuarial method of valuation of assets was added by the August 27 document. In subparagraph (3), an insertion was made to make clear that an enrolled actuary must exercise due care, skill, and prudence to ensure that any supplementary advice on explanations relative to a report and recommendation to the plan administrator reflect the results of the actuary's calculations.

Paragraph (f) as proposed in the May 9 document was amended by the August 27 document to indicate that only material inadequacies in data supporting a report or certificate stating actuarial costs or liabilities need be identified therein.

Paragraph (g) in the regulations as proposed on May 9 (dealing with disclosure of compensation) was deleted by the August 27 document and a new paragraph (g) (dealing with the utilization of the enrolled actuary designation) inserted in lieu thereof. New paragraph (g) as proposed in the August 27 document provided that an enrolled actuary is not to advertise his or her status as an enrolled actuary. Exceptions were provided for use of the term "enrolled actuary" on stationery, letterheads, and business cards as well as in the general listing of an enrolled actuary's name in a telephone book. This paragraph, however, has been changed in the regulations adopted by this document to provide that an actuary may not employ or accept employment with any individual or entity which advertises. The final regulations also changed the first exception to provide that the term "enrolled actuary" may be used on stationery, letterheads or business cards of partnerships, associations, or corporations to identify a person who is named thereon as an enrolled actuary. The telephone-listing exception remains intact in the final regulations.

In Part 902, relating to rules regarding availability of information, few changes were made by the August 27 document or the final regulations herein adopted to the regulations as proposed in the May 9 document. Minor changes were made to §§ 902.3(c), and 902.4 (a), (b), (c), and (d). Section 902.4(e), relating to deletion of identifying details, was deleted by the August 27 document. Section 902.4(b) was amended to clarify the fact that requests for access to records must be signed when submitted, and to provide an address for their submission. Minor changes were made to § 902.5(a). The heading of § 902.5(c) was deleted by the final regulations.

Adoption of the regulations. On May 9, 1975, and August 27, 1975, notices of proposed rule making were published in the FEDERAL REGISTER (40 FR 20326 and 40 FR 38171) to provide regulations relating to the enrollment of actuaries and access to the records of the Joint Board for the Enrollment of Actuaries. After consideration of all such relevant matters as were presented by interested persons regarding the rules proposed, the regulations as proposed by the second such notice of proposed rule making are hereby adopted, subject to the changes set forth below, and the Temporary Regulations relating to the same matters published in the FEDERAL REGISTER for August 27, 1975 (40 FR 38147), are hereby superseded.

1. The new Part 901 of Chapter VIII of Title 20, CFR, reads as follows:

Sec.
901.0 Scope.

Subpart A—Definitions and Eligibility To Perform Actuarial Services

901.1 Definitions.
901.2 Eligibility to perform actuarial services.

Subpart B—Enrollment of Actuaries

901.10 Application for enrollment.
901.11 Enrollment procedures.
901.12 Eligibility for enrollment of individuals applying for enrollment before January 1, 1976.
901.13 Eligibility for enrollment of individuals applying for enrollment on or after January 1, 1976. [Reserved.]

Subpart C—Standards of Performance for Enrolled Actuaries

901.20 Standards of performance of actuarial services.

Subpart D—Suspension and Termination of Enrollment [Reserved]

Subpart E—General Provisions

901.40 Special orders.

AUTHORITY: Sec. 3042, Subtitle C, title 3, Employee Retirement Income Security Act of 1974. (88 Stat. 1002, 29 U.S.C. 1241, 1242).

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§ 901.0 Scope.

This part contains rules governing the performance of actuarial services under the Employee Retirement Income Security Act of 1974, hereinafter also referred to as ERISA. Subpart A of this part sets forth definitions and eligibility to perform actuarial services; Subpart B of this part sets forth rules governing the enrollment of actuaries; Subpart C of this part sets forth standards of performance to which enrolled actuaries must adhere; Subpart D of this part is reserved and will set forth rules applicable to suspension and termination of enrollment; and Subpart E of this part sets forth general provisions.

Subpart A—Definitions and Eligibility To Perform Actuarial Services

§ 901.1 Definitions.

As used in this part, the term:

(a) "Actuarial experience" means the performance of, or the direct supervision of, services involving the application of principles of probability and compound interest to determine the present value of payments to be made upon the fulfillment of certain specified conditions or the occurrence of certain specified events.

(b) "Responsible actuarial experience" means actuarial experience:

(1) Involving participation in making determinations that the methods and assumptions adopted in the procedures followed in actuarial services are appropriate in the light of all pertinent circumstances, and

(2) Demonstrating a thorough understanding the principles and alternatives involved in such actuarial services.

(c) "Month of responsible actuarial experience" means a month during which the actuary spent a substantial amount of time in responsible actuarial experience.

(d) "Responsible pension actuarial experience" means responsible actuarial experience involving valuations of the liabilities of pension plans, wherein the performance of such valuations requires the application of principles of life contingencies and compound interest in the determination, under one or more standard actuarial cost methods, of such of the following as may be appropriate in the particular case:

(1) Normal cost.

(2) Accrued liability.

(3) Payment required to amortize a liability or other amount over a period of time.

(4) Actuarial gain or loss.

(e) "Month of responsible pension actuarial experience" means a month during which the actuary spent a substantial amount of time in responsible pension actuarial experience.

(f) "Applicant" means an individual who has filed an application to become an enrolled actuary.

(g) "Enrolled actuary" means an individual who has satisfied the standards and qualifications as set forth in this part and who has been approved by the Joint Board (or its designee) to perform actuarial services required under ERISA or regulations thereunder.

(h) "Actuarial services" means performance of actuarial valuations and preparation of any actuarial reports.

§ 901.2 Eligibility to perform actuarial services.

(a) *Enrolled actuary.* Subject to the standards of performance set forth in Subpart C of this part, any individual who is an enrolled actuary as defined in § 901.1(g) may perform actuarial services required under ERISA or regulations thereunder. Where a corporation, partnership, or other entity is engaged to provide actuarial services, such services may be provided on its behalf only by an enrolled actuary who is an employee, partner or consultant.

(b) *Government officers and employees.* No officer or employee of the United States in the executive, legislative, or judicial branch of the Government, or in any agency of the United States, including the District of Columbia, may perform actuarial services required under ERISA or regulations thereunder if such services would be in violation of 18 U.S.C. 205. No Member of Congress or Resident Commissioner (elect or serving) may perform such actuarial services if such services would be in violation of 18 U.S.C. 203 or 205.

(c) *Former government officers and employees*—(1) *Personal and substantial participation in the performance of actuarial services.* No former officer or employee of the executive branch of the United States Government, of any independent agency of the United States, or of the District of Columbia, shall perform actuarial services required under ERISA or regulations thereunder or aid or assist in the performance of such actuarial services, in regard to particular matters, involving a specific party or parties, in which the individual participated personally and substantially as such officer or employee.

(2) *Official responsibility.* No former officer or employee of the executive branch of the United States Government, of any independent agency of the United States, or of the District of Columbia, shall, within 1 year after his employment has ceased, perform actuarial services required under ERISA or regulations thereunder in regard to any particular matter involving a specific party or parties which was under the individual's official responsibility as an officer or employee of the Government at any time within a period of 1 year prior to the termination of such responsibility.

Subpart B—Enrollment of Actuaries

§ 901.10 Application for enrollment.

(a) *Form.* As a requirement for enrollment, an applicant shall file with the Executive Director of the Joint Board a properly executed application on a form or forms specified by the Joint Board, and shall agree to comply with the regulations of the Joint Board.

(b) *Additional information.* The Joint Board or Executive Director, as a condition to consideration of an application for enrollment, may require the applicant to file additional information and to submit to written or oral examination under oath or otherwise.

(c) *Denial of application.* If the Joint Board proposes to deny an application for enrollment, the Executive Director shall notify the applicant in writing of the proposed denial and the reasons therefor, of his rights to request reconsideration, of the address to which such request should be made and the date by which such request must be made. The applicant may, within 30 days from the date of the written proposed denial, file a written request for reconsideration therefrom, together with his reasons in support thereof, to the Joint Board. The Joint Board may afford an applicant the opportunity to make a personal appearance before the Joint Board. A decision on the request for reconsideration shall be rendered by the Joint Board as soon as practicable. In the absence of a request for reconsideration within the aforesaid 30 days, the proposed denial shall, without further proceeding, constitute a final decision of denial by the Joint Board.

§ 901.11 Enrollment procedures.

(a) *Enrollment.* The Joint Board shall enroll each applicant it determines has met the requirements of these regulations and shall so notify the applicant. Each enrollment shall be valid for a period of five years from its date or the date of any renewal thereof. Subject to the provisions of Subpart D of this part, an enrollment shall, upon application made not more than six months before the date of the expiration of its original period or any renewal thereof, be automatically renewed for a period of five years from such date.

(b) *Enrollment certificate.* The Joint Board (or its designee) shall issue a certificate of enrollment to each actuary who is duly enrolled under this part.

(c) *Rosters.* The Executive Director shall maintain rosters of all actuaries who are duly enrolled under this part and of all individuals whose enrollment has been suspended or terminated.

§ 901.12 Eligibility for enrollment of individuals applying for enrollment before January 1, 1976.

(a) *In general.* An individual applying before January 1, 1976, to be an enrolled actuary must fulfill the experience requirements of paragraph (b) of this section and either the examination requirements of paragraph (c) of this section or the educational requirements of paragraph (d) of this section.

(b) *Qualifying experience.* Within a 15 year period immediately preceding the date of application, the applicant shall have completed either:

(1) A minimum of 36 months of responsible pension actuarial experience, or

(2) A minimum of 60 months of responsible actuarial experience, including at least 18 months of responsible pension actuarial experience.

(c) *Examination requirement.* The applicant shall satisfactorily complete the Joint Board examination requirement of paragraph (c)(1) of this section or the organization examination requirement of paragraph (c)(2) of this section.

(1) *Joint Board examination.* To satisfy the Joint Board examination requirement, the applicant shall have completed, to the satisfaction of the Joint Board, an examination prescribed by the Joint Board in actuarial mathematics and methodology related to pension plans, including the funding requirements of ERISA.

(2) *Organization examination.* (i) To satisfy the organization examination requirement, the applicant shall, before March 1, 1975, have attained by proctored examination one of the following classes of qualification in one of the following organizations:

(A) Member of the American Academy of Actuaries,

(B) Fellow or Member of the American Society of Pension Actuaries,

(C) Fellow or Associate of the Casualty Actuarial Society,

(D) Fellow or Member of the Conference of Actuaries in Public Practice,

(E) Fellow or Associate of the Society of Actuaries, or

(F) A class attained by proctored examination in any other actuarial organization in the United States or elsewhere if the Joint Board determines that the subject matter included in such examination, complexity of questions, and the minimum acceptable qualifying score are at least comparable to proctored examinations administered by any of the above organizations before March 1, 1975; or

(ii) On or after March 1, 1975, the applicant shall have attained one of the classes of qualification specified in paragraph (c)(2)(i) of this section, the attainment of such qualification having been by proctored examination under requirements determined by the Joint Board to be of not lower standards than the requirements for qualification during the 12 months immediately preceding March 1, 1975.

(d) *Qualifying formal education.* Prior to filing an application, the applicant shall have satisfied one of the following educational requirements:

(1) Received a bachelor's or higher degree from an accredited college or university, such degree having been granted after the satisfactory completion of a course of study in which the major area of concentration was actuarial science, or

(2) Received a bachelor's or higher degree from an accredited college or university, such degree having been granted after the satisfactory completion of a course of study in which the major area of concentration was mathematics, statistics, or computer science, and shall have successfully completed at least 6 semester hours or 9 quarter hours of courses in life contingencies at an accredited college or university.

(e) *Disreputable conduct.* The applicant may be denied enrollment if it is found that he/she, after his/her eighteenth birthday, has:

(1) Engaged in any conduct evidencing fraud, dishonesty or breach of trust; or

(2) Been convicted of any of the offenses referred to in section 411 of ERISA; or

(3) Submitted false or misleading information on an application for enrollment to perform actuarial services or in any oral or written information submitted in connection therewith or in any report presenting actuarial information to any person, knowing the same to be false or misleading.

§ 901.13 Eligibility for enrollment of individuals applying for enrollment on or after January 1, 1976. [Reserved]

Subpart C—Standards of Performance for Enrolled Actuaries

§ 901.20 Standards of performance of actuarial services.

In the discharge of duties required by ERISA of enrolled actuaries with respect to any plan to which the Act applies:

(a) *In general.* An enrolled actuary shall undertake an actuarial assignment only when qualified to do so.

(b) *Professional duty.* An enrolled actuary shall not perform actuarial services for any person or organization which he/she believes or has reasonable grounds for believing may utilize his/her services in a fraudulent manner or in a manner inconsistent with law.

(c) *Advice or explanations.* An enrolled actuary shall provide to the plan administrator upon appropriate request, supplemental advice or explanation relative to any report signed or certified by such enrolled actuary.

(d) *Conflicts of interest.* In any situation in which the enrolled actuary has a conflict of interest with respect to the performance of actuarial services, of which the enrolled actuary has knowledge, he/she shall not perform such actuarial services except after full disclosure has been made to the plan trustees, any named fiduciary of the plan, the plan administrator, and, if the plan is subject to a collective bargaining agreement, the collective bargaining representative.

(e) *Assumptions, calculations and recommendations.* The enrolled actuary shall exercise due care, skill, prudence and diligence to ensure that:

(1) The actuarial assumptions are reasonable in the aggregate, and the actuarial cost method and the actuarial method of valuation of assets are appropriate,

(2) The calculations are accurately carried out, and

(3) The report, any recommendations to the plan administrator and any supplemental advice or explanation relative to the report reflect the results of the calculations.

(f) *Report or certificate.* An enrolled actuary shall include in any report or certificate stating actuarial costs or liabilities, a statement or reference describing or clearly identifying the data, any material inadequacies therein and the implications thereof, and the actuarial methods and assumptions employed.

(g) *Utilization of enrolled actuary designation.* An enrolled actuary shall not advertise his/her status as an enrolled actuary in any solicitation related to the performance of actuarial services, and shall not employ, accept employment in partnership, corporate, or any other form, or share fees with, any individual or entity who so solicits. However, the use of the term "enrolled actuary" to identify an individual who is named on the stationery, letterhead or business card of an enrolled actuary, or of a partnership, association, or corporation shall not be considered in violation of this section. In addition, the term "enrolled actuary" may appear after the general listing of an enrolled actuary's name in a telephone directory provided such listing is not of a distinctive nature.

Subpart D—Suspension and Termination of Enrollment [Reserved]

Subpart E—General Provisions

§ 901.40 Special orders.

The Joint Board reserves the power to issue such special orders as it may deem proper in any cases within the scope of this part.

2. The new Part 902 of Chapter VIII of Title 20, CFR, reads as follows:

Sec.
902.1 Scope.
902.2 Definitions.
902.3 Published information.
902.4 Access to records.
902.5 Appeal.

AUTHORITY: Sec. 3042, Subtitle C, Title 3, Employee Retirement Income Security Act of 1974. (88 Stat. 1002, 29 U.S.C. 1241, 1342).

§ 902.1 Scope.

This part is issued by the Joint Board for the Enrollment of Actuaries (the "Joint Board") pursuant to the requirements of section 552 of Title 5 of the United States Code, including the requirements that every Federal agency shall publish in the FEDERAL REGISTER, for the guidance of the public, descriptions of the established places at which, the officers from whom, and the methods whereby, the public may obtain information, make submittals or requests, or obtain decisions.

§ 902.2 Definitions.

(a) *"Records of the Joint Board."* For purposes of this Part, the term "records of the Joint Board" means rules, statements, opinions, orders, memoranda, letters, reports, accounts and other papers containing information in the possession of the Joint Board that constitute part of the Joint Board's official files.

(b) *"Unusual Circumstances."* For purposes of this part, "unusual circumstances" means, but only to the extent reasonably necessary for the proper processing of the particular request:

(1) The need to search for and collect the requested records from other establishments that are separate from the Joint Board's office processing the request;

(2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records

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which are demanded in a single request; or

(3) The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request.

§ 902.3 Published information.

(a) *Federal Register.* Pursuant to sections 552 and 553 of Title 5 of the United States Code, and subject to the provisions of § 902.5, the Joint Board publishes in the FEDERAL REGISTER for the guidance of the public, in addition to this part, descriptions of its organization and procedures, substantive rules of general applicability, and, as may from time to time be appropriate, statements of general policy, and interpretations of general applicability.

(b) *Other published information.* From time to time, the Joint Board issues statements to the press relating to its operations.

(c) *Obtaining printed information.* If not available through the Government Printing Office, printed information released by the Joint Board may be obtained without cost from the Executive Director of the Joint Board ("Executive Director").

§ 902.4 Access to records.

(a) *General rule.* All records of the Joint Board, including information set forth in section 552(a)(2) of Title 5 of the United States Code, are made available to any person, upon request, for inspection and copying in accordance with the provisions of this section and subject to the limitations stated in section 552(b) of Title 5 of the United States Code. Records falling within such limitations may nevertheless be made available in accordance with this section to the extent consistent, in the judgment of the Chairman of the Joint Board ("Chairman"), with the effective performance of the Joint Board's statutory responsibilities and with the avoidance of injury to a public or private interest intended to be protected by such limitations.

(b) *Obtaining access to records.* Records of the Joint Board subject to this section are available by appointment for public inspection or copying during regular business hours on regular business days at the office of the Executive Director. Every request for access to such records, other than published records described in § 902.3, shall be signed and submitted in writing to the Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220, shall state the name and address of the person requesting such access, and shall describe such records in a manner reasonably sufficient to permit their identification without undue difficulty.

(c) *Fees.* A fee at the rate of $5.00 per hour or fraction thereof or the time required to locate such records, plus ten cents per standard page for any copying thereof, shall be paid by any person requesting records other than published records described in § 902.3. In addition, the cost of postage and any packaging and special handling shall be paid by the requester. Documents shall be provided without charge or at a reduced charge where the Chairman determines that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public.

(d) *Actions on requests.* The Executive Director shall, within ten days (excepting Saturdays, Sundays and legal public holidays) from receipt of request, determine whether to comply with such request for records and shall immediately notify in writing the person making such request of such determination and the reason therefor, and of the right of such person to appeal any adverse determination, as provided in § 902.5. In unusual circumstances, the time limit for the determination may be extended by written notice to the person making such request setting forth the reasons for such extension and the date on which the determination is expected to be dispatched. No such notice shall specify a date that will result in an extension of more than ten working days.

§ 902.5 Appeal.

(a) Any person denied access to records requested under § 902.4, may within thirty days after notification of such denial, file a signed written appeal to the Joint Board. The appeal shall provide the name and address of the appellant, the identification of the records denied, and the dates of the original request and its denial.

(b) The Joint Board shall act upon any such appeal within twenty days (excepting Saturdays, Sundays and legal public holidays) of its receipt, unless for unusual circumstances the time for such action is deferred, subject to § 902.4(b), for not more than ten days. If action upon any such appeal is so deferred, the Joint Board shall notify the requester of the reasons for such deferral and the date on which the final reply is expected to be dispatched. If it is determined that the appeal from the initial denial shall be denied (in whole or in part), the requester shall be notified in writing of the denial, of the reasons therefor, of the fact the Joint Board is responsible for the denial, and of the provisions of section 552(a)(4) of Title 5 of the United States Code for judicial review of the determination.

(c) Any extension or extensions of time under §§ 902.4(d) and 902.5(b) shall not cumulatively total more than ten days (excepting Saturdays, Sundays and legal public holidays). If an extension is invoked in connection with an initial determination under § 902.4(d), any unused days of such extension may be invoked in connection with the determination on appeal under § 902.5(a), by written notice from the Joint Board.

Approved for publication in the FEDERAL REGISTER.

Dated: January 9, 1976.

[SEAL] DONALD S. GRUBBS, JR.,
Chairman, Joint Board for Enrollment of Actuaries.

Approved:

JOHN T. DUNLOP,
Secretary of Labor.

STEPHEN S. GARDNER,
Acting Secretary of the Treasury.

[FR Doc.76-1156 Filed 1-9-76;5:03 pm]

Title 24—Housing and Urban Development

CHAPTER III—GOVERNMENT NATIONAL MORTGAGE ASSOCIATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-76-210]

PART 300—GENERAL

List of Attorneys-in-Fact

Section 300.11 is amended to delete a name from paragraph (c) and to bring current the list of attorneys-in-fact authorized to act on behalf of the Association in paragraph (d).

Notice and public procedure on this amendment are unnecessary and impracticable because of the large volume of legal documents that must be executed on behalf of the Association in connection with its recent auctions of mortgages.

§ 300.11 [Amended]

1. Paragraph (c) of § 300.11 is amended by deleting the following name from the current list of attorneys-in-fact:

Name	*Region*
Donald N. Bailey	Chicago, Ill.

2. Paragraph (d) of § 300.11 is revised to read:

(d) The persons appointed attorneys-in-fact by paragraph (a) of this section are:

Federal Home Loan Mortgage Corporation, created under the laws of the United States:

Name	*Region*
William T. Binge	Washington, D.C.
Philip R. Brinkerhoff	Do.
Jerry Brooks	Atlanta, Ga.
William J. Burdine	Washington, D.C.
Michael Coffey	Dallas, Tex.
Douglas R. Cottrell	Atlanta, Ga.
James W. Cotts	Washington, D.C.
Kenneth Coulter	Los Angeles, Calif.
Robert J. Eisenberg	Washington, D.C.
C. Gordon Gray	Chicago, Ill.
Ken Halterman	Dallas, Tex.
Philip N. Harrington	Washington, D.C.
Dave G. Herold	Do.
Carl Hillis	Dallas, Tex.
John Horseman, Sr.	Washington, D.C.
Victor H. Indiek	Do.
David S. Latimore	Atlanta, Ga.
Leon L. Linkroum	Los Angeles, Calif.

Name	*Region*
John E. Lott	Chicago, Ill.
J. Michael Materie	Atlanta, Ga.
James P. McTernan	Washington, D.C.
Walter P. Moenning, Jr.	Chicago, Ill.
Ronald Morck	Atlanta, Ga.
Randall M. Nay	Dallas, Tex.
Jerry C. Nelson	Do.
Robert K. Ostengaard	Los Angeles, Calif.
Louis C. Paretti	Washington, D.C.
Paul Quinn	Denver, Col.
Charles Reid, III	Washington, D.C.
Kenneth J. Sandin	Atlanta, Ga.
Fred Schwartz	Chicago, Ill.
Stu Strand	Los Angeles, Calif.
Ronald D. Struck	Washington, D.C.
Melvin L. Taylor	Seattle, Wash.
William R. Thomas, Jr.	Dallas, Tex.
Glenn Vaupel	Los Angeles, Calif.
William J. Verant	Do.
Edward Voss	Chicago, Ill.
Clifford A. Walters	Do.

Effective date. This amendment shall be effective on January 14, 1976.

(It is hereby certified that the economic and inflationary impacts of this regulation have been carefully evaluated in accordance with OMB Circular A-107.)

DANIEL P. KEARNEY,
President, Government National Mortgage Association.

[FR Doc.76-1123 Filed 1-13-76;8:45 am]

CHAPTER VIII—LOW INCOME HOUSING, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-76-311]

PART 888—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM—FAIR MARKET RENTS AND CONTRACT RENT AUTOMATIC ANNUAL ADJUSTMENT FACTORS

Amendment to Schedule A—Fair Market Rents for New Construction and Substantial Rehabilitation

Notice was given on October 2, 1975, at 40 FR 45445 that the Department of Housing and Urban Development (HUD) was proposing to amend Title 24 of the Code of Federal Regulations by incorporating in Part 888, Subpart A, revised Schedules A for the following market areas: Providence, Newport, Westerly, Pawtucket, and Woonsocket, Rhode Island; and Phoenix, Arizona.

Revision of the Schedule A for the Phoenix, Arizona market area consists of the addition of elevator rents to the Schedule A published March 31, 1975.

One comment was received from Nick M. Nibi, Assistant Regional Administrator for Housing Production and Mortgage Credit, Region I, which expresses concern about the language of the Appropriations Act limiting the Fair Market Rent basis of contracts approved in fiscal year 1976 and the period ending September 30, 1976. Mr. Nibi suggested that the Fair Market Rents for market areas within the State of Rhode Island be published as proposed even though some would be increased more than 20 percent. This suggestion was not adopted. Instead reductions were made where proposed Fair Market Rents would result in increases in excess of 20 percent.

Accordingly Subpart A of Part 888 is amended by inserting the following amended Schedules A in the documents published at 40 FR 14506 and 14557.

(Sec. 7(d) Department of Housing and Urban Development Act, 42 U.S.C. 3535 (d))

Effective date. These amendments are effective on January 14, 1976.

DAVID S. COOK,
Assistant Secretary for Housing Production and Mortgage Credit—FHA Commissioner.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SECTION 8—HOUSING ASSISTANCE PAYMENTS PROGRAM

Schedule A—Fair Market Rents for New Construction and Substantial Rehabilitation (Including Housing Finance and Development Agencies Program)

These Fair Market Rents include projection for construction time through December 31, 1976.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 rounded to the next higher dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single room occupancy dwelling units are those for 0-Bedroom units of the same type.

Insuring Office, Phoenix, Ariz.—Region IX, San Francisco

Market area	Structure type	Number of bedrooms				
		0	1	2	3	4 or more
Phoenix	Detached			254	274	329
	Semi-detached row		214	235	294	337
	Walkup	176	191	237	276	306
	Elevator	200	242	275		

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SECTION 8—HOUSING ASSISTANCE PAYMENTS PROGRAM

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These Fair Market Rents include projection for construction time through December 31, 1977.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size unit, not to exceed 2-Bedroom, multiplied by 1.05 rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single room occupancy dwelling units are those for 0-Bedroom units of the same type.

Insuring Office, Providence, R.I.—Region I, Boston

Market area	Structure type	Number of bedrooms				
		0	1	2	3	4 or more
Providence	Detached			405	445	475
	Semidetached/row		320	365	435	470
	Walkup	240	310	380	425	465
	Elevator	245	330	435		
Newport	Detached			386	421	574
	Semidetached/row		275	324	396	415
	Walkup	197	260	310	352	379
	Elevator	288	295	337		
Westerly	Detached			400	445	475
	Semidetached/row		320	395	435	470
	Walkup	240	310	380	425	465
	Elevator	245	330	435		
Pawtucket	Detached			405	445	475
	Semidetached/row		320	348	405	457
	Walkup	227	274	326	368	430
	Elevator	234	312	398		
Woonsocket	Detached			376	434	468
	Semidetached/row		272	317	378	431
	Walkup	220	257	317	348	376
	Elevator	240	330	430		

[FR Doc.76-967 Filed 1-13-76;8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 75-234]

PART 110—ANCHORAGE REGULATIONS

Special Anchorage Areas, Henderson Harbor, New York

This amendment to the anchorage regulations relocates the eastern boundary of special anchorage Area B in Henderson Harbor, New York.

This amendment is necessary due to the recharting of the Harbor in March 1975. This change will relocate the northeast corner of the area 100 feet westward, thereby moving this corner off the beach.

The relocation of the boundary is in the public interest because it establishes the anchorage area as originally intended and removes the confusion caused by the boundary line being located on shore. Therefore, notice and public procedure on this amendment are contrary to the public interest and the amendment will become effective in less than thirty days.

Accordingly, Part 110 of Title 33 of the Code of Federal Regulations is amended as follows:

§ 110.87 [Amended]

In § 110.87(b), by deleting the words "500 feet; thence 177°," and inserting the words "400 feet; thence 172°," in place thereof.

(Sec. 1.28 Stat. 647, as amended (33 U.S.C. 258); Sec. 6(g)(1)(c), 80 Stat. 937 (49 U.S.C. 1655(g)(1)(c); 49 CFR 1.46(c)(3); 5 U.S.C. 553(b)(3)(B))

Effective date. This amendment is effective February 9, 1976.

Dated: December 19, 1975.

R. I. PRICE,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.76-1111 Filed 1-13-76; 8:45 am]

[CGD 1-76-IR]

PART 127—SECURITY ZONES

Boston Harbor, Massachusetts; Establishment of Security Zone

JANUARY 9, 1976.

This amendment of the Coast Guard's Security Zone Regulations, establishes the land area of Coast Guard Support Center, Boston, Massachusetts, and the waters surrounding Pier 1, Pier 2, and Pier 3, at the Coast Guard Support Center Boston, Massachusetts as a security zone. This security zone is established to maintain security in the vicinity of the seized Cuban fishing vessel *Gulfo de Tonkin* while in the custody of the United States.

This amendment is issued without publication of a notice of proposed rule making and this amendment is effective in less than 30 days from the date of publication, because this security zone involves a foreign affairs function of the United States.

In consideration of the foregoing, Part 127 of Title 33 of the Code of Federal Regulations is amended by adding § 127.100, to read as follows:

§ 127.100 Boston Harbor, Massachusetts.

The area within the following boundary is a security zone: a line beginning at position 42°22'07.5" N. Latitude, 71°03'13" W. Longitude; thence in a northeasterly direction to a Coast Guard marker buoy at position 42°22'12.4" N. Latitude, 71°03'09" W. Longitude; thence in a easterly direction to a Coast Guard marker buoy at position 42°22'12.5" N. Latitude, 71°03'05" W. Longitude; thence in a southeasterly direction to a Coast Guard marker buoy at position 42°22'-08.2" N. Latitude, 71°02'58" W. Longitude; thence in a southwesterly direction to the northern edge of Pier 4 at position 42°22'04" N. Latitude, 71°03'01" W. Longitude; extending along the northern face of Pier 4 in a southwesterly direction to position 42°22'01.5" N. Latitude, 71°03'05" W. Longitude; thence along the seawall in a northwesterly direction to the southernmost boundary of Coast Guard Support Center Boston at position 42°22'03" N. Latitude, 71°03'06" W. Longitude; thence along the shoreside property line of Coast Guard Support Center Boston to the point of beginning. No vessel or person may enter, cross, or navigate in the Security Zone without the consent of the Captain of the Port.

(40 Stat. 220, as amended, [§ 1, 63 Stat. 503,] § 6 (b), 80 Stat. 937; 50 U.S.C. § 191, [14 U.S.C. § 91,] 49 U.S.C. § 1655 (b); E.O. 10173, E.O. 10277, E.O. 10352, E.O. 11249; 3 CFR, 1949–1953 Comp. 356, 778, 873, 3 CFR, 1964–1965 Comp. 349, 33 CFR Part 6, 49 CFR 1.46(b))

Effective Date: This amendment becomes effective 0700R, January 9 ,1976.

Dated: January 8, 1976.

JAMES P. STEWART,
Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District, Boston, Massachusetts.

[FR Doc.76-1110 Filed 1-13-76;8:45 am]

Title 46—Shipping

CHAPTER I—U.S. COAST GUARD, DEPARTMENT OF TRANSPORTATION

[Docket No. HM-133; Amdt. to 146]

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

Definitions for Flammable and Combustible Liquids

Correction

In FR Doc.75-35125 appearing at page 60030 in the issue of Wednesday, December 31, 1975, in the fifth line of amendatory paragraph c to § 146.21-100 in the third column on page 60032, the figure "30°" should read "80°".

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 31]

EMPLOYMENT TAX

Group-Term Life Insurance, Wage Continuation Payments, and Moving Expenses

Notice is hereby given that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delgate. Prior to the final adoption of such regulations, consideration will be given to any comments pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by March 1, 1976. Pursuant to 26 CFR 601.601(b), designations of material as confidential or not to be disclosed, contained in such comments, will not be accepted. Thus, persons submitting written comments should not include therein material that they consider to be confidential or inappropriate for disclosure to the public. It will be presumed by the Internal Revenue Service that every written comment submitted to it in response to this notice of proposed rule making is intended by the person submitting it to be subject in its entirety to public inspection and copying in accordance with the procedures of 26 CFR 601.702(d)(9). Any person submitting written comments who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit a request, in writing, to the Commissioner by March 1, 1976. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the Federal Register, unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

This document contains proposed amendments to conform the Employment Tax Regulations (26 CFR Part 31) relating to income tax withholding on remuneration paid in the form of group-term life insurance, wage continuation payments, and moving expenses to changes made to the Internal Revenue Code of 1954 by sections 204(b), 205, and 213(c) of the Revenue Act of 1964 (78 Stat. 36, 38, and 52).

Section 204(b) of the Act added new paragraph (14) to section 3401(a) of the Code to provide an exception from the definition of wages, which are subject to the withholding of income tax, for remuneration paid in the form of group-term life insurance on the lives of employees. Section 31.3401(a)(14)-1(b) of the proposed regulation also provides that the cost of group-term life insurance on the life of an employee's spouse or children is not subject to withholding if it is excludable from the employee's gross income under paragraph (d)(2)(ii)(b) of § 1.61-2 of the Income Tax Regulations (26 CFR Part 1) because it is merely incidental.

Section 205 of the Act amended section 105(d) of the Code to provide new rules for determining the extent to which wage continuation payments made by or on behalf of an employer are excludable from the gross income of an employee. This change necessitates revision of § 31.3401(a)-1(b)(8)(ii) which sets forth the conditions under which employers may refrain from withholding on wage continuation payments to employees.

Section 213(c) of the Act added new paragraph (15) to section 3401(a) of the Code to provide an exception from the definition of wages, which are subject to withholding of income tax, for remuneration paid to or on behalf of an employee for moving expenses if, at the time of payment, it is reasonable to believe that the moving expenses are deductible by the employee under section 217 of the Code.

Proposed amendments to the regulations. In order to conform the Employment Tax Regulations (26 CFR Part 31), relating to the collection of income tax at source on wages, to the amendments made to the Internal Revenue Code of 1954 by sections 204(b), 205, and 213(c) of the Revenue Act of 1964 (78 Stat. 36, 38, and 52), such regulations are amended as follows:

PARAGRAPH 1. Paragraph (b) of § 31.3401(a)-1 is amended by revising subparagraph (8)(ii) (*a*) and (*b*), by redesignating subparagraph (8)(ii) (*c*) and (*d*) as subparagraph (8)(ii) (*d*) and (*e*), and by inserting a new subparagraph (8)(ii)(*c*) immediately after subparagraph (8)(ii)(*b*). These revised, redesignated, and added provisions read as follows:

§ 31.3401(a)-1 Wages.

* * * * * * *

(b) *Certain specific items.* * * *

(8) *Amounts paid under wage continuation plans.* * * *

(ii) *Amounts paid after December 31, 1955*—(*a*) *In general.* The term "wage continuation payment", as used in this subdivision, means any payment to an employee which is made after December 31, 1955, under a wage continuation plan (as defined in paragraph (a)(2)(i) of § 1.105-4 and § 1.105-5 of Part 1 of this chapter (Income Tax Regulations)) for a period of absence from work on account of personal injuries or sickness, to the extent such payment is attributable to contributions made by the employer which were not includible in the employee's gross income or is paid by the employer. Any such payment, whether or not excluded from the gross income of the employee under section 105(d), constitutes "wages" (unless specifically excepted under any of the numbered paragraphs of section 3401(a) or under section 3402(e)) and withholding thereon is required except as provided in paragraphs (b)(8)(ii) (*b*), (*c*), and (*d*) of this section.

(*b*) *Amounts paid by employer for whom services are performed for period of absence beginning after December 31, 1963.* (*1*) Withholding is not required upon the amount of any wage continuation payment for a period of absence beginning after December 31, 1963, made to an employee directly by the employer for whom he performs services to the extent that such payment is excludable from the gross income of the employee under the provisions of section 105(d) in effect with respect to such payments, provided the records maintained by the employer—

(*i*) Separately show the amount of each such payment and the excludable portion thereof, and

(*ii*) Contain data substantiating the employee's entitlement to the exclusion provided in section 105(d) with respect to such amount, either by a written statement from the employee specifying whether his absence from work during the period for which the payment was made was due to a personal injury or to sickness and whether he was hospitalized for at least one day during this period; or by any other information which the employer reasonably believes establishes the employee's entitlement to the exclusion under section 105(d). Employers shall not be required to ascertain the accuracy of any written statement submitted by an employee in accordance with this subdivision (*b*)(*1*)(*ii*).

For purposes of this subdivision (*b*)(*1*), wage continuation payments reasonably expected by the employer to be made on behalf of the employer by another person after (the thirtieth day after the publication of this regulation in the FEDERAL

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REGISTER as a Treasury decision) (and, at the option of the employer, such payments reasonably expected to be made prior thereto) shall be taken into account in determining whether the 75 percent test contained in section 105(d) is met and in computing the amount of any wage continuation payment made directly by the employer for whom services are performed by the employee which is within the $75 or $100 weekly rate of exclusion from the gross income of the employee provided in section 105(d). In making this latter computation, the amount excludable under section 105(d) shall be applied first against payments reasonably expected to be made on behalf of the employer by the other person and then, to the extent any part of the exclusion remains, against the payments made directly by the employer. In a case in which wage continuation payments are not paid at a constant rate for the first 30 calendar days of the period of absence the determination of whether the 75 percent test contained in section 105(d) is met shall be based upon the length of the employee's absence as of the end of the period for which the payment by the employer is made, without regard to the effect which any further extension of such absence may have upon the excludability of the payment.

(2) The computation of the amount of any wage continuation payment with respect to which the employer may refrain from withholding may be illustrated by the following examples:

Example (1). A, an employee of B, normally works Monday through Friday and has a regular weekly rate of wages of $100. On Monday, November 5, 1976, A becomes ill, and as a result is absent from work for two weeks, returning to work on Monday, November 19, 1976. A is not hospitalized. Under B's noncontributory wage continuation plan, A receives no benefits for the first three working days of absence and is paid benefits directly by B at the rate of $85 a week thereafter ($34 for the last two days of the first week of absence and $85 for the second week of absence). No wage continuation payment is made by any other person. Since the benefits are entirely attributable to contributions to the plan by B, such benefits are wage continuation payments in their entirety. The wage continuation payments for the first seven calendar days of absence are not excludable from A's gross income because A was not hospitalized for at least one day during his period of absence, and therefore B must withhold with respect to such payments. Under section 105(d), the wage continuation payments attributable to absence after the first seven calendar days of absence are excludable to the extent that they do not exceed a rate of $75 a week. Under the principles stated in paragraph (e)(6)(iv) of § 1.105–4 of this chapter (Income Tax Regulations), the wage continuation payments in this case are at a rate not in excess of 75 percent (^{11}⁵⁄₁₆ of 59.8 percent) of A's regular weekly rate of wages. Accordingly, B may refrain from withholding with respect to $75 of the wage continuation payment attributable to the second week of absence.

Example (2). Assume the facts in example (1) except that A is unable to return to work until Monday, February 11, 1977, and that, of the $85 a week of wage continuation payments $35 is paid directly by B and $50 is reasonably expected by B to be paid by C, an insurance company, on behalf of B. In such a case, both the $50 and the $35 payments constitute wage continuation payments and the amount of such payments which is attributable to the first 30 calendar days of absence is at a rate not in excess of 75 percent (323/440 or 73.4 percent) of A's regular weekly rate of wages. Therefore, under section 105(d), the portion of such payments which is attributable to absence after the first seven calendar days of absence is excludable to the extent that it does not exceed a rate of $75 a week for the eighth through the thirtieth calendar day of absence and does not exceed a rate of $100 a week thereafter. B may refrain from withholding with respect to $35 a week (the amount by which the $75 maximum excludable amount exceeds the $50 reasonably expected by B to be paid by C) of his direct payments for the eighth through the thirtieth calendar day of absence. Thereafter, may refrain from withholding with respect to the entire $35 paid directly by him, since the maximum excludable amount ($100 a week) exceeds the total of payments made by B and payments which B reasonably expects will be made by C.

(c) *Amounts paid by employer for whom services are performed for period of absence beginning before January 1, 1964.* Withholding is not required upon the amount of any wage continuation payment for a period of absence beginning before January 1, 1964, made to an employee directly by the employer for whom he performs services to the extent that such payment is excludable from the gross income of the employee under the provisions of section 105(d) in effect with respect to such payments, provided the records maintained by the employer—

(*1*) Separately show the amount of each such payment and the excludable portion thereof, and

(2) Contain data substantiating the employee's entitlement to the exclusion provided in section 105(d) with respect to such amount, either by a written statement from the employee specifying whether his absence from work during the period for which the payment was made was due to a personal injury or whether such absence was due to sickness, and, if the latter, whether he was hospitalized for at least one day during this period; or by any other information which the employer reasonably believes establishes the employee's entitlement to the exclusion under section 105(d). Employers shall not be required to ascertain the accuracy of the information contained in any written statement submitted by an employee in accordance with this paragraph (b)(8)(ii) (c)(2).

For purposes of this paragraph (b)(8)(ii)(c), the computation of the amount excludable from the gross income of the employee under section 105(d) may be made either on the basis of the wage continuation payments which are made directly by the employer for whom the employee performs services, or on the basis of such payments in conjunction with any wage continuation payments made on behalf of the employer by a person who is regarded as an employer under section 3401(d)(1).

* * * * *

PAR. 2. Section 31.3401(a)(13) is amended to read as follows:

§ 31.3401(a)(13) Statutory provisions; definitions; remuneration for services performed by Peace Corps volunteers.

SEC. 3401. *Definitions*—(a) *Wages.* For purposes of this chater, the term "wages" means all remuneration * * * for services performed by an employee for his employer * * *; except that such term shall not include remuneration paid—

* * * * *

(13) Pursuant to any provision of law other than section 5(c) or 6(1) of the Peace Corps Act, for service performed as a volunteer or volunteer leader within the meaning of such Act; or

[Sec. 3401(a)(13) as added by sec. 201(c), Peace Corps Act (75 Stat. 625) and amended by sec. 204(b), Revenue Act of 1964 (78 Stat. 36)]

PAR. 3. Section 31.3401(a)(13)–1 is amended by revising paragraph (b) thereof to read as follows:

§ 31.3401(a)(13)–1 Remuneration for services performed by Peace Corps volunteers.

* * * * *

(b) Sections 5 and 6 of the Peace Corps Act (22 U.S.C. 2504, 2505) provide, in part, as follows:

SEC. 5 *Peace Corps Volunteers* [Peace Corps Act (75 Stat. 613); as amended by sec. 2(b), Act of December 13, 1963 (P.L. 88–200, 77 Stat 359); sec. 2(a), Act of August 24, 1965, (P.L. 89–134, 79 Stat. 549); sec. 3(a), Act of July 24, 1970 (P.L. 81–352, 84 Stat. 464)]

* * * * *

(c) *Readjustment allowances.* Volunteers shall be entitled to receive a readjustment allowance at a rate not to exceed $75 for each month of satisfactory service as determined by the President; except that, in the cases of volunteers who have one or more minor children at the time of their entering a period of pre-enrollment training, one parent shall be entitled to receive a readjustment allowance at a rate not to exceed $125 for each month of satisfactory service as determined by the President. The readjustment allowance of each volunteer shall be payable on his return to the United States: *Provided, however,* That, under such circumstances as the President may determine, the accrued readjustment allowance, or any part thereof, may be paid to the volunteer, members of his family or others, during the period of his service, or prior to his return to the United States. In the event of the volunteer's death during the period of his service, the amount of any unpaid readjustment allowance shall be paid in accordance with the provisions of section 5582(b) of Title 5. For purposes of the Internal Revenue Code of 1954, a volunteer shall be deemed to be paid and to receive each amount of a readjustment allowance to which he is entitled after December 31, 1964, when such amount is transferred from funds made available under this chapter to the fund from which such readjustment allowance is payable.

* * * * *

SEC. 6. Peace Corps Volunteer Leaders; number, applicability of chapter; benefits

[Peace Corps Act (75 Stat. 615), as amended by sec. 3, Act of December 13, 1963 (P.L. 88–200, 77 Stat. 360)] The President may enroll in the Peace Corps qualified citizens or nationals of the United States whose services are required for supervisory or other special duties or responsibilities in connection with programs under this chapter (referred to in this Act as "volunteer leaders"). The ratio of the total number of volunteer leaders to the total number of volunteers in service at any one time shall not exceed one to twenty-five. Except as otherwise provided in this Act, all of the provisions of this Act applicable to volunteers shall be applicable to volunteer leaders, and the term "volunteers" shall include "volunteer leaders": *Provided, however,* That—

(1) Volunteer leaders shall be entitled to receive a readjustment allowance at a rate not to exceed $125 for each month of satisfactory service as determined by the President;

* * * * *

PAR. 4. Section 31.3401(a)(14)–1 which was previously reserved is amended to read as follows:

§ 31.3401(a)(14)–1 Group-term life insurance.

(a) The cost of group-term life insurance on the life of an employee is excepted from wages, and hence is not subject to withholding. For provisions relating generally to such remuneration, and for reporting requirements with respect to such remuneration, see sections 79 and 6052, respectively, and the regulations thereunder in Part 1 of this chapter (Income Tax Regulations).

(b) The cost of group-term life insurance on the life of an employee's spouse or children is not subject to withholding if it is excludable from the employee's gross income because it is merely incidental. See paragraph (d)(2)(ii)(*b*) of § 1.61–2 in Part 1 of this chapter (Income Tax Regulations).

PAR. 5. Section 31.3401(a)(15)–1 which was previously reserved is amended to read as follows:

§ 31.3401(a)(15)–1 Moving expenses.

(a) An amount paid to or on behalf of an employee after March 4, 1964, either as an advance or a reimbursement, specifically for moving expenses incurred or expected to be incurred is excepted from wages, and hence is not subject to withholding, if (and to the extent that) at the time of payment it is reasonable to believe that a corresponding deduction is or will be allowable to the employee under section 217. The reasonable belief contemplated by the statute may be based upon any evidence reasonably sufficient to induce such belief, even though such evidence may be insufficient upon closer examination by the district director or the courts finally to establish that a deduction is allowable under section 217. The reasonable belief shall be based upon the application of section 217 and the regulations thereunder in Part 1 of this chapter (Income Tax Regulations). When used in this section, the term "moving expenses" has the same meaning as when used in section 217. See § 1.6041–2(a) in Part 1 of this chapter (Income Tax Regulations), relating to return of information as to payments to employees, and § 31.6051–1(e), relating to the reporting of reimbursements of or payments of certain moving expenses.

(b) Except as otherwise provided in paragraph (a) of this section, or in a numbered paragraph of section 3401(a), amounts paid to or on behalf of an employee for moving expenses constitute wages subject to withholding.

[FR Doc.76–1047 Filed 1–13–76;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

[32 CFR Part 888f]

NONCAREER OFFICERS

Specified Period of Time Contract (SPTC)

The Department of the Air Force proposes to revise Subchapter I of Chapter VII of Title 32 CFR Part 888f, which tells how noncareer officers may voluntarily extend their period of active duty (AD) beyond their established date of separation (DOS). Proposed supplements which affect any function of an AD CBPO, Air Reserve Forces CBPO, or CRPO are processed per AFR 5–13, Publications or Communicatons Affecting Personnel Offices at MAJCOM or Below. Submit other proposed supplements, operating instructions, manuals, etc., to AFMPC/DPMRPP, Randolph Air Force Base, Texas 78148, for review and approval before publication.

This revision provides for noncareer officers, other than judge advocates, chaplains and officers of the Medical Service with three or less years of commissioned service who do not have the retainability to serve the ADSC associated with an assignment or training course, to apply for an SPTC to meet the retainability requirements (§ 888f.3(b)(2)); also, nonrated Reserve officers approaching an initial four-year DOS who have been considered but not selected for either temporary captain or CRS may, upon request, initiate an SPTC to permit a second consideration (§888f.3(b)(2)). Noncareer officers who are ineligible to apply for SPTCs under the cited rules may apply for an SPTC if they believe their retention on AD is in the best interests of the Air Force (§ 888f.3(b)(5)). SPTCs are voided when noncareer officers are twice passed over for CRS (§ 888f.3(b)(2) and (3)).

Interested persons are invited to comment on the proposed rulemaking on or before February 16, 1976. Written data, views, arguments concerning the proposal must be submitted to AFMPC/DPMRPP, Randolph AFB, Texas 78148. Comments and suggestions submitted in writing will be available for public inspection and copying at the above address.

The revised part will read as follows:

Sec.
888f.1 Purpose.
888f.2 Definitions.
888f.3 Policy on SPTCs.
888f.4 Application procedures.
888f.5 SPTC record entries.
888f.6 SPTC application procedures.
888f.7 SPTC format.

AUTHORITY: (10 U.S.C. 8012).

§ 888f.1 Purpose.

This part tells how a noncareer officer may voluntarily extend his period of active duty beyond his established date of separation.

§ 888f.2 Definitions.

(a) *Active Duty (AD).* For this regulation, AD is full-time duty in active military service of the U.S. (Does not include a tour of AD for training.)

(b) *Date of Separation (DOS).* A date established according to law or policy for the termination of a tour of AD.

(c) *Noncareer Officer:* (1) A temporary officer appointed in the Air Force without specification of component who does not hold a Reserve or Regular appointment.

(2) A Reserve officer who voluntarily or involuntarily entered AD for a specified period of time less than that prescribed by the "20 Year Active Service Career for Reserve Officers Program."

(d) *Specified Period of Time Contract (SPTC).* A signed statement in which a noncareer officer agrees to remain on AD for a specified period.

§ 888f.3 Policy on SPTCs.

(a) The SPTC is a short-term instrument whereby a noncareer officer may remain on AD beyond the established DOS to satisfy a one-time requirement. Career officers (Regular or Career Reserve) are ineligible to apply for an SPTC. SPTCs are not used to extend a DOS involuntarily established as a result of law or policy. It is not intended that an SPTC be used to prolong the service of an individual who is not qualified to serve as a career officer. Since projected losses of noncareer officers have an impact on accession rates and other programed actions, such officers should not be encouraged to remain on AD beyond their established DOS except in career status or as provided in paragraph (b) of this section.

(b) Eligible officers may apply for SPTCs within the following limitations:

(1) Judge advocates, chaplains, and officers of the Medical Service who do not have sufficient retainability to serve a prescribed tour may apply at the time they are selected for oversea assignment for an SPTC of the period necessary to meet the retainability requirement.

(2) Reserve officers other than in paragraph (b)(1) of this section with three or less years of commissioned service who do not have sufficient retainability to serve the active duty service commitment (ADSC) associated with a specific assignment or training course may apply for an SPTC of the period necessary to meet the retainability requirement. These SPTCs may be submitted only when specifically authorized by AFMPC/DPMR. If officer is subsequently not selected for CRS after two considerations, the SPTC is voided and member

separated not later than the last day of the sixth month following Secretarial approval of the board results.

(3) Nonrated Reserve officers approaching an initial four-year DOS who have been considered but not selected for either temporary captain or CRS may, upon request, initiate an SPTC to permit a second consideration. If the officer is subsequently not selected on the second consideration, the SPTC is voided and member separated not later than the last day of the sixth month following Secretarial approval of the board results.

(4) A noncareer officer may apply for tainability to serve the ADSC associated tion to the grade of major, lieutenant colonel, or colonel to gain sufficient re- with the promotion.

(5) Noncareer officers who are ineligible to apply for SPTCs under paragraphs (b) (1) through (4) of this section, may apply for an SPTC if they believe their retention on AD is in the best interests of the Air Force. SPTCs submitted under this provision are considered on their individual merits. They are not approved unless it is sustained that the officer's service beyond the established DOS is clearly in the best interests of the Air Force. SPTCs under these circumstances normally are submitted no earlier than 12 months nor later than six months before the established DOS and are generally limited to not more than six months duration.

Exceptions. Officers with hardship reasons or those who require retainability to be considered or processed for Regular appointment may apply up to DOS provided travel incident to separation has not been performed.)

(c) Once approved, the SPTC may not be withdrawn by the applicant. Approval of the SPTC does not preclude earlier separation when required by law or policy. The applicant is obligated to serve on AD for the period of the SPTC even when it exceeds an ADSC which the officer has incurred or may incur under Part 888c of this chapter.

(d) Once disapproved, officers may not apply again for an SPTC unless they include additional justification which was not previously submitted or considered.

§ 888f.4 Application procedures.

Section 888f.6 contains the rules for applying for SPTCs, processing procedures, and the designated approval or disapproval authority for each application.

(a) Submit the SPTC in the format shown in § 888f.7 in original and sufficient copies to meet the requirements of § 888f.6. Modification of the format for the purpose of adding conditional statements is not authorized. The first indorsement must include the recommendation of the officer's immediate commander or designated representative.

(b) The CBPO/DPMQS suspenses a copy of the application and insures that the officer does not perform travel incident to separation or is not released from AD before receipt of final action by the designated authority. Separation orders, if published, are revoked at the time the application is submitted. When final action is not received before the DOS, the CBPO inputs PTI BA 430 (not eligible to separate), indicating an estimated DOS of not more than 30 days beyond the current DOS.

(c) The MAJCOM must provide specific comments and justification in support of its recommendation on all applications. Applications which are submitted to satisfy manning shortages must include comments by the MAJCOM of actions taken to remedy the situation. The MAJCOM suspenses a copy of the application and insures that the officer is not separated before final action is taken by the designated authority.

§ 888f.5 SPTC record entries.

(a) Upon approval of the application, the designated authority enters the new DOS in PDS and forwards the SPTC to AFMPC/DPMDRR for file in the officer's Master Personnel Record Group.

(b) Upon disapproval of the application, the designated authority informs the applicant's MAJCOM by indorsement thereto, or by separate letter or message. A copy of the application and all related correspondence is forwarded by the disapproval authority to AFMPC/DPMDRR for file in the officer's Master Personnel Record Group.

(c) MAJCOMs must expedite all correspondence to the officer's CBPO.

(d) Upon receipt of approval action through PDS or disapproval correspondence, the CBPO/DPMQS informs the officer of the final action taken on the application.

§ 888f.6 SPTC application procedures.

Rule	A If officer is—	B Then he submits SPTC through immediate commander to CBPO/DPMOS who forwards—	C The approving/disapproving authority, which is—
1	Line of the Air Force	To MAJCOM/DP (info cy to numbered AF or comparable level) for recommendation and indorsement to—	AFMPC/DPMRPP Randolph AFB, Tex. 78148.
2	Judge advocate	Through SJA of major subordinate command to MAJCOM/JA for recommendation and indorsement to—	HQ USAF/JAEC, Washington, D.C. 20330.
3	Chaplain	Through HC of major subordinate command to MAJCOM/HC for recommendation and indorsement to—	HQ USAF/HCP, Washington, D.C. 20330.[1]
4	In the medical service and is attending basic orientation course.[2]	To—	HQ School of Health Care Science, Sheppard AFB, Tex. 76311.
5	In the medical service and is attending primary aerospace medical course.[3]	To—	HQ Aerospace Medicine Division, Brooks AFB, Tex. 78235.
6	In the medical service other than in rule 4 or 5.	To MAJCOM/SG for recommendation and indorsement to—	AFMPC/SGC, Randolph AFB, Tex. 78148.

[1] Ecclesiastical indorsement from the applicant's religious agency is required and must be received in HQ USAF/HCP before action is completed on the SPTC.

[2] Applies only to officers on initial tour of AD. A copy of approved/disapproved SPTC correspondence is forwarded to AFMPC/SGC. AFMPC/SGC insures the new DOS is entered in PDS.

§ 888f.7 SPTC format.

From: (Organization Identification).
Subject: Specified Period of Time Contract.
To: Immediate Commander, CBPO/DPMQS, IN TURN.

1. In accordance with AFR 36–94, I agree to remain on active duty until (day) (month) (year), unless relieved sooner under appropriate Air Force directives. My established DOS is now (day) (month) (year).

2. I desire to remain on active duty for the following reason: (Include full details and justification to assure that the approving authority has all the facts upon which to base a decision.)

3. I understand and agree to the following:

a. This SPTC is subject to approval or disapproval by the designated authority in AFR 36–94. My established DOS may be extended until final action on this SPTC is taken by the designated authority.

b. I may not withdraw this SPTC after it has been approved by the designated authority and I accept the obligation to serve on active duty for the period of this SPTC, even though such period may exceed an ADSC incurred under AFR 36–51.

c. When required by law or policy, I may be involuntarily separated prior to the expiration of this SPTC.

(Signature)

Name, Grade, SSAN

JAMES L. ELMER,
Major, USAF, Executive, Directorate of Administration.

[FR Doc.76–942 Filed 1–13–76;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 51]

FRESH TOMATOES [1]

Proposed Grade Standards

Notice is hereby given that the United States Department of Agriculture is considering amending the United States Standards for Grades of Fresh Tomatoes (7 CFR 51.1855–51.1877). These grade standards are issued under the authority of the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621–1627), which provides for the issuance of official U.S. grades to designate different levels of quality for the voluntary use of producers, buyers and consumers. Official grading services are also provided under this act upon request of any financially interested party and upon payment of a fee to cover the cost of such services.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposal should file the same, in duplicate, not later than February 15, 1976, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, where they will be available for public review during official hours of business (7 CFR 1.27(b)).

Statement of considerations leading to the proposed amendment of grade standards. The United States Standards for Grades of Fresh Tomatoes were last revised in December 1973. In February 1975 they were amended by referencing a new USDA tomato color chart. In the 1973 revision, changes were made in the size section to eliminate the considerable amount of overlap that existed between sizes and to reflect new advances in mechanical sizing equipment.

New generic terms were provided for the size designations. The old numerical size designations such as: 7x7, 6x7 and 6x6 were retained for optional use along with the new generic terms during the transition period in order to facilitate orderly marketing.

United Fresh Fruit and Vegetable Association's Tomato Division has requested elimination of reference to old numerical Los Angeles type lug sizes for the respective size designations in § 51.1859 *Size*, Table I. The descriptive terms Extra Small, Small, Medium, Large, Extra Large and Maximum Large would then be the only size designations referenced.

This proposal would help reduce confusion in the marketing of tomatoes by deleting the numerical references in size designations.

As proposed to be amended § 51.1859, Table I, in the U.S. Standards for Grades of Fresh Tomatoes shall remain the same except for the deletion of numerical references for the size designations. The foregoing amendment shall read as follows:

TABLE I

Size designations	Inches		Millimeters	
	Minimum diameter [1]	Maximum diameter [2]	Minimum diameter [1]	Maximum diameter [2]
Extra small	1 28/32	2 4/32	47.5	57.1
Small	2 5/32	2 9/32	53.9	57.9
Medium	2 9/32	2 17/32	57.9	64.2
Large	2 17/32	2 25/32	64.2	73
Extra large	2 25/32	3 5/32	73	88.1
Maximum large	3 5/32		88.1	

[1] Will not pass through a round opening of the designated diameter when tomato is placed with the greatest transverse diameter across the opening.

[2] Will pass through a round opening of the designated diameter in any position.

(Secs. 203, 205, 60 Stat. 1087, as amended, 1090; (U.S.C. 1622, 1624))

Dated: January 8, 1976.

DONALD E. WILKINSON,
Administrator.

[FR Doc.76–1014 Filed 1–13–76;8:45 am]

[7 CFR Part 905]

ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Proposed Limitation of Handling

This notice invites written comments relative to proposed reapportionment of the representation on the Growers Administrative Committee under Marketing Order No. 905. This order regulates the handling of oranges, grapefruit, tangerines, and tangelos grown in the production area in Florida. The production area is divided into five districts with each district represented by two members except District 4, which has one member. It is proposed that one membership from District 2 be assigned to District 4. Such assignment would result in one member from District 2 and two members from District 4. The proposal to reapportion representation on the Growers Administrative Committee is based on changes in the average percent of acreage, production, and shipments of regulated fruits during the preceding five-year period.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposal shall file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than January 30, 1976. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Notice is hereby given that the Department is considering proposed amendment, as hereinafter set forth, of the rules and regulations (Subpart—Rules and Regulations; 7 CFR 905.120 et seq.) currently in effect pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The proposal to amend said rules and regulations was unanimously recommended by the Growers Administrative Committee, established under said amended marketing agreement and order as the agency to administer the terms and provisions thereof.

The proposal would amend paragraphs (b) and (d) of § 905.126 to read as follows:

§ 905.126 Changes in district representation.

The representation or membership on the Growers Administrative Committee is changed to provide for:

* * * * * *

(b) One (1) member and his alternate shall be producers of citrus in District 2;

* * * * * *

(d) Two (2) members and their respective alternates shall be producers of citrus in District 4; and

* * * * * *

Dated: January 8, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agriculture Marketing Service.

[FR Doc.76–1083 Filed 1–13–76;8:45 am]

[7 CFR Part 959]

ONIONS GROWN IN SOUTH TEXAS

Extension of Time for Filing Exceptions to Proposed Handling Regulations

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674), notice is hereby given that the time fixed in the Notice of Proposed Handling Regulation (40 FR 58656) regulating the handling of onions grown in designated counties in South Texas under Marketing Agreement No. 143 and Order 959, as amended, is hereby extended through January 16, 1976.

This extension is being granted to afford additional time for producers and other interested persons in the production area to file comments.

Dated: January 6, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.76–1135 Filed 1–13–76;8:45 am]

JAN 14 1976

[7 CFR Part 1002]

[Docket No. AO–71–A71]

MILK IN THE NEW YORK-NEW JERSEY MARKETING AREA

Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Notice is hereby given of a public hearing to be held at the Hotel Commodore, 42nd Street and Lexington Avenue, New York, New York, beginning at 1:30 p.m., on February 17, 1976, with an additional session to be held also at the Sheraton Inn, 7th North Street and Electronics Parkway, Syracuse, New York, beginning at 10 a.m., on February 23, 1976, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the New York-New Jersey marketing area.

The hearing is called pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

The purpose of the hearing is to receive evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

PROPOSED BY DAIRYLEA COOPERATIVE, INC., AND NORTHEAST DAIRY COOPERATIVE FEDERATION, INC.

PROPOSAL NO. 1

In § 1002.55, provide a transportation credit on both Class I and Class II bulk milk at a rate of 15 cents per hundredweight.

PROPOSAL NO. 2

In § 1002.80, change the rate of the negotiable tank truck service charge from "ten cents" to "twenty-five cents".

PROPOSAL NO. 3

In § 1002.51(c), revise the transportation differential schedule for Class I milk upward from the existing 1.2 cents per ten miles to reflect current transportation costs.

PROPOSAL NO. 4

Add a new § 1002.57 to be captioned "Metropolitan Transfer Credit", which would provide for the computation of credit to a handler at the rate of 25 cents per hundredweight on all Class I milk originating beyond the 140-mile zone and transferred in bulk to plants within the 65-mile zone from the mileage zone basing point specified in § 1002.51.

PROPOSAL NO. 5

In § 1002.82(b), change the term "61–70 mile zone" to "101–110 mile zone" and change the rate of "five cents" to "ten cents".

PROPOSAL NO. 6

Add a new § 1002.56 to be captioned "Upstate Fluid Differential", which would add 10 cents per hundredweight to the cost of Class I milk classified at processing plants located outside of the 65-mile zone, which milk was received from farms located beyond 110 miles from the mileage zone basing point specified in § 1002.51.

PROPOSAL NO. 7

In § 1002.45, assign other order milk to Class I and Class II on the basis of the receiving handler's utilization or the market average, whichever is lower, to the extent possible within the handler's entire marketing system.

PROPOSED BY NATIONAL FARMERS ORGANIZATION, INC.

PROPOSAL NO. 8

Amend the order to allow for a producer authorized bulk hauling deduction to cover actual per hundredweight hauling costs.

PROPOSAL NO. 9

Amend the order by increasing the transportation differential rate to 1.7 cents per 10 miles.

PROPOSED BY GLEN AND MOHAWK MILK ASSOCIATION, INC.

PROPOSAL NO. 10

Add a new § 1002.57, to be called "Metropolitan Transfer Credit", to provide for a credit to a handler at the rate of 25 cents per hundredweight on all Class I milk originating beyond the 90-mile zone and transferred to and remaining within the 65–mile zone from the mileage basing point specified in § 1002.51.

PROPOSED BY EASTERN MILK PRODUCERS COOPERATIVE ASSOCIATION, INC., ALLIED FEDERATED CO-OPS, INC., AMSTERDAM-FORT HUNTER DAIRY COOPERATIVE, INC., FLY CREEK VALLEY COOPERATIVE, INC., INTER-COUNTIES BULK MILK PRODUCERS COOPERATIVE, INC., PREBLE MILK COOPERATIVE ASSOCIATION, INC., AND SUSSEX COUNTY COOPERATIVE MILK PRODUCERS ASSOCIATION

PROPOSAL NO. 11

Amend § 1002.45 (a) (12) as follows:

Subtract pro rata from the remaining pounds of skim milk in each class at all of the handler's pool plants, or in proportion to the percentage of skim milk in each class in producer milk of all handlers for the month, whichever procedure results in the greater combined quantity of skim milk in such receipts being assigned to Class II milk, the pounds of skim milk in receipts of fluid milk products from other order plants not previously assigned pursuant to subparagraphs (2), (9) and (10) of this paragraph;

PROPOSED BY DAIRYLEA COOPERATIVES, INC.,

PROPOSAL NO. 12

Amend the order by adding a new Section as follows:

Section 1002.—, Charge on overdue accounts. Any unpaid obligation of a handler or of the Market Administrator pursuant to §§ 1002.84, 1002.85, 1002.86 or § 1002.90 shall be increased on a daily basis beginning the day following the due date of such obligation by an amount reflecting the prime rate charged by banks plus five (5) percentage points.

PROPOSED BY UPSTATE MILK COOPERATIVE, INC.

PROPOSAL NO. 13

Revise the order to provide that milk moved between a plant regulated under the New York-New Jersey Federal order and a plant regulated under an order issued by the State of New York Department of Agriculture and Markets (other than an order for the marketing area defined under Federal Order 2) be accorded the same regulatory treatment now provided under Order 2 for milk moving between federally-regulated markets.

PROPOSED BY NORTH ATLANTIC MILK PROCESSORS' ASSOCIATION

PROPOSAL NO. 14

Change from farm zone pricing of milk delivered by bulk tank units to plant pricing by making the following changes:

A. Eliminate paragraph (b) of § 1002.51 "Transportation differentials".

B. Amend paragraph (d) of § 1002.51 to read: The differential rate applicable to each pool unit or partial pool unit shall be the rate applicable to the plant referred to in the first paragraph of § 1002.25 "Bulk tank units".

C. Amend the second sentence of § 1002.25 "Bulk tank units" to read: The milk of any farm included in a unit shall be considered for pricing purposes as having been received by the handler at the pool plant located nearest to such farm.

D. Amend § 1002.82 "Location differentials" to read: (a) *Transportation differential:* The transportation differential shall be plus or minus the appropriate differential shown in column B of the shedule in § 1002.51(c) for the zone of the plant to which the milk is delivered or in the case of farms included in units, the zone of the plant as provided in § 1002.25.

E. With the adoption of the above proposals, which change the producer pricing provisions from farm zone pricing to plant (or in the case of bulk tank units, nearest plant), the second sentence of § 1002.80 "Time and rate of payment" should be amended to read:

For milk received in a bulk tank unit, there may be deducted, as proper and as authorized in writing by the producer, or by a cooperative association authorized to act on behalf of such producer, a hauling charge not to exceed the actual cost of such farm to plant transportation or thirty cents, whichever is lower.

PROPOSAL NO. 15

Add a new § 1002.57, to be captioned "Metropolitan Transfer Credit", which would provide for the computation of credit to a handler at the rate of 25 cents per hundredweight on all Class I milk originating beyond the 90-mile zone and transferred to and remaining within the 65-mile zone from the mileage basing point specified in § 1002.51.

PROPOSAL NO. 16

Revise the order to provide that milk moved between a plant regulated under the New York-New Jersey Federal order and a plant regulated under an order issued by the State of New York Department of Agriculture and Markets (other than an order for the marketing area defined under Federal Order 2) be accorded the same regulatory treatment now provided under Order 2 for milk moving between federally-regulated markets.

PROPOSAL NO. 17

A. Amend § 1002.41(c), "Classes of utilization" by adding:

(3) (i) Contained in fluid milk products dumped or discarded.

(ii) Contained in fluid milk products destroyed or lost under extraordinary circumstances; and

(iii) In shrinkage not in excess of the following:

(*a*) Two percent of producer or bulk tank unit milk received at a plant; plus

(*b*) One and one-half percent of milk received from other plants.

(*c*) Free milk to employees, not in excess of 2 quarts daily per employee.

B. Amend § 1002.42 "Shrinkage" to read as follows:

(b) Any remaining shrinkage beyond that assigned in § 1002.41 shall be prorated between Class I and II, separately on skim milk and butterfat, except that the quantity assigned to Class II shall not exceed 2 percent of the quantity already classified in that class.

PROPOSED BY DAIRY DIVISION, AGRICULTURAL MARKETING SERVICE

PROPOSAL NO. 18

Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 205 East 42nd Street, New York, New York 10017 or from the Hearing Clerk, Room 112–A, Administration Building, United States Department of Agriculture, Washington, D.C. 20250, or may be there inspected.

Signed at Washington, D.C., on January 9, 1976.

DONALD E. WILKINSON,
Administrator.

[FR Doc.76–1134 Filed 1–13–76;8:45 am]

[7 CFR Part 1131]

[Docket No. AO–271–A20]

MILK IN THE CENTRAL ARIZONA MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Central Arizona marketing area.

Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington, D.C., 20250, on or before January 29, 1976. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The above notice of filing of the decision and of opportunity to file exceptions thereto is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

PRELIMINARY STATEMENT

The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Phoenix, Arizona, on March 12, 1975, pursuant to notice thereof which was issued on February 19, 1975 (40 F.R. 7943).

The material issues on the record of the hearing relate to:

1. Pool plant requirements for a plant operated by a cooperative association;

2. Cooperative association in its role as a handler of bulk tank milk; and

3. Whether a plant with limited route disposition in the Central Arizona marketing area and regulated under a California milk order should be exempt from regulation under the Central Arizona milk order.

This decision deals only with issue No. 3. Issues Nos. 1 and 2 were considered in a previous decision on this record.

3. *Whether a plant with limited route disposition in the Central Arizona marketing area and regulated under a California milk order should be exempt from regulation under the Central Arizona milk order.* The provisions of the Central Arizona milk order specifying the treatment to be accorded a partially regulated distributing plant (a plant with route disposition, except filled milk, in the marketing area amounting to less than 25 percent of its receipts of fluid milk products, except filled milk, from dairy farmers and milk plants or 600 pounds or less per day) should not be modified on the basis of this record.

The Central Arizona milk order presently provides that the operator of a partially regulated distributing plant incurs no obligation under the order, except for reporting and payment of administrative assessment on the volume of fluid milk products disposed of within the marketing area, if the payments by the operator of such plant to his dairy farmers and to the producer-settlement fund of any other Federal order are not less than the pool obligation he would have incurred if his plant had been a fully regulated plant under this order. A plant operator whose payments for milk received are less than his obligation would have been as a fully regulated handler may pay such difference to his dairy farmer suppliers or to the producer-settlement fund.

The order provides, in the alternative, that the operator of a partially regulated distributing plant incurs no pool obligation if he purchases from any Federal order source an amount of milk classified and priced as Class I milk equivalent to the amount of his fluid milk sales within the marketing area, provided that such purchased milk has not been used to offset any other payment obligation under any other Federal order.

As a further alternative, the operator of a partially regulated distributing plant may elect to pay to the producer-settlement fund the difference between the Class I price and the blend price of the order (both prices adjusted to the location of the plant) on each hundredweight of fluid milk products distributed in the marketing area in excess of his purchases of milk classified and priced as Class I milk under any Federal milk order.

Safeway Stores, Inc., supported several proposals each of which was directed to relieving the firm of any financial obligation under the Central Arizona order with respect to the distribution within the marketing area of fluid milk products from its nonpool plant located in Los Angeles, California. (Safeway also operates a fully regulated pool plant located in Phoenix, Arizona). The Los Angeles plant, because of its broad area of distribution, is a partially regulated distributing plant under both the Central Arizona and Lake Mead orders.

Specifically, Safeway initially proposed that any plant which disposes of less than 2 percent of its total volume of Class I milk in the Central Arizona marketing area be exempt from regulation if such plant is fully regulated by another

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Federal order or by a State order with purpose and terms essentially similar to those in the Central Arizona order. Since full regulation under another Federal order is presently a basis of exemption for a plant under the Central Arizona order, the essence of this proposal is exemption of a plant regulated under a State order.

At the hearing Safeway supported its original proposal as set forth in the hearing notice, but subsequently modified its position and supported provisions which would exempt from regulation (1) any plant partially regulated under any other Federal order if such plant distributes a greater quantity of milk in such other order marketing area than in the Central Arizona marketing area, or (2) any plant partially regulated under another Federal order which distributes less than 2 percent of its total volume of Class I milk in the Central Arizona marketing area.

Safeway's Los Angeles plant currently proceses approximately 27 million pounds of fluid milk products per month. About 97 percent of the plant's receipts is being utilized as Class I milk. At the time of the hearing the plant's only route (Class I) disposition in the Central Arizona market was in Yuma, Arizona, which is located in the extreme western portion of the marketing area. The plant's Class I sales in that area averaged 190 thousand pounds per month. The plant also has route distribution of approximately 1.4 million pounds monthly in the Lake Mead marketing area, which includes the cities of Las Vegas, Nevada; and St. George and Cedar City, Utah. The plant also is regulated under an order promulgated and administered under the laws of the State of California.

A witness representing the proponent handler testified that all milk received at the Los Angeles plant is priced on a classified use basis under the California Pricing Plan. Proponent stated that under the current provisions of the California order and the Federal order Safeway is required to pay the higher of the California or the Federal order prices on its sales within the Central Arizona marketing area.

Proponent testified that during the first 6 months of 1974 Safeway's payments to the producer-settlement fund of the Central Arizona order averaged $2,200 per month. Since June of 1974, however, it has had no payment obligation to the Central Arizona producer-settlement fund because the prices which have prevailed under the State order have been higher than the Federal order price.

The provisions of the Central Arizona prescribing the obligations of a partially regulated distributing plant are based upon the record of a public hearing held in Denver, Colorado, on January 14–18, 1963. The Denver hearing was one of several sessions held throughout the country to consider amendments to most of the then existing Federal orders with respect to the marketing of milk in each of such regulated markets or its supply system from sources not fully regulated under the respective orders. The options afforded the operator of a partially regulated distributing plant under the Central Arizona order are identical to those simultaneously adopted under the 64 Federal milk orders under consideration providing for marketwide pooling.

The 1963 hearing dealt generally with two issues (1) The treatment to be accorded unregulated milk distributed in a regulated market or received at a regulated plant from a plant not regulated by any Federal milk order (plants subject to some State minimum price regulations at the producer level were included in the category of unregulated plants); and (2) the treatment of milk distributed in a federally-regulated market or received at a federally regulated plant from a plant subject to full regulation under another Federal order. A final decision on these matters was issued on June 19, 1964 (29 FR 9214), of which official notice is taken.

The 1964 decision concluded that the provisions of each Federal order must provide some means for integrating into the regulatory scheme unregulated milk sold for fluid use in such Federal order market in competition with milk classified and priced under the order. The findings of such decision pointed out that unregulated handlers would normally have a competitive advantage over the operators of fully regulated plants in the disposition of higher valued Class I milk in regulated marketing areas. It was concluded, therefore, that unless some method was provided for removing such competitive advantage, inequities would have such disruptive effects as to negate completely the purpose sought to be achieved by milk orders pursuant to the basic statute.

Under the provisions adopted in the 1964 decision the operator of a partially regulated distributing plant incurs no pool obligation on sales in a Federal order marketing area if he shows that payment for his total milk supply has been at least as much as his payment obligation would have been if his plant were fully regulated under such order (referred to as option (a) in such decision). The basis for that procedure was stated in the decision as follows:

"If the operator of the unregulated distributing plant elects to show that he has complied with option (a) above, it will be clearly evident that he has paid at least as much for his Class I sales as a fully regulated handler, for in fact he has paid for all his milk as if he were fully regulated. Such an option accords him competitive parity with respect to his minimum class prices with regulated handlers. The regulated handler is required to pay for all his milk sold as Class I, whether inside or outside the marketing area, at the Class I price established by the order. The operator of the unregulated distributing plant will show that he has also paid at least the equivalent of the order Class I and Class II prices for milk utilized in these respective classes. This option provides a meaningful determination of actual pay prices for milk by such an operator for comparison with order values."

The above option particularly accommodates operators who, because of State regulation of milk prices, pay their dairy farmers at least the minimum prices required by the order regulating the handling of milk in the Federal order marketing area where they distribute milk. When such operator pays for his total milk supply as if he were fully regulated, this option gives him an opportunity to distribute milk in regulated areas without incurring any additional financial obligations on such milk as the result of the order. At the same time, the fact that he has paid full class prices for all of his milk will assure that the integrity of the regulatory plan has been protected.

The 1964 decision also provided the operator of a partially regulated distributing plant the option of purchasing milk for his marketing area needs from a source fully regulated under any Federal milk order. It concluded that such option afforded the operator of a partially regulated distributing plant an opportunity to sell in a regulated area on a basis of competitive equity with respect to such sales. The decision stated that the equivalent of the milk which the partially regulated distributing plant distributes in the marketing area would be fully priced Class I milk since the plant operator presumably would have purchased such milk on the same basis as any other handler who purchases milk for sale as Class I milk within the regulated market. Since the milk purchased would have been fully regulated under some Federal milk order, this procedure was concluded to afford adequate protection of the regulatory plan.

The decision additionally provided a third option which also was contemplated to afford the operator of a partially regulated distributing plant competitive equity with respect to his sales within the regulated area and protect the integrity of the regulatory scheme under certain conditions. The plant operator may limit his pool obligation by making payment to the producer-settlement fund on his sales within the marketing area at a rate equal to the difference between the Class I price and the blend price of the market for the month when the sale is made.

In essence, this option fixes a value of the sale at the Class I price and assumes payment to dairy farmers at the blend price of the market. It also assumes that all milk purchased by such distributor is for Class I use.

If the operator of an unregulated distributing plant actually pays as much as the blend price to his dairy farmers and if the milk distributed in the regulated market is not in fact surplus to his normal operations, the payment of a Class I price minus the market blend price on his marketing area sales will tend to protect the regulatory scheme.

Finally, the 1964 decision provided an additional and fourth option to a partially regulated distributing plant on its Class I sales made within the regulated market. The operator of such plant is given the opportunity of using any combination of the second and third options discussed above. For example, the operator may elect to purchase some Class I milk priced under a Federal order and make payment to the producer-settlement fund, on that milk sold as Class I within the regulated area in excess of the quantity of regulated milk purchased, at a rate equal to the difference between the Class I price and the blend for the regulated market.

As previously indicated, the operator of a partially regulated distributing plant is exempt from all provisions of the Central Arizona order (except for the filing of reports and payment of the administrative assessment on the volume of Class I sales in the marketing area) during those months in which he pays his dairy farmers a utilization value for all milk received at the plant which is equal to or in excess of what his pool obligation would have been if the plant had been fully regulated under the Federal order. Thus, Safeway's plant has no additional obligation under the order during those months in which its plant is obligated under California State regulation to pay a utilization value that is equal to or in excess of what the plant's obligation would have been if it had been fully regulated under the Central Arizona order. The impact of the partially regulated plant provisions of the Central Arizona order on the Safeway operation has been moot since June 30, 1974, because of the higher prices prevailing under the California State regulations. However, this situation could change at any time as a result of price adjustments under either the State or Federal order.

It is quite apparent from the nature of proponents proposals and his testimony at the hearing that his purpose is to gain immunity from any pool obligation under the Arizona order. Thus, he urged that he be exempted from even partially regulated status as long as his sales in the regulated market were less than 2 percent of his total Class I sales. If he should exceed the 2 percent limit, he indicated he appropriately should be treated as a partially regulated handler—presumably under the present provisions which he suggests are not in accordance with law under the courts decision in the Lehigh case.

The 2 percent limit proposed by proponent would permit him essentially to double his market area sales without jeopardizing his exempt status, notwithstanding that his present distribution is a substantial portion of the total Class I sales in the Yuma segment of the market. As previously indicated, proponents sales in the Yuma area now average 190,000 pounds monthly. This is approximately 14 percent of the total Class I disposition by all handlers in this segment of the market.[1]

It is evident from the record that, in the absence of any payment obligation under the order, proponent would have had a substantial competitive advantage over Central Arizona handlers in competing for fluid milk sales in Yuma during the months of January through June 1974. In the absence of any payment obligation during that period, proponent's cost per hundredweight for fluid milk products distributed in the Central Arizona marketing area would have been $8.61 for the months of January through March and $9.81 for the months of April through June. During that same period the Class I price obligation of a fully regulated handler under the Central Arizona order at the Los Angeles plant location would have been: $9.79 in January, $10.09 in February, $10.25 in March, $10.29 in April, $10.30 in May, and $9.88 in June.

In any situation where Safeway's obligation under the California regulation is significantly less than the obligation it would have incurred as a fully regulated handler under the Arizona Federal order, it can be expected that Safeway would elect to pay the difference between the Federal order Class I price and the blend prices on its in-area sales. During the months of January through June 1974, Safeway incurred a payment obligation under the Central Arizona order on its marketing area sales averaging $1.16 per hundredweight. On a monthly basis the plant's total payments averaged $2,200. Such payments made by Safeway on only its Class I sales in the Central Arizona marketing area is the equivalent of a payment of $0.008 per hundredweight on the plant's total Class I sales. Had Safeway chosen to pay the full use value for all of its milk at the Central Arizona order prices, the plant's obligation during such months would have ranged from a low of $.07 to a high of $1.64 per hundredweight on all milk in Class I uses at such plant.

A rate of payment by Safeway at the difference between the Class I and blend price may appear to result at times in a cost on that Class I milk disposed of in the marketing area in excess of that of fully regulated handlers. It must be recognized, however, that the choice for settlement with the pool on the basis of a payment of the difference between the Class I and blend prices on market area sales was elected by the handler in lieu of the other alternative options available to him. As a result, his total cost for all of his milk, through election of this option, was significantly less than the obligation which would have been incurred by paying for his milk as though he were a fully regulated handler. It is exactly for this reason that the handler would elect to make payment at the difference between the Class I and the blend price.

When the partially regulated handler elects to pay his producers at least the full value of his utilization computed at the Federal order prices, this can be verified only by following the same procedures of audit and verification which prevail with respect to fully regulated handlers. The audit and verification procedure which must be carried out in the case of the Safeway plant in such circumstances is essentially no different than that which is used in audit of a fully regulated handler. Notwithstanding, on the basis of the current maximum assessment rate under the order, Safeway's administrative assessment obligation, which accrues only on its average in-area sales of 190,000 pounds, is $76 monthly, whereas a fully regulated handler with a total volume of milk receipts equal to Safeway's total volume of receipts would incur an administrative assessment obligation of $10,800. This results because, regardless of the option chosen, the partially regulated distributing plant operator pays administrative assessment only on his marketing area distribution. This special treatment of a partially regulated handler is followed to insure that such individual's choice of obligation option is made solely on the basis of comparative cost of his milk, per se.

The fully regulated plant operator is required to equalize through the pool both his in-area and out-of-area sales and, in addition, must pay the administrative assessment on all of his producer receipts and on other source milk (except other order milk) disposed of for Class I use. Because the operator of a partially regulated distributing plant does not have to pay an administrative assessment on his out-of-area sales, Safeway has a competitive advantage over fully regulated handlers, irrespective of the option chosen.

Furthermore, because the operator of a partially regulated plant does not equalize his utilization value with that of fully regulated handlers, the operator of a California-based plant has the option to pay directly to his dairy farmer patrons the amount by which the plant's utilization value computed on the basis of the Federal order prices exceeds the plant's utilization value under State regulation. When this option is chosen, the operator of a plant with a high Class I utilization can reasonably be expected to have an advantage in the solicitation of producers in competition with federally regulated handlers. There are relatively few California-based dairy farmers holding producer status under the Central Arizona order. Nevertheless, to the extent that regulated handlers do procure milk from California-based

[1] Computed on the basis of an estimated yearly per capita consumption of fluid milk and cream (240 pounds) and the July 1, 1974, provisional estimate of Yuma County population (67,800). Official notice is taken of the Bureau of the Census publication, "Estates of the Population of Arizona Counties and Metropolitan Areas: July 1, 1973, and 1974"; series P–26, issued April 1975.

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dairymen, they do so in competition with Safeway and other partially regulated handlers who have a procurement price advantage.

When a payment is required under the Central Arizona order of the operator of a California-based partially regulated distributing plant, it may be occasioned by a product cost advantage as a result of having a lower Class I price or the consequence of a lower surplus price(s). Reserve milk prices in Federal order markets are generally uniformly established on the basis of the Minnesota-Wisconsin manufacturing milk pay price in recognition that manufactured products compete on a national market. Products manufactured by California State regulated plants compete with manufactured products processed from non-Grade A milk in the Minnesota-Wisconsin area as well as products processed from Federally regulated milk. It is obvious, therefore, that any difference in applicable prices as between a partially regulated plant located in California and a fully regulated plant, whether it is the result of a Class I or surplus price difference, can be directed by the partially regulated distributor into a price advantage for purposes of competing for Class I sales in the Federally regulated market. For this reason, the payment by the operator of a partially regulated distributing plant for his total milk supply equivalent to what his payment obligation would have been if his plant were fully regulated under the Central Arizona order, is the option provided under the order which most completely insures full equity between handlers operating pool plants and handlers operating partially regulated distributing plants under the order.

There is no way to treat unregulated milk equally with regulated milk other than to regulate it fully at the plant of first receipt from producers. This is the stage of the marketing system at which minimum order prices apply. The average price paid for all milk received at an unregulated plant has significance when compared to the minimum class prices of an order only as the utilization of all such milk is known. Short of full regulation, any treatment of unregulated milk can at best only approach equality of treatment with regulated milk.

One way to minimize the quantities of unregulated milk entering the marketing area would be to provide the most minimal of performance standards for regulation of plants. But this could vitiate the effectiveness of the orders in inducing adequate supplies of milk at order prices or would unnecessarily involve in total regulation plants from which only small quantities of milk are distributed in the regulated market. Either of these consequences would render more difficult the attainment of the ends sought by the statute.

The existing partially regulated plant provisions included in Federal orders generally were developed to accommodate the varied circumstances in which unregulated milk may enter the regulated markets. The potential distribution within a Federal milk marketing area from a plant regulated under a State order, such as Safeway in this market, was recognized as a viable possibility and was accommodated through the alternative options then provided.

Safeway's plant at Los Angeles is but one of several plants that the company operates under the California State regulation which could have sales in federally regulated markets. In addition, there are a number of other plants under California regulation, variously owned and operated, which potentially could establish distribution in the Central Arizona market.

The State of California cannot be effective in pricing milk received from plants located outside the State since it has no authority in this area. Accordingly, there always exists the potential that unpriced milk from other states, including the State of Arizona, could be distributed in the Central Arizona market through a California plant. Further, there are significant differences in the classification and pricing scheme employed by the State of California and the Central Arizona milk order to the end that significantly different total price obligations can and at times do apply as between the State and Federal regulations. Consequently, the regulation of Safeway's Los Angeles plant under California's laws provides no assurance that the classification and pricing accorded the milk received at such plant under such regulation is compatible with the provisions of the Central Arizona order.

Proponent's business, as a partially regulated handler is preponderantly outside the market in competition with dealers similarly located purchasing milk under essentially similar conditions and circumstances. Its marketing area business is currently not of a magnitude which would pose a serious threat to continuing orderly marketing as long as means are provided for essentially neutralizing any price advantage that such handler might otherwise enjoy. Thus, the payment of the difference between the order Class I and blended prices on in-area sales, which option proponent has always elected, is an appropriate means of insuring reasonable equity among competing handlers regardless of whether Safeway's lower milk cost results from a lower Class I or a lower surplus price.

Proponent handler, because of the unique position he enjoys in the market by virtue of operating a fully regulated plant at Phoenix in addition to his partially regulated plant at Los Angeles from which he competes for sales in Yuma with Phoenix-based handlers, has an additional viable option available to him. Safeway could elect to serve the Yuma area from its fully regulated plant at Phoenix which is located 75 miles closer to Yuma than its Los Angeles plant. At present, Safeway does not make distribution in the Yuma area directly from its Los Angeles plant but instead makes such distribution through a facility located at San Diego, California. As a consequence of the shipment of milk through the San Diego distribution point, the total distance involved in the movement of milk from the Los Angeles plant to Yuma is 300 miles, a distance approximately 106 miles farther than if distribution in the Yuma area was made through the Phoenix plant. Alternatively, Safeway could elect to transfer Class I milk from its fully regulated plant to its partially regulated plant to offset its in-area Class I sales.

Proponent alternatively proposed exemption from payment on any in-area sales in the Central Arizona market by a partially regulated distributing plant if such plant is also a partially regulated plant under any other Federal milk order. This proposal presumably is based on the fact that the Los Angeles plant is a partially regulated plant under the Lake Mead Federal order by virtue of distribution of approximately 1.4 million pounds of Class I milk monthly in that market.

The proposal in effect adopts the treatment accorded fully regulated plants throughout the Federal order system whereby plants doing business in, and meeting the pooling requirements of, more than one order are pooled under that order covering the market in which the greater distribution is made. Such a plant is then free to distribute in other regulated markets without further regulation or pricing.

The classified pricing plan generally applicable to milk orders issued by the Secretary establishes under each such order one level of price for milk which is sold for fluid consumption and another lower price, or prices, for the necessary reserve of the market which is disposed of in lower-valued manufactured products. It is intended that the price level effective under each particular order shall bring forth a supply of milk adequate to meet the demands for fluid use in the regulated marketing area.

The Act is specific that no marketing agreement or order applicable to milk and its products in any marketing area shall prohibit or in any manner limit, in the case of the products of milk, the marketing in that area of any milk or product thereof produced in any production area in the United States. Accordingly, milk which has been fully classified and priced under an order issued by the Secretary in compliance with the standards of the Act may not appropriately be subjected to additional pricing under another order also issued by the Secretary. For this reason, a fully regulated handler under one Federal milk order is free to distribute milk in other regulated markets without regard to whether the prices fixed under the orders regulating such other markets are higher or lower than the prices fixed under the order under which the handler is regulated.

In establishing the level of price in each Federal order market, consideration is given to prices being paid for milk in competing adjacent markets. Under usual circumstances, the variation in basic prices for milk of similar quality and use in various Federal order markets reflect to a substantial degree differences in

transportation costs. However, these basic prices may also reflect or may be adjusted to reflect differences in seasonality of production and the local supply-demand situation. This general alignment of prices as between orders tends to maintain equity among competing handlers in their product costs.

The fact that a partially regulated plant may have paid its dairy farmer suppliers the equivalent of the price established for one of the Federal order markets where it does business cannot be a basis for exemption in another higher priced Federal order market. Proponent testified that in doing business in the Lake Mead market Safeway has, by payment of its obligations under the California regulation, always met the payments which would have been required of it as a fully regulated handler under the Lake Mead order. Hence, the plant has never had a compensatory payment obligation under that order. However, another California plant meeting the identical payment obligations under the California regulation but with no distribution in the Lake Mead market would, nevertheless, incur an obligation on its distribution in the Central Arizona market identical to that which proponent seeks to avoid on the premise that his obligation under State regulation equals or exceeds the obligation he would have incurred as a fully regulated handler under the Lake Mead order.[2]

The fact that a partially regulated distributing plant had paid a utilization value for its receipts at least equal to the obligation it would have incurred as a fully regulated plant under a particular Federal order provides no assurance that the plant's costs for milk would approximate the cost of similar receipts for those handlers fully regulated under the Central Arizona order. On the basis of the current Class I price differentials of the Central Arizona and Lake Mead orders, it would be possible for Safeway's plant at Los Angeles, because it had paid for its receipts under California regulation an amount equivalent to the classified use value of such receipts under the Lake Mead order, to have a competitive advantage relative to Phoenix handlers in making Class I sales in Yuma, Arizona, area amounting to as much as $1.355 per hundredweight. Such competitive advantage would result because Safeway's Arizona competitors who are located primarily in the Phoenix area are required to pay a utilization value on their Class I sales on the basis of a Class I differentials of $2.52 per hundredweight whereas the Los Angeles plant's obligation on its Class I sales based upon the utilization values under the Lake Mead order would be $1.165 cent (1.60 differential on Class I milk at the Las Vegas basing point less a location adjustment of $0.435 cents).[3]

Under proponent's proposals, a partially regulated distributing plant which met its obligation under another Federal order either by virtue of paying to the pool and/or its dairy farmer patrons the full use value of all of its milk on the basis of the class prices specified in such order, or by making payments to the producer-settlement fund of such order at a rate equal to the difference between the Class I and the blend price of that order on fluid milk distributed within the marketing area of such other order, would be exempted from any price obligation on its more limited Class I sales within the Central Arizona market. Clearly, such an exemption could not provide equity as among handlers doing business in the Central Arizona market.

As previously pointed out, equity among handlers can be achieved only under circumstances where a plant is subject to full regulation and pricing. The treatment accorded a partially regulated distributing plan can only approach equality with regulated milk when the plant's obligations are related to the class prices in each of the regulated markets in which it has Class I sales. Thus, it is possible and not uncommon that a partially regulated plant may have payment obligations in the several regulated markets where it does business. The only concession which appropriately need be made under each respective order is to recognize purchases of milk from Federal order sources to offset sales in the regulated market and any payments made to producer-settlement funds of other orders in computing a partially regulated plant's pool obligation under a particular order. The fact that payments may be required under more than one order, or that a payment may be required under one order but not another, is neither unreasonable nor inequitable.

Proponent's proposal for exempt status for a distributing plant which does not meet the requirements for pool plant status but which has limited Class I sales within the Central Arizona marketing area also does not comport with the requirements of the Act. The proposal would condition exemption on a distributing plant's Class I sales within the Central Arizona marketing area being either less than 2 percent of the plant's total Class I sales or less than such plant's Class I sales in any other Federal order marketing area. There is no apparent logic for such procedure other than the fact that its adoption would provide exemption from regulation for proponents until such time as sales within the marketing area at least doubled the current level of 190,000 pounds per month.

Proponent expressed concern regarding provisions of the Central Arizona order which, he indicated, provided a Class I price at a plant located at Yuma 17 cents less than the Class I price for plants located at Phoenix. It is true that the provisions of the order would provide a location adjustment approximately 17 cents per hundredweight at the Yuma location. However, there are no plants located at Yuma, Arizona. Instead, proponent's fully regulated competitors operate plants located in and around Phoenix where the order obligation for Class I milk is 37 cents higher than the order price applicable at Los Angeles. Thus, for regulated handlers, hauling costs from Phoenix to Yuma become an additional out-of-pocket cost while Safeway has a 20-cent allowance under the order to cover cost of hauling from Los Angeles to Yuma.

For the foregoing reasons and considerations, it is concluded that the provisions relating to the treatment of partially regulated distributing plants with route disposition in the marketing area should not be modified. Therefore, the various proposals to modify such provisions are hereby denied.

Rulings on Proposed Findings and Conclusions

Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

Determination

The findings and conclusions of this decision do not require any change in the regulatory provisions of the order regulating the handling of milk in the Central Arizona marketing area.

Signed at Washington, D.C., on: January 9, 1976.

Donald E. Wilkinson,
Administrator.

[FR Doc.76-1137 Filed 1-13-76;8:45 am]

Commodity Credit Corporation

[7 CFR Part 722]

DETERMINATION OF "SHORTFALL" FOR EXTRA LONG STAPLE COTTON

1975-76 Marketing Year

Pursuant to section 407 of the Agricultural Act of 1949, as amended (79 Stat. 1197, as amended; 7 U.S.C. 1421 et seq.), the Secretary of Agriculture has determined that the "shortfall" for extra long staple cotton in the 1975-76 marketing year is 4,700 bales. Under Section 407, Commodity Credit Corporation is to sell or make available for unrestricted use at current market prices in the

[2] Official notice is taken of a release issued April 23, 1975, by the market administrator of the Central Arizona order entitled "List of Handlers" indicating that in addition to Safeway's Los Angeles plant there are two other California plants which are partially regulated distributing plants under the Central Arizona order, namely: Alpha Beta Company, 777 S. Harbor Blvd., La Habra, CA; and Alta-Dena Dairy, 637 S. Hambledon Ave., City of Industry, CA.

[3] Official notice is taken of the Lake Mead (Part 1139) order.

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1975–76 marketing year a quantity of American-grown extra long staple cotton equal to the amount by which the production of such cotton is less than the estmated requirements for domestic use and for export for such marketing year, except that no sales shall be made at less than 115 percent of the loan rate for extra long staple cotton.

The requirements for domestic use and export during the 1975–76 marketing year are currently estimated to be about 70,000 bales (480 lbs. net weight). The Crop Production Report issued by the Statistical Reporting Service on November 10, 1975, indicates that 1975 production of extra long staple cotton will total about 65,300 bales (480 pounds net weight). On the basis of these estimates, the 1975–76 shortfall for extra long staple cotton is 4,700 bales.

CCC-owned stocks of extra long staple cotton as of November 26, 1975, totaled only 155 bales. Further, only 2,900 bales were outstanding as of that date under the 1974 CCC loan program, some of which eventually may be forfeited by producers and acquired by CCC. Thus, an amount of extra long staple cotton equal to the shortfall cannot be sold or made available by CCC during the 1975–76 marketing year. However, CCC's remaining stocks of extra long staple cotton will be made available for sale against the 1975–76 shortfall.

Signed at Washington, D.C., on January 7, 1976.

E. J. PERSON,
Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc.76–1129 Filed 1–13–76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing Production and Mortgage Credit

[24 CFR Part 888]

[Docket No. R–76–311]

SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM

Schedule A; Fair Market Rents for New Construction and Substantial Rehabilitation

The Department of Housing and Urban Development, on March 31, 1975, amended Title 24 of the Code of Federal Regulations by adding to Chapter VIII a new Part 888—Section 8 Housing Assistance Payments Program—Fair Market Rents and Contract Rent—Automatic Annual Adjustment Factors.

Since March 31, 1975, additional comments and data have been received indicating continuing need to revise these rents in light of the most recent data available. This material submitted by interested members of the general public, as well as HUD Field Officers, has generally indicated a need to increase the published rents in order to meet specific local housing market conditions.

The Department proposes to incorporate in Part 888, Subpart A, in the respective appropriate places at 40 FR 14516, 14533 and 14548 revised Schedules A for the following market areas: Charleston, Beckley, Bluefield, Huntington, Parkersburg, Wheeling, Martinsburg, Fairmont, and Point Pleasant, West Virginia; Jackson and Marquette, Michigan; and Kansas City, Kansas and Kansas City, Missouri.

Revision of the Schedule A for Kansas City, Kansas and Kansas City, Missouri consists only of an increase in the rent for a one-bedroom elevator unit.

Because it is necessary to the operation of the Section 8 program that fair market rents remain as current as possible, and because interested parties are encouraged at all times to submit information and data on those rents which will be considered in initiating revisions as needed, it has been determined that it is impracticable and unnecessary to provide a 30-day period for comments on these proposed revisions and that a 15-day period is reasonable and in the public interest.

Accordingly, interested parties are invited to submit written data, comments, suggestions or objections concerning the proposed revisions by **January 26, 1976**. All materials which persons wish to submit should be filed with the Rules Docket Clerk, Office of the General Counsel, Room 10245, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C. 20410.

(Sec. 7(d) Department of Housing and Urban Development Act, (42 U.S.C. 3535(d)))

Issued at Washington, D.C., January 5, 1976.

DAVID S. COOK,
Assistant Secretary for Housing Production and Mortgage Credit—FHA Commissioner.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM

Schedule A—Fair Market Rents for New Construction and Substantial Rehabilitation (Including Housing Finance and Development Agencies Program)

These Fair Market Rents include projection for construction time through December 31, 1977.

NOTE: The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size units, not to exceed 2-Bedroom, multiplied by 1.05 rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units, and (3) single room occupancy dwelling units are those for 0-Bedroom units of the same type.

Insuring Office, Charleston, W. Va.—Region III, Philadelphia

Market area	Structure type	Number of bedrooms				
		0	1	2	3	4 or more
Charleston	Detached			350	384	429
	Semidetached/row		292	330	366	413
	Walkup	262	277	318	350	395
	Elevator	302	327	365		
Beckley	Detached			315	346	386
	Semidetached/row		263	297	325	365
	Walkup	236	249	286	315	356
	Elevator	272	294	329		
Bluefield	Detached			315	346	386
	Semidetached/row		263	297	325	365
	Walkup	236	249	286	315	356
	Elevator	272	294	329		
Huntington	Detached			318	362	416
	Semidetached/row		233	302	362	398
	Walkup	164	217	286	344	378
	Elevator	248	294	356		
Parkersburg	Detached			281	325	356
	Semidetached/row		227	265	306	337
	Walkup	191	218	258	299	320
	Elevator	242	289	352		
Wheeling	Detached			283	350	396
	Semidetached/row		228	268	336	382
	Walkup	192	221	260	326	355
	Elevator	245	292	354		

Insuring Office, Charleston, W. Va.—Region III, Philadelphia

Market area	Structure type	Number of bedrooms				
		0	1	2	3	4 or more
Martinsburg	Detached			326	362	405
	Semidetached/row		272	307	346	387
	Walkup	244	258	298	336	367
	Elevator	281	304	339		
Fairmont	Detached			326	357	399
	Semidetached/row		272	307	336	378
	Walkup	244	258	296	326	367
	Elevator	281	304	339		
Point Pleasant	Detached			380	323	353
	Semidetached/row		224	264	304	335
	Walkup	190	217	256	287	318
	Elevator	260	286	321		

Insuring Office, Grand Rapids, Mich.—Region V, Chicago

Market area	Structure type	Number of bedrooms				
		0	1	2	3	4 or more
Marquette	Detached			330	375	395
	Semidetached/row		247	277	317	332
	Walkup	195	211	253	290	
	Elevator	243	270	312		
Jackson	Detached			345	400	430
	Semidetached/row		270	305	345	370
	Walkup	205	235	290	325	
	Elevator	254	283	356		

Area Office, Kansas City, Kans.—Region VII, Kansas City, Mo.

Market area	Structure type	Number of bedrooms				
		0	1	2	3	4 or more
Kansas city	Detached			270	330	360
	Semidetached/row		232	264	312	342
	Walkup	170	216	258	300	324
	Elevator	192	263	304		

[FR Doc.76–968 Filed 1–13–76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 477–6]

OHIO

Approval and Promulgation of Implementation Plans

On January 30, 1972, the Governor of Ohio submitted the "Implementation Plan for the control of suspended particulate, sulfur dioxide, carbon monoxide, hydrocarbons, nitrogen dioxide, and photochemical oxidants in the State of Ohio" to the Administrator of the EPA. This plan was approved on May 31, 1972 (37 FR 10842), which approval was vacated by the Sixth Circuit U.S. Court of Appeals on June 28, 1973. (See Buckeye Power, Inc., et al., v. EPA, 481 F. 2d 162, CA6, 1973). The plan was reapproved with specific exceptions (e.g. the plan was disapproved in part because of the failure of the State to submit a sulfur dioxide control strategy) on April 15, 1974 (39 FR 13539).

The approved plan included regulations establishing the date of July 1, 1975 for attainment of the air quality standards for particulate matter (AP–3–04); carbon monoxide, photochemical oxidants and hydrocarbons (AP–5–04); and nitrogen oxides (AP–7–03). The approved plan also contained a regulation (EP–32–03) to allow the issuance of variances from compliance with emission standards generally until July 1, 1975, and, for certain control requirements in non-Priority I areas, until July 1, 1978.

Notice of public hearing to address revisions to the above-referenced portions of the plan was given by the State of Ohio on May 9, 1975, and a public hearing was held on June 12, 1975, in accordance with 40 CFR 51.4. The Director, Ohio Environmental Protection Agency, adopted these regulations on June 20, 1975 and they became effective state law on July 28, 1975.

On July 21, 1975, the Governor of Ohio submitted revised regulations AP–3–04, AP–5–04, AP–7–03 and EP–32–03 to the Regional Administrator for approval as revisions to the Ohio plan.

The submitted regulations would revise the approved plan as follows: (1) Final attainment dates for National Ambient Air Quality Standards for particumate matter (both primary and secondary), carbon monoxide, hydrocarbons and photochemical oxidants, and nitrogen oxides would be extended to April 15, 1977; (2) Variance to emission limitations could be given more than twice and up to April 15, 1977.

On April 17, 1974, a plan for attaining secondary particulate standards in the Cleveland, Steubenville and Youngstown Air Quality Control Regions (39 FR 13673) was proposed. This proposal contained the same emission limitations approved for achieving primary particulate standards in those regions and the final attainment date was July 1, 1975. Public comments were solicited on the rulemaking proposal but final action has not yet been taken. The revision proposed herein applies to all air quality control regions and affects the attainment date of secondary as well as primary particulate standards. For that reason, the terms of the April 17, 1974 proposal are subsumed in the terms of the new Ohio Regulation. Accordingly, the final rule-making action on this proposal will also finalize the April 17, 1974 proposal.

The Administrator is announcing these proposed changes to the Ohio plan for the purpose of securing public comment thereon. Approval of the revisions will depend on their consistency with the requirements set forth in section 110(a)(2)(A)–(H) of the Clean Air Act and the Part 51 regulations published by the Environmental Protection Agency.

The Environmental Protection Agency recognizes that submission by Ohio of a revised attainment date for particulate matter is based in part on certain findings of the Hearing Panel in the Consolidated Electric Utility Cases, dated September 6, 1974, and the Director of Ohio Environmental Protection Agency's opinion issued in connection therewith, dated December 12, 1974. The Director recognized that, for the sources subject to the adjudication, "compliance by July 1, 1975, is physically impossible in light of the time required for design, construction, and installation of the necessary control equipment."

The proposed April 15, 1977 attainment date for particulate matter standards coincides with EPA's assessment of the time required by some categories of sources to comply expeditiously with the substantive requirements of the Ohio particulate control strategy. This date is also consistent with Clean Air Act requirements that compliance with regulations designed to achieve primary ambient air quality standards take place as expeditiously as practicable, but no later than three years following the plan approval date. (In this case, because of the judicially mandated re-approval, the effective approval date of the Ohio particulate plan was April 15, 1974.) It should be noted that, even with approval of an April, 1977 attainment date, not all sources will require until then to achieve compliance with applicable requirements—for them an "expeditiously as practicable" standard will require an earlier compliance date.

For these reasons the Administrator proposes to approve the April 15, 1977 attainment date for particulate matter. It should be noted that even if revised AP–3–04 is approved, such approval would relate only to the attainment date for the particulate matter national standard and not to attainment of the sulfur oxide standard. This is because the State specifically withheld from its submission changes relating to the latter.

With respect to the 1977 attainment date for carbon monoxide, hydrocarbon and photochemical oxidant, and nitrogen oxide standards, the submission failed to support an extended period for final compliance with the appropriate emission limitations. However, the State of Ohio has indicated that information supporting an extended final attainment date for the hydrocarbon standard will be forthcoming, based in part upon a shortage of natural gas for afterburners needed for compliance with applicable requirements. As this information becomes available to the Agency, it will be made available.

The Regional Administrator requests that interested parties express their comments on this proposed rulemaking in writing by addressing correspondence to Region V's Air Policy Branch, Air and Hazardous Materials Division, 230 South Dearborn, Chicago, Illinois 60604. All relevant comments received on or before February 13, 1976, will be considered. Receipt of comments will be acknowledged. In addition, all relevant matters presented to EPA will be evaluated and the agency will, as part of its final rulemaking process, prepare an evaluation report.

Copies of the documentation submitted by the State of Ohio are available for public inspection during normal working hours at Region V's Air Policy Branch. Copies of the documentation

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are also available for public inspection at the followng locations: (1) Ohio Environmental Protection Agency, 361 East Broad Street, Columbus, Ohio 43216; (2) U.S. EPA Public Information Reference Unit, Room 2922, 401 M Street, SW., Washington, D.C. 20460.

(Sec. 110, Clean Air Act, as amended, (42 U.S.C. 1857c–5)

Dated: December 31, 1975.

FRANCIS T. MAYO,
Regional Administrator.

It is proposed to amend Chapter I, Title 40 of the Code of Federal Regulations as follows:

Subpart KK—Ohio

1. In § 52.1870, paragraph (d) is amended as follows:

§ 52.1870 Identification of plan.

* * * * *

(d) Revisions to the plan were submitted on:

(1) August 4 and October 12, 1972.

(2) January 25, 1974.

(3) July 16, 1975.

2. In § 52.1875 the attainment date for particulate matter is revised as follows:

§ 52.1875 Attainment date for national standards.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Greater Metropolitan Cleveland Intrastate.	h	h	* * *			* * *	
Hunting (W. Va.)-Ashland (Ky.)-Ironton (Ohio), interstate.	h	h					
Mansfield-Marion intrastate	h	h					
Metropolitan Cincinnati interstate.	h	h					
Metropolitan Columbus intrastate.	h	h					
Metropolitan Dayton intrastate.	h	h					
Metropolitan Toledo interstate.	h	h					
Northwest Ohio intrastate	h	h					
Northwest Pennsylvania-Youngstown interstate.	h	h					
Parkersburg (W. Va.)-Marietta (Ohio), interstate.	h	h					
Sandusky intrastate	h	h					
Steubenville-Weirton-Wheeling interstate.	h	h					
Wilmington-Chillicothe-Logan intrastate.	h	h					
Zanesville-Cambridge intrastate.	h	h					

NOTE.—* * *
h. Apr. 15, 1977.

[FR Doc.76–850 Filed 1–13–76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 0, 1]

[Docket No. 20626]

ADJUDICATORY RE-REGULATION

Order Extending Time for Filing Comments

1. Public Notice is hereby given that the time for filing of comments in the matter of Amendment of Parts 0 and 1 of the Commission's Rules, Adjudicatory Re-regulation, Docket No. 20626, has been extended until February 2, 1976.

2. This action is taken pursuant to delegated authority. 47 CFR 0.251.

Adopted: January 6, 1976.

Released: January 7, 1976.

[SEAL] ASHTON R. HARDY,
General Counsel.

[FR Doc.76–1113 Filed 1–13–76;8:45 am]

FEDERAL TRADE COMMISSION

[16 CFR Part 455]

SALE OF USED MOTOR VEHICLES

Disclosure and Other Regulations

Correction

In FR Doc. 76–238 appearing at page 1089 in the issue of Tuesday, January 6, 1976, make the following changes:

1. On page 1090, the third line of § 455.2(g) should read "tempts to disclaim any implied warranty".

2. On page 1090, the following insert should be made directly following the fourth line of § 455.2(g):

AS IS.

3. On page 1090, the thirteenth line of the first full paragraph in the third column should read "premises underlying the Commission's".

INTERSTATE COMMERCE COMMISSION

[49 CFR Parts 1204, 1260, 1261]

[Ex Parte No. 308]

VALUATION OF COMMON CARRIER PIPELINES

Supplemental Notice of Proposed Rulemaking and Order

At a general session of the Interstate Commerce Commission held at its office in Washington, D.C. on the 18th day of December 1975.

It appearing, That by order of August 28, 1974, the Commission instituted a rulemaking proceeding under part I of the Interstate Commerce Act (49 U.S.C. sec. 1), including section 19a thereof, relating to valuation of common-carrier property, and pursuant to sections 553, 551, and 559 of the Administrative Procedure Act (5 U.S.C. secs. 553, 554, and 559), for the purpose of determining whether any modification is required in the rules and regulations contained in Part 1204 of Title 49 of the Code of Federal Regulations, entitled "Pipeline Companies, List of Instructions and Accounts," in Part 1260 of said Title 49, entitled "Reporting of Data for Initial Pipeline Valuations," and in Part 1261 of said Title 49, entitled "Regulations Governing the Reporting of Property Changes; Pipeline Carriers," or any modification in the methodology of valuation stated in "Ajax Pipe Line Corporation," 50 Val. Rep. 1;

It further appearing, that Valuation Docket No. 1423 (1971 Report) and (1972 Report) were initially consolidated with the rulemaking proceeding Ex Parte No. 308;

It further appearing, that by order of December 9, 1974, consideration of pipeline valuation methodologies was stated to be the proper subject of, and would be considered in, Ex Parte No. 308, and further good cause existing therefor, it was ordered that the Interstate Commerce Commission's notice of proposed rulemaking in Ex Parte No. 308 be modified insofar as it consolidated the rulemaking and valuation proceedings. Valuation Docket No. 1423 was thereby severed from Ex Parte No. 308;

And it further appearing, that there has not been a consequential reexamination of the 8 percent and 10 percent rates of return on valuation found reasonable for crude petroleum and petroleum products in "Minnelusa Oil Corp. v. Continental Pipe Line Co.," 258 I.C.C. 41 (1944) and "Petroleum Rail Shippers' Assn. v. Alton & S.R.", 243 I.C.C. 589 (1941); and that a reexamination appears warranted to determine whether such standards insure maintenance of proper rate levels reasonably aligned to the carriers' revenue needs, including the revenue needed to attract both debt and equity capital at a reasonable cost;

Wherefore and good cause appearing therefore:

It is ordered, That this proceeding be, and it is hereby, broadened to include an examination of what is the proper rate of return for crude petroleum and petroleum products.

It is further ordered, That notice of this supplement to the notice of proposed rulemaking and order of August 28, 1974, be given to the general public, including interested persons, by mailing a copy of this order to the Governor and the regulatory agency of every State, by depositing a copy with the Secretary of the Interstate Commerce Commission, and by delivering a copy to the FEDERAL REGISTER for publication therein; and a copy will be mailed to each respondent.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76–1139 Filed 1–13–76;8:45 am]

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notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF STATE

[Public Notice CM–6/5]

OCEAN AFFAIRS ADVISORY COMMITTEE

Meeting

The Ocean Affairs Advisory Committee will meet on February 10, 1976, in conference room 1410 of the Department of State, Washington, D.C., at 9:30 a.m.

The Committee will discuss organizational matters dealing with international marine science and technology, current events in this field, including the recently held IXth Assembly of the Intergovernmental Oceanographic Commission, and will look to future developments. This session will be open to the public. The public will be given the opportunity to participate in discussions according to the instructions of the Chairman and will be admitted to the open session to the limits of seating capacity.

The Ocean Affairs Advisory Committee will also meet in the afternoon of February 10 and all day on February 11. These sessions will not be open to the public since the discussions will be devoted to matters exempt from public disclosure under 5 USC 552(b)(1) and the public interest requires that such discussions be withheld from disclosure. The purpose of the discussion will be to elicit views on U.S. alternatives and options in international marine science and technology to aid in preparation for future negotiations in these areas, and disclosure of the alternatives and options under consideration at this time could be prejudicial to the U.S. negotiating position. This consideration will include examination and discussion of classified documents.

Dated: January 6, 1976.

WILLIAM L. SULLIVAN, JR.,
Director, Office of Marine Science and Technology Affairs.

[FR Doc.76–1109 Filed 1–13–76;8:45 am]

[Public Notice 475]

UNITED NATIONS WATER CONFERENCE

Briefing Session

An international conference on water resources management will be convened by the United Nations in Mar del Plata, Argentina, from March 7 to 18, 1977. Its purpose is to sensitize national policy makers to the growing worldwide problems of water availability and water quality, and to exchange information and perspectives on remedial actions which are required at the national, regional and international levels. The 58-nation U.N. Committee on Natural Resources will meet as an intergovernmental preparatory body February 8–14 in New York to complete work on the conference agenda, rules of procedure and organization.

Notice is hereby given that a briefing session on the Water Conference, including the status of U.S. preparations and planning, will be held for interested nongovernmental organizations and the general public beginning at 10 a.m. (local time) on Friday, January 23, 1976, in Room 1408, Department of State, 2201 C Street, NW., Washington, D.C. 20520.

Individuals who wish to attend the briefing, or to obtain additional information, should notify Mr. Bill L. Long, conference coordinator, Department of State, Room 7820–OES/ENP/EN, Washington, D.C. 20520 (telephone: 202–632–2418), prior to January 22.

LINDSEY GRANT,
Director,
Office of Environmental Affairs.

JANUARY 7, 1976.

[FR Doc. 76–1108 Filed 1–13–76; 8:45 am]

DEPARTMENT OF THE TREASURY

Office of Revenue Sharing

ENTITLEMENT DATA

Procedure for Improvement

Correction

In FR Doc. 75–34996 appearing at page 60097 in the issue of Wednesday, December 31, 1975, near the bottom of column two on page 60097 the line below the signature which now reads "Approved: Donald L. E. Ritger, *General Counsel.*" should be changed to read "Approved: Donald L. E. Ritger, *Acting General Counsel.*"

DEPARTMENT OF DEFENSE

Office of the Secretary

DDR&E HIGH ENERGY LASER REVIEW GROUP (HELRG) LASER HARDENED MATERIALS AND STRUCTURES SUBPANEL

Closed Meeting

Pursuant to the provisions of section 10 of Appendix I, Title 5, United States Code, notice is hereby given that a closed meeting of the DDR&E High Energy Laser Review Group Laser Hardened Materials and Structures Subpanel will be held at 0900 on Tuesday, Wednesday, and Thursday, March 2, 3, and 4, 1976, at the Aerospace Corporation, El Segundo, California. The purpose is to review matters pertaining to the Department of Defense high energy laser program.

The subject matter of the meeting is classified in accordance with subparagraph (1) of section 552(b) of title 5 of the U.S. Code.

MAURICE W. ROCHE,
Director, Correspondence and Directives OASD (Comptroller).

JANUARY 9, 1976.

[FR Doc.76–1081 Filed 1–13–76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

SALEM DISTRICT MULTIPLE USE ADVISORY BOARD

Meeting

Notice is hereby given that the Salem District Multiple Use Advisory Board will meet on February 18, 1976 commencing at 9:00 a.m., in the Bureau of Land Management Salem District Office, 3550 Liberty Road, South, Salem, Oregon. The Agenda for the meeting will include discussions on proposed Timber Sale Plans for Fiscal Year 1977 and impacts on water quality from logging.

The meeting will be open to the public insofar as seating is available. In addition to discussions of agenda topics by board members, there will be time for brief statements on agenda topics by nonmembers. Persons wishing to make oral statements must inform the Board Chairman in writing prior to the meeting. Written statements should be sent to Chairman, District Multiple Use Advisory Board in care of the District Manager, Bureau of Land Management, P.O. Box 3227, Salem, Oregon 97302.

B. T. VLADIMIROFF,
Salem District Manager.

JANUARY 6, 1976.

[FR Doc. 76–1104 Filed 1–13–76; 8:45 am]

SALMON DISTRICT MULTIPLE USE ADVISORY BOARD

Meeting

Notice is hereby given in accordance with Pub. L. 92–463 that a meeting of the Salmon District Multiple Use Advisory Board will be held beginning at 9 a.m., February 18, 1976, at the Salmon District Office, Salmon, Idaho.

The Advisory Board was established to advise the Salmon District Manager on matters relating to the use, management, protection; and disposition of lands and resources administered by the Bureau of Land Management within its Salmon District of Idaho.

The purpose of the meeting is to (1) review and discuss some of the laws

under which the Bureau of Land Management operates; (2) a discussion of the development of multiple use programs for all users; (3) discuss range improvement funds; (4) discuss the Idaho BLM State Director's Five Year Goals; (5) BLM regulation changes; and (6) other appropriate items.

The meeting is open to the public. It is expected that 10 persons will be able to attend the session in addition to the Committee members. Interested persons may make written presentations to the Committee or file written statements. Such requests should be made to the official listed below at least 10 days prior to the meeting.

Further information concerning this meeting may be obtained from Harry R. Finlayson, District Manager, Bureau of Land Management, P.O. Box 430, Salmon, Idaho 83467—(208) 756–2201. Minutes of the meeting will be available for public inspection and copying 2 weeks after the meeting at the Salmon District Office, Highway 93 South, Salmon, Idaho.

GLENN E. FORD,
Acting District Manager.

[FR Doc.76–1105 Filed 1–13–76;8:45 am]

Office of Hearings and Appeals

[Docket No. M 76–19]

NATIONAL MINES CORP.

Amended[1] Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), National Mines Corporation has filed an amendment to its petition to modify the application of 30 CFR 75.1105 to its National Pocahontas Mine, Pineville, Wyoming County, West Virginia.

30 CFR 75.1105 provides:

> Underground transformer stations, battery-charging stations, substations, compressor stations, shops, and permanent pumps shall be housed in fireproof structures or areas. Air currents used to ventilate structures or areas enclosing electrical installations shall be coursed directly into the return. Other underground structures installed in a coal mine as the Secretary may prescribe shall be of fireproof construction.

Petitioner amends its original petition by adding the following alternate method:

1. The two transformer-rectifier stations and the dewatering pump installation will be enclosed by the use of 6'' x 8'' x 16'' cinder blocks plastered on both sides with a mixture of sand, lime, and cement.

2. Two steel doors approximately 30'' x 30'' hung on frames will be installed at each end of the enclosure. Two steel ropes, connected by a 160 degree F fuse link will be installed in a manner as to permit the doors to remain open, so an air current could pass through the enclosure and the doors will automatically close when the fused link separates in case of a fire.

3. The two steel ropes, connected by a 160 degree F fuse link, will be installed approximately 4 inches above and across the subject installations. The ropes will be connected to a 20 lb., dry chemical fire suppression device with discharge nozzles located at five locations along side of the installation, which will spray inside the installation when the fire suppression device is activated by the separation of the fuse link.

4. Two plunger, spring-loaded type switches will be installed on the outside frame of one of the doors in a manner to activate a signal device (alarm and warning light) when the door is closed. The alarm system will receive its power from an independent source. The signal device will be located along the track haulway where men are required to travel regularly, which will warn miners that the fuse link has been broken and that the doors to the structure have been closed.

5. The installations will be examined weekly to insure that the safety features are intact. These examinations will be recorded and the records made available to all interested parties.

6. Combustible materials will not be stored or allowed to accumulate in the fireproof enclosure.

7. All electrical cables will be mortared in the wall of the enclosure.

8. All persons will be withdrawn out by the location of the electrical installation before the smoke is released from the structure.

9. Additional fire protection will be provided on the outside of the structure as required by 30 CFR 75.1100–2(E).

Persons interested in this petition may request a hearing on the petition or furnish comments on or before February 13, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

JANUARY 6, 1976.

[FR Doc.76–1118 Filed 1–13–76;8:45 am]

[1] The original petition was published in 40 F.R. 52873 on Thursday, November 13, 1975.

DEPARTMENT OF AGRICULTURE

Forest Service

DESCHUTES NATIONAL FOREST CATTLEMEN'S AND WOOLGROWERS' ADVISORY COMMITTEE AND DESCHUTES NATIONAL FOREST MULTIPLE USE ADVISORY COMMITTEE

Joint Meeting

The Deschutes National Forest Cattlemen's and Woolgrowers' Advisory Committee and the Deschutes National Forest Multiple Use Advisory Committee will meet jointly February 19, 1976, 7:30 p.m., at 211 NE Revere, Bend, Oregon. The purpose of this meeting is to discuss:

1. Minutes of the last meeting or the previous meetings.
2. Future grazing management on the Deschutes National Forest.
3. Deschutes National Forest Land Use Planning.
4. U.S. Fish and Wildlife Service animal damage control activities.
5. Oregon Department of Fish and Wildlife activities.
6. General comments from Advisory Groups or the public.

The meeting will be open to the public. Persons who wish to attend should notify John C. Capp or Virginia Gravon, 382–6922. Written statements may be filed with either of the two groups before or after the meeting. The Chairman may request comments from any individual or group representative.

Dated January 6, 1976.

EARL E. NICHOLS,
Forest Supervisor.

[FR Doc.76–1099 Filed 1–13–76;8:45 am]

Soil Conservation Service

COUNTRY LINE CREEK WATERSHED PROJECT, NORTH CAROLINA

Availability of Final Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture has prepared a final environmental impact statement (EIS) for the Country Line Creek Watershed Project, Caswell and Rockingham Counties, North Carolina, USDA–SCS–EIS–WS–(ADM)–75–4(F) NC.

The EIS concerns a plan for watershed protection, flood prevention, recreation, and municipal and industrial water supply. The planned works of improvement provide for conservation land treatment, one multipurpose reservoir with capacity for floodwater retarding and recreation, one recreation development area, and one multipurpose reservoir with capacity for floodwater retarding and municipal and industrial water.

The final EIS has been filed with the Council on Environmental Quality.

A limited supply is available at the following location to fill single copy requests:

Soil Conservation Service, USDA, 310 New Bern Avenue, Raleigh, North Carolina 27611.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

Dated: January 7, 1976.

JOSEPH W. HAAS,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.76–1100 Filed 1–13–76;8:45 am]

DEPARTMENT OF COMMERCE

Bureau of the Census

CENSUS ADVISORY COMMITTEE ON THE BLACK POPULATION FOR THE 1980 CENSUS

Public Meeting

The Census Advisory Committee on the Black Population for the 1980 Census will convene on February 18, 1976 at 9:30 a.m. in the Conrad Hilton Hotel, 720 South Michigan Avenue, Chicago, Illinois 60605.

The Committee was established in October 1974 to advise the Director, Bureau of the Census, on such 1980 census planning elements as improving the accuracy of the population count, recommending subject content and tabulations of especial use to the black population, and expanding the dissemination of census results among present and potential users of census data in the black population.

The Committee is composed of 21 members appointed by the Secretary of Commerce.

The agenda for the meeting is: (1) Topics of current interest at the Bureau of the Census; (2) overview of plans for a 1980 Census Pretest to take place in 1976 in Travis County, Texas; (3) recruiting, testing, and training of Census Bureau Field Staff; (4) Census Bureau Affirmative Action Plan; and (5) discussion of racial identifiers and ethnic origin categories.

The meeting will be open to the public, and a brief period will be set aside for public comment and questions. Extensive questions or statements must be submitted in writing to the Committee Control Officer at least 3 days prior to the meeting.

Persons planning to attend and wishing additional information concerning this meeting should contact the Committee Control Officer, Mr. Clifton S. Jordan, Deputy Chief, Demographic Census Staff, Bureau of the Census, Room 3779, Federal Building 3, Suitland, Maryland. (Mailing address: Washington, D.C. 20233). Telephone: (301) 763–5169.

Dated: January 8, 1976.

VINCENT P. BARABBA,
Director,
Bureau of the Census.

[FR Doc.76–1101 Filed 1–13–76;8:45 am]

CENSUS ADVISORY COMMITTEE ON THE SPANISH ORIGIN POPULATION FOR THE 1980 CENSUS

Public Meeting

The Census Advisory Committee on the Spanish Origin Population for the 1980 Census will convene on February 19 and 20, 1976 at 9 a.m. in the Conrad Hilton Hotel, 720 South Michigan Avenue, Chicago, Illinois 60605.

This Committee was established in February 1975 to advise the Director, Bureau of the Census, on such 1980 census planning elements as improving the accuracy of the population count, developing definitions for classification of the Spanish origin population, recommending subject content and tabulations of especial use to the Spanish origin population, and expanding the dissemination of census results among present and potential users of census data in the Spanish origin population.

The committee is composed of 21 members appointed by the Secretary of Commerce.

The agenda for the February 19 meeting is: (1) Topics of current interest at the Bureau of the Census; (2) overview of plans for a 1980 Census Pretest to take place in 1976 in Travis County, Texas; (3) statistical system planning process; and (4) reports from committee members on: identifiers (methodology), public information, health and vital statistics, migrant workers, migration and country of birth, and nondocumented workers.

The agenda for the February 20 meeting, which will adjourn at 12 noon, will be additional reports from committee members on: (a) Census Bureau Affirmative Action Plan with respect to community services representatives and enumerators; and (b) counting persons within the household including census forms and content, and language problems.

The meetings will be open to the public, and a brief period will be set aside for public comment and questions at the February 20 meeting. Extensive questions or statements must be submitted in writing to the Committee Control Officer at least 3 days prior to the meeting.

Persons planning to attend and wishing additional information concerning this meeting should contact the Committee Control Officer, Mr. Clifton S. Jordan, Deputy Chief, Demographic Census Staff, Bureau of the Census, Room 3779, Federal Building 3, Suitland, Maryland. (Mailing address: Washington, D.C. 20233) Telephone: (301) 763–5169.

VINCENT P. BARABBA,
Director,
Bureau of the Census.

JANUARY 8, 1976.

[FR Doc.76–1102 Filed 1–13–76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. 75F–0349]

DOW CHEMICAL U.S.A.

Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6B3122) has been filed by Dow Chemical U.S.A., P.O. Box 1706, Midland, MI 48640, proposing that the food additive regulations (21 CFR Part 121) be amended to provide for the safe use of a new rubber-modified acrylonitrile/styrene copolymer utilizing n-octyl mercaptan as a chain transfer agent for use in contact with foods at temperatures not to exceed 190° F.

It has been determined that the proposed uses, other than as bottles intended to hold beer and carbonated beverages, will not have a significant environmental impact. The use of plastic bottles for beer and carbonated beverages has been reviewed for a draft environmental impact statement issued by the Food and Drug Administration on April 14, 1975. The notice of availability of the statement appeared in the FEDERAL REGISTER of April 14, 1975 (40 FR 16708). Comments on that statement are currently being reviewed for a final environmental impact statement, which is being prepared. The proposed use of this copolymer to include beer bottles is considered covered by the draft statement and the final impact statement under preparation. The environmental impact analysis report and other material relevant to the use of the copolymer for purposes other than bottles for beer and carbonated beverages have been reviewed. It has been determined that these proposed uses of the additive will not have a significant environmental impact. Copies of the environmental impact analysis report may be seen in the office of the Assistant Commissioner for Public Affairs, Rm. 15B–42 or the office of the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, Md. 20852, during working hours Monday through Friday.

Dated: January 5, 1976.

HOWARD R. ROBERTS,
Acting Director, Bureau of Foods.

[FR Doc.76–1079 Filed 1–13–76;8:45 am]

HEALTH RESOURCES ADMINISTRATION

SPECIAL HEALTH CAREER OPPORTUNITY GRANTS

Application Announcement

The Office of Health Resources Opportunity, Health Resources Administration, hereby announces that applications for grants in fiscal year 1976 for Special Health Career Opportunity Projects are now being accepted under authority of the Continuing Resolution (Pub. L. 94–41). Grants for Special Health Career Opportunity Projects, authorized under section 774(b) of the Public Health Service Act, are administered through the DHEW Regional Offices.

Section 774(b) of the Act provides that the Secretary of Health, Education, and Welfare may make grants to public and nonprofit private health or educational entities to assist in meeting the costs of special projects to:

(1) Establish or operate projects designed to identify, and increase admissions to and enrollment in schools of medicine, dentistry, osteopathy, optometry, podiatry, pharmacy, veterinary medicine, public health, or other health training of, individuals whose background and interests make it reasonable to assume that they will engage in the practice of their health profession in rural or other areas having a severe shortage of personnel in such health profession; or

(2)(A) Identify individuals with a potential for education or training in the health professions (including veterans of the Armed Forces of the United States with training or experience in the health field), who due to socioeconomic factors are financially or otherwise disadvantaged, and encourage and assist them (i) to enroll in a school of medicine, dentistry, osteopathy, pharmacy, optometry, podiatry, veterinary medicine, public health, or other health training; or (ii) if they are not qualified to enroll in such a school, to undertake such postsecondary education or training as may be required to qualify them to enroll in such a school;

(B) Publicize existing sources of financial aid available to persons enrolled in any such school or who are undertaking training necessary to qualify them to enroll in any such school; or

(C) Establish such programs as the Secretary determines will enhance and facilitate the enrollment, pursuit, and completion of study by individuals referred to in paragraph (A) above in schools of medicine, dentistry, osteopathy, pharmacy, optometry, podiatry, veterinary medicine, public health or other health training.

A health or educational entity is defined in the implementing regulations (42 CFR Part 57, Subpart S) as "an organization, agency or combination thereof, which has the provision of health or educational programs as one of its major functions." Eligible applicants may request application materials by contacting immediately the Regional Health Administrator of the appropriate DHEW Regional Office (addresses indicated below).

To be considered for fiscal year 1976 funding, applications must be submitted to the appropriate Regional Office no later than March 1, 1976.

DHEW regional offices	*States within regions*
Regional Health Administrator, DHEW Region I–PHS, J. F. Kennedy Federal Bldg., Government Center, Boston, Mass. 02203.	Connecticut, Maine, Vermont, New Hampshire, Rhode Island, Massachusetts.
Regional Health Administrator, DHEW Region II–PHS, Federal Bldg., 26 Federal Plaza, New York, N.Y. 10007.	New Jersey, New York, Puerto Rico, Virgin Islands.
Regional Health Administrator, DHEW Region III–PHS, P.O. Box 13716, Philadelphia, Pa. 19101.	Delaware, Maryland, Virginia, West Virginia, Pennsylvania, District of Columbia.
Regional Health Administrator, DHEW Region IV–PHS, Peachtree-7th Bldg., 50 7th St. NE., Atlanta, Ga. 30323.	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.
Regional Health Administrator, DHEW Region V–PHS, 300 South Wacker Dr., Chicago, Ill. 60606.	Illinois, Indiana, Michigan, Ohio, Wisconsin, Minnesota.
Regional Health Administrator, DHEW Region VI–PHS, 1200 Main Tower Bldg., Dallas, Tex. 75202.	Arkansas, Louisiana, New Mexico, Texas, Oklahoma.
Regional Health Administrator, DHEW Region VII–PHS, Federal Office Bldg., 601 East 12th St., Kansas City, Mo. 64106.	Iowa, Missouri, Kansas, Nebraska.
Regional Health Administrator, DHEW Region VIII–PHS, Federal Office Bldg., 19th and Stout Sts., Denver, Colo. 80202.	Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming.
Regional Health Administrator, DHEW Region IX–PHS, 50 Fulton St., San Francisco, Calif. 94102.	Arizona, California, Hawaii, Nevada, Guam, American Samoa, Trust Territory of the Pacific Islands.
Regional Health Administrator, DHEW Region X–PHS, Arcade Plaza Bldg., 1321 2nd Ave., Seattle, Wash. 98101.	Alaska, Idaho, Oregon, Washington.

Dated: January 6, 1976.

KENNETH M. ENDICOTT,
Administrator,
Health Resources Administration.

[FR Doc.76–1103 Filed 1–13–76;8:45 am]

National Institutes of Health

ADVISORY COMMITTEE TO THE DIRECTOR

Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Advisory Committee to the Director, NIH, February 9–10, 1976, National Institutes of Health, Building 31, Conference Room 6C. The meeting will take place from 9 a.m. to 5:30 p.m. on February 9, and from 9 a.m. to 1 p.m. on February 10. The entire meeting will be open to the public.

The purpose of the meeting will be to consider proposed guidelines and requirements concerning recombinant DNA molecule research conducted and supported by the NIH, and other policy issues of concern to the Director, NIH. Attendance by the public will be limited to space available.

Interested members of the public who wish to make a written presentation concerning the proposed guidelines to the Committee may do so by submitting a document to the Executive Secretary.

The period from 4–5:30 p.m. on February 9 will be set aside for 10 minute oral presentations to the Committee by members of the public. Approval of the Executive Secretary must be obtained in advance of all oral presentations.

The Executive Secretary, Charles R. McCarthy, Ph. D., National Institutes of Health, Building 1, Room 224, Bethesda, Maryland 20014, 301–496–1480, will furnish copies of the proposed guidelines and requirements, summaries of the meeting, rosters of committee members and guests, and substantive program information.

Dated: January 8, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.76–1076 Filed 1–13–76;8:45 am]

BEHAVIORAL SCIENCES RESEARCH CONTRACT REVIEW COMMITTEE

Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Behavioral Sciences Research Contract Review Committee, National Institute of Child Health and Human Development, February 24–25, 1976, Landow Building, Room C–148, National Institutes of Health, Bethesda, Maryland.

The meeting will be open to the public from 9:30 a.m. to 5 p.m. on February 24, and from 9:30 a.m. until 11:30 a.m. on February 25, for progress reports and program plans by the staff of the Behavioral Sciences Branch and discussion of major research needs in the social and behavioral sciences relating to population. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on February 25 from 11:30 a.m. until adjournment, for the review, discussion and evaluation of individual contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

Mrs. Marjorie Neff, Committee Management Officer, NICHD, Room 2A–04, Building 31, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496–1848, will provide summaries of meetings and rosters of committee members. Dr. Jerry W. Combs, Jr., Chief Behavioral Sciences Branch, Center for Population Research, NICHD, Landow Building, Room C–725, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496–1174, will furnish substantive program information.

Dated: January 7, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

JAN 14 1976

(Catalog of Federal Domestic Assistance Program No. 13.832, National Institutes of Health)

[FR Doc.76-1073 Filed 1-13-76;8:45 am]

CANCER CONTROL SUPPORTIVE SERVICES REVIEW COMMITTEE

Cancellation of Meeting

Notice is hereby given of the cancellation of the meeting of the Cancer Control Supportive Services Review Committee, National Cancer Institute, January 27, 1976, National Institutes of Health, Building 31, Conference Room 10, which was published in the FEDERAL REGISTER on December 16, 1975, 40 FR 58337.

Dated: December 29, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.76-1068 Filed 1-13-76;8:45 am]

CANCER IMMUNOTHERAPY COMMITTEE

Cancellation of Meeting

Notice is hereby given of the cancellation of the meeting of the Committee on Cancer Immunotherapy, National Cancer Institute, January 22, 1976, National Institutes of Health, Building 10, Room 4B14, which was published in the FEDERAL REGISTER on December 16, 1975, 40 FR 58337.

Dated: December 29, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.76-1067 Filed 1-13-76;8:45 a.m.]

CARCINOGENESIS PROGRAM OF THE DIVISION OF CANCER CAUSE AND PREVENTION

Meeting

Notice is hereby given that the Carcinogenesis Program of the Division of Cancer Cause and Prevention, NCI, will hold the Fourth Annual Collaborative Conference February 23–27, 1976, from 8:30 a.m. to 5 p.m. each day at the Carlton House, Orlando, Florida.

The meeting is for the purpose of presenting current scientific data concerning a number of major areas of research in carcinogenesis. This is not an advisory committee meeting. The meeting is open to the public, but attendance will be limited to space available.

Abstracts describing the research supported by the NCI Carcinogenesis Program will be available from the Office of the Coordinator for Collaborative Research, Carcinogenesis, DCCP, NCI, upon written request after the meeting.

Dr. Allen H. Heim, Coordinator for Collaborative Research, Landow Building, Room A-306, Bethesda, Maryland 20014, will provide additional information after the meeting, AC 301-496-1881.

Dated: December 23, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.76-1071 Filed 1-13-76;8:45 am]

COMMITTEE TO COORDINATE TOXICOLOGY AND RELATED PROGRAMS

Meeting

A meeting will be held to discuss a working draft of a document being developed for the DHEW Committee to Coordinate Toxicology and Related Programs (composed wholly of full-time employees of DHEW). The draft document discusses and evaluates methods for determining the mutagenic properties of chemicals. The entire meeting will be open to the public from 9:30 a.m. to adjournment on February 18 in Wilson Hall, Building 1, National Institutes of Health, Bethesda, Maryland. The meeting will be devoted to answering any questions or receiving any comments regarding the draft document. Written comments will also be considered if received by February 27, 1976.

Since attendance by the public will be limited to space available, it is requested that individuals wishing to participate notify Ms. Ceci Ellington, National Institute of Environmental Health Sciences, Research Triangle Park, North Carolina 27709, telephone (919) 549-8411 ext. 3201 (FTS 629-3201) in advance. Ms. Ellington will provide on request a copy of the draft protocol and any additional information regarding the meeting.

Dated: January 7, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.76-1074 Filed 1-13-76;8:45 am]

GRANT AND CONTRACT-SUPPORTED RADIATION DEVELOPMENT

Establishment of Program

The National Cancer Institute, under authority of Section 301 and Title IV Part A of the Public Health Service Act, as amended (42 U.S.C. 241, 281 et seq.) will establish a research program to develop optimal approaches, techniques, and equipment for radiation management and cure of cancer. These awards are intended to encourage and expedite timely innovations and developments, bridging the gap between fundamental radiation research and its clinical application.

Emphasis in the new program will be on research and development of hospital-optimized high linear energy transfer (LET) particulate (fast neuron, pion, and stripped ion) as well as low LET particulate radiotherapy machines; evaluation of the associated radiotherapy modalities and studies of their late effects; and workshops, conferences, and training programs in particle radiotherapy.

Other areas targeted for consideration include:

(a) Brachytherapy systems development;
(b) Hyperthermia equipment development, dosimetry, biological effects, and clinical applications;
(c) Development of computer-optimized systems for tumor localization, patient positioning, treatment planning, dose distribution, transverse X-ray, nuclear and ultrasound scanning, data management and data retrieval;
(d) Application of new technology to radiotherapy;
(e) Development of alternative radiation sources; and
(f) Development of data banks for radiation oncology education and communication.

Awards will be made through grants, and contracts.

Grant awards will be made only to nonprofit organizations and institutions, state and local governments and their agencies, authorized Federal institutions and, occasionally to individuals, in accordance with NIH and PHS policies. Receipt, review and referral of applications will be accomplished according to the policies and procedures contained in 42 CFR Part 52 and the Public Health Service Grants Policy Statement which may be purchased from the Superintendent of Documents, U.S. Printing Office, Washington, D.C. 20402.

Grant applications shall be subject to scientific review by a National Institutes of Health review committee, and must receive favorable recommendation from the National Cancer Advisory Board. Application must be made to the Division of Research Grants, National Institutes of Health, Bethesda, Maryland 20014, and must be received by October 1 for review at the March meeting of the National Cancer Advisory Board, by February 1 for the June meeting, and by June 1 for the November meeting. Applications received after these dates will be processed for review at the next regularly scheduled meeting of the National Cancer Advisory Board.

Contracts which will be made under this program will be awarded in accordance with the provisions of the Federal Procurement Regulations and the HEW Procurement Regulations contained in Title 41 of the Code of Federal Regulations. Contract proposals should normally be submitted in response to a Request for Proposal (RFP) from the National Cancer Institute which will be published in the Commerce Business Daily and other appropriate publications.

Contract proposals shall be subject to scientific review in accordance with applicable DHEW regulations for scientific peer review.

For further information, contact the Director, Division of Cancer Research Resource and Centers, National Cancer Institute, Bethesda, Maryland 20014.

Dated: December 31, 1975.

(Catalog of Federal Domestic Assistance Program Number 13.395 Cancer Treatment Research)

R. W. LAMONT-HAVERS,
Acting Director,
National Institutes of Health.

[FR Doc. 76-1077 Filed 1-13-76; 8:45 am]

HEART AND LUNG RESEARCH REVIEW COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Heart and Lung Research Review Committee A, National Heart and Lung Institute, January 30-31, 1976, the New Jersey Room, Holiday Inn, 8120 Wisconsin Avenue, Bethesda, Maryland. This meeting will be open to the public on January 30, 1976, from 8:30 a.m. to approximately 9:30 a.m. to discuss administrative details and to hear a report concerning the current status of the National Heart and Lung Institute. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552(b)(4), 552(b)(5), and 552(b)(6), Title 5, U.S. Code and Section 10(d) of Pub. L. 92-463, the meeting of the Heart and Lung Research Review Committee A will be closed to the public on January 30, 1976 from 9:30 a.m. until the adjournment on January 31, 1976, for the review, discussion and evaluation of individual initial pending, supplemental, and renewal grant applications. The closed portion of the meeting involves solely the internal expression of views and judgments of committee members on individual grant applications containing detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. York E. Ornen, Chief, Public Inquiries and Reports Branch, NHLI, NIH, Building 31, Room 5A21, Bethesda, Maryland 20014, phone (301) 496-4236, will provide summaries of the meeting and rosters of the committee members. Dr. Arthur W. Merrick, Executive Secretary, NHLI, NIH, Westwood Building, Room 552, phone (301) 496-7915, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Programs No. 13.837, 13.838, and 13.839 National Institutes of Health)

Dated: January 7, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.76-1072 Filed 1-13-76;8:45 am]

MINORITY ACCESS TO RESEARCH CAREERS REVIEW COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Minority Access to Research Careers Review Committee, National Institute of General Medical Sciences on February 17-18, 1976, 9 a.m., The Colonnade Hotel, 120 Huntington Avenue, Boston, Massachusetts. This meeting will be open to the public on February 17 from 9 a.m. to 11 a.m. for opening remarks and discussion of procedural matters. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552(b)(4), 552(b)(5), and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on February 17 from 11 a.m. to 5 p.m. and on February 18 from 9 a.m. to 5 p.m. for the review, discussion and evaluation of individual applications under the National Research Service Awards Program (42 U.S.C. 482l-1). The closed portion of the meeting involves solely the internal expression of views and judgments of such applications which contain detailed research protocols, designs and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. Paul Deming, Staff Assistant to the Director, NIGMS, Westwood Building, 5333 Westbard Avenue, Room 909, Bethesda, Maryland 20014, telephone (301) 496-7301, will furnish summary minutes of the meeting and a roster of committee members.

Substantive program information may be obtained from Mr. Elward Bynum, Executive Secretary, Westwood Building, Room 9A18, Bethesda, Maryland 20014, telephone (301) 496-7357.

Dated January 7, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program 13-859, 13-860, 13-861, 13-862, 13-863, General Medical Sciences)

[FR Doc.76-1075 Filed 1-13-76;8:45 am]

NATIONAL CANCER INSTITUTE ADVISORY COMMITTEE

Meetings

Pursuant to Pub. L. 92-463, notice is hereby given of the meetings of committees advisory to the National Cancer Institute.

These meetings will be open to the public to discuss administrative details or other issues relating to committee business as indicated in the notice. Attendance by the public will be limited to space available. Some of these meetings will be closed as indicated below in accordance with the provisions set forth in sections 552(b)(4), 552(b)(5) and 552(b)(6) of Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, for the review, discussion and evaluation of individual initial pending, supplemental, and renewal grant applications. The closed portions of the meetings involve solely the internal expression of views and judgments of committee members on individual grant applications containing detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mrs. Majorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5708) will furnish summaries of the meetings and rosters of committee members upon request. Other information pertaining to the meeting can be obtained from the Executive Secretary indicated. Meetings are at the National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20014, unless otherwise stated.

Name of committee: National Cancer Advisory Board Subcommittee on Centers and Construction.
Date: February 2, 1976, 9:00 a.m.
Place: Building 31C. Room: Conference Room 7, National Institutes of Health.
Times:
Open: February 2, 9:00 a.m.-2:00 p.m.
Closed: February 2, 2:00 p.m.-Adjournment.
Agenda/open portion: Continuation of the Subcommittee's review and evaluation of cancer centers and the cancer centers program.
Closure reason: To Review Research Grant Applications.
Executive Secretary: Dr. Simeon Cantril.
Address: Westwood Building, Room 832, National Institutes of Health.
Phone: 301-496-7427.
Catalog of Federal domestic assistance number: 13.312.

Name of committee: Cancer Special Program Advisory Committee.
Dates: February 5-6, 1976, 9:00 a.m.
Place: Building 31A. Room: Conference Room 4, National Institutes of Health.
Times:
Open: February 5, 9:00 a.m.-10:00 a.m.
Closed: February 5, 10:00 a.m.-5:00 p.m.
Closed: February 6, 8:30 a.m.-adjournment.
Closure reason: To review research grant applications.
Executive Secretary: Dr. William R. Sanslone.
Address: Westwood Building, Room 805, National Institutes of Health.
Phone: 301-496-7565.
Catalog of Federal Domestic Assistance Number: 13.312.

Name of committee: Cancer Research Center Review Committee (Core Section).
Dates: February 6-7, 1976, 8:30 a.m.
Place: Building 31C. Room: Conference Room 6, National Institutes of Health.
Times:
Open: February 6, 8:30 a.m.-10:00 a.m.
Closed: February 6, 10:00 a.m.-6:00 p.m.
Closed: February 7, 8:30 a.m.-adjournment.
Closure reason: To review research grant applications.
Executive Secretary: Dr. Robert L. Manning.
Address: Westwood Building, Room 803, National Institutes of Health.
Phone: 301-496-7721.
Catalog of Federal Domestic Assistance Number: 13.312.

Name of committee: Cancer Research Center Review Committee (Clinical Section).
Dates: February 16-17, 1976, 8:30 a.m.
Place: Building 31C. Room: Conference Room 6, National Institutes of Health.

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Times:
Open: February 16, 8:30 a.m.–9:00 a.m.
Closed: February 16, 9:00 a.m.–5:00 p.m.
Closed: February 17, 8:30 a.m.–adjournment.
Closure reason: To Review Research Grant Applications.
Executive Secretary: Dr. Robert L. Manning.
Address: Westwood Building. Room: 803, National Institutes of Health.
Phone: 301–496–7721.
Catalog of Federal Domestic Assistance Number: 13.312.

Name of committee: Cancer Control Grant Review Committee.
Dates: February 23–24, 1976, 8:30 a.m.
Place: Building 31C. Room: Conference Room 8, National Institutes of Health.
Times:
Open: February 23, 8:30 a.m.–9:00 a.m.
Closed: February 23, 9:00 a.m.–5:00 p.m.
Closed: February 24, 8:30 a.m.–adjournment.
Closure reason: To Review Research Grant Applications.
Executive Secretary: Dr. John E. Lane.
Address: Westwood Building. Room 809, National Institutes of Health.
Phone: 301–496–7565.
Catalog of Federal Domestic Assistance Number: 13.314.

Dated: January 7, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.76–1069 Filed 1–13–76;8:45 am]

NATIONAL CANCER INSTITUTE ADVISORY COMMITTEES

Meetings

Pursuant to Pub. L. 92–463, notice is hereby given of the meetings of committees advisory to the National Cancer Institute.

These meetings will be open to the public to discuss administrative details or other issues relating to committee business as indicated in the notice. Attendance by the public will be limited to space available. Some of these meetings will be closed as indicated below in accordance with the provisions set forth in Sections 552(b)(4) and 552(b)(6) of Title 5, U.S. Code and section 10(d) of Pub. L. 92–463 for the review, discussion and evaluation of individual research contract proposals as indicated. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 301–496–5708) will furnish summaries of the meetings and rosters of committee members upon request. Other information pertaining to the meeting can be obtained from the Executive Secretary indicated. Meetings are at the National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20014.

Name of committee: National Cancer Advisory Board Subcommittee on Environmental Carcinogenesis.
Date: February 4, 1976, 9:30 a.m.
Place: Building 31C. Room: Conference Room 9, National Institutes of Health.
Time: Open for the Entire Meeting.
Agenda: To finalize statement entitled, "Criteria for Establishing the Carcinogenicity of Chemicals."
Executive Secretary: Dr. W. Gary Flamm.
Address: Building 31. Room: 11A06, National Institutes of Health.
Phone: 301–496–5946.

Name of committee: Cancer Control Intervention Programs Review Committee.
Date: February 13, 1976, 8:30 a.m.
Place: Building 31C. Room: Conference Room 7, National Institutes of Health.
Times:
Open: February 13, 8:30 a.m.–9:00 a.m.
Closed: February 13, 9:00 a.m.–adjournment.
Closure reason: To review research contract proposals.
Executive secretary: Dr. Robert Boweser.
Address: Blair Building. Room 7A07, National Institutes of Health.
Phone: 301–427–7943.
Catalog of Federal Domestic Assistance Number: 13.825.

Name of committee: Molecular Control Working Group.
Date: February 13, 1976, 9:00 a.m.
Place: Building 31A. Room: Conference Room 4, National Institutes of Health.
Times:
Open February 13, 9:00 a.m.–10:00 a.m.
Closed: February 13, 10:00 a.m.–adjournment.
Agenda/open portion: To discuss considerations of the application of molecular biology to the program of the National Cancer Institute.
Closure reason: to review research contract proposals.
Executive Secretary: Dr. Mary A. Fink.
Address: Westwood Building. Room: 848 National Insttitutes of Health.
Phone: 301–496–7173.
Catalog of Federal Domestic Assistance Number: 13.825.

Name of committee: Committee on Cancer Immunodiagnosis.
Dates: February 17, 1976, 1:00 p.m.
Place: Building 10. Room: 4B14, National Institutes of Health.
Times:
Open: February 17, 1:00 p.m.–1:30 p.m.
Closed: February 17, 1:30 p.m.–adjournment.
Closure reason: To review research contract proposals.
Executive Secretary: Mrs. Judith M. Whalen.
Address Building 10. Room 4B17, National Institutes of Health.
Phone: 301–496–1791.
Catalog of Federal Domestic Assistance Number: 13.825.

Name of committee: Virus Cancer Program Scientific Review committee B.
Date: February 23, 1976, 9:00 a.m.
Place: Building 37. Room 1B04, National Institutes of Health.
Times:
Open: February 23, 9:00 a.m.–9:30 a.m.
Closed: February 23, 9:30 a.m.–adjournment.
Closure reason: To review research contract proposals.
Executive Secretary: Dr. Elke Jordan.
Address: Building 37. Room 1A–01, National Institutes of Health.
Phone: 301–496–6927.
Catalog or Federal Domestic Assistance Number: 13.825.

Name of committee: Cancer Control and Rehabilitation Advisory Committee.
Date: February 23, 1976, 9:00 a.m.
Place: Building 31C. Room: Conference Room 6, National Institutes of Health.
Times: Open for the entire meeting.
Agenda: To discuss current and projected programs of the Division of Cancer Control and Rehabilitation.
Executive Secretary: Dr. Veronica L. Conley.
Address: Blair Building. Room: 7A07, National Institutes of Health.
Phone: 301–427–7943.

Name of committee: Clinical Trials Committee.
Date: February 25, 1976, 8:30 a.m.
Place: Building 31C. Room: Conference Room 9, National Institutes of Health.
Times:
Open: February 25, 8:30 a.m.–9:00 a.m.
Closed: February 25, 9:00 a.m.–adjournment.
Closure reason: To review research contract proposals.
Executive Secretary: Dr. Todd H. Wasserman.
Address: Building 37. Room: 6D28, National Institutes of Health.
Phone: 301–496–1774.
Catalog of Federal Domestic Assistance Number: 13.825.

Name of committee: Committee on Cancer Immunotherapy.
Date: February 25, 1976, 1:00 p.m.
Place: Building 10. Room: 4B14, National Institutes of Health.
Times:
Open: February 25, 1:00 p.m.–1:30 p.m.
Closed: February 25, 1:30 p.m.–adjournment.
Closure reason: To review research contract proposals.
Executive Secretary: Dr. Harriet Gordon.
Address: Building 10. Room: 4B17, National Institutes of Health.
Phone: 301–496–1791.
Catalog of Federal Domestic Assistance Number: 13.825.

Name of committee: Committee on Cancer Immunobiology.
Date: February 26, 1976, 2:00 p.m.
Place: Building 10. Room: 4B14, National Institutes of Health.
Times:
Open: February 26, 2:00 p.m.–2:30 p.m.
Closed: February 26, 2:30 p.m.–adjournment.
Closure reason: To review research contract proposals.
Executive Secretary: Mrs. Judith Whalen.
Address: Building 10. Room: 4B17, National Institutes of Health.
Phone: 301–496–1791.
Catalog of Federal Domestic Assistance Number: 13.825.

Dated: January 7, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.76–1070 Filed 1–13–76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales Registration

[Docket No. N–76–474]

PINELAND ACRES

Hearing

In the matter of Pineland Acres, OILSR No. 0–2281–02–472, Doc. No. 75–273–IS.

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d) Notice is hereby given that:

1. Arizona Real Estate Services, Inc., Mary Wallace, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90–448) (15 U.S.C. 1701 et seq.), received a notice of proceedings and opportunity for hearing issued November 18, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Pineland Acres, located in Navajo County, Arizona, contain untrue statements of material fact or omit to state material facts required to be stated therein or necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received December 9, 1975 in response to the Notice of Proceedings and Opportunity for Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d): *It is hereby ordered,* That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, SW., Washington, D.C., on February 10, 1976 at 10:00 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before January 27, 1976.

6. The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and in order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: December 19, 1975.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc.75–1120 Filed 1–13–76;8:45 am]

"Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90–448) (15 U.S.C. 1701 et seq.), received a notice of proceedings and opportunity for hearing issued November 10, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Timberlake Pines, located in Navajo County, Arizona, contain untrue statements of material fact or omit to state material facts required to be stated therein or necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received December 1, 1975, in response to the Notice of Proceedings and Opportunity for Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the notice of proceedings and opportunity for hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d): *It is hereby ordered,* That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, SW., Washington, D.C., on February 6, 1976, at 10:00 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before January 23, 1976.

6. The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This Notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: December 18, 1975.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc.76–1121 Filed 1–13–76;8:45 am]

[Docket No. N–76–472]

TIMBERLAKE PINES

Hearing

In the matter of Timberlake Pines, OILSR No. 0–1055–02–149(A) Doc. No. 75–265–IS.

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d) Notice is hereby given that:

1. Southwest Properties, Inc., Calvin D. Wolfswinkel, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90–448) (15 U.S.C. 1701 et seq.), received a notice of proceedings and opportunity for hearing issued November 18, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Tonto Creek Shores, located in Glia County, Arizona, contain untrue statements of material fact or omit to state material facts required to be stated therin or necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received December 8, 1975, in response to the notice of proceedings and opportunity for hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the notice of proceedings and opportunity for hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d): *It is hereby ordered,* That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, S.W., Washington, D.C., on February 9, 1976, at 10:00 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before January 26, 1976.

6. The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Records, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This Notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: December 19, 1975.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc.76–1122 Filed 1–13–76;8:45 am]

[Docket No. N–76–473]

TONTO CREEK SHORES

Hearing

In the matter of Tonto Creek Shores, OILSR No. 0–2282–02–473 Doc. No. 75–274–IS.

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d) Notice is hereby given that:

1. Transwestern Investments, Inc., Charles Hurwich, President, its officers and agents, hereinafter referred to as

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 3–75–8–R]

GOVERNORS ISLAND, NEW YORK

Security Zone—Termination

The security zone established by the Captain of the Port, New York, as published in the January 5, 1976 issue of the FEDERAL REGISTER (41 FR 755) was terminated January 2, 1976.

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(46 Stat. 220, as amended, 6(b), 80 Stat. 937; 50 U.S.C. Art. 191, 40 U.S.C. Art. 1655(b); E.O. 10173, E.O. 10277, E.O. 10382, E.O. 11249; 3 CFR, 1949–1953 Comp. 356, 778, 873, 3 CFR 1964–1965 Comp. 349, 33 CFR Part 6, 49 CFR 1.46(b)).

Dated: January 2, 1976

FRANK OLIVER,
Captain, U.S. Coast Guard,
Captain of the Port of New York.

[FR Doc.76–1112 Filed 1–13–76;8:45 am]

Federal Railroad Administration

[FRA Waiver Petition No. HS–75–17]

MCCLOUD RIVER RAILROAD CO.

Petition for Exemption From Hours of Service Act

The McCloud River Railroad Company has petitioned the Federal Railroad Administration pursuant to 45 U.S.C. 64a(e) for an exemption, with respect to certain employees, from the Hours of Service Act, 45 U.S.C. 61, 62, 63 and 64.

Interested persons are invited to participate in this proceeding by submitting written data, views, or comments. Communciations should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Attention: FRA Waiver Petition No. HS–75–17, Room 5101, 400 Seventh Street SW., Washington, D.C. 20590. Communications received before February 10, 1976, will be considered before final action is taken on this petition. All comments received will be availabe for examination by interested persons during business hours in Room 5101, Nassif Building, 400 Seventh Street SW., Washington, D.C. 20590.

Issued in Washington, D.C., on January 7, 1976.

DONALD W. BENNETT,
Chief Counsel,
Federal Railroad Administration.

[FR Doc.76–1066 Filed 1–13–76;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 28574]

BRITANNIA AIRWAYS LTD.

Prehearing Conference and Hearing Regarding Foreign Permit Renewal (British)

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on February 11, 1976, at 9:30 a.m. (local time), in Room 1003–B, North Universal Building, 1875 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Janet D. Saxon.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before January 26, 1976.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., January 8, 1976.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.76–1126 Filed 1–13–76;8:45 am]

[Docket No. 27573; Order 76–1–30]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Issued under delegated authority January 9, 1976.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA) The agreements were adopted pursuant to unprotested notices to the carriers under terms of Resolution 590 dealing with specific commodity rates and at the 40th Meeting of the TC1 Specific Commodity Rates Board held in Hollywood Beach, Florida on October 3, 1975, respectively.

Agreement C.A.B. 25432 proposes revalidation of certain North/Central Pacific specific commodity rates which expired August 31, 1975 and provides for increases to said rates effective October 1, 1975. Agreement C.A.B. 25568 proposes revisions to the specific commodity rate structure within the Western Hemisphere, establishes several new commodity descriptions, and amends certain other descriptions to preclude or permit their application within the Western Hemisphere. We will approve the new or changed descriptions which have general application within air transportation as defined by the Act, but will disapprove the rates which reflect increases previously disapproved by Orders 75–12–46 and 76–1–16 dealing with the overall North/Central Pacific and Western Hemisphere cargo rate structures respectively.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14:

1. It is not found that the new specific commodity descriptions, which have general application in air transportation as defined by the Act, as well as the rates to be extended at existing levels, as listed in attached Appendix A, and incorporated in Agreement C.A.B. 25568, are adverse to the public interest or in violation of the Act.

2. It is found that the specific commodity rates incorporated in Agreement C.A.B. 25432, R–4 and R–5, and those incorporated in Agreement C.A.B. 25568 and listed in the attached Appendix B[1] are adverse to the public interest and in violation of the Act.

Accordingly, it is ordered, That:

1. Those portions of Agreement C.A.B. 25568 set forth in Appendix A[1] be and hereby are approved; and

2. Agreement C.A.B. 25432, R–4 and R–5, and those portions of Agreement C.A.B. 25568, set forth in Appendix B, be and hereby are disapproved.

Persons entitled to petition the Board for review of this order, pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within ten days after the date of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.76–1127 Filed 1–13–76; 8:45am]

[Docket No. 28575]

STERLING AIRWAYS A/S

Prehearing Conference and Hearing Regarding Foreign Charter Permit Renewal (Danish)

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on February 12, 1976, at 10:00 a.m. (local time), in Room 1003–C, North Universal Building, 1875 Connecticut Avenue, N.W., Washington, D.C., before Administrative Law Judge Richard V. Backley.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before January 26, 1976.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., January 8, 1976.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.76–1125 Filed 1–13–76;8:45 am]

CIVIL SERVICE COMMISSION

FEDERAL EMPLOYEES PAY COUNCIL

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92–463, notice is hereby given that the Federal Employees Pay Council will meet at 2 p.m. on Wednesday, February 4, 1976. This meeting will be held in room 5323 of the U.S. Civil Service Commission building, 1900 E Street NW., and will consist of continued discussions on future comparability adjustments for the statutory pay systems of the Federal Government, which are defined in section 5301 of title 5, United States Code.

The Chairman of the U.S. Civil Service Commission is responsible for the making of determinations under section 10(d) of the Federal Advisory Committee Act as to whether or not meetings of the Federal Employees Pay Council shall be open to the public. He has determined that this meeting will consist of exchanges of opinions and information which, if written, would fall within exemptions (2) or (5) of 5 U.S.C. 552(b). Therefore, this meeting will not be open to the public.

For the President's Agent.

RICHARD H. HALL,
Advisory Committee Management Officer for the President's Agent.

[FR Doc.76–1091 Filed 1–13–76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 478–5; OPP–00021]

STATE-FEDERAL FIFRA IMPLEMENTATION ADVISORY COMMITTEE WORKING GROUP ON REGISTRATION AND CLASSIFICATION

Meeting

Pursuant to Pub. L. 92–463, notice is hereby given that a two-day meeting of the State-Federal FIFRA Implementation Advisory Committee's Working Group on Registration and Classification will be held on Monday and Tuesday, February 9–10, in the Garden Room of the Cosmopolitan Motor Inn, 13th and N Streets, Sacramento, California. The meeting will be at 8:30 a.m.

This is the second meeting of the Working Group under SFFIAC auspices. Although no final agenda has as yet been prepared, the meeting will be concerned on February 9 with a discussion of the need for changes in the section 3 regulations of the amended Federal Insecticide, Fungicide, and Rodenticide Act brought about by recent amendments to that Act. On February 10, the discussion will focus on the draft final regulations implementing sections 5(f) and 24(c) of the Act.

The meeting will be open to the public. For further details, please contact P.H. Gray, Jr., Acting Chief, Program Support and Special Projects Branch, Operations Division, Office of Pesticide Programs, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, (202) 755–8053.

Dated: January 12, 1976.

EDWIN L. JOHNSON,
Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.76–1238 Filed 1–13–76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

RADIO ASTRONOMY SERVICE WORKING GROUP FOR 1979 ITU WORLD ADMINISTRATIVE RADIO CONFERENCE

Meeting

JANUARY 7, 1976.

A meeting of the Radio Astronomy Service Working Group for the 1979 General World Administrative Radio Conference is scheduled to be held on Thursday, January 29, 1976, at 9:30 a.m. in Room 6331 of the Commission's offices located at 2025 M Street, NW., Washington, D.C. The agenda for this meeting will consist of the following:

1. Priorities among spectral line frequencies.
2. Table of requested frequency allocations and justifications for these requests.
3. Recommendations concerning adjacent band problems.
4. Frequency allocations on far side of the moon.

The advisory committee meeting is open to the general public and any written comments will be accepted before or after the meeting.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76–1114 Filed 1–13–76;8:45 am]

[FCC 76–6]

RADIO MUSIC FORMAT CONTRACTS

Reconsideration of Policy

JANUARY 8, 1976.

On November 7, 1975, the Federal Communications Commission released a Report and Policy Statement terminating an Inquiry into Subscription Agreements between Radio Broadcasting Stations and Musical Format Service Companies (Docket No. 19743). That Report and Policy Statement is the subject of a Petition for Reconsideration which will be acted on in the near future.

Pending action on the Petition for Reconsideration, the Commission does not intend to act upon any application or case which involves issues which would be governed by that Policy Statement. Moreover, the Commission intends to insure that any licensee who retains a contract subject to that Policy Statement, or who enters into such a contract prior to the final order on reconsideration, will be given a reasonable period in which to conform the contract to final Commission action in this Docket.

Action by the Commission January 6, 1976. Commissioners Wiley (Chairman), Lee, Reid, Hooks, Quello, Washburn and Robinson.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.76–1115 Filed 1–13–76;8:45 am]

FEDERAL MARITIME COMMISSION

BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND COOK TERMINAL COMPANY, INC.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before February 3, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicate hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Carl S. Parker, Jr., Traffic Manager, Board of Trustees of the Galveston Wharves, P.O. Box 328, Galveston, Texas 77550.

Agreement No. T–2814–2/T–2814–A–2, between the Board of Trustees of the Galveston Wharves (Galveston) and Cook Terminal Company, Inc., (Cook) modifies the parties' basic agreements providing for Galveston's construction of a materials handling facility to Cook's specification for the warehousing, storage, conditioning and shipping of bulk commodities (Agreement No. T–2814) and the lease of this facility to Cook (Agreement No. T–2814–A). The purpose of the modification is to: (a) Change the references to the series date of the bonds to be sold for the facility from Series 1975 to Series 1976 in both basic agreements and (b) change the date by which these bonds must be sold under Agreement No. T–2814 from December 31, 1975 to December 31, 1977.

Dated: January 9, 1976.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–1132 Filed 1–13–76;8:45 am]

LYKES BROS. STEAMSHIP CO., INC., AND STATES STEAMSHIP CO.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the

[1] Appendices A and B filed as part of the original document.

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Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before February 3, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

MODIFICATION OF AGREEMENT

Notice of agreement filed by:

R. J. Finnan, Pricing Analyst, Lykes Bros. Steamship Co., Inc., 300 Poydras Street, New Orleans, Louisiana 70130.

Agreement No. 10142–1 modifies the basic agency agreement between Lykes and States by including Lykes Rail-Water Container Service between ports and points in California, Oregon and Washington (via Gulf ports) and ports and points in North Europe, the United Kingdom, the Mediterranean area and Africa. With respect to this service, States will perform all of the customary duties of a traffic solicitation agent as provided in the agreement, plus handle all operational control, inventory and related duties relative to the movement of containers and other equipment necessary to provide the above service.

Dated: January 9, 1976.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–1130 Filed 1–13–76;8:45 am]

SAN FRANCISCO PORT COMMISSION AND PRUDENTIAL LINES, INC.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before February 3, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Edward L. David, Deputy Port Director, Port of San Francisco, Ferry Building, San Francisco, California 94111.

Agreement No. T–3244, between San Francisco Port Commission (Port) and Prudential Lines, Inc. (Prudential) provides for the five-year lease (with options to renew) of Piers 30 and 32. Prudential shall use the premises for the purpose of a marine terminal and associated stevedoring work and for terminal operations associated and necessary to the handling of import and export cargoes between land and vessels loading and discharging at the premises. As compensation, Prudential shall pay: (1) All tariff charges called for under the Port's tariff; and (2) $7,500 per month as rental. In addition, Prudential agrees that 100,000 revenue tons of cargo shall be processed through the premises during each year.

Dated: January 9, 1976.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–1131 Filed 1–13–76;8:45 am]

FEDERAL RESERVE SYSTEM

CLEVETRUST CORP.

Acquisition of Banks

Clevetrust Corporation, Cleveland, Ohio, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire all of the voting shares of The Peoples Merchants Trust Company, Canton, Ohio; The Union Savings Bank and Trust Company, Steubenville, Ohio; and The Scio Bank Company, Scio, Ohio. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The applications may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Cleveland. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than February 7, 1976.

Board of Governors of the Federal Reserve System, January 7, 1976.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76–1054 Filed 1–13–76;8:45 am]

ELLIS BANKING CORP.

Acquisition of Bank

Ellis Banking Corporation, Bradenton, Florida, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 51 per cent or more of the voting shares of North Port Bank, North Port, Florida. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than January 30, 1976.

Board of Governors of the Federal Reserve System, January 7, 1976.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76–1055 Filed 1–13–76;8:45 am]

FIRST NATIONAL BANCSHARES, INC.

Formation of Bank Holding Co.

First National Bancshares, Inc., San Jose, California, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of all the voting shares of the successor by merger to The First National Bank of San Jose, San Jose, California. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of San Francisco. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than February 6, 1976.

Board of Governors of the Federal Reserve System, January 7, 1976.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76–1056 Filed 1–13–76;8:45 am]

FEDERAL OPEN MARKET COMMITTEE

Domestic Policy Directive of November 18, 1975

In accordance with § 271.5 of its rules regarding availability of information, there is set forth below the Committee's Domestic Policy Directive issued at its meeting held on November 18, 1975.[1]

The information reviewed at this meeting suggests that output of goods and services—which had increased sharply in the third quarter—is expanding more moderately in the current quarter. Retail sales are reported to have risen in October, after 2 months of little net change. Industrial production and nonfarm payroll employment continued to recover, although at a less rapid rate than in the summer months. The unemployment rate rose to 8.6 per cent from 8.3 per cent in September, reflecting a sizable increase in the civilian labor force. Average wholesale prices of industrial commodities increased more in October than in the immediately preceding months, and prices of farm and food products rose sharply further. However, since mid-October prices of many agricultural products have declined. The advance in average wage rates in October was substantial.

Since mid-October the exchange value of the dollar against leading foreign currencies has moved in a narrow range. The U.S. foreign trade surplus in September remained substantial, as both exports and imports rose moderately. Bank-reported private capital flows appear to have shifted to net outflows since September, and the volume of offerings of new foreign bonds in the U.S. market has been at record levels.

M_1 rose at a 6.9 per cent annual rate from the average level during the second quarter to the average level during the third quarter. However, M_1 grew relatively little in the months of the third quarter and it declined in October. Inflows of consumer-type time and savings deposits to banks and to nonbank thrift institutions remained moderate in October, and growth in M_2 and M_3 slowed further. Most short- and long-term interest rates have declined further in recent weeks. Conditions in markets for State and local government securities have continued to be adversely affected by New York's financial problems.

In light of the foregoing developments, it is the policy of the Federal Open Market Committee to foster financial conditions that will encourage continued economic recovery, while resisting inflationary pressures and contributing to a sustainable pattern of international transactions.

To implement this policy, while taking more than usual account of developments in domestic and international financial markets, the Committee seeks to achieve bank reserve and money market conditions consistent with moderate growth in monetary aggregates over the months ahead.

By order of the Federal Open Market Committee, November 18, 1975.

ARTHUR L. BROIDA,
Secretary.

[FR Doc.76–1062 Filed 1–13–76;8:45 am]

[1] The Record of Policy Actions of the Committee for the meeting of November 18, 1975, is filed as part of the original document. Copies are available on request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

GENERAL FINANCIAL SYSTEMS, INC.

Acquisition of Bank

General Financial Systems, Inc., Riviera Beach, Florida, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire not less than 50 percent plus one share of the voting shares of First Community Bank of Boca Raton, Boca Raton, Florida; Congress National Bank, Palm Springs, Florida; and Tri-City Bank, Palm Beach Gardens Florida. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than February 4, 1976.

Board of Governors of the Federal Reserve System, January 7, 1976.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76–1057 Filed 1–13–76;8:45 a.m.]

HUMBOLDT BANCSHARES, INC.

Order Approving Formation of Bank Holding Co.

Humboldt Banchares, Inc., Humboldt, Kansas, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 90 percent or more of the voting shares of Humboldt National Bank, Humboldt, Kansas ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the application and all comments received have been considered in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is a nonoperating corporation recently organized for the purpose of becoming a bank holding company through the acquisition of Bank. Bank is the 178th largest bank in Kansas with total deposits of approximately $12 million, representing 0.15 percent of total deposits held by commercial banks in the State.[1] Bank is the third largest of four banks competing in Allen County (the relevant banking market), and holds 21.5 percent of the total commercial bank deposits in this market. Inasmuch as Applicant has no present subsidiaries and the proposed transaction essentially represents a restructuring of Bank's ownership, the acquisition of Bank by Applicant would have no significant adverse effect on competition in any relevant area. Accordingly, the Board concludes that competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant, which are dependent upon those of Bank, are regarded as satisfactory and consistent with approval of the application. Applicant believes that Bank's projected income is adequate to service debt that would be incurred by Applicant incident to the acquisition without impairing the financial condition of Bank. Accordingly, considerations relating to banking factors are consistent with approval of the application. Considerations relating to convenience and needs are also regarded as being consistent with approval of the application. It is the Board's judgment that consummation of the proposed transaction would be consistent with the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this order or (b) later than three months after the effective date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,[2] effective[3] January 5, 1976.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76–1058 Filed 1–13–76;8:45 am]

[1] All banking data are as of June 30, 1975.

[2] Voting for this action: Vice Chairman Mitchell and Governors Holland, Wallich, Coldwell, and Jackson. Absent and not voting: Chairman Burns.

[3] Board action was taken before Governor Partee became a Board Member.

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SOUTHERN BANCORPORATION, INC.

Proposed Acquisition of Imperial Finance Co., Inc.

Southern Bancorporation, Inc., Greenville, South Carolina, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire indirectly voting shares of Imperial Finance Company, Inc., Sumter, South Carolina, through its wholly owned subsidiary, World Acceptance Corporation, Greenville, South Carolina. Notice of the application was published on September 20, 1975, in Sumter Daily Item, a newspaper circulated in Sumter, South Carolina.

Applicant states that the proposed subsidiary would engage in the activities of making installment loans to individuals and acting as agent for the sale of credit related life, accident, and disability insurance, and credit related property and casualty insurance. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Richmond.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 26, 1976.

Board of Governors of the Federal Reserve System, January 6, 1976.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-1059 Filed 1-13-76;8:45 am]

TEXAS COMMERCE BANCSHARES, INC.

Acquisition of Bank

Texas Commerce Bancshares, Inc., Houston, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 per cent (less directors' qualifying shares) of the voting shares of The First National Bank of New Braunfels, New Braunfels, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The aplication may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than February 4, 1976.

Board of Governors of the Federal Reserve System, January 7, 1976.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-1060 Filed 1-13-76;8:45 am]

WEST POINT FIRST NATIONAL CO.

Proposed Acquisition of First National of West Point Agency, Inc.

West Point First National Co., Lincoln, Nebraska, has applied, pursuant to Section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of First National of West Point Agency, Inc., West Point, Nebraska. Notice of the application was published on December 4, 1975, in West Point Newspapers, a newspaper circulated in Cuming County, Nebraska.

Applicant states that the proposed subsidiary would engage in the activities of a general insurance agency business in West Point, Nebraska, a town with a population of less than 5,000. Such activities has been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their view on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweight possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than February 4, 1976.

Board of Governors of the Federal Reserve System, January 7, 1976.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-1061 Filed 1-13-76;8:45 am]

FOREIGN CLAIMS SETTLEMENT COMMISSION

PRIVACY ACT OF 1974

Systems of Records

On August 27, 1975, the Foreign Claims Settlement Commission (FCSC) published notice of its systems of records as required under section 3 of the Privacy Act of 1974, 5 U.S.C. 552a. Notice is hereby given that FCSC proposes that the following routine use statement will apply to all FCSC systems of records listed in the FEDERAL REGISTER (40 FR 39023).

ROUTINE USE—CONGRESSIONAL INQUIRIES

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Any person interested in commenting on this proposed routine use may do so by sending written comments to the Executive Director, Foreign Claims Settlement Commission, 1111 20th Street, NW., Washington, D.C. 20579, by February 8, 1976.

Dated at Washington, D.C., on January 9, 1976.

[SEAL] WAYLAND D. MCCLELLAN,
General Counsel.

[FR Doc.76-1133 Filed 1-13-76;8:45 am]

NATIONAL FOUNDATION FOR THE ARTS AND THE HUMANITIES

DANCE PROGRAM

Guidelines; Fiscal Year 1977

The following are guidelines for grants made under the Dance Program of the National Endowment for the Arts, an independent agency of the Federal government which makes grants to organizations and individuals concerned with the arts throughout the United States.

Notice is hereby given that the deadline for Choreography Fellowships and Production grants is February 1, 1976. The deadline for Resident Professional Dance Companies, Management and Administration, and Services to the Field is June 1, 1976. The deadlines for General Programs are February 1, June 1, August 1, and November 1, 1976. Interested persons should contact Joseph Krakora, Director, Dance Program, National Endowment for the Arts, Washington, D.C. 20506 (202) 634-6383, for further information and application forms. Only the Dance Program may distribute application forms.

Signed at Washington, D.C., on 3d January 1976.

MARCIA HOVET,
Director, Program Information.

SUMMARY APPLICATION DEADLINES

Application deadlines for each program are listed below. Applications *must be postmarked* no later than the appropriate date for each program in order to be considered. The Endowment regrets that because of review procedures applications postmarked after the deadline cannot be considered. The beginning date under "Period of Support Requested" on the application must fall after the starting date indicated below for each program.

Grant category	Deadline	For projects starting after—
Choreography fellowships and production grants.	Feb. 1, 1976	July 1, 1976.
Resident professional dance companies.	June 1, 1976	Jan. 1, 1977.
Management and administration.	....do	Do.
Services to the field.	....do	Do.
General programs	Feb. 1, 1976, June 1, 1976, Aug. 1, 1976, and Nov. 1, 1976.	July 1, 1976, Nov. 1, 1976, Feb. 1, 1977, and Apr. 1, 1977.

GENERAL INFORMATION

INTRODUCTORY COMMENTS

The Dance Program of the National Endowment for the Arts has been shaped to meet the needs of a performing art which is in an unprecedented state of creativity and growth. Grants are offered in support of touring, choreography fellowships and production grants, resident professional dance company development, management and administration, services to the field, and dance/film/video.

It should be noted that the activities of mime companies and individuals fall within the scope of Dance Programs unless they are particularly theater-oriented.

While the Arts Endowment does not expect a substantial increase in monies for programs to be funded within these guidelines, the Dance Advisory Panel has recommended changes in the guidelines to reflect its concern that improved quality be a continuing priority of the Dance Program. Increased rehearsal opportunities for Fellowship and Production categories have been provided and, in addition, companies qualifying under the Resident Professional Dance Company category are eligible to apply for up to six weeks of rehearsal time. The National Council on the Arts concurred with this recommendation while noting that these changes may necessarily result in the awarding of fewer grants until available funds for the support of dance can be increased.

A few basic facts to keep in mind concerning programs of support in dance are these:

(1) Grants are made to enable a company or individual to carry out a specific, described project; grants usually will not be made for "general support." Applicants are advised to budget each project to achieve high standards of artistic excellence at a minimum cost.

(2) Grants are usually less than the maximum dollar amount stated in the program. Applicants are particularly urged to budget realistically and present minimum figures of Federal support needed to achieve the purpose of the project and high standards of artistic excellence. (Revision of projects and budgets is time consuming for applicants and the Endowment.)

(3) Grants to dance companies must usually be matched at least dollar for dollar with non-Federal funds (that is, contributions, non-Federal grants, and/or earned income). Choreography fellowships to individuals are non-matching.

ELIGIBILITY

By statute, the National Endowment for the Arts is limited to the support of organizations which meet the following criteria:

Organizations in which no part of net earnings inures to the benefit of a private stockholder or individual and to which donations are allowable as a charitable contribution under Section 170(c) of the Internal Revenue Code of 1954, as amended. A copy of the Internal Revenue Service Determination letter for tax-exempt status must be submitted with each application.

Organizations receiving National Endowment for the Arts support must conduct their operations in accordance with the requirements of Title VI of the Civil Rights Act of 1964 and the Rehabilitation Act of 1973, as amended, which bar discrimination in Federally assisted projects on the basis of race, color, national origin, or handicap.

Organizations which compensate all professional performers, related or supporting professional personnel, laborers, and mechanics at the equivalent of the prevailing minimum compensation level or on the basis of negotiated agreements which would satisfy the requirements of Parts 3, 5, and 505 of Title 29 of the Code of Federal Regulations for the duration of any project supported in whole or in part by the National Endowment for the Arts.

METHODS OF FUNDING

Program Funds Method. Generally, grants will be made on at least a dollar-for-dollar matching basis. Applicant requesting assistance from Program Funds must present evidence in the proper space (Section X) on the application (Project Grant Application/NEA-3 Rev.) that at least one-half of the total cost of the project will be provided by the applicant. Anticipated sources of matching must be identified. Budgeted funds, as well as newly raised funds may be used for matching in all programs.

Example:

If an applicant requests from endowment	$30,000
Then applicant lists match of at least	30,000
And total project budget reflects at least	60,000

Treasury Fund Method. When the National Endowment for the Arts was created, Congress included a unique provision in its enabling legislation. This provision allows the Endowment to work in partnership with private and other non-federal sources of funding for the arts. Designed to encourage and stimulate increased private funding for the arts, the Treasury Fund allows non-federal contributors to join the Endowment in the grant-making process, generally for projects supported by the Endowment under the established program guidelines.

The Endowment encourages use of the Treasury Fund method as an especially effective way of combining federal and private support, and as an encouragement to all potential donors, particularly those representing new or substantially increased sources of funds.

The Endowment may accept gifts in the form of money and other property. Bequests may be made to the Endowment as well. Gifts to the Endowment are generally deductible for federal income, estate, and gift tax purposes.

Gifts may be made to the Endowment for the support of a nonprofit, tax-exempt, cultural organization which has been notified that the Endowment intends to award it a grant under its regular program guidelines—organizations such as a museum, a symphony orchestra, a dance, opera, or theatre company—or for an Endowment program, such as fellowships, touring, conferences, or workshops.

When a restricted gift is received it frees an equal amount from the Treasury Fund, which is then made available to the grantee in accordance with the terms and conditions of the grant, as recommended by the National Council on the Arts and approved by the Chairman.

The Endowment also accepts unrestricted gifts to be used for projects recommended to the Chairman by the National Council on the Arts.

How a Treasury Fund Grant is Arranged. Those interested in giving for a specific purpose should note the step by step process described below.

(1) If a project is eligible for consideration under the Dance Program guidelines the applicant submits to the Endowment a formal application, which may include a list of potential donors.

(2) The application is reviewed first by the Dance Advisory Panel and then by the National Council on the Arts and is recommended for approval or rejection. Based on those recommendations, the Chairman makes the final determination and notification is sent to the applicant.

(3) If the grant award is approved, the applicant then requests that the donors forward their gifts to the National Endowment for the Arts in the form of a gift transmittal letter specifying the amounts and restricted purpose of the donation (i.e. the name of the applicant and specific project supported), and date by which payment will be made to the grantee organization (see below).

Handling Procedures. In order to simplify handling procedures for restricted donations which are to be matched by the Treasury Fund, grant recipients will receive payment directly from the donor (in cash or negotiable securities) on all restricted Treasury Fund gifts to the Endowment. Under this method the following procedures apply:

(1) Gift transmittal letter is received by the Endowment from donor with above specified information.

(2) Upon receipt of payment on the gifts, grantee provides the Endowment with evidence of receipt of such payment as follows:

In the case of individual gifts of less than $5,000, grantee will forward to the Endowment, a list of donor's names, addresses, and amounts received, certified by an official of the organization and notarized.

In the case of individual gifts of $5,000 or more, grantee will forward of the Endowment, within the grant period, a photostatic copy of the instrument of payment, i.e. the check or negotiable securities, with a covering letter.

(3) In cases where benefit proceeds are to be utilized for purposes of the Treasury Fund, evidence, such as benefit announcement circulars, invitations, posters, etc. (which indicate donors had prior knowledge that their contributions would be used for the Treasury Fund) must be retained by grantee as evidence of donors' intent. In these cases, the grantee organization will forward to the Endowment, within the grant period, a notarized letter requesting release of the Treasury matching funds, signed by an appropriate official, certifying that the bene-

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fit was held on a specified date, yielded a specified sum for Treasury Fund gift purposes related to the grant in question, and that evidence of the benefit will be retained by grantee organization in its files.

(4) In all cases, donors are to make payment on gifts at least 60 days prior to termination of the grant period, and grantee organizations will provide the Endowment with evidence of receipt of payment on gifts at least 30 days prior to the termination of the grant period.

The Process in Terms of Money.

Donor's contribution(s) to endowment	$25,000
Endowment match from Treasury fund	25,000
Total	50,000
Total endowment grant	$50,000
Grantee's additional project cost	50,000
Minimum total budget of project	100,000

The Endowment encourages applicants to apply for Treasury Funds when undertaking substantial and relatively costly projects. Projects supported under Category D, Production Grants, and under the Resident Professional Dance Companies Program may be particularly suited to the Treasury Fund method of awarding grants.

For further information, contact the Office of General Counsel, National Endowment for the Arts, Washington, D.C. 20506.

STATE/REGIONAL/NATIONAL COOPERATION

The Endowment would like to encourage cooperation among professional dance organizations, state arts agencies, regional arts groups, and service organizations. Applications should be for projects designed to strengthen professional dance activities through cooperative efforts. Generally, applications should be made under "General Programs." All applications which involve more than one group must include a list of participating organizations and a letter from each of them confirming its participation.

RESOLUTION ON THE ACCESSIBILITY TO THE ARTS FOR THE HANDICAPPED

One of the main goals of the National Endowment for the Arts is to assist in making the arts available to all Americans. The arts are a right, not a privilege. They are central to what our society is and what it can be. The National Council on the Arts believes very strongly that no citizen should be deprived of the beauty and the insights into the human experience that only the arts can impart.

The National Council on the Arts believes that the cultural institutions and individual artists could make a significant contribution to the lives of citizens who are physically handicapped. It therefore urges the National Endowment for the Arts to take a leadership role in advocating special provision for the handicapped in cultural facilities and programs.

The Council notes that the Congress of the United States passed in 1968 (Pub. L. 90-480) legislation that would require all public buildings constructed, leased or financed in whole or in part by the Federal Government to be accessible to handicapped persons. The Council strongly endorses the intent of this legislation and urges private interests and governments at the state and local levels to take the intent of this legislation into account when building or renovating cultural facilities.

The Council further requests that the National Endowment for the Arts and all of the program areas within the Endowment be mindful of the intent and purposes of this legislation as they formulate their own guidelines and as they review proposals from the field. The Council urges the Endowment to give consideration to all the ways in which the agency can further promote and implement the goal of making cultural facilities and activities accessible to Americans who are physically handicapped.

(Adopted by the National Council on the Arts, September 15, 1973.)

GENERAL INSTRUCTIONS FOR MAKING APPLICATION

(1) Note Well: Applications must be postmarked no later than the deadline date for the program under which you are applying. The Endowment regrets that because of review procedures applications postmarked after the appropriate deadline cannot be considered. Applicants may wish to use certified mail in submitting applications.

Proper and complete preparation of applications takes time. Please allow yourself sufficient time to thoroughly read the Guidelines, gather the supplemental information requested, get answers to any questions you might have, and carefully and completely fill out the application form including the requested attachments.

(2) All formal applications should be prepared in triplicate and mailed to: Grants Office, National Endowment for the Arts, Washington, D.C. 20506.

If you need assistance in making application, the Dance Program office will be pleased to help or to refer you to an appropriate person or organization in your area for assistance. Questions may be directed to: Dance Programs, National Endowment for the Arts, Washington, D.C. 20506 (202) 634-6383.

(3) Applicants must submit with their application a Supplementary Information Sheet (see page 35) completed in full.

(4) Applicants should consider carefully which categories of support are most applicable to and productive for the applicant and project. Making large numbers of applications, or applications in virtually every category, whether appropriate or not, does not work to the advantage of the individual or company.

(5) The front page of your application will be reproduced in multiple copies for the consideration of the Dance Advisory Panel, so it is in your interest to submit a clear, typewritten copy, as well as a succinct but thorough project description.

(6) Applications must be submitted in triplicate according to instructions on the Endowment's official application forms. Please follow closely the instruction sheet attached to your application and additional instructions detailed under each program. Failure to supply all information requested will result in unavoidable delays that may adversely affect consideration of your proposal.

(7) Organizational applications must be submitted by the institution or company named in the IRS letter of determination of tax-exemption which much accompany the application. The authorizing official must be an officer of that institution or company legally able to commit the Board.

(8) Item "VII. Total Fiscal Activity" must be compared with *accurate* figures. If the organization named on the application is responsible for more than one sub-organization, *only* the activity of the sub-organization carrying out the project should be included in the TFA figures.

(9) Budget breakdowns should cover only the costs of the specific project for which application is made being made. Please note that "X. Contributions, Grants and Revenues (for this project)" plus "VII. Total Amount Requested from NEA" should equal "Total Project Costs" (under "VI. Summary of Estimated Costs"). This applies to applications made under all programs except Choreography Fellowships, Categories A, B, C, and E.

(10) Proposed projects may not be scheduled to begin prior to the beginning date stated in the program description (see page 1 for a summary of this information). Notices of rejection or approval of projects will be sent prior to these beginning dates, but in no case before June 15, 1976, for applications submitted by February 1, or October 15, 1976, for applications submitted by June 1. Applicants are requested not to seek information about the status of their applications prior to this date.

APPLICATION REVIEW PROCEDURES

The Endowment's Dance Program staff reviews applications and refers them to the Dance Advisory Panel. This Panel is made up of professionals from the dance field and state arts agencies from across the country. The recommendations of the Dance Advisory Panel are submitted to the National Council on the Arts, an advisory group of twenty-six Presidentially-appointed members. The National Council reviews and makes recommendations on all applications to the Chairman of the National Endowment for the Arts. Upon action by the Chairman, the applicant will be notified in writing by the Endowment.

FINAL REPORTING PROCEDURES

Please note that it is a requirement of all grants awarded by the National Endowment for the Arts that grantees provide to the Endowment, within 90 days of the termination of the grant period, both a Final Expenditure Report and a Final Descriptive Report on the project undertaken with the grant.

Information to be provided in Final Descriptive Reports will, of course, vary with the project, but should in general be related directly to the application form. Grant award letters will, in the future, include a paragraph describing the information the Final Report should contain.

DANCE TOURING PROGRAM

The National Endowment for the Arts has provided substantial support to sponsors of touring dance companies through the Dance Touring Program. Detailed "Guidelines for Sponsors" and "Guidelines for Dance Companies" are available from the Endowment. Following is a brief summary of the Dance Touring Program.

The purpose of the Program is to provide the best of American dance to the largest possible number of the American people. At the same time, the Program is designed to improve touring practices for companies and audiences by supporting residences rather than one-night stands. There is considerable emphasis on involving the resident community as broadly as possible in the scheduled activities of the residency.

Under the Dance Touring Program, sponsors of professional dance company residences receive, through their state arts agencies, up to one-third of the fee of companies participating in the Program. In general, sponsors are expected to engage at least two companies for a minimum of one-half week (2½ days) each.

Dance companies wishing to participate in the Dance Touring Program must meet certain quantitative criteria and must complete a "Company Information Questionnaire" in order to be listed in the Directory of Dance Companies from which sponsors will make their choices for touring engagements to be supported under this Program.

Quantitative criteria which participating companies must have met in order to participate in the Fiscal 1977 Dance Touring Program include the following:

(1) The company must be a non-profit, tax-exempt organization.

(2) The company must pay on tour all professional performers, related or supporting staff, laborers and mechanics no less than the minimum compensation level as determined by the appropriate union, and must meet the applicable requirements of Title VI of the Civil Rights Act of 1964.

(3) The company must have performed at least 15 public appearances for which the dancers and staff were paid no less than the minimum compensation level as defined by the appropriate union during the 1974–75 season, and have projected at least 15 such for the 1975–76 season.

(4) The company must have adequate management to provide potential tour sponsors with the necessary services to contract and carry out tour engagements.

(5) The company must have a history of sound administrative practices.

The application deadline for companies wishing to participate in the 1976–77 Touring Program has already passed. There may be some alterations in the quantitative criteria and in the information requested on the "Company Information Questionnaire" for participation in the 1977–78 Program.

Companies are urged to request guidelines if they do not already receive them from the Dance Program office. The application deadline for companies wishing to participate in the Dance Touring Program for Fiscal Year 1978 (the 1977–78 touring season) will be August 1, 1976.

Sponsors wishing to engage companies participating in the Dance Touring Program should contact their state arts agency for copies of the "Guidelines for Sponsors" and the *Directory of Dance Companies*, or should write or call: Dance Touring Program Coordinator, Dance Programs, National Endowment for the Arts, Washington, D.C. 20506 (202) 634–6383.

CHOREOGRAPHY FELLOWSHIPS AND PRODUCTION GRANTS

The National Endowment for the Arts offers five categories of choreography fellowships and production grants for Fiscal Year 1977. The deadline for applications in all five categories is February 1, 1976. Applications must be postmarked by that date. The Endowment regrets that because of necessary review procedures, applications postmarked after February 1 cannot be considered.

Project Period. The grant period covered by this program is July 1, 1976, through June 30, 1977. Projects may not begin prior to July 1, 1976, and should be completed within the twelve month period.

CATEGORY A CHOREOGRAPHY FELLOWSHIPS

Individual fellowships to experienced professional choreographers who are primarily and integrally associated with a professional performing company.

Purpose. The purpose of this program is to provide rehearsal time and opportunity for experienced choreographers to create new works for the professional company with which they are primarily and integrally associated.

Funding. Grants in this category are made directly to the choreographer. They may include funds for the following expenses:

(1) An individual fellowship to the choreographer not to exceed $4,000.

(2) Rehearsal salaries for the required number of dancers and all on-stage performers who are an integral part of the choreography. The rehearsal salaries shall be for the required length of time (not to exceed eight weeks, or a total of 200 hours per dancer; rehearsal weeks or hours need not be consecutive). Dancers' wages must be at least scale as defined by the American Guild of Musical Artists. If dancers' salaries are already established in excess of scale, the choreographer may apply for the actual costs incurred by those salaries. If the company has a policy of double-casting wages may be requested for double casts in the principal roles.

(3) The notation and/or creation of a simple videotape or black and white film record of the work. It should be noted that, if funds for recording are included in the grant award, such recording must take place within the project period of the grant.

How to Apply. Please use Individual Grant Application/NEA–2 (Rev.). At the very top of the page, please enter "Category A, Choreography Fellowship."

The following information about the proposed choreography should be included on the application form under "Description of Proposed Activity." Do not continue onto an additional page.

(1) A brief description of the proposed work, including designer(s) and composer.
(2) Number of dancers.
(3) Approximate length of the dance.
(4) Projected dates of rehearsal.
(5) Anticipated date and place of premiere.
(6) A budget in the following format:

Amount of choreography fellowship $_____
Number of dancers × number of hours or weeks × amount per hours or week= $_____
Cost of notation and/or simple video or film record of the work (if requested $_____
Total $_____

Under "Career Summary or Background," please list works of choreographed by the applicant during the last five years, and for whom they were choreographed.

Under "Prizes/Honors Received," please list the sources of all fellowships and commissions received during the last five years, excluding those from the Endowment.

Please attach to the application form the current year's performance schedule for the company with which the applicant works, and a projection of the company's activity for the 1976–77 season.

CATEGORY B WORKSHOP FELLOWSHIPS

Individual fellowships to aid in the creation of a new dance work, awarded to:

(1) Choreographers working in workshops, civic, regional, educational, or other companies with limited performance schedules.,

(2) Choreographers wishing to work in new and experimental areas, and

(3) Members of professional companies which have a policy of offering choreographic opportunities to their mambers.

This category is not intended for support of student choreographers.

Purpose. The purpose of this program is to assist choreographers in the development and expansion of their art. Additionally, the purpose is to assist non-professional companies to expand and diversify their repertoires, and to encourage professional companies to provide choreographic opportunities for company members with choreographic promise.

Funding. Fellowships of $1,800 awarded directly to the choreographer to be used for the creation of the described work. This program carries no additional payment of any kind.

How to Apply. Please use Individual Grant Application/NEA–2(Rev.). At the very top of the page, please enter "Category B, Workshop Fellowships."

The following information about the proposed choreography should be included under "Description of Proposed Activity."

(1) A brief outline of the proposed work and the number of performers required.

(2) Name, location and brief description of the group for which the work is to be created.

(3) Approximate dates of rehearsal, projected date and place of premier (if known) and an indication of future performances of the work.

The following information should appear on the application form under the appropriate title:

(1) List of previous works choreographed (under "Career Summary").

(2) Brief resume of professional experience (under "Career Summary").

(3) Sources of all previous grants and awards received during the last three years, excluding those from the National Endowment for the Arts (under "Prizes/Honors Received").

CATEGORY C FELLOWSHIPS FOR CHOREOGRAPHERS IN RESIDENCE

Non-matching grants to professional performing companies to enable them to award fellowships to experienced professional choreographers who have no permanent association with the company to create new works, to restage existing works, or to work with the company over an extended period of time. Please note that there are two different options outlined below: short term and long term residencies.

Purpose. The purpose of this program is to assist companies in acquiring the works of visiting choreographers in order to broaden the repertoire available to the general public, and to encourage and enable established American choreographers to work with a variety of companies.

Short Term Residencies. Grants are made directly to the company. If the Choreographer is being engaged to create a new work or to restage an existing work, the application may request funds to cover the visiting choreographer's fellowship, travel and per diem expenses for the choreographer, plus the costs of notating (if not already notated) and/of the making of a simple video or film record of the work. Limitations on the above costs for a single work are:

(1) The choreographer's fellowship may not exceed $5,000 to create a new work, or $4,000 to restage an existing work on the basis of a minimum average of 15 hours per week work time with the company.

(2) Travel expenses may not exceed two round-trip tourist class fares between the point of residence of the choreographer and the location of the host company. (Note: The Endowment regrets the application may not include the costs of foreign travel.)

(3) Per diem expenses are to be estimated at the applying company's established rate for the costs of room and board at the point of rehearsal (if the choreographer is based in a community other than the resident community of the host company) for the period of time the visiting choreographer is in residence. This may not exceed a total of four weeks.

How To Apply. Please use Project Grant Application NEA–2 (Rev.). The following information should appear on the application form under "IV. Summary of Project Description."

(1) Name of the visiting choreographer
(2) Title of the work (if known)
(3) Composer of music

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(4) Designer(s)
(5) Number of dancers
(6) Approximate length of work
(7) Dates of rehearsal
(8) Projected date and place of premiere

Since this is a non-matching grant, the project budget should include only those costs applicable to the project as outlined above (that is, choreographer's fellowship, travel expenses and per diem), and should equal the total amount requested from the National Endowment for the Arts. Details included on page 2 of the application form, under "Budget Breakdown," should include only the applicable costs. Item "X. Contributions, Grants and Revenues" should be left blank.

The following information must be attached to the application form:

(1) A resume of the visiting choreographer including:

(a) a listing of the companies with whom the choreographer has previously worked.

(b) a listing of the works created by the choreographer during the past three years

(2) A letter of intent from the choreographer to set the work, including reference to the following:

(a) the amount of the choreographer's fellowship

(b) the rehearsal dates

(c) travel arrangements

Note: It is the responsibility of the company and the choreographer to arrive at an agreement for performance royalties.

(3) The performance schedule for the company's current year, and projections of the company's activity for the 1976–77 year.

(4) A listing of the company's active repertoire.

(5) A copy of the comany's IRS tax-exempt determination letter.

Long Term Residencies. The National Endowment for the Arts would also like to encourage companies to establish extended and continuing relationships with choreographers not permanently associated with the company.

Applications for funds to carry out such a project should be made by the dance company. In describing the project please indicate the extent to which the visiting choreographer will be working with the company, what the company and choreographer hope to gain from the residency, the amount of time the company will be available to the choreographer, all activities the choreographer will be engaged in while in residence, and any other pertinent information which explains the benefits the company is seeking by entering into an extended residency by a visiting choreographer.

Limitations on the costs for which the company may apply are:

(1) The choreographer's fellowship for the period of time the choreographer will be working with the company.

(2) Reasonable housing costs while the choreographer is in residence with the host company.

(3) Reasonable travel costs (tourist class) between the choreographer's resident city and the resident city of the company. (More than one round trip is allowable.)

How To Apply. The following information must appear on the application form under "IV. Summary of Project Description."

(1) Name of the visiting choreographer.

(2) The goals of the project in terms of the benefits being sought through an extended residency of the choreographer.

(3) Description of the working relationship which is being entered into, including an indication of the time schedule, work schedule, dances to be created and/or restaged, et cetera.

(4) The duties of the choreographer during his time with the company.

(5) All other pertinent information which will aid the Endowment in evaluating the application.

The following information should be attached to the application form:

(1) A résumé of the visiting choreographer including:

(a) a listing of the companies with whom the choreographer has previously worked.

(b) a listing of the works created by the choreographer during the past three years.

(2) A copy of the contract or preliminary agreement between the choreographer and the company signed by both the choreographer and the company. This should include specific mention of:

(a) the time schedule for the residency.

(b) the duties of the choreographer during the residency.

(c) the travel and living arrangements for the choreographer.

(d) rights and royalty arrangements for any works created or restaged during the residency.

(e) the fellowship to be paid the choreographer.

(f) all other financial arrangements between the choreographer and the company with regard to the residency.

(g) any other information which requires prior agreement between the company and the choreographer for efficient and effective planning.

(3) The rehearsal and performance schedule for the company's current year, and projections of the company's activity for the 1976–77 year.

(4) A listing of the company's active repertory.

(5) A copy of the company's IRS tax-exempt determination letter.

CATEGORY D PRODUCTION GRANTS

Matching grants to professional companies for new productions.

Purpose. The purpose of this program is to assist established professional companies with national or wide regional exposure to expand and diversify their repertoire. Companies applying must have attained at least a twenty-week rehearsal/performing season during 1975–76, and must have been in existence for at least three years.

Funding. Grants are made directly to the company on at least a dollar for dollar matching basis. Applicants are encouraged to raise matching funds from new donors or from substantial increases in support from previous donors, and to make use of the Endowment's Treasury Fund method of support, described in the General introductory Comments, for large projects. Further:

(1) Grants generally will not exceed $100,000 and in most cases will be considerably less.

(2) Each application may cover one or more works by one or more choreographers. Budgets should be worked out separately for each work, in the same format as the application form, and attached to the application.

(3) The project budget on the application form may include all direct costs of mounting the production prior to the premiere performance. Please note that performance royalties, promotion and publicity costs, etcetera are therefore not applicable expenses. Applicable expenses include:

(a) choreographer's fee

(b) composer's fee

(c) designer(s)' fee

(d) rehearsal salaries for the required number of dancers for the required length of time (not to exceed eight weeks, or a total of 200 hours per dancer). Dancer's wages must be at least scale as defined by the American Guild of Musical Artists. If dancer's salaries are already established in excess of scale, the company may apply for the actual costs incurred by those salaries. If the company has a policy of double-casting, wages may be requested for double casts in the principal roles.

(e) Physical costs of mounting the production (sets, costumes, et cetera) costs of notating and/or making a simple black and white video or film record.

(Note: The Endowment regrets the application may not include the costs of foreign travel. It may, however, include the costs of travel from the point of entry into the United States to the home city of the company.)

How To Apply. Please use Project Grant Application/NEA–3 Rev.) The following information should appear on the application form under "IV. Summary Project description."

(1) Name of Choreographer
(2) Title of work
(3) Composer of music
(4) Designer(s)
(5) Number of dancers
(6) Approximate length of work
(7) Dates of rehearsal
(8) Projected date and place of premiere

The following information must be attached to the application form:

(1) A listing of the company's current active repertoire.

(2) A budget for the 1975–76 season, and projected budget for the 1976–77 season.

(3) The performance schedule for the company's current year, and projections of the company's activity for the 1976–77 season.

(4) Budgets for each individual work if more than one work is included in the application (see No. 2 under "Funding" above).

(5) If the choreographer is not permanently associated with the applicant company, a letter of intent from the choreographer must accompany the application. The letter of intent to set the work must include reference to the choreographer's fee, the rehearsal dates and the travel arrangements, as well as the work itself.

(6) A copy of the company's IRS tax-exempt determination letter.

CATEGORY E SPECIAL CHOREOGRAPHY FELLOWSHIPS

Fellowships to experienced professional choreographers with substantial professional recognition for extraordinary choreography projects not applicable under Categories A, B, C, or D described above.

Purpose. Recognizing that an experienced choreographer may wish to engage in choreographic activity which does not follow the structures covered by Categories A, B, C, and D, the Endowment will accept applications from individual choreographers for these projects. It should be emphasized that "Special Choreography Fellowships" will be made only if categories A, B, C, and D are not applicable.

Review Information. Applications will be reviewed by the staff of the National Endowment, the Dance Advisory Panel, and the National Council on the Arts according to the following criteria:

(1) The artistic significance of the proposed project.

(2) The merit of the purpose of the project with relation to the stated purpose of this category.

(3) The individual's capacity to achieve the stated objectives.

(4) The demonstrated need for the fellowship requested.

Funding. Generally the individual fellowships awarded will not exceed $10,000, and may cover only the directly related costs.

How To Apply. Please use the Individual Grant Application/NEA 2 (Rev.). At the top of the page, please enter "Category E, Special Choreography Felowships." On the application, please describe the project in detail, clearly stating the reason for making application in this area, the goals of the project, and all other information you feel will aid the National Endowment in reviewing the project. Also in the project description, please provide a breakdown of the funds being requested and how they will be used if awarded.

Attached to the application should be a letter of agreement between the choreographer and any other party or organization whose participation is necessary for accomplishing the project.

RESIDENTIAL PROFESSIONAL DANCE COMPANIES PROGRAM

The purpose of this program is to encourage and increase the availability of high quality professional dance activities on a regular and continuing basis in communities and regions across the country.

Deadline. All applications for assistance under this program must be postmarked by June 1, 1976. The Endowment regrets that because of review procedures applications postmarked after that date cannot be considered.

Eligibility. In general, assistance under this program is for professional companies which:

Are in permanent residence in a community, and which provide their community and the surrounding geographic region with a regular schedule of dance services such as concert seasons, community service programs, educational programs, specialized touring activities, training programs et cetera.

Demonstrate high artistic and administrative standards.

Have attained a regular rehearsal and performance season in their community and region of at least 15 weeks (cumulative) in each of Fiscal Years 1975 and 1976 and which present at least three different public programs yearly in their community.

Project Examples. Generally applications will be considered only for specific projects within the following areas of activity. However, a company may request special consideration for a project not covered by the areas listed below if it serves a particular need of the company, community, or region. Although the Endowment welcomes the vitality of new programs and under all conditions encourages applicants to develop new sources of funds, applications first and foremost should represent the genuine needs of the applicant organization. Accordingly, applicants may request support to strengthen existing programs. Applications must outline in detail the specific project for which support is being requested, and must include a clear justification of need for this support.

Project areas considered applicable are:

(1) *Specialized Regional Services.*—Programs designed especially to serve the company's community and broad geographic region by providing the audiences and participants with an in-depth exposure to quality professional dance on a regular and continuing basis. Proposed programs should also be designed to encourage increased private support from the community and region. Such projects might include regular regional touring and residency programs, regular concert seasons in communities throughout the region, educational programs, etcetera.

(2) *Personnel Assistance.*—Assistance in the addition of new personnel (on a full or part-time basis) to the staff of the company. All positions considered must be new to the company, and the company must provide a clear justification of need for the new position as well as an assurance that the cost of this new position can be carried by the company in future years without continued Endowment support. The hiring of additional dancers for the company is not applicable. Applications for assistance with management and administrative staff should be made under "Management and Administration." For more information on this program, see page 24.

(3) *Cooperative Projects.*—Special attention will be given applications requesting assistance for cooperative projects with other local or regional arts organizations (including dance organizations). Such projects might include the hiring of joint personnel where the need of an individual organization is not sufficient to justify a full-time position, the development of regional activities in which a number of arts organizations participate, etcetera. Applicants should include supportive statements from cooperating organizations or individuals.

(4) *Stabilization of Season.*—Projects carefully designed to provide the company with a more stable existence in its community and region. Such projects might include:

(a) Programs designed to develop new ways to improve earned and contributed income, increase audiences, and improve ticket sales.

(b) Extension of the season through programs which make use of smaller ensembles and/or make it possible for the company to engage in other income-generating activities.

(5) *Rehearsal Time.*—Support will be given to companies for up to six weeks rehearsal time of repertoire at union scale and under union working conditions in the company's community of permanent residence. (These rehearsal weeks must not duplicate the rehearsal time which may be granted under the choreography and production fellowships.) It should be noted that during FY 1977–1978 only limited funds will be available in this area.

In developing projects please keep in mind:

Applications will not be considered for non-specific support.

The Endowment's assistance is not meant to discourage admission fees.

Review Information. Applications will be reviewed by the staff of the National Endowment, the Dance Advisory Panel, and the National Council on the Arts according to the following criteria:

The artistic significance of the proposed project.

The merit of the purpose of the project with relation to the stated purpose of this program.

The company's organizational stability and proven artistic merit.

The company's capacity to achieve the stated objectives.

The professional service provided to the community and/or geographic region.

The demonstrated need for the support requested.

Methods of Funding. All grants will be matching grants. In general, grants will not exceed $50,000 from direct Endowment program funds or $100,000 from Treasury Funds ($50,000 Endowment; $50,000 private donation). In most instances grants will be in lesser amounts. The Endowment urges applicants to consider applying under the Treasury Fund method of support in order to encourage new or increased giving from the private sector.

How To Apply. Applicants should use the Project Grant Application form identified with "NEA–3(Rev.)" in the upper left-hand corner of the first page.

Project Description.—All essential elements of the proposal must be included in a concise project description in the space provided on the first page of the application form.

Budgetary Information.—The budgetary information reequired must appear on the application form as indicated, but you may attach a more detailed budget if you feel it would be helpful in assessing the project.

Project Period.—The grant period under this program is January 1, 1977 through December 31, 1977. The starting date of the project may not be prior to January 1, 1977 and its length will normally not exceed twelve months. (The beginning and ending dates of the project should be entered under "III. Period of Support Requested" on the application form.)

Information Required to Supplement the Grant Application:

(1) A copy of the company's Internal Revenue Service Determination Letter for tax-exempt status.

(2) The company's 1975–76 schedule and a projected 1976–77 schedule.

(3) The company's 1975–76 total operating budget and the 1976–77 total operating budget projection.

(4) A listing by number and title of the total staff (artistic, administrative and production) of the company. Please note part-time or volunteer positions.

Information Needed to Supplement Grant Application, if Not Supplied to the Endowment in Prior Years:

(1) A brief history of the company.

(2) A listing of the company's repertory.

(3) The size of the board of directors, and how often it meets.

(4) A selection of representative reviews (unedited).

Note: If the information on file at the Endowment is not up-to-date, please send revised information.

MANAGEMENT AND ADMINISTRATION

The National Endowment for the Arts recognizes the need for professional administration of dance companies. The purpose of the Management and Administration program is to assist dance companies in obtaining professional management, or in substantially improving the company's existing management structure. (Please note that support for management-related activities for other than dance companies may be eligible for assistance under Services to the Field; this category, however, is now intended solely for support of the management of dance companies).

Deadline. All applications for assistance under this program must be postmarked by June 1, 1976 for projects beginning between January 1, 1977 and December 31, 1977. The duration of the project would generally not exceed twelve months. The Endowment regrets that because of review procedures applications postmarked after that date cannot be considered.

Funding. Grants will be made directly to the company on at least a dollar-for-dollar matching basis. Generally grants will not exceed $25,000 and are usually substantially less. Applicable costs for the project include the salary of the position, and only those directly related costs necessary for the efficient and effective operation of the position. In most cases funding for a specific project will be limited to one year. In some circumstances the Endowment will consider applications for the continuation of a project for a second year. However, applications for the continuation of a project after the second year will not be considered.

How To Apply. Applicants should use the Project Grant Application form identified with NEA–3 (Rev.) in the upper left-hand corner of the first page.

Within the space provided on the application form for the "Project Description" the following information must appear.

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(1) A summary of the duties and responsibilities of the position for which application is being made.

(2) A justification of why this position is needed, a statement of how the position will benefit the company, and how the company plans to assume continuing costs of the position after termination of the Endowment grant.

(3) If known, the name of the person being considered.

(4) A justification for any costs other than the salary for the position being requested.

Attached to the application form should be a complete job description for the position being requested and, if known, a resume of the person being considered. (Note: If not known at the time of application, the name and resume of the person to fill the position will be required prior to release of payments should the application be approved.)

SERVICES TO THE FIELD

Dance is served nationally by a variety of dance service organizations. The National Endowment for the Arts offers support to those national service organizations dealing in projects directly related to performance companies. Additionally, projects which have broad-based service components, such as multi-company managements, technical assistance programs, management intern or apprentice projects, cooperative activities with wide regional or national implications, et cetera, will be considered under this program.

Organizations should submit applications for specific projects they wish to accomplish, describing these projects on the application form in the space provided. *Projects do not have to be new or innovative.* Assistance may be requested for strengthening and continuing existing programs. The Project Budget should include only those costs necessary to accomplish the described project(s). The "Total Requested from the NEA" must not exceed 50 percent of the total project budget and, together with "Contributions, Grants and Revenues," should equal the total project cost. Please use *Project Grant Application/NEA–3 (Rev.).*

Project Period and Deadline. The project period for this program is January 1, 1977 through December 31, 1977. The beginning date of the project applied for must fall within this period, and the duration of the project should generally not exceed twelve months. Applications must be postmarked NO LATER THAN JUNE 1, 1976.

All budgetary information should be provided in the appropriate sections on the application form, irrespective of the amount requested. If you feel it would be helpful in reviewing the application, a detailed budget may also be attached to the application. The budget may not include amounts for past deficits, entertainment, and/or contingencies. Only in rare instances will the purchase of permanent equipment be acceptable.

It will be a requirement of each grant made in this category that copies of the resulting film or videotape be deposited (1) within the Library of Congress, (2) with the Dance Collection of the New York Public Library, and (3) with the Public Media Program of the National Endowment for the Arts. Consequently, funds should be built into the Project Budget for costs of these three prints.

In most cases, grants will be at least dollar-for-dollar matching grants. Therefore, it is important to identify all sources of matching funds on the application form.

GENERAL PROGRAMS

The Endowment will consider applications for specific projects that do not fall into the categories outlined above. However, such projects must be in support of professional activity, and be of exceptional merit, outstanding quality, and demonstrated need. Where at all possible companies, individuals, and organizations should apply under the regular program Guidelines. Grants made under "General Programs" will usually be awarded on a matching basis.

Please note that there are some areas of activity the Endowment does not normally consider funding: scholarships to individuals; study or travel abroad; building or renovation of physical facilities; purchase of permanent equipment; publication or research; general operating support.

Deadlines. There are four application deadlines predicated upon the meetings of the Dance Advisory Panel and the National Council on the Arts for review of applications. Projects beginning after the date indicated in the right-hand column must be applied for by the corresponding deadline date in the left-hand column.

Deadline:	*For projects beginning after*
February 1, 1976	July 1, 1976
June 1, 1976	November 1, 1976
August 1, 1976	February 1, 1977
November 1, 1976	April 1, 1977

OTHER ENDOWMENT PROGRAMS OF INTEREST

VISUAL ARTS IN THE PERFORMING ARTS

The Endowment's Visual Arts Program offers a program of assistance to professional performing groups that wish to encourage the participation of outstanding artists who are not professional stage of costume designers in three areas:

(1) Design of costumes;

(2) Design of sets;

(3) Design of posters which advertise single productions or a season's offerings and have limited signed editions.

Application deadline for projects beginning after August 1976, is January 15, 1976. Application deadline for projects beginning after August 1977, is January 1, 1977. Application forms and appropriate guidelines may be obtained from the Visual Arts Program, National Endowment for the Arts, Washington, D.C. 20506.

COMPOSERS/LIBRETTISTS PROGRAM

Choreographers and companies interested in working with a specific composer should refer the composer to the Endowment's Composers/Librettists program. The composer should contact the Music Program of the National Endowment for the Arts, Washington, D.C. 20506 for guidelines and application forms.

OTHER PROGRAMS

Support for certain specialised activities of dance companies is occasionally provided through other program areas of the National Endowment for the Arts. The Expansion Arts Program, Education Program (Artists-in-Schools), Public Media Program, Special Projects Program, and the Work Experience Internship Program may be of special interest to Dance applicants. A copy of Guide to Programs, explaining all of the Endowment's programs, eligibility requirements, application deadlines may be obtained by writing Program Information, National Endowment for the Arts, Washington, D.C. 20506. Guidelines and application forms may be obtained by writing directly to the specific program National Endowment for the Arts, Washington, D.C. 20506.

REMINDERS

(1) Each organizational application ("Project Grant Application Form NEA–3 (Rev.)") must be accompanied by a copy of the organization's IRS tax-exempt determination letter.

(2) The application must be signed and dated by the appropriate people. NOTE: The Authorizing Official must be empowered to legally commit the Board of Directors.

(3) For both organizational and individual applications, please check carefully to be sure you have included all requested supplementary information for the program under which you are applying.

(4) All applications must be postmarked no later than the deadline date for the program under which you are applying. The Endownment regrets that because of review procedures applications postmarked after the appropriate deadline cannot be considered.

(5) Grants are usually less than the maximum dollar amount stated in the program. Applicants are particularly urged to budget realistically and present minimum figures of Federal support needed to achieve the purpose of the project and high standards of artistic excellence.

[FR Doc.76–1052 Filed 1–13–76;8:45 am]

FEDERAL-STATE PARTNERSHIP

Program and Funding Information; Fiscal Years 1977 and 1978

The following are guidelines for grants made under the Federal-State Partnership Program of the National Endowment for the Arts, an independent agency of the Federal government which makes grants to organizations and individuals concerned with the arts throughout the United States.

Notice is hereby given that the deadline for the Basic State Agency grant, Program Development, Regional Programs and Internships is February 1, 1976. Application for Community Development, General Programs and Services to the Field are accepted throughout the year. Interested persons should contact Clark Mitze, Director, Federal-State Partnership Program, National Endowment for the Arts, Washington, D.C. 20506 (202) 634–6055, for further information and application forms. Only the Federal-State Partnership Program may distribute application forms.

Signed at Washington, D.C., on 7 January 1976.

MARCIA HOVEY,
Director, Program Information.

FEDERAL-STATE PARTNERSHIP PROGRAM

INTRODUCTION

State Arts Agencies are eligible to receive assistance under the established guidelines for any of the Endowment's 12 major programs. However, the Endowment's Federal-State Partnership Program specifically reflects the national interest in the very existence of effective State Arts Agencies which play an important part in strengthening the cultural life of the nation. This program recognizes that the Federal and State interests in cultural development are intertwined, and that cooperation between the National Endowment and State Arts Agencies strengthens the help each can provide their mutual constituencies.

The types of assistance offered through the Federal-State Partnership Program are designed to meet urgent needs of State Arts Agencies identified in continuing dialogue between the State Agencies, the National Endowment and its advisory bodies. Assistance is offered:

To provide a base of flexible funds to supplement state funds in carrying out a general plan developed by the State Agency (Basic State Agency Grant).

To help State Agencies develop their program capabilities to meet both state and national program needs (Program Development).

To assist projects involving two or more states to meet needs that are best dealt with on a cooperative basis (Regional Programs).

To help State Agencies strengthen and support the important local work of community arts councils in their states (Community Development).

To make available nationally a variety of services which helps State Arts Agencies develop and carry out effective programs (Services to the Field).

APPLICATION DEADLINES

Federal transition quarter funding for applicants' fiscal year 1977

Deadline	Program	Notification [1]
Feb. 1, 1976	Basic State agency grant.	July 1976.
Do	Program development.	July/October 1976.
Do	Regional programs.	Do.
Do	Internships	October 1976.

[1] Estimated.

Applications accepted and reviewed throughout the year for the following programs; applicant should generally allow 6 months between application time and beginning of grant period.

Community Development
General Programs
Services to the Field
National Service Organizations
Regional and National Meetings
Staff Travel Program
Technical Assistance

Federal fiscal year 1977 funding for applicants' fiscal year 1978

Deadline	Program	Notification [1]
Jan. 15, 1977	Basic State agency grant.	June 1977.
Do	Program development.	June/October 1977.
Do	Regional programs.	Do.
Do	Internships	October 1977.

[1] Estimated.

Applications accepted and reviewed throughout the year for the following programs; applicant should generally allow 6 months between application time and beginning of grant period.

Community Development
General Programs
Services to the Field
National Service Organizations
Regional and National Meetings
Staff Travel Program
Technical Assistance

GENERAL INFORMATION

METHODS OF FUNDING

Program Funds Method. Generally, grants to State Arts Agencies will be made on at least a dollar-for-dollar matching basis. Applicants requesting assistance from Program Funds must present evidence that at least one-half of the total cost of the project will be provided by the applicant. Anticipated sources of matching should be identified.

Example:

If an applicant requests from the Endowment	$30,000
Then applicant lists match of at least	30,000
And total project budget reflects at least	60,000

Treasury Fund Method. When the National Endowment for the Arts was created, Congress included a unique provision in its enabling legislation. This provision allows the Endowment to work in partnership with private and other non-federal sources of funding for the arts. Designed to encourage and stimulate increased private funding for the arts, the Treasury Fund allows non-federal contributors to join the Endowment in the grant-making process, generally for projects supported by the Endowment under the established program guidelines.

The Endowment encourages use of the Treasury Fund method as as especially effective way of combining federal and private support, and as an encouragement to all potential donors, particulary those representing new or substantially increased sources of funds.

The Endowment may accept gifts in the form of money and other property. Bequests may be made to the Endowment as well. Gifts to the Endowment are generally deductible for federal income, estate, and gift tax purposes.

Gifts may be made to the Endowment for the support of a non-profit, tax-exempt, cultural organization which has been notified that the Endowment intends to award it a grant under its regular program guidelines—organizations such as a museum, a symphony orchestra, a dance, opera, or theatre company—or for an Endowment program, such as fellowships, touring, conferences, or workshops.

When a restricted gift is received, it frees an equal amount from the Treasury Fund, which is then made available to the grantee in accordance with the amount and conditions of the grant, as recommended by the National Council on the Arts and approved by the Chairman.

The Endowment also accepts unrestricted gifts to be used for projects recommended to the Chairman by the National Council on the Arts.

How a Treasury Fund Grant is Arranged. Those interested in giving for a specific purpose should note the step by step process described below.

(1) If a project is eligible for consideration under the Federal-State Partnership Program guidelines the applicant submits to the Endowment a formal application, which may include a list of potential donors.

(2) The application is reviewed first by the Federal-State Partnership Advisory Panel and then by the National Council on the Arts and is recommended for approval or rejection. Based on these recommendations, the Chairman makes the final determination and notification is sent to the applicant.

(3) If the grant award is approved, the applicant then requests that the donors forward their gifts to the National Endowment for the Arts in the form of a gift transmittal letter specifying the amount and restricted purpose of the donation (i.e. the name of the applicant and specific project supported), and date by which payment will be made to the grantee organization (see below).

Handling Procedures. In order to simplify handling procedures for restricted donations which are to be matched by the Treasury Fund, grant recipients will receive payment directly from the donor (in cash or negotiable securities) on all restricted Treasury Fund gifts to the Endowment. Under this method, the following procedures apply:

(1) Gift transmittal letter is received by the Endowment from donor with above specific information.

(2) Upon receipt of payment on the gifts, grantee provides the Endowment with evidence of receipt of such payment as follows:

In the case of individual gifts of less than $5,000, grantee will forward to the Endowment, a list of donors' names, addresses, and amounts received, certified by an official of the organization and notarized.

In the case of individual gifts of $5,000 or more, grantee will forward to the Endowment, within the grant period, a photostatic copy of the instrument of payment, i.e. the check or negotiable securities, with a covering letter.

(3) In cases where benefit proceeds are to be utilized for purposes of the Treasury Fund, evidence, such as benefit announcement circulars, invitations, posters, etcetera (which indicate donors had prior knowledge that their contributions would be used for the Treasury Fund) must be retained by grantee as evidence of donors' intent. In these cases, the grantee organization will forward to the Endowment, within the grant period, a notarized letter requesting release of the Treasury matching funds, signed by an appropriate official, certifying that the benefit was held on a specified date, yielded a specified sum for Treasury Fund gift purposes related to the grant in question, and that evidence of the benefit will be retained by grantee organization in its files.

(4) In all cases, donors are to make payment on gifts at least 60 days prior to termination of the grant period, and grantee organizations will provide the Endowment with evidence of receipt of payment on gifts at least 30 days prior to the termination of the grant period.

THE PROCESS IN TERMS OF MONEY

Donor's contributions (s) of Endowment	$25,000
Endowment match from the Treasury Fund	25,000
	50,000
Total Endowment grant	50,000
Grantee's additional project cost	50,000
Minimum total budget of project	100,000

For further information, contact the Office of General Counsel, National Endowment for the Arts, Washington, D.C. 20506.

A WORD ABOUT FUNDING PERIODS

After June 30, 1976, the Federal fiscal year will shift from the present July 1—June 30 basis. The Endowment and all other Federal agencies will receive special "Transition Quarter" appropriations for the three-month period between the current FY 1976 ending June 30, 1976, and the new Federal FY 1977, which begins on October 1, 1976.

The Endowment's financial planning for the shift is aimed at minimising disruption in the flow of funding to our grantees. There is no need for any change in State Arts Agency fiscal years, and there will be no change in the length of project periods for any Federal-State Partnership Program category. Within the funding schedules indicated below, the Endowment will make every effort to accommodate the timing requirements of individuals grantees.

Grants for applicants' FY 1977 will be funded as follows:

All Basic State Agency Grants plus about half of the Program Development and Regional Program grants will be awarded in

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July 1976, from the Endowment's Transition Quarter appropriations.

The remainder of the Program Development and Regional Program grants plus all other categories will be awarded beginning in October 1976, from the Endowment's FY 1977 appropriations.

Grants for applicant's FY 1978 will be funded as follows:

All Basic State Agency Grants, plus about half of the Program Development and Regional Program grants will be awarded in June 1977, from the Endowment's FY 1977 appropriations.

The remainder of the Program Development and Regional Program grants plus grants in all other categories will be awarded beginning in October 1977, from the Endowment's 1977 appropriations.

A Resolution on Accessibility to the Arts for the Handicapped

One of the main goals of the National Endowment for the Arts is to assist in making the arts available to all Americans. The arts are a right, not a privilege. They are central to what our society is and what it can be. The National Council on the Arts believes very strongly that no citizen should be deprived of the beauty and the insights into the human experience that only the arts can impart.

The National Council on the Arts believes that cultural institutions and individual artists could make a significant contribution to the lives of citizens who are physically handicapped. It therefore urges the National Endowment for the Arts to take a leadership role in advocating special provision for the handicapped in cultural facilities and programs.

The Council notes that the Congress of the United States passed in 1968 (Pub. L. 90-480) legislation that would require all public buildings constructed, leased or financed in whole or in part by the Federal Government to be accessible to handicapped persons. The Council strongly endorses the intent of this legislation and urges private interests and governments at the state and local levels to take the intent of this legislation into account when building or renovating cultural facilities.

The Council further requests that the National Endowment for the Arts and all of the program areas within the Endowment be mindful of the intent and purposes of this legislation as they formulate their own guidelines and as they review proposals from the field. The Council urges the Endowment to give consideration to all the ways in which the agency can further promote and implement the goal of making cultural facilities and activities accessible to Americans who are physically handicapped.

(Adopted by the National Council on the Arts, September 15, 1973)

CATEGORIES OF FUNDING

BASIC STATE AGENCY GRANT

State Arts Agencies are eligible for Basic State Agency Grants for projects and programs as outlined in a state plan for promotion and development of the arts.

Grants made from Federal Transition Period funds, for SAAs' FY 1977 will be in the amount of $205,000. The size of the grants made from Federal FY 1977 funds, for SAAs' FY 1978 will be based on the amount of Congressional FY 1977 appropriations to the Endowment.[1]

In most instances, Basic State Agency Grants will be awarded on at least a 1 to 1 matching basis. While the matching requirement can be waived for up to 20% of a Basic Grant, the Federal legislation makes clear that the circumstances must be special in nature.

Criteria for approval of the Basic State Agency Grant include:

Submission of the application/state plan.

Designation by the state of an agency for the administration of the state plan.

Statement of objectives of the State Arts Agency.

Quality of past performance and current prospects of State Arts Agency programming.

Demonstrated fiscal responsibility of the State Arts Agency.

Fulfillment of State Arts Agency reporting responsibilities.

Small groups of SAA representatives are invited to attend review sessions on their basic state applications. These sessions, attended by Federal-State Partnership Advisory Panel members and Endowment staff, not only attempt to resolve technical problems, but also give each state an opportunity to describe to the Endowment and other states its overall objectives and plans. This gives an opportunity for neighboring states to increase mutual awareness and cooperation.

Following the group review sessions, each application and state plan is reviewed and evaluated by the Federal-State Partnership Advisory Panel which makes recommendations to the National Council on the Arts and the Chairman of the National Endowment for the Arts who, in accordance with the legislation, must approve the application before an award is made.

Applications should be submitted on OMB Form No. 80-R0186, APPLICATION FOR FEDERAL ASSISTANCE (NONCONSTRUCTION PROGRAMS).

PROGRAM DEVELOPMENT

The purpose of the program is to provide State Arts Agencies with opportunities to obtain increased staff assistance in order to develop their program capabilities. The Program was initially established, and is now extended, as a temporary means to help State Arts Agencies overcome the limitations of personnel restrictions that hinder the development of programming.

Program Development grants will fund only positions for which financial support is not immediately available from state sources. It is hoped that effective use of Program Development funds will generate increased state appropriations for the positions and programs involved. In no instance will Federal funds replace existing state funds for the designated staff position. Endowment funds available for this Program are not expected to increase appreciably.

The National Council on the Arts recognizes the critical importance of adequate professional staff for effective programming by State Arts Agencies. The Council is pleased and encouraged by the impressive record of states assuming continuing responsibility for the costs of key positions initially funded by the National Endowment.

In considering applications, the Endowment will be responsive to staffing priorities expressed by each State Arts Agency. It is hoped that priority will be given to the hiring of professional staff; however, consideration will also be given to requests for funding of clerical and other essential support personnel.

Grants may be awarded for salaries, fringe benfits, and other costs of staff in the following general areas:

(1) Additional staff for ongoing State Arts Agency programs and activities. This area might include, but is not limited to, music program director, crafts coordinator, community development associate, fiscal officer, public information officer, et cetera. In general, there will be a two-year limit on funding any position for activity in this area.

(2) New staff to plan and implement developing State Arts Agency-initiated programs, e.g., folk arts, media, expansion arts, crafts, architecture, theatre, touring, technical assistance, et cetera. In general, there will be a two-year limit on funding any position for activity in this area.

(3) Staff necessary to coordinate national programs such as Dance Touring and Artists-in-Schools. In general, funding of positions for activity in this area of national programs may continue beyond two years. After two years, the Endowment will fund no more than 50% of the salary, recognizing that these costs should continue to be shared as long as the program continues under joint sponsorship. It is also recognized that there will be additional maintenance, travel and support costs for the position which will be borne by the states.

It is understood that a single staff position may encompass activities in one, two, or all three of the above general areas. Generally, the Endowment will pay no more than 50% of total project costs. Waivers will be made only in the most exceptional circumstances on the basis of demonstrated need.

Applications for Program Development funds will be considered at the same time as, and in conjunction with, the Basic State Agency Grant Applications. For State Arts Agency Fiscal Year 1977, applications should be received at the Endowment no later than February 1, 1976. For State Arts Agency Fiscal Year 1978, applications are due no later than January 15, 1977. Program Development project period dates must coincide with the state fiscal year in order to facilitate the transfer of the staff positions to full state funding.

Applications must be submitted on OMB Form No. 80-R0185, APPLICATION FOR FEDERAL ASSISTANCE (SHORT FORM). Parts I and II of the application must be completed in full as requested. Part III should include a brief narrative description of the duties of the position, programming needs, results to be achieved, and history of previous Program Development positions. The Supplemental Information Sheet should give detailed budget breakdown of salary and support costs.

In addition to the application form, applications should contain the following:

(1) A complete job description for the position.

(2) A resume of the staff person. This is required for continuing position.

(3) A complete list of current and projected personnel (full and part time) including job descriptions.

[1] The Arts Endowment's enabling legislation provides that monies made available to State Arts Agencies and regional groups shall constitute not less than 20 percent of the total appropriation for 5c) (i.e., the definite monies, often referred to as "Program Monies"). The indefinite monies often referred to as the "Treasury Fund," are not included.

The law also provides that of the 20 percent mentioned above, 75 percent will be allotted among the State Agencies in equal amounts of $200,000 or more and 25 percent will be available to the Endowment for making grants to State Arts Agencies and regional groups, with a minimum $200,000 bloc grant level taking precedence over the remaining per cent for State Agency and regional group grants. Please note that *all* grants in the 25 percent category must be matching on at least a 1-1 basis in accordance with directions from the Congress.

(4) A budget providing information on administrative costs currently paid from state sources, amounts requested for the next fiscal year, and also funds for personnel and other administrative purposes obtained from all Endowment sources.

REGIONAL PROGRAMS

Some opportunities in the cultural development of states and communities can best be realized by strong regional cooperation. To respond to these needs the Endowment has established a program of support to State Arts Agencies working cooperatively on a multi-state basis. Regional programming is not limited to contiguous states. Applications will be accepted from any group of two or more State Arts Agencies or their designated agents.

Applications from State Arts Agencies are accepted on OMB Form No. 80-R0185 APPLICATION FOR FEDERAL ASSISTANCE (SHORT FORM). Applications from designated non-profit organizations are accepted on NEA-3(Rev.) PROJECT GRANT APPLICATION.

COMMUNITY DEVELOPMENT

State and Community Arts Agencies are important to each other. While each has its unique role to play, the goals are generally similar and it is advantageous to both parties to work cooperatively in serving their mutual constituency. Funds are therefore available to State Arts Agencies for the promotion and development of Community Arts Agencies.

Among types of proposals that will be considered are the following examples.

Challenge grants to generate local government funding for Community Arts Agencies.

Professional staff for Community Arts Agencies for program development.

Support for state sponsorship of meetings, conferences or workshops for existing and developing Community Arts Agencies.

Assistance for statewide assemblies of Community Arts Agencies.

Program support for Community Arts Agencies.

Endowment support under this category will respond to plans or projects resulting from the collaborative discussions between State and Community Arts Agencies. Applications to the Federal-State Partnership Program must be made by the State Arts Agency following this broad, state-wide planning. It should be noted that several other Endowment program guidelines allow for Community Arts Agencies to apply directly without the necessity of going through State Arts Agencies.

Grants must be matched at least dollar for dollar with non-federal funds.

Applications are accepted on OMB Form No. 80-R0185 APPLICATION FOR FEDERAL ASSISTANCE (SHORT FORM).

GENERAL PROGRAMS

General Programs provide a flexible means by which the Federal-State Partnership office can respond to pilot projects or other proposals that meet special needs or unique opportunities which cannot be accommodated through other program categories.

General Program awards are usually for one year only and will be renewed only under exceptional conditions. All grants must be matched. Awards will generally be under $10,000.

Applications from State Arts Agencies are accepted on OMB Form No. 80-R0185 APPLICATION FOR FEDERAL ASSISTANCE (SHORT FORM). Applications from designated non-profit organizations are accepted on NEA-3 (Rev.) PROJECT GRANT APPLICATION.

SERVICES TO THE FIELD

This program provides services to the field in six categories. The first category, National Service Organizations, provides direct grant assistance to national organizations; the other categories are service programs provided by the Federal-State Partnership Program directly or through grant support to another organization.

(1) *National Service Organizations.*—This program provides grant assistance to national non-governmental organizations or projects which support, strengthen, and service State and Community Arts Agencies.

(2) *Internships.*—The Internship Program was initiated by the Endowment working in cooperation with State Arts Agencies, to provide an opportunity for individuals to gain practical on-the-job training with a State Arts Agency which will be helpful to them in pursuing a career in arts administration. Participants will then be prepared to assume duties with a State Arts Agency or other cultural organization at the end of their year's internship. There is no age restriction for applicants. State Arts Agencies interested in participating in the period of support of October 1, 1976 to September 30, 1977 should so indicate in a letter postmarked no later than February 1, 1976. The letter should contain a brief outline of the training program the agency should be prepared to offer an intern.

(3) *Regional Coordinators.*—Initiated in 1972, the Regional Coordinator Program currently consists of seven coordinators serving in the following regions of the United States: Pacific Area; South Central Area; Southeastern States; Mid-Atlantic States; No-theastern States; North Central States, and Rocky Mountain States. It is the responsibility of the Coordinators to provide assistance to State Arts Agencies, cultural organizations within the region, artists, and the Endowment. The Coordinators are well acquainted with all Endowment programs and are able to carry that information to the states and other potential grantees, as well as assist arts agencies and cultural organizations in resolving specific problems. Endowment program directors and State Arts Agency directors often call upon the Coordinators to visit grant applicants and to report on projects. The Coordinators are available to work closely with State Arts Agency directors and to attend State Arts Agency meetings when invited. They are also called upon to attend many of the Arts Endowment panel and Council meetings. Coordinators are available to help State Arts Agency personnel and potential Endowment grantees, but will seldom, if ever, be involved in program operations.

(4) *Regional and National Meetings.*—Effective communication among the National Endowment for the Arts and each of the 55 state and jurisdictional arts agencies is essential. Regional and national meetings have played an important part in this communication. In past years, an effort has been made to vary the format and style of the meetings. It is anticipated that regional meetings of State Arts Agency directors will continue to be held in conjunction with Federal-State Partnership Advisory Panel meetings. It is also hoped that the Federal-State Partnership Program can expand its meeting schedule so that it will be possible for State Arts Agency Chairmen and Council members to be more involved in these sessions.

(5) *Staff Travel Program.*—Staff members of State Arts Agencies may apply to the Endowment for funds to travel to other State Agencies in order to acquire knowledge which will be useful to them in their jobs. Funds available under this program are limited to the cost of coach class air/rail transportation only. Letter requests are accepted by the Federal-State office throughout the year.

(6) *Technical Assistance.*—State, Regional and Community Arts Agencies may apply to the Endowment for funds to bring in specialists to advise them on specific programs, technical matters, or administrative functions provided the state is unable to handle this type of assistance under its own basic program. The Technical Assistance Program is administered by the Associated Councils of the Arts in cooperation with the Federal-State Partnership office. Applications for assistance should be by letter request to the Federal-State office at least six weeks prior to the proposed consultancy.

Letter requests should include the particular needs of the agency, the proposed consultant's name, credentials, and the expected costs to the agency. The tenure of the consultation will be of short term duration of from 1 to 5 days. Endowment support would provide a negotiated fee not to exceed $100 per day plus coach class travel and per diem expenses.

Letter requests are accepted throughout the year.

INCREASED SUPPORT OF NATIONAL PROGRAMS

At its September 1975 meeting, the National Council noted and commended the continued activities of those State Arts Agencies that have secured both private and public funds to match and expand Artists-in-Schools and Dance Touring Programs. The Council encourages, in addition to the achievement of a cash match for Artists-in-Schools, the use of private funds and other public monies to expand these programs. Other public monies which might be used for this purpose are the Basic State Agency Grant from the Arts Endowment, other Federal agency funds, state appropriations, or local tax monies.

[FR Doc.76-1050 Filed 1-13-76;8:45 am]

THEATRE PROGRAM

Guidelines; Fiscal Year 1977

The following are guidelines for grants made under the Theatre Program of the National Endowment for the Arts, an independent agency of the Federal government which makes grants to organizations and individuals concerned with the arts throughout the United States.

Notice is hereby given that the deadlines for the following programs are: Professional Theatre Companies; Developmental Theatre-New Plays, New Playwrights, New Forms; Professional Theatre Training (pilot), and Professional Theatre Companies with Short Seasons, January 15, 1976; Theatre for Youth Services to the Field, and State Arts Agencies-Theatre Projects, March 31, 1976. Interested persons should contact Ruth Mayleas, Director, Theatre Program, National Endowment for the Arts, Washington, D.C. 20506 (202) 634-6387, for further information and application forms. Only the Theatre Program may distribute application forms.

Signed at Washington, D.C., on January 6, 1976.

MARCIA HOVEY,
Director, Program Information.

INTRODUCTION

The National Endowment for the Arts' Theatre Program is directed primarily toward

nonprofit professional theatre organizations, large and small, which are bringing to a steadily growing public a varied repertoire which encompasses the heritage of world and American drama as well as the most recent theatrical manifestations of new ideas, forms, and techniques. The program's goals are both qualitative and quantitative: It seeks to support at the highest level possible theatres with the highest artistic standards; at the same time it aids a broad range of groups at various stages of development. The program seeks to assist and stimulate creative activity in the theatre arts and to raise artistic standards through support of the performing institutions which sustain the artists and craftsmen of the theatre.

Grants are made in a variety of program categories which cover a broad range of the profession. The Endowment is equally concerned with strengthening of existing institutions, the dissemination of the highest quality of theatre production, and the identification and development of new creativity in the field.

Program categories include: Professional Theatre Companies, Developmental Theatre—New Plays, New Playwrights, New Forms, Professional Theatre Companies with Short Seasons, Theatre for Youth, Services to the Field, State Arts Agencies—Theatre Projects, and General Programs.

These programs are described more fully in the following pages.

APPLICATION DEADLINES

Application deadlines for each program are listed below. Applications must be postmarked no later than the appropriate date for each program in order to be considered. The Endowment regrets that because of review procedures applications postmarked after the deadline cannot be considered.

Grant category	Deadline	Announcement of rejection or grant Award	For projects starting after
Professional theater companies	Jan. 15, 1976	June 15, 1976	July 1, 1976
Developmental theater-new plays, new playwrights, and new forms	do	Oct. 1, 1976 [1]	Do.
Professional theater training (pilot)	do	do [1]	Do.
Professional theater companies with short seasons	do	do [1]	Do.
Theater for youth	Mar. 31, 1976	do [1]	Do.
Services to the field	do	do [1]	Do.
State arts agencies-theater projects	do	do [1]	Do.

[1] Because of a change in the Federal fiscal year, grantees should not expect to receive official notification of a grant award before Oct. 1, 1976. Receipt of funds should not be expected before Nov. 1976. The endowment will provide conditional notification in the late summer of 1976 to assist grantees in planning. Funding levels, however, will not be confirmed until congressional appropriations are known.

GENERAL INFORMATION

ELIGIBILITY

By statute, the National Endowment for the Arts is limited to the support of organizations which meet the following criteria:

Organizations in which no part of net earnings inures to the benefit of a private stockholder or individual and to which donations are allowable as a charitable contribution under Section 170(c) of the Internal Revenue Code of 1954, as amended. A copy of the Internal Revenue Service Determination letter for tax-exempt status must be submitted with each application.

Organizations receiving National Endowment for the Arts support must conduct their operations in accordance with the requirements of Title VI of the Civil Rights Act of 1964 and the Rehabilitation Act of 1973, as amended, which bar discrimination in Federally assisted projects on the basis of race, color, national origin, or handicap.

Organizations which compensate all professional performers, related or supporting professional personnel, laborers, and mechanics at the equivalent of the prevailing minimum compensation level or on the basis of negotiated agreements which would satisfy the requirements of Parts 3, 5, and 505 of Title 29 of the Code of Federal Regulations for the duration of any project support in whole or in part by the National Endowment for the Arts.

METHODS OF FUNDING

Program Funds Method. Generally, grants will be made on at least a dollar-for-dollar matching basis. Applicants requesting assistance from Program Funds must present evidence in the proper space (Section X) on the application (Project Grant Application/NEA-3 Rev.) that at least one-half of the total cost of the project will be provided by the applicant. Anticipated sources of matching must be identified. Budgeted funds, as well as newly raised funds, may be used for matching in all programs.

Example:

If an applicant requests from NEA..$30,000
Then applicant lists match of at least 30,000

And total project budget reflects at least..... 60,000

Treasury Fund Method. When the National Endowment for the Arts was created, Congress included a unique provision in its enabling legislation. This provision allows the Endowment to work in partnership with private and other non-federal sources of funding for the arts. Designed to encourage and stimulate increased private funding for the arts, the Treasury Fund allows non-federal contributors to join the Endowment in the grant-making process, generally for projects supported by the Endowment under the established program guidelines.

The Endowment encourages use of the Treasury Fund method as an especially effective way of combining federal and private support, and as an encouragement to all potential donors, particularly those representing new or substantially increased sources of funds.

The Endowment may accept gifts in the form of money and other property. Bequests may be made to the Endowment as well. Donations to the Endowment are generally deductible for federal income, state, and gift tax purposes.

Gifts may be made to the Endowment for the support of a nonprofit, tax-exempt, cultural organization which has been notified that the Endowment intends to award it a grant under its regular program guidelines—organizations such as a museum, a symphony orchestra, a dance, opera, or theatre company—or for an Endowment program, such as fellowships, touring, conferences, or workshops.

When a restricted gift is received it frees an equal amount from the Treasury Fund, which is then made available to the grantee in accordance with the terms and conditions of the grant.

The Endowment also accepts unrestricted gifts to be used for projects recommended to the Chairman by the National Council on the Arts.

How a Treasury Fund Grant is Arranged. Those interested in giving for a specific purpose note the step by step process described below.

(1) If a project is eligible for consideration under the Theatre Program guidelines the applicant submits to the Endowment a formal application, which may include a list of potential donors.

(2) The application is reviewed first by the Theatre Advisory Panel and then by the National Council on the Arts and is recommended for approval or rejection. Based on these recommendations, the Chairman makes the final determination and notification is sent to the applicant.

(3) If the grant award is approved, the applicant then requests that the donors forward their gifts to the National Endowment for the Arts in the form of a gift transmittal letter specifying the amount and restricted purpose of the donation (i.e. the name of the applicant and specific project supported), and date by which payment will be made to the grantee organization (see below).

Handling Procedures. In order to simplify handling procedures for restricted donations which are to be matched by the Treasury Fund, grant recipients will receive payment directly from the donor (in cash or negotiable securities) on all restricted Treasury Fund gifts to the Endowment. Under this method, the following procedures apply:

(1) Gift transmittal letter is received by the Endowment from donor with above specified information.

(2) Upon receipt of payment on the gifts, grantee provides the Endowment with evidence of receipt of such payment as follows:

In the case of individual gifts of less than $5,000, grantee will forward to the Endowment, a list of donor's names, addresses, and amounts received, certified by an official of the organization and notarized.

In the case of individual gifts of $5,000 or more, grantee will forward to the Endowment, within the grant period, a photostatic copy of the instrument of payment, i.e. the check or negotiable securities, with a covering letter.

(3) In cases where benefit proceeds are to be utilized for purposes of the Treasury Fund, evidence, such as benefit announcement circulars, invitations, posters, etc. (which indicate donors had prior knowledge that their contributions would be used for the Treasury Fund) must be retained by grantee as evidence of donors' intent. In these cases, the grantee organization will forward to the Endowment, within the grant period, a notarized letter requesting release of the Treasury matching funds, signed by an appropriate official, certifying that the benefit was held on a specified date, yielded a specified sum for Treasury Fund gift purposes related to the grant in question, and that evidence of the benefit will be retained by grantee organization in its files.

(4) In all cases, donors are to make payment on gifts at least 60 days prior to termination of the grant period, and grantee organizations will provide the Endowment with evidence of receipt of payment on gifts at least 30 days prior to the termination of the grant period.

The Process in Terms of Money.

Donor's contribution(s) to endowment	$25,000
Endowment match from the Treasury Fund	25,000
Total	50,000

Total endowment grant	$50,000
Grantee's additional project cost	50,000
Minimum total budget of project	100,000

The Theatre Program encourages applicants to apply for Treasury Fund grants when applying for substantial and relatively costly projects.

For further information, contact the Office of General Counsel, National Endowment for the Arts, Washington, D.C. 20506.

RESOLUTION ON THE ACCESSIBILITY TO THE ARTS FOR THE HANDICAPPED

One of the main goals of the National Endowment for the Arts is to assist in making the arts available to all Americans. The arts are a right, not a privilege. They are central to what our society is and what it can be. The National Council on the Arts believes very strongly that no citizen should be deprived of the beauty and the insights into the human experience that only the arts can impart.

The National Council on the Arts believes that cultural institutions and individual artists could make a significant contribution to the lives of citizens who are physically handicapped. It therefore urges the National Endowment for the Arts to take a leadership role in advocating special provision for the handicapped in cultural facilities and programs.

The Council notes that the Congress of the United States passed in 1968 (Pub. L. 90-480) legislation that would require all public buildings constructed, leased or financed in whole or in part by the Federal Government to be accessible to handicapped persons. The Council strongly endorses the intent of the legislation and urges private interests and governments at the state and local levels to take the intent of this legislation into account when building or renovating cultural facilities.

The Council further requests that the National Endowment for the Arts and all of the program areas within the Endowment be mindful of the intent and purposes of this legislation as they formulate their own guidelines and as they review proposals from the field. The Council urges the Endowment to give consideration to all the ways in which the agency can further promote and implement the goal of making cultural facilities and activities accessible to Americans who are physically handicapped.

(Adopted by the National Council on the Arts, September 15, 1973.)

PROGRAM CATEGORIES

PROFESSIONAL THEATRE COMPANIES

Eligibility. "Professional Theatre Companies" include Resident Professional Theatres and other professional theatre institutions of a permanent nature with yearly operating budgets of at least $200,000.

DEADLINE: JANUARY 15, 1976

At least two years of continuous operation as a full professional theatre. A performing season of at least five months, with residency in one location for this period of time.

The theatre must operate under an Equity contract, or pay equivalent salaries.

Areas of Support. Listed below are suggested categories of support. Other requests outside these areas may be considered as well.

(1) Artistic Development. *Production Support* for programs related to the achievement of quality in performance and artistic direction, including increased rehearsal time.

Staff Development for artistic personnel such as directors, performers, technical staff, etcetera.

New Play Production in cases where the new production involves costs considerably in excess of the normal production budget. This can include additional personnel, playrights' fees, physical production costs, added rehearsal time, commissioning fees, etcetera.

Playwright-in-Residence Programs.

(2) Administration. *Staff Development* for additional maangerial personnel. Exploration of new ways to improve earned and contributed income.

(3) Community Service Projects. Programs designed to reach larger and more diversified audiences in schools, inner city areas, local outlying communities. Educational programs involving joint planning between theatre and educational system, but only where there is a substantial financial contribution from the educational community.

Criteria. Applications will be reviewed according to the following:

Artistic quality.
Organizational stability.
Merit of project and theatre's capacity to undertake it.
Amount requested in relationship to overall budget of theatre.
Demonstrated need for support requested.
Regional consideration.

Applications should represent the genuine needs of the organization. Though the Endowment welcomes the development of new programs, it is equally concerned with the strengthening of existing activities. Organizations are not encouraged to extend their programs beyond their means to accomplish them.

Funding. Grants may range from $5,000 to a maximum of $150,000. In most instances, grants will be substantially less than the maximum amount. Applicants are particularly urged to budget realistically and present minimum figures of federal support needed to achieve the purpose of the project and high standards of artistic excellence. (Revisions of projects and budgets are time consuming for applicants and the Endowment.)

Endowment grants may be used to pay no more than half the cost of any project. All non-federal income may qualify as matching funds, but it is preferable that matching be from contributed rather than earned income and that wherever possible new sources of matching funds be sought.

The Endowment's Theatre Program expects that grants in excess of $75,000 in federal funds will generally be made through the Treasury Fund method.

Period of Support. No costs incurred prior to July 1, 1976 may be included in the 1976–1977 performing season grants. Generally the grant period will not extend beyond a one-year period.

DEVELOPMENTAL THEATRE—NEW PLAYS, NEW PLAYWRIGHTS, NEW FORMS

This program is designed to offer assistance to professional groups which concentrate on the creative development of the theatre artist, emphasizing new plays, new playwrights, new forms. Among these groups are:

DEADLINE: JANUARY 15, 1976

Theatres which perform the works of new playwrights and which present a season or series of new and/or avant-garde works.

Groups which specialize in developmental work with new playwrights. Groups which operate as a total theatre unit evolving original works out of a collaborative process.

Other types of alternative theatres may also be considered. Most theatres in this category will have operating budgets under $200,000.

Eligibility. At least two years of continuous operation under the same artistic direction prior to time of applying.

Professional orientation and standards. The Endowment recognizes that certain types of narrow professional definitions may not be relevant to theatres of this kind; however, this program is aimed to assist the committed theatre artist and is not intended for purely avocational non-professional groups.

Areas of Support. This program is aimed toward support of production, development of works-in-progress, and workshops. It includes support of:

(1) Salaries of actors and other professional staff.
(2) Playwrights' stipends and expenses.
(3) Production expenses.

Criteria. Applications will be reviewed according to the following:

Artistic quality.
Organizational stability.
Merit of project and theatre's capacity to undertake it.
Amount requested in relationship to overall budget of theatre.
Demonstrated need for support requested.
Regional consideration.

Funding. There are no minimum or maximum amounts in this program, but grants will generally not exceed $15,000–$20,000, *and most will be substantially less.*

Endowment grants may be used to pay no more than half the cost of any project. All non-federal income, including box office receipts, may qualify as matching funds. Wherever possible, new sources of matching funds should be sought.

Period of Support. No costs incurred prior to July 1, 1976 may be included in the 1976–1977 performing season grants. Generally the grant period will not extend beyond a one-year period.

PROFESSIONAL THEATER COMPANIES WITH SHORT SEASONS—DEADLINE: JANUARY 15, 1976

A pilot program for nonprofit professional theatre companies with seasons of less than five months was begun in fiscal 1975. Included are summer theatres, on-going festivals, and other specialized groups which do not meet the length of season and budgetary eligibility requirements of the Professional Theatre Companies Program category, but are eligible in all other respects.

Eligibility. At least two years of continuous operation as a full professional theatre. The theatre must operate under an Equity contract, or pay equivalent salaries.

Areas of Support. Listed below are suggested categories of support. Other requests outside these areas may be considered as well.

(1) Artistic Development. *Production Support* for programs related to the achievement of quality in performance and artistic direction, including increased rehearsal time.

Staff Development for artistic personnel such as directors, performers, technical staff, et cetera.

New Play Production in cases where the new production involves costs considerably in excess of the normal production budget. This can include additional personnel, playwrights' fees, physical production costs, added rehearsal time, commissioning fees, et cetera.

Playwright-in-Residence Programs.

(2) Administration. *Staff Development* for additional managerial personnel. Exploration of new ways to improve earned and contributed income.

(3) Community Service Projects. Programs designed to reach larger and more diversified

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audiences in schools, inner city areas, local outlying communities. Educational programs involving joint planning between theatre and educational system, but only where there is a substantial financial contribution from the educational community.

Criteria. Applications will be reviewed according to the following:
Artistic quality.
Organizational stability.
Merit of project and theatre's capacity to undertake it.
Amount requested in relationship to overall budget of theatre.
Demonstrated need for support requested.
Regional consideration.

Applications should represent the genuine needs of the organization. Though the Endowment welcomes the development of new programs, it is equally concerned with the strengthening of existing activities. Organizations are not encouraged to extend their programs beyond their means to accomplish them.

Funding. Grants will generally not exceed $15,000. Applicants are particularly urged to budget realistically and present minimum figures of federal support needed to achieve the purpose of the project and high standards of artistic excellence. (Revisions of projects and budgets are time consuming for applicants and the Endowment.)

Endowment grants may be used to pay no more than half the cost of any project. All non-federal income may qualify as matching funds, but it is preferable that matching be from contributed rather than earned income and that wherever possible new sources of matching funds be sought.

Period of Support. No costs incurred prior to July 1, 1976 may be included in the 1976–1977 performing season grants. Generally the grant period will not extend beyond a one-year period.

THEATRE FOR YOUTH—DEADLINE: MARCH 31, 1976

This program is designed for professional groups which offer dramatic presentation for children and young people from pre-primary grades through junior high school age (5 through 14). Professional theatre companies which have separate, and separately budgeted, children's theatres are eligible, as well as professional organizations which are engaged solely in theatre for youth.

Eligibility. At least two years of continuous operation as a full professional theatre. The theatre must operate under an Equity contract, or pay equivalent salaries.

Areas of Support.
(1) Production support,
(2) Staff development.
(3) Development of new dramatic material.
(4) Touring.

Criteria. Applications will be reviewed according to the following:

Artistic quality.
Organizational stability.
Merit of project and theatre's capacity to undertake it.
Amount requested in relationship to overall budget of theatre.
Demonstrated need for support requested.
Regional consideration.

Funding. There are no minimum or maximum grants in this program, but grants will generally not exceed $25,000 *and most will be less.*

Endowment grants may be used to pay no more than half the cost of any project. All non-federal income, including box office receipts, may qualify as matching funds. Wherever possible, new sources of matching funds should be sought.

Period of Support. No costs incurred prior to July 1, 1976 may be included in the 1976–1977 performing season grants. Generally the grant period will not extend beyond a one-year period.

SERVICES TO THE FIELD—DEADLINE: MARCH 31, 1976

This program offers matching grants to theatre service organizations which provide unique services to the field as a whole or to a particular sector of it. In general, only national organizations will be considered.

Eligibility. An organization must be in existence for a minimum period of two years. It must be able to furnish evidence of its value to the field served. It must demonstrate its ability to generate funding from non-government sources.

Areas of Support:
(1) Requests for support of specific projects are preferable to those for more general aid.

(2) Projects need not be new; support may be requested for the continuance and strengthening of existing projects.

Funding. Endowment grants may be used to pay no more than half the cost of any project. All non-federal income may qualify as matching funds. Whenever possible, new sources of matching funds should be sought.

STATE ARTS AGENCIES-THEATRE PROJECTS—DEADLINE: MARCH 31, 1976

State arts agencies, either individually or in regional groupings, are eligible to apply to the Thetre Program for special projects. The intent of the program is to permit states and regions to take better advantage of professional theatre resources within their areas so that a larger community can be served, and to assist in the development of professional theatre projects in areas where professional theatre is not available. The program does not encourage projects which might better be applied for within another category of the Theatre Program, and it requires substantial involvement and commitment on the part of state or regional arts agencies.

All grants will be matching, and at least a portion of the matching must come from state arts agency funds.

Areas of Support. These are suggested areas. Other requests may be considered as well.

(1) Local and/or regional touring involving professional theatre activities eligible under Theatre Program guidelines.

(2) Planning grants toward development of professional projects.

Funding. There are no minimum or maximum grants in this program. Amounts will be determined by the nature and scope of the project and the availability of funds.

Supplementary Information. A complete narrative description of the project on not less than two or more than five (8½ x 11) pages is required.

GENERAL PROGRAMS

Programs or projects of a non-performance nature which do not fit into any of the foregoing categories may be considered under General Programs. They may be one-time events or continuing programs, but in every case they must fit in with the overall Theatre Program guideline of being responsive to the needs and aims of the field.

PILOT PROGRAM—PROFESSIONAL THEATRE TRAINING

The Endowment's purpose is directed toward the development of a higher standard of professional theatre training. The pilot program is open to selected projects which will be of value to the field as a whole. Among these are projects which will:

(1) Increase communication among professional training institutions.

(2) Improve cooperation and create exchange between professional training institutions and professional theatres.

(3) Develop new master teachers.

(4) Find new sources of scholarship aid.

Other types of projects which can benefit the field as a whole may also be considered. Projects to aid training programs of a single institution will not be supported.

OTHER ENDOWMENT PROGRAMS OF INTEREST

VISUAL ARTS IN THE PERFORMING ARTS

The Endowment's Visual Arts Program offers a program of assistance to professional performing groups that wish to encourage the participation of outstanding artists who are not professional stage or costume designers in three areas:

(1) Design of costumes;
(2) Design of sets;
(3) Design of posters which advertise single productions or a season's offerings and have limited signed editions.

Application deadline for projects beginning after August 1976, is January 15, 1976. Application deadline for projects beginning after August 1977 is January 1, 1977. Application forms and appropriate guidelines may be obtained from the Visual Arts Program, National Endowment for the Arts, Washington, D.C. 20506.

OTHER PROGRAMS

The Endowment has many other programs for which guidelines are available. A copy of *Guide to Programs* may be obtained from the Program Information Office, National Endowment for the Arts, Washington, D.C. 20506. Guidelines for the Architecture+Environmental Arts/Cultural Facilities Program, Expansion Arts Program, and Literature Program/Fellowships for Creative Writers (Playwrights) may be of special interest to Theatre applicants.

APPLICATION PROCEDURES

If, after careful review of the guidelines, you feel that your activity falls within the scope of the Theatre Program, please mail triplicate together with all additional information requested, also in triplicate to: Grants Office, National Endowment for the Arts, Washington, D.C. 20506.

The fourth copy of the application should be retained for your records.

The application must be completed in full, including the project summary on page one. Do not exceed the space provided on application. The application must be signed by the artistic (or project) director as well as the appropriate authorizing official. Applicants are required to limit their requests to a single application form; however, requests for more than one project may be listed on the form, in which case supplementary individual project budgets must be submitted, each on a separate page. Failure to supply all the information requested will result in unavoidable delays that may adversely affect consideration of your proposal.

Applications must be postmarked no later than the deadline date listed under the appropriate category. The National Endowment regrets that because of review procedures, applications postmarked after the deadline date cannot be considered.

After an application is received, it will be reviewed as follows:

(1) The Endowment Theatre staff, the Theatre Advisory Panel, and the National Council on the Arts successively review the application.

(2) The applicant is then notified concerning final action taken by the Chairman of the Endowment.

Information regarding action taken on applications cannot be made available until after the groups listed above in Item I have made their recommendations and the Chairman of the Endowment has reached a final decision.

All inquiries in regard to the Theatre Program and application procedures for Theatre grants should be directed to: Theatre Program, National Endowment for the Arts, Washington, D.C. 20506 (202) 634-6367.

SUPPLEMENTARY INFORMATION

*All applicants must submit with their application the following in triplicate:

(1) A financial statement, audited where possible, for 1974–75 season (or comparable fiscal year); a complete operating budget for 1975–76 season; and projected operating budget for 1976–77 season (or year—each on a separate page. Earnings gap, that is, difference between earned income and operating budget, should be clearly shown; also net deficit, if any.

(2) A one to two (8½ to 11) page description of the project or program applied for. This must be signed by the artistic director.

(3) A copy of the organization's tax exemption determination letter from the Internal Revenue Service (even if such letter has been previously submitted).

(4) The Supplementary Information Sheet (page 17) completed in full. (Non-performance organizations should reply only to those questions which pertain to them.)

(5) The application must be signed by an official of the applicant organization with authority to legally obligate applicant. In addition, please be sure to *type* or *print* name and title of the Authorizing Official, Project Director, and Payee. All applications must be typed and one must be an original copy.

[FR Doc.76–1051 Filed 1–13–76;8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 76–4]

JAPAN ENGINEERING DEVELOPMENT CO.

Intent To Grant Foreign Exclusive Patent License

In accordance with the NASA Foreign Licensing Regulations, 14 CFR 1245.405 (e), the National Aeronautics and Space Administration announces its intention to grant to the Japan Engineering Development Company, Tokyo, Japan, an exclusive patent license in Japan for the NASA owned invention covered by the Japanese counterpart of U.S. Application for Patent Serial No. 574,219 for "High Resolution Fourier Interferometer Spectrophotopolarimeter", filed by NASA on May 5, 1975. Copies of the above U.S. Patent Application can be purchased from the National Technical Information Service, Springfield, Virginia, at a cost of $3.75 a copy. Interested parties should submit written inquiries or comments within 60 days to the Assistant General Counsel for Patent Matters, Code GP, National Aeronautics and Space Administration, Washington, D.C. 20546.

Dated: January 8, 1976.

S. NEIL HOSENBALL,
General Counsel.

[FR Doc. 76–753 Filed 1–13–76; 8:45 am]

*With the exception of state arts agencies, which must submit only No. 2 (project description).

NATIONAL SCIENCE FOUNDATION

ADVISORY PANEL FOR ENGINEERING CHEMISTRY AND ENERGETICS

Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92–463, the National Science Foundation announces the following meeting:

Name: Advisory Panel for Engineering Chemistry and Energetics.
Date: February 2 and 3, 1976.
Time: 9:30 a.m. each day.
Place: Rm. 321, National Science Foundation, 1800 G St. NW., Washington, D.C.
Type of meeting: Open.
Contact person: Dr. Charles E. Huckaba, Head, Engineering Chemistry and Energetics Section, Rm. 421, National Science Foundation, Washington, D.C. 20550, telephone (202) 632–5867.
Summary minutes: May be obtained from the Committee Management Coordination Staff, Management Analysis Office, Rm. 248, National Science Foundation, Washington, D.C.
Purpose of advisory panel: To provide advice and counsel concerning the status and new directions of Engineering Chemistry and Energetics.

AGENDA

FEBRUARY 2

Review of current funding in each of the five programs in the Section.
Areas which should be de-emphasized.
New areas in need of attention.

FEBRUARY 3

Balance of support activities among the several programs in the Section.
Review of administrative procedures as affecting grantees.

Dated: January 12, 1976.

GAIL A. MCHENRY,
Acting Committee Management Officer.

[FR Doc.76–1155 Filed 1–13–76;8:45 am]

ADVISORY PANEL FOR NEUROBIOLOGY

Meeting

In accordance with the Federal Advisory Committee Act, P.L. 92–463, the National Science Foundation announces the following meeting:

Name: Advisory Panel for Neurobiology.
Date: February 2 and 3, 1976.
Time: 9 a.m. each day.
Place: Rm. 338, National Science Foundation, 1800 G Street NW., Washington, D.C.
Type of meeting: Closed.
Contact person: Dr. James H. Brown, Program Director, Rm. 333, National Science Foundation, NW., Washington, D.C. 20550, telephone 202/634–4054.
Purpose of advisory panel: To provide advice and recommendations concerning support for research in neurobiology.
Agenda: To review and evaluate research proposals and projects as part of the selection process for awards.
Reason for closing: The proposals and projects being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within the exemptions of 5 U.S.C. 552(b), (4), (5) and (6).

Authority to close meeting: The determination made on February 21, 1975, by the Director of the National Science Foundation pursuant to provisions of section 10(d) of Pub. L. 92–463.

Dated: January 9, 1976.

GAIL A. MCHENRY,
Acting Committee Management Officer.

[FR Doc.76–1154 Filed 1–13–76;8:45 am]

NUCLEAR REGULATORY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS' SUBCOMMITTEE ON THE PEBBLE SPRINGS NUCLEAR POWER PLANT, UNITS 1 AND 2

Meeting

In accordance with the purposes of sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards' Subcommittee on the Pebble Springs Nuclear Power Plant, Units 1 and 2, will hold a meeting on January 30, 1976, at the Sheraton Inn, 8235 Northeast Airport Way, Portland, Oregon 97218. The purpose of this meeting will be to develop information for consideration by the ACRS in its review of the application of the Portland General Electric Company for a permit to construct this nuclear power plant. The proposed facility is located 4 miles southeast of the Columbia River and is approximately 3 miles east southeast of Arlington, Oregon.

The agenda for the subject meeting shall be as follows:

Friday, January 30, 1976, 8:30 a.m. The Subcommittee will meet in closed Executive Session, with any of its consultants who may be present, to explore their preliminary opinions, based upon their independent review of safety reports, regarding matters which should be considered during the open session in order to formulate a Subcommittee report and recommendations to the full Committee.

9:00 a.m. until the conclusion of business. The Subcommittee will hear presentations by representative of the NRC Staff and the Portland General Electric Company and will hold discussions with these groups pertinent to its review of the application of the Portland General Electric Company for a permit to construct the Pebble Springs Nuclear Power Plant, Units 1 and 2.

At the conclusion of the open session, the Subcommittee will caucus in a brief, closed session to determine whether the matters identified in the initial closed session have been adequately covered and whether the project is ready for review by the full Committee. During the session Subcommittee members and consultants will discuss their final opinions and recommendations on these matters. Upon conclusion of this caucus, the Subcommittee will meet again in brief open session to announce its determination.

In addition to these closed deliberative sessions, it may be necessary for the Subcommittee to hold one or more closed

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sessions for the purpose of exploring with the NRC Staff and Applicant matters involving proprietary information, particularly with regard to specific features of the plant design and plans related to plant security.

I have determined, in accordance with subsection 10(d) of Pub. L. 92–463, that it is necessary to conduct the above closed sessions to protect the free interchange of internal views in the final stages of the Subcommittee's deliberative process (5 U.S.C. 552(b)(5)) and to protect confidential proprietary or plant security information (5 U.S.C. 552(b)(4)). Separation of factual material from individuals' advice, opinions, and recommendations while closed Executive Sessions are in progress is considered impractical.

Practical considerations may dictate alterations in the above agenda or schedule. The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that, in his judgment, will facilitate the orderly conduct of business, including provisions to carry over an incompleted open session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda items may do so by providing a readily reproducible copy to the Subcommittee at the beginning of the meeting. Comments should be limited to safety related areas within the Committee's purview.

Persons desiring to mail written comments may do so by sending a readily reproducible copy thereof in time for consideration at this meeting. Comments postmarked no later than January 23, 1976, to Mr. R. Muller, ACRS, NRC, Washington, DC, will normally be received in time to be considered at this meeting.

Background information concerning items to be considered at this meeting can be found in documents on file and available for public inspection at the NRC Public Document Room, 1717 H St. NW., Washington, D.C. 20555, and at the City Hall, P.O. Box 356, Arlington, Oregon 97812.

(b) Those persons wishing to make an oral statement at the meeting should make a written request to do so, identifying the topics and desired presentation time so that appropriate arrangements can be made. The Committee will receive oral statements on topics relevant to the Committee's purview at an appropriate time chosen by the Chairman of the Subcommittee.

(c) Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call on January 27, 1976, to the Office of the Executive Director of the Committee (telephone 202/634–1413, Attn: Mr. R. Muller) between 8:15 a.m. and 5 p.m., e.s.t.

(d) Questions may be propounded only by members of the Subcommittee and its consultants.

(e) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(f) Persons with agreements or orders permitting access to proprietary information,, other than plant security information, may attend portions of ACRS meetings where this material is being discussed upon confirmation that such agreements are effective and relate to the material being discussed.

The Executive Director of the ACRS should be informed of such an agreement at least three working days prior to the meeting so that the agreement can be confirmed and a determination can be made regarding the applicability of the agreement to the material that will be discussed during the meeting. Minimum information provided should include information regarding the date of the agreement, the scope of material included in the agreement, the project or projects involved, and the names and titles of the persons signing the agreement. Additional information may be requested to identify the specific agreement involved. A copy of the executed agreement should be provided to Mr. R. Muller of the ACRS Office, prior to the beginning of the meeting.

(g) A copy of the transcript of the open portion of the meeting will be available for inspection on or after February 6, 1976, at the NRC Public Document Room, 1717 H St. NW., Washington, D.C. 20555, and at the City Hall, P.O. Box 356, Arlington, Oregon 97812. Copies of the minutes of the meeting will be made available for inspection at the NRC Public Document Room, 1717 H St. NW., Washington, D.C. 20555, after May 3, 1976. Copies may be obtained upon payment of appropriate charges.

Dated January 8, 1976.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.76–1040 Filed 1–13–76;8:45 am]

[Docket No. 50–324]

CAROLINA POWER & LIGHT CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 9 to Facility Operating License No. DPR–62 issued to Carolina Power & Light Company for operation of the Brunswick Steam Electric Plant, Unit 2, located in Brunswick County, North Carolina. The amendment is effective as of its date of issuance.

This amendment revises the provisions in the Technical Specifications relating to the off-site review and audit function.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated October 14, 1975, (2) Amendment No. 9 to License No DPR–62 with Change No. 8 and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Southport-Brunswick County Library, 109 W. Moore Street, Southport, North Carolina 28461.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director Division of Reactor Licensing

Dated at Bethesda, Md., this 6th day of January, 1976.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch No. 1, Division of Reactor Licensing.

[FR Doc.76–1038 Filed 1–13–76;8:45 am]

[Docket No. 50–358]

CINCINNATI GAS AND ELECTRIC CO., ET AL. (WILLIAM H. ZIMMER NUCLEAR POWER STATION, UNIT 1)

Location of Special Prehearing Conference

The Atomic Safety and Licensing Board on December 24, 1975, issued an Order to convene a special prehearing conference in this proceeding at 12 noon, local time, on January 23, 1976, at a location to be designated by later Order in Cincinnati, Ohio.

Wherefore, it is ordered, In accordance with the Atomic Energy Act, as amended, and the rules of practice of the Commission, particularly § 2.751(a) (10 CFR), a special prehearing conference shall convene at 12 noon, local time, on Friday, January 23, 1976, in a Courtroom in the Annex to the Hamilton County Courthouse. Entrance to the Courtroom can be made through the Court Administrator's Office, Room 332, Hamilton County Courthouse, 1000 Main Street, Cincinnati, Ohio 45202.

Issued: January 7, 1976, Bethesda, Md.

ATOMIC SAFETY AND LICENSING BOARD,
SAMUEL W. JENSCH,
Chairman.

[FR Doc.76–1043 Filed 1–13–76;8:45 am]

[Docket No. STN 50–482]

KANSAS GAS AND ELECTRIC CO. AND KANSAS CITY POWER AND LIGHT CO. (WOLF CREEK GENERATING STATION, UNIT NO. 1)

Time and Location of Hearing

The Atomic Safety and Licensing Board has determined from a telephone conference call with attorneys for parties that a convenient date for the parties to convene an evidentiary hearing in this proceeding is January 26, 1976, in Kansas City, Missouri. Convenient travel arrangements will permit the hearing to convene at 12 noon and to continue until 6 p.m., to thus provide the usual full day of hearing time.

Wherefore it is ordered, In accordance with the Atomic Energy Act, as amended, and the rules of practice of the Nuclear Regulatory Commission the next session of evidentiary hearings in this proceeding shall convene at 12 noon on January 26, 1976, in Room 205 of the Jackson County Legislative Chambers, Jackson County Courthouse, 415 East 12th Street, Kansas City, Missouri 64106.

Issued: January 8, 1976, Bethesda, Md.

ATOMIC SAFETY AND LICENSING BOARD,
SAMUEL W JENSCH,
Chairman.

[FR Doc.76–1036 Filed 1–13–76;8:45 am]

[Docket No. STN 50–437]

OFFSHORE POWER SYSTEMS

Availability of Draft Environmental Statement for the Siting and Operation of Floating Nuclear Power Plants: Extension of Comment Period

The NRC requested comments on the Draft Environmental Statement for the siting and operation of floating nuclear power plants in a notice published December 10, 1975 (40 FR 57520). The period for comment on that statement is hereby extended from January 26, 1976 to March 11, 1976.

Dated at Rockville, Md., this 6th day of January 1976.

For the Nuclear Regulatory Commission.

GEORGE W. KNIGHTON,
Chief, Environmental Projects Branch 1, Division of Site Safety and Environmental Analysis.

[FR Doc.76–1044 Filed 1–13–76;8:45 am]

[Docket No. 50–277]

PHILADELPHIA ELECTRIC CO. (PEACH BOTTOM ATOMIC POWER STATION, UNIT 3)

Order for Modification of License

I. Philadelphia Electric Company (PECO or Licensee) is the holder of Facility Operating License No. DPR–56 which authorizes operation of Peach Bottom Atomic Power Station Unit 3 (Unit 3 or the Facility) at steady-state reactor core power levels not in excess of 3293 megawatts thermal (rated power). The Facility is a boiling water reactor (BWR) located at the Licensee's site in Peach Bottom, York County, Pennsylvania.

II. 1. On July 23, 1975, the Nuclear Regulatory Commission (the Commission) issued an "Order for Modification of License" (40 FR 32179 of July 31, 1975) which confirmed a plan for limited additional operation of the Facility. As explained in the Order of July 23, 1975, the Facility's channel box wear, as indicated by the noise-to-signal ratio recorded by the traversing incore probe (TIP), had exceeded the threshold for remedial action. The remedial action, confirmed by the Order, limited operation of the Facility at not more than 40 percent of rated core flow and with a maximum fuel bundle power of 3.35 MWt. In addition, the Order permitted operation up to full flow and power for a brief period of time needed to collect flow vibration data and to conduct fuel preconditioning. The Order further stipulated that the Licensee was to shutdown the facility following approximately 45 equivalent full flow days from June 2, 1975, unless within that period certain specified tests have been completed which demonstrated the efficacy of the 40 percent flow limit.

2. By letter dated December 24, 1975,[1] the Licensee proposed a plan, previously discussed with the NRC staff, setting forth a course of remedial action, which would allow operation with flow rates above 40 percent of rated flow and maximum bundle power above 3.35 MWt. The plan would involve shutdown of the reactor and appropriate replacement of worn channel boxes and plugging of the core support plate bypass holes.

3. By its letter dated December 29, 1975,[2] the Licensee provided details relating to the fuel channel inspection program and the installation of core bypass flow plugs in the lower core plate and supplied analyses to demonstrate the adequacy of the procedures for plug installation.

4. The installation of the core bypass flow plugs in the lower core plate is designed to reduce the instrument tube-channel box interaction that produced unacceptable wear. The Commission's Safety Evaluations for the plant modifications performed on the Duane Arnold and Vermont Yankee reactors, list a total of 75 channels that were inspected for wear during normal refueling outages in seven plants that have instrument thimbles similar to those in Peach Bottom Unit 3, but that do not have flow bypass holes. The bypass flow for these plants enters through clearances in the fuel assembly and fittings which are similar to the proposed Peach Bottom Unit 3 configuration with plugged bypass flow holes. For this configuration, no significant wear was observed at the corners of the channel boxes adjacent to the instrument thimbles.

5. Plugs identical to those proposed for Peach Bottom Unit 3 had previously been installed in the Vermont Yankee and Pilgrim reactors in 1973 and 1974, respectively, to eliminate the vibration of temporary control curtains that caused channel box wear in those reactors. They have also been installed in the Duane Arnold, Vermont Yankee, Cooper and Peach Bottom Unit 2 reactors to mitigate channel box wear. The plugs in the Vermont Yankee reactor were installed in 1973 and, were removed after ten months of successful service, at the time that the temporary control curtains were removed. In addition, the General Electric Company has conducted tests to demonstrate the adequacy of the plug design. These tests included full flow mockup tests which demonstrated negligible leakage flow through the plugged holes. The NRC staff has reviewed the design, the testing, and the previous experience with the proposed plugs in the Vermont Yankee and Pilgrim reactors, and in its concurrently issued Safety Evaluation of Mechanical Plugs to be Inserted in Peach Bottom Unit 3, the staff concluded that the mechanical design of the proposed bypass flow plugs is acceptable and that the plugs will reduce the vibration of the instrument thimbles caused by flow through the bypass holes and that installation of the plugs should be authorized. Subsequent operation of the facility with the plugs installed is under review. Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations in 10 CFR Parts 2 and 50,

It is ordered, That Facility Operating License No. DPR–56 is hereby amended by substituting the following provisions for the provisions set out in Appendix A to the Commission's Order for Modification of License dated July 23, 1975:

1. Peach Bottom Atomic Power Station Unit 3 is hereby authorized to install bypass hole plugs in the Facility's lower core plate as specified in the concurrently issued Amendment No. 13 to the Facility License No. DPR–56.

Dated at Bethesda, Md., this 7th day of January 1976.

For the Nuclear Regulatory Commission.

BEN C. RUSCHE,
Director, Office of Nuclear Reactor Regulation.

[FR Doc.76–1039 Filed 1–13–76;8:45 a.m.]

[1] Copies of (1) the December 24, 1975, filing by the Licensee, and (2) the NRC staff Safety Evaluation of Mechanical Plugs to be Inserted in Peach Bottom Unit 3 and the documents referenced therein, are available for public inspection in the Commission's Public Document Room, 1717 H. Street NW., Washington, D.C., and are being placed in the Martin Memorial Library, 180 E. Market Street, York, Pennsylvania.

[2] The December 29, 1975, filing by the Licensee entitled "Peach Bottom Atomic Power Station Unit 3 Channel Inspection and Safety Analysis with Bypass Holes Plugged" is available for public inspection in the Commission's Public Document Room, 1717 H. Street NW., Washington, D.C., and is being placed in the Martin Memorial Library, 180 E. Market Street, York, Pennsylvania.

[Docket No. 50-278]

PHILADELPHIA ELECTRIC CO., ET AL.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. ---- to Facility Operating License No. DRP-56 issued to Philadelphia Electric Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, and Atlantic City Electric Company for operation of the Peach Bottom Atomic Power Station, Unit 3, located in Peach Bottom, York County, Pennsylvania. The amendment is effective as of its date of issuance.

The amendment modifies the license to authorize modifications that will improve the functioning of the Low Pressure Coolant Injection System (LPCIS) of the Emergency Core Cooling System (ECCS). This amendment is in partial response to the licensees' application dated July 9, 1975, and Supplement dated September 10, 1975.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with this action was published in the FEDERAL REGISTER on August 18, 1975 (40 FR 34647). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment date July 9, 1975 and Supplement dated September 10, 1975, (2) Amendment No. ? to License No. DPR-56, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Martin Memorial Library, 159 E. Market Street, York, Pennsylvania 17401.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 30 day of December, 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Reactor Licensing.

[FR Doc.76-1043 Filed 1-13-76;8:45 am]

[Docket Nos. 50-266 and 50-301]

POINT BEACH NUCLEAR PLANT UNITS 1 AND 2

Negative Declaration Regarding Proposed Changes to Technical Specifications of License Nos. DPR-24 and DPR-27

The Nuclear Regulatory Commission (the Commission) has considered the issuance of changes to Facility Operating License Nos. DPR-24 and DPR-27 for Point Beach Nuclear Plants Units 1 and 2 in Manitowoc County, Wisconsin. These changes would authorize the licensees, Wisconsin Electric Power Company and Wisconsin Michigan Power Company, to operate the Point Beach Nuclear Plant Units 1 and 2 with certain revisions to the present limiting conditions for operation specified in Appendix A of the referenced licenses. These revisions would result from the implementation of the Acceptance Criteria For the Emergency Core Cooling Systems For Light Water Nuclear Power Reactors (ECCS) as specified in Section 50.46 of 10 CFR Part 50. The proposed change would be made in conjunction with a partial refueling of Unit 1. No revisions to the Environmental Technical Specifications (Appendix B) were requested in connection with this proposed change.

The Commission's Division of Reactor Licensing has appraised the expected environmental impact of the proposed changes. On the basis of this appraisal, the Commission has concluded that an environmental impact statement for this particular action is not warranted because there will be no environmental impact attributable to the proposed action other than those impacts described in the Gommissions Final Environmental Statement, issued May 1972, concerning the operation of Point Beach Units 1 and 2.

The environmental impact appraisal is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Documents Department, Library, University of Wisconsin—Stevens Point, Stevens Point, Wisconsin 54481.

Dated at Rockville, Md., this 16th day of December, 1975.

For the Nuclear Regulatory Commission.

GORDON K. DICKER,
Chief, Environmental Projects Branch 2, Division of Reactor Licensing.

[FR Doc.76-1042 Filed 1-13-76;8:45 am]

[License No. 32-16736-01E]

SECURITY ENGINEERING, INC.

Issuance of Byproduct Material License

Please take notice that the Nuclear Regulatory Commission (NRC) has, pursuant to § 32.26 of 10 CFR Part 32, issued License No. 32-16736-01E to Security Engineering, Inc., 4432 Woodlark Court, Clemmons, North Carolina 27012, which authorizes the distribution of Models 74A and 74AP smoke detectors to persons exempt from requirements for a license pursuant to § 30.20 of 10 CFR Part 30.

1. The devices are designed to detect incipient fires by responding to the products of combustion produced by thermal decomposition of building materials or contents prior to the appearance of visible smoke, flame, or appreciable heat. The sensitive element of each device is an ionization chamber in which air flowing into the chamber is made conductive by alpha particles emitted by americium-241.

2. The byproduct material incorporated in the ionization chamber of each device is americium-241 in the oxide form contained in foils manufactured by Nuclear Radiation Developments, Inc. (Model A-001). The nominal total activity contained in a unit is 2.0 microcuries.

3. Each exempt unit will have a label identifying the manufacturer (Security Engineering, Inc.) and the byproduct material (americium-241) contained in the unit and recommending that the unit be returned to the manufacturer for repair or disposal.

A copy of the license and the license application containing additional information are available for public inspectation at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C.

Dated at Bethesda, Maryland December 29, 1975.

For the Nuclear Regulatory Commission.

BERNARD SINGER,
Chief, Materials Branch, Division of Fuel Cycle and Material Safety.

[FR Doc.76-1037 Filed 1-13-76;8:45 am]

[Dockets Nos. 50-266 and 50-301]

WISCONSIN ELECTRIC POWER CO. AND WISCONSIN MICHIGAN POWER CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 13 and 17 to Facility Operating Licenses Nos. DPR-24 and DPR-27 issued to Wisconsin Electric Power Company and Wisconsin Michigan Power Company, which revised Technical Specifications for operation of the Point Beach Nuclear Plant Units Nos. 1 and 2, located in the town of Two Creeks, Manitowoc County, Wisconsin.

The amendment will (1) clarify the Technical Specifications regarding boric acid system flow path requirements, (2) modify the Technical Specifications to acknowledge recirculation as a means for maintaining the solubility of the boric acid in portions of the boric acid system, and (3) add boric acid system surveillance requirements to the Technical Specifications.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the applications for amendment dated May 5, 1973, August 30, 1974, and July 15, 1975, (2) Amendments Nos. 13 and 17 to License Nos. DPR-24 and DPR-27, with Changes Nos. 18 and 23, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Document Department—University of Wisconsin-Stevens Point Library, Stevens Point, Wisconsin 54481.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 29th day of December, 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Reactor Licensing

[FR Doc.76-1040 Filed 1-13-76;8:45 am]

[Dockets Nos. 50-266 and 50-301]

WISCONSIN ELECTRIC POWER CO. AND WISCONSIN MICHIGAN POWER CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commisison) has issued Amendments Nos. 14 and 18 to Facility Operating Licenses Nos. DPR-24 and DPR-27 issued to Wisconsin Electric Power Company and Wisconsin Michigan Power Company, which revised Technical Specifications for operation of the Point Beach Nuclear Plant Units Nos. 1 and 2, located in the town of Two Creeks, Manitowac County, Wisconsin.

These amendments: (1) Incorporate operating limits in the Technical Specifications for the facilities based on an acceptable evaluation model that conforms with the requirements of Section 50.46 of 10 CFR Part 50, and (2) modify certain Unit 1 operating limits to reflect the results of the cycle 4 core performance analysis.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with item (1) above was published in the FEDERAL REGISTER on August 7, 1975 (40 FR 33290) and Notice of Proposed Issuance of Amendment to Facility Operating License in connection with items (2) and (3) above was published in the FEDERAL REGISTER on November 21, 1975 (40 FR 54311). No request for a hearing or petition for leave to intervene was filed following notices of the proposed actions.

For further details with respect to this action, see: (1) The applications for amendment dated September 6, 1974, June 26, 1975, and October 6, 1975, and supplements dated December 6, 1974, May 7, November 5, November 26, and December 15 and 18, 1975, (2) Amendments Nos. 14 and 18 to Licenses Nos. DPR-24 and DPR-27 with Changes Nos. 19 and 24, (3) the Commission's concurrently issued related Safety Evaluation, and (4) the Commission's Negative Declaration dated December 16, 1975 (which is also being published in the FEDERAL REGISTER), and associated Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Document Department, University of Wisconsin-Stevens Point Library, Stevens Point, Wisconsin. A single copy of items (2), (3), and (4) may be obtained upon request addressed to the Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 24th day of December, 1975.

For the Nuclear Regulatory Commission.

DONALD M. ELLIOTT,
Acting Chief, Operating Reactors Branch No. 3, Division of Reactor Licensing.

[FR Doc.76-1041 Filed 1-13-76;8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

[TA-W-282]

MANDLEBAUM COAT CO.

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-282: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on November 4, 1975, in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suits and sportcoats at the Mandlebaum Coat Company, New York, New York.

The notice of investigation was published in the FEDERAL REGISTER on November 19, 1975 (40 FR 53644). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Mandlebaum Coat Company, its customers, the Clothing Manufacturers Association of the U.S.A., the U.S. International Trade Commission, the U.S. Department of Commerce, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. The average number of production workers at Mandlebaum Coat Company declined 30 percent in the first nine months of 1975 compared to the first nine months of 1974. Average hours worked by production workers declined 13 percent in the first nine months of 1975 compared to the same period in 1974.

Sales or production, or both, have decreased absolutely. Production at Mandlebaum Coat Company declined 42 percent in the first nine months of 1975 compared to the first nine months of 1974.

Increased imports contributed importantly. Imports of boys' and men's suits increased from 1.4 million units in 1970 to 1.9 million units in 1974. The ratios of imports to domestic consumption and production increased from 8.6 percent and 9.4 percent respectively in 1972 to 9.0 percent and 8.9 percent respectively in 1974. The imports to production ratio rose from 7.7 percent in the first seven

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months of 1974 to 22.1 percent in the first seven months of 1975.

Imports of men's and boys' sportcoats increased from 4.2 million units in 1972 to 4.8 million units in 1974. The ratios of imports to domestic consumption and production increased from 14.6 percent and 17.1 percent respectively in 1972 to 18.2 percent and 22.3 percent respectively in 1974. The imports to production ratio increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1973.

Evidence developed during the Department's investigation indicates that the men's domestic clothing industry has been adversely affected by increased imports from low wage areas. Mandlebaum Coat Company stitches men's suit coats and sportcoats exclusively for one company. Major customers of that company reduced purchases of the company's men's clothing because of the availability of less expensive imported clothing of high quality and greater styling appeal. Increased purchases of imports by that company's customers caused it to substantially reduce its orders to Mandlebaum during the first nine months of 1975. As a result, Mandlebaum, beginning in the first quarter of 1975, has cutback production, separated employees, and reduced hours of work.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suit and sportcoats produced by Mandelbaum Coat Company contributed importantly to the total or partial separations of the workers of that firm. In accordance with the provision of the Trade Act of 1974, I make the following certification:

All hourly, piecework, and salaried employees at the New York, New York plant of Mandlebaum Coat Company, who became totally or partially separated from employment on or after February 22, 1975, are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 7th day of January, 1976.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-1033 Filed 1-13-76;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 949]

ASSIGNMENT OF HEARINGS

JANUARY 9, 1976.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 55896 Sub-47, R-W-Service System, Inc., and MC 106674 Sub-157, Schilli Motor Lines, Inc., now being assigned March 2, 1976 (1 day), at Chicago, Ill.; in a hearing room to be later designated.

MC 124947 Sub-40, Machinery Transports, Inc., now being assigned March 2, 1976 (1 day), at Chicago, Ill.; in a hearing room to be later designated.

MC 114457 Sub-238, Dart Transit Company, now being assigned March 3, 1976 (2 days), at Chicago, Ill.; in a hearing room to be later designated.

MC 140918, Roger P. Mann d/b/a R.P.M. Trucking Service, now being assigned March 4, 1976 (1 day), at Chicago, Ill.; in a hearing room to be later designated.

MC 141015, Triangle Trucking Co., Inc., now assigned February 5, 1976, at Baltimore, Maryland, will be held in Room G 30, Federal Bldg., Charles Center, 31 Hopkins Plaza.

MC 130302, Eastern Ski Tours, Inc., now assigned February 2, 1976, at Philadelphia, Pa., will be held in William J. Green, Jr., Federal Bldg., 600 Arch Street.

MC-C-8555, S. & C. Corporation, DBA Piedmont Tours v. Mrs. Charles Hodgens, Individual, DBA Tour of the Month Club, now assigned January 22, 1976, at Columbia, S.C., is canceled and reassigned for March 4, 1976 (2 days), at Columbia, S.C., Municipal Courthouse, Courtroom 4, 2nd Floor, 811 Washington Street.

FD 27992, Flowers Transportation, Inc., Greenville, Mississippi, Transferee and Waxler, Towing Company, Incorporated, Memphis, Tennessee, Transferor, now being assigned hearing January 22, 1976, in Room 978, Federal Building, 167 North Maine Street, Memphis, Tenn.

MC 108676 Sub-82, A. J. Metler Hauling and Rigging, Inc., and MC 115311 Sub-181, J & M Transportation Co., Inc., now being assigned February 6, 1976 (1 day), at Chicago, Ill., in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-1140 Filed 1-13-76;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

JANUARY 9, 1976.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1100.40) and filed on or before January 29, 1976.

FSA No. 43109—*Newsprint Paper from Trois Rivieres, Quebec, Canada.* Filed by Traffic Executive Association-Eastern Railroads, Agent (E.R. No. 3048), for interested rail carriers. Rates on paper, newsprint, in carloads, as described in the application, from Trois Rivieres, Quebec, Canada, to Miami and Pompano Beach, Florida.

Grounds for relief—Water competition.

Tariff—Supplement 48 to Canadian Freight Association tariff 760, I.C.C. No. 325. Rates are published to become effective on February 15, 1976.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-1141 Filed 1-13-76;8:45 am]

FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JANUARY 9, 1976.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by § 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall *not* be addressed to or filed with the Interstate Commerce Commission.

Iowa Docket No. MV-A-75-103, filed December 12, 1975. Applicant: VAN WYK FREIGHT LINES, INC., 1018 Washington Street, Grinnell, Iowa 50112. Applicant's representative: Russell H. Wilson, 3939 Merle Hay Rd., Des Moines, Iowa 50310. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: To operate as a motor carrier and as a single state interstate operator between Van Horne, Vinton, Clutier, Elberon, Tampa, Chelsea, Toledo, Traer, Dysart, Belle Plaine, Luzerne, Garrison, Keystone, Blairstown, Victor, Watkins, Ladora, Atkins, Marengo, Norway, Newhall, Hartwick, Irving, South Amana, Homestead and those points the applicant is authorized to serve under Certificate No. 1063 and Certificate of Registration No. MC 121661. Intrastate, interstate and foreign commerce authority sought.

Hearing: Date, time and place scheduled for January 28, 1976, at 10 a.m., at 300 Fourth Street, 7th Floor, Valley Bank Building, Des Moines, Iowa. Requests for procedural information should be addressed to the State of Iowa, Department of Transportation, Office of Operating Authority. State Office Building, 300 Fourth Street, Des Moines, Iowa 50319 and should *not* be directed to the Interstate Commerce Commission.

Tennessee Docket No. MC 4610 (Sub-No. 6), filed November 4, 1975. Applicant: HUMBOLDT EXPRESS, INC., P.O. Box 11080, 345 Hill Avenue, Nashville, Tenn. 37211. Applicant's representative: Walter Harwood, P.O. Box 15214, Nashville, Tenn. 37215. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of *General commodities* (except household goods, Classes A and B explosives, commodities in bulk, those of unusual value and those requiring special equipment), between Greenville, and Kingsport, Tenn.; From Greenville, Tenn. over Tennessee Highway 70 to junction U.S. Highway 11-W, thence over U.S. Highway 11-W to Kingsport, Tenn. and return over the same route, serving all intermediate points. Said authority to be used in conjunction with all of applicant's existing authority. Intrastate, interstate and foreign commerce authority sought.

Hearing: Data, time and place scheduled on Febraury 24, 1976, at 9:30 a.m. local time, in the Conference Room of the Holston Electric Cooperative, 1200 West Main Street, Rogersville, Tenn. Requests for procedural information should be addressed to the Tennessee Public Service Commission, C1-102 Cordell Hull Building, Nashville, Tenn. 37219 and should *not* be directed to the Interstate Commerce Commission.

Tennessee Docket No. MC 6523, filed Decmeber 5, 1975. Applicant: MOUNTAIN EXPRESS, INC., 4804 Blackman Court, Nashville, Tenn. 37211. Applicant's representtaive: Edward C. Blank II, P.O. Box 1004, Columbia, Tenn. 38401. Certificate of Public Convenience and Necessity sought to operate as a freight service as follows: Transportation of *Commercial freight property*, between Cumberland County and Davidson County and Knox County over Interstate Highway 40, restricted against through service between Davidson County to Knox County and connecting Interstate authority. Intrastate, interstate and foreign commerce authority sought.

HEARING: Date, time and place scheduled for February 26, 1976, at 9:30 a.m., local time, in Room C1-110, Cordell Hull Building, Nashville, Tenn. 37219. Requests for procedural information should be addressed to the Tennessee Public Service Commission, Room C1-102, Cordell Hull Building, Nashville, Tenn. 37219, and should *not* be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-1142 Filed 1-13-76;8:45 am]

[Notice 2]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JANUARY 9, 1976.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969 (49 CFR 1042.4(c)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(c)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 2202 (Deviation No. 150), ROADWAY EXPRESS, INC., P.O. Box 471, 1077 Gorge Blvd., Akron, Ohio 44309, filed December 20, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Beckley, W. Va., over U.S. Highway 19 to junction Interstate Highway 79, thence over Interstate Highway 79 to junction U.S. Highway 19, thence over U.S. Highway 19 to Pittsburgh, Pa., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Beckley, W. Va., over U.S. Highway 21 to Parkersburg, W. Va., thence over U.S. Highway 50 to Belpre, Ohio, thence over Ohio Highway 7 to Marietta, Ohio, thence over U.S. Highway 21 to Cambridge, Ohio, thence over U.S. Highway 22 to Pittsburgh, Pa., and return over the same route.

No. MC 60580 (Deviation No. 3), MAISLIN TRANSPORT OF DELAWARE, INC., 7401 Newman Blvd., La Salle, Quebec, Canada, H8N1X4, filed December 30, 1975. Carrier's representative: Edward L. Nehes, 744 Broad St., Newark, N.J. 07102. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, over a deviation route as follows: From Easton, Pa., over Pennsylvania Highway 33 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 209, thence over U.S. Highway 209 to Interstate Highway 84, thence over Interstate Highway 84 to junction New York State Thruway, thence over New York State Thruway to Albany, N.Y., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Easton, Pa., over U.S. Highway 22 to junction U.S. Highway 1, thence over U.S. Highway 1 to New York, N.Y., thence over Truck U.S. Highway 1 to junction New Jersey Highway 17, thence over New Jersey Highway 17 to the New York State line, thence over New York Highway 17 to junction New York Highway 32, thence over New York Highway 32 to junction U.S. Highway 9W thence over U.S. Highway 9W to Albany, N.Y., and return over the same route.

No. MC 78786 (Deviation No. 12), PACIFIC MOTOR TRUCKING COMPANY, 9 Main St., San Francisco, Calif. 94105, filed December 30, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Klamath Falls, Oreg., over Oregon Highway 140 to junction Oregon Highway 62, thence over Oregon Highway 62 to Medford, Oreg., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a permanent service route as follows: From Klamath Falls, Oreg., over U.S. Highway 97 to junction Oregon Highway 58, thence over Oregon Highway 58 to junction Interstate Highway 5 (Oregon Highway 99) near Eugene, Oreg., thence over Interstate Highway 5 to Medford, Oreg., and return over the same route.

No. MC 80430 (Deviation No. 17), GATEWAY TRANSPORTATION CO., INC., 455 Park Plaza Drive, La Crosse, Wisc., 54601, filed December 29, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From St. Louis, Mo., over Interstate Highway 55 to junction U.S. Highway 61 near Cape Girardeau, Mo., thence over U.S. Highway 61 to junction Missouri Highway 34, thence over Missouri Highway 34 to junction Illinois Highway 146, thence over Illinois Highway 146 to junction Illinois Highway 3, thence over Illinois Highway 3 to junction U.S. Highway 51, thence over U.S. Highway 51 to junction U.S. Highway 45E near S. Fulton, Tenn., thence over U.S. Highway 45E to junction U.S. Highway 45 near Fairview, Tenn., thence over U.S. Highway 45 to junction U.S. Highway 72 near Corinth, Miss., thence over U.S. Highway 72 to junction Alabama Highway 157, thence over Alabama Highway 157 to junction U.S. Highway 31, thence over U.S. Highway 31 to junction U.S. Highway 278 near Cullman, Ala., thence over U.S. Highway 278 to Atlanta, Ga., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From St. Louis, Mo., over U.S. Highway 50 to Seymour, Ind., thence over Alternate U.S. Highway 31 to junction U.S. Highway 31, thence over U.S. Highway 31 to junction U.S. Highway 31E near Sellersburg, Ind., thence over U.S. Highway 31E to Louisville, Ky.,

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thence over U.S. Highway 31W to Nashville, Tenn., thence over U.S. Highway 41 to Atlanta, Ga., and return over the same route.

No. MC 108223 (Deviation No. 2), CENTURY-MERCURY MOTOR FREIGHT, INC., 2160 Mustang Drive, St. Paul, Minn. 55112, filed December 23, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Junction U.S. Highway 14 and Illinois Highway 23, over Illinois Highway 23 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Interstate Highway 90, thence over Interstate Highway 90 to Chicago, Ill., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From junction U.S. Highway 14 and Illinois Highway 23 over U.S. Highway 14 to Chicago, Ill., and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-1143 Filed 1-13-76;8:45 am]

[Notice 157]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JANUARY 14, 1976.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before February 3, 1976. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-75852. By order entered January 8, 1976, the Motor Carrier Board approved the transfer to North Penn Bus Lines, Inc., Ambler, Pa., of the operating rights set forth in Certificate No. MC 93475, issued October 31, 1956, to Howard L. Duckloe (Emma S. Duckloe, Executrix), Emma S. Duckloe, and Norman L. Duckloe, a partnership, doing business as Howard L. Duckloe & Son, Syncote, Pa., authorizing the transportation of passengers and their baggage, in the same vehicle with passengers, in groups of not less than 15, in charter operations, restricted to round-trip traffic, from points in Abington, Upper Moreland, Cressmont, and Jenkintown Townships, Montgomery County, Pa., to points in New Jersey and Delaware; and passengers and their baggage, in charter operations, restricted to round-trip traffic, from points in Cheltenham Township, Montgomery County, Pa., to points in New Jersey and Delaware. Edward T. Bresnan, 700 Valley Forge Plaza, King of Prussia, Pa. 19406, attorney for applicants.

No. MC-FC-75943. By order of January 9, 1976, the Motor Carrier Board approved, on reconsideration, the transfer to J. and R. Schugel Trucking, Inc., New Ulm, Minn., of Permits Nos. MC 116446 Sub 1, MC 116446 Sub 3, and MC 116446 Sub 5, issued by the Commission February 12, 1962, May 12, 1972, and April 18, 1975, respectively authorizing the transportation of animal and poultry feeds and feed ingredients, and feed from, to, and between specified points in Minnesota, Iowa, and Wisconsin. James H. Maleckl, Esquire, 1 South State Street, New Ulm, Minn. 56073.

No. MC-FC-75945. By order of January 9, 1976, the Motor Carrier Board approved, on reconsideration, the transfer to J. and R. Schugel Trucking, Inc., New Ulm, Minn., Certificate No. MC 125894 Sub 2 issued by the Commission June 21, 1974, to Jerry Schugel, doing business as Jerry Schugel Trucking, New Ulm, Minn., authorizing the transportation of dehydrated alfalfa from Le Center, Minn., to points in Wisconsin, restricted against service to or from Supersweet Division, International Multifoods Corporation. James H. Maleckl, Esquire, 1 South State Street, New Ulm, Minn. 56073.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-1144 Filed 1-13-76;8:45 am]

[Notice 158]

MOTOR CARRIER TRANSFER PROCCEDINGS

JANUARY 14, 1976.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-76252. By application filed December 19, 1975, P & J FURNITURE DELIVERY, INC., R.D. #10, York, Pa., seeks temporary authority to lease the operating rights of J. D. LEONARD, INC., through its receivers, Robert M. Strickler and Leroy M. Wherley, 212 North George Street, York, Pa., 17401, under section 210a(b). The transfer to P & J FURNITURE DELIVERY, INC., of the operating rights of J. D. LEONARD, INC., is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-1145 Filed 1-13-76;8:45 am]

[Notice 159]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 14, 1976.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) in transfer rules, 49 CFR Part 1132:

No. MC-FC-76283. By application filed December 12, 1975, ROBERTS CARTAGE OF OHIO, INC., 88 East Broad Street, Suite 930, Columbus, Ohio 43215, seeks temporary authority to lease the operating rights of ROBERTS CARTAGE, INC., 2088 South Arlington Street, P.O. Box 7162, Akron, Ohio 44306, under section 210a(b). The transfer to ROBERTS CARTAGE OF OHIO, INC., of the operating rights of ROBERTS CARTAGE, INC., is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-1146 Filed 1-13-76;8:45 am]

[Notice 160]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 14, 1976.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) in transfer rules, 49 CFR Part 1132:

No. MC-FC-76286. By application filed December 23, 1975, LEITGER BROTHERS, INC., 14 West Old Country Road, Hicksville, N.Y. 11801, seeks temporary authority to lease the operating rights of MASSOOD TRANSFER & STORAGE, INC., 32 Sears Drive, Wayne, N.J., under section 210a(b). The transfer to LEITGER BROTHERS, INC., of the operating rights of MASSOOD TRANSFER & STORAGE, INC., is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-1147 Filed 1-13-76;8:45 am]

[Notice 161]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 14, 1976.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-76289. By application filed December 30, 1975, SOUTHERN ILLINOIS TRANSPORTATION CORPORATION, 101 W. Vienna Anna, IL. 62906, seeks temporary authority to lease the operating rights of A & J FREIGHT SERVICE, INC., DBA A & J W, Gorham, IL. 62940, under section 210a(b). The transfer to SOUTHERN ILLINOIS TRANSPORTATION CORPORATION, of the operating rights of A & J W, is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-1148 Filed 1-13-76;8:45 am]

[Notice 162]

MOTOR CARRIER TRANSFER PROCCEDINGS

JANUARY 14, 1976.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-76290. By application filed December 31, 1975, JAMES M. NAYE, INCORPORATED, Delaware Avenue and Tasker Street, Philadelphia, PA. 19148, seeks temporary authority to lease the operating rights of H.T. CALLAGHAN, INC., 225 St. Marks Square, Philadelphia, PA. 19104, under section 210a(b). The transfer to JAMES M. NAYE, INCORPORATED, of the operating rights of H.T. CALLAGHAN, INC., is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76-1149 Filed 1-13-76;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY—ELIMINATION OF GATEWAY APPLICATIONS

JANUARY 9, 1976.

The following applications to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(d)(2)), and notice thereof to all interested persons is hereby given as provided in such rules.

Carriers having a genuine interest in an application may file an original and three copies of *verified statements* in opposition with the Interstate Commerce Commission on or before February 13, 1976. (This procedure is outlined in the Commission's report and order in *Gateway Elimination*, 119 M.C.C. 530.) A copy of the verified statement in opposition must also be served upon applicant or its named representative. The verified statement should contain all the evidence upon which protestant relies in the application proceeding including a detailed statement of protestant's interest in the proposal. No rebuttal statements will be accepted.

No. MC 55898 (Sub-No. 52G), filed December 10, 1975. Applicant: DECATO BROS., INC., P.O. Box 310, Heater Road, Lebanon, N.H. 03766. Applicant's representative: David M. Marshall, 135 State Street, Suite 200, Springfield, Mass. 01103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, (1) from points in Grafton, Coos, Carroll, Belknap, and Strafford Counties, N.H., to points in Pennsylvania, Ohio, Virginia, and West Virginia. The purpose of this filing is to eliminate the gateway of Berlin, N.H. (2) from points in Sullivan, Cheshire, Hillsboro, Merrimack, and Rockingham Counties, N.H., to points in Pennsylvania, Ohio, Virginia, West Virginia, Indiana, Illinois, Kentucky, Michigan, and Wisconsin. The purpose of this filing is to eliminate the gateway of Berlin, N.H. (3) from points in Vermont, to points in New York, Cleveland, Ohio, Wilmington, Del., Baltimore and Sparrows Point, Md., Scranton, Erie, Honesdale, and points in Haverford Township (Delaware County), Pa., and points in that part of Delaware County, Pa., south and east of a line beginning at the intersection of the western and northern boundaries of Upper Darby Township, and extending southward along Darby Creek to Bishop Avenue, thence south along Bishop Avenue to junction P.S. Highway 1, thence west along U.S. Highway 1 to junction Pennsylvania Highway 320, thence south along Pennsylvania Highway 320 to the corporate limits of Chester, thence west along the northern corporate limits of Chester to the easterly boundary of Upper Chichester Township, thence south along eastern boundary thereof to the southern boundary of said Township, thence west along the southern boundary of said Township to the Delaware State line, thence south along the Delaware State line to the Delaware River, thence northward along the Delaware River to the city limits of Philadelphia, thence westerly along the city limits of Philadelphia to Upper Darby Township to point of beginning. The purpose of this filing is to eliminate the gateways of Woodsville, Lakeport, and Salmon Falls, N.H., and White River Junction, Vt.

(4) From points in Vermont, to points in Pennsylvania, Ohio, Virginia, West Virginia, Illinois, Indiana, Kentucky, Michigan and Wisconsin. The purpose of this filing is to eliminate the gateway of Berlin, N.H. (5) from points in York and Cumberland and Counties, Maine, to points in Pennsylvania, West Virginia, and Virginia. The purpose of this filing is to eliminate the gateway of Berlin, N.H. (6) from points in Massachusetts, to points in Connecticut, Rhode Island, New York, Cleveland, Ohio, Wilmington, Del., Baltimore and Sparrows Point, Md., Scranton, Erie, Honesdale, and points in Haverford Township (Delaware County), Pa., and points in that part of Delaware County, Pa., south and east of a line beginning at the intersection of the western and northern boundaries of Upper Darby Township, and extending southward along Darby Creek to Bishop Avenue, thence south along Bishop Avenue to junction U.S. Highway 1, thence west along U.S. Highway 1 to junction Pennsylvania Highway 320, thence south along Pennsylvania Highway 320 to the corporate limits of Chester, thence west along the northern corporate limits of Chester to the easterly boundary of Upper Chichester Township, thence south along eastern boundary thereof to the southern boundary of said Township, thence west along the southern boundary of said Township to the Delaware State Line, thence south along the Delaware State Line to the Delaware River, thence northward along the Delaware River to the city limits of Philadelphia, thence westerly along the city limits of Philadelphia to Upper Darby Township, and thence westerly along the northern boundary of Upper Darby Township to point of beginning, and to Trenton, N.J., and points in that part of New Jersey on and north of a line extending eastward along New Jersey Highway 33 from Trenton through Robbinsville, Hights, town, Jerseyville, and Hamilton, N.J., to Ocean Grove, N.J., and points in Pennsylvania, West Virginia, Virginia, Kentucky, Ohio, Indiana, Illinois, Michigan, and Wisconsin. The purpose of this filing is to eliminate the gateways of Merrimack, Cheshire, Hillsboro, Sullivan, and Grafton Counties, N.H., and points in Vermont.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination Rules* (49 CFR Part 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before January 26, 1976. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will *not* operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 4405 (Sub-No. E8), filed June 4, 1974. Applicant: DEALERS TRANSIT, INC., P.O. Box 31, Lansing, Ill. 60438. Applicant's representative: Robert E. Joyner, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electric, precipitators* which, because of their size or weight, require the use of special equip-

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ment or handling, from points in Texas (Warren, Ohio, and points in Arkansas)*, New Mexico (points in Texas, Arkansas, Warren, Ohio*), Arizona (points in New Mexico, Texas, Arkansas, and Warren, Ohio)*, Nevada on and south of U.S. Highway 50 (points in Arizona, New Mexico, Texas, and Warren, Ohio), and California on and south of U.S. Highway 50 (points in Nevada on and south of U.S. Highway 50, Arizona, New Mexico, Texas, and Warren, Ohio), to points in New York, New Jersey, Pennsylvania, Delaware, Maryland, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine and the District of Columbia. The purpose of this filing is to eliminate the gateways indicated by the asterisks above.

No. MC 29886 (Sub-No. E36) (Correction), filed May 10, 1974, republished in the FEDERAL REGISTER October 3, 1975. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight require the use of special equipment or special handling, and *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, * * * (5) between points in Iowa, on the one hand, and, on the other, points in New Jersey, New York, Maine, Massachusetts, Vermont, Connecticut, New Hampshire, and Rhode Island. (Points in Michigan on and south of a line extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., thence along Business Route Interstate Highway 96 to Lansing, Mich., thence on and west of a line extending along U.S. Highway 127 to Jackson, Mich., thence along unnumbered highway (formerly portion U.S. Highway 127) to junction U.S. Highway 12, near Somerset Center, Mich., thence along U.S. Highway 12 to junction U.S. Highway 127 (near Somerset, Mich., thence along U.S. Highway 127, to the Michigan-Ohio State line; Indiana, and points in New York on and west of a line beginning at Rochester, N.Y., and extending along U.S. Highway 15 to junction Interstate Highway 390, to junction New York Highway 36, to junction New York Highway 39, to junction U.S. Highway 219, to the New York-Pennsylvania State line*). The purpose of this filing is to eliminate the gateway indicated by the asterisk above. The purpose of this partial correction is to reflect part (5) inadverently omitted from prior publications. The remainder of this letter-notice remains as previously published.

No. MC 29886 (Sub-No. E52) (Correction), filed May 31, 1974, published in FEDERAL REGISTER October 3, 1975. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 W. Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (other than truck tractors), which are contractors' equipment; (1) from those points in Pennsylvania on, south, and west of a line beginning at the Pennsylvania-Ohio State line and extending along Interstate Highway 80 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-Maryland State line, to points in Washington, Idaho, Oregon, California, Nevada, Utah, Arizona, and those in Montana on and west of U.S. Highway 89 and * * *. The purpose of this filing is to eliminate the gateway of Batavia, N.Y. The purpose of this correction is to correct (1) above. The remainder of this letter is to remain the same as previously published.

No. MC 29886 (Sub-No. E81) (Correction), filed May 23, 1974, published in FEDERAL REGISTER May 29, 1975, republished August 25, 1975. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such Commodities* which because of size or weight require the use of special equipment or special handling, and *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, * * * (b) between those points in Pennsylvania on and west of a line beginning at Erie, Pa., and extending along Interstate Highway 79 to junction Interstate Highway 76, to junction Pennsylvania Highway 8, to junction U.S. Highway 19, to junction Interstate Highway 70, to the Pennsylvania-West Virginia State line, on the one hand, and, on the other, points in Connecticut (except those south and west of a line beginning at Long Island Sound and extending along Connecticut Highway 58 to junction Interstate Highway 84, to the New York-Connecticut State line. The purpose of this filing is to eliminate the gateway of points in Massachusetts. The purpose of this partial correction is to clarify part (b). The remainder of the letter-notice remains as previously published.

No. MC 29886 (Sub-No. E87) (Correction), filed May 23, 1974, published in FEDERAL REGISTER May 29, 1975. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road construction and earth moving machines and equipment*, each weighing 15,000 pounds or more, and *road construction and earth moving machines and equipment*, which because of size or weight require special handling or the use of special equipment (except automobiles, trucks, buses, trailers, cabs, and chasses), from those points in Illinois on and north of U.S. Highway 36 to points in Pennsylvania (except those in Washington, Greene, and Fayette Counties), Maryland, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, those in Virginia on and east of a line beginning at the Virginia-Maryland State line and extending along U.S. Highway 522 to junction U.S. Highway 29, to the Virginia North Carolina State line, those in North Carolina on and east of U.S. Highway 15, and the District of Columbia (South Bend, Ind.)*. The purpose of this filing is to eliminate the gateway indicated by the asterisk above.

The purpose of this partial correction is to include authority sought which was inadvertently omitted from prior publications. The remainder of the letter-notice remains as previously published.

No. MC 29886 (Sub-No. E105) (Correction), filed May 23, 1974, published in the FEDERAL REGISTER June 25, 1975. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample St., South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate a *common carrier*, by motor vehicle, over irregular routes, transporting: *self-propelled motor vehicles*, each weighing 15,000 pounds or more, in truckaway service * * * from points in New Jersey to points in Arizona and California (points in Michigan on and south of a line extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., thence along Business Route Interstate Highway 96 to Lansing, Mich., thence on and west of a line extending along U.S. Highway 127 to Jackson, Mich., thence along unnumbered highway (formerly portion U.S. Highway 127) to junction U.S. Highway 12, near Somerset Center, Mich., thence along U.S. Highway 12 to junction U.S. Highway 127, near Somerset, Mich., thence along U.S. Highway 127 to the Michigan-Ohio State line; South Bend, Ind.; and Indiana)*. The purpose of this filing is to eliminate the gateways indicated by the asterisks. The purpose of this partial correction is to set forth authority inadvertently omitted from prior publication. The remainder of the letter-notice remains as previously sought.

No. MC 61692 (Sub-No. E1), filed May 16, 1974. Applicant: WARNER'S MOTOR EXPRESS, INC., W. Country Club Road, Red Lion, Pa. 17356. Applicant's representative: Charles Creager, 1329 Pennsylvania Avenue, P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *New Furniture*, from points in Maine, to points in North Carolina, South Carolina, Georgia, Florida, and The District of Columbia. The purpose of this filing is to eliminate the gateways of Philadelphia, Pennsylvania and points in New

Jersey. (2) *New Furniture*, from points in Maine, to points in Illinois and Indiana. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and points in York County, Pa. (3) *New Furniture*, uncrated, from points in Maine, to points in Virginia, West Virginia, and Ohio. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (4) *New Furniture*, from points in Maine, to points in Maryland and Delaware. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (5) *New Furniture*, uncrated, from points in Maine, to points in Michigan. The purpose of this filing is to eliminate the gateway of Philadelphia and Red Lion, Pa.

(6) *New Furniture*, from points in New Hampshire, to points in Delaware and Maryland. The purpose of this filing is to eliminate the gateway of Philadelphia, Pennsylvania. (7) *New Furniture*, from points in New Hampshire, to points in Georgia, Florida, North Carolina and South Carolina. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (8) *New Furniture*, from points in New Hampshire, to points in Illinois and Indiana. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and points in York County, Pa. (9) *New Furniture*, uncrated, from points in New Hampshire, to points in Ohio, Virginia and West Virginia. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (10) *New Furniture*, from points in New Hampshire, to points in Washington, D.C. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and points in New Jersey. (11) *New Furniture*, uncrated, from points in New Hampshire, to points in Michigan. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Red Lion, Pa. (12) *New Furniture*, (except metal shelving), uncrated, from points in Maryland (except points in Harford, Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Somerset and Worcester Counties), to points in Rhode Island. The purpose of this filing is to eliminate the gateway of Red Lion, Pa. (13) *New Furniture*, from points in South Carolina, to points in Massachusetts and Connecticut. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Wilkes-Barre, Pa. (14) *New Furniture*, uncrated, from points in South Carolina, to points in Rhode Island. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Red Lion, Pa.

(15) *New Furniture*, from points in South Carolina, to points in New Hampshire. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and points in Maryland. (16) *New Furniture*, from points in South Carolina, to points in New Jersey. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (17) *New Furniture*, from points in South Carolina, to points in Maine. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and points in Maryland. (18) *New Furniture*, from points in Connecticut, to points in Illinois and Indiana. The purpose of this filing is to eliminate the gateways of points in Maryland, and Philadelphia, Pa. (19) *New Furniture* (except metal shelving), uncrated, from points in Connecticut, to points in Virginia, West Virginia and the District of Columbia. The purpose of this filing is to eliminate the gateway of points in Maryland. (20) *New Furniture* (except metal shelving), uncrated, from points in Connecticut, to points in Ohio and Michigan. The purpose of this filing is to eliminate the gateways of points in Maryland and Red Lion, Pa.

(21) *New Furniture*, from points in Delaware, to points in Florida, Illinois, Indiana, Maine and New Hampshire. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (22) *New Furniture*, uncrated, from points in Delaware on and north of Delaware Highway 8, to points in Ohio. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (23) *New Furniture*, uncrated, from points in Delaware, to points in Michigan. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Red Lion, Pa. (24) *New Furniture*, from points in Florida, to points in Connecticut, Massachusetts, and New York. The purpose of this filing is to eliminate the gateways of Philadelphia, and Wilkes-Barre, Pa. (25) *New Furniture*, from points in Florida, to points in Delaware, and New Jersey. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (26) *New Furniture*, from points in Florida, to points in Maine and New Hampshire. The purpose of this filing is to eliminate the gateways of Wilkes-Barre and Philadelphia, Pa. (27) *New Furniture*, uncrated, from points in Florida, to points in Rhode Island. The purpose of this filing is to eliminate the gateways of Philadelphia and Red Lion, Pa. (28) *New Furniture*, from points in Connecticut, and Massachusetts. The purpose of this filing is to eliminate the gateways of Philadelphia and Wilkes-Barre, Pa. (29) *New Furniture*, from points in Maine and New Hampshire. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and points in Maryland. (30) *New Furniture*, from points in Georgia, to points in New Jersey. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (31) *New Furniture*, uncrated, from points in Georgia, to points in Rhode Island. The purpose of this filing is to eliminate the gateways of Wilkes-Barre and Philadelphia, Pa.

(32) *New Furniture*, from points in Massachusetts, to points in Illinois, and Indiana. The purpose of this filing is to eliminate the gateways of points in Maryland and Philadelphia, Pa. (33) *New Furniture*, (except metal shelving) uncrated, from points in Massachusetts, to points in Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway of points in Maryland. (34) *New Furniture* (except metal shelving), uncrated, from points in Massachusetts, to points in Michigan. The purpose of this filing is to eliminate the gateways of points in Maryland and Red Lion, Pa. (35) *New Furniture*, from points in New Jersey, to points in Illinois, and Indiana. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (36) *New Furniture*, uncrated, from points in New Jersey, to points in Michigan. The purpose of this filing is to eliminate the gateways of Philadelphia, and Red Lion, Pa. (37) *New Furniture*, from points in Illinois, to points in Maine, Massachusetts, New Hampshire, and Connecticut. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and points in Maryland. (38) *New Furniture*, from points in Illinois, to points in Delaware, and New Jersey. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (39) *New Furniture*, uncrated, from points in Illinois, to points in Rhode Island. The purpose of this filing is to eliminate the gateways of Philadelphia and Red Lion, Pa. (40) *New Furniture*, from points in Indiana, to points in Delaware, and New Jersey. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

(41) *New Furniture*, from points in Indiana, to points in Maine, Massachusetts, Connecticut, and New Hampshire. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and points in Maryland. (42) *Household goods* as defined by the Commission, between points in Maryland, on the one hand, and, on the other, points in Rhode Island. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (43) *Household goods* as defined by the Commission, between points in New Jersey, on the one hand, and, on the other, points in West Virginia. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (44) *Household goods* as defined by the Commission, between points in New Jersey, on the one hand, and, on the other, points in Florida, Ohio, Indiana, Illinois, and Michigan. The purpose of this filing in to eliminate the gateway of Wilkes-Barre, Pa. (45) *Household goods*, as defined by the Commission, between points in Massachusetts, on the one hand, and, on the other, points in Delaware and Virginia. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (46) *Household goods* as defined by the Commission; between points in Massachusetts, on the one hand, and, on the other, points in North Carolina, Florida, Indiana, Illinois and Michigan. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (47) *Household goods*, as defined by the Commission, between points in Massachusetts, on the one hand, and, on the other, points in West Virginia and the District of Columbia. The purpose of this filing is to eliminate the gateway of points in York County, Pa. (48) *Household goods*, as defined by the Commission, between points in New York, on the one hand, and, on the other, points in Delaware. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (49) *Household goods*, as defined by the Commission, between points in New York, on

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the one hand, and, on the other, points in Virginia (except points in Accomack and Northampton, Fredericks, Clarke and Loudoun Counties) and the District of Columbia. The purpose of this filing is to eliminate the gateway of York, Pa.

(50) *Household goods*, as defined by the Commission, between points in New York, on the one hand, and, on the other, points in North Carolina, and Florida. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (51) *Household goods*, as defined by the Commission, between points in Connecticut, on the one hand, and, on the other, points in Maryland. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (52) *Household goods*, as defined by the Commission, between points in Connecticut, on the one hand, and, on the other, points in Virginia (except Accomack and Northampton Counties), West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and York, Pa. (53) *Household goods*, as defined by the Commission, between points in Connecticut, on the one hand, and, on the other, points in Madison, Buncombe, Henderson, Transylvania, Haywood, Jackson, Macon, Swain, Graham, Clay and Cherokee Counties, North Carolina and points in Florida, Ohio, Indiana, Illinois and Michigan. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa., and Wilkes-Barre, Pa. (54) *Household goods*, as defined by the Commission, between points in Delaware, on the one hand, and, on the other, points in Illinois, and Michigan. The purpose of this filing is to eliminate the gateways of Philadelphia and Wilkes-Barre, Pa. (55) *Household goods*, as defined by the Commission, between points in Virginia (except points in Clarke, Loudoun, Fauquier, Fairfax, Prince William, Rappahannock, Stafford, Culpeper, Madison, Greene, Orange, Spotsylvania, Louisa, Hanover, Caroline, King George, Westmoreland, Richmond, Northumberland, Lancaster, Essex, King and Queen, King William, Henrico, Charles City, New Kent, Middlesex, Mathews, Toano, York, James City, Isle of Wight, Nansemond, Accomack, and Northampton Counties) on the one hand, and, on the other, points in Providence County, Rhode Island. The purpose of this filing is to eliminate the gateways of York, Pa., and Wilkes-Barre, Pa.

(56) *Household goods*, as defined by the Commission, between points in Rhode Island, on the one hand, and, on the other, points in Ohio, Florida, Indiana, Illinois, and Michigan. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Wilkes-Barre, Pa. (57) *New Furniture*, between points in Maine, on the one hand, and on the other, points in Mercer, Burlington, Camden, Gloucester, Salem, Cumberland, Cape May, Atlantic and Ocean Counties, New Jersey. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (58) *New Furniture*, between points in Aroostock County, Maine, on the one hand, and, on the other, points in Chemung, Steuben, Allegany, Cattaraugus, and Chantaqua Counties, New York. The purpose of this filing is to eliminate the gateway of Philadelphia and Wilkes-Barre, Pa. (59) *New Furniture*, between points in Maine, on the one hand, and, on the other, points in Pennsylvania (except points in Bradford, Susquehanna, Wayne, Sullivan, Wyoming, Pike, Luzerne, Carbon, Monroe and Northampton Counties). The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (60) *New Furniture*, between points in Aroostock County, Maine, on the one hand, and, on the other, points in Virginia, and West Virginia. The purpose of this filing is to eliminate the gateways of Philadelphia and Wilkes-Barre, Pa. (61) *New Furniture*, between points in Maine (except points in York County), on the one hand, and, on the other, points in Halifax, Frederick, Pittsylvania, Henry, Patrick, Carroll, Grayson, Washington, Scott, Lee, Russell, Wise, Buchanan, Tazewell, Smyth, Wythe, Bland, Pulaski, Giles, Roanoke, Montgomery, Floyd, Franklin, Bedford, Campbell, Craig, Botetourt, Rockbridge, Augusta, Allegheny, Bath, Highland, Rockingham, and Shenanodoah, Counties, Virginia and points in West Virginia. The purpose of this filing is to eliminate the gateways of Philadelphia, and Wilkes-Barre, Pa.

(62) *New Furniture*, from points in Florida, to points in Baltimore, Hartford, Cecil, and Kent Counties, Maryland. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (63) *New Furniture*, from points in Florida (except points in Gadsden, Franklin, Wakulla, Leon, Jefferson, Madison, Taylor, Hamilton, Suwannee, Lafayette, Dixie, Levy, Citrus, Hernando, Sumter, Marion, Alachua, Union, Baker, Nassau, Duval, Clay, St. Johns, Putnam, Flagler, Volusia, Lake and Seminole Counties), to points in Washington, Frederick, Carroll, Howard, Baltimore, Harford, Cecil, Kent, Talbot, Caroline, and Anne Arundel Counties, Maryland. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (64) *New Furniture*, from points in Florida, to points in Warren, McKean, Potter, Tioga, Bradford, Susquehanna, Wayne, Pike, Forest, Elk, Cameron, Clinto, Lycoming, Sullivan, Wyoming, Luzerne, Lackawanna, Clearfield, Centre, Union, Montour, Columbia, Monroe, Mifflin, Juniata, Snyder, Northumberland, Schuylkill, Lehigh, Northampton, Perry, Dauphin, Lebanon, Berks, Bucks, Montgomery, Philadelphia, Delaware, Chester, Lancaster, York, Adams, Cumberland and Carbon Counties, Pa. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (65) *New Furniture*, uncrated, from points in Dade, and Monroe counties, Florida, to points in Fairfax County, Virginia and Berkley County, West Virginia. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (66) *New Furniture*, from points in Seminole, Decatur, Grady, Thomas, Brooks, Lowndes, and Eckols Counties, Georgia, to points in Carroll, Baltimore, Harford and Cecil Counties, Maryland. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

(67) *New Furniture*, between points in Muscogee, Chattahoochee, Stewart, Quitman, Clay, Early, Miller, Seminole, Decatur, Baker, Calhoun, Randolph, Webster, Marion, Taylor, Schley, Sumter, Lee, Terrell, Dougherty, Mitchell, Macon, Crawford, Peach, Houston, Dooly, Crisp, Worth, Turner, Colquitt, Grady, Thomas, Twiggs, Bleckley, Pulaski, Dodge, Wilcox, Ben Hill, Irwin, Tift, Cook, Brooks, Wilkinson, Dodge, Telfair, Coffee, Berrien, Lowndes, Lanier, Echols, Washington, Johnson, Lauren, Wheeler, Jeff Davis, Bacon, Clinch, Jefferson, Emanual Treutlen, Montgomery, Ware, Carlton, Brantley, Pierce, Appling, Toombs, Burke, Richmond, Jenkins, Screven, Bulloch, Chandler, Effingham, Tattnall, Evans, Bryan, Chatham, Wayne, Long, Liberty, McIntosh, Glynn and Camden Counties, Georgia, on the one hand, and, on the other points in New Castle and Kent Counties, Delaware. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (68) *New Furniture*, from points in Seminole, Decatur, Grady, Thomas, Brooks, Lowndes, Lanier, Echols, Clinch, Ware, Charlton, Brantley, Camden, Glynn and McIntosh Counties, Georgia, to points in New York. The purpose of this filing is to eliminate the gateways of Philadelphia, and Wilkes-Barre, Pa. (69) *New Furniture*, from points in Georgia, to points in Tioga, Bradford, Susquehanna, Wayne, Lycoming, Sullivan, Wyoming, Lackawanna, Pike, Luzerne, Montour, Columbia, Carbon, Monroe, Northumberland, Schuylkill, Lehigh, Northampton, Dauphin, Lebanon, Berks, Bucks, York, Montgomery, Philadelphia, Lancaster, Delaware, and Chester Counties, Pa. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

(70) *New Furniture*, between points in Illinois, on the one hand, and, on the other, points in Baltimore, Hartford, Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Somerset, and Worcester Counties, Maryland. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (71) *New Furniture*, between points in Illinois, on the one hand, and, on the other, points in Orange, Westchester, Putnam, Dutchess, Columbia, Bronx, Queens, Kings, Richmond, Nassau and Suffolk Counties, New York, and New York, N.Y. The purpose of this filing is to eliminate the gateway of Philadelphia and Wilkes-Barre, Pa. (72) *New Furniture*, between points in Illinois (except points in Lake, Cook, DuPage, Will, Kankakee, Iroquois, Ford, Champaign, Vermillion, Douglas, Edgar Gallatin, Pope, Coles, Clark, Cumberland, Effingham, Jasper, Crawford, Clay, Richland, Lawrence, Wayne, Edwards, Wabash, Hamilton, White, Saline, Hardin and Massac Counties, on the one hand, and, on the other, points in Wayne, Pike, Dunmore, Monroe, Luzerne, Carbon, Northampton, Lehigh, Schuylkill,

Bucks, Chester, Montgomery, Berks, Lebanon, Lancaster, Philadelphia, and York Counties, Pennsylvania. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (73) *New Furniture*, between points in Illinois, on the one hand, and, on the other, points in Lackawanna, Wayne, Pike, Carbon, Monroe, Northampton, Philadelphia, Lehigh, Berks, Bucks, Montgomery, Chester, Delaware and Lancaster Counties, Pa. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (74) *New Furniture*, uncrated, from points in Jo Daviess, Carroll, Whiteside, Rock Island, Henry, Mercer, Knox, Warren, Henderson, Kancock, McDonough, Fulton, Schuyler, Adams, Brown, Pike, Cass, Morgan, Scott, Greene, Calhoun and Jersey Counties, Illinois, to points in Nansemond, Lancaster, Northumberland, Westmoreland, and Fairfax Counties, Virginia. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

(75) *New Furniture*, from points in Windham County, Connecticut, to points in Salem, Glouchester, and Cumberland Counties, New Jersey. The purpose of this filing is to eliminate the gateway of points in Maryland. (76) *New Furniture*, from points in Windham County, Connecticut, to points in Chautauqua County, New York. The purpose of this filing is to eliminate the gateways of points in Delaware, and Philadelphia, and Wilkes-Barre, Pa. (77) *New Furniture*, from points in Windham County, Connecticut, to points in Crawford, Mercer, Venango, Clarion, Lawrence, Butler, Armstrong, Indiana, Beaver, Allegheny, Westmoreland, Washington, Greene, Fayette, Cambria, Somerset, Bedford, Blair, Fulton, Huntingdon, Franklin, Cumberland, Adams, York, Lancaster, Chester, Delaware and Philadelphia Counties, Pa. The purpose of this filing is to eliminate the gateways of Points in Delaware, and Philadelphia, Pa. (78) *New Furniture*, between points in Indiana, on the one hand, and, on the other, points in Hartford, Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchest, Wicomico, Somerset, and Worchester Counties, Maryland. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (79) *New Furniture*, between points in Indiana, (except points in Porter, La Porte, Starke, St. Joseph, Marshall, Elkhart, Kosciusko, Lagrange, Noble, Steuben and DeKalb Counties) on the one hand, and, on the other, points in Bronx, New York City, Queens, Kings, Richmond, Nassau, and Suffolk Counties, New York. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Wilkes-Barre, Pa. (80) *New Furniture*, between points in Indiana, on the one hand, and, on the other, points in Lancaster, Berks, Chester, Philadelphia, Montgomery, Bucks, Lehigh, Monroe, and Pike Counties, Pa. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (81) *New Furniture*, between points in Gibson, Posey, and Vanderburgh Counties, Indiana, on the one hand, and, on the other, points in York County, Pennsylvania. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

(82) *New Furniture*, uncrated, from points in Lake County, Indiana, to points in Accomack, Northampton, and Nansemond County, Virginia. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (83) *New Furniture*, uncrated, from points in Indiana, to points in Rhode Island. The purpose of this filing is to eliminate the gateways of Philadelphia and Red Lion, Pa.

(84) *New Furniture* (except metal shelving), uncrated, from points in Sussex County, Delaware to points in Worcestser, Middlesex, Essex, Suffolk, Norfolk, Bristol, Plymouth, Barnstable, Nantucket, and Dukes Counties, Massachusetts. The purpose of this filing is to eliminate the gateways of Philadelphia, Pennsylvania and points in Maryland. (85) *New Furniture* (except metal shelving), uncrated, from points in Sussex County, Delaware, to points in Windham County, Connecticut. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and points in Maryland. (86) *New Furniture* (except metal shelving) uncrated, from points in New Castle County, Delaware, to points in Garrett, and Allegany Counties, Maryland. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (87) *New Furniture*, from points in Delaware, to points in New York (except points in Rensselaer, Albany, Greene, Columbia, Ulster, Dutchess, Sullivan, Putnam, Westchester, Orange, Rockland, Bronx, Queens, Kings, Richmond, Nassau, and Suffolk Counties, and New York, N.Y.). The purpose of this filing is to eliminate the gateways of Philadelphia and Wilkes-Barre, Pa.

(88) *New Furniture*, from points in Delaware (except points in Sussex County) to points in Pennsylvania (except points in Huntingdon, Bedford, Fulton, Franklin, Perry, Juanita, Mifflin, Adams, Cumberland, Snyder, Union, York, Dauphin, Columbia, Schuylkill, Lebanon, Berks, Lancaster, and Chester Counties). The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (89) *New Furniture*, uncrated, from points in New Castle County, Delaware, to points in Virginia, (except points in Rockingham, Northampton, Accomack, Lancaster, Northumberland, Gloucester, Middlesex, New Kent, Richmond, King and Queen, King William, Hanover, Madison, Greene, Louisa, Spotsylvania, King George, Westmoreland, Orange, Stafford, Prince William, Culpepper, Page, Washington, Fauquier, Loudoun, Fairfax, Clarke, Warren, Shenandoah, and Frederick Counties.) The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (90) *New Furniture*, uncrated, from points in New Castle County, Delaware, to points in West Virginia (except points in Pendleton, Hardy, Hampshire, Morgan, Berkeley, and Jefferson Counties). The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (91) *New Furniture* (except metal shelving), uncrated, from points in Maryland (except points in Garrett, Allegany, and Washington Counties), to points in Michigan. The purpose of this filing is to eliminate the gateway of Red Lion, Pa.

(92) *New Furniture* (except metal shelving), uncrated, from points in Baltimore, Hartford, Ann Arundel, Calvert, St. Marys, Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Somerset and Worcester Counties, Maryland, to points in Ohio. The purpose of this filing is to eliminate th gateway of Red Lion, Pa. (93) *New Furniture*, (except metal shelving) uncrated, from points in Maryland (except points in Garrett, Alleghany, and Washington Counties), to points in Ohio (except points in Ashtabula, Lake, Geauga, Trumbull, Portage, Mahoning, Stark, Columbiana, Wayne, Jefferson, Carroll, Tuscarawas, Holmes, Knox, Coshocton, Harrison, Licking, Muskingum, Guernsey, Belmont, Noble, Monroe, Morgan, Perry, Fairfield, Hocking, Washington, Athens, Vinton, Jackson, Meigs, Gallia, and Lawrence Counties). The purpose of this filing is to eliminate the gateway of Stewartstown, Pa. (94) *New Furniture*, from points in Essex, Middlesex, Norfolk, Suffolk, Bristol, Plymouth, and Barnstable Counties, Massachusetts, to points in York, Adams, Franklin, Fulton, Bedford, Somerset, Payette, Greene, Washington, Beaver, Allegheny and Westmoreland Counties, Pa. The purpose of this filing is to eliminate the gateways of points in Maryland and Philadelphia, Pa. (95) *New Furniture*, (except metal shelving) uncrated, from points in Massachusetts (except points in Worcester, Franklin, Hampshire, Hampden, and Berkshire Counties), to points in Ohio. The purpose of this filing is to eliminate the gateways of Fair Hill, Maryland and Red Lion, Pa. (96) *New Furniture*, between points in New Hampshire, on the one hand, and, on the other, points in Mercer, Burlington, Camden, Gloucester, Salem, Cumberland, Cape May, Atlantic and Ocean Counties, New Jersey. The purpose of this filing is to eliminate the gatewal of Philadelphia, Pa.

(97) *New Furniture*, between points in New Hampshire, on the one hand, and, on the other, points in Pennsylvania (except points in Monroe, Luzerne, Carbon, Pike, Wayne, Susquehanna, Wyoming, Sullivan, Bradford, Tioga, Potter, McKean, Warren and Erie Counties). The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (98) *New furniture*, between points in Coos County, New Hampshire, on the one hand, and, on the other, points in Frederick, Warren, Shenandoah, Page, Rockingham, Highland, Augusta, Albemarle, Nelson, Rockbridge, Bath, Bedford, Pittsylvania, Amherst, Buckingham, Botetourt, Alleghany, Appomatox, Prince Edward, Nottoway, Brunswick, Greensville, Luneburg, Charlotte, Mecklenburg, Halifax, Campbell, Craig, Roanoke, Franklin, Henry, Patrick, Floyd, Giles, Montgomery, Pulaski, Carroll, Bland, Wythe, Grayson, Taxewell, Smyth, Lee, Wash-

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ington, Russell, Buchanan, Dickenson, Scott and Wise Counties, Virginia, and points in West Virginia. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Wilkes-Barre, Pa. (99) *New Furniture*, from points in Suffolk and Essex Counties, Massachusetts, to points in Cumberland, Salem and Cape May Counties, New Jersey. The purpose of this filing is to eliminate the gateway of points in Maryland. (100) *New Furniture*, (except metal shelving), uncrated from points in Salem County, New Jersey, to points in Hartford, Tolland and Windham Counties, Connecticut. The purpose of this filing is to eliminate the gateway of points in Maryland. (101) *New Furniture* (except metal shelving), uncrated, from points in Salem, Cumberland, and Cape May Counties, New Jersey, to points in Essex and Suffolk Counties, Massachusetts, The purpose of this filing is to eliminate the gateway of points in Maryland. (102) *New Furniture*, from points in New Jersey (except points in Cape May, Gloucester, Salem and Cumberland Counties, to points in Delaware. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (103) *New Furniture*, between points in Burlington, Ocean, Atlantic, Camden, Gloucester, Cape May, Cumberland and Salem Counties, New Jersey, on the one hand, and, on the other, points in St. Lawrence, Kerkimer, Otsego, Delaware, Broome, Chenango, Madison, Cayuga, Steuben, Schuyler, Yates, Seneca, Oneida, Lewis, St. Lawrence, Jefferson, Oswego, Onondago, Courtland, Tioga, Tompkins, Chemung, Wayne, Ontario, Monroe, Livingston, Alleghany, Wyoming, Genesee, Orleans, Niagara, Erie, Cattaraugus and Chautaugua Counties, New York. The purpose of this filing is to eliminate the gateways of Philadelphia and Wilkes-Barre, Pa.

(104) *New Furniture*, between points in Passaic, Bergen, Essex, Hudson, Newark, Orange, Union, Middlesex, Monmouth, and Mercer Counties, New Jersey, on the one hand, and, on the other, points in Philadelphia, Delaware, Chester, Erie, Crawford, Venango, Mercer, Lawrence, Butler, Armstrong, Indiana, Cambria, Blair, Huntington, Allegheny, Westmoreland, Bedford, Washington, Greene, Fayette, Somerset, Fulton, Franklin, Cumberland, Adams, York and Lancaster Counties, Pa. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (105) *New Furniture*, uncrated, from points in New Jersey (except Warren and Sussex Counties), to points in Ohio. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (106) *New Furniture*, between points in Passaic, Bergen, Essex, and Hudson Counties, New Jersey, on the one hand, and, on the other, points in Lee County, Virginia. The purpose of this filing is to eliminate the gateways of Philadelphia and Wilkes-Barre, Pa. (107) *New Furniture*, between points in Passaic, Bergen, Hudson, and Essex Counties, New Jersey on the one hand, and, on the other, points in Wood, Jackson, Mason, Cabell, and Wayne Counties, West Virginia. The purpose of this filing is to eliminate the gateways of Philadelphia and Wilkes-Barre, Pa. (108) *New furniture*, from points in Franklin, Clinton, Essex, Warren, Washington, Saratoga, Rensselaer and Albany Counties, New York, to points in Delaware, Montgomery, Philadelphia, York, Adams, Franklin, Fulton, Bedford, Somerset, Fayette, Green, Washington, Allegheny, and Westmoreland Counties, Pennsylvania. The purpose of this filing is to eliminate the gateways of Claymont, Delaware and Philadelphia, Pa.

(109) *New Furniture*, from points in St. Lawrence, Franklin, Clinton, Jefferson, Lewis, Herkimer, Hamilton, Essex, Oswago, Oneido, Warren, Onondaga, Madison, Fulton, Montgomery, Schnectady, Saratoga, Washington, Rensselaer and Albany Counties, New York, to points in Philadelphia County, Pa. The purpose of this filing is to eliminate the gateways of points in Delaware, and Philadelphia, Pa. (110) *New Furniture*, (except metal shelving), uncrated, from New York, N.Y., and points in Clinton, Essex, Putnam, Kings, Queens, Bronx, Richmond, Nassau, Suffolk, Westchester, Orange, Dutchess, Ulster, and Warren Counties, New York, to points in Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway of points in Maryland. (111) *New Furniture*, uncrated, from New York, N.Y., and points in Ulster, Dutchess, Orange, Putnam, Westchester, Bronx, Kings, Queens, Richmond, Nassau, and Suffolk Counties, New York, points in Leelanau, Benzie, Grand Traverse, Mainstee, Mason, Oceana, Muskegon, Ottawa, Allegan, Van Buren, and Barrien Counties, Michigan. The purpose of this filing is to eliminate the gateways of Wilkes-Barre, Philadelphia, and Red Lion, Pa. (112) *New Furniture*, between points in North Carolina, on the one hand, and, on the other, points in New Castle County, Delaware. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (113) *New Furniture*, from points in Stokes, Surrey, Brunswick, Columbus, Bladen, Hoke, Clay, Scotland, Gaston, Lincoln, Cleveland, Rutherford, Henderson, Jackson, Macon, Cherokee, Richmond, Moore, Montgomery, Stanly, Anson, Union, Cabarrus, Mecklenburg, Polk, Transylvania, Graham, Swain, Haywood, Yancy, McDowell, Mitchell, Burke, Avery, Watauga, Caldwell, Alexander, Catawba, Rowan, Iredell, Wilkes, Ashe, Allegheny, Davie, Yadkin, Forsyth, Guilford, Davidson and Randolph, Counties, North Carolina, to points in Cecil County, Maryland. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

(114) *New Furniture*, uncrated, from points in Surry, Yadkin, Ashe, Alleghany, Watauga, Wilkes, Forsyth, Guilford, Randolph, Davidson, Davie, Rowan, Iredell, Alexander, Caldwell, Avery, Mitchel, Yancy, Burke, Catawba, Carbarrus, Stanly, Montgomery, Richmond, Scotland, Robison, Columbus, Brunswick, Anson, Union, Polk, Mecklenburg, Cleveland, Rutherford, Henderson, Transylvania, Jackson, Macon, Clay, Cherokee, Graham, Swain, Haywood, Buncombe, and McDowell Counties, North Carolina, to points in Providence County, Rhode Island. The purpose of this filing is to eliminate the gateways of Philadelphia and Red Lion, Pa. (115) *New Furniture*, from points in South Carolina, to points in Cecil County, Maryland. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (116) *New Furniture*, between points in South Carolina (except points in Lancaster, Cherfield, Marlboro and Dillon Counties), on the one hand, and, on the other, points in New Castle and Kent Counties, Delaware. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (117) *New Furniture*, from points in South Carolina, to points in New York (except points in Niagara, Orleans, Genesee, Erie, Chautaugua, Wyoming, Livingston, Alleghany and Steuben Counties). The purpose of this filing is to eliminate the gateways of Philadelphia and Wilkes-Barre, Pa. (118) *New Furniture*, from points in South Carolina, to points in Pennsylvania (except points in Adams, Cumberland, Perry, Juniata, Franklin, Fulton, Huntingdon, Mifflin, Bedford, Somerset, Fayette, Forest, Warren, Venango, Cambria, Blair, Greene, Washington, Allegheny, Westmoreland, Indiana, Jefferson, Beaver, Butler, Clarion, Mercer, Crawford, and Erie Counties). The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (119) *New Furniture*, from points in Washington, Greene, Allegheny and Faryette Counties, Pennsylvania, to points in Windham County, Connecticut. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and points in Maryland.

(120) *New Furniture*, (except metal shelving), uncrated, from points in Franklin, Adams, York, and Lancaster Counties, Pa., to points in Connecticut. The purpose of this filing is to eliminate the gateway of points in Maryland. (121) *New Furniture*, from points in York, Adams, Franklin, Fulton, Bedford, Somerset, Fayette, Westmoreland, Greene, Washington, Allegheny, Beaver, Butler, and Lawrence Counties, Pa., to points in Essex County, Massachusetts. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and points in Maryland. (122) *New Furniture*, (except metal shelving), uncrated, from points in Greene, Fayette, Washington, Allegheny, Westmoreland, Somerset, Bedford, Fulton, Franklin, Adams, York and Lancaster Counties, Pa., to points in Massachusetts. The purpose of this filing is to eliminate the gateway of points in Maryland. (123) *New Furniture*, from points in Philadelphia County, Pa., to points in Clinton County, N.Y. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Fair Hill, Md. (124) *New Furniture*, (except metal shelving) uncrated, from points in Pennsylvania, to points in Virginia. The purpose of this filing is to eliminate the gateway of points in Maryland. (125) *New Furniture*, (except metal shelving), uncrated, from points in

Pennsylvania (except Warren, Erie, Crawford, Forest, Venango, Mercer, Clarion, Jefferson, Butler, Lawrence, Armstrong, Indiana, Allegheny, Beaver, Westmoreland, Fayetter, Greene, and Washington Counties) to points in West Virginia (except Marshall, Ohio, Brooke and Hancock Counties.). The purpose of this filing is to eliminate the gateways of Friendsville, Maryland, Cumberland, Md., and Maryland Line, Maryland.

(126) *New Furniture*, (except metal shelving) uncrated, from points in York, Franklin, Adams and Lancaster Counties, Pa., to points in New York. The purpose of this filing is to eliminate the gateway of points in Maryland. (127) *New Furniture*, uncrated, from points in Monroe, Delaware, Lehigh, North Hampton, Bucks, Berks, Chester, Philadelphia, and Montgomery Counties, Pa., to points in Williams, Fulton, Lucas, Wood, Henry, Defiance, Paulding, Putnam, Hancock, Van Wert, Mercer, Allen, Hardin, Auglaize, Darke, Shelfy, Logan, Champaign, Miami, Clark, Montgomery, Pribie, Greene, Fayetter, Butler, Warren, Clinton, Ross, Hamelton, Clermont, Brown, Highland, Pike, Adams, Scioto, and Lawrence Counties, Ohio. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (128) *New Furniture*, (except metal shelving), uncrated, from points in Philadelphia, Susquehanna, Wyoming, Luzerne, Carbon, Monroe, Northampton, Lehigh, Berks, Bucks, Chester, Pike, Schuylkill, Dauphin, Lebanon, York, Lancaster, Adams, and Montgomery Counties, Pa., to points in Michigan. The purpose of this filing is to eliminate the gateways of points in Maryland and Red Lion, Pa. (129) *New Furniture*, from points in Wayne, Pike, Chester, Bucks, Lehigh, Northampton, Philadelphia, Carbon, Monroe, Luzerne, Wyoming and Susquehanna Counties, Pa., to points in the District of Columbia. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa., and points in New Jersey. (130) *New Furniture*, from points in York County, Pa., to points in Philadelphia County, Pa. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Claymont, Delaware. (131) *New Furniture* (except metal shelving) uncrated, from points in York County, Pa., to points in Philadelphia, Erie, Crawford, Warren, McKean, Potter, Tioga, Bradford, Susquehanna, Mercer, Venango, Forest, Clarion, Jefferson, Elk, Cameron, Lawrence, Butler, Armstrong, Indiana, Clearfield, and Allegheny Counties, Pa. The purpose of this filing is to eliminate the gateways of Maryland Line, Md., and Fair Hill, Md.

(132) *New Furniture*, between points in Wayne, Lackawanna, Pike, Monroe, Northampton, Lehigh, Bucks and Philadelphia Counties, Pa., on the one hand, and, on the other, points in Kent, Queen, Annes, Talbot, Caroline, Dorchester, Wicomico, Somerset, Worcester, St. Marys, Charles, Calvert, Prince Georges, and Anne Arundel Counties, Md. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (133) *Household Goods*, as defined by the Commission, between points in Delaware on and north of Delaware Highway 8, on the one hand, and, on the other, points in Indiana. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Wilkes-Barre, Pa. (134) *Household Goods*, as defined by the Commission, between points in New Castle County, Delaware, on the one hand, and, on the other, points in Williams, Fulton, Defiance, Henry, Lucas, Wood, Ottawa, Sandusky, Geauga, Lake, Ashtabula, Trumball, Paulding, Putnam, Hancock, Seneca, Huron, Lorain, Ashland, Medina, Cuyahoga, Summit, Van Wert, Allen, Hardin, Marion, Wyandot, Crawford, and Richland Counties, Ohio. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Wilkes-Barre, Pa. (135) *Household Goods*, as defined by the Commission, between points in Philadelphia, Delaware, Chester, Lancaster, York, Adams, Franklin, Fulton, Bedford, Allegheny, Washington, Green, Fayette, Somerset Counties, Pa., on the one hand, and, on the other, points in Connecticut. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

(136) *Household Goods*, as defined by the Commission, between points in Pennsylvania (except points in Lancaster, Lebanon, Schuylkill, Berks, Chester, Delaware, Montgomery, Bucks, Philadelphia, Lehigh, Northampton, Monroe, Carbon, Columbia, Luzerne, Pike, Wayne, Wyoming, Bradford, and Susquehanna Counties, on the one hand, and, on the other, points in Delaware. The purpose of this filing is to eliminate the gateway of York County, Pa. (137) *Household Goods*, as defined by the Commission, between points in Bradford, Sullivan, Susquehanna, Wyoming, Luzerne, Wayne, Lackawanna, Pike, Monroe, and Carbon Counties, Pa., on the one hand, and, on the other, points in Delaware. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (138) *Household Goods*, as defined by the Commission, between points in Dauphin, Snyder, Northumberland, Montour, Columbia, Union, Lycoming, Sullivan, Tioga, and Bradford Counties, Pa., on the one hand, and, on the other, points in Northampton, Accomac, Oceana, Nansemond, Surry, Isle of Wright, Gloucester, Middlesex, Lancaster, Northumberland, Westmoreland, Richmond, King George, Stafford, Orange, Spotsylvania, Caroline, Essex, King & Queen, King William, New Kent, Charles City, Prince George, Sussex, Southampton, Greensville, Dinweddie, Chesterfield, Henrico, Hanover, Louisa, Albemarle, Flevanna, Goochland, Powhatan, Amelia, Nottoway, Brunswick, Mecklenburg, Lunenberg, Prince Edward, Cumberland, Buckingham, Appomattox, Campbell, Charlotte, Halifax and Pittsylvania Counties, Va. The purpose of this filing is to eliminate the gateway of York County, Pa.

(139) *Household Goods*, as defined by the Commission, between points in Philadelphia, Chester, Susquehanna, Wayne, Luzerne, Pike, Lackawanna, Monroe, Carbon, Schuylkill, Northampton, Berks, Lehigh, Bucks, Montgomery, Delaware, Lancaster and York Counties, Pa., on the one hand, and, on the other, points in West Virginia (except points in Marshall, Ohio, Brooke, and Hancock Counties). The purpose of this filing is to eliminate the gateway of York County, Pa. (140) *Household Goods*, as defined by the Commission, between points in Bradford, Sullivan, Susquehanna, Wyoming, Luzerne, Lackawanna, Wayne, Pike Counties, Pa., on the one hand, and, on the other, points in North Carolina. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (141) *Household Goods*, as defined by the Commission, between points in Tioga, Bradford, Lycoming, Sullivan, Susquehanna, Wayne, Pike, Luzerne, Monroe, Columbia, Schuylkill, Lebanon, and Lehigh Counties, Pa., on the one hand, and, on the other, points in Florida. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (142) *Household Goods*, as defined by the Commission, between points in York, Lancaster, McKean, Potter, Tioga, Bradford, Susquehanna, Wayne, Elk, Cameron, Clinton, Lycoming, Sullivan, Luzerne, Wyoming, Pike, Centre, Union, Snyder, Northumberland, Montour, Columbia, Schuylkill, Carbon, Monroe, Lackawanna, Lehigh, Dauphin, Lebanon, and Berks Counties, Pa., on the one hand, and, on the other, points in Lee, Collier, Monroe, Dade, and Broward Counties, Fla. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (143) *Household Goods*, as defined by the Commission, between points in Philadelphia, Bucks, Lehigh, Northampton, Carbon, Monroe, Luzerne, Wyoming, Lackawanna, Wayne, and Pike Counties, Pa., on the one hand, and, on the other, points in Ohio. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa.

(144) *Household Goods*, as defined by the Commission, between points in Philadelphia, Bucks, Montgomery, Berks, Monroe, Luzerne, Pike, Wayne, Susquehanna, Bradford, Sullivan, Lehigh Counties, Pa., on the one hand, and, on the other, points in Indiana. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (145) *Household Goods*, as defined by the Commission, between points in Chester, Philadelphia, Bucks, Montgomery, Berks, Lehigh, Northampton, Schuylkill, Carbon, Monroe, Pike, Luzerne, Columbia, Sullivan, Wyoming, Wayne, Susquehanna, and Bradford Counties, Pa., on the one hand, and, on the other, points in Illinois. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (146) *Household Goods*, as defined by the Commission, between points in York, Lancaster, Berks, Bradford, Potter, Tioga, McKean, Susquehanna, Wayne, Cameron, Clinton, Lycoming, Sullivan, Luzerne, Wyoming, Pike, Centre, Union, Montour, Columbia, Carbon, Monroe, Lackawanna, North-

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umberland, Dauphin, Lebanon, Schuylkill, Lebanon, Lehigh, and Snyder Counties, Pa., on the one hand, and, on the other, points in the District of Columbia. The purpose of this filing is to eliminate the gateway of York County, Pa. (147) *Household Goods*, as defined by the Commission, between points in York, Adams, Bradford, Susquehanna, Wyoming, Monroe, Schuylkill, Lehigh, Bucks, Berks, Lebanon, Lancaster, and Chester Counties, Pa., on the one hand, and, on the other, points in Rhode Island. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (148) *Household Goods*, as defined by the Commission, between points in Luzerne, Philadelphia, Monroe, Delaware, Chester, Montgomery, Bucks, Berks, Lehigh, Northampton, and Carbon Counties, Pa., on the one hand, and, on the other, points in Michigan. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa.

(149) *Household Goods*, as defined by the Commission, between points in Allegheny and Garrett Counties, Maryland, on the one hand, and, on the other, points in New Castle County, Delaware. The purpose of this filing is to eliminate the gateway of York County, Pa. (150) *Household Goods*, as defined by the Commission, between points in Cecil County, Maryland, on the one hand, and, on the other, points in Scott and Lee Counties, Va. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (151) *Household Goods*, as defined by the Commission, between points in Cecil County, Maryland, on the one hand, and, on the other, points in Wayne and Kabell Counties, West Virginia. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (152) *Household Goods*, as defined by the Commission, between points in Baltimore, Harford, and Cecil Counties, Md., on the one hand, and, on the other, points in Dade, and Monroe Counties, Fla. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (153) *Household Goods*, as defined by the Commission, between points in Cecil County, Md., on the one hand, and, on the other, points in Williams, Fulton, Lucas, Henry, Defiance, Paulding, Putnam, and Van Wert Counties, Ohio. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (154) *Household Goods*, as defined by the Commission, between points in Cecil County, Maryland, on the one hand, and, on the other, points in Steuben, Dekalb, Allen, Wells Lagrange, Noble, Whitley, Huntington, Grant, Elkhart, Kosciusko, Wabash, Howard, Miami, Fulton Marshall, St. Joseph, LaPorte, Parke, Starke, Pulaski, Cass, Carroll, Clinton, Boone, Montgomery, Tippecanoe, White, Porter, Lake, Newton, Jasper, Benton, Warren Fountain and Vermillion Counties, Ind. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa.

(155) *Household Goods*, as defined by the Comission, between points in Cecil County, Md., on the one hand, and, on the other, points in Illinois. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (156) *Household Goods*, as defined by the Commission, between points in Cecil County, Md., on the one hand, and, on the other, points in Michigan. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (157) *Household Goods*, as defined by the Commission, between points in Camden, Gloucester, Salem, Cumberland, and Cape May Counties, New Jersey, on the one hand, and, on the other, points in Connecticut. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (158) *Household Goods*, as defined by the Comission, between points in New Jersey (except points in Camden, Gloucester, Sussex, Warren, Passaic, Bergen, Morris, Essex, Hunterdon, Somerset, Union, Mercer, Middlesex, Monmouth, Burlington, Ocean, and Hudson Counties) on the one hand, and, on the other, points in Delaware. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (159) *Household Goods*, as defined by the Commission, between points in New Jersey (except Gloucester, Salem, Cumberland, and Cape May Counties, on the one hand, and, on the other, points in Virginia and Washington, D.C. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (160) *Household Goods*, as defined by the Commission, between points in Sussex County, N.J., on the one hand, and, on the other, points in North Carolina (except points in Carteret, Pamlico, Hyde, Dare, Tyrrell, Pasquotank, Camden and Currituck Counties). The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa.

(161) *Household Goods*, as defined by the Commission, between points in Camden, Gloucester, Salem, Cumberland, Cape May and Atlantic Counties, N.J., on the one hand, and, on the other, points in Rhode Island. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (162) *Household Goods*, as defined by the Commission, between points in Chatauqua, Allegany, Steuben, Chemung, Livingston, Wyoming, Genesee, Niagara and Erie Counties, N.Y., on the one hand, and, on the other, points in Connecticut (except Litchfield, Hartford, Watertown and Fairfield Counties). The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (163) *Household Goods*, as defined by the Commission, between points in Orange, Sullivan, Putnam, Dutchess, Ulster, Delaware, Green, Otsego, Schoharie, Albany, Rensselaer, Washington, Warren, Hamilton, Herkimer, Essex, Clinton, Franklin, and St. Lawrence Counties, N.Y., on the one hand, and, on the other, points in West Virginia (except points in Marshall, Brooke and Hancock Counties). The purpose of this filing is to eliminate the gateway of York County, Pa. (164) *Household Goods*, as defined by the Commission, between points in Sullivan, Orange, Putnam, Dutchess, Ulster, Greene, Columbia, and Rensselaer Counties New York, on the one hand, and, on the other, points in Ohio. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa.

(165) *Household Goods*, as defined by the Commission, between points in Clinton, Essex, Warren, Washington, Saratoga, Fulton, Rensselaer, Otsego, Schoharie, Albany, Greene, Columbia, Delaware, Ulster, Dutchess, Putnam, Sullivan, and Orange Counties in New York, on the one hand, and, on the other, points in Indiana. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (166) *Household Goods*, as defined by the Commission, between points in Clinton, Franklin, Essex, Hamilton, Herkimer, Lewis, Oneida, Warren, Washington, Saratoga, Fulton, Madison, Otsego, Schoharie, Schenectady, Albany, Rensselaer, Chenango, Cortland, Tompkins, Chemung, Tioga, Broome, Delaware, Greene, Columbia, Ulster, Sullivan, Dutchess, Orange, Putnam, Westchester, Rockland, Bronx, New York, Kings, Queens, Richmond, Nassau, and Suffolk Counties, New York, on the one hand, and, on the other, points in Illinois. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa. (167) *Household Goods*, as defined by the Commission, between points in Clinton, Essex, Warren, Washington, Fulton, Montgomery, Saratoga, Schenectady, Rensselaer, Schoharie, Albany, Greene, Columbia, Ulster, Sullivan, Dutchess, Orange, Putnam, Westchester, Rockland, Bronx, Kings, Queens, New York, Richmond, Nassau, and Suffolk Counties, New York, on the one hand, and, on the other, points in Michigan. The purpose of this filing is to eliminate the gateway of Wilkes-Barre, Pa.

(168) *Household Goods*, as defined by the Commission, between points in Chautauqua County, New York, on the one hand, and, on the other, points in Newport County, Rhode Island. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (169) *Household Goods*, as defined by the Commission, between points in Newcastle County, Delaware, on the one hand, and, on the other, points in Scott and Lee Counties, Va. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and York County, Pa. (170) *Household Goods*, as defined by the Commission, between points in Delaware north of the Chesapeake and Delaware Canal on the one hand, and, on the other, points in Dade and Monroe Counties, Fla. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Wilkes-Barre, Pa. (171) *Household Goods*, as defined by the Commission, between points in Nansemond, Northampton and Accomack Counties, Va., on the one hand, and, on the other, points in Jo Daviess, Stephenson and Winnebago Counties, Ill. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Wilkes-Barre, Pa. (172) *Household Goods*, as defined by the Commission, between points in Nansemond, Northampton and Accomack Counties Virginia, on the one hand, and, on the other, points in Benzie, Grand-Traverse, Leelanau, Antrim, Charlevoix, Emmet, Cheboygan and Presque Isle Counties, Michigan. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and Wilkes-Barre, Pa. (173) *Household Goods*, as defined by the Commission, between points in Rhode Island, on the one hand, and, on the other, points in the District of Colubia. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and York County, Pa. (174) *Household Goods*, as defined by the Commission, between points in Rhode Island, on the one hand, and, on the other, points in West Virginia. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and York County, Pa. (175) *Household Goods*, as defined by the Commission, between points in New Castle County, Delaware, on the one hand, and, on the other, points in West Virginia. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., and York, Pa.

No. MC 95876 (Sub-No. E75), filed July 16, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building Materials*, (except cement and commodities in bulk), when moving as granite, marble, slate and stone; from points in that part of Illinois on and north of U.S. Highway 30, to points in Montana, Idaho, Washington, Oregon, Nevada, the Upper Peninsula of Michigan, Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Florida, California, the District of Columbia; that part of Wyoming on, north and west of a line beginning at the South Dakota-Wyoming State line, thence along U.S. Highway 14 to its junction with Interstate Highway 90, thence along Interstate Highway 90 to its junction with U.S. Highway 16, thence along U.S. Highway 16 to its junction with Wyoming Highway 789, thence along Wyoming Highway 789 to its junction with Wyoming Highway 28, thence along Wyoming Highway 28 to its junction with U.S. Highway 187, thence along U.S. Highway 187 to its junction with Wyoming Highway 430, thence along Wyoming Highway 430 to the Colorado-Wyoming State line; that part of Colorado, on and west of a line beginning at the Wyoming-Colorado State line, thence along Colorado Highway 789 to its junction with U.S. Highway 50, thence along U.S. Highway 50 to the Utah-Colorado State line; that part of Utah, on, north and west of a line beginning at the Utah-Colorado State line, thence along Interstate Highway 70 to junction with U.S. Highway 89, thence along U.S. Highway 89 to its junction with Utah Highway 4, thence along Utah Highway 4 to its junction with U.S. Highway 91, thence along U.S. Highway 91 to the Arizona-Utah State line.

That part of Texas on and south of a line beginning at the New Mexico-Texas State line, thence along U.S. Highway 80 to junction with U.S. Highway 84 to the Louisiana-Texas State line; that part of Louisiana on and south of U.S. Highway 84; points in that part of Mississippi on and south of U.S. Highway 84; that part of Alabama on and south of a line beginning at the Alabama-Mississippi State line, thence U.S. Highway 84 to its junction with Interstate Highway 65, thence along Interstate Highway 65 to its junction with Interstate Highway 85, thence along Interstate Highway 85 to the Georgia-Alabama State line; that part of Georgia on and south of Interstate Highway 85; that part of Interstate Highway 85; that part of South Carolina on, south, and east of Interstate Highway 85; that part of North Carolina on, south and east of a line beginning at the North Carolina-South Carolina State line thence along Interstate Highway 85 to junction with U.S. Highway 52, thence along U.S. Highway 52 to its junction with U.S. Highway 158, thence along U.S. Highway 158 to its junction with U.S. Highway 29, thence along U.S. Highway 29 to the Virginia-North Carolina State line; that part of Virginia on and east of a line beginning at the Virginia-North Carolina State line, thence along U.S. Highway 29 to junction U.S. Highway 211, to junction U.S. Highway 15, to the Maryland-Virginia State line; that part of Maryland on and east of U.S. Highway 15, that part of Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line, thence along U.S. Highway 15 to junction Pennsylvania Highway 147, to junction U.S. Highway 220, to the New York-Pennsylvania State line; that part of New York on and east of a line beginning at the New York-Pennsylvania State line, thence along U.S. Highway 11 to junction New York Highway 57, to Lake Ontario.

The purpose of this filing is to eliminate the gateway of Jefferson, Walworth or Waukesha Counties, Wis.

No. MC 108341 (Sub-No. E1) (Correction), filed May 13, 1974. Published in FEDERAL REGISTER October 14, 1975. Applicant: MOSS TRUCKING CO., INC., P.O. Box 8409, Charlotte, N.C. 28208. Applicant's representative: Jack T. Counts (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Commodities* which because of size or weight require the use of special equipment, and contractors' materials, supplies, and equipment moving in connection therewith which do not necessarily require the use of special equipment * * * (2) between points in North Carolina, on the one hand, and, on the other, points in Connecticut, Massachusetts, New Jersey, New York, Rhode Island, those in Pennsylvania east of the Susquehanna River, and the District of Columbia; The purpose of this partial correction is to reflect the correct state in (2) above. The remainder of the letter-notice is to remain the same as previously published. The purpose of this filing is to eliminate the gateway of points in Virginia within the District of Columbia Commercial Zone.

No. MC 113855 (Sub-No. E51) (Correction), filed May 30, 1974. Published in FEDERAL REGISTER October 30, 1975. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Haybalers and parts*, (2) *Irrigation sprinklers and winches* designed for use with irrigation sprinklers, (3) *Stump-cutting, cable-laying, trench-digging, trench-backfilling, and tree-moving equipment*, (4) *Parts and attachments* for the commodities named in (2) and (3) above, (5) *Trailers* designed for the transportation of commodities named in (2) and (3) above, (6) *Self-propelled articles* described in (1) and (3) above, each weighing 15,000 pounds or more, and *related parts* moving in connection therewith (restricted to commodities transported on trailers); * * * The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this partial correction is to reflect the correct commodity description in (6) above. The remainder of this letter-notice is to remain as previously published.

No. MC 113855 (Sub-No. E54), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which because of their size or weight, require the use of special equipment (except boats and iron and steel articles), and *related machinery, parts, and related contractors' materials and supplies*, when their transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require special equipment, and (2) *self-propelled articles*, each weighing 15,000 pounds or more and *related machinery, tools, parts, and supplies* moving in connection therewith (restricted to commodities transported on trailers), (A) (1) between points in Nebraska on and north of Nebraska Highway 92 and on and west of U.S. Highway 281, on the one hand, and, on the other, points in Kentucky on and east of Interstate Highway 75. (2) between points in Nebraska on, north, and west of a line beginning at the Nebraska-Iowa State line and extending along Nebraska Highway 51 to junction U.S. Highway 81, to junction U.S. Highway 30, to junction U.S. Highway 283 to the Nebraska-Kansas State line, on the one hand, and, on the other, points in Kentucky west of Interstate Highway 75 and east of a line beginning

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at the Indiana-Kentucky State line and extending along Interstate Highway 65 to junction Kentucky Highway 90, to junction Kentucky Highway 63 to the Kentucky-Tennessee State line. (3) between points in Nebraska, on the one hand, and, on the other, points in West Virginia. (South Dakota and Elgin, Ill.)*

(B) (1) Between points in Nebraska, on the one hand, and, on the other, points in New York on and east of a line beginning at Lake Ontario and extending along New York Highway 57 to junction Interstate Highway 81 to the New York-Pennsylvania State line; points in Maryland (except Garrett, Alleghany, and Washington Counties), points in Virginia on and east of U.S. Highway 1, points in North Carolina in and east of U.S. Highway 81. (South Beaufort, and Pamlico Counties, and the District of Columbia. (2) between points in Nebraska on and west of U.S. Highway 183, on the one hand, and, on the other, points in New York west of a line beginning at Lake Ontario and extending along New York Highway 57 to junction Interstate Highway 81 to the New York-Pennsylvania State line, and on and east of U.S. Highway 81 (South Dakota and points in Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line and extending along unnumbered highway (formerly portion U.S. Highway 15) to junction Business U.S. Highway 15, to junction U.S. Highway 15 to junction unnumbered highway (formerly portion U.S. Highway 15), to junction U.S. Highway 15, to the Pennsylvania-New York State line (except points in Berks, Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa., and points in Pennsylvania on and east of the above described line in Adams, York, Cumberland, Perry, Dauphin, Lebanon, and Lancaster Counties, Pennsylvania, and points in Pennsylvania on and east of U.S. Highway 15 and north of the East Branch of the Susquehanna River in Tioga, Bradford, Lycoming, Sullivan, Union, Snyder, Northumberland, Montour, and Columbia Counties, Pa.)* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub-No. E62), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Heavy machinery* and *other contractors' road construction materials, supplies, and equipment* which because of size or weight require the use of special equipment, and (2) *self-propelled farm implements and road construction equipment*, each weighing 15,000 pounds or more and *related machinery, tools, parts, and supplies*, moving in connection therewith (restricted to commodities transported on trailers), restricted in (1) and (2) above to the transportation of shipments in foreign commerce, (A) from points in Montana and Wyoming to the ports of entry at International Falls and Pigeon River, Minn. (points in South Dakota on and east of South Dakota Highway 73 (except Madison and points within 25 miles thereof))* (B) from points in Nebraska to the port of entry at International Falls, Minn. (South Dakota (except Madison and points within 25 miles thereof))*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub-No. E75), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Loaders, conveyors, screens, grizzlies* and *attachments, accessories* and *parts*, which because of size or weight require the use of special equipment, and *related machinery and parts* when their transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require special equipment, and (2) *self-propelled articles*, each weighing 15,000 pounds or more and *related machinery, tools, parts, and supplies* moving in connection therewith (restricted to commodities transported on trailers), between points in Wyoming, on the one hand, and, on the other, (A) points in Wisconsin, Illinois, Indiana, and Michigan (points in South Dakota east of the Missouri River or South Dakota Highway 73)* (B) points in Minnesota (points in South Dakota east of the Missouri River)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub-No. E107), (Correction), filed May 30, 1974, published in FEDERAL REGISTER September 26, 1975. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and related machinery parts and related contractors' materials and supplies when their transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require special equipment, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more and *related machinery, tools, parts, and supplies* moving in connection therewith (restricted to commodities transported on trailers), between points in Minnesota on and west of U.S. Highway 71, on the one hand, and, on the other, points in Iowa on, west, and south of a line beginning at the Iowa-Minnesota State line and extending along U.S. Highway 71 to junction U.S. Highway 20, to junction Interstate Highway 35, to junction Interstate Highway 80, to junction U.S. Highway 63, to junction U.S. Highway 34, to the Iowa-Illinois State line. The purpose of this filing is to eliminate the gateway of points in Minnesota within 50 miles of Sioux Falls, S.D. The purpose of this correction is to reflect the commodity description (2) above which was not included in prior publication. The remainder of the letter-notice is to remain as previously published.

No. MC 113855 (Sub-No. E122) (Correction), filed May 30, 1974. Published in FEDERAL REGISTER November 5, 1975. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Loaders, conveyors, screens, grizzlies* and *attachments, accessories* and *parts*, which because of size or weight require the use of special equipment, and *related machinery and parts* when their transportation is incidental to the transportation of the above-described commodities, and (ii) *self-propelled articles*, described in (1) above, each weighing 15,000 pounds or more, and *related machinery and parts* moving in connection therewith (restricted to commodities transported on trailers), (A) (1) from points in Minnesota and points in Walsh, Pembina, Nelson, Grand Forks, Griggs, Steele, Traill, Barnes, and Cass Counties, N. Dak., to points in California (except points in San Bernardino and Riverside counties, east of U.S. Highway 395 and points in Imperial County). The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this correction is to correct typographical errors. The remainder of the letter-notice is to remain the same as previously published.

No. MC 113855 (Sub-No. E138), (Correction), filed May 30, 1974. Published in FEDERAL REGISTER October 30, 1975. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors*, (except tractors with vehicle beds, bed frames, or fifth wheels), *utility trailers*, designed to transport tractors other than truck tractors, *road construction machinery and equipment, earth moving, excavating and loading machinery*, restricted to commodities, which because of size or weight require the use of special equipment, provided that the loading and/or unloading which necessitates the special equipment is performed by the consignor or consignee, or both, and *related machinery parts* moving in connection therewith, and * * * (b) (1) from points in Indiana on and north of U.S.

Highway 150, points in Ohio, West Virginia, and points in Kentucky on and east of a line beginning at the Indiana-Ohio State line and extending along Kentucky Highway 61 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Interstate Highway 75, thence along Interstate Highway 75 to the Kentucky-Tennessee State line, to points in Arizona; The purpose of this partial correction is to reflect the correct destination points. The remainder of the letter-notice is to remain the same as previously published. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub-No. E143), (Correction), filed May 31, 1974. Published in FEDERAL REGISTER October 16, 1975. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: I. (1) *Hay balers*, (2) *irrigation sprinklers* and *winches* designed for use with irrigation sprinklers, (3) *stump-cutting, cable-laying, trench-digging, trench-backfilling*, and *tree-moving equipment*, (4) *parts* for the commodities in (1), (2), and (3) and *attachments* for the commodities in (2) and (3), when moving in connection therewith, (5) *trailers* designed to transport commodities in (2) and (3), restricted in (1), (2), (3), and (5) above to the transportation of commodities which because of size or weight require the use of special equipment, and (6) *Self-propelled hay balers and stump-cutting, cable-laying, trench-digging, trench-backfilling, and tree-moving equipment*, each weighing 15,000 pounds or more, and *related parts and supplies* moving in connection therewith, * * * II. (1) *Hay balers and parts*, and (2) *Stump-cutting, cable-laying, trench-digging, trench-backfilling, and tree-moving equipment and parts and attachments* therefor, restricted to transportation in foreign commerce, from the port of entry on the United States-Canada International Boundary line at Portal, N.D., to points in Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, Vermont, New Hampshire, and Maine (Pella, Iowa)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this partial correction is to reflect correct destination point. The remainder of this letter-notice is to remain as previously published.

No. MC 113855 (Sub-No. E170), (Correction), filed May 30, 1974. Published in FEDERAL REGISTER October 16, 1975. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Street sweeping machines* (except those which because of size or weight require the use of special equipment), in flat bed trailers, (1) from points in Arizona to points in Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, Delaware, Michigan, Pennsylvania, Wisconsin, New Jersey, Maryland, District of Columbia, and those points in Ohio and Indiana on and north of U.S. Highway 30 * * * (B) (2) from points in Arizona in and west of Coconino, Yavapai, Maricopa, and Yuma Counties, to points in Virginia, on, north, and east of a line beginning at the Virginia-West Virginia State line and extending along U.S. Highway 60 to junction U.S. Highway 301, to junction U.S. Highway 460, to junction Virginia Highway 32, to the Virginia-North Carolina State line * * * The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this partial correction is to correct typographical errors. The remainder of this letter-notice remains as previously published.

No. MC 113855 (Sub-No. E378), filed October 23, 1975. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and Steel Articles, and Aluminum and Aluminum products* (except boats), the transportation of which, because of size or weight requires the use of special equipment, and related iron and steel or aluminum contractors' materials when their transportation is incidental to the specified commodities: (a) from points in California, Nevada, Utah, and Wyoming, to points in Alaska (Pierce County, Wash.)*; (b) from points in Colorado on, east, and north of a line beginning at the Colorado-Nebraska State line and extending along Colorado Highway 71 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Colorado-Kansas State line, to points in Alaska (Utah, South Dakota, and Pierce County, Wash.)*; (c) from points in Kansas on and east of U.S. Highway 83, to points in Alaska (Wyoming, South Dakota east of the Missouri River and Pierce County, Wash.)*; (d) from points in Nebraska, Missouri, Iowa, Illinois, Indiana, Ohio, Kentucky, the Lower Peninsula of Michigan, New York, Pennsylvania, West Virginia, Maryland, Virginia, North Carolina, Delaware, New Jersey, Massachusetts, Connecticut, Rhode Island, and the District of Columbia, to points in Alaska (Utah, and Pierce County, Wash.)*; (2) *Iron and Steel Articles*, as described in Appendix V to the report of the Commission in Ex Parte No. 45, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in California, Nevada, Utah, and Wyoming, to points in Alaska (Pierce County, Wash.)*

(3) *Iron and Steel roofing and siding*, from points in San Francisco, San Mateo, Marin, Alameda, Santa Clara, and Contra Costa Counties, California, to points in North Dakota on and north of a line beginning at the Montana-North Dakota State line and extending along U.S. Highway 2 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction Interstate Highway 94, thence along Interstate Highway 94 to the North Dakota-Minnesota State line; points in New York on and east of a line beginning at the shore of Lake Ontario and extending along New York Highway 57 to junction Interstate Highway 81, thence along Interstate Highway 81 to the New York-Pennsylvania State line; points in Maryland on and east of a line beginning at the Pennsylvania-Maryland State line and extending along Interstate Highway 81 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Interstate Highway 270, thence along Interstate Highway 270 to junction Interstate Highway 495, thence along Interstate Highway 495 to the Maryland-Virginia State boundary line; and points in New Jersey, Delaware, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, Maine, and the District of Columbia. (Pierce County, Wash., and Spokane County, Wash.)*; (4) *Iron and Steel Articles*, as described in Appendix V to the report of the Commission in Ex Parte No. 45, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in San Francisco, San Mateo, Marin, Alameda, Santa Clara, and Contra Costa Counties, California, to points in Minnesota and Wisconsin on and north of U.S. Highway 10; points in the Upper Peninsula of Michigan; points in Pennsylvania on and east of Interstate Highway 81; and points in Virginia on and east of U.S. Highway 1. (Pierce County, Wash.)*; (5) *Iron or Steel Roofing and siding and aluminum pipe, roofing and siding* (except oilfield pipe as described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), from points in Pierce County, Wash., to points in North Dakota, South Dakota, Missouri, Indiana, Maryland, New York, Delaware, New Jersey, Massachusetts, Connecticut, Rhode Island, Vermont, New Hampshire, and Maine. (Spokane County, Wash.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 117416 (Sub-No. E1), filed May 23, 1975. Applicant: NEWMAN AND PEMBERTON CORPORATION, 2007 University Avenue NW., Knoxville, Tenn. 37921. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned foodstuffs* (except frozen or in bulk), from points in Ohio on, west, and north of a line beginning at the Ohio-Kentucky State line and extending along Interstate Highway 71 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Michigan-Ohio State line to points in Kentucky on and west of a line beginning at the Ohio-Kentucky State line and extending along U.S.

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Highway 127 to junction U.S. Highway 150, thence along U.S. Highway 150 to junction U.S. Highway 25, thence along U.S. Highway 25 to junction U.S. Highway 25E, thence along U.S. Highway 25E to the Kentucky-Tennessee State line (except points in Boone, Campbell, and Kenton Counties, and points in the commercial zones of Louisville and Ashland); points in Tennessee on and west of U.S. Highway 23; and points in Georgia and South Carolina on, south, and west of a line beginning at the Tennessee-Georgia State line and extending along U.S. Highway 411 to junction Georgia Highway 53, thence along Georgia Highway 53 to junction U.S. Highway 129, thence along U.S. Highway 129 to junction Interstate Highway 85, thence along Interstate Highway 85 to Greenville, S.C., thence along U.S. Highway 276 to junction Interstate Highway 26, thence along Interstate Highway 26 to Columbia, S.C., and thence along U.S. Highway 176 to the Atlantic Ocean.

(2) *Canned Foodstuffs* (except frozen or in bulk), from Cincinnati, Ohio, to points in Georgia, Maryland, North Carolina, South Carolina, Tennessee, Virginia, the District of Columbia, points in Kentucky (except points in Boones, Campbell, and Kenton Counties, and points within the commercial zones of Louisville and Ashland) on, south, and west of a line beginning at the Kentucky-Virginia State line and extending along U.S. Highway 25–E to junction U.S. Highway 25, thence along U.S. Highway 25 to junction Kentucky Highway 80, thence along Kentucky Highway 80 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction Kentucky Highway 300, thence along Kentucky Highway 300 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Kentucky-Indiana State boundary line at or near the junction of U.S. Highway 127 and U.S. Highway 42; and points in West Virginia (except points in Kanawha, Pleasant, Wood, Richie, Wirt, Jackson, Mason, Putnam, Cabell, Wayne, and Lincoln Counties). (3) *Canned Foodstuffs* (except frozen or in bulk), from points in Ohio on, south, and east of a line beginning at Cincinnati, Ohio, and extending along Interstate Highway 71 to Columbus, Ohio, thence along U.S. Highway 23 to the Ohio-Kentucky State boundary line, points in Kentucky and Tennessee on and west of a line beginning at the Indiana-Kentucky State line and extending along U.S. Highway 421 to junction U.S. Highway 42, thence along U.S. Highway 42 to Louisville, Ky., thence along U.S. Highway 60 to Owensboro, Ky., thence along U.S. Highway 431 to Nashville, Tenn., thence along U.S. Highway 41 to Murphreesboro, Tenn., and thence along U.S. Highway 231 to the Tennessee-Alabama State boundary line (except points in Boones, Campbell, and Kenton Counties, Ky., and points in the commercial zones of Louisville and Ashland, Ky.).

(4) *Canned Foodstuffs* (except frozen or in bulk), from points in Ohio on, north, and west of a line beginning at the Ohio-Indiana State Boundary line and extending along Interstate Highway 70 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Ohio-Michigan State line, to points in Tennessee, Georgia, and South Carolina, and points in Kentucky, Virginia, and North Carolina on, south, and west of a line beginning at the Ohio-Kentucky State boundary line and extending along U.S. Highway 27 to junction Kentucky Highway 627, thence along Kentucky Highway 627 to junction Kentucky Highway 15, thence along Kentucky Highway 15 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction Jenkins, Ky., thence along U.S. Highway 23 to junction Alternate U.S. Highway 58, thence along Alternate U.S. Highway 58 to junction U.S. Highway 58, thence along U.S. Highway 58 to junction U.S. Highway 52, thence along U.S. Highway 52 to Winston-Salem, N.C., thence along U.S. Highway 52 to junction U.S. Highway 70, thence along U.S. Highway 70 to the Atlantic Ocean (except points in Boones, Campbell, and Kenton Counties, Ky., and points in the commercial zones of Louisville and Ashland). The purpose of this filing is to eliminate the gateway of points in Indiana on, east, and south of a line beginning at the Kentucky-Indiana State line and extending along Indiana Highway 135 to Indianapolis, thence along U.S. Highway 31 to junction Indiana Highway 26, thence along Indiana Highway 26 to the Indiana-Ohio State line (except Franklin, Indianapolis, and New Albany), in (1), (2), (3), and (4) above.

No. MC 119702 (Sub-No. E8), (Correction), filed May 31, 1974. Published in FEDERAL REGISTER February 19, 1975. Applicant: STAHLY CARTAGE COMPANY, P.O. Box 486, Edwardsville, Ill. 62025. Applicant's representative: E. Stephen Heisley, 666 Eleventh St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum Products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Hartford, Roxana, and Wood River, Ill., to those points in Wisconsin on, south, and east of a line beginning at the Mississippi River extending along U.S. Highway 16 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to junction Wisconsin Highway 64, thence along Wisconsin Highway 64 to Lake Michigan. The purpose of this filing is to eliminate the gateways of St. Louis, Mo., the plant site and facilities used by Illinois Road Contractors, Inc., in Pike County and Amboy, Ill.

No. MC 119864 (Sub-No. E3), filed May 25, 1974. Applicant: CRAIG TRANSPORTATION CO., 26699 Eckel Road, Perrysburg, Ohio 43551. Applicant's representative: Dale K. Craig (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal Containers* which are incidental to the production, packing, and sale of food products, dairy products and dairy byproducts, from the plants and warehouse sites of United Can Company at or near Rossford, Ohio, to points in Michigan on and west of a line beginning at the Michigan-Ohio State line and extending along Michigan Highway 99 to junction Michigan Highway 50, thence along Michigan Highway 50 to junction Michigan Highway 21, thence along Michigan Highway 21 to Lake Michigan, and points in Ohio on and west of a line beginning at the Ohio-Michigan State line and extending along Ohio Highway 49 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 127, thence along U.S. Highway 127 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Indiana-Ohio State line, restricted to the transportation of shipments moving from, to, or between plants, warehouses, or other facilities of food manufacturing and dairy establishments. The purpose of this filing is to eliminate the gateway of points in Indiana.

No. MC 119864 (Sub-No. E26), filed May 24, 1974. Applicant: CRAIG TRANSPORTATION CO., 26699 Eckel Road, Perrysburg, Ohio 43551. Applicant's representative: Dale K. Craig (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, Packinghouse products, and commodities used by Packing houses*, as described in Appendix I to the report *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, which are food products and dairy products and by-products (except in bulk, in tank vehicles), from Fremont, Ohio, to points in Michigan on, south, and west of a line beginning at the Michigan-Indiana State line and extending along Michigan Highway 103 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Michigan Highway 40, thence along Michigan Highway 40 to Lake Michigan, restricted to the transportation of shipments moving from, to, or between plants, warehouses, or other facilities of food manufacturing and dairy establishments. The purpose of this filing is to eliminate the gateway of Ft. Wayne, Ind.

No. MC 119864 (Sub-No. E32), (Correction), filed May 27, 1974. Published in FEDERAL REGISTER June 30, 1975. Applicant: CRAIG TRANSPORTATION CO., 26699 Eckel Road, Perrysburg, Ohio 43551. Applicant's representative: Dale K. Craig, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen Food Products and Frozen Dairy Products* (except liquid or in bulk), restricted to shipments moving from, to, or between facilities of food manufacturing and dairy establishments; (a) from the facilities of the Oconomowoc Canning Co., at Cobb, Merrill, Poynette, Sun Prairie, and Waunakee, Wis., and the facilities of the Pet Milk Co., at Belleville, Madison and Middletown, Wis., to points in Ohio and points in Kentucky on and east of U.S. Highway 41; and * * * The purpose of this filing is to eliminate the gateways of LaPorte, Ind., and points in Michigan east of U.S. Highway 27 and south of Michigan Highway 21. The purpose of this correction is to reflect the correct city. The remainder of this letter-notice is to remain as previously published.

No. MC 119864 (Sub-No. E33), (Correction), filed May 22, 1974. Published in FEDERAL REGISTER June 30, 1975. Applicant: CRAIG TRANSPORTATION CO., 26699 Eckel Road, Perrysburg, Ohio 43551. Applicant's representative: Dale K. Craig (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen Food Products and Frozen Dairy Products*, restricted to shipments moving from, to, or between plants, warehouses, or other facilities of food manufacturing and dairy establishments; (1) from points in Michigan on and south of Michigan Highway 21 and points in Ohio on, south, and west of a line beginning at Lake Erie and extending along U.S. Highway 42 to junction Ohio Highway 18, thence along Ohio Highway 18 to the Indiana-Ohio State line, to points in Illinois; * * * The purpose of this filing is to eliminate the gateway of La Porte, Ind. The purpose of this partial correction is to correct (1) above. The remainder of this letter-notice is to remain as previously published.

No. MC 119897 (Sub-No. E1), (Correction), filed June 4, 1974. Published in FEDERAL REGISTER October 24, 1975. Applicant: A–1 TRANSPORTATION CO., P.O. Box 21275, 3102 Maury St., Houston, Tex. 77026. Applicant's representative: J. G. Dail, Jr., 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Machinery, equipment, materials*, and *supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum, and their products and by-products, and (B) *Machinery, equipment, materials*, and *supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products, and by-products, water, or sewerage, restricted to the transportation of shipments moving to or from pipeline right of way; * * * (31) between points in that part of Texas west of U.S. Highway 285 from the New Mexico-Texas State line south to Pecos, thence along Texas Highway 17 and U.S. Highway 67 to Presidio, on the one hand, and, on the other, points in that part of Kansas on and east of U.S. Highway 283 (Iowa Park, Tex., and points in Texas within 100 miles of Iowa Park, and points in Oklahoma) *; (32) between points in that part of Texas on, east, and north of U.S. Highway 75 from the Oklahoma-Texas State line to Dallas, thence along U.S. Highway 175 to Jacksonville, thence along U.S. Highway 69 to Rusk, thence along U.S. Highway 84 to the Louisiana-Texas State line, on the one hand, and, on the other, points in that part of Kansas on and west of U.S. Highway 77. (Iowa Park, Tex., and points in Texas within 100 miles of Iowa Park, and points in Oklahoma) *; The purpose of this correction is to correct Part (31) and (32). The purpose of this filing is to eliminate the gateways marked with asterisks. The remainder of the letter is to remain the same as previously published.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.76–1150 Filed 1–13–76;8:45 am]

[Notice 3]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JANUARY 9, 1976.

The following publications include motor carrier, water carrier, broker, freight forwarder and rail proceedings indexed as follows: (1) Grants of authority requiring republication prior to certification; (2) notices of filing of petitions for modification of existing authorities; (3) new operating right's applications directly related to and processed on a consolidated record with finance applications filed under sections 5(2) and 212(b); (4) notices of filing of sections 5(2) and 210a(b) finance applications; and (5) notices of filing of section 212(b) transfer applications.

Each applicant (except as otherwise specifically noted) states that there will be no significant effect on the quality of the human environment resulting from approval of its application in compliance with the requirements of 49 CFR 1100.250.

Protests to the granting of the requested authority must be filed with the Commission on or before February 13, 1976 (unless otherwise specified). Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest should comply with section 247(d) or section 240(c) as appropriate of the Commission's general rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and a detailed description of the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest (except for petitions and Finance Dockets under Rule 40 requiring the original and six (6) copies of the protest) shall be filed with the Commission, and a copy shall be served concurrently upon applicant's or petitioner's representative, or applicant or petitioner if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) or section 240(c)(4) of the special rules, and shall include the certification required therein.

No. MC 123048 (Sub-No. 317) (Republication), filed November 25, 1974, and published in the FEDERAL REGISTER issue of December 19, 1974, and republished this issue. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 5021 21st Street, Racine, Wis. 53406. Applicant's representative: Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703. An Order of the Commission, Review Board Number 3, dated December 11, 1975, and served December 23, 1975, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, of *bus bodies and press brake parts* from Woodlawn, Tex., to points in St. Joseph County, Ind.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate the origin of Woodlawn, Tex., in lieu of Marshall, Tex. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a Certificate in this proceeding will be withheld until February 13, 1976 of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced. Pleadings may be tendered with respect to the modification(s) of applicant's grant of authority indicated by the purpose for this republication.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

Applications for certificates or permits which are to be processed concurrently with application under Section 5 governed by special rule 240 to the extent applicable.

No. MC 108473 (Sub-No. 37), filed December 4, 1975. Applicant: ST. JOHNSBURY TRUCKING COMPANY, INC., 40 Erie Street, Cambridge, Mass. 02139. Applicant's representative: Francis P. Barrett, 60 Adams Street, P.O. Box 238, Milton, Mass. 02187. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except motion picture films, household goods as described by the Commission, silk, and silk products, Classes A and B explosives, commodities in bulk, commodities requiring special equipment, and commodities of unusual value), Between Baltimore, Md. and Washington, D.C.: From Baltimore over U.S. Highway 1 to Washington, D.C. and return over the same route, serving all intermediate points.

NOTE.—Applicant has concurrently filed a motion to dismiss. This is a matter directly related to a Section 5(2) proceeding in MC–F–12604 published in the FEDERAL REGISTER issue of August 20, 1975. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass. or Washington, D.C.

No. MC 111936 (Sub-No. 15), filed December 4, 1975. Applicant: MURROW'S TRANSFER, INC., P.O. Box 4095, High Point, N.C. 27263. Applicant's representative: George W. Clapp, P.O. Box 836, Taylors, S.C. 29687. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *New furniture*, from points in North Carolina, to points in Alabama, District of Columbia, Florida, Illinois, Indiana, Kentucky, Michigan, New Jersey, New York, Ohio, Pennsylvania and Tennessee.

The purpose of this filing is to eliminate the gateway of High Point, N.C.

(2) *New furniture*, crated, and *new upholstered furniture*, except when in boxes, crates or cartons, from points in North Carolina, to points in Georgia, South Carolina, Virginia, and West Virginia.

The purpose of this filing is to eliminate the gateway of High Point, N.C.

(3) *Damaged or rejected shipments* of new upholstered furniture, except when in boxes, crates or cartons, from points in Georgia, South Carolina, Virginia, and West Virginia, to points in North Carolina.

The purpose of this filing is to eliminate the gateway of High Point, N.C.

(4) *New furniture*, crated, from points in North Carolina, to points in Maryland (except Baltimore, Md.).

The purpose of this filing is to eliminate the gateway of High Point, N.C.

(5) *New furniture*, uncrated, from points in North Carolina, to points in Maryland.

The purpose of this filing is to eliminate the gateway of High Point, N.C.

(6) *Rejected shipments* of new furniture, uncrated, from points in Alabama, District of Columbia, Florida, Illinois, Indiana, Kentucky, Maryland, New Jersey, New York, Ohio, Pennsylvania, and Tennessee, to points in North Carolina.

The purpose of this filing is to eliminate the gateway of High Point, N.C.

(7) *New furniture*, between points in North Carolina, on the one hand, and, on the other, points in Georgia, South Carolina, and Virginia.

The purpose of this filing is to eliminate the gateway of Statesville, N.C.

(8) *New furniture*, from points in Georgia, and South Carolina, to points in District of Columbia, Illinois, Indiana, Kentucky, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Tennessee.

The purpose of this filing is to eliminate the gateways of Statesville and High Point, N.C.

(9) *New furniture*, crated, from points in Georgia, South Carolina, and Virginia, to points in Maryland (except Baltimore, Md.).

The purpose of this filing is to eliminate the gateways of Statesville and High Point, N.C.

(10) *New furniture*, uncrated, from points in Georgia, South Carolina, and Virginia, to points in Maryland.

The purpose of this filing is to eliminate the gateways of Statesville and High Point, N.C.

(11) *New furniture*, crated, and *new upholstered furniture*, except when in boxes, crates or cartons, from points in Georgia, and South Carolina, to points in Virginia, and West Virginia.

The purpose of this filing is to eliminate the gateways of Statesville and High Point, N.C.

(12) *Damaged or rejected shipments* of new upholstered furniture, except when in boxes, crates or cartons, from points in Virginia, and West Virginia, to points in Georgia, and South Carolina.

The purpose of this filing is to eliminate the gateways of Statesville and High Point, N.C.

(13) *New furniture*, from points in Virginia, to points in Alabama, District of Columbia, Florida, Illinois, Indiana, Kentucky, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Tennessee.

The purpose of this filing is to eliminate the gateways of Statesville and High Point, N.C.

(14) *New furniture*, crated, and *new upholstered furniture*, except when in boxes, crates or cartons, from points in Virginia, to points in Georgia, South Carolina, and West Virginia.

The purpose of this filing is to eliminate the gateways of Statesville and High Point, N.C.

(15) *Damaged or rejected shipments of new upholstered furniture*, except when in boxes, crates or cartons, from points in Georgia, South Carolina, and West Virginia, to points in Virginia.

The purpose of this filing is to eliminate the gateways of Statesville and High Point, N.C.

(16) *Rejected shipments* of new furniture, uncrated, from points in District of Columbia, Illinois, Indiana, Kentucky, Maryland, New Jersey, New York, Ohio, Pennsylvania, and Tennessee, to points in Georgia, South Carolina and Virginia.

The purpose of this filing is to eliminate the gateway of Statesville and High Point, N.C.

(17) *Rejected shipments* of new furniture, uncrated, from points in Alabama, and Florida, to points in Virginia.

The purpose of this filing is to eliminate the gateways of Statesville and High Point, N.C.

NOTE.—This is a gateway elimination request and is a matter directly related to a section 5(2) proceeding in MC–F–12708 published in the FEDERAL REGISTER issue of December 17, 1975. If a hearing is deemed necessary, the applicant requests it be held at Greensboro or Charlotte, N.C.

No. MC 141490 (Correction), filed October 28, 1975, published in the FEDERAL REGISTER issues of December 4, 1975 and December 23, 1975, and republished, as corrected, this issue. Applicant: QUINCIE W. GIBSON, doing business as GIBSON TRANSFER CO., 408 East 21st Street, Wichita, Kans. 67214. Applicant's representative: Lester C. Arvin, 814 Century Plaza Building, Wichita, Kans. 67202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products and meat by-products, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in containers (except hides, skins and pieces thereof), from the plant site of Dold Packing Company, Inc., at or near Wichita, Kans., to points in Colorado, Nebraska, Missouri, Oklahoma, Iowa, Arkansas, Louisiana, and Texas and (2) *materials and supplies* used in the processing and packaging of the above-described commodities (except in bulk), from the above-described destination points, to the plant site of Dold Packing Company, Inc., at or near Wichita, Kans.

NOTE.—The purpose of this republication is to state the correct publication. The purpose of this application is to convert a Permit to a Certificate of Public Convenience and Necessity. This is a matter directly related to a section 5(2) proceeding in MC–F–12544 published in the FEDERAL REGISTER issue of June 18, 1975. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC–F–12718. Authority sought for control by FLORIDA TRANSPORT GROUP, INC., 777 N.W. 72nd Ave., Miami, FL 33126, of TARPON TRANSPORTATION, INC., 3520 Adamo Drive, Tampa, FL 33605, and for acquisition by MORRIS S. KRATHEN, and AUGUST PALUZZI, both of Miami, FL 33126, and RALPH A. CARLONI, 1718 Boston Post Rd., Milford, CT, of control of TARPON TRANSPORTATION, INC., through the acquisition by FLORIDA TRANSPORT GROUP, INC., Applicants' attorneys: Gerald K. Gimmel, 303 N. Frederick Ave., Gaithersburg, MD, and Richard B. Austin, Suite 214, Palm Coast II Bldg., 5255 N.W., 87th Ave., Miami, FL 33178. Operating rights sought to be controlled

acquired pursuant to order dated August 20, 1974, in Docket No. MC–FC–75227. *General commodities*, (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), which are at the time moving on bills of lading of freight forwarders, as a *common carrier* over irregular routes, from Tampa, Fla., to points in Pasco, Pinellas, Polk, Hillsborough, Manatee, Sarasota, Charlotte, and Lee Counties, Fla. FLORIDA TRANSPORT GROUP, INC., holds no authority from this Commission. However, it is affiliated with FLAMINGO TRANSPORTATION, INC., P.O. Box 22164, Fort Lauderdale, FL 33315, which is authorized to operate as a *common carrier* in Florida. Application has been filed for temporary authority under section 210a(b).

No. MC–F–12719. Authority sought for control by PONY EXPRESS COURIER CORPORATION, P.O. Box 4313, Atlanta, GA 30302, of FINANCIAL COURIER CORPORATION, P.O. Box 3094, Winston-Salem, NC 27102, and for acquisition by BAKER INDUSTRIES, INC., 199 Cherry Hill Rd., Parsippany, NJ 07054, of control of FINANCIAL COURIER CORPORATION, through the acquisition by PONY EXPRESS COURIER CORPORATION. Applicants' attorney: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Operating rights sought to be controlled: *Such commercial papers, documents, written instruments*, and *business records* (except currency and negotiable securities) as are used in the business of banks and banking institutions, as a *contract carrier* over irregular routes, bewteen Asheville, Charlotte, Greenville, Raleigh, and Winston-Salem, N.C., between Asheville, Charlotte, Greenville, Raleigh, and Winston-Salem, N.C., on the one hand, and, on the other, points in North Carolina, South Carolina, Virginia, and points in Johnson, Sullivan, Hawkins, Hancock, Clairborne, Carter, Washington, Greene, Unicoi, Cocke, Sevier, Blount, Jefferson, Knox, Loudon, Anderson, Union, and Grainger Counties, Tenn., and Richmond and Columbia Counties, Ga.: *audit and data processing media* and other business and *governmental records*, except as are used in the business of banks and banking institutions, between Asheville, Charlotte, Greenville, Raleigh, and Winston-Salem, N.C., between Asheville, Charlotte, Greenville, Raleigh, and Winston-Salem, N.C., on the one hand, and, on the other, points in North Carolina, South Carolina, Virginia, and points in Johnson, Sullivan Hawkins, Hancock, Clairborne, Carter, Washington, Greene, Unicoi, Cocke, Sevier, Blount, Jefferson, Knox, Loudon, Anderson, Union, and Grainger Counties, Tenn., and Richmond and Columbia Counties, Ga., with restrictions; commercial papers, documents, written instruments, audit and data processing media, and business records (except currency and negotiable securities), between Raleigh-Durham Airport at Raleigh-Durham, N.C., Friendship Airport at Greensboro, N.C., Smith-Reynolds Airport at Winston-Salem, N.C., and Douglas Airport at Charlotte, N.C., on the one hand, and, on the other, points in North Carolina. Appplicant is controlled by BAKER INDUSTRIES, INC., which is controlled by WELLS FARGO ARMORED SERVICE CORPORATION, a motor carrier. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–12723. Authority sought for purchase by BOSTON & WOONSOCKET EXPRESS, INC., 1117 River Street, Woonsocket, Rhode Island, 02895, of the operating rights of A–1 CORPORATION, 70 Western Avenue, Boston, MA 02134, and for acquisition by Roland E. Theroux, and Gertrude Theroux, also of Woonsocket, R.I., 02895, of control of such rights through the purchase. Applicants' attorney: Kenneth B. Williams, 84 State Street, Boston, MA 02109. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC 121386 (Sub. No. 1), covering the transportation of *general commodities*, as a *common carrier*, solely within the state of Massachusetts. Vendee is authorized to operate as a *common carrier* in Rhode Island and Massachusetts. Application has been filed for temporary authority under section 210a(b).

No. MC–F–12724. Authority sought for purchase by DONELSON TRUCKING & STORAGE CO., INC., 33 Forest Avenue, Jamestown, New York, 14701, of a portion of the operating rights of MASTERSON TRANSFER CO., INC., 805 Lexington Avenue, Warren, PA., 16365, and for acquisition by ROBERT V. CARLSON, 1795 Whitehill Circle, R.D. #5, Jamestown, N.Y., 14701, of control of such rights through the purchase. Applicants' attorney: Ronald W. Malin, or Kenneth T. Johnson, 4th Floor, Bankers Trust Building, Jamestown, N.Y., 14701. Operating rights sought to be transferred: *Household goods* as defined by the Commission as a *common carrier* over irregular routes between points in Forest, Crawford, Warren and McKean Counties, Pa., and Chautauqua County, New York, on the one hand, and on the other, points in Ohio, Pennsylvania, New York, New Jersey, Maryland, Virginia, West Virginia, Indiana, Illinois and the District of Columbia with restrictions. Vendee is authorized to operate as a *common carrier* in New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, Ohio, Indiana, Illinois and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–12726. Authority sought for purchase by WILSON TRUCKING CORPORATION, P.O. Drawer 2, Fishersville, VA., 22939, of the operating rights of SER U FREIGHT, INC., P.O. Box 9547, Baltimore, MD., 21237, and for acquisition by C. W. WILSON, P.O. Drawer 2, Fishersville, VA., 22939, of control of such rights through the purchase. Applicants' attorney: Francis W. McInerny, Suite 502, Solar Building, 1000 16th Street NW., Washington, D.C. 20036. Operating rights sought to be transferred: *General commodities*, with exceptions as a *common carrier* over regular routes between Washington, D.C., and Baltimore, Md. Vendee is authorized to operate as a *common carrier* in the District of Columbia, Maryland, North Carolina and Virginia. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–12727. Authority sought for purchase by ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, P.O. Box 471, Akron, OH., 44309, of a portion of the operating rights of TORREY DELIVERY, INC., 11 Bay Shore, R.D. #2, Dunkirk, N.Y., 14148, and for acquisition by Galen J. Roush, also of Akron, OH 44309, of control of such rights through the purchase. Applicants' attorney and representative: William O. Turney, 2001 Massachusetts Ave. NW., Washington, D.C. 20036, and Mr. Douglas W. Faris, 1077 Gorge Blvd., P.O. Box 471, Akron, OH 44309. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC 56641 (Sub-No. 3), covering the transportation of *general commodities*, as a *common carrier*, solely with the state of New York. Vendee is authorized to operate as a *common carrier* in Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia and Wisconsin. Application has been filed for temporary authority under section 210a(b).

No. MC–F–12728. Authority sought for purchase by FALL RIVER & NEW BEDFORD EXPRESS CO., INC. a noncarrier, Ridge Hill Rd., Freetown, MA 02702, of the operating rights and property of JULIETTE B. CARDINAL, dba, FALL RIVER & NEW BEDFORD EXPRESS COMPANY, 30 Borden St., Westport, MA 02709, and for acquisition by Theodore D. Razook, 323 N. Eastern Ave., Fall River, MA 02723 and Jesse Cordeiro, Windmill Hill Rd., Little Compton, R.I. 02837, of control of such rights through the purchase. Applicants' attorney: Jesse Cordeiro, Ridge Hill Rd., Freetown, MA 02702. Operating rights and property sought to be transferred: *General commodities*, with exceptions as a *common carrier* over regular routes between Providence, R.I., and Boston, Mass., serving the intermediate point of Pawtucket, R.I., and the off-route points of Central Falls, Cranston, Cumberland, East Providence, and Lincoln, R.I., between Boston, Mass., and New Bedford, Mass., serving the intermediate point of Taunton, Mass., and the off-route points of Somerville, Cambridge, Brookline, Somerset, and Acushnet, Mass.; between Boston, Mass., and Newport, R.I., serving the intermediate points of Fall River, Mass., and Portsmouth and Tiverston R.I.; and the off-route point of Bristol, R.I.; between Providence R.I. and New

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Bedford, Mass., serving the intermediate point of Fall River, Mass.; and the off-route points of Warwick, West Warwick, Cranston, Pawtucket, Central Falls, North Providence, East Greenwich, and Warren, R.I., and Fairhaven, Mass.; *textile products* as a *common carrier* over irregular routes between Fall River and New Bedford, Mass., on the one hand, and, on the other, Coventry, Lincoln, Westerley, and Woonsocket, R.I., and points in Massachusetts. FALL RIVER & NEW BEDFORD EXPRESS, CO., INC., holds no authority from this Commission. However, it is affiliated with T. J. MOTOR LINES, INC., Ridgehill Rd., Assonet, Mass. 02702, which under a Certificate of Registration in No. MC 96979 is authorized to operate as a *common carrier* in intrastate commerce, solely within the state of Massachusetts. Application has been filed for temporary authority under section 210a(b).

No. MC–F–12729. Authority sought for purchase by KEITH FULTON & SONS, INC., 21 Water Street, Cambridge, MA. 02141, of the operating of R. DOUGHTY SONS CO., INC., 63 Jacobus Avenue, South Kearny, N.J. 07032, and for acquisition by KEITH FULTON, JR., 21 Water St., Cambridge, MA. 02141, and control of such rights through the purchase. Applicants' attorneys: Frank J. Weiner, 15 Court Square, Boston, MA. 02108, and Donald A. Sterling, 185 Engle Street, Englewood, N.J. Operating rights sought to be transferred: *Heavy machinery* and *such commodities* as require special equipment by reason of size or weight, as a *common carirer* over irregular routes between points in the New York, N.Y., Commercial Zone, as defined by the Commisison, on the one hand, and, on the other, points in New Jersey, New York, Pennsylvania, Delaware, and the District of Columbia. Vendee is authorized to operate as a *common carrier* in Massachusetts, Connecticut, Maine, New Hampshire, New York, Vermont. Application has been filed for temporary authority under section 210a(b).

No. MC–F–12730. Authority sought for purchase by PACIFIC TRANSPORTATION LINES, INC., 443 Delaware Ave., Buffalo, NY 14202, of the operating rights and property of JACKSON DISTRIBUTION CORP., 348 W. Fayette St., Syracuse, NY, and for acquisition by JAMES J. MORAN, 160 S. Forest Rd., Williamsville, NY, of control of such rights and property through the purchase. Applicants' attorney; William J. Hirsch, 43 Court St., Buffalo, NY 14202. Operating rights sought to be transferred: *Such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, and, in connection therewith, *equipment, materials, and supplies* used in the conduct of such business, as a *contract carrier* over irregular routes, between points within the territory bounded by a line beginning at Louisville Landing, N.Y., and extending in a southeasterly direction to points in a defined area of New York, between points in the above-specified territory, on the one hand, and, on the other, points within the territory bounded by a line beginning on the shore of Lake Ontario at a point 5 miles directly north of Webster, N.Y., and extending south through Webster, Canandaigua, and Rushville to Hammondsport, N.Y., thence in a southeasterly direction to Beaver Dams, N.Y., thence west to Beaver Dams, N.Y., thence west through Cuba to South Dayton, N.Y., thence through Buffalo to Wilson, N.Y., and thence east along the shore of Lake Ontario to a point on the lake 5 miles north of Webster, including the points named, from Syracuse, N.Y., to points in St. Lawrence, Franklin, Steuben, Schuyler, Chemung, Tioga, Broome, Chenango, Delaware, Ostego, Schoharie, Montgomery, Fulton, Herkimer, and Schenectady Counties, N.Y., and points in Bradford and Susquehanna Counties, Pa., with restrictions. Vendee is authorized to operate as a *contract carrier* in Maryland, New York, Ohio, Pennsylvania, Virginia and West Virginia. Application has been filed for temporary authority under section 210a(b).

No. MC–F12731. Authority sought for control by AMERICAN COMMERCIAL LINES, INC., 2919 Allen Parkway, Houston, TX 77019, of (BB) ALL-AMERICAN, INC., AND (BB) MIDWEST COAST TRANSPORT, INC., both of 900 West Delaware, Sioux Falls, SD 57101, and for acquisition by TEXAS GAS TRANSMISSION CORPORATION, 3800 Frederica St., Owensboro, KY 42301, of control of ALL-AMERICAN, INC., and MIDWEST COAST TRANSPORT, INC., through the acquisition by AMERICAN COMMERCIAL LINES, INC. Applicants' attorneys: Axelrod, Goodman, Steiner & Bazelon, 39 S. LaSalle St., Chicago, IL 60603, and E. Phillips Malone, 3800 Frederica St., Owensboro, KY 42301. Operating rights sought to be controlled: (B) *General commodities*, and numerous *specified commodities*, as a *common carrier*, over regular and irregular routes, from, to, and between specified points in Minnesota, South Dakota, Iowa, Nebraska, Illinois, Missouri, North Dakota, Wisconsin, Indiana, Michigan, Ohio, Kentucky, Kansas, Wyoming, Tennessee, Pennsylvania, and Colorado, with certain restrictions, serving various intermediate and off-route points, over numerous alternate routes for operating convenience only, as more specifically described in No. MC 29120 and Sub numbers thereunder; and (BB) *General commodities*, and numerous *specified commodities*, as a *common carrier* over regular and irregular routes, from, to, and between all points in the United States (except Alaska and Hawaii), serving various intermediate and off-route points, with restrictions, as more specifically described in No. MC 111812 and Sub numbers thereunder. This notice does not purport to be a complete description of all of the operating rights of the carriers involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of these carriers operating rights, without stating, in full, the entirety, thereof. AMERICAN COMMERCIAL LINES, INC., holds no authority from this Commission. However, it controls (1) COMMERCIAL CARRIERS, INC., 10701 Middlebelt Rd., Romulus, MI 48174, which is authorized to operate as a *common carrier* in all points in the United States (except Hawaii), (2) TERMINAL TRANSPORT COMPANY, INC., 248 Chester Ave. SE., Atlanta, GA 30316, which is authorized to operate as a *common carrier* in Kentucky, Indiana, Illinois, Tennessee, Georgia, Alabama, Florida and Ohio. Application has not been filed for temporary authority under section 210a(b).

The Baltimore and Ohio Railroad Company and The Chesapeake Ohio Railway Company, 2 North Charles Street, Baltimore, Maryland 21201, represented by Mr. René J. Gunning, Attorney for Applicants, 2 North Charles Street, Baltimore, Maryland 21201, hereby give notice that, on the 22nd day of December 1975, they filed with the Interstate Commerce Commission at Washington, D.C., a joint application under Section 5(2) of the Interstate Commerce Act for an order approving and authorizing the Baltimore and Ohio Railroad Company to lease and operate a portion of the Chesapeake and Ohio Railway Company, which application is assigned Finance Docket No. 28084. The nature of the proposed transaction is the lease and operation by the Baltimore and Ohio Railroad Company of a portion of the Chesapeake and Ohio Railway's line of railroad. The line of railroad which the Baltimore and Ohio Railroad Company proposes to lease and operate is an 8.66 mile portion of the Chesapeake and Ohio Railway Company's Pomeroy Branch located between Valuation Station 1501+21, near Dundas, Ohio, and Valuation Station 1043+80, near Creola, Ohio, all in Vinton County, Ohio.

Applicants have alleged in their application that the quality of the human environment will not be affected by the proposed Commission action requested in the application. In accordance with the Commission's regulations (49 CFR 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation—National Environmental Policy Act, 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), supra Part (b)(1)–(5), 340 I.C.C. 431, 461.

The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than February 13, 1976.

THE BALTIMORE AND OHIO RAILROAD COMPANY

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.76–1151 Filed 1–13–76;8:45 am]

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WEDNESDAY, JANUARY 14, 1976

PART II:

ENVIRONMENTAL PROTECTION AGENCY

PORTABLE AIR COMPRESSORS

Noise Emission Standards

VOL 41 NO 9 JAN 14 76 XUM

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[FRL 469-4]

PART 204—NOISE EMISSION STANDARDS FOR CONSTRUCTION EQUIPMENT

Portable Air Compressors

On October 29, 1974, notice was published in the FEDERAL REGISTER (39 FR 38186) that the Environmental Protection Agency (EPA or Agency) was proposing noise emission standards for new portable air compressors distributed in commerce. The purpose of this notice is to establish final noise emission standards for new portable air compressors distributed in commerce by establishing a new Part 204 of Title 40 of the Code of Federal Regulations. This final rulemaking is promulgated pursuant to section 6 of the Noise Control Act of 1972; 86 Stat. 1234; Pub. L. 92–574.

I. INTRODUCTION

Through the Noise Control Act of 1972 (86 Stat. 1234), the Congress established a National policy "to promote an environment for all Americans free from noise that jeopardizes their health and welfare." In pursuit of that policy, Congress stated, in section 2 of the Act, "that, while primary responsibility for control of noise rests with State and local governments, Federal action is essential to deal with major noise sources in commerce, control of which require national uniformity of treatment." As part of this essential Federal action, section 6 of the Act requires that the Administrator identify products which are major sources of noise, and if such products fall into certain specified categories, one of which is construction equipment, to prescribe regulations unless in his judgment noise emission standards are not feasible. The Administrator has identified portable air compressors as a major source of noise (39 FR 22297).

Under section 6 of the Act, such regulations are to include noise emission standards, setting limits on noise emissions from new products, which are requisite to protect public health and welfare, taking into account the magnitude and conditions of use of such products, the degree of noise reduction achievable through the application of best available technology, and the cost of compliance. The final regulation being promulgated contains a performance-type noise emission standard and specifies the testing procedure necessary to assure compliance with the emission standard.

Under section 15 of the Act, the Administrator shall certify as a low-noise-emission-product (LNEP) any product which emits noise in amounts significantly below the levels specified by any noise emission standard included in a regulation promulgated pursuant to section 6, for which certification application has been properly filed and which the Administrator determines is suitable for use as a substitute for a type of product in use by agencies of the Federal Government. At this time the specific LNEP noise level(s) for portable air compressors has not been determined; however, the Agency will continue to study various options for LNEP criteria and assign specific level(s) in the future. Accordingly, a subsection in the regulation has been reserved for LNEP standard and selection criteria.

The Agency believes that the standard contained in the regulation represents the level of noise emission protective of health and welfare and achievable by the best technology currently available, taking into account the cost of compliance; however, the Agency will consider all new information and data which becomes available or is presented to it, and may in time revise the regulations in accordance with section 6(c)(3).

The final regulation being promulgated reflects the desire of Congress to protect both health and welfare and interstate commerce through establishment of uniform national noise emission standards for new portable air compressors which require national uniformity of treatment in order to facilitate interstate commerce. Such treatment is required for those manufacturers who would be burdened by conflicting State and local noise controls.

Under section 6(e)(1) of the Noise Control Act, after the effective date of a regulation promulgated under section 6 regarding product noise emission levels, no State or political subdivision thereof may adopt or enforce any law or regulation which sets a limit on noise emissions from new products regulated by EPA, unless such law is identical to the applicable EPA regulation. Thus, the preemption is against nonidentical State and local laws regulating the noise emission level of a Federally-regulated new product. The requirement of "identity" applies to the standard and those elements of the measurement methodology which define the standard; these must be identical to those in the EPA regulation. However, other elements of the State or local law need not be identical. Such elements include the list of persons subject to the regulations, sanctions, enforcement procedures and correlatable or equivalent "short tests" used for enforcement purposes.

Section 6(e)(2) of the Act specifies that nothing in section 6 shall preclude or deny the right of any State or political subdivision thereof to establish and enforce controls on environmental noise and sources thereof through the licensing, regulation, or restriction of the use, operation, or movement of any product or combination of products. Such controls which are reserved to State and local authority under this section include, but are not limited to, the following:

(1) Controls on the time of day during which products may be used.

(2) Controls on the places or zones in which products may be used.

(3) Controls on the noise emission level of products during use and operation enforceable against the consumer.

(4) Controls on the number of products which may be operated at the same time.

(5) Controls on noise emission level from the properties on which products are used.

(6) Controls on the licensing of products.

(7) Controls on the manner of operation of products.

Thus, Federal regulations promulgated under section 6 preempt State and local time of sale noise emission standards for a product only after the effective date of a Federal regulation applicable to such product and only to the extent that State or local noise emission standards (and the measurement methodology which defines the standard) are different from the Federal standards relating to that product.

Conversely, State and local authorities are free to enact regulations on new products offered for sale with standards identical to the Federal standards. The Environmental Protection Agency encourages the adoption of such regulations so that State and local governments may aid in the enforcement of the standards.

State and local time-of-sale noise emission regulations applicable to products which are not covered by Federal regulations are in no way preempted by these regulations.

Recognizing that the Noise Control Act was enacted to protect the public from adverse health and welfare effects due to noise, EPA is carrying out its regulatory responsibilities for abating noise from construction equipment, and in the present instance, portable air compressors, through regulatory action under section 6.

The portable air compressor is one of approximately twenty major pieces of construction equipment that contribute to construction site noise. The Agency intends to commence regulatory action on other construction equipment products in the near future, and the levels chosen for the standards in this regulation are consistent with the overall requirements to quiet all products in order to ultimately reduce noise at all construction sites to an acceptable level.

The legal basis and factual conclusions which support promulgation of this regulation were set forth in substantial detail in the notice of proposed rulemaking published in the FEDERAL REGISTER on October 29, 1974 (39 FR 38186). This publication solicited public comment with the comment period extending initially from October 29, 1974, to December 2, 1974, and subsequently extended by FEDERAL REGISTER notice (39 FR 42379) to December 31, 1974.

To ensure that all the issues involved in the proposed regulation would be fully addressed prior to the promulgation of the final regulation, public hearings were held in Arlington, Virginia on February 18, 1975, and in San Francisco, California on February 25, 1975. In conjunction with these hearings, an additional comment period was allowed, extending from February 18, 1975, to March 10, 1975. The principal issues reviewed at these meetings related to the lead time set forth for manufacturer compliance with the standard, the enforcement program specified in the regulation, and the projected impact of the regulation on manufacturers, users, the construction industry, and the general public.

Public comments received during each of the three public comment periods, as well as the transcripts of the public hearings, are maintained at the EPA Headquarters, 401 M Street, SW., Washington, D.C. 20460, and are available to the public during normal working hours (Monday to Friday, 8:00 a.m. to 4:30 p.m.).

II. SUMMARY OF THE REGULATION

The regulation establishes standards for noise emissions resulting from the operation of newly manufactured portable air compressors distributed in commerce. The standard specifies A-weighted sound pressure level, measured at a distance of 7 meters (23 feet) from the surface of the portable air compressor enclosure, using slow meter response. The standard measurement procedure used to obtain the data is presented in more detail in § 204.54, Subpart B.

Effective January 1, 1978, portable air compressors with maximum rated capacity between 75 and 250 cubic feet per minute (cfm), inclusive, shall not produce an average sound level in excess of 76 dBA when measured and evaluated according to the methodology provided by this regulation.

Effective July 1, 1978, portable air compressors with maximum rated capacity greater than 250 cfm shall not produce an average sound level in excess of 76 dBA when measured and evaluated according to the methodology provided by this regulation.

The regulation also incorporates a detailed enforcement program which includes production verification, selective enforcement auditing procedures, warranty, compliance labeling, and anti-tampering provisions.

III. SUMMARY OF COMMENTS RECEIVED

The EPA has carefully considered all of the comments received regarding the proposed noise emission regulation for portable air compressors. A discussion of these comments with the Agency's response thereto follows:

A. TECHNOLOGY

(1) One commenter stated that the 76 dBA limit does not represent currently available technology.

The "Background Document for Proposed Portable Air Compressor Noise Emission Regulation" presents data from several compressors that emit noise levels of 76 dBA and lower at 7 meters. Technological availability is, EPA believes, adequately met when mass-produced commercially available products are in commerce today which produce noise at or below the standard.

(2) Several commenters asserted that data relating to degradation of noise emission characteristics are insufficient to predict degradation patterns for air compressors.

The Agency pursued this issue by soliciting industry comment and supportive data regarding the escalation of compressor noise that would accrue during compressor usage. Responses to the solicitation indicated that data were not available at this time, since in the past there was not a need for the assessment.

Accordingly, EPA has undertaken studies to develop these data. Industry representatives have also agreed to begin to collect and to make available to the Agency such noise emission degradation data so that proper analysis and decisions regarding useful life standards, including degradation effects, can be made at a later date.

(3) Several industry commenters stated that fuel consumption can be expected to increase as a result of the regulation, while another industry commenter stated that fuel consumption could be expected to remain the same or actually decrease.

As has been indicated, there is substantial disagreement within the industry itself regarding the impact of the regulation on fuel consumption. From a technical standpoint, those commenters contending that fuel consumption may increase indicate that it will be due primarily to an increase in static pressure rise within the portable air compressor enclosure due to added noise control components. This in turn would cause increased fan loading and a concomitant increase in fuel consumption on the order of 3–8 percent. Another industry commenter stated that there would be no fuel consumption increase that would result from the quieting efforts. That commenter indicated that the fuel savings derived from the use of more efficient fans would balance increased fuel consumption resulting from increased fan loading.

The Agency, in the course of its technology studies, attempted to assess fuel usage differences between standard and quieted compressors of the same model. All attempts proved futile because changes in fuel usage were within the manufacturing tolerance variances and thus there was no apparent significant effect.

(4) Several commenters stated that the quieting technology is not the same for all sizes and configurations of air compressors.

The Agency assessed the quieting technology applied to several models of compressors on the market today. The assessment revealed that, while the large, high air flow capacity compressors generally require a greater silencing effort than did the smaller, lower air flow capacity units, similar techniques were applied to achieve the silencing. Accordingly, the effective date of the regulation has been modified to provide manufacturers with a longer lead time to integrate noise control features into the design and manufacture of larger portable air compressors.

(5) Several commenters were concerned about the problems they may encounter regarding availability of component parts, especially quieter engines, necessary to manufacture portable air compressors which will comply with the standard.

The withdrawal from the market of certain engines used by portable air compressor manufacturers because of reasons other than noise control became known during the comment period. In assessing the impact of this action, the Agency questioned the portable air compressor manufacturers about the problems they anticipated as a result of this action by engine manufacturers. All who responded to the questions indicated that the action would have a dramatic adverse impact on the engineering design and manufacturing time required to develop compressors meeting the standard and further indicated that component delivery problems could be handled if the effective date of the regulation were extended. The Agency considered all aspects of this problem and, accordingly, extended the time for compliance with the regulation since the results of studies showed that such extension would not significantly compromise health and welfare benefits to be derived from the regulation. It is the Agency's belief that the additional time allotted affords the lead time stipulated by the manufacturers to allow them to overcome any delivery problems they are likely to encounter regarding component parts.

(6) Two commenters stated that "band-aid" measures for controlling noise emissions are more expensive than integrated design changes.

The Agency recognized this and, accordingly, solicited comments from portable air compressor manufacturers as to the time it would take to make and implement the necessary design changes to produce quiet machines. The effective date of the regulation is based to a substantial degree on the data supplied by the respondent manufacturers. It is the Agency's opinion that the time span before the regulation becomes effective provides manufacturers with the requisite lead time to accomplish the necessary design changes, if they so desire, to preclude the "band-aid" approach.

(7) Two commenters responded to the solicitation, in the preamble of the proposed regulation, for views as to whether a standard should be imposed on portable air compressors measured in C-weighted sound pressure level.

The intent of the solicitation was to elicit information in regard to imposing a C-weighted noise emission standard to guard against design practice that would shift the major spectral components of portable air compressor noise to low frequencies discriminated against by the A-weighted sound pressure, at the possible expense of escalated low frequency noise, which in turn could cause vibration problems in structures located in proximity to construction sites.

At the time the proposed regulation was developed, the Agency had limited data to support a C-weighting sound pressure level standard. The public solicitation for data in this regard has provided little information and no new data to show the need for a dBC standard. Accordingly, only a dBA standard is being promulgated.

(8) One commenter suggested that devices be installed that would shut down

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a compressor if the access doors were opened.

The Agency considered the validity and practicality of such a requirement and decided not to require the installation of such devices for the following reasons: (1) One use of portable air compressors is to supply breathing air to workmen involved in activities underground where the naturally occurring air supply is minimal. An inadvertent shutdown of the compressor in this situation could have catastrophic consequences. (2) Users could easily circumvent automatic shutdown devices if such devices proved to be an annoyance or otherwise hindered the user's normal operating procedures. However, the Agency recognizes that the doors of portable air compressors may be an element of design incorporated into the product to achieve compliance with the regulation. Accordingly, and as stated in the tampering section of the regulations, the removal or rendering inoperative, for purposes other than maintenance, repair or replacement, of such a device is prohibited.

(9) Several commenters responded to the solicitation, in the preamble of the notice of proposed rulemaking, for comments in regard to the proposed measurement methodology and/or the advisability of expressing the portable air compressor standard in terms of sound power rather than average sound pressure level.

During the development of the proposed regulation, EPA carefully considered the various measurement methodologies and sound descriptions suitable for the assessment and characterization of portable air compressor noise. As a result of these studies, it is EPA's opinion that the methodology as proposed will provide data to accurately characterize portable air compressor noise with the simplicity that is requisite to facilitate product verification at the manufacturer's plant and enforcement in the field. The following private and public proclamation by portable air compressor manufacturers is significant in this regard:

> Members of CAGI have carefully studied the measurement methodology and at the January 19, 1975, meeting of the Compressed Air and Gas Institute, Portable Air Compressor Section, it was resolved the physical measurement procedures contained in the proposed EPA measurement methodology be accepted by CAGI.

While the Agency has opted for a measurement methodology with which industry is most familiar at this time, and which supports its compliance requirements, and has opted to use A-weighted sound pressure level as the descriptor of portable air compressor noise, it recognizes that situations may exist or arise where other methodologies and descriptors may be just as appropriate and, for that matter, have more utilitarian use. Such instances or situations may exist within a particular product industry when one wishes to describe the energy output of devices for noise emission diagnostic evaluation and for comparing the noise emission of devices which are similar in size and kind. Accordingly, the Agency encourages industry to proceed toward standardization of methods to determine sound power with attendant sound energy descriptors, as it is endeavoring to do at this time. The Agency has carefully reviewed two recent efforts toward standardization developed by the National Bureau of Standards (NBS) and Technical Committee 43 of the International Standards Organization (ISO), and it is EPA's opinion that these test methodologies are feasible and viable and EPA would recommend their use for the determination of portable air compressor sound power in situations requiring such assessment.

(10) One commenter stated that the test specification for a fifth microphone above the compressor should be reconsidered.

The Agency included an overhead microphone location to guard against compressor design that would direct major sound energy upwards which could be of significance to persons working or residing in high rise buildings adjacent to construction sites and/or where portable air compressors are located below ground level and the noise impacts on those above the equipment affected. The Agency reconsidered the need for the overhead microphone position and concluded that its imposition is indeed requisite to control upward radiated compressor noise, for without it there is no practicable way to assure that upward radiated noise will not exceed the stipulated level.

(11) Several commenters stated that in order to comply with the regulation, manufacturers must design for levels well below the standard.

In developing the regulation, the Agency recognized that a class of compressors, for that matter a single compressor, may emit noise levels that vary by as much as ±2 dBA as the result of manufacturing tolerances. Accordingly, the Agency does not recognize the need for manufacturers to design "well below" the standard to ensure compliance with the Regulation.

(12) Several commenters stated that the EPA measurement methodology is not suitable for in-use testing at a construction site, with reasons such as anticipated difficulty in measuring seven meters above a compressor, difficulty in teaching noise inspectors to perform noise level averaging on energy basis, and problems with high ambient noise as the rationale for the statement.

In the development of the proposed measurement methodology, it was the Agency's intent to arrive at a test method that could facilitate both noise emission testing in the controlled environment at the manufacturer's test site as well as noise emission level assessment in the uncontrolled environment of construction sites. What has evolved is a simple, practicable test method which, while not patently ideal for both test environments, provides manufacturers of portable air compressors a method to assure compliance with the noise emission standard. It also provides State and local noise inspectors with a methodology or, at a minimum, a methodology base on which to build or modify, as local conditions may dictate, for their development of equivalent test procedures for in-use noise emission evaluation.

(13) One commenter stated that no machine larger than 1200 cfm was tested as the basis for the EPA background document.

While it is true that the Agency did not conduct tests on portable air compressors larger than 1200 cfm, test data on machines with air flow capacities up to 2000 cfm were made available to the Agency and are in fact included in a listing presented in Table 7-5(c) of the "Background Document for Proposed Portable Air Compressor Noise Emission Regulations."

(14) One commenter stated that a conflict between noise suppression technology and safety considerations may exist regarding the flame retardant properties of acoustical insulation laggings.

EPA interprets this comment to mean that acoustical materials that may be employed within compressor enclosures might tend to support combustion. In addition, those materials that might be employed would act as a sponge to soak up fuel and oil and thus create a potentially hazardous condition should the oil/fuel flash point temperature be exceeded. As most acoustical materials may be chemically treated with a flame retardant to prevent combustion, and it is common practice to encapsulate acoustical foams and fiberglass in mylar and other thin filmed impervious protective coverings to preclude absorption of liquids, EPA is of the opinion that no conflict exists between safety considerations and noise suppression technology.

(15) One commenter responded to the preamble solicitation for comment on whether the Regulation should address portable air compressor pure tones.

Currently, major pure tone spectral components generated by today's portable air compressors occur at low frequencies, less than 500 hertz, and are not particularly annoying as the frequencies are below the range of acute ear sensitivity. However, the Agency recognizes that as portable air compressor designs change so too may the spectral character of the pure tone generating components to cause annoying pure tones. Accordingly, the Agency will continue to address the potential problems of pure tone noise with respect to portable air compressors, and it solicits on a continuing basis such information from concerned parties. Should evidence in the future show this to be a significant problem, the Agency is prepared to propose such control measures as may be necessary.

(16) Several commenters felt that some tolerance on the standard should be allowed on field tests to account for environmental and instrumentation variances likely to occur when portable air compressors are tested in environments different from the controlled environment of the manufacturer's facility.

The Agency recognizes that, due to environmental and instrumentation differences, noise emission data measured at State and local test sites may differ from that measured during SEA and PV testing, and the Agency will take this into account when reviewing test data.

B. HEALTH AND WELFARE

(1) Several commenters stated that, in setting the regulation, consideration should be given to usage conditions and amount of exposure to the public for different types of machines.

In developing the regulation, the Agency considered the usage conditions and amount of exposure to the public for different types of machines. In the anlysis, the Agency employed portable air compressor usage factors and noise levels to investigate health and welfare benefits derived from the regulation of the total population of portable air compressors. A second analysis was conducted for the population of compressors split into units typically used in urban areas and those typically used in rural areas. The studies considered the usage of compressors in five phases of construction: Domestic housing, nonresidential, industrial, and public work construction. The "Background Document for Portable Air Compressors" presents further details of the analysis.

(2) Several commenters stated that the benefits to public health and welfare do not justify the economic impact of the Regulation.

It must be kept in mind that society is now paying billions of dollars for noise pollution associated with lost productivity, higher medical bills and health insurance premiums, payments in successful noise offense litigation and assessment of property value in high noise exposure areas without accruing any direct benefit for such payments. Implementation of the Noise Control Act of 1972 will accomplish a shift in the economic burden from the impacted population to the users of the products and their customers and hence will provide society with direct benefits in the form of quieter products and a quieter environment.

It is estimated that over 27 million people are exposed to construction site noise levels that jeopardize their health and welfare. Since construction site noise is typically comprised of contributions from more than twenty different types of construction equipment, regulation of the majority of the pieces of equipment will be required to appreciably and effectively reduce this type of noise. The portable air compressor has been identified as the first piece of construction equipment requiring noise emission control to foster, in the long term, less construction site noise. While portable air compressors may not provide the highest sound level at construction sites, they do contribute significantly to community noise exposure. Air compressors rank with dump trucks and concrete trucks in producing the highest sound energy per day. The noise emission regulation for portable air compressors is requisite to protect the health and welfare of the American public.

Studies performed in accordance with the requirements of the Noise Control Act of 1972 indicate that compliance with the regulation will reduce the impact upon people from construction site noise by 14.7 percent with an estimated attendant 12.3 percent increase in the list price of portable air compressors. Upon regulation of noise emissions from dump trucks and concrete trucks, a reduction in total impact by approximately 45 percent is anticipated when the current population of compressors and trucks is replaced by quiet units. Further reduction in total impact is contingent upon effective noise emission regulations of other construction equipment. Considering the health and welfare benefit obtained from the regulation, the Agency believes that the added cost of compressors is a productive expenditure and therefore justified.

(3) Several commenters suggested that EPA undertake a more thorough cost/benefit study.

The Agency conducted additional economic impact and health and welfare impact analyses employing data and information made available to it as the result of the written comment period and public hearings regarding the proposed regulation. The Agency also solicited information from portable air compressor manufacturers regarding the lead time necessary to comply with various standard levels. The regulation being promulgated is based, in part, on the result of these analyses.

C. ECONOMICS

(1) Several commenters indicated that they felt that the Portable Air Compressor Regulation is inflationary.

The EPA, in promulgating a noise source emission regulation for newly manufactured products, is directed by the Noise Control Act of 1972 to consider the cost of compliance, best available technology, and impact on the public health and welfare. The Agency has carefully weighed the potential adverse economic impacts associated with the promulgation of the regulation and compared them to the benefits that would accrue to the population affected by the reduction in noise emitted by portable air compressors. The conclusion is that the 12.3 percent list price increase is cost effective in terms of the benefits derived. The health and welfare benefits of the proposed regulations have been discussed previously in paragraph (2) of section B.

(2) Several commenters indicated that they felt that the smaller manufacturers will be more severely impacted and their costs per unit will be higher than those for larger portable air compressor manufacturers.

The Environmental Protection Agency pursued this issue through visits and communications with large, medium, and small portable air compressor manufacturers in an effort to determine the validity of the comment. As a result of the Agency's investigations and data surfaced in pursuit of the issue, it became apparent that the effective date of the Regulation was the single major factor controlling the degree of economic impact on the portable air compressor industry of the proposed standard, particularly on the smaller manufacturer. According to the data, a smaller manufacturer faced a greater potential for serious economic impact from the proposed twelve-month effective date because of limited resources and manpower to accomplish the requisite redesign of his product line to achieve product compliance in a timely fashion. As such, the smaller manufacturer could be constrained by the Regulation from introducing his units into commerce and thereby accrue a severe economic impact. Accordingly, after determining that a limited extension of the effective date of the Regulation would not severely impact the health and welfare benefits to be derived, the Agency has extended the effective date of the regulation to twenty-four months for compressors with air flow capacity less than or equal to 250 cfm and thirty months for compressors with air flow capacity greater than 250 cfm. It is the Agency's belief that this extension allows adequate lead time for an orderly readjustment by all manufacturers to preclude potential economic hardships associated with time constraints imposed by the proposed effective date.

(3) Many commenters indicated that the economic impacts of the useful life provision contained in the proposed regulation were not included in the cost of compliance studies that were undertaken.

The Agency reviewed the useful life provision contained in the proposed regulation in light of the comments made in the various dockets. The Agency has elected not to specify at this time a specific requirement for portable air compressor useful life noise emission standard. The Agency has chosen, however, to defer a useful life provision in the portable air compressor regulation until further studies regarding the degradation of noise emissions of portable air compressors and the associated costs of compliance have been completed and assessed against the health and welfare benefits which could result from the imposition of such a useful life standard.

(4) Several commenters stated that the cost of constructing a test facility at a manufacturer's location is economically unfeasible.

The Agency does not feel that the required measurement/testing procedure will necessitate the construction of elaborate, expensive test facilities for portable air compressor manufacturers. Accordingly, the test procedure, including the description of the test site, as it appeared in the proposed regulation stands as the EPA test procedure which will be utilized to determine compliance with the standard. However, as now stated in the regulation, alternate test procedures which are approved by EPA by virtue of demonstrated correlation with the prescribed procedure, may be employed by the manufacturers.

(5) Many commenters stated that the estimated 16 percent per unit price increase underestimates the true cost to comply with the regulation due to the enforcement provisions.

The 16 percent preliminary estimate of list price increase included in the preamble to the proposed regulation did not

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include costs for enforcement and useful life provisions. In the final analysis performed by the Agency, the deferment of a useful life standard and further consideration of the enforcement scenario led to the following estimated list price increases for newly manufactured portable air compressors:

1. 11.2 percent for compressors with rated flow capacity less than or equal to 250 cfm.
2. 13.0 percent for compressors with rated flow capacity greater than 250 cfm.
3. An additional estimated 0.4 percent list price increase may accrue through the costs of the revised enforcement scenario of the regulation.

(6) One commenter indicated that there was no need for Federal regulation of portable air compressors because marketplace pressures will force the production of quieted machines without a regulation.

This assertion has, in fact, not been demonstrated. Although there are models of compressors that are quieted, the noise emissions of the compressor population as a whole has not been reduced to a level that is protective of the public health and welfare. Additionally, there are no indications that the industry as a whole was moving in the direction of quieting the compressor fleet to levels that are considered to be protective of the public health and welfare.

(7) Several commenters indicated that the Regulation will have a harmful impact on the foreign trade patterns in the industry.

The Agency assessed the impact of the Regulation on trade patterns. The analysis showed that there would be no change in import patterns and no material impact on the balance of trade. Since the Noise Control Act specifically exempts units manufactured solely for export, there will be no changes in portable air compressor export patterns resulting from this rulemaking.

(8) One manufacturer indicated that the regulation will have the effect of increasing air compressor rentals, to the detriment of industry sales volume.

The Agency reviewed this issue during its background study to assess the impact of the proposed regulation. Today without Federal regulation, approximately 50 percent of portable air compressor unit shipments reach the end user through rental or rental/purchase agreements. The reason for this rests with cost effectiveness; that is, in many instances it is probably more economical to rent a unit for a specific job taking place in a finite period of time than to tie up capital in a unit not receiving full usage.

While it is recognized that rental usage could increase, by virtue of its apparent economic advantage, the Agency has no quantitative data to show any increase solely due to imposition of the Regulation. The Agency has, however, estimated that imposition of the regulation would cause no more than a 4.3 percent decrease in total unit sales.

(9) One manufacturer suggested that a board of review be established to ensure that manufacturers' costs are not excessive.

The Noise Control Act of 1972 does not contain any provision for the establishment of such a panel. The EPA has, however, made every attempt to estimate the economic impact on the portable air compressor manufacturing industry. The regulation does not in EPA's judgment impose any unreasonable or excessive costs on the industry.

(10) One commenter stated that large manufacturers can be expected to stockpile standard machines before the effective date of the regulation.

The Noise Control Act prohibits distribution in commerce of products manufactured after the effective date which do not meet the standard. Thus, under the Act, Congress intended that products manufactured earlier shall be exempt and may be distributed in commerce at any time even if they do not meet the standards. The nature of portable air compressor manufacturing and marketing is such that distributors are expected to have several pre-regulation compressors available for sale at the time the regulation becomes effective, and this probability was considered in the assessment of health and welfare impact on the regulation.

The analysis of this issue focused on industry production capacity, i.e., basic ability to stockpile. On an average across the industry current production capacity is such that limited stockpiling is possible, if the assumption is made that the compressor market will remain relatively stable until the regulation is effective. Combined in this analysis is the historical flexibility of the portable air compressor industry in responding to market demand fluctuations. Consideration of these factors and the general expense of stockpiling inventory led to the Agency conclusion that the stockpiling possibility will be evenly assessed by industry and that individual manufacturers will be able to avert market disruptions in that event.

(11) Several manufacturers stated that the one-year effective date of the regulation is an insufficient amount of time and will cause an increased economic burden on the industry.

In further study and discussions with the various manufacturers, the Agency was able to better estimate the time dependency of successful compressor redesign. The presence in the industry of several manufacturers who have little or no quieting experience, and additional information which showed that quieting is more difficult to achieve in the larger compressors, led us to extend the time for compliance. In addition, our further study revealed that many of the costs for redesign are fixed, and lengthening of the time for compliance should allow for more orderly adjustment in the industry.

(12) Various industry members commented that the regulation will force the discontinuation of some manufacturers' compressor models.

This issue was considered in further economic impact studies following the public comment period. Obviously, for those manufacturers who now market both standard and quiet compressors in identical cfm categories, it would be implied that they would discontinue the so-called standard model as a result of the regulation. The more critical possibility is the unforeseen, forced temporary or permanent discontinuation of a compressor model because of added expense to quiet in the time frame specified, or because of assembly delays resulting from component part deliveries approaching or exceeding the effective date of the regulation. Analysis of the problem included this possibility and the Agency concluded that the extended time now allowed for compliance with the standard as opposed to the time frame originally proposed will allow manufacturers to effectively compensate for design and assembly problems of this nature. However, some manufacturers now market marginally profitable models, and the possibility of discontinuation of these models because of this regulation exists. In instances of discontinuance of marginally profitable models, it is the Agency's position that this is not necessarily a detrimental effect of the regulation; the Agency has no specific information indicating the likelihood of this occurring.

(13) Three commenters stated that the regulation will cause the non-productive expenditure of labor and materials.

During the development of the regulation, the Agency conducted studies to arrive at a noise emission standard requisite to protect the public health and welfare with an adequate margin of safety, taking into account the magnitude and conditions of use of portable air compressors, the degree of noise reduction achievement through the application of best available technology, and the cost of compliance. The standard that has evolved, is, in the Agency's opinion, technically feasible, non-inflationary, and protective of the public health and welfare. Accordingly, the regulation will cause productive expenditure of labor and materials.

D. ENFORCEMENT

(1) Two of the commenters felt the compliance and enforcement aspects of the proposed portable air compressor regulation, which are derived from air pollution control regulations, could not realistically or practically be applied to the air compressor manufacturing industry.

The regulations being promulgated contain production verification requirements and selective enforcement auditing requirements. The production verification scheme differs from certification under the Clean Air Act. No extensive endurance testing is required by production vertification, and the manufacturer is not precluded from selling his product until he has accomplished the requirements of the production verification process. In essence, the Clean Air Act certification process is merely used to allow the manufacturer to demonstrate that he has the requisite technology in hand to produce conforming products. The production vertification process is based on the assumption that the manufacturer has the technology available to

quiet compressors and must demonstrate that he is able to apply that technology in practice to produce compressors complying with the standard.

The selective enforcement auditing scheme is very similar to that which EPA has proposed for use under the Clean Air Act to verify compliance of production vehicles with the standard. It is a noncontinuous scheme, wherein samples of products are tested to determine whether they conform to the standards. Such a scheme is equally applicable to the testing of completed motor vehicles as it is to testing completed portable air compressors. It should be kept in mind that this testing will only be done on the specific request of the Agency.

(2) One commenter felt the regulations manifested a basic distrust of American industry accompanied by a desire for EPA to keep its responsibilities to a minimum.

The basic EPA enforcement strategy under the Noise Control Act of 1972 places a major share of the responsibility on the manufacturer for testing to determine compliance of new portable air compressors with these regulations and emission standards. This does not relieve EPA of its responsibilities but merely allows a manufacturer to have his personnel in control of many aspects of the compliance program, thereby minimizing the burden of these regulations on his business. Such manufacturer responsibility and control results from the fact that EPA has faith in the integrity of manufacturers to comply with these regulations. EPA, however, does reserve the right to verify that the manufacturer is in fact complying with the regulations. It is for this reason that EPA provides for monitoring by EPA personnel of tests performed by the manufacturer and other manufacturer actions taken in compliance with these regulations. The final purpose of such monitoring is to assure the Administrator that the information he is receiving is accurate to enable him to make the proper determination that compressors being distributed in commerce by a manufacturer are in fact in compliance with these regulations.

(3) Some manufacturers commented that production verification would delay and unnecessarily burden the manufacturer's distribution process since distribution in commerce could not take place until production verification has been completed.

The regulations have been modified to permit manufacturers to distribute compressors in commerce as soon as production begins. The requirement still remains that the manufacturer must test certain models of his early production units, which for the most part are the loudest configuration of a category. However this testing must now take place, as soon as weather conditions permit, within a 45-day grace period, during which production verification is waived. The 45-day period is designed to accommodate a manufacturer's transportation needs and to accommodate poor weather conditions. In addition, the requirement that the manufacturer provide a 10-day notice of his intent to test has been removed.

(4) Some manufacturers suggested that the number of configurations be minimized and only those parameters for configurations that directly affect noise emissions be used. One manufacturer endorsed a revision of the definition of configuration to cfm, engine type and rpm, with category being defined by cfm only.

Although the definition of category has remained the same and is based on those elements which most directly affect noise, the definition of configuration has been changed, with the defining parameters significantly reduced. The Agency has calculated, based on available information, the total number of categories that would require testing based on production verification if carried out in accordance with these regulations, and has found that it results in a nominal number of products requiring testing. Any further reduction in the criteria used to define category would not be warranted, on the basis of reducing test burden, since the number of units requiring testing is now realistic.

(5) Some manufacturers commented that the sampling plans are based on high volume production and that the concept of using a modification of a well-known attribute plan is inconsistent with small volume production.

As a result of such comments, the sampling plans contained in the proposed regulation have been modified to provide for situations in which production volume is small. Additionally, the revised sampling plan significantly reduces the number of products requiring testing.

(6) One commenter suggested that the selective enforcement auditing (SEA) strategy, which had a proposed acceptable quality level (AQL) of 6.5 percent, contradicts the requirement that every new compressor conform to the applicable noise emission standard, since inherent in such a strategy is the assumption that some nonconforming products will be distributed in commerce.

The regulation being promulgated now contains an AQL of 10 percent and, although this AQL may result in some nonconforming products being distributed in commerce, the basic requirements still remain that a manufacturer is prohibited from distributing into commerce any products which do not conform with the standard. The basic intent is that all products being distributed in commerce must conform to the standard. Any product that is tested and which is known not to conform to the standards may not be distributed into commerce until the nonconformity is remedied. Furthermore, every compressor is warranted to conform to the standard at the time of sale. It is merely the intent of EPA not to take enforcement action which adresses the aggregate of the products or the process by which they are produced until the process average as determined by SEA testing exceeds the AQL of 10 percent. That is not to say the EPA permits the distribution in commerce of products that exceed the standard, but only that no enforcement action will be taken on the aggregate by EPA unless an AQL of 10 percent is exceeded. A batch which meets the AQL of 10 percent is considered to indicate compliance by virtually 100 percent of the compressor population. The 10 percent allowance provides for test variability and random human error.

(7) One commenter suggested that the SEA process placed an unnecessary burden on a manufacturer and all that is required is the "certification" from the manufacturer that he has tested a number of units and that they conform to the regulations.

The selective enforcement auditing scheme is not a continuing requirement. Testing is performed at the request of the Administrator. The testing burdens will exist only when deemed necessary by the Administrator for purposes of gathering information in order to make a determination regarding the conformity of products being distributed in commerce by a particular manufacturer.

The issuance of a test request may not be necessary where the manufacturer can demonstrate through his own test data on production units, using a sampling plan similar to or better than the promulgated plan, that his process average is below the AQL of 10 percent. This amounts to the "certification" procedure suggested by the commenter.

(8) One commenter suggested that SEA should be invoked only when the Administrator had cause to believe a configuration is being sold in commerce that fails to comply with the regulation.

Although EPA agrees with the spirit of that comment, the Administrator prefers to maintain the discretion that Congress intended by not having placed any such limitations on his testing authority. It is the EPA's intent, however, that such test requests be issued when the need arises and that such need be clearly demonstrated.

(9) One commenter felt that production verification and the selective enforcement auditing scheme would provide a high assurance of product conformity and further, that a major savings in administrative costs for both the manufacturer and EPA should be realized because this particular enforcement scheme has definite benefits over the enforcement scheme employed in certification of automobiles pursuant to the Clean Air Act of 1970.

(10) Several commenters were concerned with the Administrator's discretion to refuse to grant a hearing in situations where section 11(d) orders were issued.

The regulations have been modified to provide that in situations where section 11(d) orders are issued, notification and an opportunity for a hearing are afforded.

(11) Several commenters criticized the attempt by the regulations to limit the right of counsel and recommended that such limitation be stricken from the regulations.

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As a result of those comments, portions of the regulation that would, in fact, limit the right of counsel have been deleted.

(12) Several commenters questioned the need and the validity of EPA to make broad inspections and to have the right to inspect and photograph all literature and test records. The commenters indicated that such provisions extend far beyond the authority conveyed to EPA and far in excess of any Agency needs.

The regulations have been modified to limit inspections and acquisition of data to information necessary for the Administrator to make a determination that the manufacturer is distributing conforming products in commerce. The authority of EPA personnel is limited to examining records of tests conducted on production verification products or products tested pursuant to SEA; inspecting areas where testing is conducted and where products are stored prior to testing; and inspecting areas of the assembly plant where the products are being assembled. EPA has no interest in forced entry into developmental laboratory areas. However, where such areas are part of the test site used for compliance testing, it is the intent of the regulations to permit access to such areas regardless of the fact that developmental labs or test sites are near by. If a manufacturer wishes to preclude EPA Enforcement Officers from visiting or inspecting their development testing or laboratory areas, they must be separated from areas where compliance testing is performed.

(13) Several commenters stated that the information recording and reporting requirements are burdensome and costly.

The regulations have been revised so that information needed to describe a product may be satisfied by the submittal of sales literature and data needed to demonstrate compliance may be satisfied by submittal of information accrued during manufacturer self-imposed diagnostic testing to assure themselves that conforming products are being distributed in commerce. The regulations have also been revised so that all data may be mailed to EPA in lieu of the proposed telephone reporting requirements.

(14) Several commenters indicated that the proposed regulations in some instances required the repetitive submission of information.

The final regulations provide that where information has been previously submitted and has remained unchanged, subsequent reports need only refer to the previous submissions.

The regulations have been revised so as to permit execution by an authorized company representative in lieu of a Corporate Vice President of reports required to be filed by a manufacturer.

(15) One commenter felt that cease to distribute orders went beyond the statute and should be modified.

The Agency has interpreted section 11 (d) of the Act, which provides for the issuance of administrative orders, as inclusive of the power to issue cease to distribute orders and recall orders. Any such orders would be preceded by notice and opportunity for a hearing.

(16) One commenter felt that the statement contained in the proposed regulation, "all costs associated with recall and remedy of noncomplying compressors shall be borne by the manufacturer" could be interpreted very broadly.

The costs normally associated with a recall are the costs of conducting the campaign itself, as well as the cost of remedying the nonconformity, including parts and labor. These are the costs the manufacturer would be required to absorb.

(17) Several commenters felt the costs of the administrative enforcement provisions would be significant because of the large number of products that would be required to be tested as a result of the production verification and audit tests, the recordkeeping and reporting requirements, and the costs of constructing added test facilities to accomplish all the required testing.

EPA has reexamined the cost impact of the administrative enforcement provisions of production verification and selective enforcement auditing and has found them to be reasonable. As a result of information gathered during the rulemaking process, which included a public hearing and many written submissions to the docket, modifications were made to the regulations in the area of the administrative enforcement provisions. These modifications have reduced the recordkeeping and reporting requirements, and have made the production verification and selective enforcement auditing processes more flexible and tailored to the industry. These changes in themselves have resulted in additional reductions in cost to the manufacturer over those that would have been incurred based on the proposed regulation.

Significant capital expenditures can be eliminated by those manufacturers who avail themselves of the EPA Enforcement Test Facility at Sandusky, Ohio, in lieu of constructing additional facilities.

(18) Several commenters were concerned that the warranty required by § 204.58–1 of the proposed regulation was a useful life performance warranty.

The warranty required of the manufacturer is a performance warranty that the air compressor met the noise emission standards on the date of sale to the ultimate purchaser. Because performance is warranted for the date of sale only, warranty claims must relate back to a non-conformity on that day. To make the best case in relating back to the date of sale, the claimant should be able to point to a defect in design, materials, or workmanship which existed on the sale date and which caused noise emissions to exceed the standard. Thus, although the claim may be made against the manufacturer at any time during the life of the compressor, such claim must relate back to non-compliance on the date of sale.

(19) One commenter wished clarification regarding which "manufacturer" must issue the noise emission warranty.

The manufacturer who is required to issue and to honor the noise emission warranty is the manufacturer who is required to production verify. The fact that a defective part, component, or system was purchased from another manufacturer does not alter this warranty. Manufacturers who production verify may seek indemnification from suppliers for liability which is attributable to the supplier.

(20) Some commenters asked for a definition of what constitutes tampering and whether the use of aftermarket parts (parts not manufactured or authorized by the original equipment manufacturer) would constitute tampering.

A list of acts which could adversely affect the noise control system of a compressor and would constitute tampering, as determined by EPA, will be published in the owner's manual. This will give specific indications of those acts which will be considered tampering by the Agency unless it can be shown that noise emissions are not adversely affected by the act.

In general, in terms of noise-related aftermarket parts, any nonoriginal equipment aftermarket part (including a rebuilt part) may be installed in or on a compressor subject to these regulations if the installer has a reasonable basis for knowing that it will not adversely affect noise emissions. For noise-related replacement aftermarket parts, a reasonable basis exists if (a) the installer reasonably believes that the replacement part or rebuilt part is designed to perform the same function with respect to noise control as the replaced part, or (b) the replacement part or rebuilt part is represented in writing by the part manufacturer or rebuilder to perform the same function with respect to noise control as the replaced part.

For noise-related add-on, auxiliary, augmenting, or secondary parts or systems, a reasonable basis exists if (a) the installer knows of noise emissions tests which show that the part does not cause noise emissions to exceed the time-of-sale standards, or to increase emissions, if the noise emissions already exceed the time-of-sale standards; or (b) the part or system manufacturer represents in writing that tests have been performed with similar results (to (a) above); or (c) a Federal, State or local environmental control agency with appropriate jurisdiction expressly represents that a reasonable basis exists.

(21) Some commenters indicated that, in the tampering requirement, submission of information 90 days before introduction into commerce of the compressor represents an excessively long time period for the manufacturer.

The 90-day requirement in the proposed regulation was established to allow EPA sufficient time to evaluate the tampering data, prepare a list of the acts which tampering enforcement would focus on, and then forward this list to the manufacturer for incorporation into the owner's manual. However, to account for the varying production schedules of manufacturers, the final regulation has been changed to allow for a time period based on the need of the manufacturer. The regulation now requires that the manufacturer submit the requested information within an adequate amount of time to provide EPA with 30 days to review the data and return a tampering list to the manufacturer for printing in the owner's manual. If the Administrator fails to provide the list to the manufacturer within 30 days of the date the information was submitted, the manufacturer is not precluded from distributing the compressors into commerce. In this case, the list of tampering acts required in the owner's manual shall be omitted until the list is provided and the owner's manual is otherwise reprinted.

(22) Several commenters considered unreasonable and burdensome the requirements for the submission of listings of noise control devices and elements of design (including performance specifications) and acts which might constitute tampering.

The purpose of these requirements in the proposal was to enable the Administrator to determine what acts will constitute tampering. Information submitted by the manufacturer is not to be considered as a final judgment of what constitutes tampering, but will only provide the basic information for determination by the Administrator. The final regulations have been modified so that no separate submission of the list of noise control devices and elements of design is required; this is part of the information required to be provided in the product verification report. The requirement for submission of noise-related performance specifications has been deleted. The generation of the required information by the manufacturer can be performed concurrently with the development of appropriate noise control systems. The testing that will normally be performed in the development of the noise control systems and the manufacturer's engineering experience should provide a substantial basis from which the required information can be generated.

E. MISCELLANEOUS

(1) One commenter stated that noise regulations directed at the end product are preferable to those for individual component parts.

The Agency has carefully reviewed the possibility of regulating equipment components, for example, an engine as opposed to the total final end product, and reached the conclusion that on a cost effective basis, it is indeed preferable to regulate end products. This is so because in the synthesis of a final product from various regulated components there is no guarantee that the noise emissions of the final product will be within acceptable limits. Accordingly, there probably still would be a need for a final product regulation.

(2) One commenter stated that the regulation should be rewritten to improve the language related to the numerical descriptions of noise.

The Agency has taken the comment under advisement, and, accordingly, changes have been made to the text of the regulation.

(3) One commenter suggested that the definition of portable air compressor should be clarified to exclude any products not intended to be subject to the regulation.

The suggested changes presented by this commenter were studied and the definitions of portable air compressors now appearing in the Regulation incorporated language which the Agency feels adequately defines the product intended for regulation.

IV. CONTINUING AGENCY RESPONSE TO PUBLIC COMMENTS

As mentioned in the foregoing Agency responses to public comments, additional study is required in some areas.

If data collected by or made available to the Agency indicate the existence of any problem curtailing the effectiveness of the regulations, these regulations may be revised pursuant to section 6(c)(3) of the Act.

V. REVISION OF THE PROPOSED REGULATION PRIOR TO PROMULGATION

The portable air compressor noise emission regulation which is now being promulgated incorporates several changes from the proposed regulation which was published on October 29, 1974. These changes are based upon the public comments received and the results of additional studies performed by the Agency to assess the impact of the regulation. In most instances, changes were made to merely clarify the intent of the regulation. However, three substantive changes were made.

(a) EFFECTIVE DATE OF THE REGULATION

In the proposed regulation, the effective date for compliance with the standard was 12 months after promulgation of the Regulation. During the public comment period attendant to the proposed regulation, many comments were received from manufacturers of portable air compressors indicating that the 12-month effective date time period would adversely affect their economic viability because they would not be able to produce units complying with the standard in the specified time frame.

The Agency conducted studies which showed that if the 12-month effective date were maintained, approximately 59 percent of the total industry unit sales volume (amounting to a potential $86 million loss) might be unavailable for introduction into commerce at the end of the 12-month period with the added effect of potentially causing four smaller or marginally viable firms to withdraw from the market. The Agency reviewed several effective date options with the portable air compressor manufacturers to assess how this potential disruption and withdrawal could be mitigated. Data supplied by manufacturers showed that a 24-month effective date for portable air compressors with a flow capacity less than or equal to 250 cfm and an effective date of 30 months for units with capacity above 250 cfm would produce no disruption and therefore cause no lost sales for the standard levels considered. From this it may be inferred that the four smaller or marginally viable firms would not withdraw from the market. Agency analysis of the impact of these effective date extensions on the projected health and welfare benefits, to be derived by the proposed regulation, showed an insignificant loss in benefit. The reason for this is that benefits derived from the regulation are based on a 100 percent compressor population replacement by quieted compressors, and since it takes on the average ten years for a compressor to lose its usefulness, the extension of the compliance time by 12 and 18 months, respectively, for the two categories of compressors (≤250 cfm, >250 cfm) would merely mean that the full public health and welfare benefits would be realized in late 1987 and early 1988 as opposed to late 1986. Therefore, the Agency modified the effective date to the 24- and 30-month periods for compliance.

The percent list price increase was previously estimated to be approximately 16 percent for the 12-month effective date initially proposed. Studies further showed that this increase in list prices might cause a 4.6 percent decrease in unit sales volume. The new effective date is estimated to reduce the previously estimated list price increase by 3.7 percentage points to 12.3 percent with an attendant .3 percentage point reduction in the estimated unit sales volume decrease associated with the list price change.

(b) USEFUL LIFE STANDARD

As it appeared in the proposed regulation, the standard for portable air compressors was to extend over the useful life of compressors. The intent behind this requirement was to ensure that the public health and welfare benefits derived from the portable air compressor standard would be fully achieved over time. The Agency maintains that product noise emission levels developed to protect public health and welfare must not degrade during the product's life. However, where degradation cannot be reasonably prevented through periodic preventive maintenance and repair, standards may include a degradation allowance.

Currently, no data are available to determine whether and to what degree the noise from a properly maintained and repaired portable air compressor would degrade in time. Accordingly, the Agency is reserving a section for useful life requirements in the regulation and will defer action on setting a useful life standard until necessary and sufficient data are collected on which to base a standard. The delay in promulgating a useful life standard should not be construed as a deemphasis of this requirement, but merely as a means to assure that an accurate and fair useful life requirement may be imposed.

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VI. Enforcement

A. General

The EPA enforcement strategy under the Noise Control Act of 1972 will place on the manufacturer the major share of the responsibility for testing to determine the compliance of new portable air compressors with the emission standard. This approach benefits the manufacturer by leaving his personnel in control of many aspects of the compliance program and imposes only a minimum burden on his business. At the same time, the inevitable conflict of interest imposed on the manufacturer makes monitoring by EPA personnel of these tests and manufacturers' actions taken in compliance with these regulations advisable to ensure that compressors distributed in commerce are in fact in compliance with these regulations. Accordingly, the regulations provide that EPA enforcement officers may be present and observe any testing required by these regulations, or the Administrator may require that a manufacturer supply him with compressors for testing either at the manufacturer's facility or at the EPA Enforcement Test Facility. In addition, enforcement officers will be empowered to inspect records and facilities in order to assure that manufacturers are carrying out their responsibilities properly.

The enfocement strategy promulgated today in these regulations consists of three main parts: (1) Production Verification, (2) Selective Enforcement Auditing, and (3) In-use Compliance Provisions. A detailed description of these parts, including other important administrative parts, follows.

B. Production Verification

Production verification is the testing by a manufacturer or EPA of early production models to verify whether a manufacturer has the requisite noise control technology in hand and is capable of applying the technology in a manufacturing process. Models selected for testing must have been assembled using the manufacturer's normal assembly method and must be units assembled for sale. Models tested must conform with the standard or the manufacturer may be required to cease distribution in commerce of compressors of that model.

The production unit selected for testing is of a compressor configuration. A compressor configuration is defined on the basis of compressor type, delivery rate, cooling system, air intake and induction system, engine system, and exhaust system. Most of the testing required by these regulations will be performed by the manufacturer at his test site, using his equipment and personnel, although the Administrator reserves the right to be present to monitor or perform any tests. Production verification does not involve any formal EPA approval or issuance of certificates subsequent to manufacturer testing, nor is any extensive testing required of EPA.

To avoid delays of shipment of early production models, due to weather conditions which preclude testing, these regulations provide that production verification of a configuration is automatically and conditionally waived for a manufacturer for a period of up to 45 consecutive days from distribution in commerce of the first compressor of that configuration. The manufacturer must test a compressor on the first day weather conditions at his site permit. Failure to test on such first suitable day will result in automatic and retroactive withdrawal of the waiver and will render the manufacturer liable for illegally distributing compressors into commerce.

A manufacturer may production verify a configuration any time during the model year or in advance of a model year, if he desires.

A manufacturer shall verify production compressors by one of two methods. The first method will involve testing of a production compressor (intended for sale) of each configuration.

Alternatively, production verification testing of all configurations produced by a manufacturer may not be required where a manufacturer determines that the noise levels of some configurations are consistently higher than others or are always representative of other configurations. In such a case, the higher emitter would be the only configuration requiring verification testing.

The manufacturer must production verify each model year. In some instances, a manufacturer may verify new models based on data submitted during previous model years.

C. Selective Enforcement Auditing

These regulations provide for sample testing based on an audit of production compressors (Selective Enforcement Auditing). Selective Enforcement Auditing (SEA) is the term used in this regulation to describe the testing pursuant to an administrative request, in accordance with the proposed test procedure, of a statistical sample of production compressors, from a particular compressor category or configuration selected from a particular assembly plant in order to determine whether production compressors conform to the standards and to provide the basis for further action in the case of non-conformity.

The sampling strategy adopted by EPA does not attempt to impose a quality control or quality assurance scheme upon a manufacturer but merely audits the conformity of his products.

A selective enforcement audit is initiated by a test request issued to the manufacturer by the Administrator (or his designated representative). One important factor which will influence the decision of the Administrator to issue a test request is whether the manufacturer is conducting noise emission testing of production compressors on his own cognizance. If a manufacturer can provide evidence that his compressors are meeting standards based on tests and sampling methods acceptable to EPA, issuance of a test request may not be necessary. The criteria for such a sampling plan is discussed in the "Background Document for Portable Air Compressors."

The general type of sampling strategy developed by EPA employs attributes-type sampling plans applied to a specific number of batches. Under inspection by attributes, items are inspected or tested to determine whether they meet the prescribed specification. The basic decision criterion is the number of products whose parameters meet specification rather than the average value of some parameter. The particular criterion for compressors is the noise emission standard established by this regulation.

As applied to compressor noise emissions, the Acceptable Quality Level (AQL) is the maximum percentage of failing compressors that for purposes of sampling inspection can be considered satisfactory, where a compressor is considered a failure if it exceeds the noise emission standard. An AQL of 10 percent was chosen to take into account some test variability and random production errors.

D. Labeling

These regulations require that compressors shall be labeled to provide notice that the compressor conforms to the standards contained herein. The label shall contain a notice of tampering prohibitions in the Act, which prohibit the removal or rendering inoperative of any noise control features which are identified in the owners manual.

E. Inspection and Monitoring

Because of the inevitable conflict of interest which results from any compliance system where a significant part of the regulatory activity is controlled by those being regulated, it is essential that EPA personnel have access to aspects of the system in order to determine whether the requirements of the regulations are being followed and whether conforming compressors are being distributed into commerce. Specifically, the inspection and monitoring activities shall be for the purpose of gathering information to enable the Administrator to satisfy himself that required records are being kept, that products which will be tested are being selected and properly prepared for testing, that tests are being properly conducted and that the manufactured product is one which conforms to the regulations, including the applicable noise emission standard. Such inspection and monitoring activities will include access to (1) facets of the testing program required by the regulations; (2) records, reports, and test results which must be maintained; and (3) facilities (production, test and storage) which are connected with the manufacturing of compressors.

Normally, a minimum of 24 hours prior written or oral notice will be given to a manufacturer by the Director of the Mobile Source Enforcement Division or his representative advising him of any visit of EPA Enforcement Officers. However, the regulation does provide for notice only at the time of the visit, provided the visit is authorized in writing by the Assistant Administrator for Enforcement.

F. Record Keeping

These regulations describe the records and other documents concerning testing of compressors which must be maintained and the retention period.

The regulations require that the manufacturer have available a description of his product line and maintain records on specific individual compressors he has tested. For the most part, these information requirements can be satisfied by keeping on hand updated copies of production vertification reports. Additionally, to preclude issuance of test requests under the Selective Enforcement Auditing procedures for compressors that may not be available, the Administrator may request production information for particular compressor models.

G. Administrative Remedies

Section 11(d)(1) of the Act provides that:

> Whenever any person is in violation of section 10(a) of this Act, the Administrator may issue an order specifying such relief as he determines is necessary to protect the public health and welfare.

Clearly, this provision of the Act is intended to grant to the Administrator discretionary authority to fashion civil sanctions to supplement the criminal penalties of section 11(a). The regulations provide for two types of civil remedies: (1) Recall orders, and (2) cease to distribute orders.

If compressors have been distributed in commerce which were not designed, built and equipped to conform with these regulations, such act would be a violation of section 10(a) and remedy of such nonconformity would be appropriate. Remedy of the affected compressors might be carried out pursuant to a recall order.

In some instances, the Administrator may wish to issue a cease to distribute order. If a manufacturer fails to properly production verify, the Administrator may issue an order requiring the manufacturer to cease the distribution in commerce of compressors of that category or configuration pending compliance with the production verification requirements. The Administrator will provide the manufacturer notice and the opportunity for a hearing prior to the issuance of such an order.

These regulations also provide for remedy when any manufacturer refuses to allow EPA personnel access to his facility to conduct activities authorized by the regulations. This remedy is in the form of an order issued by the Administrator to cease distribution in commerce of compressors of the specified configuration being manufactured at that facility. The Administrator will provide a manufacturer notice and the opportunity for a hearing prior to the issuance of such an order.

H. Exemptions

The proposed regulations also outline the procedures by which EPA will administer the granting of exemptions from the prohibitions of the Act to various product manufacturers, pursuant to section 10(b). The substantive scope of the exemption provisions of section 10(b) (1) and (2) are defined and procedures whereby exemptions may be requested are set forth. Exemptions will be granted for testing and national security reasons only. Export exemptions will be automatically effective, without request, upon the proper labeling of the products involved. Testing exemptions must be justified in writing by a sufficient demonstration of appropriateness, necessity, reasonableness, and control. Requests for national security exemptions must be endorsed by an agency of the Federal Government charged with the responsibility for national defense. This would preclude the granting of exemptions for products used for public welfare, such as municipal fire trucks.

I. Enforcement Test Facility

EPA intends to have operational in early 1976 a Noise Enforcement Test Facility. This facility will be located in Sandusky, Ohio at Plum Brook Station.

EPA intends to conduct confirmatory tests on products already tested by manufacturers in addition to independent compliance testing on products not specifically tested by the manufacturer.

Because some manufacturers may not have available to them a facility which meets the requirements of these regulations, the EPA Enforcement Test Facility would be available, to the extent practicable and necessary, for use by such manufacturers to conduct EPA required testing. Additionally, manufacturers with access to facilities may wish to test or retest some of their products at the EPA Enforcement Test Facility in order to assure themselves that they have successfully production verified their products.

In the instance where compliance testing is conducted at the EPA Enforcement Test Facility at the manufacturer's request, the manufacturer would be charged a fee which is representative of the actual expense to the government.

J. In-use Compliance

The manufacturer is required to design, build and equip compressors subject to these regulations so that they do not exceed the prescribed noise emission standard at the time of distribution and ultimate sale. The requirement that the product be manufactured to meet the standard without degradation over a period of useful life is not presently included in the final regulation due to the lack of adequate data to determine the precise period of useful life and the amount of degradation (if any) which may be allowed to occur with use of the product. However, the Administrator has expressly reserved a section to include the useful life requirement when sufficient data are collected. In-use compliance provisions are included to minimize degradation from initial noise emission levels.

The in-use provisions include a requirement that the manufacturer provide a noise emission warranty to purchasers (required by section 6(d) of the Noise Control Act), provide information to the Administrator which will assist in fully defining those acts which constitute tampering (under section 10(a)(2)(A) of the Act), and provide retail purchasers with instructions specifying the maintenance, use, and repair required to reasonably assure elimination or minimization of noise level degradation (authorized by section 6(c)(1) of the Act).

Under the warranty provisions, intended to more fully implement 6(d)(1) of the Act, it is required that the manufacturer warrant to the ultimate and subsequent purchasers that new portable air compressors subject to these regulations are designed, built, and equipped so as to conform at the time of sale with the Federal noise control regulations. The manufacturer must furnish this time-of-sale warranty to the ultimate purchaser in a prescribed written form, which will be reviewed by EPA in order that the Agency can determine whether the manufacturer's warranty policy is consistent with the intent of the Act.

The tampering provisions require the manufacturer to furnish a list of acts which may be done to compressors in use and which, if done, are likely to have a detrimental impact on noise emissions. The Administrator will then use this information to develop a final list of those acts which are presumed by EPA to constitute tampering. A statement of the Federal law on tampering, which will include the final list of acts which constitute tampering as determined by EPA, must be provided in written form to the ultimate purchaser.

The sections dealing with instructions for proper maintenance, use, and repair of the compressor are intended to ensure that purchasers know exactly what is required to minimize or eliminate degradation of the noise level of the compressor during its life. These instructions must be both necessary to reasonably assure nondegradation and reasonable in the burden placed on purchasers. A record or log book also must be provided to the ultimate purchaser in order that the purchaser may record maintenance performed during the life of the product. The instructions may not contain language which tends to give the manufacturer or his dealers an unfair competitive advantage over the aftermarket. Finally, the regulations provide for Agency review of instructions and related language.

VII. Impact of the Regulation

Using data and information accrued to develop the proposed regulation, complemented by additional technological and economic data and information made available to the Agency during the public comment periods, the Agency re-evaluated the impact of the portable air compressor regulation being promulgated. Summarized below are the impacts anticipated.

A. Noise Reduction

The average noise level of portable air compressors employed today at construction sites is 88 dBA at 7 meters. Com-

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pliance with the standard established for portable compressors with rated air flow capacities of less than or equal to 250 cfm and for those with rated air flow capacities above 250 cfm will reduce compressor noise by an average 12 dBA.

It is estimated that compliance with the portable air compressor regulation will reduce the contribution (on an energy basis) of the portable air compressor to construction site noise from 16.9 percent (in the worst present case) to approximately one percent. It will also decrease the portable air compressor as a source of acoustic energy at a construction site, from the second noisiest source, exceeded only by medium and heavy trucks, to the 16th noisiest piece of equipment comprising the hardware mix of approximately 20 pieces of equipment at a typical construction site. Compliance with this regulation should eliminate the portable air compressor as a major source of noise at construction sites.

B. HEALTH AND PUBLIC WELFARE

It is estimated that over 27.4 million people are exposed to construction site noise levels in excess of Ldn 55, the level identified as protective of public health and welfare with an adequate margin of safety. Compliance with the regulation being promulgated is projected to reduce the severity of impact from construction site noise by approximately 15 percent from current objectionable conditions; concomitant regulation of truck noise to either 83 or 75 dBA at 50 feet, for example, could provide total relief on the order of 37 to 46 percent, respectively. In terms of the acoustic energy contribution to construction site noise, compliance with the regulation will reduce the acoustic energy contribution of portable air compressors to approximately one percent of the total site noise which moves the portable air compressor from the 2nd most predominant construction site noise source to the 16th noisiest piece of construction equipment on a list of 20 pieces of equipment typically used at construction sites. In terms of the actual benefits from the regulation being promulgated, the regulation will reduce the extensity and severity of impact on the entire 27.4 million people exposed to noise levels above 55 Ldn at construction sites by 14.7 percent.

C. COST AND ECONOMIC IMPACT

Analysis of the impact of this regulation included the expected average list price increase for both categories of portable air compressors. For compressors with capacities less than or equal to 250 cfm the estimated average list price increase is 11.2 percent; for compressors with capacities greater than 250 cfm the list price increase may be as much as 13.0 percent. Considering the industry market this is an average list price increase of 12.3 percent.

Based on estimated 1977–1978 and retail sales of $206 million and estimated increased sales prices of 12.3 percent, the annual aggregate increase in purchase cost is estimated to be $25.4 million.

Various aspects of potential economic impact were assessed to evaluate changes that may occur due to promulgation of this regulation. Upper and lower bound cost values were used to provide an average case estimate of economic impact. The results of the analysis are:

1. Potential decreases in total sales are estimated to be approximately 4 percent, with the major impact falling on diesel driven compressors with more than 250 cfm capacity. These impacts are equivalent to one to two years of sales growth at the rates experienced by the industry from 1967 to 1972, but are less than one-fifth of the industry sales growth from 1972 to 1973.

2. There should be little effect on upstream component suppliers. Distributors and users may be affected in that alternative sources of compressed air, e.g., electric and hydraulic systems, will become competitive for many present uses of portable compressors.

3. No unemployment is expected to occur as the result of the portable air compressor regulation.

4. Exports are approximately 10 percent of total sales, and no changes in export patterns are expected because of these noise regulations. Imports make up approximately 7 percent of the market and no change is expected due to the standards being promulgated.

5. There will be no impact on the balance of trade.

6. There will be no significant increase in transportation costs from the manufacturers' plant to distribution or end user locations due to these regulations.

VIII. FUTURE INTENT

The Agency is pursuing a strategy through which major contributors to overall construction site noise will be identified and subsequently regulated. This coordinated approach is necessary because in most sites, a number of different construction equipment products may be operating at the same time and the quieting of only one such product may not in itself be sufficient to adequately reduce the noise from the site to a level the Agency believes required to protect the public health and welfare.

As indicated in the EPA Identification of Major Sources of Noise Report (39 FR 22297–99, June 21, 1974), the principal candidates for future regulatory efforts are known. On May 28, 1975, the Agency identified the following pieces of construction equipment as major sources of noise: Wheel and track loaders and dozers (40 FR 23105). At this time the Agency is analyzing the alternative methods of regulating construction equipment to determine whether regulation of individual products or categories of products is more appropriate.

The Agency intends to commence regulatory action on other construction equipment products in the near future, and the levels chosen for the standards in this proposed rulemaking are consistent with the overall requirements to quiet all products in order to ultimately quiet all construction sites.

IX. BACKGROUND DOCUMENT

Notice of the availability of the Document entitled "Background Document For Proposed Portable Air Compressor Noise Emission Regulations" was published in the FEDERAL REGISTER on October 29, 1974 (39 FR 38186). This document has been revised and new data have been added. This new document entitled "Background Document For Portable Air Compressors" is quite lengthy, and it would be impractical to publish it in its entirety in the FEDERAL REGISTER. Copies may be obtained from the EPA Public Information Center, PM–215, Room 2104D, Waterside Mall, 4th and M Streets, SW., Washington, D.C. 20460. To the extent possible, the significant aspects of the material have been presented in summary form in the foregoing preamble.

This regulation is promulgated under the authority of 42 U.S.C. 4905, 86 Stat. 1237.

It is hereby certified that the economic and inflationary impacts of this proposed regulation have been carefully evaluated in accordance with Executive Order 11821.

Dated: December 31, 1975.

JOHN QUARLES,
Acting Administrator.

Part 204 of Title 40 shall read as follows:

Subpart A—General Provisions

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204.1 General applicability.
204.2 Definitions.
204.3 Number and gender.
204.4 Inspection and monitoring.
204.5 Exemptions.
204.5–1 Who may request an exemption.
204.5–2 Testing exemption.
204.5–3 Pre-verification exemptions.
204.5–4 National security exemptions.
204.5–5 Export exemptions.
204.5–6 Granting of exemptions.
204.5–7 Submission of exemption requests.

Subpart B—Portable Air Compressors

204.50 Applicability.
204.51 Definitions.
204.52 Portable air compressor noise emission standards.
204.53 Maintenance of records: Submittal of information.
204.54 Test procedures.
204.55 Production verification.
204.55–1 General standards.
204.55–2 Production verification: Compliance with standards.
204.55–3 Configuration identification.
204.55–4 Production verification report: Required data.
204.55–5 Test compressor sample selection.
204.55–6 Test compressor preparation.
204.55–7 Testing.
204.55–8 Labeling.
204.55–9 Addition of, changes to, and deviation from a compressor configuration during the model year.
204.55–10 Production verification based on data for a previous model year.
204.55–11 Cessation of distribution.
204.56 Testing by the Administrator.
204.57 Selective enforcement auditing.
204.57–1 Test request.
204.57–2 Test compressor sample selection.
204.57–3 Test compressor preparation.
204.57–4 Testing.
204.57–5 Reporting of test results.
204.57–6 Acceptance and rejection of batches.
204.57–7 Acceptance and rejection of batch sequence.
204.57–8 Continued testing.
204.57–9 Prohibition of distribution in commerce; manufacturer's remedy.
204.58 In-use requirements.
204.58–1 Warranty.
204.58–2 Tampering.
204.58–3 Instructions for maintenance, use, and repair.
204.59 Recall of noncomplying compressors.

AUTHORITY: (42 U.S.C. 4905), 86 Stat. 1237.

Subpart A—General Provisions

§ 204.1 General applicability.

The provisions of this subpart are applicable to all products for which regulations have been published under this part and which are manufactured after the effective date of such regulations.

§ 204.2 Definitions.

(a) As used in this subpart, all terms not defined herein shall have the meaning given them in the Act.

(1) "Act" means the Noise Control Act of 1972 (Pub. L. 92–574, 86 Stat. 1234).

(2) "Administrator" means the Administrator of the Environmental Protection Agency or his authorized representative.

(3) "Agency" means the United States Environmental Protection Agency.

(4) "Export exemption" means an exemption from the prohibitions of section 10(a) (1), (2), (3), and (4) of the Act, granted by statute under section 10(b) (2) of the Act for the purpose of exporting regulated products.

(5) "National security exemption" means an exemption from the prohibitions of section 10(a) (1), (2), (3), and (5) of the Act, which may be granted under section 10(b) (1) of the Act for the purpose of national security.

(6) "Pre-verification exemption" means a testing exemption which is applicable to products manufactured prior to product verification, and used by a manufacturer from year to year in the ordinary course of business, for product development, production method assessment, and market promotion purposes, but in a manner not involving lease or sale.

(7) "Testing exemption" means an exemption from the prohibitions of section 10(a) (1), (2), (3), and (5) of the Act, which may be granted under section 10(b) (1) of the Act for the purpose of research, investigations, studies, demonstrations, or training, but not including national security where lease or sale of the exempted product is involved.

(8) "Warranty" means the warranty required by section 6(c) (1) of the Act.

(9) "Tampering" means those acts prohibited by section 10(a) (2) of the Act.

(10) "Maintenance instructions" means those instructions for maintenance, use, and repair, which the Administrator is authorized to require pursuant to section 6(c) (1) of the Act.

(11) "Type I Sound Level Meter" means a sound level meter which meets the Type I requirements of American National Standard Specification S1.4–1971 for sound level meters. This publication is available from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

(12) "dBA" is the standard abbreviation for A-weighted sound level in decibels.

(13) "Reasonable assistance" means providing timely and unobstructed access to test products or products and records required by this part and opportunity for copying such records or testing such test products.

(14) "Slow meter response" means the meter ballistics of meter dynamic characteristics as specified by American National Standard S1.4–1971 or subsequent approved revisions.

(15) "Sound level" means the weighted sound pressure level measured by the use of a metering characteristic and weighing A, B, or C as specified in American National Standard Specification for Sound Level Meters S1.4–1971 or subsequent approved revision. The weighting employed must be specified, otherwise A-weighting is understood.

(16) "Sound pressure level" means, in decibels, 20 times the logarithm to the base ten of the ratio of a sound pressure to the reference sound pressure of 20 micropascals (20 micronewtons per square meter). In the absence of any modifier, the level is understood to be that of a root-mean-square pressure.

(17) "Product" means any construction equipment for which regulations have been promulgated under this part and includes "test product."

(18) "Test product" means any product that is required to be tested pursuant to this part.

§ 204.3 Number and gender.

As used in this part, words in the singular shall be deemed to import the plural, and words in the masculine gender shall be deemed to import the feminine and vice versa, as the case may require.

§ 204.4 Inspection and monitoring.

(a) Any inspection or monitoring activities conducted under this section shall be for the purpose of determining: (1) Whether required records are being properly maintained, (2) whether test products are being selected and prepared for testing in accordance with the provisions of these regulations, (3) whether test product testing is being conducted in accordance with these regulations, and (4) whether products being produced for distribution into commerce are as described in the production verification report.

(b) Any manufacturer subject to regulation under this part shall admit or cause to be admitted any Environmental Protection Agency (hereafter EPA) Enforcement Officer during operating hours upon demand after having received 24-hour prior written or oral notification, except as provided for by paragraph (e) of this section, and upon presentation of credentials and authorization in writing signed by the Director, Mobile Source Enforcement Division or his designee to any of the following:

(1) Any facility or site where any product to be distributed into commerce is manufactured, assembled, or stored;

(2) Any facility or site where any tests conducted pursuant to this part or any procedures or activities connected with such tests are or were performed;

(3) Any facility or site where any test product is present; and

(4) Any facility or site where records, reports, other documents or information required to be maintained or provided to the Administrator are located.

(c) (1) Upon admission to any facility or site referred to in paragraph (b) of this section, any EPA Enforcement Officer shall be allowed:

(i) To inspect and monitor test product manufacture and assembly, selection, storage, preconditioning, noise emission testing, and maintenance, and to verify correlation or calibration of test equipment;

(ii) To inspect products prior to their distribution in commerce;

(iii) To inspect and make copies of any records, reports, documents, or information required to be maintained or provided to the Administrator under the Act;

(iv) To inspect and photograph any part or aspect of any such product and any component used in the assembly thereof that are reasonably related to the purpose of his entry.

(2) Any EPA Enforcement Officer shall be furnished by those in charge of a facility or site being inspected with such reasonable assistance as he may request to help him discharge any function listed in this section. A manufacturer is required to cause those in charge of a facility or site operated for its benefit to furnish such reasonable assistance without charge to EPA whether or not it controls the facility.

(3) The duty to admit or cause to be admitted any EPA Enforcement Officer applies whether the facility or site is owned or controlled by the manufacturer or by one who acts for the manufacturer and applies both to domestic and foreign manufacturer facilities and sites. EPA will not attempt to make any inspections which it has been informed that foreign law forbids. However, if foreign law makes it impossible to do what is necessary to ensure the accuracy of data generated at a facility, no informed judgment that a product has been properly tested in accordance with these regulations can properly be based on that data. It is the responsibility of the manufacturer to locate its testing and manufacturing facilities in jurisdictions where this situation will not arise.

(d) For purposes of this section:

(1) "Presentation of credentials" shall mean display of the document designating a person as an EPA Enforcement Officer.

(2) Where test product storage areas or facilities are concerned, "operating hours" shall mean all times during which personnel other than custodial person-

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nel are at work in the vicinity of the area or facility and have access to it.

(3) Where facilities or areas other than those covered by paragraph (d)(2) of this section are concerned, "operating hours" shall mean all times during which product manufacture or assembly is in operation or all times during which product testing or maintenance, production, or compilation of records is taking place, or any other procedure or activity related to production verification testing, selective enforcement audit testing or to product manufacture or assembly is being carried out.

(e) Any entry without 24 hour prior written or oral notification to the affected manufacturer shall be authorized in writing by the Assistant Administrator for Enforcement.

(f)(1) Pursuant to section 11(d)(1) of the Act, the Administrator may issue an order to the manufacturer to cease the distribution in commerce of particular products being manufactured at a particular facility if:

(i) Any EPA Enforcement Officer is denied the access required in paragraph (b) and (c) of this section.

(ii) Any EPA Enforcement Officer is denied "reasonable assistance" (as defined in § 204.1(a)(13)).

(2) The sanction of issuing an order to cease distribution of products into commerce may be imposed for the reasons in paragraph (f)(1)(i) and (ii) of this section only when the infraction is substantial.

(3) Any such order shall be issued only after notice and opportunity for a hearing.

§ 204.5 Exemptions.

§ 204.5–1 Who may request an exemption.

(a) Any manufacturer may request an exemption provided by this subpart or exempt products as provided by § 204.5–5.

§ 204.5–2 Testing exemption.

(a) Any manufacturer requesting a testing exemption must demonstrate that the proposed test program:

(1) Has a purpose which constitutes an appropriate basis for an exemption in accordance with section 10(b)(1) of the Act;

(2) Necessitates the granting of an exemption;

(3) Exhibits reasonableness in scope; and

(4) Exhibits a degree of control consonant with the purpose of the program and the Environmental Protection Agency's monitoring requirements. Paragraphs (b), (c), (d), and (e) of this section describe what constitutes a sufficient demonstration for each of the four above identified elements.

(b) With respect to the purpose of the proposed test program, an appropriate purpose is one which is consistent with one or more of the basis for exemption set forth under section 10(b)(1), namely research, investigations, studies, demonstrations, or training, but not including national security. (See § 204.5–4.) A concise statement of purpose is a required item of information.

(c) With respect to the necessity that an exemption be granted, necessity arises from an inability to achieve the stated purpose in a practicable manner without performing a prohibited act under sections 10(a)(1), (2), (3), or (5). In appropriate circumstances time constraints may be a sufficient basis for necessity.

(d) With respect to reasonableness, a test program must exhibit a duration of reasonable length and affect a reasonable number of products. In this regard, required items of information include:

(1) An estimate of the program's duration;

(2) The absolute number of products involved;

(3) The duration of the test;

(4) The ownership arrangement with regard to the products involved in the test;

(5) The intended final disposition of the products;

(6) The means or procedure whereby test results will be recorded.

(e) Paragraph (a) of this section applies irrespective of the product's place of manufacture.

§ 204.5–3 Pre-verification exemptions.

Section 204.5–2 does not apply for pre-verification products. In such cases, a request for exemption is also necessary; however, the only information required is a statement setting forth the general nature of the pre-verification products program, the number of products involved and a demonstration that adequate record keeping procedures for control purposes will be employed.

§ 204.5–4 National security exemptions.

A manufacturer requesting a national security exemption must state the purpose for which the exemption is required, and the request must be endorsed by an agency of the Federal government charged with responsibility for national defense.

§ 204.5–5 Export exemptions.

(a) A new product intended solely for export, and so labeled or marked on the outside of the container and on the product itself, shall be exempt from the prohibitions of section 10(a), (1), (2), (3), and (4) of the Act.

(b) No request for an export exemption is required.

(c) It is a condition of any export exemption under section 10(b)(2) that such exemption shall be void *ab initio* with respect to each new product intended solely for export which is distributed in commerce for use in any state.

(d) Any manufacturer or person subject to the liabilities of section 11(a) with respect to any product, originally intended for export, but distributed in commerce for use in any state, may be excluded from the application of section 11(a) with respect to such product based upon a showing that such manufacturer:

(1) Had no knowledge of such product being distributed in commerce for use in any state; and

(2) Made reasonable efforts to ensure that such product would not be distributed in commerce for use in any state. Such reasonable efforts would include investigations, prior dealings, contract provisions, etc.

§ 204.5–6 Granting of exemptions.

(a) If upon completion of the review of an exemption request, the granting of an exemption is deemed appropriate, a memorandum of exemption will be prepared and submitted to the manufacturer requesting the exemption. The memorandum will set forth the basis for the exemption, its scope, and such terms and conditions as are deemed necessary to protect the public health and welfare. Such terms and conditions will generally include, but are not limited to, agreements by the applicant to conduct the exempt activity in the manner described to EPA, create and maintain adequate records accessible to EPA at reasonable times, employ labels for the exempt products setting forth the nature of the exemption, take appropriate measures to assure that the terms of the exemption are met, and advise EPA of the termination of the activity and the ultimate disposition of the products. EPA may limit the scope of any exemption by placing restrictions on time, location and duration. EPA may also withdraw the exemption at any time, based upon information that the public health and welfare is being endangered.

(b) Any exemption granted pursuant to paragraph (a) of this section shall be deemed to cover any subject product only to the extent that the specified terms and conditions are complied with. A breach of any term or condition shall cause the exemption to be void *ab initio* with respect to any product. Consequently, the distribution in commerce for use of any subject product other than in strict conformity with all terms and conditions of this exemption shall constitute a violation of section 10(a)(1) and (3) of the Act, and shall render the manufacturer to whom the exemption is granted, and any other person to whom the provisions of section 10 are applicable, liable to sanction under sections 11 and 12 of the Act.

§ 204.5–7 Submission of exemption requests.

Requests for exemption or further information concerning exemptions and/or the exemption request review procedure should be addressed to:

Director, Mobile Source Enforcement Division (EN–340), Environmental Protection Agency, 401 M Street SW, Washington, D.C. 20460.

Subpart B—Portable Air Compressors

§ 204.50 Applicability.

The provisions of this subpart shall apply to portable air compressors which are manufactured after the effective dates specified in § 204.52, and which are "New Products" as defined in the Act. These provisions apply only to portable air compressors with a rated capacity equal to or above 75 cubic feet per minute which deliver air at pressures

greater than 50 psig. The provisions do not apply to the pneumatic tools or equipment that the portable air compressor is designed to power.

§ 204.51 Definitions.

(a) "Portable air compressor" or "compressor" means any wheel, skid, truck, or railroad car mounted, but not self-propelled, equipment designed to activate pneumatic tools. This consists of an air compressor (air end), and a reciprocating rotary or turbine engine rigidly connected in permanent alignment and mounted on a common frame. Also included are all cooling, lubricating, regulating, starting, and fuel systems, and all equipment necessary to constitute a complete, self-contained unit with a rated capacity of 75 cfm or greater which delivers air at pressures greater than 50 psig, but does not include any pneumatic tools themselves.

(b) "Maximum Rated Capacity" means that the portable air compressor, operating at the design full speed with the compressor on load, delivers its rated cfm output and pressure, as defined by the manufacturer.

(c) "Model year" means the manufacturer's annual production period which includes January 1 of such calendar year; Provided, that if the manufacturer has no annual production period, the term "model year" shall mean the calendar year.

(d) "Compressor configuration" means the basic classification unit of a manufacturer's product line and is comprised of compressor lines, models or series which are identical in all material respects with regard to the parameters listed in § 204.55–3.

(e) "Category" means a group of compressor configurations which are identical in all aspects with respect to the parameters listed in paragraph (c)(1)(i) of § 204.55–2.

(f) "Production verification compressor" means any compressor selected for testing, tested, or verified pursuant to the requirements of this subpart.

(g) "Noise emission test" means a test conducted pursuant to the measurement methodology specified in § 204.54.

(h) "Inspection Criteria" means the rejection and acceptance numbers associated with a particular sampling plan.

(i) "Acceptable Quality Level (AQL)" means the maximum percentage of failing compressors that, for purposes of sampling inspection can be considered satisfactory as a process average.

(j) "Batch" means the collection of compressors of the same category or configuration, as designated by the Administrator in a test request, from which a batch sample is to be randomly drawn and inspected to determine conformance with the acceptability criteria.

(k) "Batch sample" means the collection of compressors of the same category or configuration from which test samples are randomly drawn.

(l) "Batch sample size" means the number of compressors of the same category or configuration in a batch sample.

(m) "Test sample" means the collection of compressors from the same category or configuration which is randomly drawn from the batch sample and which will receive emissions tests.

(n) "Batch size" means the number, as designated by the Administrator in the test request, of compressors of the same category or configuration in a batch.

(o) "Test sample size" means the number of compressors of the same configuration in a test sample.

(p) "Acceptance of a batch" means that the number of non-complying compressors in the batch sample is less than or equal to the acceptance number as determined by the appropriate sampling plan.

(q) "Rejection of a batch" means that the number of non-complying compressors in the batch sample is greater than or equal to the rejection number as determined by the appropriate sampling plan.

(r) "Acceptance of a batch sequence" means that the number of rejected batches in the sequence is less than or equal to the sequence acceptance number as determined by the appropriate sampling plan.

(s) "Rejection of a batch sequence" means that the number of rejected batches in a sequence is greater than or equal to the sequence rejection number as determined by the appropriate sampling plan.

(t) "Shift" means the regular production work period for one group of workers.

(u) "Failing compressor" means that the measured noise emissions of the compressor, when measured in accordance with the applicable procedure, exceeds the applicable standard.

(v) "Acceptance of a compressor" means that the measured noise emissions of the compressor, when measured in accordance with the applicable procedure, conforms to the applicable standard.

(w) "Test Compressor" means a compressor in the test sample or a production verification compressor.

(x) "Tampering" means those acts prohibited by section 10(a)(2) of the Act.

§ 204.52 Portable air compressor noise emission standard.

(a) Effective January 1, 1978, portable air compressors with maximum rated capacity of less than or equal to 250 cubic feet per minute (cfm) shall not produce an average sound level in excess of 76 dBA when measured and evalauted according to the methodology provided by this regulation.

Effective July 1, 1978, portable air compressors with maximum rated capacity greater than 250 cfm shall not produce an average sound level in excess of 76 dBA when measured and evaluated according to the methodology provided by this regulation.

(b) In-Use Standard [Reserved]

(c) Low Noise Emission Product [Reserved]

§ 204.53 Maintenance of records: Submittal of information.

(a) The manufacturer of any new compressor subject to any of the standards or procedures prescribed in this subpart shall establish, maintain, and retain the following adequately organized and indexed records:

(1) *General records.* (i) Identification and description by category and configuration parameters of all compressors comprising the manufacturer's product line, including the identification and description of all devices incorporated into the compressor for the purpose of noise control and attenuation.

(ii) A description of any procedures, other than those contained in these regulations, used to perform noise tests on any test compressor.

(iii) A record of the calibration of the acoustical instrumentation, as required by § 204.54.

(2) *Individual records for test compressors.* (i) A complete record of all noise emission tests performed (except tests performed by EPA directly), including all individual worksheets and/or other documentation relating to each test, or exact copies thereof.

(ii) A record and description of all repairs, maintenance, and other servicing performed, giving the date and time of the maintenance or service, the reason for it, the person authorizing it, and the names of supervisory personnel responsible for the conduct of the maintenance or service.

(3) A properly filed production verification report following the format prescribed by the Administrator fulfills the requirements of paragraphs (a)(1)(i), (ii), (iii) and (a)(2)(i) and (ii) of this section.

(4) All records required to be maintained under this part shall be retained by the manufacturer for a period of three (3) years from the production verification date. Records may be retained as hard copy or alternatively reduced to microfilm, punch cards, etc., depending on the record retention procedures of the manufacturer; however, if an alternative method is to be used, all of the information contained in the hard copy shall be retained.

(b) The manufacturer shall, pursuant to a request made by the Administrator, submit to the Administrator the following information with regard to new compressor production:

(1) Number of compressors, by category or configuration, scheduled for production for the time period designated in the request.

(2) Number of compressors, by category or configuration, produced during the time period designated in the request.

§ 204.54 Test procedures.

(a) *General.* This section prescribes the conditions under which noise emission standard compliance testing must be conducted and the measurement procedures that must be used to measure the sound level and to calculate the average sound level of portable air compressors on which the test is conducted.

(b) *Test site description.* The location for measuring noise employed during noise compliance testing must consist of an open site above a hard reflecting plane. The reflecting plane must consist of a surface of sealed concrete or sealed

asphalt and must extend one (1) meter beyond each microphone location. No reflecting surface, such as a building, sign board, hillside, etc., shall be located within 10 meters of a microphone location.

(c) *Measurement equipment.* The measurement equipment must be used during noise standard compliance testing and must consist of the following or its equivalent:

(1) A sound level meter and microphone system that conform to the Type I requirements of American National Standard (ANS) S1.4–1971, "Specification for Sound Level Meters," and to the requirements of the International Electrotechnical Commission (IEC) Publication No. 179, "Precision Sound Level Meters."

(2) A windscreen must be employed with the microphone during all measurements of portable air compressor noise when the wind speed exceeds 11 km/hr. The windscreen shall not affect the A-weighted sound levels from the portable air compressor in excess of ±0.5 dB.

(3) The entire acoustical instrumentation system including the microphone and cable shall be calibrated before each test series and confirmed afterward. A sound level calibrator accurate to within ±0.5 dB shall be used. A calibration of the instrumentation shall be performed at least annually using the methodology of sufficient precision and accuracy to determine compliance with ANS S1.4–1971 and IEC 179. This calibration shall consist, at a minimum, of an overall frequency response calibration and an attenuator (gain control) calibration plus a measurement of dynamic range and instrument noise floor.

(4) An anemometer or other device accurate to within ±10 percent shall be used to measure wind velocity.

(5) An indicator accurate to within ±2 percent shall be used to measure portable air compressor engine speed.

(6) A gauge accurate to within ±5 percent shall be used to measure portable compressor air pressure.

(7) A metering device accurate to within ±10 percent shall be used to measure the portable air compressor compressed air volumetric flow rate.

(8) A barometer for measuring atmospheric pressure accurate to within ±5 percent.

(9) A thermometer for measuring temperature accurate to within ±1 degree.

(d) *Portable air compressor operation.* The portable air compressor must be operated at the design full speed with the compressor on load, delivering its rated flow and output pressure, during noise emission standard compliance testing. The air discharge shall be provided with a resistive loading such that no significant pressure drop or throttling occurs across the compressor discharge valve. The air discharge shall be piped clear of the test area or fed into an effective silencer. The sound pressure level due to the air discharge shall be at least 10 dB below the sound pressure level generated by the portable air compressor.

(e) *Test conditions.* Noise standard compliance testing must be carried out under the following conditions:

(1) No rain or other precipitation,

(2) No wind above 19 km/hr,

(3) No observer located within 1 meter, in any direction, of any microphone location, nor between the test unit and any microphone,

(4) Portable air compressor sound levels, at each microphone location, 10 dB or greater than the background sound level,

(5) The machine shall have been warmed up and shall be operating in a stable condition as for continuous service and at its maximum rated capacity. All cooling air vents in the engine/compressor enclosure, normally open during operation, shall be fully open during all sound level measurements. Service doors that should be closed during normal operation (at any and all ambient temperatures) shall be closed during all sound level measurements.

(f) *Microphone locations.* Five microphone locations must be employed to acquire portable air compressor sound levels to test for noise standard compliance. A microphone must be located 7±.1 meters from the right, left, front, and back sides and top of the test unit. The microphone position to the right, left, front, and back sides of the test unit must be located 1.5±.1 meters above the reflecting plane.

(g) *Data required.* The following data must be acquired during noise emission standard compliance testing:

(1) A-weighted sound level at one microphone location prior to operation of the test unit and at all microphone locations during test unit operations, as defined in section (d).

(2) Portable air compressor engine speed.

(3) Portable air compressor compressed gas pressure.

(4) Portable air compressor flow rate.

(5) All other data contained on Appendix I, Table IV.

(h) *Calculation of average sound level.* The average A-weighted sound level from measurements at the specified microphone locations must be calculated by the following method:

$$\overline{L} = 10 \log \frac{1}{n}\left[\text{antilog}\frac{L_1}{10} + \frac{L_2}{10} + \ldots + \text{antilog}\frac{L_n}{10}\right]$$

where:

$\overline{L}$ = average A-weighted sound level, in decibels,
L = A-weighted sound level, in decibels,
L_n = A-weighted sound levels, in decibels,
n = number of measuring positions.

(i) The Administrator may approve applications from manufacturers of portable air compressors for the approval of test procedures which differ from those contained in this Part so long as the alternate procedures have been demonstrated to correlate with the prescribed procedure. To be acceptable, alternate testing procedures shall be such that the test results obtained will identify all those test units which would not comply with the noise emission limit prescribed in § 204.52 when tested in accordance with the procedures contained in § 204.54(a)–(h). Tests conducted by manufacturers under approved alternate procedures may be accepted by the Administrator for all purposes, including, but not limited to, production verification testing, selective enforcement audit testing, and quality control or quality assurance testing on the manufacturer's own cognisance.

(j) *Presentation of information.* All information required by this section may be recorded using the format recommended on the Noise Data Sheet shown in Appendix I, Table IV.

§ 204.55 Production verification.

§ 204.55–1 General standards.

(a) Every new compressor manufactured for distribution in commerce in the United States which is subject to the standards prescribed in this subpart and not exempted in accordance with § 204.5:

(1) Shall be verified in accordance with the production verification procedures described in this subpart;

(2) Shall be represented in a production verification report, as required by § 204.55–4;

(3) Shall be labeled in accordance with the requirements of § 204.55–5; and

(4) Shall conform to the applicable noise emission standard established in § 204.52

§ 204.55–2 Production verification; compliance with standards.

(a)(1) Prior to distribution in commerce of compressors of a specific configuration, such configuration must have undergone production verification in accordance with the requirements of this subpart; Except, that production verification of a configuration is automatically and conditionally waived by the Administrator without request by a manufacturer for a period of up to 45 consecutive days from the date of distribution in commerce by the manufacturer of the first compressor of that configuration in order to enable a manufacturer to distribute compressors in commerce and thus avoid disruption of the manufacturing process: *Provided*, That a manufacturer conducts the necessary tests required in paragraph (b) and/or (c) of this section as soon as weather conditions at a manufacturer's test facility permit after distribution in commerce of the first compressor of a configuration. Failure to test on such first suitable day will result in automatic and retroactive rescission of the waiver and will render the manufacturer liable for illegally distributing compressors in commerce.

(2) At the completion of any 45-day period the conditional production verification granted under paragraph (a)(1) of this section is rescinded for that configuration unless the manufacturer has complied with the requirements of paragraph (b) and/or (c) of this section as appropriate; Except, that upon application by a manufacturer and a showing that the weather conditions at the manufacturer, test facility or other conditions beyond the control of the manufacturer made it impossible to conduct the required testing and such conditions are documented by the manufacturer and submitted with an application, the Administrator, at his option, may extend, for a specified period (not to exceed 45 days), conditional production verification for a configuration to enable the manufacturer to comply with the requirements of paragraph (b) and/or (c) of this section or he may require that the manufacturer ship the test compressor to the EPA test facility for testing by the Administrator.

(b) Production verification requirements with regard to each compressor configuration consist of:

(1) Testing in accordance with § 204.54 of a compressor selected in accordance with § 204.55–5.

(2) Compliance of the test compressor with the applicable standards when tested in accordance with § 204.54.

(3) Submission of a production verification report pursuant to § 204.55–4.

(c)(1) In lieu of testing compressors of every configuration, as described in paragraph (b) of this section, the manufacturer may elect to verify the configuration based on representative testing, the requirements of which consist of:

(i) Grouping configurations into a category where each category will be determined by a separate combination of at least the following parameters (a manufacturer may use more parameters):

(A) Engine type
(1) Gasoline—two stroke cycle
(2) Gasoline—four stroke cycle
(3) Diesel—two stroke cycle
(4) Diesel—four stroke cycle
(5) Rotary—Wankel
(6) Turbine
(7) Other
(B) Engine manufacturer
(C) Compressor delivery rate (at rated pressure)

(ii) Identifying the configuration within each category which emits the highest sound level in dBA based on best technical judgment, emission test data, or both.

(iii) Testing in accordance with § 204.54 of a compressor selected in accordance with § 204.55–5 which must be a compressor of the configuration which is identified pursuant to paragraph (c)(1)(ii) of this section as having the highest sound level (estimated or actual) within the category;

(iv) Compliance of the test compressor with applicable standards when tested in accordance with § 204.54; and

(v) Submission of a production verification report pursuant to § 204.55–4.

(2) Where the requirements of paragraph (c)(1) of this section are complied with, all those configurations contained within a category are considered represented by the tested compressor and are considered to be production verified.

(3) Where the manufacturer tests a compressor configuration which has not been determined as having the highest sound level of a category, but all other requirements of paragraph (c)(1) of this section are complied with, all those configurations contained within that category which are determined to have sound levels no greater than the tested compressor are considered to be represented by the tested compressor and are considered to be production verified. However, a manufacturer must production verify according to the requirements of paragraph (b)(1) and/or (c)(1) of this section any configurations in the subject category which have a higher sound level than the compressor configuration tested.

(d) A manufacturer may elect to production verify using representative testing, pursuant to paragraph (c) of this section, all or part of his product line.

(e) The manufacturer may, at his option, proceed with any of the following alternatives with respect to any compressor determined not in compliance with applicable standards:

(1) Delete that configuration from the production verification report. Configurations so deleted may be included in a later report under § 204.55–4. However, in the case of representative testing, a new test compressor from another configuration must be selected and production verified according to the requirements of paragraph (c) of this section in order to production verify the configurations represented by the non-compliant compressor.

(2) Modify the test compressor and demonstrate by testing that it meets applicable standards. All modifications and test results must be reported in the production verification report. The manufacturer must modify all production compressors of the same configuration in the same manner as the test compressor before distribution into commerce.

(f) Upon oral or written request by Director, Mobile Source Enforcement Division, the manufacturer shall notify such Director of any production verification testing scheduled by the manufacturer pursuant to this section so that EPA Enforcement Officers may be present and observe such testing or conduct the testing in lieu of the manufacturer.

§ 204.55–3 Configuration identification.

(a) A separate compressor configuration shall be determined by each combination of the following parameters:

(1) The compressor type (screw, sliding vane, etc.)
(2) Number of compressor stages
(3) Maximum pressure (psi)
(4) Air intake system of compressor:
(i) Number of filters
(ii) Type of filters
(5) The engine system:
(i) Number of cylinders and configuration (I–6, V–8, V–12)
(ii) Displacement
(iii) Horsepower
(iv) Full load rpm
(6) Type cooling system, e.g., air cooled, water cooled;
(7) Fan:
(i) Diameter
(ii) Maximum fan rpm
(8) The compressor enclosure:
(i) Height, length, and width
(ii) Acoustic material manufacturer, type, part number
(9) The induction system (engine):
(i) Natural
(ii) Turbocharged
(10) The muffler:
(i) Manufacturer
(ii) Manufacturer part number
(iii) Quantity of mufflers used
(11) Category parameters listed at § 204.55–2.

§ 204.55–4 Production verification report; required data.

(a) The manufacturer shall submit a production verification report to the Director, Mobile Source Enforcement Division (EN–340), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460. A manufacturer may choose to submit separate production verification reports for different parts of his product line.

(b) The report shall be signed by an authorized representative of the manufacturer and shall include the following:

(1) The name, location, and description of the manufacturer's noise emission test facilities which meet the specification of § 204.54 and have been utilized to conduct testing pursuant to this subpart; Except, that a test facility that has been described in a previous submission under this subpart need not again be described but must be identified as such.

(2) A description of normal predelivery maintenance procedure.

(3) A description of all compressor configurations, as determined in accordance with § 204.55–3, to be distributed in commerce by the manufacturer, including a list identifying or defining any device or element of design (including its location and method of operation) incorporated into compressors for the purpose of noise control and attenuation, including any device that affects noise emission from the compressor and does not operate during the normal operating modes of the compressor (e.g., over temperature protection). The manufacturer may satisfy the compressor configuration description requirements of this paragraph by submitting as part of the production verification report a copy of his sales data literature that describes his product line including options: *Provided*, That this literature is supplemented with any additional information to fulfill the requirements of this section. If a manufacturer elects to production verify pursuant to § 204.55–2(c) the configuration, within each category, which is estimated to have the highest sound level shall be identified. The manufacturer may estimate the average sound level based on his best technical judgment and/or data. The criteria used to estimate each sound level shall be stated with the estimates.

(4) The following information for each test conducted:

(i) The completed data sheet required by § 204.54 for all official tests conducted in accordance with § 204.55–7, including for each invalid test and the reason for invalidation.

(ii) A complete description of any preparation, maintenance or testing, which was performed on the test compressor and which will not be performed on all other production compressors.

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(iii) The reason for replacement, where a replacement compressor was necessary, and test results, if any, for replaced compressors.

(5) The following statement and endorsement:

This report is submitted pursuant to section 6 and section 13 of the Noise Control Act of 1972. All testing for which data is reported herein is conducted in strict conformance with applicable regulations under 40 CFR Part 204 *et seq.* All the data reported herein are a true and accurate representation of such testing. All other information reported herein is, to the best of (company name) knowledge, true and accurate. I am aware of the penalties associated with violations of the Noise Control Act of 1972 and the regulations thereunder.

(authorized representative)

(c) Where a manufacturer elects to submit separate production verification reports for portions of his product line, as provided for in paragraph (a) of this section, information provided in previous reports need not be resubmitted; Except, that information necessary to update or make current previously submitted information must be submitted.

(d) Any change with respect to information reported pursuant to this subpart shall be reported as soon as the information becomes available.

§ 204.55–5 Test compressor sample selection.

(a) A test compressor of a configuration for which production verification testing is required by § 204.55–2 shall be a compressor of the subject configuration which has been assembled using the manufacturer's normal production processes and which will be sold or offered for sale in commerce.

§ 204.55–6 Test compressor preparation.

(a) Prior to the official test, the test compressor selected in accordance with § 204.55–5 shall not be prepared, tested, modified, adjusted, or maintained in any manner unless such adjustments, preparations, modifications and/or tests are part of the manufacturer's prescribed manufacturing and inspection procedures and are documented in the manufacturer's internal compressor assembly and inspection procedures or unless such adjustments and/or tests are required or permitted under this subpart or are approved in advance by the Administrator. The manufacturer may perform adjustments, preparations, modifications and/or tests normally performed by a dealer to prepare the compressor for delivery to a customer or the adjustments, preparations, modifications and/or tests normally performed at the port-of-entry by the manufacturer to prepare the compressor for delivery to a dealer or customer.

(b) Equipment or fixtures necessary to conduct the test may be installed on the compressor: *Provided*, That such equipment or fixtures shall have no effect on the noise emissions of the compressor, as determined by the appropriate measurement methodology.

(c) In the event of compressor malfunction (i.e., failure to start, misfiring cylinder, *etc.*), the manufacturer may perform the maintenance necessary to enable the compressor to operate in a normal manner: *Provided*, That such maintenance is documented and reported in the final report prepared and submitted in accordance with this subpart.

(d) No quality control, testing, assembly, or selection procedures shall be used on the completed test compressor or any portion thereof, including parts and subassemblies, that will not normally be used during the production and assembly of all other compressors of that category which will be distributed in commerce, unless such procedures are required or permitted under this subpart or are approved in advance by the Administrator.

§ 204.55–7 Testing.

(a) The manufacturer shall conduct one valid test in accordance with the test procedures specified in § 204.54 for each compressor selected for verification testing.

(b) No maintenance will be performed on test compressors, except as provided for by § 204.55–6. In the event a compressor is unable to complete the emission test, the manufacturer may replace the compressor. Any replacement compressor will be a production compressor of the same configuration as the replaced compressor or a noisier configuration and will be subject to all the provisions of these regulations. Any replacement shall be reported in the production verification report including the reason for the replacement.

(c) In the event a compressor fails to comply with the standards of this subpart when tested in accordance with the procedures specified in paragraph (a) of this section, the manufacturer may proceed in accordance with § 204.55–2(e).

§ 204.55–8 Labeling.

(a)(1) The manufacturer of any compressor subject to the standards prescribed in § 204.52 shall, at the time of manufacture, affix a permanent, legible label, of the type and in the manner described below, containing the information hereinafter provided, to all such compressors to be distributed in commerce.

(2) The label shall be permanently attached, in a readily visible position, on the compressor enclosure.

(3) The label shall be affixed by the compressor manufacturer, who has verified such compressor, in such a manner that it cannot be removed without destroying or defacing the label, and shall not be affixed to any equipment that is easily detached from such compressor.

(4) The label shall contain the following information lettered in the English language in block letters and numerals, which shall be of a color that contrasts with the background of the label:

(i) The label heading: Compressor Noise Emission Control Information;

(ii) Full corporate name and trademark of manufacturer;

(iii) Date of manufacture;

(iv) The statement:

This Compressor Conforms to U.S. E.P.A. Regulations for Noise Emissions Applicable to Portable Air Compressors. The following acts or the causing thereof by any person are prohibited by the Noise Control Act of 1972:

(A) The removal or rendering inoperative, other than for the purpose of maintenance, repair, or replacement, of any noise control device or element of design (listed in the owner's manual) incorporated into this compressor in compliance with the Noise Control Act;

(B) The use of this compressor after such device or element of design has been removed or rendered inoperative.

(b) Compressors manufactured solely for use outside the United States shall be clearly labeled "For Export Only."

§ 204.55–9 Addition of, changes to and deviation from a compressor configuration during the model year.

(a) Any change to a configuration with respect to any of the parameters stated in § 204.55–3 shall constitute the addition of a new and separate configuration or category to the manufacturer's product line.

(b)(1) When a manufacturer introduces a new category or configuration to his product line, he shall proceed in accordance with § 204.55–2.

(2) If the configuration to be added can be grouped within a verified category and the new configuration is estimated to have a lower sound level than a previously verified configuration within the same category, the configuration shall be considered verified: *Provided*, That the manufacturer submits a report pursuant to § 204.55–4 with respect to such configuration.

§ 204.55–10 Production verification based on data from previous model years.

(a) Production verification of each configuration will be required at the beginning of each model year, except that in certain instances the Administrator, upon request by the manufacturer, may permit the use of production verification data for specific configurations from previous production verification reports. Considerations relevant to his decision are:

(1) The standard in effect for the model years in question;

(2) Performance based on production verification data for previous years;

(3) Performance based on data obtained from selective enforcement testing during previous model years; and

(4) The number and type of noise emission design changes incorporated into the new models.

§ 204.55–11 Cessation of distribution.

(a) If a category or configuration is found to be in nonconformity with these regulations by reason of failure to be properly production verified, as required by § 204.55–2, the Administrator may issue an order to the manufacturer to cease to distribute in commerce compressors of that category or configuration: *Provided, however*, That such an order shall not be issued if the manufacturer has made a good faith attempt to properly production verify the category or configuration. The burden of establishing such good faith shall rest with the manufacturer.

(b) Any such order shall be issued after notice and opportunity for a hearing.

§ 204.56 Testing by the Administrator.

(a)(1) The Administrator may require that any compressor tested or scheduled to be tested pursuant to these regulations or any other untested compressors be submitted to him, at such place and time as he may designate, for the purpose of conducting tests in accordance with the test procedures described in § 204.54 to determine whether such compressors conform to applicable regulations.

(2) The Administrator may specify that he will conduct such testing at the manufacturer's facility, in which case instrumentation and equipment of the type required by these regulations shall be made available by the manufacturer for test operations. The Administrator may conduct such tests with his own equipment, which shall be equal to or exceed the performance specifications of the instrumentation or equipment specified by the Administrator in these regulations.

(b)(1) If, based on tests conducted by the Administrator, the Administrator determines that the test facility is inappropriate for conducting the tests required by this part, he will notify the manufacturer in writing of his determination and the reasons therefor.

(2) After the notification in paragraph (b)(1) of this section, no data derived from the subject test facility will be acceptable for the purposes of this Part and the Administrator may issue an order to the manufacturer, with respect to the compressor category or configuration in question, to cease to distribute in commerce compressors of such category or configuration; Except, that any such order shall be issued only after notice and opportunity for a hearing. Such notification may be included in any notifications under paragraph (b)(1) of this section. A manufacturer may request that the Administrator grant a hearing; request shall be made not later than fifteen (15) days, or other such period as may be allowed by the Administrator, subsequent to notification of the Administrator's intent to issue an order to cease to distribute.

(3) The manufacturer may request in writing that the Administrator reconsider his determination in paragraph (b)(1) of this section based on data or information which indicates that changes have been made to the test facility and such changes have resolved the reasons for disqualification.

(4) The Administrator will notify the manufacturer of his determination with regard to the requalification of the test facility within 10 days of the manufacturer's request for reconsideration pursuant to paragraph (b)(3) of this section.

(c)(1) Whenever the Administrator conducts a test on a test compressor, the results of that test shall constitute the official test data for that compressor.

(2) The Administrator may accept the manufacturer's test data in lieu of his data upon a showing by the manufacturer that the data acquired under paragraph (a) of this section are erroneous and that the manufacturer's data are correct.

§ 204.57 Selective enforcement auditing.

§ 204.57–1 Test request.

(a) The Administrator will request all testing under this subpart by means of a test request addressed to the manufacturer.

(b) The test request will be signed by the Assistant Administrator for Enforcement or his designee. The test request will be delivered by an EPA Enforcement Officer to the plant manager or other responsible official, as designated by the manufacturer.

(c) The test request will specify the compressor category or configuration selected for testing, the batch selected for testing and the batch size, the manufacturer's plant or storage facility from which the compressors must be selected, and the time at which compressors must be selected. The test request will also provide for situations in which the selected configuration or category is unavailable for testing. The test request may include an alternative category or configuration selected for testing in the event that compressors of the first specified category or configuration are not available for testing because the compressors are not being manufactured at the specified plant and/or are not being manufactured during the specified time or not being stored at the specified plant or storage facility.

(d) Any manufacturer shall, upon receipt of the test request, select and test a batch sample of compressors from two consecutively produced batches of the compressor category or configurations specified in the test request in accordance with these regulations and the conditions specified in the test request.

(e)(1) Any testing conducted by the manufacturer pursuant to a test request shall be initiated within such period as is specified in the test request; Except, that such initiation may be delayed for increments of 24 hours or one business day where ambient test site weather conditions in any 24-hour period do not permit testing: *Provided*, That ambient test site weather conditions for that period are recorded.

(2) The manufacturer shall complete noise emission testing on a minimum of five compressors per day, unless otherwise provided for by the Administrator or unless ambient test site conditions only permit the testing of a lesser number: *Provided*, That ambient test site weather conditions for that period are recorded.

(3) The manufacturer will be allowed 24 hours to ship compressors from a batch sample from the assembly plant to the testing facility if the facility is not located at the plant or in close proximity to the plant; Except, that the Administrator may approve more time based upon a request by the manufacturer accompanied by a satisfactory justification.

(f) The Administrator may issue an order to the manufacturer to cease to distribute into commerce compressors of a specified category or configuration being manufactured at a particular facility if:

(1) The manufacturer refuses to comply with the provisions of a test request issued by the Administrator pursuant to this section; or

(2) The manufacturer refuses to comply with any of the requirements of this section.

(g) A cease-to-distribute order shall not be issued under paragraph (f) of this section if such refusal is caused by conditions and circumstances outside the control of the manufacturer which render it impossible to comply with the provisions of a test request or any other requirements of this section. Such conditions and circumstances shall include, but are not limited to, any uncontrollable factors which result in the temporary unavailability of equipment and personnel needed to conduct the required tests, such as equipment breakdown or failure or illness of personnel, but shall not include failure of the manufacturer to adequately plan for and provide the equipment and personnel needed to conduct the tests. The manufacturer will bear the burden of establishing the presence of the conditions and circumstances required by this paragraph.

(h) Any such order shall be issued only after a notice and opportunity for a hearing.

§ 204.57–2 Test compressor sample selection.

(a) Compressors comprising the batch sample which are required to be tested pursuant to a test request in accordance with this subpart will be randomly selected from a batch of compressors of the category or configuration specified in the test request. The random selection will be achieved by sequentially numbering all of the compressors in the batch and then using a table of random numbers to select the number of compressors, as specified in paragraph (c) of this section, based on the batch size designated by the Administrator in the test request. An alternative selection plan may be used by a manufacturer: *Provided*, That such a plan is approved by the Administrator.

(b) The Acceptable Quality Leyel is 10 percent. The appropriate sampling plans associated with the designated AQL are contained in Appendix I, Table II.

(c) The appropriate batch sample size will be determined by reference to Appendix I, Tables I and II. A code letter is obtained from Table I based on the batch size designated by the Administrator in a test request. The batch sample size will be equal to the maximum cumulative sample size as listed in Table II for the appropriate code letter obtained from Table I plus an additional ten percent rounded off to the next highest number.

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(d) Individual compressors comprising the test sample will be randomly selected from the batch sample using the same random selection plan as in paragraph (a) of this section. Test sample size will be determined by entering Table II.

(e) The test compressor of the category or configuration selected for testing shall have been assembled by the manufacturer for distribution in commerce using the manufacturers normal production process.

(f) Unless otherwise indicated in the test request, the manufacturer will select the batch sample from the production batch next scheduled after receipt of the test request of the category or configuration specified in the test request.

(g) Unless otherwise indicated in the test request, the manufacturer shall select the compressors designated in the test request for testing.

(h) At their discretion, EPA Enforcement Officers, rather than the manufacturer, may select the compressors designated in the test request.

(i) The manufacturer will keep on hand all compressors in the batch sample until such time as the batch is accepted or rejected in accordance with § 204.57–6; Except, that compressors actually tested and found to be in conformance with these regulations need not be kept.

§ 204.57–3 Test compressor preparation.

Prior to the official test, the test compressor selected in accordance with § 204.57–2 will be prepared in accordance with § 204.55–6.

§ 204.57–4 Testing.

(a) The manufacturer shall conduct one valid test in accordance with the test procedures specified in § 204.54 for each compressor selected for testing pursuant to this subpart.

(b) No maintenance will be performed on test compressors, except as provided for by § 204.57–3. In the event a compressor is unable to complete the emission test, the manufacturer may replace the compressor. Any replacement compressor will be a production compressor of the same configuration, and the replacement compressor will be randomly selected from the batch sample and will be subject to all the provisions of these regulations.

§ 204.57–5 Reporting of test results.

(a)(1) The manufacturer shall submit a copy of the test report for all testing conducted pursuant to § 204.57 at the conclusion of each twenty-four hour period during which testing is done.

(2) For each test conducted the manufacturer will provide the following information:

(i) Configuration and category identification, where applicable

(ii) Year, make, assembly date, and model of compressor

(iii) Compressor serial number

(iv) Test results by serial numbers

(3) The first test report for each batch sample will contain a listing of all serial numbers in that batch.

(b) In the case where an EPA Enforcement Officer is present during testing required by this subpart, the written reports requested in paragraph (a) of this section may be given directly to the Enforcement Officer.

(c) Within five days after completion of testing of all compressors in a batch sample, the manufacturer shall submit to the Administrator a final report which will include the information required by the test request in the format as stipulated, in addition to the following:

(1) The name, location, and description of the manufacturer's noise test facilities which meet the specifications of § 204.54 and were utilized to conduct testing reported pursuant to this section; Except, that a test facility that has been described in a previous submission under this subpart need not be described again but must be identified as such.

(2) A description of the random compressor selection method used, referencing any tables of random numbers that were used, and the name of the person in charge of the random number selection.

(3) The following information for each test conducted:

(i) The completed data sheet required by § 204.54 for all noise emission tests including, for each invalid test, the reason for invalidation.

(ii) A complete description of any modification, repair, preparation, maintenance, and/or testing which was performed on the test compressor and will not be performed on all other production compressors.

(iii) The reason for the replacement, where a replacement compressor was authorized by the Administrator, and, if any, the test results for replaced compressors.

(2) The following statement and endorsement:

> This report is submitted pursuant to section 6 and section 13 of the Noise Control Act of 1972. All testing for which data is reported herein was conducted in strict conformance with applicable regulations under 40 CFR Part 204 *et seq.* All the data reported herein are a true and accurate representation of such testing. All other information reported herein is, to the best of (company) knowledge true and accurate. I am aware of the penalties associated with violations of the Noise Control Act of 1972 and the regulations thereunder.
>
> (authorized representative)

§ 204.57–6 Acceptance and rejection of batches.

(a) A failing compressor is one whose measured sound level is in excess of the applicable noise emission standard.

(b) The batch from which a batch sample is selected will be accepted or rejected based upon the number of failing compressors in the batch sample. A sufficient number of test samples will be drawn from the batch sample until the cumulative number of failing compressors is less than or equal to the acceptance number or greater than or equal to the rejection number appropriate for the cumulative number of compressors tested. The acceptance and rejection numbers listed in Appendix I, Table II at the appropriate code letter obtained according to § 204.57–2 will be used in determining whether the acceptance or rejection of a batch has occurred.

(c) Acceptance or rejection of a batch takes place when a decision is made on the last compressor required to make a decision under paragraph (b) of this section.

§ 204.57–7 Acceptance and rejection of batch sequence.

(a) The manufacturer will continue to inspect consecutive batches until the batch sequence is accepted or rejected. The batch sequence will be accepted or rejected based upon the number of rejected batches. A sufficient number of consecutive batches will be inspected until the cumulative number of rejected batches is less than or equal to the sequence acceptance number or greater than or equal to the sequence rejection number appropriate for the cumulative number of batches inspected. The acceptance and rejection numbers listed in Appendix I, Table III at the appropriate code letter obtained according to § 204.57–2 will be used in determining whether the acceptance or rejection of a batch sequence has occurred.

(b) Acceptance or rejection of a batch sequence takes places when the decision is made on the last compressor required to make a decision under paragraph (a) of this section.

(c) If the batch sequence is accepted, the manufacturer will not be required to perform any additional testing on compressors from subsequent batches pursuant to the initiating test request.

(d) The Administrator may terminate testing earlier than required in paragraph (b) of this section based on a request by the manufacturer accompanied by voluntary cessation of distribution in commerce, from all plants, of compressors from the configuration in question: *Provided*, That once production is reinitiated, the manufacturer must take the action described in § 204.57–9 (a)(1) and (a)(2) prior to distribution in commerce of any compressors from any plant of the compressor category or configuration in question.

§ 204.57–8 Continued testing.

(a) If a batch sequence is rejected in accordance with paragraph (b) of § 204.57–7, the Administrator may require continued 100 percent testing with respect to all compressors of that category or configuration produced at that plant.

(b) The Administrator will notify the manufacturer in writing of his intent to require any 100 percent testing of compressors pursuant to paragraph (a) of this section.

(c) Any tested compressor which demonstrates conformance with the applicable standards may be distributed into commerce.

(d) Any knowing distribution into commerce of a compressor which does not comply with the applicable standards is a prohibited act.

§ 204.57–9 Prohibition of distribution in commerce; manufacturer's remedy.

(a) Once 100 percent continuous testing has been instituted on a category or configuration pursuant to § 204.57–8, the manufacturer must take the following actions before the Administrator will consider discontinuing such testing:

(1) Submit a written report to the Administrator which identifies the reason for the noncompliance of the compressors, describes the problem, and describes the proposed quality control and/or quality assurance remedies to be taken by the manufacturer to correct the problem, or follows the requirements for an engineering change pursuant to § 204.55–9; and

(2) Demonstrate that the specified compressor category or configuration complies with the applicable emission standard by testing compressors from consecutively produced batches of that compressor category or configuration in accordance with these regulations and the conditions specified in the initial test request.

(b) Any compressor failing the prescribed noise emission tests conducted pursuant to this Subpart B may not be distributed in commerce until necessary adjustments or repairs have been made and the compressor passes a retest.

(c) No compressors of a rejected batch which are still in the hands of the manufacturer may be distributed in commerce unless the manufacturer has demonstrated to the satisfaction of the Administrator that such compressors do, in fact, conform to the regulations; Except, that any compressor that has been tested and does, in fact, conform with these regulations may be distributed in commerce.

§ 204.58 In-use requirements.

§ 204.58–1 Warranty.

(a) The portable air compressor manufacturer who is required to production verify under this part shall include, in the owner's manual or in other information supplied to the ultimate purchaser, the following statement:

NOISE EMISSIONS WARRANTY

The manufacturer warrants to the ultimate purchaser and each subsequent purchaser that this air compressor was designed, built, and equipped to conform at the time of sale to the first retail purchaser, with all applicable U.S. E.P.A. noise control regulations.

This warranty is not limited to any particular part, component, or system of the air compressor. Defects in the design, assembly, or in any part, component, or system of the compressor which, at the time of sale to the first retail purchaser, caused noise emissions to exceed Federal standards are covered by this warranty for the life of the air compressor.

(b) Not later than the date of submission of the production verification report required by § 204.55–4, the manufacturer shall submit to the Administrator two (2) copies of the written noise emission warranty required by paragraph (a) of this section and two (2) copies of all other information provided to the ultimate purchaser which could reasonably be construed as impacting on the warranty.

(c) Not later than ten (10) days after dissemination, the manufacturer shall submit two (2) representative copies of all information of a general nature, or modifications thereto, which is provided to dealers, zone representatives, or other agents of the manufacturer regarding the administration and application of the noise emission warranty. Information regarding noise emission warranty claims which is provided to a dealer or representative in response to a particular warranty claim or dealer inquiry is not considered to be information of a general nature: *Provided*, That such information does not receive broad dissemination to dealers.

(d) All information required to be forwarded to the Administrator pursuant to this section shall be addressed to: Director, Mobile Source Enforcement Division (EN–340), U.S. Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460.

§ 204.58–2 Tampering.

(a) For each model year and for each configuration of air compressors covered by this part, the manufacturer shall submit to the Administrator a list of those acts which, in the manufacturer's estimation, might be done to the air compressor in use, on more than an occasional basis, and result in an increase in noise emissions above the standards prescribed in § 204.52. The manufacturer should indicate, wherever possible, the amount of this increase in noise level.

(b) The above information shall be submitted to the Administrator within adequate time prior to the introduction into commerce of each configuration to allow for the development and printing of tampering lists, as provided in paragraphs (c) and (d) of this section.

(c) On the basis of the above information, the Administrator will develop a list of acts which, in the Administrator's judgment, constitute the removal or rendering inoperative, other than for purposes of maintenance, repair, or replacement, of noise control devices or elements of design of the compressor. This list shall be provided to the manufacturer and may be updated from time to time. The list shall be included in the statement to the ultimate purchaser, as required by paragraph (d)(2) of this section. If the list is not provided by the Administrator within 30 days of the date on which the information required in paragraph (a) of this section is submitted, the manufacturer shall include only the statement in paragraph (d)(1) of this section, until such time as the list has been provided and the owner's manual is reprinted for other purposes.

(d) The manufacturer shall include in the owner's manual the following information:

(1) The statement:

TAMPERING WITH NOISE CONTROL SYSTEM PROHIBITED

Federal law prohibits the following acts or the causing thereof: (1) The removal or rendering inoperative by any persons, other than for purposes of maintenance, repair, or replacement, of any device or element of design incorporated into any new compressor for the purpose of noise control prior to its sale or delivery to the ultimate purchaser or while it is in use; or (2) the use of the compressor after such device or element of design has been removed or rendered inoperative by any person.

(2) The statement:

Among those acts included in the prohibition against tampering are the acts listed below.

Immediately following this statement, the manufacturer shall include the list developed by the Administrator under paragraph (c) of this section.

(e) Any act included in the list prepared pursuant to paragraph (c) of this section is presumed to constitute tampering; however, in any case in which a proscribed act has been committed and it can be shown that such act resulted in no increase in the sound level of the compressor or that the compressor still meets the noise emission standard of § 204.52, such act will not constitute tampering.

(f) The provisions of this section are not intended to preclude any State or local jurisdiction from adopting and enforcing its own prohibitions against the removal or rendering inoperative of noise control systems on compressors subject to this part.

(g) All information required by this section to be furnished to the Administrator shall be sent to the following address: Director, Mobile Source Enforcement Division (EN–340), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460.

§ 204.58–3 Instructions for maintenance, use, and repair.

(a)(1) The manufacturer shall provide to the ultimate purchaser of each portable air compressor covered by this part written instructions for the proper maintenance, use, and repair of the compressor in order to provide reasonable assurance of the elimination or minimization of noise emission degradation throughout the life of the compressor.

(2) The purpose of the instructions is to inform purchasers and mechanics of those acts necessary to reasonably assure that degradation of noise emission levels is eliminated or minimized during the life of the compressor. Manufacturers should prepare the instructions with this purpose in mind. The instructions should be clear and, to the extent practicable, written in non-technical language.

(3) The instructions must not be used to secure an unfair competitive advantage. They should not restrict replacement equipment to original equipment or service to dealer service. Manufacturers who so restrict replacement equipment must make public any performance specifications on such equipment.

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(b) For the purpose of encouraging proper maintenance, the manufacturer shall provide a record or log book which shall contain a performance schedule for all required noise emission control maintenance. Space shall be provided in this record book so that the purchaser can note what maintenance was done, by whom, where and when.

(c) Not later than the date of submission of the production verification report required by § 204.55–4, the manufacturer shall submit to the Administrator two (2) copies of the maintenance instructions (including the record book) required by paragraphs (a) and (b) of this section.

(d) The Administrator will require modifications to the instructions if they are not both necessary and reasonable.

(e) Information required to be submitted to the Administrator pursuant to this section, shall be sent to the following address: Director, Mobile Source Enforcement Division (EN–340), U.S. Environmental Protection Agency, 401 M Street S.W., Washington, D.C. 20460.

§ 204.59 Recall of non-complying compressors.

(a) Pursuant to section 11(d)(1) of the Act, the Administrator may issue an order to the manufacturer to recall and repair or modify any compressor distributed in commerce not in compliance with this subpart.

(b) A recall order issued pursuant to this section shall be based upon a determination by the Administrator that compressors of a specified category or configuration have been distributed in commerce which do not conform to the regulations. Such determination may be based on:

(1) A technical analysis of the noise emission characteristics of the category or configuration in question; or

(2) Any other relevant information, including test data.

(c) For the purposes of this section, noise emissions may be measured by any test prescribed in § 204.54 for testing prior to sale or any other test which has been demonstrated to correlate with the prescribed test procedure.

(d) Any such order shall be issued only after notice and an opportunity for a hearing.

(e) All costs, including labor and parts, associated with the recall and repair or modification of non-complying compressors under this section shall be borne by the manufacturer.

(f) This section shall not limit the discretion of the Administrator to take any other actions which are authorized by the Act.

APPENDIX I

TABLE I—SAMPLE SIZE CODE LETTERS

Batch size:	Code letter
4 to 8	A
9 to 15	B
16 to 25	C
26 and larger	D

TABLE II.—*Sampling plans for inspecting batches*

Sample size code letter	Test sample	Test sample size	Cumulative test sample size	Batch inspection critera	
				Acceptance number	Rejection number
A	1st	4	4	0	1
B	1st	3	3	0	1
C	1st	3	3	0	2
	2d	3	6	1	2
D	1st	2	2	(1)	2
	2d	2	4	(1)	2
	3d	2	6	0	2
	4th	2	8	0	3
	5th	2	10	1	3
	6th	2	12	1	3
	7th	2	14	2	3

[1] Batch acceptance not permitted at this sample size.

TABLE III.—*Batch sequence plans*

Sample size code letter	Number batches	Cumulative number	Sequence inspection criteria	
			Acceptance number	Rejection number
A	2	2	1	(1)
	2	4	2	4
	2	6	3	5
	2	8	4	5
B	2	2	0	(1)
	2	4	1	4
	2	6	2	5
	2	8	3	5
	2	10	4	6
	2	12	5	6
C	2	2	(2)	2
	2	4	0	2
	2	6	0	3
	2	8	1	3
	2	10	2	4
	2	12	3	4
D	2	2	0	2
	2	4	1	3
	2	6	2	4
	2	8	II	4

[1] Batch sequence rejection not permitted for this number of batches.
[2] Batch sequence acceptance not permitted for this number of batches.

TABLE IV.—*Recommended format for portable air compressor noise data sheet*

Test report number:
Subject:
Manufacturer: Model: Serial No.:
Rated speed: Rpm: Rated capacity: cfm(m³/min).
Configuration identification: Category identification:
Portable air compressor identification No.: Build Date:
Test conditions:
Manufacturers test site identification and location:
Reflecting plane composition:
Operating speed as tested:
Beginning of test rpm.
End of test rpm.
Air pressure supplied: psi (kg/cm².) Ambient wind speed mph(km/hr).
Actual flow rate: cfm (m³/min.) Atmospheric pressure psi (kg/cm²).
Temperature: °F (°C).
Instrumentation:
Microphone manufacturer: Model No.: Serial No.
Sound Level Meter Manufacturer: Model No.: Serial No.
Calibrator Manufacturer: Model No.: Serial No.
Other and Manufacturer: Model No.: Serial No.
Data:

Sound levels (decibels)	Background sound level at location 1 (decibels)	Location 1	2	3	4	5	Average sound level (decibels)
A-Weighted							

Tested by: Date:
Reported by: Date:
Supervisory personnel: Title:
Title:

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PART III:

ENVIRONMENTAL PROTECTION AGENCY

RAILROAD NOISE EMISSION STANDARDS

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Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[FRL 469-3]

PART 201—RAILROAD NOISE EMISSION STANDARDS

On July 3, 1974, notice was published in the FEDERAL REGISTER (39 FR 24580) that the Environmental Protection Agency (EPA or Agency) was proposing noise emission standards for surface carriers engaged in interstate commerce by railroad.

The purpose of this notice is to establish final noise emission standards for surface carriers engaged in interstate commerce by railroad by establishing a new Part 201 of Title 40 of the Code of Federal Regulations. This final rulemaking is promulgated pursuant to section 17 of the Noise Control Act of 1972, 86 Stat. 1248, Pub. L. 92-574.

INTRODUCTION

In section 2 of the Noise Control Act, Congress expressed its judgment "that while primary responsibility for control of noise rests with State and local governments, Federal action is essential to deal with major noise sources in commerce, control of which require national uniformity of treatment." Congress also declared within section 2 of the Act, "that it is the policy of the United States to promote an environment for all Americans free from noise that jeopardizes their health or welfare." As a part of this essential Federal action, section 17 requires the Administrator to publish proposed noise emission regulations which "shall include noise emission standards, setting such limits on noise emissions resulting from operation of the equipment and facilities of surface carriers engaged in interstate commerce by railroad which reflect the degree of noise reduction achievable through the application of the best available technology, taking into account the cost of compliance." After the effective date of a regulation under section 17, applicable to noise emissions resulting from the operation of any equipment or facility of a surface carrier engaged in interstate commerce by railroad, no State or political subdivision thereof may adopt or enforce any standard applicable to noise emissions resulting from the operation of the same equipment or facility of such carrier unless such standard is identical to a standard applicable to noise emissions resulting from such operation prescribed by these regulations. The Administrator, after consultation with the Secretary of Transportation may, however, determine that the State or local standard, control, license, regulation, or restriction is necessitated by special local conditions and is not in conflict with regulations promulgated under section 17. Procedures for State and local governments to apply under section 17(c)(2) of the Act will be published by this Agency shortly after promulgation of this regulation.

These sections of the Noise Control Act reflect the desire of Congress to protect both the environment and commerce through the establishment of uniform national noise emission regulations for the operation of interstate railroad equipment and facilities which require national uniformity of treatment in order to facilitate interstate commerce. Such treatment is requisite for those types of interstate railroad equipment and facilities whose operation would be burdened by conflicting State and local noise controls. Preemption under section 17 occurs only for State or local noise regulations on equipment and facilities on which Federal regulations are in effect. Where national uniformity of treatment is not needed, Congress recognizes the primary responsibility of State and local governments to protect the environment from noise. State and local regulations on noise emissions resulting from the operation of equipment and facilities of surface carriers engaged in interstate commerce by railroad, which are not preempted by applicable Federal regulations under section 17, are subject to the Commerce Clause of the U.S. Constitution. Under that Clause, any State or local regulations which constitute an undue burden on interstate commerce cannot stand.

The Act directs that Federal regulations on interstate railroad equipment and facilities under section 17 are to include noise emission standards setting such limits on noise emissions resulting from their operation which reflect the degree of noise reduction achievable through the application of the best available technology, taking into account the cost of compliance. Based upon the strict language of the Noise Control Act, its legislative history, and other relevant data, these requirements are further clarified as follows:

"Best available technology" is that noise abatement technology available for application to equipment and facilities of surface carriers engaged in interstate commerce by railroad which produces the greatest achievable reduction in the noise produced by such equipment and facilities. "Available technology" is further defined to include:

1. Technology which has been demonstrated and is currently known to be feasible.

2. Technology for which there will be a production capacity to produce the estimated number of parts required in reasonable time to allow for distribution and installation prior to the effective date of the regulation.

3. Technology that is compatible with all safety regulations and takes into account operational considerations including maintenance, and other pollution control equipment.

"Cost of compliance" is the cost of identifying what action must be taken to meet the specified noise emission level, the cost of taking that action, and any additional cost of operation and maintenance caused by that action.

In preparing this final regulation the Administrator has given full consideration to cost of compliance and available technology and has consulted with the Secretary of Transportation to assure appropriate consideration for safety and for availability of technology.

Further, recognizing that the Noise Control Act was enacted to protect the public from adverse health and welfare effects due to noise, EPA has also considered the impact of railroad noise taking into account the levels of environmental noise requisite to protect the public health and welfare with an adequate margin of safety, as published by the EPA in March 1974 in accordance with section 5(a)(2) of the Act.

Accordingly, EPA has developed and is now implementing an interstate rail carrier noise control strategy based on section 17 of the Act that should prove to be effective in reducing environmental noise from railroads in many areas to the levels identified as protective of public health and welfare. The strategy calls for the reduction of the noise from railroad locomotives and rail cars to the lowest noise levels consistent with the noise abatement technology available, taking into account the cost of compliance.

Compliance regulations are to be developed and promulgated under separate rule making by the Department of Transporation as called for in section 17(b) of the Act.

The legal basis supporting promulgation of this regulation was set forth in substantial detail in the notice of proposed rulemaking published in the FEDERAL REGISTER on July 3, 1974 (39 FR 24580). In the same publication, notice was given of the availability of the "Background Document and Environmental Explanation for the Proposed Interstate Rail Carrier Noise Emission Regulations," which provided the factual basis for the standards proposed, measurement methodology applicable thereto, costs of compliance with the proposed standards and the public health and welfare benefits expected. Public comment was solicited, with the comment period extending from July 3, 1974, to August 17, 1974.

To ensure that all issues involved in the proposed regulation and Background Document were fully addressed prior to promulgation of the final regulation, a public consultation meeting was announced in the FEDERAL REGISTER of August 6, 1974 (39 FR 28316) and was subsequently held on August 14, 1974, in Des Plaines, Illinois. The principal issues reviewed at this meeting related to the adequacy of the available technology to meet requirements in the proposed standards and the impact of Federal preemption on State and local noise regulations. The transcript of the meeting has been included as a portion of the total body of public comment received.

Public comments received during the public comment period are maintained at the EPA Headquarters, 401 M Street, SW., Washington, D.C. 20460, and are available for public inspection during normal working hours.

In the future the Agency may propose further regulations concerning railroad noise, as the need for and feasibility of such are demonstrated. Such regulations may be proposed as amendments to that part of the Code of Federal Regulations

being established by this regulatory action, or may be proposed pursuant to the EPA's authority to set noise emission standards for new products specified in section 6 of the Act.

SUMMARY OF COMMENTS RECEIVED

While the EPA received and considered carefully a significant number of comments which were in agreement with the railroad noise regulation as proposed, other comments were received identifying matters which the Agency believes warrant further discussion.

(1) *The scope of railroad facilities and equipment regulated.* A significant number of comments brought into issue the general question of why the EPA decided, apart from considerations of available technology and cost of compliance, not to regulate all railroad facilities and equipment, and chose rather to regulate only certain equipment at this time.

This decision by the EPA was based on its view that the uniform Federal regulation of the noise produced by certain railroad facilities and equipment is not necessary at this time since such noise sources can best be controlled by measures which do not now require national uniformity of treatment in order to facilitate interstate commerce as specified in section 2(a)(3) of the Act.

The EPA has studied the operations of carriers engaged in interstate commerce by rail and recognizes that such operations are imbedded into every corner of the nation at thousands of locations and along hundreds of thousands of miles of right-of-way. The nature and magnitude of the noises produced by the many types of facilities and equipment utilized in these operations differ greatly and their impact on the environment varies widely depending on whether they occur, for example, in a desert or adjacent to a residential area. The Agency concludes that the control of certain of these noise sources, such as fixed facilities, or equipment used infrequently or primarily in one location, is best handled by the State and local authorities, rather than the Federal government, since the State and local authorities are believed in this case to be better able than the Federal government to consider local circumstances in applying such measures as the addition of noise barriers or sound insulation to particular facilities, or the positioning of noisy equipment within these facilities as far as possible from noise-sensitive areas. Further, and more importantly, the EPA did not find during its analysis, and has not received from rail carriers, any information identifying situations where lack of uniform State and local laws with respect to these facilities and equipment has imposed any significant burden on interstate commerce.

In view therefore of the absence of evidence calling for the national regulation of all interstate rail carrier facilities and equipment in order to facilitate interstate commerce, the EPA believes that its limited regulatory action, as proposed in the notice of proposed rulemaking, to consider interstate rail operations, facilities, and equipment on an individual basis in determining the need for their uniform Federal regulation is appropriate.

a. *Horns, bells, whistles, and other warning devices.* A number of commenters, ranging from private citizens to both State and Federal administrative agencies, expressed both concern over and agreement with the EPA's decision not to regulate rail carrier acoustic warning devices.

This broad response serves as an indication of the conspicuous nature of the noises produced by such warning devices, and that to many citizens they are one of the most noticeable and disagreeable examples of railroad noise.

Three State environmental agencies indicated that complaints from citizens about railroad warning device noise were not only large in number but comprised the major source of all complaints about railroad noise, and therefore contended that such warning devices should be regulated.

The Agency in analyzing the problem of acoustic warning device noise recognized a unique characteristic of such noise as opposed to other railroad noises. That is, it is a form of noise that is purposefully created and intended to be heard for safety reasons, instead of being an unwanted by-product of some other activity. As such, the EPA found that these warning devices and their use are regulated at both Federal and State levels; information as to the number and nature of such regulations are included in the Background Document. In addition, studies considered by the EPA, also included in the Background Document, show that such warning devices do not appear to be unrelated to highway and pedestrian safety, especially in emergency situations. The reduction or elimination of such warning devices through the authorities of the Noise Control Act does not therefore appear to be a reasonable consideration, as suggested by three commenters.

The EPA does recognize that a noise problem exists as to the use and extent of railroad warning devices, and that regulatory action may be appropriate for controlling same. However, the Agency believes that such regulation can best be considered and implemented by State and local authorities who are better able to evaluate the particular local circumstances with respect to the nature and extent of the noise problem and the requisite safety considerations involved. Any comprehensive Federal regulation in this area could be overly diverse and cumbersome. The EPA encourages in this regard the interaction between local and State governments and the railroads directly concerned in solving the particular local noise problems associated with the use of such warning devices. Such interaction has taken place, examples of which are included in the Background Document, and has apparently produced both safe and cost effective solutions to these local noise problems. However, if local authorities, after having first sought solutions with the railroads involved, have still not been able to resolve their problems, they are encouraged to then direct their concerns to the EPA for possible further Federal action.

Two other State environmental agencies indicated that locomotive horns, bells, or whistles around railroad yards are unnecessarily overused by the railroads, and that such use should be limited by Federal regulation.

The EPA has determined that the use of such warning devices in and around railroad yards is not entirely out of place due to the often heavy intermingling of workers and mobile equipment with locomotives and rail cars. Such use may of course be beyond the extent necessary to ensure safety, not only in railroad yards but wherever else railroad horns, bells, and whistles are used. The term "overused," however, is relative to the particular circumstances surrounding such use: Whether, for example, a railroad yard or rail-highway intersection is situated in a residential as opposed to an industrialized area. These situations are instances where the EPA's recommendation for railroad and community interaction is at this time the most appropriate means of achieving effective warning device noise abatement.

Another commenter stated that railroad acoustic warning signals are ineffective due to the often loud ambient noise levels that exist in motor vehicle interiors due to radios and other noise sources.

Acoustical analysis available to the Agency indicates that the effectiveness of acoustic warning signals as used on police and emergency vehicles as well as urban buses and trucks is not only a function of amplitude or loudness but also of tonal characteristics. That is, recognition is achieved by a particular fixed or variable frequency of a reasonable loudness that impinges itself upon whatever ambient noise may exist. This view is in accord with the study referenced above which indicates that railroad warning signals do appear to affect safety, especially in emergency situations.

One commenter indicated that roadway drop gates equipped with flasher units provide visual warning that is adequate without acoustic signals.

EPA encourages alternate solutions to the routine use of acoustic warning devices at rail and road crossings. For example, the elimination of public grade level railroad crossings would do away with the source of the problem, the intersection of rail tracks and public thoroughfares. However, such a program on a national basis of elevating or depressing either the railroad line or the public thoroughfare at each crossing, solely for the purpose of the abatement of acoustic warning signal noise, is not considered appropriate. However, it should be seriously considered in future public thoroughfare or railroad line construction programs for both safety and environmental noise reasons.

Warning gates, too, as suggested, would appear to be an effective safety alternative to acoustic warning signals. Specifying their use on a national basis, however, would be prohibitively expensive considering that costs range from

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$45,000 to $90,000 per unit, and with the extensive use of grade level crossings in the United States, for example Illinois having approximately 15,000 crossings without drop gates, the cost would be $675 million or more in that State alone.

Since acoustic warning devices do serve the interests of safety and, in the Agency's opinion, can best be regulated at the local and State level for the reasons indicated, EPA does not propose to regulate railroad acoustic warning devices at this time.

b. *Repair and maintenance shops, terminals, marshalling yards, humping yards, and specifically, rail car retarders.* Some commenters voiced objection to the exclusion of noise emission standards for fixed facility and area-type sources from the regulation, while others were explicit in their agreement not to include such standards.

A major national railroad association commented that the EPA should prescribe noise standards for area-type sources such as yards and terminals.

The facilities and equipment found within railroad yard and terminal areas, with the exception of locomotives, rail cars, and some mobile special purpose equipment, are permanent installations which are normally subject to the environmental noise regulations of only one jurisdiction.

The Agency has determined that such fixed facility railroad yard and terminal noise is best controlled at this time at the local level, employing measures which do not in themselves affect the movement of trains and therefore do not require national uniformity of treatment.

Local jurisdictions are familiar with the particular complexities of their community/railroad yard noise situation, and as such, are in a position to exhibit greater sensitivity in prescribing practical and cost effective solutions to the local noise problem. Indeed, the same railroad association which has encouraged the establishment of Federal area noise standards for yards and terminals, specifically pointed out in its remarks that such facilities do vary in size, shape, and special characteristics, and that the noises produced there are diverse. The EPA recognizes that the communities which neighbor these yards and terminals are equally diverse, varyin, in land zoning and population density and distribution. As such, Federal regulation which successfully produces substantial population health and welfare benefit at one locality may produce little or no such benefit at another locality. For example, the regulation of a railroad yard facility which is enveloped by a residential community would not achieve similar population health and welfare benefit when equally applied to a similar railroad yard facility which exists within a large industrial park complex. This observed differential is directly attributable to the different land zoning and population density and distribution characteristics of the two communities.

Acknowledging both the single jurisdictional nature and the diversity which characterize railroad yards and terminals and their neighboring communities, and citing the virtual absence of evidence that non-uniform State and local regulation of railroad yard and terminal facilities in fact substantially burdens interstate commerce, the Agency at this time does not propose to establish standards for the regulation of railroad yard and terminal fixed facility noise.

Two commenters requested that the EPA impose property line standards on railroad noise using an L_{10} noise level standard.

The use of property line noise standards is applicable primarily to the regulation of noise from fixed facility and area noise sources. In the regulation of railroad noise such sources include maintenance shops, marshalling yards, humping yards, and terminals. Since EPA has not covered these facilities in the regulation, the use of such area noise level standards in the regulation is not appropriate.

The Department of Transportation commented that the EPA should regulate retarder noise emissions. They indicated that active retarders should be regulated by October 1976 since established barrier technology makes it possible to meet that schedule. They further state that a plan to convert to retractable inert retarders should be implemented by 1979.

The EPA recognizes that rail car retarding operations may produce individual peak noise levels of up to 120 dB(A) at 100 feet, and may be a problem noise source to the surrounding community. However, as with other fixed facilities, retarders are subject to the authority of only one jurisdiction, and as such can best be regulated at the local level by means which do not in themselves affect the movement of trains and therefore do not require national uniformity of treatment.

The Agency's study of railroad yard noise (inclusive of retarder noise) indicates that concern for noise from railroad yards is apparently limited to certain localities and is not a national concern. This is due in large part to the location of a number of yards in nonurban areas and the relatively few existing retarder systems, approximately 120 today. This local nature of the retarder noise problem further reduces the desirability of a Federally preemptive regulation. DOT's comment in support of a Federally preemptive retarder noise regulation which would utilize barrier technology does not consider the local characteristics of each community which is impacted by retarder noise. For example, in a situation where a retarder yard is bordered on one side by a residential area and on all other sides by an unpopulated wooded area, a barrier could be beneficial to public health and welfare only if erected on that side of the retarder which faces the residential area. Under such circumstances a community would receive insufficient health and welfare benefits to justify the costs incurred by a Federally preemptive regulation which mandates the installation of barrier walls on both sides of retarder mechanisms. At the currently estimated materials cost of $70 to $100 per linear foot for barriers, barrier costs would run from $75 thousand to $150 thousand per railroad yard and from $9.3 to $19.1 million for the entire railroad industry. Maintenance and replacement costs, yard down time, and track modification costs have not been fully identified. Expenditures should be assured of producing maximum benefits, and this may best be done through local regulation. Available space for installation of barriers, and safety hazards which might accrue thereto, have not been identified, and are peculiar to the particular characteristics of the individual railroad yards, and as such may be best accounted for through local regulation.

A Federal regulation for conversion of inert retarders to retractable inert retarders would be subject to considerations similar to those discussed for the erection of barriers around active retarders, except that probable yard downtime and installation and materials costs would be considerably greater for conversion to inert retractable retarders than for the erection of barriers. The EPA estimates that conversion to retractable inert retarders would cost $7.5 thousand for each retarder, not including labor, yard down time, or maintenance costs. Applying a gross estimate of 20 thousand such inert retarders nationally, estimated national conversion costs, exclusive of labor, down time, and operational costs, would be $150 million.

Although the EPA does not currently propose to regulate retarder noise, it does recommend that local jurisdictions establish regulations which require railroads to utilize barrier technology where needed, and where both practical and feasible. Further consideration may be given by the EPA to possibly providing future regulations to require that new retarder installations be equipped with retractable inert retarders, computer control systems, retarder beam lubrication systems, or other available technical developments which result in significant noise reduction from retarders as the need for such regulations is demonstrated relative to the costs involved and the availability of technology.

DOT also commented that the EPA should promulgate a regulation which protects railroad workmen as well as the community from retarder noise.

For reasons outlined above, the EPA does not presently propose to regulate retarder noise from either the community health and welfare or the occupational health and safety point of view. The latter consideration is specifically under the purview of the Occupational Safety and Health Administration (OSHA) and is properly addressed by that Agency.

Currently, the Federal Railroad Administration (FRA) is proposing a regulation which would limit noise levels within railroad workmen's sleeping quarters. This proposal is in response to a petition from the Congress of Railway Unions (CRU) that the FRA institute rule making procedures to prohibit railroads from having or providing employee sleeping quarters less than one mile from

its property or yards where switching or humping operations are performed. The FRA's proposed regulation does not regulate the distance of sleeping quarters from the railroad yard; however, it does specify acceptable interior noise levels for sleeping quarters.

c. *Special purpose equipment.* A major national railroad association commented that the EPA should promptly establish noise limits applicable to the noise from special purpose equipment.

Examples of special purpose equipment which may be located on or operated from rail cars include: Ballast cribbing machines, ballast regulators, conditioners and scarifiers, bolt machines, brush cutters, compactors, concrete mixers, cranes and derricks, earth boring machines, electric welding machines, grinders, grouters, pile drivers, rail heaters, rail layers, sandblasters, snow plows, spike drivers, sprayers and other numerous types of maintenance-of-way equipment.

The Agency realizes that special purpose equipment such as that used for maintenance-of-way activities is essentially construction equipment, and as such may emit loud intermittent noise. Railroads may avoid noise problems by keeping routine maintenance activities to reasonable times, and local jurisdictions may easily regulate operation times for such equipment as long as exceptions are allowed for emergency use. For example, a community may wish to regulate the hours allowed for routine operation of spike driving equipment, but exception must be made for the operation of such equipment in the aftermath of a derailment, so that interstate commerce would not be unduly impeded.

The small numbers of such equipment, their infrequency of use, and the relative ease with which viable local regulations may be instituted, all tend to make a Federally preemptive regulation overly expensive relative to the benefits received.

Comments received by the Agency did not indicate that any cases currently exist where nonuniform local or state regulation of special purpose equipment has unduly burdened those railroads so regulated, and at this time the Agency does not believe that special purpose equipment requires national uniformity of treatment. However, the rail cars themselves on which such special purpose equipment is located are included under the standards for rail car operations. The Agency continues to solicit notice of specific cases where nonuniform local or state regulation of special purpose equipment has created a burden on interstate commerce. If in the future it appears that national uniformity of treatment of such equipment is appropriate, noise emission standards may be proposed.

d. *Track and right of way.* Three commenters raised questions dealing with the absence of track and right-of-way standards in the proposed regulation. Two stated that in view of the fact that the EPA had preempted State and local authorities from regulating track and right-of-way in the notice of proposed rulemaking, it was in conflict with its mandate to issue noise emission standards reflecting "best available technology" since the regulation itself did not contain any track standard. The other was concerned that since a track standard was not included in the regulation, quiet rail cars might be penalized for wheel/rail noise caused by faulty track.

The EPA fully recognizes the need for track and right-of-way standards in any regulatory strategy that attempts to quiet the movement of rail cars.

The standard promulgated for rail cars applies to the total noise produced by the operation of trains on track. As such it is preemptive with respect to both rail cars and track. It reflects the noise level achievable by application of best maintenance practices to rail cars. Further reductions in noise levels are achievable through various track repairs and modifications. However, the EPA has not fully identified the available technology or the applicable costs associated with such practices. In the future, the EPA may propose standards which would require their application.

e. Rail cars equipped with auxiliary power equipment and mass transit systems.

Three commenters recommended that the regulation be revised so as to include noise standards for rail cars equipped with auxiliary power units, more specifically, mechanically refrigerated freight cars, and various auxiliary powered passenger-related cars.

The initial decision by the Agency was to regulate noise from all sources produced by rail cars while in motion only, and to leave to State and local authorities the regulation of whatever noise is produced from rail cars while stationary. This decision was made because these noises are a problem only when such cars are parked near noise-sensitive areas (such noises being indistinguishable from other railroad car noises while the cars are in motion), and because it was felt that such localized problems could best be controlled by measures such as the relocation of such cars to less noise-sensitive areas.

The Agency was and continues to be cognizant of the extent of the problem that can be caused in specific instances by the continuous operation of the diesel or gasoline engines which operate on such cars. Noise levels as high as 75 dB(A) at 15 meters (50 feet) are possible from refrigerator cars parked with their cooling systems running in marshalling yards and humping yards. Noise levels from such refrigerator cars can be even greater due to the fact that such cars are often parked coupled together in large numbers. Additional data acquired by and supplied to the Agency has shown that the problem exists not only with refrigerator cars but also with various passenger-related cars such as dining cars, lounge cars, cafe-type cars, and others equipped with self-contained power units; and that the abatement of such noise appears able to be and in certain instances is now being accomplished through the use of existing muffler designs. In this regard, the statements on pages 4–28 and 4–37 of the original Background Document have been corrected to reflect the use (although of undetermined adequacy) of mufflers on the auxiliary engines used in refrigerator cars.

The Agency therefore may consider the possible promulgation of a regulation dealing with the noise produced by mechanically refrigerated freight cars and passenger cars equipped with auxiliary power equipment so as to reduce the impact of such noise when these cars are parked near noise sensitive areas.

Considerations as to the costs to be incurred by the owners of such rail cars as may be affected by any future regulatory action would be fully and adequately addressed during the course of the regulatory process that would be conducted relative to such regulation.

It should be noted that in the regulation being promulgated herein the standard for rail car operations refers to the total noise generated, and that the setting of emission standards on any element of that noise is preempted, whether the rail car is in motion or stationary. This Federal regulatory action does not, however, interfere with the ability of State and local governments to enact or enforce noise emission regulations on railroad yards that require railroads to erect noise barriers. Nor does this regulation interfere with the ability of State and local governments to enact or enforce noise emission regulations which require the relocation of parked rail cars that generate noise so long as such regulation is reviewed and approved by EPA pursuant to section 17(c)(2) of the Act.

One of the commenters asked for an extension of the period of time prior to promulgation of the final regulation so that refrigerator car noise emissions could be studied in relation to wheel/rail noise.

Studies and data considered by the EPA show that such noise can range from 73 dB(A) (Thermo King Corporation, a major manufacturer of refrigeration equipment, 1975) to 75 dB(A) (Wyle Laboratories, an acoustical consulting firm, 1973), and that it is indistinguishable from overall train noise while the train is moving. As such, and in the absence of a showing that the existing data is questionable, no extension has been granted.

One commenter suggested that the regulation be made applicable to the operation of and equipment used by intraurban mass transit systems.

The Agency has not intended and does not intend that intraurban mass transit systems be covered by the regulation being promulgated herein. It is the Agency's judgment that such systems are specifically excluded from regulation under section 17 of the Noise Control Act of 1972 by the definition of "carrier" cited in the Act which excludes "• • • street, suburban, and interurban electric railways unless operated as a part of a general railroad system of transportation." In addition such systems operate principally within one jurisdiction or in some cases throughout a small number

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of contiguous metropolitan jurisdictions under the purview of a single transit authority, and as such do not appear to require uniform Federal regulation in order to facilitate interstate commerce. However, the exclusion of such systems does not also exclude the operations and equipment associated with commuter rail services provided by a number of interstate rail carriers.

(2) *Standards for locomotive operation under stationary conditions.* A major locomotive manufacturer and a major national railroad association commented that the application of muffler technology alone would not be adequate to bring existing diesel-electric locomotives into compliance with the 67 dB(A) idle standard to be effective 4 years from the date of promulgation of the regulation. Because this regulation as proposed has been revised and does not now call for the modification of in-use locomotives, this becomes a question of new locomotive design.

Available data indicate that although locomotive exhaust noise is often the dominant noise source at idle, structurally radiated noise may in some cases be dominant.

A major locomotive manufacturer presented the Agency with data which indicate that for certain idling locomotives, including models equipped with turbocharged and Rootes blown engines, the octave bands representing the overall A-weighted locomotive sound levels at 100 feet are not totally dominated by exhaust noise, but are somewhat controlled by structurally radiated noise. These data further indicate that particular locomotives may emit overall locomotive idle noise levels of approximately 69 dB(A) at 100 feet. EPA data further indicate that some locomotives may emit idle noise levels in excess of 69 dB(A) which are also dominated by structurally radiated noise. Locomotives with such high levels of structurally radiated noise cannot be brought into compliance with the proposed level of 67 dB(A) through, for example, muffler application alone. Accordingly, the Agency has amended the locomotive idle noise standard, increasing the allowable noise emission level from 67 dB(A) to 70 dB(A) at 100 feet.

A major rail passenger corporation commented that diesel electric locomotives equipped with auxiliary power generators or twin traction engines, and gas turbine locomotives, may not be able to meet the idle standard, and that special standards should be promulgated for such equipment.

In proposing this regulation the Agency intended to provide Federal preemption for all locomotive noise sources excepting acoustical warning devices, thus providing national uniformity of treatment to protect these mobile noise sources. Accordingly, State and local regulation of noise emissions from such locomotives equipped with auxiliary generators used to power electrical units on passenger cars, including the noise from such auxiliary generators per se, should be Federally preempted.

On this basis, the Agency has determined that Federally preemptive regulation of noise from auxiliary power units is appropriate. However, the noise from such sources was not specifically addressed by the Agency during rule making, and the standard as proposed considered only idle setting noise emissions from the primary propulsion engines of the stationary locomotives.

Because passenger locomotives do spend considerable time in a stationary disposition with auxiliary power units operating at the same time that the primary diesel engines are idling, the Agency forsees circumstances where the auxiliary unit noise may dominate other noise emissions from the idling locomotive, and thus be appropriate for regulatory action. After further consideration of this matter the Agency may address noise standards for such auxiliary units in a separate rule making. However, because the intent of the Act was to provide national uniformity of treatment where non-uniform State and local ordinances could likely impose a burden on interstate commerce, and because the locomotive as a whole is subject to this regulation, the Agency believes that its regulatory action relative to locomotive noise emissions is also preemptive with respect to State and local ordinances relative to noise emissions from the auxiliary power units which are an integral part of many such locomotives.

The Agency has received no data which would demonstrate that twin diesel electric locomotives are in fact incapable of compliance with the idle standard. Since the Agency has no data which would demonstrate that twin diesel engines are inherently louder than larger single diesel engines, and since twin-engined locomotives utilize the same basic diesel-electric technology as the more common single engined locomotives, separate standards for twin-engined diesel-electric locomotives are not included in this regulation. The standards as promulgated are therefore applicable to these locomotives.

While the Agency has sufficient data to confidently assess the ability of gas turbine-powered locomotives to meet the moving condition standard, the Agency has not been able to acquire sufficient data on the idle setting or stationary runup noise levels of gas turbine locomotives. Due to the virtual unavailability of such stationary noise data, the regulation as proposed has been revised, and the idle setting and stationary runup noise standards are no longer applicable to gas turbine locomotives. However, this regulation is preemptive with respect to State and local regulation of all turbine locomotive noise excepting that from acoustical warning devices, including regulation when such locomotives are stationary at idle. After the Agency has compiled a sufficient data base, idle setting and stationary runup noise standards for gas turbine locomotives may be established as a revision to these regulations.

Considerable comment was received concerning the full throttle stationary standard. DOT questioned the acoustical acceptability of the typical load cell test sites and the validity of self loading due to the unaccounted for influence of noise emissions from the dynamic brake grid fans. Also cited was the possible obstruction of routine railroad operations due to local enforcement of the stationary standards.

DOT indicated that areas near railroad load cells are not far enough from reflective surfaces to be effective test sites. They also indicated that if load cells are to be used for enforcement the EPA should prescribe correction factors to account for the acoustical variability of actual load cell test sites.

In answering the above claim that load cells are unsuitable for locomotive noise measurement because they are situated too close to reflective areas, the EPA cites the fact that a number of load cells are portable and are readily available on a rental basis. These portable load cells may be transported to an acoustically acceptable site for locomotive noise testing. At such sites, accurate and meaningful noise measurements may be obtained without the use of site correction factors.

Additional DOT response indicated that the self-loading test is not valid because the cooling fans on the dynamic brake grids operate during self-loading, while in actual operations grid fans are never operated. They stated that the inherently high level of noise attributable to cooling fan operation (both engine and dynamic brake grid fans) during self load would interfere with the accurate and meaningful measurement of exhaust noise.

The EPA has considered the above comment and believes that objections to the self loading test are valid. Therefore, considering the difficulties involved in obtaining accurate measurements due to the interference of dynamic brake grid fan noise, and citing the availability of portable rented load cells, the Agency has decided to delete the self loading test as a recommended stationary testing procedure, while simultaneously endorsing the use of portable load cells, when necessary.

DOT indicated concern that enforcement of stationary standards could result in significant obstruction of routine railroad operation and hence interfere with the flow of interstate commerce. That is, any enforcement official could order any one or any number of locomotives to be moved to a load cell or self load area for testing, regardless of the maintenance work schedule at the load cell or the need for the subject locomotives to be engaged in interstate commerce.

Such potential difficulties have been considered by EPA, and the Agency believes that their effects may be minimized through proper structuring of the DOT compliance regulations which may specify responsible enforcement procedures.

(3) *Standards for locomotive operation under moving conditions.* The DOT favors a moving locomotive standard as a substitute for a stationary standard,

but stated that EPA's definition of wayside surface conditions should be improved.

The EPA strongly believes that a stationary as well as a moving locomotive standard is necessary in order to account for the varying nature of locomotive noise. Utilization of both stationary and moving standards also facilitates adequate and accurate enforcement. The additional measurement criteria which are being incorporated by the EPA as part of the final regulation specify wayside surface conditions in greater detail.

A major railway passenger corporation indicated that the moving locomotive standard should be speed related as is the case with the rail car standard. They further stated that gear noise, traction motor nois , and noise from locomotive appurtenances are speed related.

EPA data indicates that while diesel-electric locomotive noise does not appear to be speed related, electric freight, electric high speed passenger, and turbine high speed passenger noise levels do exhibit some speed-related correlations. However, the high speed noise emission levels exhibited by these locomotives appear to fall within the EPA's 90 dB(A) standard, and should pose no special compliance problem.

(4) *Standards for rail car operations.* DOT indicated that it is appropriate to limit any car regulation to at least two degree or wider turns as with the locomotive standard.

The EPA concurs with that statement and has made the appropriate changes in the Rail Car Standard.

One private car owner was concerned that the EPA Rail Car Noise Standards would require greater maintenance than that prescribed by the FRA (1974) Railroad Freight Car Safety Standards already in effect.

The EPA Rail Car Noise Emission Standards are based on those noise levels achievable through best maintenance practice. As such, the data used to determine the noise level standards was obtained from noise measurements of typical rail cars which were subject to maintenance requirements no more restrictive than those currently prescribed by the FRA Railroad Freight Car Safety Standards.

Since the data which were used to determine the Rail Car Noise Emission Standards were based on current maintenance requirements, compliance with the noise regulations is not anticipated to cause any additional maintenance burden.

A private car owner stated that the Federal standards on rail car noise should not apply to privately owned cars because private owners do not have the ability to service cars engaged in interstate commerce.

The Agency replies that while ultimate responsibility and liability for rail car maintenance lies with rail car owners, immediate responsibility and liability is assumed by the rail carrier who is moving the car in interstate commerce, and who does possess the ability to service rail cars.

(5) *Best maintenance practice locomotive standards.* DOT stated that the 365 day standards provide a disincentive to rebuild old locomotives into compliance or to specify new locomotives be delivered with the mufflers needed to achieve compliance.

Since the Agency has elected to delete the retrofit requirement doe to disparities in current cost and technological data, only the second part of the above comment requires consideration. The Agency intends the 365 day standard to be a "best maintenance practice" standard which precludes further deterioration of locomotive noise levels, while allowing adequate time for application of the available technology prior to the effective date of the more restrictive newly manufactured locomotive standards.

(6) *Retrofit standards for in-use locomotives.* A major railroad association and a major locomotive manufacturer both indicated their support of newly manufactured locomotive regulations, and one exhaust equipment manufacturer stated that the technical and production capabilities do exist for new locomotive muffler applications. Having received no appreciable comment in opposition to the regulation of newly manufactured locomotives, the Agency is promulgating best technology noise emission standards applicable to locomotives which are manufactured after December 31, 1979.

However, there were no such concurrences regarding the regulation of noise emissions from existing locomotives, a proposal most widely known as "retrofit" because it largely involves the phased addition of mufflers to the existing locomotive fleet. Several docket entries contained economic and technological data which conflict significantly with the EPA data which appears in the Background Document. The principal areas of conflict involve disparities in determination of the "best available technology" as it exists today and the resultant costs of its application. There exists a further complicating factor in that the available space configurations existing within many locomotives have been altered over the years due to the addition and modification of various locomotive components such as dynamic braking systems and spark arresters. As a result of this practice there exist today numerous and diverse locomotive configurations, each possessing its own specific peculiarities which must be accounted for in a retrofit program. The implications of this diversity of locomotive configurations and the accompanying disagreement concerning available technology and the cost of its application (i.e., labor rates, capital costs of new facilities, etc.) have given rise to cost of compliance figures which range from the EPA's original estimates of $80 to $100 million to industry estimates approximating $400 to $800 million. Although the generation of additional information concerning the availability of technology may allow the Agency to reconcile these widely varying retrofit cost estimates, the collection of such data would be a costly and time consuming process which may produce a retrofit cost estimate which remains substantially high relative to the public health and welfare benefits which would result, especially in view of the fact that railroad noise has not been identified as one of the major sources of noise in the environment. For these reasons the Agency has decided to remove the retrofit requirement from the regulation being promulgated herein. Acknowledging the uncertainties which currently accompany the retrofit provision, the Agency may reconsider the retrofit issue and may promulgate a retrofit requirement should further information indicate that the technology is available and that retrofit compliance costs are reasonable, relative to the health and welfare benefits to be accrued.

(7) *Cost and technology of locomotive noise reduction.* A major national railroad association and two other commenters indicated concern for the impact of the railroad noise regulation on the bankrupt and marginal railroads.

The Agency has endeavored to anticipate and account for all costs which the bankrupt railroads specifically, and all railroads generally, may incur as the result of this regulatory action. Best and worst case estimates for the sum of equivalent annual manufacturing costs and equivalent annual fuel costs over 25 years, vary from $4.59 million to $4.76 million for the entire railroad industry. The fractional impact of these costs on the marginal and bankrupt railroads is expected to be approximately 28 percent of the total cost to the entire railroad industry, with such costs not seen as being significant in comparison to other costs regularly incurred by such railroads.

Several commenters claimed that the introduction of mufflers to locomotives will cause numerous technical and environmental problems.

A major national railroad association and several other commenters warned that the use of mufflers, especially in combination with spark arresters, will cause increased backpressure, which will result in increased fuel consumption and increased atmospheric pollution.

Mufflers can be designed which are well within the manufacturer's warranty backpressure specifications for both Rootes blown and turbo-charged locomotives, for use both with or without spark arresters. Mufflers which are within these specifications should cause only insignificant increases in atmospheric pollutant emissions and a minimal increase in fuel consumption.

A major national railroad association indicated that carbon collection in the mufflers presents a potential fire hazard. Presently, there is no substantial indication that carbon collection in locomotive mufflers would present a potential fire hazard. Within spark arresters which are currently found on today's locomotives, carbon particles are gathered from

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the exhaust gases prior to the passage of those gases through the outlet section of the spark arrester for discharge through the exhaust pipes. While it could be postulated that hot carbon might conceivably collect within mufflers which are in tandem with or are integrated into spark arresters, it could also be postulated that such carbon collection might just as readily occur at the outlets of spark arresters or within exhaust pipes which are presently found on locomotives. However, no such fire hazard due to carbon collection has been evidenced at spark arrester outlets or in exhaust pipes, and the Agency sees no indication that the installation of mufflers will substantially increase the potential for such a fire hazard.

A major railroad association indicated concern that increased railroad rates to cover compliance costs may cause diversion of traffic to more fuel intensive modes which also emit more atmospheric pollutants.

As stated previously, the cost impact of a regulation on newly manufactured locomotives should be, in itself, insufficient to necessitate the need for any major railroad rate increases. Thus, there does not appear to be any likelihood of diverting railroad traffic to more fuel and pollution intensive transport modes.

One commenter indicated that the application of mufflers will result in decreased reliability of the locomotives both with respect to failure of the mufflers themselves and to other components of the locomotives.

Mufflers could be made out of anticorrosive, heat-resistant alloys for a long service life. Also an important consideration is the fact that the muffler would be within the carbody of the locomotive and would not be exposed to the elements, thus extending its expected useful life. Industrial mufflers have been designed for a useful life of over 20 years and it is expected that locomotive mufflers may be designed for a similarly long life span. Also, the design and utilization of mufflers which are within manufacturers' backpressure specifications, should preclude major adverse effects to other internal locomotive components.

(8) *Health and welfare impact.* Several commenters indicated that the EPA did not provide adequate information as to the number of people impacted by railroad noise, nor the number to be benefited by the regulation, or whether in fact such people were adversely affected from a health and welfare standpoint initially.

The Agency included in the Background Document studies and data which indicated that the number of people exposed to various noise levels by railroad traffic are significant. Such numbers are approximately 2.29 million people at or above an Ldn value of 55 dB(A). Exposure to such noise levels for extended periods of time has been determined to have an adverse effect on the health and welfare of those exposed, as indicated in an EPA report of March 1974 entitled "Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety." In addition the EPA is establishing this regulation as part of a regulatory strategy that, according to Agency analysis, could eventually relieve approximately 520,000 people from railroad noise levels in excess of 55 dB(A), Ldn.

Four commenters contended that the health and welfare of people is not affected by railroad equipment which operates in sparsely populated or rural areas and that, therefore, the regulation of such equipment is not called for.

The Agency has determined that there is substantial mobility of the use of railroad equipment not only within particular railroad operating regions but across the nation as a whole, and that such mobility is an important facet of the manner in which railroad companies operate. This mobility is evidenced by the fact that rail cars and locomotives are transferred from one area to another in order to satisfy the fluctuations in required hauling capacity which take place, and by the practice whereby old line locomotives are retired by transferring them to railroad yards to act as switchers. It has been found that such mobility is increasing as evidenced by Railbox, a plan utilized by a growing number of railroads whereby rail cars are pooled so that their use may be shared anywhere within the operating regions of the participating railroads.

The Agency has determined, therefore, that the mobility of rail cars and locomotives requires that the standards be applied uniformly to all such pieces of equipment.

(9) *Effect on State and local noise control.* A major railroad industry association questioned whether the Agency has the authority to offer an opinion as to the preemptive effect of its regulations, and in particular, felt that, contrary to the Agency's stated position, the setting of Federal emission standards for locomotives and rail cars preempts every effort to control noise from that same equipment by local and State authorities, such as the required erection of noise barriers, or the regulation of overall railroad yard noise.

The EPA believes that the Noise Control Act of 1972 is clear in its contemplation that Federal and State governments work together in the control of noise. However, the Act also provides, in some cases, that the Federal authority be preemptive. The Agency therefore feels that it is proper for it to explain the extent of its regulations and to indicate the point beyond which the States and local governments may act; and that it is not prohibited from assisting the State and local governments by indicating ways in which the Agency believes they may augment its regulatory efforts. In addition the EPA's analysis indicates that, based on legal precedents, subsections 17(c) (1) and (2) provide only for the preemption of State and local regulations which set standards on the noise emissions of Federally regulated equipment or facilities, or which have that effect by requiring the modification of such equipment or facilities, or the alteration of their use.

Another commenter indicated that State and local governments do not have the inclination or ability to determine the technical feasibility and cost of compliance of noise regulations and, therefore, the EPA is not acting in accordance with the instructions of Congress by encouraging such local initiative.

The Agency believes, as stated above, that the Congress did intend that the Federal and State authorities cooperate in the control of noise. Certain States, in particular California, and Illinois, have well established environmental agencies and have enacted and are enforcing comprehensive noise regulations. These States and others are clearly not devoid of technical and economic expertise. It appears to the Agency, therefore, that there is no fundamental reason why such States should not be permitted and encouraged to consider the technology available within relevant economic restraints to solve those noise problems peculiar to them that are not preempted by Federal regulatory action.

Numerous comments were received regarding special local conditions and the effects of Federal preemption on the relationship between State and local noise regulations and Federal noise regulations. Industry commenters felt strongly that there should be one uniform national standard that is totally preemptive. Some States and localities felt that "special local conditions" should be interpreted broadly, and some commenters felt that where stricter State and local standards were feasible they should not be preempted by Federal regulations.

Most of the comments received from local and State authorities asked that local regulation of noise be permitted to continue, and that they be allowed to attempt to control specialized noise problems such as night operations of trains which affect residential areas. Such local regulations are not necessarily prohibited by this regulatory action. The Agency has explained the nature of the preemptive effect of this regulation in another section of the preamble and feels that such explanation should serve as a guide to the future status of such State and local regulatory efforts.

(10) *Measurement methodology and enforcement regulations.* There were a number of comments from State and Local governments, private citizens, and industry relating to measurement methodologies and compliance procedures. Several recommendations were offered indicating that a measurement methodology specifying information such as allowable measurement equipment, site conditions, tolerances and measurement techniques should be incorporated into the regulation. Comments were also received concerning the measurement procedures published in the Background Document to the proposed regulation.

The proposed regulation did not include a detailed measurement methodology since it was contemplated that such would be included as part of the compliance regulation to be promulgated by the Department of Transportation. Such measurement methodology, dealing with the enforcement aspects of railroad noise measurement, will still be developed by the Department of Transportation. The Agency, however, as a result of its own further analysis and after consideration of the questions and suggestions received during the public review process, has decided to incorporate additional measurement criteria into the standards as an added subpart of the final regulation being promulgated herein. Such measurement criteria contain specifications for ambient noise, wind noise, test site conditions, test equipment orientation, and other parameters necessary for the consistent and accurate measurement of the sound levels specified in the regulation.

This decision was made due to the complexity of the problem of accurately and fairly performing noise measurements of railroad equipment, and because the Agency felt it necessary to ensure that the standards within the regulation be fully and definitively specified so that there be no question as to the standards promulgated. The proper and complete definition of such standards is particularly critical with respect to railroad noise because there is no generally accepted measurement scheme in use nationally or throughout the affected industry unlike the situation in other industries subject to Federal noise regulation.

The Agency feels that it is acting properly in including the criteria as part of this final rulemaking without proposing them separately because the methodology from which such criteria were taken was published in the Background Document to the proposed regulation and was commented on as a result of the public review process. In addition, that methodology has since undergone thorough review by concerned Agenices of the Federal government, including the Department of Commerce/National Bureau of Standards, and the Department of Transportation/Federal Railroad Administration, and been revised by the EPA in response thereto.

A comment period, with respect to the additional criteria in Subpart C only, if 30 days from the date of publication of this regulation will be provided for those who have suggestions or questions regarding their provisions. Information concerning the procedural details of such correspondence is provided in a later section of the Preamble, entitled Future Public Comment.

One commenter indicated that the C scale would be more appropriate for this regulation than the A scale.

It has been argued that the A-weighted sound level discriminates against low frequencies and, thus, should be replaced by the C-weighted sound level. However, the ear also discriminates against low frequencies so that at low frequencies the sound pressure level must be comparatively high before it can even be heard. Since the correlations between A-weighted sound level and human response are consistently better than that obtained with the C-weighted sound level, the EPA believes that the measurement procedures using the A scale on which these regulations are based are appropriate, and therefore, no change has been made.

Two commenters expressed concern over the 100 foot measuring distance and indicated that the specification of a 100 foot measuring distance in the standards is too far because such would require that too large an area be cleared for the necessary measurement site.

The Agency believes from the analyses used to develop the regulation and from its study associated with the development of additional measurement criteria that the 100 foot measuring distance does not appear to create significant problems with finding suitable sites for the measurement of the sound levels associated with any of the standards, and has therefore not changed such distance.

The Department of Transportation requested more than 270 days to develop compliance regulations due to the complexity of the nature of railroad noise control and because existing experience and expertise in the field are so limited.

The Agency is aware of the problems associated with the regulation of railroad noise and is concerned that adequate time be provided so that comprehensive and effective compliance regulations may be developed. While it has taken upon itself the development of detailed measurement criteria which are being incorporated as part of the final regulation, the Agency recognizes the need of the DOT for adequate time to develop the compliance regulation. Therefore in direct response to the request of the DOT, the effective date of the Best Maintenance Practice Standards has been changed from 270 days to 365 days from the date of promulgation.

The Agency realizes that unforeseen difficulties may occur and it will therefore attempt to work closely with the DOT in the development of the compliance regulations so that appropriate measures may be taken should such difficulties arise.

(11) *Background document data.* Specific questions were raised which dealt with the accuracy of facts and data presented in the Background Document to the proposed regulation.

A major locomotive manufacturer questioned the validity of the 6 dB(A) conversion factor for changing measurements made at 50 feet to an equivalent 100 foot value, due to the length of the locomotive.

Agency analysis indicates that any slight inaccuracy which may exist in the use of the 6 dB(A) conversion factor for the conversion of locomotive noise levels measured at 50 feet to 100 foot levels, is in fact a conservative error which understates the actual noise level as it would be recorded by a physical measurement at 100 feet. Accordingly, some of those locomotives whose noise levels have been measured in this manner, may emit actual noise levels at 100 feet which are in fact slightly lower than those levels described by EPA data which was converted from 50 feet. Such locomotives may in fact require less quieting than is suggested by the 50 foot data, and as such may be more easily brought in compliance with the noise standards. The Agency emphasizes that any inaccuracy inherent in using the conversion factor is slight and has minimal effects upon the data so converted.

This same commenter stated that page 5.3 of the Background Document claims that mufflers will provide 6 dB(A) reduction of all locomotive noise levels. They further indicated that a 6 dB(A) reduction is not always possible, and that 87 dB(A) at 100 feet would be a better statement than a 6 dB(A) reduction.

The above comment appears to be due to an incorrect interpretation of the Background Document. The standards being promulgated by the EPA require an absolute noise level of 87 dB(A), not a net reduction of 6 dB(A). Specifically, the Background Document states: "Based on the considerations of available empirical data, an overall noise reduction of 6 dB(A) for the noisest locomotives seems reasonable. Accordingly, the application of exhaust mufflers can be expected to permit all locomotives to achieve the following levels: Idle—87 dB(A) (now 70 dB(A); Overall Maximum 87 dB(A)."

This same commenter further indicated that based on the magnitude of the one-third octave band levels, the measurements on p. 4–13, Figure 4–2, appear to have been made at closer to five feet than 55 feet as specified when measuring the noise emissions of an EMD GP40–2 locomotive.

An investigation of Figure 4–2 in the Background Document does indicate that the recorded noise levels are inordinately high. These high readings are attributable to the increased projection of fan and casing radiated noise due to open engine access doors during the testing. However, the intent of this figure and its supporting discussion was not to quantify the absolute noise levels due to fan noise, but to demonstrate that fan noise is in fact an appreciable noise source. To quote from page 4–13 of the Background Document: "Since it was necessary to open the engine access doors during the measurements, the recorded levels are somewhat higher than would be generated under normal operating conditions. However, there is little doubt that cooling-fan operation can contribute significantly to overall levels." Although Figure 4–2 does not purport to accurately quantify cooling-fan noise levels under normal operating conditions, it does succeed in its primary purpose which is to demonstrate the relative significance of cooling-fan noise.

REVISION OF THE PROPOSED REGULATION PRIOR TO PROMULGATION

The Interstate Rail Carrier Noise Emission Regulation which is now being promulgated incorporates several changes from the proposed regulation which was published on July 3, 1974. These changes are based upon the public comments received and upon the continuing study of rail carrier noise by the Agency. In all but four instances, such

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changes are not substantial; they are only intended to further clarify the intent of the regulation.

The first substantive change is that the more stringent longer range locomotive noise emission standards for both stationary and moving conditions will now apply only to those locomotives newly manufactured, effective December 31, 1979. These changes are reflected in §§ 201.11 and 201.12 of this regulation. These sections as originally proposed required the entire fleet of locomotives now in use to be in compliance with lower noise levels four years after promulgation of the final regulation. Because of the requirement for further identification of the applicability of "available technology," specifically as it applies to mufflers, and the reasonableness of such costs attendant to the application of that technology, the retrofit requirement for the existing locomotive fleet has been deleted. The Agency is continuing to assess the evolution of muffler technologies which may be applied to locomotives without incurring the significant restructuring costs required to install current muffler designs. At such time that the Agency determines that such muffler technology is available at reasonable cost, relative to the health and welfare benefits to be accrued, regulations requiring the retrofit of existing locomotives may be proposed.

The second substantive change to the regulation involves modifying the proposed locomotive idle standard by increasing allowable noise emissions from the proposed 67 dB(A) to 70 dB(A) at 100 feet. This change was made in order to accommodate new data which demonstrated that certain locomotive models appear to be incapable of compliance with a 67 dB(A) standard through the application of muffler technology alone, due to the dominant influence of structurally radiated noise during idle operation. The Agency has not been able to identify available technology to solve this problem in locomotives.

The third substantive change to the regulation is that the effective date of the initial standards has been changed from 270 days to 365 days from the date of promulgation in response to requests from the DOT.

The final substantive change to the regulation is the incorporation of additional measurement criteria into the standards as a separate Subpart C of the regulation. The noise emission standards specified in the Agency's regulations must be fully and definitively specified so that there is no question as to the EPA standard being promulgated. Accordingly, measurement criteria containing those conditions and parameters necessary for the consistent and accurate measurement of the sound levels specified have been included in the regulation being promulgated herein.

Those changes made to clarify the intent of the regulations and the reasons therefore, are as follows:

Section 201.1 Definitions. The definition of "sound level" was changed slightly to be consistent with the definition of that term as used in the document, "Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety," issued by the Environmental Protection Agency in March 1974.

"Fast meter response" has been expanded for clarity.

"Interstate commerce" has been modified to insure that any questions as to its scope would be resolved by reference of Section 203(a) of the Interstate Commerce Act, consistent with the reference to that Act in section 17(b) of the Noise Control Act.

"Person" has been deleted since the word is no longer used in subpart B of the regulation.

"Sound pressure level" has been deleted since the words are no longer used in Subpart B of the regulation.

"Special track work" has been added in order to clarify the meaning of the term as used in the final regulation.

"Locomotive" has been expanded to include self-propelled rail passenger vehicles.

"Special purpose equipment" has been added in order to clarify the meaning of the term as used in the final regulation.

"Retarder" has been deleted since the word is no longer used in Subpart B of the regulation.

"Self load" has been deleted since the term is no longer used in Subpart B of the regulation.

"Idle" has been expanded in order to clarify the meaning of the term as used in the regulation.

"dBA" has been modified slightly to specify the reference pressure of 20 micropascals.

Section 201.10 Applicability. This section has been modified slightly to exclude the application of § 201.11 (a) and (b) to gas turbine powered locomotives and to any locomotive type which cannot be connected by any standard method to a load cell, and to more clearly specify the exclusion of intraurban mass transit systems in terms consistent with the definition of "carrier" cited in the Act. In addition the wording in the section has been modified to more clearly include the application of the standards to refrigeration and air conditioning units on locomotives and rail cars. Finally, the express exclusion of the applicability of the standards to railroad yards, shops, rights-of-way, or any other railroad equipment or facility not specified in the regulation has been deleted as unnecessary.

Section 201.11 and 201.12 Standards for locomotive operation under stationary and moving conditions, respectively. In addition to the applicability and effective date changes previously described, the reference to measurement site surface has been deleted and replaced by language referencing the measurement criteria in Subpart C of the regulation. Also the phrase "or the equivalent thereof" in reference to a load cell has been deleted.

Section 201.13 Standard for rail car operations. Track curvature requirements for measurement sites identical to those specified in § 201.12 for locomotives were incorporated into this section in addition to identical language referencing the measurement criteria of Subpart C as used in §§ 201.12 and 201.11 for locomotive test sites. Also, the language in the section was modified slightly so as to include for regulatory purposes the total sound emitted by rail cars while in motion, and to restrict compliance measurements to track free of special track work or bridges or trestles. The change in the effective date previously described also applies to this section.

Preemption

Though the Noise Control Act speaks of preemption in unequivocal terms, the various sources of railroad noise are subject to such complex interrelationships that it is not possible to identify all regulations *a priori* as either preempted or not preempted. It is necessary to examine the regulation in question, the sources it purports to control, the activities to which it relates, and the reasonableness of the various alternative means of complying. As to those regulations that are subject to preemption, the preemptive effect may be waived under Section 17(c)(2) if the Administrator determines that the regulation is necessitated by special local conditions and is not in conflict with EPA regulations. It is anticipated that all such determinations as to not only special local conditions, but also the preempt status of State and local regulations impacting railroads would be handled by EPA. The Agency is currently preparing guidelines which will specify procedures to be followed by State and local governments where questions of the preemptive effect of Federal rail carrier noise regulations are at issue.

In view of the many comments received in response to the proposed regulation, the following discussion of preemption is intended to clarify the Agency's interpretation of the preemptive effect of the regulation here promulgated.

State and local governments can deal with railroad noise problems in several different ways. The first, the method adopted by EPA in this regulation, is to set emission standards on railroad equipment to reduce the noise produced at the source. Second, they can set noise emission standards on facilities where rail operations occur. A variation of this approach is the use of property line standards, where measurements are taken at the railroad property boundaries. Third, they can impose affirmative requirements on railroad equipment or facilities ("design" or "equipment" standards), such as the installation of mufflers on locomotives, the elimination of wheel flats on rail cars, or the construction of noise barriers along rights of way. A fourth possibility is to regulate, license, control or restrict the use, operation or movement of any equipment or facility, for example, prohibiting idling of locomotives on sidings within communities or prohibiting railroad yard operations between the hours of 10:00 p.m. and 6:00 a.m. Fifth, a State or community may set receiving land use standards for property which is impacted by railroad noise, for example requiring that noise levels at the property line of residential property not exceed 55 dB(A) Ldn. Each of these methods presents special problems which affect the determination of the preemptive relationship of the EPA railroad noise regulation.

Noise emission standards on railroad equipment. The Noise Control Act provides that after the effective date of the standards here promulgated for locomotives and rail cars, no State or local subdivision may adopt or enforce any noise emission standard on locomotives or rail cars unless it is identical to the Federal standard. They may adopt and enforce noise emission standards on other pieces of equipment not covered by EPA regulations, such as retarders and railroad construction equipment. They may also adopt standards for locomotives and rail cars if such standards are identical to the EPA standards.

Determining the preemptive effect of a noise emission standard is, however, complicated by the fact that a standard for total noise emissions from the operation of a piece of equipment may not differentiate between the elements which contribute to the noise. Where this is the case, the Administrator believes that where any given element of noise is either, (1) generated by a source that is an integral part of the federally regulated equipment, or, (2) is a component of the total noise generated by the federally regulated equipment, when operated under the conditions specified, the regulation of that element by State and local governments is subject to preemption. Specifically, these elements include the noise from refrigerator units on refrigerator cars, auxiliary power units on locomotives, and the noise caused by the condition of track. The noise caused by retarders, however, is a separate source of noise which will not be present during compliance measurement for the rail car standard, and as such is not subject to preemption.

Noise emission standards on railroad facilities. State and local governments may enact noise emission standards for facilities which EPA has not regulated. However, in the judgment of EPA, the preemptive purpose of Section 17 of the Noise Control Act requires that such regulations not be permitted to do indirectly what is specifically preempted. That is, State and local governments may not control the noise emissions of locomotives and rail cars by setting noise emission limits on yards where the noise limit is, in effect, a limit on locomotive and rail car noise. Noise emission standards may be adopted and enforced on facilities where rail cars and locomotives do not operate. Where federally regulated equipment is a noise contributor in a facility on which a State or local government proposes to set a noise emission standard, such as a marshalling yard, such regulation may or may not be preempted. If the only way compliance could reasonably be achieved were to take actions the requirement of which is preempted by Federal regulations, then such standard is preempted. Questions concerning situations where alternative non-preempted means of compliance are available, as well as questions such as the availability and reasonableness of alternate means of compliance, will be dealt with by EPA under procedures now being developed to guide States and localities in dealing with railroad noise in light of Federal preemption.

Design or equipment standards. The Noise Control Act does not deal explicitly with regulations which require the installation of noise abatement devices or the application of specified maintenance or repair procedures. EPA believes that this is another area where the preemptive purpose of section 17 requires that the effect of State or local regulations on Federally regulated equipment or facilities be analyzed. The intended result of section 17(c) is that, except in cases where EPA has made a special determination, State noise regulations on locomotives or rail cars will not require that interstate rail carriers modify these Federally regulated pieces of equipment. Accordingly, EPA believes that design or equipment standards on federally regulated equipment—viz, locomotive and rail cars—are preempted. Design or equipment standards on other pieces of equipment, such as retarders or cribbing machines, are not preempted. Similarly, design standards on facilities not federally regulated are not preempted, even though locomotives and rail cars may operate there, because they do not require the modification of locomotives or rail cars. An example of this type of regulation would be a local ordinance requiring that noise barriers be installed along the rights of way running through that community.

Use, operation or movement controls. A reduction in community noise impact can be achieved if the manner, time or frequency of use of a noise source is controlled. Clearly, such controls may be adopted and enforced with respect to equipment that EPA has not regulated. However, with respect to Federally regulated equipment (locomotives and rail cars), such controls may not be imposed unless the Administrator has determined that such State or local regulation is necessitated by special local conditions and that it is not in conflict with EPA regulations. A use restriction on railroad facilities may be subject to such determination also, if in order to comply the railroad must control the use, operation or movement of federally regulated equipment within that facility. The determinations called for will be made by EPA in accordance with procedures which are now being developed.

Receiving land use standards. Receiving land use standards are to be distinguished from property line standards on the basis that property line standards focus on the identity of the noise source, such as railroad yards or rights of way, whereas receiving land use standards focus on the identity of the property receiving the sound, such as schools, hospitals or residential property. Obviously, a community is not preempted from enacting such standards simply because it has a railroad within its jurisdiction. However, it is possible that a standard which says, for example, that no school may be exposed to exterior noise levels in excess of 55 dB(A), may require modification of locomotives or rail cars in a community where schools are close to the right of way of a railroad. Whether, or to what extent, such regulations are preempted, will be determined by EPA in accordance with procedures which are being developed.

Compliance Procedures

Compliance regulations are to be developed and promulgated under separate rulemaking by the Department of Transportation.

Background Document

"Background Document and Environmental Explanation for the Proposed Interstate Rail Carrier Noise Regulation" was prepared prior to publication of the proposed regulation. This document has been revised and new data have been added. This new Document is quite lengthy, and it would be impractical to publish it in its entirety in the Federal Register. Copies may be obtained from the EPA Public Information Center, PM 215, Room 2104D, Waterside Mall, 4th and M Streets S.W., Washington, D.C. 20460. To the extent possible, the significant aspects of the material have been presented in summary form in the foregoing preamble. The topics contained in the Document are the following:

1. Statutory basis and regulatory procedure;
2. Data base for the regulations;
3. Background of the railroad industry;
4. Sources of railroad noise and consideration for Federal regulation;
5. General procedure to measure railroad noise;
6. Economic effects of a retrofit program;
7. Summary of what the regulation requires;
8. Environmental effects of the final regulation;
9. Economic effects of the final regulation;
10. Index of public comment on the proposed regulation; and
11. Appendices.

Future Public Comment

As mentioned in the foregoing Agency responses to public comments, additional study may be required in a number of areas. EPA will evaluate the impact of these regulations after they become effective through monitoring and other activities, including evaluation of DOT and State enforcement data.

If as a result of government studies, or as the result of developments by industry or other institutions, it becomes evident to the Agency that more advanced technology is available at some reasonable cost within a prescribed compliance period, or that problems exist which curtail the effectiveness of the regulation, prompt revision of the regulation will be initiated. Accordingly, comments and

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recommendations are solicited from all interested persons as to new or advanced technology and its projected cost, the effectiveness of the regulation, or on any other topic relevant to these regulations or revisions thereof. Prior to actual formulation of any revision to these regulations, notice of proposed rulemaking will be published so that there may be maximum contribution to the rulemaking developmental process by interested parties. Written data or views may be submitted to the Director, Standards and Regulations Division, the Office of Noise Abatement and Control (AW–571), U.S. Environmental Protection Agency, Washington, D.C. 20460.

In addition, as also referenced in the foregoing Agency responses to public comments, any person(s) having comments regarding the measurement criteria included in this final regulation may submit such comments to the Director, Standards and Regulations Division, the Office of Noise Abatement and Control, (AW–471), Docket No. ONAC 75–16, U.S. Environmental Protection Agency, Washington, D.C. 20460.

This regulation is promulgated under the authority of 42 U.S.C. 4916(a), 86 Stat. 1248.

Dated: December 31, 1975.

JOHN QUARLES,
Acting Administrator.

Subpart A—General Provisions

Sec.
201.1 Definitions.

Subpart B—Interstate Rail Carrier Operations Standards

201.10 Applicability.
201.11 Standard for locomotive operation under stationary condition.
201.12 Standard for locomotive operation under moving condition.
201.13 Standard for rail car operations.

Subpart C—Measurement Criteria

201.20 Applicability and purpose.
201.21 Quantities measured.
201.22 Measurement instrumentation.
201.23 Acoustical environment, weather conditions and background noise.
201.24 Procedures for the measurement of locomotive and rail car noise.

AUTHORITY: Noise Control Act of 1972, sec. 17(a), 86 Stat. 1248 (42 U.S.C. 4916(a)).

Subpart A—General Provisions

§ 201.1 Definitions.

As used in this part, all terms not defined herein shall have the meaning given them in the Act:

(a) "Act" means the Noise Control Act of 1972 (Pub. L. 92–574, 86 Stat. 1234).

(b) "Carrier" means a common carrier by railroad, or partly by railroad and partly by water, within the continental United States, subject to the Interstate Commerce Act, as amended, excluding street, suburban, and interurban electric railways unless operated as a part of a general railroad system of transportation.

(c) "dB(A)" is an abbreviation meaning A-weighted sound level in decibels, reference: 20 micropascals.

(d) "Fast meter response" means that the "fast" response of the sound level meter shall be used. The fast dynamic response shall comply with the meter dynamic characteristics in paragraph 5.3 of the American National Standard Specification for Sound Level Meters, ANSI S1.4–1971 These publications are available from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

(e) "Interstate Commerce" means the commerce between any place in a State and any place in another state, or between places in the same State through another State, whether such commerce moves wholly by rail or partly by rail and partly by motor vehicle, express, or water. This definition of "interstate commerce" for purposes of this regulation is similar to the definition of "interstate commerce" in section 203(a) of the Interstate Commerce Act (49 U.S.C. 303(a)).

(f) "Load Cell" means a device external to the locomotive, of high electrical resistance, used in locomotive testing to simulate engine loading while the locomotive is stationary. (Electrical energy produced by the diesel generator is dissipated in the load cell resistors instead of the traction motors.)

(g) "Locomotive" means, for the purpose of this regulation, a self-propelled vehicle designed for and used on railroad tracks in the transport of rail cars, including self propelled rail passenger vehicles.

(h) "Rail Car" means a non-self-propelled vehicle designed for and used on railroad tracks.

(i) "Railroad" means all the roads in use by any common carrier operating a railroad, whether owned or operated under a contract, agreement, or lease.

(j) "Idle" means that condition where all engines capable of providing motive power to the locomotive are set at the lowest operating throttle position; and where all auxiliary non-motive power engines are not operating.

(k) "Special Purpose Equipment" means maintenance of way equipment which may be located on or operated from rail cars including: Ballast cribbing machines, ballast regulators, conditioners and scarifiers, bolt machines, brush cutters, compactors, concrete mixers, cranes and derricks, earth boring machines, electric welding machines, grinders, grouters, pile drivers, rail heaters, rail layers, sandblasters, snow plows, spike drivers, sprayers and other types of such maintenance of way equipment.

(l) "Sound level" means the quality in decibels measured by a sound level meter satisfying the requirements of American National Standards Specification for Sound Level Meters S1.4–1971.

This publication is available from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

(m) "Warning device" means sound emitting devices used to alert and warn people of the presence of railroad equipment.

(n) "Special track work" means track other than normal tie and ballast bolted or welded rail or containing devices such as retarders or switching mechanisms.

Subpart B—Interstate Rail Carrier Operations Standards

§ 201.10 Applicability.

The provisions of this subpart apply to all rail cars and all locomotives, except steam locomotives, operated or controlled by carriers as defined in Subpart A of this part except that § 201.11 (a) and (b) do not apply to gas turbine-powered locomotives and to any locomotive type which cannot be connected by any standard method to a load cell. They apply to the total sound level emitted by rail cars and locomotives operated under the conditions specified, including the sound produced by refrigeration and air conditioning units which are an integral element of such equipment. These provisions do not apply to the sound emitted by a warning device, such as a horn, whistle or bell when operated for the purpose of safety. They do not apply to special purpose equipment which may be located on or operated from railcars; they do not apply to street, suburban or interurban electric railways unless operated as a part of a general railroad system of transportation.

§ 201.11 Standard for locomotive operation under stationary condition.

(a) Commencing December 31, 1976, no carrier subject to this regulation shall operate any locomotive to which this regulation is applicable and of which manufacture is completed on or before December 31, 1979, which produces sound levels in excess of 93 dB(A) at any throttle setting except idle, and 73 dB(A) at idle, when operated singly, connected to a load cell, and when measured in accordance with the criteria specified in Subpart C of this part with fast meter response at 30 meters (100 feet) from the geometric center of the locomotive and perpendicular to the centerline of the track.

(b) No carrier subject to this regulation shall operate any locomotive to which this regulation is applicable and of which manufacture is completed after December 31, 1979, which produces sound levels in excess of 87 dB(A) at any throttle setting except idle, and 70 dB(A) at idle, when operated singly, connected to a load cell, and when measured in accordance with the criteria specified in Subpart C of this part with fast meter response at 30 meters (100 feet) from the geometric center of the locomotive and perpendicular to the centerline of the track.

§ 201.12 Standard for locomotive operation under moving condition.

(a) Commencing December 31, 1976, no carrier subject to this regulation shall operate any locomotive or combination of locomotives to which this regulation is applicable and of which manufacture is completed on or before December 31, 1979, which produces sound levels in excess of 96 dB(A) when moving at any time or under any condition of grade, load, acceleration, or deceleration, when measured in accordance with the criteria specified in Subpart C of this regulation with fast meter response at 30 meters (100 feet) from the centerline of any section of track which exhibits less than a two (2) degree curve (or a radius of curvature greater than 873 meters (2,865 feet)).

(b) No carrier subject to this regulation shall operate any locomotive or combination of locomotives to which this regulation is applicable and of which manufacture is completed after December 31, 1979, which produces sound levels in excess of 90 dB(A) when moving at any time or under any condition of grade, load, acceleration, or deceleration, when measured in accordance with the criteria as specified in Subpart C of this part with fast meter response at 30 meters (100 feet) from the centerline of any section of track which exhibits less than a two (2) degree curve (or a radius of curvature greater than 873 meters (2,865 feet)).

§ 201.13 Standard for rail car operations.

Effective December 31, 1976, no carrier subject to this regulation shall operate any rail car or combination of rail cars which while in motion produce sound levels in excess of (1) 88 dB(A) at rail car speeds up to and including 72 km/hr (45 mph); or (2) 93 dB(A) at rail car speeds greater than 72 km/hr (45 mph); when measured in accordance with the criteria specified in Subpart C of this part with fast meter response at 30 meters (100 feet) from the centerline of any section of track which is free of special track work or bridges or trestles and which exhibits less than a two (2) degree curve (or a radius of curvature greater than 873 meters (2,865 feet)).

Subpart C—Measurement Criteria

§ 201.20 Applicability and purpose.

The following criteria are applicable to and contain the necessary parameters and procedures for the measurement of the noise emission levels prescribed in the standards of Subpart B of this part. These criteria are specified in order to further clarify and define such standards.

§ 201.21 Quantities measured.

The quantities to be measured under the test conditions described below, are the A-weighted sound levels for fast meter response as defined in the American National Standard S1.4–1971.

§ 201.22 Measurement instrumentation.

(a) A sound level meter or alternate sound level measurement system that meets, as a minimum, all the requirements of American National Standard S1.4—1971 for a Type II instrument shall be used with the "fast" meter response characteristic.

(b) In conducting the sound level measurements, the general requirements and procedures of American National Standard S1.13–1971 shall be followed. This publication is available from the American National Standard Institute, Inc., 1430 Broadway, New York, New York 10018.

(c) A microphone wind-screen recommended by the manufacturer of the sound level meter or microphone of an alternate sound level measurement system shall be used.

§ 201.23 Acoustical environment, weather conditions and background noise.

(a) The standard test site shall be such that the locomotive or train radiates sound into a free field over the ground plane. This condition may be considered fulfilled if the test site consists of an open space free of large, sound reflecting objects, such as barriers, hills, signboards, parked vehicles, locomotives or rail cars on adjacent tracks, bridges or buildings within the boundaries described by Figure 1, as well as conforms to the other requirements of this § 201.23.

(b) Within the complete test site, the top of at least one rail upon which the locomotive or train is located shall be visible (line of sight) from a position 4 feet above the ground at the mircophone location, except as provided in paragraph (c) of this section.

(c) Ground cover such as vegetation, fenceposts, small trees, telephone poles, etc., shall be limited within the area in the test site between the vehicle under test and the measuring microphone such that 80 percent of the top of at least one rail along the entire test section of track be visible from a position 4 feet above the ground at the microphone location; except that no single obstruction shall account for more than 5 percent of the total allowable obstruction.

(d) The ground elevation at the microphone location shall be within plus 5 feet or minus 10 feet of the elevation of the top of the rail at the location in-line with the microphone.

(e) Within the test site, the track shall exhibit less than a 2 degree curve or a radius of curvature greater than 2,865 feet (873 meters). This paragraph shall not apply during a stationary test. The track shall be tie and ballast, free of special track work and bridges or trestles.

(f) Measurements shall not be made during precipitation.

(g) The maximum A-weighted fast response sound level observed at the test site immediately before and after the test shall be at least 10 dB(A) below the level measured during the test. For the locomotive and rail car pass-by tests this requirement applies before and after the train containing the rolling stock to be tested has passed. This background sound level measurement shall include the contribution from the operation of the load cell, if any, including contribution during test.

(h) Noise measurements may only be made if the measured wind velocity is 12 mph (19.3 kph) or less. Gust wind measurements of up to 20 mph (33.2 kph) are allowed.

§ 201.24 Procedures for the measurement of locomotive and rail car noise.

(a) *Microphone positions.* (1) The microphone shall be located within the test site according to the specifications given in the test procedures of paragraphs (b), (c) and (d) of this section, and shall be positioned 4 feet above the ground. It shall be oriented with respect to the source in accordance with the manufacturer's recommendations.

(2) The observer shall not stand between the microphone and the source whose sound level is being measured.

(b) *Locomotive stationary test (load cell test).* (1) For stationary locomotive tests, the microphone shall be positioned on a line perpendicular to the track at a point 100 feet from the track centerline at the longitudinal midpoint of the locomotive.

(2) The sound level meter shall be observed for thirty seconds after the test throttle setting is established to assure operating stability. The maximum sound level observed during that time shall be utilized for compliance purposes.

(3) Measurement of locomotive noise shall be made with all cooling fans operating.

(c) *Rail car pass-by test.* (1) For rail car pass-by tests, the microphone shall be positioned on a line perpendicular to the track 100 feet from the track centerline.

(2) Rail car noise measurements shall be made when the locomotives have passed a distance of 500 feet or 10 rail cars beyond the point at the intersection of the track and the line which extends perpendicularly from the track to the microphone location, providing any other locomotives are also at least 500 feet or 10 rail car lengths away from the measuring point. The maximum sound level observed in this manner which exceeds the noise levels specified in § 201.13 shall be utilized for compliance purposes.

(3) Measurements shall be taken on reasonably well maintained tracks.

(4) Noise levels shall not be recorded if brake squeal is present during the test measurement.

(d) *Locomotive pass-by test.* (1) For locomotive pass-by tests, the microphone shall be positioned on a line perpendicular to the track at a point 100 feet from the track center line.

(2) The noise level shall be measured as the locomotive approaches and passes by the microphone location. The maximum noise level observed during this period shall be utilized for compliance purposes.

(3) Measurements shall be taken on reasonably well maintained tracks.

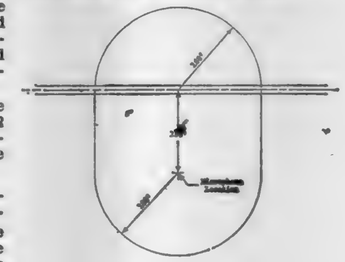


Figure 1.—Test Site Clearance Requirement for Locomotive Stationary, Locomotive Pass-by, and Rail Car Pass-by Tests

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WEDNESDAY, JANUARY 14, 1976



PART IV:

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Social and Rehabilitation Service

■

MEDICAL ASSISTANCE PROGRAM

Inpatient Psychiatric Services for Individuals under age 21

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Title 45—Public Welfare

CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 249—SERVICES AND PAYMENT IN MEDICAL ASSISTANCE PROGRAMS

PART 250—ADMINISTRATION OF MEDICAL ASSISTANCE PROGRAMS

Inpatient Psychiatric Hospital Services for Individuals Under Age 21

Notice of proposed rulemaking was published on March 24, 1975 in the FEDERAL REGISTER (40 FR 13142), to implement section 1905(a)(16) of the Social Security Act which was added by section 299B of Pub. L. 92-603, the Social Security amendments of 1972. This statutory provision, specifying that States may provide inpatient psychiatric services for individuals under age 21, as an optional item of medical care in their State Medicaid plans, formed the basis of the proposed regulations. The statute also specifies that such services must involve active treatment, that an interdisciplinary team must provide admission certification and that States must assure maintenance of effort before claiming Federal financial participation.

The purpose of the proposed regulations was to set forth minimum requirements for providers of inpatient psychiatric hospital services that reflect the intent of the statute. Approximately 81 comments were received from national and State professional organizations, State health and welfare departments, providers and provider organizations and other interested individuals. Of these the greatest number came from providers. The major areas of concern were the requirements for a psychiatric hospital (this represented over half of the comments), admissions, plan of care and the interdisciplinary team. There were very few comments submitted on the maintenance of effort provision. Specific major concerns expressed and the Department's responses are as follows:

1. *Comment.* The requirement that psychiatric services to patients under 21 must be provided by an institution which is a psychiatric hospital accredited by the Joint Commission on Accreditation of Hospitals (JCAH) is too narrow an interpretation of the legislation. To confine Medicaid participation to psychiatric hospitals disregards the efforts many facilities have made to provide inpatient psychiatric care to individuals under 21 in an environment consistent with current health care delivery practices. Furthermore it was not the legislative intent to exclude facilities other than psychiatric hospitals.

Response. Throughout the regulations the word "hospital" has been changed to "facility". This includes any institution other than a hospital which provides inpatient care and is accredited as a psychiatric facility by JCAH.

2. *Comment.* The interdisciplinary team members should have some knowledge, experience or training in the area of child psychiatry; the doctoral clinical psychologist could perform the same functions or have the same responsibilities as the physician; the certification of the psychologist requires clarification; and the team should function under the supervision of the physician.

Response. Section 249.10(b)(16)(iv)(c) provides that the interdisciplinary team should "preferably have training and experience in the area of child psychiatry." In a medical setting the responsibilities of the physician cannot be delegated to clinical psychologists. Section 249.10(b)(16)(v)(a)(3) provides that the psychologist may be certified by the State or the State psychological association, whichever is applicable. It is not appropriate to require physician supervision of the team, as patterns vary between institutions. However, the opening paragraph of § 249.10(b)(16) requires that "inpatient psychiatric hospital services" be provided under the direction of a physician.

3. *Comment.* There are problems which may occur when emergency admissions are done without the benefit of a team consultation.

Response. Section 249.10(b)(16)(iii)(d) requires that for emergency admissions the team responsible for the plan of care provides certification within 14 days after admission.

4. *Comment.* There were suggestions for specific word changes to further clarify the definition of plan of care.

Response. Section 249.10(b)(16)(iv)(a) includes clarification of the "active treatment" definition by replacing the word "deinstitutionalization" with a more descriptive phrase. In § 249.10(b)(16)(iv)(b) the word "behavioral" has been added to expand the elements of the diagnostic evaluation.

5. *Comment.* The maintenance of effort provision is too costly.

Response. This provision is based on the statute. In addition certain other clarifying or technical changes have been made in response to suggestions:

1. Section 249.10(b)(16)(iii) has been restructured for greater clarification of the admission requirements. The reference to the independent team provides for competence "preferably" in child psychiatry. Within 30 days of the effective date of the regulations, certification by the team responsible for the plan of care must be completed for individuals for whom services were provided prior to the effective date of the regulations.

2. A provision has been added to § 249.10(c)(5)(ii)(b) to clarify that the maintenance of effort requirement applies to facilities in the program which were providing inpatient psychiatric care in the base year even though they may not have met the requirements of § 249.10(b)(16) in that year.

3. Section 249.10(c)(5)(ii)(c) has been amended by deleting the phrase "other than title XIX or section 1115 of the Social Security Act" because the reimbursement to States for providing inpatient psychiatric hospital services to patients under 21 is contingent on meeting maintenance of effort requirements and there are no title XIX funds being paid to individual facilities. Thus the exclusion is unnecessary.

4. A statement has been added to § 249.10(b)(16)(iii) and (iv) to specify that requirements for admission certification and the development and review of a plan of care meet the utilization control requirements under § 250.18(a)(2) and (3) for physician certification/recertification and the establishment and periodic review of a plan of care.

5. The current regulations on upper limits for payment for skilled nursing facility, outpatient hospital and clinic services (§ 250.30(b)(3)(ii)) are being applied to reimbursement for these services; accordingly an appropriate change in the paragraph heading has been made.

Accordingly, the proposed regulations, as modified, are hereby adopted.

Chapter II, Title 45, of the Code of Federal Regulations is amended as set forth below:

1. Section 249.10 of Part 249 is amended by adding a new subparagraph (16) to paragraph (b) and amending paragraph (c), as set forth below:

§ 249.10 Amount, duration, and scope of medical assistance.

* * * * *

(b) *Federal financial participation.*

* * *

(16) *Inpatient psychiatric facility services for individuals under the age of 21.* For purposes of this subparagraph, "inpatient psychiatric facility services" include those items and services provided under the direction of a physician which meet the following conditions:

(i) In the case of any individual, such services are provided:

(*a*) Prior to the date such individual attains age 21, or

(*b*) In the case of an individual who was receiving such services in the period immediately preceding the date on which he attained age 21, prior to

(*1*) The date such individual no longer requires such services, or

(*2*) If earlier, the date such individual attains age 22.

(ii) Such services are provided by an institution which is a psychiatric facility accredited by the Joint Commission on Accreditation of Hospitals.

(iii) Such services are available only after certification that available alternative local community resources for ambulatory care do not meet the treatment needs of the individual, that the proper treatment of the individual's psychiatric condition requires such services on an inpatient basis under the direction of a physician and that such services can be reasonably expected to improve the individual's condition or prevent further regression so that such services will no longer be needed.

(*a*) For individuals admitted to a psychiatric facility in accordance with § 250.23 of this chapter after the effective date of these regulations and for whom claims are made from the date of admission such certification must be made by an independent team which must: Include a physician, have competence in the diagnosis and treatment of mental illness, preferaby in the area of child psychiatry, and have knowledge of the individual patient situation.

(*b*) For individuals for whom such services were provided under an approved State plan prior to the effective date of this regulation such certification must be provided by the team responsible for the plan of care within 30 days of the effective date of this regulation.

(*c*) For individuals who subsequently make application while in the facility a certification by the team responsible for the plan of care must be provided and cover any period prior to application for which claims are to be made.

(*d*) For emergency admissions a certification must be provided by the team responsible for the plan of care (see subdivision (v)) within 14 days after admission.

(*e*) The admission certification by the review team required in this paragraph may be deemed to meet the requirement for physician certification as specified in paragraph (a)(2) of § 250.18 of this chapter.

(iv) In the case of any individual, such services involve active treatment.

(*a*) "Active treatment" for purposes of this paragraph (b)(16) means implementation and administration of a professionally developed and supervised individual plan of care, which plan shall be developed and implemented no later than 14 days after admission to the facility. The active treatment must be reasonably expected to improve the individual's condition to the extent that in-patient care is no longer necessary. The plan of care shall be designed to achieve the individual's discharge from inpatient status at the earliest possible time.

(*b*) "Individual plan of care" means a written plan, developed for each patient in accordance with § 250.23(a)(1) of this chapter for the purpose of improving the individual's condition to the extent that in-patient care is no longer necessary. The plan shall set forth treatment objectives and prescribe an integrated program of appropriate therapies, activities, and experiences designed to meet these objectives. It shall be formulated in consultation with the child and parents, legal guardians, or others to whose care or custody the individual will be released following discharge. The plan shall be based upon a diagnostic evaluation which includes examination of the medical, psychological, social, behavioral and developmental aspects of the patient's situation and reflects the need for inpatient psychiatric care which can be reasonably expected to improve the patient's condition to the extent that such care will become unnecessary. It shall include, at an appropriate time, post-discharge plans and coordination of inpatient services with partial discharge plans and appropriate related services in the patient's community, to ensure continuity of care with his family, school and community, upon discharge. Such plan shall be reviewed every 30 days by an interdisciplinary team (see subdivision (v)) for determinations that the services provided are or were required on an inpatient basis and for recommendations as to necessary adjustments in the plan as indicated by the individual's overall adjustment as an inpatient. The development and review of the plan of care required in this subparagraph may be deemed to meet th requirement for physician recertification as specified in paragraph (a)(2) of § 250.18 of this chapter and for the establishment and periodic review of a plan of care as specified in paragraph (a)(3)(ii) of § 250.18 of this chapter.

(*c*) "Professionally developed" means the plan is formulated by an interdisciplinary team of physicians and other personnel who are employed by or render services to patients in the facility and who, by virtue of education and experience, preferably including competence in the area of child psychiatry have the capability of assessing the patient's immediate and long range therapeutic requirements, developmental priorities, personal strengths and liabilities, and the potential resources of the patient's family; of setting treatment objectives; and of prescribing the therapeutic modalities through which these objectives are to be achieved, and, therefore, are qualified to make determinations with respect to mental health conditions and the treatment thereof.

(v) For purposes of subdivision (iv) of this subparagraph, the interdisciplinary team shall include at least:

(*a*) (*1*) A Board eligible or Board certified psychiatrist, or

(*2*) A clinical psychologist who holds a doctoral degree and a physician licensed to practice medicine or osteopathy, or

(*3*) A physician licensed to practice medicine or osteopathy with specialized training and experience in the diagnosis and treatment of mental diseases and a psychologist who holds a master's degree in clinical psychology or who has attained recognition of competency through certification by the State or by the State psychological association; and

(*b*) One of the following (deemed to be other professionals qualified to make determinations with respect to mental health conditions and the treatment thereof):

(*1*) A psychiatric social worker;

(*2*) A registered nurse who has specialized training in or one year of experience in treating the mentally ill;

(*3*) An occupational therapist who, where applicable, is licensed in the State, and who has specialized training or one year of experience in treating the mentally ill; or

(*4*) A psychologist as defined in subdivision (v)(*a*)(3) of this subparagraph.

* * * * *

(c) *Limitations.* (1) Federal financial participation in expenditures for medical and remedial care and services listed in paragraph (b) of this section is not available with respect to any individual who is an inmate of a public institution (except as a patient in a medical institution or as a resident of an intermediate care facility), or any individual who has not attained 65 years of age and who is a patient in an institution for tuberculosis or mental diseases (except for an individual under age 22 who is receiving inpatient psychiatric facility services pursuant to paragraph (b)(16) of this section).

(2) Payments to institutions for the mentally retarded or persons with related conditions and to psychiatric facilities providing inpatient facility services to individuals under age 21 may not include reimbursement for " vocational training and educational activities; and

* * * * *

(5) With respect to expenditures in any calendar quarter, Federal financial participation for inpatient psychiatric facility services for individuals under the age of 21 is available only to the extent that the total expenditures for such inpatient services included under paragraph (b)(16) of this section for individuals receiving assistance under the State plan, and of active psychiatric care and treatment provided on an outpatient basis to mentally ill individuals under age 21 receiving assistance under the State plan in the current quarter exceeds the sum of:

(i) The product of the total number of eligible individuals receiving such inpatient services in the current quarter times the average quarterly per capita non-Federal expenditures for the base year, and

(ii) The average non-Federal quarterly expenditures for the base year for outpatient psychiatric facility services for eligible individuals under the age of 21. Federal financial participation will be at 100 percent of such increase in expenditures over the base year period but may not exceed the Federal medical assistance percentage times the expenditures for inpatient psychiatric hospital services for individuals under the age of 21 included under paragraph (b)(16) of this section. For purposes of this subparagraph:

(*a*) The base year shall be the 4-quarter period ending December 31, 1971;

(*b*) The per capita per quarter non-Federal expenditures for the base year and the expenditures for each subsequent year in which claims are made are those expenditures for inpatient care and services in psychiatric facilities determined in accordance with reimbursement principles applied under title XVIII-A of the Act; (Facilities which were providing such services for individuals 21 and under and receiving State aid during the base year which did not then meet the requirements of paragraph (b)(16) of this section but which participate in the program under paragraph (b)(16) of this section must be included in the maintenance of effort computation);

(*c*) The number of eligible individuals receiving inpatient psychiatric facility services in the current quarter means the number of different persons receiving care for the whole quarter plus the full quarter equivalent number for persons receiving less than a full quarter's care. In determining the per capita expenditures for the base year, similar methods of computation shall be used;

(*d*) Non-Federal expenditures means the total amount of the funds expended

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by the State and the political subdivisions thereof, excluding any Federal funds received directly or indirectly;

(e) Expenditures for the current calendar quarter excludes Federal funds received directly or indirectly from any source.

(f) As a basis for determining the proper amount of Federal payments, each participating State must submit estimated and actual cost data and other information necessary for this purpose in such form and at such times as are specified in regulations in this chapter and Social and Rehabilitation Service guidelines; and

(g) the single State agency shall have on file adequate records to substantiate compliance with the requirements of this subparagraph and to assure that all necessary adjustments have been made.

* * * * *

2. Section 250.23 of Part 250 is amended by revising paragraphs (a) and (b) and adding a new paragraph (c) as set forth below:

§ 250.23 Periodic medical review and medical inspections in skilled nursing facilities and institutions for mental diseases.

(a) *State plan requirements; medical review.* A State plan for medical assistance under title XIX of the Social Security Act must:

(1) Provide, with respect to patients eligible under the State plan who are admitted to a skilled nursing facility or who make application while in such a facility, for a medical review (including medical evaluation) of the need for care in such a facility, a written plan of care and, where applicable, a plan of rehabilitation; and if the State plan includes medical assistance in behalf of individuals 65 years of age or older, in institutions for mental diseases or under age 21 in psychiatric facilities, provide, with respect to patients eligible under the State plan who are admitted to or make application while in a mental hospital or psychiatric facility, for a medical review (including medical evaluation) of the need for such care, and a written plan of care. Such a review and plans would be made by the patient's attending physician with respect to care in skilled nursing facilities, and by the attending physician or staff physician with respect to care in mental hospitals, for individuals age 65 or over. In the case of individuals under age 21 who are admitted to psychiatric facilities, the review must be made by a team in accordance with § 249.10(b)(16)(iii)(b), and the plan of care must be made by a team as specified in § 249.10(b)(16)(v). Provisions required by this subparagraph shall include descriptions of methods and procedures to be followed in each case which assure that prior to admission or prior to authorization of payments, as may be appropriate:

(i) Each patient receives a complete medical evaluation which includes diagnoses, summary of present medical findings, medical history, mental and physical functional capacity, prognosis and an explicit recommendation by the physician with respect to admission to, or, in the case of persons who make application while inpatients in a skilled nursing facility or mental hospital, continued care in, such skilled nursing facility or mental hospital;

(ii) The plan of care includes diagnosis, symptoms, complaint(s), and/or complications indicating the need for admission, a description of the functional level of the patient; written objectives; orders (as appropriate) for medications, treatment, restorative and rehabilitative services, therapies, activities, social services, diet, and special procedures recommended for the health and safety of the patient; and plans for continuing care (including provisions for review and necessary modification of the plan) and discharge;

(iii) In the case of skilled nursing facility patients, written reports of the evaluation and the written plan of care are delivered to the facility and entered in the patient's record at the time of admission or, in the case of patients already in the facility, immediately upon completion; and

(iv) In the case of patients in mental hospitals or in skilled nursing facilities which are in institutions for mental diseases, the evaluation also includes psychiatric and social evaluations which are entered in the patient's record at the time of admission or immediately upon completion;

(2) Provide for periodic inspections to be made in all skilled nursing facilities (and, if the State plan includes medical assistance for individuals 65 years of age or older or individuals under age 21, who are patients in institutions for mental diseases, in each such institution) caring for patients under the plan by one or more medical review teams which shall

(i) Be composed of one or more physicians and other appropriate health and social service personnel; or in the case of teams reviewing care in institutions for mental diseases, one or more psychiatrists or physicians knowledgeable about mental institutions and other appropriate mental health and social service personnel;

(ii) Function under the supervision of a physician on the team;

(iii) Have no members who are employed by or have any financial interest in any nursing home (or, in the case of teams reviewing care in institutions for mental diseases, have a financial interest in any such institution or are employed by an institution for mental diseases reviewed by the team of which they are members);

(3) Provide for methods and procedures which assure that:

(i) A sufficient number of teams exists and they are so distributed within the State that on-site inspections can be made in all skilled nursing facilities (and institutions for mental diseases) caring for patients under the plan at appropriate intervals;

(ii) No physician member of a team inspects the care of patients for whom he is the attending physician;

(iii) At least one inspection by a medical review team is made in each skilled nursing facility or institution for mental diseases at intervals to be determined by the team for each facility or institution on the basis of consideration of the quality of care being rendered therein and the conditions of patients thereof receiving service under the plan, but not less often than annually;

(iv) No such facility or institution is notified of the time of an inspection more than 48 hours before the arrival of the medical review team; and

(v) The medical review team inspection includes for skilled nursing facility patients and for individuals under age 21 in institutions for mental diseases personal contact with and observation of each patient receiving assistance under the plan by a team member or members, and review of each such patient's medical record. In the case of patients 65 years of age or older in institutions for mental diseases, the inspection includes review of each such patient's medical record, if such record contains complete reports of periodic assessments required by section 1902(a)(20) of the Social Security Act, or if such reports are not available or are found to be inadequate, personal contact with and observation of each such patient. Such reviews and observations are to determine the adequacy of the services available to meet the current health needs and promote the optimal physical, mental, and psychosocial functioning of patients, the necessity and desirability of the continued placement of such patients in such facilities or institutions, and the feasibility of meeting their health needs through alternative institutional or noninstitutional services, and in the case of individuals under age 21 in institutions for mental diseases whether such services involve active treatment. Under this requirement, such determinations may be based upon consideration of such items as whether:

(a) The medical evaluation and plan of care for each patient are complete and current, the plan of care (and, where applicable, the plan of rehabilitation) is being followed and all services ordered (including dietary orders) are being rendered and properly recorded,

(b) Prescribed medications have been reviewed by the attending physician at least every 30 days, and tests or observations of patients indicated by their medication regimen have been made at appropriate times and properly recorded,

(c) Physician, nurse, and other professional progress notes are made as required and appear to be consistent with the observed condition of the patient,

(d) Adequate services are being rendered each patient as evidenced by such observations as cleanliness, absence of decubiti, absence of signs of malnutrition or dehydration, and apparent maintenance of optimal physical, mental and psychosocial function,

(e) The patient currently requires any service not available in or actually being furnished by the particular facility or institution or through arrangements with others, and

(f) Each patient actually needs continued placement in the facility or institution or there is an appropriate plan to transfer the patient to an alternate method of care;

(4) Provide for methods and procedures which assure that:

(i) A full and complete report on each inspection visit is promptly submitted by the medical review team to the single State agency covering the observations, conclusions and recommendations of the team with respect to the adequacy and quality of all patient services in the facility or institution (including physician services to medical assistance patients in the facility) as well as specific findings with respect to individual patients;

(ii) The single State agency forwards a copy of each inspection report both to the facility or institution involved and its functioning utilization review committee, to the agency of the State responsible for licensure, and to the agencies responsible for certification or approval of the facilities involved for purposes of title XVIII or XIX, and to other agencies of the State which require the information in such reports in the performance of their official functions including, in the case of inspection reports on institutions for mental diseases, the appropriate State mental health authorities, and

(iii) Reports and recommendations are followed by appropriate action on the part of the single State agency.

(b) *Coordination of utilization review and medical review.* Periodic medical inspections by medical review teams as required by paragraph (a) of this section may be conducted by noninstitution based utilization review committees where the composition of such a committee meets the requirements of paragraph (a)(2) of this section, or is modified or supplemented to meet such requirements for purposes of its medical review activities, and where such committee is willing and able to undertake in addition to its regular utilization review program the on-site inspection functions required by paragraph (a)(3) of this section.

(c) *Coordination of independent professional review and medical review.* Periodic inspections by medical review teams as required by paragraph (a) of this section may be conducted by independent professional review teams where the composition of such a team meets the requirements of paragraph (a)(2) of this section or is modified or supplemented to meet such requirements for purposes of its medical review activities and where such independent professional review team is willing and able to undertake in addition to its regular independent professional review program the on-site inspection functions required by paragraph (a)(3) of this section.

3. The heading of § 250.30(b)(3)(ii) is revised as follows:

§ 250.30 Reasonable charges.

* * * * *

(b) *Upper limits.* * * *

(3) *Other services.* * * *

(ii) *Skilled nursing facility services, outpatient hospital services, other inpatient and outpatient facility services, and clinic services.* Customary charges which are reasonable. Schedules of payments established by the State agency shall not exceed the combined payments received by providers (for furnishing comparable services under comparable circumstances) from the intermediaries or carriers under title XVIII and beneficiaries under title XVIII of the Social Security Act. Schedules will be acceptable if within the upper limits either on a facility by facility basis or on the basis of average payments according to a reasonable classification of facilities based on levels of care. (In the case of providers which are not participating under title XVIII, a financial audit of the facilities to apply the title XVIII–A reimbursement principles is not required but the State shall establish schedules of charges which are consistent with the intent that upper limits do not exceed amounts paid under title XVIII–A for similar services.)

* * * * *

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302))

Effective date. The regulations in this section will be effective April 13, 1976.

(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program)

Dated: October 10, 1975.

JOHN A. SVAHN,
Acting Administrator, Social and Rehabilitation Service.

Approved: January 2, 1976.

MARJORIE LYNCH,
Acting Secretary.

[FR Doc.76-1092 Filed 1-13-76;8:45 am]

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federal register

WEDNESDAY, JANUARY 14, 1976

PART V:

OFFICE OF MANAGEMENT AND BUDGET

Rescissions and Deferrals— January 1976

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CUMULATIVE REPORT

VOL. 41, NO. 9
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OFFICE OF MANAGEMENT AND BUDGET

RESCISSIONS AND DEFERRALS JANUARY 1976

Cumulative Report

This report is submitted in fulfillment of the requirements of Section 1014(e) of the Impoundment Control Act of 1974 (Pub. L. 93-344). Section 1014(e) provides for a monthly report listing all current year budget authority with respect to which, as of the first day of the month, a special message has been transmitted to the Congress.

This month's report gives the status as of January 1, 1976, of the rescissions and deferrals contained in the first eight special messages transmitted to the Congress for fiscal year 1976. These messages were transmitted to the Congress on July 1 and 25, September 10 and 24, October 3 and 20, November 18, and December 1, 1975.

Rescissions (Attachment A). Nineteen rescissions totalling $2,127.7 million in budget authority are presently pending before the Congress.

Deferrals (Attachment B). As of January 1, 1976, $3,058.4 million in 1976 budget authority was being deferred from obligation and another $77.6 million in 1976 obligations was being deferred from expenditure.

The 85 deferrals transmitted in the eight 1976 special messages are tabulated in Attachment B.

Information from Special Messages. The eight special messages containing information on each of the rescissions and deferrals covered by the cumulative report are contained in the FEDERAL REGISTERS of:

Wednesday, July 9, 1975 (Vol. 40, No. 132, Part V)

Wednesday, July 30, 1975 (Vol. 40, No. 147, Part II)

Monday, September 15, 1975 (Vol. 40, No. 179, Part V)

Monday, September 29, 1975 (Vol. 40, No. 189, Part V)

Wednesday, October 8, 1975 (Vol. 40, No. 196, Part VII)

Thursday, October 23, 1975 (Vol. 40, No. 206, Part III)

Thursday, November 20, 1975 (Vol. 40, No. 225, Part VI)

Thursday, December 4, 1975 (Vol. 40, No. 234, Part II)

Attachments

PAUL H. O'NEILL,
Deputy Director.

ATTACHMENT A

STATUS OF RESCISSIONS
FISCAL YEAR 1976
(Amounts in thousands of dollars)
As of January 1, 1976

Agency Bureau Account	Rescission Number	Amount Proposed for Rescission	Date Special Message Transmitted to Congress	Amount Rescinded	Date Rescission Act Signed	Amount Made Available	Date Made Available
Department of Agriculture							
Agriculture Research Service:							
Construction	R76-15	225	11-29-75				
Agriculture Stabilization and Conservation Service:							
Water Bank Act Program	R76-16	12,500	11-29-75				
Forestry Incentives Program	R76-17	18,750	11-29-75				
Farmers Home Administration:							
Rural Water and Waste Disposal Grants	R76-18	150,000	11-29-75				
Rural Development Grants	R76-19	12,344	11-29-75				
Rural Housing for Domestic farm labor	R76-20	9,375	11-29-75				
Mutual and self-help housing	R76-21	12,287	11-29-75				
Self-help housing land development fund	R76-22	1,498	11-29-75				
Rural housing insurance fund	R76-23	10,000	11-29-75				
Rural community fire protection grants	R76-24	4,375	11-29-75				
Agriculture Marketing Service:							
Payments to States and possessions	R76-25	2,000	11-29-75				
Forest Service:							
Forest Roads and Trails	R76-4	[25,723]	07-25-75	25,723	10-07-75		

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Agency Bureau Account	Rescission Number	Amount Proposed for Rescission	Date Special Message Transmitted to Congress	Amount Rescinded	Date Rescission Act Signed	Amount Made Available	Date Made Available
Department of Health, Education and Welfare							
Office of Education:							
Elementary and Secondary education	R76-9	220,404	11-18-75				
School assistance in federally affected areas	R76-10	220,968	11-18-75				
Education for the Handicapped	R76-11	36,375	11-18-75				
Occupational, vocational, and adult education	R76-12	14,241	11-18-75				
Higher education	R76-13	768,140	11-18-75				
Library resources	R76-14	28,975	11-18-75				
Assistant Secretary for Human Development:							
Child Development and Head Start	R76-5	[7,000]	07-25-75			7,000	10-24-75
Department of Housing and Urban Development							
Housing Production and Mortgage Credit:							
State Housing Finance and Development Agencies	R76-26	500,000 1/	11-29-75				
Department of the Interior							
Bureau of Mines							
Helium Fund	R76-6	[47,500]	07-25-75	47,500	10-13-75 2/		
Department of Transportation							
Federal Highway Administration:							
National Scenic and Recreational Highway	R76-1	[90,000]	07-01-75	3/	3/		
Access Highways to Public Recreation Areas on Lakes	R76-2	[25,000]	07-01-75	25,000 4/	11-24-75 4/	4/	11-24-75 4/
Department of the Treasury							
Office of the Secretary:							
Construction, Federal Law Enforcement Training Center	R76-3	[8,665]	07-01-75			8,665	09-23-75

ATTACHMENT B

STATUS OF DEFERRALS

FISCAL YEAR 1976
(Amounts in thousands of dollars)

Agency: Department of Agriculture 1/

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-76
Agricultural Research Service									
Construction	D76-68		7,570	11-29-75					
				12-05-75		2/	-7,570 3/		0
Animal and Plant Inspection Service									
Construction	D76-69		6,314	11-29-75					
				12-15-75		4/	-6,314 5/		0
Foreign Agricultural Service									
Salaries and Expenses (Special Foreign Currency)	D76-1		2,232	07-01-75					2,232
Agricultural Stabilization and Conservation Service									
Commodity Credit Corporation Administrative Expenses	D76-71		2,787	11-29-75					
				12-18-75	-2,787				0
Agricultural Conservation Program	D76-28	[31,667]		07-25-75					
				09-10-75				-31,667	
	D76-28A	[31,667]		09-10-75					
				10-03-75				-31,667	
	D76-28B		63,333	10-03-75					
				10-21-75				-63,333 6/	0
	D76-70		90,000	11-29-75					
				12-24-75		-90,000 7/			0
Water Bank Act Program	D76-29	[536]		07-25-75					
				10-03-75				-536	
	D76-29A		1,072	10-03-75					
				10-21-75				-1,072 6/	0
Forestry Incentives Program	D76-30	[3,750]		07-25-75					
				10-03-75				-3,750	
	D76-30A		7,500	10-03-75					
				10-21-75				-7,500 6/	0

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-76
Farmers Home Administration									
Rural Water and Waste Disposal	D76-31	[37,500]		07-25-75 10-03-75				-37,500	
	D76-31A		75,000	10-03-75 10-21-75				-75,000 6/	0
	D76-72		50,000	11-29-75 12-24-75		-50,000 8/			0
Rural Housing for Domestic Farm Labor Grants	D76-32	[1,250]		07-25-75 10-03-75				-1,250	
	D76-32A		2,500	10-03-75 10-21-75				-2,500 6/	0
Mutual and Self-help Housing Grants	D76-33	[2,050]		07-25-75 10-03-75				-2,050	
	D76-33A		3,300	10-03-75 10-21-75				-3,300 6/	0
Self-help Housing Land Development Fund	D76-34	[1,625]		07-25-75 10-03-75				-1,625	
	D76-34A		1,625	10-03-75 10-21-75				-1,625 6/	0
Soil Conservation Service									
Watershed and flood prevention operations	D76-73		22,500	11-29-75 12-24-75		-22,500 9/			0
Resource conservation and development	D76-74		4,960	11-29-75 12-24-75		-4,960 10/			0
Agricultural Marketing Service									
Payments to States and Possessions	D76-35	[400]		07-25-75 10-03-75				-400 4/	
	D76-35A		800	10-03-75 10-21-75				-800	0

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-76
Forest Service									
Forest Roads and Trails	D76-36		280,000	07-25-75					280,000
Expenses, Brush Disposal	D76-37		27,113	07-25-75					27,113
Licensee Programs	D76-38		95	07-25-75					95
TOTAL		110,445	648,701		-2,787	-167,460	-13,884	-265,575	309,440

1/ On July 10, 1975, the Senate passed an impoundment resolution requiring release of Youth Conservation Corps funds reported two days earlier by the General Accounting Office as being deferred ($10 million). Funds were released on July 16, 1975.
2/ Impoundment resolution, H. Res. 910, passed the House on December 19, 1975, expressing disapproval of this deferral. The funds were released on December 5, 1975, following Senate passage of S. Res. 313.
3/ Impoundment resolution, S. Res. 313, passed the Senate on December 4, 1975, rejecting this deferral.
4/ Impoundment resolution, H. Res. 911, passed the House on December 19, 1975, expressing disapproval of this deferral. The funds were released on December 15, 1975.
5/ Impoundment resolution, S. Res. 324, passed the Senate on December 10, 1975, rejecting this deferral.
6/ Enactment of P.L. 94-122 (October 21, 1975) ended deferrals of funds provided by the continuing resolution.
7/ Impoundment resolution H. Res. 912, passed the House on December 19, 1975, rejecting this deferral.
8/ Impoundment resolution H. Res. 914, passed the House on December 19, 1975, rejecting this deferral.
9/ Impoundment resolution H. Res. 915, passed the House of December 19, 1975, rejecting this deferral.
10/ Impoundment resolution H. Res. 916, passed the House of December 19, 1975, rejecting this deferral.

Agency: Department of Commerce

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-76
National Oceanic and Atmospheric Administration									
Fisheries Loan Fund	D76-2		7,252	07-01-75 11-14-75				-769 1/	6,483
Promote and Develop Fishery Products	D76-3		1,355	07-01-75 12-30-75	-377			-173 1/	805
Fishermen's Guaranty Fund	D76-75		152	11-29-75					152
Office of the Assistant Secretary for Science and Technology									
Scientific and Technical research and services	D76-76		1,187	11-29-75					1,187
TOTAL			9,946		-377			-942 1/	8,627

1/ Reflects a revised unobligated balance brought forward from FY 1975.

Agency: Department of Defense, Military

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-76
Shipbuilding and Conversion, Navy	D76-4		1,793,590	07-01-75					1,793,590
Military Construction, All Services	D76-5		233,630	07-01-75					
				06-27-75	-1,582				
				07-29-75	-1,752				
				08-25-75	-15,046				
				09-04-75	-5,515				
				10-06-75				245	
				10-15-75	-34,524				
				10-24-75	-16,415				
				11-03-75	-5				
				11-03-75				3,399	
				12-04-75	-32,798				
				12-09-75	-31,256				
TOTAL			2,027,220		-138,893			3,644	98,381

Agency: Department of Defense, Civil

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-76
Wildlife Conservation Military Reservations	D76-6		432	07-01-75 09-19-75 09-24-75				-13 1/2/ -31 1/	388
TOTAL			432					-44	388

1/ Reflects the actual unobligated balance carried forward July 1, which is a lesser amount than previously estimated.
2/ Reflects a decrease in anticipated receipts for the year.

Agency: Department of Health, Education, and Welfare

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-76
Health Services Administration									
Health Services	D76-57		1,082	10-20-75					1,082
Indian Health Facilities	D76-39		1,000	07-25-75					1,000
National Institutes of Health									
National Cancer Institute	D76-58		7,000	10-20-75					7,000
National Heart and Lung Institute	D76-59		2,700	10-20-75					2,700
National Institutes of Dental Research	D76-60		518	10-20-75					518
National Institute of Neurological and Communicative Disorders and Stroke	D76-61		682	10-20-75					682
National Institutes of General Medical Sciences	D76-62		2,318	10-20-75					2,318
National Institute of Child Health and Human Development	D76-63		1,234	10-20-75					1,234
Buildings and Facilities	D76-7		2,164	07-01-75 09-22-75	-2,164				0
Office of the Director	D76-64		572	10-20-75					572

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Releases Resulting From Subsequent Actions Taken by: OMB/Agency	House	Senate	Adjustments	Amount Deferred as of 01-01-76
Alcohol, Drug Abuse and Mental Health Administration									
Alcohol, Drug Abuse, and Mental Health	D76-40	[3,409]		07-25-75 10-03-75				-3,409 1/	0
	D76-40A	[2,426]		10-03-75 10-20-75				-2,426 1/	0
	D76-40B		2,753	10-20-75					2,753
Health Resources Administration									
Health Resources	D76-41		22,000	07-25-75 07-25-75	-22,000				0
Office of the Assistant Secretary for Health									
Assistant Secretary for health	D76-65		753	11-18-75					753
Scientific Activities Overseas (Special Foreign Currency)	D76-8		3,652	07-01-75					3,652
Office of Education									
Elementary and Secondary Education	D76-51			09-10-75 10-10-75	-8,000				
	D76-52		2,968	09-10-75					2,968
School Assistance in Federally Affected Areas	D76-42		68,350	07-25-75 09-10-75				-68,350 2/	0
Higher Education	D76-9		49,040	07-01-75					49,040
Higher Education	D76-43		9,500	07-25-75 09-10-75				-9,500 2/	0
Library Resources	D76-44		10,437	07-25-75 09-10-75				-10,437 2/	0
Social and Rehabilitative Service									
Public Assistance Child Welfare Services	D76-45	[1,000]		07-25-75 10-03-75				-1,000	0
	D76-45A		2,000	10-03-75					2,000

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Releases Resulting From Subsequent Actions Taken by: OMB/Agency	House	Senate	Adjustments	Amount Deferred as of 01-01-76
Social Security Administration									
Limitation on Construction	D76-54		14,910	09-24-75					14,910
Special Institutions									
Howard University	D76-10	[8,174]		07-01-75				-8,174	
	D76-10A		12,225	11-18-75					12,225
Assistant Secretary for Human Development									
Research and Training Activities Overseas (Special Foreign Currency)	D76-11	[7,307]		07-01-75 07-25-75				-7,307 1/	0
	D76-11A		8,307	07-25-75					
	D76-11B			07-15-75 11-29-75 11-11-75	-3,665 -390 -558				3,694
TOTAL		22,316	234,165		-36,777			-110,603	109,101

1/ Subsequently incorporated in a supplementary report.
2/ Enactment of P.L. 94-94 (September 10, 1975) ended deferral of funds provided by the Continuing Resolution.

Agency: Department of the Interior

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	House	Senate	Adjustments	Amount Deferred as of 01-01-76
Bureau of Land Management Public Lands Development Roads and Trails	D76-12		25,847	07-01-75					25,847
Bureau of Reclamation Construction and Rehabilitation	D76-13	[1,030]		07-01-75 07-25-75				-1,030 1/	0
	D76-13A		1,030	07-25-75 12-08-75			-1,030 2/		0
Upper Colorado River Storage Project	D76-14		1,150	07-01-75					1,150
Bureau of Outdoor Recreation Land and Water Conservation Fund	D76-15		30,000	07-01-75					30,000
Fish and Wildlife Service Federal Aid in Fish Restoration and Management	D76-16		6,330	07-01-75					6,330
Federal Aid in Wildlife Restoration	D76-17		21,470	07-01-75					21,470
National Park Service Road Construction	D76-18		238,092	07-01-75 12-15-75	-1,000				237,092
Geological Survey Payment from Proceeds, Sale of Water	D76-19		29	07-01-75					29
Bureau of Mines Drainage of Anthracite Mines	D76-46		3,375	07-25-75					3,375
Bureau of Indian Affairs Road Construction	D76-20		68,470	07-01-75					68,470
TOTAL		1,030	395,793		-1,000		-1,030	-1,030	393,763

1/ Subsequently incorporated in a supplementary report.
2/ Impoundment resolution, S. Res. 226, passed by the Senate on December 4, 1975, rejecting this deferral.

Agency: Department of Labor

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	House	Senate	Adjustments	Amount Deferred as of 01-01-76
Departmental Management Working Capital Fund	D76-77		977	11-29-75 12-08-75	-977				0
Pension Benefit Guaranty Corporation Pension Guaranty Fund	D76-78		(1,431)*	11-29-75					(1,431)*
TOTAL			977		-977				0

* Annexed Budget item. Not included in totals. This deferral will not affect budgetary outlays because PBGC is an off-budget agency. However, it will result in reducing Treasury financing needs by $1,431 thousand for FY 1976.

Agency: Department of State

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-76
International Center, Washington, D.C.	D76-66		2,572	11-10-75					2,572
Refugee and Migration Affairs: Special Assistance to refugees from Cambodia and Vietnam	D76-65		28,493	11-29-75					28,493
TOTAL			31,065						31,065

Agency: Department of Transportation

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-76
Coast Guard									
Acquisition, Construction and Improvements	D76-21		707	07-01-75					707
Federal Aviation Administration									
Civil Supersonic Aircraft Development Termination	D76-22		7,606	07-01-75 11-24-75				-6,000*	1,606
Facilities and Equipment (Airport and Airway Trust Fund)	D76-23		75,824	07-01-75					75,824
Federal Highway Administration									
National Scenic and Recreational Highway	D76-55		90,000	09-24-75					90,000
TOTAL			174,217					-6,000*	168,217

* P.L. 94-134, signed November 24, 1975, transferred $6 million from "Civil supersonic aircraft development termination" to FAA "Operations."

Agency: Department of the Treasury

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-76
Office of the Secretary									
State and Local Government Fiscal Assistance Trust Fund	D76-24		93,420	07-01-75					
				07-31-75	-246				
				08-11-75	-18				
				10-01-75	-3,145				
				11-01-75	-41				
				12-01-75	-164				
				01-01-76	-84				89,722
State and Local Government Fiscal Assistance Trust Fund	D76-25	[38,391] 1/		07-01-75					
				09-10-75				-38,391 1/2/	
	D76-25A	[57,587] 1/		09-10-75					
				10-20-75				-57,587 1/2/	
	D76-25B	[75,856] 1/		10-20-75					
				11-18-75				-75,856 1/2/	
	D76-25C		75,856 1/	11-18-75					75,856 1/
	D76-67		11,833 1/	11-18-75					
				12-01-75	-9,409				
				01-01-76	-693				1,731 1/
Loans to the District of Columbia for Capital Outlay	D76-53		39,370	09-10-75					39,370
TOTAL			132,790 BA		-3,698 BA				129,092 BA
		171,834 O	87,689 O		-10,102 O			-171,834 O	77,587 O

1/ Outlays only.
2/ Subsequently incorporated in a supplementary report.

Agency: Environmental Protection Agency

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-76
Research and Development	D76-79		2,000	11-28-75					
				12-22-75		-2,000 1/			0
	D76-80		4,600	11-29-75					
				12-22-75		-4,600 2/			0
Abatement and Control	D76-47		4,000	07-25-75					
				07-23-75	-4,000				0
	D76-81		3,750	11-29-75					0
				12-22-75		-3,750 3/			
	D76-82		10,000	11-29-75					0
				12-22-75		-10,000 4/			
	D76-83		15,000	11-29-75					0
				12-22-75		-15,000 5/			
TOTAL			39,350		-4,000	-35,350			0

1/ Impoundment resolution, H. Res. 920 passed the House on December 19, 1975, rejecting this deferral.
2/ Impoundment resolution, H. Res. 921 passed the House on December 19, 1975, rejecting this deferral.
3/ Impoundment resolution, H. Res. 922 passed the House on December 19, 1975, rejecting this deferral.
4/ Impoundment resolution, H. Res. 923 passed the House on December 19, 1975, rejecting this deferral.
5/ Impoundment resolution, H. Res. 924 passed the House on December 19, 1975, rejecting this deferral.

Agency: General Services Administration

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-76
Rare Silver Dollar Program	D76-48		1,790	07-25-75					1,790
TOTAL			1,790						1,790

Agency: National Aeronautics and Space Administration

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-76
Research and Program Management	D76-84		2,900	11-29-75					2,900
TOTAL			2,900						2,900

Agency: Other Independent Agencies

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-76
Community Services Administration									
Economic Opportunity Program									
Emergency Energy Conservation Services	D76-49		16,500	07-25-75 10-03-75			-16,500 1/		0
Community and Economic Development	D76-50		14,500	07-25-75 07-24-75	-14,500				0
Foreign Claims Settlement Commission									
Payment of Vietnam Prisoner of War Claims	D76-26		11,081	07-01-75					11,081
American Revolution Bicentennial Administration	D76-27		1,000	07-01-75					1,000
National Commission on Productivity and Work Quality	D76-56		1,500	09-24-75 10-01-75 12-09-75	-600 -900				0
TOTAL			44,581		-15,100		-16,500		12,981
TOTAL, ALL DEFERRALS		133,791 BA 171,834 O	3,743,927 BA 87,689 O		-204,509 -10,102	-202,810	-31,414	-380,550 BA -171,834 O	3,058,435 BA 77,587 O

1/ Impoundment resolution, S. Res. 267, passed the Senate October 3, 1975, rejecting this deferral.

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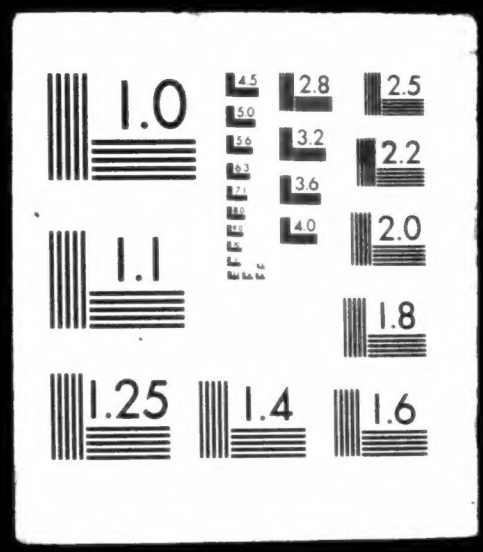
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RESOLUTION CHART



100 MILLIMETERS

INSTRUCTIONS Resolution is expressed in terms of the lines per millimeter recorded by a particular film under specified conditions. Numerals in chart indicate the number of lines per millimeter in adjacent "T-shaped" groupings.

In microfilming, it is necessary to determine the reduction ratio and multiply the number of lines in the chart by this value to find the number of lines recorded by the film. As an aid in determining the reduction ratio, the line above is 100 millimeters in length. Measuring this line in the film image and dividing the length into 100 gives the reduction ratio. Example: the line is 20 mm. long in the film image, and $100/20 = 5$.

Examine "T-shaped" line groupings in the film with microscope, and note the number adjacent to finest lines recorded sharply and distinctly. Multiply this number by the reduction factor to obtain resolving power in lines per millimeter. Example: 7.9 group of lines is clearly recorded while lines in the 10.0 group are not distinctly separated. Reduction ratio is 5, and $7.9 \times 5 = 39.5$ lines per millimeter recorded satisfactorily. $10.0 \times 5 = 50$ lines per millimeter which are not recorded satisfactorily. Under the particular conditions, maximum resolution is between 39.5 and 50 lines per millimeter.

Resolution, as measured on the film, is a test of the entire photographic system, including lens, exposure, processing, and other factors. These rarely utilize maximum resolution of the film. Vibrations during exposure, lack of critical focus, and exposures yielding very dense negatives are to be avoided.